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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

SENATE—*Friday, April 26, 2013*

The Senate met at 11:30 and 26 seconds a.m. and was called to order by the Honorable TIM KAINE, a Senator from the Commonwealth of Virginia.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 26, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM KAINE, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

ADJOURNMENT UNTIL TUESDAY,
APRIL 30, 2013, AT 10 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, April 30, 2013, at 10 a.m.

Thereupon, the Senate, at 12 noon and 46 seconds p.m., adjourned until Tuesday, April 30, 2013, at 10 a.m.

HOUSE OF REPRESENTATIVES—Friday, April 26, 2013

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

April 26, 2013.

I hereby appoint the Honorable RANDY M. HULTGREN to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

As the Members return to their districts, may their constituents meet them with respect, honesty, and if need be, challenge that will serve as an encouragement to the work they do for our Nation.

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

Amen.

THE JOURNAL

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

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

Mr. PAULSEN. Mr. Speaker, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

Mr. PAULSEN. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. MCCLINTOCK) come forward and lead the House in the Pledge of Allegiance.

Mr. MCCLINTOCK led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

PROTECTING OUR CREDIT

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

Mr. MCCLINTOCK. Mr. Speaker, on Wednesday, the Democratic whip charged that the Full Faith and Credit Act places America's credit at risk of default. As Churchill said:

It would not be possible to state the opposite of the truth with greater precision.

Quite the contrary, this measure guarantees that whatever political storms are raging in Washington, America's debt will always be paid in full and on time. I would remind him that if the full faith and credit of the United States is ever compromised, all programs are jeopardized. This bill protects the public credit so that the public credit can protect seniors and disabled veterans and all of our other obligations.

No one wants to see a stalemate that would delay any payment. That would be unprecedented, disruptive, and dangerous. But the worst and most lasting damage of such an event would be to imperil our Nation's credit. This bill simply ensures that even in the worst-case scenario, that will never happen.

HONORING FORMER CONGRESSMAN BOB MICHEL

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise today to talk about Bob Michel, a man who served central Illinois in this Chamber for close to 4 decades and who continues to be a longtime friend of my family's and a role model to so many.

Congressman Michel was born and raised in Peoria, graduated from Bradley University, and was a decorated war hero in World War II. After coming home, Bob Michel became involved in public service and ended up serving 38 years in this House of Representatives, eventually rising to the House minority leader.

I'm a Democrat and Congressman Michel happens to be a Republican. But I'm proud to say that he earned a reputation as someone who worked across the aisle, striving to find common-sense, bipartisan solutions to the issues of the day.

Congressman Michel celebrated his 90th birthday last month, and he continues to be an inspiration for all who are more interested in working together to get results than trying to score cheap political shots.

Central Illinois has a long tradition of public servants who made a career out of reaching across party lines. Former Republican Senator Everett Dirksen of Pekin, in my district also, played a key role in the passage of the 1964 civil rights bill, while former Republican Congressman Ray LaHood of Peoria has worked across the aisle to improve the Nation's roads, bridges, and rail lines as Secretary of Transportation under the Obama administration.

Mr. Speaker, I hope that all Members of this body will join me in pledging to work together to put the people we represent first, and I would like to wish Congressman Michel a happy 90th birthday.

REMEMBERING LIEUTENANT COLONEL DONALD HOOD

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

Mr. COFFMAN. Mr. Speaker, retired United States Army Reserve Lieutenant Colonel Donald Hood passed away on December 30, 2012. He served our Nation with distinction, first on Active Duty in the United States Army and later in the Army Reserve.

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

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

Lieutenant Colonel Hood began his military service with the 82nd Airborne Division at Fort Bragg, North Carolina, where he became the first parachute-qualified, combat-ready optometrist in the United States Army.

From 1970 to 1972, Lieutenant Colonel Hood served in Southeast Asia during the war in Vietnam as the Army's chief of eye services at the Diplomatic Medical Mission in Bangkok, Thailand.

In 1972, he left Active Duty and continued serving his country in the United States Army Reserve as the chief of optometry for the 5502 United States Army Reserve Hospital in Aurora, Colorado, until his retirement in 1990.

Lieutenant Colonel Hood is survived by his wife, Patricia; his daughter, Chelsey Russell; his son, Cayman; and his granddaughter, Hayden Russell.

ACROSS-THE-BOARD BUDGET CUTS

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

Mr. DEFAZIO. Mr. Speaker, later today, the House will vote to restore funding to the Nation's air traffic control system to better protect the traveling public and to restore order to a vital sector of our economy by shifting unused funds.

Two lessons are hopefully now learned:

Across-the-board budget cuts are abysmally stupid. Cut a program that's vital to the health, safety and the economy, and what about this unused money over here? Oh, we can't move that, so we took care of that.

Second, there are some here who believe the Federal Government doesn't need to and should not invest in facilitating the movement of goods and freight and people in this country. It should devolve to the States.

Well, this is an object lesson in how vital these Federal programs are to the Nation's airspace. And next year, when the Highway Trust Fund goes below zero and we cut spending by \$50 billion on highways and transit, we will have another crisis. Let's hope we don't have to see a million layoffs and total disruption across the country before we fix that one. Fix that one before it happens.

□ 1010

NATIONAL PARK WEEK

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

Mr. PAULSEN. Mr. Speaker, I rise to celebrate National Park Week.

Our national parks are truly one of America's greatest natural resources, drawing nearly 279 million visitors and families who go to camp, hike, fish,

and explore each year. Minnesota, my home State, is home to several national parks as well, with lakes and rivers and waterways.

In just a few years, our national parks will celebrate their 100th birthday. In preparation for this centennial, I have introduced legislation, H.R. 627, to allow the U.S. Mint to issue a National Park commemorative coin, with all of the proceeds going to help our national parks and our National Park Foundation. The bill has strong bipartisan support, and it is one more way that we can provide additional resources for our national parks.

Protecting and preserving these beautiful spaces—our national parks, monuments, and Civil War battlefields—for future generations is important. Our National Park Week is a perfect time to reignite this interest for individual community efforts in order to ensure that our national parks remain and retain their place as the most beautiful in the world.

A NEW ACHIEVEMENT IN MATHEMATICS

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

Mr. MCNERNEY. Mr. Speaker, I rise today to announce a new achievement in mathematics.

We learned about square roots in middle school. In the 15th century, mathematicians discovered the square roots of negative numbers. These "imaginary numbers" form the basis of much science and engineering, which are applied for practical uses, like the design of airplane wings.

In the 1920s, Paul Dirac constructed the square roots of "differential operators" in the development of quantum mechanics, which is the basis of much high-tech science.

In the 1970s, another type of square root, called "matrix factorization," which is important in physics, was discovered by David Eisenbud. This month, Daniel Mufet, a postdoc at the Mathematical Sciences Research Institute, announced new ways of linking matrix factorizations together, which will have numerous applications.

Mr. Mufet's work was funded by the National Science Foundation, and illustrates the importance of our Nation's continuing investment in the research and education of science, technology, engineering, and mathematics.

LISTEN TO THE PEOPLE

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

Mr. SMITH of Texas. Mr. Speaker, last night, a random telephone poll of my constituents was conducted in five Hill Country counties in the 21st District of Texas.

Here are the results:

Eighty-eight percent feel that the border should be secured before other immigration reforms take effect; 84 percent favor a system that would require employers to hire legal workers; 96 percent think that the Federal Government should balance its budget; and 85 percent believe the American people are taxed too much.

These are sincerely held views by hardworking, law-abiding, tax-paying good Americans. Congress would do well to heed their advice.

SAFE CLIMATE CAUCUS

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

Mr. HOLT. Mr. Speaker, I rise today as a member of the Safe Climate Caucus to take note of a major milestone in human history. This past week, the concentration of carbon dioxide in the atmosphere passed 400 parts per million.

I say a "milestone in human history" because this level of carbon dioxide has never been seen in human history. In fact, this level has not been achieved for millions of years.

I also say a "milestone in human history" because it is human activity—the way we produce and use energy—that is responsible for this high concentration; and it is of historic importance because, as scientists have made clear, this great concentration of greenhouse gas is changing our very climate in ways that are dangerous and costly in dollars and lives. If we fail to change our ways, fail to change how we generate and use energy, then we will face worse and worse—blistering wildfires, withering droughts, flooding events, super hurricanes.

As the Earth goes barreling past 400 parts per million of carbon dioxide in the atmosphere, let's take action now, this year, this Congress, to address climate change. Let's show that this is a turning point, not just a marker of inaction and environmental degradation.

PROTECT YOUR RIGHT TO REFUSE

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

Mr. PALAZZO. Mr. Speaker, 8 months from now, the Affordable Care Act's individual mandate will begin to punish Americans with a tax simply because they refuse to purchase health care. The mandate sets a dangerous new precedent.

If Congress has the power to tax our decision to not purchase health insurance, what else can a future Congress tax?

The Supreme Court has opened Pandora's box and has allowed future Congresses to tax Americans for failing to

purchase any number of conceivable goods or services—basically, whatever Congress deems necessary.

That's why I introduced House Joint Resolution 28, the Right to Refuse Amendment, which would effectively reverse the mandate taxes and permanently prevent Congress from forcing Americans to choose between a purchase and a tax. The amendment is short and simple: Congress shall make no law that imposes a tax on a failure to purchase goods or services.

If my colleagues believe the Court got it wrong and if they believe in limited government, then I urge my colleagues to cosponsor House Joint Resolution 28.

THE NEXT TAMERLAN

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, in the wake of the terrorist attack on the Boston Marathon and in learning that their next target was Times Square in New York City, I hope my colleagues who oppose gun safety laws will reconsider.

We have learned that Tamerlan, the terrorist, was on the terror watch list for 18 months. Many of our colleagues say that someone should have done something to prevent the terrorist from killing; but strangely, making the next Tamerlan undergo a background check on the Internet or at a gun show to buy a gun is not one of them.

The pro-gun lobby insists that the next terrorists should still be able to buy all of the assault weapons they want and all of the 100-round magazines they need—no problem, no background check necessary. The next terrorist, or the next Tamerlan, thinks they are absolutely right; but 90 percent of Americans disagree, and I hope my colleagues will reconsider gun safety legislation.

MESSAGE FROM THE SENATE

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

S. 853. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

The message also announced that pursuant to Public Law 111-5, the Chair, on behalf of the Republican Leader, appoints the following individual to the Health Information Technology Policy Committee:

Dr. Scott Gottlieb of Connecticut.

The message also announced that pursuant to the provisions of section 3166 of Public Law 112-239, the Chair, on behalf of the Republican Leader, an-

nounces the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise:

Michael R. Anastasio of New Mexico. The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Majority Leader, announces the re-appointment of Steve Zink, of Nevada, to the Advisory Committee on the Records of Congress.

RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 527.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 178 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 527.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1018

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, April 25, 2013, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-9. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 527

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Responsible Helium Administration and Stewardship Act".

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended—

(1) in paragraph (1), by striking the semicolon at the end and inserting a period;

(2) in paragraph (2), by striking ";" and inserting a period; and

(3) by adding at the end the following:

"(4) FEDERAL HELIUM RESERVE.—

"(A) IN GENERAL.—The term 'Federal Helium Reserve' means the Bureau of Land Management Cliffside Gas Field and supporting infrastructure.

"(B) INCLUSIONS.—The term 'Federal Helium Reserve' includes—

"(i) the Cliffside Gas Field helium storage reservoir; and

"(ii) all associated infrastructure owned, leased, or managed under contract by the Secretary for storage, transportation, withdrawal, purification, or management of helium.

"(5) QUALIFYING DOMESTIC HELIUM TRANSACTION.—The term 'qualifying domestic helium transaction'—

"(A) except as provided in subparagraph (B), means any new or newly renegotiated agreement for the purchase or sale of at least 15,000,000 standard cubic feet of crude helium or bulk liquid helium delivered in the United States in the most recent full fiscal year; and

"(B) does not include any purchase of crude helium from the Secretary.

"(6) TOLLING AGREEMENT.—The term 'tolling agreement' means an agreement between a helium refiner and another party under which the helium refiner agrees to process the other person's helium at an agreed upon price."

SEC. 3. SALE AND AUCTION OF CRUDE HELIUM.

(a) IN GENERAL.—Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

"SEC. 6. SALE OF HELIUM.

"(a) PHASE A: FINALIZING DEBT PAYOFF.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall offer for sale crude helium for Federal, medical, research, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary determines necessary to carry out this subsection with minimum market disruption.

"(2) MINIMUM QUANTITY.—The Secretary shall offer for sale during each fiscal year under paragraph (1) a quantity of crude helium equivalent to the quantity of crude helium produced from the Federal Helium Reserve during fiscal year 2012.

"(3) IN-KIND PURCHASE BY FEDERAL AGENCIES AND GRANTEES.—Federal agencies, and holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, research and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

"(4) PRICES AND DETERMINATIONS.—Sales of crude helium by the Secretary under this subsection shall be at prices established by the Secretary that shall not be less than the price in the last sale of crude helium from the Federal Helium Reserve before the date of enactment of the Responsible Helium Administration and Stewardship Act, except that any sale to a person referred to in paragraph (3) for a purchase authorized by that paragraph shall be at a price specified by the Secretary.

"(5) DURATION.—This subsection applies during the period—

"(A) beginning on the date of enactment of the Responsible Helium Administration and Stewardship Act; and

"(B) ending on the expiration of the one-year period following such date of enactment.

“(b) **PHASE B: MAXIMIZING TOTAL RECOVERY OF HELIUM AND INCREASING RETURNS TO THE AMERICAN TAXPAYER.**—

“(1) **IN GENERAL.**—The Secretary shall offer for sale at auction, as described in subsection (d), crude helium for medical, research, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary determines necessary—

“(A) to maximize total recovery and conservation of helium from the Federal Helium Reserve;

“(B) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

“(C) to respond to helium market supply and demand and minimize market disruption; and

“(D) to give priority to meeting the helium demand of Federal users through purchases under paragraph (2).

“(2) **IN-KIND PURCHASE BY FEDERAL AGENCIES AND GRANTEEES.**—Any Federal agency, and any holder of 1 or more Federal research grants, may purchase refined helium for Federal, medical, research, and scientific uses from an eligible person. The Secretary shall then provide an equivalent volume of crude helium to the eligible person as if the eligible person was the successful bidder for the helium at auction. Provision of helium by the Secretary under this paragraph shall not be considered a sale of helium by the Secretary at auction. The Secretary shall provide such helium at the minimum price established by the Secretary for the most recent auction held under this subsection or such other price as may be specified by the Secretary.

“(3) **ELIGIBLE PERSON.**—For purposes of this subsection, the term ‘eligible person’ means a helium distributor who is registered as such with the Secretary.

“(4) **DURATION.**—This subsection applies during the period—

“(A) beginning on the expiration of the period described in subsection (a)(5)(B); and

“(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

“(5) **MAXIMUM ANNUAL SALES.**—Notwithstanding any provision of subsection (d), for each fiscal year, the Secretary may not offer or provide for sale under this subsection a total volume of crude helium that exceeds the lesser of—

“(A) the projected maximum total production capacity of the Federal Helium Reserve during that fiscal year; and

“(B) the maximum refining capacity of persons connected by pipeline to the Federal Helium Reserve during that fiscal year.

“(c) **PHASE C: ACCESS FOR FEDERAL USERS.**—

“(1) **IN GENERAL.**—The Secretary may offer for sale crude helium for Federal uses (including medical, research, and scientific uses) in such quantities, at such times, and under such conditions as the Secretary determines necessary to carry out this subsection.

“(2) **PURCHASE BY FEDERAL AGENCIES AND GRANTEEES.**—Federal agencies, and holders of 1 or more Federal research grants related to helium or the use of helium, may purchase refined helium under this subsection for Federal uses (including medical, research, and scientific uses) from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

“(3) **EFFECTIVE DATE.**—This subsection applies beginning on the day after the date described in subsection (b)(4)(B).

“(d) **AUCTION AND MINIMUM PRICES DETERMINATION.**—

“(1) **IN GENERAL.**—Sales of crude helium by the Secretary in auctions under subsection (b)

shall be conducted under the conditions described in this section and at no less than the minimum price established by the Secretary.

“(2) **AUCTION.**—The Secretary shall conduct such auctions of crude helium as soon as practical but no later than beginning 180 days after the first day of the period described in subsection (b)(4), under the following conditions:

“(A) 60 percent of the volume of crude helium made available in each auction shall be made available to entities that can show the Secretary they have either adequate refining capacity or tolling agreements for refining in place, in accordance with the conditions set forth in paragraph (3).

“(B) 20 percent of the volume of crude helium made available in each auction shall be made available to any bidder, in accordance with the conditions set forth in paragraph (3).

“(C) In each auction after the first auction under this subsection after the date of the enactment of the Responsible Helium Administration and Stewardship Act, the Secretary shall make available an additional volume of crude helium, in an amount equivalent to the amount made available under subparagraph (B) that the Secretary certifies can be refined, through tolling agreements or otherwise. Of such additional volume, a person may not acquire in the auction a volume in excess of the volume they demonstrate to the Secretary they have the ability to refine through either refining capacity or tolling agreements.

“(D) The Secretary shall conduct such auctions at such times as the Secretary determines necessary to ensure a reliable supply of helium and a fair return to taxpayers, but no less frequently than 2 times each fiscal year.

“(E) For purposes of the first auction under this subsection after the date of the enactment of the Responsible Helium Administration and Stewardship Act, the Secretary may revise the percentage under subparagraph (A) so as to make available for auction 100 percent of the volume of crude helium intended to be offered.

“(F) The Secretary may adjust the percentages and amount specified in subparagraphs (A) through (C), respectively, in any auction if the Secretary determines the adjustment is necessary to—

“(i) respond to market supply and demand and minimize market disruption; or

“(ii) increase participation in helium auctions.

“(G) The Secretary may conduct an auction no more frequently than once each fiscal year of an amount of helium equal to up to 10 percent of the volume of crude helium to be made available at auction during the following fiscal year. Such amount of crude helium shall be made available to any bidder, in accordance with the conditions set forth in paragraph (3). Notwithstanding paragraph (3)(C), for crude helium sold in such an auction the Secretary shall begin charging a storage fee under clause (i) of that paragraph beginning 1 year after the date of such auction, and shall begin charging increasing storage fees under clause (ii) of that paragraph beginning 270 days after beginning charging storage fees under clause (i) of that paragraph.

“(3) **AUCTION CONDITIONS.**—

“(A) **BIDDING METHOD.**—The Secretary shall conduct each auction by sealed bid for predetermined volume lots, unless the Secretary determines that an alternative bidding method may result in more revenue to the Federal Government or may increase participation in the auction.

“(B) **BIDDER QUALIFICATIONS AND LIMITS.**—In carrying out an auction under subsection (b), the Secretary—

“(i) may accept bids only from persons the Secretary determines are seeking to purchase

helium for their own use, for refining, or for delivery to users; and

“(ii) may not award to a person more than 30 percent of the total volume of crude helium offered in that auction, except that the Secretary may adjust such limitation based on the number of bidders in the auction.

“(C) **STORAGE FEES.**—In each auction the Secretary—

“(i) shall begin charging each winning bidder a storage fee for crude helium purchased by the bidder that remains in the Federal Helium Reserve, beginning on the date the Secretary receives payment of the purchase price for the helium; and

“(ii) beginning 270 days after the date of the auction, shall charge increasing storage fees that will encourage the withdrawal of the helium no later than 2 years after the date of the auction.

“(4) **DETERMINATION OF MINIMUM SALE PRICE.**—The Secretary shall make a determination of the minimum sale price for sales described in paragraph (1) using—

“(A) a confidential survey of qualifying domestic helium transactions to which any holder of a contract with the Secretary for the acceptance, storage, and redelivery of crude helium in the Cliffsides Gas Field helium storage reservoir is a party;

“(B) current market crude helium prices as represented by the sale price at any auction held by the Secretary in the preceding 2 years;

“(C) the volume-weighted average cost among helium refiners, producers, and liquefiers, in dollars per thousand cubic feet, of converting gaseous crude helium into bulk liquid helium;

“(D) the additional layer of cost and profit associated with the sale or resale of bulk liquid helium; and

“(E) the sale price for crude helium offered in the most recent auction under paragraph (2)(G).

“(5) **AUTHORITY OF SECRETARY.**—The Secretary shall—

“(A) require all persons that are parties to a contract with the Secretary for the acceptance, storage, and redelivery of crude helium to disclose, on a strictly confidential basis in dollars per thousand cubic feet, the weighted average price of all crude helium and bulk liquid helium purchased, sold, or processed by the persons in all qualifying domestic helium transactions during the fiscal year;

“(B) appoint a qualified independent third party to perform data collection and analysis for the purposes of the survey under paragraph (4)(A); and

“(C) adopt such administrative policies and procedures as the Secretary considers necessary and reasonable to ensure robust protection of the confidentiality of data submitted by private persons.

“(6) **CHANGES IN MINIMUM PRICE.**—If the Secretary believes that the minimum price as determined by the survey under paragraph (4)(A) may not be reflective of the current market value of helium, or if a higher minimum price may result in greater conservation of the Federal crude helium resource, the Secretary may change the minimum price charged for crude helium sold under this section by up to 10 percent of the price determined under paragraph (4). If at any sale in which the minimum price is increased under this paragraph all crude helium offered is sold at the increased price, the Secretary shall consider that increased price to be the minimum price determined under paragraph (4) for all future sales of crude helium under this section unless that price is further changed in accordance with this paragraph.

“(7) **ENSURING FAIR AND NONDISCRIMINATORY ACTS AND PRACTICES.**—The Secretary may issue such rules and regulations with respect to ensure bidding, transfer, and refining of helium

produced from or held in the Federal Helium Reserve as may be necessary to ensure fair and nondiscriminatory acts and practices.

“(8) AUCTION RECORDS.—

“(A) FURNISHING RECORDS.—Every person participating in auctions of helium from the Federal Helium Reserve shall furnish to the Secretary on request such records of transactions in helium auctions as the Secretary may require to reconstruct bidding or trading in the course of a particular inquiry or investigation being conducted by the Secretary for enforcement or surveillance purposes. In requiring information pursuant to this paragraph, the Secretary shall specify the information required, the period for which it is required, and the time and date on which the information must be furnished.

“(B) REPORTING REQUIREMENTS.—The Secretary may issue rules to require persons participating in helium auctions to file such reports as the Secretary determines to be necessary for purposes of this Act.

“(C) RECORDKEEPING REQUIREMENTS.—Rules under this subsection may require specified persons to make and keep for prescribed periods such records as the Secretary determines are necessary or appropriate to ensure that such persons can comply with reporting requirements under this subsection.

“(D) LIMITATION ON DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Secretary shall not be compelled to disclose any proprietary information required to be kept or reported under this subsection. Nothing in this subsection authorizes the Secretary to withhold information from Congress, prevents the Secretary from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or prevents the Secretary from complying with an order of a court of the United States in an action brought by the United States or by the Secretary.

“(e) HELIUM PRODUCTION FUND.—

“(1) IN GENERAL.—All amounts received under this Act shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes considered necessary by the Secretary to carry out this subsection.

“(2) ADMINISTRATIVE EXPENSES.—Amounts in the Helium Production Fund may be used by the Secretary to conduct helium auctions and otherwise administer this Act.

“(3) REPAYMENT AMOUNTS.—During the period described in subsection (a)(4), amounts in the Helium Production Fund in excess of amounts the Secretary considers necessary to conduct helium auctions and otherwise administer this Act shall be paid to the general fund of the Treasury and credited against all amounts required to be repaid to the United States under this Act as of October 1, 1995.

“(4) CAPITAL INVESTMENTS AND MAINTENANCE.—Amounts in the Helium Production Fund in excess of amounts the Secretary considers necessary to carry out paragraphs (1) through (3) may be used to fund the following capital investments in upgrades and maintenance at the Federal Helium reserve:

“(A) Wellhead maintenance at the Cliffside Gas Field helium storage reservoir.

“(B) Capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Gas Field helium storage reservoir.

“(C) Capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium at the Cliffside Gas Field helium storage reservoir.

“(D) Any other scheduled or unscheduled maintenance of the Cliffside Gas Field helium storage reservoir and helium pipeline.

“(5) EXCESS FUNDS.—Amounts in the Helium Production Fund in excess of amounts the Sec-

retary considers necessary to carry out paragraphs (1) through (4) shall be paid to the general fund of the Treasury.

“(f) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of crude helium on Federal land shall be paid to the general fund of the Treasury and credited against all amounts required to be repaid to the United States under this Act as of October 1, 1995.

“(g) MAINTENANCE OF HELIUM SUPPLY.—The Secretary shall ensure that there is no disruption in the supply of helium from the Federal Helium Reserve during the transition between phases of helium sales under subsections (a), (b), and (c).”

(b) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing all expenditures by the Bureau of Land Management for operation and maintenance of the Federal Helium Reserve (as that term is defined in the amendment made by section 2(3)), investments made by the Bureau for such reserve, and scheduled or unscheduled maintenance of such reserve or its infrastructure to be conducted by the Bureau.

SEC. 4. BLM TRANSPARENCY REQUIREMENTS TO FACILITATE MARKET AND SUPPLY CHAIN INFORMATION.

The Helium Act (50 U.S.C. 167 et seq.) is further amended by redesignating sections 15 and 17 as sections 17 and 18, and by inserting after section 14 the following:

“SEC. 15. PIPELINE ACCESS.

“(a) ANNUAL REPORT.—The Secretary, acting through the Bureau of Land Management, shall make available on the Internet the current refining capacity on the Federal Helium Reserve pipeline, including—

“(1) refinery capacity and future capacity estimates;

“(2) ownership of federally auctioned helium held in the Federal Helium Reserve;

“(3) volume of helium delivered to individual buyers through such pipeline;

“(4) for each helium refiner—
“(A) the number of tolling agreements entered into before October 1, 2013; and

“(B) for each fiscal year thereafter—
“(i) the number of tolling agreements entered into;

“(ii) the number of tolling requests received; and

“(iii) the total volume of helium refined under each tolling agreement entered into;

“(5) pipeline pressure constraints; and

“(6) other factors that will increase transparency for persons interested in entering refining contracts with existing refiners.

“(b) NEW REFINING CAPACITY.—The Secretary shall take any applications for new refining capacity on the Federal Helium Reserve pipeline. To create more competition, any new refining capacity added to the Federal Helium Reserve pipeline system shall be granted access to crude helium that is equal to the access provided to existing refining facilities.

“(c) ACCESS BY PURCHASERS OF HELIUM.—The Secretary shall manage Federal Helium Reserve pipeline access in a competitive manner to ensure that all persons purchasing helium have equal access to timing and delivery of the helium, subject to the capacity of the system.

“(d) SCHEDULING DELIVERIES.—The Secretary shall, to the greatest extent practicable, make the scheduling of crude helium deliveries through the Federal Helium Reserve pipeline open and transparent to all purchasers of helium through the auction process, and to the public if the Secretary believes that it is in the national interest.

“(e) SCHEDULING PRIORITY.—

“(1) IN GENERAL.—In scheduling crude helium deliveries through the Federal Helium Reserve pipeline the Secretary shall grant pipeline access in the following order of priority:

“(A) Helium held in the Reserve as a result of a purchase under subsection (b)(2).

“(B) Helium sold at auction being delivered to fulfill a tolling agreement.

“(C) Other helium sold at auction.

“(D) Helium held in the Reserve as a result of a crude helium exchange resulting from any temporary shutdown of the Reserve or of a refinery on the Reserve pipeline.

“(E) Helium held in inventory in the Reserve before the date of enactment of the Responsible Helium Administration and Stewardship Act.

“(2) In scheduling such deliveries of helium described in each of subparagraphs (A) through (E) of paragraph (1), the Secretary shall grant pipeline access based on the following order of priority:

“(A) The price paid to the United States for the helium, giving higher priority to helium for which a greater price was paid.

“(B) The date the helium was purchased from the Secretary, giving higher priority to helium purchased on an earlier date.

“(C) Any other factor the Secretary considers appropriate to prioritize delivery.

“SEC. 16. BLM REPORTING REQUIREMENTS TO FACILITATE SUPPLY CHAIN INFORMATION.

“(a) IN GENERAL.—In order to provide the market with appropriate and timely information affecting the helium resource, the Director of the Bureau of Land Management shall establish, no later than 90 days after the date of enactment of the Responsible Helium Administration and Stewardship Act, a real-time reporting process, including reporting over the Internet, to provide data that will affect the helium industry, including such effects for all persons in such industry from crude helium suppliers to end users.

“(b) INCLUDED INFORMATION.—Information provided under this section shall include the following:

“(1) Annual maintenance schedules and quarterly updates thereof, which shall be available on the Internet, to the extent practicable, and shall include the following:

“(A) The date and duration of planned shutdowns of the Federal Helium Reserve pipeline.

“(B) The nature of work to be undertaken, whether routine, extended, or extraordinary.

“(C) The anticipated impact on the helium supply.

“(D) The efforts to minimize any impact on the supply chain.

“(E) Any concerns regarding maintenance of the Federal Helium Reserve pipeline, pressure of such pipeline, or deviation from normal operation of such pipeline.

“(2) For each unplanned outage, the following:

“(A) The beginning of the outage.

“(B) The expected duration of outage.

“(C) A description of the problem.

“(D) The estimated impact on helium supply.

“(E) A plan to correct problems, an estimate of the potential timeframe for correction, and the likelihood of plan success within the timeframe.

“(F) Efforts to minimize negative impacts on the helium supply chain.

“(G) Updates on repair status and the anticipated online date.

“(3) Minutes of meetings between the Bureau of Land Management and the Cliffside Refiners Limited Partnership, including—

“(A) publication of the minutes of each meeting between the Bureau of Land Management and the Cliffside Refiners Limited Partnership,

including attendees and their affiliations, on the Internet site of the Bureau within 1 week after the meeting; and

“(B) indication in the minutes of any action taken that could affect the supply or operating status related to the Federal helium program.

“(4) Current predictions of the lifespan of the Federal Helium Reserve, including how much longer such crude helium supply will be available based on current and forecasted demand and the projected maximum production capacity of the Federal Helium Reserve for the following fiscal year.”.

SEC. 5. HELIUM RESOURCE ASSESSMENT AND HELIUM-3 SEPARATION.

(a) **HELIUM GAS RESOURCE ASSESSMENT.**—Not later than 2 years after the date of enactment of this Act, the Secretary of the Interior shall—

(1) in coordination with appropriate heads of State geological surveys—

(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

(3) in consultation with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

(A) an assessment of trends in global demand for helium, including the isotope helium-3;

(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, commercial, manufacturing, space technologies, cryogenics, and national defense; and

(C) an inventory of medical, research, scientific, industrial, commercial, and other uses of helium in the United States, including Federal and commercial helium uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

(4) submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the assessments required under this subsection.

(b) **HELIUM-3 SEPARATION.**—

(1) **INTERAGENCY COOPERATION.**—The Secretary of the Interior shall cooperate with the Secretary of Energy, or a designee of the Secretary of Energy, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium at the Federal Helium Reserve (as that term is defined in the amendments made by section 2) or along the Federal Helium Reserve pipeline system, including—

(A) gas analysis;

(B) infrastructure studies; and

(C) cooperation with private helium refiners.

(2) **FEASIBILITY STUDY.**—The Secretary of the Interior shall assess the feasibility of establishing a facility to separate the isotope helium-3 from crude helium at—

(A) the Federal Helium Reserve; or

(B) an existing helium separation or purification facility connected to the Federal Helium Reserve pipeline system.

(3) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of

the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that contains a description of the results of the assessments conducted under this subsection.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113-47. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. COLLINS OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-47.

Mr. COLLINS of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 14, after “FUNDS” insert “AND DEFICIT REDUCTION”.

Page 18, line 18, before the period insert “and used to reduce the annual Federal budget deficit”.

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from Georgia (Mr. COLLINS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

□ 1020

Mr. COLLINS of Georgia. Mr. Chair, I offer this amendment to ensure that any excess funds as a result of this bipartisan bill are used to reduce the annual Federal budget deficit.

I am pleased that my colleagues on both sides of the aisle have proposed a commonsense bill that speaks to the heart of the free-market system.

The Congressional Budget Office estimates, as a result of this bill, \$340 million will be returned to the Federal Government. This amendment ensures that every penny of savings will go toward deficit reduction, furthering the goal of this House to create jobs and encourage economic growth.

This body has made significant strides in putting our country back on a path to fiscal prosperity. Passing a budget that will seek to balance in 10 years is no small achievement, but there is still more that we can do. This bill is just one example of savings that we can achieve by allowing innovation and private industry to do what it does best.

The underlying bill completes the privatization of the Federal Helium Reserve in a competitive market fashion, respecting hard-earned taxpayer

dollars while ensuring the stability of the helium market. As we have seen in the current helium market, innovation thrives when government gets out of the way of private industry.

By applying free-market principles, this bill will spur cutting-edge research, development, and production of helium while bringing transparency and responsibility to how taxpayers' dollars are spent.

In my home State of Georgia, this legislation draws broad support from job creators such as GE Energy, IBM, Kodak, Philips, Siemens, and Texas Instruments.

I thank the gentleman from Washington and the gentleman from Massachusetts for their leadership on this issue. This legislation is a perfect example of how good policy knows no party line.

With that, I urge my colleagues to support this amendment.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for bringing this amendment to the floor, and I intend to support it. With our fiscal situation in this country, this is a good addition to the amendment; and I thank the gentleman for bringing it forward.

Mr. HOLT. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from New Jersey.

Mr. HOLT. I appreciate the gentleman's amendment, which reiterates language that is in the underlying bill, and we have no objection to it on the minority side. I applaud the gentleman for bringing it forward.

Mr. COLLINS of Georgia. I thank the gentleman.

Mr. Chair, at this point, I'm pleased to yield 2 minutes to my friend from Georgia (Mr. SCOTT), the cosponsor of this amendment.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I appreciate the gentleman from Georgia for allowing me a few minutes to speak on this issue.

I rise today in support of the Collins-Scott amendment, which requires that any funds received from the sale of helium will be used to pay down our country's debt.

I'm sure many of my colleagues would agree when I say our country's deficit is one of the top problems that we face. In fact, if we continue on this path, by the time my 13-year-old son is a freshman in college, this country will be paying more interest on the debt than we spend on national defense.

I understand this problem cannot be solved with one swift move; however, if we are not able to make reasonable changes to policies and allow additional revenue to reduce our debt, our children and grandchildren will not be given the chance to continue this country's greatness.

Due to the importance of protecting our children and grandchildren, we should support this amendment. It puts us one step closer to addressing our country's biggest problem. For this reason, I ask my colleagues to support this amendment.

Mr. COLLINS of Georgia. This is a commonsense amendment that will only enhance the benefits achieved by the underlying bill and by ensuring we privatize deficit reduction and effectively utilize the savings the bill creates.

I yield back the balance of my time. The Acting CHAIR. Does any Member wish to claim 5 minutes in opposition?

Seeing none, the question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DENT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-47.

Mr. DENT. I seek to offer an amendment and address the House.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, after line 17, insert the following:

(c) EXISTING CONTRACTS NOT AFFECTED.—

(1) IN GENERAL.—Nothing in this Act or the amendments made by this Act shall be construed to affect any covered contract between the Bureau of Land Management and any person that owns—

(A) helium stored in the Federal Helium Reserve (as that term is used in those amendments); or

(B) a helium enrichment unit that is part of the Federal Helium Reserve.

(2) COVERED CONTRACT.—In this subsection the term “covered contract” means a contract relating to the operation of the Federal Helium Reserve, that is in effect on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, our amendment, the Dent-Higgins-Esty amendment, ensures the continued supply of helium for end users while requiring the BLM, Bureau of Land Management, to honor existing contracts for the supply and delivery of this vital resource. Most importantly, the amendment protects American manufacturers who use helium from the uncertainty of a disrupted helium supply. It's absolutely essential.

Some of my colleagues have repeatedly stated that helium has been given away by BLM at rock-bottom prices to “a monopoly of refiners.” Respectfully, the current price structure says otherwise.

Since BLM began selling off helium under this program, during most years far less than all the helium available to

be purchased was purchased. In fact, during some years, no helium was purchased at all.

If the price were really so low, wouldn't all the available helium have been purchased? Instead, the BLM price set for the purchase of crude helium has been higher than the crude price for helium purchased elsewhere in the United States. Further, there is absolutely no bar to the taxpayer getting much more revenue from helium sales today. BLM can impose higher prices for helium right now. In fact, over the past 3 years, BLM has raised its prices by 30 percent.

When the Congress in 1996 decided to privatize helium in the BLM reserve, a few companies stepped up and spent tens of millions of dollars to build a helium enrichment unit, which the BLM operates, a highly unusual public-private partnership. If there are only a few companies who refine helium out of the BLM reserve today, it is because they, and not their competitors, chose to make investments that have benefited our Nation's manufacturers and society generally.

Our amendment does not seek to preserve a so-called “monopoly” over our Federal helium supply. Instead, our amendment seeks to uphold these existing contract and property rights while ensuring a continued supply of helium for domestic manufacturers. In fact, many welders, the Welders Association, Welders Distributors Association, strongly support this amendment because they are deeply concerned. I'm just going to quickly read what they said. They are deeply concerned about “the effect of the remedies fashioned in H.R. 527 on the stability of the existing market for helium particularly as they affect the ability to meet contractual obligations for product supply.”

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself 2 minutes.

Mr. Chairman, I oppose this amendment.

While it is being sold as an attempt to protect contract and property rights, it does none of these things because there are no rights that are violated by this bill.

What the amendment actually does is undermine the free-market competition that is embodied in H.R. 527 that will ensure a fair return to taxpayers on the Federal helium that is in the repository.

This amendment seeks to guarantee a special carve-out for primarily three companies and thus block competition. For over a decade, these three companies have profited from helium handouts at low market prices that were

granted to them by BLM. All of that ends, Mr. Chairman, in October of this year. These handouts end because the contracts say that when the money is paid back that the Federal Government has invested, these contracts end.

So this amendment does not protect existing valid contracts because they expire in October. What the amendment actually would do is revise the expiring special handouts of these three companies. The amendment would shut down competition from other bidders who may be willing to bid for a higher price of the helium.

I have a letter from three companies who jointly express strong opposition because it would prevent them in the future from bidding on this helium. And to be clear, there are no helium distributors or manufacturers of helium who are advocating for this amendment. It is just the three refiners.

To repeat, H.R. 527 does not alter or end existing contracts. In the actual clauses of these contracts, it specifically stated that the contracts are contingent upon BLM continuing to have authorization to run the reserves. That ends in October.

BLM has been selling helium at below-market prices, and I'll point that out later. But what this amendment really attempts to do is to end what should not be done.

With that, I reserve the balance of my time.

Mr. DENT. At this time, I would like to yield 1 minute to my colleague from New York (Mr. HIGGINS).

□ 1030

Mr. HIGGINS. I thank my friend and colleague for yielding.

Mr. Chairman, I would like to thank Congressman CHARLIE DENT and Congresswoman ESTY for working together on this bipartisan amendment. Our amendment would ensure that the Bureau of Land Management implements free market reforms while respecting its contractual obligations. High-tech manufacturing, MRIs, nuclear power reactors, and a host of critical national defense applications require helium.

Congress asked American companies to partner with the Federal Government to build the infrastructure needed to extract, store, and refine and bring to market this valuable domestic resource. Now that the infrastructure is built out, this legislation seeks to break our contracts with those partners. This is unfair and unnecessary.

Our amendment simply affirms that the Bureau of Land Management will honor its existing contracts that are set forth to expire over the next couple of years. I urge a “yes” vote on this bipartisan amendment to demonstrate that we can reform our helium policy in a way that respects the agreements and contracts we've made.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2

minutes to the gentleman from New Jersey (Mr. HOLT), a cosponsor of H.R. 527.

Mr. HOLT. Mr. Chairman, I thank the chairman of the committee again for bringing forward this bipartisan legislation, and I rise in strong opposition to this amendment.

The Federal Helium Reserve is in rapid decline. It is being exhausted. At the current drawdown rate, in 5 or 6 or 7 years the helium in the reserve will be largely depleted.

The amendment by Mr. DENT seeks to run out the clock on this legislation to allow the existing regime to stand and prevent the reforms that H.R. 527 would bring forward. H.R. 527 does not alter or end the contracts that the refiners have with the Bureau of Land Management, but if we do nothing and allow the gentleman's amendment to go forward, under existing law and terms of those contracts, the entire helium program would come to an end in October of 2013—this year.

The amendment would delay the implementation of the reforms in the bill until 2018 at which time it is likely there would be little helium left to distribute to anyone, to the hospitals and the doctors who need it, to the electronics manufacturers who need it, to the scientists and researchers who need it. This amendment would gut the bipartisan reforms of the bill, and it should be defeated.

Although the gentleman claims he wants to prevent disruption in the supply, by preventing this legislation, he would in fact do just that. He would create disruptions in the supply.

Mr. DENT. Mr. Chairman, I yield 1 minute to the gentlelady from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Chairman, I rise in support of this amendment to H.R. 527, the Responsible Helium Administration and Stewardship Act. I would like to thank Representative DENT and Representative HIGGINS for working together on this bipartisan amendment.

Our amendment is rather straightforward. It is about fairness and honoring contracts. At a time in our Nation's history when we are examining public-private partnerships to rebuild our infrastructure and create jobs, what kind of signal would we be sending to the private sector? What kind of certainty are we providing to the private sector that even if you have a valid contract that expires in 2015, the Federal Government will throw it out and change the rules?

We can pass a bill to prevent a global helium shortage by allowing the remainder of the helium from the reserve to be sold, but we should not ignore the contracts that BLM has already signed. I urge a "yes" vote on this bipartisan amendment.

Mr. DENT. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Pennsylvania has 45 seconds re-

maining. The gentleman from Washington has 1¼ minutes remaining.

Mr. HASTINGS of Washington. Do I have the right to close?

The Acting CHAIR. Yes.

Mr. DENT. Mr. Chairman, I just want to quickly address a few of the issues.

My friend, Mr. HOLT, said that these reservoirs will be depleted. I agree. The issue is who's going to invest in an enrichment and refining facility at a reservoir that's going to be depleted in 5 years. Nobody's going to make that investment. That's really what's at issue here.

The prices of helium have gone up. BLM can charge more. Our amendment is about respecting preexisting contracts and about protecting property rights while ensuring continued supply of helium to American manufacturers.

Without this amendment, there will be a real disruption of supply for helium because they won't be contractually able to release that helium. They will be under no obligation to release it, so I think that is the greatest threat. This amendment protects the helium supply. As has been mentioned, MRIs, computer chips, and fiber optics all need this. American manufacturing needs this. Support this amendment. Vote for a helium supply. And again, vote to support our welders.

I yield back the balance of my time.

GASES AND WELDING
DISTRIBUTORS ASSOCIATION,
Doral, FL, April 25, 2013.

Hon. CHARLIE DENT,
House of Representatives,
Washington, DC.

DEAR MR. DENT: The Gases and Welding Distributors Association ("GAWDA") offers its support to your proposed amendment to H.R. 527, legislation to reauthorize the sale of the Federal Helium Reserve.

GAWDA is a national trade association representing the interests of some 500 companies that distribute compressed and liquefied gases and related welding equipment, and includes some 300 additional companies that supply products or services to the gases and welding industry. GAWDA distributor members sell a variety of products, including helium, oxygen, argon, nitrogen and carbon dioxide, as well as specialty gases and mixtures, to customers involved in manufacturing, construction, welding, research, health care, and biomedical engineering.

Most GAWDA members are small businesses. Approximately 85 percent of GAWDA distributors have less than \$10 million in annual gross revenue, so they have limited leverage in negotiating supply agreements for products. In the vast majority of cases, GAWDA distributors will contract exclusively with a single manufacturer (or in the case of helium, a refiner) for a comprehensive menu of gas products. The contract generally will provide all of the distributor's needs for all of those gases.

In addition, the distributor will generally contract with its customers in an exclusive "requirements" arrangement to supply all of the customer's needs for a variety of gases as well. A small distributor might have a couple of dozen contracts to supply helium and other gases to customers, while a large distributor might have several hundred or more of these requirements contracts.

The GAWDA distributor will typically purchase bulk helium in gaseous form from a refiner; the distributor will then repackage the helium into compressed gas cylinders and deliver them to customers for their use.

GAWDA distributors are concerned, however, about the effect of the remedies fashioned in H.R. 527 on the stability of the existing market for helium, particularly as they affect the ability to meet contractual obligations for product supply.

A periodic auction mechanism would set up a spot market for helium. If an established refiner is not able to secure all of the crude helium that it requires to meet the supply obligations set out in its contracts, then some distributor customers will receive less than their contractual allotments of helium, or perhaps none at all. The distributor will be forced to seek other sources of supply, presumably only if a force majeure clause in the agreement allows the distributor to obtain replacement product from another supplier.

In turn, if the distributor defaults, the distributor's customers might be forced to seek alternative supplies of helium for at least part of their needs for that period, and to pay above market prices to the winning auction bidder(s) to ensure a continuous supply of product. This also raises questions of the effect on the contractual obligations to sell and purchase the other gases in the contracts.

This same scenario will play out each time an auction is held, several times a year. Refiners, distributors and end users will not know which parties will have adequate supplies of helium to meet existing contractual demands. This will generate legal questions about contract default, partial product allocations, mitigation of damages, and obligations to cure, as well as commercial questions about which parties may be able to meet supply obligations on a consistent basis. The distributor will have to resolve these issues with each customer for that auction period; when another auction takes place, and different sales volumes of helium are awarded by BLM to new bidders, the distributors will have to go through the same legal and commercial exercise to ensure that each of their customers will receive enough product to meet its requirements.

An unreliable product stream for helium will make it difficult for any distributor to entertain long-term, exclusive supply arrangements with customers that foster stable commercial relations and support economic growth.

Your amendment would protect those existing agreements between the Bureau of Land Management and refiners for a sufficient period to allow refiners and distributors to develop alternative arrangements and to access new supplies of crude helium. That approach will help to ensure a reliable supply of this critical product to all end users.

Thank you for your assistance with this issue.

Best Regards,

RICHARD P. SCHWEITZER,
General Counsel.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

The assertion is made that this violates contracts. I want to be very specific: current law says that when the debt is paid back, the contracts that are entered into expire. Therefore, we are not violating any contracts because on October 1 that will happen.

Secondly, the pricing mechanism. I pointed out in opening remarks that

the three refiners are the ones that are benefiting, and this chart shows how. This is what they are paying, the blue line. That's the bottom line. The red line is the market price. The yellow in between is what the refiners are accruing as far as profits are concerned. We're simply saying the market ought to dictate who gets that benefit, and that's precisely what H.R. 527 does. So this amendment simply prolongs the yellow, if you will, on this chart longer, and only three companies benefit by that. I don't think that's good for the taxpayers because the taxpayers are the ones that are failing or getting the low end of the deal with that yellow line.

So while I understand where the gentleman is coming from, and I respect him for bringing this issue to the floor—it is good to have a debate on it—no contracts are violated under current law. I urge my colleagues to reject this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DENT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-47.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, strike “and” at line 6, and after line 6 insert the following (and redesignate the subsequent paragraph accordingly):

(4) complete an assessment of options for ensuring a domestic helium supply in the future, including—

(A) an analysis of how the Federal Helium Reserve has influenced domestic and global helium supply and prices historically; and

(B) an assessment of options for how the Federal Helium Reserve could promote the long term availability and security of domestic helium supplies; and

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

My amendment is quite simple. It would expand the study section of the act to provide an assessment of how the eventual closure of the Federal Helium Reserve would influence the

availability of this critical resource in the future.

Let me take just a moment to say a little bit about why this is important. Helium is the second-lightest gas in existence. It remains liquid down to absolute zero. It is chemically very inert. It is hardly soluble in water or other fluids. It can be made into a quantum superfluid that flows without any viscous resistance at all. These are unique properties that make helium invaluable, necessary, irreplaceable for uses in magnetic resonance imaging in doctors' offices and hospitals, for fabricating electronic devices, for all sorts of research, whether it be in quantum computing or superfluids in any number of other areas.

Why is this a policy issue worthy of the consideration of the U.S. Congress? Well, because this invaluable, irreplaceable element is very rare on Earth. It is in fact the second most common element in the universe, but it has long since risen up through the atmosphere of the Earth and vanished into space. And small amounts of helium are created moment by moment deep in the Earth through radioactive decay caught in natural gas reserves, along with methane and the other things that we call natural gas. But it is rare, and it is difficult to separate, and yet we need it.

Farsighted legislators three-quarters of a century ago began stockpiling helium. They thought it would be used for dirigibles and blimps. They weren't sure what else it would be used for, but they understood helium had some very special properties.

□ 1040

It was a good investment for taxpayers. It was a very good investment for taxpayers that this stockpile was created.

Now the stockpile is running low because of decisions by Congress in past years. It's important that, as we make the decisions and the changes that we make with this legislation, we not fail to recognize possible future uses, possible future demands, and possible failure of the market to provide an adequate supply of helium to meet those demands.

I know there is an ideology that's prevalent around here for any commodity, for any human need, that the market will provide. In fact, it doesn't always. And in this case, in the helium over the decades, it would not have, had it not been for the Federal Reserve. So it is important that we stop and take a look at the implications for the future.

And so my amendment would simply expand the study section that already exists in this legislation to make sure that we look at possible future uses, likely future supplies, and making sure that we are prepared to have an adequate supply of this valuable resource

into the future. It should be a non-controversial amendment. I hope it will be unopposed, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I ask unanimous consent to claim time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself as much time as I may consume.

I want to start by saying that the development of this legislation has truly been a bipartisan effort. I want to thank my colleague from New Jersey, who has been a leader in helping us bring this legislation to the floor.

One of the main goals of H.R. 527 is to stop the imminent shutdown of the Federal helium program this October by establishing a new program to complete the privatization of the helium reserve. However, this action remains only a Band-Aid to our long-term helium supply.

Helium, like many other resources, is something that requires significant investment and development to bring to market. While this bill will keep the helium flowing from the reserve, the future of the reserve is limited to only a handful of years. So the gentleman's amendment is really a question of what do we do next, and that's a good question.

The idea that, when the reserve closes, America could be left at the mercy of Qatar or Russia for securing our domestic helium is not a prospect that we relish any more than being dependent on China for rare Earth materials. And yet no one thinks that the solution is for the government to jump back into the helium business. Instead, we need to continue our focus on this issue to prevent resource scarcity that could threaten our manufacturing and national security.

While I understand there have been some initial conversations, I want to make it clear that this is not the last time that the committee will focus on the issue of helium. It is my intention that the committee examine other areas where we may be able to expand helium supply or promote additional steps for conservation.

The report directed to be developed in this bill will help guide our effort forward, and the gentleman's amendment will add additional important questions to help provide us a path forward. But it is up to us to act and continue to focus on what is a critical national security and economic security concern: a secure, stable supply of helium.

So I look forward to continuing to work with the gentleman from New

Jersey as we seek these solutions, and I think his amendment adds to that prospect.

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

Mr. HOLT. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. THORNBERRY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-47.

Mr. THORNBERRY. Mr. Chairman, I offer the amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. —. ADDITIONAL CONNECTIONS TO THE FEDERAL HELIUM RESERVE.

The Secretary of the Interior may allow any person not connected to the Federal Helium Reserve, as that term is defined under section 2 of the Helium Act (50 U.S.C. 167), as amended by this Act, to connect to the Federal Helium Reserve for the purpose of storing helium, subject to such storage fees as may be required by the Secretary. Withdrawal of such helium shall be governed by that Act.

The Acting CHAIR. Pursuant to House Resolution 178, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, let me first commend and express my appreciation to Chairman HASTINGS and Mr. HOLT and others who have worked on this legislation. Indeed, we have come a long way from the days when helium was essentially a government-run monopoly to this legislation, which helps bring in more market forces, more competition, more free enterprise, and, I think, will help move toward developing more supplies of helium in the future, as was just discussed on the last amendment.

It is in exactly that spirit that I offer this amendment which seeks to affirm the authority of the Secretary of the Interior to allow others who are not currently connected to the helium repository to connect to it and to store their helium there, assuming, of course, they've got to pay their own way. So whatever costs are incurred with allowing others to connect and to store, those costs have to be met by the individuals, not by the taxpayer.

But by doing that, I think we do at least take a step towards encouraging more helium supplies to be developed. And the side benefit is, as these other helium supplies are stored in the repository, that helps keep the pressure up in the dome so that, ultimately, more

helium, government helium and private helium, can be extracted.

So I think this is perfectly in keeping with the theme of the bill. It moves in the right direction to encourage the expansion of more helium supplies, and I hope that the Members will consider it favorably.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. THORNBERRY. I yield to the chairman.

Mr. HASTINGS of Washington. I thank the gentleman for bringing this amendment to the floor. He made the observation in his debate that this is something that we were talking about in the previous debate, because we're going to have to have more helium; and market forces, I believe, are one way to do that, and I think his amendment addresses that.

I support the amendment.

Mr. THORNBERRY. I thank the gentleman.

Mr. HOLT. Will the gentleman yield?

Mr. THORNBERRY. I will be happy to yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Texas, and I think the gentleman's amendment is a good one. It will clarify that producers of helium may connect to the Federal helium reserve to store helium. And by seeking to provide incentives for additional production and storage, I think his amendment will provide a public service.

I think, as the gentleman has said, we should examine ways that we can use the reserve to maximize the American supply of helium in the decades ahead. So I support him in this, and I urge all of my colleagues to do so.

Mr. THORNBERRY. I thank both gentlemen, Mr. Chairman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENT) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, had come to no resolution thereon.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 26, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Under clause 2(g) of Rule II of the Rules of the House of Representatives, I herewith designate Robert Reeves, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House that he would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 113th Congress or until modified by me.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

REDUCING FLIGHT DELAYS ACT OF 2013

Mr. LATHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1765) to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1765

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reducing Flight Delays Act of 2013".

SEC. 2. AUTHORIZATION TO TRANSFER CERTAIN FUNDS TO PREVENT REDUCED OPERATIONS AND STAFFING OF THE FEDERAL AVIATION ADMINISTRATION.

(a) IN GENERAL.—Notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), any other provision of law, or a sequestration order issued or to be issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A)), the Secretary of Transportation may transfer during fiscal year 2013 an amount equal to the amount specified in subsection (c) to the appropriations account providing for the operations of the Federal Aviation Administration, for any activity or activities funded by that account, from—

(1) the amount made available for obligation in that fiscal year as discretionary grants-in-aid for airports pursuant to section 47117(f) of title 49, United States Code; or

(2) any other program or account of the Federal Aviation Administration.

(b) AVAILABILITY AND OBLIGATION OF TRANSFERRED AMOUNTS.—An amount transferred under subsection (a)(1) shall—

(1) be available immediately for obligation and expenditure as directly appropriated budget authority; and

(2) be deemed as obligated for grants-in-aid for airports under part B of subtitle VII of title 49, United States Code, for purposes of complying with the limitation on incurring

obligations during that fiscal year under the heading "GRANTS-IN-AID FOR AIRPORTS" under title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55; 125 Stat. 647), and made applicable to fiscal year 2013 by division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6).

(C) AMOUNT SPECIFIED.—The amount specified in this subsection is the amount, not to exceed \$253,000,000, that the Secretary of Transportation determines to be necessary to prevent reduced operations and staffing of the Federal Aviation Administration during fiscal year 2013 to ensure a safe and efficient air transportation system; and provided that none of the funds transferred under this subsection may be obligated unless the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 5 days in advance of such transfer.

The SPEAKER pro tempore (Mr. HULTGREN). Pursuant to the rule, the gentleman from Iowa (Mr. LATHAM) and the gentleman from Arizona (Mr. PASTOR) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. LATHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the consideration of H.R. 1765.

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

There was no objection.

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

Mr. Speaker, I come today with H.R. 1765, a bill to provide up to \$253 million from the Airport Improvement Program—or any other account in the FAA—to the Operations Account. The purpose of this transfer authority is to restore reliable and safe service in the commercial air traffic system by reducing or eliminating employee furlough days.

I think we all agree the FAA and the administration has handled the sequester poorly. The FAA has negotiated in bad faith with the FAA employees, the airlines, the flying public, and the Congress. And the administration has played shameful politics with sequestration at the cost to hardworking American families. As I have often said, this is simply no way to run a government.

But the Congress is stepping in to correct the problems created by the administration's inaction. We're taking this step because of the gross mismanagement of this important function for the safety of all Americans who fly and on behalf of the commerce that depends on a reliable air system. We are taking this action to end the administration's political games that threaten our passenger rights and safety.

The fact that we're here today trying to solve this problem is as a result of

the sequester. I remind you that the President brought the sequester to the table. And in an effort to avoid the arbitrary \$1.2 trillion of cuts mandated by the Budget Control Act, twice the majority in this House has passed commonsense legislation that would have replaced the sequestration with targeted spending cuts of an equal dollar amount.

□ 1100

Unfortunately, the Senate never considered either of these bills, and thus the sequestration was triggered.

Further, this situation goes to show that we need to return to regular order and consider appropriation bills in their entirety and not rely on continuing resolutions to fund the government.

Under a CR, there is no way for us to prioritize cuts or protect programs related to the safety of the American public. It also goes to show that we must have a long-term, comprehensive solution to our budget challenges, one that solves the sequester and provides sustainability and stability in the Federal budget.

Mr. Speaker, I put the administration, the Secretary, and the agency on alert that we are watching. We have questions, and we want answers about how you're using these funds and how you're going to be managing the rest of our Department. Like I said at the FAA hearing this last Wednesday, the safety of our air space cannot be subject to political posturing.

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

Mr. PASTOR of Arizona. Mr. Speaker, I yield myself such time as I may consume.

I will tell my dear friend, Chairman LATHAM, that we agree on one thing, and this is the notion that this is not a good way to run a government. But I have to remind him and remind all my colleagues that about 1½ years ago we were in this House, in this Chamber, talking about the budget—the Budget Control Act, as I remember. So about 1½ years ago we had a vote.

I did not support the legislation because I felt that sequestration was a bad idea; but the House passed the bill, the Senate passed the bill, and the President signed it. So, for me, it's very difficult to lay blame on any one party because this was done in a bipartisan manner. It is very difficult for me to lay blame on one Chamber because both Chambers passed the bill. And it's very difficult for me to blame the administration for signing it because this was an action taken in the House, the Senate, and signed by the President. I thought it was a bad idea, but the majority felt it was a better idea, and they went forward.

Now, I have to tell you that Administrator Huerta was before our subcommittee this week. He detailed the

cuts that he had to make based on the rules and regulations of the various laws that deal with sequestration. That is why 149 contract towers were recommended to be shut—but they remained open because of a lawsuit—and that is why we had to furlough the FAA air traffic controllers.

In his testimony, Administrator Huerta reminded us that in February of this year a letter was sent by Secretary LaHood to the leadership, including me and Chairman LATHAM, that the sequestration was going to cause problems in the efficiency of the air traffic control system because there would be a furlough of air traffic controllers in order to meet the cuts that were required by sequestration. That was done in February.

In March, when sequestration was invoked, the FAA had to then implement a plan to see what it had to do to meet the number of cuts it had to make, but not to take away the safety of our air traffic control system, knowing that its efficiency would be diminished. And so today, we are here bringing a fix to this situation. Furloughs have been taken; 10 percent of the employees are furloughed. And that has resulted, to the passengers' inconvenience, in delays or canceled flights.

The problem is—and I agree with my chairman—that this solution is not a good solution because there are other agencies that have to make their cuts and are in a crisis themselves. So, hopefully, when we come back from our district work period, there won't be another agency, another crisis that we have to start shifting money from one account to save another account.

Mr. Speaker, the solution is a comprehensive removal of the sequestration. That will only come about, in my belief and in my opinion, if the House, with its budget, and the Senate, with its budget, will conference and work out the details that it needs to work out to have a comprehensive solution, not just to our budget, but also to sequestration. That needs to be done in order that we're not dealing with issue by issue, crisis by crisis.

So I agree with my chairman that this is not a good way to run a government, but this morning I ask my colleagues to support this legislation.

I reserve the balance of my time.

Last Sunday, the Federal Aviation Administration began to impose the furloughs that were required as a result of sequestration.

The FAA has had to cut a total of \$637 million from its annual budget; \$485 million of that amount had to be cut from its operations account.

However, the deep cuts required by sequestration still forced the FAA to shut down nearly 150 contract towers and furlough each of the agency's employees for one day a pay period for the remainder of the fiscal year. That meant that every affected employee would lose as much as 11 days of pay.

The FAA operates seven days a week, twenty-four hours a day. It should have surprised no one that removing 10 percent of the

workforce on any given day was going to have serious impacts on our air traffic control system.

Without a complete workforce on hand, the FAA had to take measures to slow down the efficiency of the air traffic control system in order to ensure that safety of the system was not ever compromised.

Since last Sunday when the furloughs began, there have been nearly 3,500 delayed flights due to staffing reductions. As a result, thousands of passengers have been inconvenienced by long delays or cancelled flights. As my colleagues will recall, Secretary La Hood warned us of these impacts back in February.

The bill before us provides additional flexibility to the Federal Aviation Administration to help avoid the furloughs required by sequestration. Specifically, it takes carryover discretionary funds from the airport grant program and allows those funds to be used for FAA operations.

This bill is drafted as a one-time fix for one year. It does not eliminate a penny of the \$637 million in cuts that the FAA has to make because of sequestration. It simply shifts where the cuts will be taken.

At a time when we need to maintain our infrastructure, we should not make a practice of reducing capital programs to address operational shortfalls.

The bill before us does nothing to address the sequestration cuts that the FAA will have to make in Fiscal Year 2014 and beyond.

We need to find a comprehensive solution to sequestration. The American people deserve better.

Mr. LATHAM. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Iowa has 17 minutes remaining. The gentleman from Arizona has 14 minutes remaining.

Mr. LATHAM. Mr. Speaker, I would now yield 1 minute to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, unfortunately for this administration, the term "sequestration" has become synonymous with "fear."

I've been extremely disappointed that the FAA chose to close the contract control towers at 149 airports across this country, including my home town of Concord, North Carolina. This airport is the third busiest airport in North Carolina. It was named by the Government Accounting Office as an Airport of National Significance because it is a reliever airport for Charlotte-Douglas, which is the sixth busiest airport in the world.

The decision to close these towers at a savings of \$50 million is hard to understand when you consider the fact that the FAA requested \$15.1 billion for fiscal year 2013 and through sequester it's actually receiving \$15.9 billion—an actual increase over the amount of money the FAA said they needed to operate. So I can only conclude that their goal here is to try to make sequester cuts as painful as possible for the American people.

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

Mr. LATHAM. I yield the gentleman 30 seconds.

Mr. HUDSON. I thank the gentleman for the time.

I will just conclude by saying I support this bill because it ends the political games by giving the Secretary the flexibility that he needs to keep these contract towers open. So I would encourage the Secretary to do that for the safety and for the economy of our local communities.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding, and I rise in opposition to this piece of legislation.

The Editorial Board of USA Today was scathing yesterday in its assessment of where the blame for this sequester should lie, and I quote:

No Members of Congress should be surprised at the havoc wrought by the sequester. After all, they caused it, and Transportation Secretary Ray LaHood repeatedly warned them about its sentences.

But flight delays are just the tip of the iceberg visible above the water line for most Americans. As time goes on without a big, balanced deficit solution to replace the sequester, more of that iceberg will surface. More Americans will be negatively affected.

While I want to end these delays for passengers in Maryland and across the country, I will oppose this bill because it fails to address the whole impact of the sequester.

Let me share just a handful of examples of how the sequester will affect Americans:

Education: Head Start—70,000 children will be kicked out of Head Start. Nothing in this bill deals with them.

□ 1110

Furloughs to cause delays in processing retirement disability claims. Nothing in this bill deals with them.

Nutrition for Vulnerable Populations—4 million fewer Meals on Wheels for seniors; 600,000 people dropped off WIC. Nothing in here for them.

Housing—125,000 fewer HUD rental assistance vouchers. Nothing in here for them.

Unemployment Insurance—emergency unemployment insurance cut 11 percent for 2 million out-of-work Americans. Nothing in here for them.

FDA—2,100 fewer food safety inspections, an 18 percent cut; longer waits to approve new drugs. Nothing in here for them. Nothing in here for them.

Defense and Homeland Security—furloughs equivalent to 1,000 fewer Federal agents, FBI, Border, et cetera, on the job; one-third of combat air units are grounded. Nothing in here for them.

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

Mr. PASTOR of Arizona. I yield the gentleman an additional 30 seconds.

Mr. HOYER. IRS—89,000 agency-wide furloughs up to 7 days, including taxpayer-assistance centers. Nothing in here for them. They serve 89,000 taxpayers trying to find help.

We ought not to be mitigating the sequester's effect on just one segment when children, the sick, our military, and many other groups who will be impacted by this irresponsible policy are left unhelped. Instead of dressing this serious wound with a small Band-Aid, let's get to work on a real solution. Let's go to conference, let's get a big deal, let's deal with all the adverse consequences of sequester, not just those that affect the powerful air travelers of America. We ought to help them, but we ought to help everybody else as well.

Mr. LATHAM. Mr. Speaker, I yield myself 30 seconds.

It's fascinating that the administration that insisted on the sequestration—

Mr. HOYER. Will the gentleman yield?

Mr. LATHAM. The gentleman just spoke.

Supported the sequestration. And so now to come and make a statement is quite fascinating.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. REED).

Mr. REED. I would like to thank the gentleman from Iowa for yielding.

Mr. Speaker, I rise today in support of the underlying bill.

Before I make my comments, I would just ask my colleague, a good friend of mine from Maryland, we have an opportunity today to send a signal to America that we have a bicameral, a Senate-passed bill, and here in the House we are considering a bill that will address an issue that needs to be addressed on behalf of American citizens. Let us start here on a bipartisan fashion to solve the problems for hard-working taxpayers and worry about D.C. over those concerns of the people back home.

Mr. Speaker, I rise in support of the underlying bill because I have heard from my constituents, in particular, the city of Ithaca in upstate New York, where a contract tower is going to be closed. And what this bill does is it restores that funding on a commonsense basis where that contract tower—my sincere hope and belief—will be preserved and go forward. That will preserve the safety of my air-traveling public out of that airport and also the local economic opportunity that it represents for the city of Ithaca.

I'm proud to stand here today and say, because of bipartisan efforts, we worked together to solve this issue. Let's pass this bill and move forward.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Let me inform my friend from Iowa that he absolutely misstates my position. I have been against the sequester every year I was on the Appropriations Committee for 23 years, these across-the-board cuts. I opposed your Cut, Cap, and Balance bill, which you supported, which had sequester as the alternative.

The President is against sequester, the Senate budget is against sequester, and you would not allow us to offer an amendment four times, which would have precluded sequester, not only for air travel, but for those Head Start children, for those senior citizens, for basic biomedical research.

So I tell my friend, if you are going to state the facts, state them correctly.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. PASTOR of Arizona. I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, hypocrisy is reaching new heights today in this body. Many of the same Members who said "bring it on" as sequestration loomed, who relished forcing the President to make across-the-board cuts, are now in a rush to apply another Band-Aid to this artificially created crisis.

Speaker BOEHNER said the sequestration bill included 98 percent of what Republicans wanted. But Republicans spurned a budget agreement, valuing their antitax ideology more than defense or any other cuts. As a result, sequestration fell. Now they claim: Oh, it doesn't need to hurt very much. And when the cuts bite, then they say the President must be doing this just to make a political point!

So sequestration apparently wasn't supposed to be about air traffic control? The Read the Bill Caucus needs to read the bill. It was about air traffic control, and today we are going to apply a much needed Band-Aid.

Maybe tomorrow we can have a bill applying to cancer research. Then the next day let's have a bill about cancer treatments. Then the next day let's apply a Band-Aid to Head Start. Then let's have one about tuition assistance to our military personnel. Then let's have one about the Border Patrol. And, by the way, if and when we apply these Band-Aids, we need to realize we're often shifting cuts to equally important areas that aren't in the news at the moment or that don't have powerful lobbies working on their behalf.

My colleagues, I want to address these crises as much as any Member. I want to contain the damage, but damage control is not a budget policy. Sequestration is a self-inflicted wound, unworthy of those who profess to govern. It's hypocritical and misleading,

having imposed indiscriminate cuts on the administration, to pretend that the President could fix this problem with a flick of the wrist.

Sequestration is a disaster. It needs to be reversed. It needs to be replaced by a comprehensive budget plan that includes tax expenditures and entitlements, which after all are the real drivers of the deficit.

Mr. LATHAM. I would now like to yield 1 minute to the distinguished gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. Mr. Speaker, I rise today to encourage my colleagues to pass this measure to stop President Obama's needless furlough of air traffic controllers. Further, this legislation empowers the FAA to restore funding to 150 towers operated by private contractors around the country.

The FAA furloughs have received most of the media attention this week, but we shouldn't overlook the role these contractor-operated towers play in our Nation's aviation infrastructure in communities like Texarkana, Arkansas. These airports handle almost 30 percent of all aviation traffic, providing vital relief to some of our most congested airports.

The importance of these towers can't be overstated, which is why earlier this year I introduced legislation with 59 bipartisan cosponsors to restore the funding for these towers. I am confident the FAA will use the authority of this bill not only to end the needless furloughs, but also to restore funding for these essential contractor-operated air traffic control towers.

Again, I want to thank my colleagues for their support for this measure.

Mr. PASTOR of Arizona. Mr. Speaker, before I yield time, I would like to remind my colleague that this bill passed the House, the Senate, and was signed by the President. That was what brought us sequestration.

Mr. Speaker, I yield 1 minute to our Democratic leader from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

This is really a very unusual morning. We are here because of the refusal of the Republicans to come to the table for a conference. What is a conference? A conference is a public open meeting where differences between the House budget bill and the Senate budget bill can be reconciled. It is done with transparency and in full public view. Each side proud of our priorities, we have the American people be the judge of what is their statement of values.

Afraid of that public scrutiny, the Republicans have refused to appoint conferees for a conference—conferees for a conference. We call upon the Speaker to appoint conferees so that we can have that public airing, that transparent view, of something very important.

The Republican leadership has said in the House and the Senate they want the regular order. What is the regular order?

□ 1120

The regular order is the House passes a bill; the Senate passes a bill; you go to conference. Now, afraid that their views may be rejected by the American people, they don't want to go to conference. That's why we are here this morning for sequestration.

What is sequestration?

Sequestration is a mindless, across-the-board cutting of what we are now recognizing—and the Republicans are recognizing—as something that should not be cut. It affects the efficiency and the safety of our airports. That's very important. Yet, as our distinguished Democratic whip, Mr. HOYER, has pointed out, there is much more that needs to be addressed instead of using this as a vehicle.

One of the distinguished chairmen said earlier that the safety of our airports should not be subject to political debate. Neither should the education of our children, the nutrition for our seniors—4 million Meals on Wheels, tens of thousands of children thrown off Head Start. Our defense—mindless across-the-board cuts in our defense, and what that means for our national security and for the workers in our national security sector—the list goes on and on. Investments in our future—biomedical research, cut by this.

So I suppose, if this is an example of governance, that the Republicans will next come up with something else and will say we should exempt that. Why don't we just get rid of the problem? Why don't we just get rid of the problem and go to conference?

Some of the press said to me, Does this hurt your leverage in going to conference?

I said, No. This is an opportunity because it demonstrates to the American people how unwise this course of action is and how much better it would be to find solutions, to get results in the regular order—respectful of everyone's point of view but recognizing that decisions made here will have an impact, not only in the lives of the children and in the lives of their teachers and in the lives of all consumers, but on our economy as well.

This should be a clarion call. It's almost ludicrous to hear my Republican colleagues get up there and talk about their individual airports. Most of us have airports. We understand what this issue is about.

Why don't you understand that there is a great deal at stake, including the efficiency and the safety of our airports as well as the education of our children?

How can we sit there and say 4 million Meals on Wheels for seniors, gone? But that's not important. Over 70,000

children off Head Start. But that's not important.

What is important is for the Republicans to hold a hard line about the public debate about the budget that a conference would provide. The Members will vote the way they're going to vote on this, but recognize that this is not the way Congress should be meeting the needs of the American people. Let's go to conference.

Mr. Speaker, appoint conferees so we can end this mindless sequestration.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Mr. LATHAM. I now yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I do support this legislation.

In our T-HUD subcommittee hearing on Wednesday, FAA Administrator Huerta admitted that he saw no administrative flexibility to help the flying public, so we're giving him that flexibility now with this bill.

The FAA blind-sided the airlines, the airports, the unions, and the flying public by failing to properly notify them specifically about the implementation of the sequester. They only notified them about 1 week ago about the specifics. That's outrageous. That's mismanagement.

This bill fixes the problem at the FAA by keeping air traffic controllers working and the towers operating. This legislation provides the flexibility the FAA needs, and it should have been asked for by the administration. Again, it's a classic case of mismanagement, and I am pleased to support the legislation.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the ranking member of the authorizing committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the gentleman from Arizona.

I rise in support of H.R. 1765.

As the flight delays mounted this week due to the furlough and as many Republicans claim that the FAA had the flexibility to avoid this disruption and that politics were at play, gee, that's kind of like calling the kettle black.

Just last month, in March, many of these same Members recognized the across-the-board nature of the sequester when a provision was included in the transportation bill to avoid the furlough of meat inspectors who would otherwise have been furloughed. Nothing has changed in the sequester law since last month. My good friend, Secretary of Transportation Ray LaHood,

is an honorable man, and I take issue with those who have alleged that he is playing politics with the sequester.

Now, to those who have expressed concern over the piecemeal approach in addressing the chilling effects of the sequester, I share your concerns. I share the concerns of others who are being burdened by the sequester, such as a child thrown out of the Head Start or seniors depending on Meals on Wheels.

But let me be clear: the rash of delays that we witnessed this week as the sequester began to take effect is not just an inconvenience to business or vacation travelers; we are talking about emergency medical services that transport patients with time-sensitive medical emergencies.

Mr. Speaker, I rise in support of H.R. 1765, which I view as an emergency measure to address the effect of the sequester on the integrity of our aviation transportation system.

As the flight delays mounted this week due to the furlough of about 1,500 air traffic controllers a day—40% of the workforce—many Republicans claimed that the FAA had the flexibility to avoid this disruption and that politics were at play.

That is like calling the kettle black.

Just last month, in March, many of these same Members recognized the across-the-board nature of the sequester when a provision was included in the appropriations bill to avoid the furlough of meat inspectors who would otherwise have been furloughed.

Nothing has changed in the sequester law since last month. My good friend, the Secretary of Transportation, Ray LaHood, is an honorable man. I take issue with those who have alleged that he is playing politics with the sequester.

Neither he nor the Administrator of the FAA are guilty of nothing more, and nothing less, than the hand that Congress forced on them.

Now, to those on my side of the aisle, who have expressed concerns over a piecemeal approach to addressing the chilling effects of the sequester, I share your concerns.

I share your concerns for others who are being burdened by the sequester, such as the child thrown out of Head Start or seniors depending on Meals on Wheels.

But let me be clear. The rash of flight delays we have witnessed this week as the sequester began to take effect is not just an inconvenience to business or vacation travelers.

There is an even more serious concern here, and while it is one that has not manifested yet, if the present situation continues unabated it could potentially have lethal results.

Aircraft provide emergency medical services that transport patients with time-sensitive medical emergencies, organs, blood products and pediatric patients.

Time-sensitive drugs and emergency aid cannot afford to be delayed because of the air traffic control system. These medical air services need to be able to operate without delay 24 hours a day and 365 days a year.

I urge support of the pending measure.

Mr. LATHAM. Mr. Speaker, I yield 1 minute to the distinguished chairman

of the Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman.

I rise in support of H.R. 1765 so that we can stop this needless pain on the American traveling public and our economy.

The administration and the FAA have refused for months to provide us with a plan to work with the airline industry in order to figure out how this could be implemented without all of this pain to the traveling public and to our economy.

I'd like to remind my colleagues that this industry provides \$1 trillion to our economy, so it's extremely important to the hardworking men and women of America that our airlines and our folks are getting where they need to be on time and without delay. This is very, very damaging to the economy.

Again, I believe this has been mismanaged, and I believe that this bill will force the administration to stop these needless furloughs so that we can continue making sure that the airline industry is functioning in order to keep our economy growing stronger and to allay the safety concerns of the traveling public.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Before we start patting each other on the back for this bill, I think it's important that we recognize that we are not fixing the bigger problems that the sequester has created.

Earlier this month, The Bellingham Herald reported that Head Start students in my district will have to begin finding their own way to school as bus service is being cut because of the sequester. Perhaps now we can ask these 4-year-olds to ride their tricycles to class or, because of this bill, maybe book a flight.

Children in military families at NAS Whidbey Island are going to go to schools where budgets are being cut because of reductions in Impact Aid mandated by sequestration, but we're not doing anything to help those kids today. We are not helping seniors in Arlington, Washington, who are getting Meals on Wheels no longer delivered to them.

This is not just my district. Every Member of this House represents a district whose kids and seniors are being hurt thanks to our failure to clean up the mess we caused. This lands somewhere short of a profile in courage. This is a Band-Aid, and sequestration needs triple bypass surgery. Sequestration is a little bit like the person who kicks a boulder and then blames the boulder for his broken toe. Congress created this problem. We need to fix it.

Mr. LATHAM. Mr. Speaker, I now yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you to the gentleman from Iowa.

I'd like to first thank the Senate for sending this piece of legislation over to us to provide a fix, a fix that isn't necessary to provide, but the administration through a lack of leadership is proving that we have to do this now.

We are here today because this administration has decided to put politics over passengers. From the very beginning of sequestration, this administration and its departments have claimed that they did not have the flexibility to avoid cuts that would affect Americans the most. The proposed tower closings and the FAA furloughs that were announced this week, they're not just wrong—they are irresponsible and indefensible.

The bottom line is the FAA already has the flexibility that we are granting them today, yet they are unwilling to take advantage of that.

So, today, we are here because it is time to put an end to the excuses and political gimmicks, and we owe it to the American people to govern like statesmen by passing this bill in order to get the FAA to implement spending cuts responsibly in order to protect the traveling public.

Mr. President, I urge you: tell your administration to grow up.

□ 1130

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, we're here this morning because Americans are understandably upset at sitting and waiting at airport gates. But there are other Americans who are sitting and waiting.

There are moms sitting and waiting at home to enroll their children in Head Start; after this bill, they'll still be waiting.

There are pilots in our Air Force and Navy sitting and waiting to fly their training missions. One-third of our planes are grounded. After this bill, they'll still be sitting and they'll still be waiting.

There are senior citizens who need to go to chemotherapy at outpatient clinics around this country, but because of the cutbacks of sequestration, their doctors aren't seeing them. After this bill, they'll still be sitting; they'll still be waiting.

This Congress has done too much sitting and too much waiting when it comes to sequestration. The Senate has passed a budget that ends sequestration. There's an opportunity to sit at a conference, negotiate and pass that budget.

Instead of sitting and waiting, let's start working and negotiating and pass the Senate budget.

Mr. LATHAM. Mr. Speaker, I would now like to yield 1 minute to the gen-

tleman from Florida (Mr. MICA), the former chairman of the Transportation and Infrastructure Committee.

Mr. MICA. I thank the gentleman.

Why are we here? We're here because of a colossal failure of leadership in the ability to manage resources.

First of all, I can tell you that there are plenty of air traffic controllers. Just go online and get this report, "Plan for the Future." Some of our airports have far more air traffic controllers than we need. In fact, air traffic control for the last 10 years is down 27 percent, and we still have close to 15,000 air traffic controllers.

This legislation does provide a fig leaf for the administration who said they don't have the authority. I can tell you, they had the authority and the ability to move people and resources around, so that gives us the opportunity to get the flying public flying again.

Again, we have the resources, they had the money, and here we're giving them the final fig leaf that they have asked for and they say they need to get this done.

I can tell you that if Ronald Reagan were President, we would not be in this mess.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, after the vote on this today, Members of this House are going to run for the airports. They're all going to be flying home on airplanes. And, yes, they will make it easier for Members of Congress to get through those lines, and they'll pat themselves on the back and say, "Job well done."

Well, obviously we should address the issue at the airports, but we need to address the other issues right now and not make it easier for Members of Congress to fly home for a week away when it should be a week right here making sure we do not see the negative impact of the sequester grind on for those kids in Head Start, for the seniors on Meals on Wheels, for folks who are doing important lifesaving research.

Look, Mr. Speaker, four times this year we have offered a proposal to replace the entire sequester, to achieve the same deficit reduction without the kind of damage that's been done, and four times we haven't even had a chance to vote on the floor of this House. Now we're simply asking to go to conference. Our Republican colleagues complain that the Senate didn't pass the budget, but they've got one.

Let's go to conference rather than go home.

Mr. LATHAM. Mr. Speaker, I would now like to yield 1½ minutes to the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank Mr. LATHAM for offering this bill. It's high

time that the FAA, Mr. Speaker, have the flexibility that they need to have on closures of any air traffic control towers.

It is my hope that St. Cloud, Minnesota, and Anoka-Blaine airports do remain open. They're vital and they're much needed. We're looking at approximately 189 airports.

But I want to speak to something else. We were listening to Representative HOYER and Representative PELOSI be extremely passionate about the loss that we'll see for children through Head Start, for senior citizens on Meals on Wheels, for children who will be dealing with various other food nutrition programs. That breaks everyone's hearts.

But I want to remind the people of this country that it was former-Speaker PELOSI, Representative HOYER, Senator REID, and President Obama who signed the sequestration bill, and it was Press Secretary Jay Carney who admitted that the sequestration was President Obama's idea.

There are numerous Republicans that voted against the sequestration because we knew all of these calamities were in the future. So it reminds me of the Shakespeare line: Thou doth protest too much.

Didn't you know this was going to happen? We knew it. That's why we voted against this bill. And it seems like the higher the level of passion, it equals the conscience that we are seeing of those who voted the wrong way on this bill for the first time.

Mr. PASTOR of Arizona. Mr. Speaker, before I yield time to my friend, I have to remind my colleague that I voted against that bill, and the bill passed because there was a majority of Republicans who supported it. So we just can't blame one House or one Senate or the President, because all of us share the blame in one way or the other.

Mr. HOYER. Will the gentleman yield?

Mr. PASTOR of Arizona. I yield 30 seconds to the gentleman from Maryland.

Mr. HOYER. The Republicans offered their bill. It was called "Cut, Cap, and Balance." They voted on that bill before we ever got to sequester. In Cut, Cap, and Balance, your alternative, if you didn't reach your numbers, was sequester. Sequester was your policy.

And in the CR that you had Mr. ROGERS bring to the floor, which I voted against when it went from here to there, as did every Democrat, it said it was going to be subject to the sequester or nothing.

Mr. PASTOR of Arizona. Mr. Speaker, I yield 1 minute to the gentlelady from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise to support H.R. 1765, the Reducing Flight Delays Act of 2013.

I don't want anybody to be mistaken about why I support this bill. I want

Mrs. BACHMANN to understand that we know that she has led the Tea Party and the right wing on all of these issues and that she led on the discussion on sequestration. It was a bad policy and it should not have been adopted by either side of the aisle; however, that is the order of the day, and we need to bring the budget to the floor and have a conference committee so we can adopt some of what was adopted on the Senate side to get rid of the sequestration.

Meanwhile, the FAA plans to furlough the vast majority of the FAA's nearly 47,000 employees, including nearly 15,000 air traffic controllers, for approximately 1 day during each 2-week period in order to comply with sequestration.

The furloughs have already begun. They started on April 21, 2013. So we're going to be backed up in these airports, and it is time for us to understand that this is an emergency. Let's get it over with by passing this bill today.

□ 1140

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

Mr. PASTOR of Arizona. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from Arizona has 2½ minutes. The gentleman from Iowa has 7½ minutes.

Mr. PASTOR of Arizona. I will ask my chairman, do you want to even out the time? I will reserve my time if you like.

Mr. LATHAM. Does the gentleman have two more speakers? I just have one more. I was going to suggest that you go ahead with your speaker. Now I'll have one, you'll have one, and then we can close.

Mr. PASTOR of Arizona. I thank the gentleman.

I yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. This is a hostage-taking, and I know that the American people are watching the blame game. But the blame game falls clearly on this side of the aisle. My Republican friends held this place hostage: we won't pay the debt ceiling; we won't pay our debts.

Now we're losing 2 million jobs, 4,800 Head Start programs. And I believe in air traffic controllers, but we're holding them hostage. What about the person who cannot afford an airline ticket? And so I'm saying today that it is important that we stand for the millions of dollars that we are losing for homeland security. Is it time to take millions from military families?

Mr. Speaker, I ask unanimous consent to bring up H.R. 900, a one-sentence bill, that would repeal the section of the Budget Control Act of 2011 to get rid of the sequester, go to budget conference, have conferees, have a

budget, get rid of the sequester. Bring it up now.

Mr. Speaker, I ask unanimous consent to bring up H.R. 900.

The SPEAKER pro tempore. Does the gentleman from Iowa yield for that purpose?

Mr. LATHAM. Yes.

What was the question if I may?

The SPEAKER pro tempore. Does the gentleman from Iowa yield for that purpose?

Mr. LATHAM. No.

Ms. JACKSON LEE. Mr. Speaker, let me just say this. We have to save the traveling public, but I ask the question about 5,000 children in Texas that will lose Head Start, or the millions of seniors, or our military families that will lose support because we've got the sequester, all on the shoulders of those that believe that the way we run the Federal Government is by slash and burn. Where are our hearts? Help the American people.

Mr. LATHAM. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, we have heard a lot of rhetoric today that sequestration is the problem. I would like to remind you that sequestration, that President Obama proposed, was the only solution we could agree on to the real problem: the fact that this government is spending close to \$1.50 for every \$1 that it brings in. That being said, sequestration came into effect, and we're now having to deal with it.

It was our intent all along to find cuts. We couldn't get agreement from the other side to find the cuts. And now, even though sequestration is painful, it is working. We see in this bill that we're able to take the FAA, get the cuts that need to be made to their budget made without affecting flight delays and without furloughing people. It is my contention that this can happen all through the government and throughout all agencies.

If these agencies and the President had come back to this Congress saying, "We can do these cuts this way; let us do it," I imagine almost every one of those would have passed on unanimous consent. They certainly probably would have passed on suspension like this one.

I urge my colleagues to take this first step to solve the problem with the FAA, and I look forward to working with other government agencies in the Obama administration to find the cuts we need and to spare the American people the pain that's intentionally being inflicted because some people don't want to cut a dime out of the American budget.

You know, the American people know instinctively there's waste, fraud, and abuse in this government and that there are savings to be had. And we're going to find it, and we're

going to try to do it in the best possible way.

Mr. PASTOR of Arizona. I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for yielding.

Mr. Speaker, Congress did not foresee the controllers' crisis. They will not foresee the next one. We have not solved the controllers' crisis with money. It was not about money. It was not about cuts. It was solved the old-fashioned way. They simply moved money around. This is exactly what was done with appropriations that are not having this crisis.

We can solve this if we have a meeting of both sides of the aisle on the budget. What would happen at that meeting would probably be not to cut a thing, but simply to allow agencies the flexibility to move money around, precisely as has been done with the controllers' crisis. Not 1 cent was changed, just the flexibility, the common sense that we now need to put to every single appropriation.

Mr. LATHAM. Might I inquire of the gentleman from Arizona, you have 30 seconds left. If you would like to go ahead and close, I will reserve at this time.

Mr. PASTOR of Arizona. Mr. Speaker, I yield myself the balance of my time.

I rise to ask my colleagues to support this bill. It is a one-time fix in a crisis we are having today with our air traffic system. But I join my colleagues, as well as probably my chairman, in asking the House leadership, both the Republican leadership and the Democratic leadership, to please work on a comprehensive solution to the sequester in order that we can bring regular order and get the type of government that the American people deserve.

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

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

I want to associate myself with what my good friend and ranking member on the subcommittee, Mr. PASTOR, just said. We've got to find a solution, come to an agreement. This is a horrible way to run a government, with sequester. When you take a meat-ax approach to departments, there's no common sense. And that's why we need to get back to regular order around here and actually do appropriations bills. We would avoid these types of potentially catastrophic situations that we find ourselves in.

Mr. Speaker, I would just ask everyone to understand that the Senate sent this over last night. It is now an H.R. bill, our bill. The Senate will approve it as soon as we pass it in the House here. It is very important that we do this for the American people, the traveling public, for safety of the system, to make sure that our commerce continues. So I would ask everyone to support this bill.

And let's fix the big problem, and that's come to a budget agreement.

I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, is there no one in this chamber who is embarrassed? Or perhaps the question should be: Is no one in this chamber not embarrassed?

The Senate panics and passes a bill to correct the failures of a small part of the abominable consequences of the "sequester" or sequestration.

We are now funding the failures of what we did earlier. With red faces and guilty looks, we vote on a quick correction of one important, but small, consequence—furloughs at the FAA amongst controllers—and now we sneak out of town, believing that we have made the traveling public safe.

Have we? Baloney! A really huge problem still remains unaddressed. The budget is a giant mess. Many other perils to our society, to our safety, and to the well-being of our people are quietly ignored as we sneak out of Washington to go home for speeches, campaigning and schmoozing with our people.

How many of us will describe our real failures we leave unaddressed? Dangers at the borders, cuts and furloughs to Custom & Border Protection, the Department of Homeland Security, and other security agencies—all unaddressed.

Food and Drug Administration—cut, sequestered, and unable to protect our people's health and safety.

Roads, highways, and bridges—all in danger.

Law enforcement at risk and with cuts, sequesters, and all that goes with those events to fester in our absence.

Education—our schools, colleges, universities, and research facilities are all affected with uncertainty.

Business, investments, and job creation all delayed because we can't—or won't—address our budget problems.

Almost nothing in government, or the economy, is able to prosper or carry out its responsibilities because we cannot, or will not, address the budget problems of this Nation, using the sequester as a substitute for courage, responsibility, and just good, honest work with compromise and cooperation.

This Republic has prospered for over 200 years because this Congress—the House and Senate—and our political parties worked together in the public's interest.

Apparently—No more!

We now go home, one small matter dealt with.

How many more are not dealt with? And what will be the consequences?

As we sneak home shame-facedly it may be that we ourselves will be safe from these failures.

Perhaps we will even be safe politically for a while, but we do not deserve to be; and we won't be when people figure out how poorly we do the Nation's business.

We have much to do. This country believes that we should do so, and it will demand that we do so.

Let us buckle down.

Let us do the job we are paid to do. We have a vital responsibility.

Let us carry it out.

Let us get busy and do the Nation's business—now.

Our responsibility is more important than our ideology.

I am ashamed. Is the rest of this body ashamed?

And what will we do about it?

Mr. HONDA. Mr. Speaker, I regret that I am unable to be in Washington, DC today to cast a vote on H.R. 1765, The Reducing Flight Delays Act.

When House Republicans refused to compromise on tax and spending issues and raising the statutory debt limit, the Budget Control Act of 2011 was enacted in order to avert a fiscal crisis. The BCA provided for automatic reductions to most federal discretionary spending, referred to as "sequestration," if no agreement on deficit reduction could be reached. Policy analysts, economic experts and the American people agreed that the automatic spending cuts would be so damaging, and were such bad policy, that Congress would be compelled to act to avoid them. I did not believe that these cuts were the right course of action, and so I voted against the BCA.

Unfortunately (but predictably), Congress was unable to reach agreement on a deficit reduction plan, and sequestration went into effect on March 1, 2013. As we are now experiencing, sequestration requires agencies to reduce non-defense discretionary spending by 5.3 percent in Fiscal Year 2013. It does not provide any guidance on how each agency should go about implementing these cuts, it simply reduces spending across the board, impacting all federal programs.

On March 22, 2013, after carefully weighing competing national security interests, public safety concerns, impacts on interstate transportation, communication, banking and financial networks, and the status of the most critical diversionary airports, the Federal Aviation Administration (FAA) announced it would close 149 Federal Contract Tower program towers by June 15, 2013. The FAA has also begun to implement a series of furloughs of all of its employees, including its 15,000 air traffic controllers, which has resulted in flight delays nationwide.

As someone who flies across the Continental United States twice each week, I share the frustrations and concerns that many Americans have about the flight delays due to furloughs and the closure of these towers. The nation's air traffic control system is essential for public safety, business, and the regulation of national air traffic, and I support this legislative effort to ensure that it is able to function normally.

But the measure the House is voting on today is just applying an inadequate Band-Aid to the gaping wound that sequestration has inflicted on our nation. The flight delays due to furloughs and closure of contract towers are some of the first highly visible impacts of sequestration, but they highlight the fact that the federal government performs many essential services that Americans depend on, and enacting indiscriminate cuts to federal funding undoubtedly has a negative impact on the government's ability to provide those services.

I remain committed to working with my colleagues in Congress and across the govern-

ment to protect Americans from the worst impacts of sequestration and to undo it altogether.

Ms. JACKSON LEE. Mr. Speaker, H.R. 1765 is a poor substitute for real Congressional leadership and pragmatic solutions for the millions of Americans impacted by the sequester. Using sequestration, Republicans in the House are holding the American public hostage, extracting carve-outs that serve their own interests while shamefully ignoring the people who will be impacted by the billions in remaining cuts.

While I support putting all of our air traffic controllers back on the job so that air transit is as safe and reliable as possible, this bill leaves everyone else to suffer the devastating consequences of the sequester cuts. Sequestration unduly constrains the ability of Congress to deal effectively with America's economic, fiscal, and job creation troubles. I support restoring funding for our air traffic control officers, but this bill does nothing to relieve the anguish of those Americans who cannot afford to buy an airline ticket.

As a Senior Member of the House Homeland Security Committee I find it outrageous that in Texas, approximately 52,000 civilian Department of Defense employees would be furloughed. The sequester, which the Republicans did nothing to prevent, would undermine the significant progress the Department of Homeland Security has made over the past ten years and would negatively affect our ability to carry out their vital mission.

Sequestration will eventually roll back border security, increase wait times at our Nation's land ports of entry and airports, affect aviation and maritime safety and security, leave critical infrastructure vulnerable to attacks, hamper disaster response time and significantly scale back cyber security infrastructure protections that have been developed in recent years.

Republicans forced Congress to adopt sequestration as a backstop by playing a political game of chicken when it came to raising the debt ceiling to pay our debts. While we understand and share the concern of our Republican colleagues with respect to deficit spending, now is not the time to put ideology over pragmatism, and the arbitrary cuts imposed by the sequester are not the answer.

Instead of forcing the average American to pay the price for a dysfunctional Washington, give the leaders of both parties the time needed to reach some consensus on budget issues.

Republicans, particularly Members of the Tea Party, need to understand that allowing the sequester to continue is worst way to go about achieving a long-term debt reduction. Cutting two million jobs nationwide and slowing the growth of our gross domestic product by half a percent will barely make a dent in our debt, but it will result in widespread misery.

Moreover, it jeopardizes the economic progress that we have worked hard to achieve, and even threatens to throw us back into a recession. My state of Texas is greatly affected by sequestration. These cuts will have a devastating and widespread impact on local communities.

Texas will lose approximately \$67.8 million for primary and secondary education, putting

around 930 teacher and aide jobs at risk. In addition, about 172,000 fewer students would be served and approximately 280 fewer schools would receive funding.

Texas will lose approximately \$51 million for about 620 teachers, aides, and staff who help children with disabilities.

Head Start and Early Head Start services would be eliminated for approximately 4,800 children in Texas, reducing access to critical early education.

In Texas, approximately 52,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around \$274.8 million in total.

Texas will lose about \$1,103,000 in Justice Assistance Grants that support law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

Around 83,750 fewer Texans will get the help and skills they need to find employment as Texas will lose about \$2,263,000 for job search assistance, referral, and placement, meaning.

Up to 2,300 disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents to hold down a job.

In Texas around 9,730 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and Hepatitis B due to reduced funding for vaccinations.

Violence Against Women Grants: Texas could lose up to \$543,000 to provide services to victims of domestic violence, resulting in up to 2,100 fewer victims being served.

Texas will lose approximately \$2,402,000 to help upgrade its ability to respond to public health threats including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events.

In addition, Texas will lose about \$6,750,000 in grants to help prevent and treat substance abuse, resulting in around 2,800 fewer admissions to substance abuse programs. And the Texas State Department of Public Health will lose about \$1,146,000 resulting in around 28,600 fewer HIV tests.

Mr. Speaker, I ask unanimous consent that H.R. 900, the "Cancel the Sequester Act of 2013" be brought to the floor for a vote.

This one-sentence bill would end this national nightmare by repealing the section of the Budget Control Act of 2011 that imposed sequestration and its senseless, job-destroying cuts. If Congress cannot or will not come together in bipartisan agreement on a budget, I believe we have a duty to avert these catastrophic cuts by repealing them.

Mr. GOODLATTE. Mr. Speaker, I rise today in support of legislation to give the FAA and DOT flexibility to use unobligated funds to ensure the safety of our nation's air transportation system. Specifically I rise to affirm the intent of this legislation that grants the Secretary of Transportation the ability to use unobligated balances of the Airport Improvement Program account to prevent the closure of 149 contract air traffic control towers and halt the furloughs of air traffic controllers.

Our nation's air transportation system is a comprehensive network of intertwined depart-

ments, one of which is the air traffic control towers who guide our pilots safely between airports. I want to be very clear, maintaining service at all contract air traffic control towers is intrinsic to the authority given in this legislation to ensure a safe and efficient air transportation system.

Many Members of Congress have expressed grave concerns over the closure of contract towers and furloughs of air traffic controllers, both of which contribute to the overall safety of our nation's air transportation system. I should also clearly state that the inaction of the Department of Transportation to request sequester reprogramming authority and maintain some level of service at all contract towers has led to this legislation. The safety and efficiency of our skies have been put at risk and it has become incumbent upon the Congress to direct this authority to the Secretary of Transportation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of legislation we will consider today that will provide the Secretary of Transportation with the flexibility to transfer funds to prevent reduced operations and staffing of the Federal Aviation Administration. It has now been almost two months since the sequestration cuts were enacted, and we are in new and unprecedented territory. This week alone, approximately 2,800 flights were delayed daily because of the Republican majority's refusal to address the effects of the sequester sensibly.

This bill would allow the Department of Transportation to shift \$253 million in funds to the FAA's operations account to prevent the worst of these drastic cuts. This is simply a safety issue for the millions of passengers who travel our skies. Over the past five days, we have seen our national airspace system seriously compromised by the furloughs of air traffic controllers and other aviation safety professionals. In addition to the very serious safety concerns, the inconvenience of passengers, and the loss of wages to these federal workers, these delays have slowed commerce at a time when we should be doing everything we can to nurture our domestic economy.

Mr. Speaker, it is my hope that now that the actual effects of sequestration are painfully clear, Republican Members of Congress will come back to the table, and we can work on a bipartisan, common sense approach to ending sequestration.

Mr. REED. Mr. Speaker, I rise today in support of legislation to give the Federal Aviation Administration, FAA, and Department of Transportation, DOT, flexibility to use unobligated funds to ensure the safety of our nation's air transportation system and American travelers. Specifically I rise to affirm the intent of this legislation that grants the Secretary of Transportation the ability to use unobligated balances of the Airport Improvement Program account to prevent the closure of 149 contract air traffic control towers and halt the furloughs of air traffic controllers.

Maintaining service at all contract air traffic control towers is inherent to the authority given in this legislation to ensure a safe and efficient air transportation system. Over the past seven weeks, Congress has seen a swell of reaction to the FAA's decision to furlough and lay off hundreds of air traffic controllers

across the country. In my district in New York, it was announced that the Ithaca Tompkins Regional Airport control tower would be closed. Since this announcement, residents, local businesses, and employees at the airport have flooded my office with feedback that this closure will have serious safety and long-term economic impacts in the region.

Many Members of Congress as well as industry representatives who utilize our nation's general aviation system have expressed grave concerns over the closure of contract towers and furloughs of air traffic controllers, both of which contribute to the overall safety of our nation's air transportation system. The inaction of the Department of Transportation to request sequester reprogramming authority and maintain some level of service at all contract towers is unacceptable and has led to the need for this legislation. The safety and efficiency of our skies have been put at risk and it has become incumbent upon the Congress to direct this authority to the Secretary of Transportation.

I look forward to working with the FAA and DOT to ensure that the Ithaca Tompkins control tower, as well as the other 148 towers across the country, remain up and running to ensure our skies are safe.

Mr. RADEL. Mr. Speaker, the President warned Americans would feel the pain of sequestration. What he failed to mention was his White House would play politics to guarantee pain was felt. House Republicans told the President to prioritize and find places to cut American families would not feel. He refused. This is why I am proud to support the Reducing Flight Delays Act, correcting the gross incompetence happening at the White House to ensure Southwest Floridians see shorter wait times at airports.

Ms. WILSON of Florida. Mr. Speaker, while today's action to stop FAA furloughs will reduce delays, 149 of the nation's contract control towers are still at risk of closure on June 15th. These towers are not only essential for passengers: they're essential for flight training, public safety, and small business.

South Florida's North Perry Airport, which I represent in Congress, is one of the key pilot training facilities in the Southeast and an important backstop for the region's international airports. Without further action, this airport may be forced to close this summer.

I rise today to affirm that the intent of the Reducing Flight Delays Act of 2013 grants Secretary LaHood the authority to use unobligated balances of the Airport Improvement Program account to prevent the closure of the 149 contract air traffic control towers, including North Perry Airport. I call on Secretary LaHood to exercise this option to save these essential facilities.

Now, it's up to Congress to pass a comprehensive bill to stop the sequester.

Mr. BLUMENAUER. Mr. Speaker, today's vote may be the first of many to undo the painful and unfair impact of sequestration on our food safety system, housing services, public schools, Head Start programs, our transportation programs, and a host of other vital government services. However, I fear that a piecemeal approach would represent a continuation of the incredibly broken process in Washington, DC. Even though I will vote for

today's measure, it will be an embarrassment if this is the only action we take to reduce these cuts.

I voted against the Budget Control Act for a reason; sequestration was intended to be painful. Picking and choosing programs to restore, instead of reforming our budget overall and raising revenue, shirks our fundamental responsibility as members of Congress. We must address the big picture: we need to cut programs that are irrelevant or even harmful, such as the nuclear arsenal and agricultural subsidy. We need new revenues that address the inequities in the tax code. It will require a comprehensive approach but will result in a sustainable budget future.

By all means protect the vital operation of the FAA. More importantly, restore the hundreds of vital programs crippled by sequestration by replacing them with strategic cuts and new revenues that will strengthen our economy and country. This should be our number one priority.

Mr. COSTA. Mr. Speaker, I rise today in support of legislation to provide the U.S. Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration. While it is imperative that the U.S. Congress consider and pass legislation to replace the entirety of the sequester, this legislation will help ensure the safety and efficiency of our nation's air transportation system.

Specifically, I rise to affirm the intent of this legislation that grants the Secretary of Transportation the ability to use unobligated balances of the Airport Improvement Program account to halt the furloughs of air traffic controllers, to maintain the midnight air traffic control tower shift at airports across the country including Fresno-Yosemite International Airport, and to prevent the closure of 149 contract air traffic control towers including Castle Airport's contract air traffic control tower. Maintaining service at all contract and non-contract air traffic control towers is central to the authority provided in this bill to ensure the safety of our air transportation system.

Many Members of Congress have expressed concerns over the closure of contract towers, reduced service at non-contract towers, and furloughs of air traffic controllers, all of which contribute to the overall safety of our nation's air transportation system. The safety and efficiency of our skies have been put at risk and it has become incumbent upon the Congress to direct this authority to the Secretary of Transportation.

Mr. PETERS of Michigan. Mr. Speaker, I rise today because I am frustrated at the House of Representatives' failure to pass a realistic budget to stop the irresponsible across-the-board cuts that have caused more than 4,000 flight delays impacting hundreds of thousands of passengers over the past week. I voted against the sequester because it was a bad policy then and it is a bad policy now.

Families in Michigan and across the country should not be penalized for dysfunction in Congress. Today, I am proud to have voted to end the crippling delays in our nation's airspace and support the jobs of 15,000 air traffic controllers who work hard to keep us safe all across this country.

This bill gives the Secretary of Transportation the authority and flexibility to move funds within the FAA to minimize the disruption to our air transportation system. Although I am happy that our air traffic controllers can finally get back to work protecting our skies, this bill does nothing to solve the continuing negative impacts to women, senior citizens, small businesses and our children's education.

It is time for us to take the responsible course of action to end this sequestration, find common-ground, and reach a final agreement on a bi-partisan budget that allows us to put teachers back to work in our schools, to give kids a jumpstart on education through Head Start, to help get people back to work, and to continue NIH research on critical diseases such as Alzheimers and heart disease.

I call upon my colleagues to come back to the table and pass a bi-partisan, comprehensive budget agreement to replace the sequester.

Mr. BISHOP of Georgia. Mr. Speaker, I rise in support of H.R. 1765 to provide the Secretary of Transportation with the flexibility to transfer funds to prevent further disruptions resulting from Federal Aviation Administration furloughs. If enacted, this bill will end the air traffic control furloughs that have congested commercial aviation traffic over the last week.

Currently, the FAA is furloughing almost 10 percent of its air traffic controller workforce on a daily basis. Since the furloughs began on Sunday through Wednesday this week, the number of air travel delays has totaled 8,804 compared to 2,795 for the same time last week. These delays inconvenience passengers and cause serious economic disruptions throughout the entire country.

H.R. 1765 will provide the Secretary of Transportation with the flexibility he needs to fix this problem without adding to the FAA's budget. The additional flexibility in this bill will also give the Secretary the ability to restore the FAA's Contract Tower Program.

It is Congress' intent that the Secretary of Transportation will use the added flexibility to stop the closure of the 149 identified contract towers across the country. As I and those in my District can attest, these contract towers, such as the ones in Albany and in Macon, play an important role in serving as a link between rural communities and the larger aviation network.

This bill should be approved to prevent both the FAA furloughs and the closure of these contract towers. I urge my colleagues to join me in supporting this important aviation bill.

Mr. GOSAR. Mr. Speaker, I rise today in support of legislation to give the Federal Aviation Administration (FAA) and the Department of Transportation (DOT) the flexibility to use unobligated funds to ensure the safety of our nation's air transportation system. I specifically want to affirm the intent of this legislation that grants the Secretary of Transportation the ability to use unobligated balances of the Airport Improvement Program account to prevent the closure of 149 contract air traffic control towers and halt the furloughs of air traffic controllers.

The needless proposed closure of four Arizona air traffic control towers, including the tower located at the Laughlin-Bullhead International Airport located in my district, would

have a profound impact on our rural economies. Our nation's air transportation system is a comprehensive network of intertwined departments. Maintaining service at all contract air traffic control towers is essential to ensure a safe and efficient air transportation system—the basis of this legislation.

The inaction of the Department of Transportation to request sequester reprogramming authority and maintain some level of service at all contract towers has necessitated this legislation. The safety and efficiency of our skies have been put at risk and it has become incumbent upon the Congress to direct this authority to the Secretary of Transportation.

Mr. BISHOP of New York. Mr. Speaker, I rise in support of H.R. 1765, authorizing flexibility to the Secretary of Transportation for the purpose of transferring funds into the FAA operations budget to prevent additional furloughs from further slowing commercial aviation traffic.

This is a commonsense action to ensure that understaffing at air traffic control centers does not compromise the safety of the flying public. In addition, reliable commercial aviation service underpins the business travel that is vital to America's economy and is especially critical to America's tourism industry as the summer vacation season approaches.

While this is a necessary action, it is just a quick-fix and does not address the budget shortfall that will prevent the FAA from performing all the important tasks our nation expects of it. Current air travel delays are only one example of the counterproductive budget cuts included in sequestration that will harm our economy.

And while this bill takes one small step to provide relief, others in our community will still feel the impact of sequestration: cancer patients will still find it difficult to access care because of the two percent Medicare reimbursement reduction, thousands of children will be shut out of a Head Start classroom, and seniors will struggle from reductions in Meals on Wheels programs. Congress must reach a long-term debt agreement that will replace the sequester with a more responsible approach to deficit reduction.

I regret that our nation's air traffic controllers were forced to reduce their level of service to the flying public due to this unfortunate consequence of sequestration. I am privileged to represent many of this nation's 20,000 controllers and applaud them for working through this difficulty.

Mr. Speaker, I urge my colleagues to support this bill and thank our leadership for its consideration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LATHAM) that the House suspend the rules and pass the bill, H.R. 1765.

The question was taken.

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

Mr. PASTOR of Arizona. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 361, nays 41, not voting 30, as follows:

[Roll No. 125]
YEAS—361

Aderholt Ellmers Larsen (WA)
Alexander Engel Larson (CT)
Amodei Eshoo Latham
Andrews Esty Latta
Bachmann Farenthold Lewis
Bachus Farr Lipinski
Barber Fattah Loeb sack
Barletta Fitzpatrick Lowenthal
Barr Fleischmann Lofgren
Barrow (GA) Fleming Lucas
Bass Fortenberry Luetkemeyer
Becerra Foster Lujan Grisham
Benishkek Foxx (NM)
Bentivolio Frankel (FL) Lujan, Ben Ray
Bera (CA) Franks (AZ) (NM)
Bilirakis Frelinghuysen Lummis
Bishop (GA) Gabbard Maffei
Bishop (NY) Gallego Maloney,
Bishop (UT) Garamendi Carolyn
Black Garcia Maloney, Sean
Blackburn Gardner Marino
Blumenauer Garrett Matheson
Bonamici Gerlach McCarthy (CA)
Bonner Gibbs McCarthy (NY)
Boustany Gibson McCaul
Brady (PA) Gingrey (GA) McClintock
Braley (IA) Gohmert McCollum
Bridenstine Goodlatte McHenry
Brooks (AL) Gosar McIntyre
Brooks (IN) Gowdy McKeon
Broun (GA) Graves (GA) McKinley
Brown (FL) Graves (MO) McMorris
Brownley (CA) Grayson Rodgers
Buchanan Green, Al McNeerney
Bucshon Green, Gene Meadows
Bustos Griffin (AR) Meehan
Butterfield Griffith (VA) Meeks
Calvert Grijalva Meng
Camp Grimm Messer
Campbell Guthrie Mica
Cantor Gutierrez Michaud
Capito Hahn Miller (FL)
Capps Hall Miller (MI)
Capuano Hanabusa Miller, Gary
Cárdenas Hanna Moore
Carson (IN) Harper Moran
Cartwright Harris Mullin
Cassidy Hartzler Murphy (FL)
Castor (FL) Hastings (FL) Murphy (PA)
Castro (TX) Hastings (WA) Nadler
Chabot Heck (NV) Napolitano
Chaffetz Heck (WA) Neal
Chu Hensarling Negrete McLeod
Cicilline Herrera Beutler Neugebauer
Clay Higgins Noem
Cleaver Himes Nugent
Clyburn Hinojosa Nunes
Coffman Holding Nunnelee
Cohen Holt O'Rourke
Cole Horsford Owens
Collins (GA) Hudson Pallone
Collins (NY) Huelskamp Pascarell
Connolly Huiuzenga (MI) Pastor (AZ)
Cook Hultgren Paulsen
Cooper Hunter Payne
Costa Hurt Pearce
Cotton Israel Pelosi
Courtney Issa Perlmutter
Cramer Jackson Lee Perry
Crawford Jenkins Peters (CA)
Crenshaw Johnson (OH) Peters (MI)
Cuellar Johnson, E. B. Peterson
Culberson Johnson, Sam Petri
Cummings Joyce Pittenger
Daines Kaptur Pitts
Davis (CA) Keating Poe (TX)
Davis, Danny Kelly (PA) Pompeo
Davis, Rodney Kennedy Posey
DeFazio Kilmer Price (GA)
DeGette Kind Price (NC)
Delaney King (IA) Quigley
DeLauro King (NY) Rahall
DelBene Kingston Reed
Denham Kinzinger (IL) Reichert
Dent Kirkpatrick Renacci
DeSantis Kline Ribble
Deutch Kuster Rice (SC)
Diaz-Balart Labrador Richmond
Doggett LaMalfa Rigell
Doyle Lamborn Roby
Duckworth Lance Roe (TN)
Duffy Langevin Rogers (AL)
Duncan (TN) Lankford Rogers (KY)

Rogers (MI) Sensenbrenner
Rohrabacher Sewell (AL)
Rokita Shea-Porter
Rooney Sherman
Ros-Lehtinen Shimkus
Roskam Shuster
Ross Simpson
Rothfus Sinema
Roybal-Allard Sires
Royce Slaughter
Runyan Smith (NE)
Ruppersberger Smith (NJ)
Rush Smith (TX)
Ryan (OH) Southerland
Ryan (WI) Speier
Salmon Stewart
Sánchez, Linda T. Stivers
T. Stockman
Sanchez, Loretta Stutzman
Scalise Swalwell (CA)
Schakowsky Takano
Schiff Terry
Schneider Thompson (MS)
Schoen Thompson (PA)
Schradler Thornberry
Schwartz Tiberi
Schweikert Tierney
Scott (VA) Tipton
Scott, Austin Titus
Scott, David Tonko

Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Wasserman
Schultz
Waters
Watt
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)

NAYS—41

Amash Jordan
Clarke Kelly (IL)
Conyers Kildee
Crowley Lee (CA)
DesJarlais Levin
Dingell Lofgren
Duncan (SC) Long
Edwards Massie
Elliason Matsui
Fincher McDermott
Fudge McGovern
Hoyer Mulvaney
Jeffries Nolan
Johnson (GA) Olson

Palazzo
Pingree (ME)
Pocan
Sarbanes
Serrano
Thompson (CA)
Van Hollen
Velázquez
Visclosky
Walz
Welch
Wenstrup
Wilson (SC)

NOT VOTING—30

Barton Forbes
Beatty Granger
Brady (TX) Honda
Burgess Huffman
Carney Jones
Carter LoBiondo
Coble Lynch
Conaway Marchant
Enyart Markey
Flores Miller, George

Polis
Radel
Rangel
Ruiz
Sessions
Smith (WA)
Walorski
Waxman
Williams
Young (IN)

□ 1213

Ms. KELLY of Illinois and Mr. FINCHER changed their vote from "yea" to "nay."

Messrs. CASSIDY, FARR, FLEMING, Ms. HAHN, Ms. WASSERMAN SCHULTZ and Ms. LINDA T. SÁNCHEZ of California changed their vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:
Mr. CARNEY. Mr. Speaker, on rollcall No. 125, had I been present, I would have voted "yea."

Mr. RADEL. Mr. Speaker, on rollcall No. 125, had I been present, I would have voted "yea."

Mr. SIMPSON. Mr. Speaker, on rollcall No. 125, on motion to suspend the rules and pass H.R. 1765, I was unable to vote. Had I been present, I would have voted "yea."

Mr. CONAWAY. Mr. Speaker, on April 26 I was unavoidably detained and missed rollcall

No. 125, on H.R. 1765. Had I been present, I would have voted "yea."

Mr. CARNEY. Mr. Speaker, I wish to clarify my position for the RECORD on a vote cast on April 26, 2013. The vote was on passage of H.R. 1765, the Reducing Flight Delays Act.

On rollcall vote No. 125, I did not vote. It was my intention to vote "yea."

RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

The SPEAKER pro tempore (Mr. TIBERI). Pursuant to House Resolution 178 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 527.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1215

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 4 printed in House Report 113-47, offered by the gentleman from Texas (Mr. THORNBERRY), had been disposed of.

AMENDMENT NO. 2 OFFERED BY MR. DENT

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. DENT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 312, not voting 33, as follows:

[Roll No. 126]

AYES—87

Alexander	Camp	Crowley
Barletta	Carson (IN)	Cuellar
Benishkek	Cartwright	Davis, Rodney
Bishop (UT)	Castor (FL)	DeLauro
Blackburn	Castro (TX)	Dent
Boustany	Chabot	DesJarlais
Brady (PA)	Courtney	Diaz-Balart

Doyle	Lance	Rahall	Pascarell	Rush	Takano
Esty	Larsen (WA)	Reed	Pastor (AZ)	Ryan (OH)	Thompson (CA)
Fattah	Larson (CT)	Renacci	Paulsen	Ryan (WI)	Thornberry
Fitzpatrick	Latham	Richmond	Payne	Salmon	Tiberi
Foster	Lipinski	Rooney	Pearce	Sánchez, Linda	Tierney
Frankel (FL)	Loeb sack	Ros-Lehtinen	Pelosi	T.	Tipton
Garamendi	Maffei	Roskam	Perlmutter	Sanchez, Loretta	Tonko
Garcia	Maloney, Sean	Rothfus	Peters (CA)	Sarbanes	Tsongas
Gardner	Marino	Schwartz	Peters (MI)	Scalise	Turner
Gerlach	McCarthy (NY)	Slaughter	Peterson	Schakowsky	Valadao
Gibson	McKinley	Swalwell (CA)	Petri	Schiff	Van Hollen
Grayson	McNerney	Terry	Pingree (ME)	Schneider	Vargas
Grimm	Meehan	Thompson (MS)	Pittenger	Schrader	Veasey
Hahn	Meng	Thompson (PA)	Pocan	Schweikert	Vela
Higgins	Miller (MI)	Titus	Poe (TX)	Scott (VA)	Velázquez
Himes	Murphy (PA)	Upton	Posey	Scott, Austin	Wagner
Huelskamp	Olson	Visclosky	Price (GA)	Scott, David	Walberg
Hultgren	Owens	Welch	Price (NC)	Sensenbrenner	Walden
Kelly (PA)	Palazzo	Whitfield	Quigley	Serrano	Walz
Kind	Perry	Yoder	Reichert	Sewell (AL)	Wasserman
King (NY)	Pitts	Young (AK)	Ribble	Shea-Porter	Schultz
Kinzinger (IL)	Pompeo	Young (FL)	Rice (SC)	Sherman	Waters
			Rigell	Shimkus	Watt
			Roby	Shuster	Weber (TX)
			Roe (TN)	Sinema	Webster (FL)
			Rogers (AL)	Sires	Westrup
			Rogers (KY)	Smith (NE)	Westmoreland
			Rogers (MI)	Smith (NJ)	Wilson (FL)
			Rohrabacher	Smith (TX)	Wilson (SC)
			Rokita	Southerland	Wittman
			Ross	Speier	Wolf
			Roybal-Allard	Stewart	Womack
			Royce	Stivers	Woodall
			Ryunan	Stockman	Yarmuth
			Ruppersberger	Stutzman	Yoho

NOES—312

Aderholt	Deutch	Joyce	Barton	Granger	Radel
Amash	Dingell	Kaptur	Beatty	Honda	Rangel
Amodei	Doggett	Keating	Brady (TX)	Huffman	Ruiz
Andrews	Duckworth	Kelly (IL)	Rohrabacher	Jones	Schock
Bachmann	Duffy	Kennedy	Rokita	LoBiondo	Sessions
Bachus	Duncan (SC)	Kildee	Ross	Lynch	Simpson
Barber	Duncan (TN)	Kilmer	Roybal-Allard	Marchant	Smith (WA)
Barr	Edwards	King (IA)	Royce	Markey	Walorski
Barrow (GA)	Ellison	Kingston	Ryunan	Miller, George	Waxman
Bass	Ellmers	Kirkpatrick	Ruppersberger	Murphy (FL)	Williams
Becerra	Engel	Kline		Polis	Young (IN)
Bentivolio	Eshoo	Kuster			
Bera (CA)	Farenthold	Labrador			
Billirakis	Farr	LaMalfa			
Bishop (GA)	Fincher	Lamborn			
Bishop (NY)	Fleischmann	Langevin			
Black	Fleming	Lankford			
Blumenauer	Fortenberry	Latta			
Bonamici	Fox	Lee (CA)			
Bonner	Franks (AZ)	Levin			
Bralley (IA)	Frelinghuysen	Lewis			
Bridenstine	Fudge	Lofgren			
Brooks (AL)	Gabbard	Long			
Brooks (IN)	Gallego	Lowenthal			
Broun (GA)	Garrett	Lowey			
Brown (FL)	Gibbs	Lucas			
Brownley (CA)	Gingrey (GA)	Luetkemeyer			
Buchanan	Gohmert	Lujan Grisham			
Bucshon	Goodlatte	(NM)			
Bustos	Gosar	Lujan, Ben Ray			
Butterfield	Gowdy	(NM)			
Calvert	Graves (GA)	Lummis			
Campbell	Graves (MO)	Maloney,			
Cantor	Green, Al	Carolyn			
Capito	Green, Gene	Massie			
Capps	Griffin (AR)	Matheson			
Capuano	Griffith (VA)	Matsui			
Cárdenas	Grijalva	McCarthy (CA)			
Carney	Guthrie	McCaul			
Cassidy	Gutiérrez	McClintock			
Chaffetz	Hall	McCollum			
Chu	Hanabusa	McDermott			
Cicilline	Hanna	McGovern			
Clarke	Harper	McHenry			
Clay	Harris	McIntyre			
Cleaver	Hartzler	McKeon			
Clyburn	Hastings (FL)	McMorris			
Coffman	Hastings (WA)	Rodgers			
Cohen	Heck (NV)	Meadows			
Cole	Heck (WA)	Meeks			
Collins (GA)	Hensarling	Messer			
Collins (NY)	Herrera Beutler	Mica			
Connolly	Hinojosa	Michaud			
Conyers	Holding	Miller (FL)			
Cook	Holt	Miller, Gary			
Cooper	Horsford	Moore			
Costa	Hoyer	Moran			
Cotton	Hudson	Mullin			
Cramer	Huizenga (MI)	Mulvaney			
Crenshaw	Hunter	Nadler			
Culberson	Hurt	Napolitano			
Cummings	Israel	Neal			
Daines	Issa	Negrete McLeod			
Davis (CA)	Jackson Lee	Neugebauer			
Davis, Danny	Jeffries	Noem			
DeFazio	Jenkins	Nolan			
DeGette	Johnson (GA)	Nugent			
Delaney	Johnson (OH)	Nunes			
DelBene	Johnson, E. B.	Nunnelee			
Denham	Johnson, Sam	O'Rourke			
DeSantis	Jordan	Pallone			

NOT VOTING—33

Barton	Granger	Radel
Beatty	Honda	Rangel
Brady (TX)	Huffman	Ruiz
Jones	Burgess	Schock
Carter	LoBiondo	Sessions
Coble	Simpson	Simpson
Conaway	Lynch	Smith (WA)
Crawford	Marchant	Walorski
Enyart	Markey	Waxman
Flores	Miller, George	Williams
Forbes	Murphy (FL)	Young (IN)
	Polis	

□ 1220

So the amendment was rejected.
The result of the vote was announced as above recorded.

Stated against:
Mr. CONAWAY. Mr. Chair, on April 26 I was unavoidably detained and missed rollcall number 126, on the Dent Amendment to H.R. 527. Had I been present I would have voted "no."

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.
The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, and, pursuant to House Resolution 178, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.
The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. SCHNEIDER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHNEIDER. I am opposed in its current form.

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

The Clerk read as follows:

Mr. SCHNEIDER moves to recommit the bill H.R. 527 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. ____ . BANNING EXPORTS TO HOSTILE NATIONS THAT SEEK NUCLEAR WEAPONS OR MISSILE TECHNOLOGY.

Nothing in this Act authorizes the export of helium from the Federal Helium Reserve (as that term is defined in the amendments made by this Act) to Iran, North Korea, or Syria, or to any person (including any successor, assign, affiliate, member, or joint venture with an ownership interest in any property or project any portion of which is owned by such person) in violation of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or who, in the judgment of the President, is likely to transfer or divert such helium to Iran, North Korea, or Syria in violation of Federal law or Executive Order prohibiting trade with Iran, North Korea, or Syria.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. SCHNEIDER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

I rise to offer this motion to ensure that our strategic reserve of helium gas does not fall into the hands of those who wish to harm the United States or target our allies abroad. Helium is a crucial component of manufacturing and research processes here in the United States. The consistent availability of helium to United States companies and research institutions is, therefore, essential to our global competitiveness as well as our national security.

NASA is one of the largest consumers of helium gas in the United States, utilizing helium for a number of crucial

national security priorities. For example, the deployment of critical communications satellites, which is made possible by helium, helps to support our global information network and must remain a strategic U.S. asset. Helium has been utilized to purge explosive rocket fuel from intercontinental ballistic missiles and continues to be a strategic resource for any nation looking to build an advanced missile program. Helium is also utilized in cooling nuclear reactors.

This motion seeks to manage this national resource in a safe and responsible way by “banning exports to hostile nations that seek nuclear weapons or missile technology.” Helium can be used in the missile technology utilized by Iran, Syria, and North Korea, putting millions of lives at risk in the Middle East, on the Korean Peninsula, and possibly around the world.

Over the last several months, we have seen escalating belligerence from North Korea, Iran, and Syria, including missile tests, the acceleration of nuclear programs and, most recently, the apparent use of chemical weapons by the Syrian regime against its own citizens.

Mr. Speaker, I believe the House must adopt this language to ensure that the proper safeguards are in place to deny those rogue states access to our national helium reserve for their nefarious purposes.

I know we can all agree that the threats emanating from these countries are serious and that our enemies seek access to technology and resources to harm the United States and our allies. Our helium reserve is an asset we must secure from their reach.

The actions of these regimes continue to invoke national condemnation. This body has repeatedly acted to sanction these regimes for their reprehensible behavior. This motion is simply one more step to provide safeguards against the threat posed by these countries.

We must deny the export of helium from the strategic reserve to specifically the nations of Iran, North Korea, and Syria, and allow the President the authority to deny exports to businesses or entities that could potentially divert helium to these governments.

We have seen an increasing number of provocations from North Korea, Iran, and Syria. These incidents have directly targeted the United States, threatened the existence of Israel, and endangered the lives of countless civilians in Syria.

It is our responsibility to ensure that our national assets, including our strategic helium reserve, are guarded from being used against us. This motion to recommit would help in achieving that goal. The motion provides a meaningful and necessary safeguard against potential use of the strategic helium reserve and helps to support our national security.

Again, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

I urge all Members to support this commonsense language.

I yield back the balance of my time. Mr. HASTINGS of Washington. Mr. Speaker, I rise to claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I'm really disappointed to see this MTR. There is so much talk in this House about working together on both sides of the aisle. This bill is truly a bipartisan bill. And I suspect that there are probably Members on both sides of the aisle that were pretty suspicious when they saw a bill sponsored by HASTINGS, MARKEY, FLORES, and HOLT, yet that's precisely what we managed to get out of the House Natural Resources Committee. It's a bipartisan bill that deals with a very serious issue.

□ 1230

This motion to recommit is something that we've seen before. Nothing in our bill violates the International Emergency Economic Powers Act. Nothing in our bill violates that, and yet that's reflected in this MTR. Secondly, the countries that are mentioned in here are countries that are hostile to the United States. That's covered under an entirely different statute in the law.

We do not need this to slow down the process of passing a bill that is needed, so I urge my colleagues to vote “no” on the MTR and “yes” on the underlying bill.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection. The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SCHNEIDER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 211, not voting 35, as follows:

[Roll No. 127]

AYES—186

Andrews	Bera (CA)	Brady (PA)
Barber	Bishop (GA)	Braley (IA)
Barrow (GA)	Bishop (NY)	Brown (FL)
Bass	Blumenauer	Brownley (CA)
Becerra	Bonamici	Bustos

Butterfield	Hinojosa	Pastor (AZ)
Capps	Holt	Payne
Capuano	Horsford	Pelosi
Cárdenas	Hoyer	Perlmutter
Carney	Israel	Peters (CA)
Carson (IN)	Jackson Lee	Peters (MI)
Cartwright	Jeffries	Peterson
Castor (FL)	Johnson (GA)	Pingree (ME)
Castro (TX)	Johnson, E. B.	Pocan
Chu	Kaptur	Price (NC)
Cicilline	Keating	Quigley
Clarke	Kelly (IL)	Rahall
Clay	Kennedy	Richmond
Cleaver	Kildee	Roybal-Allard
Clyburn	Kilmer	Ruppersberger
Cohen	Kind	Rush
Connolly	Kirkpatrick	Ryan (OH)
Conyers	Kuster	Sánchez, Linda
Cooper	Langevin	T.
Courtney	Larsen (WA)	Sánchez, Loretta
Crowley	Larson (CT)	Sarbanes
Cuellar	Lee (CA)	Schakowsky
Cummings	Levin	Schiff
Davis (CA)	Lewis	Schneider
Davis, Danny	Lipinski	Schrader
DeFazio	Loeb	Schwartz
DeGette	Loeb	Scott (VA)
Delaney	Lowenthal	Scott, David
DeLauro	Lowe	Serrano
DelBene	Lujan Grisham	Sewell (AL)
Deutch	(NM)	Shea-Porter
Dingell	Luján, Ben Ray	Sherman
Doggett	(NM)	Sinema
Doyle	Maffei	Sires
Duckworth	Maloney,	Slaughter
Edwards	Carolyn	Speier
Ellison	Maloney, Sean	Swalwell (CA)
Engel	Matheson	Takano
Eshoo	Matsui	Thompson (CA)
Esty	McCarthy (NY)	Thompson (MS)
Farr	McCollum	Tierney
Fattah	McDermott	Titus
Foster	McGovern	Tonko
Frankel (FL)	McIntyre	Tsongas
Fudge	McNerney	Van Hollen
Gabbard	Meeks	Vargas
Gallego	Meng	Veasey
Garamendi	Michaud	Vela
Garcia	Moore	Velázquez
Grayson	Moran	Visclosky
Green, Al	Nadler	Walz
Green, Gene	Napolitano	Wasserman
Grijalva	Neal	Schultz
Hahn	Negrete McLeod	Waters
Hanabusa	Nolan	Watt
Hastings (FL)	O'Rourke	Welch
Heck (WA)	Owens	Wilson (FL)
Higgins	Pallone	Yarmuth
Himes	Pascrell	

NOES—211

Aderholt	Cook	Gowdy
Alexander	Costa	Graves (GA)
Amash	Cotton	Graves (MO)
Amodei	Cramer	Griffin (AR)
Bachmann	Crenshaw	Griffith (VA)
Bachus	Culberson	Grimm
Barletta	Daines	Guthrie
Barr	Davis, Rodney	Gutierrez
Benishek	Denham	Hall
Bentivolio	Dent	Hanna
Bilirakis	DeSantis	Harper
Bishop (UT)	DesJarlais	Harris
Black	Diaz-Balart	Hartzler
Blackburn	Duffy	Hastings (WA)
Bonner	Duncan (SC)	Heck (NV)
Boustany	Duncan (TN)	Hensarling
Bridenstine	Ellmers	Herrera Beutler
Brooks (AL)	Farenthold	Holding
Brooks (IN)	Fincher	Hudson
Broun (GA)	Fitzpatrick	Huelskamp
Buchanan	Fleischmann	Huizenga (MI)
Buchshon	Fleming	Hultgren
Calvert	Fortenberry	Hunter
Camp	Fox	Hurt
Campbell	Franks (AZ)	Issa
Cantor	Frelinghuysen	Jenkins
Capito	Gardner	Johnson (OH)
Cassidy	Garrett	Johnson, Sam
Chabot	Gerlach	Jordan
Chaffetz	Gibson	Joyce
Coffman	Gingrey (GA)	Kelly (PA)
Cole	Gohmert	King (IA)
Collins (GA)	Goodlatte	King (NY)
Collins (NY)	Gosar	Kingston

Kinzinger (IL)	Nunnelee	Scott, Austin	Barr	Farr	Larson (CT)	Renacci	Scott (VA)	Turner
Kline	Olson	Sensenbrenner	Barrow (GA)	Fattah	Latham	Ribble	Scott, Austin	Upton
Labrador	Palazzo	Shimkus	Bass	Fincher	Latta	Rice (SC)	Scott, David	Valadao
LaMalfa	Paulsen	Shuster	Becerra	Fitzpatrick	Lee (CA)	Richmond	Sensenbrenner	Van Hollen
Lamborn	Pearce	Simpson	Benishek	Fleischmann	Levin	Rigell	Serrano	Vargas
Lance	Perry	Smith (NE)	Bentivolio	Fleming	Lewis	Roby	Sewell (AL)	Veasey
Lankford	Petri	Smith (NJ)	Bera (CA)	Fortenberry	Lipinski	Roe (TN)	Shea-Porter	Vela
Latham	Pittenger	Smith (TX)	Bilirakis	Foster	Loeb sack	Rogers (AL)	Sherman	Velázquez
Latta	Pitts	Southerland	Bishop (GA)	Fox	Loftgren	Rogers (KY)	Shimkus	Visclosky
Long	Poe (TX)	Stewart	Bishop (NY)	Frankel (FL)	Long	Rogers (MI)	Shuster	Wagner
Lucas	Pompeo	Stockman	Bishop (UT)	Franks (AZ)	Lowenthal	Rohrabacher	Simpson	Walberg
Luetkemeyer	Posey	Stutzman	Black	Frelinghuysen	Lowe y	Rokita	Sinema	Walden
Lummis	Price (GA)	Terry	Blackburn	Fudge	Lucas	Rooney	Sires	Walz
Marino	Reed	Thompson (PA)	Blumenauer	Gabbard	Luetkemeyer	Ros-Lehtinen	Slaughter	Wasserman
Massie	Reichert	Thornberry	Bonamici	Gallego	Lujan Grisham	Roskam	Smith (NE)	Schultz
McCarthy (CA)	Renacci	Tipton	Bonner	Garamendi	(NM)	Ross	Smith (NJ)	Waters
McCaul	Ribble	Turner	Boustany	Garcia	Luján, Ben Ray	Rothfus	Smith (TX)	Watt
McClintock	Rice (SC)	Upton	Brady (PA)	Gardner	(NM)	Roybal-Allard	Southerland	Weber (TX)
McHenry	Rigell	Valadao	Braley (IA)	Garrett	Lummis	Royce	Speier	Webster (FL)
McKeen	Roby	Wagner	Bridenstine	Gerlach	Maffei	Runyan	Stewart	Welch
McKinley	Roe (TN)	Walberg	Brooks (AL)	Gibson	Maloney,	Ruppersberger	Stockman	Westrup
McMorris	Rogers (AL)	Walden	Brooks (IN)	Gingrey (GA)	Carolyn	Rush	Stutzman	Westmoreland
Rodgers	Rogers (KY)	Weber (TX)	Brown (GA)	Gohmert	Maloney, Sean	Ryan (OH)	Swalwell (CA)	Whitfield
Meadows	Rogers (MI)	Webster (FL)	Goodlatte	Goodlatte	Marino	Ryan (WI)	Takano	Wilson (FL)
Meehan	Rohrabacher	Brownley (CA)	Gosar	Gowdy	Massie	Salmon	Terry	Wilson (SC)
Messer	Rokita	Buchanan	Gowdy	Matheson	Matheson	Sanchez, Loretta	Thompson (CA)	Wittman
Mica	Rooney	Buchan	Graves (GA)	Matsui	Matsui	Sarbanes	Thompson (MS)	Wolf
Miller (FL)	Ros-Lehtinen	Bustos	Graves (MO)	McCarthy (CA)	McCarthy (CA)	Scalise	Thompson (PA)	Womack
Miller (MI)	Roskam	Butterfield	Grayson	McCarthy (NY)	McCarthy (NY)	Schakowsky	Thornberry	Woodall
Miller, Gary	Ross	Calvert	Green, Al	McCaul	McCaul	Schiff	Tierney	Yarmouth
Mullin	Rothfus	Camp	Green, Gene	McClintock	McClintock	Schneider	Tipton	Yoder
Mulvaney	Royce	Campbell	Griffin (AR)	McCollum	McCollum	Schrader	Titus	Yoho
Murphy (PA)	Runyan	Cantor	Griffith (VA)	McDermott	McDermott	Schwartz	Tonko	Young (AK)
Neugebauer	Ryan (WI)	Capito	Grijalva	McGovern	McGovern	Schweikert	Tsongas	Young (FL)
Noem	Salmon	Capps	Grimm	McHenry	McHenry			
Nugent	Scalise	Young (AK)	Guthrie	McIntyre	McIntyre			
Nunes	Schweikert	Young (FL)	Gutierrez	McKeon	McKeon			
			Hahn	McKinley	McKinley			
			Cartwright	McMorris	McMorris			
			Cassidy	Rodgers	Rodgers			
			Hanna	McNerney	McNerney			
			Castor (FL)	Meadows	Meadows			
			Castro (TX)	Meehan	Meehan			
			Chabot	Meeks	Meeks			
			Chaffetz	Meng	Meng			
			Chu	Messer	Messer			
			Cicilline	Mica	Mica			
			Clarke	Michaud	Michaud			
			Clay	Miller (FL)	Miller (FL)			
			Cleaver	Miller (MI)	Miller (MI)			
			Clyburn	Miller, Gary	Miller, Gary			
			Coffman	Moore	Moore			
			Cohen	Moran	Moran			
			Cole	Mullin	Mullin			
			Collins (GA)	Mulvaney	Mulvaney			
			Collins (NY)	Murphy (PA)	Murphy (PA)			
			Connolly	Nadler	Nadler			
			Conyers	Napolitano	Napolitano			
			Cook	Neal	Neal			
			Cooper	Negrete McLeod	Negrete McLeod			
			Costa	Neugebauer	Neugebauer			
			Cotton	Noem	Noem			
			Courtney	Nolan	Nolan			
			Cramer	Nugent	Nugent			
			Crenshaw	Nunes	Nunes			
			Crowley	Nunnelee	Nunnelee			
			Cuellar	O'Rourke	O'Rourke			
			Culberson	Olson	Olson			
			Cummings	Owens	Owens			
			Daines	Palazzo	Palazzo			
			Davis (CA)	Pallone	Pallone			
			Davis, Danny	Pascarell	Pascarell			
			Davis, Rodney	Pastor (AZ)	Pastor (AZ)			
			DeFazio	Paulsen	Paulsen			
			DeGette	Payne	Payne			
			Delaney	Pearce	Pearce			
			DeLauro	Pelosi	Pelosi			
			DeLenc	Perlmutter	Perlmutter			
			Denham	Perry	Perry			
			Dent	Peters (CA)	Peters (CA)			
			DeSantis	Peters (MI)	Peters (MI)			
			DesJarlais	Peterson	Peterson			
			Deutch	Petri	Petri			
			Dingell	Pingree (ME)	Pingree (ME)			
			Doggett	Pittenger	Pittenger			
			Doyle	Pitts	Pitts			
			Duckworth	Pocan	Pocan			
			Duffy	Poe (TX)	Poe (TX)			
			Duncan (SC)	Pompeo	Pompeo			
			Duncan (TN)	Posey	Posey			
			Edwards	Price (GA)	Price (GA)			
			Ellison	Price (NC)	Price (NC)			
			Ellmers	Quigley	Quigley			
			Engel	Rahall	Rahall			
			Eshoo	Reed	Reed			
			Esty	Reichert	Reichert			
			Farenthold					

NOT VOTING—35

Barton	Granger	Rangel
Beatty	Honda	Ruiz
Brady (TX)	Huffman	Schock
Burgess	Jones	Sessions
Carter	LoBiondo	Smith (WA)
Coble	Lynch	Stivers
Conaway	Marchant	Tiberi
Crawford	Markey	Walorski
Enyart	Miller, George	Waxman
Flores	Murphy (FL)	Williams
Forbes	Polis	Young (IN)
Gibbs	Radel	

□ 1243

Ms. BROWNLEY of California and Ms. WATERS changed their vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CONAWAY. Mr. Speaker, on May 26th I was unavoidably detained and missed rollcall No. 127, on the Motion to Recommit for H.R. 527.

Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 37, as follows:

[Roll No. 128]

YEAS—394

Aderholt	Amodei	Bachus
Alexander	Andrews	Barber
Amash	Bachmann	Barletta

NAYS—1

Sánchez, Linda T.

NOT VOTING—37

Barton	Gibbs	Rangel
Beatty	Granger	Ruiz
Brady (TX)	Honda	Schock
Burgess	Huffman	Sessions
Capuano	Jones	Smith (WA)
Carter	LoBiondo	Stivers
Coble	Lynch	Tiberi
Conaway	Marchant	Walorski
Crawford	Markey	Waxman
Diaz-Balart	Miller, George	Williams
Enyart	Murphy (FL)	Young (IN)
Flores	Polis	
Forbes	Radel	

□ 1249

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CONAWAY. Mr. Speaker, on April 26 I was unavoidably detained and missed rollcall number 128, on H.R. 527.

Had I been present I would have voted “yea.”

PERSONAL EXPLANATION

Mr. HUFFMAN. Mr. Speaker, on Friday, April 26, 2013, I was unavoidably detained and missed rollcall votes numbers 125–128.

Had I been present, I would have voted as follows:

Rollcall No. 125: “yea” (On motion to suspend the rules and pass H.R. 1765, Reducing Flight Delays Act), but we must do more to avert the sequester’s impacts to all Americans.

Rollcall No. 126: “nay” (On Agreeing to the Amendment to H.R. 527, Dent of Pennsylvania amendment No. 2).

Rollcall No. 127: “yea” (On Motion to Recommit with Instructions, to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes).

Rollcall No. 128: “yea” (On passage of H.R. 527, to amend the Helium Act to complete the

privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes).

PERSONAL EXPLANATION

Mr. WILLIAMS. Mr. Speaker, on Friday, April 26, 2013, I was unable to be present for rollcall votes 128 and 125. Please let the record reflect that I would have voted “aye” on H.R. 527, the Responsible Helium Administration and Stewardship Act, which is consistent with my position on this legislation. Please let the record reflect that I would have voted “aye” on H.R. 1765, Reducing Flight Delays Act of 2013, which is consistent with my position on this legislation.

PERSONAL EXPLANATION

Mr. CRAWFORD. Mr. Speaker, unfortunately, I missed the following recorded votes on the House floor the legislative day of Friday, April 26, 2013.

Had I been present I would have voted “no” on rollcall vote #126 (on agreeing to the Dent amendment to H.R. 527), “no” on rollcall vote #127 (on motion to recommit with instructions to H.R. 527), “aye” on rollcall vote #128 (on passage of H.R. 527).

PERSONAL EXPLANATION

Mrs. WALORSKI. Mr. Speaker, on rollcall #125 on H.R. 1765, I am not recorded because of the death of a close personal friend. Had I been present, I would have voted “aye.”

Mr. Speaker, on rollcall #126 on the Dent amendment to H.R. 527, I am not recorded because of the death of a close personal friend. Had I been present, I would have voted “nay.”

Mr. Speaker, on rollcall #127 on the motion to recommit H.R. 527 with instructions, I am not recorded because of the death of a close personal friend. Had I been present, I would have voted “nay.”

Mr. Speaker, on rollcall #128 on H.R. 527, I am not recorded because of the death of a close personal friend. Had I been present, I would have voted “aye.”

THE JOURNAL

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

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

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

ADJOURNMENT TO TUESDAY,
APRIL 30, 2013

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Tuesday, April 30, 2013; and that the order of the House of January 3, 2013, regarding morning-hour debate not apply on that date.

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

There was no objection.

PROMOTING PRIVATE-SECTOR JOB
CREATION

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

Mr. BARR. Mr. Speaker, the Sixth District of Kentucky has had some good news this month. Tiffany & Co. added 75 jobs at their Lexington manufacturing plant. The global law firm Bingham McCutchen opened a Lexington global services center with plans to employ 250 workers. Toyota announced it will add 750 jobs and invest an additional \$360 million in their Georgetown manufacturing facility to build the Lexus.

I am honored to represent the hard-working Kentuckians who brought this global recognition and investment to the Bluegrass. It is a true credit to our workforce that these first-class companies chose to make these investments in Kentucky.

But take a moment and think about how many more jobs we could create without a \$17 trillion national debt clogging the engines of economic growth. If Congress is serious about promoting private sector job creation, then we must remove government-imposed obstacles to growth. That means repealing and replacing ObamaCare, cutting spending, reforming our Tax Code, reducing regulations, and unleashing American energy. Only then will we make these headlines the norm and not the exception.

RECOGNIZING FORT WORTH
COMMUNITY SCHOLARS

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

Mr. VEASEY. Mr. Speaker, I rise today to recognize an extraordinary group of students in the city of Fort Worth that I’m honored to represent in Congress. Alejandra Benavidez, Consuelo Cuevas, Nian Dim, Elijah Herring, Miguel Lopez, Mariah Matthews, and Yesenia Ortiz each have been awarded a community scholarship to attend Texas Christian University.

TCU recognizes the benefits of having a diverse student body with varied backgrounds and experiences. In order to help ensure this, the university began the Community Scholars program in 1999 to bring students in who would otherwise not be able to afford a college education. The program has grown to include 11 high schools in the north Texas area, with 30 scholarships given each year, and boasts a 90 percent college graduation rate.

The students chosen from Fort Worth’s Trimble Technical High School add to the prestige and quality of the Community Scholars program and TCU overall. Each of these stu-

dents are bright, motivated, and accomplished. Not only do these students exhibit academic excellence, but they also take part in volunteer work, extracurricular activities, and demonstrate leadership in their communities. Once again I want to commend these students. I know they will wear their purple with pride.

PROTECTING THE INNOCENT

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

Mr. FINCHER. Mr. Speaker, I’m heartbroken as I’ve heard more about Dr. Kermit Gosnell’s Philadelphia medical practice during the past few weeks. The brutal method Dr. Gosnell used to ensure death from a botched abortion, severing the spinal cord of a baby born alive, is disgusting. I pray we are all shocked and disturbed by what has been revealed about abortion during this trial.

While Dr. Gosnell stands trial, there are more than a million babies who die from abortion each year in the United States. That’s almost two times more deaths than caused by cancer in the U.S. every year and two times more than heart disease.

Abortion is taking an innocent life, and we have to stand against it. Life is precious. Children are precious. People talk about choice when we talk about abortion. I encourage more Americans to choose life and protect the most innocent in our Nation.

FAA SEQUESTER

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

Mr. HORSFORD. Mr. Speaker, the sequester is still hurting our constituents. And despite votes today, Congress is continuing to turn a blind eye to many communities affected by these draconian, across-the-board cuts.

Yes, we should not furlough air traffic controllers and other FAA employees. It’s not smart, and I know as a Representative from Nevada that it is unnecessarily hurting tourism and local economies.

But House Republicans continue to ignore the impacts of the cuts on Head Start, on Title I schools, and on the Meals on Wheels program for our seniors. Why is that? Why are these students and seniors still on the chopping block? Do their interests not count in the Halls of Congress?

These mindless cuts are harming our kids’ futures and our seniors’ well-being, and this Congress is long overdue in paying attention to their needs. I’ve said before, Mr. Speaker, I’m willing to work with anyone from either side of the aisle to come up with solutions to replace the sequester, but we need to do it for all communities, not just one.

MEDICARE MARKET PRICING PROGRAM ACT OF 2013

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in the legislative process, effective communication can help bring attention to important issues and advance good policy. Unfortunately, all too often rhetoric doesn't match reality.

Take, for example, Medicare's so-called competitive bidding program for durable medical equipment. The program was intended to reduce Medicare costs and ensure that beneficiaries have access to quality services. In practice, the system denies competition, which hurts small business providers, and worsens access to quality services, which harms seniors.

In fact, despite the program's catchy title, more than 240 market auction experts and economists have warned that the Medicare bidding program harms competition and will ultimately hurt patients.

Today I've joined in support of legislation, H.R. 1717, the Medicare Market Pricing Program Act of 2013, which would replace this program with one that's not just labeled competitive, but is competitive, and maintains beneficiary access to quality items and services.

I encourage my colleagues to join in support of the Medicare Market Pricing Program Act of 2013.

COMMENDING HIGH SCHOOL COMPETITION ON THE CONSTITUTION

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

Mr. BLUMENAUER. Mr. Speaker, there's an amazing collection of young people from around the country that are gathering in our Nation's Capital this weekend. They are part of the annual competition on the United States Constitution. It is my pleasure to visit with my constituents from Grant High School from Portland this morning, young people who have dug deep into the Constitution. They're passionately prepared to defend the principles, and are developing skills that'll last a lifetime.

It is unfortunate that Congress has failed to support the Classroom Law Project budgetarily. I would hope that there's an opportunity to reflect on what these young people are doing and what we could do in addition if we stepped back up and provided the resources so they could be available for more young people. At a time when America faces challenges and there is a breakdown in the other body not even being able to approve gun background checks, something that 90 percent of the American people want, we ought to

be supporting young people who are doing this important work of democracy.

I congratulate Grant High School, teacher David Lickey, and their coaches who are working with them. Regardless of the outcome, they are already winners.

□ 1300

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1461

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent to remove the gentleman from Pennsylvania (Mr. BRADY) as a cosponsor of H.R. 1461.

The SPEAKER pro tempore (Mr. COLLINS of New York). Is there objection to the request of the gentleman from Virginia?

There was no objection.

NATIONAL DAY OF PRAYER

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

Mr. LAMALFA. With the darkness and decay that has descended upon this country, we have a remedy, I'm glad to report here. This coming week, next Thursday, we can celebrate the 62nd Annual National Day of Prayer in the United States by official proclamation.

It's played a vital role, prayer, in the formation of this country by our Founders; and we have this opportunity, not just on this day, but every day, as we do at the beginning of the session in this body. I encourage everybody to take part.

I have artwork next to me here that hangs in my office here, and there's a prayer for guidance that George Washington once wrote and offered, and I would like to do an excerpt of that, given time.

That excerpt will be:

Increase my faith in the sweet promises of the gospel; give me repentance from dead works; pardon my wanderings, and direct my thoughts unto Thyself, the God of my salvation; teach me how to live in Thy fear, labor in Thy service, and ever to run in the ways of Thy commandments.

I'd advise read the rest, but please remember National Day of Prayer, May 2, next week.

THE EFFECTS OF THE SEQUESTER

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

Mr. CONYERS. Mr. Speaker, I have a one-sentence bill, H.R. 900, that repeals the sequester, and many of my colleagues have already begun talking about it and joining with me on it today.

These cuts are currently diminishing our Nation's education quality, our re-

search output, leaving more with untreated mental illness, more hunger, more homelessness and fewer Federal criminal prosecutions. The sequester means that we'll have 2,100 less food inspectors for examining the safety of our food.

If Congress is unable to craft a bipartisan agreement that takes sequestration off the table, I ask unanimous consent to bring up H.R. 900, my one-sentence bill to repeal the sequester.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request until it has been cleared by the bipartisan floor and committee leaderships.

THE VETERANS BENEFITS CLAIMS FASTER FILING ACT

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

Mr. O'ROURKE. Mr. Speaker, I rise today to introduce the Veterans Benefits Claims Faster Filing Act. This no-cost legislation will shorten the time that veterans must wait for their claims to be decided.

Nationally, the average wait time for a claim is nearly 300 days. In El Paso, Texas, the veterans I represent wait an average of 439 days. We must do better.

My legislation will require the VA to report and post processing times and award rates for claims filed in a variety of ways, from the fastest way, which is a fully developed claim filed online, to the slowest way, which is filing an underdeveloped claim on a non-standardized piece of paper.

Informing veterans that they will wait the least amount of time if they file fully developed claims online will create an incentive to do so. Fully developed claims are consistently turned around in 100 days or fewer. Imagine a veteran in your district saving months of waiting unnecessarily for a decision on their claim.

We owe a lot to our veterans, and we can uphold our end of the bargain to them by ensuring that they receive the benefits they have earned and depend on in a timely manner.

I urge all of my colleagues to support the Faster Filing Act.

SAVE THE CHILDREN OF THE NORTH FOREST INDEPENDENT SCHOOL DISTRICT

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

Ms. JACKSON LEE. Mr. Speaker, over the past couple of weeks, in my district, we've been working with a very small school district by the name of North Forest Independent School District, of about 7,000 young people,

bright, energetic and prepared to reach and fulfill their future.

Unfortunately, the State of Texas chooses to close that school, not because they are not meeting the Leave No Child Behind, but because one high school did not meet the threshold by two students. Over the next couple of days, we expect to hear from the State to ask this district to terminate all employees.

We offered to the State a collaborative response of having them to work with public charters and work with the public school system, keeping it a public school system. We again ask the State of Texas, the Governor of the State of Texas, who has refused to give Federal funds for education back to the districts, you know why? Maybe it's because of sequester.

But more importantly, I want to save those students, I want to save those employees, and I believe we can do it by eliminating the sequester.

I ask unanimous consent to bring up H.R. 900, a one-sentence bill to eliminate the sequester. These children at the North Forest Independent School District deserve to be able to graduate from a public school. It is shameful that they will be getting a notice of their beloved teachers, fire them all.

I will go home to the district and stand against it. I ask for relief from the U.S. Department of Education and all of those who believe in educating our children and being responsible to our teachers who teach them and love them.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

**HONORING THE LIFE OF
DEMETRIO RODRIGUEZ**

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

Mr. CASTRO of Texas. Today I'd like to take a moment to honor the life of Demetrio P. Rodriguez, a great American we lost earlier this week in my hometown of San Antonio. Demetrio passed away at the age of 87 after a long and rewarding life, a life that literally transformed public education in Texas and across the Nation.

Demetrio, like many of the folks who grew up on the west side of San Antonio, was a humble man. Born into a migrant farm-working family, he served in the Navy and later in the Air Force Reserve, and he worked for years at Kelly Air Force Base.

In 1968, with 15 other parents, he led the charge to change the way we do school finance, not only in Texas, but in the United States of America. He objected to the fact that property-poor districts were so far outspent and given much more money than property-rich districts in Texas. He led that charge.

In 1973, the Supreme Court said that education wasn't a fundamental right, but he didn't give up the fight. And in 1989, the Texas Supreme Court ruled that the children of Texas should have an equal education, no matter their income.

He was a great man. He'll be sorely missed. He was a fighter and a champion of people.

**THE SEQUESTER HAS REAL
CONSEQUENCES**

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

Ms. SCHAKOWSKY. Some of my Republican colleagues were raging that air traffic was slowed by a so-called political manipulation of the sequester. I joined most of my House colleagues in voting to make a special exception for the FAA because we do want traffic to flow.

But I have a news flash: cutting billions of dollars from the budget in a sequester in a meat-ax way does have real consequences.

Furloughs are also occurring at the Departments of Defense and Agriculture, at the U.S. Customs and Border Protection. Head Start is cutting 70,000 slots for early childhood education. In my neighboring Indiana, there's a raffle being held to decide which children are going to be kicked out of the Head Start program.

Four million Meals on Wheels are going to be cut for seniors who are depending on them.

The Medicare Anti-Fraud Division is being cut. That makes no sense. And the sequester is projected to cost 750,000 American jobs this year.

So, Mr. Speaker, I too ask unanimous consent to bring H.R. 900 to the floor that would repeal the sequester.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

□ 1310

**CORRECTING THE ENGROSSMENT
OF H.R. 1765, REDUCING FLIGHT
DELAYS ACT OF 2013**

Mr. LATHAM. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 1765, the Clerk strike "account" on page 2, line 14, and insert "accounts."

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

There was no objection.

REMEMBERING MAXINE SMITH

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

Mr. COHEN. Mr. Speaker, today, in Memphis, Tennessee, a great lady

passed away—a lady who is as fierce, as brave, and as courageous a woman who's ever lived in this country: a lady by the name of Maxine Smith.

Maxine Smith was the executive secretary of the NAACP from 1962 up to around 2000. She served on the Memphis City School Board from 1971 to 1995 and was on the National Board of the NAACP. She helped take Memphis beyond Jim Crow and beyond segregation into a great city in America and America's mainstream.

Because the scourge of discrimination and desegregation stained this country, she was not allowed to enroll at Memphis State University. So she went to Spelman and then to Middlebury and got a master's degree. She went to work to help others and spent her life fighting against discrimination in all ways and all manners.

She served on the State Board of Education in Tennessee and made sure people got a good education, whether they were White or Black; and she overcame all of the hate and discrimination that she faced. She was a beautiful woman who lived Dr. King's dream—seeing people and judging them by the content of their character and not the color of their skin.

She was a person to be emulated, honored, and remembered. She had a great life—a life extremely well lived. I will miss her and so will this Nation.

REPEAL THE SEQUESTER

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

Ms. SHEA-PORTER. Today, the House proved that if it really wants to, it can move quickly. Today, we made it easier for air travelers, and I'm very happy that we did that. But the sequester is still there, and it is still impacting schools. I have a little Head Start that's going to be closed in my district. Others are being impacted. We're laying off Federal employees. This is impacting the military and health research across the country.

And so I call on the House majority to continue the work they started today. Don't just choose one group. Repeal this sequester. They have it in their power to put it on the floor to repeal the sequester. The American public is asking for this. It is our obligation to do this not just for air travelers but everybody around the country.

APPOINTING BUDGET CONFEREES

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

Mr. CONNOLLY. Today, we passed a fix for the FAA and for air traffic controllers because of a problem created by sequestration. But we only have 10 fingers. There are many more holes in

the dike than 10. We've already plugged the hole on the Pentagon. We've already plugged the hole on food inspectors at USDA. Today, we plug another one.

Sooner or later, we have to recognize the dike itself is being undermined by something called sequestration. The time has come for Congress to put aside partisan wrangling. It's time for the majority to show leadership and appoint conferees to a budget so we can actually work this out in a sensible way, not a meat-ax, reckless way, and get things done for the American people. Sequestration is not rocket science, but it will remain beyond us if we continue the partisan fighting we've had in this House.

REMEMBERING HOWARD PHILLIPS

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

Mr. STOCKMAN. When I first started out in politics, a dear friend of mine, Howard Phillips, was a conservative leader and a great father and patriot. On April 20, Howard Phillips passed away.

He grew up in Boston, where he became an avid baseball fan. He knew all the teams, all the players, and remained a passionate fan throughout his life. He fought hard to get into the Boston Latin School. From there, he invaded the liberal bastion that is Harvard, where he upheld conservative principles and even served as the chairman of the student council.

Howard made national news during the Nixon administration, when he fought to abolish the Office of Economic Opportunity. A leader, a champion, and a great father, he founded in 1974 the TCC, or The Conservative Caucus. It rapidly became one of the major nationwide conservative organizations. He made headlines for opposing the Panama Canal treaty and supporting Ronald Reagan's efforts to rebuild our defense and to cut taxes and spending.

The conservative movement will not be the same without Howard. In fact, the conservative movement would not be what it is today without his leadership. In 1960, he helped found Young Americans for Freedom, which became the model for conservative political action groups. Howard, Paul Weyrich, Richard Viguerie, Jerry Falwell, and other key leaders became the founders of what we know as the modern conservative movement.

Over the years, Howard stood firm to conservative principles when it was often easier to compromise with the establishment and others. When Howard saw the GOP tilting too far to the left, he found the U.S. Taxpayers' Party—now the Constitution Party—which nominated him as their Presidential candidate in 1992, 1996, and 2000. It was a distinct pleasure for Howard to see

the new generation of conservative leaders. As a precursor to the Tea Party, Howard was always there.

Howard's work lives on through his family and through his children, through The Conservative Caucus, and through the work of his large family, including his son, Brad, who found the Persecution Project, which is very active in saving embattled Christians in Sudan; and his son Douglas' Vision Forum, which is a major home-schooling ministry; and through the many Americans inspired by his leadership and vision.

Howard is survived by his wife, Peggy, six children, and 18 grandchildren.

On April 29 a funeral will be held at McLean Bible Church.

God bless you, Howie. We love you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize Members for Special Order speeches without prejudice to the possible resumption of legislative business.

WE NEED TO KNOW WHERE WE COME FROM TO KNOW WHERE WE ARE GOING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Thank you, Mr. Speaker.

It is indeed an honor for me to yield to a friend, a man that I am delighted was elected to join us last year, my friend, Mr. YOHO from Florida, for such time as he may consume.

THE SECOND AMENDMENT

Mr. YOHO. I thank the gentleman from Texas for yielding.

Mr. Speaker, I have heard many gun control supporters say that the Second Amendment is outdated. They point out the phrase "a well-regulated militia" as their proof that armed and alert citizens belong in the 18th century and not the 21st century. We saw last week in Boston that they couldn't be more wrong.

When the Constitution and the Second Amendment were written, the story of the Boston struggles during the Revolutionary War was still fresh in America's memory. British troops looked at every American as a threat and treated them like virtual prisoners in the communities that they built. That's why our Founders made sure that it would be law, and a birthright for every law-abiding American, that everyone would have the freedom to protect themselves.

These days, many of America's enemies don't wear the uniforms of a na-

tion. They try to avoid confrontation with our military and our police force; and they lurk in our streets, they hide out in our universities, and they wait for our defenses to go down. They don't save their hatred for our heroes in uniforms. They unleash it on anyone who is free.

The line between crime and terror is a thin one. Any victim of a violent crime has experienced terrorism in its most intimate and intense form. When we talk about guns and we look at the true meaning of the Second Amendment, it's clear that the passage of a couple of centuries hasn't changed its intent much.

The Second Amendment is a uniquely American value, as relevant today as when it was written. No other nation before ours has trusted the people to arm and protect themselves. When tragedies happened in Tucson, in Aurora, and in Newtown, guns were to blame. When the tragedy happened in Boston last week, we rightly blamed the person and not the instrument.

□ 1320

Allowing law-abiding citizens to exercise their freedom of self-defense can help keep us safe, and I will fight to protect this precious constitutional right.

Mr. GOHMERT. I thank my friend from Florida.

At this time, I'm proud to yield to a friend from Wisconsin (Mr. DUFFY). I'm proud Wisconsin and Texas are in the same country because Wisconsin has certainly produced some great Americans.

PROTECTING OUR CHILDREN

Mr. DUFFY. I appreciate my friend from Texas yielding.

Over the past 5 months, our Nation has seen unspeakable horrors bestowed upon the children of our country, from the massacre in Newtown—the 23 innocent, young first graders who lost their lives—to just recently in the Boston bombing, where many lost their lives, but specifically, a third grader, Richard Martin, lost his life.

Richard, a couple weeks before, had just made his First Communion. There is a picture of Richard in a sharp white suit with a proud, toothless smile. He lost his life in Boston. His little sister, Jane, who was by him was also hit by the bomb. She lost her leg. She was just starting to take Irish step dancing classes. She will now be in recovery for months and years from that bombing.

We have to look at what's happening in our country with regard to violence against children. As a country, we have to soul-search about violence against our children, and we have been soul-searching. Our families, our communities, we've been soul-searching in this institution about that very violence. We've had a conversation about: How do we protect our children? How do we keep them from this violence and

scourge that is spreading across our country? But we soul-search.

Meanwhile, in Philadelphia, dozens—if not hundreds—of babies have had their lives taken from them, where they've been murdered, left to lay in cardboard boxes, left in toilets trying to swim for air, only to have the backs of their necks snipped, basically decapitated. That kind of horror is being bestowed on children in America, and yet where is the media? Where are the protests? Where are the congressional hearings?

Listen, where are the parents on Air Force One flying to the White House having a meeting with the President? Where are the high-powered meetings with the Senators across the aisle? They're not happening.

I don't have the picture for you today, but many have seen it, a picture of the courtroom where the Kermit Gosnell trial is going on. There's a section reserved for the media—the media that loves great stories, loves fanfare. There's a section reserved for the media at this trial and there's nobody there. There's been a blackout. The media has refused to cover this story.

How about a poor, immigrant mother who can't speak English, who looks to her local community organization in Philadelphia, who gets a recommendation for an abortion to go to the nice-sounding Women's Medical Society clinic, a clinic that is well known for its filth and well known for its health violations. Poor minority immigrant goes to this clinic for an abortion, and she loses her life.

So I think we have to ask: Where is NARAL? Where is NOW? Where is Mrs. BARBARA BOXER, standing up for poor minority women who are losing their lives in Philadelphia at the hands of an abortion provider? Where are they? The silence is deafening. Can't hear them.

There's no voice given to that poor minority immigrant. There is no voice given to these little babies who are so vulnerable at the start of their lives and they're voiceless. But no one—even those who say they stand up for women and babies, they're unwilling to stand up at this time.

However, if you are a white, privileged law student from this town, the doors swing wide open and the media wants to cover your story. They want to cover your point of view. But when we're talking about an abortion clinic that provides late-term, partial-birth abortions where babies are born alive, there is no outrage; there is no story.

Where is the NAACP for these minority babies? Where is La Raza? Where is the Black Congressional Caucus? Where is MAXINE WATERS? Where is the leader of the Democrat Party? Where are they, lending their voice to these atrocities, this murder?

You know, I'm a father of six. I've been there for the birth of all my babies. I know we have a lot of parents in

this institution and across the aisle. Listen, newborn babies coming out, they are voiceless; they're defenseless; they rely on us for everything.

Here's a picture of my sixth baby, MariaVictoria, Mighty V, just born. The pictures of the babies that died in Philadelphia are bigger than this; they're more developed than this. And yet no one wants to stand up and shed light on these atrocities and these unspeakable horrors, the dehumanization, the desensitization of what happened in Philadelphia.

I think we have to ask ourselves why. Why aren't my good friends on the other side of the aisle, who have families, who have had children, who care about minorities and the poor and care about children—I know it because I hear them—where are they? Why won't they join us to expose this? Is it that they care more about the abortion clinics than poor defenseless babies that are born alive and aren't provided care, aren't provided love, but are abandoned and left to die? I can't believe that's true. Is it that they agree more with partial-birth abortions that are botched and babies are born alive and they're not willing to provide aid? I cannot believe that; not offering life-saving treatment for the most vulnerable among us.

I think we have to look around in our communities, in our country, we have to look at this very institution, and we have to be better than this. We are better than this.

We might disagree on abortion. I'm a pro-life guy. I know we have a lot of people who are pro-abortion in this institution. I can accept those distinctions. But how can anybody come forward who even supports abortion and say, I'm not going to defend a baby that's born alive? What kind of position is that? Or that you won't lend your voice to this cause? You can come out and say, I support abortion, but I don't support this.

This is wrong. We're better, as Americans, than that. We're better Congressmen and -women than that. We have bigger hearts than that. This is unacceptable in our country.

We're going to have the abortion debate for a while, and that's okay, but we have to draw the line somewhere. When do we step forward and say we are going to defend the most defenseless and the most voiceless among us? When does that start?

I think in this institution most of us have agreed that that starts at birth—at least. I think it starts at conception, but everyone has agreed it starts at birth. So why, when we have this atrocity, this death of our children in Philadelphia with Dr. Gosnell, haven't people loaned their voices to these children? They deserve better than that.

So I think it's incumbent upon this institution, our communities, our country, and the media to make sure

that we provide a voice, we provide a platform for those babies because we care more about those lives than we care about the abortion industry, and we care more about those babies than we care about exposing the horrors and atrocities of partial-birth abortion. We're better than that.

I'm going to tell you this: though we may disagree on some issues, we do agree on protecting these little ones as they come into the world. I'm going to continue that fight.

I know the gentleman from Texas is passionate on this topic and has a lot of things to talk about today, but I appreciate him yielding a few minutes for me to chat.

□ 1330

Mr. GOHMERT. I appreciate my friend from Wisconsin so much in giving voice to those who have no voice. We hear so often on this floor from people who mean what they say as they say: We have an obligation to help the most vulnerable amongst us, to help those who cannot help themselves. And having held my first-born child in both hands—I could have held her in one, but I didn't want to take a chance—I held a child that was smaller than some of these in this tale of horror of abortions, to think that someone could take scissors and cut the back of the neck and cut the spine and literally kill a child, it's virtually too much to take in.

I hope others will see the wisdom of what SEAN DUFFY was talking about. But it does seem people have been desensitized to so many things they need to be re-sensitized to. Every country, no matter what its strength, how strong, including this country that has become the strongest country in the history of the world, which is already the most free country in the history of the world, more freedom, more opportunity than anyplace, including the great Israel under Solomon as king—we are told that there's never been a king wiser than Solomon—but the way this country was founded, the way it was molded, the way we gave credit to the Creator, to divine providence, to the Lord, as referenced in the date of our Constitution itself—and it's dated in the year of our Lord 1787—they knew, and they pointed out repeatedly, that our rights, our liberties, will not last beyond this country's recognition that all rights, all freedoms, all gifts, all liberties come from a source. George Washington referred to the Divine Author of our blessed religion in one of his writings. It is actually the prayer that he included in his resignation as commanding general of the Revolutionary forces.

And I know that in this Nation we accept everyone, all religions, all people, no matter what their religious convictions are, including no religious convictions whatsoever. But it is critically important that we know where

we come from in order to have any idea where we're going. And it is the nature of man, it is the nature of humanity, that as a Nation reaches a peak—some in my history classes in college would refer to the cycle that countries go through, some referencing back to the ancient Greece government—that there was a cycle of its rise and fall. I felt like it was more of a bell-shaped curve that once you reach the peak, then people take their freedoms, take their opportunities for granted, they stop believing that there's a threat to those. And as they get less and less sensitive to the fact that all glory, all liberty, is fleeting, then they would lose them. Whether it's the cycle of rise and fall or a bell-shaped curve, it depends on us.

Tom Brokaw had described the Greatest Generation as those who recognized the danger of fascism and the oppression that existed in the 1940s and rose up and fought against it. Unfortunately, the guy that knows our history so well, that could write a great book on the Greatest Generation, could turn around and a few short years later be completely desensitized and show himself to be part of anything but a great generation because he could not even recognize a threat to this civilization's existence.

So, hopefully, people, situated as is he, will begin to recognize there are people that want to destroy our freedoms, they want to take what has been made into the greatest country, that's been blessed more than any country in history, and they want to act like there's no such thing as a threat to our security, to our freedom, to our own lives, to our lives and fortunes. Whether there's a threat to our sacred honor has been completely up to us. As the signers of the Declaration of Independence pledged, Our lives, our fortunes, our sacred honor.

So the question arises: Is there any honor in trying to buy off your enemies, make them love you with cash, make them love you with tanks, make them love you by sending them F-16s, make them love you by sending tear gas to use against those they don't like? Is there any honor in that? We have Muslim Brotherhood, a group in Egypt, the Freedom and Justice Party in Egypt. They helped overthrow Mubarak as this administration here in America turned our back on an ally. And we got Muslim Brotherhood.

I continue to have people approach me, say they're from Egypt, and they get so frustrated; they cannot believe we're supporting the wrong people in Egypt, just as those I've met with in Afghanistan have begged us to stop trying to buy a friend in the Taliban, especially those in the Northern Alliance who lost family and friends trying to fight the Taliban—and successfully defeating them on our behalf by early 2002. Then we took back the weapons

that we provided and said, we got it from here.

□ 1340

Now, 11 years later, we are turning our backs on our allies—the moderate Muslims who fought the Taliban for us—and are now trying to buy off the Taliban, who still want to destroy us. They still want to end our freedom, make us suffer because they consider us so decadent. From what I'm told in Afghanistan—and it has been reported widely in the news—this administration has offered to buy them first-class offices in Qatar so that they'll have a world presence and have instant respectability around the world. This administration has offered to release some of their murdering thugs who have spilled the blood of American patriots in the most cowardly and conniving ways. So they have no respect for us.

I wondered if, perhaps, President Obama were going to be right. Perhaps he will be right. Maybe it will help America with countries that have shown hatred for this country. President Obama said it was going to basically be a game-changer that Muslim countries would have far more respect for us since we had a President, as President Obama said, who grew up in a Muslim country, with admiration for the practices and teachings of Muslims, a President who loved the call for prayer, who loved hearing that.

It has been over 4 years now, and we've seen the polling that, in Muslim countries around the world, this United States' favorability rating has fallen far below what it was under George Bush, who did not grow up in a Muslim country. So we found that that didn't work despite 4 years under this administration of trying to pander to those who want to destroy our way of life, who want to force a caliphate over America as they now are trying to do in Egypt, in Libya, and are trying to do in other Middle Eastern countries.

But our Constitution is what those of us who serve here took an oath to support and defend. That's where we are supposed to stand—in full defense of our Constitution, not the United Nations Charter, not sharia law. We took an oath to support and defend the Constitution of the United States.

It has been determined in this country by the courts that people have a First Amendment right to burn, destroy a United States flag—the same flag that has draped countless coffins—bodies—of Americans who, as Lincoln said, gave their last full measure of devotion for our freedom. People have a First Amendment right to destroy that flag—that symbol of freedom and liberty. They've said there is a First Amendment right to destroy Bibles regardless of how holy those books are held to be by so many in America.

A story is written and told of Thomas Jefferson's taking one of his many

trips down Pennsylvania Avenue toward the Capitol, on a Sunday morning with a big Bible under his arm.

Someone said, "Mr. President, where are you going?"

He said, "Well, I'm going to church up in the Capitol."

"Well, Mr. President, you don't believe everything they do there."

He said, "Sir, I am the highest elected magistrate in this country. It is imperative that I set the proper example."

Jefferson felt he was setting the proper example by going to a non-denominational Christian church here in the Capitol, which was held down the Hall in what was then the House of Representatives Chamber, now called Statuary Hall.

I have a bill that would require a plaque be put up to inform people of the amazing history. Thomas Jefferson, who coined the phrase "separation of church and State," said there needs to be a wall of separation between church and State. He saw it as more of a one-sided wall where the State would not interfere in religion. Certainly, for this country to be at its greatest, people would bring their religious convictions to the State and make it stronger and better. That man who coined the phrase "separation of church and State," not found in the Constitution, even felt it was appropriate to often have the Marine Band come and play hymns down the Hall for those who were at the Christian worship service.

I'm not advocating we go back to that—there is no need—as we have churches all over this place now, but it is not appropriate to act as if those parts of our history are not true. They are true, they are part of our history; and it was the church that was so strong in the abolitionist movement to try to bring about equal treatment. It was the church—not all churches, because there was prejudice and bias and bigotry in some churches, but those who truly understood the teachings of Christ stood so firmly and strongly against slavery.

Then 100 years later, an ordained Christian minister named Martin Luther King, Jr., fought for civil rights; but he did so as a complete pacifist, not advocating violence, and his efforts succeeded. He freed up young, little White boys, like me, who were Christians to treat brothers and sisters of any race, any color, any creed as brothers and sisters. It's all part of our history—the good parts, the bad parts. We shouldn't try to rewrite history. You've got to know where you came from.

In the wake of the horrors of Boston, people were there, excited to see the finish of the race, of the world-famous Boston Marathon. So many friends of mine have dreamed of qualifying to run in the Boston Marathon. I have a number of friends who have. There is a lot

of excitement even in their exhaustion as they near the finish line. That's where cold-hearted, calloused individuals filled with hate could set down bombs knowing they were going to kill very innocent people.

How do you see a little 8-year-old child knowing that child is going to be killed by what you put together and set down? How do you do that? How do you have such evil in your heart that you can do that? How do you have such evil in your heart you set a bomb down knowing that people who are still around it, as you walk away as a coward, are going to have their legs blown out from under them and never walk again? How do you do that?

You have to be so full of hate or evil or some sick religious convictions that somehow you believe that there is someone or something—some deity—that smiles upon that and thinks it's wonderful when you kill or maim innocent people and that somehow you'll be glorified by killing and maiming innocent people.

□ 1350

It's very tragic.

But we know for some time that the FBI, the State Department, the Intelligence Department, a number of departments have been trying to soften the language that they've used, that they've used to train so that they don't offend people who want to kill us already. I mean, I didn't know anybody back in the eighties that talked about radical Islam, yet 79 people were killed, hostages were taken, an Embassy was taken over, hostages held for over a year. In 1983, people were killed, marines waylaid as our Marine barracks in Beirut was blown up. We didn't really talk about radical Islam.

Yet over time, instead of recognizing the danger to this country, we have people in authority in this administration who've decided that we must not use the terms that accurately describe what our killers believe, our want-to-be killers believe. We can't use those words. They might be offended.

For heaven's sake, 9/11 of 2001 was plotted while Bill Clinton was President. And no one who has any fairness at all about them could ever accuse President Bill Clinton of demonstrating bias or prejudice against Islam. He sent troops to protect Muslims in Eastern Europe.

Whether we agree or disagree that it was appropriate use of American troops and American lives, he sent American lives that were lost to help Muslims. And all the while President Bill Clinton, as Commander in Chief, was trying to help Muslims, there were radical Islamists who were plotting and planning an incredibly egregious and heinous act and attack against the United States of America. And that was before anybody ever used the words "jihad," "radical Islam," or "al Qaeda."

There's an article that my staff called to my attention last night in the Washington Examiner, an editorial, posted April 25 at 9 p.m. The title of their op-ed is, "How the FBI Was Blinded By Political Correctness." It says:

As the initial elation over the swift identification and ending of the brothers Tsarnaev manhunt fades, a steady stream of facts are emerging that strongly suggest the need for a more sober assessment of the FBI's performance in the 2 years prior to the Boston Marathon bombing.

FBI counterterrorism agents interviewed Tamerlan Tsarnaev, the older of the brothers, in January 2011 after receiving a tip from Russian intelligence. Since the interviewing agents thought they heard nothing to indicate Tsarnaev was a terrorist, little else was done and the case was closed 2 months later.

A few months after that, Tsarnaev went to Russia and encountered somebody or experienced something that apparently prompted him to become quite open about his devotion to a radical vision of Islamic jihad. The FBI visited him a second time after he returned to the United States, but again concluded that Tsarnaev was not a threat.

It is speculation now, of course, but it's difficult to believe the Tsarnaevs would have been able to carry out the bombing had they been under active surveillance before the 2013 Boston Marathon.

The editorial from the Washington Examiner goes on and says:

Whatever else may yet be discovered about what the FBI missed, there is no excuse for the agency not grasping the significance of the radical Islamist video Tamerlan posted on his Facebook page, entitled, "The Emergence of Prophecy: The Black Flags from Khorasan." The video explains and glorifies the prophecy of a mighty jihadist army rising from the Iranian region of the near east to conquer the world and establish an enduring Muslim empire. The Khorasan connection is a staple of al Qaeda ideology, and the video's presence on Tsarnaev's Facebook page was a red flag that should have alerted agents to a very real potential danger.

It is quite possible, though, the FBI agents who interviewed Tsarnaev on both occasions failed to understand what they saw and heard because that's what they were trained to do. As the Washington Examiner's Mark Flatten reported last year, FBI training manuals were systematically purged in 2011 of all references to Islam that were judged offensive by a specially created five-member panel. Three of the panel members were Muslim advocates from outside the FBI, which still refuses to make public their identities. Nearly 900 pages were removed from the manuals as a result of that review. Several Congressmen were allowed to review the removed materials in 2012 on condition that they not disclose what they read to their staffs, the media, or the general public.

With the recent proliferation of revelations about FBI blindness on the brothers Tsarnaev, a comment made last year by Representative Louie Gohmert, Republican of Texas, to Flatten now has a tragic resonance: "We've got material being removed more because of political correctness than in the interest of truth and properly educated justice officials. We are blinding our enforcement officers from the ability to see who the enemy actually is."

The Boston bombing showed the tragic consequences of that blindness.

This is an op-ed from yesterday by the Washington Examiner quoting me from over a year ago. In fact, on February 16, 2012, I gave a speech from right here on the House floor that was recorded where I talked about this very issue, and something of assistance was a poster. This poster points out the terminology that was used in the 9/11 Commission report because in that 9/11 Commission report, before this administration took over and implemented political correctness, the 9/11 Commission didn't know they had to be politically correct in the terminology they use, according to the new standards by the FBI, so they referred to "violent extremism" three times. They referred to the "enemy" 39 times. They referred to "jihad" 126 times. They used the word "Muslim" 145 times. They referred to "Islam" 322 times. They referred to "takfir" one time. They referred to the "Muslim Brotherhood" five times. They referred to "religious" 65 times.

□ 1400

They referred to "Hamas" four times, "Hezbollah" two times, "al Qaeda" 36 times, "caliphate" seven times, and "sharia" twice.

And then it's easy to see that when it comes to "enemy," neither the National Intelligence Strategy of 2009 under this administration, nor the FBI counterterrorism lexicon, the words that are allowed to be used by FBI agents in their terminology, apparently it is okay to talk about violent extremism, which is why Homeland Security Secretary Napolitano, she created a Countering Violent Extremism Working Group. Although she could not tell me how many members of the Muslim Brotherhood were part of that working group, we knew that there were some. She also could not tell me how many members of the Muslim Brotherhood who would like to see a giant caliphate in which the United States was included, how many she had in her Homeland Security Advisory Council that she gave secret clearances to. There's no way they could've been properly vetted and still gotten secret security clearances.

But we see with the new FBI terminology and the new intelligence terminology, they can't talk about the enemy. They can't talk about jihad. They can't talk about Muslim. They can't talk about Islam. They can't talk about the Muslim Brotherhood. They can refer to religion; but as we know from the Homeland Security reports that they've yielded, the thing they're worried about really is more people who believe in the Constitution and veterans and Christians who are evangelical Christians. They'll talk about religious there; but, obviously, not in terms of radical Islam. They won't talk about Hamas. They won't talk about Hezbollah. The FBI counterterrorism

lexicon doesn't even include reference to al Qaeda or sharia, nor does the Intelligence Strategy.

So the question comes to my mind about that interview, the interviews back in 2011, because I know so many FBI agents that are incredible Americans, real patriots, smart, a lot of wisdom and judgment, but they follow orders like I did when I was in the Army. You do what you're ordered to do, and they do.

But what kind of interview must that have been of the guy who was going to blow off arms and legs and kill a child and who had dreams of killing so many more? What kind of interview must that have been when you can't use the word "jihad"? You can't talk about his Muslim faith. Did they even bring up Tamerlan's Muslim faith in that interview? I mean, they're not supposed to talk about it. And I do not believe in using religion to discriminate against anybody; but when you find out that there is a radical sect, not like the vast, incredibly vast majority of Muslims who don't want to kill people, and don't want to maim, and don't think it's right to cause that kind of human suffering, but there is a sect, a radical Islamist sect, and they can't talk about it. What kind of interview was that?

Is it any wonder that the FBI came away from their interviews and said, we don't find any problems.

Well, I guess not. If you can't talk in detail about Islamic faith to find out whether someone is a radical, whether his beliefs have now embraced the book "The Milestone" that Qutb of Egypt embraced, that some in this country, some that our own Homeland Security Secretary think are wonderful people, they've embraced the same writings that Osama bin Laden said helped radicalize him, if you can't know about those things, how in the world can you do a legitimate interview and find out is this a peace-loving Muslim or is this a radical who wants to kill people? And if I don't get this conversation right, 2 years from now there will be people dead in Boston. How silly must we be as a Nation to blindfold our law enforcement and not let them see an enemy that wants to destroy us.

Now, I've talked to enough intelligence officers, Justice Department officials, people that love this country, Homeland Security, and they are so frustrated with the shackles that they have to wear, figuratively speaking, while they try to protect this country, where you can't talk about the beliefs of people who want to destroy this blessed country. What kind of interviews must those have been when you can't use the terms that let you get to the bottom of what may be a plot to kill people down the road?

There's no problem in the Justice Department. There is a problem with leadership that will not let them do their job, and it needs to change.

I'm blessed to be joined by a colleague, and I yield to Mr. BENTIVOLIO.

REMEMBERING HOWARD PHILLIPS

Mr. BENTIVOLIO. Mr. Speaker, I rise today to honor the memory of Howard Phillips, a statesman, a patriot, and to the very end of his life, a brilliant thinker and tireless organizer for constitutionally limited government. He sought to limit the Federal Government at almost every turn.

In 1974, he founded the Conservative Caucus, which we might call the Tea Party movement of its day. He helped forge the New Right, and perhaps more than any other leader, he never put party above principle.

He organized behind the scenes. He was a mentor to today's conservative mentors; and above all, he believed in the sovereignty of God and not of the State.

He was a brilliant speaker, and a brilliant thinker. Any American searching for the meaning of American values might look to Howard Phillips for guidance.

Tomorrow's young conservative leaders may not learn Phillips' name, but his ideas will live on, and for that, we should be grateful. The conservative movement lost a lion last week, and it is my privilege to remember him.

Mr. GOHMERT. Thank you for that worthy tribute.

Well, I want to reference a part of a Special Order address that was delivered here on this floor February 16, 2012, by me, and in that I had before me a transcript of a hearing where the FBI Director testified, and I pointed out—well, I just read the transcript, as I will do now, part of it. I pointed out before reading that I don't have a problem with the FBI having an outreach program to communities, but I said:

Why would the FBI see the need to make positive outreach into any community of a specific nature?

So after Director Mueller had indicated, yes, we have this wonderful outreach program with the Muslim communities, and those communities are exactly like every other community, I said:

You had mentioned earlier and it's in your written statement that the FBI developed an extensive outreach to Muslim communities, and in answer to an earlier question I understood you to say that Muslim communities were like all other communities.

□ 1410

So I'm curious. As a result of the extensive outreach program the FBI has had to the Muslim community, how has your outreach program gone with the Baptists and the Catholics?

Director Mueller said:

I'm not certain of necessarily the thrust of that question. I would say that our outreach to all segments of a particular city or country or society are good.

I said:

Well, do you have a particular program of outreach to Hindus, Buddhists, Jewish com-

munity, agnostics, or is it just an extensive outreach program to—

He interrupted and said:

We have outreach to every one of those communities.

I asked how he did that, and then he started to filibuster. And I said:

I have looked extensively, and I haven't seen anywhere in any one of the FBI's letters information that there's been an extensive outreach program to any other community trying to develop trust and this kind of a relationship, and it makes me wonder if there is an issue of trust or some problem like that that the FBI has seen in that particular community.

And just so there's no mistaking, let me just read directly from the judge's opinion in the Holy Land Foundation case in response to the effort by ISNA, the Islamic Society of North America, CAIR, Council on American Islamic Relations, NAIT, the Holy Land Foundation and others.

And I read this:

The judge said: The government has produced ample evidence the associations of CAIR, ISNA, NAIT and the Holy Land Foundation, the Islamic Association for Palestine, and Hamas. While the Court recognizes that the evidence produced by the government largely predates the Holy Land Foundation designation date, the evidence is nonetheless sufficient to show the association of these entities with the Holy Land Foundation, the Islamic Association for Palestine and Hamas.

There was plenty of evidence to support that, according to the judge. That was affirmed by the Fifth Circuit.

It's important to note that, out of concern for the FBI's outreach program, and the State Department and the White House for reaching out, bringing in people who courts have said supported terrorism, and these people are being brought in, in the military we say brought inside the wire, in this case, brought inside the State Department, brought inside the White House on a regular basis, brought inside the Justice Department, my friend, Frank Wolf had this language added to the continuing resolution that was passed, that President Obama signed into law. This is language in the law, and my friend, Mr. Wolf included it to reference the FBI's policy.

It says, and this is the language in the law:

Conferees support the FBI's policy prohibiting any formal non-investigative cooperation with unindicted co-conspirators in terrorism cases. The conferees expect the FBI to insist on full compliance with this policy by FBI field offices, and to report to the Committee on Appropriations regarding any violation of the policy.

Well, guess what? We didn't get this from the FBI. We had to get it from the Islamic Society of North America's own Web site. They reported that on Wednesday, February 8—that was last year, 2012—that the American Arab Anti-discrimination Committee, the Arab American Institute, the Interfaith Alliance, the Islamic Society of North America, ISNA, which has been pronounced by the Fifth Circuit as having plenty of evidence to support that they fund terrorism, and have, and then it mentions other groups, including the Shoulder-to-Shoulder Campaign.

But they, it says:

They had an opportunity to discuss the matter with the Public Affairs Office of the FBI. Director Robert Mueller joined the meeting to discuss these matters with representatives from the organizations.

The conversation with Director Mueller centered on material used by the agency that depicts falsehoods and negative connotations of the Muslim American community. The use of the material was first uncovered by Wired magazine.

And that was uncovered by an organization that seems to be right in there with those who were unindicted but named co-conspirators in funding terrorism.

From ISNA, they say:

Director Mueller informed the participants that the FBI took the review of the training material very seriously, and he pursued the matter with urgency to ensure that this does not occur again in the future.

ISNA President, Imam Magid, who's a frequent visitor to the White House, who the White House consults on speeches, or has, and welcomed to the inner sanctum of the State Department, other departments here in Washington, Magid stated:

The discovery of FBI training materials that discriminated against Muslims did damage to the trust that was built between dedicated FBI officials and the American Muslim community. We welcome and appreciate Director Mueller's commitment to take positive steps toward eradicating such materials and rebuilding trust in an open dialogue.

The Director also informed participants that, to date, nearly all related FBI training materials, including more than 160,000 pages of documents, were reviewed by subject matter experts multiple times. Consequently, more than 700 documents, 300 presentations of material, have been deemed unusable by the Bureau and pulled from the training curriculum. Material was pulled from the curriculum if even one component was deemed to include factual errors or be in poor taste or be stereotypical or lack precision.

I guess stereotypical would mean if they point out that terrorists have one thing in common, that would be stereotypical.

ISNA also reports:

It was clear to all meeting participants that the issue of trust between community Members and the FBI needs to be taken seriously by all our Nation's decisionmakers. It was evident the Bureau must strengthen its efforts to build trust.

How about trust from the other side?

How about condemnation of terrorist acts?

How about coming out and making clear all ties have been severed with Hamas and Hezbollah and those who would seek to make terror on innocent people?

Anyway, ISNA's rejoicing because they got the FBI to actually go through and cull material that has words like "jihad," words like "extremist," words that have been purged from the FBI lexicon.

Now, I was one who was allowed, in a classified setting, which I felt was totally unnecessary, to see the names of

the so-called subject matter experts. I was allowed to go through material and see what it was.

And it's time, Mr. Speaker, that our FBI agents and intelligence be allowed to remove the blindfolds and see who the enemy is when they do interrogations and questioning.

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

THANKING THE FIRST RESPONDERS IN THE BOSTON MARATHON BOMBING

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Massachusetts (Ms. TSONGAS) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. TSONGAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Ms. TSONGAS. Mr. Speaker, I rise today with my colleagues from Massachusetts to thank the law enforcement officers, medical professionals, first responders and citizen heroes for their incredible bravery and sacrifice during and after the tragic events last week at the Boston Marathon.

Given the time constraints, I'd like to now yield to my colleague from Massachusetts, BILL KEATING.

Mr. KEATING. I'd like to thank my colleague for yielding.

Mr. Speaker, I'd like to thank so many of our colleagues that we work with day in and day out. When we came here back into session, so many of them gave their heartfelt feelings for all those that were hurt during the terrible marathon bombing that occurred in Boston on April 15.

We first remember those that lost their lives during this terrible, terrible tragedy. And there's never words that are adequate to deal with these issues. That type of loss to family, to friends, to loved ones can't really be put into words.

□ 1420

I can only convey my own, as well as our colleagues', sympathy for those families. Four young people's lives were taken too quickly from us—all—four people who had so much to give. They were four people who we had a glimpse of with the accounts of their lives as the public mourned and joined with their families at their loss. It was just a glimpse. But what a glimpse:

A young boy, Martin Richard, had a profound message, as his poster revealed to all: "No more hurting people. Peace."

Lu Lingzi, who came here from another country to study and to better herself; an accomplished student, pianist, a young woman who had developed tremendous friendships in the short time she was here, who came to this country to learn more, to become more, and to offer more.

Sean Collier, a young police officer who dedicated himself to helping people. To protect and to serve, that was his goal. He gave his life doing just that.

Krystle Campbell, a young, vibrant woman; a person who, despite a busy life, busy schedule, put much of her life on hold—over a year—to help her grandmother when she was ill.

There were the first responders and the people that were injured, over 280, including Richard Donohue, an MBT police officer who participated with Watertown police in slowing down these perpetrators before they could harm more people. He was seriously injured. We pray for him in the process.

There were first responders on the scene, including civilians who just risked everything they had to provide emergency aid and help to those runners and those bystanders who were there. They were first responders that had been trained for years for terrible moments like this, who sacrificed their safety moving forward—EMTs, police officers, firefighters.

The incredible medical community in the Boston area, some of whom ran to work knowing what happened and were there, ready, emergency room doors opened, everything in place, saving lives.

We honor the citizens in our area who all gave up a small part of their freedom listening to their leaders who displayed good judgment, common sense, and moving forward to put their safety first.

Those lives of those four young people that aren't with us now, as well as the lives of those people that are recovering from the injuries and those first responders that helped us, will not be defined by a depraved act of violence of two individuals. These people are the definers themselves: givers, people that care. That's who we are. They define the best in us, the selfless side in us. They define the best of what's Boston. They define the best of what's in the Commonwealth of Massachusetts. They define the best of us as Americans. And they are all to be remembered today. It's a time to put politics aside and remember what a great country we have because of individuals like this.

Ms. TSONGAS. I thank the gentleman and appreciate very much his heartfelt comments.

At this time, I would like to yield to my colleague from Rhode Island, DAVID CICILLINE.

Mr. CICILLINE. I thank the gentle lady very much for yielding and thank my other colleagues for accommodating me.

My home is in Providence, Rhode Island, which is about an hour south of Boston. Two weeks ago, several of my friends and neighbors traveled to Boston to compete in the marathon. When I first learned of these horrific attacks, my thoughts first turned to them and their families.

Like all Rhode Islanders, I've kept the people of Boston and their loved ones in my thoughts and prayers over the past 2 weeks. It's in moments such as this that words fail to adequately describe the pain we feel in our hearts, our continuing sense of disbelief, and the anger we hold toward those responsible for such a senseless and vicious attack—the actions of these two individuals that demonstrated such a callous disregard for so many lives, some were ended and many were irreversibly changed.

These attacks were an attempt to shake the very foundation of our democratic and free society. But after these bombs exploded on a beautiful sunny day in Boston and we saw the incredible harm caused to so many, we also witnessed the very best of humanity in the courageous actions of the brave men and women who responded to this attack, helped care for the injured, and relentlessly pursued their perpetrators and brought them to justice.

We think about those brave police officers and first responders who witnessed these attacks firsthand and instinctively raced towards the source of these blasts so they could assist the wounded and keep others from harm. We think also about a 26-year-old MIT campus police officer who was murdered as he worked to keep his community safe. We think about an MBTA transit police officer who never hesitated when he answered a call to report immediately to Watertown and continues to fight after sustaining life-threatening injuries trying to apprehend these suspects.

Sometimes it takes a tragic event to remind us of the incredible sacrifices our first responders make every single day. And the heroism demonstrated by these men and women in the face of such overwhelming danger helps remind us just how much we owe to those who keep our communities safe in cities and towns all across this country.

These attacks were designed to strike fear and intimidate the people of Boston and all Americans. But instead, they brought out the very best that our country has to offer, not just in the actions we saw from men and women in Boston, but in the generosity shown by those who gave blood, donated money, and did everything they could to bring any measure of relief for the victims and their families.

I join my colleagues in applauding their service today, and ask that all of us remember the responsibility that those of us in the House have to serve our first responders and to continue to

keep the families affected by this attack in our thoughts and prayers.

Ms. TSONGAS. Mr. Speaker, on April 15 and in the days after, local, State, and Federal law enforcement personnel from across the Commonwealth of Massachusetts and nearby States of Rhode Island and New Hampshire joined in a weeklong effort to respond to the marathon bombing and assist in finding and capturing the suspects. These dedicated first responders saved hundreds of lives in the immediate aftermath of the attack and saved countless more from the threat of future attacks.

Through unprecedented communication and confident leadership, public safety agencies at every level coordinated to bring justice down upon those responsible. Their actions proved that no act of terror can blunt the spirit of resiliency, of fortitude, of endurance that is at the heart of the American people.

As relief and pride wash over the Boston area, we must not forget that there is still much healing to be done. Our thoughts and prayers continue to be with the families of Martin Richard, a young boy whose big smile we will never forget and whose sign, "No more hurting people. Peace," is a living challenge to all of us; Krystle Campbell, a fine young woman who, since she could, has attended virtually every marathon day, so emblematic of the great event that it is for the city of Boston, but also for the entire Commonwealth and region; Lu Lingzi, a young student from China, so emblematic of the ways in which Boston's great academic institutions draw people from across the world to share in the great treasure that we have there, but also to participate in those great days that are uniquely American, like Patriots' Day; and Officer Sean Collier, somebody beloved by the student body.

□ 1430

I had several MIT students in to see me just a couple of days ago. They said everybody knew him and everybody liked him.

And the more than 200 innocent people—a number from my district—who suffered severe injuries from this senseless attack, we want to remember and encourage all of them as they go forward.

Jeff Bauman, who suffered tragic loss of limbs, but who, as he came out of surgery, was able to help identify the suspects.

The Corcoran family, a mother and daughter who are currently sharing a hospital room together as they begin the long journey of recovery but who are already having tremendous assistance. Lowell High School, where Krystle is a student, sent prom tickets to be sure that she would make her way there. And many amputees, who have successfully gone on to new lives, were in the waiting room waiting to

encourage them as they go forward and to show them what is possible.

Richard Donohue, Jr., the MBTA Transit policeman who rushed to assist, doing his duty critically injured.

Also from my district, Brittany Loring, Steven Byrne, James Gauntlett, David Yepez, many members of the White family, the Brassard family, and Roseann Sdoia; remarkable people who shared in a tremendous and troubling moment in our history.

I'd also like to remember some other specific people who have roots to my district.

Commissioner Ed Davis. I have known Commissioner Davis since his early days on the beat in my hometown of Lowell. During a 28-year career at the Lowell Police Department Davis worked as a beat cop, a detective, and a vice and narcotics officer before being named chief in 1994.

During his time in Lowell, Chief Davis helped to turn around our city and set it off into an age of growth. We were proud of him when he left to become the Boston Police Commissioner, and we are even more proud of him now.

Commissioner Davis showed extraordinary intelligence, professionalism, poise and confidence from Monday through the capture of the suspects on Friday. He was a calming influence in a time of great chaos and crisis. He deserves the thanks and gratitude of the people of Boston, of our Commonwealth, and of our country.

I commend Special Agent in Charge Richard DesLauriers, who proved himself extremely capable during the entire crisis as he oversaw the massive operation of identifying and tracking down the suspects and helped bring the swift arm of justice down upon those responsible.

Also, at times of great crisis we look to our leaders for guidance and confidence. Our leaders—city, State and Federal—did not shy away but rather confronted the chaos head-on, challenged the evil, and pushed forward so that we could, together as one community, arrive quickly at healing and justice.

In particular, Mayor Tom Menino. This mayor came from the hospital to be involved in the aftermath and suspect search. Seeing him on television in a wheelchair gave everyone a great feeling of pride, and we couldn't help but notice how deeply he cares for the city he has so ably overseen for many years. He embodies the grit and toughness that Boston is known for. He embodies Boston Strong.

Governor Deval Patrick was a true leader during a time of crisis. He helped oversee the coordination of so many agencies to ensure optimal collaboration and made sure the public was up to date and aware of the situation as it developed, as we all watched moment to moment from our homes or

whatever we might be. He stood with gravitas and a determined, strong composure that trickled down throughout the State public safety agencies.

And we will always appreciate President Barack Obama's deep involvement since the start. His words during the service at the Cathedral of the Holy Cross were a touching example of our Nation's unwavering resolve. As much as we are Boston Strong, Commonwealth Strong, we are all one and we are all strong.

I have to say that the interfaith service was a remarkable moment, when representatives of the many different faiths came together as we embarked on a journey of healing and reassurance about the unity, strength and resiliency that Boston is known for.

It was a uniquely American day. The marathon that is much celebrated draws people from across the world, across our country, across Massachusetts; a great Red Sox game—many go from one event to the other; and Patriot's Day, which commemorates the beginning of the American Revolution, the reenactment of Paul Revere's ride, and the Shot Heard Around the World. The commemoration takes place in my district.

All of that is to say that we will work hard to follow up with and be strong supporters of those who still seek to recover, make sure they have all the necessary resources going forward, and that they have the strong support of their community and friends. And we will do all that it takes to move forward from this tragic moment and to make of it something good that brings us all together and helps continue this country on a path of healing.

With that, I'd like to yield to my colleague from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I first want to thank my colleague, NIKI TSONGAS, for organizing today's Special Order, and I thank her for the time.

It is with immense gratitude that I rise to honor Massachusetts' first responders today. While I'm always proud to call myself a resident of the Commonwealth of Massachusetts, being from Massachusetts has carried a very special significance these past 12 days.

The tragic bombings that occurred on April 15 took three precious, innocent lives and caused hundreds of others to suffer devastating wounds. A former intern of mine, Patrick Downes, and his wife, Jess, were wounded. I want them to know that we are continuing to pray for them and for all the others who are wounded.

We also remember Officer Sean Collier, an MIT police officer who was shot and killed. Our prayers are with his family.

So many lives were upended by this tragic, senseless act of violence. Citi-

zens of the Commonwealth and Americans across the country are still coping with the horror of the bombings that took place on what is normally a celebratory day in Massachusetts—Patriot's Day. Amidst these acts of violence and terror, our belief in the fundamental goodness of people is strengthened when we reflect on the courageous acts of so many in the wake of such a tragedy.

I want to recognize the incredible sacrifices of Massachusetts' first responders and the sacrifices that they made from the moment the bombs went off until the time the final suspect was apprehended.

Even as we speak, victims are still being treated by medical professionals at some of the world's finest hospitals, like Massachusetts General, Beth Israel Deaconess, Boston Medical Center, Brigham and Women's, and Boston's Children's Hospital, among others.

Police, firefighters, medical professionals, members of the National Guard, even ordinary citizens rushed to the scene of the bombing last week in order to help the wounded, potentially putting themselves in harm's way. Sleep was the last thing on the minds of many of these selfless men and women who worked back-to-back shifts in support of the communities they call home.

The extraordinary response of the Boston medical community is very much a part of the story of the 2013 Boston Marathon. The explosions took place at 2:50 p.m. Emergency medical teams mobilized immediately, and 35 minutes later—after the injured were swiftly and efficiently stabilized, transported and triaged at hospitals throughout the city—the first patient was wheeled into an operating room. Nurses, doctors, all medical personnel simply showed up to help.

I want to recognize the incredible leadership of President Obama, of Governor Deval Patrick, and of Boston Mayor Tom Menino. They offered words of comfort, they reassured us, and they helped us get through this terrible ordeal. I was particularly moved to see Mayor Menino, who was recovering from a broken leg, stand tall and lead his great city.

I also want to recognize Richard DesLauriers, the special agent in charge of the Boston FBI and an Assumption College graduate, for his outstanding work which led to the apprehension of the final suspect. They have all made our State very proud.

At the interfaith service last week, we showed the world that Boston and Massachusetts will not be deterred. We are a resilient community, and we will emerge from this stronger than ever. In a week where we saw the very best and worst of human behavior on display, I am proud to say that Massachusetts' best, our first responders, triumphed.

While we continue to reflect on the tragedies of last week, we move forward with a renewed sense of pride, knowing that their exceptional commitment to public service is what makes us all Boston Strong.

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Ms. TSONGAS. I thank the gentleman and appreciate his comments and the fact that we are all coming together to talk about this event we are still working very hard to comprehend.

With that, I would like to yield to my colleague, our newest Member from Massachusetts, Congressman KENNEDY.

Mr. KENNEDY. I would like to begin by thanking the gentlelady from Massachusetts for the opportunity and most importantly for pulling us all together here today to mark a moment that none of us will ever forget, a signature moment in Massachusetts history.

I also want to begin by recognizing the victims of the horrific attacks that happened last Monday. Our thoughts and prayers are with them and their families as they begin a long road to recovery. I, I think like many of my colleagues from Massachusetts and like so many people from Massachusetts and from really around the country and around the world, have always delighted in Marathon Monday. I don't know how many times I went out and watched the runners as they ran by on their quest to the finish line on Boylston Street. My stepmother has actually run the marathon a number of times; and together with my dad and brother, we would often go down to Heartbreak Hill to watch the runners at the time that they need it most.

As you see all the runners run by, I think one of the things that always stuck with me was how many people were there cheering them on. As you think about it, 26.2 miles, with people from the very beginning in Hopkinton to the end on Boylston Street in Boston, two, three, four, five rows deep on each side of the street, sitting there, screaming, yelling, offering a bottle of water or literally a hand to those who are trying, striving for an incredible feat of personal endurance and excellence.

That is really, I think, to me what that marathon, what that day, is all about. It's about a community that comes together to cheer on not just the runners but to celebrate what we have built together, to recognize that that day isn't just about those individual feats of excellence but about a community that is willing to cheer on complete strangers, for runners to know—and you'll hear it if you talk to those that have competed in that race—that, yes, it is an extraordinarily difficult course, but that Boston is one of the best marathons to run because there is always a crowd that is there to carry you through to the finish line. Complete strangers, people you have never

seen before and will never see again, but they are there to offer a hand.

And so it was with great sadness, but also great pride, that I watched the events unfold on Monday, to see complete strangers run into danger rather than flee from it; to see our first responders answer our call of bravery without hesitation; to meet the doctor that after running the marathon and completing 26.2 miles ran to work so that he could get started helping save victims; to meet some of the victims and their families, to know that we will never, despite how much we have come together, be able to replace Martin and Krystle and Lu and Officer Collier, but that the long path to recovery, that we will be there with them for every step of the way; to recognize the law enforcement officers that put themselves in grave danger, never quite knowing what might happen or what weapons these two terrible individuals might have on them, that took great risks for the sake of safety for our own communities; to the investigators and the prosecutors that now have the long task of bringing these individuals to justice; to our sports teams, to the 17,000 strong that sang the national anthem in Boston Garden and the 30,000-plus that belted it out at Fenway Park; to Mayor Menino, Vice President BIDEN and President Obama for their leadership in this difficult time; to the One Fund for Boston that in shortly over 10 days has already grown to over \$20 million, pouring in from citizens from around the country to help provide a little bit of relief to those who will need it most in this long road to recovery.

It is an extraordinary message, a powerful symbol that gets back to what Boston and Massachusetts have always been about. From the first people that set foot on our shores, the earliest settlers and the Pilgrims, that we have each other's backs and we always will, and that next year on Patriots Day the marathon will be run more crowded and louder than ever.

Ms. TSONGAS. I thank my colleague for his very insightful comments. It is so true: it's a spirit of community that was so evident. It's embedded in the race itself, the marathon itself. It's something that was so evident as everybody responded, as the bombs went off to tragic effect. It's been followed up with all the tremendous outpouring of contributions both to individual funds as well as the One Fund; and in the smallest of ways, as I mentioned, Lowell High School sent prom tickets to Sydney Corcoran, wanting to make sure that she would be able to attend, and also that spirit of help from across the country, to have a young man who lost his leg in a shark attack in Hawaii at his own expense come to Boston to visit with some of those who had sadly lost their legs, to say, yes, you're going to be, not fine, forever changed, but

your life will be very productive and positive. We have seen this over and over again, and I thank you for your comments.

With that, I would like to yield to my colleague from New Hampshire, Congresswoman CAROL SHEA-PORTER.

Ms. SHEA-PORTER. Thank you very much for having this moment, an opportunity to talk about Boston and also to talk about the country and to talk about Boston's neighbor, New Hampshire.

On that day, like so many others, I had a family member whose brother-in-law was running in that race and he was running because his father had died of cancer. And so many people were running for causes that day. Fortunately, the family is fine, but some families were devastated beyond belief.

You know, Boston is a small city, but it's a great city; and New Hampshire is a small State, but it's a great State. And so what happens to Boston and what happens to Massachusetts is felt deeply in New Hampshire. You see, we work together, we play together, and we attend events together. We also grieve together. And so when that call came to New Hampshire, when Boston reached out and asked our police forces to help, the answer from a Nashua SWAT team member was, of course we can. The answer from the Manchester SWAT team—Manchester, New Hampshire—was, yes, and they were on their way. The answer from the Seacoast Emergency Response Team, SERT, that has officers from 11 different seacoast communities was, yes; and the answer from the New Hampshire State Police SWAT and the explosives disposal unit was, yes, we'll be there.

They understood the danger, but they also understood that they were needed and they didn't hesitate. And the stories coming from that experience are very moving. One team reported how an elderly woman in Watertown had hidden behind her couch for hours. You can imagine the terror that the residents felt. And yet our first responders were there, the police were there, the comfort was there.

So as we pray for the victims and we remember those who died, the victims are also from New Hampshire and many other States, as we know, and somebody died from a foreign country, but we're all one. We're all Boston strong. As we remember all of them, we thank our police officers and our first responders for always being there when we need them because, as they said when the call came, yes, of course we'll do that.

Thank you very much for having this.

Ms. TSONGAS. I thank the gentlewoman and appreciate very much her comments as well as the shared commitment of Rhode Island, New Hampshire, and Massachusetts to responding to the horrific attacks.

As we face the days ahead, Patriots Day will continue to be a day when we commemorate a people who refused to be terrorized and courageously defend the ideals on which our Nation was founded.

In the words of our great poet Ralph Waldo Emerson, "Our flag will most defiantly remain unfurled in April's breeze."

I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I rise in remembrance of the victims of the terrorist bombings that struck the City of Boston during the 117th running of the Boston Marathon on April 15, 2013. I rise also in prayer for the recovery of all those who were injured in this horrific attack and to honor the heroism of the responders to this tragedy.

Krystle Campbell, a resident of Arlington in my Congressional District and graduate of Medford High School, lost her life at the Boston Marathon finish line doing what she loved to do: support other people. She was 29 years old, just a few weeks from her 30th birthday, with a lifetime of helping more people ahead of her.

Krystle's annual pilgrimage to the marathon represented who she was, says her family. When people needed support, Krystle was there. When her grandmother needed help following surgery, Krystle moved in with her for two years to help her recover.

Krystle's smile, hard work, and constant happy demeanor is what her family and friends will miss. But most of all, they will miss what she was always known for: being there when you needed her, being a joyful, active participant in the lives of her family and friends.

In our grief, we know that Krystle is still there, still cheering all of us on, still there in our hearts. Today we honor her memory and the joy she brought to so many lives.

Martin Richard, an eight-year old boy from Dorchester, Massachusetts, had his entire life ahead of him.

He loved to play sports, draw pictures, and was dearly loved by his family, friends, classmates, and community.

Lu Lingzi came to the United States from China to study statistics at Boston University. She posted to her friends that morning of April 15th that she was enjoying her day. Lu Lingzi reminds us of our common humanity, and that these senseless acts of terrorism are crimes that have no borders.

In the seconds, hours, and days following the bombings, Massachusetts and the nation witnessed the courage, dedication, and sacrifice of law enforcement officers and other first responders. Officer Sean Collier of Wilmington, Massachusetts, gave his life, the ultimate sacrifice, during this ordeal.

Sean was an outstanding officer of the MIT police force on his way to a position on the Somerville police force. Yesterday the Somerville Board of Aldermen unanimously voted to posthumously name Sean Collier a Somerville police officer. Somerville's Mayor Joseph Curtatone said "This person was exemplary as a public servant and a human being. He would have been an outstanding member of the Somerville Police Department."

Officer Collier was on his regular shift, protecting the students at MIT, when he was assassinated by two twisted individuals as Officer Collier sat in his police cruiser.

We mourn his loss, along with his family, the MIT community, Massachusetts, and Americans everywhere.

Officer Collier was known by his family, friends, and co-workers as a generous, kind, and dedicated individual and officer. His friends say he was always armed with a sense of humor, and his roommate who trained with him at the academy said his only fault was that he was too brave.

Officer Collier represents the best of Massachusetts and of law enforcement. We honor his memory and know that his life of service and sacrifice will never be forgotten by Massachusetts or the nation.

In the early morning of Friday, April 19, 2013, after a week of searching for suspects in the Boston Marathon bombings, and just hours after an MIT officer had been assassinated, Massachusetts law enforcement spotted and engaged the two brothers who were accused of committing the bombings.

The officers who exchanged fire with the two brothers were met with heavy resistance by the suspects. 200 or more rounds of ammunition are reported to have been fired on the corner of Dexter and Laurel Streets in Wattertown, Massachusetts, in my congressional district. The bombers also hurled explosives at the officers, turning a city street into a battlefield.

One officer of the MBTA police force, Richard Donohue, Jr., was struck in the leg during the firefight. He likely did not know then, but his academy classmate and friend, Sean Collier of the MIT police force, was the officer felled by the bombing suspects hours earlier.

Officer Donohue of Woburn in my congressional district raced to help his fellow officers—not a surprise for an officer known as an avid runner and a dedicated public servant. His family notes that his great-great-grandfather even won the Boston Marathon, where Officer Donohue started his week working a shift at this iconic race.

Officer Donohue is being cared for in the hospital, with his family by his side. An entire Massachusetts family of citizens remains forever in his debt for putting his life on the line to keep us safe.

We mourn the innocent victims who lost their lives on Patriots Day at the Boston Marathon: Krystle Campbell, Martin Richard and Lu Lingzi. We grieve for Officer Sean Collier, who was killed by the bombers as he protected the students at the Massachusetts Institute of Technology (MIT). We pray for the recovery of MBTA Police Officer Richard Donohue, Jr. and all those injured in the blasts. We honor the heroism of all of our police officers, fire fighters, medical staff and other emergency responders.

We will never forget. We will always remain "Boston Strong".

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

Mrs. BEATTY (at the request of Ms. PELOSI) for today on account of a family emergency.

Mr. JONES (at the request of Mr. CANTOR) for today on account of personal reasons.

Mrs. WALORSKI (at the request of Mr. CANTOR) for today on account of the death of Sandy Decesaro, a close personal friend.

ADJOURNMENT

Ms. SHEA-PORTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until Tuesday, April 30, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1310. A letter from the Board Chair and CEO, Farm Credit Administration, transmitting the Administration's final rule — Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Accounting and Reporting Requirements; Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; GAAP References and other Conforming Amendments (RIN: 3052-AC75) received April 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1311. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter authorizing Brigadier General Lewis A. Craparotta, United States Marine Corps, to wear the insignia of the grade of major general; to the Committee on Armed Services.

1312. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding the department's intentions to continue to expand the role of women in the Army and Marine Corps; to the Committee on Armed Services.

1313. A letter from the Assistant, Board of Governors of the Federal Reserve Bank, transmitting the System's final rule — Definitions of "Predominantly Engaged In Financial Activities" and "Significant" Nonbank Financial Company and Bank Holding Company [Regulation PP; Docket No. R-1405] received April 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1314. A letter from the Deputy Associate Director for External Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's Consumer Response Annual Report for 2012; to the Committee on Financial Services.

1315. A letter from the Assistant Director for the Office of Older Americans, Consumer Financial Protections Bureau, transmitting a Report on Senior Designations for Financial Advisors; to the Committee on Financial Services.

1316. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2013-0002] received April 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1317. A letter from the Secretary, Department of Health and Human Services, transmitting the FY 2012 annual report on mining activities as required by the Mine Improvement and New Emergency Response Act of 2006; to the Committee on Education and the Workforce.

1318. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's "Major" final rule — Energy Conservation Program: Energy Conservation Standards for Distribution Transformers [Docket No.: EERE-2010-BT-STD-0048] (RIN: 1904-AC04) received April 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1319. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Geologic Sequestration of Carbon Dioxide: Draft Underground Injection Control (UIC) Program Class VI Well Plugging, Post Injection Site Care, and Site Closure Guidance received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1320. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Evaluations of Explosions Postulated to Occur at Nearby Facilities and on Transportation Routes Near Nuclear Power Plants (Regulatory Guide 1.91) received April 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1321. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Military Force Against Iraq Resolution of 1991 (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the December 22, 2012 — February 19, 2013 reporting period including matters relating to post-liberation Iraq, pursuant to Public Law 107-243, section 4(a) (116 Stat. 1501); to the Committee on Foreign Affairs.

1322. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations for the Cooperative Threat Reduction; to the Committee on Foreign Affairs.

1323. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2012 through January 31, 2013; to the Committee on Foreign Affairs.

1324. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning methods employed by the Government of Cuba to comply with the United States-Cuba September 1994 "Joint Communiqué" and the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement", together known as the Migration Accords; to the Committee on Foreign Affairs.

1325. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1326. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding actions under the Iran Sanctions Act; to the Committee on Foreign Affairs.

1327. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Initial Implementation of Export Control Reform (RIN: 1400-AD37) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1328. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Foreign Affairs.

1329. A letter from the Human Resources Specialist, Department of Defense, transmitting three reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1330. A letter from the Director, Office of Diversity Management and Equal Opportunity, Department of Defense, transmitting the Department's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1331. A letter from the Human Resources Specialist, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1332. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting eight reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1333. A letter from the Diversity and Inclusion Programs Director, Federal Reserve System, transmitting the ninth annual report pursuant to Section 203(a) of the No FEAR Act, Pub. L. 107-174, for fiscal year 2012; to the Committee on Oversight and Government Reform.

1334. A letter from the President, Inter-American Foundation, transmitting the Foundation's annual report for FY 2012 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1335. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ending June 30, 2012, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

1336. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, "Executive Summary of the 2012 Annual Report of the Director of the Administrative Office of the U.S. Courts"; to the Committee on the Judiciary.

1337. A letter from the Principal Deputy Assistant Attorney General, Department of

Justice, transmitting a follow up letter on a challenge to the Defense of Marriage Act; to the Committee on the Judiciary.

1338. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a report entitled, "Debt Collection Recovery Activities of the Department of Justice for Debts Referred to the Department for Collection Annual Report for 2012"; to the Committee on the Judiciary.

1339. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's "Major" final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program, Part 2 (RIN: 1205-AB69) received April 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1340. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Documentation of Immigrants Under the Immigration and Nationality Act, as Amended (RIN: 1400-AD39) received April 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1341. A letter from the Director, Office of National Drug Control Policy, transmitting High Intensity Drug Trafficking Areas (HIDTA) Program Report to Congress; to the Committee on the Judiciary.

1342. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Ice Conditions; Baltimore Captain of the Port Zone [Docket No.: USCG-2012-0986] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1343. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorages; Lower Mississippi River, Above Head of Passes, Convent, LA and Point Pleasant, LA [Docket No.: USCG-2012-0103] (RIN: 1625-AA01) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1344. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Lake Champlain, Swanton, VT [Docket No.: USCG-2012-0918] (RIN: 1625-AA09) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1345. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Change to Enforcement Period, Patapsco River, Northwest and Inner Harbors; Baltimore, MD [Docket No.: USCG-2012-1075] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1346. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; MODU KULLUK; Kuluida Bay, Kodiak Island, AK to Captains Bay, Unalaska Island, AK [Docket No.: USCG-2013-0091] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1347. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Implementation of MARPOL Annex V Amendments

[Docket No.: USCG-2012-1049] (RIN: 1625-AB97) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1348. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Marine Vapor Control Systems [USCG-1999-5150] (RIN: 1625-AB37) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1349. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; New Haven Harbor, Quinnipiac and Mill Rivers, CT [Docket No.: USCG-2009-1021] (RIN: 1625-AA09) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1350. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Transportation of Agricultural Commodities [Docket No.: FMCSA-2012-0378] (RIN: 2126-AB58) received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1351. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2010 annual report on the Child Support Enforcement Program; to the Committee on Ways and Means.

1352. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — May 2013 (Rev. Rul. 2013-11) received April 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1353. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on the National Security Education Program (NSEP) for 2012, pursuant to 50 U.S.C. 1906; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

1354. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled "Report to Congress on Iran-Related Multilateral Sanctions Regime Efforts" covering the period from August 17, 2012 to February 16, 2013; jointly to the Committees on Foreign Affairs, Financial Services, and Ways and Means.

1355. A letter from the Board Members, Railroad Retirement Board, transmitting Congressional Justification of Budget Estimates for Fiscal Year 2014, including the Performance Plan, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Transportation and Infrastructure, Ways and Means, and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LUCAS (for himself, Mr. NUGENT, Mr. MULLIN, Mr. LAMALFA, Mr. GRIFFITH of Virginia, and Mr. POSEY):

H.R. 1764. A bill to limit the amount of ammunition purchased or possessed by certain Federal agencies for a 6-month period; to the Committee on Oversight and Government Reform.

By Mr. LATHAM:

H.R. 1765. A bill to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on Transportation and Infrastructure, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; considered and passed.

By Ms. WATERS:

H.R. 1766. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the application of the sequestration to funds associated with the operation of air traffic control towers, and for other purposes; to the Committee on the Budget.

By Ms. WATERS (for herself, Mr. WATT, Mr. MEEKS, Mr. CLAY, Mr. LYNCH, Mr. ELLISON, Mr. HIMES, Mr. PETERS of Michigan, Mr. FOSTER, and Mr. MARKEY):

H.R. 1767. A bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes; to the Committee on Financial Services.

By Mr. ROYCE (for himself, Ms. ROSELEHTINEN, Mr. CHABOT, Mr. MCCAUL, Mr. POE of Texas, Mr. SALMON, Mr. KINZINGER of Illinois, Mr. COTTON, Mr. HOLDING, Mr. WEBER of Texas, Mr. PERRY, Mr. DESANTIS, Mr. RADEL, Mr. COLLINS of Georgia, Mr. MEADOWS, Mr. MESSER, and Mr. GRIMM):

H.R. 1768. A bill to amend the Diplomatic Security Act to require certain notifications to Congress of Accountability Review Boards of the Department of State, avoid conflicts of interest of the members of such Boards, require actions with respect to reports from such Boards, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RICHMOND:

H.R. 1769. A bill to improve energy infrastructure resilience through federal water resource investments, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHAFFETZ (for himself, Mr. BARBER, Mr. BISHOP of Utah, Mr. RICE of South Carolina, and Mr. STEWART):

H.R. 1770. A bill to amend title 10, United States Code, to eliminate the different treatment under the Survivor Benefit Plan accorded members of the reserve components who die from an injury or illness incurred or aggravated in the line of duty during inactive-duty training compared to members of the Armed Forces who die in the line of duty while on active duty; to the Committee on Armed Services.

By Mr. ROYCE (for himself, Mr. ENGEL, Mr. CHABOT, Ms. ROSELEHTINEN, Mr. ROHRBACHER, Mr. POE of Texas, Mr. SHERMAN, and Mr. SALMON):

H.R. 1771. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. GOODLATTE, Mr. CALVERT, Mr. GOWDY, Mr. WESTMORELAND, Mr. STIVERS, Mr. LANCE, Mr. KING of New York, Mr. DEFazio, Mr. SENSENBRENNER, Mr. FRANKS of Arizona, Mr. POE of Texas, Mr. SCHWEIKERT, Mr. ROYCE, Mrs. BLACKBURN, Mr. FORBES, Mr. CHAFFETZ, Mr. BURGESS, Mr. LABRADOR, Mr. FARENTHOLD, Mr. HOLDING, Mr. BISHOP of Utah, and Mr. ISSA):

H.R. 1772. A bill to amend the Immigration and Nationality Act to make mandatory and permanent requirements relating to use of an electronic employment eligibility verification system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. SMITH of Texas, Mr. GOWDY, Mr. FARENTHOLD, Mr. WESTMORELAND, Mr. POE of Texas, Mr. HOLDING, Mr. PETERSON, and Mr. HURT):

H.R. 1773. A bill to create a nonimmigrant H-2C work visa program for agricultural workers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. GRIMM, Mr. CARTWRIGHT, Mr. CONYERS, Mr. DEFazio, Mr. GRJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. MCGOVERN, Mr. RANGEL, Mr. HINOJOSA, Ms. NORTON, Mr. ENYART, Mr. DINGELL, and Mr. BISHOP of New York):

H.R. 1774. A bill to amend title 38, United States Code, to provide for the reemployment of certain persons following absences from a position of employment for the purpose of obtaining medical treatment for certain injuries and illnesses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FITZPATRICK (for himself, Ms. SCHWARTZ, Mr. MARINO, Mr. BRADY of Pennsylvania, Mr. GRIMM, Mr. KING of New York, Mr. BARLETTA, Mr. FATTAH, and Mr. CARTWRIGHT):

H.R. 1775. A bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FARR (for himself, Mr. VALADAO, and Mr. DENHAM):

H.R. 1776. A bill to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, to designate the Joaquin Rocks Wilderness in such counties, to designate additional components of the national wild and scenic rivers system, and for other purposes; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey (for himself, Mr. RUSH, and Ms. BASS):

H.R. 1777. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees

on Ways and Means, Small Business, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself and Ms. VELÁZQUEZ):

H.R. 1778. A bill to mandate training of members of the Foreign Service to protect the rights of United States citizens in the custody of foreign governments, to deny entry into the United States of officials of any foreign government, including their immediate family members, who commit or who fail to rectify fundamental due process and human rights violations of United States citizens in the custody of a foreign government, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FINCHER (for himself, Mr. THOMPSON of Mississippi, and Mr. GARY G. MILLER of California):

H.R. 1779. A bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage; to the Committee on Financial Services.

By Mr. CAMP (for himself, Mr. SAM JOHNSON of Texas, Mr. BRADY of Texas, Mr. NUNES, Mr. BOUSTANY, Mr. SCHOCK, and Mr. ROSKAM):

H.R. 1780. A bill to provide that the only health plans that the Federal Government may make available to the President, Vice President, Members of Congress, and Federal employees are those created under the Patient Protection and Affordable Care Act or offered through a health insurance exchange; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. COHEN, Mr. PIERLUISI, Mr. WHITFIELD, Mr. CONNOLLY, Mr. CUELLAR, and Ms. FOX):

H.R. 1781. A bill to amend the Immigration and Nationality Act to provide for special immigrant status for certain spouses and children of employees of the United States Government abroad killed in the line of duty; to the Committee on the Judiciary.

By Mr. RIGELL (for himself, Mr. WITTMAN, Mr. GRIFFITH of Virginia, and Mr. HURT):

H.R. 1782. A bill to require the Secretary of the Interior to conduct offshore oil and gas Lease Sale 220 as soon as practicable, and for other purposes; to the Committee on Natural Resources.

By Mr. LATHAM (for himself and Mr. MCINTYRE):

H.R. 1783. A bill to direct the Secretary of Agriculture to issue loan guarantees for purposes of financing improvements to school lunch facilities, training school food service personnel, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of Michigan (for himself, Mr. STIVERS, Mr. CONYERS, Ms. CHU, Mr. ELLISON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HONDA, Mr. HUIZENGA of Michigan, Mr. JOHNSON of Georgia, Mr. LEVIN, Mr. MCGOVERN, Mr. MORAN, Mr. POLIS, and Mr. SCHIFF):

H.R. 1784. A bill to reform and modernize domestic refugee resettlement programs, and for other purposes; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. SMITH of Washington):

H.R. 1785. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. NEUGEBAUER:

H.R. 1786. A bill to reauthorize the National Windstorm Impact Reduction Program, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself and Mr. WELCH):

H.R. 1787. A bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Ways and Means.

By Mrs. BACHMANN (for herself, Mr. PETERSON, Mr. KLINE, Mr. JONES, Mr. BACHUS, Mr. LATTI, Mr. HUIZENGA of Michigan, Mr. COLE, and Mr. DUNCAN of South Carolina):

H.R. 1788. A bill to amend the Migratory Bird Treaty Act to delegate to States the authorities of the Secretary of the Interior under that Act with respect to cormorants, and for other purposes; to the Committee on Natural Resources.

By Mr. BARR:

H.R. 1789. A bill to amend the Federal Crop Insurance Act to require advance public notice of any modification to be made in the terms or conditions of any policy or plan of insurance offered under such Act; to the Committee on Agriculture.

By Ms. BASS (for herself, Mr. RANGEL, Ms. WILSON of Florida, Mr. ENYART, Mr. GRIJALVA, and Ms. JACKSON LEE):

H.R. 1790. A bill to amend title XIX of the Social Security Act to extend to physician assistants eligibility for Medicaid incentive payments for the adoption and use of certified electronic health records, whether or not such physician assistants practice at a rural health center or Federally qualified health center; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself, Mrs. BROOKS of Indiana, and Mr. KING of New York):

H.R. 1791. A bill to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities; to the Committee on Homeland Security.

By Mr. COFFMAN (for himself and Mr. ROE of Tennessee):

H.R. 1792. A bill to amend title 38, United States Code, to direct the Secretary of Vet-

erans Affairs to report cases of reportable infectious diseases at medical facilities of the Department of Veterans Affairs in accordance with State law; to the Committee on Veterans' Affairs.

By Mr. CONNOLLY (for himself, Ms. BASS, and Mr. BLUMENAUER):

H.R. 1793. A bill to establish a framework for effective, transparent, and accountable United States foreign assistance, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY:

H.R. 1794. A bill to amend the Emergency Food Assistance Act of 1983 to provide for the increased purchase of Kosher and Halal food and to modify the labeling of the commodities list under the emergency food assistance program to enable Kosher and Halal food bank operators to identify which commodities to obtain from local food banks; to the Committee on Agriculture.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. SCHIFF):

H.R. 1795. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Ways and Means.

By Ms. DUCKWORTH (for herself, Mr. HUNTER, Mr. TAKANO, Mr. BILIRAKIS, Mr. BRADY of Pennsylvania, Mr. RAHALL, Mr. MAFFEI, Mr. GALLEGOS, Mr. GARAMENDI, Ms. SCHAKOWSKY, Ms. BROWNLEY of California, Mr. FOSTER, Mrs. CAPPS, Mr. ENYART, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mr. JONES, Mr. CASTRO of Texas, Ms. ESTY, Ms. GABBARD, Mr. HINOJOSA, Mr. HARPER, Ms. SINEMA, Ms. KUSTER, Mr. JOHNSON of Ohio, Mrs. BUSTOS, Mr. HONDA, and Mr. BARBER):

H.R. 1796. A bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of Arizona (for himself, Mr. SMITH of New Jersey, Mr. SCALISE, Mr. GOSAR, Mr. SCHWEIKERT, Mr. SALMON, Mr. JONES, Mr. CONAWAY, Mr. CRAWFORD, Mr. NUNNELEE, Mr. CRAMER, Mr. KING of Iowa, Mr. FLEMING, Mr. GARRETT, Mr. ROE of Tennessee, Mr. CARTER, Mr. NEUGEBAUER, Mrs. ROBY, Mr. COLE, Mr. HUIZENGA of Michigan, Mr. HARPER, Mr. MASSIE, Mr. PEARCE, Mrs. BLACKBURN, Mr. BOUSTANY, Mrs. HARTZLER, Mr. BRIDENSTINE, Mr. KINGSTON, Mr. GUTHRIE, Mr. HOLDING, Mr. GRIFFIN of Arkansas, Mr. ROGERS of Alabama, Mr. ADERHOLT, Mr. AMASH, Mr. BUCHANAN, Mr. DUNCAN of South Carolina, Mr. SIMPSON, Mr. MARINO, Mr. CASSIDY, Mr. BRADY of Texas, Mr. DUNCAN of Tennessee, Mr. GOWDY, Mr. BACHUS, Mr. LATTI, Mrs. BLACK, Mrs. NOEM, Ms. ROS-LEHTINEN, Mr. YOUNG of Indiana, Mr. POMPEO, Mr. STOCKMAN, Mr. WILSON of South

Carolina, Mr. ALEXANDER, Mr. HUELSEKAMP, Mr. SHUSTER, Mr. STIVERS, Mr. BARR, Mr. GOHMERT, Mr. FINCHER, Mr. MULLIN, Mr. BROUN of Georgia, Mr. LIPINSKI, Mr. BENISHEK, Mr. ROSS, Mr. TIBERI, Mr. WESTMORELAND, Mr. ROTHFUS, Mr. PALAZZO, Mr. LONG, Mr. BONNER, Mr. PITTS, Mr. PRICE of Georgia, Mr. MCKINLEY, Mr. CALVERT, Mr. JORDAN, Mr. WALBERG, Mr. STEWART, Mr. YODER, Mr. HULTGREN, Mr. LANKFORD, Mr. OLSON, Mr. SMITH of Nebraska, Mr. DESANTIS, Mr. MEADOWS, Mr. ROKITA, Mr. HALL, Mr. NUGENT, Mr. MULVANEY, Mr. MILLER of Florida, Mrs. WAGNER, Mr. RODNEY DAVIS of Illinois, Mr. JOHNSON of Ohio, Mr. FORTENBERRY, Mr. SCHOCK, and Mr. POSEY):

H.R. 1797. A bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. SIMPSON, Mr. ANDREWS, and Mr. LOEBACK):

H.R. 1798. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 1799. A bill to designate certain public lands in the Sonoran Desert of the State of Arizona as national conservation areas and wilderness areas, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIMM (for himself and Mr. GRAVES of Georgia):

H.R. 1800. A bill to amend the Investment Company Act of 1940 to allow business development companies to purchase, otherwise acquire, or hold certain securities, to change the asset coverage ratio and treatment of preferred stock for business development companies, and to direct the Securities and Exchange Commission to revise certain rules relating to business development companies; to the Committee on Financial Services.

By Mr. HIGGINS (for himself, Ms. MOORE, Ms. PINGREE of Maine, Mr. CICILLINE, Mrs. CAPPS, Mr. GRIJALVA, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Mr. KING of New York, Mr. RANGEL, Mr. LARSEN of Washington, Mr. MCGOVERN, Mr. PETERS of California, Mr. WOLF, Mr. MORAN, and Mr. FARR):

H.R. 1801. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA:

H.R. 1802. A bill to authorize the Secretary of Education to award grants to promote

civic learning and engagement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUDSON (for himself and Mr. MCINTYRE):

H.R. 1803. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mr. HUELSKAMP:

H.R. 1804. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress semi-annual reports on the cost of foreign travel made by employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. KUSTER (for herself, Ms. MENG, Mr. MCINTYRE, and Mrs. KIRKPATRICK):

H.R. 1805. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress an annual report on the automatic processing of claims for compensation under the laws administered by the Secretary; to the Committee on Veterans' Affairs.

By Mr. LARSEN of Washington (for himself, Mr. MCDERMOTT, Ms. DELBENE, and Mr. HECK of Washington):

H.R. 1806. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax on distilled spirits produced by small distilleries; to the Committee on Ways and Means.

By Ms. MATSUI (for herself, Mr. BLUMENAUER, and Ms. LEE of California):

H.R. 1807. A bill to establish a grant program to assist retail power providers with the establishment and operation of energy conservation programs using targeted residential tree-planting, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself and Ms. PINGREE of Maine):

H.R. 1808. A bill to designate certain Federal lands within the Cross Island National Wildlife Refuge and the Petit Manan National Wildlife Refuge, part of the Maine Coastal Islands National Wildlife Refuge Complex, in Lincoln County, Hancock County, and Washington County, Maine, as wilderness; to the Committee on Natural Resources.

By Mr. O'ROURKE (for himself, Mrs. KIRKPATRICK, Mr. MCINTYRE, and Ms. KUSTER):

H.R. 1809. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide notice of average times for processing claims and percentage of claims approved, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RADEL:

H.R. 1810. A bill to revise the boundaries of John H. Chafee Coastal Barrier Resources System Gasparilla Island Unit in Florida; to the Committee on Natural Resources.

By Mr. RADEL:

H.R. 1811. A bill to remove from the John H. Chafee Coastal Barrier Resources System areas included in Florida System Unit P-16, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. MORAN, Mr. HOLDING, Mr. ROYCE, Mr. FRANKS of Arizona, Mr. ROSS, Mr. POLIS, and Mr. SMITH of Washington):

H.R. 1812. A bill to provide high-skilled visas for nationals of the Republic of Korea,

and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN of Ohio (for himself, Mr. CHABOT, Mr. WENSTRUP, Mrs. BEATTY, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GIBBS, Ms. KAPTUR, Ms. FUDGE, Mr. TIBERI, Mr. JOYCE, Mr. STIVERS, Mr. RENACCI, and Mr. TURNER):

H.R. 1813. A bill to redesignate the facility of the United States Postal Service located at 162 Northeast Avenue in Tallmadge, Ohio, as the "Lance Corporal Daniel Nathan Deyarmin Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. SCHOCK (for himself, Mr. KEATING, Mr. BRIDENSTINE, Mr. BURGESS, Mr. COFFMAN, Mr. CONNOLLY, Mr. COURTNEY, Mr. CRENSHAW, Mr. RODNEY DAVIS of Illinois, Mr. DEFazio, Mr. FORBES, Mr. GARRETT, Mr. GOODLATTE, Ms. GRANGER, Mr. GRIFFITH of Virginia, Ms. HANABUSA, Mr. HULTGREN, Mr. KINZINGER of Illinois, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. PEARCE, Mr. PETRI, Ms. PINGREE of Maine, Mr. POCAN, Mr. ROHRBACHER, Mr. ROKITA, Mr. ROSKAM, Mr. ROYCE, Mr. RUPPERSBERGER, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. TIBERI, Mr. WOMACK, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. YOUNG of Indiana, Mr. WELCH, Mr. WOLF, Mr. GARDNER, Mr. LIPINSKI, and Mr. PERLMUTTER):

H.R. 1814. A bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate; to the Committee on Ways and Means.

By Mr. STOCKMAN:

H.R. 1815. A bill to protect workers from the corrupt and coercive "Card Check" system of organizing labor unions; to the Committee on Education and the Workforce.

By Mr. VEASEY:

H.R. 1816. A bill to amend title 38, United States Code, to provide additional educational assistance under the Post-9/11 GI Bill for veterans pursuing a degree in science, technology, engineering, or math; to the Committee on Veterans' Affairs.

By Mr. VISCLOSKEY (for himself and Mr. MURPHY of Pennsylvania):

H.R. 1817. A bill to require certain Federal agencies to use iron and steel produced in the United States in carrying out projects for the construction, alteration, or repair of a public building or public work, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Homeland Security, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1818. A bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1819. A bill to amend the Marine Mammal Protection Act of 1972 to allow the importation of polar bear trophies taken in

sport hunts in Canada; to the Committee on Natural Resources.

By Mr. YOUNG of Florida:

H.R. 1820. A bill to amend the Outer Continental Shelf Lands Act and the Federal Water Pollution Control Act to modernize and enhance the Federal Government's response to oil spills, to improve oversight and regulation of offshore drilling, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL:

H.J. Res. 42. A joint resolution proposing an amendment to the Constitution of the United States to clarify that the Constitution neither prohibits voluntary prayer nor requires prayer in schools; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. ELLISON, Mrs. CAPPS, Mr. JOHNSON of Georgia, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. HONDA, Mr. ISRAEL, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Ms. SCHAKOWSKY, and Ms. SPEIER):

H. Con. Res. 36. Concurrent resolution recognizing the disparate impact of climate change on women and the efforts of women globally to address climate change; to the Committee on Energy and Commerce.

By Mr. BENTIVOLLO:

H. Res. 185. A resolution declaring that it should be the policy of the United States to encourage visits between the United States and Taiwan at all levels; to the Committee on Foreign Affairs.

By Ms. BASS:

H. Res. 186. A resolution congratulating the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013, and calling on Kenyans to come together to continue to implement political, institutional, and accountability reforms envisioned in the Kenyan constitution; to the Committee on Foreign Affairs.

By Mr. BILIRAKIS (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. GRIMM, Mr. SIREN, Ms. TITUS, Mr. SARBANES, Mr. MCGOVERN, and Mr. PALLONE):

H. Res. 187. A resolution expressing the United States' commitment to the reunification of the Republic of Cyprus and the establishment of a unified government on Cyprus that guarantees the human rights of all Cypriots and condemns any attempt to use the current economic crisis as a means of imposing a settlement on the people of Cyprus, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BILIRAKIS (for himself, Mrs. CAROLYN B. MALONEY of New York, Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. FRANKS of Arizona, Mr. SARBANES, Mr. KELLY of Pennsylvania, Ms. TITUS, Mr. GRIMM, Mr. SCHIFF, Mr. PALLONE, Ms. LINDA T. SANCHEZ of California, and Mr. MICHAUD):

H. Res. 188. A resolution calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay; to the Committee on Foreign Affairs.

By Ms. CHU (for herself, Ms. MENG, Mr. HONDA, Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. LOWENTHAL, Ms. LEE of California, Mr. FALEOMAVAEGA, Mr. BECERRA, Mr. BERA of California, Ms.

GABBARD, Ms. MATSUI, Mr. SABLAN, Mr. TAKANO, Mr. SCOTT of Virginia, Mr. CONNOLLY, Mr. CONYERS, Mrs. DAVIS of California, Ms. ESHOO, Ms. FUDGE, Mr. SHERMAN, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. PETERS of California, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. VAN HOLLEN, Ms. LINDA T. SANCHEZ of California, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Ms. LORETTA SANCHEZ of California, Mr. GRIJALVA, Mr. CROWLEY, Ms. DUCKWORTH, and Ms. HANABUSA):

H. Res. 189. A resolution recognizing the significance of Asian/Pacific American Heritage Month in May as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the Nation's history; to the Committee on Oversight and Government Reform.

By Mr. HANNA:

H. Res. 190. A resolution condemning the April 15, 2013, Improvised Explosive Device (IED) attacks in Boston, Massachusetts and calling upon the United States Government, the governments of all nations, the United Nations, and other international organizations to renounce the use of IEDs and take actions to stop their proliferation; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H. Res. 191. A resolution honoring Jacoby Dickens, the successful, community-oriented African-American financier and philanthropist in Chicago, Illinois; to the Committee on Oversight and Government Reform.

By Ms. LEE of California (for herself, Mr. RANGEL, Ms. NORTON, Ms. CLARKE, Mrs. CHRISTENSEN, Ms. SCHA-KOWSKY, and Mr. MCGOVERN):

H. Res. 192. A resolution supporting the goals and ideals of "National STD Awareness Month"; to the Committee on Energy and Commerce.

By Ms. MOORE:

H. Res. 193. A resolution supporting the goals and ideals of Sexual Assault Awareness and Prevention Month; to the Committee on the Judiciary.

By Mr. MORAN:

H. Res. 194. A resolution expressing support for designation of the month of May as Williams Syndrome Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. VEASEY:

H. Res. 195. A resolution expressing support for designation of May 2013 as "Health and Fitness Month"; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

20. The SPEAKER presented a memorial of the Senate of the State of New Mexico, relative to Senate Joint Memorial No. 41 urging the Congress to support the preservation of the Navajo Code Talkers' remarkable Legacy; to the Committee on Armed Services.

21. Also, a memorial of the General Assembly of the State of New Jersey, relative to

Assembly Resolution No. 138 condemning the failure of the Majority Leadership in the House of Representatives to reauthorize the "Violence Against Women Act"; jointly to the Committees on the Judiciary, Energy and Commerce, Financial Services, Natural Resources, and Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. LUCAS:

H.R. 1764.

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

Article 1, Section 8, Clause 3 of the United States Constitution. This bill places a temporary prohibition on covered agencies from purchasing ammunition. The purpose of the prohibition is to determine the effect government purchases have on the price of ammunition, an instrument of interstate commerce.

By Mr. LATHAM:

H.R. 1765.

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

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. WATERS:

H.R. 1766.

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

Article 1, Section 8, clause 1 of the U.S. Constitution,

Article 1, Section 8, clause 3 of the U.S. Constitution, and

Article 1, Section 9, clause 7 of the U.S. Constitution.

By Ms. WATERS:

H.R. 1767.

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

Article I, Section 8, Clause 3 (the Commerce Clause).

By Mr. ROYCE:

H.R. 1768.

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

Article I, section 8 of the United States Constitution

By Mr. RICHMOND:

H.R. 1769.

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

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the

Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. CHAFFETZ:

H.R. 1770.

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

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

By Mr. ROYCE:

H.R. 1771.

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

Article I, section 8 of the United States Constitution

By Mr. SMITH of Texas:

H.R. 1772.

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

Article I, Section 8, Clause 4 of the United States Constitution enumerating congressional authority "[t]o establish an uniform Rule of Naturalization."

By Mr. GOODLATTE:

H.R. 1773.

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

Article 1, section 8, clause 4 of the Constitution provides that Congress shall have power to "establish an uniform Rule of Naturalization." The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954), "that the formulation of policies [pertaining to the entry of aliens and the right to remain here] is entrusted to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government."

By Mr. DOGGETT:

H.R. 1774.

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

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

By Mr. FITZPATRICK:

H.R. 1775.

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

Article I, Section 8, Clause 3:

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

By Mr. FARR:

H.R. 1776.

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

Article I, section 7.

By Mr. SMITH of New Jersey:

H.R. 1777.

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

Article 1, Section 8 of the U.S. Constitution

By Mr. SMITH of New Jersey:

H.R. 1778.

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

article 1, section 8 of the Constitution

By Mr. FINCHER:

H.R. 1779.

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

Article 1, Section 8.

By Mr. CAMP:

H.R. 1780.

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

The constitutional authority on which this bill rests is the power of Congress to make rules for the government as enumerated in Article 1 Section 8, Clause 14 of the United States Constitution.

By Mr. McCAUL:

H.R. 1781.

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

Article I, Section 8, Clause 4.

By Mr. RIGELL:

H.R. 1782.

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

Article IV, section 3, clause 2 of the U.S. Constitution: "The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. LATHAM:

H.R. 1783.

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

Article I, Section 1; and Article I, Section 8 of the United States Constitution

By Mr. PETERS of Michigan:

H.R. 1784.

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

Article 1, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. REICHERT:

H.R. 1785.

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

"The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the Power to make all laws necessary and proper" for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. NEUGEBAUER:

H.R. 1786.

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

Article I, Section 8, Clause 1.

The Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States.

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. REED:

H.R. 1787.

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

Article I, Section 8; The Congress shall provide for the common Defense and General Welfare of the United States

By Mrs. BACHMANN:

H.R. 1788.

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

This legislation makes specific changes to existing law in a manner that allows the States and the People to reclaim certain powers from current Federal government control, in accordance with Amendment X to the United States Constitution. Article I, Section 8, Clause 3 of the United States Constitution grants Congress the power to regulate commerce, such as that considered by this legislation. Article II, Section 2, Clause 2 of the United States Constitution grants the president the power to make treaties, such as those that must be adhered to under this Act. Article I, Section 8, Clause 8 of the United States Constitution grants Congress the power to "make all Laws which shall be necessary and proper for carrying into Execution" the powers granted to them under Article I, Section 8 and those granted to the president under Article II, Section 2.

By Mr. BARR:

H.R. 1789.

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

The ability to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Ms. BASS:

H.R. 1790.

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

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BILIRAKIS:

H.R. 1791.

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

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make "all Laws which shall be necessary and proper" for carrying out the constitutional powers vested in the Government of the United States.

By Mr. COFFMAN:

H.R. 1792.

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

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

By Mr. CONNOLLY:

H.R. 1793.

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

This bill is introduced pursuant to the authority delineated in Article I section I, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mr. CROWLEY:

H.R. 1794.

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

Article I, Section 8 of the United States Constitution

By Mr. RODNEY DAVIS of Illinois:

H.R. 1795.

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

Article I, Section 9, Clause 7, giving Congress the authority to control the expenditures of the federal government

By Ms. DUCKWORTH:

H.R. 1796.

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

General Welfare Clause (Art. 1 sec. 8 cl. 1) Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Mr. FRANKS of Arizona:

H.R. 1797.

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

Article I, Section 8, clause 17: "The Congress shall have Power . . . to exercise exclusive legislation in all Cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of the particular states, and the Acceptance of Congress, become the seat of government of the United States.

By Mr. GOSAR:

H.R. 1798.

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

This legislation is being introduced in order to amend ERISA—which was passed based on a combination of Article 1 Section 8 Clause 3 (commerce clause) and Article 1 Section 8 Clause 18 (the necessary and proper clause).

By Mr. GRIJALVA:

H.R. 1799.

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

Article IV, Section 3

By Mr. GRIMM:

H.R. 1800.

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

Article I, Section 8, Clause 3

By Mr. HIGGINS:

H.R. 1801.

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

The constitution authority of this legislation lies in the power of congress to regulate commercial activity as described in Article 1, Section 8, Clause 3.

By Mr. HONDA:

H.R. 1802.

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

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. HUDSON:

H.R. 1803.

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

Article 1 Section 8 Clause 3 states: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. HUELSKAMP:

H.R. 1804.

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

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

By Ms. KUSTER:

H.R. 1805.

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

Article I, Section 8, Clause 1 (relating to the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States) of the United States Constitution.

By Mr. LARSEN of Washington:

H.R. 1806.

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

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress of the United States . . ."

By Ms. MATSUI:

H.R. 1807.

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

Article 1, Section 8, Clause 3

By Mr. MICHAUD:

H.R. 1808.

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

Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. O'ROURKE:

H.R. 1809.

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

Clause 18 of section 8 of article I of the Constitution, "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. RADEL:

H.R. 1810.

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

Section 8 of Article 1 of the United States Constitution

By Mr. RADEL:

H.R. 1811.

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

Section 8 of Article 1 of the United States Constitution

By Mr. ROSKAM:

H.R. 1812.

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

Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization

By Mr. RYAN of Ohio:

H.R. 1813.

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

Article I, Section 8, Clause 7

The Congress shall have Power * * * To establish Post Offices and post roads.

By Mr. SCHOCK:

H.R. 1814.

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

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. STOCKMAN:

H.R. 1815.

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

This bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mr. VEASEY:

H.R. 1816.

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

Article 1, Section 8: The Congress shall have the power to provide for the common defense.

By Mr. VISCLOSKY:

H.R. 1817.

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

Clause 3 of Section 8 of Article I of the Constitution

By Mr. YOUNG of Alaska:

H.R. 1818.

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

Article I, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 1819.

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

Article I, Section 8, Clause 3

By Mr. YOUNG of Florida:

H.R. 1820.

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

Article 1, Section 8 of the United States Constitution.

By Mr. RAHALL:

H.J. Res. 42.

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

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

ADDITIONAL SPONSORS

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

H.R. 3: Mr. FORBES.

H.R. 32: Mr. FORBES, Mr. MURPHY of Florida, Ms. EDWARDS, and Mrs. KIRKPATRICK.

H.R. 36: Mr. THORNBERRY.

H.R. 147: Mr. DUNCAN of South Carolina and Mr. DAINES.

H.R. 148: Mr. MURPHY of Florida.

H.R. 164: Mr. WEBER of Texas and Mr. ROSKAM.

H.R. 176: Mrs. BLACKBURN.

H.R. 180: Ms. GABBARD.

H.R. 182: Mr. DAVID SCOTT of Georgia and Ms. GABBARD.

H.R. 183: Ms. GABBARD.

H.R. 184: Mr. RICHMOND and Ms. KAPTUR.

H.R. 207: Mr. TIPTON, Mr. SCHWEIKERT, and Mr. GARDNER.

H.R. 262: Ms. GABBARD.

H.R. 268: Mr. CUMMINGS.

H.R. 303: Mr. ROGERS of Kentucky.

H.R. 309: Mr. LANKFORD, Mr. RIGELL, Mr. BISHOP of Utah, and Mr. SCHWEIKERT.

H.R. 357: Mr. FORBES.

H.R. 376: Mr. LOWENTHAL.

H.R. 401: Mr. PETERS of Michigan.

H.R. 474: Mr. GRIJALVA and Mr. POLIS.

H.R. 495: Mr. PETERS of Michigan, Mrs. MCCARTHY of New York, Ms. SPEIER, Mr.

ROGERS of Michigan, Mr. GRIJALVA, Ms. LOFGREN, Mr. ROYCE, Mr. FINCHER, Mr. HUIZENGA of Michigan, and Mr. CALVERT.

H.R. 497: Mr. LOEBSACK.

H.R. 503: Mr. NUGENT.

H.R. 515: Mr. MCGOVERN and Ms. TSONGAS.

H.R. 519: Ms. JACKSON LEE, Ms. ESTY, Mr. SARBANES, and Mr. ANDREWS.

H.R. 535: Mr. CICILLINE, Mr. ENYART, Mr. DINGELL, and Mr. LOWENTHAL.

H.R. 543: Mr. CARTER.

H.R. 556: Mr. NUNNELEE.

H.R. 567: Mr. FRANKS of Arizona and Mr. CHABOT.

H.R. 574: Mr. GRAYSON.

H.R. 578: Mr. HUELSKAMP.

H.R. 580: Mr. DENT.

H.R. 594: Mr. CULBERSON and Mr. VAN HOLLEN.

H.R. 627: Mr. BERA of California, Mrs. BUSTOS, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. HORSFORD, Mr. JEFFRIES, Mr. KENNEDY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SCHNEIDER, Mr. SWALWELL of California, Mrs. MILLER of Michigan, Mr. YODER, Mr. CAMP, Mr. MICA, Mr. CASSIDY, Mr. MCKEON, Mr. HUIZENGA of Michigan, Mr. MCCARTHY of California, Mr. COLE, Mr. VALADAO, Mr. WENSTRUP, Mr. POMPEO, Mr. CUELLAR, Mr. LANKFORD, Mr. HIMES, Mr. FLEMING, and Mrs. ROBY.

H.R. 630: Mr. KING of New York.

H.R. 655: Mr. JOHNSON of Ohio.

H.R. 664: Mr. NADLER, Mr. BISHOP of New York, Mr. CARTWRIGHT, Ms. VELÁZQUEZ, Mr. SERRANO, Mr. CROWLEY, and Mr. GIBSON.

H.R. 665: Ms. SHEA-PORTER.

H.R. 671: Mr. MATHESON.

H.R. 675: Ms. CHU.

H.R. 685: Mr. NUGENT.

H.R. 688: Mr. JOYCE, Mr. BARBER, Mr. NOLAN, Mr. HONDA, and Mr. CARTWRIGHT.

H.R. 689: Mr. PASTOR of Arizona.

H.R. 690: Mr. O'ROURKE.

H.R. 693: Mr. FORBES.

H.R. 702: Mr. PERLMUTTER, Mr. VELA, and Mr. GRAYSON.

H.R. 718: Mr. BRIDENSTINE.

H.R. 719: Mr. HASTINGS of Florida.

H.R. 728: Ms. LOFGREN.

H.R. 729: Mr. RUSH.

H.R. 755: Mr. JOHNSON of Ohio.

H.R. 763: Mr. SMITH of Texas, Mr. CALVERT, and Mr. ISSA.

H.R. 765: Mr. RANGEL, Mr. BLUMENAUER, Mr. KEATING, Mr. FARR, and Mr. GRIJALVA.

H.R. 792: Mr. AMODEI, Mr. YOHO, and Mr. FLEISCHMANN.

H.R. 797: Mr. THOMPSON of Pennsylvania.

H.R. 807: Mr. PERRY, Mr. ROYCE, Mr. THORNBERRY, Mr. ROTHFUS, Mr. GINGREY of Georgia, Mr. ROSKAM, Mr. BARTON, Mr. SESSIONS, Mr. LUCAS, Mr. JOHNSON of Ohio, Mr. COLLINS of New York, Mr. NUGENT, Mr. MCKINLEY, Mr. HARRIS, Mr. COTTON, Mr. STEWART, and Mr. NEUGEBAUER.

H.R. 822: Mr. LOEBSACK.

H.R. 846: Mr. YOUNG of Indiana.

H.R. 850: Ms. FUDGE, Mr. CONAWAY, Mr. STUTZMAN, and Mr. CALVERT.

H.R. 853: Mr. SMITH of Texas, Mr. RUIZ, and Mr. MCNERNEY.

H.R. 863: Mrs. BEATTY, Ms. KAPTUR, and Mr. TONKO.

H.R. 864: Ms. FUDGE, Mr. FATTAH, Mr. NOLAN, Mr. COOPER, Mr. COURTNEY, Mr. CHABOT, Mr. VARGAS, Mr. CLYBURN, Ms. DELAURO, Mr. LEVIN, Mr. PETERSON, Mr. DUNCAN of Tennessee, Mr. TURNER, and Mr. PAULSEN.

H.R. 911: Mr. MATHESON.

H.R. 915: Mr. WELCH.

H.R. 919: Mr. KIND.

H.R. 940: Mr. AMASH.

H.R. 949: Mr. TAKANO, Mr. JOHNSON of Georgia, and Mr. MCGOVERN.
 H.R. 956: Mr. SIREs, Mr. GRAVES of Georgia, and Mr. PETERS of California.
 H.R. 986: Mr. BUTTERFIELD.
 H.R. 988: Ms. KAPTUR.
 H.R. 1070: Mr. FORTENBERRY, Mr. GRAYSON, Mrs. NAPOLITANO, and Mr. MORAN.
 H.R. 1074: Mr. LANCE, Mr. LATHAM, Mr. BUTTERFIELD, Mr. PIERLUISI, and Mr. GOHMERT.
 H.R. 1077: Mr. BARR and Mr. PEARCE.
 H.R. 1094: Ms. LOFGREN, Ms. FRANKEL of Florida, Mr. SWALWELL of California, Mr. LIPINSKI, Mrs. CAROLYN B. MALONEY of New York, Mr. PRICE of North Carolina, Mr. POCAN, and Mr. POLIS.
 H.R. 1097: Mr. NUNES.
 H.R. 1143: Mr. LUCAS.
 H.R. 1149: Ms. DUCKWORTH and Mr. KIND.
 H.R. 1150: Mr. LIPINSKI and Mr. GRIJALVA.
 H.R. 1155: Mr. SCHIFF.
 H.R. 1175: Ms. ESHOO.
 H.R. 1186: Mr. COBLE, Mr. COTTON, and Mr. DIAZ-BALART.
 H.R. 1187: Mr. HUFFMAN.
 H.R. 1201: Mr. BUTTERFIELD.
 H.R. 1213: Mr. POCAN.
 H.R. 1247: Ms. KUSTER.
 H.R. 1250: Mr. BRALEY of Iowa and Mr. LATHAM.
 H.R. 1252: Mr. CULBERSON, Mr. BUTTERFIELD, Mr. HUIZENGA of Michigan, Mr. HECK of Nevada, Mr. BRALEY of Iowa, Ms. TITUS, Mr. CICILLINE, Mrs. MCMORRIS RODGERS, and Mr. MATHESON.
 H.R. 1281: Mr. HIGGINS.
 H.R. 1282: Mr. ELLISON.
 H.R. 1286: Mr. WELCH, Mr. KILDEE, and Mr. WALZ.
 H.R. 1290: Mr. STUTZMAN.
 H.R. 1318: Mr. POLIS and Mr. HINOJOSA.
 H.R. 1322: Mr. MICHAUD.
 H.R. 1327: Mr. MORAN.
 H.R. 1330: Mr. LOWENTHAL and Ms. SCHAKOWSKY.
 H.R. 1331: Mr. SCHOCK.
 H.R. 1336: Mr. JOYCE.
 H.R. 1339: Mr. PAULSEN.
 H.R. 1344: Mr. LEWIS, Ms. BROWN of Florida, and Ms. JACKSON LEE.
 H.R. 1384: Mr. HONDA.
 H.R. 1389: Mr. DEFAZIO.
 H.R. 1406: Mr. RYAN of Wisconsin, Mr. SCHWEIKERT, Mr. GOSAR, Mr. POMPEO, and Mr. STOCKMAN.
 H.R. 1410: Mr. PASTOR of Arizona.
 H.R. 1416: Mr. LAMALFA, Mr. CALVERT, Mr. MARINO, and Mr. STIVERS.
 H.R. 1417: Mr. BRADY of Texas.
 H.R. 1418: Mr. DELANEY and Mr. MICHAUD.
 H.R. 1428: Mr. LIPINSKI, Ms. MOORE, and Mr. GOSAR.
 H.R. 1429: Mr. PETERS of Michigan.
 H.R. 1432: Mr. GRAVES of Missouri, Mr. BARLETTA, Mr. RADEL, Mr. BROUN of Georgia, Mr. GOODLATTE, Ms. JENKINS, Mr. WESTMORELAND, and Ms. BROWNLEY of California.
 H.R. 1449: Mr. YODER and Mr. ADERHOLT.
 H.R. 1451: Mr. HANNA, Mr. HIGGINS, Mr. MAFFEL, and Mr. GRIMM.
 H.R. 1453: Mr. CÁRDENAS and Mr. CALVERT.
 H.R. 1461: Mr. COLLINS of Georgia, Mr. MARCHANT, and Mr. BRADY of Texas.
 H.R. 1462: Mr. COLLINS of Georgia, Mr. YOUNG of Indiana, Mr. MARINO, and Mr. PITTENGER.
 H.R. 1479: Mr. SESSIONS.
 H.R. 1488: Mr. HINOJOSA.
 H.R. 1507: Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Ms. CASTOR of Florida, Mrs. BEATTY, Ms. SCHAKOWSKY, Mr. LIPINSKI, Mr. RYAN of Ohio, Mr. ENGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. BUTTERFIELD, Mr.

MORAN, Mr. TONKO, Ms. BROWN of Florida, Mr. FITZPATRICK, Mr. BRALEY of Iowa, Mr. CUMMINGS, Mr. CONYERS, Mr. ELLISON, Ms. TITUS, Mr. PAULSEN, Mr. BEN RAY LUJÁN of New Mexico, and Ms. LOFGREN.
 H.R. 1521: Mr. MCINTYRE, Mr. CICILLINE, and Ms. KUSTER.
 H.R. 1528: Mr. PEARCE, Mr. BARR, Mr. LANCE, Mr. JOHNSON of Ohio, and Mr. LATHAM.
 H.R. 1530: Ms. ROYBAL-ALLARD.
 H.R. 1550: Ms. SEWELL of Alabama.
 H.R. 1553: Mr. RAHALL, Mr. GERLACH, Mr. BEN RAY LUJÁN of New Mexico, Mr. HECK of Washington, Mr. MULVANEY, Mr. PETERS of Michigan, Mr. MEEHAN, Ms. SHEA-PORTER, Mr. WALBERG, Mr. CARTER, Mr. COLE, Mr. CONNOLLY, Mr. FARENTHOLD, Mr. HUELSKAMP, Mr. KING of Iowa, Mrs. NOEM, Mr. SMITH of Texas, Mr. STEWART, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. THORNBERRY, and Mr. LANKFORD.
 H.R. 1563: Mr. SHIMKUS, Mr. MCKINLEY, Mrs. BLACKBURN, Mr. BRADY of Pennsylvania, Mr. COBLE, and Mr. BUTTERFIELD.
 H.R. 1565: Mr. CARNEY, Mrs. NAPOLITANO, Ms. CHU, Mr. POCAN, Ms. BONAMICI, Mr. RANGEL, Ms. CLARKE, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. VAN HOLLEN, Ms. ESHOO, Mr. YARMUTH, Ms. ESTY, Mr. SARBANES, Ms. FRANKEL of Florida, Mr. PERLMUTTER, Mr. LARSON of Connecticut, Mr. CONNOLLY, Mr. LIPINSKI, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Ms. MATSUI, Mr. SCOTT of Virginia, Mr. MORAN, Ms. SHEA-PORTER, Mr. ANDREWS, Mr. HUFFMAN, Mr. CONYERS, Ms. BASS, Mrs. LOWEY, Mr. VARGAS, Mr. CUMMINGS, Ms. MCCOLLUM, Mr. TONKO, Mr. LEVIN, Ms. PELOSI, Ms. SLAUGHTER, Mr. JEFFRIES, Mr. BISHOP of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. CARTWRIGHT, Mr. AL GREEN of Texas, Ms. MOORE, Mr. CROWLEY, Ms. LINDA T. SÁNCHEZ of California, Mr. ENGEL, Mr. WAXMAN, Mr. GARAMENDI, Mr. BARBER, Ms. LOFGREN, Ms. WATERS, Ms. DEGETTE, Mr. FARR, Ms. TSONGAS, Mr. MEEKS, Mr. BRADY of Pennsylvania, Mr. LOWENTHAL, Mr. LOEBSSACK, and Mr. LARSEN of Washington.
 H.R. 1567: Mr. WESTMORELAND.
 H.R. 1587: Mrs. CAPITO and Mr. PEARCE.
 H.R. 1595: Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. SWALWELL of California, Mr. MICHAUD, Mr. DEFAZIO, Ms. TSONGAS, Ms. HANABUSA, Mr. RAHALL, Ms. LOFGREN, and Mrs. LOWEY.
 H.R. 1610: Mr. KIND.
 H.R. 1626: Mr. PITTENGER.
 H.R. 1632: Mr. YOUNG of Indiana.
 H.R. 1634: Mr. KINZINGER of Illinois.
 H.R. 1648: Mr. GARAMENDI.
 H.R. 1652: Mr. PERLMUTTER and Ms. BROWNLEY of California.
 H.R. 1661: Mr. LATHAM and Mr. MCGOVERN.
 H.R. 1666: Ms. BROWN of Florida.
 H.R. 1672: Mr. AMODEI.
 H.R. 1682: Mr. LOWENTHAL.
 H.R. 1690: Ms. BROWNLEY of California, Mr. HINOJOSA, and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 1705: Mr. VEASEY.
 H.R. 1708: Mr. POMPEO.
 H.R. 1727: Mr. ENYART.
 H.R. 1734: Mr. HASTINGS of Florida and Mr. LEWIS.
 H.R. 1735: Mr. WALDEN, Mr. JONES, Mr. COFFMAN, Mr. POE of Texas, and Mr. LATTI.
 H.R. 1737: Mr. HIMES and Ms. ESTY.
 H.R. 1744: Mr. AMODEI.
 H.R. 1748: Mr. DINGELL.
 H.R. 1750: Mr. BACHUS, Mr. STIVERS, and Mr. PEARCE.
 H.R. 1751: Mr. BLUMENAUER.
 H.R. 1755: Mr. PERLMUTTER and Mr. FOSTER.

H.J. Res. 28: Mr. BROOKS of Alabama and Mr. STOCKMAN.
 H.J. Res. 40: Mr. CALVERT.
 H. Con. Res. 16: Mr. BISHOP of Georgia, Mr. FORTENBERRY, and Mr. HECK of Nevada.
 H. Con. Res. 29: Mr. JONES.
 H. Con. Res. 34: Mr. KEATING and Mr. PASTOR of Arizona.
 H. Res. 36: Mr. RENACCI, Mr. DENT, and Mr. SHIMKUS.
 H. Res. 90: Mr. RAHALL, Mr. SERRANO, and Mr. PASCARELL.
 H. Res. 94: Ms. LOFGREN.
 H. Res. 106: Mr. LUCAS.
 H. Res. 109: Mr. BILIRAKIS.
 H. Res. 136: Ms. MENG.
 H. Res. 166: Mr. CALVERT.
 H. Res. 173: Mr. WESTMORELAND.
 H. Res. 174: Mr. HASTINGS of Florida, Mr. O'ROURKE, Mr. NADLER, Ms. LORETTA SANCHEZ of California, Ms. CHU, Mr. OWENS, Mr. BARROW of Georgia, Mr. MATHESON, Mr. RICHMOND, Mr. HIGGINS, Mr. BRADY of Pennsylvania, Ms. CLARKE, Mr. CASTRO of Texas, Mr. GRIJALVA, and Mr. KENNEDY.
 H. Res. 177: Mr. JOHNSON of Ohio and Mr. PEARCE.
 H. Res. 180: Mr. PETERS of California, Mr. MCGOVERN, and Ms. ESHOO.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

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

OFFERED BY MR. LATHAM

H.R. 1765, the Reducing Flight Delays Act of 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1461: Mr. BRADY of Pennsylvania.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

10. The SPEAKER presented a petition of the Conservation Federation, Missouri, relative to a Resolution urging the Congress to support appropriating the NAWCA Program; to the Committee on Appropriations.

11. Also, a petition of Union County Republican Party, Georgia, relative to a Resolution urging the Congress to take all necessary binding legislation to prohibit any infringement of the rights of citizens to keep and bear arms; to the Committee on Armed Services.

12. Also, a petition of Union County Republican Party, Georgia, relative to a Resolution urging the Georgia General Assembly to amend the Laws of the Official Code of the State of Georgia; to the Committee on Armed Services.

13. Also, a petition of the City of Santa Fe, New Mexico, relative to Resolution No. 2013-36 supporting the measure of Congress to allow gay and lesbian partners to access immigration benefits in an equal and fair manner; to the Committee on the Judiciary.

14. Also, a petition of the City of Naples, Florida, relative to Resolution No. 13-13268 notifying the Congress and the President that the City will lawfully use all of its authority to resist or overturn any federal gun control measures; to the Committee on the Judiciary.

15. Also, a petition of the City of Bridgeport, Connecticut, relative to Resolution No. 31-12 supporting smart and strong gun legislation listed in the resolution; jointly to the Committees on the Judiciary and Education and the Workforce.

DISCHARGE PETITIONS—
ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 1 by Ms. DELAURO on H.R. 377: Marc A. Veasey, Raul Ruiz, Patrick Murphy, Richard E. Neal, Emanuel Cleaver, Bradley S. Schneider, and Collin C. Peterson.

EXTENSIONS OF REMARKS

RECOGNIZING HIGH SCHOOL RADIO DAY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pride and sincerity that I rise in recognition of High School Radio Day 2013. This year marks the second annual High School Radio Day, a day to observe the uniqueness of each high school radio station and the impact each has on the community, the State, and the Nation at large. Indiana is the birthplace of high school radio. The first station in the United States, WNAS, signed on in May, 1949 in New Albany, Indiana. In the following decades, the students working for high school radio stations in northwest Indiana have exhibited outstanding ingenuity, intellect, and leadership as the stations have grown and thrived.

In 1954, high school radio arrived in northwest Indiana with the formation of WGVE-FM 88.7 radio in Gary. First housed in Lew Wallace High School, the station relocated to its current home of the Gary Area Career Center in 1969. WGVE-FM 88.7 began operating at less than 50 watts, but the station has evolved to become the home of a wide array of community news, educational programming, public service announcements, and music. The station keeps local residents connected to their government by broadcasting meetings of the Gary School Board and Gary Common Council.

For over 35 years, WDSO-FM 88.3, Chesterton High School's commercial-free, educational station has broadcast valuable programming to listeners throughout northwest Indiana. It took nearly two years of planning and careful work with the Federal Communications Commission to take the station on-air, with broadcasts beginning in 1976. Since that time, the station broadcasts local, State, and national news coverage, as well as sports coverage and live broadcasts from town meetings, the Duneland School Board, and the Community Bulletin Board. WDSO-FM 88.3 was also one of the first radio stations to use fiber optic cable to transport a radio signal over a mile and a half from the studio to the transmitter.

It is with great credit not only to the dedicated and passionate students who operate these stations but the administrators that ensure their continued success that high school radio stations still leave their indelible mark on the people of northwest Indiana. Specifically, Eric Johnson, Clarence Stevens, Sarita Stevens, Lakisha Walls, and Lionel Chambers, at WGVE-FM 88.7, as well as Michele Stipanovich and Matthew Waters at WDSO-FM 88.3, have done outstanding work to grow their respective stations. These individuals deserve recognition for their committed, ener-

getic approach to the development of bright young students eager to learn the ways of broadcast journalism.

Mr. Speaker, at this time, I ask that you and my distinguished colleagues join me in recognizing these two exemplary student organizations, as well as each of the 43 high school radio stations from 19 States participating in High School Radio Day 2013. Their efforts have molded and continue to mold generations of rising journalists, performing a vital public service for all Americans.

HONORING THE STATE OF QATAR AND HIS HIGHNESS SHEIKH, HAMAD BIN KHALIFAH AL-THANI

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I rise to welcome His Highness Sheikh, Hamad Bin Khalifah Al-Thani, the Amir of Qatar, on his visit to the United States and express my deep appreciation for the strong and growing friendship between our two countries. I also would like to recognize the State of Qatar for their promotion of democracy and higher education.

Qatar is a critical ally and is host to our troops at Al Udeid (OODADE), the largest U.S. military air base on foreign soil, in Doha which continues to be invaluable to our efforts in the region. Qatar is also particularly important because of its efforts to promote democracy and the right to vote around the world. I know this because I traveled to Qatar in 1999 to celebrate its first democratic elections—the first in which a Gulf Cooperation Council state allowed women to vote and run for office. It was a momentous occasion. Allowing women to vote and giving them the opportunity to run for office was a major step forward in the democratic transformation of Qatar. Today they continue to boldly support democratic ideals by making great strides in education.

Now, with the help of the leadership of Her Highness Sheikha Mozah Bint Nasser Al-Missned, women have the ability to earn a college degree in Qatar's Education City. This visionary woman is the moving force behind showing people everywhere how important and powerful the voices of women can be not just in Qatar, but around the world. This has not only been important for the rights of women, but it has helped the country further develop its educational offerings. Today, Education City houses branch campuses from some of the world's most prestigious institutions of higher learning, including Cornell University's Weill Medical College, Georgetown University's School of Foreign Service, Northwestern University, Texas A&M University, and Virginia Commonwealth University. This

unprecedented support for education in the region has helped women in their fight for equality and has made Qatar a beacon of higher education in the region and around the world.

HONORING IRENE GARAS

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. CROWLEY. Mr. Speaker, I rise today in honor of Irene Garas and in recognition of her centennial birthday on April 29, 2013.

Irene Garas is a truly remarkable woman. As a Holocaust survivor, she has been a courageous example of perseverance and tenacity. During World War II, Irene, her daughter, Kathy, and her sister, Margaret, all avoided capture when the Nazis occupied Hungary. Irene escaped the deportation of virtually all Jewish residents in her community by hiding in an armoire in her apartment complex, ultimately obtaining forged papers identifying her with an alternate surname. She secured papers not only for herself, but also for Kathy and Margaret, helping them to avoid capture as well. Irene's first husband, Louis, was also incredibly daring, escaping from a labor camp to avoid deportation to another camp outside of Hungary in 1945.

After World War II, Irene's brother, who already lived in the United States, obtained visas that allowed a number of family members and friends to immigrate. Irene and seven other family members and friends left for America on the SS *Washington* from England, and arrived in New York City in March 1948. Before World War II, Irene was a well-respected corsetiere in her Hungarian hometown. When she arrived in the United States, she used her business skills and leadership abilities to open her own store in New York City—helping her to live the American dream.

Irene is cherished by her two children, Kathy and Andrew, her grandchildren—Gary, Michael, Julie, Lisa and Ira—and her five great-grandchildren: Chase, Alexa, Cydney, Zoe and Owen.

Like so many immigrants throughout our history, Irene fled from incredible danger and hardship to seek out liberties that many of us take for granted: the freedom to be herself and the ability to shape her own future. She is a role model for her community, and as a fellow New Yorker, it is an honor to acknowledge her during this momentous milestone in her life.

Mr. Speaker, I join with her family, friends, and neighbors in celebrating Irene Garas for her bravery, accomplishments and contributions to our community. I wish her many more joyous years.

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

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

98TH ANNIVERSARY OF THE
ARMENIAN GENOCIDE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. LEVIN. Mr. Speaker, I rise today to commemorate the 98th anniversary of the Armenian Genocide.

For far too long, too many have failed to properly acknowledge this tragedy, let alone commemorate it and honor the lives of its victims. Indeed, despite reams of historical evidence, the actions of the Ottoman Empire 98 years ago have often been labeled something other than what they actually were: genocide.

In 1915, the government of the Ottoman Empire started a vicious and systematic campaign of genocide against the Armenian people. What began with the killing of 300 Armenian leaders ultimately resulted in the deaths of one and a half million people and the forced exile of another 500,000.

The chilling scale of this tragedy demands that we continue to commemorate the Armenian Genocide, and remember those who were lost. Throughout my time in Congress, I have cosponsored House resolutions that have affirmed the U.S. record regarding the true nature of this ethnic extermination, and honored its victims and survivors.

We must do all we can to ensure that the historical record contains the absolute truth—a commitment that will help fight against a sense of impunity. Through recognition and remembrance of the Armenian Genocide, we raise awareness of “man’s inhumanity to man,” helping to stop similar tragedies from happening in the future.

I respectfully request that all my colleagues join me today in honoring the victims and survivors of the Armenian Genocide.

IN RECOGNITION OF ISRAEL’S 65TH
INDEPENDENCE DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to celebrate Israel’s 65th Independence Day. Sixty-five years ago, the day before the expiration of the British Mandate, Prime Minister David Ben-Gurion declared the establishment of Israel as the national home for the Jewish people. The celebrations taking place today in New York and across the country commemorate that inaugural event and underscore the special bond between the United States and Israel.

On November 29, 1947, the United Nations issued resolution 181, which approved the Special Committee on Palestine’s partition plan establishing a Jewish state. On May 14, 1948 (the 5th of Iyar, 5708 according to the Jewish calendar), the day before the British mandate expired, David Ben-Gurion read the Declaration of the Establishment of the State of Israel in the main hall of what was then the Tel Aviv Museum. President Harry S. Truman

waited only minutes to issue the United States’ formal recognition of the Jewish State.

Today, Israel remains a beacon of hope and democracy in the Middle East. Throughout its history, Israel has been a safe haven for Jews across the world who have faced persecution and repression. Nonetheless, Israelis have yet to know one day without war. Constantly under attack, Israel has rightfully defended its citizens while also searching for a true partner in peace. Americans strongly identify with Israel’s historic struggle for independence and continued hope for a peaceful future. With shared values and shared ideals, Israel is the United States’ closest ally in the Middle East. I remain hopeful for a long-term peace agreement so that Israel and its neighbors can finally know peace.

Israel draws its strength from the diversity and tenacity of its people. Israel has demonstrated that a small country with few natural resources, surrounded by hostile nations that deny its right to exist, can still thrive, thanks to its smart investments, an entrepreneurial culture, and a people determined to succeed.

Today, Israel is a center of scientific, medical and technological innovation, and a leader in agriculture, water purification, alternative energy, and public health. Israel has more high tech start ups and a larger venture capital industry per capita than any other country in the world. In 2010, Israel became a member of the Organisation for Economic Co-operation and Development (OECD), marking it as one of the world’s most highly developed economies.

Adversity has challenged Israel to innovate in ways that have improved lives across the globe. Lacking potable water, Israel has invested in desalination plants that have significantly reduced its need to pump water from the Sea of Galilee. Lacking arable land, it developed drip irrigation systems that are now being implemented in other desert countries. Lacking energy, it has pioneered advances in solar and wind energy. Lacking security, it has built some of the most effective security products and strategies.

Mr. Speaker, I ask that my colleagues join me in celebrating the 65th Israeli Independence Day. Today we rejoice in Israel’s virtues, embrace its people, and renew our nation’s commitment to standing alongside Israel in defense of its right to safety and prosperity. Am Yisrael Chai—the people of Israel live!

RECOGNIZING THE 300TH ANNIVERSARY OF
POMFRET, CONNECTICUT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the 300th anniversary of the Town of Pomfret, Connecticut, located in the 2nd Congressional District. The citizens of this community will celebrate the anniversary with festivities on May 22, 2013.

Rich with history and tradition, the Town of Pomfret has retained much of its old-time charm and beauty for which many of the New

England communities are so famous. It is nestled in the rolling hills of northeastern Connecticut and is one of the diminishing number of communities in our part of the country which still maintains a rustic and gentle way of life so characteristic of America a generation or two ago.

The Town of Pomfret was settled by pioneer colonists and incorporated in the year 1713. Because of its beautiful location and its rural atmosphere, it has been for many years a summer resort for city dwellers. It still boasts active farms, with apple and peach orchards and dairy farms in its 38 square miles. The town has overwhelmingly approved the preservation of over 1200 acres of open space in the course of the last decade.

The 300th Anniversary of the town will actually be observed over the full year of 2013 and many events have been planned by committee working diligently over the past few years. Festivities began with a Coast Guard Dixieland Jazz Band Concert, a Commemorative Quilt has been made by residents, displayed at various locations, and will be presented to the town, Pomfret was Grand Marshall in the area’s Holiday Parade, there have been ice-skating parties, walking events, artwork displayed, and a special Tercentennial Ball has been planned.

Historical phases of the event include a self-guided historical tour map showcasing many historic homes and public buildings, a program of Characters from Colonial Connecticut, a talk by State Archaeologist Nick Bellantoni about aboriginal inhabitants, CT Women’s Suffrage Program, an historical talk on General Israel Putnam—a Revolutionary War hero—and a commemorative postmark.

As the Representative of Putnam in the U.S. House, I want to pay a well-deserved tribute to those early settlers of Pomfret who helped build our country through their hard work, struggles, and sacrifices. The record of their achievements lives to this day in the hearts and memories of their descendants who can take pride in the legacy handed down to them, a legacy of patriotism and devotion to our nation. Mr. Speaker, I salute the citizens of Pomfret on this festive occasion. All of us in eastern Connecticut take great pride in this community. I am confident that Pomfret’s 300th anniversary will be a great and successful event, and I hope that the next 300 years in the history of this community will be as happy and prosperous for its people as it has been in the past.

RECOGNIZING THE HONORABLE
RICHARD OTTINGER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mrs. LOWEY. Mr. Speaker, I rise today to recognize the Honorable Richard Ottinger, Esq. for his lifetime of public service. His indefatigable dedication to his community and his students is an inspiration to us all.

As a Member of Congress for 16 years, Mr. Ottinger proudly represented the people of New York’s 25th, 24th, and 20th districts. As

one of the earliest environmentalists in Congress in 1965, Mr. Ottinger authored a substantial number of energy and environmental laws. He served as chairman of the House Energy and Commerce Energy Conservation and Power Subcommittee, where he was instrumental in adopting critical energy and environmental legislation. Notably, Mr. Ottinger was the chief cosponsor of the Public Utility Regulatory Policy Act of 1978 and the Conservation Service Reform Act of 1984.

Prior to his service in Congress, Mr. Ottinger served in the United States Air Force for two years. He was discharged as a Captain in 1957 and was admitted to the New York bar, where he practiced international and corporate law. He then became one of the founders and second staff member of the Peace Corps, where he served as director of programs for the west coast of South America from 1961 to 1964.

Upon retiring from Congress in 1984, Mr. Ottinger joined Pace Law School as a Professor in the Environmental Law Program. As co-director of the Center for Environmental Legal Studies, he founded the Pace Energy Project in 1987, later renamed the Pace Energy and Climate Center. The Center, which raises \$900,000 per year, advocates for utility investment in conservation and renewable energy resources. In December 1994, Mr. Ottinger was appointed Dean of the Law School, where he served until 1999. Mr. Ottinger currently serves as Dean Emeritus of the Law School.

Throughout his illustrious career, Mr. Ottinger has been honored with a number of awards, including the 2009 EPA Environmental Quality Award. Pace Law School will also be honoring Mr. Ottinger with the dedication of the Richard L. Ottinger Hall on April 30.

I urge my colleagues to join me in honoring the Honorable Richard Ottinger's tremendous accomplishments.

CONGRATULATING THOMAS BARNES

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Thomas Barnes on receiving the Champions of Courage recognition from the White House. This program recognizes individuals who do extraordinary things to empower and inspire members of their communities. Thomas has empowered many of Iowa's needy children through his service.

Thomas has chaired the Marion-East Cedar Rapids Rotary Club's "Shoes for Kids" program since 2003. This program started in two local school districts, but was quickly expanded as the need grew. Through this program, Thomas and his fellow Rotarians have raised over \$50,000 to provide over 3,500 Iowa children with shoes.

Thomas has also used this program to support children affected by natural disasters. In May 2008, an E-5 tornado devastated the town of Parkersburg, Iowa. Weeks later, Cedar Rapids was inundated by floodwaters.

Thomas made an appeal to Rotarians nationwide to assist these children that had lost everything. Recently, Thomas sent eighty pairs of shoes with a fellow Rotarian participating in a polio immunization campaign in Nigeria to donate to a local orphanage.

Thomas Barnes has positively impacted the lives of thousands of children and I'm honored to represent him in Congress. I congratulate him receiving this special acknowledgment from the White House. I wish Thomas and the rest of the Rotary Club well in the future of their Shoes for Kids program.

147TH ANNIVERSARY OF THE FOUNDING OF THE ASPCA

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to honor the American Society for the Prevention of Cruelty to Animals (ASPCA). The ASPCA, headquartered in my congressional district on the East side of Manhattan, was founded 147 years ago this month. The oldest animal welfare organization in the United States, the ASPCA is the leading voice for the prevention of cruelty to animals in New York City and nationwide.

This past year, the ASPCA answered the call to help families and animals affected by Hurricane Sandy in my district and all across New York City. When families were displaced by the hurricane, the ASPCA set up a temporary boarding facility where pets remained safe and properly cared for while families worked to rebuild or find permanent housing. In the aftermath of the storm, the ASPCA was in Sandy-affected areas to rescue and reunite animals with their families, distribute critical supplies, and provide veterinary care for impacted animals. More than 300 animals were rescued by ASPCA responders after Sandy, and through a pet supply distribution network and mobile wellness clinics, the ASPCA assisted tens of thousands of animals in storm-affected areas of New York City and Long Island.

I am proud to congratulate the ASPCA and its over 2.5 million supporters nationwide on the organization's 147th anniversary. They continue to be the voice of those unable to speak for themselves.

HONORING THE BRADFORD COUNTY HUMANE SOCIETY AND THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. MARINO. Mr. Speaker, I rise today to recognize the Bradford County Humane Society of Ulster, Pennsylvania, and the American Society for the Prevention of Cruelty to Ani-

mals (ASPCA), for their efforts to save the lives of shelter animals in my district.

The Bradford County Humane Society provides care to homeless and abused pets, and investigates reports of animal cruelty in the community. When staff at the Humane Society realized their shelter in Ulster needed a new animal transport vehicle to carry out their life-saving work more efficiently, the organization turned to the ASPCA for assistance.

The ASPCA is a key player in animal welfare philanthropy, and has provided funds for animal welfare programs in every state. Over the past five years, the ASPCA has distributed nearly \$55 million in grants to shelters and rescues across the country.

Mr. Speaker, I am proud to announce that the Bradford County Humane Society of Ulster, Pennsylvania is the recipient of the ASPCA's 5,000th grant since 2008.

An award of \$31,500 will allow the Bradford County Humane Society to acquire a new animal transport van, which the organization will use to investigate animal cruelty cases and ferry shelter animals to a local veterinary clinic for spay and neuter surgeries. The new vehicle will reduce transportation costs and stress on animals during transit.

On behalf of the citizens and animals of Pennsylvania, I'm proud to congratulate the both the Bradford County Humane Society and the ASPCA for their continued commitment to protecting animals.

RECOGNIZING THE 100TH ANNIVERSARY OF THE ORADELL PUBLIC LIBRARY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GARRETT. Mr. Speaker, I rise today to commemorate the 100th anniversary of the Oradell Public Library. On February 7th, 1913, a small group of community leaders met in Oradell to discuss the creation of a public library. A little over two months later, these individuals successfully opened the public library on April 19, 1913.

The library was originally managed by its Board of Trustees and the president of the board, William Zabriskie, who served in that position for 25 years. The board dedicated their time and efforts to ensure the library continued to grow and serve the community. The examples of generosity that contributed to the development and evolution of the library are numerous, but some instances demand specific mention.

The first librarian, Marie A. Skinner, worked on a volunteer basis for the first three months and thereafter received a mere ten dollars per month for her hard work. A local carpenter volunteered his time and materials to build the library's first shelves. World renowned painter Charles Livingston Bull, an Oradell resident and an original board member, donated multiple works of art which reside in the library to this day. After ten years of occupying a room behind the local post office, the library moved to its own building provided by the Bellis-Blauvelt family. Residents later donated books to increase the library's collection.

A hundred years after its founding, the Oradell Public Library remains an exemplary model of what is possible when people come together for the betterment of their community. I congratulate the Oradell Public Library on this important and impressive milestone. It is an honor to represent the people of Oradell and to commend the hard work and personal sacrifice of so many that established the Oradell Public Library.

RECOGNIZING THE 98TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize the 98th anniversary of the Armenian Genocide.

In the wake of World War I, the Ottoman Empire launched a campaign of terror against their own Armenian citizens. From 1915 to 1923, forced deportations displaced 2 million Armenians. Unarmed men were separated from their families and were either forced into concentration camps or taken away to be executed. Innocent women and children were systematically stripped of their possessions and driven into what is now the Syrian Desert. During these "Death Marches" they were subjected to starvation, sickness, and abuse amid brutal conditions. In the end, nearly 1.5 million Armenians had lost their lives in what became the first genocide of the 20th century.

Although these atrocities occurred almost a century ago, it is imperative to remember the suffering that was endured as a result of unrestrained human malice. To acknowledge this truth is necessary, not just out of respect for our fellow citizens of Armenian descent, but also in hope that we can prevent such heinous crimes from occurring in the future.

Today, I call on my colleagues to join me in somber remembrance of the 1.5 million Armenians who perished during this dark period of history, and to honor the strength and resolve of the Armenian community still working to overcome this tragedy.

HONORING JUDITH L. FITZGERALD, J.D.

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Ms. Judith L. Fitzgerald, who will be honored with the "2013 Dream Keeper Award" for her many contributions to the education of youth in Maryland over the past three decades.

A Baltimore native, Ms. Fitzgerald is a graduate of Western High School and Lincoln University. She earned her law degree from Boston College and practiced both privately and for various government agencies. She began her teaching career as an adjunct professor at

the University of Maryland College Park and Baltimore City Community College.

Ms. Fitzgerald was a distinguished lecturer at Bowie State University, serving as a pre-law advisor, faculty advisor to two clubs and as program director for a consortium of Historically Black Colleges and University's with National Intelligence Studies Programs. During her tenure at Bowie State, Ms. Fitzgerald was the recipient of numerous honors and awards including the "Outstanding Service & Appreciation" Award and the "2012 Bowie Girls Rock Award" for her tremendous work as a mentor and faculty member.

Ms. Fitzgerald is currently a contributing faculty member at Walden University, where she teaches in the Ph.D. and Masters Programs for the School of Public Policy and Administration. In addition to her teaching responsibilities, she is the lead faculty for other courses and serves on several dissertation committees.

When she is not teaching, Ms. Fitzgerald serves as the Vice President and Executive Director for Relnvent Inc., a music and arts after-school and summer school program for at-risk youth. She has also volunteered as a mediator for the Maryland Commission for Human Relations and Community Mediation Maryland. She has served on advisory boards too many to name and is a member of All Saints Church in Baltimore.

Mr. Speaker, the "Dream Keeper Award" was established to recognize the contributions of educators in the State of New Jersey. This is the first time the award will be presented to a resident of another state. This fact reflects Ms. Fitzgerald's personal commitment to each student she encounters. She truly leads by example, providing guidance and mentoring to those aspiring to enter the legal profession and other careers. I ask that you join with me today to honor Ms. Judith L. Fitzgerald. It is with great admiration and appreciation that I congratulate her on this well-deserved honor and wish her many more years of success.

HONORING FLOYD VANDERHOEF

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Floyd VanDerhoef for his service to our nation and his honorary membership into the 12th Armored Division Memorial Museum's Board of Directors.

Floyd served as a first lieutenant and captain in A Company, 56th Armored Infantry Battalion. Floyd's battalion was one of the first units in Patton's First Army to cross over the Rhine into Germany, where it helped liberate between 40,000–50,000 prisoners held en route to the Dachau concentration camp.

Following his service, Floyd remained close with the veterans who served alongside him, and he was instrumental in establishing the 12th Armored Division Memorial Museum in Abilene, Texas. He donated his own memorabilia and even paid for gold stars on the museum's floor to honor his fallen comrades.

It is important for all of us to take a moment and say thank you to our veterans like Floyd

VanDerhoef who sacrificed for our country and our freedom. From the time of our nation's founding to today, these brave men and women have earned the enduring gratitude of our nation, and we honor their selfless service.

I am honored to recognize Floyd VanDerhoef for his service to our nation and for his commitment to honor his fellow veterans.

REMEMBERING THE ARMENIAN GENOCIDE

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BILIRAKIS. Mr. Speaker, with Orthodox Christians across the world observing Holy Week next week, it is only fitting that today we remember a time in history that tested the will and character of the Armenian people.

Like the earliest Christians, the Armenians proved themselves not only survivors of persecution, but also masters of their destinies.

I have been a strong supporter of Armenia and of the Armenia Genocide resolution, which recognizes the massacre of 1.5 million innocent Armenian men, women and children at the hands of the Ottoman Empire as genocide.

These atrocities should not be ignored whether they took place in the early 20th century by the Ottomans, the mid-20th century by the Third Reich, or now with the ongoing violence in the Nuba Mountains and Burma.

Genocide is a scourge on the human race and must be acknowledged as such.

As we continue to seek the truth, a final acknowledgement of the horrific events that took place so long ago, I will always stand in solidarity with the Armenian people.

IN RECOGNITION OF TEMPLE BETH AHM'S 50TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Temple Beth Ahm as members gather to celebrate its 50th anniversary. Since its humble beginnings, the congregation has grown structurally and in membership, while continuing to provide outstanding spiritual guidance to the community.

Temple Beth Ahm traces its roots back to a community committed to its Jewish values. They established the Strathmore-at-Matawan Jewish Center as an organization for meetings, worship, education and activities. These events were held at various locations throughout the town, including members' homes, schools and fire houses. The organization affiliated with United Synagogue of America in 1963 and continued to grow in membership. In 1968 it completed the construction of its synagogue and changed its name to Temple Beth Ahm, the House of the People, as individuals from surrounding communities began to join.

Temple Beth Ahm continued to grow as it established a Hebrew School, preschool and theater group and its social groups expanded activities held at the temple. Over the years, other congregations merged with Temple Beth Ahm—The United Hebrew Congregation of Keyport in 1974 and Temple Ohav Shalom of Sayreville in 2002. Each of the mergers brought not only additional membership, but also Judaica and other objects and assets that enhanced the synagogue. It expanded its construction, adding classrooms and a permanent sanctuary in 1983 and later expanding its library and building a chapel.

Throughout its 50 year history, Temple Beth Ahm has also expanded its vision. In 1973 it elected its first female president and followed Rabbinical Assembly procedure to open roles of ritual aspects to women. In 2011 it hired its first female Rabbi, Lisa Malik.

Mr. Speaker, please join me in congratulating Temple Beth Ahm on its 50th Anniversary. Its service to the community is truly deserving of this body's recognition.

HONORING THE REVEREND MONSIGNOR FRANCIS MANIOLA ON HIS 100TH BIRTHDAY AND THE 75TH ANNIVERSARY OF HIS ORDINATION

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Reverend Monsignor Francis Maniola on his 100th birthday and the 75th anniversary of his Ordination to the Priesthood. I am happy to have joined him in celebrating these milestones at St. Symphorosa, the Catholic parish on the Southwest Side of Chicago that he has served for 45 years.

Monsignor Maniola was originally appointed Pastor of St. Symphorosa Parish in 1968. Responding to changes in Catholic parishes that were mandated by the bishops of the Second Vatican Council, Father Maniola sought to increase Parish involvement both spiritually and socially. He led the establishment of new groups and liturgical ministries at St. Symphorosa such as the popular Super Club, a senior citizens group with weekly events and activities, as well as support groups like the Widow and Widowers Club. I fondly remember Monsignor Maniola as the Pastor of the parish throughout my eight years at St. Symphorosa School.

Although he retired in 1981 with the title "Pastor Emeritus," his leadership and commitment to the Parish have continued to be felt in the community.

At 100 years of age, Monsignor Maniola is in good health and high spirits. As an avid baseball fan, he enjoys watching Cubs and White Sox games. He also enjoys solving crossword and Sudoku puzzles. He remains deeply spiritual, and maintains an active role in the Parish.

Today I express my admiration of Monsignor Maniola's devotion to St. Symphorosa, and honor his lifetime of achievements. I ask my colleagues to join me in wishing Monsignor

Maniola well as he celebrates his 100th birthday and the 75th anniversary of his Ordination, and to thank him for his service.

LOWER BUCKS COUNTY CHAMBER OF COMMERCE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate the Lower Bucks County Chamber of Commerce for 50 years of outstanding service to the business community in Pennsylvania's 8th District.

The Lower Bucks County Chamber of Commerce was founded in the hopes to advance the values of free enterprise, and since 1963 has dedicated itself to enhancing and promoting business in the Lower Bucks County region. Incorporating more than 1000 member companies, today the LBCCC has earned the accreditation by the U.S. Chamber of Commerce.

As a lifelong resident of Bucks County, I greatly admire the work being done by the Lower Bucks County Chamber of Commerce. Their commitment to representing small, medium and large businesses and firms is commendable, and I am honored to represent the chamber in Washington, along with several member businesses that have maintained membership for all 50 years, Begley, Carlin & Mandio, LLP, Bucks County Courier Times, Bucks County Technical High School, Burton & Browse LLP, The Dow Chemical Company, Farruggio's Bristol & Philadelphia, Auto Express, First Federal of Bucks County, First National Bank and Trust, Company of Newtown, General Machine Products Company, Inc., Hellyer Performing Arts Center, Inc., Intercounty Media Group, Hal Lefcourt, APR, Lucisano Brothers, Inc., PECO, Pennsbury School District, United States Steel Corporation, United Way of Bucks County, and WBCB Radio Station (1490 AM).

I am pleased to congratulate the Lower Bucks County Chamber of Commerce and recognize those member companies who have been with the Chamber for 50 plus years. I thank them for their commitment to the chamber and the business community, and wish them success in the future.

TRANE'S 100 YEAR ANNIVERSARY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. KIND. Mr. Speaker, today I rise to celebrate the 100 year anniversary of Trane, a company based in my home city of La Crosse in western Wisconsin. La Crosse's third largest employer, Trane provides high-quality, energy-efficient heating, ventilating, and air conditioning (HVAC) systems and building management systems throughout the United States and the world. I would like to congratulate all of Trane's workers, including the mem-

bers of the International Association of Machinists and Aerospace Workers District 66 and my very own brother, Tim, who has been a loyal employee for many years. These dedicated workers partner with the management team to produce excellent products for a great price.

I'm very proud of the extraordinary contributions that Trane has made to our nation's technological advancements of the 20th and 21st centuries and for their contribution to job growth in Wisconsin. James Trane and his son Reuben started the company in 1913. Reuben's invention of the convector radiator in 1925, which replaced the heavy and bulky cast-iron radiators of the time, launched the company into worldwide prominence and firmly established its reputation as an innovator. Trane has upheld its reputation ever since.

Trane's innovations have been used during noteworthy moments in our nation's history. Their parts have been used to create products for the Armed Forces, such as the Trane Aircraft Intercooler during World War II, and they have even ventured into outer space when their heat exchanger design was used on the lunar rover of the Apollo 15 mission. Furthermore, Trane launched the world's most effective whole-house air filtration system that has helped families breathe easier in their homes.

It is with great pride that I rise today to congratulate Trane Co. on a century's worth of exceptional service and premium quality. Trane wouldn't be the success that it is if it wasn't for their hard work and dedication. Trane is truly deserving of recognition for their remarkable contributions to innovation and to the La Crosse community, and I am confident that they will carry on their work into the future.

HONORING FOUR MILE LUTHERAN CHURCH OF MABANK, TEXAS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. HENSARLING. Mr. Speaker, today I recognize the 165th Anniversary of the Four Mile Lutheran Church of Mabank, Texas.

On May 5, 2013, Four Mile Lutheran Church will celebrate 165 years of Lutheranism. Four Mile Lutheran Church is the oldest Norwegian church in Texas, having held continual services from 1848–2013. For 165 years, evangelism, missionary service, youth development, Sunday school, Bible study, fellowship, and worship have been celebrated by the congregation.

As Thomas Jefferson said, "It is in our lives and not our words that our religion must be read." It is an honor to represent the parishioners of Four Mile Lutheran Church whose lives exude service and faith.

IN HONOR OF DR. GARY B. GRIGGS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Dr. Gary B. Griggs, who is celebrating 45 years of expanding and sharing our understanding of the coastal and marine environment as a Distinguished Professor of Earth Sciences at the University of California Santa Cruz.

Dr. Gary B. Griggs is the Director of the University of California Santa Cruz Institute of Marine Sciences. A leader in the field of marine and coastal geology, his research is focused on the coastal zone and ranges from coastal evolution and development, through shoreline processes, coastal hazards and coastal engineering, and sea level rise. He is a talented interpreter of complicated coastal science and has a long track record of effectively translating his findings for policymakers. He has also been a champion of raising public awareness about these important issues across the Monterey Bay region and beyond. He has authored numerous academic and popular articles and books, including *Living with the Changing California Coast and Then & Now: Santa Cruz Coast*.

Griggs joined the UCSC faculty in 1968. He has been Director of the Institute of Marine Sciences and Long Marine Laboratory since 1991. The Long Marine Lab is known throughout the marine research community for innovative marine mammal research in areas of nearshore invertebrate marine biology, ecology, and issues surrounding ocean health.

As Director, he spearheaded the development of the Seymour Marine Discovery Center at Long Marine Laboratory, an educational center organized around the understanding of marine science. For the last 13 years, the Seymour Center has offered innovative educational programs for community members of all ages including school, youth and college programs, teacher workshops, and an extensive range of visitor and member programs.

In 2001, he led the launch of the Center for Ocean Health, a premier research facility for coastal conservation, policy, and research. The Center for Ocean Health has brought together some of the world's leading coastal and marine scientists, government and non-government coastal conservation and policy experts, and public education leaders. Their projects and partnerships are addressing a wide range of issues including complex coastal water science and policy issues, troubled sea otter populations in Alaska and California, and the socio-economic impacts of storms and sea level rise on coastal communities.

In 2009, the California Coastal Commission named Gary Griggs as a California Coastal Hero. He was recognized for his efforts to promote popular understanding of the California coast and for his leadership in the development of a major marine research and education center at Long Marine Laboratory. In 2010, Professor Griggs was elected as a Fellow of the California Academy of Sciences, an international center for scientific education and research at the forefront of efforts to un-

derstand and protect the diversity of Earth's living things.

Dr. Griggs has actively sought to break down silos between the academia and government. He has actively supported collaboration between marine scientists and decision-makers. The UC Santa Cruz marine campus at the edge of Monterey Bay physically embodies this collaborative approach and shares space with the National Oceanic and Atmospheric Administration's Southwest Fisheries Science Center as well as with the State of California's Oiled Wildlife Veterinary Care and Research Center.

Recently, his research projects have focused on documenting and understanding coastal erosion processes including temporal and spatial variations in rates of retreat; evaluating the effectiveness of coastal protection structures and the impacts of coastal engineering projects (seawalls, jetties, breakwaters) on coastal processes and beaches; evaluating beach processes and quantifying littoral cell budgets and human impacts on these budgets; impacts of extreme events such as El Niños on coastlines; the impacts of sea level rise on California's beaches and coastline; and coastal policies to reduce the impacts of hazards and sea level rise.

Mr. Speaker, I once again want to thank Dr. Griggs for his leadership on ocean and coastal science and policy and recognize him for serving as an inspirational and accomplished leader for my community.

SAFEGUARDS ACT REINTRODUCED

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to reintroduce the SAFEGUARDS Act, legislation I have introduced for the past three Congressional sessions that is intended to address some of the issues surrounding the 2010 Deepwater Horizon disaster and the subsequent federal response effort. Saturday marked the three-year anniversary of this catastrophic oil spill and the people of the Gulf are still waiting for the Congress to address the breakdowns in safety, oversight and response that were exposed during the spill. I have emphasized repeatedly that we owe it to those who perished in the explosion, as well those whose lives and businesses were impacted in the months that followed, to address the deficiencies in current federal policy.

I am thankful that last year the Congress was able to pass the RESTORE Act that directs a large portion of the fines resulting from the Deepwater Horizon spill to the restoration of the Gulf region. While we do not know the full amount that will be available in this fund, I am certain that it will have a positive impact on future restoration, revitalization and research efforts in the Gulf, including in my state of Florida.

However, I remain greatly concerned with continuing our work to ensure an oil spill of this magnitude is prevented from ever happening again. Fortunately, the beautiful beaches in my district were spared a direct oil im-

pact during the spill but make no mistake, our cities and local industries were impacted, including tourism and our fisheries, causing great hardship for many in my area. My constituents fear the impact that a future spill could have on their homes, businesses and our local environment.

While federal agencies have worked through the regulatory process to address some of deficiencies highlighted by the spill, most notably the Department of Interior's replacement of the Minerals Management Service with the Bureau of Ocean Energy Management, Regulation, and Enforcement, Congress has still not enacted comprehensive legislation. The members of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling (Oil Spill Commission), which issued their final report in January 2011, recently gave Congress a D-plus for failing to implement the recommendations made in the report.

Multiple retrospective reviews of the oil spill and the response efforts have provided us with valuable information about what should be included in comprehensive legislation. This includes the report by the Oil Spill Commission, the Joint Investigation of Bureau of Ocean Energy Management, Regulation, and Enforcement and U.S. Coast Guard, and the BP Deepwater Horizon Oil Spill: Incident Specific Preparedness Review.

As I stated last Congress, I was not surprised that many of the changes I recommended in the SAFEGUARDS Act were included in the Oil Spill Commission report, as my measure was developed following a series of meetings and regular phone calls with the on-the-ground incident commanders, local research teams and community emergency response personnel. It is my hope that the Congress will act on the solutions put forth in this measure and include it in a wider legislative response to ensure that we impose rigorous safety standards on any off-shore platforms, while also establishing a fully thought out plan to respond to future disasters.

We must stop waiting and act to address the systematic breakdowns that led to the BP Deepwater Horizon catastrophe. The SAFEGUARDS Act presents common sense solutions to help prevent a disaster of this magnitude from ever happening again, and improves the federal response in the event it ever does. Mr. Speaker, I ask my colleagues to support this measure. We owe it to the American people and the entire Gulf Coast to pass oil spill response legislation during this session.

HONORING BISHOP KING JAMES UNDERWOOD

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in honor of Bishop King James Underwood who is a pastor at New Free Will Baptist Church in Champaign, Illinois. Born in Mississippi, Bishop Underwood came to Champaign as a child. He has a Doctorate of Ministry and Doctorate of Divinity. He has

been heavily involved in the local community groups, including helping to form the Free Will Baptist District as well as leading the Ministerial Alliance of Champaign-Urbana and Vicinity, the local NAACP, N.C.N.W. and the Champaign County Urban League. Today, Bishop Underwood will be celebrating his 75th Birthday with friends and family.

I am proud to honor Bishop King James Underwood today and would like to wish him a very happy birthday and thank him for his service and dedication to the entire community.

TRIBUTE ON THE OCCASION OF
CANIFF STREET IN HAMTRAMCK,
MICHIGAN BEING RENAMED IN
HONOR OF REVEREND DOCTOR
JOSEPH R. JORDAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize my friend, Reverend Doctor Joseph R. Jordan, Pastor of Corinthian Baptist Church in Hamtramck, Michigan. On Sunday, April 28, 2013, Rev. Dr. Jordan is being recognized by the City of Hamtramck as it renames a portion of Caniff Street, one of its major thoroughfares, to honor his decades of service to the community.

Rev. Dr. Jordan began his journey on the ecclesiastical path nearly forty years ago, when he left his lucrative career as an electrician to answer the call of service to God. Before joining the congregation of Corinthian, he served as Assistant Pastor at Calvary Baptist Church in Detroit for six years. Since his ascension to the Pastorate of Corinthian, Rev. Dr. Jordan has held steadfast to his belief that the focus of his position is to help others. Through his dedication and passion to the teachings of his faith, Rev. Dr. Jordan has not only been a shepherd to his congregation, but a local community leader to the Detroit and Hamtramck communities as well.

As the spiritual leader to his church, Rev. Dr. Jordan has focused his congregation on not only learning the lessons of their faith, but also taking action on those lessons to help the surrounding communities. Under his direction, members of Corinthian have instituted a bi-annual drive to procure and distribute clothing and household necessities to families in need, established a scholarship fund and organized a local neighborhood carnival where church members distribute school supplies to students. In further efforts to make his church a sanctuary to the community, Rev. Dr. Jordan has also opened Corinthian to the neighborhood's local chapter Alcoholics Anonymous, providing attendees a safe and welcoming space to meet.

As a community leader, Rev. Dr. Jordan has extended his work beyond his role as the Pastor of Corinthian. Rev. Dr. Jordan ardently believes that all people should be treated equally and with respect. This is a belief he has fought for in his endeavor to expand access to quality healthcare as a trustee for the Henry Ford Health System. Additionally, Rev. Dr.

Jordan has been a strong advocate for victims of housing discrimination, an endeavor he has been working on for decades.

Mr. Speaker, for the last four decades Rev. Dr. Joseph R. Jordan has been a strong spiritual leader to his congregation and a passionate advocate for so many marginalized people in the Southeast Michigan community. His work has not only strengthened the vitality of the Greater Detroit region, but also communities across our Nation. I have been fortunate to have his advice and counsel and I join with his friends, family and the congregation of Corinthian Baptist Church to celebrate his impact on our region as a portion of Caniff Street in Hamtramck is renamed in his honor.

DEATH OF EDWARD JAGNANDAN

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BUTTERFIELD. Mr. Speaker, today it is with profound grief that I rise to commemorate the life of Edward R. Jagnandan, a great leader, public servant and personal friend who will be greatly missed in his community of Wilson, North Carolina, and throughout our great state.

A righteous advocate of low-income families, senior citizens and the disabled, Mr. Jagnandan served dutifully as Wilson Housing Authority's chief executive director for 6 years. During the course of his illustrious tenure, I had the unique opportunity to watch Mr. Jagnandan successfully embark on building a brighter future for Wilson residents who rely on subsidized housing.

Mr. Jagnandan's indelible contributions to Wilson include securing a competitive federal stimulus grant that awarded more than \$7 million to build a new, energy-efficient 68-unit apartment complex serving low-income residents. While championing the value of homeownership, Mr. Jagnandan spearheaded programs that would make owning a home affordable to even those with modest means.

Though not a native of Wilson, his contributions to our community make Mr. Jagnandan a son of Wilson. As a member of the Wilson Rotary Club, Mr. Jagnandan regularly supported civic volunteer and fundraising initiatives and served as president of the Wilson chapter of the International Rotary Club.

Ed Jagnandan was born in Guyana to Wilfred Jagnandan whose job as a Presbyterian Missionary brought his wife Helen and their children to the United States. After arriving as a teenager, Ed earned his Bachelor and Master of Business Administration degrees from Mississippi State University.

Mr. Speaker, as a devoted husband, father, brother, friend and public servant Ed Jagnandan's untimely passing will surely be felt by all of those whose lives he touched. He will forever be missed but never forgotten in the city of Wilson and across North Carolina.

THE PRESERVING ACCESS TO
MANUFACTURED HOUSING ACT

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. FINCHER. Mr. Speaker, in the aftermath of the recent housing crisis, the manufactured housing industry is facing significant challenges: an 80 percent decline in new home production, the closure of more than 160 plants, and the loss of more than 200,000 jobs. That's why I am introducing the Preserving Access to Manufactured Housing Act with my colleague Congressman BENNIE THOMPSON. This legislation would provide clarity and certainty to consumers and preserve the manufactured housing industry without deterioration of important consumer protections.

Earlier this year, the Consumer Financial Protection Bureau (CFPB) issued guidelines as required under the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank) that expand the range of loan products that can be considered high-cost mortgages under the Home Ownership and Equity Protection Act (HOEPA) without recognizing the uniqueness of manufactured home loans compared to the rest of the housing industry. The new HOEPA guidelines are effective January 2014 and would include many manufactured home mortgages.

Simply put the cost of originating and servicing a \$250,000 loan and a \$25,000 loan are the same in terms of real dollars, but the cost as a percentage of each loan's size is significantly different. This difference causes the smaller-sized manufactured home loan to potentially exceed the new HOEPA thresholds set by Dodd-Frank and be categorized as a high-cost mortgage and stigmatized as predatory, even though there is nothing predatory about the features of the loan. The liabilities associated with making and obtaining a HOEPA high-cost mortgage will likely prevent lenders from offering loans to low and moderate-income homebuyers, denying families access to necessary credit for new and existing manufactured homes. In addition, millions of families could see the equity they have built up in their manufactured homes wiped out because lenders would not want to provide the financing needed for resale.

The Preserving Access to Manufactured Housing Act would adjust the new HOEPA thresholds so fewer small balance manufactured home loans are classified as high-cost, while maintaining the consumer protections from predatory lending practices in Dodd-Frank. This legislation not only protects consumers, but preserves a viable secondary market for manufactured home loans.

This bipartisan legislation would also clarify that manufactured home retailers and salespersons would not be considered loan originators unless they receive compensation from a lender, mortgage broker, or loan originator. The new CFPB definition of a loan originator, also effective in January 2014, is based on traditional mortgage market roles that differ

from than the business model of the manufactured housing industry. Without this clarification, housing finance options may be eliminated for families seeking to purchase affordable manufactured homes.

We must make sure that we don't restrict housing options. The Preserving Access to Manufactured Housing Act protects the availability of financing for manufactured homes that many families across the country rely on for affordable housing.

IN RECOGNITION OF THE TECH-KNOW COMMANDOS OF WORCESTER, MASSACHUSETTS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. McGOVERN. Mr. Speaker, I rise today to ask my colleagues in the House of Representatives to join me in congratulating the Worcester Technical High School Robotics and Automation Technology Team, known as the Tech-Know Commandos, for winning the 2013 VEX Robotics World Championships trophy.

Team members Jason McKinney, Natalie Correa, Jake Richard, Greg Carlson, and Kahlan Cardin, worked tirelessly to develop the award-winning robot that competed against 420 teams from 23 countries. Prior to the world championship competition, the five students participated in—and won—a number of local and regional competitions. With the guidance of their coach and teacher Michael Meagher, the team continuously reevaluated the effectiveness of their robot and worked to perfect it.

As we continue emphasizing the need for high-quality and robust science, technology, engineering, and math education, the Worcester Tech robotics team should be recognized for their achievement in the STEM curriculum. Their experiences and successes will most certainly encourage other students to pursue opportunities in these fields.

Mr. Speaker, I'm so proud to represent Worcester, Massachusetts, a community that continues to explore robotics innovation. Please join me, the Worcester Technical High School, and the greater Worcester community in congratulating the Tech-Know Commandos for their excellence in STEM education and for their recent victory at the VEX Robotics World Championships.

DAN STOWERS HONORED FOR HIS WORK WITH HABITAT FOR HUMANITY

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to honor my constituent, Dan Stowers, who received the Clive Rainey Lifetime Achievement Award from Habitat for Humanity International. This prestigious national award

was presented to Dan in recognition of his more than 20 years of volunteer service for Habitat for Humanity. For the benefit of my colleagues, I am including an announcement from Habitat for Humanity detailing Dan's accomplishments.

Dan began his service to Habitat in Ohio in 1991, after retiring from the Ohio Department of Natural Resources where he designed bridges, roads, marinas and infrastructure for state parks. His previous experience and love for home improvement were the perfect fit for Habitat, making Dan an invaluable volunteer from the very start. When Dan and his wife Carolyn moved to Pinellas County, Dan continued his work with Habitat Pinellas.

Habitat Pinellas quickly realized that Dan was a devoted volunteer who worked tirelessly to assist in building housing both in Pinellas County and through Habitat's international missions. In recognition of his commitment and skills, Habitat Pinellas asked Dan to become their lead architect 12 years ago and every year he designs and helps build an average of 25 homes in our community. Each Habitat home is unique and Ron Spoor, the chief operating officer for Habitat Pinellas, credits Dan's ability to modify house layouts to meet each family's needs. At the same time, they meet the highest standards for energy use and water efficiency to lower the cost of homeownership, which is vital in helping Habitat meet its mission of providing affordable housing to local families.

The value of his contribution is immeasurable and can be seen in every house Habitat builds from Dan's designs, often with his assistance. Spoor estimates that Dan is the largest individual donor to Habitat Pinellas, generously giving his time, talents and resources over the past 20 years. His efforts, along with all those who give their time and energy to assist Habitat Pinellas, have helped build more than 250 houses in Pinellas County.

Mr. Speaker, Dan Stowers has been a devoted and passionate volunteer for Habitat for Humanity for the past 20 years, never seeking recognition for the huge impact he has had on families in Pinellas County, the United States, and the international community. I would ask my colleagues to join me in congratulating Dan on receiving the Clive Rainey Award as he continues to build upon his commitment to Habitat for Humanity in the coming years.

PINELLAS COUNTY MAN RECEIVES CLIVE RAINNEY AWARD FROM HABITAT FOR HUMANITY INTERNATIONAL

(Habitat for Humanity)

The prestigious "Clive Rainey Lifetime Achievement Award" was presented to Pinellas County resident Dan Stowers by Habitat for Humanity International at its biennial national affiliate conference in Atlanta on March 12th.

Stowers was recognized for more than 20 years of volunteer service to Habitat for Humanity affiliates in Florida and Ohio, Habitat Global Village builds, and Jimmy and Rosalynn Carter Work Projects around the world. At the Habitat for Humanity of Pinellas County affiliate, Stowers, a licensed professional engineer, volunteers his time and expertise to preparing engineering and architectural plans for many of the 25+ homes built locally by the affiliate each year. In addition to preparing the plans and

engineering for Habitat Pinellas, Dan frequently volunteers on the worksites and recruits and leads groups from his church to volunteer.

Stowers helped establish the first Habitat chapter in Romania and he has participated in ten Habitat builds in various locations around the world. He has also worked on Jimmy and Rosalynn Carter Work Projects in Hungary, the Philippines, Harlem, NY, Mexico and Thailand.

"By serving as the affiliate's professional engineer in a volunteer capacity, Dan has saved Habitat Pinellas a very considerable sum of funds," said Ron Spoor, chief operations officer for Habitat Pinellas. "In fact, when calculating the monetary value of Dan's in-kind donation, Dan is the largest individual donor in the affiliate's history. Through his donation of time and resources to Habitat, Dan has enabled the affiliate to increase its production and serve many additional families."

The Clive Rainey Lifetime Achievement Award is presented annually to volunteers for significant accomplishments that have advanced the mission of Habitat for Humanity. The award honors Habitat for Humanity's first volunteer, Clive Rainey, who made an exceptional and sustained commitment to advancing Habitat for Humanity's mission through generously sharing his time and talents.

TAASA: TRUE HEROES FOR VICTIMS OF SEXUAL ASSAULT

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. POE of Texas. Mr. Speaker, this week, the Texas Association Against Sexual Assault (TAASA) received the Ronald Wilson Reagan Public Policy Award as part of the Department of Justice's National Crime Victims' Service Awards.

Since its founding in 1982, TAASA's work has changed the lives of sexual assault survivors in Texas and throughout our great country.

TAASA serves as a powerful voice for the Texas sexual assault movement.

Their work in prevention, training, and advocacy is unparalleled.

TAASA has successfully advocated for legislation to protect and serve victims of sexual assault on the federal and state level.

Like true Texans, they fight hard and do not back down when they know something is right.

Most recently, TAASA played a critical role in the passage of the bipartisan SAFER Act, which I introduced to help reduce the rape kit backlog, bring justice to victims of sexual assault and put perpetrators behind bars where they belong.

As co-founder and co-chair of the Congressional Victims' Rights Caucus, it is reassuring that there is such an effective group advocating on behalf of victims. And, of course I'm proud that they're from the great State of Texas.

I congratulate TAASA on their award and commend their important work.

And that's just the way it is.

HONORING MARINE LANCE CPL.
THOMAS PARKER OF RONAN

HON. STEVE DAINES

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. DAINES. Mr. Speaker, Military Appreciation Day is an important reminder for all Americans of the importance of thanking and honoring the men and women who have served our nation in the armed forces.

I want to especially recognize Marine Lance Cpl. Thomas Parker of Ronan, Montana. Lance Cpl. Parker served in the 3rd Battalion, 5th Marines, and on December 11, 2010 he lost both of his legs and much of his left hand from an improvised explosive device in Afghanistan's Helmand Province.

After months of surgeries and rehabilitation, Lance Cpl. Parker returned home to Montana, and I'm proud to have him joining us for Military Appreciation Day in Helena. His strength, perseverance, and selfless service has made Montana proud and is worthy of our deepest appreciation.

I'm proud to honor Montana's veterans and service members on Military Appreciation Day, but may we always remember to thank these selfless Americans each and every day for their service to our country and the sacrifices they have made to protect our nation's security and our freedom.

HONORING THE LIFE OF SARA
CAZARES

HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. MCNERNEY. Mr. Speaker, I rise today to ask my colleagues to join me in honoring the life of Sara Cazares, who passed away last week.

Sara was born and raised in Stockton, attending Franklin High School, and later earning a degree in social anthropology from Harvard before coming back to the San Joaquin Valley she loved, to raise her family.

For Sara, the American Dream was something we should all aspire to: you go to school to live a better life and you take responsibility in your community. Her actions spoke to this commitment and to her character.

Sara had a long history of community involvement, working with the local hospitals, actively participating in the democratic process, mentoring children in the Franklin IB program, which aims to encourage students to become active and cross-cultural in this inter-related world, and other efforts. Most recently, she served as a Board Member of the Stockton Unified School District, influencing the lives of children. She took great pride and joy in giving back, ensuring that our children received a quality education.

Sara was the epitome of how each of us can make a meaningful impact on those around us and that we can accomplish anything when the community works together. Her dedication, enthusiasm, spirit, and commitment to others is inspiring.

It is for these reasons that I ask my Colleagues to join me in honoring the memory of Sara Cazares and in sending our thoughts and prayers to her beloved family and friends.

DEDICATING THE WORLD WAR II
MEMORIAL OF AVON, INDIANA,
AND PAYING TRIBUTE TO THE
VALIANT SERVICE OF OUR VET-
ERANS

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. ROKITA. Mr. Speaker, on Saturday, May 4, 2013, the Parks Foundation of the town of Avon, Indiana, will dedicate the Avon World War II Memorial Park in honor of our valiant World War II veterans. The park includes a sculpture in the likeness of one of Avon's remaining World War II veterans, Brigadier General Clyde C. "Chet" Wright, who exemplifies the sacrificial service of our veterans.

Brigadier General Wright was born in 1918 in Indianapolis. He graduated in 1938 from Ben Davis High School in Marion County, and two years later enlisted in the 139th Field Artillery Infantry Division of the Indiana Army National Guard. By December 1943, Chet Wright was deployed to New Guinea, staging there in preparation for some of the hardest fought battles in the South Pacific theater, Leyte and Luzon. After the war, Chet Wright returned to the states and to active duty with the Indiana Army National Guard. He served in several leadership positions, and was appointed as Assistant Adjutant General, Army, for the State of Indiana in March 1973.

In Avon today, all citizens enjoy the manifold blessings of liberty secured by veterans like Brigadier General Wright. Entrepreneurship is alive and well. Our growing economy includes world class transportation and logistics-based businesses. We are blessed with good schools, good government, and natural and abundant resources, including rich farmland which plays a pivotal role in feeding our nation and world.

It is my sincere hope that this memorial will properly honor the bravery and sacrificial service of our World War II veterans. May it serve as a daily reminder to all who pass it of the sacrifice that was required to secure this experiment in freedom known throughout the world as America, the land of liberty. May it fortify the resolve of this current generation to be vigilant in our sacred duty to preserve and protect it at all costs. May God bless our World War II veterans, may God bless Avon, Indiana, for its efforts to honor these heroes, and may God continue to bless the United States of America.

IN HONOR OF GERARD BELCHER

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BARR. Mr. Speaker, I rise today to recognize the contributions of Mr. Gerard Belch-

er, who was born in Pike County, Kentucky into a family of eight children. Mr. Belcher's story is an all-American story—the story of the American Dream.

His father was a coal miner and his mother was a homemaker. As a young man, Mr. Belcher spent hours in the backwoods and mountains of eastern Kentucky hunting, trapping, and exploring caves. These hours spent in the woods would later provide critical skills for his experience in the jungles of Vietnam.

Mr. Belcher volunteered to serve our country in the Army. He trained as a paratrooper and became an expert with the rifle, pistol, Bowie knife, and hand to hand combat. He was selected first in his class at the Army Leadership School in Fort Polk, Louisiana where he also volunteered for combat in Vietnam.

In August 1968, he was assigned to the 9th Infantry Division and was soon selected to join the special operations Mobile Riverine Force (MRF) operating with naval ships, boats, and personnel along the Mekong River of South Vietnam.

After surviving four months of intense combat, he was promoted to sergeant and volunteered to walk point, a position with a life span of approximately three weeks. He served for over four months, using the skills he learned in the hills of eastern Kentucky to protect himself and his fellow soldiers until he was shot five times during an ambush operation. Fortunately, he survived this attack.

Mr. Belcher was decorated with the Army Commendation Medal for Valor twice, earned the Air Medal, combat infantryman's Badge, Vietnam Service and Campaign Ribbons, the elite spear-header shoulder patch of the MRF, and the Purple Heart.

After his military service, he attended the University of Kentucky on the GI bill where he earned a bachelor's degree in business and marketing. Despite devastating war wounds to his chest and arm, he successfully walked onto the university's baseball team where he earned a scholarship, along with All-SEC and All-American honors.

Mr. Belcher has since founded HoldTime, an award winning national message-on-hold production company over 20 years ago. He remains vocal and active in the political life of his community, and has just been awarded the Commonwealth of Kentucky's Patriot Award.

As a U.S. Congressman, I am forever grateful for Gerard Belcher's service to our country. Because of his bravery and that of his fellow men and women in uniform, our American freedoms are protected for future generations. He is truly a hero to us all.

HONORING VIRGINIA STATE
POLICE TROOPER JAMES LAWSON

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GRIFFITH of Virginia. Mr. Speaker, I rise today to send my thoughts and prayers to Virginia State Police Trooper James Lawson of Gate City, Virginia.

On April 9, Trooper Lawson was injured during a high-speed pursuit in Scott County, sustaining a spinal cord injury. He was transported to Holsten Valley Medical Center in Kingsport. Trooper Lawson is now receiving treatment at Atlanta's Shepherd Center, which specializes in treatment and rehabilitation for people having sustained spinal cord or brain injuries.

Trooper Lawson is a dedicated member of the Virginia State Police, having served in law enforcement for 18 years. He is also active in serving the area as a proud member of the Gate City Volunteer Fire Department. He is now Assistant Chief, serving in the Gate City Volunteer Fire Department since he was 16.

Trooper Lawson is married to his wife Aimee, who is employed by the Scott County Sheriff's Department. He also has two children, Ashley and Trey. Trooper Lawson and his family are friends to many in the Gate City area, including members of my staff.

Thank you, Trooper Lawson and Aimee, for your service to the Commonwealth of Virginia and the Gate City community. I think I speak on behalf of all Scott County residents in wishing Trooper Lawson the very best as he continues working to recover.

COL. POOLE'S BIRTHDAY

HON. TOM GRAVES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to celebrate a great American, a dedicated small business owner in the North Georgia town of Ellijay. Who is often spotted with a yellow suit, an American flag tie, and top hat.

He is a true advocate for low taxes and less government, and is always sure to voice his opinions about candidates for political office.

Col. Poole and his lovely wife Edna founded Poole's Bar-B-Q . . . known in some circles as the "TAJ-MA-HOG". . . which rests in the shadow of the "Pig-Hill-of-Fame" adorned with plywood cutout hogs with patron's names painted on them.

In order to qualify for a pig on the hill, he has stated that all you need is, "an honest face, good intentions, and five dollars."

Next Monday, April 29, this fine patriot will turn 83 years old—so today I wanted to take a minute to say—"Oscar, from all the way in Washington, DC—I want to wish you a very happy birthday!"

TOYOTA ARIZONA PROVING
GROUND'S (TAPG) 20TH ANNIVERSARY

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GOSAR. Mr. Speaker, today, I want to congratulate the Toyota Arizona Proving Ground (TAPG) as it celebrates its 20th anniversary. I have had the opportunity to visit and

learn about their operations and am proud to represent the Toyota team members working at this fine facility. The 12,000 acre facility's most dramatic feature is the 10 mile, high speed, oval track. But in addition, it is home to many more miles of unique test tracks and a state-of-the-art engineering facility.

TAPG, which is part of Toyota Motor Engineering and Manufacturing, Inc., is responsible for evaluating the performance and endurance of Toyota vehicles on the test tracks in Wittmann, Arizona. TAPG employs about 50 team members and welcomes hundreds of contractors and visiting engineers each year—all contributing to Arizona's economy and to the development of Toyota's American made vehicles.

As their representative to Congress, I want to reiterate my commitment to supporting policies and a federal regulatory environment that encourages companies, like Toyota, to continue to invest in research and development in Arizona and across the United States.

HONORING OUR LADY OF GUADALUPE STUDENT JOURNALISTS

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. VELA. Mr. Speaker, I come before the House of Representatives today to honor five young people from Raymondville, Texas. Their project, titled "I Am Raymondville," earned them the top prize in the Diocese of Brownsville's Mobile Journalist Project, and their work has been entered in a national contest.

Rosa Barrera, Carla Bocanegra, Ralia Cortinas, Jose Trevino, and Celyna Vasquez set out to report on life in their community. With the assignment to chronicle poverty and homelessness in Raymondville, the five students from Our Lady of Guadalupe Parish interviewed a bearded homeless man who was often seen near the Expressway 77 overpass.

The students, ranging from sixth graders to a high school junior, were impressed by Kent Karl Kauten's warm and friendly manner, and he told them he had served in the Vietnam War and was a Navy veteran. Kauten was found dead just three days after the interview, and, when the student journalists learned that he would be cremated and buried in a pauper's grave, they sought to ensure that Kent Karl Kauten's passing was honored with a full Catholic funeral mass and a military burial.

Working with local officials, the five students were able to confirm Mr. Kauten's military service and his eligibility for military honors, and they raised money to pay for his funeral—often seeking donations on the streets. As the students participated in the funeral at Our Lady of Guadalupe Church and the burial, they stood in place of his family and ensured that the combat veteran was treated with dignity and respect.

Rosa, Carla, Ralia, Jose and Celyna set out to chronicle life in Raymondville. They saw poverty and homelessness, but they didn't just take a snapshot—they made a difference. They recognized a need and they stepped in

where no one else had to ensure that an American hero would not be forgotten. We owe an immense debt of gratitude to our nation's veterans who have sacrificed so much, and these dedicated young journalists have set an example of kindness and respect that our nation should follow.

Today, I join the City of Raymondville, the State of Texas, and the United States Congress in honoring the Our Lady of Guadalupe Mobile Journalists.

COMMEMORATING THE LIFE OF CALIFORNIA'S LUPE C. HERRERA

HON. GLORIA NEGRETE McLEOD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mrs. NEGRETE McLEOD. Mr. Speaker, let us commemorate the life of Lupe C. Herrera, a devoted member of the United States Army, who passed away on April 22 in Ontario, California at the age of 94.

Mr. Herrera enlisted in the Army on December 2, 1941, just a few days before the attack on Pearl Harbor. Mr. Herrera faithfully served his country for much of the remainder of WWII in the Sixth Armored Division throughout Europe until January 1946.

Mr. Herrera maintained an active role in his community throughout his life. His family remembers the stories he recounted about his memories during his service passing on his love for his country. The love for his country was transmitted to his grandchildren, as one serves in the Marines and another one in the Air Force. Mr. Herrera is survived by his wife, 6 children, 13 grandchildren, and 11 great-grandchildren.

Mr. Speaker, Mr. Herrera was an exceptionally devoted husband and father and I know that he will be greatly missed by his family and friends. Mr. Herrera's story will live on to serve as an inspiration for generations to come, and I thank him for his dedication to our nation.

IN HONOR OF PENNSYLVANIA VETERANS OF FOREIGN WARS ANNUAL STATE LOYALTY DAY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. MEEHAN. Mr. Speaker, today I rise to honor the Pennsylvania Veterans of Foreign Wars and its Annual State Loyalty Day celebration in Harrisburg, Pennsylvania on May 1, 2013.

Loyalty Day was officially recognized by Congress on July 18, 1958. President Eisenhower proclaimed May 1, 1959 the first official observance of Loyalty Day. President Eisenhower's proclamation declares Loyalty Day "a special day for the reaffirmation of loyalty to the United States and for the recognition of the heritage of American freedom."

Our veterans have protected that freedom for generations. Their devotion and dedication

to our nation set an example for American loyalty. I thank all of our nation's veterans for their service and sacrifice for our nation, and I thank the Pennsylvania Veterans of Foreign Wars for its tireless work in speaking out on behalf of veterans and promoting cherished American values.

McGLOTHLIN FOUNDATION'S 2013
AWARD FOR TEACHING EXCELLENCE RECIPIENTS

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GRIFFITH of Virginia. Mr. Speaker, each year, the McGlothlin Foundation of Bristol, Virginia awards one kindergarten through fifth grade teacher and one sixth through twelfth grade teacher from selected areas of Virginia, Tennessee, West Virginia, and Kentucky with its Award for Teaching Excellence.

I am pleased to say that both 2013 award recipients teach in the district I am proud to represent, the Ninth District of Virginia.

Today, I extend my congratulations and also my gratitude to Pamela MacDonald, a fifth-grade teacher at Pearisburg's Macy McClaugherty Elementary School, and to Steve Ahn, a biology and earth science teacher at Abingdon High School.

For their efforts in the classroom, both of these educators won a monetary prize, a portion of which must be used on an international trip so they can ultimately bring the world back into their classrooms. Reports indicate that Ms. MacDonald intends to travel to Europe with her winnings, and that Mr. Ahn will head to Norway and Finland.

On behalf of other parents in our area, thank you, Ms. MacDonald and Mr. Ahn, for all that you do for children of Virginia's Ninth District, and congratulations on receiving the McGlothlin Foundation's 2013 Award for Teaching Excellence.

HONORING PETER S. CARTER

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. HONDA. Mr. Speaker, I rise today to express my deepest sympathy to the family of Mr. Peter S. Carter.

Peter was born on February 20th, 1943 in San Diego, California. At the age of 14, he and his family moved to the Santa Clara Valley where he graduated from Bellarmine College Preparatory in 1961. Peter attended Georgetown University in Washington, D.C. He became a photo editor, yearbook editor-in-chief and managing editor of the Georgetown Magazine.

It was with his college press pass that Peter was able to capture historic events like Dr. Martin Luther King, Jr.'s "I Have a Dream Speech" and the inauguration of President Lyndon Johnson.

After graduating from Georgetown in 1966 he worked at American University. It was in

1963 that Peter married his first wife, Michelle Villere. Peter and Michelle had two sons, Scott and Shawn. She passed away in 1986. Peter married Dennise McNulty in December of 1987. Together, they celebrated life with a constant stream of family and friends.

Peter's advertising agency was located in historic parts of San Jose near Japantown. He began his career shaping the message of the Mobile Home Dealers Association. He worked with a variety of partners and his clients included everything from local boutiques to large commercial developers. He did charity work for many local causes and organizations.

Following a long career in public relations and advertising, Peter turned to photography. Peter was present at almost every town event with his trademark camera dangling from his neck. Peter's work was often featured in the local newspapers of the community. Whether it be a jazz festival, a special dinner, or the annual holiday parade, Peter was there to capture the event through the shutter of his camera.

Beyond his own career Peter was a strong advocate of the arts. He was one of the most active members and supporters of The Museums of Los Gatos.

Peter helped the museums grow into cultural staples of the community.

Throughout the years he became active in many causes. Peter was a founding member of the Los Gatos Weekly, which went on to merge with the Los Gatos Weekly Times Observer to become the Los Gatos Weekly-Times. He was a longtime member of the San Jose Rotary Club and served on the board of directors for the Los Gatos-Monte Sereno Police Foundation. Peter also served on the Los Gatos Music & Arts Committee for many years.

On February 20th Peter turned 70. This milestone was celebrated with the Los Gatos Social Club, the same organization Peter founded in the 1990s. Through this club Peter became a champion of locally owned businesses throughout the community. The Los Gatos Social Club hosted their weekly dinners at various family owned restaurants and cafes.

Peter was a special member of our community. For many years he has been a cherished friend. By example, he taught us to squeeze the most joy out of life as one possibly can and to do it with sublime purpose, a sense of humor, a fabulous wit and a dazzling smile.

It is in thanks for, and in admiration of Peter that I stand in honor today. I hope his legacy of public service serves as an inspiration to the young people of generations to come. He will be missed greatly by the Silicon Valley community.

HONORING PRIVATE FIRST CLASS
PHILLIS M. KULASZEWSKI FOR
HER SERVICE

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BRALEY of Iowa. Mr. Speaker, today, I am here to honor and celebrate the life of an American patriot, Private First Class Phillis M. Kulaszewski.

Phillis was born on December 22nd, 1919 in Cherokee, Iowa, was raised there, graduating from Immaculate Conception High School in 1937. She joined the Women's Army Air Corp in 1944, serving for 14 months as a Clerk General, tracking the movement of fighter and bomber aircraft until they reached their point of embarkation. For her service, Phillis was decorated with the Good Conduct Medal, American Campaign Medal and World War II Victory Medal.

In 1945, while serving at Wright Field, she met and married her husband, Arthur J. Kulaszewski, who served his country until his retirement in 1967. That year, Phillis, Arthur and their two adopted children, DuWayne and Karen Ann, moved back to Cherokee. She was a proud Iowan.

Phillis dedicated herself to supporting veterans and working on veteran projects. In 2003, the AMVETS Benton County Post 218 was chartered with 13 members. Phillis was the first woman veteran and life member of the post. Now thriving with over 65 members and 5 women veterans, AM VETS honors her passion and dedication by bestowing her name on the Post. It will now and forever be known as the "Marion B. Gaultier-Phillis M. Kulaszewski AMVET Post 218 Benton County, Iowa."

IN SUPPORT OF H. RES. 172: SUP-
PORTING THE GOALS AND
IDEALS OF NATIONAL FINAN-
CIAL LITERACY MONTH

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of House Resolution 172, supporting the goals and ideals of National Financial Literacy Month, 2013. I would like to thank my four co-sponsors of the bill, Mr. STEVE STIVERS of Ohio, my new co-chair for the Financial and Economic Literacy Caucus, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. TERRI SEWELL, of Alabama, and Mr. MATT CARTWRIGHT of Pennsylvania.

Mr. Speaker, personal financial literacy is essential to ensure that individuals are prepared to manage money, credit, and debt, and become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens. Financial literacy has been linked to lower delinquency rates for mortgage borrowers, higher participation and contribution rates in retirement plans, improved spending and saving habits, higher net worth, and positive knowledge, attitude, and behavior changes. Expanding access to the mainstream financial system provides individuals with lower-cost and safer options for managing finances and building wealth and is likely to lead to increased economic activity and growth.

According to the newly released study from Girl Scouts of the USA, "Having It All: Girls and Financial Literacy," ninety percent of girls say it is important for them to learn how to manage money. However just twelve percent say they feel confident in making financial decisions. They are also products of how the

world has changed, as many distrust large financial institutions and think that debt is a normal part of life. Young people look to their parents for guidance on money issues. Unfortunately, too many parents themselves are choosing to opt out of the financial mainstream, for a number of reasons. According to the Federal Deposit Insurance Corporation, at least 28.3 percent of households in the United States are unbanked or underbanked and, subsequently, have missed opportunities for savings, lending, and basic financial services. According to the National Foundation for Credit Counseling, 39 percent of adults in the United States report that they have no savings. For families to be able to emerge out of poverty, these statistics must change. Financial literacy is the key to social mobility in America.

In February 2005, then-Congresswoman Judy Biggert of Illinois and I co-founded, and currently co-chair, the Financial and Economic Literacy Caucus, FELC, to provide a forum for interested Members of Congress to work in collaboration with the Financial Literacy and Education Commission, highlight public and private sector best practices, and organize and promote financial literacy legislation, seminars, and events, such as Financial Literacy Month and the annual Financial Literacy Day Fair on the Hill that is being held today, April 26, 2013, in the Cannon Caucus Room.

THE 369TH INFANTRY REGIMENT
100 YEAR ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. RANGEL. Mr. Speaker today I rise to honor the 369th Infantry Regiment on their 100th anniversary. Constituted in June of 1913, this regiment was the first African American Regiment to serve with the American Expeditionary Force during World War I.

The U.S. Army's 369th Infantry Regiment, popularly known as the "Harlem Hellfighters," was the best known African American unit of World War I. Federalized in 1917, it prepared for service in Europe and arrived in Brest in December. The next month, the regiment became part of the 93rd Division and continued its training, now under French instructors. In March, the regiment finally received its Federal designation and was reorganized and re-equipped according to the French model. That summer, the 369th was integrated into the French 161st Division and began combat operations.

While African American valor usually went unrecognized, well over one hundred members of the regiment received American and/or French medals, including the first two Americans—Corporal Henry Johnson and Private Needham Roberts—to be awarded the coveted French Croix de Guerre.

Spending over six months in combat, perhaps the longest of any American unit in the war, the 369th suffered approximately fifteen hundred casualties but received only nine hundred replacements. Unit histories claimed they were the first unit to cross the Rhine earning

the epithet "Hell Fighters" from their enemies. After considerable effort by Colonel Hayward, the 369th was welcomed home with a parade in February 1919 and reabsorbed into the National Guard. More than one million people witnessed the triumphant parade from Lower Manhattan, up Fifth Avenue to my beloved village of Harlem. The marching band led the troops, and as they turned off 110th Street onto Lenox Avenue the band began to play. Today the lineage and tradition is carried on by the 369th Transportation Battalion, which has since become the 369th Corps Support Battalion. The Harlem Hellfighters continue to serve at home and overseas.

This year we honor a group of men whose selflessness and valor propelled them to protect and serve the very country that left them a perpetually marginalized group of American society. A group of men who fought to defend this country whose dream of freedom was ironically and unremorsefully built on the backs of their ancestors with no avail even as their sons fought for that same ideal decades later. The history of the Harlem Hellfighters is one of dedication and profound spirituality that reminds us that the efforts we make today has everything to do with the world we create for our future.

Mr. Speaker, I ask that you and my distinguished colleagues stand together to recognize such an historic day as our nation marks the 100th year of the 369th Infantry Regiment's dedication to this country. A Celebration of their remarkable service to this country and of the spirit and unwavering strength they displayed throughout.

IN SUPPORT OF WORKERS'
MEMORIAL DAY

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. ESTY. Mr. Speaker, I rise today to observe April 28 as Workers' Memorial Day. Every year on this date, remembrances are held around the world to honor men and women who have lost their lives or were injured in the workplace.

In Connecticut, the CT AFL-CIO will hold a ceremony at our State Capitol Building and then lay wreaths in Bushnell Park at the Workers Memorial.

Workplace fatalities and injuries have decreased over the years, but even one worker not going home at the end of their shift is one too many.

On average across our nation, 13 workers die on the job each day.

According to the Connecticut Department of Labor, about 40 workers in our state lose their lives each year due to workplace injuries.

Last year marked the 25th anniversary of the tragic and avoidable accident in Bridgeport at L'Ambiance Plaza.

We will always remember the 28 construction workers who did not return home to their families and loved ones that sad day.

And we will never forget December 14, 2012 when an unconscionable horror happened at Sandy Hook Elementary School in Newtown.

This unimaginable tragedy took the lives of six educators who gave their lives to protect their students.

Mr. Speaker, I urge my colleagues to join together in recognizing Workers' Memorial Day.

HONORING THE CENTENNIAL OF
THE CLOROX COMPANY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the Clorox Company—founded and headquartered in Oakland, California—as it celebrates the centennial of its founding on May 3, 1913. Since the beginning, Clorox has shown a commitment to doing responsible business while maintaining a close connection to Oakland and the greater-East Bay community.

Initially named the Electro-Alkaline company, Clorox opened the United States' first commercial liquid bleach factory in Oakland in 1913. In 1916, Mr. William Murray became the company's general manager, and with assistance of his wife and fellow entrepreneur Anne Murray, began to market liquid bleach for household use. The first seaborne shipment of Clorox products left the Port of Oakland in 1921 set for the East Coast via the Panama Canal. By 1928 the company was ready to go public on the San Francisco Stock Exchange. The Clorox Company weathered the Great Depression and went on to play an important role in the war efforts during World War II.

Through the second half of the 20th Century, Clorox's products expanded to include a broad range of consumer items, including Clorox 2 all-fabric bleach, Hidden Valley ranch salad dressing, Kingsford charcoal, KC Masterpiece barbecue Sauce, Pine-Sol cleaners, and the Glad brand of products. From its first expansion into the Canadian market, it has moved into markets in Latin America and beyond.

Even as its size, marketplace, and product base has grown, Clorox has maintained a consistent commitment to Oakland throughout its 100 year history in that city. Since its first donation to the Boy Scouts of America in 1920, Clorox has demonstrated its spirit of philanthropy and engagement in the communities where its employees live and work. The company made a conscious effort by moving its headquarters into Oakland's downtown in the 1970's as part of a major urban renewal project. And, since its creation in 1980, The Clorox Company Foundation has awarded cash grants totaling more than \$87 million to non-profit organizations, schools and colleges. In the past year alone, the foundation has helped nearly 100 non-profit organizations reach more than 26,000 young people in the Oakland area and thousands of others in cities across the U.S. The company has also demonstrated a commitment since 1978 to the East Oakland Youth Development Center through funding and staff volunteer programs.

Clorox has shown itself to be a leader in making diversity and inclusion priorities in its

business: The company's five employee resource groups (ERGs)—African-Americans Building Leadership Excellence (ABLE); Asian; Gay, Lesbian, Bisexual and Transgender (Clorox Pride); Latinos for Excellence, Advancement & Development (LEAD), and; Support, Heart & Opportunity for Women (SHOW)—show that Clorox understands the value of a multicultural and diverse marketplace and workplace. Recently, Clorox was recognized as a lead sponsor of Remember Them, Champions of Humanity, an inspiring monument in Oakland dedicated to global peace in diversity.

Therefore, on behalf of the residents of California's 13th Congressional District, I would like to salute Clorox, and all of those who have contributed to its century of success. Thank you for your long-term belief in and contributions to our community. Once again, congratulations, and I wish you the very best as you strive for another 100 years of excellence.

NATIONAL MINORITY HEALTH MONTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in honor of National Minority Health Month and I want to address a key issue of importance: raising awareness of the medical needs for minorities.

National Minority Health Month aims to raise awareness about health disparities that continue to affect racial and ethnic minorities.

It is important to recognize the need to raise awareness because our communities are often left out, finding quality and affordable health care is a real obstacle.

This year's theme is Advance Health Equity Now: Uniting Our Communities to Bring Health Care Coverage to All, a common goal in improving the health for everyone in our communities.

On that note, I wish to speak on the issue of home dialysis and those affected by this daily necessity.

Home dialysis can be very beneficial for numerous reasons—it can help patients live a more full and independent life. It can also be more cost-effective and by staying at home, it relieves constraints on an already small health care workforce.

However, the reality is that most people who begin dialysis in the U.S. are treated in dialysis centers.

3.3 percent of non-Hispanic patients receive this amenity but only 1.7 percent of Hispanic patients receive this treatment.

Furthermore, African-American dialysis patients are approximately 20 percent less likely than average to receive home dialysis and Hispanic dialysis patients are 37 percent less likely to be receiving this home treatment.

In my home-state of California alone, almost 38,000 people are on dialysis, with only 2.1 percent of people receiving home dialysis on a daily basis.

That is why I would like to raise today and promote awareness of the disparities that mi-

nority communities face, with the goal of improving the care for all of those in need.

SEQUESTRATION

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. LANGEVIN. Mr. Speaker, I rise today to express my deep disappointment that Congress has wasted yet another opportunity to be rid of sequestration for FY13. The most important action we can take to provide for the long term health of our nation is getting people back to work, and ensuring that those who are employed, stay employed. This cannot happen with sequestration in force, yet House Republicans continue to risk our delicate economic recovery by allowing this disastrous policy to continue. Since April of 2011, we have cut \$2.4 trillion from the budget over the next ten years—with nearly three dollars in spending cuts for every dollar of revenue.

In February, Democrats introduced legislation, which I cosponsored, to avert sequestration in a balanced way, through closing tax loopholes and targeted spending cuts. Ever since, Democrats have tried to bring this proposal up for a vote, with Republican leadership blocking every attempt.

Every day, I hear stories from Rhode Islanders about the effects of sequestration on their lives and livelihoods. Some consequences, like flight delays, are more visible than others. But the impacts are just as real, and often much more devastating, for the laid-off workers whose extended unemployment insurance has been reduced, for our kids who won't get a spot in Head Start, for the low-income families who may lose their housing vouchers, for the seniors who won't be receiving Meals on Wheels, and for our teachers who may lose their jobs. Piecemeal legislation—and playing favorites—is not the answer. We cannot simply react to the loudest voices or the most well connected; sequestration is damaging to every segment of our community.

I am heartened to see that after months of denying the consequences of sequestration, my colleagues on the other side of the aisle have finally woken up to the real, damaging effects to our constituents and to our economy. But we seek public office to represent the interests of all of our constituents, and to give a voice to those who can't always speak for themselves. We cannot afford any more carve-outs—there are too many in our communities whose problems are just as great, but whose voices don't carry as far. I urge my Republican colleagues to join us in finding a comprehensive solution to sequestration so that all of those who are suffering under this policy will know they have been heard.

RECOGNIZING THE CITY OF SOCORRO

HON. PETE P. GALLEG0

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GALLEG0. Mr. Speaker, I rise today to recognize the City of Socorro which is celebrating its 165th anniversary. The City is the central point in the beautiful Mission Valley Trail—with a rich history. The City of Socorro became a part of the State of Texas in 1848 after the U.S.-Mexico war.

After the 1680 Pueblo revolt in northern New Mexico in 1680, the Spanish were driven from the North and moved into the area with their Native American allies. Later, they built the Nuestra Señora de la Limpia Concepción del Socorro Mission. Although the Great Rio Grande Flood swept away the first permanent structure in 1744, resilient settlers built a second church. When that was swept away by the Rio Grande in 1829, settlers did not give up.

The Socorro mission we know today was opened in 1843. Approximately 1,100 settlers built up around the mission.

The growing City of Socorro faced a downturn after the railroads laid their track to El Paso, bypassing Socorro. The resolute citizens, however, were determined to stay in the area for decades. The population boomed during the 1960s and 1970s and has continued to grow with the same determination and perseverance. Residents have always banded together against adversaries.

The town today is rich in community, history, and culture.

Making the 165th anniversary celebration even more momentous is the fact that it will take place at the new Bulldog Championship Park—named after the 2009 Socorro High School baseball team that won the 5A state baseball championship title.

I congratulate the city and all its residents on the momentous occasion of a 165th anniversary.

HONORING THE LIFE OF SUSAN BURNETTE

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. FOSTER. Mr. Speaker, I rise today to honor the life and legacy of Susan Burnette of Woodridge, Illinois, who passed away Sunday morning after an abbreviated battle with lung cancer.

Susan was a remarkable member of the Woodridge community, where she lived for 35 years. Her love for her community was evident in the passion and dedication she had for leaving this world a better place. In addition to being elected to the position of Village Trustee earlier this month, Susan was an active member of the League of Women Voters, Woodridge Area Chamber of Commerce, and the Woodridge Jubilee Committee.

Her memory lives on through her three children Brad, Scott, and Kristina, and her grandchildren Riley, Reese, Carson and Landon,

and the countless lives she touched. Mr. Speaker, I ask my colleagues to join me in remembering Susan Burtnette. She will be deeply missed.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. CONAWAY. Mr. Speaker, on April 25th I was unavoidably detained and missed rollcall No. 124, on passage of H. Res. 178.

Had I been present I would have voted "aye."

ACCOMPLISHMENTS OF WOMEN IN
OUR DISTRICT

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in recognition of Women's History Month, which took place last month.

Next week I will hold a special briefing to recognize the contributions and accomplishments of four outstanding women in Orange County, California.

Mallory Vega is the Executive Director of Acacia Adult Day Services, a nonprofit agency providing daycare and health services.

Under her leadership, Acacia has grown from serving eight participants to over seven thousand.

Dr. Maria Minon, Chief Medical Officer of Children's Hospital of Orange County, has devoted her career to transforming the delivery of pediatric medicine to children and families.

Arianna Barrios, an active business owner and member of our community, has dedicated her career to serving education and non-profit institutions.

Dr. Mildred Garcia, President of California State University Fullerton, is the first Latina president in the University's system and has strengthened opportunities for students, institutions and communities at large.

I look forward to recognizing these outstanding women and their contributions to our communities.

CONGRATULATING THE LATIN
AMERICAN YOUTH CENTER

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the Latin American Youth Center (LAYC) on its 45th anniversary and for its exceptional work with underserved youth in the District of Columbia and the national capital region.

Founded in 1974, LAYC began as a youth and family development center serving Latino youth in the District. Today, LAYC serves all youth at its five sites in the District of Columbia and in Maryland. LAYC continues to be committed to transforming the lives of underserved youth and their families through multicultural, comprehensive, and innovative programs that address the social, academic, and career needs of youths.

We appreciate the LAYC's long presence in the District and its continued service to our city's young people. We also wish LAYC continued success for years to come.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 45th anniversary of the Latin American Youth Center.

THE FEDERAL GOVERNMENT'S
USE OF INFORMATION SHARED
UNDER CISPA

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. GRAYSON. Mr. Speaker, the U.S. House of Representatives has passed a bill attempting to secure our nation's cyber-systems and networks from attack. This bill expands the authority of private entities and the federal government to share specified threat information and intelligence with one another. It is intended to grant authority for the government and private industry to share cyber-threat information and intelligence only in a manner consistent with the need for individual citizens to have reasonable expectations of privacy. The right of a citizen to remain "secure in their persons, houses, papers, and effects, against unreasonable searches and seizures" is unaltered. This bill largely pertains to network security, and nothing in the bill precludes or alters the requirement that the government secure a warrant before engaging in searches or seizures of information that would otherwise reasonably be expected to remain private.

With respect to those provisions pertaining to the federal government's use of information shared with it under the Cyber Intelligence Sharing and Protection Act ("CISPA"), the intent of Congress is as follows:

The only information the federal government may receive under CISPA that it heretofore was not permitted to access under law is "cyber threat information" (Section 3(b)).

"Cyber threat information" is defined narrowly in section 3(g)(4) as "information directly pertaining to" any of the following:

(1) A vulnerability of a system or network of a government or private entity or utility.

(2) A threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or utility or any information stored on, processed on, or transiting such a system or network.

(3) Efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity or utility.

(4) Efforts to gain unauthorized access to a system or network of a government or private entity or utility, including to gain such unau-

thorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity or utility.

Therefore, if the actions of a user of any system or network do not expose a vulnerability; pose a threat to integrity, confidentiality, or availability; attempt to deny access, degrade, disrupt, or destroy; or attempt to gain unauthorized access, then none of the user's information, or information pertaining to the user, or information that could possibly identify the user may be shared with the federal government under authority granted by CISPA. Each of these categories must be construed as narrowly as possible in order to protect the constitutional right of citizens to privacy, and provide effect to the term "directly."

Restated, the use of a system or network alone does not permit any entity to share any information of a user, or pertaining to the user, unless it is currently allowed to do so under another law. The terms "vulnerability," "threat," "efforts" and "unauthorized access" all are to be construed narrowly, and are limited to cybersecurity threats.

Further, the government cannot use that which it cannot receive.

Under this Act, should any entity share information with the federal government that is not "cyber threat information," e.g., information pertaining to normal or permissible use, identifying information, etc., then the federal government must notify the entity sharing the information of its error (Section 3(c)(5)), shall not retain the information (Section 3(c)(6)), and shall not use the information (Section 3(c)(6)).

The federal government may use "cyber threat information" shared with it only:

(1) for cybersecurity purposes,

(2) for the investigation and prosecution of cybersecurity crimes,

(3) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of crimes involving such danger of death or serious bodily harm,

(4) for the protection of minors from

(a) child pornography,

(b) any risk of sexual exploitation, and

(c) serious threats to the physical safety of minors, including kidnapping and trafficking, and

(5) for the investigation and prosecution of crimes involving 4(a) through (c) above, and

(6) any crime referred to in section 2258A(a)(2) of title 18 of the United States Code (knowingly failing to report information pertaining to sexual exploitation and other abuses of children—including obscene visual representations of such acts). (Section 3(c)(6) and Section 3(c)(1)).

The term "danger of death or serious bodily harm" is limited to acts of domestic terrorism as defined in the criminal code (18 U.S.C. Section 23331(5)).

CISPA does not allow the federal government access to new information based upon the points described above, but only access to existing information. Moreover, it limits the use of appropriately shared "cyber threat information" solely to the purposes and crimes defined.

"Cybersecurity Purpose" is defined in section 3(g)(8) as "ensuring the integrity, confidentiality, or availability of, or safeguarding, a

system or network, including protecting a system or network” from vulnerability; threats to integrity, confidentiality, or availability; attempts to deny access, degrade, disrupt, or destroy; or attempts to gain unauthorized access. It is a narrow subset of the term “cyber threat information.”

“Cybersecurity Crimes” is defined in section 3(g)(6) and are those crimes under federal or state law pertaining to misuse of systems or networks, as well as any federal computer crime. Only statutes limited to the misuse of computers fall within this scope.

CISPA places an “Affirmative Search Restriction” on the federal government in section 3(c)(2)—“The Federal Government may not affirmatively search cyber threat information shared with [it] . . . for a purpose other than a purpose referred to in” points 1 through 6, above. In order to respect the Constitutional right to privacy, this provision should be construed as broadly as possible.

The only new authority CISPA creates with respect to searches is as follows:

(1) Cyber threat information (which is narrowly defined, and for almost every American ensures that the sharing of their information, or information pertaining to them, is disallowed) must be appropriately shared as discussed in section 3(b).

(2) The federal government may affirmatively search shared cyber threat information only for:

(a) Cybersecurity purposes (which, as defined, is a threshold that must be satisfied prior to the information is even being shared with the government in the first instance).

(b) Computer crimes which are already codified.

(c) And only enumerated crimes pertaining to sexual exploitation and other abuses of children.

No search of information may be performed without satisfying the requirements of the 4th Amendment to the U.S. Constitution. Nothing in CISPA is meant to eliminate or even curtail the requirement in all applicable cases to obtain a warrant.

If information is not cyber threat information, (1) the government may not have it under CISPA (Section 3(c)(6)), and (2) must obtain a warrant to search it (Section 3(c)(2)). The information of, pertaining to, or identifying any American who is using a network or system in a way that comports with the terms and conditions of a user agreement is unequivocally not cyber threat information. Any search of such information requires a warrant.

Library circulation records, library patron lists, book sales records, book customer lists, firearms sales records, tax return records, educational records, and medical records are not records that satisfy the definition of “cyber threat information” under CISPA. Section 3(c)(4) explicitly bars the federal government from using these records under CISPA. This provision is to be construed liberally, and this list is not exclusive.

Pursuant to section 3(d)(1), the federal government may be held liable for any use of information shared with it that is not cyber threat information. This is an explicit waiver of sovereign immunity, and is intended to be broad.

And finally, CISPA, in accordance with section 3(f)(7) does not authorize any intelligence

agency to engage in surveillance of any American citizen. Such action clearly would be a violation of Constitutional rights; and actionable through a private right of action.

Mr. Speaker, each of the points addressed above are important. They are important to understanding the narrow scope of this law, the ways in which the federal government is prohibited from acting, and the ways in which American citizens’ information remains protected and unavailable to the federal government. CISPA should be interpreted narrowly as written, and as such, it is not a document that provides sweeping new authority to the federal government either to receive or use cyber information of the general American public. In case of doubt, the letter and spirit of the body of law surrounding the 4th Amendment to the U.S. Constitution and our rights to liberty and privacy prevails.

ENCOURAGING SERVICE DURING NATIONAL VOLUNTEER WEEK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. RANGEL. Mr. Speaker, I rise today, to recognize National Volunteer Week, which takes place from April 21, 2013–April 27, 2013. During National Volunteer Week, established in 1974, thousands of people lend their time and support to collectively improve our communities. Service and volunteerism have long been honorable facets of American culture and continue to strengthen the character of our country.

This week, it is with great pride that I honor those men and women who work diligently with patience and enthusiasm to greatly improve the lives of complete strangers within their communities. These small feats of compassion performed without the expectation of recognition are long-lasting and deeply appreciated by all.

Amidst the recent violent tragedies, it is of critical importance that we join together as a nation in service to strengthen the communities that are integral to the diverse mosaic of American culture. National Volunteer Week is also an opportunity to give thanks to the wonderful organizations within our congressional district, such as the Harlem Hospital, Community Kitchen of West Harlem, Catholic Charities of New York, and the Andrus Children’s Center that exemplify the strong civic service marking the core tenets of volunteerism this week.

There are many other opportunities both long- and short-term, to give back to our wonderful communities. For more information please visit <http://www.serve.gov> for ways to serve our nation.

RECOGNIZING DR. RONALD TAYLOR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Dr. Ronald Taylor on the event of his Inauguration as the sixth President of Merced College, one of the premier community colleges in Central California.

Dr. Taylor began his exemplary educational career in Kyoto, Japan, where he taught English and Linguistics. He also taught at the University of Virginia in the English Department, which at the time was among the top three English Departments in the world. Dr. Taylor and his family decided to return to California, where he moved his way up from student grader to full time professor to Assistant Dean of Instruction for Letters and Social Sciences at Santa Rosa Junior College. Dr. Taylor has also served in the capacity of Vice President of Academic Services at Chabot College and Dean of Instruction at Reedley College.

Before coming to Merced College, Dr. Taylor served as the Superintendent-President of Feather River College. During his tenure at Feather River, Dr. Taylor effectively handled fiscal challenges, implemented a new approach to managing enrollment, and cultivated a communicative and positive atmosphere at the campus. He also successfully lifted a warning sanction that was placed on the college from the Accreditation Commission of Community and Junior Colleges.

Throughout his career, Dr. Taylor has demonstrated an ongoing commitment to the development of the highest standards for the education of his institution, demonstrating through his regular interactions with staff and the community his passion for higher education. Dr. Taylor has extensive experience engaging with diverse populations and has supported activities to encourage cross-cultural understanding.

Being an active member of his community is something of utmost importance to Dr. Taylor. He is an active Rotarian, and has served on many citizen task forces. Dr. Taylor is an ardent advocate for the community college agenda and for rural communities and has served on several statewide commissions. His current focus is on developing effective strategies to improve student success. He sees his primary strength as building consensus and community on campus as a means to foster student success.

It is my distinguished pleasure to welcome Dr. Ronald Taylor, who brings a wealth of experience in college governance to Merced College and wish him good fortune throughout his tenure as President. I ask my colleagues to join me in wishing him well as he embarks on this new journey to educate our future leaders.

INTRODUCTION OF THE HEALTH IT
MODERNIZATION FOR UNDER-
SERVED COMMUNITIES ACT

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. BASS. Mr. Speaker, I rise today to introduce the Health IT Modernization for Underserved Communities Act, legislation that would amend the Health Information Technology for Economic and Clinical Health (HI TECH) Act to extend Electronic Health Record (EHR) Medicaid incentive payments to all physician assistants (PAs) whose patient volume includes at least 30 percent Medicaid and other financially needy beneficiaries.

The HITECH Act currently offers the incentive payments to physicians and nurse practitioners who provide primary care to the requisite 30 percent threshold of Medicaid recipients, but limits the EHR incentive payments to care provided by PAs in "PA-led" rural health clinics and federally qualified health centers.

Enhanced, quality patient care is the goal of electronic health records, and patients are the ultimate beneficiaries of this legislation. The current HITECH limitation on Medicaid EHR limits the development of EHR systems for Medicaid beneficiaries who are served by PAs. This legislation extends additional support to community health centers and other medical practices in which PAs provide care to a high volume of Medicaid patients.

I have firsthand knowledge of the key role of the Physician Assistant profession and the role the profession serves in bringing primary medical care to rural and other medically underserved communities. Before I was elected to the U.S. House of Representatives and before I served in the California Assembly, I was a Physician Assistant, and I know that the PA profession adds tremendous value to our health care system. PAs provide quality, team-based, patient-centered medical care and extend the reach of medicine throughout the U.S. It is a cost-efficient approach to providing needed medical care.

There are over 90,000 practicing PAs in the U.S. today. PAs are one of three health care professionals providing primary medical care in the U.S. Although PAs practice in virtually all medical specialties, primary care is the largest area of specialty practice for PAs.

The PA profession is uniquely flexible in adapting and responding to the evolving needs of the U.S. health care system by virtue of comprehensive educational programs that prepare PAs for a career in general medicine and a team-based approach to providing patient-centered medical care.

I am pleased to introduce this important legislation and ask my colleagues to join me in supporting the Health IT Modernization for Underserved Communities Act.

COMMEMORATING THE LIFE OF
CALIFORNIA'S HELEN L. DOHERTY

HON. GLORIA NEGRETE McLEOD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mrs. NEGRETE McLEOD. Mr. Speaker, I submit the commemoration of the life of a great American and dear friend of mine, Ms. Helen L. Doherty, who passed away April 11, 2013.

Helen was a proud member and tireless advocate of the Cherokee Nation and she was a teacher who worked throughout her professional career for children of all ages. She wrote numerous successful grants for education and founded the Kudos for Kids Foundation, a non-profit organization dedicated to the needs of children. She gained the support of many teachers, students and parents for her work with youth in after-school programs. As she continued her work with students even after her retirement.

I knew Helen for many years and during my legislative career, her counsel and wisdom have been invaluable to me. She will be sorely missed by all her friends, loved ones, and her community.

Additionally, the Native American community has lost an unparalleled leader who was constantly engaged in the defense of their heritage and quality of life. We can rest assured her dedication and love for America will continue in the many lives she touched.

IN HONOR OF PASTOR LORENZO L.
HEARD

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an outstanding Man of God, Pastor Lorenzo L. Heard, for twenty years of dedicated civic leadership and pastoral service to the Albany, Georgia community. Pastor Heard will celebrate his twentieth anniversary as the distinguished pastor of Greater Second Mount Olive Baptist Church with an anniversary celebration that will be held on Friday, April 26, 2013 at 7:00 p.m. on the campus of Albany State University in Albany, Georgia.

A Georgia man through and through, Pastor Heard is a native of Leesburg, Georgia and a 1981 graduate of Lee County High School. He attended Fort Valley State College, now known as Fort Valley State University and transferred to Morehouse College in Atlanta after two years. He earned a Bachelor's Degree in Business Management from Albany State University.

Pastor Heard began preaching the Word of the Lord at the young age of seventeen. Just three years later, he began his first pastorate at Macedonia Baptist Church in Patterson, Georgia before becoming the pastor of Saint Gaillee Baptist Church in Sparta, Georgia in 1987. In 1993, he became pastor of the Greater 2nd Mt. Olive Baptist Church, where he has been called to lead for the past twenty years.

Under Pastor Heard's leadership, more than 2,500 people have joined the congregation of Greater 2nd Mt. Olive Baptist Church. A dynamic and ever faithful pastor, he has taught, mentored, and ministered to every soul who has walked through the doors of the church. Pastor Heard goes a step further by teaching people life skills such as how to manage their finances, and encourages everyone to become active in civic and political engagement to better the community.

Always pressing towards the mark for the prize of the high calling of God in Christ Jesus, to better improve the craft of Christian ministry and discipleship, Pastor Heard has led the church in building a strong outreach program for the East Albany community, touching and changing many lives for the better.

Pastor Lorenzo has been repeatedly acknowledged for his outstanding achievements, service and public distinction. He has authored two books, *Stuck in a Storm and Missing Your Calm: Discovering God's Purpose for Your Life and Lessons in Money Management*.

Pastor Heard has achieved numerous successes in his life, but none of this would have been possible without the grace of God and his loving wife, Leslie Parrish Heard, and family.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to Pastor Lorenzo L. Heard for his life of selfless service to God, the church and to humankind.

WILSON ELEMENTARY SCHOOL
ACHIEVES THE STATUS OF A
GREAT EXPECTATIONS MODEL
SCHOOL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. MARCHANT. Mr. Speaker, I am proud to congratulate Wilson Elementary School of the Coppell Independent School District in Coppell, Texas for earning the distinction of Great Expectations Model School on March 26, 2013.

Great Expectations is a professional development model organization for educators. In order to earn Model School status, ninety to one hundred percent of the teachers must successfully implement one hundred percent of Great Expectations' seventeen classroom practices. The classroom practices are designed to achieve the Great Expectations mission to motivate, inspire, and challenge individuals to achieve excellence in learning and living.

Wilson Elementary achieved Model School status within one school year. The elementary school was committed to adopting the model in an expeditious fashion to enhance the quality of learning for its students. In June, 2012, the educators were trained by the Great Expectations Institute. In September of 2012, Principal Chris Nester submitted the paper work to apply as a Model School and a representative from Great Expectations visited the campus for review. Meanwhile, throughout the school year, the staff attended numerous

meetings with the Great Expectations development team, which helped achieve the ranking. Additionally, the Wilson students worked diligently to follow the principles and expectations of the program.

Wilson Elementary is one of only five Model Schools in the entire state of Texas and it is the first in North Texas. Wilson has become a leader in the area, and it is a role model for other campuses to implement Great Expectations in the years to come.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Wilson Elementary School on its accomplishment as a Great Expectations Model School.

TRIBUTE TO REV. F.N. WILLIAMS, SR., ON THE OCCASION OF THE 55TH ANNIVERSARY OF HIS PASTORSHIP OF ANTIOCH MISSIONARY BAPTIST CHURCH IN HOUSTON, TEXAS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Rev. F.N. Williams, Sr., the legendary pastor of the legendary Antioch Missionary Baptist Church in Houston, Texas. This Sunday, April 28, 2013, will mark the 55th anniversary of Rev. Williams' pastorship of this great church. For more than a half century, Rev. Williams has ministered to the needs of his congregation, spoken truth to power, and been an advisor to several presidents, including Presidents George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama.

Born into a family of preachers and community leaders, Floyd Nathaniel Williams, was the son of the Rev. M.C. Williams and grandson of Rev. Mike Williams. In 1945, at the age of sixteen began to sense a call to the ministry and responded to the call by earning a Bachelor of Divinity Degree in extended studies from Bishop College.

After serving in the U.S. Army as a Warrant Officer during the Korean War, Rev. Williams began his pastoral career at Greater Union Baptist Church in Matthews, Texas. From 1951 to 1958, he served the Lord at Friendship Baptist Church in Eagle Lake, Texas and at St. John Baptist Church in Beaumont, Texas.

In April 1958, after the passing of his father, Rev. Williams was named to succeed him as Pastor of Antioch Missionary Baptist Church, located at 5902 Beall Street, where he continues to serve today.

Rev. Williams did not just preach to the choir. He recognized that to do God's work and to extend his Word, it was important also to reach those in need outside the church. He was the first pastor to implement an athletic program outside of school to provide instruction and support for the youth of the community. And out of that effort came four future ministers whose lives were turned around.

Although the Bible bears witness that, a professed believer should be, "in the world but

not of the world," for 55 years Rev. Williams has understood that African American communities have serious problems and thus undertook initiatives outside of the church to ameliorate the suffering and in his community. Among his many initiatives and activities, Rev. Williams served as Editor of the Globe Advocate Newspaper; Director of the Advisory Board Standard Savings Association; Director of the Houston Council on Human Relations; Director of the Northwest Water District City of Houston; and Member of the Human Relations Committee of the Houston Independent School District.

Mr. Speaker, Rev. Williams has served the church in numerous ways: as Moderator for the Independent Baptist General Association of Texas; 1st Vice President of the Missionary Baptist General Convention of Texas; President of the Houston Baptist Pastors and Ministers Fellowship; Member of the Board of Directors of Rural and Urban Ministers Conference, Prairie View A&M University; Member of Board of Directors of Church College Relations Board at Bishop College in Dallas, Texas; 1st Vice President of the Baptist Ministers Association of Houston; Member of the Houston Metropolitan Ministries; Advocate and Supporter of the Texas Youth Commission; and Founder of the Houston Ministers Against Crime. Rev. Williams believed and strongly supported the vision of the Rev. Dr. Martin Luther King, Jr. and played an indispensable role in bringing Dr. King to Houston. Rev. Williams often reminisces about how he sat only three seats away from Dr. King on April 3, 1968, the night he delivered I Have Been To The Mountaintop, his famous last speech.

A few years after Dr. King's assassination, Rev. Williams and several other local pastors decided that, they "didn't need the government to tell us when to celebrate our history" so they initiated the first ever Martin Luther King Celebration in 1971. To date, he has held 40 Annual Martin Luther King Day Celebrations.

Rev. Williams has been a valued advisor to Presidents. He is a close and personal friend of former President George H.W. Bush whom he brought to the Acres Home and Garden Oaks communities to meet with local residents to discuss the major issues and challenges confronting those communities.

Since that time, Presidents from George H.W. Bush to Barack Obama have sought the advice and counsel of Rev. Williams. On August 19, 2000, Rev. Williams was inducted into the Religious Hall of Fame Elite in Dallas, Texas.

Mr. Speaker, for 55 years Rev. Williams has provided remarkable service to our nation as pastor of the Antioch Missionary Baptist Church and community, state, and national leader.

I am proud to call this remarkable American hero my friend and I offer him my heartfelt congratulations on the 55th Anniversary of his pastorship of Antioch Missionary Baptist Church and my best wishes for continued success for many years to come.

PAYING TRIBUTE TO THE 150TH ANNIVERSARY OF THE UNION LEAGUE CLUB

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. RANGEL. Mr. Speaker today I rise to honor the Union League Club on their 150th Anniversary. Founded in 1863 the Union League Club of New York has built, over ensuing years, a record of distinguished service to our country. The club dates its founding from February 6, 1863, during the Civil War. Tensions were running high in New York City at the time, as much of the city's governing class, as well as its large Irish immigrant population, bitterly opposed the war and were eager to reach some kind of accommodation with the Confederate States of America. Thus, pro-Union men chose to form their own club, with the twin goals of cultivating "a profound national devotion" and to "strengthen a love and respect for the Union."

The New York League was founded by four prominent professionals and intellectuals: Henry Adams Bellows, Frederick Law Olmsted, George Templeton Strong, and Oliver Wolcott Gibbs. The men, all members of the United States Sanitary Commission, desired to strengthen the Nation and the national identity. They first aimed to recruit a coalition of moneyed professionals like themselves. Strong believed that the club would only thrive with a respectable catalogue of moneyed men. Olmsted especially wanted to recruit the new generation of young wealthy men, so that the club might teach them the obligations and duties of the elite upper class. Members of the Union League Club were instrumental in establishing The Metropolitan Museum of Art in 1870 as well as the Sanitary Commission, a predecessor organization to the American Red Cross. It helped erect the Statue of Liberty in New York Harbor and the Lincoln Monument in Union Square. Its members were instrumental in bringing down the "Boss" Tweed ring and in raising funds to outfit American soldiers in several conflicts. Many prominent civic, state and national leaders have enjoyed the fellowship of the ULC. Theodore Roosevelt managed his early political career from the Club's chambers. J. Pierpont Morgan.

The Union League Club played an instrumental role in civil rights, as the club decided to recruit, train and equip a Colored infantry regiment for Union service. The 20th U.S. Colored Infantry was formed on Riker's Island in February 1864. The next month, it marched from the Union League Club, down Canal Street and over to the Hudson River piers to embark for duty in Louisiana. In spite of numerous threats, the members of the Union League Club marched with the men of the 20th, and saw them off. During World War I, the club sponsored the 369th Infantry, the famed Harlem Hellfighters, which was commanded by William Hayward, a club member. During Reconstruction, Union Leagues were formed all across the South. They mobilized freedmen to register to vote. They discussed political issues, promoted civic projects, and mobilized workers opposed to segregationist

white employers. Most branches were segregated but there were a few that were racially integrated. The leaders of the all-black units were mostly urban Blacks from the North, who had never been slaves. Black League members were special targets of the Ku Klux Klan's violence and intimidation, so the Leagues organized informal armed defense units.

Today The Union League is a social club providing its members and guests with a quiet sanctuary and relief from the hustle of the city. The Club bestows two annual awards for two of its most prominent members: The Abraham Lincoln Literary Award to outstanding American authors, and the Theodore Roosevelt American Experience Award to individuals who have "enriched the American experience." The Union League Club has stood for the betterment of American society for 150 years and speaks volumes on the character and dedication one must possess to truly change history. Founded in justice and equality the Union League Club been a champion of civil rights, and has made its goal to not only enhance politics but to improve the quality of life, a trait that is well represented through the Union League's illustrious history.

Mr. Speaker I ask that you and my distinguished colleagues join me in celebrating this momentous occasion and honor the Union League Club for 150 remarkable years of its service and dedication to our great Nation.

APRIL IS AUTISM AWARENESS
MONTH—MOVING FROM AWARE-
NESS TO ACTION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. POSEY. Mr. Speaker, I rise today to draw the attention of the Congress and the American people to the Autism epidemic that is tragically ravaging too many of America's children.

April is Autism Awareness Month, and I am pleased to join with parents, siblings, grandparents, special education school teachers, medical care providers, and interventionists to draw attention to the rapidly expanding autism community.

When I was young, autism was virtually unheard of. In the 1980s rarely did you meet someone who knew someone with autism. Yet, in the 1990s there was an explosion of autism. Indeed, in the course of just my lifetime, Autism Spectrum Disorder has grown from a very rare condition to—according to the Centers for Disease Control—a developmental disorder affecting 1-in-50 school aged children. And, tragically, the rate for school aged boys is a disturbing 1-in-31.

On December 19, 2006, the effort to address this epidemic took a major step forward as President Bush signed into law the bipartisan Combating Autism Act. I look forward to working with my colleagues and the Autism community to reauthorize this program next year. Though the Interagency Autism Coordinating Committee each year produces a strategic plan to address Autism, the billion-dollar

allocation of resources to autism has not been evenly invested among genetic, epigenetic, and environmental factors. I must concur with the experts who have been willing to speak out, that the epidemic increase in the rates of autism are not a 'genetic' epidemic. Indeed, you don't have genetic epidemics. While there is likely a genetic component to many who have been diagnosed with Autism, we must seriously consider that there are likely several key factors in autism.

Also, so some who have suggested that the increase in Autism is due to better diagnosis, you don't go from 1 in 1,000 to 1 in 80 in three decades due to better diagnosis alone. And, if that were the case, where are the tens of thousands of autistic adults in their 40s, 50s and 60s. While better diagnosis may be a factor, common sense says there is a real increase and something is causing it.

While some may be borne with Autism, there are many parents who testify to the fact and present cases where their children were progressing normally but something triggered a regression where they lost speech, abilities, and regressed from developmental milestones that they had earlier met. Was that regression due to external factors such as medical injury, exposure to environmental toxins such as lead or mercury, or was it adverse reactions to medications that lead to high fevers, brain inflammation or seizures? We must get answers to these questions.

I was pleased to participate in a November 2012 House Oversight and Government Reform hearing on the Federal Response to Autism. That was one of the most attended hearings I have participated in since coming to Washington in 2009. Indeed at this hearing it was standing room only, and overflow rooms had to be used to accommodate the public. This was a much anticipated hearing from many parents of children suffering from Autism who want clear and unbiased answers to questions surrounding the epidemic.

I, like many in Congress, were frustrated with the lackluster response from the federal witnesses, particularly the CDC witness that was evasive and took more than five months to respond to the Committee's questions. The responses that finally arrived this month were incomplete, often evasive, and showed a complete lack of urgency on the part of the CDC. I was also disappointed that the federal government witnesses did not have the courtesy to remain at the hearing to listen to the testimony of the public panel representing non-profit organizations and academic institutions focused on Autism and Asperger's Syndrome.

Parents, grandparents, educators, health professionals, and highly functional adults on the autism spectrum are frustrated at the federal response to this epidemic. There is much more that we could and should be doing.

Some believe that toxins like thimerosal, which is 50% ethylmercury, have played a role in the rise in autism and neurodevelopmental disabilities. In 2000 there was near universal agreement that mercury should be removed as a preservative for vaccines. Yet, today, nearly half of all annual flu vaccines, which are recommended for children and pregnant women, still contain mercury as a preservative—not simply trace amounts of mercury. It's 2013! Why are we still injecting ethylmercury into babies and pregnant women?

I have been deeply disappointed in the failure of the CDC and the Department of Justice to see that Dr. Poul Thorsen is extradited to the United States to stand trial for orchestrating an elaborate scheme stealing more than \$1 million from the CDC-Denmark grant. That money was supposed to be used to investigate the causes of autism and developmental disabilities. Instead it was diverted to personal use by Dr. Thorsen. Thorsen was a key author on 22 of the CDC's key studies related to autism and developmental disabilities.

Before coming to Congress in 2009, I heard from some in the autism community who have advocated for a retrospective study to examine whether there are different health outcomes when comparing vaccinated children and unvaccinated children, including autism and chronic conditions. I have continued to hear these requests over the past four years. At the hearing I asked CDC if they had conducted such a study and they said they've done dozens of studies related to autism but never have looked at a comparison of vaccinated versus unvaccinated. In fact, a recent study they published compared fully vaccinated children to those who were not fully vaccinated, but for some reason it did not include data on completely unvaccinated children. Seems like common sense to do a study comparing vaccinated children vs unvaccinated and this week I was pleased to be joined by my colleague Rep. CAROLYN MALONEY (D-NY) in introducing H.R. 1757, The Vaccine Safety Study Act. This would direct the National Institutes of Health to conduct a retrospective study of health outcomes, including autism, of vaccinated versus unvaccinated children. That should bring an answer to this decades long question.

Whether the number is 1-in-88 twelve-year-olds, or 1-in-50 school-aged children, or 1-in-33 young boys, we can all agree that the number is devastatingly high. We must overturn every stone to get to the bottom of this epidemic. We cannot afford to see this epidemic grow. We must examine every possible risk factor to protect the world's greatest resource: our children. And, we must invest to develop the best interventions to help those who are autistic.

MINORITY HEALTH MONTH

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to promote Minority Health Month and spotlight the health disparities that plague our communities.

In a 1985 report, the U.S. Department of Health and Human Services (HHS) called health disparities in this country "an affront both to our ideals and to the ongoing genius of American medicine." Now 28 years after HHS released that landmark report, health disparities still exist between black and white and rich and poor.

A significant driver of these disparities is the lack of health insurance. For instance, African Americans make up 13 percent of the entire

population, but account for more than half of all people who are uninsured. Blacks also have disproportionately lower access to primary care, often receive poorer quality of care, and face more barriers in seeking treatment for chronic diseases.

That is why I am pleased that the month of April is designated as National Minority Health Month. It provides an opportunity for all Americans to learn that healthcare disparities still exist. It also provides an opportunity for government, industry, non-profits, and advocacy organizations to combine efforts to help curb healthcare disparities.

My fellow colleagues, every American deserves the opportunity to live a healthy life regardless of economic means or ethnicity. It is this belief that led the Obama Administration to pass the Affordable Care Act.

Following in the President's footsteps, I will continue to promote Minority Health Month during my district work period by visiting the Metropolitan Community Health Services, the Halifax Regional Medical Center, the Roanoke Rapids Clinic, and several other healthcare facilities in the First Congressional District.

Mr. Speaker, I ask my colleagues to join me in advancing health equity in every community. As leaders, we have an obligation to reverse health inequality through awareness and championing the importance of preventative healthcare.

HONORING THE LIFE OF MR.
JACOBY DICKENS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of Mr. Jacoby Dickens, who passed away this month at the age of 82. Jacoby was a prominent business leader, and served as Chairman of Seaway Bank & Trust Co., which is the largest black-owned bank in Chicago. He also served on the boards of Chicago State University, the School of Business at Florida A&M University, and the Chicago Urban League. He was a well-known philanthropist, and donated more than \$1 million to Chicago State University, where his name adorns the main athletic center.

Jacoby truly embodies the American dream, as his inspiring success story is rooted in the humblest of beginnings. He was one of six children, growing up in Panama City, Florida. His family moved to the South Side of Chicago in 1946. A teenager at the time, he attended Wendell Phillips High School.

Always possessing a knack for business, Jacoby began saving money while working as a building engineer. With these savings, he invested in real estate, and eventually purchased and managed a large number of apartment buildings in the South Side before selling his holdings in 1971. In time, he expanded his investments into other parts of Chicago, primarily investing in several bowling alleys. Seen as a financial up-and-comer, Seaway Bank & Trust Co. asked him to join their board in 1979. He became Chairman of the bank in 1983. Seaway was one of very few banks will-

ing to provide loans in tough neighborhoods on the South Side, and saw Jacoby as a model of success for potential investments.

Building a half-billion-dollar organization, perhaps the most profound aspect of his legacy is his dedication to serving African-Americans in their community at a time when many were unwilling to take such risks. Countless businesses, families, and communities at large were positively impacted by his trust in people. Jacoby believed that people are equal and deserve the opportunity to better themselves. Originally only one of few black-owned banks in the city of Chicago, Seaway is now by far the largest and most successful.

Mr. Speaker, Jacoby Dickens was a dear friend of mine. He was a great American who gave back to his community and this nation. I am truly saddened by his passing. He will be dearly missed.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF THE KOREAN WAR

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize the 60th anniversary of the Korean War, and to honor the men and women who served in the United States Armed Forces during this tumultuous period in history.

Our nation will never be able to fully express the heartfelt gratitude we have for our veterans. The debt that we owe them is immeasurable. Time and again, our service members have stepped forward to defend the freedoms we enjoy today. Without the selfless actions of the soldiers, sailors, marines, airmen, and coast guardsmen in the Korean Peninsula, the nation of South Korea would never have blossomed into the model democracy and vital partner it is today. I sincerely thank every veteran of the Korean War for the essential role they played in ensuring democracy could take root in East Asia and for safeguarding America's allies.

American veterans are a cornerstone of society. Past generations helped build up this great country and did not hesitate to come to its aid when asked. As we remember their brave actions, it is my hope that citizens everywhere take time to speak with the veterans in their family and community. Thank them for their service, and ask them about their role defending our country. Helping veterans pass on their priceless wisdom and memories to future generations is one of the best ways we can honor them today.

Mr. Speaker, please join me in commemorating this 60th anniversary of the Korean War. I ask that my colleagues rise and join me in thanking our veterans, past and present, for the sacrifices they've made in service to the United States of America.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. CLARKE. Mr. Speaker, I was unavoidably detained in my district and missed the votes on Tuesday, April 23, 2013.

Had I been present, I would have voted "yea" on rollcall No. 118, H.R. 1067—To make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements, "yea" on rollcall No. 119, H.R. 1068—To enact title 54, United States Code, "National Park Service and Related Programs", and "yea" on rollcall No. 120, Journal Vote.

CONGRATULATING HIGH SCHOOL SENIORS WHO HAVE ANSWERED THE CALL OF SERVICE IN OUR ARMED FORCES

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. POSEY. Mr. Speaker, I rise today to express my sincere respect and appreciation to four high school seniors in Indian River County who have answered the call of service to enlist in the United States Army. I commend Dominick Lambino, Christopher Larson, Tomasz Cabaj, and Ryan Paris for their decision to protect and defend the United States of America.

These young men will be recognized on May 9, 2013, in a high school enlistee ceremony. Soon after enlisting, they will graduate high school. This will mark the beginning of their valiant service to our country as soldiers. Many of the men and women who have served before them are now local and national leaders. As American citizen's privileged to live in liberty, these young men have learned how to appreciate freedom and will soon be handed the baton by the generations of warriors before them.

During this time of celebration and recognition, we should all salute the courage within Dominick, Christopher, Tomasz, and Ryan. For each soldier who has served our country, there exist many citizens, myself included, that benefit from their hard work. Many of my most esteemed colleagues in Congress served as members of our Armed Forces.

Let us not forget the challenges these soon-to-be soldiers and their families will face. We must not overlook the intensive training and challenges ahead. As a support group, mothers, fathers, siblings, and spouses will have to endure the challenging road ahead and act as the foundation where these young men can gain strength in difficult times. I have confidence they will accomplish all that is asked of them. The bottom line is that our Republic continues to thrive because of the call to duty these individuals and others before them have vowed to accept.

The men and women who serve our country as members of our Armed Services go above

and beyond day in and day out. I commend Dominick, Christopher, Tomasz, and Ryan for their service to our community and nation.

HONORING JIM GRAYSON FOR
OVER 35 YEARS OF PUBLIC
SERVICE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. MARCHANT. Mr. Speaker, I am proud to recognize Jim Grayson for his 35 years of public service as a Carrollton Police Officer in Carrollton, Texas.

Jim Grayson was hired by the Carrollton Police Department on August 1, 1977, as a Community Service Officer with the responsibilities of organizing the equipment for the Patrol Division. On December 18, 1978, Jim was officially sworn in as a Carrollton Police Officer. He attended the North Central Texas Council of Government's Basic Police Academy and graduated on January 31, 1979.

On August 15, 1983, Jim Grayson was promoted to the rank of Sergeant whereupon he was assigned the task of assisting the development of the department's newly created Crime Prevention Unit. Jim's role in developing the program helped establish one of the police department's most effective and successful units.

As an officer committed to expanding and developing his skills, Jim Grayson attended the prestigious Northwestern University Traffic Institute's School of Police Staff and Command in Evanston, Illinois, where he graduated in 1986. Jim continued his education in 1991 when he graduated from the Police Executive Research Forum's Senior Management Institute for Police of Harvard University's Kennedy School of Government.

On January 29, 1987, Jim Grayson was promoted to the rank of Commander. In 1991, Jim was assigned the responsibility of starting the department's first ever Special Weapons and Tactics (SWAT) team by developing the policies, procedures, training regimen, and deployment strategies. On May 1, 1991, Jim was appointed to lead the unit after which he selected the personnel for the police department's first ever SWAT unit. Jim served as the unit commander until 2000 and his direction established the standard for future SWAT members and leaders.

Jim commanded numerous divisions during his career including Criminal Investigations, Administrative Services, Special Operations, Detention Services, and spent several rotations leading patrol shifts as a Patrol Commander. Jim was often looked to for direction and guidance in the Police Department because of his expansive experience and knowledge. His ability to provide quality and calm leadership in all situations was a valuable resource for the police department.

Jim and his wife Vickie will be married 37 years this November and are the proud parents of Daniel and Torie. Outside the police department, Jim has spent a great deal of his personal time as a basketball coach in various North Texas leagues.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Jim Grayson for his 35 years of public service.

HONORING MR. JACK REVELLE

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on January 24, 1961, a B52 Stratofortress was flying a patrol path when it crashed into a field outside of Goldsboro, North Carolina. As it crashed into the field, the aircraft's bomb bay doors opened releasing two nuclear bombs from the bay.

In the midst of a possible nuclear disaster, Mr. Jack ReVelle received a phone call from a squadron commander notifying him that there was a crash. Mr. ReVelle, a munitions expert, immediately flew into Seymour Johnson Air Force Base, where he was transported to the crash site. When Mr. ReVelle reached the crash site, he found one bomb hanging on a tree but the second bomb had been buried under a deep puddle of mud.

Fortunately, Mr. ReVelle identified that the first bomb was on safe switch mode, imposing no imminent threat. However, the second bomb was missing and became a part of history as a "Broken Arrow". There was great fear that this missing bomb would detonate and it took several days for Mr. ReVelle and his team to find the second bomb. Once found, Mr. ReVelle risked his life in order to defuse the nuclear bomb by taking out the core of the bomb while still buried in the mud. After the core was successfully taken out, the ARM/SAFE switch was located and it was confirmed that the switch was on the ARM position. If Mr. ReVelle had not shown such bravery, this nation would have endured an Mk-39 nuclear bomb explosion, yielding a 3.80 megaton effect obliterating everything and everyone that was in its radius.

I am proud to recognize and honor Mr. ReVelle as a true American hero. This nation is grateful for Mr. ReVelle's courageous efforts to protect the American people from a devastating nuclear bomb.

DOMINICAN MEDICAL ASSOCIATION
SIXTEEN YEAR ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. RANGEL. Mr. Speaker, today I stand to recognize the 16th anniversary of The Dominican Medical Association. An organization dedicated to providing information on disease prevention, education, and counseling to New York City communities.

The Dominican Medical Association or DMA was founded on April 26, 1997, by a group of physicians from the Dominican Republic. Their mission has been to educate communities on

health issues and to assist newly arrived physicians from abroad in obtaining jobs in their respected fields, providing them with the tools needed to pass the medical boards, and integrating them into the local medical community.

Last year was one of multiple accomplishments for the Dominican Medical Association. In line with its mission a total of 1,119 people were served through health fairs, medical conferences, forums, symposiums, and trainings. The vast majority served through the DMA are Hispanics living throughout all of New York's boroughs.

Information and knowledge on health is vital. My beloved village of Harlem and many areas of my district are predominately inhabited by minorities who have been affected by many health concerns that are the direct result of lack of knowledge on preventative care. Obesity is just an example of one of the diseases that has plagued our communities but it is an epidemic that can be stopped and the DMA works tirelessly and has worked for quite some time to be a part of this movement to get our communities on a healthy track. The DMA's outreach programs help to enlighten our communities, helping them to make better health conscious decisions about the way they live.

As the representative to the largest Dominican population in the country it gives me great pride to see a thriving organization not only rooted in that heritage but one that works to provide information for a predominantly Hispanic demographic. The youths of my district and those all over New York have a brighter future because of organizations like the DMA and their mission to spread knowledge and awareness.

Mr. Speaker, I ask you and my colleagues to join me in honoring this remarkable organization and all of the good that they do.

HONORING U.S. ARMY OFFICER
MARION B. GAULTIER FOR HER
SERVICE

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BRALEY of Iowa. Mr. Speaker, today, I am here to honor and celebrate the life of an American patriot, 2nd Lieutenant Marion B. Gaultier.

Marion was born in May of 1923, in Fremont, Nebraska, but was raised in Vinton, Iowa, graduating from Vinton High School. She graduated from the School of Nursing at Mercy Hospital in Des Moines in 1944 at which point she was commissioned as an officer into the U.S. Army.

Marion was discharged from service in 1946, then went on to work for the VA hospital in Menlo Park, California. She met her husband, fellow veteran John Gaultier at the hospital she was employed at. They married in 1970 and moved to Vinton that same year.

Marion dedicated her life to helping others. She hosted blind children in her home. She was the Chair of the annual Easter Seals fundraiser at the American Legion, and cared for her ailing parents in their later years.

AMVETS recognizes her passion for helping others by bestowing her name on the Post. It will now and forever be known as the "Marion B. Gaultier-Phillis M. Kulaszewski AMVET Post 218 Benton County, Iowa."

TRIBUTE ON THE OCCASION OF BISHOP J. DREW SHEARD'S ASCENSION TO THE GENERAL BOARD OF THE CHURCH OF GOD IN CHRIST

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize my friend, Bishop J. Drew Sheard of Greater Emmanuel Institutional Church of God in Christ in Detroit, Michigan, as his family, friends and congregation celebrate his ascension to the General Board of the Church of God in Christ.

As the son of minister Bishop John H. Sheard, J. Drew Sheard accepted the teachings and salvation of Christ early in his life. He later heeded the call to the Ministry and was guided by his father to develop his leadership skills. The lessons he learned as he worked diligently in his local church are ones that he has carried with him in service to both the Greater Detroit region and the Church of God in Christ's international organization.

Bishop Sheard was called to the Pastorate of Greater Emmanuel in 1988, a time of challenge for the congregation. Bishop Sheard immediately got to work, organizing and mobilizing the small but devoted membership of his congregation and as a result, the congregation began to grow significantly. As the pastor of Greater Emmanuel, Bishop Sheard has implemented a number of new and innovate programs, which include a TV ministry, an annual Youth and Women's Conference and Greater Emmanuel Men's Society. These programs more actively engaged the congregation in the community, strengthening the social fabric of the Southeast Michigan region. Bishop Sheard has also emphasized the importance of working with other denominations to provide programs that serve the community and offer support to those in need, which has earned him a reputation as a leader that is capable of building bridges within the Greater Detroit community.

While serving as pastor to Greater Emmanuel, Bishop Sheard has also been an active leader in the larger Church of God in Christ (COGIC) organization. From 1997-2000, he served the COGIC as the president of its International Youth Department, where he worked with youth to create a peer mentoring program and developed programs for young men and women that promote strong education, bravery, discipline and spiritual development. In his current positions within the larger CGC organization, Bishop Sheard serves as Chairman of the Auxiliaries in Min-

istries, Superintendent of the Emmanuel District and Administrative Assistance of the North Central Ecclesiastical Jurisdiction of Michigan.

Mr. Speaker, Bishop J. Drew Sheard's service as pastor to the congregation of Greater Emmanuel Institutional Church of God in Christ and his leadership in the Greater Detroit region have done much to strengthen the community. I congratulate him on his elevation to the General Board of the Church of God in Christ and look forward to continuing to work with him to improve the quality-of-life and vitality of our community in Southeast Michigan and many other communities around the world.

CONGRATULATING THE AFRICAN AMERICAN MUSEUM OF IOWA

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate the African American Museum of Iowa in Cedar Rapids on its 20th birthday celebration. It is an honor to have this great institution in my district.

The idea of establishing the African American Museum of Iowa came about in 1993 when a small group from Mt. Zion Missionary Baptist Church in Cedar Rapids began the project in celebration of Black History Month. Twenty years later, this facility has become an Iowa landmark that celebrates the rich African American history in my district and in the state of Iowa.

In June of 2008, the African American Museum was devastated by nearly six feet of floodwater, resulting in the loss of the Museum's flagship exhibit. Through the perseverance of Executive Director Thomas Moore, their Board of Directors, their staff, and the support of their community, the African American Museum pulled through and reopened only seven months after it was closed. The success that this museum has had since it reopened in January of 2009 is a true testament to the hard work of the Museum's staff and volunteers from across Iowa.

Today, I congratulate the African American Museum of Iowa on a successful 20 years. I look forward to the future of this institution as it strives to preserve, exhibit, and teach the African American heritage of Iowa.

HONORING THE 100TH ANNIVERSARY OF THE INTERNATIONAL ICE PATROL

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the United States Coast Guard

International Ice Patrol (IIP). Today marks the IIPs 100th anniversary, and on this occasion I would ask that my colleagues join me in honoring this distinguished group's service towards achieving maritime safety for passengers and commerce traversing the North Atlantic.

Prior to the establishment of an organization tasked with monitoring risks and sharing information, trans-Atlantic travel presented serious dangers to passengers and cargo. Among these risks was the presence of icebergs, which presented numerous obstacles in Transatlantic shipping lanes. These icebergs were a prominent threat to all who braved these long voyages, but it took a tragedy of international proportions and historic scope to bring the danger into focus. On April 15, 1912, the sinking of the RMS *Titanic* due to an iceberg strike instigated the provided impetus for the Safety of Life at Sea (SOLAS) agreement, and the establishment of the International Ice Patrol, managed by the United States Coast Guard.

Other than the years interrupted by the two world wars, the IIP has been active in every ice season 1913. The Revenue Cutter Service, precursor to the modern day Coast Guard, provided two cutters—the *Seneca* and *Miami*—to meet the needs of protecting trans-Atlantic shipping routes from the dangers of icebergs. For many subsequent decades, Coast Guard IIP ships would brave the waters of the North Atlantic to provide timely data and warning to safeguard global commerce.

The current mission of the International Ice Patrol is to monitor the iceberg activity surrounding the Grand Banks of Newfoundland that threatens trans-Atlantic shipping lanes, with an average of 500 icebergs from Greenland's glaciers drifting into these vital channels. This area, with its high concentration of oil platforms, fishing vessels, fog, and tremendous iceberg activity, makes it one of the most dangerous areas in the world for maritime transportation. Today, Coast Guard fixed wing aircraft perform aerial reconnaissance to monitor icebergs providing real time data on this persistent danger. To date, no ship that has heeded International Ice Patrol warnings has struck an iceberg.

Mr. Speaker, I ask my colleagues to join me in honoring the United States Coast Guard International Ice Patrol's dedication to protecting the lives and livelihoods of the many courageous mariners that daily cross the seas and who form the backbone of our international maritime trade. Safe and reliable transportation is a critical component of trade, which is further a driver of economic growth. We would be bereft of these benefits without the hard work of the men and women of the International Ice Patrol.

SENATE—*Tuesday, April 30, 2013*

The Senate met at 10:00 and 55 seconds a.m., and was called to order by the Honorable CARL LEVIN, a Senator from the State of Michigan.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 30, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. LEVIN thereupon assumed the Chair as Acting President pro tempore.

UNANIMOUS CONSENT AGREEMENT—S. 853

The ACTING PRESIDENT pro tempore. In my capacity as a Senator from Michigan, I ask unanimous consent that the Senate request the return of the papers on the bill, S. 853, from the House of Representatives in order for the Secretary of the Senate to make corrections in the engrossment of this

bill as authorized by order of the Senate of January 3, 2013.

Is there objection?

Hearing no objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, MAY 3, 2013, AT 2 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Friday, May 3, 2013, at 2 p.m.

Thereupon, the Senate, at 10:01 and 50 seconds a.m., adjourned until Friday, May 3, 2013, at 2 p.m.

HOUSE OF REPRESENTATIVES—Tuesday, April 30, 2013

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 30, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Dr. Brian Lee, Christ Reformed Church, Washington, D.C., offered the following prayer:

Creator, God, merciful and just.

You dwell above in holiness, a father to the fatherless, protector of widows and orphans. Dear Lord, rescue the weak and needy. Deliver them from the hand of the wicked.

Give wisdom to this body. You hold all things in Your almighty hand, and You have established this House of Representatives and every governing authority as Your servants that they might protect the defenseless, praise those who do good and punish those who do evil.

Preserve and protect our President.

Humble all these Your servants with Your holy law, which You shine forth in all our hearts. Help them to seek peace.

You are a God who saves. Convict us of all our sins that we might know deliverance from these our wicked ways.

Hear this prayer for the sake of the merits of Your only Son, the crucified and risen Lord, Jesus Christ.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 178, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 30, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 30, 2013 at 10:41 a.m.:

That the Senate requests the return of the bill to make corrections in the engrossment of the bill S. 853.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

REQUESTING RETURN OF S. 853, REDUCING FLIGHT DELAYS ACT OF 2013

The SPEAKER pro tempore laid before the House the following privileged message from the Senate:

In the Senate of the United States, April 30, 2013.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 853) entitled "An Act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.", and that upon the compliance of the request, the Secretary of the Senate be authorized to make corrections in the engrossment of the aforesaid bill.

Attest:

NANCY ERICKSON,
SECRETARY.

The SPEAKER pro tempore. Without objection, the request is granted.

There was no objection.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 178, the House stands adjourned until noon on Friday, May 3, 2013.

Thereupon (at 2 o'clock and 5 minutes p.m.), the House adjourned until Friday, May 3, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

1356. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Identity Theft Red Flags Rules [Release Nos.: 34-69359, IA-3582, IC-30456; File No. S7-02-12] (RIN: 3235-AL26) received April 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1357. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral William R. Burke, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1358. A letter from the Under Secretary, Department of Defense, transmitting Report to Congress on Corrosion Policy and Oversight Budget Materials for FY 2014; to the Committee on Armed Services.

1359. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010; Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 [MB Docket No.: 12-107] [MB Docket No.: 12-43] received April 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1360. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia in Executive Order 12978 of October 21, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

1361. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Foreign Affairs.

1362. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 13611 of May 16, 2012; to the Committee on Foreign Affairs.

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

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

1363. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting the 2012 management report and statements on system of internal controls of the Federal Home Loan Bank of Pittsburgh, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1364. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the St. Louis, MO; Southern Missouri; Cleveland, OH; and Pittsburgh, PA, Appropriated Fund Federal Wage Areas (RIN: 3206-AM70) received April 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1365. A letter from the Chairman, Commission on Civil Rights, transmitting the Commission's Strategic Plan for FY 2014-2018; to the Committee on the Judiciary.

1366. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's final rule — Provisions for Fees Related to Hazardous Materials Endorsements and Transportation Worker Identification Credentials [Docket No.: TSA-2004-19605; Amendment No. 1572-10] received April 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. CAMP: Committee on Ways and Means. H.R. 807. A bill to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached; with an amendment (Rept. 113-48). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 1406. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; with an amendment. (Rept. 113-49). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. CAPPS (for herself and Mr. JOYCE):

H.R. 1821. A bill to amend title XVIII of the Social Security Act to provide for patient protection by establishing safe nurse staffing levels at certain Medicare providers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHU (for herself, Ms. LINDA T. SANCHEZ of California, and Mrs. NAPOLITANO):

H.R. 1822. A bill to extend the authorization period for certain uses of funds from the San Gabriel Basin Restoration Fund; to the Committee on Natural Resources.

By Mr. HECK of Nevada (for himself and Mr. AMODEI):

H.R. 1823. A bill to amend title 18, United States Code, to prohibit the importation or exportation of mussels of a certain genus, and for other purposes; to the Committee on the Judiciary.

By Ms. MENG (for herself, Mr. LANCE, Mr. CÁRDENAS, Mr. CONYERS, Mr. DEFazio, Ms. GABBARD, Mr. HIGGINS, Mr. HORSFORD, Mr. JONES, Ms. KUSTER, Mr. MAFFEI, Mr. MCINTYRE, Mr. O'ROURKE, Ms. SINEMA, Mrs. KIRKPATRICK, Ms. SLAUGHTER, and Mr. BARBER):

H.R. 1824. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit to Congress an annual report on the performance of the regional offices of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mrs. CAPPS:

H.R. 1821.

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

Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. CHU:

H.R. 1822.

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

Clause 1, Section 8, Article 1 of the Constitution.

By Mr. HECK of Nevada:

H.R. 1823.

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

The power granted to Congress until Article I, Section 8, Clause 18 of the United States Constitution to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Ms. MENG:

H.R. 1824.

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

Article I, Section 8, Clause 18: The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

ADDITIONAL SPONSORS

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

H.R. 129: Mr. GARAMENDI, Mr. FALDOMAVAEGA, and Ms. ZOE LOFGREN.

H.R. 164: Mr. STUTZMAN, Mr. RODNEY DAVIS of Illinois, Mr. TIBERI, and Mr. FRELINGHUYSEN.

H.R. 382: Mr. BRIDENSTINE.

H.R. 596: Mr. PETERS of Michigan and Mr. BENISHEK.

H.R. 640: Mr. DUNCAN of South Carolina.

H.R. 664: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, and Ms. FUDGE.

H.R. 685: Mr. COFFMAN.

H.R. 690: Mr. CONYERS.

H.R. 705: Mr. GENE GREEN of Texas and Mr. SAM JOHNSON of Texas.

H.R. 719: Mr. ISRAEL.

H.R. 755: Mr. WELCH, Mr. SCHIFF, Mr. RUPPERSBERGER, and Mr. CARSON of Indiana.

H.R. 763: Mr. FITZPATRICK, Mr. GOODLATTE, Mr. HURT, and Mr. DUNCAN of Tennessee.

H.R. 764: Ms. CHU, Mr. MORAN, Mr. HONDA, Mr. PETERS of California, Mrs. MCCARTHY of New York, and Mr. BLUMENAUER.

H.R. 792: Mr. ISSA.

H.R. 807: Mr. BURGESS.

H.R. 851: Ms. BROWNLEY of California.

H.R. 924: Mr. TONKO.

H.R. 961: Ms. SINEMA, Mr. ELLISON, Mr. SWALWELL of California, and Mr. SMITH of Washington.

H.R. 1020: Mr. CALVERT, Mr. MEEHAN, Mr. BISHOP of Utah, Mr. GRIFFITH of Virginia, Mr. RICE of South Carolina, Mr. WESTMORELAND, Mr. PETRI, and Mr. WHITFIELD.

H.R. 1024: Mr. LATHAM.

H.R. 1151: Mr. PERRY, Mr. CAMPBELL, Mr. SHIMKUS, and Mr. WESTMORELAND.

H.R. 1179: Mr. COBLE.

H.R. 1249: Mr. CALVERT.

H.R. 1330: Ms. KELLY of Illinois.

H.R. 1346: Mr. RUSH.

H.R. 1355: Mr. BRIDENSTINE and Mr. ROSS.

H.R. 1406: Mr. COLLINS of Georgia and Mr. HUELSKAMP.

H.R. 1429: Mrs. DAVIS of California.

H.R. 1431: Ms. ROS-LEHTINEN.

H.R. 1565: Mr. BECERRA, Mr. BLUMENAUER, Ms. CASTOR of Florida, Mr. CLYBURN, Mr. COURTNEY, Mr. DANNY K. DAVIS of Illinois, Ms. DELBENE, Mr. DEUTCH, Mr. DOGGETT, Ms. EDWARDS, Mr. FATTAH, Ms. FUDGE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIMES, Mr. HOYER, Mr. ISRAEL, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Ms. KUSTER, Ms. LEE of California, Mr. LEWIS, Mr. MAFFEI, Mr. MCDERMOTT, Mr. NADLER, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SCHIFF, Mr. SCHNEIDER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, and Mr. TIERNEY.

H.R. 1572: Mrs. ELLMERS.

H.R. 1595: Mr. TAKANO, Mr. HECK of Washington, and Mr. PALLONE.

H.R. 1732: Mr. STIVERS.

H.R. 1781: Mr. FALDOMAVAEGA.

H.R. 1791: Mr. ROGERS of Alabama.

H.R. 1797: Mr. KELLY of Pennsylvania, Mr. FLORES, Ms. JENKINS, Mr. HARRIS, Mr. WEBER of Texas, and Mr. FORBES.

H. Con. Res. 29: Mr. LAMBORN and Mr. LANCE.

H. Res. 155: Mr. CÁRDENAS, Ms. CLARKE, and Mr. VEASEY.

H. Res. 188: Mr. JONES.

EXTENSIONS OF REMARKS

IN REMEMBRANCE ON THE TENTH ANNIVERSARY OF THE COLLAPSE OF THE OLD MAN OF THE MOUNTAIN

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Ms. KUSTER. Mr. Speaker, I rise today in remembrance on the tenth anniversary of the collapse of New Hampshire's iconic symbol, the Old Man of the Mountain. Born in fire and sculpted by ice, the Old Man of the Mountain has long been recognized as the symbol of New Hampshire and its people.

The Old Man was completed at the recession of the last ice age sometime during the 8th Millennium BC. The first recorded viewing was in 1805 by Francis Whitcomb and Luke Brooks as they were surveying Franconia Notch. Niels Nielsen and his son David, long time guardians of the Old Man, spent years protecting him from vandalism and keeping his fragile countenance secured to the Mountain. The Old Man has had many honors, including his profile featured on a postage stamp and on New Hampshire's State Quarter.

Today, at 11:30 a.m. in Franconia State Park near where the Old Man clung to the mountain, people will gather in Profile Plaza on the shores of Profile Lake in remembrance of that day in May 10 years ago. We thank Dick Hamilton and the people of The Old Man of the Mountain Legacy Fund, a volunteer nonprofit group, charged with creating a memorial to the Old Man. They built a fitting monument of seven steel "profilers," when viewed at the correct angle, allow viewers to see the profile as it appeared on the side of the mountain. The sale of more than 700 granite pavers, inscribed with the names of donors, helped to finance the construction of the plaza and monument.

While the Old Man of the Mountain has succumbed to the ages and lies at the base of the mountain amongst the stone of his creation, I am reminded of why we honor him. In the words of Daniel Webster, "Men hang out their signs indicative of their respective trades; shoemakers hang out a giant shoe; jewelers, a monster watch; and the dentist hangs out a gold tooth; but up in the mountains of New Hampshire, God almighty has hung out a sign to show that there, he makes Men."

RECOGNIZING DR. VALERIE A. HEPBURN

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. KINGSTON. Mr. Speaker, I rise today to thank Dr. Valerie A. Hepburn for her unprece-

ented service from July 2008 through June 2013 as the 4th President of the College of Coastal Georgia and to wish her well as she returns to her chosen field of public policy.

In addition to serving as College president, Dr. Hepburn held a faculty appointment as professor of public policy. She previously served as an administrator and faculty member in health policy and management at both the University of Georgia and Georgia State University. In 2006, Dr. Hepburn was awarded a prestigious Packer Policy Fellowship from the Australian Government. Prior to her academic service, she spent more than 20 years in senior leadership positions with state health, financing and regulatory agencies. She continues to work with public officials and research colleagues on health planning, education and resource allocation issues. She holds a Doctorate of Philosophy in Public Administration and Policy from the University of Georgia, a Master of Public Administration from Georgia State University and a Bachelors of Arts in Political Science from Agnes Scott College.

In 2008, when the University System of Georgia fulfilled the long-standing dream of Southeast Georgia by granting senior college status to the local community college, Erroll B. Davis Jr., then Chancellor of the University System of Georgia, had the foresight to enlist Dr. Hepburn to lead the transition. As a result of her visionary leadership, she has forged lasting partnerships between the College and the community that powerfully impact the region. The College now serves as a catalyst for economic development as well as for arts and cultural development. A collaborative, comprehensive master plan charts the expansion of the College as it moves from a campus of commuters to a residential center while respecting the taxpayers' investment in facilities, embracing green initiatives responsive to our beautiful coastal environment. The academic programs cultivate community engagement, critical thinking and problem-solving skills and culminate in degrees with career value.

The United States Department of Education has recognized the College of Coastal Georgia as being in the top 10 percent of affordable public colleges and universities across the nation. Additionally, the College is the first in the University System of Georgia to offer a baccalaureate degree in American Studies. The College provides an affordable, outstanding, comprehensive education for tomorrow's leaders and citizens through service learning, global awareness and engaged entrepreneurship. Dr. Hepburn has, in only five short years, shaped the model for a responsive and responsible institution of higher learning.

A TRIBUTE TO RABBI EDWARD FEINSTEIN, SENIOR RABBI OF VALLEY BETH SHALOM

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. SHERMAN. Mr. Speaker, I rise today to honor the extraordinary leadership and service of Rabbi Edward Feinstein. Rabbi Feinstein is the senior rabbi of Valley Beth Shalom in Encino, California and this year marks 20 years since he joined Valley Beth Shalom. He came to Valley Beth Shalom in 1993 at the invitation of the renowned Rabbi Harold Schulweis and succeeded him as the congregation's Senior Rabbi in 2005.

I first met Rabbi Feinstein roughly twenty years ago when I joined Valley Beth Shalom. "Rabbi Eddie" has also presided over many of the most meaningful moments in my life, from our wedding to the baby naming ceremonies of each of our three girls. My wife Lisa joins me in saluting Rabbi Eddie on this occasion. She will never forget, nor allow me to forget the words he said to me under our Hoopa, "Remember Brad, the House is not your home."

One of the leading rabbinic voices of our generation, Rabbi Feinstein has brought recognition to Valley Beth Shalom through his involvement in the national arena. Rabbi Feinstein co-chaired the Strategic Planning Group that convened to re-envision the United Synagogue of Conservative Judaism.

Known nationally for his leadership, Rabbi Feinstein is ensuring the future of the Jewish community. He teaches a Homiletics class at the Ziegler School of Rabbinic Studies and is a Lecturer at the Graduate School of Jewish Education at American Jewish University. He is a member of the faculty at the highly prestigious national leadership program, Wexner Heritage Program, and is a Senior Rabbinic Fellow and faculty member at the internationally respected Shalom Hartman Institute.

A masterful storyteller, he unites the ancient Jewish love of ideas with the warmth of Jewish humor. A survivor of two bouts of colon cancer, he speaks frequently to cancer support groups all over Southern California.

Rabbi Feinstein was raised in the back of his parents' bakery in the west San Fernando Valley. He graduated with honors from the University of California, Santa Cruz; the University of Judaism; Columbia University Teachers College; and the Jewish Theological Seminary of America, where he was ordained a rabbi in 1981.

Rabbi Feinstein lives with his wife Rabbi Nina Bieber Feinstein in the San Fernando Valley. Nina was the second woman ordained by the Conservative Movement. The Feinstein's are blessed with three children, Yonah, Nessa and Raphael.

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

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

Mr. Speaker, I wish to extend my heartfelt gratitude to Rabbi Feinstein for his commitment to Tikkun Olam, making his community and our world a better place. The Rabbi is an extraordinary leader whose service deserves to be recognized for all that he has done and will continue to do for our community.

A TRIBUTE TO DR. RICHARD J.
MOUW

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor Dr. Richard J. Mouw, as he retires after 20 years as President of Fuller Theological Seminary in Pasadena, California. Throughout his tenure, Dr. Mouw has been a strong institutional leader, fruitful author, interfaith bridge builder, and advocate for public civility.

Dr. Mouw was educated at Houghton College, the University of Alberta, Canada, and the University of Chicago, where he received a Ph.D. in Philosophy. He taught at Calvin College before joining Fuller Seminary as a professor of Christian philosophy and ethics in 1985. He soon moved to the role of Provost, and in 1993 was appointed the fourth President of Fuller Seminary.

During Richard's presidency, Fuller Seminary has grown into an internationally recognized center for learning about faith and its contributions to society. His leadership has helped Fuller to extend its reach by becoming a network of seven campuses, offering online study options, establishing Korean-language programs, expanding the Hispanic Center, and forging a number of study partnerships with international institutions that have increased the seminary's global influence.

Richard is known and admired for his commitment to interfaith and ecumenical dialogue. He regularly takes part in formal dialogues between religious communities and as such has formed lasting friendships with individuals of other faiths and Christian traditions. Richard's actions have been an inspiration for others to reach out across faith divides. Several interfaith forums have taken place on Fuller's campus and he has turned Fuller Seminary into a "convening place" where many diverse peoples can respectfully share beliefs and opinions.

Dr. Mouw is a renowned Christian spokesperson and influential voice in the community, country, and the world. Often called upon by institutions across the globe, Richard delivers lectures and sermons on issues of faith. His longtime academic focus on philosophy and ethics has resulted in extensive writing on social justice. He is known for suggesting new approaches for Christian engagement with culture and his innovative thinking often opens fresh perspectives for many of his readers. Dr. Mouw has authored 19 books throughout his prolific writing career.

Dr. Mouw and his wife, Phyllis, have been married for fifty years, and have one son and two grandchildren.

It is with great appreciation and respect that I ask all Members to join me in thanking Dr.

Richard J. Mouw for his exceptional leadership of Fuller Theological Seminary over the last two decades.

IN RECOGNITION OF GUYER HIGH
SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the Denton Guyer High School girls soccer team for winning their first Texas 4A State Championship. Winning the state title is an achievement that requires great determination, discipline and teamwork. This team overcame a classification change and a difficult season last year. They set a goal and a mantra that rang true by the end of the season, "Win State." With the hard work of the team and the leadership of Coach Kenny Blevins, they fostered a winning combination that launched them to a state title. I am impressed with this team and these girls. Guyer has begun a soccer tradition of state titles, and I am confident that it will not end with this year's team.

This Denton Guyer team is full of talented players and they beat many talented teams in their 28-1-0 season; none more talented than the team they beat in the state final. Highland Park had not lost in 49 games until they faced the Lady Wildcats of Denton Guyer. Scoring in the 14th and 35th minutes of action, Brittany Crabtree and Hannah Alspach led Denton Guyer to a fast start and a lead they would never relinquish, finishing the game with 2-1 victory.

I am pleased to join their classmates, teachers, friends and family along with the entire Denton Community in honoring the athletic achievement of the Guyer Lady Wildcats soccer team for winning their first state title. They should also be commended for bringing home the first women's team title in Guyer History. It has been and continues to be my privilege to serve you all in the U.S. House of Representatives.

Head Coach: Kenny Blevins; Roster: Mikayla Renfroe, Emily Swihart, Hannah Alspach, Peyton Bucklew, Amber Krinner, Logan McPhail, Asheigh Lyons, Brittany Crabtree, Madison Uk, Sara Finney, Taylor Heaton, Gairy Natividad, Tatianna Hernandez, Alex Ludeman, Hannah Watson, Samantha Sanders, Peyton Draper, Caitlyn Abreu, Telia Young, Megan Stokes, Danielle Deats, Andie Beach, Morgan Thornton, Kaitlyn Caro, Sophie Martin, Alex Kleider.

TRIBUTE TO VIRGINIA LEWIS

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize Virginia Lewis for her many years of community service by helping families obtain affordable housing in her native Mingo County, and throughout West Virginia.

Virginia Lewis began her career in 1977, when she helped create the Mingo County Housing Authority, an organization she continued to serve for 30 years as executive director. After realizing the difficulty of building and maintaining homes without running water or sewer systems, she became the project coordinator for the Mingo County Commission, a position which enabled her to help equip 75 percent of the county with clean public water. Virginia Lewis was also instrumental in lobbying the state legislature to create the West Virginia Affordable Housing Trust Fund, which provides support to nonprofit housing organizations across the state.

On May 2, 2013, Virginia Lewis will be inducted into the Affordable Housing Hall of Fame by Habitat for Humanity of West Virginia. Mrs. Lewis is truly deserving of such an honor, as hundreds, if not thousands of West Virginians have her to thank for a higher quality of life.

Virginia Lewis currently resides in Charleston, where she owns and operates a consulting firm, continuing her community service by assisting with grant applications and serving as a vital housing resource on state and federal levels.

Mr. Speaker, Mingo County, as well as the State of West Virginia, owe Virginia Lewis a debt of gratitude for her many years of devoted community service.

RECOGNIZING CHILDHOOD
APRAXIA DAY

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. DOYLE. Mr. Speaker, May 14 marks the first annual Childhood Apraxia of Speech Day, a day to raise national awareness about Childhood Apraxia of Speech, a particularly difficult, persistent, and severe speech disorder in youngsters.

Childhood Apraxia of Speech (CAS) causes children to have extreme difficulty planning and producing the precise, highly refined and specific series of movements of the tongue, lips, jaw, and palate that are necessary for the production of proper speech. It is among the most severe of speech and communication problems in children.

While the act of learning to speak comes effortlessly to most children, those with apraxia endure an incredible and lengthy struggle. Although not life threatening it is life altering as families are left to cope with the emotional, physical, and financial challenges of having a child diagnosed with CAS.

Every child should be afforded their best opportunity to develop speech. With early intervention and appropriate therapy, most children with CAS will learn to communicate with their very own voices. These children, as well as their families, deserve our highest respect for their effort, determination and resilience in the face of such obstacles.

The Childhood Apraxia of Speech Association of North America (CASANA) offers information and support related to CAS on its website, www.apraxia-kids.org.

Let's use Childhood Apraxia Day to raise awareness about CAS and support the goals of Better Hearing and Speech Month.

IN RECOGNITION OF FRANK K. BERRISH

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Frank E. Berrish, who has served as CEO of Visions Federal Credit Union for 38 years. Mr. Berrish, who will be retiring April 30th, 2013, has overseen the financing of over \$500 million in capital projects and has developed the Credit Union from \$24 million in assets to \$3.2 billion in assets. Visions Federal Credit Union has had a positive impact on businesses and customers in Upstate New York, much of that reputation can be attributed to Mr. Berrish.

In recognition of Mr. Berrish's service to the Credit Union, he has been inducted into the Credit Union House Hall of Leaders on Capitol Hill. Mr. Berrish is only the second New Yorker to receive this national honor.

I am proud to recognize Frank E. Berrish for his dedication to Visions Federal Credit Union

and Upstate New York. It is a privilege to have such a successful business in my district and I am honored to have this opportunity to recognize Mr. Berrish today.

A TRIBUTE TO ANGELA CUPP-HOMMER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Angie Cupp-Hommer for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need

food, shelter, and comfort during emergencies and difficult times.

Angie Cupp-Hommer of Des Moines is a busy single mother to her four children Taylor, Cameron, Liberty and Carmine. On a typical day in March of last year, Angela came upon the aftermath of a vicious head-on vehicle collision. As she approached one of the vehicles to help, she found a four-year-old boy critically injured. Acting quickly, she climbed inside the wrecked SUV, pulled the child out and performed CPR until paramedics arrived. It's amazing to think of what can cause a person to act with such sudden bravery and selflessness, but Angie said of her actions: "It's just what you do." It is that instinctive willingness to help that makes her a shining example our state can be proud of.

Mr. Speaker, Ms. Cupp-Hommer's actions that earned her the title a "Hero of the Heartland" are a testament to the humble, hard-working and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Angie on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

SENATE—Friday, May 3, 2013

The Senate met at 2 and 03 seconds p.m. and was called to order by the Honorable JOHN D. ROCKEFELLER IV, a Senator from the State of West Virginia.

—————

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 3, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN D. ROCKEFELLER IV, a Senator from the State of West Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. ROCKEFELLER thereupon assumed the Chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Monday, May 6, 2013, at 2 p.m.

Thereupon, the Senate, at 2 and 32 seconds p.m., adjourned until Monday, May 6, 2013, at 2 p.m.

HOUSE OF REPRESENTATIVES—Friday, May 3, 2013

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 3, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Dr. Donna Claycomb Sokol, Mount Vernon Place United Methodist Church, Washington, DC, offered the following prayer:

Loving God, thank You for the women and men you have called and equipped to be Members of this body—people we criticize while not knowing what we would do if we walked in their shoes, individuals we say need our prayers while regularly forgetting to pray for them, citizens we often tear down instead of seeing Your image upon them.

Grant each Member and their staffs the capacity to dream new dreams for our Nation and then give them the courage to legislate in a way that ensures peace, values every person, promotes sound stewardship, and moves our country forward without leaving anyone behind.

Heal that which is broken. Restore relationships that are separated by party lines. Surprise the cynical. Awaken the exhausted. Humble the exalted. Unbind those who are tied to anyone but You. And when the road seems rough or too divided, unify us once more.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 178, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

APRIL 30, 2013.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 30, 2013 at 2:56 p.m.:

That the Senate passed S. 853.

That the Senate passed without amendment H.R. 1765.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore HARRIS on Tuesday, April 30, 2013:

H.R. 1765, to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239), I am pleased to appoint the following individuals to the Military Compensation and Retirement Modernization Commission:

Mr. Christopher Carney, Dimock, PA.
General Peter W. Chiarelli, Seattle, WA.

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI,
Democratic Leader.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. HARRIS:

H.R. 1765. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on April 30, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 1765. To provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 178, the House stands adjourned until noon on Monday, May 6, 2013, for morning-hour debate.

Thereupon (at 12 o'clock and 4 minutes p.m.), the House adjourned until Monday, May 6, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

1367. A letter from the Deputy Associate Director for External Affairs, Consumer Financial Protection Bureau, transmitting the Semiannual Report of the Bureau, as required under Section 1016 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services.

1368. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to ALAFCO Aviation Lease and Finance Company KSCC of Safat, Kuwait pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1369. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to Burma is to continue beyond May 20, 2013, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 113—21); to the Committee on Foreign Affairs and ordered to be printed.

1370. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Report on Denial of Visas to

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

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

Confiscators of American Property”, pursuant to 8 U.S.C. 1182d Public Law 105-277, section 2225(c); to the Committee on Foreign Affairs.

1371. A letter from the Director, Office of Personnel Management, transmitting the Office’s Fiscal Year 2012 Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1372. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0111; Directorate Identifier 2011-NM-089-AD; Amendment 39-17407; AD 2013-07-03] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1373. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0994; Directorate Identifier 2012-NM-119-AD; Amendment 39-17402; AD 2013-06-05] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1374. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-1014; Directorate Identifier 2010-SW-058-AD; Amendment 39-17404; AD 2013-06-07] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1375. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department’s final rule — Hazardous Materials; Temporary Reduction of Registration Fees [Docket No.: PHMSA-2012-0185(HM-208I)] (RIN: 2137-AE95) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1376. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department’s final rule — Hazardous Materials; Harmonization with International Standards (RRR) [Docket Nos.: PHMSA-2012-0027(HM-215L)] (RIN: 2137-AE87) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. UPTON: Committee on Energy and Commerce. H.R. 1580. A bill to affirm the policy of the United States regarding Internet governance (Rept. 113-50). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BENISHEK (for himself, Mr. AMODEI, Mr. GOSAR, Mr. YOUNG of Alaska, Mr. BUCHANAN, Mr. SIMPSON, Ms. JENKINS, Mr. HANNA, Mr. DAINES, and Mr. HUDSON):

H.R. 1825. A bill to direct Federal public land management officials to exercise their authority under existing law to facilitate use of and access to Federal public lands for fishing, sport hunting, and recreational shooting, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McCAUL (for himself, Mr. AMASH, Mr. CHAFFETZ, Mr. MCKINLEY, and Mr. BRADY of Texas):

H.R. 1826. A bill to prohibit the use of Federal funds for real property or for a project or program named for an individual then serving as a Member of Congress, including a Delegate or Resident Commissioner to Congress, or as President; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH (for himself, Mr. RANGEL, Mr. CHABOT, Ms. WILSON of Florida, Ms. LEE of California, Mr. CONYERS, Ms. BONAMICI, Mr. JOHNSON of Georgia, and Ms. CHU):

H. Res. 196. A resolution supporting the Sixth Amendment to the United States Constitution, the right to counsel; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. BENISHEK:

H.R. 1825.

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

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. McCAUL:

H.R. 1826.

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

Congress has the authority to enact this legislation pursuant to Article I, Sec. 8, Clause 18; and Article I, Sec. 9, Clause 7.

ADDITIONAL SPONSORS

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

H.R. 3: Mr. SESSIONS, Mr. DESANTIS, and Mr. LAMBORN.

H.R. 32: Mr. WAXMAN, Mr. GRIJALVA, Ms. JENKINS, and Mr. CONYERS.

H.R. 164: Ms. NORTON, Mr. MESSER, and Mr. HASTINGS of Florida.

H.R. 303: Mr. BARBER.

H.R. 309: Mr. BRIDENSTINE.

H.R. 362: Ms. SLAUGHTER.

H.R. 419: Mr. SHIMKUS.

H.R. 451: Mr. YOUNG of Florida and Mr. BUCHANAN.

H.R. 515: Mr. NEAL, Mr. MARKEY, Ms. ESTY, and Mr. KENNEDY.

H.R. 647: Mr. CALVERT.

H.R. 698: Mr. BRALEY of Iowa and Mr. HUFFMAN.

H.R. 718: Mr. NUGENT and Mr. MCINTYRE.

H.R. 732: Mr. LANKFORD.

H.R. 763: Mr. LAMALFA, Mr. JOYCE, Mr. BENISHEK, Mr. HALL, Mrs. MILLER of Michigan, Mr. GERLACH, Mr. ALEXANDER, Mr. DENT, and Mr. HUELSKAMP.

H.R. 830: Mr. JONES.

H.R. 851: Mr. PAYNE and Ms. MCCOLLUM.

H.R. 924: Mr. ANDREWS, Mr. FATTAH, Mr. WAXMAN, and Mr. CAPUANO.

H.R. 938: Mr. BRADY of Texas, Mr. BENISHEK, Mr. SMITH of Texas, Mr. DESANTIS, Mr. DUFFY, Mr. BROUN of Georgia, Mrs. WAGNER, Mr. PERRY, Mr. BISHOP of New York, Mrs. BEATTY, Mr. LANCE, Mr. CONAWAY, Mr. SOUTHERLAND, Mrs. BROOKS of Indiana, Mr. HURT, Mr. NUGENT, Ms. ESTY, Mr. HUFFMAN, and Mr. AUSTIN SCOTT of Georgia.

H.R. 961: Mr. BRALEY of Iowa, Ms. MATSUI, and Mr. CICILLINE.

H.R. 1078: Mr. YOUNG of Alaska and Ms. JENKINS.

H.R. 1094: Mr. HOLT, Ms. ROS-LEHTINEN, Mr. ISRAEL, Ms. WILSON of Florida, and Mr. MARKEY.

H.R. 1151: Mr. LAMBORN, Mr. MARKEY, Mr. RYAN of Ohio, Mr. MESSER, and Ms. FOXX.

H.R. 1171: Mr. BENTIVOLIO.

H.R. 1250: Mr. BISHOP of Georgia, Mr. CHABOT, Mr. LAMALFA, Mr. DESJARLAIS, Mrs. BLACKBURN, Mr. SIMPSON, and Mrs. DAVIS of California.

H.R. 1282: Mr. RANGEL.

H.R. 1397: Mr. TAKANO and Mr. CARSON of Indiana.

H.R. 1416: Mr. RODNEY DAVIS of Illinois, Mr. BUCSHON, Ms. WILSON of Florida, Mr. HOLDING, and Mr. MCKINLEY.

H.R. 1417: Mr. MESSER.

H.R. 1451: Mr. RANGEL, Mr. ENGEL, Mr. GIBSON, Mr. TONKO, Mr. COLLINS of New York, Mr. ISRAEL, and Mrs. MCCARTHY of New York.

H.R. 1634: Ms. SPEIER.

H.R. 1640: Mrs. MILLER of Michigan.

H.R. 1701: Mr. JONES.

H.R. 1703: Mr. RENACCI and Mr. WESTMORELAND.

H.R. 1748: Mr. HASTINGS of Florida.

H.R. 1761: Ms. DEGETTE.

H.R. 1781: Mr. SCHOCK.

H.R. 1802: Mr. COLE.

H.R. 1806: Mr. KILMER.

H. Con. Res. 29: Mr. BARTON and Ms. FOXX.

H. Res. 89: Ms. WILSON of Florida.

H. Res. 112: Mr. MCKINLEY, Mr. LONG, Mr. HUFFMAN, Mr. STIVERS, Ms. SINEMA, and Mrs. NAPOLITANO.

H. Res. 167: Mr. CONNOLLY, Mr. HECK of Washington, and Mr. DELANEY.

H. Res. 177: Mr. WALBERG and Mr. YODER.

H. Res. 182: Mr. COLLINS of New York, Mr. HOLT, and Mr. HECK of Washington.

EXTENSIONS OF REMARKS

HONORING THE SOUTH FLORIDA
AFTER-SCHOOL ALL-STARS

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary program that has touched the lives of thousands of young people across South Florida, and continues to shine a light on the importance of engaging our youth in programs that can help support and guide them.

For almost two decades, the South Florida After-School All-Stars has provided year-round programs to at-risk youth in successful efforts to better steer and empower our young people. This organization started as a summer camp servicing less than 50 students in 1997, and has since grown into a full-service program reaching over 4,000 students a year. With programs in fields ranging from health to scholastic achievement, this organization has managed to engage young people with increasingly varied interests and continues to reach them in meaningful ways.

The South Florida After-School All-Stars serves as an exemplar organization for youth engagement, and has undoubtedly earned our community's admiration, respect, and gratitude.

RECOGNIZING MAY AS DIRECT DEPOSIT AND DIRECT PAYMENT VIA ACH MONTH

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize May as the Direct Deposit and Direct Payment via ACH Month. Administered by NACHA—The Electronic Payments Association, and governed by the NACHA Operating Rules, the ACH Network facilitates direct account-to-account consumer, business, and government payments, and links virtually every one of the more than 13,000 financial institutions in the country. I commend NACHA's commitment to consumers and to providing a safe, secure, and reliable network for direct account-to-account consumer, business, and government payments.

The California, Georgia, New England, and Upper Midwest ACH Associations formed NACHA in 1974 to establish uniform operating rules for the exchange of Automated Clearing House (ACH) payments among ACH associations. With the aid of ACH, financial institutions located anywhere in the United States have been able to exchange ACH payments under a common set of rules and procedures

since 1978. Annually, the Network processes more than 21 billion Direct Deposit and Direct Payment transactions totaling almost \$37 trillion.

Mr. Speaker, I ask that my colleagues join me in recognizing May as Direct Deposit and Direct Payment via ACH Month.

HONORING LEEWOOD K-8 CENTER

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary group of students and teachers that came together to make a great and lasting impact on the South Florida community, and continues to shine a light on the cause for environmentalism and the pivotal role our young people can play in promoting such.

For over a decade, the Leewood K-8 Center has been a school commemorated for its successful efforts in educating and empowering young people of South Florida. This school has consistently taught students through both in and out of the classroom experiences, and has most recently been named one of five nationwide grand prize winners of the Solve for Tomorrow STEM Competition by Samsung. Leewood was chosen for its inception of a sustainable garden project, and has not only engaged our youth in infinitely meaningful ways, but has done so towards the betterment of our community and beyond.

Leewood K-8 Center serves as an exemplar institution for innovation towards a more sustainable future and youth activism, and has undoubtedly earned our community's admiration, respect and gratitude.

LOWER BUCKS COUNTY CHAMBER OF COMMERCE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. FITZPATRICK. Mr. Speaker, the Lower Bucks Chamber of Commerce has been a beacon in the business community for more than a half-century—helping to inspire achievement and success among its members through a myriad of educational programs, events and camaraderie. Chamber membership is its strength. The organization has grown and thrived because of its members, notably those entrepreneurs and business owners who were among the first to join and who remained active for more than 50 years.

The group of original members began as the Chamber began—with hope and expecta-

tion—leading the way for others. Those who signed on in the earliest days, proved to be consistent, loyal and supportive to the Chamber membership and the wider business community. Business leadership sparks economic growth and success inspires, and for their role in the budding Lower Bucks Chamber of Commerce we are grateful and will continue to cherish our friendship and business relationship.

HONORING JORGE CELEDÓN

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize a gifted man whose work in the arts and the advancement of human rights and peace in Latin America, specifically in the Republic of Colombia, is truly making a difference.

Jorge Celedón is an innate artist who sings music rooted in the desires and efforts of the Colombian people who seek peace in their homeland. His 20 year career as a singer has been recognized with multiple awards, including a Grammy Award in 2007 for his album titled "Son para el Mundo."

While achieving success as a recording artist, Jorge's music career has helped fuel his charitable work. Recently, he worked closely with United for Colombia, a non-profit organization based in Colombia and Washington, D.C. to help the victims of mine explosions. Thanks to Jorge's efforts, many children in Colombia are now enjoying open spaces free from dangerous land mines.

In honor of his outstanding music career and dedication to peace in one of the world's most beleaguered regions, I ask that we recognize Jorge Celedón for his commitment to making the world a better place.

ONE-MINUTE REMARK OF SEQUESTRATION/BUDGET CONFERENCE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Ms. ESHOO. Mr. Speaker, for the first time in years, Congress is poised to pass a budget that the American people deserve—one that reflects our nation's values, invests in jobs and economic growth, pursues balanced deficit reduction, and strengthens the middle class.

The House and Senate acted on two competing proposals last month, but these plans have languished because the Republican Leadership refuses to appoint conferees. Why? Perhaps consensus would have to be reached.

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

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

Back in the real world, \$85 billion in indiscriminate cuts from sequestration continue to take their toll on our national security, health, and economic growth.

The non-partisan Congressional Budget Office projects 750,000 jobs will be lost from sequestration in this year alone. This alarming projection is proving to be reality with headlines from across the country citing jobs lost in defense, research, healthcare, education, tourism—the list goes on and on.

Nearly a hundred thousand Head Start slots are facing elimination. Cuts to housing vouchers for 140,000 low-income families have begun. Unemployment benefits have been cut by 11 percent for millions of unemployed workers.

Is this the America we come here to shape and serve? I don't.

It's time for Congress to complete the job of producing a budget. There's no reason to stop the conference process in its tracks when our constituents, our families, and our middle class have demanded a reasonable, responsible budget that advances their interests and strengthens our economy.

Let's set aside partisan political games, halt backroom talks and unnecessary delays, and engage in a full, open, transparent debate about our priorities and the path forward for our budget and our country.

HONORING THE DOMINICAN
HEALTH CARE ASSOCIATION OF
FLORIDA

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an organization of extraordinary individuals who have dedicated their lives to bettering the lives of others, and continue to shine light on the pivotal roles health care professionals play in our communities.

Since its inception in 2011, the Dominican Health Care Association of Florida has served as an outstanding organization in the Dominican, Floridian, and health care communities. Comprised of health care professionals with ties to the Dominican Republic, this organization not only accentuates unique health care issues faced by both providers and patients today, but particularly issues faced by such persons of color. Focusing efforts on everything from advancing goals of Dominican health care professionals to informing health care reform in Florida and beyond, this organization has continually worked towards the betterment of the experiences and lives of increasingly diverse and eclectic members of our communities.

The Dominican Health Care Association of Florida serves as an exemplar organization for health care advocacy and community engagement, and has undoubtedly earned our community's respect, admiration, and gratitude.

RECOGNIZING THE REVEREND DR.
EUGENE JOHNSON ON HIS 20TH
PASTORAL ANNIVERSARY AT
MOUNT OLIVE BAPTIST CHURCH
IN CENTREVILLE, VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate the Reverend Dr. Eugene Johnson on his 20th Pastoral Anniversary at Mount Olive Baptist Church in Centreville, Virginia. Mount Olive Baptist Church has served the spiritual needs of those in the Centreville and Northern Virginia communities for nearly 120 years, and Dr. Johnson's leadership has positioned this institution for another century of success.

Rev. Dr. Eugene Johnson was born in New Orleans, Louisiana, and raised in nearby Oakville. His father was a minister and his mother worked avidly for the good of the community. Dr. Johnson received a Bachelors of Architecture Degree from Southern University, Baton Rouge, in 1970. He earned his Master of Divinity Degree at Howard University in 1989, and in 2006, the Richmond Virginia Seminary conferred on him the prestigious Honorary Doctor of Divinity Degree for his exemplary leadership and service.

Before assuming full time pastoral duties at Mount Olive, Dr. Johnson was known as a national expert in design, art, and architecture. He served as the principle Resident Architect with the Federal Highway Administration and was credited as being the first African American in many of the agency's national accomplishments. Dr. Johnson has been recognized for his efforts that resulted in the designation of "All-American Road" to the historic Selma-to-Montgomery March for Voting Rights route. This march, led by the Reverend Dr. Martin Luther King, Jr., began on March 21, 1965 with 3,200 marchers. Four days later, on March 25, 1965, 25,000 marchers had joined. In 1992, Dr. Eugene Johnson assumed the leadership of Mount Olive Baptist Church. Under his guidance, the Church has experienced unprecedented growth in not only the number of members, but also in its activities and influence. Membership has increased nearly ten-fold from 250 members in 1992 to more than 2,000 today, including many young people.

Dr. Johnson has led efforts to expand the Church's influence in the larger community, creating ministries to encourage health and physical fitness, provide tutoring, SAT/PSAT prep, and computer skills training, and serve the spiritual needs of others in our community, including seniors and those who are incarcerated. He has also established partnerships with local schools to foster the academic achievement of minority students. He is an active supporter and participant in foreign mission programs, and under his leadership, Mount Olive has extended its outreach activities around the globe.

Mr. Speaker, I ask that my colleagues join me in congratulating the Rev. Dr. Eugene Johnson on this momentous occasion, and in commending him for his contributions and

service to Mount Olive Baptist Church and our community.

HONORING JOEL FURNARI

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary person who has touched the lives of countless young people across South Florida, and continues to shine a light on the cause of empowering our youth through better guidance and support.

For almost three decades, Joel Furnari has served as the Athletic Director at South Dade Senior High School in Homestead, FL, and has continued to impact the lives of student-athletes both on the field and off. Mr. Furnari was sure to make a holistic impact on South Dade, doing everything from bringing the school to have a top Athletic Department, to helping many student-athletes enter college. As Mr. Furnari prepares to retire, he is commemorated for his dedication to our youth, and the great and lasting impact he has made on the South Florida community.

Mr. Joel Furnari serves as an exemplar person for serving and enriching the lives of others, and has undoubtedly earned our community's respect and gratitude.

TRIBUTE TO TY WOODS

HON. JOSEPH J. HECK

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. HECK of Nevada. Mr. Speaker, I come to the floor today to pay my most solemn respects to and commemorate the life of Ty Woods, a former Navy SEAL and my constituent who was killed in the attack on the American diplomatic mission in Benghazi, Libya, on the occasion of his name being enshrined on the American Foreign Service Association memorial plaque.

The memorial honors "diplomatic and consular officers of the United States who while on active duty lost their lives under heroic or tragic circumstances." The events that surrounded the untimely loss of Ty Woods were at once tragic and heroic and it is fitting that his name be added to the memorial. He lived a life of service to his country and in the end made the ultimate sacrifice in its defense.

After twenty years of honorable service in the Navy, Ty, who led raids and reconnaissance missions in the most volatile parts of the Middle East, could have chose a life of relative ease as a decorated war hero. Instead, the man who Secretary of State Hillary Clinton memorialized as having "the hands of a healer as well as the arm of a warrior," again answered the call to serve and joined the State Department Diplomatic Security team.

Since 2010, Ty protected American diplomatic personnel in dangerous posts from Central America to the Middle East but it was at Benghazi where he demonstrated exemplary

courage under fire. In Benghazi, while defending an under-secured, besieged diplomatic mission, Ty Woods gave his life so that other Americans could escape to safety. According to reports, Ty saved the lives of thirty staff members by heroically engaging the insurgents even after sustaining mortal wounds. For his heroism in the face of grave danger, Ty has earned his place on the memorial that hangs at the State Department. His name joins dozens of others who have given their lives in the service of the country they loved.

Ty Woods was a loving son, husband, and father who lived up to the highest ideals of the United States Navy and the State Department. I thank him for his service and his selfless sacrifice and commend to his memory yet another honor so well deserved.

HONORING THE MEXICAN AMERICAN COUNCIL

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary organization that has touched the lives of innumerable people in South Florida, and continues to shine light on the economic, educational, and social issues many Latino Americans face.

For over three decades, Mexican American Council, led by Maria Garza, has served as an organization dedicated to bettering the lives of Mexican American migrants otherwise facing great adversity in their communities. This organization started as a organization serving South Dade County, Florida, and now serves as a national model for serving members of the Latino community. Focusing on everything from raising Mexican American cultural awareness to providing scholastic and scholarship assistance to children of farmworkers, Maria Garza and the Mexican American Council have managed to assist community members encountering increasingly varied obstacles and continues to reach them in meaningful ways.

Under the leadership of Maria Garza, the Mexican American Council serves as an exemplary organization for social service, cultural inclusion, and community engagement, and has undoubtedly earned our respect, admiration, and gratitude.

IN RECOGNITION OF ELIZABETH SHERMAN

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. KEATING. Mr. Speaker, I rise today in recognition of Elizabeth Sherman, a resident of Sandwich, Massachusetts, who celebrates her 100th birthday today.

Elizabeth, or Betty as her family and friends know her, was born on May 3, 1913, to the Burns family. She later married Alvin Sherman of Brookline, Massachusetts. Betty and Alvin would go on to raise their five children to-

gether: Ann, Bud, Mary, Jeanie, and Elaine. The Sherman family later settled in Arlington, outside Boston. Betty, a dedicated and caring mother, also helped support her family by working as a secretary at Harvard University and the Chase Brass & Copper Company.

The Shermans enjoyed many summers at their vacation home on the Cape, and Betty and Alvin would later retire to Sagamore Beach. Though Alvin passed away in 1995, Betty's loving family has grown to include six grandchildren and five great-grandchildren.

Mr. Speaker, I am proud to honor Elizabeth Sherman on this joyous occasion of her 100th birthday. I ask that my colleagues join me in wishing her many more years of health and happiness.

HONORING THE LADIES IN WHITE

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary group of women who have worked tirelessly towards the advancement of human rights in Cuba, and continue to shine a light on an imperative cause for freedom right in our backyard.

For the past 10 years, the Ladies in White has served as a leading pro-democracy organization of the Cuban human rights movement. Known for being white-clad in symbolization of peace, the women of this organization are all relatives of political prisoners and have remained steadfast in their fight for freedom. They are renowned for their weekly, non-violent, silent protests, and just yesterday received the Sacharov Prize for Freedom of Thought in an award ceremony delayed eight years because of oppressive travel restrictions.

The women of the Ladies in White continue to fight with courage and dignity for the betterment of the lives of the millions of people who call Cuba home, and have undoubtedly earned our profound respect and admiration.

RECOGNIZING NORTHERN VIRGINIA FAMILY SERVICES' 2013 COMMUNITY CHAMPION AND LEGENDS OF NORTHERN VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize George Lizama as this year's Northern Virginia Family Services Community Champion and also to honor Earle and June Williams who have been named the 2013 Northern Virginia Family Services Legends of Northern Virginia.

Since its founding in 1924, Northern Virginia Family Services (NVFS) has addressed the growing needs of families throughout our region. NVFS works to improve its clients' lives through a variety of programs in five mission

initiatives: housing, child and family enrichment, health access, emergency assistance, and workforce development. Today, 33,000 individuals and families receive assistance each year.

The Community Champion Award is a recognition given each year to someone who has made immeasurable contributions to children and families in Northern Virginia. More than 25 years ago, George Lizama founded Production Solutions and PS Digital, one of the country's largest mail and digital marketing firms providing services to numerous nonprofit organizations, such as the American Heart Association, Heifer International, Habitat for Humanity, Capital Area Food Bank, and Human Rights Campaign.

Whether he's in a march for the homeless or cleaning up a park, George carries a strong sense of duty and gains a great deal of reward in volunteering. He embodies passion around the clock. In fact, one cannot distinguish the "business George" from the "volunteer George."

During his 14-year involvement with NVFS, George served on the Board of Directors for 11 years and chaired the Gala Sponsorship and Auction Committees. George is receiving NVFS' Community Champion Award this year in recognition of his unwavering sense of excellence in service to his company, his industry, his community, but most of all because George is "passion personified" and one of the most dedicated volunteers you will ever encounter.

Mr. and Mrs. Williams have lived in Northern Virginia since 1970 when Earle's company, BDM International, Inc. relocated to McLean. In 1972, he became President and CEO of BDM, where he served until his retirement in 1992. Under his leadership, BDM's employment grew tenfold to 4,300 and annual revenue grew 550% to \$424 million.

Earle is an Emeritus Director and Past Chairman of the Wolf Trap Foundation for the Performing Arts, Emeritus Director and Past Chairman of the Business/Industry Political Action Committee, past Chairman of the Fairfax County Economic Development Authority, past Chairman of the Naval Research Advisory Committee, a Permanent Director and Past International Chairman of the Armed Forces Communications and Electronics Association, and former member of the Virginia State Board for Community Colleges.

In addition to being involved in her husband's work at BDM, June became deeply involved in the community. She participated in a major way in the George Mason University annual Arts Gala, joined the Capital Speakers Club, became involved in P.E.O. (a philanthropic educational women's organization), joined Achievement Rewards for College Scientists, and served on the Board of the Fairfax Symphony.

Mr. Speaker, I ask my colleagues to join me in commending NVFS for 89 years of service to our region's most vulnerable families and congratulating this year's deserving honorees. I also thank the staff, volunteers, sponsors, and community partners for their dedication and ongoing support of NVFS.

HONORING RICHARD BLANCO

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary person who has made incomparable use of poetry as a canvass for activism and exaltation, and remains a mantel of inspiration for the innumerable people who encounter his work.

Known for his poetic ingenuity and having served as the inaugural poet at the 57th Presidential Inauguration, Richard Blanco joins the ranks of venerated artists and activists as Maya Angelou and Robert Frost. As the first immigrant, first Latino, and first openly gay person to serve in said role, Richard remains a beacon of hope for increasingly diverse individuals in our community and beyond. Further, as an alumnus of Christopher Columbus High School and Florida International University, Richard serves as a special source of delectation for the millions of people who call South Florida home—many of whom I represent.

Richard Blanco continues to grace the world with his unparalleled artistic vision, poetic genius, and social consciousness, and has undoubtedly earned our profound respect and admiration.

HONORING THE 100TH ANNIVERSARY OF SACRED HEART HOSPITAL

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. DENT. Mr. Speaker, I rise today to honor the dedicated staff of Sacred Heart Hospital as they continue to celebrate Sacred Heart's 100th year of providing dedicated service to the community.

Sacred Heart Hospital started in 1912 in response to a diphtheria outbreak when the Missionary Sisters of the Most Sacred Heart arrived in Allentown to render nursing service to the diphtheria patients of the Sacred Heart Parish. Since that time, Sacred Heart has answered each and every call from the community.

When Sacred Heart Hospital made a commitment to the Allentown community over 100 years ago, the hospital was a draw to the city and, as a result, a neighborhood took shape. Sacred Heart's response to this neighborhood and beyond has always been simple—they are there to serve. Sacred Heart is personal, different and it is a unique place to heal as a patient. The hospital is also a special, caring place to work each day, with staff and employees who truly believe in the mission of providing nurturing care. Catholic beliefs inspire the Sacred Heart's philosophy of patient care by creating balanced and compassionate paths to well-being. Sacred Heart is focused on providing all persons the personalized approach to medical care they deserve.

Sacred Heart holds the firm belief that it is their responsibility to care for those in need, to

promote and to defend the human dignity of each patient, and to create an environment that promotes healing and compassion. These values, and a tradition of commitment to the community, are used to guide the team of nearly 1,300 physicians and medical support staff every day.

Sacred Heart was established as an institution that was truly focused on the patient and that focus will never change. On a personal note, I was born at Sacred Heart Hospital and so were my three children.

Mr. Speaker, I hope Sacred Heart remains a vital part of our community far into the future. I offer my heartfelt congratulations and thanks to the people that make Sacred Heart such a great asset to our community and I wish them continued success and growth.

HONORING THE SOUTH FLORIDA NATIONAL PARKS TRUST

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an extraordinary organization that has consistently worked to better the South Florida community and the lives of the countless people who call it home, and continues to shine a light on the cause for environmentalism, sustainable living, and conservation.

For over a decade, the South Florida National Parks Trust has worked to support South Florida's national parks and to perpetuate the livelihood of our landscape and wildlife. This organization has directly bettered our community through its support for South Florida's four national parks, and indirectly through its promotion of community involvement and environmentalism. The work of the South Florida National Parks Trust allows members of our community to visit better-preserved parks today, and helps to ensure our children continue to have the opportunity to visit parks tomorrow.

The South Florida National Parks Trust serves as an exemplary organization for conservation and environmentalism, and has undoubtedly earned our community's admiration, respect, and gratitude.

NATIONAL DAY OF REASON

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Ms. NORTON. Mr. Speaker, I rise to ask the House of Representatives to join me in recognizing the National Day of Reason. The American Humanist Association has issued a statement, which I submit on their behalf.

"The National Day of Reason celebrates the application of reason and the positive impact it has had on humanity. It is also an opportunity to reaffirm the constitutional separation of church and state in an age where the line between religion and government is increasingly blurred.

"The National Day of Reason is also an opportunity for nonreligious and secular Americans to get out and help local communities. Community service events, such as food and blood drives, are some of the ways that people have worked to help those in need on the Day of Reason and during the rest of the year.

"Therefore, I encourage all citizens to join in observing this day, focusing on the employment of reason, critical thought, the scientific method, and free inquiry to the resolution of problems for the welfare of humanity."

Mr. Speaker, I ask the House of Representatives to join me in recognizing the National Day of Reason.

HONORING YOANI SÁNCHEZ

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize a courageous woman whose work on behalf of the advancement of human rights has inspired millions around the world and continues to shine a light on the cause of freedom just 90 miles from our shores.

For over 10 years, Yoani Sánchez has documented the realities of life in Cuba through her blog, Generacion Y, and drawn worldwide attention to Cuba's civil society. Her riveting accounts detailing human rights violations and other injustices have earned her praise and recognition throughout the world. She has been named as one of Time magazine's "100 Most Influential People in the World" and won the prestigious El País 2008 Ortega y Gasset Prize for Digital Journalism.

Yoani stands as a beacon of hope for Cuba's future, and her strength in the face of incredible odds has earned our community's profound admiration and respect. If my colleagues would indulge me, I would like to say a few words in Spanish.

Es un gran honor reconocer la valentía de Yoani Sánchez quien es una fuente de inspiración para los millones alrededor del mundo que buscan la libertad y los derechos humanos. Yoani estará con nosotros aquí en el Capitolio la semana que viene e invite a todos mis colegas que vengan a conocerla para aprender sobre las realidades de Cuba y rendirle un homenaje a ella y la causa de los derechos humanos.

THE ARMENIAN GENOCIDE

HON. TONY CÁRDENAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. CÁRDENAS. Mr. Speaker, today, in recognition of the National Day of Remembrance of Man's Inhumanity to Man, created in 1975 to remember the victims of inhumanity, specifically the Armenian people who lost their lives in the early part of the 20th century, I would like to note its importance to our nation.

Nearly 100 years ago, the hatred of one race toward another spilled over from politics

into the murder of more than 1.5 million Armenians at the hands of Ottoman soldiers. This day not only recognizes those murdered in that genocide, but also the staggering inhumanity and atrocious acts of violence committed so often throughout human history. This day should serve to not only remind us of millions of lives lost, but that we must act with vigilance to ensure that atrocities are not allowed to ever occur again.

As we remember this dark period in history, we should remain hopeful, because goodness exists and that it is possible to prevent such horrific losses. I stand united with the Armenian people and the rest of America to take up that challenge.

RECOGNIZING THE 2013 PRINCE WILLIAM CHAMBER OF COMMERCE VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the 2013 Prince William Chamber of Commerce Valor Awards. The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies. Our public safety and law enforcement personnel put their lives on the line everyday to keep our families and neighborhoods safe. The individuals we honor with these awards have demonstrated extraordinary dedication to public safety.

It is with great pride and honor that I submit the recipients of the 2013 Prince William Chamber of Commerce Valor Awards into the CONGRESSIONAL RECORD:

The recipient of the Hillary Robinette Award: Master Detective David Abbott, Manassas City Police Department.

The Silver Valor Award recipients from the Prince William County Police Department:

Officer Joshua Boughman, Officer Luke Dean, and Officer Michael Scarsella.

The Bronze Valor Award recipients from the Manassas City Police Department: Officer Chris Golick and Officer Adam Flourde.

The Bronze Valor Award recipients from the Prince William County Department of Fire and Rescue: Captain Erik McCoy, Technician I Raymond Sanez, Technician I Cager Mackaravitz, Lieutenant Walter Hunt, Technician II David Thomas, and Technician II Samuel Kaye.

The Bronze Valor Award recipient from the Provost Marshal Office, Security Battalion, Marine Corps Base Quantico, VA: Officer Michael Rivera.

The Lifesaving Award recipient from the Manassas City Police Department: PFC Dann Villanueva.

The Lifesaving Award recipients from the Prince William County Department of Fire and Rescue: Technician II Christopher Gant, Technician II Matthew McClurg, Technician II Chanse Twyman, Technician II Luke Deatley, Technician I Michael Hendrickson, and Technician I Keith Kraus.

The Lifesaving Award recipients from the Prince William County Police Department: Officer Michael Pope, Officer Jonathan Zarkauskas, Officer Dirk Jan Cumings, Officer Trevin A. Frame, Officer Daniel C. Guinn, Officer Gary Brunelle, Officer John G. Franklin, Officer Robert J. Davis, Officer Eric J. Garecht, Officer Kelly R. Anderson, TCIV Tracy Zingg, and Sergeant Jeff H. Good.

The Lifesaving Award recipient from the Provost Marshal Office, Security Battalion, Marine Corps Base Quantico, VA: Officer Bradley J. Montoya.

The recipient of the Investigative Merit Award from the Prince William County Police Department: The Special Victims Bureau.

The recipients of the Investigative Merit Award from the Joint Task Force of the Prince William County Department of Fire and Rescue, Prince William Police Department, the Commonwealth's Attorney Office, the Bureau of Alcohol, Tobacco and Firearms, and the Federal Bureau of Investigation: Lt. Dave Cooper, Lt. Brad Miller, Lt. Angel Tyson, Special Agent Chad Campanell, and Special Agent Paul Parisi.

Mr. Speaker, in closing, I would like to take this opportunity to thank all of the men and women of our public safety community. Their efforts are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable individuals.

HONORING THE YMCA OF GREATER MIAMI

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 3, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize an organization that has been making a difference in my community for nearly a century. Since 1916, the YMCA of Greater Miami has been bringing people together from all walks of life and serving as an agent of unity in South Florida.

The YMCA of Greater Miami provides programs—child care, sports, before and after school care, aquatics, day camps, teen programs, adult fitness and senior programs—in 4 family centers, 3 preschools, and over 60 elementary and middle schools, and park locations throughout Miami-Dade and Monroe Counties. Its mission is to enrich the lives of the communities it serves. The Greater Miami YMCA also keeps young people off the streets by providing them with opportunities to get involved in sports.

I am proud of the great work that the YMCA of Greater Miami is doing in South Florida and especially pleased to learn of the opening of its new family center in South Dade.

For its record of service to our community and the impact it has on the lives of young people, I urge my colleagues to join me in honoring the YMCA of Greater Miami.

SENATE—Monday, May 6, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Our Father, far from the world, we come to You in prayer, boldly entering Your throne room to be blessed by Your sweet presence. Thank You for the calm retreat of fellowship with You.

Thank You for our lawmakers. Continue to inspire and sustain them, as Your wisdom illuminates their path. May they be faithful in their service to this Nation and to You. Lord, dwell in this Chamber and in their minds so that they will think Your thoughts and discover Your solutions.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in morning business until 5:30 p.m.

Today at 5:30 p.m. the Senate will resume consideration of S. 743, the Marketplace Fairness Act. There will be two rollcall votes in order to complete action on that bill. The filing deadline for all second-degree amendments to S. 743 is 4 p.m. today.

I have been told, and staff has indicated to me, that we believe there will be an agreement that we will not have to have the vote this evening on the water resources bill; that we can just move to it sometime tomorrow. Otherwise, if we can't work that out, there will be a third rollcall vote on the motion to invoke cloture on the motion to proceed to the Water Resources Development Act.

THE BUDGET

Mr. REID. Mr. President, for 38 straight months private sector compa-

nies have added new jobs and put Americans back to work, 7 million Americans in all. They have done it in spite of economic policies that hampered growth—harsh austerity policies Republicans have forced on the economy for the last 2 years. Yet the Dow Jones Industrial Average and the other indicators hit an all-time high last week and the manufacturing sector remains strong.

While the economy isn't back to full strength, and that certainly is the truth, last week's job report shows we have made remarkable progress in 3 years. But just imagine how strong job growth could have been if Republicans had not insisted on round after round of meat axe budget cuts that undercut economic expansion.

Every expert, every respected economist says the best way to encourage a recovery, the best way to create jobs is with targeted investments and balanced deficit reduction. The most responsible way to reduce our deficit is to get away from short-term fixes, last-minute negotiations and, instead, pursue a responsible budget process. We can't begin to find common ground if we never get to the negotiating table. That is why again today I will ask unanimous consent to go to conference with the House on the budget, the budget that we passed.

For 2 years my Republican colleagues have complained the Senate had not passed a budget resolution, even though we had enacted a budget with the force of law and signed by President Obama. Remember, a budget resolution is just an inter-Congress matter. It doesn't have anything to do with the President. He doesn't have to sign that, but we enacted a budget with the force of law and signed by President Obama.

The Republicans complained and complained: Why didn't we do a budget resolution? We had something much better than a budget resolution, but for 2 years Republicans longed for the days of regular order. We know because they told us so. They wanted amendments; we gave them amendments. They wanted bills to go through committee; they got bills reported out of committees. Republicans were desperate for the Senate to vote on a budget resolution that would set spending priorities for the fiscal year. They got them. We passed a budget resolution under regular order, complete with a late-night budget vote-arama that lasted until 5 a.m. that included more than 100 individual votes. Still, the House has refused to go to conference with us. Since they got what they claimed they wanted, their interest in regular order has not just waned, it disappeared.

They don't want to go to conference as we would under the regular order—that they said they wanted. They don't even want to name conferees. We tried to get that out of this body.

The ranking Republican on the Senate Budget Committee admitted these stall tactics were an effort to provide political cover for his colleagues in the House. This is what he said:

There are difficulties in the fact that we haven't been able to have any understanding on how this conference might work and what prospects we have for success might be. I think it's possible that we could succeed, but at this point we're not close enough to anticipate a successful conference and that presents complications for the House.

Can you imagine? They don't have any understanding how this conference might work. Well, probably one of the reasons he doesn't have an understanding of how a conference works is because they have stopped us from going to conference on virtually everything.

He also says: We don't know what the prospects are for success. That is what conference is all about. The Senate passes a bill, the House passes a bill, and we sit down and try to work it out.

He said:

I think it's possible that we could succeed, but at this point we're not close enough to anticipate a successful conference, and that presents complications for the House.

We are the United States Senate, not the United States House of Representatives. We should do our business and not be worried about the tea party-driven House of Representatives. The budget process is the only way to work through our differences without bringing the country to the brink of another artificial crisis. To accelerate job growth and reduce the deficit without harming the economy, we have to make important and smart spending cuts, while asking the most fortunate among us to do a little better, contribute a little more.

The arbitrary across-the-board cuts of the so-called sequester do just the exact opposite. The sequester uses a meat cleaver where a scalpel is needed. The sequester cuts were designed to be too painful—so painful they would force the supercommittee to reach a bipartisan compromise. We all remember what happened there. Republicans refused to allow one penny of revenue. When they did that, they insisted on a cuts-only approach. They ensured the sequester would kick in.

Eliminating sequester is part of a larger challenge: to set sound long-term fiscal policy through the regular order of the budget process, which they said they wanted—they, the Republicans. Now they have walked away

from it. That will take cooperation. Remember, Democrats and Republicans voted for these arbitrary cuts, and Democrats and Republicans will have to work together to reverse them.

Why are my Republican colleagues so afraid? We know the two sides will not agree on every aspect of the budget. We know finding common ground will not be easy.

We can get it done. We used to do it until we have been stopped from doing everything by a tea party-driven House of Representatives and the strongly influenced Republicans in the Senate by the tea party. Republicans believe in one set of principles for how the government should spend money and how it should save money.

Democrats have very different principles. Republicans would lower taxes for the rich while the middle class foots the bill. Democrats would ask the wealthiest individuals and corporations to contribute a little more to reduce the deficit. Republicans would turn Medicaid into a voucher program, in effect doing away with Medicaid as we know it.

Democrats would preserve and protect Medicare for future generations. Republicans would use more harsh austerity to reduce the deficit. Democrats would adopt a balanced approach that couples smart spending cuts with new revenue from closing loopholes.

Remember, we have already cut more than \$2.5 trillion from the debt. We have our differences, but Democrats aren't afraid to work out those differences. We are ready to go to conference to begin the difficult work of compromise.

If this Congress is serious about reducing the deficit and protecting the economy, we need to go to work now, not wait until this minor impasse—and that is what it is—turns into another major manufactured crisis, which the House loves to send to us at the last minute.

UNANIMOUS CONSENT REQUEST—
H. CON. RES. 25

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that all after the enacting clause be stricken; that the amendment, which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

I have just been informed that there is no one from the Republican side to

object to this, so I will renew this. I want everyone put on notice that we are going to ask that we follow regular order, which the Republicans have been whining about for 2 years. That is what we want to do, and that is what this consent is all about.

I would withdraw this request until the Republicans show up to object.

The PRESIDING OFFICER (Mr. KAINE). The unanimous consent request is withdrawn.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MARKETPLACE FAIRNESS ACT

Mr. ENZI. Mr. President, I rise today to urge my colleagues to vote for the Marketplace Fairness Act in just over an hour or so from now. I have said many times over the past few weeks—and, in fact, I have been saying it for the past 12 years as I have worked on this issue, but it is worth repeating—this bill is about fairness. It is about leveling the playing field between the brick and mortar and online companies and it is about collecting a tax that is already due. It is not about raising taxes, taxing the Internet, or taxing Internet access.

This bill in general, and this bill in particular, has grabbed the attention of Members of the Senate and their constituents back home. Unfortunately, the misinformation that is being disseminated by many has added confusion and anxiety about what the bill does and does not do. For example, the Americans For Tax Reform sent me a detailed letter last week asking many questions. It appears the letter was not meant to find resolution or a path forward with this issue but ultimately to confuse my colleagues prior to tonight's vote. Senator ALEXANDER and I responded to the 16 questions in order to provide clarity for the organization and its members.

Mr. President, I ask unanimous consent to have printed in the RECORD the two letters to which I just referred.

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

AMERICANS FOR TAX REFORM,
Washington, DC, May 2, 2013.

Hon. MIKE ENZI,
Senate Russell Office Building, Washington, DC.

DEAR SENATOR ENZI: We believe that there are a number of unanswered questions concerning the Marketplace Fairness Act that remain troubling to taxpayers. We would appreciate your leadership in answering the following questions regarding the legislation as it stands and the recent manager's amendment that you filed to S. 743, the Marketplace Fairness Act.

1) What measures protect businesses from tax audits, court proceedings and penalties like tax liens imposed on a business by state departments of revenue where the business has no physical presence? How will businessmen and women be protected over time from politicians in a different state that they cannot vote for or against? Is there a danger of establishing taxation without representation?

2) Does the bill prevent double taxation by removing the Use Tax? If states still have a Use Tax law on the books what provisions of MFA prevent states from charging Use Tax in addition to sales tax?

3) Can states audit remote sellers for customer data and then retroactively (i.e., prior to the enactment) audit citizens for "unpaid" Use Taxes? Some states, such as California, can perform audits reaching back six years. Can states ask remote sellers for historical customer purchasing data and then audit citizens based on this data?

4) While the legislation says that it does not break physical nexus requirements for other types of taxation, some states have "privilege" taxes already in law. Some of these privilege taxes require enactment of MFA as written to enforce "privilege" tax collections. For example Michigan law states:

"there shall be collected from all persons engaged in the business of making sales at retail, by which ownership of tangible personal property is transferred for consideration, an annual tax for the privilege of engaging in that business equal to 6% of the gross proceeds of the business, plus the penalty and interest if applicable . . ."

Is there anything in MFA that prevents this type of application of MFA collection standards?

5) If states do not conform with MFA requirements or basic simplification requirements, does Section 6 of the MFA permit them to continue to expand "nexus definition" laws? Can California collect tax based on economic nexus laws? Can New York collect based on affiliate nexus laws? Could Oklahoma expand its reporting requirement laws across its borders?

6) Why are tribal lands now included as "states" in the manager's amendment? Why were tribal lands not included in the original bill? Have any of the tribes agreed to the same rules the states have, or asked to be included?

7) During the floor debate, there were many questions on how the MFA would apply to sellers based in other countries. What is the enforcement process for overseas sellers with no presence in the United States? Are they required to comply with

state tax collection duties? Under MFA, do states have the ability to bring enforcement actions against overseas businesses that are selling remotely into the state?

8) Does the MFA protect the small sellers, who would be eligible for the small seller exemption, from states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

9) While the minimum simplification requirements preclude the Streamlined Sales Tax Agreement (SSUTA), if states make changes to the SSUTA after the enactment of MFA do those changes become law?

10) Included in the manager's amendment is language that clarifies that a state may not impose requirements on remote sellers that they do not impose on non-remote sellers. Currently, many states give special state sales tax deals for businesses with in-state presence, while offering remote sellers no such deal. Since this practice is giving preferential treatment to in-state sellers in relation to the collection and remittance of sales taxes, will this be prohibited under MFA. Will there be any limitation on states giving special sales tax breaks to large in-state businesses while forcing strictly out-of-state businesses with no presence to comply?

11) Under SSUTA states agreed that sales price was the cost that a consumer actually paid for an item. However, Nebraska wants to claim that "sales price" is the gross price before discounts and coupons, thereby charging the business tax on retail value rather than amount paid (Think discounts from Groupon or Living Social. If the retail cost is \$75, but the discount makes it \$25, Nebraska would want to collect sales tax on the \$75 rather than the amount actually paid, which was \$25). Is there anything in the MFA that prevents this type of excessive taxation from occurring in Nebraska or other states? From what we understand the minimum requirements of MFA do not prevent this type of theoretical taxing from occurring.

12) How could MFA requirements affect the financial services sector? Will financial products that are sold over the Internet, like portfolio management services, credit reporting service apps, or insurance service fall under MFA taxation authority?

13) Home-schooling parents meet at state, regional, and national gatherings in part to sell used textbooks and related products that their children have completed. If these transactions are conducted online through an aggregation site, would the transactions be subject to the MFA small-seller exemption in states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

14) How will the MFA affect digital goods and services? Without a clear structure for digital goods taxation, these types of goods could fall under multiple taxation schemes. Does the MFA protect digital goods from multiple taxation?

15) In terms of digital goods, like apps and music, who is responsible for remitting the sales tax: the vendor, an app store or sales platform, or the creator of the digital good?

16) Some states, like Maryland have different sales tax rules for goods that are priced under one dollar. For example:

Effective January 3, 2008, the Maryland sales and use tax rate is 6 percent, as follows:

1 cent on each sale where the taxable price is 20 cents.

2 cents if the taxable price is at least 21 cents but less than 34 cents.

3 cents if the taxable price is at least 34 cents but less than 51 cents.

4 cents if the taxable price is at least 51 cents but less than 67 cents.

5 cents if the taxable price is at least 67 cents but less than 84 cents.

6 cents if the taxable price is at least 84 cents.

On each sale where the taxable price exceeds \$1.00, the tax is 6 cents on each exact dollar plus:

1 cent if the excess over an exact dollar is at least 1 cent but less than 17 cents.

2 cents if the excess over an exact dollar is at least 17 cents but less than 34 cents.

3 cents if the excess over an exact dollar is at least 34 cents but less than 51 cents.

4 cents if the excess over an exact dollar is at least 51 cents but less than 67 cents.

5 cents if the excess over an exact dollar is at least 67 cents but less than 84 cents.

6 cents if the excess over an exact dollar is at least 84 cents.

If Maryland, or states wishing to follow suit, do not comply with SSTP or the minimum simplification requirements included in MFA, can they tax low-cost goods in this way? This applies in particular to digital goods like apps and songs. Does the MFA require simple, flat taxes for low cost and digital goods?

Thank you in advance for your consideration and response to our concerns. I look forward to working with you to address these issues and ensure no legislation is passed that harms taxpayers nationwide. If you have any questions or concerns while responding to this letter, please have your staff contact Katie McAuliffe.

Onward,

GROVER G. NORQUIST.

U.S. SENATE,

Washington, DC, May 4, 2013.

Mr. GROVER NORQUIST,
Americans for Tax Reform
12th Street, NW., Washington, DC.

DEAR MR. NORQUIST, We appreciate your direct interest in better understanding the Marketplace Fairness Act, and we welcome the opportunity to respond to the questions outlined in your May 2nd letter. Below are answers to your questions regarding S. 743, the Marketplace Fairness Act, and the perfecting amendment filed last week.

1) What measures protect businesses from tax audits, court proceedings and penalties like tax liens imposed on a business by state departments of revenue where the business has no physical presence? How will businessmen and women be protected over time from politicians in a different state that they cannot vote for or against? Is there a danger of establishing taxation without representation?

The Marketplace Fairness Act (MFA) includes many significant benefits for remote sellers, including limits on audits, critical liability protection, and tax and administrative simplification. It is also important to remember that the sales tax is imposed on the consumer by the state where they reside, so that is the ultimate check against excessive taxation. Because the tax is imposed on the consumer, there is no danger of taxation without representation.

2) Does the bill prevent double taxation by removing the Use Tax? If states still have a Use Tax law on the books what provisions of MFA prevent states from charging Use Tax in addition to sales tax?

There is not double taxation between a sales tax and a use tax. A Sales tax is imposed by states on applicable transactions. A use tax only applies if the sales tax is not collected or imposed.

3) Can states audit remote sellers for customer data and then retroactively (i.e., prior

to the enactment) audit citizens for "unpaid" Use Taxes? Some states, such as California, can perform audits reaching back six years. Can states ask remote sellers for historical customer purchasing data and then audit citizens based on this data?

No. The authority provided by the MFA is prospective and builds in considerable "waiting periods" before states can exercise collection authority after they have adopted the minimum simplification requirements.

4) While the legislation says that it does not break physical nexus requirements for other types of taxation, some states have "privilege" taxes already in law. Some of these privilege taxes require enactment of MFA as written to enforce "privilege" tax collections. For example Michigan law states:

"there shall be collected from all persons engaged in the business of making sales at retail, by which ownership of tangible personal property is transferred for consideration, an annual tax for the privilege of engaging in that business equal to 6% of the gross proceeds of the business, plus the penalty and interest if applicable . . ."

Is there anything in MFA that prevents this type of application of MFA collection standards?

Sales and use taxes are often called by different names, such as the general excise tax in Hawaii, the gross receipts tax in New Mexico or the transaction privilege tax in Arizona. All of these taxes are sales and use taxes, where the retailer is authorized (and in most cases required) to collect the tax directly from the consumer and to identify the tax on the consumer's invoice or receipt.

5) If states do not conform with the MFA requirements or basic simplification requirements, does Section 6 of the MFA permit them to continue to expand "nexus definition" laws? Can California collect tax based on economic nexus laws? Can New York collect based on affiliate nexus laws? Could Oklahoma expand its reporting requirement laws across its borders?

Section 6 does not alter nexus standards, as interpreted by the Supreme Court. The Supreme Court has declined to extend the "physical presence" standard beyond sales taxes, and it has not taken any cases to clarify the constitutionality of "economic nexus" laws. Other Supreme Court decisions, such as *Scripto* and *Tyler Pipe*, have made clear that in regard to sales tax, affiliates and independent contractors can create physical presence for sales tax collection purposes. The MFA addresses these problems by setting specific standards for states who wish to require remote sellers to collect state sales taxes.

6) Why are tribal lands now included as "states" in the manager's amendment? Why were tribal lands not included in the original bill? Have any of the tribes agreed to the same rules the states have, or asked to be included?

Tribal governments are required to meet the same conditions as states choosing to participate. Tribal governments were included in earlier versions of this legislation, and they requested that they also be given the ability to collect sales taxes if they choose to exercise the authority granted by this legislation.

7) During the floor debate, there were many questions on how the MFA would apply to sellers based in other countries. What is the enforcement process for overseas sellers with no presence in the United States? Are they required to comply with state tax collection duties? Under MFA, do

states have the ability to bring enforcement actions against overseas businesses that are selling remotely into the state?

States currently enforce collection of state taxes against foreign businesses with no physical presence in the United States, and have a number of methods to compel collection by foreign sellers including liens, levies and seizure of assets. The MA treats foreign corporations the same as it does domestic corporations. All online retailers that make over \$1 million in remote sales, regardless of where the retailer is located, must collect and remit sales tax to states that require it.

8) Does the MFA protect the small sellers, who would be eligible for the small seller exemption, from states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

The MFA does not alter nexus standards, as interpreted by the Supreme Court.

9) While the minimum simplification requirements preclude the Streamlined Sales Tax Agreement (SSUTA), if states make changes to the SSUTA after the enactment of MFA, do those changes become law?

The MFA does not "preclude" the SSUTA, and changes to the SSUTA have no force of law because any changes to the agreement must be enacted by individual states and their legislatures. The MFA recognizes that the SSUTA already incorporates the simplifications and protections embodied within the MFA. Thus, states that have already enacted laws to comply with SSUTA are granted authority by the MFA to require remote sellers to collect tax. The MFA also ensures that future changes to the SSUTA meet the simplifications and protections provided in the MFA.

10) Included in the manager's amendment is language that clarifies that a state may not impose requirements on remote sellers that they do not impose on non-remote sellers. Currently, many states give special state sales tax deals for businesses with in-state presence, while offering remote sellers no such deal. Since this practice is giving preferential treatment to in-state sellers in relation to the collection and remittance of sales taxes, will this be prohibited under MFA? Will there be any limitation on states giving special sales tax breaks to large in-state businesses while forcing strictly out-of-state businesses with no presence to comply?

The MFA does not dictate to the states how they structure their state tax systems; to do so would be a fundamental violation of state sovereignty and the constitutional framework of our government embodied by the 10th Amendment. The MFA simply grants states the authority to enforce state sales tax laws on remote sales.

11) Under SSUTA, states agreed that sales price was the cost that a consumer actually paid for an item. However, Nebraska wants to claim that "sales price" is the gross price before discounts and coupons, thereby charging the business tax on retail value rather than amount paid (Think discounts from Groupon or Living Social. If the retail cost is \$75, but the discount makes it \$25, Nebraska would want to collect sales tax on the \$75 rather than the amount actually paid, which was \$25). Is there anything in the MFA that prevents this type of excessive taxation from occurring in Nebraska or other states? From what we understand the minimum requirements of MFA do not prevent this type of theoretical taxing from occurring.

The MFA does not dictate to the states how they structure their state tax systems. Residents of Nebraska, not Washington, should determine the appropriate level of state taxation in Nebraska.

12) How could MFA requirements affect the financial services sector? Will financial products that are sold over the Internet, like portfolio management services, credit reporting service apps, or insurance service fall under MFA taxation authority?

The MFA does not affect the financial service sector, and no state imposes a sales tax on financial transactions.

13) Home-schooling parents meet at state, regional, and national gatherings in part to sell used textbooks and related products that their children have completed. If these transactions are conducted online through an aggregation site, would the transactions be subject to the MFA small-seller exemption in states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

The small seller exemption applies to all remote sellers, and no discretion is given to states with respect to the amount of the small seller exemption. The term "remote seller" is defined in the bill and means a person that makes remote sales. Only individual remote sellers who make more than \$1 million in remote sales each year can be required to collect state sales taxes.

14) How will the MFA affect digital goods and services? Without a clear structure for digital goods taxation, these types of goods could fall under multiple taxation schemes. Does the MFA protect digital goods from multiple taxation?

The MFA does not affect the taxability of goods, digital or otherwise.

15) In terms of digital goods, like apps and music, who is responsible for remitting the sales tax: the vendor, an app store or sales platform, or the creator of the digital good?

The person responsible for remitting sales tax is exactly the same under the MFA as it is under current state law. The question under state law remains as it always has: who is making the "sale" as defined in state law? The party making the "sale" first collects and then remits the tax.

16) Some states, like Maryland have different sales tax rules for goods that are priced under one dollar. For example:

Effective January 3, 2008, the Maryland sales and use tax rate is 6 percent, as follows:
1 cent on each sale where the taxable price is 20 cents.

2 cents if the taxable price is at least 21 cents but less than 34 cents.

3 cents if the taxable price is at least 34 cents but less than 51 cents.

4 cents if the taxable price is at least 51 cents but less than 67 cents.

5 cents if the taxable price is at least 67 cents but less than 84 cents.

6 cents if the taxable price is at least 84 cents.

On each sale where the taxable price exceeds \$1.00, the tax is 6 cents on each exact dollar plus:

1 cent if the excess over an exact dollar is at least 1 cent but less than 17 cents.

2 cents if the excess over an exact dollar is at least 17 cents but less than 34 cents.

3 cents if the excess over an exact dollar is at least 34 cents but less than 51 cents.

4 cents if the excess over an exact dollar is at least 51 cents but less than 67 cents.

5 cents if the excess over an exact dollar is at least 67 cents but less than 84 cents.

6 cents if the excess over an exact dollar is at least 84 cents.

If Maryland, or states wishing to follow suit, do not comply with SSTP or the minimum simplification requirements included in MFA, can they tax low-cost goods in this way? This applies in particular to digital

goods like apps and songs. Does the MFA require simple, flat taxes for low cost and digital goods?

The MFA does not require states to adopt the SSUTA. In fact, the legislation does not require states to do anything. However, states must adhere to the simplifications and protections provided in the MFA if they choose to simplify their tax systems and require remote sellers to collect state taxes.

The table reproduced above is an if/then statement of the kind that computers have been able to process for decades. In other words, this apparently complicated rounding method isn't complicated at all for computers to process.

Thank you for giving us the opportunity to respond to your questions. We look forward to working with you to address these issues as we move forward with the enactment of the Marketplace Fairness Act.

Sincerely,

MICHAEL B. ENZI,

U.S. Senate.

LAMAR ALEXANDER,

U.S. Senate.

Mr. ENZI. I would encourage everyone to read the bill. It is short—11 pages. You don't see many like this. You can see through that; right? It is a bill you can read from beginning to end and you can understand what it does, which is very unusual for Washington. It is not like a lot of bills that simply make changes to other bills and require you get hold of those other bills and read them to figure out what is going on. This bill is straightforward.

If a State meets the simplification requirements outlined in the bill, it may choose to require collection of sales taxes that are already due. Congress is not forcing States to do anything. And if States do act, they are collecting taxes already due by consumers—folks such as you and me.

One of the issues that received much attention while debating this bill the past few weeks is the issue on audits. There is some concern small businesses will be subjected to onerous and time-consuming audits by State and local governments if those governments start requiring they collect sales taxes on these remote sales. It is critical to keep in mind that sellers that have under \$1 million in remote sales in 1 year are not required to collect and would not be subject to an audit from any out-of-State government.

In order to obtain authority to require remote sellers to collect, and therefore even have the potential of being audited by remote governments, States either must join the Streamlined Sales Tax and Use Agreement—and I will refer to that as the Streamlined States—or they can simplify their tax structure by creating a single entity within the State responsible for all State and local taxes and use tax administration and audits; establishing a single audit statewide; limiting collection to a uniform State and local tax base; allowing a single sales and use tax return; and providing the program to figure the tax with no liability to the retailer and, therefore, no need for an audit.

For States that join the Streamlined Sales Tax and Use Agreement, a remote business would only be subject to a single audit for participating streamlined States, eliminating the possibility of audits by local governments and the probability of an audit.

For States that do not join the streamlined States but choose to participate in the alternative simplification system outlined in the bill, a business would also be limited to a single audit, per State, per year.

Practically speaking, there is no possibility that streamlined States or non-streamlined States would ever be able to perform significant audits of remote sellers.

Today, the States audit less than 1 percent of retailers inside their borders. Auditing remote sellers would require additional resources and travel and is simply not a realistic possibility.

For audits that are performed under the new system, the Marketplace Fairness Act demands that States adopt uniform audit procedures which would simplify and reduce business administrative expenses.

Sellers who use the certified sales tax administration software would either not be audited or would have limited scope audits to determine that the software was properly installed.

In addition to the audit protection the Marketplace Fairness Act provides, participating States are required to establish and maintain an accessible database of geographically based tax rates and tax base information to make it easier for remote sellers to collect taxes. These states are also required to hold those sellers harmless for errors in the database.

Compared to today's sales tax administration, where sellers are expected to research and comply with tax rate and tax base information and to understand jurisdictional boundaries without help from the state and local governments, the Marketplace Fairness Act dramatically reduces administrative burden and audit risk.

Some opposed to this bill go so far as to say that this potential overreach of State and local governments will lead to taxation without representation. The Marketplace Fairness Act includes significant benefits for remote sellers, including limits on audits, liability protections, and tax and administrative simplification. The tax is imposed on the consumer by the State where they reside pursuant to tax rates and a tax base established by the State and local governments. This serves as the ultimate check on excessive taxation. Because this tax is imposed on the consumer, there is no danger of taxation without representation.

Another concern raised by a few of my colleagues is that businesses will leave the United States, set up shop outside our borders, and sell into the

United States, presumably only because of a sales tax collection requirement. It is important to note that States currently enforce collection of State taxes against foreign businesses with no physical presence in the United States, and have a number of methods to compel collection by foreign sellers, including liens, levies, and seizure of assets. The Marketplace Fairness Act treats foreign corporations the same as it does domestic corporations. All online retailers that make over \$1 million in remote sales, regardless of where the retailer is located, must collect and remit sales tax to States that require it.

I would say this. No one works on a bill such as this, works on it 12 years, as a popularity contest. You have to be doing what is right. I have listened to the people, talked to the people, and know this is something that is going to be necessary to keep Main Street in business so people will have the ability to go to the store and make a selection and try the goods, feel the goods, and know it is right and that retailer is not going to have to worry about the person using their iPhone to get the barcode and order it from somebody else because of a sales tax difference. That is what will keep Main Street viable and the downtowns making it look like there is a growing community.

In conclusion, I thank everyone associated with this bill for their hard work and efforts in getting us to this point. I thank Senators ALEXANDER, DURBIN, and HEITKAMP for their unwavering support of this bill and moving it forward in the Senate. I thank all of the cosponsors of the bill. I very much appreciate their support. I thank all the businesses, the trade groups, the constituents who provided constructive feedback as we have attempted to address, as best we can, all the concerns that have been raised.

I thank all of the staff who have worked on this issue—on my staff, my legislative director Randi Reid. She has worked on this as long as I have. She is probably, on the Hill if not the country, the expert on marketplace fairness or any of the other titles this kind of bill may have had.

I also thank my tax counsel, Eric Oman; Corey Tellez, Beth Cook, Dena Morris, Reema Dodin, MJ Kenny; Ben Garmisa on Senator DURBIN's Staff; Allison Martin, Michael Merrell, and David Cleary on Senator ALEXANDER's staff; Jillian Fitzpatrick on Senator HEITKAMP's staff; and all of the staffs of the bill's cosponsors and all of the people in offices that have been taken into the process so we could get the process to work. It is always a team effort, and it takes more than ones who are just leading the effort. I know there are an immeasurable number of hours they have put in on this issue and I thank all of them for their hard work.

I look forward to continuing to work with my House colleagues, Congressman WOMACK, Congresswoman SPEIER, Congressman CONYERS, and Congressman WELCH, as they push forward to the House passage of the Marketplace Fairness Act.

I also thank Senator DURBIN for all of his energy on this bill, the perspective he was able to bring to the bill and his tremendous ability to communicate the issues. I thank Senator ALEXANDER. We were working on a much bigger bill until Senator ALEXANDER lent some expertise to make this a much simpler one, one that is completely readable and only 11 pages.

I think that covers most of the objections. There will be some from the States that do not charge a sales tax at all because if their businesses exceed \$1 million in on-line sales, then they will have to. If they sell into States that collect the sales tax, they would have to participate in the collection of that.

As we push forward with House passage of the Marketplace Fairness Act and as we finish in the Senate tonight, as I am confident we will, I thank all who are participating in it, particularly the people of courage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, today the Senate is voting on whether to take a few more inches off the little guy. I say that because we can tell what this debate is all about by looking at the morning newspaper. All over those newspapers we saw ads taken out by some of the biggest businesses in the country. It is pretty easy to see why. It is because with this vote for the so-called Marketplace Fairness Act, what we have is big businesses being given the ability to force—force, mind you—new regulations onto the startups, onto the small businesses. That is what this bill has always been about.

The big businesses have physical presence. They already pay taxes. The people whom we have said we care about, for the last 15 years, are the startups, the people who are just trying to get off the ground, who have the dream of one day being big. With this proposal that we will vote on in an hour, I fear what we are going to do is crush a lot of those startups, a lot of those small businesses, because not only will they have new regulations, those small businesses will have new legal regimes, new audits by out-of-State regulators, new legislators, new Governors, new court systems, new accountants, new software, new consultants, and new lawyers. What I hope we will do is ensure, as this process goes forward, that we truly think through the implications of what is being done because on every count it is coercive and discriminatory in nature. It, in fact, gives a leg up to foreign retailers.

It, in effect, repudiates a lot of what we have done over the last 15 years to build a sensible policy that will ensure what I call prosperity for both bricks and clicks.

I am sure that is what the Presiding Officer of the Senate wants. It is what we want in Oregon. We want our brick-and-mortar stores to prosper. We want our online stores to prosper. What this bill does is it precipitously overturns the law of the land, the law of the land upheld by the Supreme Court. It would, in unprecedented fashion, stipulate that State and local governments have taxing authorities over businesses that are located thousands and thousands of miles away.

The sponsors are quick to point out that the Court allowed that Congress could enact this sort of extraterritorial taxation. But as the Senate has seen again and again, just because government can doesn't mean government should.

We are going to continue this debate. It will not be done today. One of the central discussion points in this debate going forward will be the damage this bill, in its present form, does to the idea of State sovereignty. Proponents of the bill say the measure is about promoting States rights, but the reality is it is a coercive affront to State sovereignty. If any State does not wish to subject their business to out-of-State government tax collectors, the MFA tells them in effect: Get lost. The MFA enables the State of Indiana or the State of South Dakota to require online businesses located in New Hampshire to collect sales taxes on their behalf. I will repeat that. This so-called Marketplace Fairness Act could require New Hampshire, a State that does not have a sales tax—require New Hampshire businesses to collect sales taxes for goods and services provided to consumers in Indiana and South Dakota and send that money to those States. It enables California and New York to collect taxes from businesses located in Florida or Texas.

Finally, since I know we are in morning business, I think this steers the Internet toward a dangerous path. It would, in effect, endorse the notion that Internet entities should be required to enforce laws outside their home jurisdiction. Foreign countries have long pressed that notion. Foreign countries have specifically pushed that notion, that the Internet ought to cede to their control. As it is already, many countries are seeking to put the United Nations in charge of the Internet's regulator-in-chief, and essentially, if we look at the philosophical foundation of this proposal, it endorses that world view.

The Senate is being asked to consider schemes to allow States and localities to essentially nationalize their taxes, but tomorrow the Senate may be asked to consider similar schemes to enforce

law and regulations. I will tell you what truly concerns me about this is it could be laws and regulations about content and other issues that are important to the powerful and well-connected. Make no mistake about it, that is who is pushing this bill today.

Open those morning newspapers and it was not the little guy, the person who does not have PACs and big political committees who was buying ads in the morning newspapers, it was the powerful and the well-connected. It seems to me the last thing this body should do is jeopardize the democratizing power of the Internet and technology through legislation such as this.

I believe the substance of this bill is deeply flawed. I know there have been efforts to improve it.

I see my colleague from Illinois. He wanted to take the bill I wrote years ago, the Internet tax freedom legislation, along with colleagues from both sides of the aisle, and he wanted to put it into this bill. The Internet Tax Freedom Act runs contrary to this bill because this bill allows discrimination.

It specifically allows online retailers to do things that would not be required for offline retailers. The offline retailer doesn't have to chase somebody across the country and try to figure out where they are going to consume a particular product. We ask for things from online retailers that we do not ask from offline retailers.

I understand why the Senator from Illinois wanted to take a bill that has been a big success for both bricks-and-clicks retailers and put it into this bill. In effect, I compared it to trying to dump sugar into a very bitter cup of coffee.

We cannot get healthy with this bill in its present form. It is a deeply flawed piece of legislation. This debate is going to continue.

I urge colleagues to vote no on the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my friend and colleague from Oregon for coming to the floor and stating his position on the bill. For those who follow the Senate, we are about to see something that is historic, precedent setting, and nothing short of remarkable in an hour and a half. The Senate is actually going to vote on a bill.

Those who are watching this program on C-SPAN or from galleries may actually see 100 Senators—or close to that number—come to the floor, vote, and perhaps there will be a bipartisan majority supporting the bill. At least that is my hope.

I have joined with Senator ENZI, a Republican from Wyoming; Senator ALEXANDER, a Republican from Tennessee; and Senator HEITKAMP, a Democrat from North Dakota, in a bipar-

tisan effort to solve a problem. It was a problem not out of our creation, it was a problem that came about because commerce has changed in the United States.

Twenty years ago the State of North Dakota went to the Supreme Court and said: We want to collect sales tax from remote sellers. Twenty years ago these were mainly catalog sales. It would give a company that made a catalog sale in the State of North Dakota the ability to collect sales tax.

Nearly 21 years ago the Supreme Court—across the street—said in the Quill decision: We are not going to rule this from the Court. It is up to Congress to write the law.

Well, in lightning-fast speed—the kind of reaction we have come to expect—21 years later, here we are actually debating the bill. We may actually vote on it in an hour and a half.

What is it all about? It is about the way commerce has changed in America. Let's think about it. When did anyone here first make an Internet purchase? Virtually all of us have. I remember doing it and saying: I wonder how this is going to work. They are going to take it off my credit card, I am going to receive this in the mail or UPS will deliver this book from Amazon. Well, it worked out pretty nicely, so I did it again. I bought clothes from Lands End, along with some other things, and pretty soon I am an Internet purchaser.

Well, it turns out there was something going on I didn't know about. In my State of Illinois—and 45 other States—I have a legal obligation to pay sales tax on what I purchase on the Internet. Most people don't know it. It is on the State income tax form, and at the end of the year in Illinois—and many other States—each taxpayer is asked to itemize how much they owe for sales tax to, for instance, the State of Illinois for purchases that were made on the Internet.

A year ago my bookkeeper brought it to my attention and said: Senator, do you want to pay this? I said: I think I should. I started making calculations of what it was. It was my best estimate, and I paid it. It turns out only 5 percent—1 in 20 taxpayers in Illinois—make that payment.

Now repeat that story for 45 States and we will find that so many residents of States—whether it is Maine, Illinois, or California—may have a legal obligation to pay sales tax on their Internet purchases, but they don't do it.

As a result, less money is going into the States, the counties, and the localities that have the sales tax revenue coming their way, but something else has happened that is very significant. The competition of the Internet retailers is a disadvantage.

Unabridged Bookstore is on Broadway in the city of Chicago. It is around the corner from where my wife and I

reside in Chicago. Unabridged is a great bookstore, and I love bookstores. I make a point of going in there. I went in there last Friday, bought a couple of books, and paid my sales tax to the State of Illinois.

As I mentioned earlier, I also buy books on Amazon. Sometimes they collect sales tax and sometimes they don't. It depends on whether the actual seller of the book is a store in Illinois, for example.

So what is the difference? Well, the difference is about 8 or 9 percent on what a purchaser pays for a book. When I bought the book at the store on Broadway—where they are collecting the sales tax as they are required by law, where they pay property tax as they are required by law sustaining the great city of Chicago and all of its services—I paid more than I might have on the Internet.

Here is what this bill says: States can now require the Internet retailers to collect the sales tax at the point of purchase and to remit those proceeds back to the States. So, for example, if Amazon, which supports this bill, sells a book to me in Illinois, they can collect the sales tax and send it to Springfield, the Illinois Department of Revenue. It is just that simple.

As far as the way they collect it, this bill requires that the Internet retailers be given the software they need so when I put in my address either in Chicago or Springfield—I have two places in Illinois—the address is going to identify how much tax is owed. It is not as dramatic and complicated as some on the Senate floor have suggested. In fact, it is done every single day.

What if we don't do it? What we are going to find is that stores that sell books, running shoes, bicycles, and appliances are at a distinct disadvantage. They become showrooms, and they tell a story.

This is a Lacrosse store, and they are going out of business. They sold sporting goods and soccer gear in the suburbs of Chicago. They could not keep up with it anymore because people were coming in and they were showrooming. Potential customers would come into the store and say: I am looking for running shoes, and I cannot decide if it is Nike or Adidas. Can you bring out a few boxes? How about different colors? Let me try a different size. OK. This is perfect. Let me write this down.

Everyone knows what happened next. They walked out of the store, ordered it on the Internet, and paid no sales tax. That is what this store, and many like them, are competing against. We are trying to solve this once and for all, and we have done it in a way I think is fair.

We took a bill that was 80 pages long and turned it into 11 pages so it is simple to follow. We made it easy for the

retailers in terms of the software they need to make this collection, and now across the United States there will be a standard which will help a lot of retailers. Sure, it is going to help the biggest ones. I will not make any bones about that. Of course it will. It will help the small ones too such as the Unabridged Bookstore and businesses such as the Lacrosse sporting goods store. They will be helped in the process too. They create jobs. These are entrepreneurs which sustain our communities.

When it comes to things we need in our neighborhood or town, we go to the small stores and ask if they will buy an ad in the church program or support the local baseball team. They are citizens and residents of the community. They are part of the community. This bill is trying to make sure they have a fair and level playing field when it comes to competing. That is what this is all about.

Some may wonder why we have such opposition. The Senator who spoke before me is from the State of Oregon. Oregon is one of five States in the Nation with no State sales tax. For the record, they are Alaska, Oregon, Montana, New Hampshire, and Delaware. Of those five States, four of those States—all eight of those Senators—are actively opposing this bill.

What does it come down to? If this bill passes, will the people of Oregon, who currently have no sales tax, have to collect sales tax from the residents of Oregon? No. Not one penny of sales tax will be imposed on any State where they currently don't have a sales tax. The residents of Oregon will not have to pay sales tax at the counter or over the Internet. It will not apply.

However, the three or four—and there are only three or four companies—Internet retailers in California that want to sell in California, Washington, Maine, and Illinois will be collecting sales tax based on their sales in our States only. That is fair. It doesn't change an Oregonian's sales tax responsibility at all. So for three or four retailers, the argument is being made: Don't change the law.

Just how many Internet retailers are we talking about? We put an exemption in this bill and said: If you had less than \$1 million in Internet sales last year, you don't have to collect sales tax this year. What does that \$1 million mean? Well, if we set that number at \$150,000 instead of \$1 million, we would have exempted 99 percent of all the Internet retailers.

What it comes down to is this bill will affect the big boys, such as Amazon and eBay—the big ones. They can certainly—and already do in many instances—collect the sales tax. It does not affect the small Internet retailers, particularly in States that are complaining the most about the passage of this legislation.

I think this is an important measure in terms of leveling the playing field

for retailers across America, and it is long overdue. It is bipartisan, and it has the support of the White House. It has the support of the retail community. Stores large and small all across America support this legislation. It has the support of virtually every level of government beyond the Federal level.

All the Governors and mayors in all the different localities—virtually all of them—support it. The labor union supports it as well because money coming back into these States and communities will be used for the good of the people who live there. I don't know about many States, but in my State they are struggling in terms of coming up with enough revenue. This bill will help provide some of the revenue my State needs to deal with some of these problems.

I would like to mention one other issue that was brought up Friday morning by the Wall Street Journal. The Wall Street Journal talked about the number of audits an Internet retailer might face if this bill passes. They suggested—I think improperly in their editorial—that it could be an onslaught of audits. We made it clear—and Senator ENZI said on the floor, as I have—that we are talking about one centralized audit for each State.

It would not be a matter of harassment. At most there would be some 45 audits which these Internet retailers would face. I hope that can be made extremely clear.

I have listened to a lot of speeches on the floor against this measure, and virtually every single one of them has been from a State with no sales tax. My final plea is to the people of Oregon, Montana, New Hampshire, Delaware, and Alaska. If this bill passes, they will not have to pay any new sales tax. This bill creates no new Federal tax and does not create new sales tax anywhere in the United States. It only has a method of collection for those sales taxes that already exist in the States across the Nation.

I hope we can get a good, strong bipartisan vote so we can send it to the House, and I hope they will take it up. It is a timely and important measure. After 21 years I think we have thought it over enough. It is time to act and do something to resolve the issue. This will help small businesses and local governments across America where this revenue will play an important part in their future.

I believe all the speeches I have heard about the value of small business, the value of entrepreneurship, and how important it is to create jobs at the local level. This will be a test vote this afternoon. In fact, we will have a couple of votes. First, there will be the managers' amendment. It is generally an amendment where we look closely and carefully at every single sentence in the bill. We made some slight variations. There were no major

changes in the substance of the bill that was originally introduced. However, it is a cleanup amendment, which shows that even with our best efforts, we can improve, and I think that is important. Second, there will be the vote on final passage on the bill.

The last point I want to make is one I expect to hear from my friend from Oregon, Senator WYDEN—and he is my friend. He feels passionately about the Internet, and he should. The Internet has changed America. It has changed the world. It has changed the way we live, the way we research, the way we read books, the way we shop, and so many other things.

Senator WYDEN talks about the virtual issue of the sanctity of the Internet. I could not agree with him more. We have to make sure we preserve some very basic things about the Internet. One of the things we need to preserve is access to the Internet. What if we had to pay a tax every time we went online? That would be awful. So we had an amendment from Senator PRYOR of Arkansas and Senator BLUNT from Missouri which said access to the Internet cannot be taxed. It is called the Internet Freedom Act.

I said put it on here. I agree with that. Let's make it clear that nothing we do here will in any way inhibit a person's access to the Internet.

It is a bill which, frankly, Senator WYDEN had introduced, but because of the nature of this political debate, he objected to our putting an amendment on the bill. I am sure he still supports that bill in principle. This was an effort by us to make it clear that we want to protect access to the Internet and in so doing make sure we also protect something that is fundamental in this country: an opportunity for real competition and a level playing field for all manner of business, large and small, across America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

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

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

Mr. ALEXANDER. Mr. President, we have an opportunity to vote today on an important piece of States rights legislation—at least that is the way I look at it as a former Governor of Tennessee.

Here is what the legislation does. It is called the Marketplace Fairness Act. There are many reasons to support it, but the reason I like it is because it gives Governors and legislators the opportunity to decide for themselves whether they can require out-of-State

sellers to do the same thing in-state sellers are required to do; that is, to collect the sales tax already owed.

Let me say that again. This legislation is States rights legislation. It allows Governors and legislators in Maine or Tennessee or wherever—Illinois—to decide for themselves whether they want to require out-of-State sellers to do the same thing in-state sellers already do, which is to collect the sales tax that is already owed when something is sold. That is it.

Before I went back to Tennessee, some people here were saying: We don't trust the States to make this decision. I think I know the answer to that from Tennesseans. I have spent the last week going from one end of our State to the other. Everywhere I have gone, I have asked a question. I said: There are some people in Washington who said they trust Washington to make a decision more than they trust Governor Haslam and Speaker Harwell, Lieutenant Governor Ramsey, and the Tennessee Legislature to decide what to do about taxes.

The last time I checked, Tennessee had an AAA bond rating, no State road debt, one of the lowest tax rates in the country, and was named the second freest State in the country. And the last time I checked, Washington, DC, was running up \$1 trillion of debt and more every year. Nobody in Tennessee trusts Washington more than the Governor and State legislature to decide what to do about taxes, particularly when it comes to whether we are collecting a tax that is already owed.

This is such an obvious piece of legislation that many of the opponents have resorted to interesting arguments, let's say, in opposition to it.

It has been said that the bill should have gone through committee. Well, it went to committee, but the chairman—a very respected Member of this body—doesn't like the bill, so he didn't report it to the floor. So that is why it didn't get out of committee.

They have said it should have more amendments. All of us, particularly on our side of the aisle—we are in the minority—would like to have as many amendments as we can. But there is one reason this bill didn't have amendments, and that is because opponents to the bill objected to every single amendment, every single one, even amendments they support. Senator PRYOR and Senator BLUNT offered a 10-year extension of the moratorium on Internet access taxes, and the Senator from Oregon objected to that even though he wrote the original act.

Some have suggested that what we are talking about is a tax on the Internet, but every Senator knows there is a law against a tax on the Internet.

Some have said: Well, it is a new tax. But of course it is not. It is an existing tax. One of my colleagues over here said that the only thing he hates worse

than a tax is somebody who doesn't pay a tax that is owed. This is a tax that everybody owes that only some people pay. What we are trying to say to the Governor of Maine or to the Governor of Tennessee or to the Governor of Illinois is this: You can decide for yourselves, without playing "Mother May I" to Washington, DC, whether a State wants to treat some taxpayers one way and some another way, some businesses one way and some businesses another way.

Then there are some who say it is too complicated. Well, this is how complicated it is. If I order ingredients to make ice cream over the Internet from Williams-Sonoma, I put in my name, my address, and my ZIP Code, and the software figures out the sales tax, collects it, and sends it to the State of Tennessee, how hard is that?

I guess the complete answer to that is that a majority of Internet sales today collect the sales tax that is owed. If it is so hard, how are they doing that? Let me say that again. A majority of the retailers that sell over the Internet today collect the sales tax when it is owed using the software that is as simple as looking up the weather on a person's computer. I look up the weather in Maryville, TN. I type in my ZIP Code, and I type in "weather," and it tells me the weather. That is about how easy this is. A majority of the retailers that sell over the Internet today collect the sales tax when they make the sale, so it can't be not only impossible to do, but it is not hard to do.

Then there are some who say conservatives aren't for this. One of the leading proponents of this legislation is the chairman of the American Conservative Union, Al Cardenas. He sent out an e-mail last week, and he sent out another one today.

Dear Senator: As you continue work next week on the Marketplace Fairness Act, I would like to call your attention to what conservatives are saying about this issue. They recognize as I do that it is not the role of government to pick winners and losers in the marketplace by requiring brick and mortar stores to charge a sales tax while exempting Internet sales.

Sincerely, Al Cardenas, Chairman, American Conservative Union.

He included in his e-mail—I received this e-mail—the comments of Charles Krauthammer, a conservative if there ever was one.

The real issue here is the fairness argument—that if you're an old-fashioned store, you have to have your customers and you pay the sales tax and online you don't . . . So I think you want to have something that will level the playing field. You can do it one of two ways. You abolish all sales tax for real stores and nobody pays. Or you get the Internet people to pay the sales tax as well. I think the second one is the only way to do it, obviously.

Representative PAUL RYAN—he was home this past week too. He was in Janesville, WI. He is a pretty good conservative, last time I checked. I don't

go around making a list of who is a good conservative and who is a bad one. I just think most people in America think of PAUL RYAN as a conservative, just as the chairman of the American Conservation Union does.

Representative PAUL RYAN:

To me, I think the concept is right . . . It's only fair that the local brick-and-mortar retailer be treated the same as the big-box online sales company out-of-State.

Lest one think the chairman of the American Conservative Union and Charles Krauthammer and PAUL RYAN are all on another planet somewhere, here are a few other conservatives who agree with him: William F. Buckley before he died wrote extensively about this; Republican Governors Bob McDonnell, Chris Christie, Robert Bentley, Paul LePage, Bill Haslam, Butch Otter, Terry Branstad, Rick Snyder, Mike Pence, Tom Corbett, and Dennis Daugaard of South Dakota.

This is common sense. This is fairness. This is States rights.

For the life of me, as a former Governor, I do not understand how Congress can say to the conservative Republican Governor of Tennessee, the conservative Lieutenant Governor of Tennessee, to the conservative supermajority Republican legislature: You have to play "Mother May I" with Washington, DC. We don't trust you to make decisions about your own tax policy. We think Washington does a better job.

That is laughable. That is just laughable.

What we are doing with this bill—and I will conclude with this—is very simple. It is two words: States rights. It allows our State of Tennessee, our Governor and legislature, to make a decision: Will they decide to require out-of-State sellers to do the very same thing they require in-state sellers to do; that is, collect the sales tax when they sell an item and remit it to the State government? It is a tax that is already owed. It is not a tax on the Internet. It is a tax some people are paying and other people aren't even though they owe it. It discriminates against mom and pop small businesses.

This bill only applies to large retailers—those that sell more than \$1 million in remote sales each year.

To the charge that it is too complicated, how could it be too complicated if a majority of Internet sales being made today already collect the sales tax?

All we are saying is that the Governor and the legislature may wish to say to all taxpayers: If you owe the tax, you are going to need to pay it, and if you pay it, we can lower the tax rate for everybody in this State.

I thank Senator DURBIN and Senator ENZI for their leadership and bipartisan support. I regret that we didn't have more amendments, but the opponents used as their tactic to try to kill the

bill—which I hope won't be successful—their right to object to every amendment. We can't do much about that.

So after the bill passes, which I hope it does tonight, the House will consider it, and I am sure they will come up with their version of the bill, and we can go to conference and we can pass the Marketplace Fairness Act, a States rights bill that, in my view, is exactly what conservatives hope would happen.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, I ask unanimous consent that the 20 minutes prior to the vote, which is scheduled at 5:30, in relation to amendment No. 741 be equally divided between the proponents and opponents, with proponents controlling the final 10 minutes.

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

Mr. DURBIN. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to speak out against the so-called Marketplace Fairness Act. In my view, during a time of economic challenge, as we are in today, the very top priority of every elected official, whether Republican or Democrat, should be to restore economic growth, to get our economy moving, to get back to the economic dynamism, the economic strength that has lifted so many millions out of poverty and toward the American dream. This bill, if enacted into law, would hurt economic growth and would be a mistake.

First of all, more taxes will hurt economic growth, and this bill, if enacted, would in effect create a national Internet sales tax. It would subject small online retailers to paying taxes in 9,600 different jurisdictions all across this country. At a time when so many are hurting, we should be discussing how to reduce regulatory burdens on small businesses and how to reduce tax burdens on small businesses, how to reduce the complexity of taxes on small businesses, and this bill goes in exactly the opposite direction.

In particular, those who will be hurt the most by this bill if it is passed are small mom-and-pop retailers online. The threshold for this bill is \$1 million in gross online sales. That is not profit; that is \$1 million in total sales, gross sales, and \$1 million for a starting business is not a terribly high threshold for their gross, not their profits. That has to cover the costs and all expenses of the business. It has to cover any salary, any rent, any Web costs, communications, travel, accounting, legal services, plus the costs of goods sold. These small- and medium-sized busi-

nesses would suddenly find themselves subject to 46 different States and 9,600 local jurisdictions. They would find themselves having to pay tax filings, potentially, in all 46 States monthly or quarterly and to be subjected, potentially, to audits from each of these local counties, each of these local municipalities.

I have with me here today a listing of all of the tax rates of these 9,600 different jurisdictions. It is truly indecipherable, that you can look and pick any State and get the county and see the different tax rates. Indeed, in a lot of counties—for example, I just opened this at random. In Colorado—which I happened to open it to—if you look in Taylor Park, if it happens to come from the 81210 ZIP Code, the tax rate is 4.5 percent, but if it is in the same county that comes from the 81230 ZIP Code, the tax rate is 8.25 percent.

Small businesses—a small mom-and-pop just getting started on the Internet would be required to comply with all of these taxing jurisdictions, to send the taxes to all of these taxing jurisdictions, and to be subject, potentially, to audits from 9,600 taxing jurisdictions. That makes no sense.

I wish to point out also that this is not fundamentally about fairness. The proponents of this act point to small mom-and-pop stores that are their bricks-and-mortar retailers. But those are not the main proponents of these bills. A small bricks-and-mortar retailer right now is losing sales primarily to two different sources: No. 1, big-box bricks-and-mortar retailers. They are losing a lot of sales to big-box large retailers. This bill does nothing about that. No. 2, they are losing substantial sales to large online retailers, the giant corporations.

But here is an interesting statistic. Nine of the ten largest Internet retailers are already paying sales taxes in all 46 States that have sales taxes. Why? Because they have a physical presence in the State.

What the Supreme Court has said is, if you are physically in a State, the State can force you to collect its tax. But if you are not physically there, the Constitution does not let you haul someone in from a distant State and force them to collect your taxes because you do not have any accountability to those individuals in a distant State.

In terms of the small mom-and-pop retailers, they are losing their sales to the big-box and big Internet retailers, all of whom are already paying these taxes.

So what do we have here? We have a bipartisan coalition, unfortunately, that it appears is going to pass this bill in this Senate. But the coalition is driven by the fact that you have big business united. You have the big business bricks-and-mortar companies and the big business online retailers all together because the impact of this bill is

to hammer the small business online retailers, to make it harder for the little guys to compete. So you see a strange alliance here in Washington, but one that I think is exactly backwards of what we ought to be doing.

I think it is fundamentally unfair to ask a Texas business to collect taxes for California Governor Jerry Brown or for New York City Mayor Bloomberg and a nanny State, in particular, because they cannot hold those politicians accountable. They do not have a presence there. They do not vote there. They do not have influence there. But yet they are being dragooned into collecting those taxes. I think that is fundamentally not right.

Let me give you an example of how this will hurt small businesses. There is a woman in Texas named Ann Whitley Wood who wrote a letter to our office. She lives in Dallas and had created an online consignment store. Even though it is largely a one-person operation, she may come close to doing \$1 million in sales—which, keep in mind, are not profits; those are gross sales. Her letter said:

Legislators must understand that it is both possible and common for a small seller like me to reach about \$1 million in sales with a near-one person operation.

She estimates it could take her 6 weeks a year to comply with the sales tax procedures for all of the collecting States. That impact on a small business is crushing. A giant corporation has accountants, has lawyers, has people designed to deal with that. For a small business, it hits them in particular.

I point out even more fundamentally, the Internet has been this incredible haven of entrepreneurial freedom. It has enabled people to start businesses with nothing, out of their garage, and sell all over the world. It has transformed the ability for single moms and Hispanics and African Americans and people with nothing to go and start a business. Because it used to be that you needed this big distribution network, you needed warehouses, you needed trucks, you needed all of this, so it was difficult for someone to start a small business.

The Internet has transformed all of that. There are 2.3 million Hispanic small business owners. The Internet has been critical to their being able to open those small businesses because it lets them communicate with the world and get their products out.

I believe the Senate should treat the Internet as a safe haven, that it should be treated as free from taxes and regulations that would hamper the entrepreneurial spirit and make it harder for the little guy, for small business to be created, to grow, and thrive. When they become gigantic corporations, they will have a physical presence in the State, and then they will be subject to the taxes. But do not hit them when

they are getting started on the Internet. I think it would be absolutely foolish to do anything to impinge on the entrepreneurial freedom of the Internet.

In conclusion, I want to say three very simple things.

No. 1, in my judgment, we should not be taxing the Internet, period. No. 2, we should not be increasing the burdens on small businesses, particularly at a time of economic challenge, period. And, No. 3, we should not be favoring politicians and big business at the expense of the little guy, at the expense of the single mom trying to start a small business to feed her kid, at the expense of the Hispanic immigrant trying to start a small business and work toward the American dream.

We should not be standing with politicians looking for more tax revenue and big businesses looking to make it harder for their competitors to survive. Instead, we should stand up with the little guy, the small business, with the American people.

I urge the Senate to reject this bill. If the Senate does pass it, I would urge the House to listen to the American people and reject the bill as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I think we only have 2 or 3 minutes before the 20-minute period that has been reserved equally for both sides. I wish to use those 3 minutes to respond directly to my colleague from the State of Texas.

The first thing he says is, do not tax the Internet. Good news. I just went through the entire bill. There is no tax on the Internet in the bill, none. So we have taken care of point No. 1. In fact, we wanted to add the Internet Freedom Act here, which would have said expressly: We will continue the prohibition against tax on the Internet, and it was objected to by one of the opponents of this bill.

The second thing he says is, do not put a burden on small businesses. I would say to my friend from Texas, what about the small business that does not have Internet sales?

You have just put a burden on them because they cannot compete with Internet retailers that do not collect sales taxes.

I might say also, when it comes to small business exemptions, we exempt those with sales of \$1 million or less in the previous year. That exempts 99 percent of all Internet retailers. The small businesses—the Hispanic and non-Hispanic businesses—collect sales taxes in Texas on the first dollar of sales. We exempt \$1 million in sales for their competitors in Internet retail.

The final thing the Senator says is, do not favor large businesses. The coalition supporting this bill includes the smallest businesses, the mom-and-pop

businesses. Of course, it includes the big-box stores and the big chains. But it goes all the way down the line. They are all in competition.

What we have put in here, with this exemption, exempts 99 percent of all online retailers. When the Senator says he looks at 9,600 different taxing jurisdictions and cannot figure out how in the world we are ever going to figure this out, I refer him to page 3 of the bill. Please start reading at line 14 through 24, where you will see that we expressly provide there must be a single entity within the State responsible for all State and local sales. So you are not going to have 9,600. You are going to have, at most, 45 separate entities—the 45 States with sales taxes—as well as audits; one audit from the State, a single audit.

We do not want to put a burden on any businesses—large, small, Internet or not—but we do want to level the playing field.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate equally divided.

Who yields time?

If no one yields time, the time will be charged equally.

The Senator from Illinois.

Mr. DURBIN. Parliamentary inquiry: I believe the order suggests that the time is equally divided between the opponents and proponents, and the opponents have the first 10 minutes and the proponents the final 10 minutes. So I would ask the Chair to clarify his ruling.

The PRESIDING OFFICER. The Senator is correct.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor again this afternoon to continue my opposition and concerns about the Internet sales tax legislation that has been submitted.

I appreciate that we are going to vote on this bill in a few minutes, and I appreciate that I am probably going to lose. But I do think it is important to raise these concerns again because I think we have to take a look at the issues that have been raised and see if there are any ways to address them.

There are a number of problems with the bill that in my State of New Hampshire—which has no sales tax—makes it anything but fair. In fact, it creates an unfair situation for small businesses in a number of ways.

First, it is unfair for businesses in my State of New Hampshire and the four other States in this country that do not collect a sales tax. We did not have an opportunity to address this issue through amendments. I think it is not fair for us to pass a bill out of the Senate that fundamentally makes an impact on businesses in States where we have no ability to address the imposition of these taxes.

I also think we should not pass a bill that is going to create unnecessary

new redtape for small companies across the country. One of the real benefits of the Internet has been the innovation and the job creation it has spawned. What this legislation does is put in place redtape that is going to put small companies that sell online at a severe disadvantage, making it harder for them to compete with large online retailers.

As a former small business owner myself, I know how time consuming regulations and compliance can be. Make no mistake about it, we are creating a bureaucratic morass for small businesses under this legislation. Small companies will be looking at complying with 46 different State laws. They are going to face audits or lawsuits, potentially, in some of these States.

Small business owners, who are working hard to grow their companies, do not need additional paperwork to distract them from running their companies. I fear that is what this bill will create. I urge my colleagues to take another look and see how we can address those concerns.

I yield the floor.

Mr. LEVIN. Mr. President, the Marketplace Fairness Act is designed to address a simple problem—a significant loss in States' sales tax revenues arising from e-commerce.

Generally, retail businesses are required to collect and remit sales and use taxes on qualifying merchandise or services. While most States require consumers to remit use taxes for purchases from out-of-State vendors, compliance is extraordinarily low as States cannot legally mandate the collection and remittance of taxes by a business unless the business has a physical presence in the State.

This restriction, which was articulated in the 1992 Supreme Court case, *Quill Corp. v. North Dakota*, went so far as to invite Congress to address the issue. It is time we do that.

In an era of unprecedented e-commerce, Congress's failure so far to address this problem unfairly deprives State treasuries of much-needed tax revenue because Internet-based retailers are not required to charge sales tax to their out-of-State customers. As you might imagine, a large number of State governments have asked for this legislation to fix that problem, including the current Republican Governor of Michigan. In fact, Michigan governors of both political parties have asked Congress to pass this important piece of legislation, and I agree with them.

The Governor of Michigan says that passing this law will help the State of Michigan collect more than \$800 million over the next 2 years. Those are revenues that the State desperately needs.

I also think it's important to keep in mind some of the things this bill doesn't do. This bill does not authorize

the States to create State-level financial transaction taxes, as some have erroneously argued. In fact, the Marketplace Fairness Act does not create, endorse, or recommend new Federal, State or local taxes of any kind.

This bill gives States the option of pursuing collection authority by simplifying their tax structure, but States can also choose to do nothing differently than they do today. The Marketplace Fairness Act is about more equitably collecting taxes that are already owed.

Over the past decade, many States have worked together to develop a framework to harmonize sales and use tax collection and remittance, known as the Streamlined Sales and Use Tax Agreement. Michigan is 1 of the 24 States that currently participate in that agreement. But, in order for the agreement to be legally enforceable, Congress would need to enact legislation granting States the authority to require out-of-State merchants to remit sales and use taxes. This bill would do that.

I support this effort to simplify and improve sales tax collection, and I am a cosponsor of this bill. This bill will level the playing field between on-line retailers and those with "brick and mortar" stores, ensuring that we do not give an unfair tax advantage to one type of retailer over another. This is about ensuring that our States have the ability to collect the taxes they need to fund schools, and law enforcement, and other key priorities.

I will vote for this bill, and I urge my colleagues to do the same.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT
AGREEMENT—S. 601

Mr. DURBIN. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to Calendar No. 44, S. 601, be withdrawn; further, that at 2:15 p.m. on Tuesday, May 7, the motion to proceed to S. 601 be agreed to and the Senate begin consideration of the bill.

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

MARKETPLACE FAIRNESS ACT

Mr. DURBIN. Mr. President, in the closing 10 minutes, the four proponents who will speak will be first Senator HEITKAMP of North Dakota, followed by Senator ALEXANDER of Tennessee, myself, and then Senator ENZI of Wyoming, who has for 11 years been fighting for this vote. I want him to have the last word.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, this is a day that has been 20 years in the making. You have heard argument

after argument here about how this bill has been rushed, how it is not ready, how we have not yet had enough debate or deliberation. I tell you on behalf of the small business owners in my State who have told me it is about darn time we do something, I stand today and congratulate this body for taking on this issue and taking a system that has been grossly unjust and incredibly unfair to Main Street businesses in our country and in our State and said, yes, the Senate will not stand back and wait any longer before we give you marketplace fairness.

This bill could not be and could not have a better name than Marketplace Fairness. I got involved in this issue as a very young person—I like to say that because it was 20 years ago—litigating a case before the U.S. Supreme Court. I was moved to take that case to the Court by a woman who approached me and said: Look, I am trying to survive. I am trying to participate as a good businessperson in North Dakota, trying to support my community, trying to do everything right, collect my sales tax, but I am getting killed in the marketplace, because people are sending catalogs; people come into my store; they will look at my products. Then they order this stuff through a mail order business. Please help me.

Those pleas have for the last 20 years gone unheard by this body and by the House of Representatives. But today we have a chance. We have a chance to say to all of those businesspeople throughout our country who have been unfairly treated by a tax system that does not recognize today's modern-day method of marketing, this modern-day way we do business and commerce in our country has not been recognized. They continue to struggle, continue to try. I congratulate the Senate. I congratulate all of the other Senators who have pursued this with such vigor and with such hope. I say today is the day that we say yes to America's small businesses.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask I be notified when I have consumed 2½ minutes.

The PRESIDING OFFICER. The Senator will be notified.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from North Dakota on 20 years of work on this issue, Senator ENZI for 11 years of tireless work here, and Senator DURBIN for his effective advocacy. I will make four quick points.

The Senator from Texas said reinvigorating the economy should be the No. 1 priority for Federal and State leaders. That is precisely the first sentence of the column of economist Art Laffer in the *Wall Street Journal* where he says:

States can cut their income tax rates if web vendors collect the sales taxes that are legally due.

In other words, if you want economic growth, vote for the Marketplace Fairness Act.

No. 2, the idea that this is too complex to do—more than half of the sales now made on the Internet are by retailers that collect the tax when it is sold. It is a tax that is already owed, so how can it be too complex for anybody else to do? It is already being done. So that is specious.

No. 3, it has been said this should have gone to committee. It did. It just never came out of committee because the chairman, and I say that with great respect, did not want it to. It should have had amendments. Yes, it should have had amendments. Why didn't it have amendments? Because the opponents to the bill resorted to objecting to every single amendment.

Finally, I say this to my Republican colleagues: This is a conservative bill. I just mentioned Mr. Laffer. I read this earlier, but I want to read it again. The comments of the chairman of the American Conservative Union, Al Cardenas:

Dear Senators, you continue work next week on the Marketplace Fairness Act. I would like to call to your attention what conservatives are saying about the issue. They recognize, as I do, it is not the role of government to pick winners and losers in the marketplace by requiring brick and mortar stores to charge a sales tax while exempting Internet sales.

He then lists the comments of Charles Krauthammer favoring the idea, Representative PAUL RYAN favoring the idea, and, of course, as we know, William F. Buckley did before he died. Many Governors do. This is an idea for conservatives and for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, thanks to my colleagues who are on the floor, especially Senator ALEXANDER, Senator ENZI and I owe the Senator a great debt of gratitude for his work on this bill, in helping us craft the bill and bring the support together.

I ask unanimous consent that the following four editorials be printed in the RECORD, from the New York Times, the Idaho State Journal, the Green Bay Press Gazette, and the Northwest Herald of Illinois.

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

[From the New York Times, May 1, 2013]

FAIRNESS ON SALES TAXES

(Editorial Board)

Twenty-one years is a long time to wait. But that is how long local retailers have waited for Congress to undo a 1992 Supreme Court decision that exempted many online retailers, like Amazon.com, from collecting most state sales taxes. The exemption has given online sellers a 5 percent to 10 percent price advantage over Main Street stores.

The wait, however, may soon be over. Next week, the Senate is expected to pass the

Marketplace Fairness Act of 2013, a bipartisan bill that would authorize states to require out-of-state sellers with more than \$1 million in sales to collect sales taxes. The states, in turn, must simplify their sales-tax codes and give retailers free software to calculate the taxes—steps already taken by most states. An identical bill in the House also has bipartisan support.

Lawmakers have raised the issue for years, to no avail, and, in the meantime, many brick-and-mortar stores have gone out of business. The willingness to act now is driven in part by the fact that Amazon, which fought hard to preserve the exemption, recently gave up the fight. That's not because the company suddenly developed a belief in sales taxes. Its business model—especially its emphasis on same-day delivery—is changing in ways that would soon cause it to lose the exemption anyway.

Main Street needs a level playing field to compete with the exploding online industry. So do large retailers, like Best Buy, that have cut jobs as shoppers have increasingly tested electronics at local stores and then gone home to buy them online without paying sales tax. Equally important, states need the revenue to help recover from the recession. Noncollection of sales tax on online purchases costs states an estimated \$11 billion a year. Another \$11 billion goes uncollected on mail-order catalog sales, which would also be covered under pending bills.

In the past, most bills that deal with revenue, no matter how justified, have fallen victim to the knee-jerk refusal among many Republicans to even talk about taxes, urged on by anti-tax groups like Grover Norquist's Americans for Tax Reform. But, as reported in the Times on Monday, lawmakers from both parties have come to see that the argument for sales-tax collection is airtight.

Sales taxes for any state are already legally due on online purchases that would be taxable if the items were bought in a local store. If the retailer does not collect the taxes, the buyer is supposed to send them to the state voluntarily. As a practical matter, however, if the taxes are not collected by retailers, they are virtually never paid.

The proposed law would close that loophole, not impose new taxes. It's a matter of efficiency and fairness, of necessity and competitiveness. If those really are bipartisan values, the Senate will act without further delay to pass the Marketplace Fairness Act, and the House will follow suit.

[From the Idaho State Journal, May 6, 2013]

THERE'S A REASON THIS IS CALLED THE MARKETPLACE FAIRNESS ACT

(Editorial Board)

The Marketplace Fairness Act making its way through Congress is well-named. It would allow state governments to force Internet retailers to collect sales taxes from their customers and remit the proceeds to state and local governments—like, you know—brick-and-mortar retailers are required to do.

The shoppers who buy merchandise off the Internet are supposed to calculate sales taxes on their income tax forms, but the fact is most people don't do that. So it might be said that Idahoans pay an extra 6 percent when they buy from stores at home. That's money that pays to operate schools and other public services, and it's estimated that Idaho would collect about \$35 million if Internet sales were taxed.

Because some states, like Idaho, have refused to authorize collection of sales taxes on online purchases, Congress is acting on

behalf of hometown merchants with a federal law. The legislation cleared its first procedural hurdle Thursday on a bipartisan Senate vote, 63 to 30. Final Senate passage is scheduled for Monday and that tally is likely to be even more strongly in favor, according to The New York Times. Earlier test votes won as many as 75 yeases, and House action, once seemingly unthinkable, may be unstoppable.

Tax opponents like Grover Norquist and the Heritage Foundation have long opposed any legislation that would require collection of levies on Internet purchases, calling it a tax increase. But Congress is hearing from their hometown constituents, and the tide has turned. Even public officials who signed Norquist's antitax pledge now are changing their minds. Typical is Rep. Scott Rigell, Republican of Virginia, who calls the struggling retailers back home "the hardworking men and women who have mortgaged their homes to buy or rent a little brick-and-mortar shop." Six percent may actually amount to their profit margin.

"I have some concern about the legislation," concedes Rep. Bob Goodlatte of Virginia, chairman of the House Judiciary Committee, which has jurisdiction on the issue, "but we also recognize the fairness issue—certain items being taxed in certain circumstances, other items being not—is a problem, so we're going to try to solve that." It can be done.

Norquist should not complain, though he characterizes the bill as a "money grab by cash-poor state and local governments that would get the power to tax consumers who do not have the power to vote them out of office." After all, consumers are already supposed to pay sales taxes even if an Internet merchant does not collect them.

The new law would rectify that, and that's why it is called the Fairness Act.

[From the Green Bay Press Gazette, May 5, 2013]

CONGRESS MUST LEVEL PLAYING FIELD ON INTERNET SALES TAXES
(Editorial Board)

How many of you have entered a dollar amount on Line 36 of the Wisconsin income tax Form 1?

That's the line where you self-report "sales and use tax due on Internet, mail order, or other out-of-state purchases." In other words, if you've ever purchased something from Amazon, for example, you should have entered a dollar amount here when you filed your taxes.

But very few people do. About one of every 100 state taxpayers did when they filed their 2010 income taxes, according to a 2012 story by Steven Walters of WisconsinEye, a non-profit public affairs channel.

Currently, all retailers in Wisconsin collect sales tax on purchases and pay that money to the state. If you buy something, the state and county sales taxes are part of what you pay.

If you purchase something online from a business that has a physical presence in Wisconsin, you pay sales tax. But if that business doesn't have a store or warehouse in Wisconsin, it doesn't charge a sales tax.

For example, if you went online and purchased a shirt from Lands' End, based in Wisconsin, you'd pay sales tax. If you purchased a similar shirt from L.L. Bean, based in Maine, you would not.

The loophole is courtesy of a 1992 U.S. Supreme Court decision that exempts companies from collecting sales tax from purchasers who live in a state where the business has no physical presence.

A bill that the Senate is expected to vote on Monday would change that. The Marketplace Fairness Act gives states the ability to require online and mail order retailers to collect state and local sales tax based on the address of the purchaser.

Wisconsin retailers say this would level the playing field. In a meeting with Press-Gazette Media, area retailers said they don't have a problem competing against other businesses, as long as all play by the same rules and all charge a state sales tax.

Without that level playing field, area businesses find themselves answering a consumer's questions and concerns only to have that consumer order the same item online and not have to pay a sales tax. It reduces local businesses to showrooms. They do all the work; the online retailer collects the money.

What's at stake is millions of dollars as well as the fiscal health of the local community.

The state Department of Revenue estimates that Wisconsin lost \$157 million in revenue because taxes were not collected on mail order and other remote sales in 2012—\$78 million of that from e-commerce sales.

Also, the health of area businesses is important. They pay taxes, provide jobs and donate to local charitable organizations yet lose sales and money when tax-free purchases are made. The out-of-state online-only retailers aren't invested in your community.

The bill before the Senate sets a threshold of \$1 million in online sales so small businesses will not be hurt and calls for the state to provide free software so businesses can comply.

One aspect of the bill calls for the state to "establish a uniform sales tax base for use throughout the state." That concerns us because many counties, like Brown, have a 0.5 percent county sales tax. We wouldn't want to lose out on that money because the state must charge a uniform sales tax. And it's hard to believe that the software will not be able to determine the correct state and local sales taxes. The technology that has given us the ease of online shopping should also be able to clear that hurdle.

So far, the bill has bipartisan support in the Senate, but faces a much more unclear fate in the House.

However, Congress needs to pass this bill. Local businesses are willing to compete as long as it's a fair fight. Also, the bill is not asking for a new tax; it's asking that the existing tax is applied fairly and uniformly and doesn't put the burden on the consumer to reimburse the state. That's not too much to ask.

[From the Northwest Herald, May 2, 2013]

WHAT'S FAIR FOR BUSINESS
(Editorial Board)

The scenario described by Play It Again Sports' owner Bob Ruer happens all too often in local businesses.

A customer comes into his Crystal Lake store, looks around, maybe tries out the wares, and then heads home to buy the same product online. Why? Because Internet retailers aren't required to collect sales tax at the buyer's local rate.

U.S. Sen. Dick Durbin, D-Ill., is pushing to end that with the Marketplace Fairness Act. We support Durbin's effort and encourage lawmakers in Washington to pass the act.

The legislation would put the initial costs on the states to provide retailers with the appropriate software to collect taxes. Internet retailers with less than \$1 million in annual sales would be granted an exemption.

Opponents of the bill, including large online retailers such as eBay and Overstock.com, have taken issue with the \$1 million exemption and suggested it should be bumped higher.

The bill has the support of big-box stores such as Walmart, Best Buy and Target and online giant Amazon.

Beyond the unlevel playing field for businesses, the situation causes the state of Illinois to lose out on a great deal of revenue.

Now, Illinois taxpayers are on an honor system when it comes to paying state sales tax for online purchases. Residents are supposed to note the sales tax they owe from Internet purchases on their state income-tax return. Durbin estimates that only 5 percent of Illinois taxpayers do so. Gov. Pat Quinn said the state stands to collect an additional \$200 million annually in sales-tax revenue if the bill passed.

This is not a tax increase. It's not a new tax. These sales taxes and tax rates are already in place.

This is a needed law to level the playing field for local businesses who've been good corporate citizens, hired local employees and paid property taxes that support local schools and other taxing districts.

Mr. DURBIN. Mr. President, what is happening with Internet sales? They are growing dramatically. Listen to these numbers. In 2012 online sales accounted for \$225 billion in sales in America. In the next 5 years it will double to \$435 billion. It is an endeavor that has become part of our lives. What we are asking in this bill is that those selling on the Internet be treated the same as those selling on the corners of our streets, to make sure the brick-and-mortar businesses have a level playing field. That is all we are asking.

This bill contains no new Federal tax, no new State and local tax. What it does is collect taxes already owed. It simplifies the system by saying there will only be one taxing entity that identifies the taxes to be charged in every single State, one audit from each State. It tries to provide for the retailers the basic software they need to get the job done.

This is a fascinating bill. For those who follow the Senate, it is a rare opportunity for us to have Republicans and Democrats together on the floor supporting a bill that has the endorsement of business and labor and local officials all across the United States. It is clearly an idea whose time has come. I hope we can pass it with a good strong vote and encourage our friends in the House to take it up quickly.

I close by thanking my colleague from Wyoming. He has been a great partner in this effort. He came to it before I did. I replaced Senator Dorgan after Senator Dorgan's retirement and tried to keep this moving forward. Today is our day for a vote. I thank him for all of his hard work on his side of the aisle.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank all of the people who have participated,

particularly Senator DURBIN who has helped to coalesce things, Senator ALEXANDER who came up with the idea for having a shorter bill, only 11 pages—never see it in the Senate—written in plain English, and it is States rights.

This does not cause the Federal Government to do anything. What it allows is for the States to do what they have already passed laws on. I can see this from the standpoint of an individual. I know in Wyoming if you buy something on the Internet and you are not charged a tax, you are supposed to fill out a form and send it in. That is a difficult thing to do, hard to even keep track of. This will eliminate that problem of individuals wanting to pay the tax but not knowing exactly how to do it.

I know it from the standpoint of a small businessman, if they had the experience of somebody coming in, trying on the goods, finding out exactly what they want, the color, the style, the feel, everything, and then ordering it on the Internet. The even more ironic part of it is when they have a problem with it, they bring it back to the local retailer to fix it.

I have seen it from the standpoint of a mayor. I know in Wyoming at least 30 percent and up to 70 percent of the revenue of the municipalities comes from the sales tax. That is on a declining basis at the moment. That is not only what they run the city's streets and snow removal on; a lot of the police, the fire protection, even education is affected by the sales tax.

I have seen it from the standpoint of a legislator as well. I know when we passed those taxes, we did not say: Okay, we want to discriminate against the local business that pays the property tax, hires people locally, and participates in all the community stuff. If you are out of State, we are going to let you off the hook.

No legislator ever passed a bill like that. This is one that corrects all of those things and brings fairness to the marketplace. I think it will make a significant difference, particularly in communities where they will still be able to help out some of the charitable organizations and activities that would have to go by the wayside if this bill were not to pass.

I look forward to working with people on the House side. I wish to thank Senator DURBIN, Senator ALEXANDER, and Senator HEITKAMP, particularly, for all of their efforts on this bill. I thank Senator HEITKAMP for her persistence over 22 years and knowing the intricacies of how it works on the Canadian border, as well as having been involved in the original case where the Supreme Court challenged us to fix this problem.

Today we have a chance to fix this problem. I ask my colleagues to vote for the bill.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MARKETPLACE FAIRNESS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 743, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Pending:

Reid (for Enzi) amendment No. 741, of a perfecting nature.

Durbin amendment No. 745 (to amendment No. 741), to change the enactment date.

The PRESIDING OFFICER. Under the previous order, all postcloture time is considered expired.

Under the previous order, amendment No. 745 is withdrawn.

The question is on agreeing to amendment No. 741, offered by the Senator from Nevada, Mr. REID.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Alaska (Mr. BEGICH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "nay."

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

The result was announced—yeas 70, nays 24, as follows:

[Rollcall Vote No. 112 Leg.]

YEAS—70

Table listing Senators who voted YEAS: Alexander, Baldwin, Bennet, Blumenthal, Blunt, Boozman, Boxer, Brown, Cantwell, Cardin, Carper, Casey, Chambliss, Coats, Cochran, Collins, Coons, Corker, Cowan, Crapo, Donnelly, Durbin, Enzi, Feinstein, Fischer, Franken, Gillibrand, Grassley, Hagan, Harkin, Heinrich, Heitkamp, Hirono, Hoeven, Isakson, Johanns, Johnson (SD), Kaine, King.

Table listing Senators who voted NAYS: Klobuchar, Landrieu, Leahy, Levin, Manchin, McCain, McCaskill, Menendez, Mikulski, Murphy, Murray, Nelson, Portman, Pryor, Reed, Reid, Risch, Rockefeller, Sanders, Schatz, Schumer, Sessions, Shelby, Stabenow, Thune, Udall (CO), Udall (NM), Warner, Warren, Whitehouse, Wicker.

NAYS—24

Table listing Senators who voted NAYS: Ayotte, Barrasso, Baucus, Coburn, Cruz, Flake, Hatch, Heller, Inhofe, Johnson (WI), Kirk, Lee, McConnell, Merkley, Murkowski, Paul, Roberts, Rubio, Scott, Shaheen, Tester, Toomey, Vitter, Wyden.

NOT VOTING—6

Table listing Senators who did not vote: Begich, Burr, Cornyn, Graham, Lautenberg, Moran.

The amendment (No. 741) was agreed to.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25 The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this afternoon I offered a consent agreement dealing with the budget. I withdrew that because we did not have anyone here to object, and I had an inkling there would be an objection if a Republican were here.

We have been asked to move with regular order. We have done that. We have done our very best to do that. People wanted amendments. We have done our best to have bills with amendments. We have been asked, let's do as much work as we can with committees, and we have done that. We have bills reported out from the committee. Those are the bills we have handled here, with rare exception.

Now we have had our Republican friends saying for months and months, let's do things with regular order. We know how hard it was to get a budget passed. We have had over 100 amendments on which we actually voted. We were here until 5 o'clock in the morning. We got a budget, even though—you know, we have been through this before. We do not need to go into more detail. We had a law signed by the President of the United States that gave us our budget allocations for several years. But we decided to do a resolution. It didn't have to be signed by the President. I am glad we did. It was hard. Senators MURRAY and SESSIONS did a good job allowing us to move forward on that, so now it is time to go forward. We have a budget resolution we passed in the Senate. We want to meet with the House and work out our differences. That is what we have done here for two centuries. We should do it on this bill.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res.

25, as amended, be agreed to, with the motions to reconsider being considered made and laid on the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, all without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, reserving the right to object, one of my concerns is that this conference report could be used to pass a reconciliation bill that would increase the debt ceiling without sufficient input from the minority party and without addressing the fundamental structural spending problems we have in the Federal Government that are leading to our unsustainable debt. I believe this concern is well founded in history in that reconciliation bills have been used to increase the debt ceiling at least three times—in 1986, 1990, and in 1993. So for that reason, reserving the right to object, I ask consent that the leader modify his request so that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or to raise the debt limit.

The PRESIDING OFFICER. Is there objection to the modified request?

Mr. REID. I would make a comment before making a decision on that.

The PRESIDING OFFICER. The majority leader.

Mr. REID. The Senate considered the budget—and that is an understatement. We voted on more than 100 amendments, as I mentioned a few minutes ago. It was hard. The votes were hard. The Senate passed its budget. It should now go to conference, that which the Senate passed. It is our budget. The Senator from Texas was on the losing side. He had his view and it lost, but now he wants us to agree by consent to adopt the losing side's view or else he is not going to allow us to go to conference.

For more than two centuries, I repeat, the two bodies have been able to go work out their differences. The Senate passes something. The House passes something. You talk about regular order, that is it. We are able at that time to sit down and talk about the differences. The debt ceiling—he wants to talk about that. He wants to talk about taxes. We are happy to do that, but let's do it in the context of regular order. That is what we should be doing around here.

My friend from Texas is like the schoolyard bully. He pushes everybody around and is losing, and instead of playing the game according to the rules, he not only takes the ball home with him but changes the rules. That way, no one wins—except the bully who

tries to indicate to people that he has won. We are asking the Republicans to play by the rules and let us go to conference.

I don't think it takes a lot of wizardry to figure out that we know how the American people feel about what they want done in this country. They want us to get on a pathway of growth and economic vitality. It has been hindered.

The Republicans have things they want to do. We have things we want to do. Why can't we sit down as reasonable men and women and work out our differences? That is what a conference is all about.

I object to what my friend suggests. It is actually fairly ridiculous, if you want the truth: Before we go to conference, determine what you are going to do or not do in the conference. That is not how we do things around here.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request? The Senator from Texas.

Mr. CRUZ. Mr. President, I was not aware we were at a schoolyard.

Mr. REID. Mr. President, is there an objection or no objection? Let's hear about it. We have had enough.

Mrs. BOXER. Regular order.

Mr. CRUZ. Reserving the right to object.

Mr. REID. Mr. President, there is no such thing.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Yes. I object.

The PRESIDING OFFICER. The clerk will read the bill for a third time.

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

IMPLEMENTATION

Ms. COLLINS. Mr. President, I rise to speak on the Marketplace Fairness Act. I applaud Senator ENZI for his many years of work on this legislation, of which I am a cosponsor. This bill rectifies a fundamental unfairness in our current system. Right now, out-of-State Internet sellers, so-called remote sellers, have an advantage over Main Street businesses. Main Street businesses have to collect sales taxes on every transaction. Because remote sellers don't have to charge this tax, they enjoy a price advantage over the mom-and-pop businesses that form the backbone of our communities. This bill would allow States to collect sales taxes on remote sales, thereby leveling the playing field with Main Street businesses.

It is important to recognize that this bill does not authorize any new or higher tax, nor does it impose an Internet tax. It simply helps ensure that taxes already owed are paid.

I would like to engage Senator ENZI in a colloquy regarding the manner in which the bill is to be implemented. As introduced, the bill would require some

businesses to start collecting sales taxes in as little as 90 days. I hope that my colleague from Wyoming would agree that is too short a time period, and I appreciate the fact that he has offered an amendment that includes a 6-month delay. I believe, however, that a delay of at least 1 year is needed to allow businesses time to implement the new systems and software necessary for compliance. I do appreciate that the Senator from Wyoming exempted small businesses with sales under \$1 million, as I had urged.

Nevertheless, from a covered seller's perspective, complying with the Marketplace Fairness Act requires more than just installing new software. Multichannel retailers—those who sell online, through catalogs, over the phones, and in stores—have their own unique order processing systems. Tax collection software must be programmed to link to each component of their order processing systems. This step alone could involve considerable programming time for each online retailer.

Each retailer's tax department, or outside consultants, will be required to research and develop a comprehensive understanding of the unique sales and use tax policies in every State where their online customers reside to make sure the programming for their tax collection software is correct. That involves answering a number of questions for each State.

The differing treatment of athletic apparel provides a great example of the complexity involved. In some States, clothing and athletic footwear are exempt from tax. In others, they are exempt only up to a certain price level. Yet other States make a distinction between clothing and footwear used for athletic purposes—which they tax—and clothing and footwear used for general purposes—which they do not tax. In those States, systems must be programmed to correctly treat articles that can be viewed as either athletic apparel or general clothing, depending on the user. Board shorts, sneakers, and windbreakers are just a few examples of common items that give rise to substantial complexity.

Retailers will need to invest additional hours in tax analyst and programmer time to ensure their systems are able to address these issues seamlessly. Even with a 1-year delay, retailers will have to begin early, and move quickly, to implement the Marketplace Fairness Act.

Mr. ENZI. I thank my friend from Maine, and wholeheartedly agree with her conclusion that we must ensure that the Marketplace Fairness Act is correctly implemented. I have spent many years working on this legislation and strongly believe that leveling the playing field for Main Street businesses is the right thing to do. We must implement the solution to that problem in a reasonable manner, and I

agree with the Senator that the 1-year delay she proposes is appropriate to do this.

Ms. COLLINS. I would also like to note that the collection of sales taxes online will be new not only for many retailers, but also for consumers who are used to the current system. It is important to implement the new law correctly, from the outset, for these retailers and their customers.

In this regard, I believe that it is also important to make sure that the implementation of the new law does not disrupt the busy holiday season. For this reason, I believe that States should be prohibited from exercising their new authority under the Marketplace Fairness Act during the last quarter of the first year after enactment.

Mr. ENZI. I think both the proposals made by my friend from Maine are commonsense items that will improve the Marketplace Fairness Act. As this bill moves through the legislative process, I suggest my colleagues on both sides of the aisle—and in both Chambers—adopt a 1-year delay in implementation and prohibit States from beginning to exercise their new authority to require the collection of sales taxes during the holiday season.

The PRESIDING OFFICER. Under the previous order, the question is on passage of S. 743, as amended.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 69, nays 27, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—69

Alexander	Cowan	King
Baldwin	Donnelly	Klobuchar
Bennet	Durbin	Landrieu
Blumenthal	Enzi	Leahy
Blunt	Feinstein	Levin
Boozman	Fischer	Manchin
Boxer	Franken	McCain
Brown	Gillibrand	McCaskill
Burr	Graham	Menendez
Cantwell	Hagan	Mikulski
Cardin	Harkin	Murphy
Carper	Heinrich	Murray
Casey	Heitkamp	Nelson
Chambliss	Hirono	Portman
Coats	Hoeven	Pryor
Cochran	Isakson	Reed
Collins	Johanns	Reid
Coons	Johnson (SD)	Rockefeller
Corker	Kaine	Sanders

Schatz	Stabenow	Warner
Schumer	Thune	Warren
Sessions	Udall (CO)	Whitehouse
Shelby	Udall (NM)	Wicker

NAYS—27

Ayotte	Heller	Risch
Barrasso	Inhofe	Roberts
Baucus	Johnson (WI)	Rubio
Coburn	Kirk	Scott
Crapo	Lee	Shaheen
Cruz	McConnell	Tester
Flake	Merkley	Toomey
Grassley	Murkowski	Vitter
Hatch	Paul	Wyden

NOT VOTING—4

Begich	Lautenberg
Cornyn	Moran

The bill (S. 743), as amended, was passed, as follows:

S. 743

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Marketplace Fairness Act of 2013”.

SEC. 2. AUTHORIZATION TO REQUIRE COLLECTION OF SALES AND USE TAXES.

(a) **STREAMLINED SALES AND USE TAX AGREEMENT.**—Each Member State under the Streamlined Sales and Use Tax Agreement is authorized to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that Member State pursuant to the provisions of the Streamlined Sales and Use Tax Agreement, but only if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict with the minimum simplification requirements in subsection (b)(2). A State may exercise authority under this Act beginning 180 days after the State publishes notice of the State’s intent to exercise the authority under this Act, but no earlier than the first day of the calendar quarter that is at least 180 days after the date of the enactment of this Act.

(b) **ALTERNATIVE.**—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this Act—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this Act shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits for remote sales sourced to the State;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose on nonremote sellers with respect to the collection of sales and use taxes under this Act. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State pursuant to paragraph (1).

(C) Source all remote sales in compliance with the sourcing definition set forth in section 4(7).

(D) Provide—

(i) information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database;

(ii) software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect rate changes as described in subparagraph (H); and

(iii) certification procedures for persons to be approved as certified software providers.

For purposes of clause (iii), the software provided by certified software providers shall be capable of calculating and filing sales and use taxes in all States qualified under this Act.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of a rate change by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) **SMALL SELLER EXCEPTION.**—A State is authorized to require a remote seller to collect sales and use taxes under this Act only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding \$1,000,000. For purposes of determining

whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 3. LIMITATIONS.

(a) **IN GENERAL.**—Nothing in this Act shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) **NO EFFECT ON NEXUS.**—This Act shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) **NO EFFECT ON SELLER CHOICE.**—Nothing in this Act shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller’s choice.

(d) **LICENSING AND REGULATORY REQUIREMENTS.**—Nothing in this Act shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) **NO NEW TAXES.**—Nothing in this Act shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) **NO EFFECT ON INTRASTATE SALES.**—The provisions of this Act shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 2(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) **NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.**—Nothing in this Act shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116-126).

SEC. 4. DEFINITIONS AND SPECIAL RULES.

In this Act:

(1) **CERTIFIED SOFTWARE PROVIDER.**—The term “certified software provider” means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 2(b)(2)(D)(ii); and

(B) is certified by a State to so provide such software.

(2) **LOCALITY; LOCAL.**—The terms “locality” and “local” refer to any political subdivision of a State.

(3) **MEMBER STATE.**—The term “Member State”—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) PERSON.—The term “person” means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) REMOTE SALE.—The term “remote sale” means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this Act.

(6) REMOTE SELLER.—The term “remote seller” means a person that makes remote sales in the State.

(7) SOURCED.—For purposes of a State granted authority under section 2(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer’s address that is either known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer’s payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 2(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(9) STREAMLINED SALES AND USE TAX AGREEMENT.—The term “Streamlined Sales and Use Tax Agreement” means the multi-State agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and as further amended from time to time.

SEC. 5. SEVERABILITY.

If any provision of this Act or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this Act and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 6. PREEMPTION.

Except as otherwise provided in this Act, this Act shall not be construed to preempt or limit any power exercised or to be exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

RECOGNIZING SERVICE OF CHARLES HOUY

Mr. REID. Mr. President, today I rise to recognize one of Congress’ longest-serving and loyal staffers, Charlie Houy. After three decades of service under Senators Ted Stevens, John Stennis and Daniel Inouye, Charlie retired April 6, 2013. Today, on his one month retirement anniversary, we reflect on his quiet and steady leadership which was so important to the work of the Appropriations Committee and the Senate.

Charlie began his career on the Appropriations Committee as a professional staff member for the Defense Appropriations Subcommittee in 1987. He was quickly promoted and assumed the role of democratic clerk starting in 1995. In that capacity, Charlie worked on nearly every issue in the defense area from purchasing weapons to personnel issues.

Charlie’s work on the Defense Subcommittee enabled our Nation’s military to transform itself from a Cold War-era force to the agile and quick response force that exists today. Charlie played a major role in helping modernize our weapon systems, including helping secure funding for the development of Unmanned Aerial Vehicles—UAVs. Funding for UAVs helped to change the tide of the latest conflict in our favor and will continue to play a major role as we continue to prosecute and disrupt terrorist activities worldwide.

The role of UAVs in today’s warfare is especially evident in my home State of Nevada. Creech Air Force Base is home to the famed Predator and Reaper aerial vehicles. For decades, Creech Air Force Base was comprised of a few buildings and a single runway, but Charlie’s hard work on the Appropriations Committee led to significant investment in infrastructure and increases in Nevada military personnel. These additional resources have transformed Indian Springs Auxiliary base to Creech Air Force Base, the premier UAV installation in the world, supporting air and ground combat, reconnaissance, and search and rescue.

In 2009, Charlie assumed his current role as the staff director for the Senate Appropriations Committee. As our Nation was dealing with the effects of the great recession, Charlie helped develop policies to invest in American infrastructure and jumpstart the economy. His in-depth knowledge about the intricacies of the legislative process, coupled with his sense of humor, allowed him to keep order among the various subcommittees and continue the bipartisan nature of the Committee.

Charlie played a major role in nearly every appropriation issue during the last 5 years. From continuing resolutions to omnibus appropriations measures, Charlie helped navigate the Congressional landscape to ensure passage

into law. In particular, Charlie worked with my staff to help avert a government shutdown and enact the Budget Control Act. I will always be grateful for Charlie’s hard work on this piece of legislation.

Although the Senate and Nevada will miss Charlie’s deep institutional knowledge about the appropriations process and the Federal budget, I am confident that Charlie’s work left a lasting mark on our Nation and on Congress. I am happy to thank Charlie for his three decades of service and wish him well in his retirement.

WORKERS MEMORIAL DAY

Mr. HARKIN. Mr. President, more than 20 years ago, family members of workers killed on the job joined with safety advocates to launch Workers Memorial Day—a day of remembrance and advocacy. To honor the creation of the Occupational Safety and Health Administration, OSHA, April 28 was chosen as Workers Memorial Day.

The passage of the Occupational Safety and Health Act, which created OSHA, was one of the monumental legislative achievements of the 20th century. This landmark legislation, passed over four decades ago, reflects the values that all Americans share: that workers shouldn’t have to risk their lives to earn their livelihood, and that workers, employers, and the government must all work together to keep people safe and healthy on the job.

Since that time, workplace safety and health conditions have improved dramatically. In the year the OSH Act was enacted, our country saw 13,800 on-the-job deaths. Forty years later, in 2010, that number is down by more than 60 percent. It is without dispute that this legislation has saved the lives of hundreds of thousands of American workers in its 40-year lifespan, a remarkable accomplishment.

In addition to saving lives, OSHA saves our country money. The total financial cost of job injuries and illnesses is enormous—estimated at \$250 billion to \$300 billion a year. Preventing illnesses and injuries before they happen makes economic sense, in addition to being the right thing to do.

So today, on Worker’s Memorial Day, we celebrate the success of OSHA. But we also must acknowledge its limitations. Too many workers remain at serious risk of injury, illness or death on the job, as demonstrated by the recent fertilizer explosion in West Texas that killed at least 14 and injured over 200. In 2011, according to data from the Bureau of Labor Statistics, 4,693 workers were killed on the job—an average of 13 workers every day—and nearly 3 million nonfatal workplace injuries and illnesses were reported that same year. In our great State of Iowa, 93 workers died on the job in 2011. Additionally, 43 Iowans died from injuries sustained

while working, and untold numbers of Iowans were injured from exposures in the workplace. We absolutely can—and must—do better.

That's why I am a co-sponsor of the Protecting America's Workers Act, a piece of legislation that would build on OSHA's successes and save the lives of countless additional workers. The bill makes commonsense reforms to bring our workplace safety laws into the 21st century, with minimal burden on the vast majority of employers that comply with the law.

One critical aspect of the Protecting America's Workers Act is that it will enhance the protection provided to workers who blow the whistle on unsafe conditions in the workplace. OSHA does not have the necessary resources to inspect every workplace in the country on a regular basis, so whistleblowers play an essential role in identifying dangerous conditions. Because OSHA enforcement is aided by whistleblowers, it is in all of our interests to protect whistleblowers from unfair retaliation so they are not afraid to come forward. But the whistleblower provision in OSHA has not been significantly amended or improved since it was enacted and has fallen far behind similar retaliation protections in other worker protection, public health, and environmental laws. The Protecting America's Workers Act will remedy that problem by strengthening whistleblower protections so more workers will feel comfortable reporting dangerous conditions and work environments can improve for all.

In addition to protecting whistleblowers, the Protecting America's Workers Act also extends OSHA protections to more workers, increases penalties for employers who break the law, enhances public accountability, and clarifies the duty of employers in providing a safe work environment. These changes together comprise a critical step towards providing a safer workplace for every worker in our country, and I plan to do everything possible to fight for this important legislation.

While we have made tremendous progress in that last 40 years under OSHA, there is much more work to be done. All Americans have the right to a safe workplace, and we should not rest until all of our fathers, mothers, sisters, brothers, families, and friends can go to work each day knowing they will come home safely again each night.

TRIBUTE TO ART GRATIAS

Mr. GRASSLEY. Mr. President, I would like to take a moment to congratulate Art Gratias of Mason City, IA on receiving the Legion of Honor from the French Government for his contribution to the liberation of France. Art Gratias enlisted in the

U.S. Army in January of 1942, having begun the enlistment process before the attack on Pearl Harbor that led to the formal participation of the United States in World War II. As a member of the 2nd Infantry Division, he participated in the D-day invasion of Normandy, which took place on his first wedding anniversary. Art fought in numerous campaigns in France and Central Europe, including the Battle of the Bulge. He was wounded on August 16, 1944, receiving the Purple Heart and later returned to combat.

The French Government has expressed its gratitude to Art Gratias for what he did for their country. I would now like to take this opportunity to thank Art for his service to our country. In fact, despite the fact that he gave more to this country through his military service than we can ever thank him for, he continued to dedicate his life to public service. Art has been a school board member, teacher, and school administrator. He has been very active in the Kiwanis, American Legion, and his church. Art has served on numerous volunteer boards, and in the Iowa Senate. Art Gratias is a prime example of that remarkable American spirit of voluntarism that the French writer Alexis de Tocqueville discovered in the early years of our Nation so it is fitting that he was singled out by the French Government for its highest honor. I am proud to add my voice to those who pay tribute to his life of service.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mr. NELSON. Mr. President, since 1974, the Community Development Block Grant program has provided cities and counties with critical funding to help low and moderate income people through community projects for economic development, revitalization and infrastructure improvements.

The Community Development Block Grant program also gives local governments the flexibility to use some of this funding to provide basic public services directly to the most vulnerable people in their communities.

These essential services include providing meals, clean water, shelter and clothing to low income senior citizens, abused or neglected children, the disabled and the homeless.

For all the good programs that the Community Development Block Grant program does, communities are limited because local governments can only spend a maximum of 15 percent of their funding on these vital services.

For many of our local communities in Florida and across the country, the 15 percent cap is too low to adequately help the number of people in need, especially during these tough times.

In one particular case, the City of Miami wants so desperately to use

more of its Community Development Block Grant funds for assistance to seniors for food programs, but they can't because of the 15 percent cap.

That is why I filed S. 855 on April 25, to raise that modest amount so that grant recipients can tailor the program to the needs of their communities, in this particular example, the needs of senior citizens.

This important legislation, which is being reintroduced in the House by Representative ROS-LEHTINEN, allows local governments to spend up to 25 percent of their funding for the Community Block Development program on essential public services, rather than just 15 percent.

The bill does not require local governments to spend 25 percent of their funding on services, but it gives them the flexibility to do so if it is in the best interest of their communities.

Let me be clear, the bill does not increase funding to any part of the Community Development Block Grant program. It simply allows local communities to do more with what they have, which is why both the U.S. Conference of Mayors and the National League of Cities have supported this position.

I hope that we in the Senate will take this critical step to help local governments to ensure that the most, vulnerable will continue to receive the most basic services.

USS "JOHN RODGERS"

Mr. NELSON. Mr. President, I submit these remarks today to honor the achievements of the USS *John Rodgers*, DD-574, a Fletcher-class destroyer of the United States Navy. The USS *John Rodgers* was commissioned on February 9, 1943, with Commander H.O. Parish, USN, commanding.

The USS *John Rodgers* joined the Pacific Fleet upon arrival in Pearl Harbor in June 1943. During her 2 years of almost constant service in the forward area, the USS *John Rodgers* was under frequent air attacks, yet still assisted other ships and planes in destroying innumerable enemy aircraft.

The courageous crew of the USS *John Rodgers* sank an enemy patrol craft, destroyed six mines, rescued twenty-five downed airmen, to include three British personnel, and engaged in eight bombardments of Japanese held territory in support of various amphibious operations.

The sailors of USS *John Rodgers* bravely executed an anti-shipping sweep 30 miles into Suruga Qan, the deepest penetration of Japanese homewaters made by surface vessels during the war. The crew was recognized by the commanding general, Third Marine Division, for outstanding performance while in contact with the enemy.

The commanding officers and squadron commanders who embarked in this

vessel and honorably served the USS *John Rodgers*: Captain E.M. Thompson, Captain Henry Crommelin, and Captain Joseph W. Ludewig, Commander H.O. Parish, and Commander J.G. Franklin.

The USS *John Rodgers* earned 12 battle stars in World War II, and remarkably she sustained zero personnel losses during her service. At all times the morale of the crew was excellent and in keeping with the highest traditions of the naval service.

The USS *John Rodgers* was decommissioned on 25 May 1946. I would like to take this opportunity to personally thank the sailors and the families of the USS *John Rodgers* for their commitment, patriotism, and dedication to the USS *John Rodgers*, the United States Navy, and the United States of America.

RECOGNIZING FUTURE MEMBERS OF THE ARMED SERVICES

Mr. PORTMAN. Mr. President, I rise today to honor 453 high school seniors in 8 northeast Ohio counties who deserve this Nation's eternal gratitude for their commendable decision to enlist in the United States Armed Forces. Of these 453 seniors from 130 high schools in 93 towns and cities, 86 will enter the Army, 171 will enter the Marine Corps, 62 will enter the Navy, 43 will enter the Air Force, 3 will enter the Coast Guard, 82 will enter our Ohio Army National Guard, and 6 will enter into the Ohio Air National Guard. In the presence of their parents/guardians, and high school counselors, military leaders, city and business leaders, all 453 will be recognized on May 7, 2013 by "Our Community Salutes of Northeast Ohio."

In a few short weeks, these young men and women will join with many of their classmates in celebration of their high school graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees, or are uncertain about their future, these young men and women instead have chosen to dedicate themselves to military service in defense of our rights, our freedoms, and our country.

I have no doubt that many are anxious about the uncertainties that await them as members of the Armed Forces. But they do not go forward from their homes and their families alone. They should rest assured that the full support and resources of this Chamber, and the American people, are with them in whatever challenges may lie ahead.

These 453 young men and women are the cornerstone of our liberties. It is thanks to their dedication and the dedication of an untold number of patriots just like them that we are able to meet here today, in the U.S. Senate, and openly debate the best solutions to the many diverse problems that con-

front our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a dangerous world. We are grateful to them, and we are grateful to their parents and their communities for instilling in them not only the mental and physical abilities our Armed Forces require, but more importantly the character, the values, and the discipline that leads someone to put service to our Nation over self.

Their decision to serve our country will not go unrecognized, not by the veterans who will stop to salute them as they pass, nor by the everyday Americans who will shake their hands in grocery stores and gas stations and airports, just to let them know how much we all appreciate their service. I would like to personally thank these 453 graduating seniors for their selflessness and the courage that they have shown by volunteering to risk their lives in defense of our Nation. We owe them, along with all those who serve our country, a deep debt of gratitude.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the 453 high school seniors.

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

UNITED STATES ARMY—86

Abee—Streetsboro; Acevedo—Ashtabula; Ash—Cleveland; Augustine—Berea; Bennett—Lorain; Boggan—Cleveland; Bowling—Macedonia; Brown, T.—Wellington; Brown, J.—Lorain; Burley—Cleveland; Carver—Lorain; Cowles—Ashtabula; Demand—Cuyahoga Falls; Depew—Wadsworth; Deschields—Akron; Diaz—Lorain; Dreslinski—Norton; Estrella, B.—Cleveland; Estrella, D.—Cleveland; Faix—Norton; Fox—Berea; Frappier—Medina; Gardner—Medina; Gaspar—Cuyahoga Falls; Gates—Strongsville; Hagins—Akron; Hamilton—Cleveland; Hammond—Medina; Hill—Brunswick; Hinkle—LaGrange; Hubert—Cleveland; Hudak—Clinton; Ivic—Maple Heights; Johnston, C.—Medina; Johnson, R.—Madison; Keller—Vermilion; Klissaroff—North Olmsted; Kogovsek—South Euclid; Kundtz—Avon Lake; Lakes—Parma; Lee—Cleveland; Leutwyler—Concord; Linden—North Olmsted.

Loomis—Parma; Lutz—Mentor; Macik—Solon; Makinson—Akron; Martinez—Parma Heights; McKissack—Maple Heights; McMaster—Lakewood; Miller—Lorain; Mitchell, T.—Akron; Mitchell, A.—Lakewood; Morrissey—Lakewood; Murra—North Ridgeville; Palmer—Grafton; Plant—Akron; Polak—Independence; Politi—Macedonia; Prieto—Akron; Racy—Lakewood; Radigan—North Olmsted; Richmond—Cleveland; Ruiz—Rodriguez—Parma; Sackett—Streetsboro; Sala—Chesterland; Salmons—Medina; Sams—Elyria; Scates—Grafton; Schmidt—Brecksville; Sidlauskas—Mentor; Siglin—Elyria; Sitrine—Rock Creek; Smith—Parma; Sneed—Lakewood; Stark—Oberlin; Staudenbaur—Chagrin Falls; Stewart—Cleveland; Strawderman—Elyria; Surckla—Novelty; Sweeney—Seville; Tanner—Cuyahoga Falls; Tintera—Russell; Titchenell—Brunswick; Watts—Richmond Heights; Wengerd—Middlefield.

UNITED STATES MARINE CORPS—171

Acord—North Ridgeville; Adamo—Parma; Adams—Orwell; Adkins—Lorain; Aiken—

Kent; Anderson—Newton Falls; Asad—Brunswick; Ashcraft—Orville; Ashworth—Medina; Askew—Barberton; August—Mayfield Heights; Aussem—Avon Lake; Badalucco—Barberton; Balas—Strongsville; Bannerman—Twinsburg; Battle—Cleveland; Be—North Olmsted; Beairdrhodesden—Akron; Bearden—Parma; Becker—Austinburg; Bell—Andover; Bercaw—Chardon; Bluhm—Euclid; Bodjanac—Stow; Bodkins—Wellington; Brewster—Cleveland Heights; Brown—Orwell; Burkhardt—North Ridgeville; Buser—Cleveland; Camp—Lorain; Campbell—Tallmadge; Carlo—Broadview Heights; Carmichael—Westlake; Carpenter—Medina; Chan—Rocky River; Clark—Cleveland; Clemens—Cuyahoga Falls; Cooper—Windham; Croyle—Eastlake; Cunningham—Akron; Davis—Akron; Demeter—Brunswick; Diocco—LaGrange.

Durham—Cleveland; Easley—Ravenna; Edmonds—Mayfield Heights; Emerman—Painesville; England—Olmsted Falls; Evans—Cleveland; Faciana—Northfield; Fafrak—Cleveland; Fiala—Olmsted Falls; Foltyn—Akron; Frank—Fairview Park; Garcia—Cleveland; Gatson—Cleveland; Gomez—Eastlake; Gordon—Cuyahoga Falls; Guerrero—Cleveland; Guzman—Lyndhurst; Gyurgyik—Shaker Heights; Hall, A.—Cleveland; Hall, R.—Geneva; Hamper—Jefferson; Hartsel—Lakewood; Hayes—North Royalton; Hoff—Conneaut; Hoffman—Wickliffe; Holzauer—Maple Heights; Howard—Mogadore; Hucks—Parma; Husar—Lorain; Jackson, G.—Akron; Jackson, M.—Lorain; Jamison—Doylestown; Jawaorski—Cleveland; Jenkins—Euclid; Johnson—Ravenna; Johnson-Lisman—Akron; Jones—Maple Heights; Kobus—Macedonia; Kostura—Brunswick; Kovats—Rome; Krabill—Fairview Park.

Kruggel—Litchfield; Kulbnik—Medina; Kuzlik—Berea; Latimer—Akron; Leonard—Amherst; Lewis—Akron; Loede—Westlake; Lozitsky—Parma; Lyle—Kingsville; Lynch—Silver Lake; Lynn, C.—Parma; Lynn, M.—Middleburg Heights; Masella—Cleveland; Mattson—North Olmsted; McKee—Akron; Mitchell, C.—Stow; Mitchell, A.—Cleveland; Mohler—Litchfield; Moore—Cleveland Heights; Murray—Valley View; Myers—Doylestown; Nunez—Akron; Odorich—Brunswick; Orris—Barberton; Orsulic—Kingsville; Pagel—Lakewood; Pappas—Westlake; Percun—Seven Hills; Perdue—West Salem; Persinger—Amherst; Pollack—Parma; Porcello—Cleveland; Prince—Mansfield; Provoznik—Wellington; Quotson—Rootstown; Radick—Bay Village; Reese—Euclid; Reyes—Lorain; Richards—Sheffield Lake; Ritzenthaler—Bay Village.

Roche—Kent; Rodriguez—Cleveland; Roland—Westlake; Romanchik—North Olmsted; Rush—Wellington; Saintz—Brook Park; Sandman—Stow; Savel—Wellington; Sayers—Sheffield Lake; Schmitz—Spencer; Schneider—Perry; Schon—Amherst; Selzer—Tallmadge; Shaffer—North Ridgeville; Shemo—Brunswick; Sheppard—Stow; Sherbert—Elyria; Simon—Cleveland; Skvarek—Jefferson; Smith, G.—Clinton; Smith, M.—Elyria; Smith, K.—Cleveland; Smith, J.—Euclid; Steed—Orwell; Stiver—Cleveland; Stovicek—Avon Lake; Streitell—Lakewood; Stutler—Clinton; Swain—Akron; Tamburro—Parma Heights; Thompson—Brunswick; Tijerina—Brunswick; Tompkins—Bedford Heights; Travers—Mentor; Trommer—Medina; Turolebron—Cleveland; Usner—Munroe Falls; Vargas—Parma; Wanda—Conneaut; Ward—Vermilion; Webb—Cleveland; Werner—North Royalton; White—Mayfield Heights; Williford—Cleveland;

Witthuhn—Brunswick; Woolfork—Lorain;
Wright—Maple Heights.

UNITED STATES NAVY—62

Andino, Jr.—Painesville; Au—Conneaut;
Aviles—Wellington; Azbill—Ashtabula;
Barnes—Cleveland; Began—Northfield; Bos-
well—North Ridgeville; Breneman—Shef-
field Lake; Brown—Lorain; Burns—Paines-
ville; Clark—Lorain; Cockerham—Parma;
Coffey—Geneva; Coleman—Cleveland;
Colon—Cleveland; Corey—Perry; Cozart—
Warrensville Heights; Dailey—Cleveland;
Davis—Euclid; Dean—Strongsville; Dennis—
Cleveland; Eckenrode—North Ridgeville;
Etheridge—Warrensville Heights; Flowers—
North Olmsted; Gibbons—Fairview Park;
Gigliotti—Strongsville; Gunkelman—
Strongsville; Haavisto—Wickliffe; Hollars—
Vermilion.

Hollis—Mentor; Hopkins—Painesville;
Inchaurregui—Lorain; James—Orwell; Jordan—
South Euclid; Joy—Geneva; Kusar—
Kirtland; Leggett—Bedford Heights; Lopez—
Avon; Mahamett—North Olmsted; Manley—
Cleveland; Martin—Lyndhurst; Mcready—
Lakewood; Miller—Geneva; Nichols—Geneva;
Noble—Elyria; Oleson—Strongsville; Parkin-
son—North Olmsted; Randle—Maple Heights;
Reilly—Bay Village; Reisinger—Wellington;
Roby—Elyria; Schumaker—Wellington;
Simpkins—Maple Heights; Smith—Mayfield
Heights; Snowden—Cleveland; Solomon—
Strongsville; Stocker—Geneva; Wagner—Or-
well; Warner—North Ridgeville; Weed—Avon
Lake; Weidrick—Wellington; Wilms—Elyria.

UNITED STATES AIR FORCE—43

Adams—South Euclid; Barnard—Berea;
Boros—Strongsville; Boukzam—Strongsville;
Breeds—Lorain; Camera—Cleveland; Cash—
Medina; Conkle—South Euclid; Goodwin—
Wadsworth; Hazelett—Amherst; Henderson—
Akron; Jdrzejek—Olmsted Falls; Kadow—
Avon Lake; Keiter—Wickliffe; Keleman—
Wadsworth; Kieswetter—North Olmsted;
LaSalvia—Strongsville; Lawrence—Parma
Heights; Manning—Kent; McGhee—Euclid;
Miller, A.—Lorain; Moccia—Lakewood;
Moff—Atwater; Neiger—Middleburg Heights;
Nelson—Fairview Park; Pallens—Lorain;
Perala—Seven Hills; Pipper—Parma;
Plickert—Painesville; Richards—Medina;
Roetzel—Parma; Rumpf—LaGrange; Saari—
Strongsville; Serago—Concord; Starks—
South Euclid; Stewart III—Wellington;
Stogioglou—Wellington; Suszynski—
Chardon; Tagliarini—Brookpark; Tomor—
Barberton; Topoly—Akron; Touma—Cuya-
hoga Falls; Zavodny II—Euclid.

UNITED STATES COAST GUARD—3

Linden—Norwalk; Simko—Fairport Har-
bor; Werdebaugh—Wellington.

OHIO ARMY NATIONAL GUARD—82

Batcha—Northfield; Bloch, Jr.—
Streetsboro; Caraballo—Columbia Station;
Carter—Cleveland; Champlin—Akron; Cleve-
land—Cleveland; Clow—Cleveland; Davis-
Johnson—Cleveland; Derr—Garrettsville;
Distad—Shaker Heights; DoBroka—North
Royalton; Dosen—Broadview Heights; Down-
ey—Akron; Drzik—Akron; Dunning—
Chardon; Eisenhower—Doylestown; Eldred—
Avon Lake; Fiscus—LaGrange; Franchino—
Streetsboro; Freeman—Cleveland; Galik,
Jr.—Norton; Georskey—Ashtabula;
Golnick—Willoughby Hills; Gonzalez San-
chez—Kenmore; Grimes—Norton; Habeck—
Wakeman; Haefka—Lorain; Hallisy—Lorain;
Hendrickson—Brookpark; Herman—
Chesterland; Hill—Brunswick; Hines—Ash-
tabula; Jackson—Cleveland; Johnson, A.—
Cleveland; Johnson, E.—Elyria; Johnson,
G.—Amherst; Jones—Warrensville; Keown—

Mogadore; Kingzett—Independence; Knight—
Ashtabula; Lee—North Ridgeville.

Loga—Ashtabula; Loraditch—Akron;
Macklin—Bedford; Mansfield—Akron; Mar-
tin—Elyria; Mathews—Pierpont; May—
Akron; Mclaughlin, C.—Strongsville;
Mclaughlin, L.—Wasdworth; Milbrandt—Ash-
tabula; Miller—Ashtabula; Morales—Cleve-
land; Myers—Akron; Newell—Barberton;
Nichols—Akron; Norton, Jr.—Cleveland;
O'Connor—Litchfield; Patterson—Lorain;
Pedreschi—Avon; Petrella—North Royalton;
Phillips—Medina; Powell—Akron; Pozega—
Amherst; Raker—Norton; Reid—Elyria;
Reyes—Cleveland; Reynolds—Streetsboro;
Richard—Oberlin; Rohal—Ravenna; Roldan—
Cleveland; Rosa—Lorain; Ryan—Kent;
Schwarz—Akron; Sharp—Euclid; Sweeny—
Columbia Station; Thomas—Eastlake;
Thomas—Akron; Townsend—Twinsburg;
Wiley—Avon; Williams—Cleveland; Wolters
II—Akron.

OHIO AIR GUARD—6

Berg—Hinckley; Delzoppo—Eastlake;
Leonard—Akron; Mele—Willowick;
Shamatta—Strongsville; Tushar—North Can-
ton.

ADDITIONAL STATEMENTS

TRIBUTE TO BILL LITTON

• Mr. COCHRAN. Mr. President, on
May 17, 2013, Mr. Bill Litton of Green-
wood, MS, will conclude his term as
the 78th president of the Delta Council.
I am pleased to commend him for his
service and contributions to the delta
region and the State of Mississippi.

Organized in 1935, Delta Council
plays an important role in uniting the
agricultural, business, and economic
development leadership to solve prob-
lems and promote opportunities in the
Mississippi Delta region, which in-
cludes eighteen counties in northwest
Mississippi.

Mr. Litton has put in a strong per-
formance as Delta Council president.
His tenure as council president con-
cludes as we are crafting a new, long-
term Farm Bill, which will establish
Federal policies for American agri-
culture and other important areas in-
cluding conservation, agricultural re-
search, and nutrition. Given this bill's
importance to the delta's economy, I
have appreciated Mr. Litton's advice
and counsel related to serving the in-
terests of our State. His input over the
past year will contribute to the overall
success of this endeavor.

In addition to his role as President of
Delta Council, Mr. Litton is the Presi-
dent of Wade Incorporated in Green-
wood, MS, which serves as the John
Deere equipment dealership in many
counties in the delta. He is also direc-
tor of the Bank of Commerce. Some of
his previous leadership positions in-
clude Chairman of the Greenwood Util-
ity Commission and President of Delta
Wildlife. He has been a recipient of the
Silver Beaver Award from the Boy
Scouts of America.

Born in New Hampshire, Mr. Litton
moved to Greenwood, MS and earned

his bachelor's degree from the Univer-
sity of Mississippi. As a Mississippian,
Mr. Litton has demonstrated leader-
ship and dedication to improving the
quality of life in the delta and the en-
tire State. I commend Bill Litton for
his service to Mississippi, and share
this appreciation with his wife Ann,
and their three children Gerard, Pow-
ell, and Wade.●

TRIBUTE TO SYLVIA MEDINA

• Mr. CRAPO. Mr. President, my col-
league Senator JIM RISCH joins me
today in recognizing the significant ac-
complishments of Sylvia Medina, who
is retiring as president & chief execu-
tive officer of North Wind, Inc.

Sylvia is influential locally, region-
ally, nationally and internationally.
She founded North Wind,
headquartered in Idaho Falls, which
provides engineering, construction and
environmental services to Federal and
State agencies and private industry.
Through her hard work and innovation,
she grew North Wind into a leading
business employing more than 300 sci-
entific, engineering, construction and
professional personnel in 21 offices
throughout the country. In 2009, Sylvia
sold North Wind to Cook Inlet Re-
gional, Inc., CIRI, but remained on as
president and chief executive officer.

Sylvia steps in to address community
needs, and she has a strong commit-
ment to community service. She has
supported youth and education pro-
grams, the arts and environmental con-
servation efforts. She was also instru-
mental in raising money for the con-
struction of an animal shelter and dog
park. In addition, Sylvia has served in
leadership roles for several local and
national organizations that include the
Idaho State University Foundation,
Holy Rosary School, Women Impacting
Public Policy, Green Kids Inc., Grow
Idaho Falls, Idaho Falls Symphony, the
Snake River Animal Shelter, LLC and
the Institute for Economic Empower-
ment of Women.

Sylvia's strong leadership and dedi-
cation have been recognized through
awards and her selection to assist with
important initiatives. For example, she
was appointed by Governor Butch
Otter to the Leadership in Nuclear En-
ergy Commission. Among her numer-
ous honors, the U.S. Small Business
Administration recognized Sylvia as a
Small Business Person of the Year in
2008. In 2009, she received the Latina
Women Entrepreneur of the Year
Award from the Anna Maria Aras Me-
morial Business Fund and a Torch
Award from the Better Business Bu-
reau.

Sylvia leads by example and dem-
onstrates a constant commitment to
integrity and bettering the commu-
nity. It has been great to work with
Sylvia. Sylvia, your expertise and in-
sight on small business issues have

been valuable and greatly appreciated, and we look forward to continuing to work with you on future joint efforts. We hope that your retirement from North Wind provides you deserved time with your family, including your husband and three children, and your many friends. Thank you, Sylvia, for your hard work and exemplary service.●

TRIBUTE TO WILLIAM LEE RICH

● Mr. TESTER. Mr. President, today I wish to honor William Lee Rich, a career Navy man. Bill, on behalf of all Montanans and all Americans, I stand to say "thank you" for your service to this Nation.

It is my honor to share the story of Bill Rich's service in the U.S. Navy, because no story of heroism should ever fall through the cracks.

Bill was born in Jamestown, NY in 1947. After moving around the country with his family, he graduated from Spring Valley High School in New York and enlisted with the U.S. Navy in Poughkeepsie in 1966.

Bill trained with the Seabees in Davisville, RI before transferring to Mobile Construction Battalion 21 at Seabee Headquarters in Gulfport, MS. From there he was deployed to Phu Bai with M-C-B 21, just south of Hue City in Vietnam. While in Vietnam, Bill's unit was responsible for transporting South Vietnamese refugees out of Hue.

In February 1968, his unit saw heavy action during the Tet Counter Offensive. They were responsible for transporting a group of South Vietnamese out of Hue to the refuge center at Phu Bai. It was for their time in Hue that the M-C-B 21 received the Presidential Unit Citation. Bill also earned his Combat Action Ribbon.

Bill's deployment ended after 9 months, and his unit returned to Gulfport, MS before going back to Vietnam, this time to Camp Eagle in the Gia Lai Province. During his 8 months at Camp Eagle, Bill worked on various construction and electrical projects, both around the camp and in Hue. He also worked with the American-Vietnamese Civic Action Program to help construct engineering projects in the region.

After his two tours in Vietnam, Bill transferred to Naval Reserve Construction Battalion 19 for 4 years before returning to active duty.

Back with the Seabees, Bill was assigned to Italy and New Zealand before spending a year in Antarctica as part of Operation Deep Freeze. He was then assigned to Harold E. Holt station in Australia where he married his wife, Debby, a Helena native.

From Australia, Bill went to Winter Harbor, ME and then to M-C-B 74 in Gulfport. He deployed from Gulfport to Japan and Puerto Rico. From battalion he went to Manama, Bahrain in the Persian Gulf as a contract inspector.

From Bahrain, Bill went to the Naval Headquarters in London, England for 4 years where his daughter Mariah was born.

Bill's last assignment was part of a five-man active duty staff for Reserve Construction Battalion 13 at Camp Smith, Peekskill, NY. Before he retired, Bill received both the New York State Conspicuous Service Cross and the Long and Faithful Service Medal.

Upon his retirement, he received both the Navy and Army Achievement Medals. Bill retired with the rank of E-6 Construction Electrician First Class.

Bill transferred to Fleet Reserve and retired after a 30-year naval career.

Petty Officer Bill Rich moved to Helena to start his new life with his wife and daughter. He currently works for the State of Montana Department of Military Affairs here at Fort Harrison as an electrician.

After his service, Bill never received all of the medals he earned from the Navy.

Earlier this month, in the presence of his friends and family, it was my honor to finally present to Bill his Vietnam Campaign Medal with 1960 Device, Navy Expert Rifle Medal with Three Bronze Stars, Navy Expert Pistol Medal, Humanitarian Service Medal, and his Navy & Marine Corps Overseas Service Ribbon with One Silver and Four Bronze Stars.

It was also my honor to present the Antarctica Service Medal with Bronze Clasp, the Vietnam Service Medal with One Silver and Two Bronze Stars, the Navy Good Conduct Medal with Four Bronze Stars, the Naval Reserve Meritorious Service Medal, and the National Defense Service Medal with One Bronze Star.

Earlier this month I also presented to Bill: the Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation Ribbon with one Bronze Star, and the Meritorious Unit Commendation with One Bronze Star.

These decorations are small tokens, but they are powerful symbols of true heroism. Sacrifice. And dedication to service.

These medals are presented on behalf of a grateful nation.●

EARTH DAY

● Mr. BROWN. Mr. President, on April 22, 1970—after years of planning—Earth Day activities stretched from college campuses, to city parks, to community halls across the country.

The landscape has changed since students, activists, and environmentalists celebrated the first Earth Day. That citizen call to action spurred a new season of environmental protections that have improved the health of our Nation's air, lands, rivers, and the Great Lakes.

Just several decades ago, polluted air and water threatened the public health

and safety of our Nation. The Cuyahoga River in Cleveland had caught on fire and oil spills marred the beaches of Santa Barbara.

These catastrophic events served as catalysts that established the Environmental Protection Agency, EPA, passed the Clean Air and Clean Water Acts, and formed a public and political consciousness of the need to safeguard our environment.

Today, the Cuyahoga River—44 years after the fire—is cleaner and healthier, more than 60 different fish species are thriving, and countless families are again enjoying its natural beauty.

Today, Earth Day is celebrated around the world.

Now communities across Ohio and the Nation are spurring on the next generation of environmental innovation.

Seeds planted in places such as Oregon, OH—a city just east of Toledo in northwest Ohio—are beginning to grow.

To reduce energy costs, the Oregon City School District partnered with the Toledo-Lucas County Port Authority to transition away from traditional electricity to wind and solar power. Oregon City Schools set up wind turbines at Clay High School and Eisenhower Middle School. They installed solar panels on the roofs of Jerusalem and Starr Elementary Schools. And these innovative investments have paid off. In just 10 days in October, Clay Campus's wind turbine, Power Wind 56, produced 149 percent of campus energy needs. All computers, all lights, all kitchen activity, and fans on Clay Campus are now wind-powered. This includes the administration building, bus garage, and maintenance building at the stadium. Besides saving on energy costs, as of March 21, the school district is producing 800 fewer tons of carbon dioxide. This means less acid rain-causing sulfur dioxide and nitrous oxide going into the air.

This innovation and activism marks tremendous progress toward a more sustainable environment.

If we fail to protect our natural resources, we risk the health of citizens, the viability of our coastal areas, and the productivity of our State's farms, forests, and fisheries. We risk our long-term economic and national security. Yet we know that choosing between economic growth and environmental protections is a false choice.

Despite our population growing by 50 percent in the past 40 years and the number of cars on the road having doubled over that same time, our air is now 60 percent cleaner than at the time of the first Earth Day in 1970.

Done right, our Nation can become energy independent, improve its global competitiveness, and create new jobs and technologies for our workforce. As we plant the seeds for economic growth—for new jobs in new industries—we are also planting the seeds

for a cleaner, more sustainable environment.

The students and parents of the Oregon City School District are a reminder that taking steps to protect our air and water is something that we do every day, not just on April 22.

Earth Day reminds us of our ability and our history of innovation and perseverance to protect our environment for current and future generations.●

TRIBUTE TO EARL HOLDING

● Mr. HATCH. Mr. President, today I wish to pay special tribute to a man I have admired for many years, Earl Holding. Sadly, Earl passed away April 19, 2013 leaving behind a lasting legacy that garnered the respect of many throughout our State and Nation.

Earl was a Utah icon—a businessman who reached the highest echelons of the business world—yet spent time to help people from all walks of life, and in many pursuits and interests. His work ethic is legendary. From a young age, Earl put in long days at whatever business he pursued, and he was truly an example of someone who wasn't afraid to roll up his sleeves and get his hands dirty—right along with his employees.

In 1949 Earl married his life's partner and eternal sweetheart, Carol Orme. Their marriage was a testament to their partnership as companions—at work and at home. Carol was almost always found at the side of Earl working the land, running hotels, and raising children. They are the proud parents of three children and twelve grandchildren whom they deeply love.

Earl's strength as a business leader has been witnessed by many employees he tutored and led in many successful and important companies including the Little America and Grand America hotels, the Snowbasin Ski Resort, and Sinclair Oil.

In the 1990s Earl was a driving force in helping to bring the Winter Olympic Games to Salt Lake City. His willingness to build world-class facilities to help stage the games cannot be overlooked as one of the key factors in the utmost success of the 2002 Winter Olympics. His contributions will never be forgotten.

Earl and Carol loved the land and enjoyed spending time at their ranches or property throughout the West. He loved to hike, bike, fish, or just enjoy nature in our wonderful part of the world. He had a great reverence for the beauty of our country and always sought to build edifices that paid tribute to that splendor.

Utah and our Nation lost a truly great business leader and giant of a man when Earl left this earthly existence. I know that many people will truly miss his strength, leadership, and commitment to excellence. I will miss all of those things, but I will also miss

a cherished friend. I am grateful for the relationship Earl and I have enjoyed for many years and the support and wisdom he always shared.

Elaine and I convey our deepest sympathies to Carol and their family. May our Heavenly Father bless them with peace and comfort at this time. The contributions and impact Earl made on his family, his community, Utah and our Nation will be felt and appreciated for generations to come.●

RECOGNIZING EXCEPTIONAL NEVADA MOTHERS

● Mr. HELLER. Mr. President, today I wish to congratulate Mrs. Zan Peterson Hyer, who has been recognized as the 2013 Nevada Mother of the Year, and Mrs. Montsdarrat Wadsworth for being named the 2013 Nevada Young Mother of the Year. These two outstanding mothers have been honored for their commitment to strengthening the moral and spiritual foundations of the family and home.

These exceptional Nevada mothers have received this designation from the American Mothers, Inc. of Nevada, a nonprofit interfaith organization dedicated to honoring motherhood while offering support to mothers in the State of Nevada. American Mothers, Inc. is the official sponsor of Mother's Day and the Mother of the Year.

As a mother of five children and four grandchildren, Mrs. Hyer has demonstrated the great responsibility of motherhood and dedication to living and teaching her children outstanding qualities, such as love, understanding, courage, service, and compassion. As a recipient of this award, Mrs. Hyer will help deliver this message about motherhood to community organizations in Southern Nevada and throughout the State. I wish her all the best in her future endeavors and congratulate her on this well-deserved award.

Mrs. Wadsworth is also a devoted and honorable mother. She and her husband are raising 10 children in Winnemucca, NV. They live and work on an alfalfa hay farm, and Mrs. Wadsworth homeschools all 10 of their children.

I ask my colleagues to join me today in congratulating these two outstanding Nevada Mothers. It is my hope that they will stand as examples of the important work that mothers do in strengthening our communities.●

TRIBUTE TO CHIEF WARRANT OFFICER 5 BERNARD SATTERFIELD

● Ms. AYOTTE. Mr. President, I rise today to recognize the accomplishments of CW5 Bernard Satterfield. On July 1, 2013, Chief Warrant Officer 5 Satterfield will retire after 40 years of distinguished service to the U.S. Army. With his decades of service and dedication to our country, Chief Warrant Of-

ficer 5 Satterfield has earned our deepest gratitude and respect.

In September 1973, Chief Warrant Officer 5 Satterfield entered active duty service after completing basic combat training at Fort Jackson, SC. In 1984, he was appointed to the Warrant Officer Corps. In 2010, he became the regimental chief officer—the highest ranking warrant officer—of the U.S. Army's Ordnance Corps. Chief Satterfield served in multiple overseas tours and deployments to Germany, Panama, South Korea, Kuwait, Iraq, Saudi Arabia, and numerous locations across the United States. His service earned him numerous military awards and decorations, including the Legion of Merit and the Bronze Star, for his faithful service and contribution to the Army's mission.

In retirement, I am confident that Chief Satterfield will continue to serve our Nation. On behalf of the Senate Armed Services Committee and the U.S. Senate, I am proud to thank Chief Satterfield, his wife Deirdre, and their son Steven, for four decades of honorable service to our Nation. I wish him and his family the very best in retirement.●

TRIBUTE TO LARRY RUVO

● Mr. HELLER. Mr. President, today I wish to congratulate Larry Ruvo, a Nevada businessman and philanthropist, for receiving the Horatio Alger Award. This award is reserved for outstanding Americans who exemplify dedication, purpose, and perseverance in their personal lives. Recipients of this award traditionally have started life in humble circumstances and have worked with great diligence to achieve success. Larry Ruvo is one of only 11 recipients of this year's award and exemplifies the dedication that has helped make the State of Nevada great.

Mr. Ruvo was born and raised in Las Vegas and graduated from Las Vegas High School. He has had a successful career as a local businessman and founder of Southern Wine and Spirits of Nevada. In memory of his father, Mr. Ruvo has worked tirelessly to establish a cognitive disease center in Las Vegas. His efforts and generosity helped in the creation of the Cleveland Clinic Lou Ruvo Center for Brain Health located in Las Vegas. Larry Ruvo's efforts to give back to his local community are admirable and inspiring.

I ask my colleagues to join me in congratulating Larry Ruvo for receiving this distinguished honor, and it is my hope that he will serve as an example of what great things a person can accomplish when they work with dedication, purpose, and perseverance.●

TRIBUTE TO LAUREL P. SAYER

● Mr. CRAPO. Mr. President, I rise today to recognize the achievements of

Laurel Sayer, who is retiring from congressional service.

For the past 14 years, Laurel has served as the Natural Resources and Idaho National Laboratory policy adviser for my fellow Idaho congressional delegation colleague, Representative MIKE SIMPSON. Throughout her career, Laurel has served as a trusted advisor and resource to many. She has worked hard to develop partnerships and advocate for the interests of Idahoans.

Prior to working for Representative SIMPSON, Laurel served as an integral member of my staff for 6 years when I served in the U.S. House of Representatives. Among her responsibilities, she enhanced outreach efforts and provided valuable input on natural resources issues. Laurel joined my House staff with a wealth of community experience, which quickly translated into a great base for advocating for Idahoans in eastern Idaho. The years that she spent doing volunteer efforts in the community paid off for Idahoans as she transitioned into one of the most effective congressional staffers in the State.

She has been very involved throughout eastern Idaho and developed valuable relationships with local, State, regional, and Federal Government agencies and numerous organizations and individuals. For example, she has served in leadership roles for the Yellowstone Business Partnership, the Idaho Commission on the Arts, the Idaho Falls Arts Council, the Idaho Community Foundation, and the Education Foundation. Laurel has contributed significantly to the arts in Idaho, including promoting related projects, arts councils, and arts groups.

Laurel has served the community, State, and Nation with distinction, and I thank her for her hard work on behalf of Idahoans. I have enjoyed my years of friendship with Laurel and appreciated her kind demeanor, hard work, and tremendous will. Laurel, you have much to be proud of for your many years of dedication and committed service. I congratulate you on your retirement, wish you all the best, and thank you for all you have done for Idahoans.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on April 30, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to section 13101 of the HITECH Act (Public Law 111-5), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the HIT Policy Committee: Mrs. Gayle Harrell of Stuart, Florida.

Under the authority of the order of the Senate of April 25, 2013, the Secretary of the Senate, on April 30, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1765. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

The message also announced that the Clerk of the House be directed to return to the Senate the bill (S. 853) to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes, in compliance with a request of the Senate for the return thereof.

ENROLLED BILL SIGNED

The message further announced that the Speaker had signed the following enrolled bill:

H.R. 1765. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

Under authority of the order of the Senate of January 3, 2013, the enrolled bill was signed on April 30, 2013, during the adjournment of the Senate, by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

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

H.R. 527. An act to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

MEASURES REFERRED

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

H.R. 527. An act to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes; to the Committee on Energy and Natural Resources.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MENENDEZ:

S. 856. A bill to foster stability in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. SANDERS, Mrs. MURRAY, Mr. COONS, Mrs. GILLIBRAND, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 857. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 858. A bill to provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 859. A bill to amend the Farm Security and Rural Investment Act of 2002 to provide for the conducts of activities to detect, and respond in a timely manner to, threats to animal health; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. BROWN, Mr. DURBIN, Ms. CANTWELL, Mr. JOHNSON of South Dakota, Mr. COWAN, Ms. HIRONO, Ms. BALDWIN, and Mr. SCHATZ):

S. 860. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 861. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; to the Committee on Environment and Public Works.

By Ms. AYOTTE (for herself, Mr. SCHATZ, Mr. ALEXANDER, Mr. BLUNT, Ms. HIRONO, Mr. KING, Mr. MORAN, and Mr. PAUL):

S. 862. A bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate; to the Committee on Finance.

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

S. 863. A bill to amend title 38, United States Code, to repeal time limitations on the eligibility for use of educational assistance under All-Volunteer Force Educational Assistance Program, to improve veterans education outreach, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WICKER (for himself, Ms. HEITKAMP, Mr. COCHRAN, Mr. UDALL

of New Mexico, Mr. CRAPO, Ms. KLOBUCHAR, Mr. RISCH, Mr. JOHNSON of South Dakota, Mr. MORAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. TESTER, Mr. INHOFE, Ms. HIRONO, Mr. BAUCUS, and Mr. VITTER);

S. 864. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Mr. HELLER, Mr. WARNER, Mr. GRASSLEY, Mr. BROWN, Mr. REED, Mr. BEGICH, Mr. CASEY, and Mr. FRANKEN);

S. 865. A bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 866. A bill to make improvements to the transitional program covered business method patents, and for other purposes; to the Committee on the Judiciary.

By Mr. PRYOR (for himself, Mr. MORAN, Mr. WICKER, and Mr. BOOZMAN);

S. 867. A bill to amend title XVIII of the Social Security Act to provide for pharmacy benefits manager standards under the Medicare prescription drug program, to establish basic audit standards of pharmacies, to further transparency of payment methodology to pharmacies, and to provide for recoupment returns to Medicare; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. HARKIN (for himself, Mrs. MURRAY, and Mrs. GILLIBRAND):

S. Res. 128. A resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. HELLER, Mrs. BOXER, Mrs. MURRAY, Mr. WARNER, Mr. SCHATZ, Mr. BEGICH, and Mr. CARDIN):

S. Res. 129. A resolution recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 85

At the request of Mr. COONS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 85, a bill to provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration.

S. 138

At the request of Mr. VITTER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 232

At the request of Mr. HATCH, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 278

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 278, a bill to replace the Budget Control Act sequester for fiscal year 2013 by eliminating tax loopholes.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 375

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 381

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 423

At the request of Mr. MENENDEZ, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 423, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 460

At the request of Mr. HARKIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 496

At the request of Mr. PRYOR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 541

At the request of Ms. LANDRIEU, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 617

At the request of Mr. CASEY, the names of the Senator from California (Mrs. BOXER), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 629

At the request of Mr. PRYOR, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 653

At the request of Mr. BLUNT, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 679

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 689

At the request of Mr. HARKIN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 690

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 690, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 692

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 692, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 700

At the request of Mr. KAINE, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 709

At the request of Ms. STABENOW, the names of the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 724

At the request of Mr. BLUNT, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 724, a bill to provide flexibility to agencies on determining what employees are essential personnel in implementing the sequester.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor

of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 754

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 754, a bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops.

S. 759

At the request of Mr. CASEY, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 759, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 769

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 777, a bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from North Carolina (Mrs. HAGAN), the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 792

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 792, a bill to strengthen the enforcement of background checks with respect to the use of explosive materials.

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 792, supra.

S. 810

At the request of Mr. DONNELLY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 810, a bill to require a pilot program on

an online computerized assessment to enhance detection of behaviors indicating a risk of suicide and other mental health conditions in members of the Armed Forces, and for other purposes.

S. 813

At the request of Mr. TESTER, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 813, supra.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Massachusetts (Ms. WARREN), the Senator from New Mexico (Mr. UDALL), the Senator from Michigan (Ms. STABENOW), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Vermont (Mr. SANDERS), the Senator from Washington (Mrs. MURRAY), the Senator from Michigan (Mr. LEVIN), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Virginia (Mr. KAINE), the Senator from Hawaii (Ms. HIRONO), the Senator from New York (Mrs. GILLIBRAND), the Senator from Delaware (Mr. COONS), the Senator from Ohio (Mr. BROWN), the Senator from California (Mrs. BOXER), the Senator from Montana (Mr. BAUCUS), the Senator from North Carolina (Mrs. HAGAN), the Senator from Connecticut (Mr. MURPHY), the Senator from Colorado (Mr. BENNET), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. REED), the Senator from California (Mrs. FEINSTEIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Colorado (Mr. UDALL), the Senator from Virginia (Mr. WARNER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. COWAN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 827

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 827, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 828

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 828, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 843

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 843, a bill to limit the amount of ammunition purchased or possessed by certain Federal agencies for a 6-month period.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 13

At the request of Mr. WARNER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S.J. Res. 13, a joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day.

S. RES. 69

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. Res. 69, a resolution calling for the protections of religious minority rights and freedoms in the Arab world.

S. RES. 91

At the request of Mr. UDALL of New Mexico, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 91, a resolution supporting the goals and ideals of National Public Health Week.

S. RES. 126

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. Res. 126, a resolution recognizing the teachers of the United States for their contributions to the development and progress of our country.

At the request of Mr. JOHNSON of South Dakota, his name was added as a cosponsor of S. Res. 126, *supra*.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. Res. 126, *supra*.

At the request of Mr. WARNER, his name was added as a cosponsor of S. Res. 126, *supra*.

At the request of Ms. STABENOW, her name was added as a cosponsor of S. Res. 126, *supra*.

At the request of Mr. COONS, his name was added as a cosponsor of S. Res. 126, *supra*.

At the request of Mr. BEGICH, his name was added as a cosponsor of S. Res. 126, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McCONNELL (for himself and Mr. PAUL):

S. 861. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; to the Committee on Environment and Public Works.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 861

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

SECTION 1. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

(a) APPLICABILITY OF GUIDANCE.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) APPLICABILITY OF GUIDANCE.—

“(1) DEFINITIONS.—In this subsection:

“(A) GUIDANCE.—

“(i) IN GENERAL.—The term ‘guidance’ means draft, interim, or final guidance issued by the Administrator.

“(ii) INCLUSIONS.—The term ‘guidance’ includes—

“(I) the comprehensive guidance issued by the Administrator and dated April 1, 2010;

“(II) the proposed guidance entitled ‘Draft Guidance on Identifying Waters Protected by the Clean Water Act’ and dated April 28, 2011;

“(III) the final guidance proposed by the Administrator and dated July 21, 2011; and

“(IV) any other document or paper issued by the Administrator through any process other than the notice and comment rule-making process.

“(B) NEW PERMIT.—The term ‘new permit’ means a permit covering discharges from a structure—

“(i) that is issued under this section by a permitting authority; and

“(ii) for which an application is—

“(I) pending as of the date of enactment of this subsection; or

“(II) filed on or after the date of enactment of this subsection.

“(C) PERMITTING AUTHORITY.—The term ‘permitting authority’ means—

“(i) the Administrator; or

“(ii) a State, acting pursuant to a State program that is equivalent to the program under this section and approved by the Administrator.

“(2) PERMITS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, in making a determination whether to approve a new permit or a renewed permit, the permitting authority—

“(i) shall base the determination only on compliance with regulations issued by the Administrator or the permitting authority; and

“(ii) shall not base the determination on the extent of adherence of the applicant for the new permit or renewed permit to guidance.

“(B) NEW PERMITS.—If the permitting authority does not approve or deny an application for a new permit by the date that is 270 days after the date of receipt of the application for the new permit, the applicant may operate as if the application were approved in accordance with Federal law for the period of time for which a permit from the same industry would be approved.

“(C) SUBSTANTIAL COMPLETENESS.—In determining whether an application for a new permit or a renewed permit received under this paragraph is substantially complete, the permitting authority shall use standards for determining substantial completeness of similar permits for similar facilities submitted in fiscal year 2007.”.

(b) STATE PERMIT PROGRAMS.—

(1) IN GENERAL.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by striking subsection (b) and inserting the following:

“(b) STATE PERMIT PROGRAMS.—

“(1) IN GENERAL.—At any time after the promulgation of the guidelines required by section 304(I)(2), the Governor of each State desiring to administer a permit program for discharges into navigable waters within the jurisdiction of the State may submit to the Administrator—

“(A) a full and complete description of the program the State proposes to establish and administer under State law or under an interstate compact; and

“(B) a statement from the attorney general (or the attorney for those State water pollution control agencies that have independent legal counsel), or from the chief legal officer in the case of an interstate agency, that the laws of the State, or the interstate compact, as applicable, provide adequate authority to carry out the described program.

“(2) APPROVAL.—The Administrator shall approve each program for which a description is submitted under paragraph (1) unless the Administrator determines that adequate authority does not exist—

“(A) to issue permits that—

“(i) apply, and ensure compliance with, any applicable requirements of sections 301, 302, 306, 307, and 403;

“(ii) are for fixed terms not exceeding 5 years; and

“(iii) can be terminated or modified for cause including—

“(I) a violation of any condition of the permit;

“(II) obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and

“(III) a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

“(iv) control the disposal of pollutants into wells;

“(B)(i) to issue permits that apply, and ensure compliance with, all applicable requirements of section 308; or

“(ii) to inspect, monitor, enter, and require reports to at least the same extent as required in section 308;

“(C) to ensure that the public, and any other State the waters of which may be affected, receives notice of each application for a permit and an opportunity for a public hearing before a ruling on each application;

“(D) to ensure that the Administrator receives notice and a copy of each application for a permit;

“(E) to ensure that any State (other than the permitting State), whose waters may be affected by the issuance of a permit may submit written recommendations to the permitting State and the Administrator with respect to any permit application and, if any part of the written recommendations are not accepted by the permitting State, that the permitting State will notify the affected State and the Administrator in writing of the failure of the State to accept the recommendations, including the reasons for not accepting the recommendations;

“(F) to ensure that no permit will be issued if, in the judgment of the Secretary of the Army acting through the Chief of Engineers, after consultation with the Secretary of the department in which the Coast Guard is operating, anchorage and navigation of

any of the navigable waters would be substantially impaired by the issuance of the permit;

“(G) to abate violations of the permit or the permit program, including civil and criminal penalties and other means of enforcement;

“(H) to ensure that any permit for a discharge from a publicly owned treatment works includes conditions to require the identification in terms of character and volume of pollutants of any significant source introducing pollutants subject to pretreatment standards under section 307(b) into the treatment works and a program to ensure compliance with those pretreatment standards by each source, in addition to adequate notice, which shall include information on the quality and quantity of effluent to be introduced into the treatment works and any anticipated impact of the change in the quantity or quality of effluent to be discharged from the publicly owned treatment works, to the permitting agency of—

“(i) new introductions into the treatment works of pollutants from any source that would be a new source as defined in section 306 if the source were discharging pollutants;

“(ii) new introductions of pollutants into the treatment works from a source that would be subject to section 301 if the source were discharging those pollutants; or

“(iii) a substantial change in volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit; and

“(I) to ensure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308.

“(3) ADMINISTRATION.—Notwithstanding paragraph (2), the Administrator may not disapprove or withdraw approval of a program under this subsection on the basis of the following:

“(A) The failure of the program to incorporate or comply with guidance (as defined in subsection (s)(1)).

“(B) The implementation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).”.

(2) CONFORMING AMENDMENTS.—

(A) Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended—

(i) in subsection (c)—

(I) in paragraph (1)(A), by striking “402(b)(8)” and inserting “402(b)(2)(H)”; and

(II) in paragraph (2)(A), by striking “402(b)(8)” and inserting “402(b)(2)(H)”; and

(ii) in subsection (d), in the first sentence, by striking “402(b)(8)” and inserting “402(b)(2)(H)”.

(B) Section 402(m) of the Federal Water Pollution Control Act (33 U.S.C. 1342(m)) is amended in the first sentence by striking “subsection (b)(8) of this section” and inserting “subsection (b)(2)(H)”.

(C) SUSPENSION OF FEDERAL PROGRAM.—Section 402(c) of the Federal Water Pollution Control Act (33 U.S.C. 1342(c)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

“(4) LIMITATION ON DISAPPROVAL.—Notwithstanding paragraphs (1) through (3), the Administrator may not disapprove or withdraw approval of a State program under subsection (b) on the basis of the failure of the following:

“(A) The failure of the program to incorporate or comply with guidance (as defined in subsection (s)(1)).

“(B) The implementation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).”.

(d) NOTIFICATION OF ADMINISTRATOR.—Section 402(d)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1342(d)(2)) is amended—

(1) by striking “(2) No” and inserting the following:

“(2) OBJECTION BY ADMINISTRATOR.—

“(A) IN GENERAL.—Subject to subparagraph (C), no permit shall issue if—

“(i) not later than 90 days after the date on which the Administrator receives notification under subsection (b)(2)(E), the Administrator objects in writing to the issuance of the permit; or

“(ii) not later than 90 days after the date on which the proposed permit of the State is transmitted to the Administrator, the Administrator objects in writing to the issuance of the permit as being outside the guidelines and requirements of this Act.”;

(2) in the second sentence, by striking “Whenever the Administrator” and inserting the following:

“(B) REQUIREMENTS.—If the Administrator”; and

(3) by adding at the end the following:

“(C) EXCEPTION.—The Administrator shall not object to or deny the issuance of a permit by a State under subsection (b) or (s) based on the following:

“(i) Guidance, as that term is defined in subsection (s)(1).

“(ii) The Administrator’s interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).”.

SEC. 2. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) IN GENERAL.—Section 404(a) of the Federal Water Pollution Control Act (33 U.S.C. 1344(a)) is amended—

(1) by striking the section heading and all that follows through “SEC. 404. (a) The Secretary may issue” and inserting the following:

“SEC. 404. PERMITS FOR DREDGED OR FILL MATERIAL.

“(a) PERMITS.—

“(1) IN GENERAL.—The Secretary may issue”; and

(2) by adding at the end the following:

“(2) DEADLINE FOR APPROVAL.—

“(A) PERMIT APPLICATIONS.—

“(i) IN GENERAL.—Except as provided in clause (ii), if an environmental assessment or environmental impact statement, as appropriate, is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary shall—

“(I) begin the process not later than 90 days after the date on which the Secretary receives a permit application; and

“(II) approve or deny an application for a permit under this subsection not later than the latter of—

“(aa) if an agency carries out an environmental assessment that leads to a finding of no significant impact, the date on which the finding of no significant impact is issued; or

“(bb) if an agency carries out an environmental assessment that leads to a record of decision, 15 days after the date on which the record of decision on an environmental impact statement is issued.

“(ii) PROCESSES.—Notwithstanding clause (i), regardless of whether the Secretary has commenced an environmental assessment or environmental impact statement by the date described in clause (i)(I), the following deadlines shall apply:

“(I) An environmental assessment carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be completed not later than 1 year after the deadline for commencing the permit process under clause (i)(I).

“(II) An environmental impact statement carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be completed not later than 2 years after the deadline for commencing the permit process under clause (i)(I).

“(B) FAILURE TO ACT.—If the Secretary fails to act by the deadline specified in clause (i) or (ii) of subparagraph (A)—

“(i) the application, and the permit requested in the application, shall be considered to be approved;

“(ii) the Secretary shall issue a permit to the applicant; and

“(iii) the permit shall not be subject to judicial review.”.

(b) STATE PERMITTING PROGRAMS.—

(1) AUTHORITY OF EPA ADMINISTRATOR.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended by striking “(c)” and inserting the following:

“(c) AUTHORITY OF EPA ADMINISTRATOR. —

“(1) POSSIBLE PROHIBITION OF SPECIFICATION.—Until such time as the Secretary has issued a permit under this section, the Administrator is authorized to prohibit the specification (including the withdrawal of specification) of any defined area as a disposal site, and he is authorized to deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site, whenever he determines, after notice and opportunity for public hearings, that the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas. Before making such determination, the Administrator shall consult with the Secretary. The Administrator shall set forth in writing and make public his findings and his reasons for making any determination under this subsection.

“(2) AUTHORITY OF STATE PERMITTING PROGRAMS.—Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator’s determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).”.

(c) STATE PROGRAMS.—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking “for the discharge” and inserting “for some or all of the discharges”.

SEC. 3. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) NOTIFICATION.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State's Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

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

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term "covered action" means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term "more than a de minimis negative impact" means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than \$1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

SEC. 4. IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.

(a) IN GENERAL.—The Secretary of the Army and the Administrator of the Environmental Protection Agency may not—

(1) finalize, adopt, implement, administer, or enforce the proposed guidance described in the notice of availability and request for comments entitled "EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act" (EPA-HQ-OW-2011-0409) (76 Fed. Reg. 24479 (May 2, 2011)); and

(2) use the guidance described in paragraph (1), any successor document, or any substan-

tially similar guidance made publicly available on or after December 3, 2008, as the basis for any decision regarding the scope of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any rulemaking.

(b) RULES.—The use of the guidance described in subsection (a)(1), or any successor document or substantially similar guidance made publicly available on or after December 3, 2008, as the basis for any rule shall be grounds for vacating the rule.

SEC. 5. LIMITATIONS ON AUTHORITY TO MODIFY STATE WATER QUALITY STANDARDS.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking "(4)" and inserting "(4)(A)";

(3) by striking "The Administrator shall promulgate" and inserting the following:

"(B) The Administrator shall promulgate;" and

(4) by adding at the end the following:

"(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act."

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

"(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination."

SEC. 6. STATE AUTHORITY TO IDENTIFY WATERS WITHIN ITS BOUNDARIES.

Section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313) is amended by striking subsection (d)(2) and inserting the following:

"(2)(A) Each State shall submit to the Administrator from time to time, with the first such submission not later than 180 days after the date of publication of the first identification of pollutants under section 304(a)(2)(D), the waters identified and the loads established under paragraphs (1)(A), (1)(B), (1)(C), and (1)(D) of this subsection. The Administrator shall approve the State identification and load or announce his disagreement with the State identification and load not later than 30 days after the date of submission and if—

"(i) the Administrator approves the identification and load submitted by the State in accordance with this subsection, such State shall incorporate them into its current plan under subsection (e); and

"(ii) the Administrator announces his disagreement with the identification and load submitted by the State in accordance with this subsection he shall submit, not later than 30 days after the date that the Administrator announces his disagreement with the State's submission, to such State his written recommendation of those additional waters that he identifies and such loads for such waters as he believes are necessary to implement the water quality standards applicable to such waters.

"(B) Upon receipt of the Administrator's recommendation the State shall within 30 days either—

"(i) disregard the Administrator's recommendation in full and incorporate its own identification and load into its current plan under subsection (e);

"(ii) accept the Administrator's recommendation in full and incorporate its identification and load as amended by the Administrator's recommendation into its current plan under subsection (e); or

"(iii) accept the Administrator's recommendation in part, identifying certain additional waters and certain additional loads proposed by the Administrator to be added to such State's identification and load and incorporate the such State's identification and load as amended into its current plan under subsection (e).

"(C)(i) If the Administrator fails to either approve the State identification and load or announce his disagreement with the State identification and load within the time specified in this subsection then such State's identification and load is deemed approved and such State shall incorporate the identification and load that it submitted into its current plan under subsection (e).

"(ii) If the Administrator announces his disagreement with the State identification and load but fails to submit his written recommendation to the State within 30 days as required by subparagraph (A)(ii) then such State's identification and load is deemed approved and such State shall incorporate the identification and load that it submitted into its current plan under subsection (e).

"(D) This section shall apply to any decision made by the Administrator under this subsection issued on or after March 1, 2013."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 128—EXPRESSING THE SENSE OF THE SENATE THAT SUPPORTING SENIORS AND INDIVIDUALS WITH DISABILITIES IS AN IMPORTANT RESPONSIBILITY OF THE UNITED STATES, AND THAT A COMPREHENSIVE APPROACH TO EXPANDING AND SUPPORTING A STRONG HOME CARE WORKFORCE AND MAKING LONG-TERM SERVICES AND SUPPORTS AFFORDABLE AND ACCESSIBLE IN COMMUNITIES IS NECESSARY TO UPHOLD THE RIGHT OF SENIORS AND INDIVIDUALS WITH DISABILITIES IN THE UNITED STATES TO A DIGNIFIED QUALITY OF LIFE

Mr. HARKIN (for himself, Mrs. MURRAY, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 128

Whereas the aging of the baby boom generation will cause the number of individuals in the United States who are 65 years of age or older to increase from 40,000,000 to 70,000,000 during the next 2 decades;

Whereas 12,000,000 adults, nearly half of whom are under 65 years of age, need long-term services and supports due to functional limitations;

Whereas the decision of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999), mandates the end of unnecessary segregation of individuals with disabilities in institutions, and requires that individuals with disabilities receive services in the most integrated setting appropriate to their needs;

Whereas the vast majority of individuals in the United States prefer to receive long-term services and supports in their homes so that they may continue to live independently and with dignity;

Whereas the costs of long-term services and supports for seniors and individuals with disabilities are high;

Whereas the great expense of long-term services and supports can affect all individuals, regardless of income;

Whereas 70 percent of individuals who are 65 years of age or older will need some form of long-term services and supports;

Whereas the number of individuals who need long-term services and supports is projected to grow from 12,000,000 to 27,000,000 by 2050;

Whereas there are approximately 3,200,000 workers in the direct care workforce, leaving a huge gap between the services needed and the size of the current workforce;

Whereas the United States is experiencing a jobs crisis, as 25,000,000 individuals are unemployed or underemployed;

Whereas home care is one of the fastest growing industries in the United States economy, providing critical daily care, services, and supports to millions of individuals and families across the country;

Whereas an estimated 1,800,000 additional home care workers will be needed during the next decade to serve the growing population of seniors and individuals with disabilities;

Whereas the quality of home care jobs is poor, with low wages, few benefits, high turnover, and a high level of job stress and hazards;

Whereas home care and personal assistance workers earn a median hourly wage of \$9.53, and nearly half of such workers live in households that also rely on public assistance;

Whereas approximately 55 percent of home care workers work part-time, and approximately 44 percent of those part-time workers would prefer to work more hours;

Whereas nearly 21 percent of the individuals who provide home care services were born outside the United States;

Whereas a stabilized home care workforce would lead to improved continuity and quality of long-term services and supports;

Whereas the issue of long-term services and supports is a critical issue for women, as 70 percent of individuals who need such care are women 65 years of age or older, 90 percent of paid caregivers are women, and 85 percent of family members and friends who informally provide care are women who often have to leave the paid workforce to provide such care, and thus are at a financial disadvantage during their working years and face a reduction in Social Security benefits when they retire; and

Whereas a comprehensive approach that focuses on job creation and job quality, workforce training, pathways to citizenship and career advancement, and support for individuals and families is necessary to build a strong home care workforce and make quality long-term services and supports affordable and accessible for all individuals in the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that a comprehensive approach to expanding and supporting a strong home care workforce

and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

SENATE RESOLUTION 129—RECOGNIZING THE SIGNIFICANCE OF MAY 2013 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. HELLER, Mrs. BOXER, Mrs. MURRAY, Mr. WARNER, Mr. SCHATZ, Mr. BEGICH, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 129

Whereas the United States joins together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian-American and Pacific Islander community is an inherently diverse population comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian-American population grew faster than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, which is a growth rate 4 times faster than that of the total population of the United States;

Whereas the 2010 decennial census estimated that there are approximately 17,300,000 residents of the United States who identify as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up nearly 6 percent of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas 2013 marks 70 years since the repeal of the Act of May 5, 1892 (27 Stat. 25, chapter 60) (commonly known as the "Geary Act" or the "Chinese Exclusion Act"), and 25 years since the passage of the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) that granted reparations to Japanese Americans interned during World War II, both cases in which Congress acted to address discriminatory laws that targeted people of Asian descent;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas, in 2013, the Congressional Asian Pacific American Caucus, a bicameral cau-

cus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 40 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas, in 2013, Asian Americans and Pacific Islanders are serving in State legislatures across the United States in record numbers, including in the States of Alaska, Arizona, California, Connecticut, Colorado, Georgia, Hawaii, Idaho, Maryland, Massachusetts, New York, Pennsylvania, Texas, Utah, Vermont, Virginia, and Washington;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders more than doubled between 2009 and 2013, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high caliber Asian-American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian-American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 7, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider S. 783, the Helium Stewardship Act of 2013.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by email to danielle_deraney@energy.senate.gov.

For further information, please contact Vickie Gunderson at (202) 224-5479 or Danielle Deraney at (202) 224-1219.

JOINT COMMITTEE OF CONGRESS ON PRINTING

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on Printing will meet on Tuesday, May 7, 2013, at 10 a.m., in SC-

4 to conduct its organization meeting for the 113th Congress.

For further information regarding this hearing, please contact Matt McGowan at the Rules and Administration Committee on (202) 224-6352.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on the Library will meet on Tuesday, May 7, 2013, at 10 a.m., in SC-4 to conduct its organization meeting for the 113th Congress.

For further information regarding this hearing, please contact Matt McGowan at the Rules and Administration Committee on (202) 224-6352.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, the Committee on Small Business and Entrepreneurship will meet on May 8, 2013, at 10 am in room 106 of the Dirksen Senate Office building to hold a hearing entitled "Strengthening the Entrepreneurial Ecosystem for Minorities Women."

ORDERS FOR TUESDAY, MAY 7, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, May 7, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business the Senate proceed to executive session to consider Calendar No. 42, the Medine nomination, as provided under the previous order; and that the Senate then recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote on the Medine nomination at noon tomorrow. At 2:15 p.m., we will begin consideration of S. 601, the Water Resources Development Act. I have spoken to the two managers of that bill, Chairman BOXER and Ranking Member VITTER, and they are going to manage this bill to the best of their ability. They have experience, they know the issue, and people should be

ready to work with them to see if we can move this bill as fast as possible.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7 p.m., adjourned until Tuesday, May 7, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

COLIN STIRLING BRUCE, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS, VICE MICHAEL P. MCCUSKEY, RETIRING.
SARA LEE ELLIS, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE JOAN B. GOTTSCHALL, RETIRED.
ANDREA R. WOOD, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE WILLIAM J. HIBBLER, DECEASED.

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KATE E. ADDISON, OF VIRGINIA
EHSAN A. ALEAZIZ, OF WASHINGTON
MARVIN J. ALLRED, OF VIRGINIA
JOSEPH A. ANDERSON, OF VIRGINIA
GINA M. ANDREWS, OF TEXAS
CAROLINA J. ASTIGARRAGA, OF VIRGINIA
KRISTIAN T. BARNEY, OF VIRGINIA
CHRISTINE BELL, OF VIRGINIA
JOHN TODD BELMEAR, OF COLORADO
CHARLES M. BENNETT, OF FLORIDA
LADISLAV BERANEK, OF WASHINGTON
ARVIN BHATT, OF NEW YORK
RICHARD BINDRUP, OF NEVADA
KENDALL S. BLACKWELL, OF TEXAS
SARAH M. BOMAN, OF UTAH
EDWARD P. BOUCHER, OF VIRGINIA
MARK J. BOUCHIE, OF VIRGINIA
MEGHAN M. BREEN, OF VIRGINIA
CHEYENNE BROWN, OF VIRGINIA
KATE E. BURNS, OF VIRGINIA
VERONICA CASTRO, OF CALIFORNIA
ALTHEA CAWLEY-MURPHREE, OF WASHINGTON
ANDREW CHIRA, OF THE DISTRICT OF COLUMBIA
SARAH O. CHO, OF VIRGINIA
JAMES P. CHYNOWETH, OF FLORIDA
NICHOLAS CORNELL COHEN, OF INDIANA
ROBERT M. CORNEJO, OF VIRGINIA
MARIA B. CORREA, OF TEXAS
RACHAEL CULLINS, OF INDIANA
MONICA LYNN DAVIS, OF VIRGINIA
EDWARD P. DE MAYE, OF VIRGINIA
JONATHAN L. DECANIO, OF VIRGINIA
MATTHEW P. DORR, OF VIRGINIA
GARY W. DUNCAN, OF VIRGINIA
HADY ELNEIL, OF CALIFORNIA
JESSICA A. FELDMAN, OF VIRGINIA
ROSS FELDMANN, OF THE DISTRICT OF COLUMBIA
RYAN E. FLORY, OF THE DISTRICT OF COLUMBIA
WILBUR C. FREDERICK, OF VIRGINIA
LAURA L. FREEMAN, OF VIRGINIA
JOSEPH GAI, OF VIRGINIA
ELIZABETH G. GAY, OF VIRGINIA
GREG GERARDI, OF VIRGINIA
ANTHONY GIARRIZZI, OF VIRGINIA
MARSHA GOLDING, OF VIRGINIA
CHRISTOPHER DANIEL GOOCH, OF UTAH
LYLE SCOTT GOODE, OF CALIFORNIA
GARRY E. GRABINS, OF ILLINOIS
SHAI E. GRUBER, OF THE DISTRICT OF COLUMBIA
MARK R. GUCWA, OF VIRGINIA
WILLIAM K. HAMBLIN, OF VIRGINIA
YOUNG MOK HAN, OF CALIFORNIA
TIMOTHY J. HANKO, OF VIRGINIA
RYAN MATTHEW HANLON, OF SOUTH DAKOTA
MAXWELL STEINBACH HARRINGTON, OF VIRGINIA
PATRICK BENNETT HARRINGTON, OF CALIFORNIA
CYNTHIA J. HARTMAN, OF VIRGINIA
JANET A. HEG, OF WASHINGTON
MICHELE L. HILTZ, OF VIRGINIA
CHADWICK HOUGHTON, OF THE DISTRICT OF COLUMBIA
SPENCER J. HUBBARD, OF VIRGINIA
JONATHAN JANKORD, OF VIRGINIA
TRAVIS WILLIAM JONES, OF MARYLAND
SETAREH S. JORGENSEN, OF MARYLAND
MARY F. KEFFER, OF VIRGINIA
DEBORAH ANN KERSHNER, OF COLORADO
CHRIS J. KUCHARSKI, OF CALIFORNIA

PATRICK A. LAUGHLIN, OF VIRGINIA
WINSTON LE, OF THE DISTRICT OF COLUMBIA
JENNIFER CARMEN LEE, OF VIRGINIA
JOHN F. LESO, OF THE DISTRICT OF COLUMBIA
EMILY A. LEVASSEUR, OF NEW HAMPSHIRE
STACI K. MACCORKLE, OF OREGON
RICHARD L. MAHY, OF MARYLAND
SAID MAQSODI, OF VIRGINIA
KARON E. MASON, OF VIRGINIA
CHRISTOPHER MCKINNEY, OF TEXAS
JOHN J. MCLOONE III, OF VIRGINIA
DARREN MCMAHON, OF VIRGINIA
JAMES ROBB MCMILLAN, OF VIRGINIA
DAVID E. MERRELL, OF WASHINGTON
CARRIE A. MIRSHAK, OF OHIO
KAREN M. MONTAUDON, OF OREGON
MICHAEL C. MOORE, OF THE DISTRICT OF COLUMBIA
MARIA MORENO, OF CALIFORNIA
DEDRIC J. MORTELMANS, OF VIRGINIA
BRIAN D. MOUZON, OF VIRGINIA
ELISA M. MURPHY, OF VIRGINIA
JENNIFER K. NAMES, OF VIRGINIA
MAXXWELL DAVID NANSON, OF VIRGINIA
ANDREW NISSEN, OF VIRGINIA
ADAM B. NORTON, OF VIRGINIA
EVELYN A. OKOTH, OF MARYLAND
ANDREW JOHN OSORNO, OF CALIFORNIA
JEREMY N. PACE, OF LOUISIANA
SETH PEAVERY, OF NORTH CAROLINA
CHRISTOPHER H. PULL, OF VIRGINIA
CYNTHIA L. RAPP, OF VIRGINIA
SAMANTHA A. RINGMACHER, OF TEXAS
DAVID ROBBIE, OF COLORADO
JAMES M. ROBINSON, OF WASHINGTON
DAVID A. RONDON, OF VIRGINIA
JEFFREY PAUL SAKURAI, OF CALIFORNIA
NISSA SALOMON, OF THE DISTRICT OF COLUMBIA
JOCELYN M. SMITH, OF VIRGINIA
SEAN Z. SMITH, OF MARYLAND
INGRID SPECHT, OF THE DISTRICT OF COLUMBIA
RICKY D. STROH, OF NORTH CAROLINA
ANNE C. STURTEVANT, OF THE DISTRICT OF COLUMBIA
LIAM O. TOOMEY, OF VIRGINIA
VALERIE M. VASS, OF VERMONT
CONOR M. WALSH, OF VIRGINIA
JESSE WALTER, OF WISCONSIN
MOLLY M. WEAVER, OF VIRGINIA
CHRISTINA C. WEST, OF TEXAS
LINDSEY S. WHITE, OF VIRGINIA
AMY M. WISER, OF VIRGINIA
MICHELE D. WOONACOTT, OF CALIFORNIA
MICHAEL B. WYATT, OF VIRGINIA
JOSEPH H. ZAMOYTA, OF MARYLAND
WILLIAM F. ZEMAN, OF CONNECTICUT

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ROBERT C. BOLTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 9335:

To be brigadier general

COL. ANDREW P. ARMACOST

IN THE ARMY

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

To be lieutenant general

MAJ. GEN. RAYMOND A. THOMAS III

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

To be lieutenant general

LT. GEN. WILLIAM T. GRISOLI

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

To be lieutenant general

MAJ. GEN. JOSEPH ANDERSON

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

To be brigadier general

COL. JOHN M. CHO

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

To be brigadier general

COL. BRIAN E. ALVIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203:

To be major general

BRIGADIER GENERAL WILLIAM F. DUFFY
 BRIGADIER GENERAL RONALD E. DZIEDZICKI
 BRIGADIER GENERAL MARK T. MCQUEEN
 BRIGADIER GENERAL LUCAS N. POLAKOWSKI
 BRIGADIER GENERAL RICKY L. WADDELL

To be brigadier general

COLONEL STEVEN W. AINSWORTH
 COLONEL RONALD A. BASSFORD
 COLONEL JOSE R. BURGOS
 COLONEL JOHN E. CARDWELL
 COLONEL DANIEL J. CHRISTIAN
 COLONEL JOHN J. ELAM
 COLONEL BRUCE E. HACKETT
 COLONEL JOSEPH J. HECK
 COLONEL THOMAS J. KALLMAN
 COLONEL WILLIAM B. MASON
 COLONEL KENNETH H. MOORE
 COLONEL THOMAS T. MURRAY
 COLONEL MICHAEL C. O'GUINN
 COLONEL MIYAKO N. SCHANELY

IN THE MARINE CORPS

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

To be lieutenant general

MAJ. GEN. ROBERT R. RUARK

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

To be lieutenant general

MAJ. GEN. GLENN M. WALTERS

IN THE NAVY

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

To be vice admiral

REAR ADM. TED N. BRANCH

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

To be vice admiral

REAR ADM. SEAN A. PYBUS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

STEPHEN J. LEPP

To be lieutenant commander

ROBERT G. HOLMES
 JOHN C. RUDD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

SARAH E. NILES

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

To be lieutenant commander

RICHARD DIAZ

WITHDRAWAL

Executive message transmitted by the President to the Senate on May 6, 2013 withdrawing from further Senate consideration the following nomination:

NAVY NOMINATION OF JEROME R. PILEWSKI, TO BE COMMANDER, WHICH WAS SENT TO THE SENATE ON MARCH 19, 2013.

HOUSE OF REPRESENTATIVES—Monday, May 6, 2013

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 6, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

BANGLADESH

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

Mr. GEORGE MILLER of California. Mr. Speaker, over the past several years, more than a thousand workers have died from working in Bangladesh's garment industry.

In the latest tragedy, an eight-story building called Rana Plaza collapsed. It housed five garment factories. It has killed more than 650 workers so far, injured more than a thousand, with still more buried in the rubble. This staggering body count occurred just 5 months after the Tazreen factory fire that killed at least 112 workers. Forty more incidents, including explosions and fires, causing death and injury, have taken place since the Tazreen factory fire.

I met with one of the Tazreen survivors when she visited Washington last month. She described the outrageous working conditions leading up to the fire. She toiled in a factory with bars on the windows and no place to run if a fire broke out. She told me how she jumped from the third floor of the

burning factory to save her body from the fire so her family could recognize her in case of her death, and many of her coworkers jumped with her, but did not survive the fall. During our meeting, it became clear that it was only a matter of time before the next Tazreen would take place.

Two weeks later, Rana Plaza collapsed.

Unfortunately, these tragedies in Bangladesh are not isolated, and more of these tragedies, undoubtedly, will occur unless the major international corporations that keep these dangerous factories open decide to change their business practices. Clearly, there is a greater role for the U.S. and other governments to play, including the Bangladesh Government. However, the primary burden for action now lies with the major brands and retailers.

Let's remember what is at stake here: the lives of thousands of young women and mothers trying to scrape together an existence by working 12-hour shifts for pennies a garment.

They produce clothing under contract with corporations we all know well: Walmart, J. C. Penney, Mango, Benetton, H&M, The Children's Place, GAP, and Dress Barn, among others. The clothes these women sew in Bangladesh we buy here in America. Unfortunately, these young women are caught working in a garment industry that pits supplier against supplier and country against country in a calculated race to the bottom.

Often, the margin for these corporations is subsistence wages and the needless disregard for the safety of these young women. That is the subsidy they receive—low wages and unsafe working conditions for the workers who produce these garments. Four million Bangladeshi workers in 5,000 factories provide clothing to Americans and to European brands while earning one of the lowest minimum wages in the world—about \$37 a month. But they shouldn't have to risk their lives for the fashion industry's profits.

These young women are forced to work in factories with overtaxed electrical circuits, unenforced building codes, and premises without fire-fighting equipment and adequate exits, and in most cases, the exits are chained closed. Americans who are the consumers of these products are increasingly worried that the label "Made in Bangladesh" actually means "made in a death trap."

Why are the managers of these factories forcing these employees to work

in these deplorable conditions? Because of fear—fear that the international brands and the retailers, which we know so well, will take their orders elsewhere because of a missed day of production, a late delivery, or a minuscule increase in production costs. The brands know this. That's why I believe they bear the ultimate responsibility for the horrendously unsafe working conditions in Bangladesh and elsewhere.

Corporate leaders in the fashion industry have a moral imperative to ensure that these tragedies do not happen again. These retailers and brands need to sign on to an enforceable agreement that will improve safety, called the Bangladesh Fire and Building Safety Agreement. It was developed by the Bangladeshi trade unions and non-governmental organizations to prevent these types of disasters from occurring by addressing the most urgent elements:

One, public reporting of all fire and building audits conducted by independent safety experts;

Two, mandates that factory owners make timely repairs;

Three, an obligation for the brands to terminate a contract if a factory defies its responsibility to keep workers safe;

Four, the right for workers to refuse unsafe work without retribution—to be able to refuse work without being fired, being penalized—and union access to factories, among other labor protections, so they can see for themselves what are the working conditions on any given day.

To make this work, these commitments must be contained in an enforceable contract between the brands and worker representatives because it is the workers' lives that are on the line. The holding companies of Calvin Klein, Tommy Hilfiger, Van Heusen, and IZOD have signed on to this agreement already, and a major German retailer has signed on as well. Others are now meeting in Europe to discuss its provisions.

I applaud these efforts toward corporate responsibility. It is now time for the major U.S. corporations, like GAP, Walmart, and J. C. Penney, to join them, but we must also take note and call out any attempt to water down the key provisions of this agreement. Experts believe that this safety agreement will only cost a dime per garment over 5 years in order to make a real difference in the safety of these factories—a dime for the lives of these workers.

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

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

The major global brands now face a choice. They can attempt to wait out the storm and go back to business as usual and continue their race to the bottom, or they can chart a different course that includes healthy profits, without a human death toll, by signing on to an enforceable safety agreement.

I hope these American and international fashion brands sign on. In the meantime, the American consumer and those who follow the fashion industry are watching. We want to see which fashion brands will accept blood on their labels and which will not.

COMMUNICATION FROM DIRECTOR OF CONSTITUENT SERVICES, THE HONORABLE ROBERT ADERHOLT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jennifer Butler-Taylor, Director of Constituent Services, the Honorable ROBERT ADERHOLT, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Circuit Court for Cullman County, Alabama, for documents a civil case to which I am not a party.

After consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JENNIFER BUTLER-TAYLOR,
Director of Constituent Services,
U.S. Representative Robert Aderholt (AL-04).

RECESS

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

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, O God, for giving us another day.

We ask Your blessing upon this assembly and upon all to whom this authority of government is given. Help them to meet their responsibilities during these days, to attend to the im-

mediate needs and concerns of the moment, enlightened by Your eternal Spirit.

The issues of the coming months remain complicated and divisive. Endow each Member with wisdom and equanimity, that productive solutions might be reached for the benefit of our Nation.

Please send Your Spirit of peace upon those areas of our world where violence and conflict endure and threaten to multiply. May all Your children learn to live in peace.

And may all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

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

SAVANNAH RIVER SITE REPROGRAMMING SUCCESSFUL

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

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, I was grateful to conduct a town hall in Aiken, South Carolina, where I listened to hundreds of constituents who are very concerned about the reprogramming request at the Savannah River site. Fortunately, over the weekend, the President's Office of Management and Budget sent the request to both Houses of Congress for approval.

This is a crucial step to end the 20 percent pay cut for 2,600 employees of Savannah River Nuclear Solutions. I appreciate the town hall participants: President Terra Carroll of the North Augusta Chamber of Commerce; Chairman Ronnie Young of the Aiken County Council; Aiken City Council members, Philip Merry and Dick Dewar; State Senator Tom Young, Jr.; President David Jameson of the Greater Aiken Chamber of Commerce; Vice Chancellor Joe Sobieralski of USC-Aiken; DHEC facilities liaison, Shelly Wilson; USC-Aiken student, Hannah McClure. And dedicated congressional

staff Ted Felder, Sara Beaulieu, and Baker Elmore were instrumental for success.

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

WORKING FAMILIES FLEXIBILITY ACT

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

Ms. FOXX. Mr. Speaker, for nearly 30 years, government employees have had the option to choose paid time off or comp time in lieu of overtime pay. Private sector employees, however, haven't had that choice because Washington and an old 1938 labor law won't let them.

That isn't fair. When life happens in the form of school plays, Little League games, or family members becoming sick, time and flexibility are essential to working parents and grandparents. Money doesn't buy time. It would certainly help if every worker had the choice to receive comp time when they put in extra hours.

Government shouldn't be standing in the way. There are a lot of moms and a few grandmas in the Republican Conference, and we want a solution for American families. That solution is the Working Families Flexibility Act. Our legislation will ensure all workers, whether public or private, benefit from the flexibility of choices in overtime compensation.

THE REMARKABLE RESILIENCE OF THE CITIZENS OF WEST, TEXAS

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

Mr. BURGESS. Mr. Speaker, this past Friday, I visited the town of West, Texas, to see for myself how the investigation of the fertilizer plant explosion is proceeding. The town has suffered incredible losses, but I was impressed by the resilience of the people in West, and it is remarkable how the community has come together after that tragedy.

It is at the very beginning stages of collecting the facts and findings into how these events transpired. I have been working closely with the staff on the Energy and Commerce Committee who are looking into the voluminous material on the matter and will continue to oversee the Federal Government's response to this tragedy as the investigation unfolds.

I wanted to personally thank Assistant State Fire Marshal Kelly Kistner; the ATF agents who handled the Federal investigation; the FEMA coordinating officer, Kevin Hannes; and the district director for Congressman BILL FLORES, Timothy Head. I want to

thank each of them for their service to our country and to the community of West. God bless our State.

IMMIGRATION BILL OPPOSED

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

Mr. SMITH of Texas. Mr. Speaker, National Review and The Heritage Foundation both oppose the Senate immigration bill for many good reasons.

There is no deadline for secure borders, yet millions of illegal immigrants would be given amnesty 6 months after the bill is enacted. This would only encourage more illegal immigration.

The Senate immigration bill would double the already record 1 million legal immigrants admitted every year. Most Americans oppose this and instead want to make sure that current immigrants are assimilated.

The bill puts foreign workers ahead of the interests of American workers and the economic needs of our country.

Mr. Speaker, it is inconceivable that an immigration bill with these huge flaws would be approved.

READ THE BILLS ACT

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

Mr. BENTIVOLIO. Mr. Speaker, I rise today to introduce the Read the Bills Act to provide transparency and accountability from all of us to our constituents.

Read the Bills would provide that Members of Congress and the public have 1 week to review any bill and proposed amendments before voting on passage. It requires legislation be passed by rollcall, and it makes legislation easier to read by requiring that we show, in context, how bills would affect existing law.

It is a basic moral question that a Member of Congress should only vote to pass legislation having read and understood it. Every law affects how the American people live: who prospers and who suffers, who receives help and who is hurt, who is regulated and who benefits. We cannot pass laws without knowing what they do.

No legislation should be passed under cover of procedure. It is our duty to be transparent to our constituents, and I hope Members on both sides of the aisle will agree that this is an important step to rebuilding the trust between the American people and Congress.

RECESS

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

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1707

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 5 o'clock and 7 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

VIETNAM VETERANS DONOR ACKNOWLEDGMENT ACT OF 2013

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 588) to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 588

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vietnam Veterans Donor Acknowledgment Act of 2013".

SEC. 2. DONOR CONTRIBUTION ACKNOWLEDGMENTS AT THE VIETNAM VETERANS MEMORIAL VISITOR CENTER.

Section 6(b) of Public Law 96-297 (16 U.S.C. 431 note) is amended—

(1) in paragraph (4) by striking the "and" after the semicolon;

(2) in paragraph (5) by striking the period and inserting "; and"; and

(3) by inserting at the end the following new paragraph:

"(6) notwithstanding section 8905(b)(7) of title 40, United States Code—

"(A) the Secretary of the Interior shall allow the Vietnam Veterans Memorial Fund, Inc. to acknowledge donor contributions to the visitor center by displaying, inside the visitor center, an appropriate statement or credit acknowledging the contribution;

"(B) donor contribution acknowledgments shall be displayed in a form approved by the Secretary of the Interior and for a period of time commensurate with the level of the contribution and the life of the facility;

"(C) the Vietnam Veterans Memorial Fund shall bear all expenses related to the display of donor acknowledgments;

"(D) prior to the display of donor acknowledgments, the Vietnam Veterans Memorial Fund, Inc. shall submit to the Secretary for approval, its plan for displaying donor acknowledgments;

"(E) such plan shall include the sample text and types of the acknowledgments or

credits to be displayed and the form and location of all displays;

"(F) the Secretary shall approve the plan, if the Secretary determines that the plan—

"(i) allows only short, discrete, and unobtrusive acknowledgments or credits;

"(ii) does not permit any advertising slogans or company logos; and

"(iii) conforms to applicable National Park Service guidelines for indoor donor recognition; and

"(G) if the Secretary of the Interior determines that the proposed plan submitted under this paragraph, does not meet the requirements of this paragraph, the Secretary shall—

"(i) advise the Vietnam Veterans Memorial Fund, Inc. not later than 30 days after receipt of the proposed plan of the reasons that such plan does not meet the requirements; and

"(ii) allow the Vietnam Veterans Memorial Fund, Inc. to submit a revised donor recognition plan."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, last year, Jan Scruggs, president of the Vietnam Veterans Memorial Fund, came to my office and told me about an absurd fund-raising problem he had. He told me that in order to build a much-needed education center at the Vietnam Wall, he had to raise nearly \$100 million of private money. Normally, this would not be a big problem; however, in this case, VVMF had to raise all of this \$100 million without the ability to recognize their donors because current law did not allow donor recognition.

Mr. Speaker, I think we can agree that it is ridiculous to force any organization to fund-raise without the ability to recognize donors. How are we supposed to raise any money? Even the National Park Service understands the importance of donor recognition. I personally have seen hundreds of benches in national parks all across this country that have little metal plaques on them thanking people for their generous donations.

In spite of current law and this donor recognition handicap, VVMF has raised over 25 percent of the nearly \$100 million needed to build this education center. My bill, H.R. 588, will give them the extra pulling power they need to quickly complete their fund-raising

and finally cross the \$100 million finish line.

Overall, my bill is very straightforward. It merely provides VVMF the ability to recognize their donors. This recognition will lead to larger donations, a faster fund-raising pace, and quick and timely construction of the education center. It will also make the act of giving more personal and more rewarding. Put simply, every donor deserves a "thank you," and my bill will finally allow VVMF to give the "thank you" their donors so rightly deserve.

□ 1710

Also, in order to ensure that appropriate standards for donor recognition were met, I made sure that H.R. 588 dovetailed exactly with existing Parks Service guidelines. This regulatory overlap ensures that any donor recognition will be discreet, unobtrusive, and will not contain any advertising or company logos.

Mr. Speaker, H.R. 588 is supported by numerous veterans' organizations, including the VFW, the American Gold Star Mothers, the Iraq and Afghanistan Veterans of America, and the Military Order of the Purple Heart, among many others. I urge my colleagues to support the quick passage this bill.

I reserve the balance of my time.

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

Mr. Speaker, I want to thank Congressman YOUNG for his work on this legislation, and I am very proud to be a cosponsor.

H.R. 588 allows the Vietnam Veterans Memorial Fund to acknowledge donor contributions to the Vietnam Veterans Memorial Visitor Center. The Memorial Fund has raised \$45 million in private funds and anticipates the cost of the center to be approximately \$85 million. This legislation is specific to the Vietnam Veterans Memorial Visitor Center and deserves immediate attention.

I am hopeful that subcommittee Chairman BISHOP and I might explore whether a broader amendment to the Commemorative Works Act, setting standards for donor acknowledgment for all memorials covered under the act, makes sense, but that project should not slow down this legislation.

Again, I thank Congressman YOUNG for his leadership, the leadership of the foundation, and others who have worked very hard on this issue for the past 2 years.

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

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

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H.R. 588, the Vietnam Veterans Donor Acknowledgment Act of 2013. This legislation will permit the Vietnam Veterans Memorial Fund to display and recognize donor contributions at the Vietnam Veterans Memorial Visitor Center. Other memorials located on

the National Mall, including the MLK Memorial and FDR Memorial, include engraved walls of donors. By allowing recognition of major donors at the Visitor Center, this will allow the Vietnam Veterans Memorial Fund to reach its goal of raising \$95 million in private funds to complete construction of the Education Center at the Wall.

It is in our national interest to make sure there is a place to properly honor the fallen and pay the proper respects to all Americans who so proudly display the values of honor, service and duty by wearing our country's uniform. The Education Center at The Wall will be just that place. Passing this legislation will help fulfill our responsibility to ensure that future generations understand the tremendous sacrifices made by those who have answered the nation's call to duty for more than 200 years, as well as the living legacy of service carried forward by today's military.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 588.

The question was taken.

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

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

The yeas and nays were ordered.

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

BLACK HILLS CEMETERY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 291) to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 291

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Black Hills Cemetery Act".

SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LOCATED IN BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) CEMETERY CONVEYANCES REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the local communities in South Dakota that are currently managing and maintaining certain community cemeteries (as specified in subsection (b)) all right, title, and interest of the United States in and to—

(1) the parcels of National Forest System land containing such cemeteries; and

(2) up to an additional two acres adjoining each cemetery in order to ensure the conveyances include unmarked gravesites and allow for expansion of the cemeteries.

(b) PROPERTY AND RECIPIENTS.—The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:

(1) The Silver City Cemetery to the Silver City Volunteer Fire Department.

(2) The Hayward Cemetery to the Hayward Volunteer Fire Department.

(3) The encumbered land adjacent to the Englewood Cemetery (encompassing the cemetery entrance portal, access road, fences, 2,500 gallon reservoir and building housing such reservoir, and piping to provide sprinkling system to the cemetery) to the City of Lead.

(4) The land adjacent to the Mountain Meadow Cemetery to the Mountain Meadow Cemetery Association.

(5) The Roubaix Cemetery to the Roubaix Cemetery Association.

(6) The Nemo Cemetery to the Nemo Cemetery Association.

(7) The Galena Cemetery to the Galena Historical Society.

(8) The Rockerville Cemetery to the Rockerville Community Club.

(9) The Cold Springs Cemetery (including adjacent school yard and log building) to the Cold Springs Historical Society.

(c) CONDITION OF CONVEYANCE.—Each conveyance under subsection (a) shall be subject to the condition that the recipient accept the conveyed real property in its condition at the time of the conveyance.

(d) USE OF LAND CONVEYED.—The lands conveyed under subsection (a) shall continue to be used in the same manner and for the same purposes as they were immediately prior to their conveyance under this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey for a particular parcel shall be borne by the recipient of such parcel.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as she may consume to the gentlewoman from South Dakota (Mrs. NOEM), the author of the bill, to explain the bill.

Mrs. NOEM. Mr. Speaker, I thank the chairman for his work on these important issues. I appreciate it.

Today I rise in support of H.R. 291, the Black Hills Cemetery Act. This bill is of great importance to the communities of the Black Hills area of South Dakota. The Black Hills of South Dakota are home to a number of historic

cemeteries. Many of these originated in old mining towns dating back to the 1800s, and they have unique significance to the communities surrounding them. These include the Englewood, Galena, Hayward, Mountain Meadows, Roubaix, Nemo, Rockerville, Silver City, and the Cold Springs cemeteries.

These cemeteries are currently being managed by local cemetery associations and community groups in the surrounding areas, but have been technically owned by the U.S. Forest Service since the 1900s. This causes unnecessary liability for the U.S. Forest Service because of the responsibility for upkeep and dealing with possible vandalism or damage to property in these cemeteries.

At almost no cost to taxpayers, the Black Hills Cemetery Act would simply transfer ownership of these cemeteries and up to 2 acres of adjacent land to the caretaking communities. They have managed them for generations under special use permits issued by the Forest Service. It also makes clear that these cemeteries will continue to be used for the same purpose as they always have been in the past.

I sponsored this bill at the request of these communities and the current caretakers of the cemeteries, and in consultation with the U.S. Forest Service. In fact, this bill was introduced and passed last year by the House with broad, bipartisan support. I look forward to seeing this bill pass again this year, and pass through the Senate this time so we can resolve this matter for the communities in South Dakota.

I would like to thank the communities and local residents for their help in working with my office and for advocating for this bill. I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for pushing this bill forward for the second time. These communities have been asking for a solution to this situation for a number of years, and as their Representative, I'm glad that we have the opportunity to pass this bill again in the House today.

I want to thank Chairman YOUNG for his leadership as well, and I urge my colleagues to support and pass this bill for these communities in South Dakota.

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

H.R. 291 conveys cemeteries, currently on Forest Service lands, to communities in South Dakota. These local communities already manage and maintain these cemeteries and the legislation requires that these lands continue to be used for cemetery purposes. We have no objections to the legislation.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further speakers.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 291.

The question was taken.

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

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

The yeas and nays were ordered.

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

PASCUA YAQUI TRIBE TRUST
LAND ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 507) to provide for the conveyance of certain inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 507

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pascua Yaqui Tribe Trust Land Act".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) DISTRICT.—The term "District" means the Tucson Unified School District, a school district recognized as such under the laws of the State of Arizona.

(2) MAP.—The term "map" means the map titled "PYT Land Department" and dated January 15, 2013.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) TRIBE.—The term "Tribe" means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

SEC. 3. LANDS TO BE HELD IN TRUST.

(a) PARCEL A.—Subject to subsection (c) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel A are declared to be held in trust by the United States for the benefit of the Tribe.

(b) PARCEL B.—Subject to subsection (c) and valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel B are declared to be held in trust by the United States for the benefit of the Tribe.

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the day after the date on which—

(1) the District relinquishes all right, title, and interest of the District in and to the land described in subsection (b); and

(2) the Secretary (or a delegate of the Secretary) approves and records the lease agreement between the Tribe and the District for the construction and operation of a regional transportation facility located on the re-

stricted Indian land of the Tribe in accordance with the requirements of the first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U.S.C. 415), and part 162 of title 25, Code of Federal Regulations (including successor regulations).

SEC. 4. GAMING PROHIBITION.

The Tribe may not conduct gaming activities on the lands held in trust under this Act, as a matter of claimed inherent authority, or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 5. WATER RIGHTS.

(a) IN GENERAL.—There shall not be Federal reserved rights to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(b) STATE WATER RIGHTS.—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(c) FORFEITURE OR ABANDONMENT.—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this Act may not be forfeited or abandoned.

(d) ADMINISTRATION.—Nothing in this Act affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95-375 (25 U.S.C. 1300f et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 507 directs the Secretary of the Interior to take two 10-acre parcels into trust for a tribe in Arizona. These two parcels are both completely surrounded by either the tribe's reservation or by fee lands owned by the tribe. Before the parcels can be taken into trust, however, the Tucson Unified School District will first need to relinquish its possessory interest in one parcel. The school district no longer needs the land, which it had previously received under the Recreation and Public Purposes Act.

The Secretary of the Interior will also need to approve a lease agreement

between the tribe and the school district for the construction and operation of a regional transportation facility on the tribe's land.

Both parcels would be utilized as part of a golf course that is currently under construction. Neither parcel is necessary for the construction of the golf course, but if the tribe does not acquire and use these parcels, they will be orphaned and of relatively no use to either the tribe or to the United States.

As has become customary when taking land into trust, the bill includes language that prohibits any gaming on the two parcels to be taken into trust.

Finally, I would like to commend the gentleman from Arizona for his bill, and I urge its adoption.

I reserve the balance of my time.

□ 1720

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

H.R. 507 is an important piece of legislation that will enable the Pascua Yaqui Tribe in my district in Arizona to consolidate its landholdings and remove two isolated, undeveloped parcels of land from the Bureau of Land Management responsibility.

The two 10-acre parcels are islands of "trapped" Federal land surrounded by Pascua Yaqui land on all sides. The tribe is developing a golf course in this area, and conveying these two parcels to the tribe will make managing the land easier for the tribe and the Federal Government.

Without this legislation, the tribe would have to design around the parcels, slowing down the project, weakening economic development that will benefit the entire Yaqui community. Passage of this bill will further the Federal Government's responsibility to enhance tribal trust resources.

I want to thank my colleagues and the leadership within the Natural Resources Committee for making this bill a priority for passage this session. I urge my colleagues to support H.R. 507, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 507.

The question was taken.

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

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

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

Accordingly (at 5 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 588, H.R. 291, and H.R. 507, in each case by the yeas and nays.

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

VIETNAM VETERANS DONOR ACKNOWLEDGMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 588) to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—yeas 398, nays 2, not voting 32, as follows:

[Roll No. 129]

YEAS—398

Aderholt	Brady (PA)	Castor (FL)	Crowley	Jackson Lee	Pallone
Alexander	Brady (TX)	Castro (TX)	Cuellar	Jeffries	Pascrell
Amodei	Braley (IA)	Chabot	Culberson	Jenkins	Pastor (AZ)
Andrews	Bridenstine	Chaffetz	Cummings	Johnson (GA)	Paulsen
Bachus	Brooks (AL)	Chu	Daines	Johnson (OH)	Payne
Barber	Brooks (IN)	Clarke	Davis (CA)	Johnson, E. B.	Pearce
Barletta	Brown (GA)	Clay	Davis, Danny	Johnson, Sam	Pelosi
Barr	Brown (FL)	Cleaver	Davis, Rodney	Jones	Perlmutter
Barrow (GA)	Brownley (CA)	Clyburn	DeFazio	Joyce	Perry
Barton	Buchanan	Coble	DeGette	Kaptur	Peters (CA)
Bass	Buchson	Coffman	DeLaney	Keating	Peterson
Beatty	Burgess	Cohen	DeLauro	Kelly (IL)	Petri
Becerra	Bustos	Cole	DelBene	Kelly (PA)	Pingree (ME)
Benishkek	Butterfield	Collins (GA)	Denham	Kennedy	Pittenger
Bentivolio	Calvert	Collins (NY)	Dent	Kildee	Pitts
Bera (CA)	Camp	Conaway	DeSantis	Kilmer	Pocan
Bilirakis	Campbell	Connolly	DesJarlais	Kind	Poe (TX)
Bishop (GA)	Cantor	Conyers	Diaz-Balart	King (IA)	Polis
Bishop (NY)	Capito	Cook	Dingell	King (NY)	Pompeo
Bishop (UT)	Capps	Cooper	Doggett	Kingston	Posey
Black	Capuano	Costa	Doyle	Kinzinger (IL)	Price (GA)
Blackburn	Cárdenas	Cotton	Duckworth	Kirkpatrick	Price (NC)
Blumenauer	Carney	Courtney	Duffy	Kline	Quigley
Bonamici	Carson (IN)	Cramer	Duncan (SC)	Labrador	Radel
Bonner	Cartwright	Crawford	Duncan (TN)	LaMalfa	Rahall
Boustany	Cassidy	Crenshaw	Edwards	Lamborn	Rangel
			Ellmers	Lance	Reed
			Engel	Langevin	Reichert
			Enyart	Lankford	Renacci
			Eshoo	Larsen (WA)	Ribble
			Esty	Larson (CT)	Rice (SC)
			Farenthold	Latham	Rigell
			Farr	Latta	Roby
			Fincher	Levin	Roe (TN)
			Fitzpatrick	Lewis	Rogers (AL)
			Fleischmann	Lipinski	Rogers (MI)
			Fleming	LoBiondo	Rokita
			Flores	Loeb sack	Rooney
			Forbes	Lofgren	Ros-Lehtinen
			Fortenberry	Long	Roskam
			Foster	Lowenthal	Ross
			Fox	Lowey	Rothfus
			Frankel (FL)	Lucas	Roybal-Allard
			Franks (AZ)	Luetkemeyer	Royce
			Frelinghuysen	Lujan Grisham	Ruiz
			Fudge	(NM)	Runyan
			Gabbard	Lujan, Ben Ray	Ruppersberger
			Galleo	(NM)	Rush
			Garamendi	Lummis	Ryan (OH)
			Garcia	Maffei	Ryan (WI)
			Gardner	Maloney, Sean	Salmon
			Garrett	Marchant	Sánchez, Linda
			Gibbs	Marino	T.
			Gibson	Massie	Sanchez, Loretta
			Gohmert	Matheson	Sarbanes
			Goodlatte	Matsui	Scalise
			Gosar	McCarthy (CA)	Schakowsky
			Gowdy	McCarthy (NY)	Schiff
			Granger	McCaul	Schneider
			Graves (GA)	McClintock	Schock
			Grayson	McCollum	Schrader
			Green, Al	McDermott	Schwartz
			Green, Gene	McGovern	Schweikert
			Griffin (AR)	McHenry	Scott (VA)
			Griffith (VA)	McIntyre	Scott, Austin
			Grijalva	McKinley	Scott, David
			Grimm	McMorris	Sensenbrenner
			Guthrie	Rodgers	Serrano
			Hahn	McNerney	Sessions
			Hall	Meadows	Sewell (AL)
			Hanabusa	Meehan	Shea-Porter
			Hanna	Meeke	Sherman
			Harper	Meng	Shimkus
			Harris	Messer	Shuster
			Hartzler	Mica	Simpson
			Hastings (WA)	Michaud	Sinema
			Heck (NV)	Miller (FL)	Sires
			Heck (WA)	Miller (MI)	Slaughter
			Hensarling	Miller, Gary	Smith (NE)
			Higgins	Miller, George	Smith (NJ)
			Himes	Moore	Smith (TX)
			Hinojosa	Mullin	Smith (WA)
			Holding	Murphy (FL)	Southerland
			Holt	Murphy (PA)	Stewart
			Honda	Napolitano	Stivers
			Horsford	Neal	Stockman
			Hoyer	Negrete McLeod	Stutzman
			Hudson	Neugebauer	Swalwell (CA)
			Huelskamp	Noem	Takano
			Huffman	Nolan	Terry
			Huizenga (MI)	Nugent	Thompson (CA)
			Hultgren	Nunes	Thompson (MS)
			Hunter	O'Rourke	Thompson (PA)
			Hurt	Olson	Thornberry
			Israel	Owens	Tierney
			Issa	Palazzo	Tipton

Titus	Walden	Wilson (FL)	Chaffetz	Hartzler	Miller (MI)	Smith (WA)	Turner	Webster (FL)
Tonko	Walz	Wilson (SC)	Chu	Hastings (WA)	Miller, Gary	Southerland	Upton	Welch
Tsongas	Wasserman	Wittman	Cicilline	Heck (NV)	Miller, George	Stewart	Valadao	Wenstrup
Turner	Schultz	Womack	Clarke	Heck (WA)	Mullin	Stivers	Van Hollen	Whitfield
Upton	Waters	Woodall	Clay	Hensarling	Mulvaney	Stockman	Vargas	Williams
Valadao	Watt	Yarmuth	Cleaver	Herrera Beutler	Murphy (FL)	Stutzman	Veasey	Wilson (FL)
Van Hollen	Waxman	Yoder	Clyburn	Higgins	Murphy (PA)	Swalwell (CA)	Vela	Wilson (SC)
Vargas	Weber (TX)	Yoho	Coble	Himes	Napolitano	Takano	Velázquez	Wittman
Veasey	Webster (FL)	Young (AK)	Coffman	Holding	Neal	Terry	Visclosky	Womack
Vela	Welch	Young (FL)	Cohen	Holt	Negrete McLeod	Thompson (CA)	Wagner	Woodall
Velázquez	Wenstrup	Young (IN)	Cole	Honda	Neugebauer	Thompson (MS)	Walden	Yarmuth
Visclosky	Whitfield		Collins (GA)	Horsford	Noem	Thompson (PA)	Walz	Yoder
Wagner	Williams		Collins (NY)	Hoyer	Nolan	Thornberry	Wasserman	Yoho

NAYS—2

Amash Mulvaney

NOT VOTING—32

Bachmann	Herrera Beutler	Nunnelee
Carter	Jordan	Peters (MI)
Cicilline	Kuster	Richmond
Deutch	Lee (CA)	Rogers (KY)
Ellison	Lynch	Rohrabacher
Fattah	Maloney,	Speier
Gerlach	Carolyn	Tiberi
Gingrey (GA)	Markey	Walberg
Graves (MO)	McKeon	Walorski
Gutierrez	Moran	Westmoreland
Hastings (FL)	Nadler	Wolf

□ 1856

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CICILLINE. Mr. Speaker, on rollcall No. 129, had I been present, I would have voted "yea."

BLACK HILLS CEMETERY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 291) to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 2, not voting 40, as follows:

[Roll No. 130]

YEAS—390

Aderholt	Bishop (UT)	Burgess
Alexander	Black	Bustos
Amodei	Blackburn	Butterfield
Andrews	Blumenauer	Calvert
Bachus	Bonamici	Camp
Barber	Bonner	Campbell
Barletta	Boustany	Cantor
Barr	Brady (PA)	Capito
Barrow (GA)	Brady (TX)	Capps
Barton	Braleigh (IA)	Capuano
Beatty	Bridenstine	Cárdenas
Becerra	Brooks (AL)	Carney
Benishkek	Brooks (IN)	Carson (IN)
Bentivolio	Broun (GA)	Carter
Bera (CA)	Brown (FL)	Cartwright
Bilirakis	Brownley (CA)	Cassidy
Bishop (GA)	Buchanan	Castor (FL)
Bishop (NY)	Bucshon	Chabot

Chaffetz	Hartzler	Miller (MI)
Chu	Hastings (WA)	Miller, Gary
Cicilline	Heck (NV)	Miller, George
Clarke	Heck (WA)	Mullin
Clay	Hensarling	Mulvaney
Cleaver	Herrera Beutler	Murphy (FL)
Clyburn	Higgins	Murphy (PA)
Coble	Himes	Napolitano
Coffman	Holding	Neal
Cohen	Holt	Negrete McLeod
Cole	Honda	Neugebauer
Collins (GA)	Horsford	Noem
Collins (NY)	Hoyer	Nolan
Conaway	Hudson	Nugent
Connolly	Huelskamp	Nunes
Conyers	Huffman	O'Rourke
Cook	Huizenga (MI)	Olsen
Cooper	Hultgren	Owens
Costa	Hunter	Palazzo
Cotton	Hurt	Pallone
Courtney	Israel	Pascrell
Cramer	Issa	Pastor (AZ)
Crawford	Jackson Lee	Paulsen
Crenshaw	Jeffries	Payne
Crowley	Jenkins	Pearce
Cuellar	Johnson (GA)	Pelosi
Culberson	Johnson (OH)	Perlmutter
Cummings	Johnson, E. B.	Perry
Daines	Johnson, Sam	Peters (CA)
Davis (CA)	Jones	Peterson
Davis, Danny	Joyce	Petri
Davis, Rodney	Kaptur	Pingree (ME)
DeFazio	Keating	Pittenger
DeGette	Kelly (IL)	Pitts
Delaney	Kelly (PA)	Pocan
DeLauro	Kennedy	Poe (TX)
DelBene	Kildee	Polis
Dent	Kilmer	Pompeo
DeSantis	Kind	Posey
DesJarlais	King (IA)	Price (GA)
Diaz-Balart	King (NY)	Price (NC)
Dingell	Kingston	Quigley
Doggett	Kinzinger (IL)	Radel
Doyle	Kirkpatrick	Rahall
Duckworth	Kline	Rangel
Duffy	Labrador	Reed
Duncan (SC)	LaMalfa	Reichert
Duncan (TN)	Lamborn	Renacci
Edwards	Lance	Ribble
Ellmers	Langevin	Rice (SC)
Engel	Lankford	Rigell
Enyart	Latham	Roby
Eshoo	Latta	Roe (TN)
Esty	Levin	Rogers (AL)
Farenthold	Lewis	Rogers (MI)
Farr	Lipinski	Rokita
Fincher	LoBiondo	Rooney
Fitzpatrick	Loebsack	Ros-Lehtinen
Fleischmann	Lofgren	Roskam
Fleming	Long	Ross
Flores	Lowenthal	Rothfus
Forbes	Lowe	Roybal-Allard
Fortenberry	Lucas	Royce
Foster	Luetkemeyer	Ruiz
Fox	Lujan Grisham	Runyan
Frankel (FL)	(NM)	Ruppersberger
Franks (AZ)	Luján, Ben Ray	Ryan (OH)
Frelinghuysen	(NM)	Ryan (WI)
Fudge	Lummis	Salmon
Gabbard	Maffei	Sanchez, Loretta
Gallego	Maloney, Sean	Sarbanes
Garamendi	Marchant	Scalise
Garcia	Marino	Schakowsky
Gardner	Matheson	Schiff
Garrett	Matsui	Schneider
Gibbs	McCarthy (CA)	Schock
Gibson	McCarthy (NY)	Schrader
Gohmert	McCaul	Schwartz
Goodlatte	McClintock	Scott (VA)
Gosar	McCollum	Scott, Austin
Gowdy	McDermott	Scott, David
Granger	McGovern	Sensenbrenner
Graves (GA)	McHenry	Serrano
Grayson	McIntyre	Sessions
Green, Al	McKinley	Sewell (AL)
Green, Gene	McMorris	Shea-Porter
Griffin (AR)	Rodgers	Sherman
Griffith (VA)	McNerney	Shimkus
Grijalva	Meadows	Shuster
Guthrie	Meehan	Simpson
Hahn	Meeks	Sinema
Hall	Meng	Sires
Hanabusa	Messer	Slaughter
Hanna	Mica	Smith (NE)
Harper	Michaud	Smith (NJ)
Harris	Miller (FL)	Smith (TX)

Smith (WA)	Turner	Webster (FL)
Southerland	Upton	Welch
Stewart	Valadao	Wenstrup
Stivers	Van Hollen	Whitfield
Stockman	Vargas	Williams
Stutzman	Veasey	Wilson (FL)
Swalwell (CA)	Vela	Wilson (SC)
Takano	Velázquez	Wittman
Terry	Visclosky	Womack
Thompson (CA)	Wagner	Woodall
Thompson (MS)	Walden	Yarmuth
Thompson (PA)	Walz	Yoder
Thornberry	Wasserman	Yoho
Tierney	Schultz	Young (AK)
Tipton	Waters	Young (FL)
Titus	Watt	Young (IN)
Tonko	Waxman	
Tsongas	Weber (TX)	

NAYS—2

Amash Massie

NOT VOTING—40

Bachmann	Jordan	Peters (MI)
Bass	Kuster	Richmond
Castro (TX)	Larsen (WA)	Rogers (KY)
Denham	Larson (CT)	Rohrabacher
Deutch	Lee (CA)	Rush
Ellison	Lynch	Sánchez, Linda
Fattah	Maloney,	T.
Gerlach	Carolyn	Schweikert
Gingrey (GA)	Markey	Speier
Graves (MO)	McKeon	Tiberi
Grimm	Moore	Walberg
Gutierrez	Moran	Walorski
Hastings (FL)	Nadler	Westmoreland
Hinojosa	Nunnelee	Wolf

□ 1905

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GRIMM. Mr. Speaker, on rollcall No. 130 I was unavoidably detained and couldn't vote within the time allotted. Had I been present, I would have voted "yea."

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 130, had I been present, I would have voted "yea."

PASCUA YAQUI TRIBE TRUST LAND ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 507) to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 2, not voting 29, as follows:

[Roll No. 131]

YEAS—401

Aderholt	Andrews	Barletta
Alexander	Bachus	Barr
Amodei	Barber	Barrow (GA)

Barton	Edwards	Lamborn	Rangel	Schwartz	Tsongas
Bass	Ellmers	Lance	Reed	Schweikert	Turner
Beatty	Engel	Langevin	Reichert	Scott (VA)	Upton
Becerra	Enyart	Lankford	Renacci	Scott, Austin	Valadao
Benishek	Eshoo	Larson (CT)	Ribbo	Scott, David	Van Hollen
Bentivolio	Esty	Latham	Rice (SC)	Sensenbrenner	Vargas
Bera (CA)	Farenthold	Latta	Rigell	Serrano	Veasey
Bilirakis	Farr	Levin	Roby	Sessions	Vela
Bishop (GA)	Fincher	Lewis	Roe (TN)	Sewell (AL)	Velázquez
Bishop (NY)	Fitzpatrick	Lipinski	Rogers (AL)	Shea-Porter	Visclosky
Bishop (UT)	Fleischmann	LoBiondo	Rogers (KY)	Sherman	Wagner
Black	Fleming	Loeb sack	Rogers (MI)	Shimkus	Walden
Blackburn	Flores	Lofgren	Rokita	Shuster	Walz
Blumenauer	Forbes	Long	Rooney	Simpson	Wasserman
Bonamici	Fortenberry	Lowenthal	Ros-Lehtinen	Sinema	Schultz
Bonner	Foster	Lowe y	Roskam	Sires	Waters
Boustany	Fox x	Lucas	Ross	Slaughter	Watt
Brady (PA)	Frankel (FL)	Luetkemeyer	Rothfus	Smith (NE)	Waxman
Brady (TX)	Franks (AZ)	Lujan Grisham	Roybal-Allard	Smith (NJ)	Weber (TX)
Braley (IA)	Frelinghuysen	(NM)	Royce	Smith (TX)	Webster (FL)
Bridenstine	Fudge	Luján, Ben Ray	Ruiz	Smith (WA)	Welch
Brooks (AL)	Gabbard	(NM)	Runyan	Southland	Wenstrup
Brooks (IN)	Gallego	Lummis	Ruppersberger	Stewart	Whitfield
Broun (GA)	Garamendi	Maffei	Rush	Stivers	Williams
Brown (FL)	Garcia	Maloney, Sean	Ryan (OH)	Stockman	Wilson (FL)
Brownley (CA)	Gardner	Marchant	Ryan (WI)	Stutzman	Wilson (SC)
Buchanan	Garrett	Marino	Salmon	Swailwell (CA)	Wittman
Bucshon	Gibbs	Massie	Sánchez, Linda	Takano	Womack
Burgess	Gibson	Matheson	T.	Terry	Woodall
Bustos	Gohmert	Matsui	Sanchez, Loretta	Thompson (CA)	Yarmuth
Butterfield	Goodlatte	McCarthy (CA)	Sarbanes	Thompson (MS)	Yoder
Calvert	Gosar	McCarthy (NY)	Scalise	Thompson (PA)	Yoho
Camp	Gowdy	McCaul	Schakowsky	Thornberry	Young (AK)
Campbell	Granger	McClintock	Schiff	Tierney	Young (FL)
Cantor	Graves (GA)	McCollum	Schneider	Tipton	Young (IN)
Capito	Grayson	McDermott	Schock	Titus	
Capps	Green, Al	McGovern	Schrader	Tonko	
Capuano	Green, Gene	McHenry			
Cárdenas	Griffin (AR)	McIntyre			
Carney	Griffith (VA)	McKinley			
Carson (IN)	Grijalva	McMorris			
Carter	Grimm	Rodgers			
Cartwright	Guthrie	McNerney			
Cassidy	Hahn	Meadows			
Castor (FL)	Hall	Meehan			
Castro (TX)	Hanabusa	Meeks			
Chabot	Hanna	Meng			
Chaffetz	Harper	Messer			
Chu	Harris	Mica			
Cicilline	Hartzler	Michaud			
Clarke	Hastings (WA)	Miller (FL)			
Clay	Heck (NV)	Miller (MI)			
Cleaver	Heck (WA)	Miller, Gary			
Clyburn	Hensarling	Miller, George			
Coble	Higgins	Moore			
Coffman	Himes	Mullin			
Cohen	Hinojosa	Mulvaney			
Cole	Holding	Murphy (FL)			
Collins (GA)	Holt	Murphy (PA)			
Collins (NY)	Honda	Napolitano			
Conaway	Horsford	Neal			
Connolly	Hoyer	Negrete McLeod			
Conyers	Hudson	Neugebauer			
Cook	Huelskamp	Noem			
Cooper	Huffman	Nolan			
Costa	Huizenga (MI)	Nugent			
Cotton	Hultgren	Nunes			
Courtney	Hunter	O'Rourke			
Cramer	Hurt	Olson			
Crawford	Israel	Owens			
Crenshaw	Issa	Palazzo			
Crowley	Jackson Lee	Pallone			
Cuellar	Jeffries	Pascarell			
Culberson	Jenkins	Pastor (AZ)			
Cummings	Johnson (GA)	Paulsen			
Daines	Johnson (OH)	Payne			
Davis (CA)	Johnson, E. B.	Pearce			
Davis, Danny	Johnson, Sam	Pelosi			
Davis, Rodney	Jones	Perlmutter			
DeFazio	Joyce	Perry			
DeGette	Kaptur	Peters (CA)			
Delaney	Keating	Peterson			
DeLauro	Kelly (IL)	Petri			
DelBene	Kelly (PA)	Pingree (ME)			
Denham	Kennedy	Pittenger			
Dent	Kildee	Pitts			
DeSantis	Kilmer	Pocan			
DesJarlais	Kind	Poe (TX)			
Diaz-Balart	King (IA)	Polis			
Dingell	King (NY)	Pompeo			
Doggett	Kingston	Posey			
Doyle	Kinzinger (IL)	Price (GA)			
Duckworth	Kirkpatrick	Price (NC)			
Duffy	Kline	Quigley			
Duncan (SC)	Labrador	Radel			
Duncan (TN)	LaMalfa	Rahall			

NAYS—2

Herrera Beutler

NOT VOTING—29

Amash

Bachmann

Deutch

Ellison

Fattah

Gerlach

Gingrey (GA)

Graves (MO)

Gutierrez

Hastings (FL)

Jordan

□ 1912

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GRAVES of Missouri. Mr. Speaker, on Monday, May 6 I missed three rollcall votes. Had I been present, I would have voted "yea" on No. 129, No. 130, and No. 131.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Resolution 32, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 32

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

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the "event"), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bag pipe exhibition.

(b) DATE OF EVENT.—The event shall be held on May 14, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1406, WORKING FAMILIES FLEXIBILITY ACT OF 2013

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113-51) on the resolution (H. Res. 198) providing for consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector, which was referred to the House Calendar and ordered to be printed.

CHIP GERDES

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Mr. Speaker, today, I want to honor a legendary man, a loyal

soldier in the battle for freedom in this great country—Chip Gerdes of my neighboring State of Illinois.

Chip suddenly passed away this morning in his home, where he was a loving father and a devoted husband. He was a loyal friend to me and to my family and was a faithful patriot to so many. Chip was the type of person we all strive to be in politics: he reached across all divides to bring people together for a common purpose.

I know Chip is smiling down on all of us today, cracking a joke about how serious we are about a man who never missed an opportunity to lighten the mood—and who would always fire up the room. Chip Gerdes will be missed by many, but his memory and his fight will continue.

We love you, Chip. We already miss you, and we will never stop fighting for what you devoted your life to defend: life, liberty, and the pursuit of happiness. Rest easy, my friend. We've got it from here.

SAFE CLIMATE CAUCUS

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

Mr. WAXMAN. Mr. Speaker, I rise today to continue the work of the Safe Climate Caucus in focusing on the threats posed to our Nation by climate change.

The world's top scientific institutions are all telling us that we have a rapidly closing window to reduce our carbon pollution before the catastrophic impacts of climate change cannot be avoided. The World Bank recently answered the question of why we should address climate change. Their report described what the world will look like if we continue on our current path.

According to the World Bank, a world that warms by 4 degrees Celsius would suffer from unprecedented heat waves, the flooding of coastal cities, increased risks of food and water scarcity, severe droughts, and irreversible damage to ecosystems. Coral reefs would dissolve due to ocean acidification unmatched in the Earth's history. Extreme heat waves would likely become the new normal for summertime.

With impacts like these, it is clear that we cannot allow 4 degrees of warming to occur. There is widespread agreement that we must act. Members of the House must take action.

□ 1920

HONORING CHIP GERDES

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today without prepared remarks but to join my colleague, ANN

WAGNER, in honoring a great friend, Chip Gerdes.

Chip, a 41-year-old who leaves behind a beautiful wife and a beautiful daughter and is someone who was larger than life in Illinois and in Illinois politics, died this morning way too young.

With Chip Gerdes, you never knew what that phone call was going to bring when his name popped through on your caller ID, and it's a phone call that I sadly stand here today to say I will never be able to take again.

But it was my friendship with Chip and friendship that he had with others like ANN, and many throughout Illinois and Missouri, that made us stand here today and honor him and honor his legacy.

Chip Gerdes, you were a friend to many and a foe to none. Chip Gerdes, rest in peace, my friend, and I will say this on the floor today in your honor: "Roll Tide."

CONGRATULATING AMADOR VALLEY HIGH SCHOOL'S "WE THE PEOPLE" TEAM

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

Mr. SWALWELL of California. Last week, Amador Valley High School from California, in my congressional district, competed in the national We the People competition held right here in Washington, D.C., and I'm proud to report that the students of Amador Valley High School's We the People competition team took second place out of 44 participating teams representing their States across the country.

The We the People competition is held annually, where each State can send one team to Washington, D.C., to compete in mock congressional hearings that test the high school students' knowledge of U.S. history and the Constitution.

I met with Amador Valley's We the People team while they were here, and I was thoroughly impressed with their participation, preparation, and knowledge of our history, government, and political system. The students' love of history and civics was welcome to see. They're truly a model for students across the country.

I also want to recognize their coaches, Brian Ladd and Mairi Wohlgenuth, who worked tirelessly to organize the team and prepare the students for this competition.

Congratulations again to Amador Valley High School and their students from the We the People program. You make me, our region, and our country proud.

TERRORIST ATTACK IN BENGHAZI, LIBYA

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

Mr. POE of Texas. Mr. Speaker, "Benghazi happened a long time ago."

"What difference does it make?" "Let's get done with this, folks. I don't think anybody lied to anybody. I do not want to spend the next year coming up here talking about Benghazi."

Mr. Speaker, these are statements made by the President's Pinocchio puppet press secretary, Jay Carney, and both the current and former Secretaries of State.

Americans are learning the White House bungled Benghazi, and now it faces accusations by whistleblowers of intimidation and hiding the facts.

Fearful of a terrorist attack, Ambassador Stevens asked for more security; calls for help were ignored; the cavalry never came; and he and three others were murdered. But the White House spinmeister said after the attack it was a "spontaneous protest" caused by a video. That was a made-up yarn. The attack was a carefully coordinated and calculated terrorist attack.

So why did the administration intentionally and knowingly mislead Americans?

The President told a graduating class over the weekend to reject those who say our government can't be trusted. Well, Mr. Speaker, Benghazi is a perfect example of why the national motto is not "In Government We Trust."

And that's just the way it is.

CONGRATULATING THE CITY COLLEGES OF CHICAGO

(Mr. DANNY K. DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, on Friday of last week, I had the opportunity to attend the City Colleges of Chicago's graduation, seven city colleges with more than 4,000 graduates.

So I congratulate the mayor of the city of Chicago; the chairman of the board of the City Colleges, Dr. Paula Wolff; the chancellor, Cheryl Hyman; and all of the faculty and staff. This was the highest number of individuals who have ever graduated from the City Colleges of Chicago at one time. I congratulate them, all of the administration and all of those who made it happen.

TO OUR FRIENDS IN COLOMBIA

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

Mr. RADEL. Mr. Speaker, I was recently in the beautiful, spectacular, booming country of Colombia, in part reaffirming a relationship with our ally and friend, and also there to make sure our investments are safe.

Our investments are safe, and they're paying off by growing the Colombian

economy, and for you, the hardworking American taxpayer, growing our economy right here in the United States. Free trade and economic freedom mean that both countries prosper.

Their economy is growing and the income inequality gap is getting smaller and smaller, meaning a larger middle class. When Colombia does well, the United States does well. And while we may have a few differences here and there with other countries in Latin America, let there be no doubt that Colombia is a bright, shining example for all of the world when we work together.

So to our friends from all over Colombia: paisas, rolos, costenos, vallunos, opitas, llaneros, y Calenos.

Using your native language, let's continue to share our common dream of *oportunidad y libertad para todos*: opportunity and freedom for all.

WALK TO CREATE A WORLD FREE OF MULTIPLE SCLEROSIS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this past Saturday, I had the honor of participating in the Walk to Create a World Free of Multiple Sclerosis. Sponsored by the Pennsylvania Chapter of the National MS Society, this Erie County event provided hope for people living with MS, their families and loved ones.

Nationwide, the Walk MS: 2013 campaign will include 250,000 participants across 700 cities to raise awareness and support for research and services for those living with multiple sclerosis.

Now, more than any time in history, there are more therapies in development for MS. Basic and clinical research has led to the development of many of the approved disease-modifying drugs for MS, including new oral medications.

Congratulations to the National Multiple Sclerosis Society for having trained or funded many of the leading MS researchers creating these life-changing breakthroughs.

Mr. Speaker, I also want to thank Lori and Tommy Straub for inviting me to be a part of Team "Walk a Myelin My Shoes." Together, we will continue to work towards a world free of MS.

STOP CLOSING PUBLIC SCHOOLS IN AMERICA

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

Ms. JACKSON LEE. Mr. Speaker, I want to congratulate and thank the community of North Forest and the North Forest Independent School District.

This has been a tumultuous week. This school district, undeserving, has fallen prey and victim to the closing of public schools in a public school system—this district that has acceptable schools; this district that has homeowners who have taxed themselves to ensure excellence in the teaching of these children, 7,500 students that are happy to be in a small pond and be a big fish. It is sad that the TEA administrator has undeservedly offered to close this school district without accepting an offer of compromise.

This is time for the Secretary of Education to act on the massive closings of public schools throughout America. This is time for the U.S. Department of Justice to act on preventing the elimination of elected school board members and utilizing section 5.

But more importantly, I want to thank the ombudsman coalition headed by Dr. Ken Campbell and President Robinson, the presidents of the Ministers Alliance who carried on a prayer vigil this last week. I do believe that prayers will be answered, the children will be saved, and we'll stop closing public schools in America.

□ 1930

PETSMART PROMISE

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

Mr. SCHWEIKERT. Mr. Speaker, this is actually one of those moments when you get to stand in front of the House with sort of a happy story. There's an organization out there called Family Promise. They are in 41 States with, I believe, about 160,000 volunteers, and they've had an issue for years now. They bring in homeless families, but often those homeless families would have a pet, a furry family member.

Just this week, PetSmart set up PetSmart Promise. I actually got to see this firsthand in Scottsdale, Arizona, where they actually are taking care of that furry friend of that homeless family that needs to get their life back in order. So PetSmart gets a real call out from us. Family Promise is doing amazing things, and this is just one of those moments where you're very proud of a corporate entity like this, stepping up and working with Family Promise to help homeless families around the country.

CBC HOUR: ELIMINATING HEALTH DISPARITIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nevada (Mr. HORSFORD) is recognized for 60 minutes as the designee of the minority leader.

Mr. HORSFORD. Mr. Speaker, thank you.

We are pleased to come to this body at this time for this hour of power with the Congressional Black Caucus. This evening, we'd like to focus on eliminating health disparities in America.

Health is a cornerstone of equal opportunity, which is why access to quality, affordable care is so important. Sickness not only decreases individual and social productivity, but without access to health resources, many get sick and never truly recover. Over this next hour, members of the Congressional Black Caucus will discuss our priorities, working together with the President, our colleagues on the other side and throughout this body, and in the other Chamber, to address the needs of health care for all Americans, and specifically to eliminate the health disparities in the African-American communities.

I'd like to recognize the chair of the Congressional Black Caucus. Under her leadership, the CBC is advancing a number of priorities during this 113th Congress. I yield to the gentlelady from Ohio, Chairwoman FUDGE.

Ms. FUDGE. I thank the gentleman for yielding, and I want to thank my colleagues, both Congressmen HORSFORD AND JEFFRIES, again for leading the Congressional Black Caucus Special Order hour. This hour is to discuss health disparities. You both have done an incredible job carrying the message of the CBC on the House floor each week, and I thank you.

Mr. Speaker, the health disparities between African Americans and other racial and ethnic populations are striking. When compared with the country as a whole, African Americans are three times more likely to die from diabetes. We account for about 44 percent of all new HIV infections among adults and adolescents, despite representing only about 13 percent of the U.S. population. African-American men can expect to live approximately 6 years less than White men. African-American women are twice as likely to give birth to low-weight infants, and our children are almost five times more likely to be hospitalized for asthma.

Though health disparities manifest in life-threatening ways, such as lower life expectancy and higher disease rates, the root cause is poverty. Where you live and how you live have a direct effect on how long and how well you live. Until we address the persistent poverty that plagues our communities, the debilitating cost of health disparities will continue to rise.

According to the Joint Center for Political and Economic Studies, health disparities collectively cost minorities more than \$1.24 trillion from 2003 to 2006. We must create and maintain a path toward greater health equity in America. We can't afford the status quo.

Thankfully, a path to equity has begun to take shape, a path that reduces the rates of illness and premature death and increases access to quality health care. The solution was and is the Affordable Care Act—or, as it is known to many, ObamaCare. We are proud to call it ObamaCare because it proves that the President and many in this Congress really do care about the health of Americans.

ObamaCare has already begun to lower the cost of health care by providing financial relief for consumers, increasing insurance options, investing in preventative and primary care, and placing a focus on minority health. The ACA helps decrease health disparities by collecting data, strengthening cultural training, and increasing diversity in the health care field. These investments are critically important and will strengthen America's financial future.

Some on the other side of the aisle believe the status quo is sufficient, that health disparities are not real. Some don't believe that the impact of disparities on families is devastating. That's why a number of Republicans are again calling for the repeal of the ACA. How many times do we have to play this game?

The CBC will continue to stand up, speak out and defend the Affordable Care Act against all of those who oppose it for political or ideological reasons. Attaining health equity is to the benefit of all Americans, and is not only consistent with the American promise of opportunity, but it is critical to the future of Black America.

Mr. HORSFORD. At this time I would like to recognize the vice chairman of the Congressional Black Caucus, a leader on a number of key issues that the Congressional Black Caucus is facing this 113th Congress, the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Let me thank you, Mr. HORSFORD, for yielding time this evening, and thank you for your leadership not only here in the Congress but in the Congressional Black Caucus. You have come to this Congress, and you've done so much in such a short period of time. Thank you, Mr. JEFFRIES and Ms. FUDGE as well, for your leadership.

But, Mr. Speaker, I want to start this conversation this evening by talking about a 1985 report. President Ronald Reagan was President at the time, and the U.S. Department of Health and Human Services issued a statement. They called health disparities in the United States of America "an affront both to our ideals and to the ongoing genius of American medicine."

It's disgusting, Mr. Speaker, that in this year, 2013, health disparities still exist in the richest and most powerful country in the world. African Americans are disproportionately less healthy. Life-threatening diseases like

high blood pressure, diabetes, and heart disease are ravaging our population.

Oftentimes African Americans that live in rural communities, like the one that I represent in North Carolina, don't have insurance, and they have difficulty finding a regular primary care doctor, and so they go without an annual physical or regular checkups. Sometimes their only interaction with a health care provider is when they call 911 because their unchecked blood pressure resulted in a heart attack or stroke. By then it's too late. If that same person suffering from a stroke would have had access to care, their high blood pressure may have been diagnosed early.

□ 1940

They may have been put on medication meant to regulate their condition, making a heart attack or stroke less likely.

Many African Americans do play an active role in their health care, but the quality of the care they receive can be much worse than their white counterparts, further widening the gulf of disparities.

A significant driver of these disparities is the lack of health insurance, and that's what the gentlelady spoke about a moment ago. African Americans make up 13 percent of the entire population, but account for more than 50 percent of all people who are uninsured.

African Americans are also likely to have disproportionately lower access to primary care and often receive poorer quality care and face more barriers in seeking treatment for chronic-disease management.

The Affordable Care Act that we're all so proud of was designed to put a premium on quality of care, increase access, and encourage and reward good health care outcomes. I am a strong supporter of the Affordable Care Act, and my constituents in North Carolina are as well.

Every person should have access to affordable quality health care, regardless of who they are, where they come from, or how much money they have in their bank accounts.

Before the Affordable Care Act was signed into law, 50 million people lived without health insurance. An additional 38 million people had insurance, but it was woefully inadequate and charged them exorbitant coinsurance payments and huge copays and completely unmanageable out-of-pocket expenses, essentially making them uninsured too. That means nearly one-third of all Americans were without the very basic insurance needed to see a health care professional and receive care at an affordable price.

When President Barack Obama proposed, and Congressional Democrats introduced, the Affordable Care Act, Re-

publicans stirred up for a battle. And they would scream in the town hall meetings all across the country, and even right here on this House floor, about how the bill would create death panels that would decide if a person was worthy of receiving treatment for a particular disease. That was not correct.

They would insist that the bill would cut hundreds of millions of dollars from Medicare. Not correct. In fact, the Affordable Care Act specifically prohibits cuts to the guaranteed Medicare benefits.

They would bring out charts on this floor and graphs that showed how the Affordable Care Act will be a "job killer" worse than we have ever experienced before. That turned out to be a lie.

The cost of health care has risen each year, insurance coverage has decreased each year, and the amount of uncompensated care has increased every year.

Mr. HORSFORD, here's a statistic that really stands out with me: in 1970, the United States spent \$75 billion on health care. That was 7.2 percent of GDP. In 2010, health care spending represented 17.9 percent of GDP and, if not for the Affordable Care Act, was expected to reach 20 percent by the year 2020.

The U.S. spends more of its dollars for health care-related expenses than any other country in the world, and the uncontrolled rise in the cost of health care would have been completely unsustainable if not for ObamaCare.

President Obama signed the Affordable Care Act into law and, with the stroke of a pen, revolutionized health care in America. Insurance companies can no longer deny coverage to people with preexisting conditions or charge them more than anyone else. There is now no lifetime dollar limit on what insurers will pay for claims.

Preventative visits to health care providers are now free, yes, free, and even include some free vaccinations. Young adults can now stay on their parents' policy until they're 26 years old. And all new group health plans now have to cover all recommendations by the U.S. Preventative Services Task Force.

Now, millions of people in our country, and in my congressional district and, Mr. HORSFORD, in your congressional district, who were living without the most basic health insurance can benefit from the most advanced health care technology in the world.

My only disappointment, Mr. Speaker, is that some of our Republican Governors and State legislatures across the country are refusing to participate in the expansion of Medicaid. Shame on them.

Mr. Speaker, in closing, I am confident that because of the Affordable Care Act the delta of health disparities in America will begin to shrink. No

matter the color of your skin or the amount of money you have, each and every American deserves high-quality health care so they can live long and prosperous lives.

Mr. HORSFORD, I thank you so very much for yielding time.

Mr. HORSFORD. Thank you, Mr. Vice Chairman, and thank you for your leadership and commitment on these issues. And I know we will continue to fight and advocate for the preservation of the Affordable Care Act and, as you indicate, the proper implementation of that act with the expansion of Medicaid and the other key provisions of the law which we need our local and State partners to work with us in providing quality health care for all Americans.

GENERAL LEAVE

Mr. HORSFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the subject of this Special Order.

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

There was no objection.

Mr. HORSFORD. At this time I'd like to yield to the chair of the Congressional Black Caucus' Health Brain Trust, the doctor in the House, the person who knows more about health care than most, the honorable gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Thank you, Mr. HORSFORD. Thank you and our other colleague, Mr. JEFFRIES, for hosting these Special Orders every week. It's been with great pride that we've watched our young new Members come to the floor and present the case so forcefully and so effectively to the American people and the disparities in all areas that African Americans and other people of color and the poor are facing.

Before I start, Representative BARBARA LEE of California could not be with us this evening, but her work on HIV and AIDS, and other areas in health care, but specifically in HIV and AIDS, both here in the United States and across the globe, is worthy of recognition; and I know that she'll be entering a statement for the RECORD on some of the issues around HIV and AIDS.

I want to just go back a little bit and present a little bit of historical context on just how long this battle to eliminate health disparities has been going on. I'm going to go back—of course, it goes back to slavery, but I want to go back to W.E.B. DuBois in 1899, when he said, and I'm quoting:

There have been few other cases in the history of civilized peoples where human suffering has been viewed with such peculiar indifference.

And then 25 or so years later, and this was mentioned by Congressman

BUTTERFIELD, in 1985, the Heckler Report, where it was said, and I'm quoting here:

There was a continuing disparity in the burden of death and illness experienced by blacks and other minority Americans as compared with our Nation's population as a whole.

And as he said:

The stubborn disparity remained. The stubborn disparity remained an affront to both our ideals and the genius of American medicine.

Surgeon General Heckler was very surprised by what that report found, but when she asked her researchers, well, why is this, the only answer that they could give her is, it's always been that way.

And so that stubborn indifference that W.E.B. DuBois mentioned in 1899 continued into as far as 25 years later.

Almost 20 years later, the IOM issued its unequal treatment report which said:

In unassailable terms, the report found that even when insurance and income are as the same as those of whites, minorities often receive fewer tests, less sophisticated treatment for a panoply of ailments, including heart disease, cancer, diabetes and HIV/AIDS.

So even when you have insurance, even when your educational level, even when your income is the same, you are still not getting the same treatment. And so it's no wonder that African Americans and other people of color have suffered from disparities for so long.

So in 2003, led then by Jesse Jackson, Jr., we insisted that there be a report every year on health disparities, a national report. And the very last one, so we're in our 11th year now, well, we're in our 10th year now, and the very last report shows very little change.

□ 1950

It showed that blacks received worse care—it talks about quality—than whites for 41 percent of quality measures. Hispanics receive worse care than non-Hispanic whites for 39 percent of measures. Asians and American Indians and Alaskan Natives receive worse care than whites for nearly 30 percent of quality measures. And in terms of access, blacks had worse access to care for 32 percent of access measures, Asians for 17 percent, American Indians and Alaskan Natives for 62 percent, and Hispanics 63 percent of the measures.

So as we look over the years from 1899 to 2011, which is what this report is on, there has been very, very little change. Among the themes that emerge from the report, health care quality and access are suboptimal, especially for racial and ethnic minorities, and this is in 2011. I'm sure the report this year is not going to be any different. Quality is improving, but disparities are not improving.

There are several areas where disparities are worsening over time be-

tween minorities and whites. Those are maternal deaths in the black population and breast cancer diagnosed at an advanced age for women in the black population. Children zero to 40 pounds—their families are not getting advice in the Asian population about seatbelts. Adults over 50 not receiving colonoscopy, sigmoidoscopy or anything in the American Indian and Alaskan Native populations.

So when looking at these reports coming back the same way year after year, the Tri-Caucus, the Black, Hispanic and Asian Caucus, when we began to debate the Affordable Care Act and to write the Affordable Care Act, we came together and said health equity had to be a major and core goal of health care reform. We were able to insert into the bill many of the provisions that we had worked on for many years to create health equity and to begin to eliminate health disparities. So we call on all people across the country to support us and make sure that all of those attempts to repeal the Affordable Care Act, which would close the door that we have been able to open for so many who have not had access to quality health care for so long—that door would not be closed again.

Mr. HORSFORD. Thank you again to the gentlelady from the Virgin Islands and the chair of the Congressional Black Caucus' health brain trust for laying out, again, the hard work that the Congressional Black Caucus has been involved with for many years in getting to the point with the Affordable Care Act now on the cusp of being fully implemented in January of 2014. So when our colleagues on the other side spend time bringing up legislation to repeal the Affordable Care Act now more than 30 times after this legislation has been approved by Congress, it has been upheld by the courts, it has been signed by the President, and the American public are desperate for quality health care—that is why we are coming here today to say enough is enough. Thirty times to repeal the Affordable Care Act—how many more times will we waste the people's, House's and our time bringing these issues forward when we need to be working together to implement the Affordable Care Act in the way that it is intended?

At this time, I would like to yield to the second vice chair of the Congressional Black Caucus. She is a strong leader for her constituents, the gentlelady from New York (Ms. CLARKE).

Ms. CLARKE. Thank you, very much, Congressman HORSFORD, and I thank you for your leadership along with Congressman JEFFRIES in leading the Special Order hour for the Congressional Black Caucus.

Mr. Speaker, I rise today to join my colleagues in the Congressional Black Caucus to raise awareness about health disparities that continue to affect racial and ethnic minorities in the

United States of America. Despite medical advances that save many lives in our country, there has been very limited progress in ending the racial and ethnic disparities in health. In a 1985 report, the United States Department of Health and Human Services called health disparities in this country “an affront both to our ideals and to the ongoing genius of American medicine.” Now, decades later, health disparities still exist between black and white and rich and poor.

A primary reason for these disparities is, quite frankly, the lack of health insurance that has been a problem for all these many years. For instance, African Americans make up 13 percent of the entire population but account for more than half of all people who are uninsured. Blacks also have disproportionately lower access to primary care and face more obstacles in seeking treatment.

Across our Nation, health disparities continue to persist and widen in communities historically marginalized as a result of poverty and other social, economic and environmental barriers. These communities are experiencing a high burden of life-threatening diseases and poor health outcomes.

Population-based approaches such as recent efforts to reduce childhood obesity rates, while showing evidence of success, have been primarily focused on white children in affluent communities. For example, in a report released in 2012 by the CDC, New York showed an overall decline of as much as 10 percent in obesity rates for kindergartners. However, for poor black children, the decline was only 1.9 percent, and for Hispanic children it was 3.4 percent.

In my district in Brooklyn, New York, I represent a very large number of immigrants. Close to 40 percent of the residents are first- and second-generation Americans. Culturally significant and linguistically tailored education is required to address health disparities. This education is one of the building blocks upon which improvements in early detection and screening in these communities have been built.

Health disparities are a serious matter. According to the National Urban League’s State of Urban Health report, in 2009, health disparities cost the United States economy \$82.2 billion. I firmly believe in prevention and addressing health disparities, and that it will go a long way in bringing these costs down. It is important that we fully engage in a full implementation of the Affordable Care Act. This will lead us to closing these disparities, this health disparity gap.

I look forward to working with my colleagues in the Congressional Black Caucus and, quite frankly, all Members of goodwill to find solid solutions to addressing health disparities in communities of color across this Nation.

Having said that, Mr. Speaker, I thank you for the time.

Mr. HORSFORD. Thank you to the gentlelady from New York, and I appreciate, again, all of her hard work and her commitment on these issues and her willingness to, again, reach across the aisle as you said. We are here to work with anybody who wants to work with us to find solutions to the health care crisis that exists in America. But we need them to understand that voting to repeal the Affordable Care Act is not that solution. There are many more things that we can do together to provide access to health care than we can by repealing this very important legislation.

At this time, I would like to recognize, Mr. Speaker, the gentleman from Illinois (Mr. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to first of all commend our colleagues for coming here every week raising issues and promoting awareness. Tonight it is health care, health care disparities.

I believe that the big problem with the eradication of the disparities is the fact that we, as a nation, have not committed ourselves to the concept that health care ought to be a right and not a privilege. As the most technologically proficient nation on the face of the Earth, as the wealthiest nation with a quality of life for large numbers of people—that is commendable—we still have not reached the point where we take the position that every person, no matter what their status or circumstance, deserves the highest quality of health care that our Nation can afford for them.

□ 2000

So until we reach that point, we will continue to have studies and reports and we will continue to look at disparities, and we’ll keep doing it and doing it and doing it and doing it again.

We will have legislation like the Affordable Care Act that is designed to close some of the gaps. And it does, in fact, close some of the gaps, and it’s commendable that we have done that.

But I maintain that we have a health care system that really is a sickness care system. We do a good job of treating illnesses and sickness when people can get to the places where they get the treatment.

I had a call yesterday from a person who suggested that they had gone to the emergency room at the hospital and were given two Tylenol and sat in a room for a good period of time. When they inquired of the hospital why they had done that, they told them, Well, it’s because of the ObamaCare; that ObamaCare is causing this to happen to you.

Now, the person actually has been on Social Security disability for a long time, before there was any ObamaCare and there was a way to pay for their

health care, and somebody took the opportunity to misrepresent ObamaCare. I would hope that people would not, especially people in the industry, people in the business, would not do that.

But I also urge individual citizens to take more responsibility for our health. You know, there’s still disparities in smoking, still disparities in drinking too much alcohol, still disparities in not having the appropriate diet or the exercise that is needed. So we’ve got to tack on several fronts. We’ve never put enough resources into the systems to make sure that they work properly and appropriately. We need to put more money into health education, health promotion, health awareness, so that individual citizens have a greater understanding of what it is that they individually can do.

Of course, people who know me know that I promote community health centers as the best way of providing ambulatory health care to large numbers of low-income people more effectively than anything else we’ve come up with, with the exception of Medicare and Medicaid, in a long time. I still promote these institutions as being one of the best ways in local communities of having health care delivery where people themselves are involved. These centers provide jobs and work opportunities and help keep the money in the neighborhood so that the impact of poverty is not as great as it would be.

So, Mr. HORSFORD, again, I want to thank you; I want to thank Mr. JEFFRIES; and I want to commend the caucus for raising the issues, promoting awareness, and helping, hopefully, to develop a different level of understanding. Health care ought to be a right and not a privilege.

Mr. HORSFORD. I’d like to thank the gentleman from Illinois and, again, just to highlight, as you indicated, the community health centers as an important provision of support within the health care delivery system.

Both rural and urban communities suffer from the disproportionate distribution of health care resources and access to care. Community health care centers play an important component in overcoming that care, providing millions of health care services, particularly to people of color, access to high-quality and affordable care in both rural and urban areas.

I know in my own district, in Nevada’s Fourth Congressional District, we have 14 health centers throughout our region. From my rural parts to the urban parts, these are very important areas. But unfortunately, under the sequester, Mr. Speaker, these are still areas that are under attack because cuts to these health care centers are still being imposed because of the uncertainty of the sequester.

In my district, Nevada health centers, they’re looking at over \$700,000 worth of reductions between now and

September; elimination of nursing positions and elimination of services for children and seniors at a time when people are sick and they need it the most.

So I would hope that, again, we can work together with Members on the other side to come up with solutions to replace the sequester and to fully fund community health centers, who are providing such good care to our citizens at this time.

I would like to yield now, Mr. Speaker, to the gentlelady from Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the conveners of this Special Order and express my appreciation to Mr. HORSFORD and to Mr. JEFFRIES for continuing to educate our colleagues on extremely important issues. And I'm delighted to join the Congressional Black Caucus as it proceeds continuously to ensure that we advocate for those who cannot speak for themselves.

I want to take up an issue that has struck home and is being confronted by many States, some of which are in the South and some are in other places throughout the Nation. I was very pleased to stand with my fellow Democrats and support the Affordable Care Act. I could go through the journey of 2009 and 2010, when many of us spread out across the country and confronted misinformation through town hall meetings, controversy, and conflictedness.

I think that what should be continuously emphasized as the President's leadership on one single point: that although health care was not listed, *per se*, in the Constitution, it should be a constitutional right. If you read the words or quote the words of the Declaration of Independence, we hold these truths to be self-evident, that we have certain unalienable rights of life, liberty, and the pursuit of happiness, one might argue that education and health care fall into those provisions of life, liberty, and the pursuit of happiness.

It was in the context of that framework in the original words of the Constitution that, as you open the book that has the provisions of the Constitution, the opening phraseology indicates that we have come together to create a more perfect Union. I think the Affordable Care Act was intended to try and lift the boats of all people.

Interestingly enough, major hospitals across America were clamoring for the passage of this legislation to really do what we're speaking about, which is to cut into the health disparities, because our hospitals across America were suffering from not being reimbursed on uncompensated care for those people who came without insurance. Many of them included African Americans, who suffered in larger numbers from the difficulties with diabetes, for example.

Texas, which is now in the eye of the storm, is one of those States that has

rejected the expansion of Medicaid, which goes to the very point of increasing opportunities for those who suffer disparities so they can have access to health care. That is largely the problem in Texas. Federal funding for the adult expansion far exceeds current local expenses for unreimbursed health care costs, having 3 years without any match whatsoever and then having the ability to have a very small match later on.

It is estimated that Medicaid expansion would generate more than 231,000 jobs in 2016, a 1.8 percentage point reduction in the State's current unemployment from 6.1 percent to 4.3 percent, and it would directly address the disparities in diabetes, heart disease, and HIV/AIDS, in partnership with our federally qualified health clinics, which many States have seen expanded because of the Affordable Care Act. And now in my home State, my city in particular, Central Care has now put more community health clinics in areas where disparities were severe and lives were being lost.

It benefits children as well. I'd like to cite some numbers here for my colleagues to indicate what we would benefit from by the expansion of Medicare.

□ 2010

Unreimbursed health care costs for charity care in 2010, for an estimated \$4.4 billion in unreimbursed expenses. We would be covering that.

We would also get off the number one list. Texas, number one, ranking among States with the greatest share of uninsured residents at 23.8 percent in 2011, more than 6 million people, compared with the national average of 15.7 percent.

And then, as I indicated, we would, again, eliminate the opportunity for low-income adults to be able to secure care. When low-income adults don't get care, the children don't get care.

So I am suggesting that the rejection by Governor Perry, along with other Governors, to not accept expanded Medicaid has a direct impact on the increase, not only of the uninsured, but the increase in the numbers of those suffering from certain diseases who cannot get care and, therefore, rather than have preventative care, which an expansion of Medicaid would provide, allowing for doctor visits, then the only time that we are able to secure health care for them is when they arrive in the cities and the counties and the States' emergency rooms, where we see a surge in emergency room costs, health care costs, and we eliminate the good will and the good intentions of a very good bill that answers the question, are we attempting to form a more perfect union by establishing a framework of insurance for all Americans, hardworking Americans, Americans of Asian descent and African descent and Hispanic descent, who have different

DNA and cultural indices that would lead them to have certain diseases more than others.

Let me also take note of the fact that one of those particular diseases that impacts the African American woman in a more devastating manner than in others, and that is triple negative breast cancer that impacts Hispanic women, African American women and Anglo women, but more so in the African American community. That kind of diagnosis gives in this current phrase of time a short and almost devastating diagnosis, one that is difficult to recover from, one that sees an increase in the loss of life.

So I would make the argument to Governor Perry and to Governors across the Nation who have rejected the expanded Medicaid as a budget issue, as a political issue, as a "I'm going to stand up to the President" issue, you are wrong, you are absolutely wrong, because this is not a political issue; this is a life and death question. And I want to applaud Governors like those in Florida, who certainly, obviously, may not welcome the applause. But I think it's important when people stand on principle or what is good for others, that they should be applauded.

So I applaud the Governor of Ohio and the Governor of Florida for moving forward on Medicaid expansion. And I would say to my good friend, who is leading this very important Special Order, that we need to begin to work with the President to find ways to substitute the rejection of the Medicaid expansion so that individuals that are in these States who cannot speak for themselves, who in actuality have a head of State Governor that is making a political decision, a simple political decision, will not lose out on the benefits intended by the Affordable Care Act, which is to give comfort and to give help and aid to those who need health care.

I finish on this note. I want to thank Dr. CHRISTENSEN, because when we began to write this legislation with the Congressional Black Caucus that, one, talked about the health care disparity, which was the premise of the fact of expanding health care, it would be a shame if after all this work and passage of this bill there would be innocent persons in our respective States like Texas that could not benefit from something that could save lives.

I thank the gentleman for yielding.

WHY TEXAS SHOULD EXTEND MEDICAID
COVERAGE TO LOW-INCOME ADULTS

LOCAL BENEFITS

Local savings from the expansion would offset much if not all of the state match in 2016 and 2017. According to reports that cities, counties, hospital districts and local hospitals submit to the state, unreimbursed local health care spending in Texas that local property taxes largely support, totaled \$2.5 billion in 2011. In addition, Texas hospitals reported at least \$1.8 billion in conservatively estimated unreimbursed health

care costs for charity care in 2010, for an estimated total of \$4.4 billion in unreimbursed expenses.

The math is simple—federal funding for the adult expansion far exceeds current local expenses for unreimbursed health care costs. Although the impact of the Medicaid expansion and ACA subsidized insurance would not entirely offset total local expenses, since not everyone currently receiving charity care, such as undocumented immigrants, would be eligible for these programs and since some services may not be covered, much of it would.

If necessary, the state could use some portion of these savings to fund the required match through an intergovernmental transfer arrangement. Local governments and hospitals would still realize a net gain over current costs from the federal funds the match would generate.

It is estimated that the Medicaid expansion would generate more than 231,000 jobs in 2016, equivalent to a 1.8 percentage point reduction in the state's current unemployment rate—from 6.1 percent to 4.3 percent.

STATE BENEFITS

In numerous programs, the state pays 100 percent for adult health care that Medicaid would cover under an expansion. For example, the Texas Department of Criminal Justice requested \$186.5 million in state appropriations for hospital inpatient and clinical care for its inmates for 2014.

The federal government contributes nothing toward this purpose now, but with a Medicaid expansion, the state would spend nothing on in-patient hospital care for eligible inmates from 2014 through 2016, and a maximum of just 10 percent of these costs by 2020. Similarly, the expansion would cover eligible adults in state mental institutions and juvenile facilities that need non-psychiatric hospital in-patient care.

The state also spends unmatched general revenue for community primary care services, mental and behavioral health services and, soon, women's health care delivered to low-income individuals who are not eligible for Medicaid. Other programs include the breast and cervical cancer program, the kidney health care program and the HIV Medication assistance and STD program. Furthermore, the state supplements funding for the County Indigent Health Care (CIHC) program, much of which would be unnecessary under a Medicaid expansion. The state also pays the regular state match for medically needy adults that currently qualify for Medicaid. Under an expansion, the state would be able to use the high federal match rate for newly eligible individuals not covered by Medicare.

The Comptroller's office estimates that larger caseloads from a Medicaid expansion would net increased revenues from the insurance premium tax due to the large number of persons who will buy health insurance under the exchange, as well as those covered in the expansion. The Comptroller estimates the increased insurance premium tax revenue due to ACA implementation and the Medicaid expansion at \$1.3 billion from 2015 through 2019, or an average of \$250 million a year.

In addition to these savings and new revenue that could offset the required state match, the expansion would generate an additional \$1.8 billion in new tax revenue from 2014 through 2017, assuming moderate enrollment—enough to offset nearly half of the required state match from 2014 through 2017. These jobs, many of them in health care, would provide substantial benefits and in-

creased economic security to families and local communities. As employees spend their wages on taxable items, state and local governments benefit from increased tax collections, and the increased economic activity in turn creates other jobs.

BENEFITS TO CHILDREN

According to the Census Bureau, in 2011 Texas had about 900,000 or 16.7 percent of the nation's 5 million uninsured children, and nearly 600,000 of the nation's 3.5 million uninsured children with family incomes below 200 percent FPL, again a 16.7 percent share. About 13.2 percent of all Texas children are uninsured, compared to a national average of 7.5 percent.

Bringing Texas up to the national average would require the state to insure an additional 393,000 children, less than the 550,000 expected to enroll in Medicaid under a Moderate scenario. After 2014, the national average will increase significantly since most states will expand Medicaid, which means that, without the expansion, the disparity between Texas and other states will grow.

Studies conducted in the 1980s found that expanding Medicaid to children reduced child mortality by 5.1 percent and infant mortality by 8.5 percent. Assuming the lower 5.1 percent rate, the expansion would save the lives of 2,700 Texas children every year after full implementation.

BENEFITS TO ADULTS

Our children also need healthy parents to provide for their care. Many low-income individuals and families simply cannot afford basic living expenses, health insurance and out-of-pocket health care expenses, making a Medicaid expansion imperative.

The Kaiser Family Foundation estimates that about 41 percent of adults covered under the expansion would be parents. Many of them work, but lack health insurance. According to the Census Bureau, 59.9 percent of uninsured adults in Texas work, a higher labor force participation rate than the total population's. According to Kaiser, about 1.2 million adults who would be covered under the expansion in Texas are working, about 60 percent of them in agriculture or service industries that tend toward smaller firms and are less likely to offer insurance to employees.

Only 28.4 percent of the 320,334 Texas private firms with fewer than 50 employees insured their employees in 2011, versus 92.3 percent of the 132,109 larger private firms. And besides working for low wages in firms that do not offer health insurance, many low-income individuals find work only on a part-time or seasonal basis, resulting in poverty-level incomes.

The Medicaid expansion would cover a person employed in a full-time, minimum-wage job paying \$7.25 per hour, which equates to \$15,080 per year, just below the 138 percent FPL cutoff. It also would cover a single parent earning \$10 per hour (annual wages of \$20,800). These wages are generally insufficient to cover basic living and working expenses as well as health insurance.

The high cost of health insurance affects both employers and workers, but high premiums as well as out-of-pocket medical expenses make it impossible for most low-income workers to afford health care. The 2012 average cost of single coverage was \$5,615, and family coverage was \$15,745, a 30 percent increase since 2007, according to a recent study by the Kaiser Family Foundation and the Health Research and Educational Trust. Employees paid an average of \$951 for single coverage and \$4,316 for and \$11,429 for family

coverage per employee, it is unsurprising that most small employers find it difficult to provide insurance.

Although the ACA provides subsidized health insurance for individuals above 100 percent of FPL, about 1.4 million uninsured Texas adults aged 18 to 64 who are below 100 percent of FPL will not be eligible. Covering most of these adults through Medicaid would mean a healthier workforce and would reduce absenteeism, job loss and unemployment insurance costs to employers. It also would increase income for families with children, thus reducing stress and providing more opportunities.

And, it would save lives. The Harvard School of Public Health recently compared three states (New York, Arizona and Maine) that expanded Medicaid to childless adults aged 20 to 64 between 2000 and 2005 with neighboring states that did not (New Hampshire, Pennsylvania, Nevada and New Mexico). They found not only a higher insured rate in the expansion states, but a 6.1 percent drop in the death rate for adults under age 65, or about 2,840 deaths prevented each year for every 500,000 persons newly insured. This translates into one life saved per year in the five-year follow-up period for every 176 newly insured. In Texas, that would amount to about 5,700 lives saved per year under the Moderate enrollment scenario once fully implemented.

BENEFITS TO EMPLOYERS

Only 36 percent of U.S. workers in firms with fewer than 25 workers have insurance. In a Kaiser Family Foundation survey, 48 percent of small employers indicated that the cost of insurance was too high for them to offer it to employees.

On the other hand, when their uninsured employees become sick, they are more likely to be absent from work longer, creating a burden to their employer and fellow employees. Frequent or prolonged absences for common untreated conditions such as asthma, diabetes, heart disease, allergies and flu can lead to terminations and the costs of recruiting, hiring and training new employees. Expanding Medicaid to adults aged 18 through 64 who are making marginal wages or working in part-time or seasonal positions is an effective way to assist small businesses and their employees alike.

Finally, we estimate that the Medicaid expansion would generate nearly 71,500 jobs in Texas in 2014, rising to 231,100 jobs in 2016, the first year of full implementation. Many of these jobs would be in health care, an industry that pays well and provides good job security and benefits, including health insurance, and wages would average \$50,818 during the 2014-2017 period—the same as the statewide average for all industries.

Texas already has the highest rate of uninsured for adults aged 18 to 64 of any state—31 percent compared to a national average of 21 percent in 2011. If Texas does not expand Medicaid, and Wal-Mart and other companies implement their intended policies, the number of uninsured in Texas will grow as it shrinks in states that acted, leaving Texas still at the bottom and digging a deeper hole.

FINDINGS IN OTHER STATES

Recent studies in other states have also found that states can finance their share of the expansion using funds already spent on state and locally funded health care for adults and new revenues generated from the expansion. After further study and considering revised trends, several states besides Texas have also substantially reduced their estimates of the state funds required for the expansion.

Some governors that previously expressed opposition to the expansion have changed their minds. In particular, Arizona's governor, Jan Brewer, initially in opposition, has recently announced that she will support it as long as Arizona includes an automatic trigger reducing Medicaid optional coverage should the federal government reduce its match rate in the future, a concern expressed by several state governors. After reviewing a new study that identified sufficient existing revenue sources, New Mexico's governor, Susana Martinez, also announced her support for the expansion.

California. A recent study by the University of California at Berkeley and the University of California at Los Angeles on the California expansion found that increased state tax revenues and savings would largely offset additional spending. It also found that savings in other areas of the budget, including other state health programs, mental health services and state prisons due to the expansion "would likely be more than enough to offset the \$46 to \$381 million in annual state General Fund spending for the newly eligible population through 2019."

Florida. Florida has recently reduced its estimate of state costs from \$26 billion to \$5.066 billion over 10 years from 2013-14 to 2022-23, including costs for newly eligible adults (\$1.767 billion), children who are currently eligible but not enrolled (\$3.012 billion) and the cost of shifting, called "crowd out," of currently insured individuals to Medicaid (\$0.287 billion). The state now estimates that the expansion would generate \$37 billion in federal funds over the ten-year period, of which about \$30 billion is for newly eligible adults.

Ohio. Estimates just published by Ohio State University compare the state's match requirements with the net savings the state would receive from moving adults from state-funded programs to Medicaid over a nine-year period from 2014 through 2019, concluding that savings in these programs would provide 41.2 percent of the state match necessary for the expansion. The study estimated that the state would receive net savings of about \$1 billion on:

Better match rate for medically needy adults of \$709 million.

Breast and Cervical Cancer Program costs of \$48 million.

Inpatient prison health care costs of \$273 million.

In addition, the study pointed out that there would also be savings on non-Medicaid substance abuse treatment, family planning, pregnant women and other state health care programs for uninsured adults. The study identified other areas of savings as well, including reduced criminal justice costs due to better access to substance abuse treatment.

The study also found net increases in state revenue from taxes of \$2,898 million on: managed care plans (\$1.823 billion), general revenue (\$857 million) from increased economic activity and increased drug rebates to the state from pharmaceutical companies (\$218 million). The study estimates that the state will need about \$2.5 billion for state match, which would leave a net state fiscal gain of \$1.4 billion.

Wyoming. The Wyoming Department of Health issued a report in November 2012 that also looked for offsets to pay for the Medicaid expansion. The department found that "participating in the optional expansion of the Medicaid program would result in a projected cost savings for the State General Fund throughout the first 6 years of the ACA implementation (fiscal years 2014-2020)."

OBJECTIONS TO MEDICAID EXPANSION

The ACA and the Medicaid expansion have raised concerns in Texas and some other states about its long-term costs for state and local budgets, as well as other concerns. Objections to expansion in Texas primarily revolve around three arguments:

Medicaid is "socialized medicine" like that practiced in western Europe and expanding it would spread it further;

The federal government should abandon Medicaid and move to a system of block grants to states, to provide them with more "flexibility" in meeting their citizens' health care needs; and

The added cost burden of expansion, despite extremely favorable federal matching rates, is too much for a program that has already overburdened the state financially.

Socialized medicine: Medicaid is not socialized medicine. Socialized medicine as practiced in Western Europe, and specifically Great Britain, is a system under which the government not only funds but also operates hospitals, hires health care providers and controls every aspect of health care. Medicaid does not do these things; patients and their health care providers make health care decisions. Medicaid in no way meets the definition of "socialized medicine."

Medicaid is a federal insurance program that matches state funding to provide health care to eligible, low-income citizens who cannot afford private health insurance. States receive federal matching funds and administer the program under federal rules that limit eligibility to certain groups and services and that provide states with flexibility within certain eligibility and service requirements. Texas participates in many similar federal programs that require state matching funds, including transportation, historic preservation and homeland security programs, among others.

Block grants: Some Texas lawmakers suggest that Medicaid is a "one-size-fits-all" program that fails to meet the state's unique demographic and industry needs. They are petitioning the federal government to convert federal Medicaid funding to a block grant, with each state receiving a fixed amount to establish its own state-specific program that might or might not include all the features of the current program. Even for lawmakers who favor a block-grant approach, however, this argument should not affect the decision to extend Medicaid coverage under the ACA. In fact, lawmakers who favor a Medicaid block grant in particular should support extending Medicaid to low-income adults: the government typically bases block grants on historical funding levels, so maximizing federal funding now would better position Texas in the event of any future conversion to block grants.

Cost burdens: As noted above, state and local governments currently fund all of our expenditures for indigent care and in-patient hospital costs for eligible incarcerated individuals, while the state supplies 100 percent of funding for some adults served in state health care programs that would be eligible for Medicaid. These, combined with hospital charity costs, far exceed the amount Texas would be required to contribute to expand Medicaid. New revenue from insurance premium taxes and economic growth from the infusion of \$100 billion in federal funds would provide additional revenue sources. Furthermore, opting out of the expansion will not reduce Texans' federal tax burden, nor will expanding Medicaid increase it.

Concerns that the federal government will not be able to maintain high match rates in

the future are unlikely to become reality given that Congressional representatives and senators represent their states. To ensure against this event, however, Texas could build in an automatic "trigger," such as Arizona is doing, to reduce Medicaid optional populations and services should Congress reduce the match rate in the future.

Governor Rick Perry has described extending Medicaid to low-income adults as "adding more passengers to the Titanic." It would be closer to the case to say that failing to cover adults will doom them like those hapless travelers. Experience in other states indicates that the death rate would fall by 6.1 percent for adults under age 65 if the state expands Medicaid, preventing premature deaths of 5,700 Texas adults in each of the five years following the implementation year, or 28,500 Texans over five years. Previous studies also have found reductions of 5.1 percent in the child mortality rate and 8.5 percent in the infant mortality rate attributable to Medicaid coverage.

Such studies led one author from the Harvard study, Arnold M. Epstein, to conclude: Sometimes the political rhetoric is at odds with the evidence, such as claims that Medicaid is a 'broken program' or worse than no insurance at all; our findings suggest precisely the opposite.

CONCLUSION

Extending Medicaid to low-income adults will save tens of thousands of lives and improve millions more over the next decade and beyond. The jobs created will support hundreds of thousands of people and boost the economy. The additional tax revenue will benefit state and local governments and important public purposes such as education, infrastructure and public safety. Businesses will benefit from healthier employees and lower employer insurance costs.

State and local government and the state's hospitals collectively spend far more on piecemeal health care for low-income Texans than the state's expected match for the expansion. Expanding Medicaid would move thousands of people into managed care from these programs and significantly reduce the use of expensive emergency room treatment for routine care.

Without expanding Medicaid to adults, Texas will still have to find additional state match for many of the eligible but unenrolled children identified in this report—but without the benefit of the additional state funds that an expansion would free up and without the new revenues that the additional federal funding would generate.

The decision to expand Medicaid—or not—will affect the lives of millions of Texans for years into the future and is arguably one of the most important decisions that the Legislature has had to make in decades. If politics are set aside, the right decision is obvious.

Mr. HORSFORD. I thank the gentleness from Texas. We stand with you and your colleagues here on the floor to continue to put pressure on leaders, not only in Texas but throughout the country, who do not see the value of expanding Medicaid.

I'm fortunate in Nevada—we have a Republican Governor, but he has agreed to provide the expansion for Medicaid, because he understands that in Nevada a third of our population is currently uninsured, and with the expansion of Medicaid that's going to make sure that fewer people turn up in

the emergency rooms through uncompensated care, which all of us as taxpayers end up paying for.

So this is an issue where Republicans who understand the bottom line in terms of health care and cost can work together with us to implement good policy for the American people. We'll continue to work with Governors that have not seen the light, but we believe that this is a plan that will work very effectively.

Mr. Speaker, can I ask how much time we have remaining?

The SPEAKER pro tempore. The gentleman has 18 minutes.

Mr. HORSFORD. Thank you, Mr. Speaker.

At this time, I would like to turn to several of our new Members of the 113th Congress. I'm very pleased and honored to be serving with them. I've learned so much from all the Members here, but particularly have enjoyed getting to know the new Members of the Congressional Black Caucus. There are five new Members.

I would now like to recognize my good friend, the gentleman from New Jersey, the man with the great legacy, who's carrying on the legacy of the late Congressman Payne, Representative PAYNE, Jr., at this time.

Mr. PAYNE. Mr. Speaker, I thank the gentleman.

Let me first thank my colleagues, Congressman HORSFORD from Nevada and Congressman JEFFRIES of New York, for anchoring tonight's CBC's Special Order on eliminating health disparities.

I would also be remiss if I did not acknowledge our leader on health issues in the Congressional Black Caucus, Dr. CHRISTENSEN.

Mr. Speaker, I would also like to take the opportunity to acknowledge a young person on the floor, the gentlelady from Nevada, the young Miss Horsford, who is here tonight. This is truly unique quality time to spend with your daughter.

There are numerous factors that contribute to the growing health disparities in New Jersey's 10th District—poverty, environmental threats, inadequate access to health care, and educational inequities. These issues are so interconnected that a piecemeal approach to fixing them just will not work. A comprehensive approach that focuses on providing access to quality care to all, creating good jobs that provide a decent living and increasing educational opportunities for low-income communities, is the only way to eliminate health disparities once and for all.

Even in the 21st century, health disparities are stark, especially in the African American community, in which life expectancies are lower and infant mortality rates are higher. Children of color who live at or below the poverty line are much more likely to have asthma, develop ADHD and contract dis-

eases because they cannot afford vaccinations.

So we have a moral obligation to eliminate health disparities. Our children and our future generations are depending on us. But narrowing the health disparities that exist is not only good for our Nation's health, it's good for our Nation's pocketbook.

Research tells us that access to quality health care could eliminate or reduce the onset of many chronic illnesses and disproportionate health outcomes that add to astronomical health care costs every year. Yet many of my colleagues won't rest until they repeal ObamaCare. The fact is, the Affordable Care Act will now provide health care to 9 million African Americans who are uninsured or underinsured. ObamaCare ensures that everyone has access to lifesaving care such as preventative cancer screenings, as well as coverage for children with preexisting conditions.

□ 2020

We know that ObamaCare's preventative services will help save lives and save money. So why are my Republican colleagues so set on repealing it? We have to protect ObamaCare just like we have to protect Medicare and Medicaid.

Sequestration is a direct attack on these already limited health resources. Sequestration is an irresponsible, across-the-board cut approach that will only contribute to the widening health disparity gap. Because of sequestration, Medicare has been cut by \$11 billion; cancer patients are being turned away from clinics, and they cannot get access to the life-saving treatments they need to live; millions in funding have been cut from community health centers.

Furthermore, the effects are very real for the people in New Jersey. In my State, nearly 4,000 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B. There will be millions in cuts to grants that would help prevent and treat substance abuse. New Jersey will lose nearly \$4.9 million in environmental funding that ensures clean air and clean water.

We live in a first world country, and you want me to go back home and tell my constituents that we cannot provide them with clean water and clean air? This is absolute insanity.

And to make matters worse, the New Jersey State Department of Health and Senior Services will be forced to provide 19,000 fewer HIV tests to low-income communities. Sequestration is directly contributing to the spread of this fatal disease. In essence, it is providing a death sentence to those who are poor and who can't afford the testing.

So I say to my colleagues tonight: addressing health disparities in this

country is both a moral obligation and a financial imperative. If we are going to truly eliminate disparities, we must start by eliminating sequestration, which does nothing but further the burden of our distressed citizens. Finally, we must maintain and strengthen our investments in health care access and resources for the disadvantaged populations that we serve.

In closing, just as Medicaid and Medicare and Social Security have become common threads and fibers of this great Nation, one day ObamaCare will be looked at in the same manner.

Mr. HORSFORD. Thank you very much to the gentleman from New Jersey.

I would like to now turn to the gentlelady from Ohio. She has come to Congress, providing great perspective as a member of the Financial Services Committee specifically, but also in her background of higher education and in her working on a number of these issues, one of which being the need to create a workforce that's trained and ready, particularly in the health care sector. I would like to yield to the gentlelady from Ohio, Congresswoman BEATTY.

Mrs. BEATTY. First, let me join my other colleagues in thanking my freshman class members, Mr. HORSFORD and Mr. JEFFRIES, for leading the Congressional Black Caucus' important discussion tonight on eliminating health disparities in America.

Tonight, you are hearing a lot of statistics because it is so important for us to let America know that low-income Americans, racial and ethnic minorities and other underserved populations often have a higher rate of disease and fewer treatment options and reduced access to health care. So you will hear facts tonight.

The facts are that African Americans have the highest rate of high blood pressure of all population groups and tend to develop it earlier in life; African Americans are twice as likely to have diabetes than Whites; African Americans are twice as likely to die from stroke than Whites; African Americans are more than twice as likely to die from prostate cancer than White men; and African American women younger than 40 years of age are more likely to develop breast cancer than White women; infants born to Black women are 1.5 to 3 times more likely to die than those born to women of other races or ethnicities; African Americans are estimated to be 44 percent of all new HIV infections despite representing only 13 percent of the U.S. population.

These disparities are shocking, and the Congressional Black Caucus will not let us ignore them. In 2009, health disparities cost the United States economy \$82.2 billion. We have to continue to bring awareness to this issue within

our communities and develop strategies to eliminate these disparities in a cost-effective way.

On March 23, 2010, President Obama signed the Affordable Care Act, which is a monumental step that helps us address these overwhelming statistics in health disparities within our communities. We now have in place comprehensive health care reform that improves access to affordable care and guarantees that millions of our most at-risk citizens will finally be able to receive care. By improving access to quality health care for all Americans, the Affordable Care Act actually reduces health disparities.

We share this information so citizens will know that this law invests in prevention and wellness, that it gives individuals and families more control over their own care, that it expands initiatives to increase racial and ethnic diversity in health care professionals by strengthening cultural competency training for all health providers, and that it improves communications between providers and patients.

As a lifelong health care advocate and as a stroke survivor and as an African American woman, I know the importance of protecting access to affordable health care coverage for all Americans, particularly for those who are most in need. We need to continue to move forward with this legislation and with initiatives that eliminate health disparities in America, and I look forward to continuing to work with all of my colleagues to improve our health care system. In order to have a successful Nation, we must have a healthy Nation. So this is my clarion call to all my colleagues—Democrats and Republicans—to help us make progress on this critical issue.

Mr. HORSFORD. I thank the gentleman from Ohio.

At this time, I would like to turn to the gentleman from Texas, Congressman VEASEY, and I would like to thank him again for his hard work and contributions to this new 113th Congress.

Mr. VEASEY. Thank you.

I would also like to thank the gentleman from the Sagebrush State, STEVEN HORSFORD, and from the Empire State, HAKEEM JEFFRIES, for all of their work on this very important issue and also in talking about the importance of the Affordable Care Act and everything that it's going to bring to our country. I also want to talk about the health care crisis that is ongoing in America today.

Unfortunately, obesity and the long-term effects associated with this condition are all too prevalent in our country. When you look at the health statistics, it's quite astounding to say the least. Today in America, nearly two-thirds of adults and one in three children are overweight. In my own home State of Texas, we have one of the highest obesity rates in the country.

According to the Centers for Disease Control and Prevention, 30 percent or more of Texans are obese.

The high obesity rate has contributed to the pervasiveness of diabetes, heart disease, and other chronic diseases that drain resources from our health care system. Increases in food intake, a lack of physical activity, and environments that make nutritious choices more difficult have all played a role in this obesity epidemic.

Many children and adults do not have much control over the choices of foods they are able to get. Across this country, we are laden with food deserts or places where residents may not be able to get to a nutritious food option because they do not own a car or have access to public transportation, or maybe they don't live along walkable roads. This forces families to outsource their daily eating to more accessible and sometimes cheaper alternatives, such as fast food, to get their daily nutrients. A steady diet with high fat, salt- and sugar-based products has led to unhealthy lifestyles.

Diabetes is one of the more commonly known effects of being overweight or obese.

□ 2030

The disease affects 25.8 million Americans, roughly 8 percent of our population. The effects and complications of diabetes can include stroke, high blood pressure, blindness, kidney disease, and amputations.

Studies have shown that people with prediabetes who lose weight or increase their physical activity can prevent or delay type 2 diabetes and in some cases even return their blood glucose levels to normal.

Each of these statistics is more exacerbated when you look specifically at the minority population in our country such as Latinos and African Americans and our special-needs population.

When you break down obesity by race, African Americans have the highest rates of obesity at roughly over 35 percent; Latinos, a little over 28 percent as compared to the non-Hispanic White population of 23.7 percent. Individuals with disabilities also have higher rates of obesity at 31.2 percent. This is why I introduced House Resolution 195 designating May as Health and Fitness Month.

We need to correct our course as a country and get on the path to healthier lifestyles. The numbers are clear. We cannot sustain this unhealthy path we are on. Not only is it cutting the lives of too many Americans short, but it's also costing our country. In 2008, medical costs associated with diabetes were estimated to be at \$147 billion. The medical costs for people who were obese were over \$1,400 higher than those of normal weight.

We need to show our children that we can make healthy, nutritious choices

and increase our physical activity. We must also not forget that this must be spread throughout all aspects of our population. While tremendous resources have been employed to help combat the growing obesity epidemic amongst children, markedly fewer have been used to address specific issues regarding how to best help obese children with disabilities.

So, today, let's declare a more nutritious and healthy lifestyle with better food choices and more active lives.

Mr. HORSFORD, thank you very much.

Mr. HORSFORD. I thank the gentleman from Texas.

I know we are wrapping up on our hour, Mr. Speaker.

I'd like to recognize the co-anchor for this hour, my good friend and colleague from New York (Mr. JEFFRIES), who will provide a bit of a synopsis.

Mr. JEFFRIES. Thank you, Mr. HORSFORD, for once again co-anchoring this Special Order and for your tremendous leadership, and also thanks to Dr. CHRISTENSEN. We are thankful for all that you have done in chairing the CBC Brain Trust on Health Care.

The Affordable Care Act is the law of the land; the President has been elected and reelected; the Supreme Court has ruled it constitutional. Let's move forward and address the health care disparities that have been set forth so eloquently here today, come together and deal with the ailments that are facing the American people.

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

The SPEAKER pro tempore (Mr. DESANTIS). Members are reminded not to refer to persons on the floor as guests of the House.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the contributions of the Affordable Care Act to eliminating health disparities. Health disparities refer to the unequal health outcomes, ability to access health care, and rates of disease that impact certain Americans based on their income, race, ethnicity, or other identities. These disparities not only have devastating impacts on communities of color in my district, but they undermine health in historically marginalized communities across the Nation.

The disparities are staggering. For instance, in 2006, the infants of African American women had death rates over twice as high as infants of white American women. In 2009, the average American could expect to live 78.5 years, but the average African American could only expect to live to 74.5 years. African Americans also have significantly higher rates of hypertension and HIV than white Americans.

The impacts are financial as well as human. Eliminating health disparities would prevent approximately one million hospital stays per year, saving \$6.7 billion in health care costs alone. Even more stunning, from 2003 to 2006, the direct and indirect costs of racial and ethnic health disparities totaled \$1.24 trillion in the United States.

Insurance coverage is strongly related to better health outcomes, and African Americans have substantially higher uninsured rates

than white Americans. Beginning in 2014, the Affordable Care Act will expand health insurance coverage to millions of Americans who are currently uninsured, and will provide subsidies to make coverage affordable for low-income Americans. The Affordable Care Act will mandate that Medicare and some private insurance plans cover essential preventive services at no additional cost, so that more people will be able to prevent illness and stay healthy.

The Affordable Care Act invests in community health centers, which offer primary health care to patients regardless of income, and in coordinated care measures, such as providing care teams to help patients manage chronic diseases and funding home visits for pregnant mothers and infants. Patients may be more likely to visit the doctor and receive quality care if physicians are able to understand their cultural background, so the Affordable Care Act also devotes resources to increasing the racial and ethnic diversity of health care providers and improving cultural competency training for all providers.

These are just some of the important ways in which the Affordable Care Act is working to eliminate health disparities. I look forward to collaborating with my colleagues to support the successful implementation of the Affordable Care Act and eliminate health disparities for future generations.

CURRENT EVENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it's always an honor to come to the floor of the House of Representatives, especially when there's so much of great importance occurring in our Nation at this time.

We do need health care reform, and I appreciate my friends across the aisle talking about the importance of good health care.

I've continued to hear people find that they are going to lose their health insurance. I was talking to numerous employers this past week who say, I want to compete and have been notified insurance is going up higher next year. I heard from a small business employer, I'm not going to be able to carry insurance. I love my employees. I provide them good insurance. But come January, too many of my competitors have said they can't afford to keep the insurance for their employees, and so they're going to drop it and pay the \$2,000 fine because \$2,000 is so much cheaper than the cost of health insurance.

The reason we were told for pushing through the ObamaCare bill in a very partisan way was because there were 30 million or so who did not have insurance; and as some have indicated, there may be that many who lose their insurance as a result of ObamaCare. So I'm very concerned.

I, like my friends across the aisle, want to make sure not that people have insurance necessarily, but that they have affordable health care. And I'm hearing from health care providers that they're hearing from people who are no longer going to carry insurance for their employees, that it's going to be more and more expensive to provide health care since they made money off those who had insurance; and without people having the insurance they had in the past, as the President promised and has been made very clear was not true, there will be more pressure on those who are paying for their health care to pay substantially more, which means there are more people who will not be able to afford it, and it will break the system. Of course, with health insurance companies complaining that because of the things they're forced to cover, their insurance is going to necessarily have to go up.

There will likely be insurance companies that will have to give up the health insurance business, and then the administration can complain that, Well, we thought we were going to be able to work with the greedy health insurance companies; but as it turns out, they've gone out of business and doctors have abandoned their practices and retired early. So it looks like the government is going to have to take over the health care business.

Under ObamaCare, the Federal Government is already going to have everybody's health records. Their most private and personal secrets between them and their health care provider will then be available to the Federal Government and, as I understand it, to General Electric, who this administration, because of their great support of General Electric in this administration and their cozy working relationship, they'll have the contract to take care of everybody's health care records. So that will be just delightful.

The tragic thing, just as the one lady asked during the town hall that the President had at the White House when she asked about her elderly mother getting a pacemaker, though she was of late years—I believe 95—and that she's had the pacemaker for 10 or 11 years, would the panel that decided who would get what treatment, would they consider the quality of life of an individual in determining whether or not they get a pacemaker or such things, and the answer the President ultimately gave is, Well, let's face it. Maybe we're better off telling your mother that instead of a pacemaker you get a pain pill.

So it's very clear that as we approach the day when ObamaCare kicks in fully, there will be more and more seniors, whatever age this panel—it's not really a death panel—but it will decide who gets pacemakers and who is perhaps too old or maybe has lived a good life but now is beyond being worthy of,

in this administration's opinion, getting a new knee or a new hip or back surgery, those kinds of things. You'll have bureaucrats that are deciding those issues all in the name of helping people with their health care. Because as anyone who seriously looks deeply into socialized medicine finds out, the only way for socialized medicine to stay afloat is if you have people dying while they're waiting on a list to get their particular procedures.

I mentioned on the floor, I believe last year, about a report from England that they're hoping to reduce the length of time that patients have to wait for their procedures, whether therapeutic or diagnostic, surgery, therapy, whatever it is, reduce that wait from the time it's prescribed until the time it's obtained down to 10 months.

□ 2040

Well, there are a lot of people that we know find out they have cancer, they have some problem, perhaps need a bypass, and if they don't get it immediately, then they don't make it for 10 months. So that's where we are headed and eventually people will see that, and I just hope and pray it's not too late so enough people will put pressure on their Members of Congress, and especially the Senate, to repeal ObamaCare and get us true health care reform so that people can have the health care that they want to have, they deserve to have. And for those who are truly—and only those who are truly—chronically ill or chronically poor and are not able to work or obtain affordable health care, then those people, as a caring society, we would take care of.

But since ObamaCare cut \$700 billion from Medicare, it's now appearing to more and more seniors that this administration effectively took money for treatment that they would get and provided that to young, healthier people who probably could, or possibly have their employer provide it if the employers were not being penalized for doing so, but whose employers will likely give up that insurance, and we'll see that as time goes on.

But nonetheless, seniors, although they were told by this administration and told by some people across the aisle that they wouldn't lose their doctor, well, many have already lost their doctor. People were told, if you like your insurance, you can keep it; and we've already found that's not true. So my heart breaks for people who are going to need health care in the next few years and are simply not going to be allowed to have it because the government will stand between them and the health care they need.

I do recall seeing the President on video saying some years back that he wanted single payer health care, the government taking over all health

care, but we couldn't get there in one step. As you examine ObamaCare and you see it is ultimately going to bankrupt health insurance companies, it is going to drive doctors out of the profession, it is going to ultimately bring down the standard of care, we see that it has now set up the whole system to fail so that down the road the government will say, just as then Senator Obama said, we will get to government-run health care because, gee, the greedy insurance companies went bankrupt trying to be greedy and doctors got out of the business, and now it looks like the government is going to have to take it over, just like we hoped.

If there was ever any aspect of life that would ensure that the Federal Government could dictate people's lives to them, it would be health care. When the government controls all health care, the government will control all people in this country because they will make the decision basically who gets what treatment, when we get to that point, and I'm hoping and praying we will repeal ObamaCare before that happens. It's going to require a new Senate, obviously.

Well, another area that has had a lot of government intrusion has been in the area of the First Amendment. So many people simply do not understand and do not appreciate that the First Amendment does say, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

So we've had so many areas in which the government has moved forward to establish a nonreligion, has forced, like in the case of the major who shot and killed 13 of our servicemembers at Fort Hood, he and his Islamic faith were forced upon people who needed counseling about having to go, Christians who had to go to the Middle East, to Iraq, to Afghanistan, to serve their country. They had to get counseling from someone who made very clear that his faith was everything, and his faith in Islam so overwhelmed him that not only must it have affected the advice he gave to Christians who were forced to see him, but it also caused him to shoot and kill even those he had not wounded with his words.

But there does seem to be a war on Christianity in this country. Certainly, as the Founders anticipated, there should not be an establishment of religion, but most important was that they not prohibit the free exercise of religion.

When I was in the Army for 4 years, I had so many Christian friends. I had friends that were not. But I had so many Christian friends, and it seemed that especially around east Texas, where I grew up, so many Christians, those that came from Christian backgrounds, also had instilled not only a faith in God but also a love of country

because of just how blessed this country has been, and because they understood that since most of the Founders had this Christian faith and over half, about two-thirds were even ordained Christian ministers, the signers of the Declaration of Independence, they wanted freedom of religion. So you could be an atheist. You could be a Muslim. You could be a Buddhist, whatever. You could believe in the power of crystals and nothing else, whatever it was, because it was the Christian faith. If it is truly Christian, then it provides everyone with the freedom of choice, as God has given us.

There are other religions that do not give freedom of choice. And we know, as the Islamic countries, where we're not allowed, even as Members of Congress, to carry in a Bible or to talk about our faith at all, they clearly prohibit the free exercise of religion. Even since this country and so many thousands of Americans laid down their lives to bring freedom to Afghanistan, this country gave Afghanistan a constitution in which shari'a law was the law of the land, and the last report I saw indicated that the last Jewish person had left Afghanistan and the last Christian, public Christian church had closed. So there's no freedom of religion there. There's no freedom of religion even in allied nations like Saudi Arabia or even in Egypt, not complete freedom of worship, even when Egypt was more of an ally than a country that elected a Muslim Brotherhood member who wanted to see the great state of America destroyed.

□ 2050

This has been a country where anyone, any religious beliefs, would have freedom of religion. But when we get away from the Judeo-Christian faith, whose notions founded this country, then there is no protection for all religions.

So it was interesting to see, especially, having been in the Army, having had friends that made careers out of the military—so many that started with me stayed in for a career—to see, last week, that and, as this headline says, "Pentagon Confirms May Court Martial Soldiers Who Share Christian Faith."

This May 1st article by Ken Klukowski said:

The Pentagon has released a statement saying that soldiers could be prosecuted for promoting their faith: "Religious proselytization is not permitted within the Department of Defense. Court martials and nonjudicial punishments are decided on a case-by-case basis."

The statement, released to Fox News, follows a Breitbart News report on Obama administration Pentagon appointees meeting with anti-Christian extremist Mikey Weinstein to develop court martial procedures to punish Christians in the military who express or share their faith.

(From our earlier report: Weinstein is the head of the Military Religious Freedom

Foundation, and says Christians—including chaplains—sharing the gospel of Jesus Christ in the military are guilty of "treason" and of committing an act of "spiritual rape" as serious a crime as "sexual assault." He also asserted that Christians sharing their faith in the military are "enemies of the Constitution.")

Being convicted in a court martial means that a soldier has committed a crime under Federal military law. Punishment for a court martial can include imprisonment and being dishonorably discharged from the military.

So President Barack Obama's civilian appointees who lead the Pentagon are confirming that the military will make it a crime—possibly resulting in imprisonment—for those in uniform to share their faith. This would include chaplains—military officers who are ordained clergymen of their faith (mostly Christian pastors or priests or Jewish rabbis)—whose duty, since the founding of the U.S. military under George Washington, is to teach their faith and minister to the spiritual needs of troops who come to them for counsel, instruction or comfort.

This regulation would severely limit expressions of faith in the military, even on a one-to-one basis between close friends. It could also effectively abolish the position of chaplain in the military, as it would not allow chaplains, or any servicemembers, for that matter, to say anything about their faith that others say led them to think they were being encouraged to make faith part of their life. It's difficult to imagine how a member of the clergy could give spiritual counseling without saying anything that might be perceived in that fashion.

World magazine has an article entitled "Religious Battle Lines," posted May 2, 2013. And in that article by Edward Lee Pitts, it says:

In a provocative piece at The Huffington Post written before his Pentagon visit, Weinstein, who served in the U.S. Air Force said, "We face incredibly well-funded gangs of fundamentalist Christian monsters who terrorize their fellow Americans by forcing their weaponized and twisted version of Christianity upon their helpless subordinates in our Nation's Armed Forces."

After the meeting, a column appeared in The Washington Post, largely sourced by Weinstein, which portrayed him as heroically taking on and lecturing the Pentagon brass. That piece in the newspaper's On Faith section opened by suggesting that, while Defense Secretary Chuck Hagel has Pentagon budget concerns, "there are much more serious issues he must deal with. Religious proselytization and sexual assault are at the top of the list."

Well, if Secretary Hagel were talking about the type of proselytization that has gone on among our military members that has caused anyone to yell "Allahu Akbar" and then go about killing fellow members of the service, then I would certainly understand why Secretary Hagel would be concerned about that kind of proselytizing.

But for anyone to talk about sedition and treason and Christians basically acting in an unconstitutional way by expressing or utilizing their freedom of religion, for him to promote the prohibition of the free exercise of religion, would be actually encouraging treason, and it would be so very unconstitutional.

So it's quite interesting, when you find people who are educated beyond their ability such that they could read the Constitution and not understand the second clause that does not allow prohibition of the free exercise of religion.

We got an explanation from DOD and the Air Force on what they really meant after people started objecting to this. And the Air Force statement said this:

When on duty, or in an official capacity, Air Force members are free to express their personal religious beliefs as long as it does not make others uncomfortable. Proselytizing (inducing someone to convert to one's faith) goes over that line. Leaders must avoid the actual or apparent use of their position to promote their personal religious beliefs to their subordinates or to extend preferential treatment for any religion.

As this matter from Fox News says:

Lieutenant Colonel Tingley's last sentence is troubling. An Air Force officer was told he could no longer keep a Bible on his desk because it "may" appear that he was condoning a particular religion. Air Force officers must be allowed to live out their faith in a way that is consistent with their faith. If the Bible is important, then an Air Force officer should be able to have one on his desk. Air Force officers should be allowed to attend chapel, lead prayers, even speak in chapel or lead Bible studies if it is consistent with their faith. This statement does not help. What does "as long as it does not make others uncomfortable" mean? Who decides? How much of this policy did Mikey Weinstein influence?

These are all good questions, because if the standard is that you may be allowed to express your religious beliefs unless it makes someone uncomfortable, then that is basically a prohibition of anybody's freedom of religion, if they are a Christian.

Mr. Weinstein doesn't seem to be bothered. I haven't seen an expression of concern about anybody yelling "Allahu Akbar" and killing 13 other servicemembers as an expression of religion. He doesn't seem to have found that treasonous or problematic. But some of the rest of us do.

□ 2100

So I hope that common sense and reason will win out, especially considering the historic nature of our Constitution. And those who parrot the words "separation of church and state" as if they are in the Constitution I find don't often know that those are not in the Constitution and are not aware that Thomas Jefferson coined that phrase in a letter to the Danbury Baptists where he also coined the phrase, "wall of separation." And this is a President who, it has been confirmed by secular and even the Congressional Research folks, that Jefferson most Sundays when he was here in Washington would normally ride a horse down Pennsylvania Avenue and attend a nondenominational Christian worship service here in the Capitol just down

the Hall in what we now call Statuary Hall but where they, back then, for most of the 1800s, had a Christian worship service.

The first woman to address a group in the Capitol did so, a female evangelist, a Christian evangelist spoke down the hall. The first Catholic to address a group in the Capitol did so just down the Hall. The first African American to address a group in the Capitol did so down the hall. It is a very historic place just down the hall where Church was held for most of the 1800s, a Christian, nondenominational worship service. So it is rather historic. And it was a Christian chapel to which George Washington went with all the other leaders after he was sworn in in 1789 and went down the road there in New York from the Federal building where he was sworn in to the chapel that was the only building at ground zero that was completely unaffected by the horrible fall of the World Trade Centers after they were attacked by people filled with hatred, an evil people, radical Islamists, who thought that in their religion, radical Islam, that they would find virgins in paradise by killing thousands of innocent people. So, hopefully, the military will take another look at this. I hope and pray they will.

For most of this country's history, Members of Congress, even still we have Members of Congress from both sides of the aisle who quote Scripture from the Bible as a resource or a confirmation for a particular bill or position that they are taking. Going back to our very inception as a country, that was considered a wise thing and not a treasonous thing as Mr. Weinstein, so unfamiliar with our history, would attempt to have people believe.

It was the incredible Martin Luther King, Jr., an ordained Christian minister, that sought to apply the teachings of Jesus and the philosophy of Jesus through nonviolence to force the Constitution to be interpreted to mean exactly what it said, and that is the kind of basis from which there is legitimacy to treat all people equally. As Jefferson made clear, if people do not realize that their liberty comes from God, then they will not long keep that liberty. I think he said he trembled at such a thought.

This Wednesday, we are going to have a hearing in the Oversight Committee regarding what happened at Benghazi on 9/11 of last year. I will be honored, humbled and honored, to escort the widow of Ty Woods, one of the two former Navy SEALs who was killed when help did not come, for whatever reason, whoever ordered help not to come in a timely fashion, and this hearing will hopefully shed a little more light on that.

An article from Breitbart came out 5 May, 2013, by John Sexton. He says:

In an appearance on "Face the Nation" this morning, Representative Darrell Issa revealed several new pieces of information about the Obama administration's controversial description of the 2012 terrorist attack in Benghazi, Libya, casting doubt that the White House mischaracterized its cause by mere accident.

"The talking points were right and then the talking points were wrong," Issa explained in response to a question about reporting at the Weekly Standard. The CIA and Greg Hicks, who took over as Charge d'Affaires in Libya after the death of Ambassador Chris Stevens, both knew immediately that it was an attack, not a protest.

Hicks, who did not appear on the show but whose reactions were featured based on transcripts of interviews with Issa's committee, said he was stunned by what U.N. Ambassador Susan Rice claimed on five different news shows on September 16. When she appeared on "Face the Nation," she followed an interview with the President of Libya who claimed he had "no doubt" it was a terror attack. Moments later, Ambassador Rice contradicted him and claimed a spontaneous protest was more likely.

Acting Ambassador Hicks watched the Sunday shows and said he found this contradiction shocking. "The net impact of what has transpired is the spokesperson of the most powerful country in the world has basically said that the President of Libya is either a liar or doesn't know what he is talking about," he accused. Hicks added, "My jaw hit the floor as I watched this. I have never been as embarrassed in my life, in my career as on that day."

Hicks believes the stunning failure of diplomacy on the Sunday news shows explains why it took the FBI 3 weeks to gain access to the Benghazi site. The U.S. had effectively humiliated the Libyan President on national TV. That decision, he believed, probably compromised our ability to investigate and track down those responsible.

According to Hicks, no one from the State Department contacted him about what Ambassador Rice would be saying in advance. The next morning he called Beth Jones, Acting Assistant Secretary for Near East Affairs, and asked her why Ambassador Rice had made the statements she had. Jones responded, "I don't know."

A report published Friday by the Weekly Standard suggests that State Department spokesperson Victoria Nuland took issue with the initial talking points and, with backing from the White House, removed any evidence of al Qaeda involvement and of prior attacks on Western targets in the region. According to emails reviewed by the Weekly Standard, Nuland said her superiors were concerned about criticism from Congress.

□ 2110

You don't have to be trained in the Diplomatic Corps to understand that if the President of Libya, where our consulate was attacked, said this was not a protest, it was an attack by extremists, that since this administration needed his administration's assistance in investigating the matter, that they may have just alienated the President of Libya and negated efforts to bring the people responsible to justice.

Of course there's no real explanation as to why it would take 8 months just to put up three pictures, as has been done, to try to identify the perpetrators of what happened in Libya. Heck,

when that was done regarding the perpetrators in Boston, it wasn't months that it took to identify those individuals; they precipitated bringing things to a head rather quickly. Isn't it interesting that it's only after tremendous congressional pressure to get to the bottom of what actually happened at Benghazi so that we can try to avoid it for the future that all of a sudden there is interest in actually trying to capture the people responsible.

CBS News, May 6, by Sharyl Attkisson, has a headline of an article: Diplomat: U.S. Special Forces told "you can't go" to Benghazi during attacks:

The deputy of slain U.S. Ambassador Christopher Stevens has told congressional investigators that a team of Special Forces prepared to fly from Tripoli to Benghazi during the September 11, 2012, attacks was forbidden from doing so by U.S. Special Operations Command South Africa.

This is just shocking to think that we had people armed, equipped, able, as we know now if this is true, they should have been able to save the lives of those two heroes—Ty Woods and Glen Doherty—and also the State Department individual that had most of his right leg blown off up there with them. They could have saved all of them if they had been allowed to go protect the people who were sent there to serve by this administration.

Another article, the Washington Times has a headline: "U.S. could have halted Benghazi attack with a fly-over." This is according to a diplomat. This article by Shaun Waterman, dated Monday, May 6, 2013, says:

U.S. air power could have headed off at least part of last year's terror attack on the diplomatic post in Benghazi, but American officials never asked for overflight permission because there were no airborne tankers available to refuel, according to the House Oversight Committee's investigation.

Gregory N. Hicks, who became the chief of the U.S. mission when Ambassador J. Christopher Stevens was killed in the attack, told House investigators Libya would have given the U.S. permission to do the fly-over.

Democrats have accused the Republicans of running a "one-sided investigation."

Mr. Hicks will testify on Capitol Hill this week along with several others who will detail the conflicting stories the Obama administration told in the days after the attack, which left Stevens and three other Americans dead.

Mr. Hicks was deputy chief of mission at the embassy in Tripoli when the U.S. post in Benghazi was attacked by heavily armed extremists on September 11.

In interviews last month, Mr. Hicks told investigators with the House Oversight and Government Reform Committee that an overflight by a U.S. F15 or F16 might have prevented the second phase of the attack.

After the diplomatic post was over-run and set ablaze that night killing Stevens and Foreign Service Officer Sean Smith, the survivors took refuge in a nearby CIA building called the annex. That building was in turn attacked at dawn on September 12, when a mortar barrage killed former SEALs Glen Doherty and Tyrone Woods.

"If we had gotten clearance from the Libyan military for an American plane to fly over Libyan air space . . . if we had been able to scramble a fighter or aircraft or two over Benghazi as quickly as possible after the attack commenced, I believe there would not have been a mortar attack on the annex in the morning because I believe the Libyans would have split," Hicks told House investigators.

Another article from Fox News, also dated May 6, 2013, is titled: Clinton Sought End-Run Around Counterterrorism Bureau on Night of Benghazi Attack, Witness Will Say at Hearing.

On the night of September 11, as the Obama administration scrambled to respond to the Benghazi terror attacks, then-Secretary of State Hillary Clinton and a key aid effectively tried to cut the Department's own Counterterrorism Bureau out of the chain of reporting and decision-making, according to a "whistle-blower" witness from that bureau who will soon testify to the charge before Congress, Fox News has learned. That witness is Mark I. Thompson, a former marine and now the deputy coordinator for operations in the agency's Counterterrorism Bureau.

It goes on down, it says:

Fox News has also learned that another official from the Counterterrorism Bureau—independently of Thompson—voiced the same complaint about Clinton and Under Secretary for Management Patrick Kennedy to trusted national security colleagues back in October.

Extremists linked to al Qaeda stormed the U.S. Consulate and a nearby annex on September 11 in a heavily armed and well-coordinated 8-hour assault that killed the U.S. ambassador to Libya, Chris Stevens, and three other Americans.

Thompson considers himself a whistle-blower whose account was suppressed by the official investigative panel that Clinton convened to review the episode, the Accountability Review Board. Thompson's lawyer, Joseph diGenova, a former U.S. attorney, has further alleged that his client has been subjected to threats and intimidation by as-yet-unnamed superiors at State, in advance of cooperation with Congress.

Down further it says:

"You should have seen what (Clinton) tried to do to us that night," the second official in State's Counterterrorism Bureau told colleagues back in October. Those comments would appear to be corroborated by Thompson's forthcoming testimony.

State Department spokeswoman Jen Psaki called the counterterrorism officials' allegations "100 percent false." A spokesman for Clinton said tersely that the charge is not true.

It says:

Daniel Benjamin, who ran the Department's Counterterrorism Bureau at the time, also put out a statement Monday morning strongly denying the charges.

"I ran the bureau then, and I can say now with certainty, as the former Coordinator for Counterterrorism, that this charge is simply untrue," he said. "Though I was out of the country on official travel at the time of the attack . . ."

And it goes on. But that seems to be the way, when this administration wants somebody to say, as he did, a charge is simply untrue and to strongly deny charges, they seem to have to

call on somebody who had no firsthand information, which is why so many people were questioning why Ambassador Susan Rice was called upon to make the Sunday morning show round and constantly tell people that apparently it was the result of a protest and was not al Qaeda related, when in fact as people knew that night at the time of the attack, this was a coordinated effort. There was no sign of protest.

So the way the administration appears to have operated is to have people come forward who had no firsthand information, give them their talking points, as Susan Rice was given—an intelligent person. She's told by people apparently she trusts, here's what you need to point out, here's what you need to know. And then those people have plausible deniability of what the real facts are because they've just been handed talking points.

So it is a very serious matter when we're trying to get to the truth because it does matter. It makes the difference between whether or not we learn from mistakes that were made and correct them for the future, or whether we refuse to learn from history, refuse to learn from the mistakes that were made so that we become, as the old saying says, destined to repeat them.

□ 2120

So it does matter, and it matters very much to Ty Woods' widow, who will be here for the hearing. She does have interest because it does matter to her.

What difference does it make? It will matter to the loved ones of those who will die in the future if we don't get down to what actually occurred, what mistakes were made so we can avoid them being made in the future. It makes a lot of difference to those who don't want their loved ones to die in the service of this country.

Now, there are also reports out there that, as I read already, that there was a group of Special Forces who were ordered to stand down and not go forward and help those at Benghazi. As the article from CBS News points out, there may have been a Special Forces team that was ready to go and then they were told you can't go. It is just incredible to think that someone may have given such an order and not allowed the military to go forward.

There are rumors afloat that people in the military, people in the State Department, have been told not to talk to Members of Congress about what happened at Benghazi. If there is anything to those accounts, one thing that is often helpful is to go to the law itself. 18 U.S.C., section 1505 is entitled, "Obstruction of Proceedings Before Departments, Agencies, and Committees," and, in part, says: "Whoever corruptly"—and I'm just reading what might be applicable if this were ever to arise and someone ever were to instruct members of the military or

members of the State Department or any agency of the Federal Government not to communicate with Members of Congress, this bears noting.

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress.

It goes on to say they'll be punished.

That's a rather serious matter, so hopefully nobody is out there giving such instruction or has not been out there giving such instructions, because when members of the military or the State Department or intelligence departments or Justice Departments have information and they have been asked to provide such information and anyone instructs them in any way that may impede Congress' recovery of such information, then they need to look at 18 U.S.C.

Also, 18 U.S.C., 371:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be—

And then it talks about their fine and imprisonment.

And then, of course, this under 18 U.S.C., section 2:

Whoever commits an offense against the United States or aids, abets, counsels, commands, induces, or procures its commission is punishable as a principal. Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

So, basically if somebody is encouraged not to be forthcoming or honest with the Congress, you run into some issues there as well.

I hope people will take note of our laws, and hopefully there's no truth to the rumors afloat that such instructions had been given because, just as I was so greatly offended when the national security letter system was abused and we had an inspector general report about that, I didn't care that it was a Republican administration that was abusing people's freedom and I spoke out.

And I hope that friends across the aisle, as this information continues to be forthcoming about misrepresentations that were made publicly by this administration, intentionally and knowingly, that others, friends across the aisle, will stand up, as I did, about the Bush administration, their Justice Department, and demand justice. I demanded a resignation from the FBI Director back then. We have an obligation, and it goes beyond party loyalty.

When people were killed who were sent to Libya to serve this country—and we had two former SEALs who went and gave their lives to try to save, and who did save, American lives—the least people stateside can do, the least those who were reportedly told you can't go help these people, the least they can do since they were not allowed, according to the story, not allowed to go give Ty and Glen backup then, I hope and pray they'll have the courage to give them backup now so there will be no more Tys and Glens that will have to give their lives in the future because inadequate security was provided and a State Department was stumbling through relations in a tough situation and then sent people forward with statements that those who sent that person forward knew were not true, I hope that we'll have people, not just those that are now coming before the committee on Wednesday, but others, for the sake of Ty and Glen, Mr. Speaker, I hope people who are in the service or former servicemembers that may have personal information will give them the backup now that they're gone that they would have wanted if that was them who gave their lives.

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

COMPREHENSIVE IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker. I appreciate the privilege of being recognized here on the floor of the United States House of Representatives and taking up the subject matter that I understand is going to begin this week with a markup in the United States Senate of a piece of legislation called Comprehensive Immigration Reform that has been advanced by the self-described Gang of Eight over in the Senate, four Democrats and four Republicans, a bill that they had dropped or introduced some couple of weeks ago, 844 pages all designed to solve the problem that we have here in the United States of illegal immigration and all the accommodations that have been made in efforts to, one, open our borders and open up our employment and open up our welfare systems and open up our public access to government services to people that are unlawfully present in the United States.

□ 2130

That's one side of the initiative. That's the CHUCK SCHUMER side, Mr. Speaker. Then on the other side are those of us who, instead, argue that the rule of law has to count for something, that you can't be a nation unless you have borders, and if you don't deter-

mine what comes across those borders, then you can't call yourself a nation.

I'd make the point that the most successful institution over the last couple of centuries has been the nation-state. Nation-states are formed around the lines of language and culture and national defense and civilization and economies. Language has been a primary component of it to which one can look at Western Europe, for example, and see where the lines are drawn around nation-states of common languages.

But here we are in the United States. We're a different kind of a country. We are a Nation that has been benefited by the legal immigration that has come into this country from every donor civilization on the planet. Because of the magnet of the image of the promise of God-given liberty and freedom, people from all over the world have aspired to come to America to become an American, to take advantage of these opportunities of this God-given liberty in order to be able to start a business, to get a job, to save, to invest, and to establish and build the American Dream, the American Dream which is encompassed within this philosophy that each generation of Americans should have an opportunity greater than the previous generation's whether it's the whole generation of Americans in the current time or whether it is a generation of Americans growing up in a household of their generational predecessors—their parents. Each generation should have greater opportunity than the previous generation.

That's why our Founding Fathers, our forefathers—our predecessors—came here to this country. That's why they fought and defended God-given liberty and the American civilization across the continents and across the planet: to defend our American way of life. The freedom that we have, the liberty that we have, the free enterprise capitalism, the strong faith and family values, the language that binds us together, all of those components come forth to create this assimilation concept. We are the Nation that has been built on—some say “built by”—immigrants. This is a Nation built by immigrants. True. This is a Nation of immigrants. True, Mr. Speaker. So is every other nation. Every other nation on the planet is a nation of immigrants—people have moved there; they've lived there; they've developed there; their children have been born there; and they built the nation that they're in.

So we're not unique in the sense that we're a Nation of immigrants. We are unique in the sense that legal immigrants who come here can become American. They become American by embracing the American culture, American civilization, by understanding the Declaration of Independence, the Constitution, by understanding the English language, by partaking in free enterprise capitalism,

and by understanding that there is a uniqueness about being an American that gives us this vigor—this great vigor—that is an American vigor unique to the rest of the planet.

It is because of the God-given liberties that we have, many of them in the Bill of Rights: freedom of speech, religion and the press, freedom to peaceably assemble and to petition the government for a redress of grievances; the Second Amendment: the right to keep and bear arms; property rights in the Fifth Amendment; the right to be faced by your accusers in a court of law and be tried by a jury of your peers and no double jeopardy; the concept of federalism where the power is not specifically delegated to the Congress or to the President or to the judicial branch but devolved to the States or to the people respectively. Those are all pillars of American exceptionalism that make us a great, great Nation.

People around the world have seen that, and they've seen this American vigor and the magnet of the image. These concepts are all wrapped up in the image of the Statue of Liberty. Around the world, when people see the Statue of Liberty, they think, Well, that would be nice to live in a country like that or they think, I have to go there. I have to go there and find out what I'm made of. I think that I can develop and realize my potential in a place like America better than anywhere else in the world.

If you put out a beacon like that, if you put out the beacon of the Statue of Liberty and if that penetrates into countries all over the world, whether it be in Western Europe, Eastern Europe, across Asia, down through the Latin area, through the Middle East, to South America for that matter, to every continent on the planet, including Australia, but probably not so much Antarctica, people have come to America because they've wanted to realize their dreams within that rubric of the American Dream.

That's what makes this a special country, and that's why America could engage in global conflicts as far back as 1898 in the Spanish-American War, which took us over to the Philippines, or why America could engage in a conflict like World War I, when we went over to save as much as we could—and succeeded to a great degree—of Europe from the heavy hand of the Kaiser at a cost of a lot of American lives—of a lot of lives, let me say, on the western side of that line—and freedom was preserved again for another generation until World War II came along.

This was another challenge, and Americans rose up and met that challenge on two fronts. One of the pieces of wisdom about strategic warfighting is don't fight a two-front war. Well, America had to fight a two-front war in World War II. We had to fight our way back against Japanese impe-

rialism across the Pacific, and we had to go to Europe and fight against the Nazis in World War II. That all happened simultaneously. Fighting a two-front war didn't work out so well for Hitler, but it did work out well for the United States—at a high price, but it worked out.

Because of that, the American influence washed across the globe, and the United States had the only major undestroyed industry in the world. Our dollar became the method of currency for the globe. American industry penetrated into every corner of the globe, and American know-how and ingenuity was established across this planet. That's because of those pillars of American exceptionalism that I talked about, and it's because of the American spirit of ingenuity, that spirit of ingenuity, which is a beneficiary of those willing legal immigrants who came here because they realized that they could achieve their dreams better here than anywhere else.

So the magnet of the American Dream has attracted the best and most vigorous people on the planet to come here. That's the America I was born into, and that's the America that those of us who were born here inherited. Many immigrants have come since that period of time to contribute to this American Dream and to help redefine this American Dream and to make us stronger and make us better.

Now we've reached a time when the political thought in America seems to have lost its touch with rationality. We've watched as there has been a stronger movement on the part of the political machinery of the left, and we elected a President of the United States in 2008 that said to Joe, the plumber, Share the wealth. Share the wealth. You're making money. Give some of that to the guy that's not—not realizing that Joe, the plumber, needed all that he could earn and that he needed more opportunity than that, not less; thinking that the now President of the United States apparently believes, if you're in business, if you've invested some capital or some sweat equity or both, that somehow you're capitalizing on your customers who are viewed, I believe, by the White House as victims of that free enterprise system and that somehow you have achieved your success unjustly. The implication is that the entrepreneurs have collected the proceeds of the sweat of somebody else's brow rather than their own, have collected the proceeds of the sweat of somebody else's sweat equity, brain equity, creativity, innovation, work ethic rather than their own.

Truthfully, Mr. Speaker, any of us has the opportunity in this country to generate an idea. We have the opportunity to start a business. We have an opportunity to hire people to help us with that business, and we have an op-

portunity to buy, sell, trade, make, gain, and earn profit. The beauty of a free enterprise system is that, if someone is making too large of a margin, if their profits are excessive, we should have plenty of entrepreneurs who will see that as an opportunity and will generate a competing business that will go into that marketplace where there is a margin of profit that is high enough to attract that kind of investment, and they would take part of that profit out, and each one of those competitors that would materialize within that marketplace, the competition, would eventually take those prices down so that the profit margins of the entities that are making a lot of money would be reduced, not eliminated. We want them all to make money, but at the same time, the consumers benefit because the competition drives the prices down.

□ 2140

That's the concept of free enterprise. That's the concept of free enterprise capitalism. That's what Adam Smith wrote about so accurately and so succinctly when he wrote "The Wealth of Nations" and published it in 1776. It has been a foundation of American thought and the American Dream. It has been a foundation of American enterprise and the foundation of America's economic system. And if one is taking the naturalization test and the question comes—there are little glossy flashcards on how you study this that USCIS puts out, U.S. Citizenship and Immigration Services. You can pick it up and it will say, "Who is the Father of our country?" The answer is: George Washington. "Who emancipated the slaves?" The answer is Republican, Abraham Lincoln. That's just a little reminder there, Mr. Speaker, for the 10 percent or 12 percent of this population that seem to forget that.

Another question: "What's the economic system of the United States?" You snap that flashcard around and it says, "free enterprise capitalism." That's the foundation of our economy.

This economy has attracted people from all over the globe, and I recall that Professor Milton Friedman, one of the most respected economists in the history of not only the world, but the United States of America, a professor at the University of Chicago, a very well respected institution, made this statement:

An open borders policy is not compatible with a welfare State.

Here we are, Mr. Speaker, and we live in a welfare State, and we have an open borders policy. The welfare State and the open borders policy are being promoted, pushed and advocated by the President of the United States. The President who has—even though there was a minor little change made to welfare reform here on the floor of this Chamber in the mid-nineties. When the

Republicans took the majority in 1994, the welfare reform came in 1995 or 1996, one of those 2 years, Bill Clinton, the President, at least twice vetoed welfare reform. “Welfare to work” was the mantra of the day.

There was only one component of welfare to work that actually was welfare to work. There are over 80 different means-tested Federal welfare programs in the United States today. There is not a single person in America that can list you those welfare programs from memory, which should be a pretty strong indicator there’s not a single person in the United States that could also tell you how those 80 different means-tested welfare programs will affect the way people act, whether it encourages them to go to work or encourages them to quit their job; whether it encourages them to get married or whether it encourages them to get a divorce; whether it encourages them to raise the children within the home, or whether it encourages them to not kick them out on the street, or horribly, potentially, get an abortion.

How do all of these 80 different means-tested welfare programs interact with each other and what is the net result of which direction our society goes? Let alone the question on each precious individual. How do they act and react towards all these programs that are here? This is America. The huge magnet of the welfare state is attracting people to come to the United States to tap into the welfare system much differently than back in the day when people came here to have access to God-given liberty, that vision within the Statue of Liberty that just said to them, Come here. You can work. You can earn. You can save. You can invest. You can buy, sell, trade, make gain, and you can make do and you can make profit and you can make a fortune in the United States of America.

That message is now clouded. Sure, there’s opportunity here, but the taxes and the regulations are higher, higher than they’ve been in a long time. And the taxes and regulation drain the energy off of the entrepreneurs at the same time that the welfare state is regulating and attracting people off of the work rolls onto the welfare rolls.

Years ago, Steve Moore, who is now one of the public commenters and a much published author—you’ll see him on television a good number of times. He was with The Cato Institute at the time, I believe, and he was a founder and an original executive director of the Club for Growth. He said in words pretty close to this: People will do what you pay them to do.

If you pay them not to work, they won’t work. If you pay them to stay home, they’ll stay home. If you pay them if there’s not a father in the home, there at least officially will not be a father in the home, although you’ll have visitation going on, and

you’ll have more children. If you pay for them to have children at home without a father, that’s what they will do. It’s a logical thing for people to react to the negative incentives that come from government.

So with that foundation, Mr. Speaker, it was interesting for me to pick up the executive summary of the special report dated May 6, 2013. It’s the Heritage Foundation report written by Robert Rector and Jason Richwine, Ph.D., and it’s titled, “The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer.” Well, this may be the third time that Robert Rector and the people he’s worked with will have saved America from a disaster.

Robert Rector was a central player in writing the language of “welfare to work” back in 1995 and 1996. He wrote it very tight, and he wrote it in such a way that it prohibited the President of the United States from suspending the work component of TANF, the Temporary Assistance for Needy Families. The only component out of the 80 different means-tested programs that had actually required work, they made sure that an executive that wanted to give license to people to use the program but not follow the directive of Congress, the law, would be taken away, and that the President couldn’t just simply by whim or executive order or edict violate the law and eliminate the work component to TANF, Temporary Assistance for Needy Families.

But look what President Obama has done by his executive edict: he’s suspended the only work component that existed that was in one of the 80 different means-tested Federal welfare programs, TANF, in violation directly of the specific statute that was written then.

Now, Robert Rector came back to us again in 2006 or so and wrote another report, and that’s the report that told us about the cost of illegal immigration and what it meant to our society and our culture and our civilization. I believe that that report was instrumental in America waking up and coming to an understanding that there was a lot bigger equation than the simple buzz words of “we have to bring them out of the shadows, but what are you going to do about the 11 or 12 million that are here?” It’s curious to me that number hasn’t changed except has dropped by a million since 2006.

When I came to this Congress, I thought that the number of illegals in America was someplace in the neighborhood of 20 million, the judgement of those that we knew were here, plus a calculation of those that we knew were coming here, minus those that were going back home and those that are deceased. That came to a number that I thought approached 20 million people or more, and yet now we’re hearing, in the time that I’ve been in Congress, more than a decade, 12 million illegals

in America has now been reduced to 11 million illegals in America. All the while, the only thing that has changed in the dialogue of the left and the open borders people has been, Well, we can’t deport—they used to say 12 million people. We can’t line up all the buses and load up 12 million people. Now they’ve changed their dialogue.

Remember the people that were advocating that we needed to do something about man-caused global warming? They’ve changed their phrase now to be “man-caused,” or else “climate change.” “Global warming” has become “climate change.” Twelve million people that couldn’t be rounded up and put on buses now becomes 11 million people. What happened to that other million? Especially when we have a pretty good measure that they’re coming across the border at a rate of something like 4 million a year. If that number has been reduced by half and maybe today it’s 2 million people, that’s still a lot of people. The cumulative effect of this population that’s growing in the United States, it’s not going down from 12 million; it has to be going up from 12 million. If it’s not, we have a problem that’s solving itself, Mr. Speaker. Yet, a pragmatic viewpoint is not going to be something that the people on the other side of this argument ascribe to because they have an agenda that’s a little bit different than, I think, the practical application of what’s good for the United States of America.

□ 2150

Robert Rector of the Heritage Foundation in his report that came out today, May 6, 2013, lays out some of these points economically. I can talk about the cultural, the constitutional, the rule of law part, but he lays them out economically. He makes these points in this executive summary, that there are four different ways that federally funded benefits are distributed.

One is in direct benefits. That’s the form of Social Security, Medicare, unemployment insurance, and workers comp. That’s the direct benefits component of it.

The second one is the means-tested welfare benefits, the 80 different Federal means-tested welfare benefits. That totals around \$900 billion a year in welfare. That provides cash for food, housing, medical, and other services. There’s about 100 million people in the means-tested welfare system, and that could be Medicaid, food stamps, earned income tax credit, public housing, supplemental Social Security income, Temporary Assistance for Needy Families. That’s the one work component that I talked about; President Obama has removed the work requirement. Now it’s just another welfare program.

So there’s two categories: direct benefits; the second category, means-tested welfare benefits.

The third category, public education, which is costing an average of about \$12,300 annually per pupil.

And the fourth benefit is population-based services, which include fire services, police services, parks, and those kinds of things that it takes for people to have a way to live in this society.

Of those four categories then, people use them, if they are legally here or illegally here, and often they will, the people who are here working here illegally will pay taxes. It's an honest thing. But they're also drawing down public benefits.

So if I would draw some numbers off of the Rector report, Mr. Speaker, the average household of an illegal household will draw down \$31,584 a year in public benefits. But if the household is headed by a college graduate, the difference is instead they will pay taxes and draw down some benefits, but they will have a net contribution of \$29,250 a year. Look at the difference; it's \$60,000-plus. The average dropout, a household headed by a high school dropout, without regard to their status, legal or illegal, they will have a net cost of \$35,113 a year. They'll pay in taxes, and they'll draw down benefits, and the average net cost to the taxpayer is \$35,113.

The average illegal household, however, and the average has a 10th grade education, the average household headed by someone who is unlawfully present in the United States, there'll be a net cost to the taxpayer of \$14,387. Now why is that so cheap? Well, it's because the law blocks access to many of these programs; and if and when they are legalized, they start to have access to these programs.

Now it's true that if you look at the proposal of the 844-page bill delivered by the Gang of Eight, the average illegal household during the interim phase of the kick-in over the next 13 years, actually they'll tap into the government a little bit less, about \$3,000 a year less than the \$14,387. It'll be \$11,455. That'll be the net cost per household. But once they are legalized, the average, I call it the post-interim household, will be drawing down a net cost of \$28,000 a year, and the average retirement cost is going to be \$22,700 a year.

So the current law, under current law, illegal households are a net cost to the taxpayer today, under current law, of \$54.5 billion a year—\$54.5 billion a year. If we go into an interim phase, if the bill in the Senate is passed, then it's going to be an annual cost—it's less, remember I said—of \$43.4 billion a year, and that's through that phase over the next 13 years. But after that, it legalizes a lot of people, around 33 million people according to NumbersUSA, and I'm not sure that's the number Rector is using, but it legalizes a lot more people, and they have access to a lot more public serv-

ices, a lot more of that borrowed money from China that goes in to fund the welfare state that Milton Friedman talked about, and now after that interim phase, 13 years down the road, the post-interim phase, the net cost to the taxpayer—net—\$106 billion a year. And into the retirement phase for the same generation of them, the net cost to the taxpayer is \$160 billion a year.

So it boils down to this in the Heritage study that was released today, a lifetime summary, it's this: that those who are here today that are unlawfully present in the United States will be collecting \$9.4 trillion over their lifetime. They will pay \$3.1 trillion in taxes, and they'll have a net benefit of \$6.3 trillion as far as the collections that they would have from the taxpayer.

What nation in its right mind would go down a path like this and try to convince Americans that somehow this is an economic development situation?

I go to page 3 of the executive summary, Mr. Speaker, and Robert Rector makes this point:

At every stage of the life cycle, unlawful immigrants, on average, generate fiscal deficits (benefits exceed taxes). Unlawful immigrants, on average, are always tax consumers; they never once generate a "fiscal surplus" that can be used to pay for government benefits elsewhere in society. This situation obviously will get much worse after amnesty.

That, Mr. Speaker, is the bottom line on the Rector report. That's the economic analysis. I know that there is a competing analysis out there. I would submit that that competing analysis, which I've read, conflates the terms "legal" and "illegal," and it calculates the economic benefit but not the full cost. This study is a study that has been through the mill before. The principles that it was founded upon have been analyzed before, have been tested before. And yes, there will be those who will seek to discredit this, but I would say to them, step back, take an objective look, and ask yourself the question: Even though you might believe that historically large numbers of legal immigrants coming into the United States have developed themselves economically and fit into the economic component of the United States, even though you might believe that—and I do believe that, Mr. Speaker. A hundred years ago, this country had a need for skilled and unskilled labor, an educated and uneducated workforce, but today it's a different world. Today it's a technological world. Today it requires an education. It requires technical skills.

We have a completely adequate supply of low and unskilled workforce. In fact, we have an oversupply of low and unskilled workforce. In every category that shows the highest levels of unemployment, we also see that those with the highest levels of unemployment are in the lowest and unskilled workforce.

This isn't 1900. This is 2013. America needs educated people, talented people, people who contribute to the economy and pay a net increase in taxes over their lifetime so this economy can grow; and to take on the load of funding people who would come here without skills and without prospects of those skills is a foolish thing to do from an economic perspective.

There will be those who say maybe so, but the next generation will far surpass. This is a multigenerational investment, to which Robert Rector says, no; even if the second generation all graduated from college, if they all turned in this ability to have an average college surplus of \$29,250, they still could not pay back the deficit of \$6.3 trillion. And all of them are not going to go to college. About 13 percent will.

So that's a quick summary of the Rector study. I appreciate your attention and the privilege to address you here on the floor.

I yield back the balance of my time.

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

January 6, 2013:

H.R. 41. An Act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

January 29, 2013:

H.R. 152. An Act making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

February 4, 2013:

H.R. 325. An Act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

March 13, 2013:

H.R. 307. An Act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

March 26, 2013:

H.R. 933. An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate, of the following titles:

March 7, 2013:

S. 47. An Act to reauthorize the Violence Against Women Act of 1994.

April 15, 2013:

S. 716. An Act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

LEAVE OF ABSENCE

ADJOURNMENT

tomorrow, Tuesday, May 7, 2013, at 10 a.m. for morning-hour debate.

By unanimous consent, leave of absence was granted to:

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

Mrs. WALORSKI (at the request of Mr. CANTOR) for today on account of flight delays.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until to-

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2013 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL TO ITALY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 17 AND MAR. 20, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Chris Smith	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. Jeff Fortenberry	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. Robert Aderholt	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. James Langevin	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Anna Eshoo	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Ruben Hinojosa	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Loretta Sanchez	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. Rosa DeLauro	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Dan Lipinski	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Rev. Patrick Conroy	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
David Schnitzger	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Janice Robinson	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Cattlin O'Neill	3/17	3/20	Italy		3,261.00		2,048.00				5,309.00
Bridget Charville	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
David Adams	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Timothy Dupuis	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Committee total					30,123.00		32,768.00				62,891.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Apr. 19, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL TO THE UNITED KINGDOM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 16 AND APR. 18, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Marsha Blackburn	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Hon. Michele Bachmann	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Hon. George Holding	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Janice Robinson	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Committee total					4,416.00		4,724.00				9,140.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARSHA BLACKBURN, Apr. 25, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Dan Benishek	1/25	1/26	Israel		498.00		(³)		1,724.08		2,222.08
	1/26	1/27	Bangladesh		294.93		(³)		224.03		518.96
	1/27	2/2	India		1,982.18		(³)		1,904.26		3,886.44
	2/2	2/3	Portugal		278.00		(³)		469.75		747.75
Committee total					3,053.11				4,322.39		7,375.23

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. FRANK D. LUCAS, Chairman, Apr. 25, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to Bahrain, January 27–February 1, 2013:											
Kevin Gates	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Mark Lewis	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Timothy McClees	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Phillip MacNaughton	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Delegate Expenses	1/28	2/1	Bahrain					716.18			716.18
Visit to Germany, Italy, Turkey, Israel, January 23–February 1, 2013:											
Hon. Rob Wittman	1/24	1/26	Germany		373.50						373.50
	1/26	1/28	Israel		996.00						996.00
	1/28	1/30	Turkey		408.03						408.03
	1/30	2/1	Italy		227.00						227.00
Hon. Hank Johnson	1/24	1/26	Germany		199.93						199.93
	1/26	1/28	Israel		888.88						888.88
	1/28	1/30	Turkey		195.62						195.62
	1/30	2/1	Italy		227.00						227.00
Michele Pearce	1/24	2/26	Germany		360.00						360.00
	1/26	1/28	Israel		996.00						996.00
	1/28	2/30	Turkey		408.03						408.03
	1/30	1/1	Italy		227.00						227.00
Vickie Plunkett	1/24	2/26	Germany		178.09						178.09
	1/26	1/28	Israel		807.75						807.75
	1/28	1/30	Turkey		278.03						278.03
	1/30	1/1	Italy		227.00						227.00
Ryan Crumpler	1/24	2/26	Germany		360.00						360.00
	1/26	1/28	Israel		996.00						996.00
	1/28	1/30	Turkey		408.03						408.03
	1/30	1/1	Italy		227.00						227.00
Delegation expenses	1/28	1/30	Turkey		1,201.75						1,201.75
Visit to Qatar, Bahrain, United Arab Emirates, January 27–February 1, 2013:											
Alexander Gallo	1/28	1/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							21,022.00				21,022.00
Michael Casey	1/28	2/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							24,689.40				24,689.40
Douglas Bush	1/28	1/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							24,689.40				24,689.40
Leonor Tomero	1/28	1/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							20,987.00				20,987.00
Delegation expenses	1/30	2/1	United Arab Emirates		625.26		106.56		713.81		1,445.63
Visit to Germany with Codel McCain, February 1–3, 2013:											
Hon. Michael Turner	2/1	2/3	Germany		1,258.39						1,258.39
Hon. Loretta Sanchez	2/1	2/3	Germany		953.51						953.51
Visit to England, Germany, February 17–22, 2013:											
Catherine McElroy	2/17	2/20	England		212.56						212.56
	2/20	2/22	Germany		78.56						78.56
Commercial transportation							2,473.80				2,473.80
Kimberly Shaw	2/17	2/20	England		236.00						236.00
	2/20	2/22	Germany		100.00						100.00
Commercial transportation							2,473.80				2,473.80
Stephen Kitay	2/17	2/20	England		212.56						212.56
	2/20	2/22	Germany		78.56						78.56
Commercial transportation							2,473.80				2,473.80
Timothy McClees	2/17	2/20	England		360.00						360.00
	2/20	2/22	Germany		226.00						226.00
Commercial transportation							2,473.80				2,473.80
Visit to Jordan, Iraq, February 14–20, 2013:											
Alexander Gallo	2/15	2/18	Jordan		608.92						608.92
	2/16	2/17	Iraq								
Commercial transportation							10,841.00				10,841.00
Michael Casey	2/15	2/18	Jordan		608.92						608.92
	2/16	2/17	Iraq								
Commercial transportation							18,841.00				18,841.00
Delegation expenses	2/15	2/27	Jordan				127.92		146.57		274.49
Visit to Afghanistan, United Arab Emirates, March 7–12, 2013:											
Hon. Howard P. “Buck” McKeon	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation							10,755.50				10,755.50
Hon. Duncan Hunter	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation								10,755.50			10,755.50
Hon. Paul Cook	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation								10,755.50			10,755.50
Robert L. Simmons, II	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation								10,755.50			10,755.50
Robert L. Simmons, II	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation								10,755.50			10,755.50
Delegation expenses	3/10	3/12	United Arab Emirates								
Committee total					31,658.12		163,624.28		56,344.35		251,626.75

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Chris Van Hollen	2/18	2/20	Cuba		500.00		(³)				500.00
Commercial transportation							333.00				333.00
Committee total					500.00		333.00				833.00

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

HON. PAUL RYAN, Chairman, Apr. 26, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Suzanne Bonamici	2/17	2/19	South Korea		633.52		³ 13,537.00				14,170.52
Delegation expenses	2/17	2/19	South Korea					1,235.64			1,235.64
	2/19	2/19	Vietnam		555.77						555.77
Delegation expenses	2/19	2/21	Vietnam					568.62			568.62
	2/21	2/22	Cambodia		369.00						369.00
Delegation expenses	2/21	2/22	Cambodia					459.78			459.78
Committee total					1,558.29		13,537.00		2,264.04		17,359.33

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Transportation cost: inclusive of all countries visited.

HON. JOHN KLINE, Chairman, Apr. 24, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, Apr. 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Stevan Pearce	1/7	1/8	Republic of Korea		209.00		(³)				209.00
	1/8	1/9	Taiwan		266.29		(³)				266.29
	1/9	1/10	Thailand		167.89		(³)				167.89
	1/10	1/12	Ethiopia		826.44		(³)				826.44
	1/12	1/13	Rwanda		253.21		(³)				253.21
	1/13	1/14	Burkina Faso		198.60		(³)				198.60
Hon. Terri Sewell	2/18	2/19	Senegal		167.09		(³)				167.09
	2/18	2/18	Mali				(³)				
	2/19	2/22	South Africa		1,538.81		(³)				1,538.81
	2/23	2/24	Democratic Republic of the Congo		396.00		(³)				396.00
	2/24	2/25	Morocco		171.43		(³)				171.43
Committee total					4,194.76						4,194.76

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

HON. JEB HENSARLING, Chairman, Apr. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, Apr. 10, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Sheila Jackson Lee	2/16	2/19	Korea		316.76		19,969.70		1,235.64		21,522.10
	2/19	2/21	Vietnam		833.64				568.62		1,402.26
Hotel no show charge			Cambodia		142.00						142.00
	2/22	2/22	Germany						580.00		580.00
Committee total					1,292.40		19,969.70		2,384.26		23,646.36

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, Apr. 18, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Lale Mamaux	2/15	2/17	Israel		996.00						996.00
	2/18	2/20	Turkey		1,022.31						1,022.31
	2/21	2/23	Austria		1,170.70						1,170.70
Hon. James McGovern	2/18	2/20	Cuba		500.00		333.00				833.00
Committee total					3,689.01		333.00				4,022.01

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PETE SESSIONS, Chairman, Apr. 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Scott Tipton	1/25	1/26	Israel		498.00		(³)		1,724.08		2,222.08
	1/26	1/27	Bangladesh		294.93		(³)		224.93		518.96
	1/27	2/2	India		1,982.18		(³)		1,904.26		3,886.44
	2/2	2/3	Portugal		278.00		(³)		469.75		747.75
Committee total					3,053.11				4,323.02		7,375.23

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. SAM GRAVES, Chairman, Apr. 29, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Allison Hollabaugh	1/26	2/1	Ukraine		1,243.40		2,462.30				3,705.70
Shelly Han	2/3	2/6	Austria		901.00		1,828.10				2,729.10
Paul Carter	2/15	2/20	Armenia		1,180.58		13,476.80				14,657.38
Janice Helwig	1/11	3/22	Austria		20,959.84		1,828.10				22,787.94
	3/15	3/19	Australia		1,697.00		11,506.20				13,203.20
Committee total					25,981.82		31,101.50				57,083.32

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Apr. 25, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

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

1377. A letter from the Administrator, Department of Energy, transmitting a report on The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran; to the Committee on Energy and Commerce.

1378. A letter from the Inspector General, Department of Health and Human Services, transmitting the Fiscal Year 2012 Medicaid Integrity Program Report; to the Committee on Energy and Commerce.

1379. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-54, "Permanent Supportive Housing Application Streamlining Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1380. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-59, "Temporary Assistance for Needy Families Time Extension Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1381. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-60, "Egregious

First-Time Sale to Minor Clarification Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1382. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-63, "Captive Earthquake Property Insurance Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1383. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a status report on the Bureau of Prisons' compliance with the National Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

1384. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report providing an estimate of the dollar amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of free clinic health professionals will be paid for in 2014; to the Committee on the Judiciary.

1385. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report detailing activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 2012; to the Committee on the Judiciary.

1386. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revision of Maximum and Minimum Civil Penalties [Docket No.: PHMSA-2012-0257] (RIN: 2137-AE96) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1387. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Miscellaneous Petitions for Rule-making (RRR) [Docket No.: PHMSA-2011-0142 (HM-219)] (RIN: 2137-AE79) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1388. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Harmonization with the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air [Docket No.: PHMSA-2009-0126 (HM-215K)] (RIN: 2137-AE83) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1389. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Miscellaneous Amendments (RRR) [Docket No.: PHMSA-2011-0138 (HM-218G)] (RIN: 2137-AE78) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1390. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0803; Directorate Identifier 2011-NM-214-AD; Amendment 39-17419; AD 2013-08-02] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Ms. FOX: Committee on Rules. House Resolution 198. Resolution providing for consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the pri-

vate sector (Rept. 113-51). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. COURTNEY (for himself, Mr. TONKO, and Mr. McDERMOTT):

H.R. 1827. A bill to amend the Public Health Service Act to extend through fiscal year 2018 the authorization for certain health care workforce loan repayment programs; to the Committee on Energy and Commerce.

By Mr. COURTNEY (for himself, Ms. DELAURO, Mr. FITZPATRICK, Mr. HIMES, Mr. LARSON of Connecticut, Mr. McINTYRE, Mr. MEEHAN, Mr. THOMPSON of Pennsylvania, Mr. TONKO, and Ms. ESTY):

H.R. 1828. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Mr. BARR, Mr. SHIMKUS, Mrs. LUMMIS, Mr. STIVERS, Mrs. WAGNER, Mr. JOHNSON of Ohio, Mr. GRIFFITH of Virginia, Mr. WHITFIELD, Mr. MCKINLEY, and Mr. LATTA):

H.R. 1829. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAPITO (for herself, Ms. CASTOR of Florida, Ms. BASS, Mrs. BLACKBURN, Mr. LATHAM, Mr. LOEBSACK, Mr. MARKEY, Ms. MOORE, and Mr. TIBERI):

H.R. 1830. A bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer; to the Committee on Energy and Commerce.

By Mr. BENTIVOLIO:

H.R. 1831. A bill to preserve the constitutional authority of Congress and ensure accountability and transparency in legislation; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York (for himself and Mr. JONES):

H.R. 1832. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Oversight and Government Reform.

By Ms. DELAURO (for herself, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. MOORE, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. CÁRDENAS, Ms. LEE of California, Mr. ELLISON, and Mr. SCOTT of Virginia):

H.R. 1833. A bill to amend the Incentive Grants for Local Delinquency Prevention Programs under the Juvenile Justice and Delinquency Prevention Act of 1974 to add gender-responsive services to the list of authorized grant purposes; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 1834. A bill to establish a bipartisan 21st Century Great Outdoors Commission to

assess the use, value, job creation, and economic opportunities associated with the outdoor resources of the public lands and other land and water areas of the United States, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY (for herself, Mrs. CAPPAS, Ms. BORDALLO, Mr. COURTNEY, Mr. CONNOLLY, Ms. DELAURO, Mr. LANCE, Ms. MCCOLLUM, Mr. POLIS, and Mr. SCHIFF):

H.R. 1835. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM:

H.R. 1836. A bill to enhance training and cooperation between law enforcement officers to respond to and prevent domestic violence and sexual assault in Indian country, to swiftly bring perpetrators to justice, to commission a GAO study, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. REICHERT, Mr. YARMUTH, Ms. LINDA T. SÁNCHEZ of California, Ms. SLAUGHTER, Mr. HOLT, Mr. SARBANES, Mr. CONYERS, Mr. CAPUANO, Mrs. DAVIS of California, Mr. VAN HOLLEN, Mr. FITZPATRICK, Mr. SMITH of Washington, Mr. WAXMAN, Mr. HONDA, Mr. MORAN, Mr. PRICE of North Carolina, Ms. NORTON, Mr. TIERNEY, Mr. RANGEL, Ms. EDWARDS, Mr. HIMES, Ms. PINGREE of Maine, Ms. CASTOR of Florida, Mr. SCOTT of Virginia, Mr. SCHIFF, Mr. COURTNEY, Mr. CUMMINGS, Ms. TSONGAS, Mr. NADLER, Ms. CHU, Mr. DEUTCH, Mr. JOHNSON of Georgia, Mr. ELLISON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM, Mr. LEWIS, Mr. POLIS, Mr. MICHAUD, Mr. GRAYSON, Mr. COOPER, Mr. LIPINSKI, Mr. McDERMOTT, Mr. HASTINGS of Florida, Ms. ESHOO, and Mr. COHEN):

H.R. 1837. A bill to amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste; to the Committee on Transportation and Infrastructure.

By Mr. STIVERS (for himself and Mr. MORAN):

H.R. 1838. A bill to amend title XIX of the Social Security Act to apply the Medicaid primary care payment rate to additional physician providers of primary care services; to the Committee on Energy and Commerce.

By Mr. TIPTON:

H.R. 1839. A bill to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes; to the Committee on Natural Resources.

By Ms. TSONGAS (for herself and Mr. NEAL):

H.R. 1840. A bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes real property tax abatements for seniors and disabled individuals in

exchange for services; to the Committee on Ways and Means.

By Mr. WELCH:

H.R. 1841. A bill to provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Ms. LEE of California, Ms. MATSUI, and Ms. LINDA T. SÁNCHEZ of California):

H. Res. 197. A resolution expressing the sense of the House of Representatives that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM (for herself, Mrs. LOWEY, Mr. RYAN of Ohio, Mr. MCGOVERN, Ms. BORDALLO, Ms. MOORE, Mr. CONYERS, and Mr. RANGEL):

H. Res. 199. A resolution expressing support for designation of May 2013 as "National Celiac Awareness Month"; to the Committee on Energy and Commerce.

By Ms. MENG (for herself and Mr. KELLY of Pennsylvania):

H. Res. 200. A resolution reaffirming the United States' commitment to the economic and military security of the Republic of Korea and expressing the shared vision of the people of the United States and the people of the Republic of Korea for a prosperous and peaceful Asian community on the occasion of the 60th anniversary of the Mutual Defense Treaty between the United States and the Republic of Korea; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. JOYCE, Mrs. CAPPS, Ms. BORDALLO, Mr. RANGEL, Mr. LEWIS, Ms. WILSON of Florida, Mr. COBLE, Mr. DINGELL, Mr. HANNA, Mr. COFFMAN, Mr. MCGOVERN, Mr. CONYERS, Mr. LANGEVIN, Mr. GERLACH, Ms. MOORE, Mr. CICILLINE, Ms. BROWN of Florida, Ms. BONAMICI, Mr. ELLISON, Ms. LEE of California, Ms. LOFGREN, Mr. HASTINGS of Florida, Ms. SPEIER, Mr. BRALEY of Iowa, Mr. SCHRADER, Mr. BLUMENAUER, Mr. HUFFMAN, Mr. CARSON of Indiana, Mr. RUSH, Mr. HOLT, Ms. CHU, Ms. SCHWARTZ, Mr. FALEOMAVEGA, Mr. FARR, Mr. GRIJALVA, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. GUTHRIE, Mr. LOEBSSACK, Ms. MENG, Mr. DEUTCH, Mr. TAKANO, Ms. KUSTER, Mr. KING of New York, and Mr. RODNEY DAVIS of Illinois):

H. Res. 201. A resolution supporting the goals and ideals of National Nurses Week on May 6, 2013, through May 12, 2013; to the Committee on Energy and Commerce.

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COURTNEY:

H.R. 1827.

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

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COURTNEY:

H.R. 1828.

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

Article I, Section 8: The Congress shall have Power to Lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .

By Mrs. CAPITO:

H.R. 1829.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the States).

By Mrs. CAPITO:

H.R. 1830.

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

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

By Mr. BENTIVOLIO:

H.R. 1831.

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

(1) Article I, section 5, clauses 2 and 3 to determine the rules and to keep a journal of its proceedings, respectively;

(2) Article I, section 7, clause 2 to ensure that bills that become law have been actually passed by, not just passed through, each House of Congress; and

(3) Article I, section 8, clause 18, which authorizes Congress to make all laws that are necessary and proper for carrying into execution the rules of each House.

Furthermore, the provision of this Act under which any person who is aggrieved by the enforcement of any law enacted either in violation of the rules of proceedings of either House of Congress, or by the suspension of such rules, as prescribed herein, shall have standing in a court of law, is pursuant to article III, section 2 of the Constitution of the United States.

By Mr. BISHOP of New York:

H.R. 1832.

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

Article I, Section 8

By Ms. DELAURO:

H.R. 1833.

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

Fourteenth Amendment, Section 5

Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or

property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 5: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

By Mr. GRIJALVA:

H.R. 1834.

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

Article IV, Section 3 of the United States Constitution.

By Mrs. LOWEY:

H.R. 1835.

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

Article I.

By Mrs. NOEM:

H.R. 1836.

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

Article 1, Section 8, Clause 3.

By Mr. PALLONE:

H.R. 1837.

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

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. STIVERS:

H.R. 1838.

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

Article I, section 8, Clause I of the United States Constitution

By Mr. TIPTON:

H.R. 1839.

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

Article I. Section 8 of the United States Constitution: to make rules for the government and regulation of land.

By Ms. TSONGAS:

H.R. 1840.

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

Amendment XVI to the United States Constitution.

By Mr. WELCH:

H.R. 1841.

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

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

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

H.R. 3: Mr. FLEISCHMANN, Mr. RADEL, Mr. MEADOWS, Ms. JENKINS, and Mr. BARLETTA.

H.R. 38: Mr. FARENTHOLD.

H.R. 45: Mr. COLLINS of Georgia, Mr. CRAWFORD, and Mr. SESSIONS.

H.R. 96: Mr. QUIGLEY.

H.R. 97: Mr. CICILLINE, Mr. SABLAN, Ms. NORTON, Mr. CARNEY, and Mr. RUSH.

H.R. 137: Mr. SWALWELL of California and Mr. BLUMENAUER.

H.R. 138: Mr. BLUMENAUER.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

- H.R. 141: Mr. BLUMENAUER.
H.R. 142: Mr. CAPUANO.
H.R. 148: Mr. ELLISON and Ms. SLAUGHTER.
H.R. 164: Mr. LANCE and Mr. HULTGREN.
H.R. 180: Mr. CONYERS and Mr. POE of Texas.
H.R. 182: Mr. LOEBSACK.
H.R. 184: Mr. PETERS of California.
H.R. 226: Mr. SWALWELL of California.
H.R. 236: Mr. BLUMENAUER.
H.R. 241: Mr. BARBER.
H.R. 262: Mr. LOBIONDO.
H.R. 271: Mrs. WAGNER.
H.R. 288: Mr. BARBER and Mr. GRIJALVA.
H.R. 303: Mr. BUCHANAN and Mr. YOHO.
H.R. 324: Mr. CAPUANO and Mr. CÁRDENAS.
H.R. 351: Mr. COLLINS of Georgia, Mr. BONNER, Mr. FORTENBERRY, Mr. JOYCE, Mr. CRAWFORD, Mr. LAMALFA, Mr. YOHO, and Mr. ROYCE.
H.R. 366: Ms. CHU, Mr. BRADY of Pennsylvania, Ms. EDWARDS, Ms. MENG, and Ms. SINEMA.
H.R. 376: Ms. MATSUI.
H.R. 437: Mr. CAPUANO and Ms. CLARKE.
H.R. 440: Mrs. BROOKS of Indiana.
H.R. 451: Ms. WASSERMAN SCHULTZ and Ms. WILSON of Florida.
H.R. 485: Ms. LEE of California.
H.R. 501: Ms. LEE of California.
H.R. 503: Mr. O'ROURKE and Mrs. BROOKS of Indiana.
H.R. 508: Ms. NORTON and Mr. CONYERS.
H.R. 521: Mr. POLIS.
H.R. 543: Mrs. DAVIS of California.
H.R. 544: Mr. GRIFFIN of Arkansas, Mr. YOHO, and Mr. MEADOWS.
H.R. 556: Mr. WENSTRUP and Mr. POSEY.
H.R. 567: Mr. CHAFFETZ.
H.R. 578: Mr. DUNCAN of South Carolina.
H.R. 630: Mr. KILDEE, Ms. SINEMA, Mr. O'ROURKE, Mr. VARGAS, and Mr. LARSON of Connecticut.
H.R. 671: Mr. LIPINSKI and Ms. ZOE LOFGREN.
H.R. 685: Mr. WEBSTER of Florida.
H.R. 686: Mrs. BUSTOS.
H.R. 689: Mr. MCGOVERN.
H.R. 693: Mr. SCHWEIKERT, Mr. FRELINGHUYSEN, and Mr. KILMER.
H.R. 698: Mr. LOEBSACK and Mr. POLIS.
H.R. 720: Mr. MARKEY.
H.R. 724: Mr. RICE of South Carolina, Mr. CLYBURN, Mr. BOUSTANY, and Mr. WILSON of South Carolina.
H.R. 735: Mr. BARBER.
H.R. 755: Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Ms. KUSTER, Ms. JENKINS, and Mr. ROYCE.
H.R. 769: Mr. KENNEDY and Mr. WALZ.
H.R. 776: Mr. LUETKEMEYER.
H.R. 777: Mrs. LUMMIS.
H.R. 792: Mr. FRELINGHUYSEN and Mr. LUETKEMEYER.
H.R. 800: Mr. CONNOLLY.
H.R. 801: Mr. POLIS.
H.R. 811: Mr. RUNYAN and Mr. SEAN PATRICK MALONEY of New York.
H.R. 826: Mr. GUTHRIE.
H.R. 847: Mr. FITZPATRICK, Ms. ROSLEHTINEN, and Ms. CHU.
H.R. 850: Ms. ROYBAL-ALLARD, Ms. ESTY, Mr. HANNA, Mrs. MCMORRIS RODGERS, Mr. HASTINGS of Washington, Mr. AUSTIN SCOTT of Georgia, and Mr. HONDA.
H.R. 851: Ms. PINGREE of Maine.
H.R. 904: Mr. DUFFY.
H.R. 920: Ms. WILSON of Florida.
H.R. 924: Ms. MENG and Mr. POCAN.
H.R. 929: Mr. ELLISON.
H.R. 940: Mrs. BROOKS of Indiana and Mr. COTTON.
H.R. 949: Mr. POCAN and Mr. PAYNE.
H.R. 950: Mr. WITTMAN.
H.R. 961: Mr. LOEBSACK and Mr. OWENS.
H.R. 1008: Ms. MCCOLLUM and Mr. MCINTYRE.
H.R. 1020: Mr. JOYCE and Mr. JORDAN.
H.R. 1024: Mrs. BUSTOS and Mr. DUFFY.
H.R. 1026: Mr. HARRIS, Mr. KLINE, and Mrs. BUSTOS.
H.R. 1038: Ms. ESHOO.
H.R. 1041: Mr. POLIS and Ms. WILSON of Florida.
H.R. 1093: Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. MURPHY of Florida, Mr. SEAN PATRICK MALONEY of New York, Mr. REICHERT, Mr. MCINTYRE, and Mr. MICHAUD.
H.R. 1097: Mr. SESSONS.
H.R. 1102: Mrs. LOWEY.
H.R. 1130: Mr. MESSER.
H.R. 1140: Mr. WEBSTER of Florida.
H.R. 1146: Mrs. MCCARTHY of New York.
H.R. 1151: Mr. SHUSTER and Mr. CAPUANO.
H.R. 1155: Mr. SMITH of Texas, Mr. WOMACK, Mr. CRAWFORD, and Mr. ISRAEL.
H.R. 1171: Mr. COTTON.
H.R. 1179: Mr. GIBSON, Ms. MATSUI, Ms. SLAUGHTER, and Mr. RIBBLE.
H.R. 1186: Mr. ROHRBACHER, Mr. RICE of South Carolina, Ms. JENKINS, and Mr. KINGSTON.
H.R. 1209: Mr. STUTZMAN.
H.R. 1221: Mr. RAHALL and Mr. GRAVES of Missouri.
H.R. 1243: Mr. RANGEL and Mr. MCGOVERN.
H.R. 1249: Mr. WESTMORELAND and Mr. HASTINGS of Washington.
H.R. 1250: Mr. POLIS and Mr. LUETKEMEYER.
H.R. 1255: Mr. SCHOCK and Mr. AMODEI.
H.R. 1281: Mr. RANGEL, Ms. LEE of California, Ms. SPEIER, Mr. MCGOVERN, Mrs. CAPPS, Ms. JACKSON LEE, Mr. HASTINGS of Florida, Ms. MCCOLLUM, Mr. DAVID SCOTT of Georgia, Ms. CLARKE, Mr. CONYERS, Mr. DINGELL, Mr. HUFFMAN, Ms. DELAURO, Mr. CROWLEY, Mr. COHEN, Ms. SLAUGHTER, Mr. BISHOP of Georgia, Ms. CASTOR of Florida, Mr. TAKANO, Ms. WILSON of Florida, and Mr. LOEBSACK.
H.R. 1286: Mr. SCOTT of Virginia.
H.R. 1290: Mr. MCINTYRE.
H.R. 1331: Mr. JOHNSON of Ohio.
H.R. 1346: Ms. BASS.
H.R. 1355: Mr. MULVANEY.
H.R. 1384: Mr. FARR.
H.R. 1387: Mr. AUSTIN SCOTT of Georgia.
H.R. 1395: Mr. DEUTCH.
H.R. 1414: Ms. HAHN, Mrs. BUSTOS, and Ms. ESHOO.
H.R. 1424: Mr. CONNOLLY and Mr. LEVIN.
H.R. 1428: Mr. ELLISON, Ms. SCHWARTZ, and Mr. BRALEY of Iowa.
H.R. 1432: Mr. HIMES and Ms. SHEA-PORTER.
H.R. 1449: Mr. AUSTIN SCOTT of Georgia, Mr. JOHNSON of Ohio, Mr. HECK of Nevada, Mr. WILSON of South Carolina, Mr. COLE, Mr. WENSTRUP, Mr. GUTHRIE, Mr. GINGREY of Georgia, Mr. BRALEY of Iowa, Mr. LOEBSACK, Ms. CASTOR of Florida, and Mr. GRIJALVA.
H.R. 1475: Mr. RIBBLE.
H.R. 1481: Mr. BARLETTA.
H.R. 1482: Mr. COTTON.
H.R. 1485: Mr. BOUSTANY and Mr. MILLER of Florida.
H.R. 1488: Ms. NORTON.
H.R. 1494: Mr. LOEBSACK.
H.R. 1502: Mr. HARRIS.
H.R. 1507: Mr. FOSTER, Mrs. LOWEY, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1518: Mr. CUMMINGS, Mr. FITZPATRICK, Mr. WELCH, Mr. YOHO, Mr. YOUNG of Florida, and Mr. ANDREWS.
H.R. 1528: Mrs. BUSTOS, Mr. DUFFY, Mr. BLUMENAUER, Mrs. MILLER of Michigan, Mr. GUTHRIE, and Mr. AUSTIN SCOTT of Georgia.
H.R. 1531: Ms. HAHN.
H.R. 1547: Mr. MURPHY of Florida.
H.R. 1551: Mr. WOMACK, Mr. KINGSTON, Mrs. HARTZLER, Mr. GINGREY of Georgia, and Mr. GUTHRIE.
H.R. 1552: Mr. BENISHEK, Mr. PITTINGER, and Mr. PITTS.
H.R. 1553: Ms. JENKINS, Mrs. BLACKBURN, Mr. CARSON of Indiana, Mr. GUTHRIE, Mr. HECK of Nevada, Mr. KINZINGER of Illinois, Mr. OLSON, Mr. DUNCAN of South Carolina, Mr. GRIFFIN of Arkansas, Mr. CRAWFORD, Mr. COOPER, Ms. GRANGER, Mr. FLEISCHMANN, and Mr. KLINE.
H.R. 1565: Mr. HIGGINS, Mr. KEATING, Mr. CÁRDENAS, Mr. COHEN, Mr. GRAYSON, Mr. GRIJALVA, Ms. HAHN, Mr. HONDA, Mr. KILMER, Mr. LYNCH, Mr. MARKEY, Mr. GEORGE MILLER of California, and Ms. SCHWARTZ.
H.R. 1572: Mr. GRIFFIN of Arkansas and Mr. COTTON.
H.R. 1594: Mr. KINGSTON.
H.R. 1595: Mrs. MCCARTHY of New York and Ms. MENG.
H.R. 1598: Mr. CARSON of Indiana.
H.R. 1601: Mr. ELLISON and Ms. MOORE.
H.R. 1613: Mr. LAMBORN, Mr. AMODEI, Mr. GRAVES of Georgia, Mr. CRAMER, and Mr. MEADOWS.
H.R. 1620: Ms. BORDALLO, Mr. LIPINSKI, and Ms. SHEA-PORTER.
H.R. 1623: Mrs. KIRKPATRICK and Mr. RAHALL.
H.R. 1626: Mr. ROSS.
H.R. 1652: Ms. HANABUSA and Mr. RYAN of Ohio.
H.R. 1667: Mr. MORAN and Mr. DEFAZIO.
H.R. 1692: Ms. SLAUGHTER, Mr. WAXMAN, Mrs. NAPOLITANO, Ms. BONAMICI, Ms. HAHN, Mr. PRICE of North Carolina, Mr. TIERNEY, and Mrs. CAPPS.
H.R. 1693: Mr. HUELSKAMP.
H.R. 1699: Ms. LOFGREN and Mr. HOLT.
H.R. 1701: Mr. HARRIS.
H.R. 1705: Mr. JONES, Ms. SHEA-PORTER, and Mr. HUNTER.
H.R. 1708: Mr. WALDEN, Mr. ROKITA, and Ms. NORTON.
H.R. 1717: Mr. LONG, Mr. COFFMAN, Mr. WITTMAN, Mr. BUCHANAN, Mr. WESTMORELAND, Mr. MCCAUL, Mr. BROUN of Georgia, Mr. ROKITA, Mr. YOUNG of Florida, Mr. KING of Iowa, Mr. BARROW of Georgia, Mr. HUIZENGA of Michigan, Mr. FORBES, Mr. RUPPERSBERGER, Mr. LATHAM, Mr. GIBBS, Mr. LANCE, Mr. COLLINS of Georgia, and Mr. BROOKS of Alabama.
H.R. 1723: Mr. ELLISON.
H.R. 1727: Mr. MCINTYRE, Mr. NOLAN, Mr. SEAN PATRICK MALONEY of New York, Mr. MORAN, Ms. PINGREE of Maine, and Mr. GRIJALVA.
H.R. 1730: Mr. COHEN.
H.R. 1735: Mr. CULBERSON and Mr. HUELSKAMP.
H.R. 1736: Mr. SCOTT of Virginia.
H.R. 1737: Mr. LIPINSKI and Mr. COLE.
H.R. 1752: Mr. COTTON.
H.R. 1755: Mr. CLEAVER, Mrs. CHRISTENSEN, Mr. MEEKS, Ms. ESTY, and Ms. ESHOO.
H.R. 1763: Mr. DEFAZIO, Mr. THOMPSON of Pennsylvania, Mr. SIMPSON, Mr. CONNOLLY, Mr. LOEBSACK, Mr. VARGAS, Ms. HAHN, Ms. MOORE, and Mr. ELLISON.
H.R. 1764: Mr. GINGREY of Georgia, Mr. STIVERS, Mr. FARENTHOLD, Mr. SALMON, Mr. BRIDENSTINE, Mr. HUELSKAMP, Mr. BOUSTANY, Mr. BENISHEK, and Mr. OLSON.
H.R. 1781: Mr. MEADOWS and Mr. WEBER of Texas.
H.R. 1795: Mr. HANNA, Ms. HAHN, Mr. LARSEN of Washington, Ms. PINGREE of Maine, Mr. VARGAS, Mr. LOEBSACK, Ms. TSONGAS, Mr. MICHAUD, Ms. SHEA-PORTER, and Mr. THOMPSON of Pennsylvania.
H.R. 1796: Mrs. KIRKPATRICK, Ms. JACKSON LEE, Mr. CARSON of Indiana, Mr. JOHNSON of

Georgia, Ms. HAHN, Ms. SLAUGHTER, Mr. RODNEY DAVIS of Illinois, Mr. CLEAVER, Mr. CICILLINE, Mr. VARGAS, Mr. LOWENTHAL, Mr. LARSEN of Washington, and Mr. LOEBSACK.

H.R. 1801: Mr. ELLISON, Mr. CONNOLLY, Ms. DELAURO, and Mrs. CAROLYN B. MALONEY of New York.

H. Con. Res. 4: Mr. KING of New York.

H. Con. Res. 29: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. LUETKEMEYER.

H. Con. Res. 30: Mr. COTTON.

H. Con. Res. 34: Mr. COURTNEY, Mr. DOYLE, and Mr. SABLAN.

H. Res. 24: Mr. SALMON.

H. Res. 36: Mr. SALMON, Mr. JOYCE, Mr. SOUTHERLAND, Mr. BILIRAKIS, Mr. MESSER, and Mr. CASSIDY.

H. Res. 72: Mr. LIPINSKI and Mr. RODNEY DAVIS of Illinois.

H. Res. 109: Mr. HUIZENGA of Michigan.

H. Res. 123: Mr. NUGENT and Mr. ENYART.

H. Res. 156: Ms. HAHN and Mr. VEASEY.

H. Res. 167: Ms. HAHN, Ms. MOORE, Mr. VARGAS, Mr. HINOJOSA, Mr. FOSTER, Ms. SCHWARTZ, Mr. KILDEE, Mr. HASTINGS of Florida, and Mr. BRALEY of Iowa.

H. Res. 173: Mr. MEADOWS.

H. Res. 174: Mr. VARGAS, Mr. PETERS of Michigan, Mr. FARR, Mr. ELLISON, Mrs. KIRKPATRICK, Mr. PIERLUISI, Mr. CUMMINGS, Mr. GARCIA, Mr. SIRES, Mr. WALZ, Mr. DEFazio, Mr. RUPPERSBERGER, Mr. BRALEY of Iowa, Mr. CAPUANO, Mr. SARBANES, Mr. THOMPSON

of Mississippi, Mr. LARSEN of Washington, Mr. NEAL, Mrs. NEGRETE MCLEOD, Mr. GUTIERREZ, Mr. FATTAH, Mr. DOYLE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERS of California, Mr. MARKEY, Mr. SERRANO, Mr. QUIGLEY, and Mr. PERLMUTTER.

H. Res. 182: Mr. BUCHANAN and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H. Res. 190: Mr. O'ROURKE, Mr. HONDA, Ms. LEE of California, Mr. FALCOMA, Ms. SINEMA, Mr. GRIMM, Mr. OWENS, and Mr. THOMPSON of Pennsylvania.

H. Res. 191: Mr. RANGEL, Ms. NORTON, and Ms. WILSON of Florida.

H. Res. 196: Mr. WATT.

EXTENSIONS OF REMARKS

A TRIBUTE TO JOSEPH LUCIAN WYATT, JR.

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Joseph Lucian Wyatt, Jr. of Pasadena, California, who was an influential force in Southern California legal circles as well as an exceptional community activist.

Joe was born in Chicago, Illinois, the only son of Joseph and Cecile Wyatt. From 1942 to 1945, Joe served in the United States Air Force as a First Sergeant in the USAAF Troop Carrier Command in England, France, and Germany. After returning home, Joseph received his undergraduate degree from Northwestern University in 1947 and his law degree from Harvard Law School in 1949. He then moved to California to practice law and soon met Marge Simmons at a California Federation of Young Democrats Convention. They married in 1954.

Mr. Wyatt practiced trust and estate law for three law firms, specializing in trust and estate planning, fiduciary and tax practice, and trial and appellate litigation on behalf of individual and institutional clients. Most recently, Mr. Wyatt served as Senior of Counsel to Morrison/Foerster LLP. He authored an impressive four-volume treatise on Trust Administration and Taxation, and since 1962 he has been a prominent lecturer in his field. He was also an active member of many professional organizations. Mr. Wyatt was known as a people's lawyer and will be fondly remembered as a bow tie aficionado, rarely being seen in public without a bow tie.

Joe served his community as a board member of the Pacific Oaks College and Children's School, the California State Personnel Board, the Board of Administration of the California Public Employees Retirement System, and anti-poverty agencies of Pasadena and Los Angeles. In addition, he also supported many non-profit organizations that specialized in education and children's services. Joe was the counsel to the California delegation at six Democratic National Conventions, prior to which he was a delegate to four conventions. He was very active at state and local Democratic Party events, often serving as a skillful parliamentarian.

Joe Wyatt was a very accomplished man, an admirable lawyer, and a great husband and father. He was principled, intelligent, humble, and humorous. He will be greatly missed not only by his wife Marge and their four children Daniel, Linn, Jonathan, and Lawrence, but by the entire community. I ask all Members to join me in remembering Joseph Lucian Wyatt, Jr.

RECOGNIZING FRANCES MARIE CALVO MONGE ON BEING NAMED THE 2013 FIRST HAWAIIAN BANK AND GUAM BUSINESS MAGAZINE BUSINESSWOMAN OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Frances Marie Calvo Monge on being named the 2013 First Hawaiian Bank and Guam Business Magazine Businesswoman of the Year. Marie is the Chief Operating Officer and Executive Producer of Pacific Telestations Inc.'s KUAM and has been in the media industry for 16 years.

Born and raised on Guam, Marie attended Academy of Our Lady of Guam and graduated from Castilleja School in Palo Alto, Calif., in the spring of 1992. Her first job was a production assistant at a local public access television station in Palo Alto.

In May 1996, Marie graduated Magna Cum Laude from Emerson College in Boston with a Bachelor of Science degree in Mass Communication/Film.

Following graduation, Marie moved to Los Angeles, where she worked as a Development Assistant for Flower Films from January 1996 to September 1996. She worked with the producing team for actress Drew Barrymore to identify script projects that were to be developed into major motion pictures. She also assisted with film pre-production, which included location scouting, casting, and character wardrobe.

In January 1997, Marie began serving as Executive Producer of KUAM, where she oversaw all local productions, directed live productions, and developed local content and programming for the stations of KUAM.

In 2001, Marie co-founded a community service initiative of the stations of KUAM known as the KUAM Careforce. Through this Careforce, KUAM has highlighted many Guam organizations, raising awareness for issues of importance to our island community.

Marie also is the president of The Edward M. Calvo Cancer Foundation, a member of the Guam Chamber of Commerce, and a Board Member of The Rigalu Foundation, Sanctuary, Inc., and Hurao, Inc. She is also a member of the largest media professional group in the United States, Radio Television Digital News Association.

She is married to Eli Monge and together they have two daughters, Noelle Veronica, 14 years old and Reese Frances, 11 years old.

I congratulate Frances Marie Calvo Monge on receiving the 2013 First Hawaiian Bank and Guam Business Magazine Businesswoman of the Year. I join the people of Guam in commending her for her award and thanking her for her contributions to our community as a woman leader in business.

IN SUPPORT OF "JEWISH AMERICAN HERITAGE MONTH"

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise today in recognition of Jewish American Heritage Month. Nearly 360 years have passed since the establishment of the first Jewish community in North America. Since that time, Jewish Americans have contributed to the cultural richness and diversity of our nation in every field of community life, including business, government, medicine, law, the natural and social sciences, the arts and humanities, academia, religion, and the military.

There are approximately 5 million Jewish Americans and more than 100,000 of them live in Texas, nearly half of those, about 45,000, live in the Houston metropolitan area. Although their numbers may be small in a state with a general population over 20 million, the impact of Jewish Americans in Texas and in Houston has been great indeed.

Jewish Americans were there during the fight for Texas' independence from Spain and Mexico. Adolphus Sterne, an East Texas merchant, was a principal source of financial backing for the Texas Revolution and a close friend of Sam Houston. Albert Moses Levy was surgeon-in-chief in the revolutionary army. The De Cordova family helped develop the city of Waco and Henri Castro settled immigrants in several Texas towns. In 1859 the first synagogue in Texas was established in Houston.

Business and trade, especially the merchandising of food, clothing, jewelry with style, elegance, and distinction are the arenas in which many Jewish-Texan families made their most visual marks on the state of Texas. There is hardly a city in the Lone Star State whose history is without landmark stores founded and developed by Jewish entrepreneurs: Neiman, Marcus, Sanger in Dallas; Battelstein and Sakowitz in Houston; and Joske in San Antonio.

These cities and towns reaped the benefits not only in availability of goods, but also in owners' generous patronage of the fine arts and in contributions to civic life such as the historic Levy Opera House in Hillsboro and the Brin Opera House in Terrell. Other early Jewish Americans who contributed mightily to civic life include Anna Hertzberg, who served as president of the original San Antonio Symphony Orchestra before World War I, and Olga Bernstein Kohlberg of El Paso, who started Texas' first free public kindergarten in 1892. That tradition continues today with the Dell Children's Hospital in Austin established by Dell Computers founder and CEO, Michael Dell.

Mr. Speaker, it was 65 years ago this month that President Truman recognized the free,

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

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

independent, and democratic State of Israel, making the United States the first country to welcome Israel into the family of nations. And for 65 years Israel and the United States have remained the best of friends and the strongest of allies. One reason for the enduring strength of this relationship is the enduring contributions made by Jewish Americans in enriching American life and culture.

Mr. Speaker, as a representative of the state of Texas which has welcomed Jews for more than three centuries, I join with my colleagues and President Obama in calling upon all Americans to learn more about the heritage and contributions of Jewish Americans and to observe this month with appropriate programs, activities, and ceremonies.

HONORING FRED ACQUAVITA ON
THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the many family, friends, colleagues, and community leaders who have gathered in celebration of an outstanding member of our community and my dear friend, Fred Acquavita, as he retires from his post as Headmaster of St. Thomas Day School in New Haven, Connecticut after more than three decades of service in education.

A native of New Haven, Fred left Connecticut to attend the Kansas State College of Pittsburg to earn his Bachelors Degree and later returned to earn his Masters from Southern Connecticut State University as well as his 6th Year from Bank Street College of Education. Fred began his career as a teacher in the New Haven Public School system working with children in elementary and secondary schools. Deeply passionate about education and making it work for both teachers and our young people, Fred focused his professional growth on building expertise in curriculum development, instructional support, strategic planning, and team building—all of which would serve him well as he accepted the leadership role at St. Thomas's Day School. As Headmaster of St. Thomas's Day School, Fred has helped to shape the lives of hundreds of young people—nourishing their minds, encouraging their imaginations, and preparing them well to meet their full potential and realize their dreams.

Fred's dedication to enriching our community extends far beyond his work in education. Throughout his adult life he has dedicated much of his time to a myriad of local service organizations. He has served on the Board of Directors at Farnum Neighborhood House where he also coached "Biddy Basketball," participated in the Graustein Foundation Leadership Program, and is currently an Associate Fellow Yale's Berkeley College as well as a member of the Board of Directors of the Connecticut Association of Independent Schools.

On a more personal note, I want to take a moment to thank Fred for his many years of

special friendship. His support and camaraderie is something that I will always cherish. Fred's passion for making a difference is an inspiration to many and I consider myself very fortunate to call him my friend.

Teacher, administrator, advocate, and mentor, Fred is a reflection of all that we attribute to an outstanding public servant. His actions reflect his deep and abiding belief in the words of St. Francis of Assisi—we should all strive to "make this a better world and let it begin with me." For his many invaluable contributions to both St. Thomas's Day School and our community, I am proud to stand today and extend my deepest thanks and appreciation to my good friend, Fred Acquavita, as he celebrates his retirement. I wish him as well as his wife, Marie; their children, John and Michael; and their three beautiful granddaughters the very best for many more years of health and happiness.

RECOGNIZING ISMAEL GUZMAN ON
HIS ENLISTMENT INTO THE
UNITED STATES MARINE CORPS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor Mr. Ismael Guzman, a senior at Glades Central High School in Belle Glade, Florida. Ismael is fine young man who has received good grades, and will graduate later this month. He has courageously chosen to enlist in the United States Marine Corps.

Ismael should be extremely proud of his decision to serve this nation. It is thanks to the commitment and dedication of individuals such as him, that we are able to meet here in the House of Representatives, and openly debate and legislate on the many issues facing our nation.

Mr. Speaker, I commend Ismael Guzman for his selflessness to enlist in the Marine Corps. I am certain that he will serve with honor and distinction. We owe him, as well as all the men and women serving in uniform a debt of gratitude.

IN MEMORY OF PATRICK R.
FOSTER

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the life of Patrick R. Foster.

As a Vietnam War veteran who served in a Naval Attack Squadron and a superintendent with the city of Federal Way, Washington, Pat Foster's life was dedicated to public service. As the self-proclaimed "CEO of potholes" for the city, Pat supervised a staff that maintained the city's many roads and sidewalks, using his warmth and sense of humor to add a human touch in handling the multitude of requests the city received.

Pat's tireless efforts and down-to-earth demeanor led his colleagues throughout the Fed-

eral Way city government to consider him an integral part of its operations. He was trusted to develop and implement creative and resourceful solutions to the issues and challenges faced by the city and its residents, while involving others and making them feel equally important in the process. As a leader, he spared no opportunity to make sure his staff's good work received due recognition. Under Pat's leadership, his Public Works division and those who worked in it earned a great deal of respect from all. He was also so well regarded by residents that they would request assistance from him by name.

Fiercely proud of his service with the Navy, colleagues fondly remember Pat's many stories of his time in the military and remarked about the wealth of aviation knowledge he was able to share. Nowhere was this on more prominent display than during a visit to the National Air and Space Museum. During their trip to Washington, DC, they also shared an especially moving time with Pat at the Vietnam Veterans Memorial.

Pat's unrelenting and quiet dedication to serving the public, in the military and in local government, serves as an example of the tremendous impact one outstanding person can have on his community.

Mr. Speaker, it is with great pleasure that I recognize the life of Pat Foster. He is a reminder of the standards of service to which we should aspire every day.

RECOGNIZING PETTY OFFICER 1ST
CLASS (FMF) BENNY MENDIOLA
FLORES JR. ON RECEIVING A
SILVER STAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend Petty Officer 1st Class (FMF) Benny Mendiola Flores Jr., a hospital corpsman serving with the Air Naval Gunfire Liaison Company, on receiving a Silver Star, for conspicuous gallantry and intrepidity in action with combat operations against the enemy while serving as Field Medical Service Technician, 1 Marine Expeditionary Force (Forward), on 28 April 2012, in support of Operation Enduring Freedom. He was presented with the Silver Star, the military's third-highest award for valor, at a ceremony at Camp Pendleton, Calif., on May 3, 2013.

Petty Officer Flores, a native of Guam, graduated from Southern High School in 2001, and, shortly thereafter, enlisted in the United States Navy. He always wanted to be a corpsman, and, in his remarks at the award ceremony, demonstrated his humility and gratitude for the opportunity to serve our country. He is currently serving his third deployment to the Middle East.

During his deployment to Afghanistan last year, Petty Officer Flores was providing medical coverage for a three-day, Afghan-led mission to Zaranj, Afghanistan near Iran's border. He was riding in the back of a pickup in Nimruz province's Zaranj district returning to camp after a trip to the Iranian border when

an improvised explosive device detonated near his vehicle as a result of a suicide bomber. Despite suffering shrapnel wounds to his arms and back, he immediately began helping the wounded. He risked his life four times, running through enemy gunfire to help save the Marines and Afghan Uniform Police officer who were injured in the blast.

Petty Officer Flores stayed focused administering combat lifesaving skills. Although he worked hard to make sure everyone was secure, another passenger in his vehicle, Master Sergeant Scott Pruitt, died from injuries sustained in the attack.

Petty Officer Flores has received numerous awards and decorations for his service, including a Purple Heart, a Joint Service Commendation Medal and a Joint Service Achievement Medal.

He is currently pursuing a college degree and furthering his passion for medicine by studying sports management at American Military University. He is the son of Benny Flores Sr. and Josepha K. Lizama. He lives at Camp Pendleton Marine Corps Base in California with his wife, Jerrienne, and their daughter, Jaena.

I commend Petty Officer 1st Class Benny Flores on receiving this high honor for his heroic actions in combat. I join the people of Guam in thanking him for his bravery and selfless service to our nation, and for making our island proud.

RECOGNIZING ROB MELLEN FOR HIS CONTRIBUTIONS TO DR. PHILLIPS CHARITIES

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to take this opportunity to recognize a close friend of mine whose philanthropic contributions have greatly impacted the Central Florida community. Rob Mellen served as the President and CEO of Dr. Phillips Charities for the past five years. Prior to his role at Dr. Phillips Charities, Mr. Mellen was a leading and well-recognized corporate, banking and real estate attorney and the managing shareholder at Akerman Senterfitt, one of Florida's largest law firms.

Over the last five years as CEO and President, Mr. Mellen has inspired Dr. Phillips Charities to work towards new endeavors while facing the economic turmoil that has affected our nation. During his tenure, the construction of Orlando's Dr. Phillips Center for the Performing Arts began. He continues to play an important role in the planning and construction of Orlando's long awaited world class performing arts center scheduled to open in 2014. With the completion of Dr. Phillips Charities' new headquarters, Mr. Mellen also secured a place where Dr. Phillips Charities can enhance relationships with other major philanthropic organizations and the partnerships with those that they serve. His efforts to improve Dr. Phillips Charities' real estate portfolio and other investments have enabled Dr. Phillips Charities continuous substantial giving. Many

charitable non-profit organizations in the Central Florida community have been the beneficiaries of their giving, and numerous lives have been provided with much-needed support.

Dr. Phillips Charities' donations extend into all parts of the Central Florida community, including educational programs, youth programs, health and rehabilitative programs, and much more. They have given other local non-profit organizations and charities the resources to fund their efforts through donations that have amassed \$150 million in grants, pledges, and program-related investments over the last 10 years. Dr. Phillips Charities has made a lasting effect on the Central Florida community that has directly touched the lives of thousands of children and families.

Dr. Phillips Charities has been fortunate to have such a dedicated and experienced leader at the helm of their operations. I want to applaud Rob Mellen on his continued service to the philanthropic needs of the Central Florida community. His commitment to excellence, leadership and service is to be admired, and may it inspire others to follow in his footsteps.

A TRIBUTE TO MABEL BAKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Mabel Baker on the coming celebration of her 100th birthday. Mabel will celebrate a century of life on May 30th, 2013.

Our world has changed a great deal during the course of Mabel's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Mabel has lived through eighteen United States Presidents and twenty-two Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Mabel in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House to join me in congratulating Ms. Baker on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

HONORING PETER N. SILVESTRI

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Peter N. Silvestri, retiring President of the Village of Elmwood Park and current 9th District Cook County Commissioner. Mr. Silvestri has served Elmwood Park for twenty-four years as Village president and chose not

to seek reelection this year in order to focus his complete attention on his position of Cook County Commissioner.

Mr. Silvestri has lived in Elmwood Park since 1971, and is a graduate of Elmwood Park High School. He attended DePaul University for undergraduate studies, as well as for his law degree. In 1977, at the age of twenty, Silvestri became the youngest person in Illinois elected to a local school board. He served on Elmwood Park's school board for two years, and was president of the board when he left to serve the Village in other offices.

Following Mr. Silvestri's exit from the school board, he served on the Zoning Board, Plan Commission, Civic Foundation, and as Village Trustee before his election to Village President. Under the leadership of Silvestri, the Village of Elmwood Park has been able to prosper and continue to pursue the village's goal of being a great place to raise a family and start a business. Mr. Silvestri oversaw numerous beautification projects in the Village, as well as efforts to modernize the police, fire, and public works departments. Silvestri also holds a good financial track record with the Village, which is seen through the Village's high bond rating, minimal debt and a reduced tax levy coming next year.

Mr. Silvestri leaves the office of Village President in the wake of numerous accomplishments. Recently, the Village opened a new library, and the aquatic center and the new Centennial Park are scheduled to be opened this spring. Other accomplishments while in office include an expanded recreation center, the creation of Mills, Torpe and Central Parks and an expanded Bambi Park. Silvestri has overseen the development of numerous projects within the Village of Elmwood Park which have contributed greatly to the reputation of Elmwood Park as a great place to live and raise a family.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the years of dedication and public service Peter N. Silvestri has contributed to the Village of Elmwood Park. Mr. Silvestri has helped the Village prosper through the changing social and economic climate of recent decades, and he will surely be missed as the Village's president. I want to thank Mr. Silvestri for his years of service to the Village of Elmwood Park, and I look forward to his continued service as Cook County Commissioner.

TRIBUTE TO PAUL "BO" BOLLINGER

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to recognize Mr. Paul "Bo" Bollinger, President of the Greater Washington Aviation Open (GWAO). As the GWAO celebrates its 25th anniversary this year and Mr. Bollinger begins the process of succession to new tournament leadership, it is the proper time to recognize his quarter century of outstanding leadership.

In 1989, Mr. Bollinger conceived and began an aviation charity event to raise and donate funds to worthy causes. Mr. Bollinger convinced several aviation executives and several aviation associations to hold an annual charity golf and auction event for this purpose. Twenty five years later, the GWAO has become the largest aviation charity event in Washington, DC, raising almost \$1.7 million for deserving organizations.

Under Mr. Bollinger's leadership, the charities receiving tournament proceeds varied over the first four years, subsequently settling on the Corporate Angel Network (CAN) as its major benefactor. The CAN mission of flying cancer patients on empty seats of business aircraft to treatment facilities was a perfect match with the GWAO mission. In 2006, Mr. Bollinger led the effort to include funding a four-year scholarship for a deserving T.C. Williams High School graduate entering a college in an aviation degree program; and in 2011 the Veteran's Airlift Command was added as an additional benefactor.

Mr. Speaker, as a fellow Kentuckian I am honored and proud to commend Mr. Bollinger for a quarter century of heroic, selfless and successful service to thousands of deserving people. In their names I wish to publicly thank you, Bo, on behalf of all the people whose lives you have enhanced.

RECOGNIZING BERNARD GRAY ON
HIS ENLISTMENT INTO THE
UNITED STATES ARMY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor Mr. Bernard Gray, a senior at Glades Central High School in Belle Glade, Florida. Bernard is a fine young man, who has compiled a very good academic record at Glades Central, and will be graduating later this month. He has proudly chosen to enlist in the United States Army.

I want to congratulate Bernard on his decision to serve his country. It is thanks to the dedication of fine individuals such as him, that we are able to meet here in the House of Representatives, and openly debate and legislate on the many issues facing our nation.

Mr. Speaker, Bernard Gray is a selfless and courageous individual. I am certain that he will make us proud with his service. We owe him, as well as all the men and women in uniform an enormous debt of gratitude.

HONORING JOSEPH W. MAHONEY,
JR.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a great Philadelphian whom we mourn today. Joe Mahoney, Jr. was a man that everyone called a friend. As Executive

Vice President of the Greater Philadelphia Chamber of Commerce, Joe was the face of Philadelphia business. He was an eloquent and passionate advocate for the entire business community. But small business was his special love. He and his best friend, his bride Pat, owned a small business themselves. He personally understood the joys and challenges of building and maintaining an enterprise.

There are many adjectives you can use when you talk about Joe. Smart, dedicated, energetic, diplomatic, charming, and knowledgeable are just a few. But the fact that he and Pat were true partners in every sense tells you all that you really need to know. They worked together in support of our region, their alma mater, St. Joseph's University, and in support of local charity. That's the kind of guy Joe was.

Joe was especially gifted in the field of government relations. He worked equally well with Democrats, Republicans, and Independents. He was at home in the Halls of Congress, the State Legislature, and City Hall. He understood and respected both the executive and legislative branches, as well as business, labor, and the non-profit centers. He worked as well in New Jersey and Delaware as he did in Pennsylvania. He was liked and respected in all of the region's counties. Joe understood how all the pieces fit together to form the complex mosaic that is the Delaware Valley. His life made that mosaic more beautiful. His loss leaves it less so.

Mr. Speaker, I am honored to say that I knew Joe. I'm even more honored to say that Joe knew me. He was a friend to all. We all grieve his passing, even as we celebrate his life. I am sure that all of my colleagues join me in expressing our condolences to his family.

A TRIBUTE TO MARISSA FROST

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate 8th grader Marissa Frost of Urbandale Middle School for being named Iowa's state winner in the Doodle 4 Google art competition.

The Doodle 4 Google competition is held annually by Google and invites students from across the country to use their artistic talents and creativity to redesign Google's homepage themes, which appear on millions of computers across the globe. The nationwide winner is also awarded a scholarship worth \$30,000 and the winner's school will receive a \$50,000 technology grant to establish or improve a computer lab or technology program.

Marissa titled her doodle 'Discover' and portrays her response to the 2013 Doodle 4 Google theme "My Best Day Ever. . ." Her artwork is one of only 50 pieces that have been selected from across the country and was selected by a panel of Google employees for its artistic merit, creativity, and communication of the competition's theme. Marissa's doodle is now displayed in an online gallery where she will compete to be named a national finalist.

Representing Iowa in this national competition is an extraordinary reflection of Marissa's talents and artistic ability.

Mr. Speaker, it is a profound honor to represent future leaders like Marissa from the great state of Iowa in the United States Congress. I invite my colleagues in the House to join me in congratulating her for this achievement, and I wish Miss Frost the best of luck in the remainder of the competition and with her future studies.

CELEBRATING THE CITY OF NEW
HAVEN ON THE OCCASION OF ITS
375TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. DeLAURO. Mr. Speaker, it is with great pride and much appreciation that I rise today to join my hometown of New Haven, Connecticut in commemoration of the City's 375th Anniversary—a remarkable milestone for a very special community. Today, hundreds are gathered not only to pay tribute to our past but to celebrate the unique blend of cultures, traditions, and history that has made our City so strong.

The story of New Haven is the story of America. It was on April 24, 1638, that a group of five hundred English Puritans, led by Reverend John Davenport and Theophilus Eaton and in search of a place where "the word of God shall be the only rule," sailed into the harbor. Upon their arrival they soon met with a local Native American tribe, the Quinnpiack, whose leader, Momauguin, agreed to sell the tribe's land in exchange for the settlers' protection from neighboring raiding bands and the use of the lands east of the harbor. In just two short years a government had been established and the settlement, based on a grid of nine squares with the central square as the public common or Green, was flourishing. In 1784, New Haven was incorporated as a city and Roger Sherman, one of the signers of the Declaration of Independence was elected its first mayor.

The history of New Haven is in fact a reflection of our nation's great history. It was in New Haven in 1775, the day after Lexington and Concord, or as we call it Powder House Day, that Benedict Arnold demanded the keys to the local powder house so that patriots could use it in defense of the colonies. It was in New Haven, that Eli Whitney developed the cotton gin and interchangeable parts revolutionizing the manufacturing industry and revitalizing the American economy. It was in New Haven that a group of African Mendi Warriors, led by Cinque Pieh and marooned aboard the Spanish schooner *Amistad*, won a court battle and were able to return to their homeland—an important triumph of the anti-slavery movement. In the 19th century, New Haven was the center of the carriage industry as well as the oyster capital of the world. New Haven is home to the prestigious Yale University—an institution that has educated three of our last four presidents and three of our current Supreme Court justices.

New Haven, like so many other communities across our nation, also has a rich immigrant story—the story of the American dream. Our City may be most well known for its Italian and fish communities, but we have also become home to a number of other immigrant groups including those from Eastern Europe and Ecuador. As is the same story in so many other communities, these immigrant groups faced all kinds of challenges and obstacles. Through those struggles they stuck together, they established organizations to help re-create a little bit of the Old Country, and to honor the values of family and community we all hold dear—they made New Haven their home.

With such a rich history, the bonds of our community are strong. Born and raised in the Wooster Square neighborhood, wherever I go in this world, it is always with me. That is New Haven—and that is why I am so proud to rise today to say Happy 375th Birthday New Haven.

IN RECOGNITION OF DR. SHARON ROOT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. PALLONE. Mr. Speaker, I rise today to honor Sharon M. Root, D.P.M., FACFAOM as she is recognized by fellow colleagues at the 64th Annual American Podiatric Medical Association (APMA) Region 3 Scientific Meeting. Dr. Root's dedication to her profession and her selfless actions outside of the office are truly deserving of this body's recognition.

Dr. Sharon Root graduated Magna Cum Laude from New York College of Podiatric Medicine. Previously, she completed Biological Sciences and Pre-medical studies at Rutgers University—Newark and earned her Associate in Applied Science Degree and was a Highest Honors Graduate in Nursing at County College of Morris. She completed her residency in Podiatric Surgery at The Bryn Mawr Hospital in 1993 and currently practices in Succasunna, New Jersey.

Throughout her career, Dr. Root has been a member of several professional organizations. She is a current New Jersey Delegate to the APMA House of Representatives and serves on the Resolutions Committee and Elections Committee. In addition, Dr. Root was president of the New Jersey Podiatric Medical Society for the 2006–2007 year and held many other positions within the Society, including Advisor of the Executive Committee, Chair of the Constitution and Bylaws Committee and Chair of the Carrier Advisory Committee.

Dr. Root is also a dedicated physician outside of the office. On March 16, 2012, while at dinner in Washington, DC, Dr. Root performed the Heimlich maneuver on another diner, Maryland psychologist Dr. Ellen Lent, who was choking. Dr. Root's quick actions saved Dr. Lent's life.

Mr. Speaker, please join me in recognizing Dr. Sharon Root on her many professional accomplishments and thanking her for her actions to save another life.

WALNUT GROVE LADY TIGERS BASKETBALL TEAM CHAMPIONSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize the Walnut Grove Lady Tigers Basketball Team for winning the Missouri Class 1 Girls State Championship.

The Lady Tigers clinched the title with a thrilling finish, making a free throw with 1 second left for a final score of 47–46. Members of the team include Miranda Allison, Audree Crain, Carrigan Comstock, Ellen Hayter, Heather Harman, Lexi Harman, Shelby Harman, Megan Shuler, Madisyn Freeze, and Karsyn Hejna.

Through their hard work and dedication on and off the court, the Lady Tigers developed into a truly great championship team. The Lady Tigers ended the season 30–2, which set a school record for most wins in a season.

I also want to commend Head Coach Rory Henry and Assistant Coaches Deidre Parks and Jeff Cope for a job well-done on developing such a strong basketball program.

The Walnut Grove community is justifiably proud of this extraordinary group of young and talented student-athletes. I urge my colleagues to join me in congratulating the Walnut Grove Lady Tigers as they celebrate their Class 1 Girls State Championship.

HONORING NATIONAL MEDAL WINNERS OF THE SCHOLASTIC ART AND WRITING AWARDS OF 2013

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to honor a number of talented and dedicated high school students from my Congressional District who have won National Medals from the Scholastic Art & Writing Awards of 2013. The Scholastic Awards are the largest, longest-running scholarship and recognition program for creative teens and are presented annually by the Alliance for Young Artists & Writers. These talented students are creative thinkers that will lead our nation into the future and I am so proud to recognize them today.

I am honored to represent Long Island and Queens which are home to many top notch schools with dedicated teachers guiding talented young students to success. Specifically, I want to recognize the following students that I have the honor to represent here in Congress: Megan Basaldua of Frank Sinatra School of the Arts High School; Michela Bentel of the Choate Rosemary Hall; Lindsay Bu of Stuyvesant High School; Max Carol of Syosset Senior High School; Michelle Chen of Hunter College High School; Soohyun Cho, Seungeun Ha and Min Soo Kim of Oogie Art; Yirang Choe of Ashcan Studio Art; Alexandra Deplas, Megan Fox, Lauren Goldstein and Danielle Pestynier of Jericho Senior High

School; Patrick Fahey of Manhasset Secondary School; Meagan Fontanes, Brianna Martin and Julia Tannenbaum of Northport Senior High School; Samantha Rose Klainberg and Kaiqi Zhu of Great Neck South High School; and Nicole Lee of High School Art & Design.

Only 1,900 works of art and writing, from the initial pool of 230,000 submissions, earned a National Medal. These students and their teachers should be commended for excelling and achieving such great success. They will be honored at Carnegie Hall in New York City on Friday, May 31. Artwork from the award-winning students will be featured in an exhibition at Parsons The New School for Design and the Pratt Manhattan Gallery. A selection of students receiving awards for writing will have their work published in the annual anthology *The Best Teen Writing of 2013*.

Mr. Speaker, I again want to applaud the families, teachers and students that have made these achievements possible. I urge my colleagues to join me in commending you for all of your successes and I look forward to seeing your continued contribution to the arts.

A TRIBUTE TO CRAIG AND SHIRLEY PHINNEY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Craig and Shirley Phinney for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

The lives of Craig and Shirley Phinney changed forever one Friday evening in 2009 when Craig, a police officer and military veteran, was diagnosed with colorectal cancer. After seeing the struggles and sacrifices of other cancer patients firsthand, the Phinneys started the Cops Against Cancer organization to provide financial assistance to cancer patients and their families that are burdened by the unexpected and overwhelming expenses associated with cancer treatments. Craig and Shirley's organization assists with costs that are not typically covered by insurance, such as lodging and travel expenses for medical appointments, specialized treatments, and various monthly home expenses. Cops Against Cancer has assisted more than 125 families in 41 of Iowa's 99 counties, seven families outside of the state, and even a family as far away as Quebec, Canada. In one particular instance, the organization was able to help absorb the travel costs of a 72-year-old patient

who had to travel 80 miles one-way for treatment because her local medical facility had been damaged by a tornado. In addition to their financial assistance, Craig and Shirley also provide the families and medical staffs of patients with their personal phone numbers to be able to assist at any hour of the day or night. The Phinneys' commitment to "protect and serve" their community is present in all facets of their lives, and it truly embodies what it means to be a hero. These wonderful lowans have set a shining example that our state can be proud of.

Mr. Speaker, Mr. and Mrs. Phinneys' actions that earned them each the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Craig and Shirley on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

HONORING SERVICE OF COAST
GUARD CAPTAIN CHRISTOPHER
L. ROBERGE

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize the extraordinary service of Capt. Christopher L. Roberge, who is retiring after nearly 30 years in the United States Coast Guard.

For the last two years, Capt. Roberge has shown incredible leadership as the Commander of Coast Guard Sector New England, overseeing 1,100 personnel in Maine, New Hampshire, Vermont and northern New York. His tenure there has capped an extremely distinguished career with over 30 military decorations, including four Meritorious Service Medals.

Since taking command, Capt. Roberge has strengthened Coast Guard operations in the sector and around the country. He identified key vulnerabilities in the sector's emergency communications system and implemented vital changes to make the system less susceptible to outages—his recommendations paved the way for similar upgrades around the country. The Reserve Readiness Assessment Program he developed has moved the sector's Reserve unit to the number one position in the nation for readiness. And while supporting the planning for the first-ever tidal power generator in a U.S. waterway, Capt. Roberge's guidance has put the Coast Guard in a better position to handle future energy projects.

Capt. Roberge's day-to-day management of the sector also served to distinguish him. His leadership and expertise ensured the flawless execution of 1,690 vessel boardings, 213 pollution responses, and 1,058 Search and Rescue cases, with over 2,000 lives saved or assisted and \$38.9 million in property preserved.

As an island resident who regularly makes ferry trips across miles of water, I have a personal appreciation for the men and women of

the Coast Guard. I feel safer knowing that they stand ready to respond to an emergency with skill and courage, and deeply appreciate their willingness to risk their lives to save others. My special thanks to Capt. Roberge for the many ways he has better prepared the Coast Guard to answer the call when we need them, and for his exceptional service to the country. I wish him the best of luck in his future endeavors.

HONORING AUBURN
MANUFACTURING, INC.

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor Auburn Manufacturing, Inc. as it breaks ground on a significant expansion to its Auburn, Maine Kittyhawk Industrial Park location. Founded by President and CEO Kathie Leonard more than three decades ago, Auburn Manufacturing is known across the world as a leader in extreme temperature textiles.

Kathie and her former business partner founded Auburn Manufacturing in 1979. In the intervening years, the company has grown to employ 50 employees, with its upcoming expansion set to create jobs for four new individuals. Kathie has never strayed from her core commitment to producing American-made textiles, seeking to enhance or improve Auburn Manufacturing's unique products without reinventing the wheel. It should come as no surprise that MaineBiz named Kathie one of its "Women to Watch" in 2009.

Auburn Manufacturing is the only manufacturer of extreme temperature fabrics to make its product line entirely in the United States. The company's commitment to producing "Made in the USA" products is in no small part because of Kathie's strong belief that domestic manufacturing is the key to innovation. With another major expansion in Auburn Manufacturing's business plan, I have no doubt that Kathie and her employees will continue to turn out quality American made products for years and years to come.

Mr. Speaker, please join me on congratulating Kathie Leonard and her employees as they begin this tremendous next chapter for Auburn Manufacturing.

CELEBRATING INDIA PLAZA'S 10TH
ANNIVERSARY

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. SINEMA. Mr. Speaker, I ask my colleagues to join me in honoring the India Plaza of Tempe, Arizona for its 10 years of dedicated service to the community.

Since 2003, India Plaza has served as a meeting place gateway for Arizonans into Indian culture, a center for education and celebrating diversity. They have also been actively engaged with the wider community, donating

land and funds to various causes and working with both local government and Arizona State University to promote a more accessible city. India Plaza is a true community partner, receiving awards such as the "Best of Phoenix" and an Honorable Mention as "Tempe's Good Neighbor of the Year".

India Plaza serves as an excellent example to the rest of the Nation of what can be accomplished when people come together to promote diversity and understanding. It is my privilege to serve this great community. I ask my colleagues to join me in congratulating India Plaza on its 10 years of service and in wishing it many more.

A TRIBUTE TO JOHN OSTRING

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize John Ostring for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday lowans who have done extraordinary things to help their neighbors and communities. The lowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

On a spring day in June, John Ostring was in his workshop when he heard an explosion from the home next door. As John told his wife Mary to call 911, the house had become engulfed in flames. Knowing his neighbor still may have been inside, Mr. Ostring ran into the burning house to find his neighbor unresponsive on the floor. To save her life, John picked her up and carried her outside until the first responders could arrive. Although the home was destroyed that day, a life was saved because of Mr. Ostring's bravery and quick thinking. John's life-saving actions provide a shining example that our state can be proud of.

Mr. Speaker, Mr. Ostring's actions that earned him the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating John on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

TRIBUTE TO LAW ENFORCEMENT
MEN AND WOMEN

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. BUCHANAN. Mr. Speaker, I rise today to pay tribute to law enforcement men and women who have provided distinctive service to the people of Florida's 16th Congressional District.

Law enforcement is a demanding profession that requires sacrifice, courage and a dedication to serve others. Every day, brave men and women put themselves in harm's way to enforce the laws of our society and protect public safety. They deserve our gratitude and respect.

Last year, I established the 16th District Congressional Law Enforcement Awards, CLEA, to give special recognition to law enforcement officers, departments, or units for exceptional achievement.

This year, during National Police Week, I will present congressional law enforcement awards to the following winners chosen by an independent panel comprised of current and retired law enforcement personnel representing a cross-section of the district's law enforcement community.

Sergeant Ryan LaRowe of the Palmetto Police Department received the Career Service Award.

Officer Sean Hammett of the Venice Police Department, Sergeant Debra Kaspar of the Sarasota County Sheriff's Office, and Detective Louis Licata of the North Port Police Department received the Dedication and Professionalism Award.

Sergeant Debra Kaspar, Detective Timothy Speth, Detective Cassandra Dusseau, Detective Louis Licata, Investigator Lynn Thompson, and Investigator Brent Blosser, Detective Jeff Pasler and Sergeant Donald Kennard of the Sarasota County Sheriff's Office Pharmaceutical Diversion Investigative Unit received the Unit Citation Award.

Officer Peter Vilardi of the Sarasota-Manatee County Airport Authority Police Department, Officer Andres Perez of the Bradenton Police Department, and Officer Joshua Fleischer of the Holmes Beach Police Department received the Preservation of Life Award.

Deputy Justin Warren of the Manatee County Sheriff's Office received the Above and Beyond the Call of Duty Award.

On behalf of the people of Florida's 16th District I congratulate each of these outstanding law enforcement officers and offer my sincere appreciation for their service and dedication.

I also appreciate the law enforcement agencies that made such outstanding nominations and panel that judged them. I believe these awards are a fitting tribute to our officers and a reminder of the important role they play in our communities.

COMMEMORATING BUILDING
SAFETY MONTH

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. GIBSON. Mr. Speaker, I rise today to commemorate the start of Building Safety Month, specifically in recognition of the expertise, leadership, and influence of the International Code Council (ICC). The ICC develops and publishes the building safety, energy efficiency, and fire safety model codes used throughout the United States, as well as in many other nations.

Over the past year, we have had several sobering reminders about the effects of properly-enforced building codes. When Hurricane Sandy devastated New York, New Jersey, and several other states, we were reminded of how much we rely on these vital safety standards in mitigating damage and loss of life. Reports after Sandy and other natural disasters show that the loss of life and property damage would have been considerably worse had modern building codes not been in place and enforced.

For these reasons, I want to congratulate the leaders of the ICC who sponsor Building Safety Month. These leaders include Ronald Piester, the Director of New York State Division of Code Enforcement and Administration, Stephen D. Jones, Construction Official for Millburn Township, New Jersey, and Guy Tomberlin, Code Specialist for Fairfax County, Virginia. These professionals also act as the President, Vice President, and Secretary-Treasurer of the ICC's Board of Directors. ICC's Chief Executive Officer Dominic Sims will join them in Washington, DC this week to discuss the critical need for the adoption and enforcement of current building codes in order to maximize our safety.

I would also like to thank the thousands of men and women who work every day to make sure our buildings comply with building and fire codes. Their work, largely unseen and often unnoticed, is critical to keeping Americans safe. The model building codes, produced by ICC, allow every community in the United States to share the advantage of building codes that are adaptable to local conditions, but at the same time incorporate the very latest research, materials, and building practices. This is achieved in a private-public partnership, saving local jurisdictions from bearing the significant cost of code revision, updating and coordination. These model codes are produced with the input of thousands of local officials as well as the building industry and represent a consensus on what the minimum safety requirements are for various building types, all developed without using federal taxpayer funds. In fact, the Architect of the Capitol maintains the safety of this building, and all congressional office buildings, following the requirements in the current International Building Code.

During May's Building Safety Month, I recommend that all of my colleagues aim to reach out to building code and fire officials from their districts to learn more about the great work they do in ensuring the safety of

the American people and infrastructure through building code compliance and enforcement.

Thank you again to the hard working members and leadership of the International Code Council.

HONORING HIGH SCHOOL SENIORS
WHO HAVE DECIDED TO SERVE
THE UNITED STATES OF AMERICA
AS A MEMBER OF THE
ARMED FORCES

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor seventy-one high school seniors in Florida's 22 District who have decided to enlist in the United States Armed Forces.

Of these seventy-one, nine have joined the Army; their names are the following: Alexander Meyer, Cory Warr, Steven Britt, Victoria Danielson, Evan Giarritta, Brenela Good, Richard Ramos, David Vogelsong, Diego Gonzalez. Nineteen have joined the Navy; their names are the following: Tatiana Parra, Kethleen Souza, Kassondra Uhl, Michael Hamlin II, Alex Riebman, Kevin Sanchez Villalba, Angevens Eugene, Falon Murray, Nathaniel Hopkins, Jose Colon, Camille Grant, Tylar McCranie, Bryant Ruano, Michael Tesch, Taylor Wachtel, Dandy Barrios, Celines Ocasio, Andrea Castillo, Anthony Celenie. Thirty-eight have joined the Marines; their names are the following: Alexander Field, Christian Garcia, Cody Kruse, David Munoz, Devon Genova, Diana Bustamante, Felipe Moresco, Guilson Godinez, Henry Villatoro, Joshua Carter, Kevin Nguyen, Lucas Ferreira, Austin Pastor, Cameron Kelley, Craig Baumann, Erik Littlefield, John Angeles, Kyle Stewart, Lucas Tavares, Paul Louis Curd, Yira Medina, Anna Dolmany, Lorena Guimaraes, Alma Castillo, Brian Abreu, Edwin Garcia-Gonzalez, Erik Mendez Aguilar, Evan Stimely, Garrett Marshall, Israel Manuel-Pedro, Jonathan Villalba, Junior Jayseus, Kevin Bradlow, Kyle Marciulonis, Manuel Gonzales, Melissa Gunther, Christian Matute, Iridian Maldonado. Four have joined the Air Force; their names are the following: Paul Girao, Brianna Dipasquale, Stephen Favreau, and Lee Golladay.

It is in thanks to the dedication of patriots like these that we are able to meet here today, in the United States House of Representatives, and openly debate the best solutions to the diverse issues that confront our country. On behalf of myself and all of my constituents in Florida's Twenty-Second District, thank you for your service and best of luck as you pursue this challenging endeavor.

PERSONAL EXPLANATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. BURGESS. Mr. Speaker, I rise today regarding my recent absence from the House on Thursday, April 25th and Friday, April 26th. During this time, I attended the opening of the George W. Bush Presidential Library and Museum at Southern Methodist University in Dallas, Texas. Because of this absence, I missed several important votes on the House floor, and would like to submit how I would have voted had I been in attendance. The votes were:

Rollcall 124, on Agreeing to H. Res. 178, Providing for consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes. I would have voted "yea".

Rollcall 125, on the Motion to Suspend the Rules and Pass H.R. 1765, The Reducing Flight Delays Act. I would have voted "yea".

Rollcall 126, on Agreeing to the Amendment to H.R. 527, the Dent of Pennsylvania Amendment No. 2. I would have voted "no".

Rollcall 127, on the Motion to Recommit with Instructions to H.R. 527. I would have voted "no".

Rollcall 128, on Passage of H.R. 527, to Amend the Helium Act. I would have voted "yea".

A TRIBUTE TO SIX HEROES OF
THE HEARTLAND**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Ryan Brown, Dave McCaulley, Ben Wier, Rob Bacon, Doug Bates, and Matt Myers for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

To be named Heroes of the Heartland, these six men responded in an extraordinary fashion to what began as an ordinary game of golf. On July 12, 2012, at the sixth tee box at Indian Creek Country Club, Dennis Kjarland suffered a heart attack. Without hesitation, these six men responded to the life-threat-

ening situation by calling 911 and collectively performing chest compressions and assisted breathing for 15 minutes before first responders arrived. Because of their brave actions and quick thinking, Mr. Kjarland recently had the opportunity to celebrate his 70th birthday. The actions of these six men are truly an example that our state can be proud of.

Mr. Speaker, the actions of these men that earned them each the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating these six men on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

IN RECOGNITION OF THE 50TH
WEDDING ANNIVERSARY OF
STEVE AND CAROLYN WALLACE**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special occasion today—the 50th wedding anniversary of Steve and Carolyn Wallace. This event will take place on May 4.

Clark Stephen Wallace was born on November 22, 1936, in Anniston, Alabama, and Hannah Caroline Allen was born on November 4, 1942, also in Anniston. They both lived on Mulberry Avenue in Anniston for six years before going on their first date in 1963. After persuasion from family and church members, Carolyn asked Steve to a Valentine's Day banquet at Glenaddie Baptist Church. Steve accepted, and they were married three months later on May 4, 1963, at the same church where they went on their first date.

Steve served six years in the United States Air Force and retired from the United States Post Office. Carolyn retired from the Calhoun County School System where she was Assistant Manager of the Saks Elementary School lunchroom.

Together, Steve and Carolyn have two children, Robert Clark Wallace and Rebecca Lucille Wallace Griffin. They have three grandchildren, Robert Brandon Wallace, Michael Stephen McLeroy and Zachary Hunter Wallace. They have one great-grandchild, Alanna Jade Wallace.

Steve and Carolyn are active members of Saks Baptist Church in Anniston, Alabama.

Please join me in congratulating this lovely couple on 50 years together. The celebration will take place on May 4 at a reception with their friends and family members.

CELEBRATING SENIOR CORPS
WEEK AND THE SERVICE OF
OLDER AMERICANS**HON. RAÚL M. GRIJALVA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. GRIJALVA. Mr. Speaker, I rise today in support of national Senior Corps week.

Older Americans bring a lifetime of skills and experience as parents, workers, and citizens that can be tapped to meet challenges in our communities.

For more than four decades Senior Corps, and its three programs—RSVP, Senior Companions, and Foster Grandparents—have proven to be a highly effective way to engage Americans ages 55 and over in meeting national and community needs.

Each year Senior Corps provides opportunities for nearly 330,000 older Americans across the nation, including approximately 1,700 in Arizona to serve their communities. Foster Grandparents serve one-on-one as tutors and mentors to more than 1,400 young Arizonans who have special needs. Senior Companions help more than 860 homebound Arizona seniors and other adults maintain independence in their own homes. RSVP volunteers conduct safety patrols for local police departments, protect the environment, tutor and mentor youth, respond to natural disasters, and provide other services through more than 130 groups across Arizona.

Senior Corps volunteers last year provided more than 96.2 million hours of service, helping to improve the lives of our most vulnerable citizens, strengthen our educational system; protect our environment, provide independent living services, and contribute to our public safety.

Senior Corps volunteers build capacity of organizations and communities by serving through more than 65,000 nonprofit, community, educational, and faith-based community groups nationwide.

At a time of mounting social needs and growing interest in service by older Americans, there is an unprecedented opportunity to harness the talents of 55-plus volunteers to address community challenges.

Service by older Americans helps volunteers by keeping them active, healthy, and engaged; helps our communities by solving local problems, and helps our nation by saving taxpayer dollars, reducing healthcare costs, and strengthening our democracy.

The fourth annual Senior Corps Week, taking place May 6–10, 2013, is a time to thank Senior Corps volunteers for their service and recognize their positive impact and value to our communities and nation.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, during the week of April 23rd, I

missed roll Nos. 118 through 128 due to cataract surgery. Had I been present, I would have voted "nay" on roll Nos. 120, 121, 122, 124, 125, and 126. I would have voted "yea" on roll Nos. 118, 119, 123, 127, and 128.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 7, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 8

- 9 a.m.
Committee on the Judiciary
Subcommittee on Crime and Terrorism
To hold hearings to examine cyber threats, focusing on law enforcement and private sector responses. SD-226
- 9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SR-222
- Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SR-232A
- 10 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Air Force. SD-192
- Committee on Homeland Security and Governmental Affairs
To hold hearings to examine curbing Federal agency waste and fraud, focusing on new steps to strengthen the integrity of Federal payments. SD-342
- Committee on Small Business and Entrepreneurship
To hold hearings to examine strengthening the entrepreneurial ecosystem for minority women. SD-106

- 11:30 a.m.
Committee on Energy and Natural Resources
Business meeting to consider S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, S. 761, to promote energy savings in residential and commercial buildings and industry, H.R. 267, to improve hydropower, and H.R. 678, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law. SD-366
- 2 p.m.
Committee on Appropriations
Subcommittee on Financial Services and General Government
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Treasury and the Internal Revenue Service. SD-138
- Commission on Security and Cooperation in Europe
To hold hearings to examine Ukraine's leadership of the Organization for Security and Co-operation in Europe (OSCE), focusing on finding new ways to address protracted regional conflicts, energy security, and human dimension issues such as human trafficking, tolerance, media freedom, democratic elections and election observation, and efforts to improve implementation of commitments regarding fundamental human rights and freedom. SD-562
- Joint Economic Committee
To continue hearings to examine immigration and its contribution to our economic strength. SH-216
- 2:30 p.m.
Committee on Appropriations
Subcommittee on Energy and Water Development
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Army Corps of Engineers and Bureau of Reclamation. SD-192
- Committee on Armed Services
Subcommittee on Strategic Forces
To hold hearings to examine strategic forces programs of the National Nuclear Security Administration and the Department of Energy's Office of Environmental Management in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SR-232A
- Committee on Commerce, Science, and Transportation
To hold hearings to examine the role of immigrants in America's innovation economy. SR-253
- Committee on Homeland Security and Governmental Affairs
Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia
To hold hearings to examine the role of the private sector in preparedness and emergency response. SD-342
- Committee on Indian Affairs
To hold hearings to examine S. 434, to authorize and implement the water

rights compact among the Blackfoot Tribe of the Blackfoot Indian Reservation and the State of Montana, and S. 611, to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act. SD-628

Committee on the Judiciary
To hold hearings to examine the nominations of Patricia E. Campbell-Smith, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, and William H. Pryor, Jr., of Alabama, and Rachel Elise Barkow, of New York, both to be a Member of the United States Sentencing Commission. SD-226

4 p.m.
Committee on Health, Education, Labor, and Pensions
Business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations. SD-430

MAY 9

- 9:15 a.m.
Committee on Environment and Public Works
Business meeting to consider the nomination of Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency. SD-406
- 9:30 a.m.
Committee on the Judiciary
Business meeting to consider S. 744, to provide for comprehensive immigration reform, and the nominations of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit, and Jennifer A. Dorsey, to be United States District Judge for the District of Nevada. SH-216
- 10 a.m.
Committee on Appropriations
Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Agriculture. SD-124
- Committee on Appropriations
Subcommittee on Transportation and Housing and Urban Development, and Related Agencies
To hold hearings to examine an overview of the Federal Housing Administration. SD-138
- Committee on Health, Education, Labor, and Pensions
To hold hearings to examine pharmaceutical compounding, focusing on a proposed legislative solution. SD-430
- Committee on Veterans' Affairs
To hold hearings to examine pending health care legislation. SR-418
- 2 p.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Departments of Defense and Navy. SD-124

2:30 p.m. Committee on Armed Services Subcommittee on Strategic Forces To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SR-222	MAY 16 9:30 a.m. Committee on Armed Services To hold hearings to examine the law of armed conflict, the use of military force, and the 2001 Authorization for Use of Military Force. SD-106	tee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50
Select Committee on Intelligence To hold closed hearings to examine certain intelligence matters. SH-219	10 a.m. Committee on Health, Education, Labor, and Pensions To hold hearings to examine certain nominations. SD-430	3:30 p.m. Committee on Armed Services Subcommittee on Strategic Forces Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A
MAY 13	MAY 22	6 p.m. Committee on Armed Services Subcommittee on Emerging Threats and Capabilities Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A
3 p.m. Committee on Homeland Security and Governmental Affairs To hold hearings to examine the nomination of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget. SD-342	10 a.m. Joint Economic Committee To hold hearings to examine the current economic outlook. SH-216	
MAY 14	JUNE 4	JUNE 12
9:30 a.m. Committee on Armed Services Subcommittee on SeaPower To hold hearings to examine Marine Corps modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SR-222	2:30 p.m. Committee on Commerce, Science, and Transportation Subcommittee on Communications, Technology, and the Internet To hold hearings to examine the state of wireless communications. SR-253	9:30 a.m. Committee on Armed Services Subcommittee on SeaPower Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-222
10:30 a.m. Committee on Commerce, Science, and Transportation Subcommittee on Communications, Technology, and the Internet To hold hearings to examine the state of video. SR-253	9:30 a.m. Committee on Armed Services Subcommittee on Airland Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50	2:30 p.m. Committee on Armed Services Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222
2:30 p.m. Committee on Armed Services To receive a closed briefing on the situation in Syria. SVC-217	11 a.m. Committee on Armed Services Subcommittee on Readiness and Management Support Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50	JUNE 13
MAY 15	JUNE 11	9:30 a.m. Committee on Armed Services Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222
2:30 p.m. Committee on Indian Affairs To hold an oversight hearing to examine the views and priorities of Interior Secretary Jewell with regard to matters of Indian affairs. SD-628	2 p.m. Committee on Armed Services Subcommittee on Personnel Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-222	JUNE 14
		9:30 a.m. Committee on Armed Services Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

SENATE—Tuesday, May 7, 2013

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

Lord, You are our King. The Earth celebrates Your majesty. Send peace today to Capitol Hill so that we will stay calm in life's turbulence and live worthy of Your goodness.

As Your presence is felt by our lawmakers today, unite them so that they will be a force for good in our Nation and the world. May the thoughts they think and the words they speak be acceptable to You. Lord, fill them with Your wisdom so that their lives will be like trees planted by rivers of water that bring forth abundant fruit.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2013.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in

morning business until 11 a.m. with the Republicans controlling the first half and the majority controlling the final half.

Following morning business the Senate will proceed to executive session to consider the nomination of David Medine to be Chairman of the Privacy and Civil Liberties Oversight Board. At noon there will be a vote on confirmation of the Medine nomination.

The Senate will recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings. At 2:15 p.m. the Senate will begin consideration of S. 601, the Water Resources Development Act.

WATER RESOURCES DEVELOPMENT ACT

Mr. REID. Mr. President, this afternoon, as I have just indicated, the Senate will work on the bipartisan Water Resources Development Act, which would provide critical flood protection and other improvements to communities across the country. This legislation has two able managers in Chairman BOXER and Ranking Member VITTER.

Senator BOXER and Senator VITTER each represent their caucuses extremely well. I have given them free rein to complete this bill, and I hope that can be done. This measure that we will start this afternoon will create jobs and protect the economy by promoting investments in the Nation's critical water infrastructure. It includes permanent reforms to the Corps of Engineers project approval process, which will accelerate job-creating projects.

I thank Senators BOXER and VITTER for their diligent work on this important issue and look forward to their moving this bill through the Senate at the earliest possible time.

THE BUDGET

Mr. REID. Mr. President, I am sure my colleagues are familiar with the old adage: Be careful what you wish for; you just might get it.

For 2 years my Republican colleagues have said they wish for a return to regular order. They asked for amendments, and they got amendments. They asked for consideration of bills out of committees, and they have gotten that. They asked and then asked again for the Senate to pass a budget resolution, even though we already had a budget law signed by President Obama. Well, they got what they wished; the dog finally caught the car. But it turns out Republicans were more interested

in demagoguery by calling for regular order than actually operating under regular order.

Although the Senate passed a budget resolution under regular order after scores of amendments, scores of votes, the Republicans now refuse to allow us to go to conference with our colleagues in the House of Representatives. This is a new concept.

For centuries we have had regular order where if the House passes a bill and the Senate passes a bill, if they are different, we sit down, talk and work out the differences. Not with this tea party-driven House and Senate. No, they talk about regular order, they talk a good game, but when it comes to regular order they don't want it. They shy away from it. They say: No, we don't want regular order. We don't want something that has been done in this country for centuries.

Why are they so afraid? Why are the Republicans so afraid?

We all know finding common ground isn't easy. They have a program where they are asking for \$92 billion more in cuts in discretionary programs than we are, such as the Head Start Program which allows tens of thousands of little boys and girls to get a head start; Meals on Wheels, where millions of people have been eliminated from that program; medical research—a Senator I had a conversation with this morning has a friend with a rare form of breast cancer. A program to help this woman cure this terrible disease has been eliminated where she lives.

We know finding common ground will not be easy, but it should be done. We should find common ground. We are not afraid to work a little harder to get this done. We are not afraid of transparency. Let's sit down together and find out where each stands. We have done our work over here. Let's find out what the Republicans want to do.

We need to let the American people know where we stand. That is why transparency is so important. Democrats and Republicans will never, ever find common ground if we never get to the negotiating table. So why don't my Republican colleagues want to go to conference? Last night, a junior Senator from Texas said Republicans would agree to go to conference only if Democrats first would give in to their demands.

What were those demands? Well, they want more job-killing budget cuts. They want to make sure no millionaire is ever asked to contribute to the deficit reduction. That is what he asked: Before we go to conference, we want to make sure that happens.

He also said he wanted to make sure—remember this, we have been there before. Maybe the junior Senator from Texas doesn't remember, but we remember. We remember the government being on the verge of losing its ability to be part of the world community by not paying its debts.

Rightfully or wrongfully, this country accumulates debts. Raising the debt ceiling doesn't do away with those debts; they are still there. We have an obligation to pay the debts that are incurred by this country.

My friend, the junior Senator from Texas, said he wanted a guarantee, as a bargaining pawn, we would make sure the debt ceiling would not be raised—or words to that effect. We have been through that before. The President made it very clear: He will not negotiate on this country paying its bills.

Republicans refuse to go to conference unless Democrats give in to positions that were soundly rejected by the American people last November, soundly rejected on the Senate floor with the budget resolution we passed. In other words, Republicans refuse to play the game unless we let them win.

The rules are set. We know what the rules are, so let's get down and go forward with the rules. But they are not willing to do that. Like schoolyard bullies, if Republicans can't win, they will take the ball and go home. That is what we were told last night. This is a stunt, but it is a nonstarter.

What is the real reason Republicans are shying away from their conference? Speaker BOEHNER has said he would rather not subject his Members to politically tough votes. Now, that is probably very truthful. House Republicans are afraid of a backlash from a radical tea party that controls what they do over there and has such significant sway in what happens over here. They are afraid of the backlash from the radical tea party if they even discuss a compromise with us. Even if they agree to go to conference with us, they are afraid that will hurt them.

Partisan politics is no reason to shy away from bipartisan negotiations. Republicans got what they asked for. They wanted regular order, and they have regular order.

Now it is time to embrace the regular order they said they wanted. It has been going on here for centuries. That is what they want. They should complete what they asked for. It is time to get away from a last-minute fix and short-term solutions. It is time to engage in meaningful negotiations and a responsible budget process.

RECOGNITION OF THE MINORITY LEADER

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

THE ECONOMY

Mr. McCONNELL. According to data just released by the Labor Department, retailers are going to be cutting hours at a rate unseen in more than 30 years. Investor's Business Daily had this to say of the decline:

[It] doesn't appear related to the economy, which has been consistently mediocre. Instead, all evidence points to the coming launch of ObamaCare, which the retail industry has warned could cause just such a result.

So this is just the latest in a string of bad news related to the rollout of ObamaCare, just the latest reason the law needs to be repealed. What is more, businesses are being forced to cut workers' hours at a time when so many Americans, nearly 8 million last month according to Labor, have already been squeezed into part-time positions in which they would prefer not to be in the first place. Many of these are Americans who would probably much rather be working full time. Yet thanks to ObamaCare, many of them may be forced to work even less.

Actually, it gets worse. Labor also reported that total benefits for employees in service operations actually declined last quarter. That is the first such deterioration in more than a decade. Some speculate this piece of bad news could be attributed to ObamaCare as well.

All of this, bear in mind, is for a law, the full brunt of which hasn't even begun to come online yet. We are still many months away. Yet stories like this seem to be piling up.

When it comes to the implementation of ObamaCare, I fear some of the worst hit are likely to be the small businesses and the Americans who work for them. These are the hometown companies that struggled so mightily just to keep their doors open throughout the Obama economy, whose owners sacrificed so much in order to keep their families fed and their employees on the payroll. These businesses struggled against fierce economic headwinds, and they actually survived.

Will they be able to survive the next assault headed their way, to absorb the blows of ObamaCare, blows thrown at them by their own government at a time when they are already so vulnerable? Well, if things keep going as they are, it is hard to see how they will.

Just listen to this: Last week, a small business owner in the barbecue restaurant business testified at a field hearing of the House Education and the Workforce Committee. The owner of that company said it will cost his business up to \$200,000 to implement the ObamaCare mandate, a \$200,000 hit. What is that company's projected profit for 2013? It is \$240,000. Incredible, absolutely incredible.

It is not hard to see why the Democratic chairman of the Finance Com-

mittee called this law a "train wreck." It is not hard to see why so many Democrats are now airing their concerns about the law in public. Frankly, I wish they had considered these consequences before, not after passing a law. It is not like Republicans weren't warning about all of this. It is not like independent experts across the country weren't saying almost the same thing we were saying, and it is not like common sense wouldn't simply dictate much of these outcomes either.

I see that the President has decided to pivot once again to jobs. I can't even count how many times he has done one of these pivots at this point, so I will not try. But I presume he will jet off throughout the country to campaign-style rallies in order to bash Congress and claim that none of this is his fault. In the same vein, we hear he is going to have an ObamaCare event this Friday. I would be willing to bet he is not going to take responsibility there for ObamaCare's negative effects on our economy either or on so many families and small businesses.

It is about time he did. He should use that event to do so because he needs to be straight with the American people. He needs to prepare them for everything that is coming their way—the wage cuts, the lost jobs, the higher premiums, everything our country can expect as a result of ObamaCare.

That small business owner I mentioned earlier also had this to say:

Major companies I am sure have legal advisors that will . . . guide them through this legislation. Small businesses such as ours must obtain as much available information as possible and do their best to live by the letter of the law. Then because this act is [complicated], hope and pray to not get penalized.

The law-abiding citizens of this country shouldn't have to pray for leniency from their own government. Last I checked, the government existed to help the public, not to antagonize it.

After ramming the law through Congress the way he did, ignoring the warnings all these things would happen, ignoring the will of the American people, honesty and transparency is the very least President Obama owes the American public at this point. What he needs to do, actually, is join with Republicans in agreeing to repeal this job-killing law. He needs to acknowledge the need to scrap it and replace it with the types of commonsense reforms that will lower cost, because this law is not working. I think he already knows that. Republicans certainly know it. And more and more Democrats are coming around to that realization too. So let's skip the scripted campaign events and actually work together to get something positive done for jobs, health care, and our economy. If President Obama is willing to work with us, we are here and ready to get to work.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak up to 10 minutes each, and with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

HEALTH CARE

Mr. BARRASSO. Mr. President, following the leader's comments about the health care law, I found it interesting this morning to pick up the New York Times and see the headline above the fold, on the front page: "New Worries for Democrats on Health Law." In the very first sentence, it says:

Democrats are worried that major snags will be exploited by Republicans in next year's mid term elections.

I would say Democrats ought to be worried about the fact there are going to be major problems with this health care law—a health care law that was forced through the Senate, forced through the House, without listening to the American people. That is the concern Democrats ought to have, because the American people's health is being jeopardized as a result of the law we are now facing.

So I come to the floor today to talk a little about what we have learned about the President's health care law over the last week—the week we have been away traveling our States, visiting with people at home. It has been all over the headlines and it is also on the minds of the American people. It certainly was in Wyoming. As I talk to colleagues from around the country, they have heard a lot about this as they traveled their home States.

When we go back home to our States, a lot of Senators hear from their constituents about how worried they are about how this specific law is going to affect their care, their jobs, and their paychecks. It is what I heard this last week, and it is no different than what I have heard week after week after week.

I practiced medicine for 25 years, and I hear from patients who are worried about a new layer of Washington bureaucrats who are going to be sitting now between them and their doctor. I

hear from families who are worried they won't be able to keep the insurance they have now, even though the President promised them they would be able to keep the insurance they have if they like it. I hear from employers who are worried they won't be able to afford all of the law's new requirements. That is what people are telling me when I travel the State of Wyoming.

This is interesting. According to the newspaper "The Hill," which came out last week, Wednesday, May 1, I am not the only one. Here is the headline on the front page of the paper recently: "Botched ObamaCare Tops Dem Fears for '14."

Of course, that is a reference to the 2014 elections. The article talks about how anxious a lot of Washington Democrats are about the law they voted for. It talks about how, if the rest of the law's implementation doesn't go well, voters are going to know exactly who to blame.

Democratic candidates across the country know about it. That is why we see a Democratic candidate running today in this special congressional election in South Carolina trying to distance herself from the health care law. How did she do it? Let's turn the tape back to last week's debate in a congressional race: Special election, South Carolina. Here is what she had to say.

Obamacare is extremely problematic, it is expensive, it is a \$500 billion higher cost than we originally anticipated, it's cutting into Medicare benefits, and it's having companies lay off their employees because they are worried about the cost of it. That is extremely problematic.

That is a Democrat, running for Congress, who said that last week. The election is today.

Another Democrat, the chairman of the Energy Committee, had this to say.

There is a reason to be very concerned about what's going to happen with young people. If their premiums shoot up, I can tell you, that is going to wash into the United States Senate in a hurry.

Well, I agree with the chairman of the Senate Energy Committee. So what are the prospects for implementation? Well, one of the key architects of the law, another Democrat, says he sees "a huge train wreck coming down." That is what Senator BAUCUS said, and I think he is right; we are headed for a train wreck. That is what concerns the people I talk to—all those patients, the employers, the families I mentioned.

So what does the President have to say about this? Well, he was asked about it the other day at a press conference. The President's answer went on for more than 1,000 words, but it came down to one thing. He said:

For the 85 to 90 percent of Americans who already have health insurance, this thing has already happened. They do not have to worry about anything else.

Can that really be what the President thinks? He even repeated the idea

a couple of times. He said 90 percent of Americans don't have to worry. I would say, with all due respect to the President, people are worried, and they have every right to worry. There are many parts of this law that still have not "already happened," in spite of what the President says. Those things are going to give the American people a lot more to worry about.

In fact, the Washington Post Fact Checker looked into what the President said—what the President claimed during his news conference. The Fact Checker found the President ignored the fact—completely ignored the fact—that 10 million people face the prospect of losing their current health care. The Fact Checker went on to cite a report from the Congressional Budget Office that said millions of people are going to be priced out of the insurance they have now—insurance that works for them. That is because of all the expensive extras the new government-approved insurance is going to have to cover, and which is also government mandated.

The Post pointed out:

... even unions, which were big supporters of the law, have grown wary because it may drive up costs for their health-care plans.

Twenty million people are covered by those plans the unions are worried about. The Washington Post Fact Checker also cited \$1 trillion in tax increases in the law, which is going to hurt a lot more people.

The Medicare Actuary predicts 15 percent of hospitals, skilled nursing facilities, and home health agencies could leave the Medicare Program by 2019. These are our seniors. These are people who have continued to pay into the program. Yet we see these other groups saying we have had enough. Why? Because of the cuts to the programs and the payments the President is counting on under his health care plan. Health insurance costs are continuing to go up, and that affects a lot of people, even though President Obama says they have nothing to worry about.

A leading Democratic Member of the Senate was interviewed the other day on New York television—his home State—and he conceded the health care law is contributing to those cost increases. But the President thinks it is nothing to worry about.

Here is how the New York Times last week summed up the President's attitude, under the headline: "Health Care Law Is 'Working Fine,' Obama Says in Addressing Criticism."

Working fine? Mr. President, tell that to the 22 million Americans who can't find a job or who can't get the full-time work they want. Tell that to the businesses that have to cut back their workers' hours. Why? Because of the health care law. They have to do that because the law says companies with more than 50 full-time employees

have to provide this expensive one-size-fits-all health insurance. So we see small businesses have stopped hiring so they can stay below that number of employees. Other businesses are cutting full-time workers back to part-time status, and cutting their shifts to less than 30 hours a week.

Look at the latest jobs report that came out last Friday. In April, the number of people working part time because their hours have been cut back or because they can't find a full-time job across the country increased by 278,000. The shift to more part-time workers also means the average work-week is getting shorter. In April it dropped again. That is not good for our economy and it is not good for the workers. The statistics show we are going in the wrong direction.

The anecdotal evidence is even worse. Recently, the Regal movie theater chain sent a memo to all its employees saying it would roll back shifts to keep nonsalaried workers below that 30-hour cutoff. The company explained it was forced to take this step "to comply with the Affordable Care Act."

We are going to see more and more of this as employers start to figure out exactly how hard they are going to be hit by the expensive and burdensome health care law. Hiring during the past 4 years under President Obama has been weak, and it has also been concentrated in nonsalary fields such as retail.

We saw more of this in the latest jobs report. Nearly 1 out of every 13 jobs is now in "food services and drinking places." These are the kinds of places saying they are going to have to limit hiring and cut back shifts to less than 30 hours. Why? Because of the health care law; otherwise, they could go bankrupt trying to pay for expensive Washington-mandated insurance—insurance much more than is actually needed by their workers but insurance that is mandated by the law.

It is not just bars and restaurants. Let's look at the city of Long Beach in California. The Los Angeles Times reports the city of Long Beach is limiting most of its 1,600 part-time employees to less than 27 hours a week, on average. The city says if it doesn't cut the hours, the new health benefits would cost up to \$2 million more next year. The extra expense would trigger layoffs and cutbacks in city services.

It may be, in the end, that not every one of those 1,600 people will have his or her hours cut. Some of the city employees are probably already under the 30-hour limit. But for everyone else there is the uncertainty of whether their hours are going to be cut and when. The uncertainty is part of what is causing employers to hesitate or to cut now because nobody knows how bad this train wreck will actually be.

That is just one of the negative side effects of the President's health care

law, but it is having ripple effects throughout our entire economy. We have seen wages continue to stagnate. We have seen awful economic growth. The new numbers for the first quarter GDP growth came out a few days ago. They show the economy grew at an annual rate of just 2½ percent. It has been nearly 4 years since the recession ended. We should have seen a much more robust economic recovery by now. The economy can't grow until we can get Americans back to work. People cannot get back to work if there are not more jobs, and employers cannot create enough jobs because of the health care law.

Here is a third thing the President said. He said: "Even if you do everything perfectly, there will still be glitches and bumps."

These are not glitches. These are people's jobs. These are people's lives. This is the health care of the American people. For a lot of American families, the President's health care law is not headed for a train wreck, it has already gone off the rails. They are not worried about what the health care law is going to do to them, they are busy worrying about what the health care law has already done. They know this law and the uncertainty it has created is an anchor on our economy. Here is how the Chicago Tribune put it in an editorial the other day. They asked the question:

Glitches or a train wreck?

Then they said:

Bet on the wreck. We're hurtling toward this massive restructuring of the health care insurance market, and no one has confidence about what will happen. There will be massive consequences, intended and unintended.

That is what the Chicago Tribune said.

The President says 90 percent of the American people have nothing to worry about from the health care law. He just doesn't get it. When I ask groups that I meet with back in Wyoming, I hear nearly 100 percent of the people say they expect to pay more under the President's health care law, and the care they get—they expect lower quality and less available health care as a result of the law.

People are very concerned about what is going to happen, and they do not think it is going to be good for them or for their families.

A new poll just came out from the Kaiser Family Foundation. It found that only 35 percent of Americans have a favorable view of the President's health care law. It is less popular now than it was when it first passed. It has gone down, actually, 8 percentage points since just last November's election. More and more people are realizing what is in this law and how it will hurt them personally and they are not happy about it. For the President to say otherwise is absurd. He is either not paying attention to what the

American people are trying to tell him or he is intentionally misrepresenting the facts.

The health care law is headed for a train wreck. Saying it is going fine is just the President's Washington spin. The American people deserve better than that. They deserve for the President to tell them the truth. They deserve to hear from the President, to have him come clean on how much his health care law is costing and how much damage it is doing to our economy.

The American people deserve a vote in Congress to repeal this disastrous law. Until this law is repealed, we are going to continue to see weak economic growth and the American people are going to continue to pay the price.

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

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

The bill clerk proceeded to call the roll.

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

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

THE SEQUESTER

Mr. FRANKEN. Mr. President, on March 19 of this year, the Minneapolis Star Tribune reported that Minnesota's tribal school districts were making plans to cut the school year short, increase class sizes, and let staff vacancies go unfilled. The White Earth Reservation is planning to consolidate its sixth, seventh, and eighth grades into a single class starting in the fall. This is happening because of the sequester.

On April 11, WDAZ, Channel 8 in Grand Forks, reported that special education programs in my State of Minnesota were going to be hit by a \$90 million cut. This is particularly painful in the Crookston, MN, school district, where 20 percent of students benefit from special education programming. This is happening because of the sequester.

On April 17, Minnesota Public Radio reported that budget cuts were affecting our court system. Across the country, access to public defenders, a constitutionally guaranteed right, is becoming more difficult. This is happening because of the sequester.

It is not just happening in Minnesota, it is happening around the country. To take just two examples from the many I could cite from every State in the Nation, on March 13, the AP reported that an Indiana Head Start program was forced to use a random drawing to determine which 36 children would be cut from their program. On March 31, the Portland Press Herald in Maine reported that a local Meals on Wheels program, which had

never before turned away a senior in need, was now using a waiting list and reducing the number of meals delivered to existing participants.

Then, on April 25, the Senate passed a bill to allow the Department of Transportation to shift funds from one account to another, therefore exempting DOT from the strict across-the-board cuts mandated by the sequester. The funding shift was needed to prevent the furlough of air traffic controllers, which was beginning to cause a significant inconvenience to American travelers and could have had harmful effects on our economy. The House passed the bill the next day and it has now been enacted into law.

I am pleased American travelers were spared this inconvenience, but as the reports I just cited from Minnesota and from elsewhere would suggest, there are a lot of people suffering needlessly because of the sequester.

A case-by-case approach is not the right way to handle the impacts of the sequester. The sequester, in fact, was designed to affect every government function equally, with just a few exceptions, and the extreme across-the-board nature of these cuts is the very definition of a thoughtless approach to deficit reduction. The sequester was designed to be replaced and that is what we must do. Just as the sequester affects every government function equally, our response to the sequester should be complete and inclusive, not piecemeal. We must replace the entire sequester with a mix of new revenues and smarter targeted cuts that do not inflict needless pain on those who can least bear it and that do not harm our ongoing fragile economic recovery.

There are both moral and economic consequences of allowing the sequester to continue. As Hubert Humphrey said:

The moral test of government is how that Government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; those who are in the shadow of life, the sick, the needy and the handicapped.

If we ignore the effects of sequester cuts on the voiceless and address only the sequester cuts that are the most visible—in the form of longer lines at the airport, for example—we will have failed that moral test.

In April I received a letter from a family service worker with Head Start from Onamia, MN. She wrote:

The families I work with have no idea what it means to have trillions of dollars cut from the budget. They are trying hard to keep \$10 in their pockets or checkbook. . . . These cuts would be particularly catastrophic to the poor children and families we serve. . . . Congress and the Administration need to act quickly to restore fiscal stability and maintain funding for our at-risk children. Our nation's budget simply cannot be balanced on the backs of poor children.

Here is a letter I received from a mother in Hoffman, a rural community in West Central Minnesota. She wrote:

My heart was saddened today when I learned that due to a sequester, my 4 year old daughter's Head Start program was to end 2 weeks ahead of schedule, that 2 of her amazing teachers will be looking for work come May 30th and her head teacher will be having to take on a 2nd job to compensate for a pay cut she took to continue with the program. Our Head Start program is an amazing program. My daughter has benefited from this program in ways a mother can only dream of and only a classroom environment can provide. The fear that it maybe not be there for her next year sickens me. We may not have the numbers that are looked at when these kinds of decisions are made, but our program is one of a kind with teachers that are so special they deserve awards. My daughter wants them to come to her birthday party. The people making these decisions need to actually go to the classrooms, see what goes on. Visit again and see the difference this program and these women are making in these kids' lives. The decision makers need to see what it is they are choosing to take away from these young people. I will be writing a letter to all of my local reps, and I'm committed to send them letters once a week until my pleas are heard and our government stops taking money and the education that comes with that from our rural school!

That is a story from a mother based on her experience with her daughter.

Economists agree and studies have demonstrated that high-quality early education programs can produce anywhere from \$7 to \$16 in benefits for every dollar of Federal investment. The return on investment comes from the long-term savings associated with a quality early childhood education.

A child who has a quality early childhood education is less likely to be in special education, less likely to be left back a grade, has better health outcomes, and girls are less likely to get pregnant before they graduate high school. They are more likely to graduate from high school, more likely to graduate from college, more likely to have a better paying job, pay taxes on that job, and much less likely to go to prison.

If we care about the long-term sustainability of our debt, we should be putting more money into quality early childhood education, not less, as we are doing because of the sequester.

Here is a letter from Columbia Heights, MN:

As someone who has worked with seniors my entire career and now volunteers to deliver meals on wheels, I would encourage your support of this program and discourage cuts. This program is one that allows seniors and disabled adults to remain in their home and still receive proper nutrition. For many it is also the only contact they may have with someone during any given day. While providing a service it is also a means to check in on these individuals' well-being. By eliminating or making significant cuts to this program we would be turning our backs on many of our citizens.

I am sure every Member of the Senate has received similar letters—letters begging us to protect funding that assists poor children and the elderly in their communities. It is not just Head

Start and Meals on Wheels which suffer as a result of the sequester, it affects so many other critical programs.

HUD estimates that sequester cuts could result in 100,000 formerly homeless people, including veterans, being removed from their housing and shelter programs and putting them back at risk for homelessness. The USDA estimated that it will result in 600,000 fewer participants in WIC, the nutrition program for mothers and their children.

Replacing the sequester is the right thing to do. The sequester is a perfect example of the moral test of government Hubert Humphrey talked about, and replacing it is the only conceivable response to it we can have as Americans. But apart from failing to protect our most vulnerable, the sequester cuts also do direct harm to our economy and prevent us from making the critical investments in education, infrastructure, and innovation that have always been what has made America great and prosperous.

As Secretary Arne Duncan wrote in a letter to Chairwoman BARBARA MIKULSKI about the effects of the sequester:

Education is the last place to be reducing our investment as the nation continues to climb out of the recent recession and to prepare all of its citizens to meet the challenges created by global economic competitors in the 21st century. Indeed, I can assure you that our economic competitors are increasing, not decreasing, their investments in education, and we can ill afford to fall behind as a consequence of indiscriminate, across-the-board cuts that would be required by sequestration.

Secretary Duncan goes on to explain that the sequester will create particular hardships for recipients of Impact Aid, which includes schools that serve the Native American students and children of military families.

In addition to investing in education, we should be building up and repairing our Nation's infrastructure. Cuts to the Economic Development Administration will hinder the ability to leverage private sector resources to support infrastructure projects that spur local job creation—likely resulting in 1,000 fewer jobs created nationwide. The Department of Interior has warned that the sequester will delay high priority dam safety modifications.

Finally, America has always been at the cutting edge of global technologies, but the sequester may change that. Cuts to the National Institute of Standards and Technology will force NIST to end its work on the Manufacturing Extension Partnership, which helps small manufacturers innovate in their business practices and develop market growth at home and abroad.

The Department of Education is the operator of 10 world-class national laboratories that specialize in developing advanced commercial technologies. DOE's Advanced Research Projects Agency, ARPA, has achieved several

remarkable breakthroughs in recent years, such as doubling the energy density of lithium batteries, increasing the capacity of high-power transistors, engineering microbes that can turn hydrogen and carbon dioxide into transportation fuel. Sequester cuts are going to slow and curb our Nation's progress toward a 21st century energy sector.

Not only does the sequester fail to invest in things that make America great and make America grow, the sequester is also costing the government more money for the same product in the long run. There are certain weapon systems that DOD knows it needs and will purchase in the future; however, because of sequestration, they have canceled the contract order for the time being. As a result, the manufacturer has shut down that production line and possibly terminated jobs. Restarting that process is expensive, and those costs are ultimately passed on to us, the government—the American people.

I urge my colleagues to rethink the current strategy of addressing the sequester crisis by crisis and whatever is on the front page of the news. It ultimately is not equitable. It disadvantages our Nation's most vulnerable and it is harming our economy.

In February, CBO's Doug Elmendorf testified that the effects of sequestration would reduce employment by 750,000 jobs this year. That is the opposite direction we need our job numbers to go during our economic recovery. I have not even been able to touch on the risk the defense sequester poses to our military readiness in my remarks here today.

The bottom line is we need to address every facet of the sequester together with a mix of new revenues and smarter targeted cuts. We should meet every new, high-visible consequence of the sequester with the same response. It is more evidence that we need to replace the entire sequester.

Democrats have put forward a plan to address the most immediate consequences of the sequester with a mix of new revenues and targeted cuts to replace the first year of sequestration, and it garnered a majority in the Senate. But because a majority is not enough to pass legislation in today's Senate when the minority chooses to obstruct, that plan failed to pass.

What we have passed in the Senate is a budget that proposes to replace the entire sequester in a balanced way that would also spare the most vulnerable pain and protect our economic recovery and our economic future. That is the kind of approach we need to take.

I hope in the days ahead we can begin a dialogue about fixing this problem so kids in Minnesota, Indiana, and in the Presiding Officer's State of Hawaii—kids all around the country—can return to Head Start. We need to help the

senior citizens in Maine so they can get off the Meals on Wheels waiting list. We address this issue so that Minnesota's tribal school districts can finish out the school year as scheduled.

When we hear about the next highly visible problem the sequester has caused, we should think about all the problems the sequester has caused, and that is what I will be doing. We need to fix the problem in a comprehensive and balanced way.

I stand ready to work with my colleagues and achieve that comprehensive and balanced fix for the sequester.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DAVID MEDINE TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour for debate equally divided in the usual form.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I oppose the nomination of David Medine to be the Chairman of the Privacy and Civil Liberties Oversight Board, which is commonly referred to as the PCLOB.

Mr. Medine was nominated for this position during last Congress and the Judiciary Committee, where I serve as the ranking member, held a hearing on his nomination in April 2012.

At the hearing, I asked a number of questions about the various national security statutes that the Board is tasked with overseeing. This included questions about the Foreign Intelligence Surveillance Act and the PATRIOT Act.

Specifically, I asked for his views on these laws. Unfortunately, the responses I received failed to provide his

views. He simply stated that he would balance the views of the government against the Board's mandate to review privacy.

I also asked Mr. Medine about his views on the use of law enforcement versus military authorities for combating terrorism.

I was disappointed that he failed to answer a basic yes-or-no question about national security law: "Do you believe that we are engaged in a war on terrorism?"

Instead of a simple yes or no, he opted for a more limited answer that military power is permissible in appropriate cases.

This technical answer gives me pause especially in light of the continued threat we face from international terrorist organizations.

Perhaps the most concerning response he provided was to another simple constitutional law question. I asked all the Board nominees an important question about the use of profiling based upon country of origin for immigration purposes.

The Constitution provides broad discretion to the government for purposes of immigration. Each year the government places quotas or caps on how many and what types of visas are allowed for each particular country.

For example, if we face a threat from an unfriendly nation, it is important that we have the ability to limit immigration from that country. At the least, immigration and customs agents and consular officers should be able to make decisions of admissibility solely on country of origin.

I asked this same question to the other four current members of the Board—two Democrats and two Republicans. They all answered the same way, that foreign nationals do not have the same constitutional or statutory rights as citizens and therefore U.S. officials should be able to use this as a factor in admissibility determinations.

In contrast to the other four nominees, Mr. Medine argued that use of country of origin as the sole purpose was "inappropriate."

Specifically, Mr. Medine noted that it would be "inappropriate" for the Federal Government to profile foreign nationals from high-risk countries based solely upon the country of origin. This is troubling.

As the other four nominees noted, foreign nationals do not have the same constitutional or statutory rights as U.S. persons and the government may, lawfully and appropriately, use country of origin as a limiting factor for purposes of admission to the United States.

I think this is especially concerning given the recent attacks in Boston and the concerns surrounding potential holes in our immigration system related to student visa overstays.

What if our government learns of a terrorist plot undertaken by individuals from a specific country. Under the

view advocated by Mr. Medine, excluding all individuals from that nation, even for a defined period of time, would be “inappropriate.”

Instead, under his view, even faced with this threat, it would only justify “heightened scrutiny of visitors from that country” when the individual was “linked to other information about the plot.” This is a dangerous view of our government’s authority to control admission into the country.

Terrorism is fresh on everyone’s mind following the recent attacks in Boston, but the need to remain vigilant against a terrorist threat should not rise and fall based upon our proximity to an attack.

The terrorist attacks on 9/11 changed the way the government viewed terrorism and those who want to kill Americans.

We are now nearly 12 years released from 9/11. Some may believe that we now have the means in place for restricting admission based only upon specific intelligence of a plot. But that view is the type of thinking that allows us to let down our guard.

Those who seek to kill Americans are not letting down their guard and are always looking for ways to attack Americans and our way of life.

We can see this with the new tactics that they use, such as the failed underwear bombing, the attempted Times Square bombing, and the recent attacks in Boston.

It is through this lens that I view Mr. Medine’s answer and why I oppose his nomination to a board overseeing critical national security laws.

While I agree we should always work to ensure that intelligence information is utilized in a manner most likely to achieve the desired result, there are scenarios where we may need to block entry to all members of a certain country.

For example, would Mr. Medine’s view apply to wartime situations?

Would we have to admit those whose country was at war with the U.S.?

I think his answers point to a dangerous worldview that is out of touch with the threat we face from global terrorist organizations that seek to kill Americans.

It is thinking that deviates from basic constitutional principles our government was founded on; namely, the ability to protect our citizens by limiting entry into the country.

This is a very serious matter given the Board’s oversight of national security law.

Given these concerns, I joined my colleagues in opposing Mr. Medine’s nomination when the Judiciary Committee voted on him in February. That party-line vote mirrored the same party-line vote from the previous Congress—even though the committee now has different members.

Above all, I fear that a nomination that is as polarizing as this could cloud the legitimate work of the Board.

This Board is tasked with reviewing some of the most sensitive national security matters we face.

If the Board issues a partisan decision, led by Mr. Medine, it will be discredited because of these controversial fundamental beliefs Mr. Medine holds.

These national security issues are already polarizing—just look to any debate in Congress on FISA or the PATRIOT Act. Adding partisan fueled reports to the fire would only exacerbate these difficult matters.

Given these concerns, I oppose Mr. Medine’s nomination and urge my colleagues to do the same. A vote against this nominee is a vote to preserve the legitimate tools to help keep America safe.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

PREVENTION AND PUBLIC HEALTH FUND

Mr. HARKIN. Mr. President, I was deeply disturbed several weeks ago to learn of the White House’s plan to strip \$332 million in critical funding from the Prevention and Public Health Fund and to redirect that money to educating the public about the new health insurance marketplaces and other aspects of implementing the Affordable Care Act.

No one is more interested in ensuring the successful implementation of the health insurance exchanges than I am. I chair that committee. I was working with both Senator Kennedy and Senator Dodd in formulating these aspects of the Affordable Care Act. But it is ill-advised and shortsighted to raid the prevention fund, which is making absolutely critical investments in preventing disease, saving lives, and keeping women and their families healthy.

Last year they took \$5 billion from the prevention fund. I will get to that in a moment. So, again, in their raiding of this prevention fund, not only is it a case of misplaced priorities, it is frankly an outrageous attack on an investment fund that is saving lives by advancing wellness and prevention initiatives in communities all across America.

A major purpose of the Affordable Care Act is to begin to transform our current sick care system into a genuine health care system, one that is focused on saving lives through a greater emphasis on wellness, prevention, and public health. I have been saying for 20 years or more that we do not have a health care system in America, we have a sick care system.

When you think about it, if you get sick, you can get pretty good care in

America. We have the best surgeons and best cancer clinics. If you are sick, there is probably no better place in the world to be than in America to get cured. But what we are lousy at is keeping you healthy in the first place and preventing illness, preventing diseases, preventing chronic conditions.

Every expert acknowledges that we will never reduce health care costs or have a healthier and more productive society until we have a major focus on prevention. However, I have no choice but to conclude that when it comes to prevention and wellness, some people in this administration just do not get it.

The prevention fund already has been a giant step forward for public health in our Nation. Typically, prevention and public health initiatives have in the past always been an afterthought. This means that important community-based interventions often go unsupported. The prevention fund, as part of the Affordable Care Act, is making it possible for us to make national investments in evidence-based programs that promote physical activity, improve nutrition, and reduce tobacco use.

This is not the time to mention all of the many ways this fund is already making Americans healthier. I want to mention several representative investments that are happening right now.

The prevention fund is already investing \$226 million to reduce chronic diseases, including diabetes and heart disease. Heart disease disproportionately affects women. In fact, it is the No. 1 cause of death for women in this country. Some 42 million women in America are currently living with some form of heart disease.

The World Health Organization estimates that a staggering 80 percent of heart disease, diabetes, and stroke could be prevented as a result of changes in smoking, nutrition, and physical activity alone.

Moreover, this investment by the prevention fund is not only saving lives, it is also saving money. Right now, heart disease costs our Nation about \$440 billion a year—\$440 billion a year in health care costs from heart disease alone.

Cigarette smoking kills an estimated 173,000 women a year. If current smoking rates persist, more than 6 million kids living in the United States today will ultimately die from smoking.

This year the fund is supporting a second round of the highly successful media campaign called “Tips From a Former Smoker.” It is estimated that last year’s campaign will save \$70 million annually based on just the smokers who successfully quit in reaction to this 12-week ad campaign. These ads are extremely powerful and effective. Within 2 days of the first ad appearing last year, the number of calls to our quit lines tripled. So mark my words,

these ads are going to save lives. In fact, the second phase of this ad campaign is expected to inspire half a million quit attempts and to help at least 50,000 Americans quit smoking forever. Now, that is the \$93 million for the anti-tobacco education and support campaign. As I pointed out, over 6 million kids—if we do not do something about it, 6 million kids today in America will die from smoking.

Let's talk about the immunization program. The prevention fund is investing in immunization programs that protect kids and save billions of dollars in downstream costs. For every dollar spent on childhood immunizations, Americans save \$16 by avoiding the costs of treating preventable diseases. Furthermore, by ensuring that all adults get recommended routine vaccines, we can prevent 40,000 to 50,000 deaths annually. So the \$82 million that was cut for immunizations in the prevention fund by the action by the White House could have saved our Nation up to \$1.3 billion in unnecessary health care costs. Again, this is the very definition of penny wise and pound foolish budgeting.

Investments from the prevention fund are not just at the national level, they are also at the community level. The fund is helping States, cities, and towns to implement evidence-based programs that meet their particular local needs.

For example, the State of Illinois has made improvements to its sidewalks and has marked crossings in order to increase levels of student physical activity for students going to school. Because of these improvements, the number of students who are walking to school has doubled. Not only is this good for their health, it is expected to save the school system about \$67,000 a year on bus costs.

In Florida, the school board of Miami Dade County will soon implement the Play, Eat, Succeed project in order to reduce the prevalence of childhood obesity among students with disabilities and children in the Head Start Program. The project will focus on improving nutritional habits, increasing physical activity levels, and achieving a healthy weight.

In California, the Los Angeles County Department of Health has worked with more than 100 clinical teams to provide accessible clinical preventive services to control high blood pressure and cholesterol, reaching approximately 200,000 adults just in Los Angeles County alone.

In my State of Iowa, the Black Hawk County Board of Health is working with the local agency on aging to implement the Better Choices, Better Health Program. This initiative is designed to help individuals who are living with chronic conditions to find practical ways to self-manage pain, fatigue, and to make healthier nutrition

and exercise choices, to set realistic goals, to understand treatment options and communicate with family and health care providers about their condition.

I mention all of these to show that the prevention fund is not just top-down from Washington; we are trying to encourage communities, cities, towns, counties, and, yes, some States to do work on their own, to come up with innovative ideas on how to encourage people to live healthier lives, to prevent smoking, to, for instance, get more kids to walk to school. And this is a big problem. A lot of kids in America can walk to school, but they do not have sidewalks, they do not have safe passages to school, so they take a bus. Simple things like that are done at the local level with the prevention fund, and when local levels experiment and do things like this and they find that they work, then other people adopt it. To me, this is one of the key elements of the prevention fund. It is sort of letting a thousand flowers bloom, getting more ideas out there from people at the local level on what they can do, how they can buy into this.

What can they do, and how can they buy into this to have a good prevention and wellness program on the local level?

Let's look at the return on investment. We always wonder about the return on investment for the kind of money we spend in government. The prevention fund all across America is investing in proven locally developed programs, as I mentioned, that promote health and wellness, and they save lives. Not only is this improving our health outcomes but it will save us money.

According to a study by the Centers for Disease Control and Prevention, the National Diabetes Prevention Program to prevent or delay nearly 885,000 cases of type 2 diabetes would save our health system about \$5.7 billion over the next 25 years. The National Diabetes Prevention Program is a public-private partnership of health organizations that work together to prevent type 2 diabetes to life style change programs right in our home communities. Given that in 2007 diabetes alone accounted for about \$116 billion in direct medical costs, it is all the more critical that we continue to invest in proven programs such as this.

I want to point out that for these investments, for every dollar we put in a childhood immunization series, it has been proven we saved \$16.50. Yet if I am not mistaken, the White House is taking about \$85 million out of this fund—penny wise and pound foolish.

Tobacco control programs: For every \$1 we invest, we are saving \$5. Chronic disease prevention: For every \$1 we spend, we save \$5.60. For workplace wellness programs: \$3.27 for every \$1 we

spend. Any way you look at it, in all of these programs, just the return alone—not mentioning the productivity of people who are healthier, who don't smoke, who don't have chronic illnesses—their productivity is much higher than those who have chronic illnesses.

The list goes on and on. The Trust for America's Health released a study showing that a 5-percent reduction in the obesity rate could yield more than \$600 billion in savings on health care costs over 20 years. Again, this is from the Trust for America's Health. A 5-percent reduction in the obesity rate, 5 percent only, could yield more than \$600 billion in savings on health care costs over 20 years.

Studies such as this confirm what common sense tells us. Your mother was right; prevention is the best medicine for our bodies and for our budgets alike. That is why nearly 800 organizations have spoken against misguided efforts to slash or eliminate the prevention fund.

Despite ill-advised efforts to cut or eliminate the prevention fund, most Americans understand what is at stake. Prior to creation of the prevention fund, for every dollar spent on health care, 75 cents went to treating patients with chronic diseases, while only 4 cents was spent on efforts to prevent those diseases. Again, before the Affordable Care Act, 75 cents of every health care dollar was spent on treating you after you got sick. Only 4 cents was spent on preventing those diseases.

This chronic underinvestment has had devastating consequences. Nearly half of American adults have at least one chronic condition. Two-thirds of the increase in health care spending between 1987 and 2000 was due to increased prevalence of chronic diseases.

We had a briefing from three highly acclaimed medical practitioners 2 or 3 weeks ago, and they pointed out that two-thirds of the money we spend in Medicare goes for treating chronic illnesses—two-thirds.

When we talk about the money we are spending on Medicare and how do we control Medicare costs, some people say we have got to make it tougher for people to get Medicare or you have got to cut down on Medicare, when the answer is staring us right straight in the face: prevention and wellness programs. For elderly people who do have a chronic condition, there are interventions that will save us money and make their lives better through prevention and wellness programs. We know that. There are evidence-based programs which are proven to work.

The prevention fund gives us an unprecedented opportunity to bend the cost curve by jumpstarting the transformation of America into a true wellness society, a society that focuses on preventing disease, saving lives and saving money.

As I said, the fund is doing both; it is saving lives and saving money. To slash this fund as the White House intends to do is bad public policy and bad priorities. To take money from the prevention fund is to cannibalize the Affordable Care Act in ways that will both cost us money and lives. I think it is a violation of both the letter and the spirit of this landmark law. Again, one more time, we know prevention saves lives.

Cancer deaths: About 567,000 people die from cancer annually in the United States. Fifty percent of those are preventable and much cheaper than all the long-term care costs, not to mention the devastation that happens in families' lives when a parent is lost to cancer.

Preventable diseases, heart disease, diabetes, and stroke: About 796,000 people die from heart disease, diabetes, and stroke annually in the United States. Eighty percent of those are preventable. Yet we are going to cut money from the prevention fund? It doesn't make sense.

Prior to the Senate adjourning for this last recess, I put a hold on Ms. Marilyn Tavenner's nomination to serve as the Administrator for the Centers for Medicare and Medicaid Services. Ms. Tavenner, in her role as Acting Administrator, signed a directive in March that channeled critical funds away from prevention. I must say, as the chairman of the committee, and as the author of the prevention fund in the Affordable Care Act, I was never notified until the decision had been made. I was not consulted. No one was. It was just sort of signed away.

Again, I want to make it very clear the hold I put on Ms. Tavenner was not a secret hold. In fact, I don't believe in secret holds. Too often people put on secret holds and you don't know who is doing it. I would never do that. I issued my hold publicly. Why? In order to heighten public awareness of this administration's ill-advised policy decision to cut prevention money and hopefully to get the White House to start to reconsider. I wanted to give people in the White House the chance to understand that their assault on the prevention fund is shortsighted, destructive, and perhaps suggests other sources of funding for implementing and overseeing the marketplace.

Last year the administration, as I said, approved a \$5 billion—and I am correct here—a \$5 billion cut to the fund as part of the middle-class tax bill. That was last year. I thought after that we had an agreement that was not going to happen again, the clearer cut agreement.

Now the administration has made it clear they intend to move forward with even more cuts—\$332 million this year—to the prevention fund. What we are seeing from the administration is, at best, mixed signals and, at worst, a

betrayal of the letter and spirit of the Affordable Care Act.

I repeat, these are bad policy choices. This choice to take money out of the prevention fund will have negative serious consequences for the future health of the American people.

Again, I don't know and I am unsure as to who is giving advice to the President, but I want to say to President Obama, I think you are getting bad advice, bad advice on where the money is coming from and how it is affecting the prevention fund, and there are other sources of funding for the marketplace other than the prevention fund.

I want to make it clear I don't want to interfere with the important work of the Centers for Medicare and Medicaid Services. I also happen to believe Ms. Tavenner is very well qualified and strongly qualified to be the next Administrator. I believe it is urgent to have an effective leader at the helm of CMS as we enter a critical stage in implementing the Affordable Care Act.

Accordingly, I am removing my hold on her nomination. However, as I do so, I repeat, it is deeply disappointing and disturbing that the White House once again is raiding the Prevention and Public Health Fund.

I would hope Ms. Tavenner, in her future role as the head of the CMS, will understand that while she works for the President, advice and consent of the U.S. Senate might be something worth considering in her future actions. I hope and expect again that the White House will respect the intent of Congress in creating the prevention fund, not as an afterthought but as a critical feature of the Affordable Care Act—every bit as critical as the exchanges, the marketplace, and everything else.

I hope the administration will join us in fighting for the prevention fund and in making smart, evidence-based investments in prevention and wellness. This is what real health reform is about. It is not about how you pay the bills. If all we are going to do in the Affordable Care Act is jiggle around on how we pay the bills, we are sunk. Real health reform is about changing our society away from a sick-care system to a true health care system, keeping people healthy, promoting wellness, having prevention programs at every level of society, in our schools, in our workplaces, and in our communities from the earliest moments of life, immunization programs. This is for those who are elderly, who may have a chronic condition but who can control that, at less cost and with healthier lives through good prevention and wellness programs. That is what true health reform is about, and it is our best bet for creating a healthier and more prosperous Nation. To that important end, the Congress and the White House should not be working at cross purposes. We should be working together.

I say we must rededicate ourselves to the great goal of creating a reformed health care system that has a major focus on prevention and wellness, not just for a few but for all Americans. That is what the intention was of the Prevention and Public Health Fund.

As I say again, and I say very clearly, I don't know who is advising the President, but I think the President is getting bad advice. I understand the President has a lot on his plate, everything from Syria to Afghanistan—a lot. I understand that.

I hope that those in the White House who are advising the President would take a closer look and find some way of replenishing that \$332 million and hopefully making some ironclad agreements that they are not going to raid the fund again next year.

I thought we had an agreement that last year was it, that \$5 billion was it. I thought we had that agreement. I was operating under that assumption. Will we take more money out of the prevention fund again next year too to meet some exigency that may come up? That is what has been wrong with our sick-care system in the past. We are so focused on paying today's bills we don't focus on the future and how to keep people healthy. We just pay today's bills, keep paying the bills and paying the bills. Like clueless dodos, we wonder why health care costs are skyrocketing. It is because we don't focus on keeping people healthy in the first place.

So I will remove my hold on Ms. Tavenner, but I hope the administration will find a way to replenish that \$332 million this year and make a firm commitment to not raiding this fund in the future.

Mr. LEAHY. Mr. President, I am glad the Senate is finally confirming David Medine as Chairman of the bipartisan Privacy and Civil Liberties Oversight Board, PCLOB. The confirmation of this nominee is a significant victory for all Americans who care about safeguarding our privacy rights and civil liberties. The American people now have a Privacy and Civil Liberties Oversight Board that is at full strength. This Board should help ensure that we honor our fundamental values as we implement a strategy to keep our Nation safe. Today's victory is also a reminder of the challenges we face, and the commitment we must keep, to protect personal privacy as new technologies emerge. Last month, the Judiciary Committee unanimously reported bipartisan legislation that Senator LEE and I authored to update the Electronic Communications Privacy Act. I hope that the Senate will promptly consider and pass this good privacy bill, as well.

The Judiciary Committee favorably reported this nomination last May along with a bipartisan group of nominees to serve as members of the Board.

This nomination should not have taken a year to be considered and confirmed by the Senate. The Senate finally confirmed all of the other individuals, those nominated to serve as members of the Board, last August. Republican Senators refused to vote on the chairman's nomination. This was a needless delay and prevented the Board from functioning at full strength. This is reminiscent of how they have obstructed this President's nominees to the National Labor Relations Board and the Consumer Financial Protection Bureau, as well as so many of his judicial nominees. Now, after a year of obstruction, the Senate will finally vote on the nomination, and the Privacy and Civil Liberties Oversight Board we in Congress worked so hard to establish will finally be able to begin to carry out its important work on behalf of the American people.

The Privacy and Civil Liberties Oversight Board is a guardian of Americans' privacy rights and civil liberties as well as an essential part of our national security strategy. When we worked to create this Board in the wake of the Nation's response to the terrorist attacks on September 11, 2001, we did so to ensure that our fundamental rights and liberties would be preserved as government takes steps to better secure our Nation. In the digital age, we must do more to protect our Nation from cyber attacks. But we must do so in a way that protects privacy and respects our fundamental freedoms.

Protecting national security and protecting Americans' fundamental rights are not in conflict. We can—and must—do both. The Privacy and Civil Liberties Oversight Board should help ensure that we do now that the Senate has finally been allowed to act on the nomination of Chairman Medine.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTEN-

BERG) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

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

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 114 Ex.]

YEAS—53

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NAYS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NOT VOTING—2

Lautenberg Manchin

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST— H. CON. RES. 25

Mrs. MURRAY. Madam President, I just wish to talk for a moment. I have heard a lot from my constituents that they are very tired of the dysfunction in Washington, DC. They are tired of political gridlock that impacts their businesses, their children's schools, and their paychecks. After spending last week with families and businesses that are impacted by sequestration in my home State of Washington, I know this is especially true right now.

When I became chair of the Senate Budget Committee, I said I hoped Democrats and Republicans would be able to work together to end the cycle of governing from crisis to crisis and

the attempts to negotiate budget policy through brinkmanship, which we have seen far too much of in recent years.

I believe this goal is just as important today—and is, in fact, more attainable—but we need Republicans to meet us at the table and proceed to conference under regular order.

We are at a unique moment in our debate about the country's fiscal and economic challenges. Following the 2 years that the bipartisan Budget Control Act took the place of a congressional budget, the Senate returned to regular order this year and we passed a budget resolution. The House has also passed their budget, and the President weighed in with a proposal for his path going forward.

We now have an opportunity to move through regular order to try to get a bipartisan budget agreement, and we should seize it.

Democrats and Republicans have different perspectives on a wide variety of issues. But just a few months ago, it seemed that Democrats and Republicans did agree on at least one thing: the budget debate should proceed through regular order.

Democrats chose to move forward with a budget resolution through committee and said that an open process through regular order was the best way to reach a bipartisan agreement. And Republicans agreed. They said once the Senate and the House passed budgets "the work of conferring must begin." They said a conference was—and I quote—the "best vehicle" for the budget debate "because we're doing it in plain sight." They said we needed the open public debate that regular order requires.

In fact, Senator MCCONNELL said Senate Democrats should "return to regular order and transparency in the legislative process." The Obama administration has also said regular order is the way to proceed. But Senate Republicans have now blocked our efforts to move to conference, not once but twice.

Some Republicans said they want to negotiate a "framework" behind closed doors before going to conference. But that is what a budget is; it is a framework that lays out our values and our priorities and helps us plan for the country's future. I think that framework is exactly what we ought to be debating in a formal and public conference, and there is no reason to wait.

Now, I know this is not going to be easy. There are vast differences between the Senate and House budgets and the visions we each present. But I believe we will be most effective at resolving these differences if we have time for open debate and discussion and opportunities to identify common ground.

Waiting until the last minute is not a good option. The uncertainty that is

caused in the lead-up to every manufactured crisis over the past 2 years has hurt our businesses, it has hurt our economy, and it is threatening our fragile economic recovery. It keeps us from planning and investing in our future, and it makes Americans question whether their government is capable of solving any problems that confront us.

I know—and we all know—there are extreme elements in our political system that think “compromise” is a dirty word. I know some Republicans think they do not have the political space to make a bipartisan deal until the very last minute of a crisis. But I believe many of our colleagues on both sides of the aisle want to return to regular order and move us away from the constant crises.

I am hoping the voices of reason win because American families and our businesses expect us to do better than running down the clock.

So I urge my Republican colleagues to join us now in proceeding to conference through regular order, as they have said we should. That is the best way to reach a deal that is the best and most responsible path for our country to move forward on.

So, Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

Ms. LANDRIEU. Madam President, would the Senator yield for a question? Is a question in order?

Mrs. MURRAY. There is a UC before the Senate. If no one objects, I would be happy to answer a question.

Ms. LANDRIEU. Reserving the right to object—which I am not going to do, but I just want to clarify the Senator’s motion—the Senator is simply asking us to move the budget which she passed after a heroic effort on the part of many to pass a budget so we could move to regular order. The Senator’s consent is only asking us to move with all due speed to a conference to resolve the differences between the House budget and the Senate budget. Is that the Senator’s understanding?

Mrs. MURRAY. The Senator from Louisiana is correct. The UC I am requesting simply takes us to conference so the House and the Senate Members can agree—Republicans and Democrats alike—to work toward a bipartisan solution.

Ms. LANDRIEU. One more question: Are not there Republicans represented

on that committee? In fact, would the Republicans have the majority representation from the House?

Mrs. MURRAY. The Senator is correct.

Mr. MCCONNELL. Parliamentary inquiry: Are we making a speech?

Ms. LANDRIEU. No. I am asking a question.

Mr. MCCONNELL. Or are we considering objecting to a consent request?

The PRESIDING OFFICER. Is there objection to the request?

Mr. MCCONNELL. Reserving the right to object, I would ask consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt ceiling.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, reserving the right to object, and I will in a moment, we considered over 100 amendments on the Senate floor. All of those kinds of amendments were brought up, debated, and considered as part of the resolution, as we do on any debate. So there is no need to go back and redo all of our amendments again. So I object and ask simply again our UC to move forward to conference so we can discuss all of these issues in regular order.

The ACTING PRESIDENT pro tempore. Objection is noted.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Ms. LANDRIEU. Madam President, can I be heard for 3 minutes on this subject?

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

Ms. LANDRIEU. Madam President, this is very disturbing that the minority leader has objected to taking the budget to conference because the only way to get a compromise on the budget is to take it to conference, as the chair of the Budget Committee has asked us to do, to work out the differences between the Republican version of the budget and the Democratic version of the budget.

Right now, President Obama has some ideas about what his budget would look like. The Democrats and Republicans passed a budget here. The Republicans have passed a budget on the House side. The only way to work that out is following the leadership of the chairman of the Budget Committee, who is a senior Member now of this body, who understands regular order, understands the art of compromise, understands that there is a Democratic-controlled Senate, a Republican-controlled House, and a Democratic President—all who have le-

gitimate but varying views about how the budget should be worked out may I say, a very important subject for the people of the United States because we are running deficits as far as the eye can see. While we have made some progress in cutting substantially—and we have raised some revenues—it is important to get our budget better in balance so we can grow this economy, keep this recovery going, stop throwing cold water on the recovery that is underway, and help Americans get jobs and create business.

I am flabbergasted to hear that the minority leader has just said no to that plan—said no, we are not going to conference. We object unless you do X, Y, and Z.

It is always an objection, a “but.” Democrats could come to this floor and say the same thing: I do not want to go to conference unless we decide we cannot, under any circumstance, even talk about Medicaid or Social Security or cutting education or health care; we will not go to conference unless we put that on the table.

We will never get to conference if both sides dig in before the discussions can even begin. That is where we are. I can understand the majority leader’s frustration, and I most certainly appreciate the leadership of the Budget Committee chair. I am just so sorry to see that the chairman of the Budget Committee cannot even get the budget to conference to begin the debate on compromise because of this nonregular order status, because of the Republican minority, led by the Senator from Texas, of course, but reiterated by the Senator from Kentucky.

Mrs. MURRAY. Madam President, I thank the Senator from Louisiana. I just have to say I am frustrated and shocked at the reaction of our Republican counterparts who have repeatedly—repeatedly—said to the Senate: You need to pass a budget. We did so under regular order. Everyone will remember the night we spent here until 5 a.m. going through hundreds of amendments—the ones the minority leader just objected to that he wanted guarantees on before we went to conference. We voted on all those amendments. That is what this process is all about.

How can I, as Budget chairman, now do what the country is asking us to do, which is to compromise, move forward, and solve our problems rather than managing by crisis? If we cannot go to conference, how are we going to get a budget agreement moving forward? Everyone in this country knows this debate. It has gone on for several years. It went through the supercommittee. It went through an election where people’s voices were heard. Now, after just berating us for not having a budget, the Senate Republicans are saying: Well, that did not matter. We do not care if you have a budget. We are just going to sit here.

That kind of chaos is exactly what this country does not need when it comes to our fragile economy today and people are trying to get back on their feet. I am ready to go to work. I am ready to sit down with the Republican leadership from the Budget Committee in the House and their conferees, to put our ideas on the table, and to make some tough choices. But I cannot do it until the Senate Republicans quit objecting to us moving to conference to get that done.

So this is the third time we have asked, the third time we have been turned down. We are going to keep trying to get this done. I am committed to solving one of the biggest problems facing our country—give us certainty, get us back on track—but I cannot do it when the Republicans are objecting to allowing us to go to conference. So I am very disappointed.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:42 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

WATER RESOURCES DEVELOPMENT ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 601 is agreed to and the clerk will report the bill by title.

The assistant bill clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Water Resources Development Act of 2013”.

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCE PROJECTS

Sec. 1001. Purposes.

Sec. 1002. Project authorizations.

Sec. 1003. Project review.

TITLE II—WATER RESOURCES POLICY REFORMS

Sec. 2001. Purposes.

Sec. 2002. Safety assurance review.

Sec. 2003. Continuing authority programs.

Sec. 2004. Continuing authority program prioritization.

Sec. 2005. Fish and wildlife mitigation.

Sec. 2006. Mitigation status report.

Sec. 2007. Independent peer review.

Sec. 2008. Operation and maintenance of navigation and hydroelectric facilities.

Sec. 2009. Hydropower at Corps of Engineers facilities.

Sec. 2010. Clarification of work-in-kind credit authority.

Sec. 2011. Transfer of excess work-in-kind credit.

Sec. 2012. Credit for in-kind contributions.

Sec. 2013. Credit in lieu of reimbursement.

Sec. 2014. Dam optimization.

Sec. 2015. Water supply.

Sec. 2016. Report on water storage pricing formulas.

Sec. 2017. Clarification of previously authorized work.

Sec. 2018. Consideration of Federal land in feasibility studies.

Sec. 2019. Planning assistance to States.

Sec. 2020. Vegetation management policy.

Sec. 2021. Levee certifications.

Sec. 2022. Restoration of flood and hurricane storm damage reduction projects.

Sec. 2023. Operation and maintenance of certain projects.

Sec. 2024. Dredging study.

Sec. 2025. Non-Federal project implementation pilot program.

Sec. 2026. Non-Federal implementation of feasibility studies.

Sec. 2027. Tribal partnership program.

Sec. 2028. Cooperative agreements with Columbia River Basin Indian tribes.

Sec. 2029. Military munitions response actions at civil works shoreline protection projects.

Sec. 2030. Beach nourishment.

Sec. 2031. Regional sediment management.

Sec. 2032. Study acceleration.

Sec. 2033. Project acceleration.

Sec. 2034. Feasibility studies.

Sec. 2035. Accounting and administrative expenses.

Sec. 2036. Determination of project completion.

Sec. 2037. Project partnership agreements.

Sec. 2038. Interagency and international support authority.

Sec. 2039. Acceptance of contributed funds to increase lock operations.

Sec. 2040. Emergency response to natural disasters.

Sec. 2041. Systemwide improvement frameworks.

Sec. 2042. Funding to process permits.

Sec. 2043. National riverbank stabilization and erosion prevention study and pilot program.

Sec. 2044. Hurricane and storm damage risk reduction prioritization.

Sec. 2045. Prioritization of ecosystem restoration efforts.

Sec. 2046. Special use permits.

Sec. 2047. Operations and maintenance on fuel taxed inland waterways.

Sec. 2048. Corrosion prevention.

Sec. 2049. Project deauthorizations.

Sec. 2050. Reports to Congress.

Sec. 2051. Indian Self-Determination and Education Assistance Act conforming amendment.

Sec. 2052. Invasive species review.

Sec. 2053. Wetlands conservation study.

Sec. 2054. Dam repair study.

TITLE III—PROJECT MODIFICATIONS

Sec. 3001. Purpose.

Sec. 3002. Chatfield Reservoir, Colorado.

Sec. 3003. Missouri River Recovery Implementation Committee expenses reimbursement.

Sec. 3004. Hurricane and storm damage reduction study.

Sec. 3005. Lower Yellowstone Project, Montana.

Sec. 3006. Project deauthorizations.

Sec. 3007. Raritan River Basin, Green Brook Sub-basin, New Jersey.

Sec. 3008. Red River Basin, Oklahoma, Texas, Arkansas, Louisiana.

Sec. 3009. Point Judith Harbor of Refuge, Rhode Island.

TITLE IV—WATER RESOURCE STUDIES

Sec. 4001. Purpose.

Sec. 4002. Initiation of new water resources studies.

Sec. 4003. Applicability.

TITLE V—REGIONAL AND NONPROJECT PROVISIONS

Sec. 5001. Purpose.

Sec. 5002. Northeast Coastal Region ecosystem restoration.

Sec. 5003. Chesapeake Bay Environmental Restoration and Protection Program.

Sec. 5004. Rio Grande environmental management program, Colorado, New Mexico, Texas.

Sec. 5005. Lower Columbia River and Tillamook Bay ecosystem restoration, Oregon and Washington.

Sec. 5006. Arkansas River, Arkansas and Oklahoma.

Sec. 5007. Aquatic invasive species prevention and management; Columbia River Basin.

Sec. 5008. Upper Missouri Basin flood and drought monitoring.

Sec. 5009. Northern Rockies headwaters extreme weather mitigation.

Sec. 5010. Aquatic nuisance species prevention, Great Lakes and Mississippi River Basin.

TITLE VI—LEVEE SAFETY

Sec. 6001. Short title.

Sec. 6002. Findings; purposes.

Sec. 6003. Definitions.

Sec. 6004. National levee safety program.

Sec. 6005. National levee safety advisory board.

Sec. 6006. Inventory and inspection of levees.

Sec. 6007. Reports.

Sec. 6008. Effect of title.

Sec. 6009. Authorization of appropriations.

TITLE VII—INLAND WATERWAYS

Sec. 7001. Purposes.

Sec. 7002. Definitions.

Sec. 7003. Project delivery process reforms.

Sec. 7004. Major rehabilitation standards.

Sec. 7005. Inland waterways system revenues.

Sec. 7006. Efficiency of revenue collection.

TITLE VIII—HARBOR MAINTENANCE

Sec. 8001. Short title.

Sec. 8002. Purposes.

Sec. 8003. Funding for harbor maintenance programs.

Sec. 8004. Harbor Maintenance Trust Fund prioritization.

Sec. 8005. Civil works program of the Corps of Engineers.

TITLE IX—DAM SAFETY

Sec. 9001. Short title.

Sec. 9002. Purpose.

Sec. 9003. Administrator.

Sec. 9004. Inspection of dams.

Sec. 9005. National Dam Safety Program.

Sec. 9006. Public awareness and outreach for dam safety.

Sec. 9007. Authorization of appropriations.

TITLE X—INNOVATIVE FINANCING PILOT PROJECTS

Sec. 10001. Short title.

Sec. 10002. Purposes.

Sec. 10003. Definitions.

Sec. 10004. Authority to provide assistance.

Sec. 10005. Applications.

Sec. 10006. Eligible entities.

Sec. 10007. Projects eligible for assistance.

Sec. 10008. Activities eligible for assistance.

Sec. 10009. Determination of eligibility and project selection.

Sec. 10010. Secured loans.
 Sec. 10011. Program administration.
 Sec. 10012. State and local permits.
 Sec. 10013. Regulations.
 Sec. 10014. Funding.
 Sec. 10015. Report to Congress.

TITLE XI—EXTREME WEATHER

Sec. 11001. Study on risk reduction.
 Sec. 11002. GAO study on management of flood, drought, and storm damage.
 Sec. 11003. Post-disaster watershed assessments.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.

TITLE I—WATER RESOURCE PROJECTS

SEC. 1001. PURPOSES.

The purposes of this title are—

(1) to authorize projects that—
 (A) are the subject of a completed report of the Chief of Engineers containing a determination that the relevant project—
 (i) is in the Federal interest;
 (ii) results in benefits that exceed the costs of the project;
 (iii) is environmentally acceptable; and
 (iv) is technically feasible; and
 (B) have been recommended to Congress for authorization by the Assistant Secretary of the Army for Civil Works; and

(2) to authorize the Secretary—
 (A) to review projects that require increased authorization; and

(B) to request an increase of those authorizations after—
 (i) certifying that the increases are necessary; and
 (ii) submitting to Congress reports on the proposed increases.

SEC. 1002. PROJECT AUTHORIZATIONS.

The Secretary is authorized to carry out projects for water resources development, conservation, and other purposes, subject to the conditions that—

(1) each project is carried out—
 (A) substantially in accordance with the plan for the project; and
 (B) subject to any conditions described in the report for the project; and
 (2) a Report of the Chief of Engineers has been completed and a referral by the Assistant Secretary of the Army for Civil Works has been made to Congress as of the date of enactment of this Act for the project.

SEC. 1003. PROJECT REVIEW.

(a) IN GENERAL.—For a project that is authorized by Federal law as of the date of enactment of this Act, the Secretary may modify the authorized project cost set under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280)—

(1) by submitting the required certification and additional information to Congress in accordance with subsection (b); and

(2) after receiving an appropriation of funds in accordance with subsection (b)(3)(B).

(b) REQUIREMENTS FOR SUBMISSION.—

(1) CERTIFICATION.—The certification to Congress under subsection (a) shall include a certification by the Secretary that—

(A) expenditures above the authorized cost of the project are necessary to protect life and safety, maintain critical navigation routes, or restore ecosystems;

(B) the project continues to provide benefits identified in the report of the Chief of Engineers for the project; and

(C) for projects under construction—
 (i) a temporary stop or delay resulting from a failure to increase the authorized cost of the project will increase costs to the Federal Government; and
 (ii) the amount requested for the project in the budget of the President or included in a work

plan for the expenditure of funds for the fiscal year during which the certification is submitted will exceed the authorized cost of the project.

(2) ADDITIONAL INFORMATION.—The information provided to Congress about the project under subsection (a) shall include, at a minimum—

(A) a comprehensive review of the project costs and reasons for exceeding the authorized limits set under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280);

(B) an expedited analysis of the updated benefits and costs of the project; and

(C) the new funding level needed to complete the project.

(3) APPROVAL OF CONGRESS.—The Secretary may not change the authorized project costs under subsection (a) unless—

(A) a certification and required information is submitted to Congress under subsection (b); and

(B) after such submission, amounts are appropriated to initiate or continue construction of the project in an appropriations or other Act.

(c) TERMINATION OF EFFECTIVENESS.—The authority of the Secretary under this section terminates on the date that is 3 years after the date of enactment of this Act.

TITLE II—WATER RESOURCES POLICY REFORMS

SEC. 2001. PURPOSES.

The purposes of this title are—

(1) to reform the implementation of water resources projects by the Corps of Engineers;

(2) to make other technical changes to the water resources policy of the Corps of Engineers; and

(3) to implement reforms, including—

(A) enhancing the ability of local sponsors to partner with the Corps of Engineers by ensuring the eligibility of the local sponsors to receive and apply credit for work carried out by the sponsors and increasing the role of sponsors in carrying out Corps of Engineers projects;

(B) ensuring continuing authority programs can continue to meet important needs;

(C) encouraging the continuation of efforts to modernize feasibility studies and establish targets for expedited completion of feasibility studies;

(D) seeking efficiencies in the management of dams and related infrastructure to reduce environmental impacts while maximizing other benefits and project purposes, such as flood control, navigation, water supply, and hydropower;

(E) clarifying mitigation requirements for Corps of Engineers projects and ensuring transparency in the independent external review of those projects; and

(F) establishing an efficient and transparent process for deauthorizing projects that have failed to receive a minimum level of investment to ensure active projects can move forward while reducing the backlog of authorized projects.

SEC. 2002. SAFETY ASSURANCE REVIEW.

Section 2035 of the Water Resources Development Act of 2007 (33 U.S.C. 2344) is amended by adding at the end the following:

“(g) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a safety assurance review conducted under this section.”

SEC. 2003. CONTINUING AUTHORITY PROGRAMS.

(a) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended—

(1) in subsection (a), by striking “\$35,000,000” and inserting “\$50,000,000”; and

(2) in subsection (b), by striking “\$7,000,000” and inserting “\$10,000,000”.

(b) SHORE DAMAGE PREVENTION OR MITIGATION.—Section 111(c) of the River and Harbor

Act of 1968 (33 U.S.C. 426i(c)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

(c) REGIONAL SEDIMENT MANAGEMENT.—

(1) IN GENERAL.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(A) in subsection (c)(1)(C), by striking “\$5,000,000” and inserting “\$10,000,000”; and

(B) in subsection (g), by striking “\$30,000,000” and inserting “\$50,000,000”.

(2) APPLICABILITY.—Section 2037 of the Water Resources Development Act of 2007 (121 Stat. 1094) is amended by added at the end the following:

“(c) APPLICABILITY.—The amendment made by subsection (a) shall not apply to any project authorized under this Act if a report of the Chief of Engineers for the project was completed prior to the date of enactment of this Act.”

(d) SMALL FLOOD CONTROL PROJECTS.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended in the third sentence by striking “\$7,000,000” and inserting “\$10,000,000”.

(e) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(d)) is amended—

(1) in the second sentence, by striking “Not more than 80 percent of the non-Federal share may be” and inserting “The non-Federal share may be provided”; and

(2) in the third sentence, by striking “\$5,000,000” and inserting “\$10,000,000”.

(f) AQUATIC ECOSYSTEM RESTORATION.—Section 206(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(d)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

(g) FLOODPLAIN MANAGEMENT SERVICES.—Section 206(d) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking “\$15,000,000” and inserting “\$50,000,000”.

SEC. 2004. CONTINUING AUTHORITY PROGRAM PRIORITIZATION.

(a) DEFINITION OF CONTINUING AUTHORITY PROGRAM PROJECT.—In this section, the term “continuing authority program” means 1 of the following authorities:

(1) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(2) Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(3) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(4) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(5) Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(6) Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(b) PRIORITIZATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register and on a publicly available website, the criteria the Secretary uses for prioritizing annual funding for continuing authority program projects.

(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall publish in the Federal Register and on a publicly available website, a report on the status of each continuing authority program, which, at a minimum, shall include—

(1) the name and a short description of each active continuing authority program project;

(2) the cost estimate to complete each active project; and

(3) the funding available in that fiscal year for each continuing authority program.

(d) CONGRESSIONAL NOTIFICATION.—On publication in the Federal Register under subsections (b) and (c), the Secretary shall submit to the

Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a copy of all information published under those subsections.

SEC. 2005. FISH AND WILDLIFE MITIGATION.

(a) *IN GENERAL.*—Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (d)—
(A) in paragraph (1)—
(i) in the first sentence—
(I) by inserting “for damages to ecological resources, including terrestrial and aquatic resources, and” after “mitigate”;

(II) by inserting “ecological resources and” after “impact on”; and

(III) by inserting “without the implementation of mitigation measures” before the period; and
(ii) by inserting before the last sentence the following: “If the Secretary determines that mitigation to in-kind conditions is not possible, the Secretary shall identify in the report the basis for that determination.”; and

(B) in paragraph (3)—
(i) in subparagraph (A), by inserting “, at a minimum,” after “complies with”; and

(ii) in subparagraph (B)—
(I) by striking clause (iii);
(II) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and
(III) by inserting after clause (ii) the following:

“(iii) for projects where mitigation will be carried out by the Secretary—

“(I) a description of the land and interest in land to be acquired for the mitigation plan;

“(II) the basis for a determination that the land and interests are available for acquisition; and

“(III) a determination that the proposed interest sought does not exceed the minimum interest in land necessary to meet the mitigation requirements for the project;

“(iv) for projects where mitigation will be carried out through a third party mitigation arrangement in accordance with subsection (i)—

“(I) a description of the third party mitigation instrument to be used; and

“(II) the basis for a determination that the mitigation instrument can meet the mitigation requirements for the project.”; and

(2) by adding at the end the following:

“(h) *PROGRAMMATIC MITIGATION PLANS.*—

“(1) *IN GENERAL.*—The Secretary may develop 1 or more programmatic mitigation plans to address the potential impacts to ecological resources, fish, and wildlife associated with existing or future water resources development projects.

“(2) *USE OF MITIGATION PLANS.*—The Secretary shall, to the maximum extent practicable, use programmatic mitigation plans developed in accordance with this subsection to guide the development of a mitigation plan under subsection (d).

“(3) *NON-FEDERAL PLANS.*—The Secretary shall, to the maximum extent practicable and subject to all conditions of this subsection, use programmatic environmental plans developed by a State, a body politic of the State, which derives its powers from a State constitution, a government entity created by State legislation, or a local government, that meet the requirements of this subsection to address the potential environmental impacts of existing or future water resources development projects.

“(4) *SCOPE.*—A programmatic mitigation plan developed by the Secretary or an entity described in paragraph (3) to address potential impacts of existing or future water resources development projects may—

“(A) be developed on a regional, ecosystem, watershed, or statewide scale;

“(B) encompass multiple environmental resources within a defined geographical area or focus on a specific resource, such as aquatic resources or wildlife habitat; and

“(C) address impacts from all projects in a defined geographical area or focus on a specific type of project.

“(5) *CONSULTATION.*—The scope of the plan shall be determined by the Secretary or an entity described in paragraph (3), as appropriate, in consultation with the agency with jurisdiction over the resources being addressed in the environmental mitigation plan.

“(6) *CONTENTS.*—A programmatic environmental mitigation plan may include—

“(A) an assessment of the condition of environmental resources in the geographical area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(B) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographical area covered by the plan through strategic mitigation for impacts of water resources development projects;

“(C) standard measures for mitigating certain types of impacts;

“(D) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(E) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring;

“(F) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources; and

“(G) any offsetting benefits of self-mitigating projects, such as ecosystem or resource restoration and protection.

“(7) *PROCESS.*—Before adopting a programmatic environmental mitigation plan for use under this subsection, the Secretary shall—

“(A) for a plan developed by the Secretary—
(i) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public; and

(ii) consider any comments received from those agencies and the public on the draft plan; and

“(B) for a plan developed under paragraph (3), determine, not later than 180 days after receiving the plan, whether the plan meets the requirements of paragraphs (4) through (6) and was made available for public comment.

“(8) *INTEGRATION WITH OTHER PLANS.*—A programmatic environmental mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(9) *CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.*—If a programmatic environmental mitigation plan has been developed under this subsection, any Federal agency responsible for environmental reviews, permits, or approvals for a water resources development project may use the recommendations in that programmatic environmental mitigation plan when carrying out the responsibilities of the agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(10) *PRESERVATION OF EXISTING AUTHORITIES.*—Nothing in this subsection limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(i) *THIRD-PARTY MITIGATION ARRANGEMENTS.*—

“(1) *ELIGIBLE ACTIVITIES.*—In accordance with all applicable Federal laws (including reg-

ulations), mitigation efforts carried out under this section may include—

“(A) participation in mitigation banking or other third-party mitigation arrangements, such as—

“(i) the purchase of credits from commercial or State, regional, or local agency-sponsored mitigation banks; and

“(ii) the purchase of credits from in-lieu fee mitigation programs; and

“(B) contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands.

“(2) *INCLUSION OF OTHER ACTIVITIES.*—The banks, programs, and efforts described in paragraph (1) include any banks, programs, and efforts developed in accordance with applicable law (including regulations).

“(3) *TERMS AND CONDITIONS.*—In carrying out natural habitat and wetlands mitigation efforts under this section, contributions to the mitigation effort may—

“(A) take place concurrent with, or in advance of, the commitment of funding to a project; and

“(B) occur in advance of project construction only if the efforts are consistent with all applicable requirements of Federal law (including regulations) and water resources development planning processes.

“(4) *PREFERENCE.*—At the request of the non-Federal project sponsor, preference may be given, to the maximum extent practicable, to mitigating an environmental impact through the use of a mitigation bank, in-lieu fee, or other third-party mitigation arrangement, if the use of credits from the mitigation bank or in-lieu fee, or the other third-party mitigation arrangement for the project has been approved by the applicable Federal agency.

“(j) *USE OF FUNDS.*—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to acquire interests in land necessary for meeting the mitigation requirements of this section.”.

(b) *APPLICATION.*—The amendments made by subsection (a) shall not apply to a project for which a mitigation plan has been completed as of the date of enactment of this Act.

(c) *TECHNICAL ASSISTANCE.*—

(1) *IN GENERAL.*—The Secretary may provide technical assistance to States and local governments to establish third-party mitigation instruments, including mitigation banks and in-lieu fee programs, that will help to target mitigation payments to high-priority ecosystem restoration actions.

(2) *REQUIREMENTS.*—In providing technical assistance under this subsection, the Secretary shall give priority to States and local governments that have developed State, regional, or watershed-based plans identifying priority restoration actions.

(3) *MITIGATION INSTRUMENTS.*—The Secretary shall seek to ensure any technical assistance provided under this subsection will support the establishment of mitigation instruments that will result in restoration of high-priority areas identified in the plans under paragraph (2).

SEC. 2006. MITIGATION STATUS REPORT.

Section 2036(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2283a) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) *INFORMATION INCLUDED.*—In reporting the status of all projects included in the report, the Secretary shall—

“(A) use a uniform methodology for determining the status of all projects included in the report;

“(B) use a methodology that describes both a qualitative and quantitative status for all projects in the report; and

“(C) provide specific dates for and participants in the consultations required under section 906(d)(4)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)(4)(B)).”

SEC. 2007. INDEPENDENT PEER REVIEW.

(a) **TIMING OF PEER REVIEW.**—Section 2034(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) **REASONS FOR TIMING.**—If the Chief of Engineers does not initiate a peer review for a project study at a time described in paragraph (2), the Chief shall—

“(A) not later than 7 days after the date on which the Chief of Engineers determines not to initiate a peer review—

“(i) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of that decision; and

“(ii) make publicly available, including on the Internet the reasons for not conducting the review; and

“(B) include the reasons for not conducting the review in the decision document for the project study.”

(b) **ESTABLISHMENT OF PANELS.**—Section 2034(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(c)) is amended by striking paragraph (4) and inserting the following:

“(4) **CONGRESSIONAL AND PUBLIC NOTIFICATION.**—Following the identification of a project study for peer review under this section, but prior to initiation of the review by the panel of experts, the Chief of Engineers shall, not later than 7 days after the date on which the Chief of Engineers determines to conduct a review—

“(A) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the review; and

“(B) make publicly available, including on the Internet, information on—

“(i) the dates scheduled for beginning and ending the review;

“(ii) the entity that has the contract for the review; and

“(iii) the names and qualifications of the panel of experts.”

(c) **RECOMMENDATIONS OF PANEL.**—Section 2034(f) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(f)) is amended by striking paragraph (2) and inserting the following:

“(2) **PUBLIC AVAILABILITY AND SUBMISSION TO CONGRESS.**—After receiving a report on a project study from a panel of experts under this section, the Chief of Engineers shall make available to the public, including on the Internet, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) a copy of the report not later than 7 days after the date on which the report is delivered to the Chief of Engineers; and

“(B) a copy of any written response of the Chief of Engineers on recommendations contained in the report not later than 3 days after the date on which the response is delivered to the Chief of Engineers.

“(3) **INCLUSION IN PROJECT STUDY.**—A report on a project study from a panel of experts under this section and the written response of the Chief of Engineers shall be included in the final decision document for the project study.”

(d) **APPLICABILITY.**—Section 2034(h)(2) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by striking “7 years” and inserting “12 years”.

SEC. 2008. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES.

(a) **IN GENERAL.**—Section 314 of the Water Resources Development Act of 1990 (33 U.S.C. 2321) is amended—

(1) by striking the heading and inserting the following:

“**SEC. 314. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES.**”;

(2) in the first sentence, by striking “Activities currently performed” and inserting the following:

“(a) **IN GENERAL.**—Activities currently performed”;

(3) in the second sentence, by striking “This section” and inserting the following:

“(b) **MAJOR MAINTENANCE CONTRACTS ALLOWED.**—This section”;

(4) in subsection (a) (as designated by paragraph (2)), by inserting “navigation or” before “hydroelectric”; and

(5) by adding at the end the following:

“(c) **EXCLUSION.**—This section shall not—

“(1) apply to those navigation facilities that have been or are currently under contract with a non-Federal interest to perform operations and maintenance as of the date of enactment of the Water Resources Development Act of 2013; and

“(2) prohibit the Secretary from contracting out future commercial activities at those navigation facilities.”

(b) **CLERICAL AMENDMENT.**—The table of contents contained in section 1(b) of the Water Resources Development Act of 1990 (104 Stat. 4604) is amended by striking the item relating to section 314 and inserting the following:

“Sec. 314. Operation and maintenance of navigation and hydroelectric facilities.”

SEC. 2009. HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

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

(1) in April 2012, the Oak Ridge National Laboratory of the Department of Energy (referred to in this section as the “Oak Ridge Lab”) released a report finding that adding hydroelectric power to the non-powered dams of the United States has the potential to add more than 12 gigawatts of new generating capacity;

(2) the top 10 non-powered dams identified by the Oak Ridge Lab as having the highest hydroelectric power potential could alone supply 3 gigawatts of generating capacity;

(3) of the 50 non-powered dams identified by the Oak Ridge Lab as having the highest hydroelectric power potential, 48 are Corps of Engineers civil works projects;

(4) promoting non-Federal hydroelectric power at Corps of Engineers civil works projects increases the taxpayer benefit of those projects;

(5) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects—

(A) can be accomplished in a manner that is consistent with authorized project purposes and the responsibilities of the Corps of Engineers to protect the environment; and

(B) in many instances, may have additional environmental benefits; and

(6) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects could be promoted through—

(A) clear and consistent lines of responsibility and authority within and across Corps of Engineers districts and divisions on hydroelectric power development activities;

(B) consistent and corresponding processes for reviewing and approving hydroelectric power development; and

(C) developing a means by which non-Federal hydroelectric power developers and stakeholders

can resolve disputes with the Corps of Engineers concerning hydroelectric power development activities at Corps of Engineers civil works projects.

(b) **POLICY.**—Congress declares that it is the policy of the United States that—

(1) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects, including locks and dams, shall be given priority;

(2) Corps of Engineers approval of non-Federal hydroelectric power at Corps of Engineers civil works projects, including permitting required under section 14 of the Act of March 3, 1899 (33 U.S.C. 408), shall be completed by the Corps of Engineers in a timely and consistent manner; and

(3) approval of hydropower at Corps of Engineers civil works projects shall in no way diminish the other priorities and missions of the Corps of Engineers, including authorized project purposes and habitat and environmental protection.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, at a minimum, shall include—

(1) a description of initiatives carried out by the Secretary to encourage the development of hydroelectric power by non-Federal entities at Corps of Engineers civil works projects;

(2) a list of all new hydroelectric power activities by non-Federal entities approved at Corps of Engineers civil works projects in that fiscal year, including the length of time the Secretary needed to approve those activities;

(3) a description of the status of each pending application from non-Federal entities for approval to develop hydroelectric power at Corps of Engineers civil works projects;

(4) a description of any benefits or impacts to the environment, recreation, or other uses associated with Corps of Engineers civil works projects at which non-Federal entities have developed hydroelectric power in the previous fiscal year; and

(5) the total annual amount of payments or other services provided to the Corps of Engineers, the Treasury, and any other Federal agency as a result of approved non-Federal hydropower projects at Corps of Engineers civil works projects.

SEC. 2010. CLARIFICATION OF WORK-IN-KIND CREDIT AUTHORITY.

(a) **NON-FEDERAL COST SHARE.**—Section 7007 of the Water Resources Development Act of 2007 (121 Stat. 1277) is amended—

(1) in subsection (a)—

(A) by inserting “, on, or after” after “before”; and

(B) by inserting “, program,” after “study” each place it appears;

(2) in subsections (b) and (e)(1), by inserting “, program,” after “study” each place it appears; and

(3) by striking subsection (d) and inserting the following:

“(d) **TREATMENT OF CREDIT BETWEEN PROJECTS.**—The value of any land, easements, rights-of-way, relocations, and dredged material disposal areas and the costs of planning, design, and construction work provided by the non-Federal interest that exceed the non-Federal cost share for a study, program, or project under this title may be applied toward the non-Federal cost share for any other study, program, or project carried out under this title.”

(b) **IMPLEMENTATION.**—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with any relevant agencies of the State of Louisiana, shall establish a

process by which to carry out the amendments made by subsection (a)(3).

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) take effect on November 8, 2007.

SEC. 2011. TRANSFER OF EXCESS WORK-IN-KIND CREDIT.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary may apply credit for in-kind contributions provided by a non-Federal interest that is in excess of the required non-Federal cost-share for a water resources study or project toward the required non-Federal cost-share for a different water resources study or project.

(b) **RESTRICTIONS.**—

(1) **IN GENERAL.**—Except for subsection (a)(4)(D)(i) of that section, the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b) (as amended by section 2012 of this Act) shall apply to any credit under this section.

(2) **CONDITIONS.**—Credit in excess of the non-Federal cost-share for a study or project may be approved under this section only if—

(A) the non-Federal interest submits a comprehensive plan to the Secretary that identifies—

(i) the studies and projects for which the non-Federal interest intends to provide in-kind contributions for credit that is in excess of the non-Federal cost share for the study or project; and
(ii) the studies and projects to which that excess credit would be applied;

(B) the Secretary approves the comprehensive plan; and

(C) the total amount of credit does not exceed the total non-Federal cost-share for the studies and projects in the approved comprehensive plan.

(c) **ADDITIONAL CRITERIA.**—In evaluating a request to apply credit in excess of the non-Federal cost-share for a study or project toward a different study or project, the Secretary shall consider whether applying that credit will—

(1) help to expedite the completion of a project or group of projects;

(2) reduce costs to the Federal Government; and

(3) aid the completion of a project that provides significant flood risk reduction or environmental benefits.

(d) **TERMINATION OF AUTHORITY.**—The authority provided in this section shall terminate 10 years after the date of enactment of this Act.

(e) **REPORT.**—

(1) **DEADLINES.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an interim report on the use of the authority under this section.

(B) **FINAL REPORT.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report on the use of the authority under this section.

(2) **INCLUSIONS.**—The reports described in paragraph (1) shall include—

(A) a description of the use of the authority under this section during the reporting period;

(B) an assessment of the impact of the authority under this section on the time required to complete projects; and

(C) an assessment of the impact of the authority under this section on other water resources projects.

SEC. 2012. CREDIT FOR IN-KIND CONTRIBUTIONS.

(a) **IN GENERAL.**—Section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i) by inserting “or a project under an environmental infrastructure assistance program” after “law”;

(2) in subparagraph (C), by striking “In any case” and all that follows through the period at the end and inserting the following:

“(i) **CONSTRUCTION.**—

“(I) **IN GENERAL.**—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of construction carried out by the non-Federal interest before execution of a partnership agreement and that construction has not been carried out as of the date of enactment of this subparagraph, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work prior to the non-Federal interest initiating construction or issuing a written notice to proceed for the construction.

“(II) **ELIGIBILITY.**—Construction that is carried out after the execution of an agreement to carry out work described in subclause (I) and any design activities that are required for that construction, even if the design activity is carried out prior to the execution of the agreement to carry out work, shall be eligible for credit.

“(ii) **PLANNING.**—

“(I) **IN GENERAL.**—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of planning carried out by the non-Federal interest before execution of a feasibility cost sharing agreement, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work prior to the non-Federal interest initiating that planning.

“(II) **ELIGIBILITY.**—Planning that is carried out by the non-Federal interest after the execution of an agreement to carry out work described in subclause (I) shall be eligible for credit.”;

(3) in subparagraph (D)(iii), by striking “sections 101 and 103” and inserting “sections 101(a)(2) and 103(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2); 33 U.S.C. 2213(a)(1)(A))”;

(4) by redesignating subparagraph (E) as subparagraph (H);

(5) by inserting after subparagraph (D) the following:

“(E) **ANALYSIS OF COSTS AND BENEFITS.**—In the evaluation of the costs and benefits of a project, the Secretary shall not consider construction carried out by a non-Federal interest under this subsection as part of the future without-project condition.

“(F) **TRANSFER OF CREDIT BETWEEN SEPARABLE ELEMENTS OF A PROJECT.**—Credit for in-kind contributions provided by a non-Federal interest that are in excess of the non-Federal cost share for an authorized separable element of a project may be applied toward the non-Federal cost share for a different authorized separable element of the same project.

“(G) **APPLICATION OF CREDIT.**—To the extent that credit for in-kind contributions, as limited by subparagraph (D), and credit for required land, easements, rights-of-way, dredged material disposal areas, and relocations provided by the non-Federal interest exceed the non-Federal share of the cost of construction of a project other than a navigation project, the Secretary shall reimburse the difference to the non-Federal interest, subject to the availability of funds.”; and

(6) in subparagraph (H) (as redesignated by paragraph (4))—

(A) in clause (i), by inserting “, and to water resources projects authorized prior to the date of enactment of the Water Resources Development Act of 1986 (Public Law 99-662), if correction of

design deficiencies is necessary” before the period at the end; and

(B) by striking clause (ii) and inserting the following:

“(ii) **AUTHORIZATION IN ADDITION TO SPECIFIC CREDIT PROVISION.**—In any case in which a specific provision of law authorizes credit for in-kind contributions provided by a non-Federal interest before the date of execution of a partnership agreement, the Secretary may apply the authority provided in this paragraph to allow credit for in-kind contributions provided by the non-Federal interest on or after the date of execution of the partnership agreement.”.

(b) **APPLICABILITY.**—Section 2003(e) of the Water Resources Development Act of 2007 (42 U.S.C. 1962d-5b note) is amended by inserting “, or construction of design deficiency corrections on the project,” after “construction on the project”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) take effect on November 8, 2007.

(d) **GUIDELINES.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall update any guidance or regulations for carrying out section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) (as amended by subsection (a)) that are in existence on the date of enactment of this Act or issue new guidelines, as determined to be appropriate by the Secretary.

(2) **INCLUSIONS.**—Any guidance, regulations, or guidelines updated or issued under paragraph (1) shall include, at a minimum—

(A) the milestone for executing an in-kind memorandum of understanding for construction by a non-Federal interest;

(B) criteria and procedures for evaluating a request to execute an in-kind memorandum of understanding for construction by a non-Federal interest that is earlier than the milestone under subparagraph (A) for that execution; and

(C) criteria and procedures for determining whether work carried out by a non-Federal interest is integral to a project.

(3) **PUBLIC AND STAKEHOLDER PARTICIPATION.**—Before issuing any new or revised guidance, regulations, or guidelines or any subsequent updates to those documents, the Secretary shall—

(A) consult with affected non-Federal interests;

(B) publish the proposed guidelines developed under this subsection in the Federal Register; and

(C) provide the public with an opportunity to comment on the proposed guidelines.

(e) **OTHER CREDIT.**—Nothing in section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) (as amended by subsection (a)) affects any eligibility for credit under section 104 of the Water Resources Development of 1986 (33 U.S.C. 2214) that was approved by the Secretary prior to the date of enactment of this Act.

SEC. 2013. CREDIT IN LIEU OF REIMBURSEMENT.

Section 211(e)(2) of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13(e)(2)) is amended by adding at the end the following:

“(C) **STUDIES OR OTHER PROJECTS.**—On the request of a non-Federal interest, in lieu of reimbursing a non-Federal interest the amount equal to the estimated Federal share of the cost of an authorized flood damage reduction project or a separable element of an authorized flood damage reduction project under this subsection that has been constructed by the non-Federal interest under this section as of the date of enactment of this Act, the Secretary may provide the non-Federal interest with a credit in that amount, which the non-Federal interest may apply to the share of the cost of the non-Federal

interest of carrying out other flood damage reduction projects or studies.”

SEC. 2014. DAM OPTIMIZATION.

(a) DEFINITIONS.—In this section:

(1) OTHER RELATED PROJECT BENEFITS.—The term “other related project benefits” includes—

(A) environmental protection and restoration, including restoration of water quality and water flows, improving movement of fish and other aquatic species, and restoration of floodplains, wetlands, and estuaries;

(B) increased water supply storage;

(C) increased hydropower generation;

(D) reduced flood risk;

(E) additional navigation; and

(F) improved recreation.

(2) WATER CONTROL PLAN.—The term “water control plan” means—

(A) a plan for coordinated regulation schedules for project or system regulation; and

(B) such additional provisions as may be required to collect, analyze, and disseminate basic data, prepare detailed operating instructions, ensure project safety, and carry out regulation of projects in an appropriate manner.

(b) PROGRAM.—

(1) IN GENERAL.—The Secretary may carry out activities—

(A) to improve the efficiency of the operations and maintenance of dams and related infrastructure operated by the Corps of Engineers; and

(B) to maximize, to the extent practicable—

(i) authorized project purposes; and

(ii) other related project benefits.

(2) ELIGIBLE ACTIVITIES.—An eligible activity under this section is any activity that the Secretary would otherwise be authorized to carry out that is designed to provide other related project benefits in a manner that does not adversely impact the authorized purposes of the project, including—

(A) the review of project operations on a regular and timely basis to determine the potential for operational changes;

(B) carrying out any investigation or study the Secretary determines to be necessary; and

(C) the revision or updating of a water control plan or other modification of the operation of a water resource project.

(3) IMPACT ON AUTHORIZED PURPOSES.—An activity carried out under this section shall not adversely impact any of the authorized purposes of the project.

(4) EFFECT ON EXISTING AGREEMENTS.—Nothing in this section supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act.

(5) OTHER LAWS.—

(A) IN GENERAL.—An activity carried out under this section shall comply with all other applicable laws (including regulations).

(B) WATER SUPPLY.—Any activity carried out under this section that results in any modification to water supply storage allocations at a reservoir operated by the Secretary shall comply with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(c) POLICIES, REGULATIONS, AND GUIDANCE.—The Secretary shall carry out a review of, and as necessary modify, the policies, regulations, and guidance of the Secretary to carry out the activities described in subsection (b).

(d) COORDINATION.—

(1) IN GENERAL.—The Secretary shall coordinate all planning and activities carried out under this section with appropriate Federal, State, and local agencies and those public and private entities that the Secretary determines may be affected by those plans or activities.

(2) NON-FEDERAL INTERESTS.—Prior to carrying out an activity under this section, the Secretary shall consult with any applicable non-

Federal interest of the affected dam or related infrastructure.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to Congress a report describing the actions carried out under this section.

(2) INCLUSIONS.—Each report under paragraph (1) shall include—

(A) a schedule for reviewing the operations of individual projects; and

(B) any recommendations of the Secretary on changes that the Secretary determines to be necessary—

(i) to carry out existing project authorizations, including the deauthorization of any water resource project that the Secretary determines could more effectively be achieved through other means;

(ii) to improve the efficiency of water resource project operations; and

(iii) to maximize authorized project purposes and other related project benefits.

(3) UPDATED REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update the report entitled “Authorized and Operating Purposes of Corps of Engineers Reservoirs” and dated July 1992, which was produced pursuant to section 311 of the Water Resources Development Act of 1990 (104 Stat. 4639).

(B) INCLUSIONS.—The updated report described in subparagraph (A) shall include—

(i) the date on which the most recent review of project operations was conducted and any recommendations of the Secretary relating to that review the Secretary determines to be significant; and

(ii) the dates on which the recommendations described in clause (i) were carried out.

(f) FUNDING.—

(1) IN GENERAL.—The Secretary may use to carry out this section amounts made available to the Secretary from—

(A) the general purposes and expenses account;

(B) the operations and maintenance account; and

(C) any other amounts that are appropriated to carry out this section.

(2) FUNDING FROM OTHER SOURCES.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to carry out this section.

(g) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with other Federal agencies and non-Federal entities to carry out this section.

SEC. 2015. WATER SUPPLY.

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended by striking subsection (d) and inserting the following:

“(d) CONGRESSIONAL APPROVAL OF MODIFICATIONS OF RESERVOIR PROJECTS.—Congressional approval shall be required for any modification that provides storage for municipal or industrial water supply at a reservoir project that has been authorized, surveyed, planned, or constructed if, when considered cumulatively with all previous modifications of the project, the modification would—

“(1) seriously affect the purposes for which the project was authorized, surveyed, planned, or constructed;

“(2) involve major structural or operational changes; or

“(3) involve an allocation or reallocation of storage that is equal to or exceeds 5 percent of the conservation storage pool of the project.”

SEC. 2016. REPORT ON WATER STORAGE PRICING FORMULAS.

(a) FINDINGS.—Congress finds that—

(1) due to the ongoing drought in many parts of the United States, communities are looking

for ways to enhance their water storage on Corps of Engineer reservoirs so as to maintain a reliable supply of water into the foreseeable future;

(2) water storage pricing formulas should be equitable and not create disparities between users; and

(3) water pricing formulas should not be cost-prohibitive for communities.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate an assessment of the water storage pricing formulas of the Corps of Engineers, which shall include an assessment of—

(A) existing water storage pricing formulas of the Corps of Engineers, in particular whether those formulas produce water storage costs for some beneficiaries that are greatly disparate from the costs of other beneficiaries; and

(B) whether equitable water storage pricing formulas could lessen the disparate impact and produce more affordable water storage for potential beneficiaries.

(2) REPORT.—The Comptroller General of the United States shall submit to Congress a report on the assessment carried out under paragraph (1).

SEC. 2017. CLARIFICATION OF PREVIOUSLY AUTHORIZED WORK.

(a) IN GENERAL.—The Secretary may carry out measures to improve fish species habitat within the footprint and downstream of a water resources project constructed by the Secretary that includes a fish hatchery if the Secretary—

(1) has been explicitly authorized to compensate for fish losses associated with the project; and

(2) determines that the measures are—

(A) feasible;

(B) consistent with authorized project purposes and the fish hatchery; and

(C) in the public interest.

(b) COST SHARING.—

(1) IN GENERAL.—Subject to paragraph (2), the non-Federal interest shall contribute 35 percent of the total cost of carrying out activities under this section, including the costs relating to the provision or acquisition of required land, easements, rights-of-way, dredged material disposal areas, and relocations.

(2) OPERATION AND MAINTENANCE.—The non-Federal interest shall contribute 100 percent of the costs of operation, maintenance, replacement, repair, and rehabilitation of a project constructed under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to carry out this section \$30,000,000.

SEC. 2018. CONSIDERATION OF FEDERAL LAND IN FEASIBILITY STUDIES.

At the request of the non-Federal interest, the Secretary shall include as part of a regional or watershed study any Federal land that is located within the geographic scope of that study.

SEC. 2019. PLANNING ASSISTANCE TO STATES.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “or other stakeholder working with a State” after “cooperate with any State”; and

(ii) by inserting “, including plans to comprehensively address water resources challenges,” after “of such State”; and

(B) in paragraph (2)(A), by striking “, at Federal expense,”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “subsection (a)(1)” each place it appears and inserting “subsection (a)”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following:

“(2) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds in excess of the fees established under paragraph (1) that are provided by a State or other non-Federal public body for assistance under this section.”; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “\$10,000,000” and inserting “\$30,000,000”; and

(ii) by striking “\$2,000,000” and inserting “\$5,000,000 in Federal funds”; and

(B) in paragraph (2), by striking “\$5,000,000” and inserting “\$15,000,000”.

SEC. 2020. VEGETATION MANAGEMENT POLICY.

(a) DEFINITION OF NATIONAL GUIDELINES.—In this section, the term “national guidelines” means the Corps of Engineers policy guidelines for management of vegetation on levees, including—

(1) Engineering Technical Letter 1110-2-571 entitled “Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures” and adopted April 10, 2009; and

(2) the draft policy guidance letter entitled “Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls” (77 Fed. Reg. 9637 (Feb. 17, 2012)).

(b) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall carry out a comprehensive review of the national guidelines in order to determine whether current Federal policy relating to levee vegetation is appropriate for all regions of the United States.

(c) FACTORS.—

(1) IN GENERAL.—In carrying out the review, the Secretary shall consider—

(A) the varied interests and responsibilities in managing flood risks, including the need—

(i) to provide for levee safety with limited resources; and

(ii) to ensure that levee safety investments minimize environmental impacts and provide corresponding public safety benefits;

(B) the levee safety benefits that can be provided by woody vegetation;

(C) the preservation, protection, and enhancement of natural resources, including—

(i) the benefit of vegetation on levees in providing habitat for endangered, threatened, and candidate species; and

(ii) the impact of removing levee vegetation on compliance with other regulatory requirements;

(D) protecting the rights of Indian tribes pursuant to treaties and statutes;

(E) the available science and the historical record regarding the link between vegetation on levees and flood risk;

(F) the avoidance of actions requiring significant economic costs and environmental impacts; and

(G) other factors relating to the factors described in subparagraphs (A) through (F) identified in public comments that the Secretary determines to be appropriate.

(2) VARIANCE CONSIDERATIONS.—

(A) IN GENERAL.—In carrying out the review, the Secretary shall specifically consider whether the national guidelines can be amended to promote and allow for consideration of variances from national guidelines on a Statewide, tribal, regional, or watershed basis, including variances based on—

(i) soil conditions;

(ii) hydrologic factors;

(iii) vegetation patterns and characteristics;

(iv) environmental resources, including endangered, threatened, or candidate species and related regulatory requirements;

(v) levee performance history, including historical information on original construction and subsequent operation and maintenance activities;

(vi) any effects on water supply;

(vii) any scientific evidence on the link between levee vegetation and levee safety;

(viii) institutional considerations, including implementation challenges;

(ix) the availability of limited funds for levee construction and rehabilitation;

(x) the economic and environmental costs of removing woody vegetation on levees; and

(xi) other relevant factors identified in public comments that the Secretary determines to be appropriate.

(B) SCOPE.—The scope of a variance approved by the Secretary may include a complete exemption to national guidelines, as the Secretary determines to be necessary.

(d) COOPERATION AND CONSULTATION; RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the review under this section in consultation with other applicable Federal agencies, representatives of State, regional, local, and tribal governments, appropriate nongovernmental organizations, and the public.

(2) RECOMMENDATIONS.—The Chief of Engineers and any State, tribal, regional, or local entity may submit to the Secretary any recommendations for vegetation management policies for levees that conform with Federal and State laws, including recommendations relating to the review of national guidelines under subsection (b) and the consideration of variances under subsection (c)(2).

(e) PEER REVIEW.—

(1) IN GENERAL.—As part of the review, the Secretary shall solicit and consider the views of the National Academy of Engineering and the National Academy of Sciences on the engineering, environmental, and institutional considerations underlying the national guidelines, including the factors described in subsection (c) and any information obtained by the Secretary under subsection (d).

(2) AVAILABILITY OF VIEWS.—The views of the National Academy of Engineering and the National Academy of Sciences obtained under paragraph (1) shall be—

(A) made available to the public; and

(B) included in supporting materials issued in connection with the revised national guidelines required under subsection (f).

(f) REVISION OF NATIONAL GUIDELINES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) revise the national guidelines based on the results of the review, including—

(i) recommendations received as part of the consultation described in subsection (d)(1); and

(ii) the results of the peer review conducted under subsection (e); and

(B) submit to Congress a report that contains a summary of the activities of the Secretary and a description of the findings of the Secretary under this section.

(2) CONTENT; INCORPORATION INTO MANUAL.—The revised national guidelines shall—

(A) provide a practical, flexible process for approving Statewide, tribal, regional, or watershed variances from the national guidelines that—

(i) reflect due consideration of the factors described in subsection (c); and

(ii) incorporate State, tribal, and regional vegetation management guidelines for specific areas that have been adopted through a formal public process; and

(B) be incorporated into the manual proposed under section 5(c) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control,

and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(c)).

(3) FAILURE TO MEET DEADLINES.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of—

(A) why the deadline was missed;

(B) solutions needed to meet the deadline; and

(C) a projected date for submission of the report.

(g) CONTINUATION OF WORK.—Concurrent with the completion of the requirements of this section, the Secretary shall proceed without interruption or delay with those ongoing or programmed projects and studies, or elements of projects or studies, that are not directly related to vegetation variance policy.

(h) INTERIM ACTIONS.—

(1) IN GENERAL.—Until the date on which revisions to the national guidelines are adopted in accordance with subsection (f), the Secretary shall not require the removal of existing vegetation as a condition or requirement for any approval or funding of a project, or any other action, unless the specific vegetation has been demonstrated to present an unacceptable safety risk.

(2) REVISIONS.—Beginning on the date on which the revisions to the national guidelines are adopted in accordance with subsection (f), the Secretary shall consider, on request of an affected entity, any previous action of the Corps of Engineers in which the outcome was affected by the former national guidelines.

SEC. 2021. LEVEE CERTIFICATIONS.

(a) IMPLEMENTATION OF FLOOD PROTECTION STRUCTURE ACCREDITATION TASK FORCE.—In carrying out section 100226 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942), the Secretary shall—

(1) ensure that at least 1 program activity carried out under the inspection of completed works program of the Corps of Engineers provides adequate information to the Secretary to reach a levee accreditation decision for each requirement under section 65.10 of title 44, Code of Federal Regulations (or successor regulation); and

(2) to the maximum extent practicable, carry out activities under the inspection of completed works program of the Corps of Engineers in alignment with the schedule established for the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) ACCELERATED LEVEE SYSTEM EVALUATIONS AND CERTIFICATIONS.—

(1) IN GENERAL.—On receipt of a request from a non-Federal interest, the Secretary may carry out a levee system evaluation and certification of a federally authorized levee for purposes of the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) if the evaluation and certification will be carried out earlier than such an evaluation and certification would be carried out under subsection (a).

(2) REQUIREMENTS.—A levee system evaluation and certification under paragraph (1) shall—

(A) at a minimum, comply with section 65.10 of title 44, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

(B) be carried out in accordance with such procedures as the Secretary, in consultation with the Director of the Federal Emergency Management Agency, may establish.

(3) COST SHARING.—

(A) NON-FEDERAL SHARE.—Subject to subparagraph (B), the non-Federal share of the cost of

carrying out a levee system evaluation and certification under this subsection shall be 35 percent.

(B) ADJUSTMENT.—The Secretary shall adjust the non-Federal share of the cost of carrying out a levee system evaluation and certification under this subsection in accordance with section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(4) APPLICATION.—Nothing in this subsection affects the requirement under section 100226(b)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942).

SEC. 2022. RESTORATION OF FLOOD AND HURRICANE STORM DAMAGE REDUCTION PROJECTS.

(a) IN GENERAL.—The Secretary shall carry out any measures necessary to restore components of federally authorized and federally constructed flood and hurricane storm damage reduction projects to authorized levels of protection for reasons including settlement, subsidence, sea level rise, and new datum, if the Secretary determines the necessary work is feasible.

(b) COST SHARE.—The non-Federal share of the cost of construction of a project carried out under this section shall be determined as provided in subsections (a) through (d) of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(c) OPERATIONS AND MAINTENANCE.—The non-Federal share of the cost of operations, maintenance, repair, replacement, and rehabilitation for a project carried out under this section shall be 100 percent.

(d) ELIGIBILITY OF PROJECTS TRANSFERRED TO NON-FEDERAL INTEREST.—The Secretary may carry out measures described in subsection (a) on a water resources project, separable element of a project, or functional component of a project that has been transferred to the non-Federal interest.

(e) REPORT TO CONGRESS.—Not later than 8 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of this section, including—

(1) any recommendations relating to the continued need for the authority provided in this section;

(2) a description of the measures carried out under this section;

(3) any lessons learned relating to the measures implemented under this section; and

(4) best practices for carrying out measures to restore flood damage reduction projects.

(f) TERMINATION OF AUTHORITY.—The authority to carry out a measure under this section terminates on the date that is 10 years after the date of enactment of this Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$250,000,000.

SEC. 2023. OPERATION AND MAINTENANCE OF CERTAIN PROJECTS.

The Secretary may assume operation and maintenance activities for a navigation channel that is deepened by a non-Federal interest prior to December 31, 2012, if—

(1) the Secretary determines that the requirements under paragraphs (2) and (3) of section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)) are met;

(2) the Secretary determines that the activities carried out by the non-Federal interest in deepening the navigation channel are economically justified and environmentally acceptable; and

(3) the deepening activities have been carried out on a Federal navigation channel that—

(A) exists as of the date of enactment of this Act; and

(B) has been authorized by Congress.

SEC. 2024. DREDGING STUDY.

(a) IN GENERAL.—The Secretary, in conjunction with other relevant Federal agencies and applicable non-Federal interests, shall carry out a study—

(1) to compare domestic and international dredging markets, including costs, technologies, and management approaches used in each respective market, and determine the impacts of those markets on dredging needs and practices in the United States;

(2) to analyze past and existing practices, technologies, and management approaches used in dredging in the United States; and

(3) to develop recommendations relating to the best techniques, practices, and management approaches for dredging in the United States.

(b) PURPOSES.—The purposes of the study under this section are—

(1) the identification of the best techniques, methods, and technologies for dredging, including the evaluation of the feasibility, cost, and benefits of—

(A) new dredging technologies; and

(B) improved dredging practices and techniques;

(2) the appraisal of the needs of the United States for dredging, including the need to increase the size of private and Corps of Engineers dredging fleets to meet demands for additional construction or maintenance dredging needed as of the date of enactment of this Act and in the subsequent 20 years;

(3) the identification of any impediments to dredging, including any recommendations of appropriate alternatives for responding to those impediments;

(4) the assessment, including any recommendations of appropriate alternatives, of the adequacy and effectiveness of—

(A) the economic, engineering, and environmental methods, models, and analyses used by the Chief of Engineers and private dredging operations for dredging; and

(B) the current cost structure of construction contracts entered into by the Chief of Engineers;

(5) the evaluation of the efficiency and effectiveness of past, current, and alternative dredging practices and alternatives to dredging, including agitation dredging; and

(6) the identification of innovative techniques and cost-effective methods to expand regional sediment management efforts, including the placement of dredged sediment within river diversions to accelerate the creation of wetlands.

(c) STUDY TEAM.—

(1) IN GENERAL.—The Secretary shall establish a study team to assist the Secretary in planning, carrying out, and reporting on the results of the study under this section.

(2) STUDY TEAM.—The study team established pursuant to paragraph (1) shall—

(A) be appointed by the Secretary; and

(B) represent a broad spectrum of experts in the field of dredging and representatives of relevant State agencies and relevant non-Federal interests.

(d) PUBLIC COMMENT PERIOD.—The Secretary shall—

(1) make available to the public, including on the Internet, all draft and final study findings under this section; and

(2) allow for a public comment period of not less than 30 days on any draft study findings prior to issuing final study findings.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and subject to available appropriations, the Secretary, in consultation with the study team established under subsection (c), shall submit a detailed report on the results of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transpor-

tation and Infrastructure of the House of Representatives.

(f) FAILURE TO MEET DEADLINES.—If the Secretary does not complete the study under this section and submit a report to Congress under subsection (e) on or before the deadline described in that subsection, the Secretary shall notify Congress and describe why the study was not completed.

SEC. 2025. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out flood risk management, hurricane and storm damage reduction, and coastal harbor and channel and inland harbor navigation projects.

(b) PURPOSES.—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives that reduce the backlog of authorized Corps of Engineers projects;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out the design, execution, management, and construction of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project planning, management, and operational decisionmaking process of the Corps of Engineers.

(c) ADMINISTRATION.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary shall—

(A) identify a total of not more than 12 projects for flood risk management, hurricane and storm damage reduction, including levees, floodwalls, flood control channels, water control structures, and coastal harbor and channel and inland harbor navigation, that have been authorized for construction prior to the date of enactment of this Act that—

(i) have received Federal funds prior to the date of enactment of this Act; or

(ii) for more than 2 consecutive fiscal years, have an unobligated funding balance for that project in the Corps of Engineers construction account; and

(ii) to the maximum extent practicable, are located in each of the divisions of the Corps of Engineers;

(B) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the identification of each project under the pilot program;

(C) in collaboration with the non-Federal interest, develop a detailed project management plan for each identified project that outlines the scope, budget, design, and construction resource requirements necessary for the non-Federal interest to execute the project, or a separable element of the project;

(D) on the request of the non-Federal interest, enter into a project partnership agreement with the non-Federal interest for the non-Federal interest to provide full project management control for construction of the project, or a separable element of the project, in accordance with plans approved by the Secretary;

(E) following execution of the project partnership agreement, transfer to the non-Federal interest to carry out construction of the project, or a separable element of the project—

(i) if applicable, the balance of the unobligated amounts appropriated for the project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under

subsection (h), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of construction, including any required design; and

(F) regularly monitor and audit each project being constructed by a non-Federal interest under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

(2) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1)(D), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on full funding capability, that lists all deadlines for each milestone in the construction of the project.

(3) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest, if the non-Federal interest contracts with the Secretary for the technical assistance and compensates the Secretary for the technical assistance, relating to—

(A) any study, engineering activity, and design activity for construction carried out by the non-Federal interest under this section; and

(B) expeditiously obtaining any permits necessary for the project.

(d) COST-SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a project carried out under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including—

(A) a description of the progress of non-Federal interests in meeting milestones in detailed project schedules developed pursuant to subsection (c)(2); and

(B) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(f) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the project shall apply to a non-Federal interest carrying out a project under this section.

(g) TERMINATION OF AUTHORITY.—The authority to commence a project under this section terminates on the date that is 5 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot program under this section, including the costs of administration of the Secretary, \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 2026. NON-FEDERAL IMPLEMENTATION OF FEASIBILITY STUDIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out feasibility studies for flood risk management, hurricane and storm damage reduction, ecosystem restoration, and coastal harbor and channel and inland harbor navigation.

(b) PURPOSES.—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives to the existing feasibility study process;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out a feasibility study of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project planning, management, and operational decisionmaking process of the Corps of Engineers.

(c) ADMINISTRATION.—

(1) IN GENERAL.—On the request of a non-Federal interest, the Secretary may enter into an agreement with the non-Federal interest for the non-Federal interest to provide full project management control of a feasibility study for a project for—

(A) flood risk management;

(B) hurricane and storm damage reduction, including levees, floodwalls, flood control channels, and water control structures;

(C) coastal harbor and channel and inland harbor navigation; and

(D) ecosystem restoration.

(2) USE OF NON-FEDERAL FUNDS.—

(A) IN GENERAL.—A non-Federal interest that has entered into an agreement with the Secretary pursuant to paragraph (1) may use non-Federal funds to carry out the feasibility study.

(B) CREDIT.—The Secretary shall credit towards the non-Federal share of the cost of construction of a project for which a feasibility study is carried out under this section an amount equal to the portion of the cost of developing the study that would have been the responsibility of the Secretary, if the study were carried out by the Secretary, subject to the conditions that—

(i) non-Federal funds were used to carry out the activities that would have been the responsibility of the Secretary;

(ii) the Secretary determines that the feasibility study complies with all applicable Federal laws and regulations; and

(iii) the project is authorized by any provision of Federal law enacted after the date on which an agreement is entered into under paragraph (1).

(3) TRANSFER OF FUNDS.—

(A) IN GENERAL.—After the date on which an agreement is executed pursuant to paragraph (1), the Secretary may transfer to the non-Federal interest to carry out the feasibility study—

(i) if applicable, the balance of any unobligated amounts appropriated for the study, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under subsection (h), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of the feasibility study.

(B) ADMINISTRATION.—The Secretary shall include such provisions as the Secretary determines to be necessary in an agreement under paragraph (1) to ensure that a non-Federal interest receiving Federal funds under this paragraph—

(i) has the necessary qualifications to administer those funds; and

(ii) will comply with all applicable Federal laws (including regulations) relating to the use of those funds.

(4) NOTIFICATION.—The Secretary shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the initiation of each feasibility study under the pilot program.

(5) AUDITING.—The Secretary shall regularly monitor and audit each feasibility study carried out by a non-Federal interest under this section to ensure that the use of any funds transferred under paragraph (3) are used in compliance with the agreement signed under paragraph (1).

(6) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest relating to any aspect of the feasibility study, if the non-Federal interest contracts with the Secretary for the technical assistance and compensates the Secretary for the technical assistance.

(7) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to the feasibility study.

(d) COST-SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a feasibility study carried out under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including—

(A) a description of the progress of the non-Federal interests in meeting milestones in detailed project schedules developed pursuant to subsection (c)(7); and

(B) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(f) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the feasibility study shall apply to a non-Federal interest carrying out a feasibility study under this section.

(g) TERMINATION OF AUTHORITY.—The authority to commence a feasibility study under this section terminates on the date that is 5 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot

program under this section, including the costs of administration of the Secretary, \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 2027. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (d)(1)(B)—

(A) by striking “The ability” and inserting the following:

“(i) *IN GENERAL.*—The ability”; and

(B) by adding at the end the following:

“(ii) *DETERMINATION.*—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall issue guidance on the procedures described in clause (i).”; and

(2) in subsection (e), by striking “2012” and inserting “2023”.

SEC. 2028. COOPERATIVE AGREEMENTS WITH COLUMBIA RIVER BASIN INDIAN TRIBES.

The Secretary may enter into a cooperative agreement with 1 or more federally recognized Indian tribes (or a designated representative of the Indian tribes) that are located, in whole or in part, within the boundaries of the Columbia River Basin to carry out authorized activities within the Columbia River Basin to protect fish, wildlife, water quality, and cultural resources.

SEC. 2029. MILITARY MUNITIONS RESPONSE ACTIONS AT CIVIL WORKS SHORELINE PROTECTION PROJECTS.

(a) *IN GENERAL.*—The Secretary may implement any response action the Secretary determines to be necessary at a site where—

(1) the Secretary has carried out a project under civil works authority of the Secretary that includes placing sand on a beach;

(2) as a result of the project described in paragraph (1), military munitions that were originally released as a result of Department of Defense activities are deposited on the beach, posing a threat to human health or the environment.

(b) *RESPONSE ACTION FUNDING.*—A response action described in subsection (a) shall be funded from amounts made available to the agency within the Department of Defense responsible for the original release of the munitions.

SEC. 2030. BEACH NOURISHMENT.

Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f) is amended to read as follows:

“SEC. 156. BEACH NOURISHMENT.

“(a) *IN GENERAL.*—The Secretary of the Army, acting through the Chief of Engineers, may provide periodic beach nourishment for each water resources development project for which that nourishment has been authorized for an additional period of time, as determined by the Secretary, subject to the condition that the additional period shall not exceed the later of—

“(1) 50 years after the date on which the construction of the project is initiated; or

“(2) the date on which the last estimated periodic nourishment for the project is to be carried out, as recommended in the applicable report of the Chief of Engineers.

“(b) *EXTENSION.*—Before the end of the 50-year period referred to in subsection (a)(1), the Secretary of the Army, acting through the Chief of Engineers—

“(1) may, at the request of the non-Federal interest and subject to the availability of appropriations, carry out a review of a nourishment project carried out under subsection (a) to evaluate the feasibility of continuing Federal participation in the project for a period not to exceed 15 years; and

“(2) shall submit to Congress any recommendations of the Secretary relating to the review.”.

SEC. 2031. REGIONAL SEDIMENT MANAGEMENT.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) (as amended by section 2003(c)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “or used in” after “obtained through”; and

(B) in paragraph (3)(C), by inserting “for the purposes of improving environmental conditions in marsh and littoral systems, stabilizing stream channels, enhancing shorelines, and supporting State and local risk management adaptation strategies” before the period at the end;

(2) in subsection (c)(1)(B)—

(A) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”; and

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) *REDUCTION IN NON-FEDERAL SHARE.*—The Secretary may reduce the non-Federal share of the costs of construction of a project if the Secretary determines that, through the beneficial use of sediment at another Federal project, there will be an associated reduction or avoidance of Federal costs.”;

(3) in subsection (d)—

(A) by striking the subsection designation and heading and inserting the following:

“(d) *SELECTION OF DREDGED MATERIAL DISPOSAL METHOD FOR PURPOSES RELATED TO ENVIRONMENTAL RESTORATION OR STORM DAMAGE AND FLOOD REDUCTION.*—”; and

(B) in paragraph (1), by striking “in relation to” and all that follows through the period at the end and inserting “in relation to—

“(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion; or

“(B) the flood and storm damage and flood reduction benefits, including shoreline protection, protection against loss of life, and damage to improved property.”; and

(4) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) cooperate with any State or group of States in the preparation of a comprehensive State or regional sediment management plan within the boundaries of the State or among States.”;

SEC. 2032. STUDY ACCELERATION.

(a) *FINDINGS.*—Congress finds that—

(1) delays in the completion of feasibility studies—

(A) increase costs for the Federal Government as well as State and local governments; and

(B) delay the implementation of water resources projects that provide critical benefits, including reducing flood risk, maintaining commercially important flood risk, and restoring vital ecosystems; and

(2) the efforts undertaken by the Corps of Engineers through the establishment of the “3-3-3” planning process should be continued.

(b) *ACCELERATION OF STUDIES.*—

(1) *IN GENERAL.*—Subject to paragraphs (2) and (3), a feasibility study initiated after the date of enactment of this Act shall—

(A) be completed not later than 3 years after the date of initiation of the study; and

(B) have a maximum Federal cost share of \$3,000,000.

(2) *ABILITY TO COMPLY.*—On initiating a feasibility study under paragraph (1), the Secretary shall—

(A) certify that the study will comply with the requirements of paragraph (1);

(B) for projects the Secretary determines to be too complex to comply with the requirements of paragraph (1)—

(i) not less than 30 days after making a determination, notify the non-Federal interest regarding the inability to comply; and

(ii) provide a new projected timeline and cost; and

(C) if the study conditions have changed such that scheduled timelines or study costs will not be met—

(i) not later than 30 days after the study conditions change, notify the non-Federal interest of those changed conditions; and

(ii) present the non-Federal interest with a new timeline for completion and new projected study costs.

(3) *APPROPRIATIONS.*—

(A) *IN GENERAL.*—All timeline and cost conditions under this section shall be subject to the Secretary receiving adequate appropriations for meeting study timeline and cost requirements.

(B) *NOTIFICATION.*—Not later than 60 days after receiving appropriations, the Secretary shall notify the non-Federal interest of any changes to timelines or costs due to inadequate appropriations.

(c) *REPORT.*—Not later than 18 months after the date of enactment of this Act and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the status of the implementation of the “3-3-3” planning process, including the number of participating projects;

(2) the amount of time taken to complete all studies participating in the “3-3-3” planning process; and

(3) any recommendations for additional authority necessary to support efforts to expedite the feasibility study process for water resource projects.

SEC. 2033. PROJECT ACCELERATION.

Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) is amended to read as follows:

“SEC. 2045. PROJECT ACCELERATION.

“(a) *DEFINITIONS.*—In this section:

“(1) *ENVIRONMENTAL IMPACT STATEMENT.*—The term ‘environmental impact statement’ means the detailed statement of environmental impacts of water resources projects required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) *ENVIRONMENTAL REVIEW PROCESS.*—

“(A) *IN GENERAL.*—The term ‘environmental review process’ means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a water resources project.

“(B) *INCLUSIONS.*—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a water resources project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) *LEAD AGENCY.*—The term ‘lead agency’ means the Corps of Engineers and, if applicable, any State, local, or tribal governmental entity serving as a joint lead agency pursuant to this section.

“(b) *POLICY.*—The benefits of water resources projects are important to the economy and environment of the United States, and recommendations to Congress regarding those projects should be accelerated by coordinated and efficient review and cooperative efforts to prevent or quickly resolve disputes during the development and implementation of those water resources projects.

“(c) *APPLICABILITY.*—

“(1) *IN GENERAL.*—The project development procedures under this section apply to the development of projects initiated after the date of enactment of the Water Resources Development Act of 2013 and for which the Secretary determines that—

“(A) an environmental impact statement is required; or

“(B) at the discretion of the Secretary, other water resources projects for which an environmental review process document is required to be prepared.

“(2) FLEXIBILITY.—Any authorities granted in this section may be exercised, and any requirements established under this section may be satisfied, for the development of a water resources project, a class of those projects, or a program of those projects.

“(3) LIST OF WATER RESOURCES DEVELOPMENT PROJECTS.—

“(A) IN GENERAL.—The Secretary shall annually prepare, and make publicly available, a separate list of each study that the Secretary has determined—

“(i) meets the standards described in paragraph (1); and

“(ii) does not have adequate funding to make substantial progress toward the completion of the planning activities for the water resources project.

“(B) INCLUSIONS.—The Secretary shall include for each study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the study.

“(4) IMPLEMENTATION GUIDANCE.—The Secretary shall prepare, in consultation with the Council on Environmental Quality and other Federal agencies with jurisdiction over actions or resources that may be impacted by a water resources project, guidance documents that describe the processes that the Secretary will use to implement this section, in accordance with the civil works program of the Corps of Engineers and all applicable law.

“(d) WATER RESOURCES PROJECT REVIEW PROCESS.—The Secretary shall develop and implement a coordinated review process for the development of water resources projects.

“(e) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to the development of each water resources project, the Secretary shall identify, as soon as practicable, all Federal, State, and local government agencies and Indian tribes that may—

“(1) have jurisdiction over the project;

“(2) be required by law to conduct or issue a review, analysis, or opinion for the project; or

“(3) be required to make a determination on issuing a permit, license, or approval for the project.

“(f) STATE AUTHORITY.—If the coordinated review process is being implemented under this section by the Secretary with respect to the development of a water resources project described in subsection (c) within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

“(1) have jurisdiction over the project;

“(2) are required to conduct or issue a review, analysis, or opinion for the project; or

“(3) are required to make a determination on issuing a permit, license, or approval for the project.

“(g) LEAD AGENCIES.—

“(1) FEDERAL LEAD AGENCY.—Subject to paragraph (2), the Corps of Engineers shall be the lead Federal agency in the environmental review process for a water resources project.

“(2) JOINT LEAD AGENCIES.—

“(A) IN GENERAL.—At the discretion of the Secretary and subject to any applicable regulations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), an agency other than the Corps of Engineers may serve as the joint lead agency.

“(B) NON-FEDERAL INTEREST AS JOINT LEAD AGENCY.—A non-Federal interest that is a State or local governmental entity—

“(i) may serve as a joint lead agency with the Corps of Engineers for purposes of preparing

any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) may prepare any environmental review process document required in support of any action or approval by the Secretary if—

“(I) the Corps of Engineers provides guidance in the preparation process and independently evaluates that document; and

“(II) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

“(3) DUTIES.—The Secretary shall ensure that—

“(A) the non-Federal interest complies with all design and mitigation commitments made jointly by the Secretary and the non-Federal interest in any environmental document prepared by the non-Federal interest in accordance with this subsection; and

“(B) any environmental document prepared by the non-Federal interest is appropriately supplemented if changes to the water resources project become necessary.

“(4) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection may be adopted or used by any Federal agency making any approval to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency.

“(5) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any water resources project, the lead agency shall have authority and responsibility—

“(A) to take such actions as are necessary and proper and within the authority and responsibility of the lead agency to facilitate the expeditious resolution of the environmental review process for the water resources project; and

“(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a water resources project required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

“(h) PARTICIPATING AGENCIES.—

“(1) INVITATION.—

“(A) IN GENERAL.—The lead agency shall identify, as early as practicable in the environmental review process for a water resources project, any other Federal or non-Federal agencies that may have an interest in that project and invite those agencies to become participating agencies in the environmental review process for the water resources project.

“(B) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the lead agency for good cause.

“(2) FEDERAL PARTICIPATING AGENCIES.—Any Federal agency that is invited by the lead agency to participate in the environmental review process for a water resources project shall be designated as a participating agency by the lead agency unless the invited agency informs the lead agency, in writing, by the deadline specified in the invitation that the invited agency—

“(A) has no jurisdiction or authority with respect to the water resources project;

“(B) has no expertise or information relevant to the water resources project;

“(C) does not intend to submit comments on the water resources project; and

“(D) does not have adequate funds to participate in the water resources project.

“(3) EFFECT OF DESIGNATION.—Designation as a participating agency under this subsection shall not imply that the participating agency—

“(A) supports a proposed water resources project; or

“(B) has any jurisdiction over, or special expertise with respect to evaluation of, the water resources project.

“(4) CONCURRENT REVIEWS.—Each participating agency shall—

“(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would impair the ability of the Federal agency to conduct needed analysis or otherwise carry out those obligations; and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

“(i) PROGRAMMATIC COMPLIANCE.—

“(1) IN GENERAL.—The Secretary shall issue guidance to allow for the use of programmatic approaches to carry out the environmental review process that—

“(A) eliminates repetitive discussions of the same issues;

“(B) focuses on the actual issues ripe for analyses at each level of review;

“(C) establishes a formal process for coordinating with participating agencies, including the creation of a list of all data that is needed to carry out an environmental review process; and

“(D) is consistent with—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) other applicable laws.

“(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

“(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal and State agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

“(B) emphasize the importance of collaboration among relevant Federal agencies, State agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

“(C) ensure that the programmatic reviews—

“(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, or tribal agencies, or the public, and the temporal and special scales to be used to analyze those issues;

“(ii) use accurate and timely information in the environmental review process, including—

“(I) criteria for determining the general duration of the usefulness of the review; and

“(II) the timeline for updating any out-of-date review;

“(iii) describe—

“(I) the relationship between programmatic analysis and future tiered analysis; and

“(II) the role of the public in the creation of future tiered analysis; and

“(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public;

“(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

“(E) address any comments received under subparagraph (D).

“(j) COORDINATED REVIEWS.—

“(1) COORDINATION PLAN.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—The lead agency shall establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a water resources project or a category of water resources projects.

“(ii) INCORPORATION.—The plan established under clause (i) shall be incorporated into the project schedule milestones set under section 905(g)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(g)(2)).

“(2) COMMENT DEADLINES.—The lead agency shall establish the following deadlines for comment during the environmental review process for a project:

“(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and States agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

“(i) a different deadline is established by agreement of the lead agency, the non-Federal interest, as applicable, and all participating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all comment periods established by the lead agency for agency or public comments in the environmental review process other than for a draft environmental impact statement, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

“(i) a different deadline is established by agreement of the lead agency, the non-Federal interest, and all participating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (k)(6)(B)(ii), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) as soon as practicable after the 180-day period, an initial notice of the failure of the Federal agency to make the decision; and

“(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

“(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection shall reduce any time period provided for public comment in the environmental review process under existing Federal law (including regulations).

“(k) ISSUE IDENTIFICATION AND RESOLUTION.—

“(1) COOPERATION.—The lead agency and the participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project under applicable laws.

“(2) LEAD AGENCY RESPONSIBILITIES.—

“(A) IN GENERAL.—The lead agency shall make information available to the participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

“(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

“(3) PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, participating agencies shall iden-

tify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project.

“(4) INTERIM DECISION ON ACHIEVING ACCELERATED DECISIONMAKING.—

“(A) IN GENERAL.—Not later than 30 days after the close of the public comment period on a draft environmental impact statement, the Secretary may convene a meeting with the non-Federal interest or joint lead agency, as applicable, relevant resource agencies, and relevant Federal and State agencies to establish a schedule of deadlines to complete decisions regarding the project.

“(B) DEADLINES.—

“(i) IN GENERAL.—The deadlines referred to in subparagraph (A) shall be those established by the Secretary, in consultation with the non-Federal interest or joint lead agency, as applicable, and other relevant Federal and State agencies.

“(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

“(I) the responsibilities of participating agencies under applicable laws;

“(II) the resources available to the non-Federal interest, joint lead agency, and other relevant Federal and State agencies, as applicable;

“(III) the overall size and complexity of the project;

“(IV) the overall schedule for and cost of the project; and

“(V) the sensitivity of the natural and historical resources that could be affected by the project.

“(iii) MODIFICATIONS.—The Secretary may—

“(I) lengthen a schedule under clause (i) for good cause; and

“(II) shorten a schedule only with concurrence of the affected non-Federal interest, joint lead agency, or relevant Federal and State agencies, as applicable.

“(C) FAILURE TO MEET DEADLINE.—If the agencies described in subparagraph (A) cannot provide reasonable assurances that the deadlines described in subparagraph (B) will be met, the Secretary may initiate the issue resolution and referral process described under paragraph (5) before the completion of the record of decision.

“(5) ACCELERATED ISSUE RESOLUTION AND REFERRAL.—

“(A) AGENCY ISSUE RESOLUTION MEETING.—

“(i) IN GENERAL.—A participating agency or non-Federal interest may request an issue resolution meeting to be conducted by the Secretary.

“(ii) ACTION BY SECRETARY.—The Secretary shall convene an issue resolution meeting under clause (i) with the relevant participating agencies and the non-Federal interest, as applicable, to resolve issues that could—

“(I) delay completion of the environmental review process; or

“(II) result in denial of any approvals required for the project under applicable laws.

“(iii) DATE.—A meeting requested under this subparagraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

“(iv) NOTIFICATION.—On receipt of a request for a meeting under this subparagraph, the Secretary shall notify all relevant participating agencies of the request, including the issue to be resolved and the date for the meeting.

“(v) DISPUTES.—If a relevant participating agency with jurisdiction over an approval required for a project under applicable law determines that the relevant information necessary to resolve the issue has not been obtained and

could not have been obtained within a reasonable time, but the Secretary disagrees, the resolution of the dispute shall be forwarded to the heads of the relevant agencies for resolution.

“(vi) CONVENTION BY LEAD AGENCY.—The Secretary may convene an issue resolution meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under clause (i).

“(vii) EXCEPTION.—

“(I) IN GENERAL.—The issue resolution and referral process under this subparagraph shall not be initiated if the applicable agency—

“(aa) certifies that—

“(bb) establishes a new deadline for completion of the review.

“(II) INSPECTOR GENERAL.—If the applicable agency makes a certification under subclause (I)(aa)(CC), the Inspector General of the applicable agency shall conduct a financial audit to review that certification and submit a report on that certification within 90 days to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(B) ELEVATION OF ISSUE RESOLUTION.—

“(i) IN GENERAL.—If issue resolution is not achieved by not later than 30 days after the date on which a relevant meeting is held under subparagraph (A), the Secretary shall notify the heads of the relevant participating agencies and the non-Federal interest that an issue resolution meeting will be convened.

“(ii) REQUIREMENTS.—The Secretary shall identify the issues to be addressed at the meeting and convene the meeting not later than 30 days after the date on which the notice is issued.

“(C) REFERRAL OF ISSUE RESOLUTION.—

“(i) REFERRAL TO COUNCIL ON ENVIRONMENTAL QUALITY.—

“(I) IN GENERAL.—If a resolution is not achieved by not later than 30 days after the date on which an issue resolution meeting is held under subparagraph (B), the Secretary shall refer the matter to the Council on Environmental Quality.

“(II) MEETING.—Not later than 30 days after the date on which the Council on Environmental Quality receives a referral from the Secretary under subclause (I), the Council on Environmental Quality shall hold an issue resolution meeting with the lead agency, the heads of relevant participating agencies and the non-Federal interest.

“(ii) REFERRAL TO THE PRESIDENT.—If a resolution of the issue is not achieved by not later than 30 days after the date on which an issue resolution meeting is convened by the Council on Environmental Quality under clause (i)(II), the Secretary shall refer the matter directly to the President.

“(6) FINANCIAL PENALTY PROVISIONS.—

“(A) IN GENERAL.—A Federal agency with jurisdiction over an approval required for a project under applicable Federal laws (including regulations) shall complete any required approval on an expeditious basis using the shortest existing applicable process.

“(B) FAILURE TO DECIDE.—

“(i) IN GENERAL.—If an agency described in subparagraph (A) fails to render a decision under any Federal law relating to a project that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, or other approval by the date described in clause (ii), an amount of funding equal to the amounts specified in subclause (I) or (II) shall be transferred from the applicable office of the head of the agency, or equivalent office to which the authority for rendering the decision has been delegated by law to the agency or division charged with rendering a decision regarding the application by not later than 1 day after

the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C)—

“(I) \$20,000 for any project requiring the preparation of an environmental assessment or environmental impact statement; or

“(II) \$10,000 for any project requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

“(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

“(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

“(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) LIMITATIONS.—

“(i) IN GENERAL.—No transfer of funds under subparagraph (B) shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

“(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

“(D) NO FAULT OF AGENCY.—A transfer of funds under this paragraph shall not be made if—

“(i) the applicable agency described in subparagraph (A) certifies that—

“(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law; or

“(II) significant new information or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

“(III) the agency lacks the financial resources to complete the review under the scheduled timeframe, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why there is not enough funding available to complete the review by the deadline; and

“(ii) if the applicable agency makes a certification under clause (i)(III), the Inspector General of the applicable agency shall conduct a financial audit to review that certification and submit a report on that certification within 90 days to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(E) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

“(F) AUDITS.—In any fiscal year in which any funds are transferred from a Federal agency pursuant to this paragraph, the Inspector General of that agency shall—

“(i) conduct an audit to assess compliance with the requirements of this paragraph; and

“(ii) not later than 120 days after the end of the fiscal year in which the transfer occurred, submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the

reasons why the transfers were levied, including allocations of resources.

“(G) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

“(I) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

“(m) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

“(1) SENSE OF CONGRESS.—It is the sense of Congress that—

“(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State agencies, and Indian tribes on environmental review and water resources project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and water resources project development decisions reflect environmental values; and

“(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and non-Federal interests of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

“(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or non-Federal interest, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or non-Federal interest in carrying out early coordination activities.

“(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or non-Federal interest, the lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the non-Federal interest, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

“(n) LIMITATIONS.—Nothing in this section preempts, supersedes, amends, modifies, or interferes with—

“(1) any statutory requirement for seeking public comment;

“(2) any power, jurisdiction, or authority that a Federal, State, or local government agency, Indian tribe, or non-Federal interest has with respect to carrying out a water resources project;

“(3) any obligation to comply with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the regulations issued by the Council on Environmental Quality to carry out that Act or any other Federal environmental law;

“(4) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

“(5) any practice of seeking, considering, or responding to public comment; or

“(6) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, Indian tribe, or non-Federal interest has with respect to carrying out a water resources project or any other provision of law applicable to water resources development projects.

“(o) CATEGORICAL EXCLUSIONS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall—

“(A) survey the use by the Corps of Engineers of categorical exclusions in water resources projects since 2005;

“(B) publish a review of the survey that includes a description of—

“(i) the types of actions categorically excluded; and

“(ii) any requests previously received by the Secretary for new categorical exclusions; and

“(C) solicit requests from other Federal agencies and non-Federal interests for new categorical exclusions.

“(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this subsection, if the Secretary has identified a categorical exclusion that did not exist on the day before the date of enactment of this subsection based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

“(p) REVIEW OF WATER RESOURCES PROJECT ACCELERATION REFORMS.—

“(1) IN GENERAL.—The Comptroller General of the United States shall—

“(A) assess the reforms carried out under this section; and

“(B) not later than 5 years after the date of enactment of this subsection, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the results of the assessment.

“(2) INSPECTOR GENERAL REPORT.—The Inspector General of the Corps of Engineers shall—

“(A) assess the reforms carried out under this section; and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate—

“(i) not later than 2 years after the date of enactment of this subsection, an initial report of the findings of the Inspector General; and

“(ii) not later than 4 years after the date of enactment of this subsection, a final report of the findings.”.

SEC. 2034. FEASIBILITY STUDIES.

Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

“(g) DETAILED PROJECT SCHEDULE.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall determine a set of milestones needed for the completion of a feasibility study under this subsection, including all major actions, report submissions and responses, reviews, and comment periods.

“(2) DETAILED PROJECT SCHEDULE MILESTONES.—Each District Engineer shall, to the maximum extent practicable, establish a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to feasibility studies in the District developed by the Secretary under paragraph (1).

“(3) NON-FEDERAL INTEREST NOTIFICATION.—Each District Engineer shall submit by certified mail the detailed project schedule under paragraph (2) to each relevant non-Federal interest—

“(A) for projects that have received funding from the General Investigations Account of the Corps of Engineers in the period beginning on October 1, 2009, and ending on the date of enactment of this section, not later than 180 days

after the establishment of milestones under paragraph (1); and

“(B) for projects for which a feasibility cost-sharing agreement is executed after the establishment of milestones under paragraph (1), not later than 90 days after the date on which the agreement is executed.

“(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Beginning in the first full fiscal year after the date of enactment of this Act, the Secretary shall—

“(A) submit an annual report that lists all detailed project schedules under paragraph (2) and an explanation of any missed deadlines to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

“(B) make publicly available, including on the Internet, a copy of the annual report described in subparagraph (A) not later than 14 days after date on which a report is submitted to Congress.

“(5) FAILURE TO ACT.—If a District Engineer fails to meet any of the deadlines in the project schedule under paragraph (2), the District Engineer shall—

“(A) not later than 30 days after each missed deadline, submit to the non-Federal interest a report detailing—

“(i) why the District Engineer failed to meet the deadline; and

“(ii) a revised project schedule reflecting amended deadlines for the feasibility study; and

“(B) not later than 30 days after each missed deadline, make publicly available, including on the Internet, a copy of the amended project schedule described in subparagraph (A)(ii).”

SEC. 2035. ACCOUNTING AND ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—On the request of a non-Federal interest, the Secretary shall provide to the non-Federal interest a detailed accounting of the Federal expenses associated with a water resources project.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a study on the efficiency of the Corps Engineers current staff salaries and administrative expense procedures as compared to using a separate administrative expense account.

(2) CONTENTS.—The study under paragraph (1) shall include any recommendations of the National Academy of Public Administration for improvements to the budgeting and administrative processes that will increase the efficiency of the Corps of Engineers project delivery.

SEC. 2036. DETERMINATION OF PROJECT COMPLETION.

(a) IN GENERAL.—The Secretary shall transfer to the non-Federal interest the responsibility for the operation and maintenance of any water resources project for which operation and maintenance is required of the non-Federal interest or separable element or functional portion of that water resources project on such date that the Secretary determines that the project is complete.

(b) NON-FEDERAL INTEREST APPEAL OF DETERMINATION.—

(1) IN GENERAL.—Not later than 7 days after receiving a notification under subparagraph (a), the non-Federal interest may appeal the completion determination of the Secretary in writing.

(2) INDEPENDENT REVIEW.—

(A) IN GENERAL.—On notification that a non-Federal interest has submitted an appeal under paragraph (1), the Secretary shall contract with 1 or more independent, non-Federal experts to determine whether the applicable water resources project or separable element or functional portion of the water resources project is complete.

(B) TIMELINE.—An independent review carried out under subparagraph (A) shall be completed not later than 180 days after the date on which the Secretary receives an appeal from a non-Federal interest under paragraph (1).

SEC. 2037. PROJECT PARTNERSHIP AGREEMENTS.

(a) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a comprehensive review of the process for preparing, negotiating, and approving Project Partnership Agreements and the Project Partnership Agreement template, which shall include—

(1) a review of the process for preparing, negotiating, and approving Project Partnership Agreements, as in effect on the day before the date of enactment of this Act;

(2) an evaluation of how the concerns of a non-Federal interest relating to the Project Partnership Agreement and suggestions for modifications to the Project Partnership Agreement made by a non-Federal interest are accommodated;

(3) recommendations for how the concerns and modifications described in paragraph (2) can be better accommodated;

(4) recommendations for how the Project Partnership Agreement template can be made more efficient; and

(5) recommendations for how to make the process for preparing, negotiating, and approving Project Partnership Agreements more efficient.

(b) REPORT.—The Secretary shall submit a report describing the findings of the National Academy of Public Administration to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 2038. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

Section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a) is amended—

(1) in subsection (a), by striking “other Federal agencies,” and inserting “Federal departments or agencies, nongovernmental organizations,”;

(2) in subsection (b), by inserting “or foreign governments” after “organizations”;

(3) in subsection (c), by inserting “and restoration” after “protection”; and

(4) in subsection (d)—

(A) in the first sentence—

(i) by striking “There is” and inserting “(1) IN GENERAL.—There is”; and

(ii) by striking “2008” and inserting “2014”; and

(B) in the second sentence—

(i) by striking “The Secretary” and inserting “(2) ACCEPTANCE OF FUNDS.—The Secretary”; and

(ii) by striking “other Federal agencies” and inserting “Federal departments or agencies, nongovernmental organizations”.

SEC. 2039. ACCEPTANCE OF CONTRIBUTED FUNDS TO INCREASE LOCK OPERATIONS.

(a) IN GENERAL.—The Secretary, after providing public notice, shall establish a pilot program for the acceptance and expenditure of funds contributed by non-Federal interests to increase the hours of operation of locks at water resources development projects.

(b) APPLICABILITY.—The establishment of the pilot program under this section shall not affect the periodic review and adjustment of hours of operation of locks based on increases in commercial traffic carried out by the Secretary.

(c) PUBLIC COMMENT.—Not later than 180 days before a proposed modification to the operation of a lock at a water resources development project will be carried out, the Secretary shall—

(1) publish the proposed modification in the Federal Register; and

(2) accept public comment on the proposed modification.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that evaluates the cost-savings resulting from reduced lock hours and any economic impacts of modifying lock operations.

(2) REVIEW OF PILOT PROGRAM.—Not later than September 30, 2017 and each year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the effectiveness of the pilot program under this section.

(e) ANNUAL REVIEW.—The Secretary shall carry out an annual review of the commercial use of locks and make any necessary adjustments to lock operations based on that review.

(f) TERMINATION.—The authority to accept funds under this section shall terminate 5 years after the date of enactment of this Act.

SEC. 2040. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) IN GENERAL.—Section 5(a)(1) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended in the first sentence by striking “structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when in the discretion of the Chief of Engineers such repair and restoration is warranted for the adequate functioning of the structure for hurricane or shore protection” and inserting “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the design level of protection when, in the discretion of the Chief of Engineers, such repair and restoration is warranted for the adequate functioning of the structure or project for hurricane or shore protection, subject to the condition that the Chief of Engineers may include modifications to the structure or project to address major deficiencies”.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the amounts expended in the previous 5 fiscal years to carry out Corps of Engineers projects under section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n).

(2) INCLUSIONS.—A report under paragraph (1) shall, at a minimum, include a description of—

(A) each project for which amounts are expended, including the type of project and cost of the project; and

(B) how the Secretary has restored or intends to restore the project to the design level of protection for the project.

SEC. 2041. SYSTEMWIDE IMPROVEMENT FRAMEWORKS.

A levee system shall remain eligible for rehabilitation assistance under the authority provided by section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes” (33 U.S.C. 701n) as long as the levee system sponsor continues to make satisfactory progress, as determined by the Secretary, on an approved systemwide improvement framework or letter of intent.

SEC. 2042. FUNDING TO PROCESS PERMITS.

Section 214 of the Water Resources Development Act of 2000 (Public Law 106-541; 33 U.S.C. 2201 note) is amended by striking subsections (d) and (e) and inserting the following:

“(d) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public in a common format, including on the Internet, and in a manner that distinguishes final permit decisions under this section from other final actions of the Secretary.

“(2) DECISION DOCUMENT.—The Secretary shall—

“(A) use a standard decision document for evaluating all permits using funds accepted under this section; and

“(B) make the standard decision document, along with all final permit decisions, available to the public, including on the Internet.

“(3) AGREEMENTS.—The Secretary shall make all active agreements to accept funds under this section available on a single public Internet site.

“(e) REPORTING.—

“(1) IN GENERAL.—The Secretary shall prepare an annual report on the implementation of this section, which, at a minimum, shall include for each district of the Corps of Engineers that accepts funds under this section—

“(A) a comprehensive list of any funds accepted under this section during the previous fiscal year;

“(B) a comprehensive list of the permits reviewed and approved using funds accepted under this section during the previous fiscal year, including a description of the size and type of resources impacted and the mitigation required for each permit; and

“(C) a description of the training offered in the previous fiscal year for employees that is funded in whole or in part with funds accepted under this section.

“(2) SUBMISSION.—Not later than 90 days after the end of each fiscal year, the Secretary shall—

“(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the annual report described in paragraph (1); and

“(B) make each report received under subparagraph (A) available on a single publicly accessible Internet site.”

SEC. 2043. NATIONAL RIVERBANK STABILIZATION AND EROSION PREVENTION STUDY AND PILOT PROGRAM.

(a) DEFINITION OF INLAND AND INTRACOASTAL WATERWAY.—In this section, the term “inland and intracoastal waterway” means the inland and intracoastal waterways of the United States described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(b) PILOT PROGRAM.—The Secretary—

(1) is authorized to study issues relating to riverbank stabilization and erosion prevention along inland and intracoastal waterways; and

(2) shall establish and carry out for a period of 5 fiscal years a national riverbank stabilization and erosion prevention pilot program to address riverbank erosion along inland and intracoastal waterways.

(c) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with appropriate Federal, State, local, and nongovernmental entities, shall carry out a study of the options and technologies available to prevent the erosion and degradation of riverbanks along inland and intracoastal waterways.

(2) CONTENTS.—The study shall—

(A) evaluate the nature and extent of the damages resulting from riverbank erosion along inland and intracoastal waterways throughout the United States;

(B) identify specific inland and intracoastal waterways and affected wetland areas with the most urgent need for restoration;

(C) analyze any legal requirements with regard to maintenance of bank lines of inland and intracoastal waterways, including a comparison of Federal, State, and private obligations and practices;

(D) assess and compare policies and management practices to protect surface areas adjacent to inland and intracoastal waterways applied by various Districts of the Corps of Engineers; and

(E) make any recommendations the Secretary determines to be appropriate.

(d) RIVERBANK STABILIZATION AND EROSION PREVENTION PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall develop a pilot program for the construction of riverbank stabilization and erosion prevention projects on public land along inland and intracoastal waterways if the Secretary determines that the projects are feasible and lower maintenance costs of those inland and intracoastal waterways.

(2) PILOT PROGRAM GOALS.—A project under the pilot program shall, to the maximum extent practicable—

(A) develop or demonstrate innovative technologies;

(B) implement efficient designs to prevent erosion at a riverbank site, taking into account the lifecycle cost of the design, including cleanup, maintenance, and amortization;

(C) prioritize natural designs, including the use of native and naturalized vegetation or temporary structures that minimize permanent structural alterations to the riverbank;

(D) avoid negative impacts to adjacent communities;

(E) identify the potential for long-term protection afforded by the innovative technology; and

(F) provide additional benefits, including reduction of flood risk.

(3) PROJECT SELECTIONS.—The Secretary shall develop criteria for the selection of projects under the pilot program, including criteria based on—

(A) the extent of damage and land loss resulting from riverbank erosion;

(B) the rate of erosion;

(C) the significant threat of future flood risk to public or private property, public infrastructure, or public safety;

(D) the destruction of natural resources or habitats; and

(E) the potential cost-savings for maintenance of the channel.

(4) CONSULTATION.—The Secretary shall carry out the pilot program in consultation with—

(A) Federal, State, and local governments;

(B) nongovernmental organizations; and

(C) applicable university research facilities.

(5) REPORT.—Not later than 1 year after the first fiscal year for which amounts to carry out this section are appropriated, and every year thereafter, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) the activities carried out and accomplishments made under the pilot program since the previous report under this paragraph; and

(B) any recommendations of the Secretary relating to the program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2019.

SEC. 2044. HURRICANE AND STORM DAMAGE RISK REDUCTION PRIORITIZATION.

(a) PURPOSES.—The purposes of this section are—

(1) to provide adequate levels of protection to communities impacted by natural disasters, including hurricanes, tropical storms, and other related extreme weather events; and

(2) to expedite critical water resources projects in communities that have historically been and continue to remain susceptible to extreme weather events.

(b) PRIORITY.—For authorized projects and ongoing feasibility studies with a primary purpose of hurricane and storm damage risk reduction, the Secretary shall give funding priority to projects and ongoing studies that—

(1) address an imminent threat to life and property;

(2) prevent storm surge from inundating populated areas;

(3) prevent the loss of coastal wetlands that help reduce the impact of storm surge;

(4) protect emergency hurricane evacuation routes or shelters;

(5) prevent adverse impacts to publicly owned or funded infrastructure and assets;

(6) minimize disaster relief costs to the Federal Government; and

(7) address hurricane and storm damage risk reduction in an area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(c) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROJECTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of all—

(A) ongoing hurricane and storm damage reduction feasibility studies that have signed feasibility cost share agreements and have received Federal funds since 2009; and

(B) authorized hurricane and storm damage reduction projects that—

(i) have been authorized for more than 20 years but are less than 75 percent complete; or

(ii) are undergoing a post-authorization change report, general reevaluation report, or limited reevaluation report;

(2) identify those projects on the list required under paragraph (1) that meet the criteria described in subsection (b); and

(3) provide a plan for expeditiously completing the projects identified under paragraph (2), subject to available funding.

(d) PRIORITIZATION OF NEW STUDIES FOR HURRICANE AND STORM DAMAGE RISK REDUCTION.—In selecting new studies for hurricane and storm damage reduction to propose to Congress under section 4002, the Secretary shall give priority to studies—

(1) that—

(A) have been recommended in a comprehensive hurricane protection study carried out by the Corps of Engineers; or

(B) are included in a State plan or program for hurricane, storm damage reduction, flood control, coastal protection, conservation, or restoration, that is created in consultation with the Corps of Engineers or other relevant Federal agencies; and

(2) for areas for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

SEC. 2045. PRIORITIZATION OF ECOSYSTEM RESTORATION EFFORTS.

For authorized projects with a primary purpose of ecosystem restoration, the Secretary shall give funding priority to projects—

(1) that—

(A) address an identified threat to public health, safety, or welfare;

(B) preserve, establish, or restore habitats of national significance; or

(C) preserve habitats of importance for federally protected species, including migratory birds; and

(2) for which the restoration activities will contribute to other ongoing or planned Federal, State, or local restoration initiatives.

SEC. 2046. SPECIAL USE PERMITS.

(a) SPECIAL USE PERMITS.—

(1) IN GENERAL.—The Secretary may issue special permits for uses such as group activities, recreation events, motorized recreation vehicles, and such other specialized recreation uses as the Secretary determines to be appropriate, subject to such terms and conditions as the Secretary determines to be in the best interest of the Federal Government.

(2) FEES.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary may—

(i) establish and collect fees associated with the issuance of the permits described in paragraph (1); or

(ii) accept in-kind services in lieu of those fees.

(B) OUTDOOR RECREATION EQUIPMENT.—The Secretary may establish and collect fees for the provision of outdoor recreation equipment and services at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers.

(C) USE OF FEES.—Any fees generated pursuant to this subsection shall be—

(i) retained at the site collected; and

(ii) available for use, without further appropriation, solely for administering the special permits under this subsection and carrying out related operation and maintenance activities at the site at which the fees are collected.

(b) COOPERATIVE MANAGEMENT.—

(1) PROGRAM.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may enter into an agreement with a State or local government to provide for the cooperative management of a public recreation area if—

(i) the public recreation area is located—

(I) at a lake or reservoir operated by the Corps of Engineers; and

(II) adjacent to or near a State or local park or recreation area; and

(ii) the Secretary determines that cooperative management between the Corps of Engineers and a State or local government agency of a portion of the Corps of Engineers recreation area or State or local park or recreation area will allow for more effective and efficient management of those areas.

(B) RESTRICTION.—The Secretary may not transfer administration responsibilities for any public recreation area operated by the Corps of Engineers.

(2) ACQUISITION OF GOODS AND SERVICES.—The Secretary may acquire from or provide to a State or local government with which the Secretary has entered into a cooperative agreement under paragraph (1) goods and services to be used by the Secretary and the State or local government in the cooperative management of the areas covered by the agreement.

(3) ADMINISTRATION.—The Secretary may enter into 1 or more cooperative management agreements or such other arrangements as the Secretary determines to be appropriate, including leases or licenses, with non-Federal interests to share the costs of operation, maintenance, and management of recreation facilities and natural resources at recreation areas that are jointly managed and funded under this subsection.

(c) FUNDING TRANSFER AUTHORITY.—

(1) IN GENERAL.—If the Secretary determines that it is in the public interest for purposes of enhancing recreation opportunities at Corps of Engineers water resources development projects, the Secretary may transfer funds appropriated for resource protection, research, interpretation, and maintenance activities related to resource

protection in the areas at which outdoor recreation is available at those Corps of Engineers water resource development projects to State, local, and tribal governments and such other public or private nonprofit entities as the Secretary determines to be appropriate.

(2) COOPERATIVE AGREEMENTS.—Any transfer of funds pursuant to this subsection shall be carried out through the execution of a cooperative agreement, which shall contain such terms and conditions as the Secretary determines to be necessary in the public interest.

(d) SERVICES OF VOLUNTEERS.—Chapter IV of title I of Public Law 98-63 (33 U.S.C. 569c) is amended—

(1) in the first sentence, by inserting “, including expenses relating to uniforms, transportation, lodging, and the subsistence of those volunteers, without regard to the place of residence of the volunteers,” after “incidental expenses”; and

(2) by inserting after the first sentence the following: “The Chief of Engineers may also provide awards of up to \$100 in value to volunteers in recognition of the services of the volunteers.”

(e) TRAINING AND EDUCATIONAL ACTIVITIES.—Section 213(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by striking “at” and inserting “about”.

SEC. 2047. OPERATIONS AND MAINTENANCE ON FUEL TAXED INLAND WATERWAYS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall have responsibility for 65 percent of the costs of the operation, maintenance, repair, rehabilitation, and replacement of any flood gate, as well as any pumping station constructed within the channel as a single unit with that flood gate, that—

(1) was constructed as of the date of enactment of this Act as a feature of an authorized hurricane and storm damage reduction project; and

(2) crosses an inland or intracoastal waterway described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(b) PAYMENT OPTIONS.—For rehabilitation or replacement of any structure under this section, the Secretary may apply to the full non-Federal contribution the payment option provisions under section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)).

SEC. 2048. CORROSION PREVENTION.

(a) GUIDANCE AND PROCEDURES.—The Secretary shall develop guidance and procedures for the certification of qualified contractors for—

(1) the application of protective coatings; and

(2) the removal of hazardous protective coatings.

(b) REQUIREMENTS.—Except as provided in subsection (c), the Secretary shall use certified contractors for—

(1) the application of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;

(2) the removal of hazardous coatings or other hazardous materials that are present in sufficient concentrations to create an occupational or environmental hazard; and

(3) any other activities the Secretary determines to be appropriate.

(c) EXCEPTION.—The Secretary may approve exceptions to the use of certified contractors under subsection (b) only after public notice, with the opportunity for comment, of any such proposal.

SEC. 2049. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—Section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) LIST OF PROJECTS.—

“(A) IN GENERAL.—Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), each year, after the submission of the list under paragraph (1), the Secretary shall submit to Congress a list of projects or separable elements of projects that have been authorized but that have received no obligations during the 5 full fiscal years preceding the submission of that list.

“(B) ADDITIONAL NOTIFICATION.—On submission of the list under subparagraph (A) to Congress, the Secretary shall notify—

“(i) each Senator in whose State and each Member of the House of Representatives in whose district a project (including any part of a project) on that list would be located; and

“(ii) each applicable non-Federal interest associated with a project (including any part of a project) on that list.

“(C) DEAUTHORIZATION.—A project or separable element included in the list under subparagraph (A) is not authorized after the last date of the fiscal year following the fiscal year in which the list is submitted to Congress, if funding has not been obligated for the planning, design, or construction of the project or element of the project during that period.”; and

(2) by adding at the end the following:

“(3) MINIMUM FUNDING LIST.—At the end of each fiscal year, the Secretary shall submit to Congress a list of—

“(A) projects or separable elements of projects authorized for construction for which funding has been obligated in the 5 previous fiscal years;

“(B) the amount of funding obligated per fiscal year;

“(C) the current phase of each project or separable element of a project; and

“(D) the amount required to complete those phases.

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall compile and publish a complete list of all uncompleted, authorized projects of the Corps of Engineers, including for each project on that list—

“(i) the original budget authority for the project;

“(ii) the status of the project;

“(iii) the estimated date of completion of the project;

“(iv) the estimated cost of completion of the project; and

“(v) any amounts for the project that remain unobligated.

“(B) PUBLICATION.—

“(i) IN GENERAL.—The Secretary shall submit a copy of the list under subparagraph (A) to—

“(I) the appropriate committees of Congress; and

“(II) the Director of the Office of Management and Budget.

“(ii) PUBLIC AVAILABILITY.—Not later than 30 days after providing the report to Congress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site, in a manner that is downloadable, searchable, and sortable.”.

(b) INFRASTRUCTURE DEAUTHORIZATION COMMISSION.—

(1) PURPOSES.—The purposes of this subsection are—

(A) to establish a process for identifying authorized Corps of Engineers water resources projects that are no longer in the Federal interest and no longer feasible;

(B) to create a commission—

(i) to review suggested deauthorizations, including consideration of recommendations of the States and the Secretary for the deauthorization of water resources projects; and

(ii) to make recommendations to Congress;
(C) to ensure public participation and comment; and

(D) to provide oversight on any recommendations made to Congress by the Commission.

(2) INFRASTRUCTURE DEAUTHORIZATION COMMISSION.—

(A) ESTABLISHMENT.—There is established an independent commission to be known as the “Infrastructure Deauthorization Commission” (referred to in this paragraph as the “Commission”).

(B) DUTIES.—The Commission shall carry out the review and recommendation duties described in paragraph (5).

(C) MEMBERSHIP.—

(i) IN GENERAL.—The Commission shall be composed of 8 members, who shall be appointed by the President, by and with the advice and consent of the Senate according to the expedited procedures described in clause (ii).

(ii) EXPEDITED NOMINATION PROCEDURES.—

(I) PRIVILEGED NOMINATIONS; INFORMATION REQUESTED.—On receipt by the Senate of a nomination under clause (i), the nomination shall—
(aa) be placed on the Executive Calendar under the heading “Privileged Nominations—Information Requested”; and

(bb) remain on the Executive Calendar under that heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subclause (II).

(II) QUESTIONNAIRES.—The Chairman of the Committee on Environment and Public Works of the Senate shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position under clause (i).

(III) PRIVILEGED NOMINATIONS; INFORMATION RECEIVED.—On receipt of the certification under subclause (II), the nomination shall—

(aa) be placed on the Executive Calendar under the heading “Privileged Nomination—Information Received” and remain on the Executive Calendar under that heading for 10 session days; and

(bb) after the expiration of the period referred to in item (aa), be placed on the “Nominations” section of the Executive Calendar.

(IV) REFERRAL TO COMMITTEE OF JURISDICTION.—During the period when a nomination under clause (i) is listed under the “Privileged Nomination—Information Requested” section of the Executive Calendar described in subclause (I)(aa) or the “Privileged Nomination—Information Received” section of the Executive Calendar described in subclause (III)(aa)—

(aa) any Senator may request on his or her own behalf, or on the behalf of any identified Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(bb) if a Senator makes a request described in paragraph item (aa), the nomination shall be referred to the appropriate committee of jurisdiction.

(V) EXECUTIVE CALENDAR.—The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this clause.

(VI) COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.—The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by that committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

(iii) QUALIFICATIONS.—Members of the Commission shall be knowledgeable about Corps of Engineers water resources projects.

(iv) GEOGRAPHICAL DIVERSITY.—To the maximum extent practicable, the members of the Commission shall be geographically diverse.

(D) COMPENSATION OF MEMBERS.—

(i) IN GENERAL.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(ii) FEDERAL EMPLOYEES.—All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(iii) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(3) STATE WATER RESOURCES INFRASTRUCTURE PLAN.—Not later than 2 years after the date of enactment of this Act, each State, in consultation with local interests, may develop and submit to the Commission, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a detailed statewide water resources plan that includes a list of each water resources project that the State recommends for deauthorization.

(4) CORPS OF ENGINEERS INFRASTRUCTURE PLAN.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Commission, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a detailed plan that—

(A) contains a detailed list of each water resources project that the Corps of Engineers recommends for deauthorization; and

(B) is based on assessment by the Secretary of the needs of the United States for water resources infrastructure, taking into account public safety, the economy, and the environment.

(5) REVIEW AND RECOMMENDATION COMMISSION.—

(A) IN GENERAL.—On the appointment and confirmation of all members of the Commission, the Commission shall solicit public comment on water resources infrastructure issues and priorities and recommendations for deauthorization, including by—

(i) holding public hearings throughout the United States; and

(ii) receiving written comments.

(B) RECOMMENDATIONS.—

(i) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Commission shall submit to Congress a list of water resources projects of the Corps of Engineers for deauthorization.

(ii) CONSIDERATIONS.—In carrying out this paragraph, the Commission shall establish criteria for evaluating projects for deauthorization, which shall include consideration of—

(I) the infrastructure plans submitted by the States and the Secretary under paragraphs (3) and (4);

(II) any public comment received during the period described in subparagraph (A);

(III) public safety and security;

(IV) the environment; and

(V) the economy.

(C) NON-ELIGIBLE PROJECTS.—The following types of projects shall not be eligible for review for deauthorization by the Commission:

(i) Any project authorized after the date of enactment of the Water Resources Development

Act of 1996 (Public Law 104–303; 110 Stat. 3658), including any project that has been reauthorized after that date.

(ii) Any project that, as of the date of enactment of this Act, is undergoing a review by the Corps of Engineers.

(iii) Any project that has received appropriations in the 10-year period ending on the date of enactment of this Act.

(iv) Any project that, on the date of enactment of this Act, is more than 50 percent complete.

(v) Any project that has a viable non-Federal sponsor.

(D) CONGRESSIONAL DISAPPROVAL.—Any water resources project recommended for deauthorization on the list submitted to Congress under subparagraph (B) shall be deemed to be deauthorized unless Congress passes a joint resolution disapproving of the entire list of deauthorized water resources projects prior to the date that is 180 days after the date on which the Commission submits the list to Congress.

SEC. 2050. REPORTS TO CONGRESS.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall complete and submit to Congress by the applicable date required the reports that address public safety and enhanced local participation in project delivery described in subsection (b).

(b) REPORTS.—The reports referred to in subsection (a) are the reports required under—

(1) section 2020;

(2) section 2022;

(3) section 2025;

(4) section 2026;

(5) section 2039;

(6) section 2040;

(7) section 6007; and

(8) section 10015.

(c) FAILURE TO PROVIDE A COMPLETED REPORT.—

(1) IN GENERAL.—Subject to subsection (d), if the Secretary fails to provide a report listed under subsection (b) by the date that is 180 days after the applicable date required for that report, \$5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Army Corps of Engineers with responsibility for completing that report.

(2) SUBSEQUENT REPROGRAMMING.—Subject to subsection (d), for each additional week after the date described in paragraph (1) in which a report described in that paragraph remains uncompleted and unsubmitted to Congress, \$5,000 shall be reprogrammed from the Office of the Assistant Secretary of the Army for Civil Works into the account of the division of the Secretary of the Army with responsibility for completing that report.

(d) LIMITATIONS.—

(1) IN GENERAL.—For each report, the total amounts reprogrammed under subsection (c) shall not exceed, in any fiscal year, \$50,000.

(2) AGGREGATE LIMITATION.—The total amount reprogrammed under subsection (c) in a fiscal year shall not exceed \$200,000.

(e) NO FAULT OF THE SECRETARY.—Amounts shall not be reprogrammed under subsection (c) if the Secretary certifies in a letter to the applicable committees of Congress that—

(1) a major modification has been made to the content of the report that requires additional analysis for the Secretary to make a final decision on the report;

(2) amounts have not been appropriated to the agency under this Act or any other Act to carry out the report; or

(3) additional information is required from an entity other than the Corps of Engineers and is not available in a timely manner to complete the report by the deadline.

(f) **LIMITATION.**—The Secretary shall not re-program funds to reimburse the Office of the Assistant Secretary of the Army for Civil Works for the loss of the funds.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000.

SEC. 2051. INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT CONFORMING AMENDMENT.

Section 106(k) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j-1(k)) is amended by adding at the end the following:

“(13) Interest payments, the retirement of principal, the costs of issuance, and the costs of insurance or a similar credit support for a debt financing instrument, the proceeds of which are used to support a contracted construction project.”.

SEC. 2052. INVASIVE SPECIES REVIEW.

The Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Chairman of the Tennessee Valley Authority, and other applicable heads of Federal agencies, shall—

(1) carry out a review of existing Federal authorities relating to responding to invasive species, including aquatic weeds, aquatic snails, and other aquatic invasive species, that have an impact on water resources; and

(2) based on the review under paragraph (1), make any recommendations to Congress and applicable State agencies for improving Federal and State laws to more effectively respond to the threats posed by those invasive species.

SEC. 2053. WETLANDS CONSERVATION STUDY.

(a) **IN GENERAL.**—The Comptroller General of the United States shall carry out a study to identify all Federal programs relating to wetlands conservation.

(b) **REPORT.**—The Comptroller General of the United States shall submit to Congress a report based on the study under subsection (a) describing options for maximizing wetlands conservation benefits while reducing redundancy, increasing efficiencies, and reducing costs.

SEC. 2054. DAM REPAIR STUDY.

(a) **IN GENERAL.**—The Comptroller General of the United States shall carry out a study to evaluate repairs made at dams on the Cumberland River as compared to similar repairs made by the Corps of Engineers at other dams.

(b) **CONTENTS.**—The study under subsection (a) shall compare—

(1) how the repairs were classified at each dam; and

(2) the Federal and non-Federal cost-sharing requirements for each dam.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report based on the study under subsection (a) with the recommendations of the Comptroller General on whether the repairs carried out at dams on the Cumberland River should have been classified as repairs carried out under the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

TITLE III—PROJECT MODIFICATIONS

SEC. 3001. PURPOSE.

The purpose of this title is to modify existing water resource project authorizations, subject to the condition that the modifications do not affect authorized costs.

SEC. 3002. CHATFIELD RESERVOIR, COLORADO.

Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (123 Stat. 608), is amended in the matter preceding the proviso by inserting “(or a designee of the Department)” after “Colorado Department of Natural Resources”.

SEC. 3003. MISSOURI RIVER RECOVERY IMPLEMENTATION COMMITTEE EXPENSES REIMBURSEMENT.

Section 5018(b)(5) of the Water Resources Development Act of 2007 (121 Stat. 1200) is amended by striking subparagraph (B) and inserting the following:

“(B) **TRAVEL EXPENSES.**—Subject to the availability of funds, the Secretary may reimburse a member of the Committee for travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of a Federal agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Committee.”.

SEC. 3004. HURRICANE AND STORM DAMAGE REDUCTION STUDY.

With respect to the study for flood and storm damage reduction related to natural disasters to be carried out by the Secretary and authorized under the heading “INVESTIGATIONS” under title II of division A of Public Law 113–2, the Secretary shall include, to the maximum extent practicable, specific project recommendations in the report developed for that study.

SEC. 3005. LOWER YELLOWSTONE PROJECT, MONTANA.

Section 3109 of the Water Resources Development Act of 2007 (121 Stat. 1135) is amended—

(1) by striking “The Secretary may” and inserting the following:

“(a) **IN GENERAL.**—The Secretary may”; and

(2) by adding at the end the following:

“(b) **LOCAL PARTICIPATION.**—In carrying out subsection (a), the Secretary shall consult with, and consider the activities being carried out by—

“(1) other Federal agencies;

“(2) conservation districts;

“(3) the Yellowstone River Conservation District Council; and

“(4) the State of Montana.”.

SEC. 3006. PROJECT DEAUTHORIZATIONS.

(a) **GOOSE CREEK, SOMERSET COUNTY, MARYLAND.**—The project for navigation, Goose Creek, Somerset County, Maryland, carried out pursuant to section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577), is realigned as follows: Beginning at Goose Creek Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 0+00, coordinates North 157851.80, East 1636954.70, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, July 2003; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: S. 63 degrees 26 minutes 06 seconds E., 1460.05 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 973.28 feet to a point, thence; N. 26 degrees 13 minutes 09 seconds W., 240.39 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 42+57.54, coordinates North 157357.84, East 1640340.23. Geometry Left Toe of the 60-foot-wide main navigational ship channel, Left Toe Station No. 0+00, coordinates North 157879.00, East 1636967.40, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 12 seconds E., 1583.91 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following eight courses and distances: S. 63 degrees 25 minutes 38 seconds E., 1366.25 feet to a point, thence; N.

83 degrees 36 minutes 24 seconds E., 125.85 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 805.19 feet to a point, thence; N. 12 degrees 12 minutes 29 seconds E., 78.33 feet to a point thence; N. 26 degrees 13 minutes 28 seconds W., 46.66 feet to a point thence; S. 63 degrees 45 minutes 41 seconds W., 54.96 feet to a point thence; N. 26 degrees 13 minutes 24 seconds W., 119.94 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 41+81.10, coordinates North 157320.30, East 1640264.00. Geometry Right Toe of the 60-foot-wide main navigational ship channel, Right Toe Station No. 0+00, coordinates North 157824.70, East 1636941.90, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following six courses and distances: S. 63 degrees 25 minutes 47 seconds E., 1478.79 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 1016.69 feet to a point, thence; N. 26 degrees 14 minutes 49 seconds W., 144.26 feet to a point, thence; N. 63 degrees 54 minutes 03 seconds E., 55.01 feet to a point thence; N. 26 degrees 12 minutes 08 seconds W., 120.03 feet to a point on the Right Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+98.61, coordinates North 157395.40, East 1640416.50.

(b) **LOWER THOROUGHFARE, DEAL ISLAND, MARYLAND.**—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Lower Thoroughfare, Maryland, authorized by the Act of June 25, 1910 (36 Stat. 630, chapter 382) (commonly known as the “River and Harbor Act of 1910”), that begins at Lower Thoroughfare Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 44+88, coordinates North 170435.62, East 1614588.93, as stated and depicted on the Condition Survey Lower Thoroughfare, Deal Island, Sheet 1 of 3, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 42 degrees 20 minutes 44 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 64 degrees 08 minutes 55 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 43 seconds W., 250.08 feet to a point, thence; N. 47 degrees 39 minutes 03 seconds E., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 44 seconds E., 300.07 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76; thence; continuing with the aforementioned centerline the following courses and distances: S. 42 degrees 20 minutes 42 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 20 degrees 32 minutes 06 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 49 seconds W., 250.08 feet to a point, thence; S. 47 degrees 39 minutes 03 seconds W., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 46 seconds E., 300.08 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76.

(c) **THOMASTON HARBOR, GEORGES RIVER, MAINE.**—Beginning on the date of enactment of

this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act of June 3, 1896 (29 Stat. 215, chapter 314), and modified by section 317 of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2604), that lies northwesterly of a line commencing at point N87,220.51, E321,065.80 thence running northeasterly about 125 feet to a point N87,338.71, E321,106.46.

(d) **WARWICK COVE, RHODE ISLAND.**—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Warwick Cove, Rhode Island, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) that is located within the 5 acre anchorage area east of the channel and lying east of the line beginning at a point with coordinates N220,349.79, E357,664.90 thence running north 9 degrees 10 minutes 21.5 seconds west 170.38 feet to a point N220,517.99, E357,637.74 thence running north 17 degrees 44 minutes 30.4 seconds west 165.98 feet to a point N220,676.08, E357,587.16 thence running north 0 degrees 46 minutes 0.9 seconds east 138.96 feet to a point N220,815.03, E357,589.02 thence running north 8 degrees 36 minutes 22.9 seconds east 101.57 feet to a point N220,915.46, E357,604.22 thence running north 18 degrees 18 minutes 27.3 seconds east 168.20 feet to a point N221,075.14, E357,657.05 thence running north 34 degrees 42 minutes 7.2 seconds east 106.4 feet to a point N221,162.62, E357,717.63 thence running south 29 degrees 14 minutes 17.4 seconds east 26.79 feet to a point N221,139.24, E357,730.71 thence running south 30 degrees 45 minutes 30.5 seconds west 230.46 feet to a point N220,941.20, E357,612.85 thence running south 10 degrees 49 minutes 12.0 seconds west 95.46 feet to a point N220,847.44, E357,594.93 thence running south 9 degrees 13 minutes 44.5 seconds east 491.68 feet to a point N220,362.12, E357,673.79 thence running south 35 degrees 47 minutes 19.4 seconds west 15.20 feet to the point of origin.

(e) **CLATSOP COUNTY DIKING DISTRICT NO. 10, KARLSON ISLAND, OREGON.**—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the Diking District No. 10, Karlson Island portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (as amended) (33 U.S.C. 701h).

(f) **NUMBERG DIKE NO. 34 LEVEED AREA, CLATSOP COUNTY DIKING DISTRICT NO. 13, CLATSOP COUNTY, OREGON (WALLUSKI-YOUNGS).**—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the Numberg Dike No. 34 leveed area, Clatsop County Diking District, No. 13, Walluski River and Youngs River dikes, portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (as amended) (33 U.S.C. 701h).

(g) **PORT OF HOOD RIVER, OREGON.**—

(1) **EXTINGUISHMENT OF PORTIONS OF EXISTING FLOWAGE EASEMENT.**—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easement identified as Tract 1200E-6 on the Easement Deed recorded as Instrument No. 740320 is extinguished above elevation 79.39 feet (NGVD 29) the Ordinary High Water Line.

(2) **AFFECTED PROPERTIES.**—The properties referred to in paragraph (1), as recorded in Hood River County, Oregon, are as follows:

(A) Instrument Number 2010-1235

(B) Instrument Number 2010-02366.

(C) Instrument Number 2010-02367.

(D) Parcel 2 of Partition Plat #2011-12P.

(E) Parcel 1 of Partition Plat 2005-26P.

(3) **FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, AND OTHER REGULATORY REVIEWS.**—

(A) **FEDERAL LIABILITY.**—The United States shall not be liable for any injury caused by the extinguishment of the easement under this subsection.

(B) **CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.**—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) **EFFECT ON OTHER RIGHTS.**—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

SEC. 3007. RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NEW JERSEY.

Title I of the Energy and Water Development Appropriations Act, 1998 (Public Law 105-62; 111 Stat. 1327) is amended by striking section 102.

SEC. 3008. RED RIVER BASIN, OKLAHOMA, TEXAS, ARKANSAS, LOUISIANA.

(a) **IN GENERAL.**—The Secretary is authorized to reassign unused irrigation storage within a reservoir on the Red River Basin to municipal and industrial water supply for use by a non-Federal interest if that non-Federal interest has already contracted for a share of municipal and industrial water supply on the same reservoir.

(b) **NON-FEDERAL INTEREST.**—A reassignment of storage under subsection (a) shall be contingent upon the execution of an agreement between the Secretary and the applicable non-Federal interest.

SEC. 3009. POINT JUDITH HARBOR OF REFUGE, RHODE ISLAND.

The project for the Harbor of Refuge at Point Judith, Narragansett, Rhode Island, adopted by the Act of September 19, 1890 (commonly known as the “River and Harbor Act of 1890”) (26 Stat. 426, chapter 907), House Document numbered 66, 51st Congress, 1st Session, and modified to include the west shore arm breakwater under the first section of the Act of June 25, 1910 (commonly known as the “River and Harbor Act of 1910”) (36 Stat. 632, chapter 382), is further modified to include shore protection and erosion control as project purposes.

TITLE IV—WATER RESOURCE STUDIES

SEC. 4001. PURPOSE.

The purpose of this title is to direct the Corps of Engineers to study and recommend solutions for water resource issues relating to flood risk and storm damage reduction, navigation, and ecosystem restoration.

SEC. 4002. INITIATION OF NEW WATER RESOURCES STUDIES.

(a) **IN GENERAL.**—Subject to subsections (b), (c), and (d), the Secretary may initiate a study—

(1) to determine the feasibility of carrying out 1 or more projects for flood risk management, storm damage reduction, ecosystem restoration, navigation, hydropower, or related purposes; or

(2) to carry out watershed and river basin assessments in accordance with section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a).

(b) **CRITERIA.**—The Secretary may only initiate a study under subsection (a) if—

(1) the study—

(A) has been requested by an eligible non-Federal interest;

(B) is for an area that is likely to include a project with a Federal interest; and

(C) addresses a high-priority water resource issue necessary for the protection of human life and property, the environment, or the national security interests of the United States; and

(2) the non-Federal interest has demonstrated—

(A) that local support exists for addressing the water resource issue; and

(B) the financial ability to provide the required non-Federal cost-share.

(c) **CONGRESSIONAL APPROVAL.**—

(1) **SUBMISSION TO CONGRESS.**—Prior to initiating a study under subsection (a), the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House—

(A) a description of the study, including the geographical area addressed by the study;

(B) a description of how the study meets each of the requirements of subsection (b); and

(C) a certification that the proposed study can be completed within 3 years and for a Federal cost of not more than \$3,000,000.

(2) **EXPENDITURE OF FUNDS.**—No funds may be spent on a study initiated under subsection (a) unless—

(A) the required information is submitted to Congress under paragraph (1); and

(B) after such submission, amounts are appropriated to initiate the study in an appropriations or other Act.

(3) **ADDITIONAL NOTIFICATION.**—The Secretary shall notify each Senator or Member of Congress with a State or congressional district in the study area described in paragraph (1)(A).

(d) **LIMITATIONS.**—

(1) **IN GENERAL.**—Subsection (a) shall not apply to a project for which a study has been authorized prior to the date of enactment of this Act.

(2) **NEW STUDIES.**—In each fiscal year, the Secretary may initiate not more than—

(A) 3 new studies in each of the primary areas of responsibility of the Corps of Engineers; and

(B) 3 new studies from any 1 division of the Corps of Engineers.

(e) **TERMINATION.**—The authority under subsection (a) expires on the date that is 3 years after the date of enactment of this Act.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for each of fiscal years 2014 through 2017.

SEC. 4003. APPLICABILITY.

(a) **IN GENERAL.**—Nothing in this title authorizes the construction of a water resources project.

(b) **NEW AUTHORIZATION REQUIRED.**—New authorization from Congress is required before any project evaluated in a study under this title is constructed.

TITLE V—REGIONAL AND NONPROJECT PROVISIONS

SEC. 5001. PURPOSE.

The purpose of this title is to authorize regional, multistate authorities to address water resource needs and other non-project provisions.

SEC. 5002. NORTHEAST COASTAL REGION ECOSYSTEM RESTORATION.

(a) **IN GENERAL.**—The Secretary shall plan, design, and construct projects for aquatic ecosystem restoration within the coastal waters of the Northeastern United States from the State of Virginia to the State of Maine, including associated bays, estuaries, and critical riverine areas.

(b) **GENERAL COASTAL MANAGEMENT PLAN.**—

(1) **ASSESSMENT.**—The Secretary, in coordination with the Administrator of the Environmental Protection Agency, the heads of other appropriate Federal agencies, the Governors of the coastal States from Virginia to Maine, non-profit organizations, and other interested parties, shall assess the needs regarding, and opportunities for, aquatic ecosystem restoration within the coastal waters of the Northeastern United States.

(2) **PLAN.**—The Secretary shall develop a general coastal management plan based on the assessment carried out under paragraph (1), maximizing the use of existing plans and investigation, which plan shall include—

(A) an inventory and evaluation of coastal habitats;

(B) identification of aquatic resources in need of improvement;

(C) identification and prioritization of potential aquatic habitat restoration projects; and

(D) identification of geographical and ecological areas of concern, including—

- (i) finfish habitats;
- (ii) diadromous fisheries migratory corridors;
- (iii) shellfish habitats;
- (iv) submerged aquatic vegetation;
- (v) wetland; and
- (vi) beach dune complexes and other similar habitats.

(c) **ELIGIBLE PROJECTS.**—The Secretary may carry out an aquatic ecosystem restoration project under this section if the project—

(1) is consistent with the management plan developed under subsection (b); and

(2) provides for—

(A) the restoration of degraded aquatic habitat (including coastal, saltmarsh, benthic, and riverine habitat);

(B) the restoration of geographical or ecological areas of concern, including the restoration of natural river and stream characteristics;

(C) the improvement of water quality; or

(D) other projects or activities determined to be appropriate by the Secretary.

(d) **COST SHARING.**—

(1) **MANAGEMENT PLAN.**—The management plan developed under subsection (b) shall be completed at Federal expense.

(2) **RESTORATION PROJECTS.**—The non-Federal share of the cost of a project carried out under this section shall be 35 percent.

(e) **COST LIMITATION.**—Not more than \$10,000,000 in Federal funds may be allocated under this section for an eligible project.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section (including funds for the completion of the management plan) \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 5003. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

Section 510 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3759; 121 Stat. 1202) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “pilot program” and inserting “program”; and

(ii) by inserting “in the basin States described in subsection (f) and the District of Columbia” after “interests”; and

(B) by striking paragraph (2) and inserting the following:

“(2) **FORM.**—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chesapeake Bay estuary, based on the comprehensive plan under subsection (b), including projects for—

- “(A) sediment and erosion control;
- “(B) protection of eroding shorelines;
- “(C) ecosystem restoration, including restoration of submerged aquatic vegetation;
- “(D) protection of essential public works;
- “(E) beneficial uses of dredged material; and
- “(F) other related projects that may enhance the living resources of the estuary.”;

(2) by striking subsection (b) and inserting the following:

“(b) **COMPREHENSIVE PLAN.**—

“(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2013, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chesapeake Bay restoration plan

to guide the implementation of projects under subsection (a)(2).

“(2) **COORDINATION.**—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and non-governmental organizations.

“(3) **PRIORITIZATION.**—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will also improve water quality or quantity or use natural hydrological features and systems.

“(4) **ADMINISTRATION.**—The Federal share of the costs of carrying out paragraph (1) shall be 75 percent.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “to provide” and all that follows through the period at the end and inserting “for the design and construction of a project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b).”;

(B) in paragraph (2)(A), by striking “facilities or resource protection and development plan” and inserting “resource protection and restoration plan”; and

(C) by adding at the end the following:

“(3) **PROJECTS ON FEDERAL LAND.**—A project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b) that is located on Federal land shall be carried out at the expense of the Federal agency that owns the land on which the project will be a carried out.

“(4) **NON-FEDERAL CONTRIBUTIONS.**—A Federal agency carrying out a project described in paragraph (3) may accept contributions of funds from non-Federal entities to carry out that project.”;

(4) by striking subsection (e) and inserting the following:

“(e) **COOPERATION.**—In carrying out this section, the Secretary shall cooperate with—

“(1) the heads of appropriate Federal agencies, including—

“(A) the Administrator of the Environmental Protection Agency;

“(B) the Secretary of Commerce, acting through the Administrator of the National Oceanographic and Atmospheric Administration;

“(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

“(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

“(2) agencies of a State or political subdivision of a State, including the Chesapeake Bay Commission.”;

(5) by striking subsection (f) and inserting the following:

“(f) **PROJECTS.**—The Secretary shall establish, to the maximum extent practicable, at least 1 project under this section in—

“(1) regions within the Chesapeake Bay watershed of each of the basin States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia; and

“(2) the District of Columbia.”;

(6) by striking subsection (h); and

(7) by redesignating subsection (i) as subsection (h).

SEC. 5004. RIO GRANDE ENVIRONMENTAL MANAGEMENT PROGRAM, COLORADO, NEW MEXICO, TEXAS.

Section 5056 of the Water Resources Development Act of 2007 (121 Stat. 1213) is amended—

(1) in subsection (b)(2)—

(A) in the matter preceding subparagraph (A), by striking “2008” and inserting “2014”; and

(B) in subparagraph (C), by inserting “and an assessment of needs for other related purposes in

the Rio Grande Basin, including flood damage reduction” after “assessment”;

(2) in subsection (c)(2)—

(A) by striking “an interagency agreement with” and inserting “1 or more interagency agreements with the Secretary of State and”; and

(B) by inserting “or the U.S. Section of the International Boundary and Water Commission” after “the Department of the Interior”; and

(3) in subsection (f), by striking “2011” and inserting “2024”.

SEC. 5005. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ECOSYSTEM RESTORATION, OREGON AND WASHINGTON.

Section 536(g) of the Water Resources Development Act of 2000 (114 Stat. 2661) is amended by striking “\$30,000,000” and inserting “\$75,000,000”.

SEC. 5006. ARKANSAS RIVER, ARKANSAS AND OKLAHOMA.

(a) **PROJECT GOAL.**—The goal for operation of the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma, shall be to maximize the use of the system in a balanced approach that incorporates advice from representatives from all project purposes to ensure that the full value of the system is realized by the United States.

(b) **MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Secretary shall establish an advisory committee for the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma, project authorized by the Act of July 24, 1946 (60 Stat. 635, chapter 595).

(2) **DUTIES.**—The advisory committee shall—

(A) serve in an advisory capacity only; and

(B) provide information and recommendations to the Corps of Engineers relating to the efficiency, reliability, and availability of the operations of the McClellan-Kerr Arkansas River navigation system.

(3) **SELECTION AND COMPOSITION.**—The advisory committee shall be—

(A) selected jointly by the Little Rock district engineer and the Tulsa district engineer; and

(B) composed of members that equally represent the McClellan-Kerr Arkansas River navigation system project purposes.

(4) **AGENCY RESOURCES.**—The Little Rock district and the Tulsa district of the Corps of Engineers, under the supervision of the southwestern division, shall jointly provide the advisory committee with adequate staff assistance, facilities, and resources.

(5) **TERMINATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the advisory committee shall terminate on the date on which the Secretary submits a report to Congress demonstrating increases in the efficiency, reliability, and availability of the McClellan-Kerr Arkansas River navigation system.

(B) **RESTRICTION.**—The advisory committee shall terminate not less than 2 calendar years after the date on which the advisory committee is established.

SEC. 5007. AQUATIC INVASIVE SPECIES PREVENTION AND MANAGEMENT; COLUMBIA RIVER BASIN.

(a) **IN GENERAL.**—The Secretary may establish a program to prevent and manage aquatic invasive species in the Columbia River Basin in the States of Idaho, Montana, Oregon, and Washington.

(b) **WATERCRAFT INSPECTION STATIONS.**—

(1) **IN GENERAL.**—In carrying out this section, the Secretary shall establish watercraft inspection stations in the Columbia River Basin to be

located in the States of Idaho, Montana, Oregon, and Washington at locations, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species into reservoirs operated and maintained by the Secretary.

(2) **INCLUSIONS.**—Locations identified under paragraph (1) may include—

- (A) State border crossings;
- (B) international border crossings; and
- (C) highway entry points that are used by owners of watercraft to access boat launch facilities owned or managed by the Secretary.

(3) **COST-SHARE.**—The non-Federal share of the cost of operating and maintaining watercraft inspection stations described in paragraph (1) (including personnel costs) shall be 50 percent.

(4) **OTHER INSPECTION SITES.**—The Secretary may establish watercraft inspection stations using amounts made available to carry out this section in States other than those described in paragraph (1) at or near boat launch facilities that the Secretary determines are regularly used by watercraft to enter the States described in paragraph (1).

(c) **MONITORING AND CONTINGENCY PLANING.**—The Secretary shall—

(1) carry out risk assessments of each major public and private water resources facility in the Columbia River Basin;

(2) establish an aquatic invasive species monitoring program in the Columbia River Basin;

(3) establish a Columbia River Basin watershed-wide plan for expedited response to an infestation of aquatic invasive species; and

(4) monitor water quality, including sediment cores and fish tissue samples, at facilities owned or managed by the Secretary in the Columbia River Basin.

(d) **COORDINATION.**—In carrying out this section, the Secretary shall consult and coordinate with—

- (1) the States described in subsection (a);
- (2) Indian tribes; and
- (3) other Federal agencies, including—
 - (A) the Department of Agriculture;
 - (B) the Department of Energy;
 - (C) the Department of Homeland Security;
 - (D) the Department of Commerce; and
 - (E) the Department of the Interior.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$30,000,000, of which \$5,000,000 may be used to carry out subsection (c).

SEC. 5008. UPPER MISSOURI BASIN FLOOD AND DROUGHT MONITORING.

(a) **IN GENERAL.**—The Secretary, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of the Bureau of Reclamation, shall establish a program to provide for—

(1) soil moisture and snowpack monitoring in the Upper Missouri River Basin to reduce flood risk and improve river and water resource management in the Upper Missouri River Basin, as outlined in the February 2013 report entitled “Upper Missouri Basin Monitoring Committee—Snow Sampling and Instrumentation Recommendations”;

(2) restoring and maintaining existing mid- and high-elevation snowpack monitoring sites operated under the SNOTEL program of the Natural Resources Conservation Service; and

(3) operating streamflow gages and related interpretive studies in the Upper Missouri River Basin under the cooperative water program and the national streamflow information program of the United States Geological Service.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$11,250,000.

(c) **USE OF FUNDS.**—Amounts made available to the Secretary under this section shall be used to complement other related activities of Federal agencies that are carried out within the Missouri River Basin.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) identifies progress made by the Secretary and other Federal agencies to implement the recommendations contained in the report described in subsection (a)(1) with respect to enhancing soil moisture and snowpack monitoring in the Upper Missouri Basin; and

(2) includes recommendations to enhance soil moisture and snowpack monitoring in the Upper Missouri Basin.

SEC. 5009. NORTHERN ROCKIES HEADWATERS EXTREME WEATHER MITIGATION.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall establish a program to mitigate the impacts of extreme weather events, such as floods and droughts, on communities, water users, and fish and wildlife located in and along the headwaters of the Columbia, Missouri, and Yellowstone Rivers (including the tributaries of those rivers) in the States of Idaho and Montana by carrying out river, stream, and floodplain protection and restoration projects, including—

- (1) floodplain restoration and reconnection;
- (2) floodplain and riparian area protection through the use of conservation easements;
- (3) instream flow restoration projects;
- (4) fish passage improvements;
- (5) channel migration zone mapping; and
- (6) invasive weed management.

(b) **RESTRICTION.**—All projects carried out using amounts made available to carry out this section shall emphasize the protection and enhancement of natural riverine processes.

(c) **NON-FEDERAL COST SHARE.**—The non-Federal share of the costs of carrying out a project under this section shall not exceed 35 percent of the total cost of the project.

(d) **COORDINATION.**—In carrying out this section, the Secretary—

(1) shall consult and coordinate with the appropriate State natural resource agency in each State; and

(2) may—

- (A) delegate any authority or responsibility of the Secretary under this section to those State natural resource agencies; and
- (B) provide amounts made available to the Secretary to carry out this section to those State natural resource agencies.

(e) **LIMITATIONS.**—Nothing in this section invalidates, preempts, or creates any exception to State water law, State water rights, or Federal or State permitted activities or agreements in the States of Idaho and Montana or any State containing tributaries to rivers in those States.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$30,000,000.

SEC. 5010. AQUATIC NUISANCE SPECIES PREVENTION, GREAT LAKES AND MISSISSIPPI RIVER BASIN.

(a) **IN GENERAL.**—The Secretary is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with any modifications or any emergency measures that the Secretary determines to be appropriate to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

(b) **REPORTS.**—The Secretary shall report to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives any emergency actions taken pursuant to this section.

TITLE VI—LEVEE SAFETY

SEC. 6001. SHORT TITLE.

This title may be cited as the “National Levee Safety Program Act”.

SEC. 6002. FINDINGS; PURPOSES.

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

(1) there is a need to establish a national levee safety program to provide national leadership and encourage the establishment of State and tribal levee safety programs;

(2) according to the National Committee on Levee Safety, “the level of protection and robustness of design and construction of levees vary considerably across the country”;

(3) knowing the location, condition, and ownership of levees, as well as understanding the population and infrastructure at risk in leveed areas, is necessary for identification and prioritization of activities associated with levees;

(4) levees are an important tool for reducing flood risk and should be considered in the context of broader flood risk management efforts;

(5) States and Indian tribes—

(A) are uniquely positioned to oversee, coordinate, and regulate local and regional levee systems; and

(B) should be encouraged to participate in a national levee safety program by establishing individual levee safety programs; and

(6) States, Indian tribes, and local governments that do not invest in protecting the individuals and property located behind levees place those individuals and property at risk.

(b) **PURPOSES.**—The purposes of this title are—

(1) to promote sound technical practices in levee design, construction, operation, inspection, assessment, security, and maintenance;

(2) to ensure effective public education and awareness of risks involving levees;

(3) to establish and maintain a national levee safety program that emphasizes the protection of human life and property; and

(4) to implement solutions and incentives that encourage the establishment of effective State and tribal levee safety programs.

SEC. 6003. DEFINITIONS.

In this title:

(1) **BOARD.**—The term “Board” means the National Levee Safety Advisory Board established under section 6005.

(2) **CANAL STRUCTURE.**—

(A) **IN GENERAL.**—The term “canal structure” means an embankment, wall, or structure along a canal or manmade watercourse that—

- (i) constrains water flows;
- (ii) is subject to frequent water loading; and
- (iii) is an integral part of a flood risk reduction system that protects the leveed area from flood waters associated with hurricanes, precipitation events, seasonal high water, and other weather-related events.

(B) **EXCLUSION.**—The term “canal structure” does not include a barrier across a watercourse.

(3) **FEDERAL AGENCY.**—The term “Federal agency” means a Federal agency that designs, finances, constructs, owns, operates, maintains, or regulates the construction, operation, or maintenance of a levee.

(4) **FLOOD DAMAGE REDUCTION SYSTEM.**—The term “flood damage reduction system” means a system designed and constructed to have appreciable and dependable effects in reducing damage by floodwaters.

(5) **FLOOD MITIGATION.**—The term “flood mitigation” means any structural or nonstructural

measure that reduces risks of flood damage by reducing the probability of flooding, the consequences of flooding, or both.

(6) **FLOODPLAIN MANAGEMENT.**—The term “floodplain management” means the operation of a community program of corrective and preventative measures for reducing flood damage.

(7) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) **LEVEE.**—

(A) **IN GENERAL.**—The term “levee” means a manmade barrier (such as an embankment, floodwall, or other structure)—

(i) the primary purpose of which is to provide hurricane, storm, or flood protection relating to seasonal high water, storm surges, precipitation, or other weather events; and

(ii) that is normally subject to water loading for only a few days or weeks during a calendar year.

(B) **INCLUSIONS.**—The term “levee” includes a levee system, including—

(i) levees and canal structures that—

(I) constrain water flows;

(II) are subject to more frequent water loading; and

(III) do not constitute a barrier across a watercourse; and

(ii) roadway and railroad embankments, but only to the extent that the embankments are integral to the performance of a flood damage reduction system.

(C) **EXCLUSIONS.**—The term “levee” does not include—

(i) a roadway or railroad embankment that is not integral to the performance of a flood damage reduction system;

(ii) a canal constructed completely within natural ground without any manmade structure (such as an embankment or retaining wall to retain water or a case in which water is retained only by natural ground);

(iii) a canal regulated by a Federal or State agency in a manner that ensures that applicable Federal safety criteria are met;

(iv) a levee or canal structure—

(I) that is not a part of a Federal flood damage reduction system;

(II) that is not recognized under the National Flood Insurance Program as providing protection from the 1-percent-annual-chance or greater flood;

(III) that is not greater than 3 feet high;

(IV) the population in the leveed area of which is less than 50 individuals; and

(V) the leveed area of which is less than 1,000 acres; or

(v) any shoreline protection or river bank protection system (such as revetments or barrier islands).

(9) **LEVEE FEATURE.**—The term “levee feature” means a structure that is critical to the functioning of a levee, including—

(A) an embankment section;

(B) a floodwall section;

(C) a closure structure;

(D) a pumping station;

(E) an interior drainage work; and

(F) a flood damage reduction channel.

(10) **LEVEE SAFETY GUIDELINES.**—The term “levee safety guidelines” means the guidelines established by the Secretary under section 6004(c)(1).

(11) **LEVEE SEGMENT.**—The term “levee segment” means a discrete portion of a levee system that is owned, operated, and maintained by a single entity or discrete set of entities.

(12) **LEVEE SYSTEM.**—The term “levee system” means 1 or more levee segments, including all levee features that are interconnected and necessary to ensure protection of the associated leveed areas—

(A) that collectively provide flood damage reduction to a defined area; and

(B) the failure of 1 of which may result in the failure of the entire system.

(13) **LEVEED AREA.**—The term “leveed area” means the land from which flood water in the adjacent watercourse is excluded by the levee system.

(14) **NATIONAL LEVEE DATABASE.**—The term “national levee database” means the levee database established under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303).

(15) **PARTICIPATING PROGRAM.**—The term “participating program” means a levee safety program developed by a State or Indian tribe that includes the minimum components necessary for recognition by the Secretary.

(16) **REHABILITATION.**—The term “rehabilitation” means the repair, replacement, reconstruction, or removal of a levee that is carried out to meet national levee safety guidelines.

(17) **RISK.**—The term “risk” means a measure of the probability and severity of undesirable consequences.

(18) **SECRETARY.**—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(19) **STATE.**—The term “State” means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

SEC. 6004. NATIONAL LEVEE SAFETY PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall establish a national levee safety program to provide national leadership and consistent approaches to levee safety, including—

(1) a national levee database;

(2) an inventory and inspection of Federal and non-Federal levees;

(3) national levee safety guidelines;

(4) a hazard potential classification system for Federal and non-Federal levees;

(5) research and development;

(6) a national public education and awareness program, with an emphasis on communication regarding the residual risk to communities protected by levees and levee systems;

(7) coordination of levee safety, floodplain management, and environmental protection activities;

(8) development of State and tribal levee safety programs; and

(9) the provision of technical assistance and materials to States and Indian tribes relating to—

(A) developing levee safety programs;

(B) identifying and reducing flood risks associated with residual risk to communities protected by levees and levee systems;

(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

(b) **MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall appoint—

(A) an administrator of the national levee safety program; and

(B) such staff as is necessary to implement the program.

(2) **ADMINISTRATOR.**—The sole duty of the administrator appointed under paragraph (1)(A) shall be the management of the national levee safety program.

(c) **LEVEE SAFETY GUIDELINES.**—

(1) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with State and local governments and organizations with expertise in levee safety, shall establish a set of voluntary, comprehensive, national levee safety guidelines that—

(A) are available for common, uniform use by all Federal, State, tribal, and local agencies;

(B) incorporate policies, procedures, standards, and criteria for a range of levee types, canal structures, and related facilities and features; and

(C) provide for adaptation to local, regional, or watershed conditions.

(2) **REQUIREMENT.**—The policies, procedures, standards, and criteria under paragraph (1)(B) shall be developed taking into consideration the levee hazard potential classification system established under subsection (d).

(3) **ADOPTION BY FEDERAL AGENCIES.**—All Federal agencies shall consider the levee safety guidelines in activities relating to the management of levees.

(4) **PUBLIC COMMENT.**—Prior to finalizing the guidelines under this subsection, the Secretary shall—

(A) issue draft guidelines for public comment; and

(B) consider any comments received in the development of final guidelines.

(d) **HAZARD POTENTIAL CLASSIFICATION SYSTEM.**—

(1) **ESTABLISHMENT.**—The Secretary shall establish a hazard potential classification system for use under the national levee safety program and participating programs.

(2) **REVISION.**—The Secretary shall review and, as necessary, revise the hazard potential classification system not less frequently than once every 5 years.

(3) **CONSISTENCY.**—The hazard potential classification system established pursuant to this subsection shall be consistent with and incorporated into the levee safety action classification tool developed by the Corps of Engineers.

(e) **TECHNICAL ASSISTANCE AND MATERIALS.**—

(1) **ESTABLISHMENT.**—The Secretary, in coordination with the Board, shall establish a national levee safety technical assistance and training program to develop and deliver technical support and technical assistance materials, curricula, and training in order to promote levee safety and assist States, communities, and levee owners in—

(A) developing levee safety programs;

(B) identifying and reducing flood risks associated with levees;

(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

(2) **USE OF SERVICES.**—In establishing the national levee safety training program under paragraph (1), the Secretary may use the services of—

(A) the Corps of Engineers;

(B) the Federal Emergency Management Agency;

(C) the Bureau of Reclamation; and

(D) other appropriate Federal agencies, as determined by the Secretary.

(f) **COMPREHENSIVE NATIONAL PUBLIC EDUCATION AND AWARENESS CAMPAIGN.**—

(1) **ESTABLISHMENT.**—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency and the Board,

shall establish a national public education and awareness campaign relating to the national levee safety program.

(2) **PURPOSES.**—The purposes of the campaign under paragraph (1) are—

(A) to educate individuals living in leveed areas regarding the risks of living in those areas;

(B) to promote consistency in the transmission of information regarding levees among government agencies; and

(C) to provide national leadership regarding risk communication for implementation at the State and local levels.

(g) **COORDINATION OF LEVEE SAFETY, FLOODPLAIN MANAGEMENT, AND ENVIRONMENTAL CONCERNS.**—The Secretary, in coordination with the Board, shall evaluate opportunities to coordinate—

(1) public safety, floodplain management, and environmental protection activities relating to levees; and

(2) environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws.

(h) **LEVEE INSPECTION.**—

(1) **IN GENERAL.**—The Secretary shall carry out a one-time inventory and inspection of all levees identified in the national levee database.

(2) **NO FEDERAL INTEREST.**—The inventory and inspection under paragraph (1) does not create a Federal interest in the construction, operation, or maintenance any levee that is included in the inventory or inspected under this subsection.

(3) **INSPECTION CRITERIA.**—In carrying out the inventory and inspection, the Secretary shall use the levee safety action classification criteria to determine whether a levee should be classified in the inventory as requiring a more comprehensive inspection.

(4) **STATE AND TRIBAL PARTICIPATION.**—At the request of a State or Indian tribe with respect to any levee subject to inspection under this subsection, the Secretary shall—

(A) allow an official of the State or Indian tribe to participate in the inspection of the levee; and

(B) provide information to the State or Indian tribe relating to the location, construction, operation, or maintenance of the levee.

(5) **EXCEPTIONS.**—In carrying out the inventory and inspection under this subsection, the Secretary shall not be required to inspect any levee that has been inspected by a State or Indian tribe using the same methodology described in paragraph (3) during the 1-year period immediately preceding the date of enactment of this Act if the Governor of the State or tribal government, as applicable, requests an exemption from the inspection.

(i) **STATE AND TRIBAL LEVEE SAFETY PROGRAM.**—

(1) **GUIDELINES.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, in coordination with the Board, the Secretary shall issue guidelines that establish the minimum components necessary for recognition of a State or tribal levee safety program as a participating program.

(B) **GUIDELINE CONTENTS.**—The guidelines under subparagraph (A) shall include provisions and procedures requiring each participating State and Indian tribe to certify to the Secretary that the State or Indian tribe, as applicable—

(i) has the authority to participate in the national levee safety program;

(ii) can receive funds under this title;

(iii) has adopted any national levee safety guidelines developed under this title;

(iv) will carry out levee inspections;

(v) will carry out, consistent with applicable requirements, flood risk management and any

emergency action planning procedures the Secretary determines to be necessary relating to levees;

(vi) will carry out public education and awareness activities consistent with the national public education and awareness campaign established under subsection (f); and

(vii) will collect and share information regarding the location and condition of levees.

(C) **PUBLIC COMMENT.**—Prior to finalizing the guidelines under this paragraph, the Secretary shall—

(i) issue draft guidelines for public comment; and

(ii) consider any comments received in the development of final guidelines.

(2) **GRANT PROGRAM.**—

(A) **ESTABLISHMENT.**—The Secretary shall establish a program under which the Secretary shall provide grants to assist States and Indian tribes in establishing participating programs, conducting levee inventories, and carrying out this title.

(B) **REQUIREMENTS.**—To be eligible to receive grants under this section, a State or Indian tribe shall—

(i) meet the requirements of a participating program established by the guidelines issued under paragraph (1);

(ii) use not less than 25 percent of any amounts received to identify and assess non-Federal levees within the State or on land of the Indian tribe;

(iii) submit to the Secretary any information collected by the State or Indian tribe in carrying out this subsection for inclusion in the national levee safety database; and

(iv) identify actions to address hazard mitigation activities associated with levees and leveed areas identified in the hazard mitigation plan of the State approved by the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(j) **LEVEE REHABILITATION ASSISTANCE PROGRAM.**—

(1) **ESTABLISHMENT.**—The Secretary shall establish a program under which the Secretary shall provide assistance to States, Indian tribes, and local governments in addressing flood mitigation activities that result in an overall reduction in flood risk.

(2) **REQUIREMENTS.**—To be eligible to receive assistance under this subsection, a State, Indian tribe, or local government shall—

(A) participate in, and comply with, all applicable Federal floodplain management and flood insurance programs;

(B) have in place a hazard mitigation plan that—

(i) includes all levee risks; and

(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

(C) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

(D) comply with such minimum eligibility requirements as the Secretary, in consultation with the Board, may establish to ensure that each owner and operator of a levee under a participating State or tribal levee safety program—

(i) acts in accordance with the guidelines developed in subsection (c); and

(ii) carries out activities relating to the public in the leveed area in accordance with the hazard mitigation plan described in subparagraph (B).

(3) **FLOODPLAIN MANAGEMENT PLANS.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of execution of a project agreement for assistance under this subsection, a State, Indian tribe, or local government shall prepare a floodplain management plan in accordance with the guidelines under subparagraph (D) to reduce

the impacts of future flood events in each applicable leveed area.

(B) **INCLUSIONS.**—A plan under subparagraph (A) shall address potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in each applicable leveed area.

(C) **IMPLEMENTATION.**—Not later than 1 year after the date of completion of construction of the applicable project, a floodplain management plan prepared under subparagraph (A) shall be implemented.

(D) **GUIDELINES.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop such guidelines for the preparation of floodplain management plans prepared under this paragraph as the Secretary determines to be appropriate.

(E) **TECHNICAL SUPPORT.**—The Secretary may provide technical support for the development and implementation of floodplain management plans prepared under this paragraph.

(4) **USE OF FUNDS.**—

(A) **IN GENERAL.**—Assistance provided under this subsection may be used—

(i) for any rehabilitation activity to maximize overall risk reduction associated with a levee under a participating State or tribal levee safety program; and

(ii) only for a levee that is not federally operated and maintained.

(B) **PROHIBITION.**—Assistance provided under this subsection shall not be used—

(i) to perform routine operation or maintenance for a levee; or

(ii) to make any modification to a levee that does not result in an improvement to public safety.

(5) **NO PROPRIETARY INTEREST.**—A contract for assistance provided under this subsection shall not be considered to confer any proprietary interest on the United States.

(6) **COST-SHARE.**—The maximum Federal share of the cost of any assistance provided under this subsection shall be 65 percent.

(7) **PROJECT LIMIT.**—The maximum amount of Federal assistance for a project under this subsection shall be \$10,000,000.

(8) **OTHER LAWS.**—Assistance provided under this subsection shall be subject to all applicable laws (including regulations) that apply to the construction of a civil works project of the Corps of Engineers.

(k) **EFFECT OF SECTION.**—Nothing in this section—

(1) affects the requirement under section 100226(b)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942); or

(2) confers any regulatory authority on—

(A) the Secretary; or

(B) the Director of the Federal Emergency Management Agency, including for the purpose of setting premium rates under the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

SEC. 6005. NATIONAL LEVEE SAFETY ADVISORY BOARD.

(a) **ESTABLISHMENT.**—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall establish a board, to be known as the “National Levee Safety Advisory Board”—

(1) to advise the Secretary and Congress regarding consistent approaches to levee safety;

(2) to monitor the safety of levees in the United States;

(3) to assess the effectiveness of the national levee safety program; and

(4) to ensure that the national levee safety program is carried out in a manner that is consistent with other Federal flood risk management efforts.

(b) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Board shall be composed of the following 14 voting members, each of whom shall be appointed by the Secretary, with priority consideration given to representatives from those States that have the most Corps of Engineers levees in the State, based on mileage:

(A) 8 representatives of State levee safety programs, 1 from each of the civil works divisions of the Corps of Engineers.

(B) 2 representatives of the private sector who have expertise in levee safety.

(C) 2 representatives of local and regional governmental agencies who have expertise in levee safety.

(D) 2 representatives of Indian tribes who have expertise in levee safety.

(2) NONVOTING MEMBERS.—The Secretary (or a designee of the Secretary), the Administrator of the Federal Emergency Management Agency (or a designee of the Administrator), and the administrator of the national levee safety program appointed under section 6004(b)(1)(A) shall serve as nonvoting members of the Board.

(3) CHAIRPERSON.—The voting members of the Board shall appoint a chairperson from among the voting members of the Board, to serve a term of not more than 2 years.

(c) QUALIFICATIONS.—

(1) INDIVIDUALS.—Each voting member of the Board shall be knowledgeable in the field of levee safety, including water resources and flood risk management.

(2) AS A WHOLE.—The membership of the Board, considered as a whole, shall represent the diversity of skills required to advise the Secretary regarding levee issues relating to—

- (A) engineering;
- (B) public communications;
- (C) program development and oversight;
- (D) with respect to levees, flood risk management and hazard mitigation; and
- (E) public safety and the environment.

(d) TERMS OF SERVICE.—

(1) IN GENERAL.—A voting member of the Board shall be appointed for a term of 3 years, except that, of the members first appointed—

- (A) 5 shall be appointed for a term of 1 year;
- (B) 5 shall be appointed for a term of 2 years; and

(C) 4 shall be appointed for a term of 3 years.

(2) REAPPOINTMENT.—A voting member of the Board may be reappointed to the Board, as the Secretary determines to be appropriate.

(3) VACANCIES.—A vacancy on the Board shall be filled in the same manner as the original appointment was made.

(e) STANDING COMMITTEES.—

(1) IN GENERAL.—The Board shall be supported by Standing Committees, which shall be comprised of volunteers from all levels of government and the private sector, to advise the Board regarding the national levee safety program.

(2) ESTABLISHMENT.—The Standing Committees of the Board shall include—

(A) the Standing Committee on Participating Programs, which shall advise the Board regarding—

- (i) the development and implementation of State and tribal levee safety programs; and
- (ii) appropriate incentives (including financial assistance) to be provided to States, Indian tribes, and local and regional entities;

(B) the Standing Committee on Technical Issues, which shall advise the Board regarding—

- (i) the management of the national levee database;
- (ii) the development and maintenance of levee safety guidelines;
- (iii) processes and materials for developing levee-related technical assistance and training; and

(iv) research and development activities relating to levee safety;

(C) the Standing Committee on Public Education and Awareness, which shall advise the Board regarding the development, implementation, and evaluation of targeted public outreach programs—

- (i) to gather public input;
- (ii) to educate and raise awareness in leveed areas of levee risks;
- (iii) to communicate information regarding participating programs; and
- (iv) to track the effectiveness of public education efforts relating to levee risks;

(D) the Standing Committee on Safety and Environment, which shall advise the Board regarding—

- (i) operation and maintenance activities for existing levee projects;
- (ii) opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees;
- (iii) opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and
- (iv) opportunities for collaboration by environmental protection and public safety interests in leveed areas and adjacent areas; and

(E) such other standing committees as the Secretary, in consultation with the Board, determines to be necessary.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall recommend to the Secretary for approval individuals for membership on the Standing Committees.

(B) QUALIFICATIONS.—

(i) INDIVIDUALS.—Each member of a Standing Committee shall be knowledgeable in the issue areas for which the Committee is charged with advising the Board.

(ii) AS A WHOLE.—The membership of each Standing Committee, considered as a whole, shall represent, to the maximum extent practicable, broad geographical diversity.

(C) LIMITATION.—Each Standing Committee shall be comprised of not more than 10 members.

(f) DUTIES AND POWERS.—The Board—

(1) shall submit to the Secretary and Congress an annual report regarding the effectiveness of the national levee safety program in accordance with section 6007; and

(2) may secure from other Federal agencies such services, and enter into such contracts, as the Board determines to be necessary to carry out this subsection.

(g) TASK FORCE COORDINATION.—The Board shall, to the maximum extent practicable, coordinate the activities of the Board with the Federal Interagency Floodplain Management Task Force.

(h) COMPENSATION.—

(1) FEDERAL EMPLOYEES.—Each member of the Board who is an officer or employee of the United States shall serve without compensation in addition to compensation received for the services of the member as an officer or employee of the United States, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(2) NON-FEDERAL EMPLOYEES.—To the extent amounts are made available to carry out this section in appropriations Acts, the Secretary shall provide to each member of the Board who is not an officer or employee of the United States a stipend and a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of

the member in performance of services for the Board.

(3) STANDING COMMITTEE MEMBERS.—Each member of a Standing Committee shall—

- (A) serve in a voluntary capacity; but
- (B) receive a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Board.

(i) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board or the Standing Committees.

SEC. 6006. INVENTORY AND INSPECTION OF LEVEES.

Section 9004(a)(2)(A) of the Water Resources Development Act of 2007 (33 U.S.C. 3303(a)(2)(A)) is amended by striking ‘‘and, for non-Federal levees, such information on levee location as is provided to the Secretary by State and local governmental agencies’’ and inserting ‘‘and updated levee information provided by States, Indian tribes, Federal agencies, and other entities’’.

SEC. 6007. REPORTS.

(a) STATE OF LEVEES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Secretary in coordination with the Board, shall submit to Congress a report describing the state of levees in the United States and the effectiveness of the national levee safety program, including—

- (A) progress achieved in implementing the national levee safety program;
- (B) State and tribal participation in the national levee safety program;
- (C) recommendations to improve coordination of levee safety, floodplain management, and environmental protection concerns, including—

(i) identifying and evaluating opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees; and

(ii) evaluating opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and

(D) any recommendations for legislation and other congressional actions necessary to ensure national levee safety.

(2) INCLUSION.—Each report under paragraph (1) shall include a report of the Board that describes the independent recommendations of the Board for the implementation of the national levee safety program.

(b) NATIONAL DAM AND LEVEE SAFETY PROGRAM.—Not later than 3 years after the date of enactment of this Act, to the maximum extent practicable, the Secretary, in coordination with the Board, shall submit to Congress a report that includes recommendations regarding the advisability and feasibility of, and potential approaches for, establishing a joint national dam and levee safety program.

(c) ALIGNMENT OF FEDERAL PROGRAMS RELATING TO LEVEES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on opportunities for alignment of Federal programs to provide incentives to State, tribal, and local governments and individuals and entities—

- (1) to promote shared responsibility for levee safety;
- (2) to encourage the development of strong State and tribal levee safety programs;
- (3) to better align the national levee safety program with other Federal flood risk management programs; and
- (4) to promote increased levee safety through other Federal programs providing assistance to State and local governments.

(d) **LIABILITY FOR CERTAIN LEVEE ENGINEERING PROJECTS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes recommendations that identify and address any legal liability associated with levee engineering projects that prevent—

(1) levee owners from obtaining needed levee engineering services; or

(2) development and implementation of a State or tribal levee safety program.

SEC. 6008. EFFECT OF TITLE.

Nothing in this title—

(1) establishes any liability of the United States or any officer or employee of the United States (including the Board and the Standing Committees of the Board) for any damages caused by any action or failure to act; or

(2) relieves an owner or operator of a levee of any legal duty, obligation, or liability incident to the ownership or operation of the levee.

SEC. 6009. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this title—

(1) for funding the administration and staff of the national levee safety program, the Board, the Standing Committees of the Board, and participating programs, \$5,000,000 for each of fiscal years 2014 through 2023;

(2) for technical programs, including the development of levee safety guidelines, publications, training, and technical assistance—

(A) \$5,000,000 for each of fiscal years 2014 through 2018;

(B) \$7,500,000 for each of fiscal years 2019 and 2020; and

(C) \$10,000,000 for each of fiscal years 2021 through 2023;

(3) for public involvement and education programs, \$3,000,000 for each of fiscal years 2014 through 2023;

(4) to carry out the levee inventory and inspections under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303), \$30,000,000 for each of fiscal years 2014 through 2018;

(5) for grants to State and tribal levee safety programs, \$300,000,000 for fiscal years 2014 through 2023; and

(6) for levee rehabilitation assistance grants, \$300,000,000 for fiscal years 2014 through 2023.

TITLE VII—INLAND WATERWAYS

SEC. 7001. PURPOSES.

The purposes of this title are—

(1) to improve program and project management relating to the construction and major rehabilitation of navigation projects on inland waterways;

(2) to optimize inland waterways navigation system reliability;

(3) to minimize the size and scope of inland waterways navigation project completion schedules;

(4) to eliminate preventable delays in inland waterways navigation project completion schedules; and

(5) to make inland waterways navigation capital investments through the use of prioritization criteria that seek to maximize systemwide benefits and minimize overall system risk.

SEC. 7002. DEFINITIONS.

In this title:

(1) **INLAND WATERWAYS TRUST FUND.**—The term “Inland Waterways Trust Fund” means the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) **QUALIFYING PROJECT.**—The term “qualifying project” means any construction or major rehabilitation project for navigation infrastructure of the inland and intracoastal waterways that is—

(A) authorized before, on, or after the date of enactment of this Act;

(B) not completed on the date of enactment of this Act; and

(C) funded at least in part from the Inland Waterways Trust Fund.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

SEC. 7003. PROJECT DELIVERY PROCESS REFORMS.

(a) **REQUIREMENTS FOR QUALIFYING PROJECTS.**—With respect to each qualifying project, the Secretary shall require—

(1) formal project management training and certification for each project manager;

(2) assignment as project manager only of personnel fully certified by the Chief of Engineers; and

(3) for an applicable cost estimation, that—

(A) the estimation—

(i) is risk-based; and

(ii) has a confidence level of at least 80 percent; and

(B) a risk-based cost estimate shall be implemented—

(i) for a qualified project that requires an increase in the authorized amount in accordance with section 902 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4183), during the preparation of a post-authorization change report or other similar decision document;

(ii) for a qualified project for which the first construction contract has not been awarded, prior to the award of the first construction contract;

(iii) for a qualified project without a completed Chief of Engineers report, prior to the completion of such a report; and

(iv) for a qualified project with a completed Chief of Engineers report that has not yet been authorized, during design for the qualified project.

(b) **ADDITIONAL PROJECT DELIVERY PROCESS REFORMS.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(1) establish a system to identify and apply on a continuing basis lessons learned from prior or ongoing qualifying projects to improve the likelihood of on-time and on-budget completion of qualifying projects;

(2) evaluate early contractor involvement acquisition procedures to improve on-time and on-budget project delivery performance; and

(3) implement any additional measures that the Secretary determines will achieve the purposes of this title and the amendments made by this title, including, as the Secretary determines to be appropriate—

(A) the implementation of applicable practices and procedures developed pursuant to management by the Secretary of an applicable military construction program;

(B) the establishment of 1 or more centers of expertise for the design and review of qualifying projects;

(C) the development and use of a portfolio of standard designs for inland navigation locks;

(D) the use of full-funding contracts or formulation of a revised continuing contracts clause; and

(E) the establishment of procedures for recommending new project construction starts using a capital projects business model.

(c) **PILOT PROJECTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary may carry out 1 or more pilot projects to evaluate processes or procedures for the study, design, or construction of qualifying projects.

(2) **INCLUSIONS.**—At a minimum, the Secretary shall carry out pilot projects under this subsection to evaluate—

(A) early contractor involvement in the development of features and components;

(B) an appropriate use of continuing contracts for the construction of features and components; and

(C) applicable principles, procedures, and processes used for military construction projects.

(d) **INLAND WATERWAYS USER BOARD.**—Section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **DUTIES OF USERS BOARD.**—

“(1) **IN GENERAL.**—The Users Board shall meet not less frequently than semiannually to develop and make recommendations to the Secretary and Congress regarding the inland waterways and inland harbors of the United States.

“(2) **ADVICE AND RECOMMENDATIONS.**—For commercial navigation features and components of the inland waterways and inland harbors of the United States, the Users Board shall provide—

“(A) prior to the development of the budget proposal of the President for a given fiscal year, advice and recommendations to the Secretary regarding construction and rehabilitation priorities and spending levels;

“(B) advice and recommendations to Congress regarding any report of the Chief of Engineers relating to those features and components;

“(C) advice and recommendations to Congress regarding an increase in the authorized cost of those features and components;

“(D) not later than 60 days after the date of the submission of the budget proposal of the President to Congress, advice and recommendations to Congress regarding construction and rehabilitation priorities and spending levels; and

“(E) a long-term capital investment program in accordance with subsection (d).

“(3) **PROJECT DEVELOPMENT TEAMS.**—The chairperson of the Users Board shall appoint a representative of the Users Board to serve on the project development team for a qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

“(4) **INDEPENDENT JUDGMENT.**—Any advice or recommendation made by the Users Board to the Secretary shall reflect the independent judgment of the Users Board.”;

(2) by redesignating subsection (c) as subsection (f); and

(3) by inserting after subsection (b) the following:

“(c) **DUTIES OF SECRETARY.**—The Secretary shall—

“(1) communicate not less than once each quarter to the Users Board the status of the study, design, or construction of all commercial navigation features or components of the inland waterways or inland harbors of the United States; and

“(2) submit to the Users Board a courtesy copy of all reports of the Chief of Engineers relating to a commercial navigation feature or component of the inland waterways or inland harbors of the United States.

“(d) **CAPITAL INVESTMENT PROGRAM.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Users Board, shall develop, and submit to Congress a report describing, a 20-year program for making capital investments on the inland and intracoastal waterways, based on the application of objective, national project selection prioritization criteria.

“(2) **CONSIDERATION.**—In developing the program under paragraph (1), the Secretary shall take into consideration the 20-year capital investment strategy contained in the Inland Marine Transportation System (IMTS) Capital

Projects Business Model, Final Report published on April 13, 2010, as approved by the Users Board.

“(3) **CRITERIA.**—In developing the plan and prioritization criteria under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that investments made under the 20-year program described in paragraph (1)—

“(A) are made in all geographical areas of the inland waterways system; and

“(B) ensure efficient funding of inland waterways projects.

“(4) **STRATEGIC REVIEW AND UPDATE.**—Not later than 5 years after the date of enactment of this subsection, and not less frequently than once every 5 years thereafter, the Secretary, in conjunction with the Users Board, shall—

“(A) submit to Congress a strategic review of the 20-year program in effect under this subsection, which shall identify and explain any changes to the project-specific recommendations contained in the previous 20-year program (including any changes to the prioritization criteria used to develop the updated recommendations); and

“(B) make such revisions to the program as the Secretary and Users Board jointly consider to be appropriate.

“(e) **PROJECT MANAGEMENT PLANS.**—The chairperson of the Users Board and the project development team member appointed by the chairperson under subsection (b)(3) shall sign the project management plan for the qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.”.

SEC. 7004. MAJOR REHABILITATION STANDARDS.

(a) **IN GENERAL.**—The Secretary shall develop a methodology for applying standard accounting principles when classifying activities as major rehabilitation projects.

(b) **EVALUATIONS.**—The Secretary shall evaluate the effect of applying the methodology developed under subsection (a) to not less than 3 qualifying projects.

(c) **REPORT.**—The Secretary shall submit to Congress a report on the evaluation under subsection (b).

SEC. 7005. INLAND WATERWAYS SYSTEM REVENUES.

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

(1) there are approximately 12,000 miles of Federal waterways, known as the inland waterways system, that are supported by user fees and managed by the Corps of Engineers;

(2) the inland waterways system spans 38 States and handles approximately one-half of all inland waterway freight;

(3) according to the final report of the Inland Marine Transportation System Capital Projects Business Model, freight traffic on the Federal fuel-taxed inland waterways system accounts for 546,000,000 tons of freight each year;

(4) expenditures for construction and major rehabilitation projects on the inland waterways system are equally cost-shared between the Federal Government and the Inland Waterways Trust Fund;

(5) the Inland Waterways Trust Fund is financed through a fee of \$0.20 per gallon on fuel used by commercial barges;

(6) the balance of the Inland Waterways Trust Fund has declined significantly in recent years;

(7) according to the final report of the Inland Marine Transportation System Capital Projects Business Model, the estimated financial need for construction and major rehabilitation projects on the inland waterways system for fiscal years 2011 through 2030 is approximately \$18,000,000,000; and

(8) users of the inland waterways system are supportive of an increase in the existing revenue sources for inland waterways system construc-

tion and major rehabilitation activities to expedite the most critical of those construction and major rehabilitation projects.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the existing revenue sources for inland waterways system construction and rehabilitation activities are insufficient to cover the costs of non-Federal interests of construction and major rehabilitation projects on the inland waterways system; and

(2) the issue described in paragraph (1) should be addressed.

SEC. 7006. EFFICIENCY OF REVENUE COLLECTION.

Not later than 2 years after the date of enactment of this Act, the Comptroller General shall prepare a report on the efficiency of collecting the fuel tax for the Inland Waterways Trust Fund, which shall include—

(1) an evaluation of whether current methods of collection of the fuel tax result in full compliance with requirements of the law;

(2) whether alternative methods of collection would result in increased revenues into the Inland Waterways Trust Fund; and

(3) an evaluation of alternative collection options.

TITLE VIII—HARBOR MAINTENANCE

SEC. 8001. SHORT TITLE.

This title may be cited as the “Harbor Maintenance Trust Fund Act of 2013”.

SEC. 8002. PURPOSES.

The purposes of this title are—

(1) to ensure that revenues collected into the Harbor Maintenance Trust Fund are used for the intended purposes of those revenues;

(2) to increase investment in the operation and maintenance of United States ports, which are critical for the economic competitiveness of the United States;

(3) to promote equity among ports nationwide; and

(4) to ensure United States ports are prepared to meet modern shipping needs, including the capability to receive large ships that require deeper drafts.

SEC. 8003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) **HARBOR MAINTENANCE TRUST FUND GUARANTEE.**—

(1) **IN GENERAL.**—The total budget resources made available from the Harbor Maintenance Trust Fund each fiscal year pursuant to section 9505(c) of the Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund) shall be equal to the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year. Such amounts may be used only for harbor maintenance programs described in section 9505(c) of such Code.

(2) **GUARANTEE.**—No funds may be appropriated for harbor maintenance programs described in such section unless the amount described in paragraph (1) has been provided.

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

(1) **TOTAL BUDGET RESOURCES.**—The term “total budget resources” means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.

(2) **LEVEL OF RECEIPTS PLUS INTEREST.**—The term “level of receipts plus interest” means the level of taxes and interest credited to the Harbor Maintenance Trust Fund under section 9505 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Con-

trol Act of 1985 (Public Law 99-177; 99 Stat. 1092) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

(c) **ENFORCEMENT OF GUARANTEES.**—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause total budget resources in a fiscal year for harbor maintenance programs described in subsection (b)(1) for such fiscal year to be less than the amount required by subsection (a)(1) for such fiscal year.

SEC. 8004. HARBOR MAINTENANCE TRUST FUND PRIORITIZATION.

(a) **IN GENERAL.**—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended by adding at the end the following:

“(c) **PRIORITIZATION.**—

“(1) **IN GENERAL.**—Of the amounts made available under this section to carry out projects described in subsection (a)(2), the Secretary of the Army, acting through the Chief of Engineers, shall give priority to those projects in the following order:

“(A) In any fiscal year in which all projects subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or successor regulation) are not maintained to their authorized width and depth, the Secretary shall prioritize amounts made available under this section for those projects that are high-use deep draft.

“(B) In any fiscal year in which the projects described in subparagraph (A) are maintained to their constructed width and depth as of the date of enactment of the Water Resources Development Act of 2013, the Secretary shall prioritize not more than 20 percent of remaining amounts made available under this section for projects—

“(i) that have been maintained at less than their authorized width and depth during the preceding 5 fiscal years; and

“(ii) for which significant State and local investments in infrastructure have been made at those projects.

“(2) **ADMINISTRATION.**—For purposes of this subsection, State and local investments in infrastructure shall include infrastructure investments made using amounts made available for activities under section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)).

“(3) **APPLICATION.**—The prioritization criteria under paragraph (1) shall not be implemented in any fiscal year in which the guarantee in section 8003 of the Water Resources Development Act of 2013 is not fully enforced.”.

(b) **OPERATION AND MAINTENANCE.**—Section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)) is amended—

(1) in paragraph (1), by striking “45 feet” and inserting “50 feet”; and

(2) by adding at the end the following:

“(3) **OPERATION AND MAINTENANCE ACTIVITIES DEFINED.**—

“(A) **SCOPE OF OPERATION AND MAINTENANCE ACTIVITIES.**—Notwithstanding any other provision of law (including regulations and guidelines) and subject to subparagraph (B), for purposes of this subsection, operation and maintenance activities that are eligible for the Federal cost share under paragraph (1) shall include—

“(i) the dredging of berths in a harbor that is accessible to a Federal channel, if the Federal channel has been constructed to a depth equal to the authorized depth of the channel; and

“(ii) the dredging and disposal of legacy-contaminated sediments and sediments unsuitable for ocean disposal that—

“(I) are located in or affect the maintenance of Federal navigation channels; or

“(II) are located in berths that are accessible to Federal channels.

“(B) **LIMITATIONS.**—

“(i) *IN GENERAL.*—For each fiscal year, subparagraph (A) shall only apply if all operation and maintenance activities that are eligible for the Federal cost share under paragraph (1) in a State described in clause (ii) have been funded.

“(ii) *STATE LIMITATION.*—For each fiscal year, the operation and maintenance activities described in subparagraph (A) may only be carried out in a State—

“(I) in which the total amounts collected pursuant to section 4461 of the Internal Revenue Code of 1986 comprise not less than 2.5 percent annually of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986; and

“(II) that received less than 50 percent of the total amounts collected in that State pursuant to section 4461 of the Internal Revenue Code of 1986 in the previous 3 fiscal years.

“(iii) *PRIORITIZATION.*—In allocating amounts made available under this paragraph, the Secretary shall give priority to projects that have received the lowest rate of funding from the Harbor Maintenance Trust fund in the previous 3 fiscal years.”.

(c) *CONFORMING AMENDMENT.*—Section 9505(c)(1) of the Internal Revenue Code of 1986 is amended by striking “as in effect on the date of the enactment of the Water Resources Development Act of 1996” and inserting “as in effect on the date of the enactment of the Harbor Maintenance Trust Fund Act of 2013”.

SEC. 8005. CIVIL WORKS PROGRAM OF THE CORPS OF ENGINEERS.

(a) *POINT OF ORDER.*—

(1) *IN GENERAL.*—Subject to subsections (b) and (c), it shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would result in making the amounts made available for a given fiscal year to carry out all programs, projects, and activities of the civil works program of the Corps of Engineers other than the harbor maintenance programs to be less than the amounts made available for those purposes in the previous fiscal year.

(2) *CALCULATION OF AMOUNTS.*—For each fiscal year, the amounts made available to carry out all programs, projects, and activities of the civil works program of the Corps of Engineers shall not include any amounts that are designated by Congress—

(A) as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); or

(B) as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)).

(b) *EXCEPTIONS.*—Subsection (a) shall not apply if amounts made available for the civil works program of the Corps of Engineers for a fiscal year is less than the amounts made available for the civil works program in the previous fiscal year if the reduction in amounts made available—

(1) applies to all discretionary funds and programs of the Federal Government; and

(2) is applied to the civil works program in the same percentage and manner as other discretionary funds and programs.

(c) *WAIVER AND APPEAL.*—

(1) *SENATE.*—

(A) *IN GENERAL.*—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of 3/5 of the Members of the Senate, duly chosen and sworn.

(B) *APPEAL.*—An affirmative vote of 3/5 of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(2) *HOUSE OF REPRESENTATIVES.*—The Committee on Rules of the House of Representatives may not report a rule or order that would waive a point of order to a bill or joint resolution from being made under subsection (a).

TITLE IX—DAM SAFETY

SEC. 9001. SHORT TITLE.

This title may be cited as the “Dam Safety Act of 2013”.

SEC. 9002. PURPOSE.

The purpose of this title and the amendments made by this title is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of the Federal Government and non-Federal interests in achieving national dam safety hazard reduction.

SEC. 9003. ADMINISTRATOR.

(a) *IN GENERAL.*—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator”.

(b) *CONFORMING AMENDMENT.*—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(3) by inserting before paragraph (2) (as redesignated by paragraph (2)) the following:

“(1) *ADMINISTRATOR.*—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.”.

SEC. 9004. INSPECTION OF DAMS.

Section 3(b)(1) of the National Dam Safety Program Act (33 U.S.C. 467a(b)(1)) is amended by striking “or maintenance” and inserting “maintenance, condition, or provisions for emergency operations”.

SEC. 9005. NATIONAL DAM SAFETY PROGRAM.

(a) *OBJECTIVES.*—Section 8(c) of the National Dam Safety Program Act (33 U.S.C. 467j(c)) is amended by striking paragraph (4) and inserting the following:

“(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents;”.

(b) *BOARD.*—Section 8(f)(4) of the National Dam Safety Program Act (33 U.S.C. 467j(f)(4)) is amended by inserting “, representatives from nongovernmental organizations,” after “State agencies”.

SEC. 9006. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 11, 12, and 13 as sections 12, 13, and 14, respectively; and

(2) by inserting after section 10 (33 U.S.C. 467g–1) the following:

“SEC. 11. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

“The Administrator, in consultation with other Federal agencies, State and local governments, dam owners, the emergency management community, the private sector, nongovernmental organizations and associations, institutions of higher education, and any other appropriate entities shall carry out a nationwide public awareness and outreach program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.”.

SEC. 9007. AUTHORIZATION OF APPROPRIATIONS.

(a) *NATIONAL DAM SAFETY PROGRAM.*—

(1) *ANNUAL AMOUNTS.*—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(1)) (as so redesignated) is amended by striking “\$6,500,000” and all that follows

through “2011” and inserting “\$9,200,000 for each of fiscal years 2014 through 2018”.

(2) *MAXIMUM AMOUNT OF ALLOCATION.*—Section 14(a)(2)(B) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(2)(B)) (as so redesignated) is amended—

(A) by striking “The amount” and inserting the following:

“(i) *IN GENERAL.*—The amount”; and

(B) by adding at the end the following:

“(ii) *FISCAL YEAR 2014 AND SUBSEQUENT FISCAL YEARS.*—For fiscal year 2014 and each subsequent fiscal year, the amount of funds allocated to a State under this paragraph may not exceed the amount of funds committed by the State to implement dam safety activities.”.

(b) *NATIONAL DAM INVENTORY.*—Section 14(b) of the National Dam Safety Program Act (33 U.S.C. 467j(b)) (as so redesignated) is amended by striking “\$650,000” and all that follows through “2011” and inserting “\$500,000 for each of fiscal years 2014 through 2018”.

(c) *PUBLIC AWARENESS.*—Section 14 of the National Dam Safety Program Act (33 U.S.C. 467j) (as so redesignated) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) *PUBLIC AWARENESS.*—There is authorized to be appropriated to carry out section 11 \$1,000,000 for each of fiscal years 2014 through 2018.”.

(d) *RESEARCH.*—Section 14(d) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$1,600,000” and all that follows through “2011” and inserting “\$1,450,000 for each of fiscal years 2014 through 2018”.

(e) *DAM SAFETY TRAINING.*—Section 14(e) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$550,000” and all that follows through “2011” and inserting “\$750,000 for each of fiscal years 2014 through 2018”.

(f) *STAFF.*—Section 14(f) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$700,000” and all that follows through “2011” and inserting “\$1,000,000 for each of fiscal years 2014 through 2018”.

TITLE X—INNOVATIVE FINANCING PILOT PROJECTS

SEC. 10001. SHORT TITLE.

This title may be cited as the “Water Infrastructure Finance and Innovation Act of 2013”.

SEC. 10002. PURPOSES.

The purpose of this title is to establish a pilot program to assess the ability of innovative financing tools to—

(1) promote increased development of critical water resources infrastructure by establishing additional opportunities for financing water resources projects that complement but do not replace or reduce existing Federal infrastructure financing tools such as the State water pollution control revolving loan funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12);

(2) attract new investment capital to infrastructure projects that are capable of generating revenue streams through user fees or other dedicated funding sources;

(3) complement existing Federal funding sources and address budgetary constraints on the Corps of Engineers civil works program and existing wastewater and drinking water infrastructure financing programs;

(4) leverage private investment in water resources infrastructure;

(5) align investments in water resources infrastructure to achieve multiple benefits; and

(6) assist communities facing significant water quality, drinking water, or flood risk challenges with the development of water infrastructure projects.

SEC. 10003. DEFINITIONS.

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **COMMUNITY WATER SYSTEM.**—The term “community water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(3) **FEDERAL CREDIT INSTRUMENT.**—The term “Federal credit instrument” means a secured loan or loan guarantee authorized to be made available under this title with respect to a project.

(4) **INVESTMENT-GRADE RATING.**—The term “investment-grade rating” means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

(5) **LENDER.**—

(A) **IN GENERAL.**—The term “lender” means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or a successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)).

(B) **INCLUSIONS.**—The term “lender” includes—

(i) a qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986) that is a qualified institutional buyer; and

(ii) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986) that is a qualified institutional buyer.

(6) **LOAN GUARANTEE.**—The term “loan guarantee” means any guarantee or other pledge by the Secretary or the Administrator to pay all or part of the principal of, and interest on, a loan or other debt obligation issued by an obligor and funded by a lender.

(7) **OBLIGOR.**—The term “obligor” means an eligible entity that is primarily liable for payment of the principal of, or interest on, a Federal credit instrument.

(8) **PROJECT OBLIGATION.**—

(A) **IN GENERAL.**—The term “project obligation” means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project.

(B) **EXCLUSION.**—The term “project obligation” does not include a Federal credit instrument.

(9) **RATING AGENCY.**—The term “rating agency” means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(10) **SECURED LOAN.**—The term “secured loan” means a direct loan or other debt obligation issued by an obligor and funded by the Secretary in connection with the financing of a project under section 10010.

(11) **STATE.**—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(12) **STATE INFRASTRUCTURE FINANCING AUTHORITY.**—The term “State infrastructure financing authority” means the State entity established or designated by the Governor of a State to receive a capitalization grant provided by, or otherwise carry out the requirements of, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et. seq.) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(13) **SUBSIDY AMOUNT.**—The term “subsidy amount” means the amount of budget authority

sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument, as calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(14) **SUBSTANTIAL COMPLETION.**—The term “substantial completion”, with respect to a project, means the earliest date on which a project is considered to perform the functions for which the project is designed.

(15) **TREATMENT WORKS.**—The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

SEC. 10004. AUTHORITY TO PROVIDE ASSISTANCE.

(a) **IN GENERAL.**—The Secretary and the Administrator may provide financial assistance under this title to carry out pilot projects, which shall be selected to ensure a diversity of project types and geographical locations.

(b) **RESPONSIBILITY.**—

(1) **SECRETARY.**—The Secretary shall carry out all pilot projects under this title that are eligible projects under section 10007(1).

(2) **ADMINISTRATOR.**—The Administrator shall carry out all pilot projects under this title that are eligible projects under paragraphs (2), (3), (4), (5), (6), and (8) of section 10007.

(3) **OTHER PROJECTS.**—The Secretary or the Administrator, as applicable, may carry out eligible projects under paragraph (7) or (9) of section 10007.

SEC. 10005. APPLICATIONS.

(a) **IN GENERAL.**—To receive assistance under this title, an eligible entity shall submit to the Secretary or the Administrator, as applicable, an application at such time, in such manner, and containing such information as the Secretary or the Administrator may require.

(b) **COMBINED PROJECTS.**—In the case of an eligible project described in paragraph (8) or (9) of section 10007, the Secretary or the Administrator, as applicable, shall require the eligible entity to submit a single application for the combined group of projects.

SEC. 10006. ELIGIBLE ENTITIES.

The following entities are eligible to receive assistance under this title:

(1) A corporation.

(2) A partnership.

(3) A joint venture.

(4) A trust.

(5) A Federal, State, or local governmental entity, agency, or instrumentality.

(6) A tribal government or consortium of tribal governments.

(7) A State infrastructure financing authority.

SEC. 10007. PROJECTS ELIGIBLE FOR ASSISTANCE.

The following projects may be carried out with amounts made available under this title:

(1) A project for flood control or hurricane and storm damage reduction that the Secretary has determined is technically sound, economically justified, and environmentally acceptable, including—

(A) a structural or nonstructural measure to reduce flood risk, enhance stream flow, or protect natural resources; and

(B) a levee, dam, tunnel, aqueduct, reservoir, or other related water infrastructure.

(2) 1 or more activities that are eligible for assistance under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)), notwithstanding the public ownership requirement under paragraph (1) of that subsection.

(3) 1 or more activities described in section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)).

(4) A project for enhanced energy efficiency in the operation of a public water system or a publicly owned treatment works.

(5) A project for repair, rehabilitation, or replacement of a treatment works, community water system, or aging water distribution or waste collection facility.

(6) A brackish or sea water desalination project, a managed aquifer recharge project, or a water recycling project.

(7) Acquisition of real property or an interest in real property—

(A) if the acquisition is integral to a project described in paragraphs (1) through (6); or

(B) pursuant to an existing plan that, in the judgment of the Administrator or the Secretary, as applicable, would mitigate the environmental impacts of water resources infrastructure projects otherwise eligible for assistance under this section.

(8) A combination of projects, each of which is eligible under paragraph (2) or (3), for which a State infrastructure financing authority submits to the Administrator a single application.

(9) A combination of projects secured by a common security pledge, each of which is eligible under paragraph (1), (2), (3), (4), (5), (6), or (7), for which an eligible entity, or a combination of eligible entities, submits a single application.

SEC. 10008. ACTIVITIES ELIGIBLE FOR ASSISTANCE.

For purposes of this title, an eligible activity with respect to an eligible project includes the cost of—

(1) development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(2) construction, reconstruction, rehabilitation, and replacement activities;

(3) the acquisition of real property or an interest in real property (including water rights, land relating to the project, and improvements to land), environmental mitigation (including acquisitions pursuant to section 10007(7)), construction contingencies, and acquisition of equipment;

(4) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction; and

(5) refinancing interim construction funding, long-term project obligations, or a secured loan or loan guarantee made under this title.

SEC. 10009. DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.

(a) **ELIGIBILITY REQUIREMENTS.**—To be eligible to receive financial assistance under this title, a project shall meet the following criteria, as determined by the Secretary or Administrator, as applicable:

(1) **CREDITWORTHINESS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the project shall be creditworthy, which shall be determined by the Secretary or the Administrator, as applicable, who shall ensure that any financing for the project has appropriate security features, such as a rate covenant, to ensure repayment.

(B) **PRELIMINARY RATING OPINION LETTER.**—The Secretary or the Administrator, as applicable, shall require each project applicant to provide a preliminary rating opinion letter from at least 1 rating agency indicating that the senior obligations of the project (which may be the Federal credit instrument) have the potential to achieve an investment-grade rating.

(C) **SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.**—The Administrator shall develop a credit evaluation process for a Federal credit instrument provided to a State infrastructure financing authority for a project under section 10007(8) or an entity for a project under section

10007(9), which may include requiring the provision of a preliminary rating opinion letter from at least 1 rating agency.

(2) **ELIGIBLE PROJECT COSTS.**—The eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(3) **DEDICATED REVENUE SOURCES.**—The Federal credit instrument for the project shall be repayable, in whole or in part, from dedicated revenue sources that also secure the project obligations.

(4) **PUBLIC SPONSORSHIP OF PRIVATE ENTITIES.**—In the case of a project carried out by an entity that is not a State or local government or an agency or instrumentality of a State or local government, the project shall be publicly sponsored.

(5) **LIMITATION.**—No project receiving Federal credit assistance under this title may be financed or refinanced (directly or indirectly), in whole or in part, with proceeds of any obligation—

(A) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(B) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(b) **SELECTION CRITERIA.**—

(1) **ESTABLISHMENT.**—The Secretary or the Administrator, as applicable, shall establish criteria for the selection of projects that meet the eligibility requirements of subsection (a), in accordance with paragraph (2).

(2) **CRITERIA.**—The selection criteria shall include the following:

(A) The extent to which the project is nationally or regionally significant, with respect to the generation of economic and public benefits, such as—

- (i) the reduction of flood risk;
- (ii) the improvement of water quality and quantity, including aquifer recharge;
- (iii) the protection of drinking water; and
- (iv) the support of international commerce.

(B) The extent to which the project financing plan includes public or private financing in addition to assistance under this title.

(C) The likelihood that assistance under this title would enable the project to proceed at an earlier date than the project would otherwise be able to proceed.

(D) The extent to which the project uses new or innovative approaches.

(E) The amount of budget authority required to fund the Federal credit instrument made available under this title.

(F) The extent to which the project—

- (i) protects against extreme weather events, such as floods or hurricanes; or
- (ii) helps maintain or protect the environment.

(G) The extent to which a project serves regions with significant energy exploration, development, or production areas.

(H) The extent to which a project serves regions with significant water resource challenges, including the need to address—

- (i) water quality concerns in areas of regional, national, or international significance;
- (ii) water quantity concerns related to groundwater, surface water, or other water sources;
- (iii) significant flood risk;
- (iv) water resource challenges identified in existing regional, State, or multistate agreements; or
- (v) water resources with exceptional recreational value or ecological importance.

(I) The extent to which assistance under this title reduces the contribution of Federal assistance to the project.

(3) **SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.**—For a project described in section 10007(8), the Administrator shall only consider

the criteria described in subparagraphs (B) through (I) of paragraph (2).

(c) **FEDERAL REQUIREMENTS.**—Nothing in this section supersedes the applicability of other requirements of Federal law (including regulations).

SEC. 10010. SECURED LOANS.

(a) **AGREEMENTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) through (4), the Secretary or the Administrator, as applicable, may enter into agreements with 1 or more obligors to make secured loans, the proceeds of which shall be used—

(A) to finance eligible project costs of any project selected under section 10009;

(B) to refinance interim construction financing of eligible project costs of any project selected under section 10009; or

(C) to refinance long-term project obligations or Federal credit instruments, if that refinancing provides additional funding capacity for the completion, enhancement, or expansion of any project that—

- (i) is selected under section 10009; or
- (ii) otherwise meets the requirements of section 10009.

(2) **LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.**—A secured loan under paragraph (1) shall not be used to refinance interim construction financing under paragraph (1)(B) later than 1 year after the date of substantial completion of the applicable project.

(3) **FINANCIAL RISK ASSESSMENT.**—Before entering into an agreement under this subsection for a secured loan, the Secretary or the Administrator, as applicable, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under section 10009(a)(1)(B), shall determine an appropriate capital reserve subsidy amount for the secured loan, taking into account each such preliminary rating opinion letter.

(4) **INVESTMENT-GRADE RATING REQUIREMENT.**—The execution of a secured loan under this section shall be contingent on receipt by the senior obligations of the project of an investment-grade rating.

(b) **TERMS AND LIMITATIONS.**—

(1) **IN GENERAL.**—A secured loan provided for a project under this section shall be subject to such terms and conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits), as the Secretary or the Administrator, as applicable, determines to be appropriate.

(2) **MAXIMUM AMOUNT.**—The amount of a secured loan under this section shall not exceed the lesser of—

(A) an amount equal to 49 percent of the reasonably anticipated eligible project costs; and

(B) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.

(3) **PAYMENT.**—A secured loan under this section—

(A) shall be payable, in whole or in part, from State or local taxes, user fees, or other dedicated revenue sources that also secure the senior project obligations of the relevant project;

(B) shall include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(C) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

(4) **INTEREST RATE.**—The interest rate on a secured loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

(5) **MATURITY DATE.**—

(A) **IN GENERAL.**—The final maturity date of a secured loan under this section shall be not later than 35 years after the date of substantial completion of the relevant project.

(B) **SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.**—The final maturity date of a secured loan to a State infrastructure financing authority under this section shall be not later than 35 years after the date on which amounts are first disbursed.

(6) **NONSUBORDINATION.**—A secured loan under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor of the project.

(7) **FEES.**—The Secretary or the Administrator, as applicable, may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

(8) **NON-FEDERAL SHARE.**—The proceeds of a secured loan under this section may be used to pay any non-Federal share of project costs required if the loan is repayable from non-Federal funds.

(9) **MAXIMUM FEDERAL INVOLVEMENT.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), for each project for which assistance is provided under this title, the total amount of Federal assistance shall not exceed 80 percent of the total project cost.

(B) **EXCEPTION.**—Subparagraph (A) shall not apply to any rural water project—

(i) that is authorized to be carried out by the Secretary of the Interior;

(ii) that includes among its beneficiaries a federally recognized Indian tribe; and

(iii) for which the authorized Federal share of the total project costs is greater than the amount described in subparagraph (A).

(c) **REPAYMENT.**—

(1) **SCHEDULE.**—The Secretary or the Administrator, as applicable, shall establish a repayment schedule for each secured loan provided under this section, based on the projected cash flow from project revenues and other repayment sources.

(2) **COMMENCEMENT.**—

(A) **IN GENERAL.**—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date of substantial completion of the project.

(B) **SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.**—Scheduled loan repayments of principal or interest on a secured loan to a State infrastructure financing authority under this title shall commence not later than 5 years after the date on which amounts are first disbursed.

(3) **DEFERRED PAYMENTS.**—

(A) **AUTHORIZATION.**—If, at any time after the date of substantial completion of a project for which a secured loan is provided under this section, the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the secured loan, the Secretary or the Administrator, as applicable, subject to subparagraph (C), may allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

(B) **INTEREST.**—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest in accordance with subsection (b)(4) until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the secured loan.

(C) **CRITERIA.**—

(i) **IN GENERAL.**—Any payment deferral under subparagraph (A) shall be contingent on the project meeting such criteria as the Secretary or the Administrator, as applicable, may establish.

(ii) **REPAYMENT STANDARDS.**—The criteria established under clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and secured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay a secured loan under this section without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A secured loan under this section may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

(d) SALE OF SECURED LOANS.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the date of substantial completion of a project and after providing a notice to the obligor, the Secretary or the Administrator, as applicable, may sell to another entity or reoffer into the capital markets a secured loan for a project under this section, if the Secretary or the Administrator, as applicable, determines that the sale or reoffering can be made on favorable terms.

(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary or the Administrator, as applicable, may not change the original terms and conditions of the secured loan without the written consent of the obligor.

(e) LOAN GUARANTEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may provide a loan guarantee to a lender in lieu of making a secured loan under this section, if the Secretary or the Administrator, as applicable, determines that the budgetary cost of the loan guarantee is substantially the same as that of a secured loan.

(2) TERMS.—The terms of a loan guarantee provided under this subsection shall be consistent with the terms established in this section for a secured loan, except that the rate on the guaranteed loan and any prepayment features shall be negotiated between the obligor and the lender, with the consent of the Secretary or the Administrator, as applicable.

SEC. 10011. PROGRAM ADMINISTRATION.

(a) REQUIREMENT.—The Secretary or the Administrator, as applicable, shall establish a uniform system to service the Federal credit instruments made available under this title.

(b) FEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may collect and spend fees, contingent on authority being provided in appropriations Acts, at a level that is sufficient to cover—

(A) the costs of services of expert firms retained pursuant to subsection (d); and

(B) all or a portion of the costs to the Federal Government of servicing the Federal credit instruments provided under this title.

(c) SERVICER.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may appoint a financial entity to assist the Secretary or the Administrator in servicing the Federal credit instruments provided under this title.

(2) DUTIES.—A servicer appointed under paragraph (1) shall act as the agent for the Secretary or the Administrator, as applicable.

(3) FEE.—A servicer appointed under paragraph (1) shall receive a servicing fee, subject to approval by the Secretary or the Administrator, as applicable.

(d) ASSISTANCE FROM EXPERTS.—The Secretary or the Administrator, as applicable, may retain the services, including counsel, of organizations and entities with expertise in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments provided under this title.

(e) APPLICABILITY OF OTHER LAWS.—Section 513 of the Federal Water Pollution Control Act

(33 U.S.C. 1372) applies to the construction of a project carried out, in whole or in part, with assistance made available through a Federal credit instrument under this title in the same manner that section applies to a treatment works for which a grant is made available under that Act.

SEC. 10012. STATE, TRIBAL, AND LOCAL PERMITS.

The provision of financial assistance for project under this title shall not—

(1) relieve any recipient of the assistance of any obligation to obtain any required State, local, or tribal permit or approval with respect to the project;

(2) limit the right of any unit of State, local, or tribal government to approve or regulate any rate of return on private equity invested in the project; or

(3) otherwise supersede any State, local, or tribal law (including any regulation) applicable to the construction or operation of the project.

SEC. 10013. REGULATIONS.

The Secretary or the Administrator, as applicable, may promulgate such regulations as the Secretary or Administrator determines to be appropriate to carry out this title.

SEC. 10014. FUNDING.

(a) IN GENERAL.—There is authorized to be appropriated to each of the Secretary and the Administrator to carry out this title \$50,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

(b) ADMINISTRATIVE COSTS.—Of the funds made available to carry out this title, the Secretary or the Administrator, as applicable, may use for the administration of this title, including for the provision of technical assistance to aid project sponsors in obtaining the necessary approvals for the project, not more than \$2,200,000 for each of fiscal years 2014 through 2018.

SEC. 10015. REPORT TO CONGRESS.

Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary or the Administrator, as applicable, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report summarizing for the projects that are receiving, or have received, assistance under this title—

(1) the financial performance of those projects, including a recommendation as to whether the objectives of this title are being met; and

(2) the public benefit provided by those projects, including, as applicable, water quality and water quantity improvement, the protection of drinking water, and the reduction of flood risk.

TITLE XI—EXTREME WEATHER**SEC. 11001. STUDY ON RISK REDUCTION.**

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Interior and the Secretary of Commerce, shall enter into an arrangement with the National Academy of Sciences to carry out a study and make recommendations relating to infrastructure and coastal restoration options for reducing risk to human life and property from extreme weather events, such as hurricanes, coastal storms, and inland flooding.

(b) CONSIDERATIONS.—The study under subsection (a) shall include—

(1) an analysis of strategies and water resources projects, including authorized water resources projects that have not yet been constructed, and other projects implemented in the United States and worldwide to respond to risk associated with extreme weather events;

(2) an analysis of historical extreme weather events and the ability of existing infrastructure to mitigate risks associated with those events;

(3) identification of proven, science-based approaches and mechanisms for ecosystem protec-

tion and identification of natural resources likely to have the greatest need for protection, restoration, and conservation so that the infrastructure and restoration projects can continue safeguarding the communities in, and sustaining the economy of, the United States;

(4) an estimation of the funding necessary to improve infrastructure in the United States to reduce risk associated with extreme weather events;

(5) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the necessary infrastructure improvements referred to in paragraph (3); and

(6) an analysis of the Federal, State, and local costs of natural disasters and the potential cost-savings associated with implementing mitigation measures.

(c) COORDINATION.—The National Academy of Sciences may cooperate with the National Academy of Public Administration to carry out 1 or more aspects of the study under subsection (a).

(d) PUBLICATION.—Not later than 30 days after completion of the study under subsection (a), the National Academy of Sciences shall—

(1) submit a copy of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make a copy of the study available on a publicly accessible Internet site.

SEC. 11002. GAO STUDY ON MANAGEMENT OF FLOOD, DROUGHT, AND STORM DAMAGE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the strategies used by the Corps of Engineers for the comprehensive management of water resources in response to floods, storms, and droughts, including an historical review of the ability of the Corps of Engineers to manage and respond to historical drought, storm, and flood events.

(b) CONSIDERATIONS.—The study under subsection (a) shall address—

(1) the extent to which existing water management activities of the Corps of Engineers can better meet the goal of addressing future flooding, drought, and storm damage risks, which shall include analysis of all historical extreme weather events that have been recorded during the previous 5 centuries as well as in the geological record;

(2) whether existing water resources projects built or maintained by the Corps of Engineers, including dams, levees, floodwalls, flood gates, and other appurtenant infrastructure were designed to adequately address flood, storm, and drought impacts and the extent to which the water resources projects have been successful at addressing those impacts;

(3) any recommendations for approaches for repairing, rebuilding, or restoring infrastructure, land, and natural resources that consider the risks and vulnerabilities associated with past and future extreme weather events;

(4) whether a reevaluation of existing management approaches of the Corps of Engineers could result in greater efficiencies in water management and project delivery that would enable the Corps of Engineers to better prepare for, contain, and respond to flood, storm, and drought conditions;

(5) any recommendations for improving the planning processes of the Corps of Engineers to provide opportunities for comprehensive management of water resources that increases efficiency and improves response to flood, storm, and drought conditions; and

(6) any recommendations for improving approaches to rebuilding or restoring infrastructure and natural resources that contribute to risk reduction, such as coastal wetlands, to prepare for flood and drought.

SEC. 11003. POST-DISASTER WATERSHED ASSESSMENTS.

(a) **WATERSHED ASSESSMENTS.**—

(1) **IN GENERAL.**—In an area that the President has declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may carry out a watershed assessment to identify, to the maximum extent practicable, specific flood risk reduction, hurricane and storm damage reduction, or ecosystem restoration project recommendations that will help to rehabilitate and improve the resiliency of damaged infrastructure and natural resources to reduce risks to human life and property from future natural disasters.

(2) **EXISTING PROJECTS.**—A watershed assessment carried out paragraph (1) may identify existing projects being carried out under 1 or more of the authorities referred to in subsection (b) (1).

(3) **DUPLICATE WATERSHED ASSESSMENTS.**—In carrying out a watershed assessment under paragraph (1), the Secretary shall use all existing watershed assessments and related information developed by the Secretary or other Federal, State, or local entities.

(b) **PROJECTS.**—

(1) **IN GENERAL.**—The Secretary may carry out 1 or more small projects identified in a watershed assessment under subsection (a) that the Secretary would otherwise be authorized to carry out under—

(A) section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s);

(B) section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i);

(C) section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330);

(D) section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a);

(E) section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577); or

(F) section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(2) **EXISTING PROJECTS.**—In carrying out a project under paragraph (1), the Secretary shall—

(A) to the maximum extent practicable, use all existing information and studies available for the project; and

(B) not require any element of a study completed for the project prior to the disaster to be repeated.

(c) **REQUIREMENTS.**—All requirements applicable to a project under the Acts described in subsection (b) shall apply to the project.

(d) **LIMITATIONS ON ASSESSMENTS.**—

(1) **IN GENERAL.**—A watershed assessment under subsection (a) shall be initiated not later than 2 years after the date on which the major disaster declaration is issued.

(2) **FEDERAL SHARE.**—The Federal share of the cost of carrying out a watershed assessment under subsection (a) shall not exceed \$1,000,000.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2018.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mrs. BOXER. Madam President, what is the order at this time?

The PRESIDING OFFICER. The bill S. 601 is pending.

MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business for 30 minutes and that we then return to S. 601, with Senators permitted to speak for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from Michigan.

THE BUDGET

Ms. STABENOW. Madam President, I would like to speak for a few minutes today about the importance of getting a budget done today, all the way through the process. Senator REID, our majority leader, last evening spoke again about the fact that we have had 15 days now of trying to just come together to create a conference committee to work out differences between the House and the Senate on a budget. For some reason, after talk for the last 3 years that I can remember from colleagues on the other side of the aisle saying that we need regular order, we need regular order, we need to get a budget done, they now are objecting to getting a budget done, which is extraordinary. The fact is that we cannot get a budget done if the House and the Senate do not appoint conferees and sit down and negotiate differences.

There are huge differences, I might add, between the House and the Senate. It is true that we will not accept, in the Senate, eliminating Medicare as an insurance plan for seniors and the disabled in this country, which the House does in their plan, turning it into a government voucher, putting seniors back into the private sector to try to find insurance. We certainly will not accept that, it is true. There are other areas of that budget we absolutely will not accept, but we know the first step in coming together to find something we can accept is to sit down and talk. I mean, I am very proud of what we were able to do in March. We had 110 amendments. We all remember. We were here until the wee hours of the morning. We got a budget done in regular order.

We have been hearing from colleagues across the aisle that we need to have regular order. I support that. In fact, I was proud of the fact that last year we did a farm bill in regular order and plowed through 73 amendments and worked together and passed a bipartisan bill. We hope we are going to be bringing a bill to the floor very soon as well to do it again.

I am a huge supporter of giving people an opportunity to state their differences, to be able to work out amendments, and to be able to get a bill done. We did that with 50 hours of debate on the budget, 110 amendments that we took up. We got it done. Now, all of a sudden, colleagues on the other side of the aisle do not want regular order anymore. They have decided somehow that actively blocking us from actually getting a budget for the Nation is more advantageous to them for some reason or something that appeals to them more than actually getting the budget done.

I urge our colleagues on the other side of the aisle to take another look at this, to look at their own words over the last number of years. Our colleague from Texas who objected to the majority leader's motion to actually do the next step and get a budget done said back in January on national television: We have a crisis. Well, what was the crisis he was talking about?

There is no doubt the Senate has not done its job. The Senate should pass a budget.

Well, we did. We passed a budget. It may not be something my colleague from Texas supported. That is the democratic process. The majority of people agreed in this body, and we passed a budget. He may be more inclined to support the House budget, which eliminates Medicare as an insurance plan and does a number of other things that I think go right to the heart of middle-class families and so on. That is his right. That is a right we all have, to have a position as to which budget we support. But we also know that in the democratic process under our Constitution—and we all talk about the Constitution and the democratic process—the way we actually get to a final budget is to get folks in a room to talk, to negotiate, and to see if there is some way to work issues out. We are now being blocked from being able to get in the room to talk to each other.

The American people want us to talk, want us to negotiate, want us to work things out. That is what we ought to be doing. So I would strongly urge that we move to conference. I do not know why in the world anyone would be objecting to putting together a group of people, Democrats and Republicans in the Senate, Democrats and Republicans in the House, to sit down and work out the priorities for our country.

Will we have different perspectives on Medicare, whether we should have Medicare? Yes, we will. Will we have different perspectives on where the brunt of the cutbacks should be and whether middle-class families have been hit enough, which I believe they have? Yes, we will have a disagreement on how to balance the budget. But we all know that we need to get the job done. We have done our part in passing a Senate budget. The House passed a

House budget. It is a very different vision of the world, different vision of what should happen in terms of innovation, education, and investing in the future of our country—very different views. But those views deserve to be aired sitting around a conference table to try to work out some way to come together to pass a budget.

I urge colleagues to stop obstructing, stop stalling, allow us to move forward in a balanced way, and give us the opportunity to do what everyone in the country wants us to do, which is to come up with a bipartisan, balanced, fair budget for the country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. Madam President, I ask unanimous consent that I speak in morning business, followed by the Senator from New Hampshire, Ms. AYOTTE.

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

(The remarks of Mrs. MURRAY and Ms. AYOTTE pertaining to the introduction of S. 871 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

WATER RESOURCES DEVELOPMENT ACT OF 2013—Continued

Mrs. BOXER. Madam President, what is the order?

The PRESIDING OFFICER. S. 601 is now pending.

Mrs. BOXER. Madam President, I want to speak now on a bill that Senator VITTER and I are very proud of. But, first, I ask unanimous consent to withdraw the committee-reported substitute amendment.

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

AMENDMENT NO. 799

(Purpose: In the nature of a substitute)

Mrs. BOXER. Now I call up the Boxer-Vitter substitute amendment No. 799 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Mr. VITTER, proposes an amendment numbered 799.

Mrs. BOXER. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. BOXER. Madam President, I will make an opening statement and

then turn it over to my colleague, Senator VITTER, for his opening statement.

I want to just say this is a good day for the Senate to get on a bill that is a bipartisan bill, where we have had unanimous support in the Environment and Public Works Committee. This is a bill that will create or save half a million jobs for our Nation, and it has been a long time in coming. The last WRDA bill—the Water Resources Development Act—was in 2007. It took a lot of work to get here. The reason for that is we had to deal with changing the culture of the Senate away from earmarks in a bill like this where projects were named and figure out a way we could move forward with these projects without earmarks. It was difficult.

Senator VITTER and I and our staffs have worked hard to get to this point. I particularly want to say to both staffs that we couldn't have done it without your amazing focus. We are so appreciative.

Our bill did make it through EPW without a single "no" vote. Since then we have been working with almost every Senator to hear their ideas, to get their reactions, and to see if there were ways we could change the bill. This substitute Senator VITTER and I have put forward incorporates the views of a whole array of Senators, and they know who they are. There are many of them, and we are very happy we were able to work with them. Of course, we will continue to work with them if there are ways we can improve this bill even more.

So this is long past time. As I said, it was 2007 when the last WRDA bill became law, so we have an infrastructure that is critical, and part of it is the water infrastructure. That is what we deal with.

Now, what does this bill do? We focus on flood control. We focus on ports and environmental restoration projects where the corps has completed a comprehensive study. Then we also incorporate authorizations for projects that need modifications, and the modifications don't add to the overall cost of the project. For the future, we have developed a system that allows local sponsors to make their case directly to the corps because we are fearful that as new needs come up, there is no path forward. So we do all that in this bill.

I am proud of a lot of provisions in this bill, but one of them is what we call WIFIA—the Water Infrastructure Finance and Innovation Act. It is a way to assist localities in need of loans for flood control or wastewater and drinking water infrastructure to receive these loans upfront.

Let me explain that. We expanded a program called TIFIA in the transportation bill dealing with transportation infrastructure. We said where a local government or a region came forward with, say, a sales tax or bond for a se-

ries of transportation projects, and they wanted to move quickly and build them in a shorter timeframe, as long as they had that steady stream of funding, the Federal Government, with virtually no risk, could advance these funds and let them build these projects quicker, creating jobs and improving the infrastructure quicker.

So we did this same thing with water. It is a small project, and it is not a replacement for our existing funding through the corps and EPA, but it is a supplement. It is a supplement that would help existing programs leverage more investment in our infrastructure. So WIFIA will allow localities an opportunity to move forward with water infrastructure projects in the same way TIFIA works.

This bill is critical. I mean, let's just say what it is. I know there are people who will offer amendments on subjects ranging—well, let's just say broad-ranging subjects. And it is their right to do it. Senator VITTER and I know that, and it is what it is. It is the Senate and people will come forward. But we hope we will not get bogged down on these nongermane amendments because so much is at stake.

I think this would be a good time for me to mention some of the supporters of our bill: the American Association of Port Authorities, the American Concrete Pressure Pipe Association, the American Council of Engineering Companies, the American Farm Bureau, the American Foundry Society, the American Public Works Association, the American Road and Transportation Builders Association. This list goes on and on.

I ask unanimous consent to have printed in the RECORD the list of these supporting organizations.

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

NATIONAL ORGANIZATIONS SUPPORTING S. 601

American Association of Port Authorities, American Concrete Pressure Pipe Association, American Council of Engineering Companies, American Farm Bureau Federation, American Foundry Society, American Public Works Association, American Road and Transportation Builders Association, American Society of Civil Engineers, American Soybean Association, Associated General Contractors of America, Association of Equipment Manufacturers, Clean Water Construction Coalition, Concrete Reinforcing Steel Institute, Construction Management Association of America, International Liquid Terminals Association, International Propeller Club of the United States.

International Union of Operating Engineers, Laborers International Union of North America, Management Association for Private Photogrammetric Surveyors (MAPPS), NAIOP, the Commercial Real Estate Development Association, National Grain and Feed Association, National Ready Mixed Concrete Association, National Retail Federation, National Society of Professional Surveyors (NSPS), National Stone, Sand & Gravel Association, National Waterways Conference, Inc., Plumbing Manufacturers

International, Portland Cement Association, The American Institute of Architects, The Fertilizer Institute, U.S. Chamber of Commerce, United Brotherhood of Carpenters and Joiners of America, Waterways Council Inc.

Letter signed by 160 organizations to Members of the United States Senate (April 29, 2013).

Mrs. BOXER. I will say that we are looking at the U.S. Chamber of Commerce supporting this bill, the United Brotherhood of Carpenters and Joiners of America, the Waterways Council, Inc., and the Plumbing Manufacturers, International. Wherever we look, whether it is business or labor, whether it is governmental entities—even the American Farm Bureau Federation, as I said, and Laborers International Union of North America—it is a really important bill. Even the Commercial Real Estate Development Association. Why? Because they know if you are going to sell a house in an area that gets flooded, you need to address the flooding problems. So we do address flooding problems.

We do address port deepening. Believe me, without these port deepening in a lot of our ports—not all our ports need to do it—commerce could come to a halt, and I would say almost a screeching halt. There may be better terminology, but you have to dredge those ports to a certain depth so those vessels can move in and out.

Let me talk about just one area in my home State. Senator VITTER and I often say we see the world a little differently—or a lot differently when it comes to a lot of issues, but when it comes to infrastructure, we have a lot in common. He had to face the horrific catastrophic situation during and after Katrina, and I look at that issue and say: Oh, my Lord, if we had something like that happen in Sacramento, what would happen? We have so many more people than they have in his State. We have more commerce there. We have the seat of the State government in the Natomas Basin. So we have to strengthen the levees, and we are talking about \$7 billion in property. So we are talking about a need to prevent terrible flooding.

Now, that is just one area of my State—and I want to thank Congresswoman DORIS MATSUI for all the work she has done over on the House side, and the many others who have helped her over there. I just mention her name because she has been so involved in representing Sacramento.

Our bill provides lifesaving flood protection for more than 200,000 residents of Fargo, ND, and Moorhead, MN, who have been fighting rising waters in recent weeks, just as they do most years after the spring thaw. The bill will restore the viability of the levee system that protects Topeka, KS. These levees protect thousands of homes and businesses, and this project will return over \$13 in benefits for every dollar invested.

I know our current Presiding Officer is a fiscal conservative. We are talking about a bill that invests \$1 and gets \$13 back. So flood control and flood protection are critical. All we have to do is look at Sandy to see what happened and look at the cost—one event, \$60 billion. So if we were to invest a portion of that into trying to mitigate these problems before they start, that is what the WRDA bill is all about and why it is so important and essential. So I hope it doesn't get bogged down in extraneous amendments.

I talked about the ports. One of those projects is in Texas, to widen and deepen the Sabine-Neches Waterway, which will have over \$115 million in annual benefits. It transports 100,000 tons of goods every year. It is the top port for the movement of commercial military goods.

Whether you are in a red State, whether you are in a blue State, whether you are in a purple State or, frankly, any other State if there are any, you are protected in this bill. You are covered in this bill.

Look at Florida, the Port of Jacksonville, with safety concerns there for ships entering and exiting this port because of dangerous cross currents. This bill will make it possible to protect that port.

Critical ecosystem restoration: The Florida Everglades. If you have never been to the Everglades, you should go to the Everglades. It is a miraculous place, a God-given treasure. We have to restore it. It needs our attention. We definitely have four new Everglades restoration projects that will move forward in this bill.

For the Chesapeake Bay and the Columbia River Basin, we enable the Corps to work with States along the North Atlantic coast to restore vital coastal habitats from Virginia to Maine, and allow the Corps to implement projects to better prepare for extreme weather in the northern Rocky Mountain States of Montana and Idaho.

In addition—this is important. I talked a little bit about Superstorm Sandy—we have a new extreme weather title I am very proud of. This will enable the Corps to help communities better prepare for and reduce the risks of extreme weather-related disasters. How does it do it? For the first time, the Boxer-Vitter bill allows the Corps to conduct immediate assessments of affected watersheds following extreme weather events. For example, if this had been operational right after Katrina, the Corps would have gone right in there. They would not have had to wait for an authorization. They would not have had to wait for an emergency supplemental. They would have identified and constructed small flood control projects immediately, such as building levees, flood walls, restoring wetlands, and would not have

to go through the full study process and receive authorization.

After an extreme weather event—Senator VITTER and our whole committee believe it is an extraordinary circumstance—if you can move in there and mitigate the damage right away, you should do that with these smaller type projects. In this extreme weather title we also require the Corps and the National Academy of Sciences to jointly evaluate all of the options for reducing risks, including flooding and droughts, including those related to future extreme weather events because as far as we can tell, there is no specific study that looks at the future.

The cost of this bill comes in well below the last WRDA bill and we move toward a better use of the harbor maintenance trust fund. Let me be clear. Senator VITTER and I both believe it is a critical issue to use the harbor maintenance trust fund for harbor maintenance. It seems to me to be fair and it seems to him to be fair. But what has happened over the years, because we have these budgetary problems, is the harbor maintenance trust fund is used for other uses. We wanted to totally take that fund away and save it for harbors. It was not going to happen. There was too much controversy around it.

What we were able to do, though, is to make sure the appropriators knew our concerns. Senator MIKULSKI and Senator SHELBY worked with us on a letter and it commits to helping us move toward the new authorization levels in this bill which ratchet up spending on the ports.

We also make sure that some of our ports that are donor ports—let's say the one in LA and Long Beach, that do not have issues of deepening of the channel, that need to use those funds for other uses—get a chance, when those moneys come in, to get it back. Some of my people are paying in pennies on the dollar. It is not fair.

We do try to address the issue of the larger ports, even the smaller ports, Great Lakes, the seaports that are large donors to the fund. We make important reforms of the inland waterways system, which is critical for transporting goods throughout the country. Expediting project delivery is something we do.

I want to take a moment here. I want to be unequivocal on this project delivery piece. I stand here with credentials going back forever. In my case it is a long time. I can say very proudly that every single environmental law stays in place in this bill. As a matter of fact, we have a savings clause which specifically says all these laws stay in place.

Senator VITTER and I have a little disagreement over environmental laws. We have to work together. He stepped up and said: Look, some of these agencies are holding up projects for years

and we are not getting our projects done. I thought he had a point. So together we worked on a compromise. It is not everything he wanted; it is not everything I wanted. But we are moving forward while saving all the environmental laws by making sure that when the Corps has a project and they complete their work, they issue something called a ROD, a record of decision. We make sure all the agencies now are involved in setting the timetable for that ROD. Then the agencies have an additional 6 months after the date they approved of to get their comments in. If they do not, yes, they will get a penalty.

Frankly, I think that is important. We do cap those penalties, but the fact is we are here to do the people's business. As long as we protect everyone's rights, which we do, and we bend over backward to make sure all the agencies are involved, making sure the timeframes around a ROD are fair and they are involved, we say, yes, you have to step to the plate.

I have examples in my State where the agencies have taken such a long time—whether, frankly, it is an environmental project or a construction project, flood control—where agencies are not talking to each other. Senator VITTER and I believed it was important to send a message.

Look, the administration doesn't love this and we understand it. But that is why we have separation of powers here. We say it is only right to work together. Our bill is not perfect, we know that, but I will tell you we support 500,000 jobs, we protect people from flooding, we enable commerce to move through our ports, we encourage innovative financing and leveraging of funds, and we begin the hard work of preparing for and responding to extreme weather. I defy anyone to tell us another bill that does those things—protects jobs, protects people from flooding, enables commerce to move through our ports, encourages innovative financing, even more jobs, and preparing for and responding to extreme weather.

I want to talk about a couple of people by name here. I will do more people later. I want to mention, of course, first and foremost Senator VITTER, who has been a pleasure to work with. We have had our moments where we have not agreed. Our staffs had their moments when they did not agree. We never got up in anger. We never walked away from the table. We stayed at the table. To me that is so important. We did it on this bill. I wish we could do it on others, but that is another day. But we are certainly doing it on this bill. First and foremost, I thank him.

Next, I thank Senators MIKULSKI and SHELBY for writing a letter to us. It is not all we want but it is a show of good faith and I think it is precedent setting, that we have this letter saying

they are going to do everything in their power to help.

I thank Senator VITTER's colleague, Senator LANDRIEU. She has worked behind the scenes with me since Katrina, and I know the two of them have worked together. I think her efforts matched with Senator VITTER's are very important for Louisiana.

I have been to Louisiana many times. I have warm relationships there. I certainly helped when it came to the RESTORE Act, and I certainly intend to remember everything the people there went through and to follow through on my commitments to them.

In this bill we are fair to Louisiana, we are fair to California, we are fair to the Great Lakes, we are fair to the small port States, we are fair to the medium port States. We have done everything. We are fair to the States that have ports that now have competition from international ports. I do believe if we can get through some of the sticky wicket of some amendments that don't have anything to do with this, if we can get through with that, we will have a very good, strong, bipartisan bill. I honestly also believe Chairman SHUSTER in the House will move forward as well. He is a terrific person to work with and I enjoy working with him as well. If we produce this work product and we can get it done this week—which I hope we can—it will make a big difference.

Before I turn it over to Senator VITTER, let me say for the interests of all Members, we are working on an agreement that will allow us to go to a couple of amendments a side. One of them will be the Whitehouse amendment. A couple will be by Senator COBURN. We are looking at other amendments. We hope we can have votes this afternoon. We don't know at this point. That is certainly the hope of Senator VITTER and myself. We would very much like to proceed.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I join my colleague in rising in support of this strong, bipartisan, reform-oriented Water Resources Development Act bill. In doing so, I thank and salute Senator BOXER for her leadership. More than anyone else, she got us to the floor today with a strong, solid bill.

As Senator BOXER mentioned, very early on in our discussions about the work of the EPW Committee in this Congress, we set a good, solid, bipartisan, reform-oriented WRDA bill as our top immediate goal in terms of something the committee could produce and actually pass into law. In fact, those discussions even started between her and myself, in particular, before the start of this Congress. Of course they continued and they ramped up in a meaningful and substantive way. Through that give-and-take and

through that real commitment to work in a bipartisan fashion on infrastructure, on jobs, on issues on which we can agree, this bill resulted.

Again, as she mentioned, we do not agree on everything. We do not agree on everything in the committee, and that committee is often very contentious and divided along ideological lines. But this is a subject where we can agree and work productively together because this bill is about infrastructure and jobs. Certainly we can come together around that. That is what it is fundamentally about—water infrastructure, commerce, and jobs. That is why the Alliance for Manufacturing said almost 24,000 jobs will be created for every \$1 billion invested in levees, inland waterways, and dams. This bill does several billion dollars of that. That produces jobs because it is building the necessary infrastructure we need for waterborne commerce. Ultimately that core, that theme, that common goal is what brought us effectively together.

The proof of that is seen in the committee consideration of this bill. As you may know, the EPW Committee is a divided committee. On many key issues before us we are very divided between Republicans and Democrats. Yet because of this focus in the bill on maritime commerce, jobs, infrastructure, we won an 18-to-0 committee vote to report the bill out favorably and bring it to the floor.

Let me talk for a few minutes about exactly what is in the bill. I want to go through the highlights. I think they can best be summarized by focusing on 10 specific points, what is in the bill, what the bill does, sometimes, just as importantly, what is not in the bill and what the bill does not do.

First of all, the bill does not increase deficit and debt in any way. There is no negative impact on deficit and debt. Related to that, No. 2, there are no earmarks in the bill. The current rules of both conferences are not to support and sponsor earmarks. There are no earmarks in the bill.

What does the bill affirmatively do? No. 3, it authorizes 19 significant projects for flood protection, navigation, and ecosystem restoration. Yet at the same time, even on the authorization side, we create a mechanism—I thank Senator BARRASSO for contributing this important element to the bill—we create a BRAC-like commission to deauthorize some old projects which are not being acted upon, which are not getting built. Because of that new BRAC-like deauthorization commission, even on the authorization side, we should have a net-neutral impact on authorizations. The way we have structured it, we should not be increasing overall net authorizations.

No. 4, we have made substantial progress and reforms to the Harbor Maintenance Trust Fund and spending

on dredging and other Harbor Maintenance Trust Fund projects.

As Senator BOXER mentioned, it has been an enormous frustration to many of us that this so-called trust fund is raided every year so that even in a good year, half of the supposedly dedicated revenue from the industry in those trust funds is used for other purposes. Again, this is revenue from the maritime industry. It is supposed to be protected and dedicated for dredging and other delineated purposes, but even in a good year, half is used for other things, with deficit spending.

We have negotiated with all Members of the Senate, including the leaders of the Appropriations Committee, and I think we have made substantial progress. I think we have made a big move in the right direction so we ramp up harbor maintenance trust fund spending for dredging and other delineated purposes.

In a few years—between now and roughly 2019, 2020—we have a steady ramp-up. We spend more of that trust fund on the agreed-upon delineated purposes every year. We are building toward full spend-out of the trust fund. Again, this is a product of a lot of discussion and goodwill negotiation with other Members of the Senate, including leaders of the Appropriations Committee, which is a major and positive element of this bill.

No. 5, we also made important reforms and changes to the Inland Waterways Trust Fund. Again, there has been real frustration that those inland waterways trust fund projects have been languishing and have not properly received the resources they need to be completed and get off the books. We have made real reforms on the Inland Waterway Trust Fund side that will have important and positive impacts to get those important projects built.

No. 6, we provide non-Federal sponsors of many of these projects more project management control in both the feasibility study and the construction phases of projects. This has been an idea in a stand-alone bill of Senator BILL NELSON of Florida and myself. We incorporated that reform—that pilot project—into this WRDA bill.

In several significant cases, on a sort of experimental basis, we are going to ask the non-Federal sponsors to take over project management control. We think that is going to allow these projects to get built quicker and more efficiently for less money.

No. 7, we require more accountability of the Corps of Engineers on project schedules. We increased public disclosure of internal Corps decisions, and we actually penalized the Corps for the first time ever when they missed significant deadlines. Again, Senator BOXER mentioned this.

We had discussions right out of the box and came to the agreement that we are not going to lower the bar about

environmental review; we are not going to substantively change any environmental or other requirements. What we are going to do is make sure that agencies which are involved do their work in a timely and expeditious way, and that has to start with the Corps of Engineers in terms of these projects. We do that with much heightened Corps accountability.

No. 8, in a similar vein, we accelerate the NEPA and project delivery process to ensure that projects are not endlessly held up by government bureaucracy, tangles, and redtape. Again, it is exactly the same approach and agreement I mentioned with regard to point No. 7. We are not changing standards or lessening our requirements. We are appropriately streamlining the process and saying: Everybody works on deadlines, and the Federal agencies involved have to work on and respect those deadlines as well. If they miss them over and over and over, there will be negative consequences, and that is an important reform element to this bill.

No. 9, as Senator BOXER mentioned, we provide an innovative financing mechanism for water resource projects as well as water and wastewater infrastructure projects. It is called WIFIA because it is modeled on the TIFIA Program on the transportation side, and it is very much the same basic idea. TIFIA has long been a model to build public-private partnerships and has helped to finance important transportation infrastructure projects.

On the last highway bill last year that I helped work on and Senator BOXER led on, we expanded the TIFIA Program. Here we are using the same positive model for a WIFIA program.

Finally, No. 10, we provide more credit opportunities for non-Federal sponsors either in lieu of financial reimbursement or cross-crediting among projects so they can more reasonably meet their wetlands mitigation and other needs.

Wetlands mitigation requirements have grown much more onerous and expensive over time in a lot of places of the country, including Louisiana. This is simply intended to give people, local government, private industry, and others, more options. It is not to lower the standard for that mitigation, but it allows for more options to meet the standard and goals in a more efficient and less costly way. So we do that through these credit opportunities.

Those are the important and 10 key highlights of the bill. Again, I think it is a genuine bipartisan reform-oriented effort that is, at its core, about water infrastructure, waterborne commerce, jobs, and hurricane and flood protection.

As I mentioned at the beginning, the clearest proof of that is committee consideration and committee vote. There are not many things that ever

get an 18-0 vote in the Senate EPW Committee, but this did. Strong conservatives and strong liberals voted with a result of 18-0. I am very proud of that, and I think that gives us a very productive path forward.

Speaking of the path forward, let me underscore and emphasize what Senator BOXER has laid out. We want to have votes; we want to process amendments. There is no goal here to frustrate that in any way by me or Senator BOXER or anyone. In my opinion, to get that ball rolling, the best way to get there is to start taking up amendments and having votes so we can build on that momentum. What we are going to propose in the very near future is that our substitute amendment be adopted by unanimous consent to be the underlying bill. It is noncontroversial. It incorporates the ideas and suggestions of dozens of Senators. There is nothing controversial in it. In fact, the only thing it does is remove some potential controversy in the bill. So we are going to ask the full Senate allow us, by UC, to adopt that as the underlying bill.

We are also going to immediately ask to have debate and votes on three or four beginning amendments. I believe those, in fact, are going to be non-germane amendments. I think that underscores and illustrates our goodwill about processing amendments, getting it going, taking amendments, having votes, and getting through this process.

I would suggest, as Senator BOXER did, that we try to continue to focus on the important subject matter of the bill and not endlessly or needlessly go far afield. But I do think that proposing these amendment votes straight out is an important gesture of goodwill to set the right precedent and tone for a full and open debate on the floor, and so that is what we are going to do.

As soon as that UC request is drafted and ready, I will come to the full Senate with that. If we can gain consent for that, I think it will start us on a very productive path, both to consider the bill and to process amendments and have votes.

Clearly those amendments would not be the end of it, by far. We are already keying up some amendments to come forward right after that so we can debate those maybe tonight. If we do that, we can vote on those as soon as possible, perhaps in the morning, and go from there. That is my goal and expectation in terms of the near future, which Senator BOXER shares. Hopefully we will return to the full Senate quickly with that request.

Thank you, Mr. President.

I yield to the distinguished Senator from Rhode Island.

THE PRESIDING OFFICER. The Senator from Rhode Island.

MR. WHITEHOUSE. Mr. President, let me thank the distinguished Senator from Louisiana for his hard work,

along with Chairman BOXER, to get us to this point, which I think is a very auspicious point with a very bipartisan bill on the floor and with the Senate on the cusp of an agreement that will allow us to implement the managers' amendment and call up the first tranche of Senate amendments.

I thank him and the Chairman for agreeing that an amendment of mine will be one of that first tranche of amendments. I am not going to call it up now because the agreement is not finalized, but I will discuss it so we can save time later on once the bill is pending.

My amendment would establish a national endowment for the oceans, coasts, and Great Lakes. Our oceans and our coasts face unprecedented challenges. Our coastal States, including our Great Lakes States, badly need this endowment. Water temperatures are increasing, the sea level is rising, and ocean water is growing more acidic.

Right now, we as a country and we as States and local communities are ill prepared to engage in the research, restoration, and in the conservation work that is necessary to protect our coastal communities and our coastal economies.

The noted ocean explorer Bob Ballard, who famously discovered the wreckage of the Titanic at the bottom of the Atlantic, has said:

a major problem . . . is the disconnect between the importance of our oceans and the meager funds we as a nation invest not only to understand their complexity, but to become responsible stewards of the bounty they represent.

Just how large is that bounty our Nation reaps from our oceans? Well, in 2010, marine activities such as fishing, energy development, and tourism contributed \$258 billion to our U.S. gross domestic product and supported 2.8 million jobs. Along our coasts, shoreline counties, which actually include many of our biggest cities, generated 41 percent of our GDP, which is \$6 trillion.

Coastal communities are the engines of our economy, and changes in the oceans put that economy at risk. We must find ways of using these vital resources without abusing them.

Last month the Democratic Steering and Outreach Committee heard from scientists and industry leaders from across the country who are deeply worried about threats to our oceans. On the Pacific Coast, ocean acidification is killing off the oyster harvest—a major cash crop for that region. They are being killed off by sea water too acidic for the larval oysters to form their shells.

Live coral in some Caribbean reefs is down to less than 10 percent, which is bad news for Florida, which usually sees over 15 million recreational dives every year. Think of what those 15 mil-

lion dives mean for Florida's economy. This not only affects the dive boats and trainers who take people out for scuba diving, but for hotels, restaurants, and retailers.

Evan Matthews, the port director for the Port of Quonset in my home State of Rhode Island, spoke on behalf of America's port administrators to tell us that rising sea levels make port infrastructure more vulnerable to damage from waves and storms.

Virtually all of our economy is touched by what goes through our network of coastal ports, and damage to any of them—since they work as a network—could disrupt the delivery of vital goods not only to coastal States but to inland States as well. So it affects all of us.

But for the coastal States, this is very big. We have work to do preparing for changes in our oceans and preventing storm damage such as we saw in Superstorm Sandy. We need to reinforce natural coastal barriers such as dunes and estuaries that help bear the brunt of storm surges as well as acting as nurseries for our bounty of fish. We will need to relocate critical infrastructure such as water treatment plants and bridges, which are increasingly at risk of being washed away. We need to understand how ocean acidification and warming waters will affect the food chain and our fishing economies. We need to know where the high-risk areas are so coastline investors can understand the geographical risks.

These are coastal concerns, but they have implications for all 50 of our States. If you eat seafood or take a beach vacation in the summer, this concerns you. If you have purchased anything produced outside the United States and imported through our network of coastal ports, this concerns you. According to 2011 data from the National Oceanic and Atmospheric Administration, 75 percent of U.S. imports arrived on our shores through our ports, so they probably should concern you.

The National Endowment for the Oceans, Coasts, and Great Lakes can help coastal States and communities protect more habitat and infrastructure, conduct more research, and clean more waters and beaches. The need is great and we must respond.

This amendment will just authorize the National Endowment for the Oceans, Coasts, and Great Lakes. We will have to figure out how to fund it later. When we have figured out how to fund it, the endowment would make grants to coastal and Great Lakes States, to local governments, to planning bodies, to academic institutions, and to nonprofit organizations to learn more about and do a better job of protecting our coasts and oceans.

It would allow researchers to hire technicians, mechanics, computer scientists, and students. It would put peo-

ple to work strengthening or relocating endangered public infrastructure. It would help scientists, businesses, and local communities work together to protect our working oceans, and it would protect jobs by restoring commercial fisheries and promoting sustainable and profitable fishing.

How great is the need for these projects? We know because a few years ago NOAA received \$167 million for coastal restoration projects through the American Recovery and Reinvestment Act. When they asked for proposals, more than 800 proposals for shovel-ready construction and engineering projects came in—projects totaling \$3 billion, seeking that \$167 million in funding—projects from Alaska to Florida to the Carolinas to Maine. But NOAA could only fund 50 of the 800. The National Endowment for the Oceans will help us move forward with more of these key projects to help protect our oceans and drive our economy.

We will continue to take advantage of the oceans' bounty, as we should. We will trade, we will fish, and we will sail. We will dispose of waste. We will extract fuel and harness the wind. We will work our working oceans. Navies and cruise ships, sailboats and supertankers will plow their surface. We cannot—we will not—undo this part of our relationship with the sea. But what we can change is what we do in return.

We can, for the first time, give a little back. We can become stewards of our oceans—not just takers but caretakers—and we must do this sooner rather than later, as changes to our oceans pose a mounting and nationwide threat.

Let me quote Dr. Jeremy Mathis of the University of Alaska, who said this recently:

This is going to be a shared threat. . . . [I]t's not unique to any one place or any one part of the country. And so we're going to have to tackle it as a nation, all of us working together. . . . Whether you live along the coast of Washington or Rhode Island, or whether you live in the heartland in Iowa, this is going to be something that touches everybody's lives.

So today I urge my colleagues to join me in supporting this amendment to authorize the National Endowment for the Oceans, Coasts, and Great Lakes. It will not obligate any funding. We will figure out later an appropriate way to fund it. But at least help our Nation take this important step protecting our oceans and coasts; protecting the jobs they support through fishing, research, and tourism; protecting the stability of our national economy, which depends on ports and maritime activity; and, of course, protecting the property and the lives of the millions of Americans who live and work near the sea.

Colleagues, you can help us become, as Dr. Ballard said, "responsible stewards of the bounty [the oceans provide]."

For those who are not sure, let me add one further consideration for my colleagues, a Senate consideration. This endowment, together with funding—indeed, permanent and directed funding—was part of a negotiated package with billions of dollars in benefits to America's Gulf States. For reasons that are not worth discussing and are no one side's fault, that agreement was broken and this part of that deal fell out. If you believe people should keep their word around here, if you believe agreements forged in the Senate should stick, then I would ask my colleagues, just on those grounds, to support this partial repair of that broken agreement.

I look forward, for that and other reasons, to having bipartisan support for this amendment, and I hope we can make a strong showing in this body to carry it forward as part of this important water resources development legislation.

With that, I will take this opportunity to yield the floor. Seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. BOXER). Without objection, it is so ordered.

Mr. BLUNT. Madam President, I would like to talk about an amendment to this bill that could be offered later. I am not offering it at this time. I am being joined in this amendment by my good friend from Florida, Senator NELSON.

This amendment would be a suggestion about what we can do to be sure the things we build have a better chance of lasting, construction that meets real stress.

In both of our States, in Missouri and Florida, we have some significant experience with weather conditions that are damaging to people and property. On May 22, 2 years ago, 2011, in Joplin, MO, right on the Arkansas and the Oklahoma border, we had an EF5 tornado hit that community. It killed 61 people. It destroyed 7,000 homes, 500 businesses, and damaged others. This was a huge impact on people and the homes they had, the businesses they had. As they rebuilt, the cities tried to focus on rebuilding in a way that would protect lives and save money if something like that happens again by creating structures that can withstand the most severe storms there and in other places in our State.

We have had many stories over the years. There are people who literally got in the freezer in the garage or in the utility room or people who got in the bathtub and then pulled a mattress

on top of themselves and tried to ride out the storm, and they would just as soon not do that.

I think the term that is used that we are going to be talking about is "resilient construction"—construction that has the potential to substantially reduce property damage and loss of life resulting from natural disasters, homes and businesses that can withstand disasters, that can protect people during storms. As more disaster resilient building is done, there is less to clean up, there is less property damage, and the insurance rates are impacted in not as big a way because not so much has to be rebuilt because not so much was destroyed.

Those techniques, those resilient building techniques, can be as simple as just using longer nails or strapping down the roof so it has that one added level of security to the roof before the shingles go on. There are many simple and easy steps builders can take to ensure that a home or a business has the best chance to withstand these disasters.

This amendment that we would hope would be offered at the appropriate time later would simply add resilient construction to the list of criteria the National Academy of Sciences and the Government Accountability Office are directed to study. This adds this one thing to it from a commonsense perspective. It is obvious why knowing what building techniques work and what building techniques do not work makes a difference—the ones that minimize damage, that prevent the loss of life, that reduce the government disaster aid that has to be expended in these disasters, that are too big for families and communities and States to handle on their own.

While we are unable to predict when and why a storm might occur next, we do know there will be other problems that need to be dealt with. So studying the impact of construction techniques in storm situations is something I believe we should do. I think this would be an added benefit to this bill. At the appropriate time, I look forward to calling the actual amendment up or asking someone else to see that this amendment is called up so that my colleagues have a chance to vote on it.

I know my cosponsor, Senator NELSON, is here on the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, indeed I want to talk about this amendment and why it is a good thing, but I first want to compliment the chairman of the Environment and Public Works Committee, who is not seated at her desk in the Chamber, but she is seated as the Presiding Officer.

I want the chairman of that committee to know that she must be Merlin the Magician because in rapid fashion she brings the bill out of her com-

mittee and to the floor, along with her ranking member, the Senator from Louisiana, Mr. VITTER. This water bill is so important to the future of this country, and it is so important to infrastructure in this country. I commend the chairman and the ranking member for the rapidity with which they have worn out the leadership in order to get the leadership's attention to bring it to the floor.

What Senator BLUNT and I are sponsoring is common sense. Anybody who has been through a hurricane, tornado, or any other kind of natural disaster knows what new building codes have done. There is a fancy new term now called "resilient construction," and the resilient construction is making it more resilient in withstanding a natural disaster.

I will never forget flying in a National Guard helicopter after a monster hurricane in 1982—Hurricane Andrew—that hit a relatively unpopulated part of Miami-Dade County, the southern end, and it ended up being a \$20 billion-insurance-loss storm. Had it turned 1 degree to the north and drawn a line on northern Dade County—Southern Broward County—in other words, north Miami and south Fort Lauderdale—it would have been, in 1992 dollars, a \$50 billion-insurance-loss storm. That would have taken down every insurance company that was doing business in the path of the storm.

We had that warning, and we saw the results of the lack of attention to resilient construction—in other words, the building codes.

As I flew over that area of Homestead, FL, in the National Guard helicopter, everything was wiped out in homeowner areas, completely wiped out. They were gone. They were a bunch of sticks. As a matter of fact, the trees were sticks. There were no leaves and limbs left. In downtown Homestead, there were two things that were left standing: one was the bank, and the other one was an old Florida cracker house built back in the old days when they built to withstand hurricanes.

I will never forget going through and meeting the head of Habitat for Humanity. He told us stories about how he had a "Habitat for Humanity" sign on his briefcase, and when he walked through the airport, people would come up and say: Oh, you are with Habitat. I want you to know that all of your homes survived.

They would ask him: How did your homes survive?

He would answer and say: Inexperience.

They would say: Inexperience? What do you mean?

He would say: Well, since our homes are built by volunteers, instead of driving 2 nails, they would drive 10 nails.

This is resilient construction—extra straps on the rafters, building to the codes that will withstand the wind.

Senator BLUNT was talking about some of his constituents in Missouri and this tornado. Well, my wife Grace and I were in our condominium in Orlando, and all of a sudden—did you know that the new smartphones beep when there is a national weather warning, and you pick up—I mean, I haven't turned it on, and it will beep anyway. It says: Severe weather warning. A tornado is en route. Take cover. And I look at our condo, and it has all these glass windows, and I am thinking, what inner room can I go in? Since we have a two-story, what I decided to do was go into the elevator and put it down to the bottom floor as a place for taking cover. In Missouri, there are plenty of basements that are specifically built for the purpose of taking cover. This is what we want the construction industry to do.

What the Senator from Missouri and I are doing is saying to the National Academy of Sciences: We want you to come up with additional studies on how our people can save lives and save property with resilient construction. That is simply what this amendment does.

I would conclude by saying, my goodness, do we need another reminder of Katrina? Remember, the Katrina problem was not the wind; the Katrina problem was the wind on the back side coming across Lake Pontchartrain that caused the water to rise. The levees weren't there, and it breached the levees, and that became a multiple hundreds of billions of dollars storm. We should have learned our lessons there. Sometimes resilient construction is not only about people's homes, but it is about dikes and levees as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I thank my colleagues from Missouri and Florida for this very worthwhile amendment. I will certainly be supporting it. The plan is to have this in the second set of amendments for votes, absolutely, as soon as we can proceed to votes. That is the plan, which I fully expect to be executed. I thank them for their work and for their contribution.

In the same vein, we are expecting Senator INHOFE to join us on the floor to also present without formally calling up his germane amendment. That way, we will have that discussion ahead of time, and that also will be all teed up for the second set of amendments we hope to have on this bill.

I hope what this underscores is that we have a pretty good plan to move forward quickly, to start having votes. Sometimes around here we want to settle every possible discussion about every possible amendment vote out there. In my opinion, it is more productive to start because you can't finish unless you start. I think we want to start having important votes, includ-

ing nongermane votes, and get to absolutely every amendment we can. I think we are on that path. Hopefully we will be doing that today and then formally presenting and voting on the Blunt-Nelson amendment as well as the Inhofe amendment and other amendments tomorrow.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

Mr. PRYOR. Mr. President, I ask unanimous consent there be a period for debate only until 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I want to mention a couple of things. First of all, the Senator from Arkansas and I have a very significant amendment, and one we will want to talk about. In fact, it is an amendment we had during the discussion on the amendments for the budget bill at something like 4 o'clock in the morning. At that time we were able to get it passed without a dissenting vote, so it is one we should be able to get through.

I will yield to the Senator from Arkansas in a moment, but before doing that I want to mention we have a set-aside amendment I am very concerned with. I certainly think the Senator in the Chair, as well as the Senator from Arkansas will both be very appreciative of this and supportive of it since they have a lot of small communities in their States, as I do in my State of Oklahoma. It uses the threshold of 25,000 people—any community that has 25,000 people or less—in order to take advantage of this set-aside money that would come within the WRDA bill.

Now, here is the problem we have. A lot of the small communities in my State of Oklahoma—and I would suggest the States of West Virginia and Arkansas are in the same situation—are not large enough to have an engineer or someone who is going to be able to put grants together. So we take 10 percent of the total amount and put it in there as a set-aside for these small communities.

This is a formula we have used before. We used the 25,000 benchmark before in the Transportation bill, in the WRDA bill, and in the farm bill, so it is one that is fairly well-accepted, and it provides a pot of money—it doesn't cost us; it is not scored—from the overall money to be reserved for the small communities, such as my communities in the State of Oklahoma.

I understand we are not to call up amendments right now, and that is fine with me, but that is one we will be offering. As I said, in just a moment I will be yielding to the Senator from Arkansas. In the meantime, I would call on the memories of those in this body back to when we had our all-night session about a month ago and the amendments that were there on the budget bill.

One of the amendments we passed was an amendment that would allow the SPCC to have farms exempt from the SPCC—the Spill Prevention Containment Control Act—so that the farms in my State of Oklahoma and throughout America would not be treated as refiners.

Spill prevention is a very expensive process. It is one that would require double containers for farms. This is a good example.

This happens to be a container on one of the farms in my State of Oklahoma, where you have a total amount of gallons of fuel from gas or oil or other fuels. If they are less than 10,000 gallons, they would be exempt. If they are less than 42,000 gallons, they would allow them to not do it through a professional engineer but do it just within their own resources—in other words, set their own standards.

This is my State of Oklahoma. This happens to be the well-discussed pipeline that goes through Cushing, OK. This is one of the central points where oil comes in and then goes out. It comes from the north and goes back down to Texas. But these are containers that should be subject to the jurisdiction that is prescribed for refiners for the containment of oil and gas. That is what that is about. This is not what that is about. This is just a typical farmer.

I have talked to farmers, and after that amendment passed—and the occupier of the Chair will remember this because he was a very strong supporter of this particular amendment—we had phones ringing off the hook from the American Farm Bureau and all the others saying this is something that is reasonable. But here is the problem. That would have expired on May 30, and all we did with that amendment was extend that exemption to the end of the fiscal year.

So if that passed without one dissenting vote, and if it is that popular, why not go ahead and have the same type of exemption put permanently in our statutes. That is what our plan is—to do that with the Pryor-Inhofe amendment.

Our amendment is supported by the American Farm Bureau, the National Cattlemen's Beef Association, the National Council of Farmer Cooperatives, the National Wheat Growers Association, the National Cotton Council, the American Soybean Association, the National Corn Growers, and USA Rice.

So almost everyone having to do with agriculture is very supportive.

It doesn't totally exempt all farmers because it establishes three categories: one with farms where, if you add the aggregate and it is less than 10,000 gallons, they would be exempt; if they are in the next level up, between 10,000 and 42,000 gallons, they would be required to maintain a self-certified spill plan; and anything greater than 42,000 would have the total requirement, which means they would have to hire an engineer and go through all this expense.

I see the prime sponsor of this amendment is on the Senate floor, so I yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I thank my colleague and friend from Oklahoma. He was doing such a good job of explaining the amendment, I didn't want to interrupt him. But I thank him so much for yielding.

Later this week, all farms in the United States will have to comply with the EPA's spill prevention, control and countermeasures rule known as SPCC. That takes effect on May 10. But farms are not like other regulated entities in the SPCC realm. Farms are unlike other SPCC entities the agency has dealt with since 1973. They do not have, by and large, environmental manager personnel ready to follow through on these regs and to make sure they are in compliance with all the EPA stuff; whereas, other businesses with larger financial resources tend to have more resources and more people devoted to making sure they comply with all the EPA regulations.

Agriculture actually has a very good track record on fuel spills. Row crop farms, ranches, livestock operations, farmer cooperatives and other agribusinesses pose a very low risk for spills when we look at the statistics. Many of these tanks are seasonal, and they stay empty for large parts of the year. But they allow farmers to manage the high fuel costs they have to endure. In my State, it is mostly diesel—and probably mostly diesel in most parts of the country. In fact, when we look at the data, spills on farms are almost nonexistent.

This is a commonsense amendment, and I want to thank Senators INHOFE, FISCHER, and LANDRIEU for joining me in this effort and taking this burden off of farmers and ranchers in implementing the SPCC rule.

Let me cite specifically what the amendment will do. It will provide realistic threshold sizes for tank regulation at the farm level and allow more farms to self-certify, thus saving time and money that would otherwise be spent in hiring professional engineers to develop and sign SPCC plans.

EPA's unusual 1,320 gallon regulatory threshold under the SPCC rule is not a normal tank size for agriculture. That

may be normal in other contexts but not in agriculture. A 1,000-gallon size is much more common, and raising the threshold to 10,000 gallons in aggregate is a much more reasonable level for farmers and ranchers all over the country. So my amendment would allow most Arkansas farms—most farms in Oklahoma, and, in fact, most farms throughout the country—to use the aggregate storage capacity between 10,000 and 42,000 gallons to self-certify rather than going through the expense and time of hiring a professional engineer.

I look forward to working with the bill managers on this amendment.

I also have another amendment. I know these amendments would be objected to right now if we brought up the amendments—this is amendment No. 801—but at the appropriate time I would like to ask that it be made pending.

Mr. INHOFE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator yields.

Mr. INHOFE. I think some people might have an objection to this amendment if they thought there were some bad actors out there who, in the past, have violated or done something, in which case they would still have to comply as if they had over 42,000 in storage. This was called to my attention, and I think in the drafting of this amendment the Senator took care of that problem, I do believe.

We discussed this, I remember, the last time at 4 o'clock in the morning when we had the amendment for the budget bill, and at that time we made it very clear. The SPCC was designed for refiners. It was designed for the big operations, such as that big operation we had a picture of from Oklahoma. It doesn't affect them. They still should be and do have to comply. But the literally thousands of farms that are out there that are just trying and barely getting by, they are the ones we are speaking of.

I know the Senator from Arkansas has them as well as we do in Oklahoma, and before the Senator moves to another amendment I just wanted to be sure that part of the amendment was included in this discussion because that would offset some of the opposition that might be there to this amendment.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I thank the Senator from Oklahoma for pointing that out. I think he is exactly right. I am unaware of any real opposition to this amendment. There may be a little bit of opposition, but I am not aware of it. But I know we do have at least one Senator—maybe more—who is, temporarily at least, objecting to all amendments until his or a group of them can be agreed to or made pending.

I don't think any objection right now would be specific to this amendment. I

also have another technical amendment that I want to call up at the appropriate time. It is not the right time now, but at the appropriate time I do have another technical amendment.

I thank my colleague from Oklahoma for his leadership and thank him for his effort, along with Senators FISCHER and LANDRIEU. This has been a team effort. It was bipartisan. We want to help American farmers. Again, the risk of spill on farms and ranches is just minuscule, almost nonexistent. If we look at the track record, there is a very good track record.

This is a good amendment, something we have been working on for a long time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I again thank my colleagues from Arkansas and Oklahoma. I support their measure. I thank them for coming down and laying out the argument explaining their measure even before it is formally presented because that will help expedite the process. We are absolutely working on that formal consideration and vote as soon as possible, just as we are on the amendment we talked about a few minutes ago, the Blunt-Nelson amendment.

I thank them for their work. I thank them for coming to the floor to expedite debate. We are absolutely working on proceeding to get to formal consideration of their amendment and a vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE BUDGET

Mr. CRUZ. Mr. President, I rise in praise of Majority Leader HARRY REID. He said the following:

My friend from Texas . . . is like the schoolyard bully. He pushes everyone around and is losing, and instead of playing the game according to the rules, he not only takes the ball home with him but he changes the rules.

Today Leader REID continued his demonstration of civility by referring to me as the "very junior Senator from Texas."

As I noted yesterday, the Senate is not a schoolyard. Setting aside the irony of calling someone a bully and then shouting them down when they attempt to respond, today I simply wish to commend my friend from Nevada for his candor.

Yesterday I expressed my concern that sending the budget to conference could be used to pass tax increases or a debt ceiling increase through reconciliation—a backdoor path that would circumvent the longstanding protections

of the minority in the Senate. And I observed that I would readily consent to the leader's request if he would simply agree that no such procedural tricks would be employed. It is perhaps rare for a so-called bully to offer to waive all objections if the other side will simply agree to abide by the rules, but I commend the majority leader for his response.

He did not disagree that he hoped to use reconciliation to try to force through tax increases or a debt ceiling increase on a straight party-line vote. He did not pretend that his intentions were otherwise. When the economy is struggling so mightily, as it is now—for the past 4 years our economy has grown at just 0.9 percent a year—it would be profoundly damaging to millions of Americans to raise taxes yet again, on top of the \$1.7 trillion in new taxes that have already been enacted in the last 4 years. And with our national debt approaching \$17 trillion—larger than the size of our entire economy—it would be deeply irresponsible to raise the debt ceiling yet again without taking real steps to address our fiscal and economic crisis.

If done through reconciliation, the majority could increase taxes or the debt ceiling with a 50-vote threshold rather than needing 60 votes. The American people already saw ObamaCare pass through backroom deals and procedural tricks. It should not happen again.

The majority leader could have claimed that he had no intention of trying to undermine the protections of the minority or of forcing through tax increases or yet another increase in the debt ceiling. But, in a refreshing display of candor, he did not do so, and I commend him for his honesty, so that our substantive policy disagreement can be made clear to the American people.

Let me be explicit. We have no objection to proceeding to conference if the leader is willing to agree not to use it as a backdoor tool to raise the debt ceiling. If not, he is certainly being candid, but the American people are rightly tired of backroom secret deals to raise the debt ceiling even further. And we should not be complicit in digging this Nation even further into debt on merely a 50-vote threshold.

Finally, I would note that the leader made a plea to regular order, and yet he was seeking unanimous consent to set aside regular order, granting that concept could open the door to even more tax increases and crushing national debt, and in my judgment the Senate should not employ a procedural backdoor to do so.

For reasons unknown, the majority leader deemed my saying so out loud as somehow "bullying." Speaking the truth, shining light on substantive disagreements of our elected representatives, is not bullying; it is the responsi-

bility of each of us. It is what we were elected to do. All of us should speak the truth and do so in candor. All of us should work together to solve the crushing economic and fiscal challenges in this country. All of us should exercise candor, and I commend the majority leader and thank him for his willingness to do so.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from California.

Mrs. BOXER. Madam President, just for the interest of all Senators, we are looking at some amendments which hopefully we can vote on tonight or early in the morning. It is one of those surprises to the American people that we are on a water infrastructure bill that deals with building absolutely necessary flood control projects and making sure our commerce can move through our ports—and we have money to deepen the channels and make sure our ports are working; they take those imports, they get those exports; it all works; critical infrastructure—and the first two Republican amendments are about guns.

Let me say it again. We are working on a critical infrastructure bill, and the first two Republican amendments are not about jobs, not about business, not about commerce—about guns. So we will deal with that. We will deal with those amendments.

But I think the American people have to listen. When our colleagues on the other side of the aisle get up and talk about the economy, straight from the heart: This economy is not creating enough jobs, oh, my goodness, the first two amendments they offer on a critical infrastructure bill—that is so critical to business that the chamber of commerce has endorsed it, that every business that is involved in construction has endorsed it, that every worker organization has endorsed it, the National Governors Association has endorsed it—the first two amendments are not about jobs, they are not about commerce; they are about guns. So let's understand what we are dealing with.

BUDGET CONFERENCE

Now, I want to say to my friend from Texas—and I welcome him to the Senate—for 3 years his party has been following Democrats all over the country, yelling at us: Where is your budget? Get your budget done. For shame on you; no budget.

And what has he done, starting from yesterday? Objected to this country having a budget because he thinks maybe—he does not know this; he is guessing—that in a conference, where we try to negotiate the differences between the sides, something might happen that he does not like. Maybe we will wind up saying: Yes, there ought to be a penalty on companies that ship jobs overseas. Maybe we will tighten some tax loopholes that allow the most

successful companies to pay nothing in taxes while the middle class pays through the nose. Maybe he does not like the fact that Warren Buffett—one of the most successful entrepreneurs in our Nation—got up and said: You know what, I am embarrassed. I pay a lower effective tax rate than my secretary. Maybe he thinks that is good. Fine. But do not stop us from getting a budget.

Anyone who knows how a bill becomes a law—whether they are here 15 minutes or more than 20 years, as I have been—everyone knows that the way we operate here is that the House does a budget, the Senate does a budget.

We did a budget. Republicans demanded it, and we did it for sure. And we took care of 100 amendments. We remember being in until 5 in the morning. I certainly remember that. Now the next step is that you go to conference.

So I am saying here that I will be on my feet. Every time the good Senator from Texas comes, I will come and I will say: Senator, let the process work, do not be fearful of the process, because, you know what, when you have power—as the Senator does and as I do—do not be afraid of the process. If you want to make the point that the Buffett rule does not make sense, make your point, but do not stop us from getting a budget.

I do not understand how any conservative could stop us from getting a budget, but yet that is what we have.

So I would urge my friend to work with his colleagues on both sides of the aisle. Let's get to the conference. Let's make sure the chairman of the House Budget Committee, Mr. RYAN, who I am sure is very competent, and our chairman, Senator MURRAY, who I know is very competent—get them in the room with their conferees, and let's let democracy work. This is the way a bill becomes a law.

They have stopped us from appointing conferees for a budget conference. I could tell you, having been here for a while, it is essential that we get to conference—whether it is the WRDA bill that we are so anxious to do because it is so important for jobs or whether it is the budget or whether it is an appropriations bill. Do not be afraid of the process. This is a democracy. We take our differences into a conference room, and we work together. If you do not like the outcome, that is fair enough. I could truly say I have not liked the outcome of a number of conferences, but I do not stop people from going to the conference because that is stopping democracy. That is a dictatorship. I decide something is going to happen in conference that I do not like. Now, what if I say that what could well happen in the conference is they make the sequester permanent. That could happen in the conference. I

think that is devastating, to make the sequester permanent. I want to stop the sequester. I do not like the fact that 70,000 kids cannot get Head Start. I do not like the fact that people cannot get their chemotherapy. I do not like the fact that Meals on Wheels is being cut back and senior citizens who cannot afford meals are not getting them. I do not like the fact that people are not getting HIV screenings or breast cancer screenings. That is what is happening. So I do fear, frankly, that if there is a conference, the Republicans will prevail and they may come out of this with a permanent sequester. So I could stand here and say: I object to the process because I am fearful that they will get in there and they will make the sequester permanent, and that would hurt my people in California. But you know what, I have more faith in us. I have more faith in the American people. I have more faith in the process.

So I would urge my friend to stand down on this—and his allies. I know he is sincere, but I am saying that it is against progress. We do not know if there will be a tax increase or a tax decrease. Frankly, I have some really great ideas for tax decreases that I would like to see—decreases for the middle class, decreases for the working poor. I would like to see that in a conference. But I do not know what our colleagues will come back with.

But I use this time as the manager of the water infrastructure bill to tell colleagues that we should come together, not only on this bill. Instead of offering controversial amendments on guns to a water infrastructure bill, why cannot we just focus on what is before us? Finishing this WRDA bill—getting it done for the 500,000 jobs that rely on this, getting it done for the thousands of businesses that rely on it, getting it done for organized labor and the chamber of commerce coming together here. Get it done. And on the budget front, get it done.

With that, I ask unanimous consent that there be a period of debate only until 6:30 p.m. and that at that time the majority leader or his designee be recognized.

The PRESIDING OFFICER. Is this objection?

Without objection, it is so ordered.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

BUDGET CONFERENCE

Mr. LEE. Madam President, what the majority leader requested yesterday was not regular order. What would be

consistent with regular order would be to send the Senate-passed budget over to the House of Representatives. And what the majority leader requested unanimous consent to do yesterday did not involve sending the American people to conference; it involved sending a small number of people to conference. And what the majority leader requested unanimous consent to do yesterday did not involve simply getting to a budget on which both Houses could agree. I do not think there is anyone here who would object to that—not one of us whom I am aware of.

What we do object to—what I strongly object to—is any procedural trick that could be used to negotiate, behind closed doors in a backroom deal, an agreement to raise the debt limit or to raise taxes. The American people do not want that. They will not accept it, and frankly they deserve better.

I have to admit I stood in a state of disbelief for a moment yesterday as I heard the majority leader say something to my friend, my colleague, the junior Senator from Texas. I at first assumed I must have misunderstood him because I thought I heard him utter words consistent with the suggestion that my friend, the junior Senator from Texas, was a schoolyard bully. I was certain the majority leader could not have meant that. He probably did not say that.

Unfortunately, as I reviewed news accounts later on yesterday, I discovered that is exactly what he had said. Only the majority leader can tell us exactly what the majority leader meant by that. It is not my place to malign his motives. If I were to do so, it would run me up against Senate rule XIX. Part 2 of Senate rule XIX says that no Senator in debate shall directly or indirectly by any form of words impute to another Senator, or to other Senators, any conduct or motive unworthy or unbecoming a Senator.

Certainly that would have been in violation of rule XIX, part 2, had the majority leader actually said that and intended to do that, because when you accuse a colleague of being a schoolyard bully, it certainly is not a compliment. It is, in fact, accusing them of doing something or being something unbecoming. I, therefore, will leave it to the majority leader to tell us what exactly he meant. Things happen on this floor. Things happen in the legislative process. Things happen when we get into heated discussions about matters of important public policy that probably should not happen. Sometimes we say words we did not intend to say. Sometimes we say things that in the moment of weakness, perhaps we intended to say but should not have said.

If, in fact, the majority leader slipped and said something he did not mean to say or recognizes now that he should not have said, then I invite him to

come forward. I am confident my friend, the junior Senator from Texas, will promptly and frankly accept his apology.

If, on the other hand, this was something else, then I think we need to examine this more closely. It is important to reiterate there certainly could not have been any legitimate basis for making this accusation about the junior Senator from Texas. All the junior Senator from Texas was asking is that if, in fact, we are being asked to give our consent, our unanimous consent, that means the consent of every Senator present, to send this budget resolution to conference committee, that it carry one important but simple qualification; that is, that this conference committee not be used as a ruse, whereby we create an environment in which you could develop a secret backroom deal for raising the debt limit or raising taxes without going through the regular order.

That is the furthest thing that I can think of from being a schoolyard bully, simply making a very reasonable request that we go by the normal regular order rules of the Senate in order to do that. If there is any reason why my friend, the junior Senator from Texas, could ever be accused of being a schoolyard bully, I am not aware of it. It certainly was not evident in yesterday's debate and discussion on the floor. We are owed an explanation, to the extent that anyone was making the suggestion and, in fact, meant that.

At the end of the day, I do not think any of us can dispute the fact that we face very difficult challenges in our country and that many of those challenges weigh heavily on us as Senators. That is why sometimes people say things they later regret, but that is what apologies are for.

At the same time, we can speak with absolute certainty and unmistakable clarity in saying that while different Americans might approach this issue differently, while different Americans might take a different approach to raising taxes or raising the debt ceiling, one issue on which almost all Americans are united is the fact that these things ought to be debated and discussed in open and not through a secret backroom deal.

The dignity of this process, the dignity of this body, our commitment to honor the constitutional oaths we have all taken as Senators demands nothing less.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CARDIN. Madam President, I ask unanimous consent to speak as in morning business.

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

SEQUESTRATION

Mr. CARDIN. Madam President, I think 2 weeks ago the American public understood one of the consequences of the sequester cuts, these across-the-board, mindless cuts, when they saw what was going to happen with furloughs with the air traffic controllers and the air traffic service in this country.

I never supported sequestration. These are mindless across-the-board cuts. I certainly did not want to see what would have happened to the FAA happen. That was mindless across-the-board cuts. We provided system flexibility to be able to avoid that circumstance. But what we need to do is replace sequestration for all agencies that are affected because similar occurrences are happening in other agencies.

The reason is these are across-the-board mindless cuts. They are deep cuts. To the agencies that are affected, it is equivalent to about a 10-percent cut. This is on top of 3 years of reduced appropriations for these agencies. So it is affecting the core mission of the agencies. They have no flexibility, and therefore they have to cut back on their mission. That is what happened at the FAA. Of course, we provided some flexibility so they can do some other things. But we have not done that as far as providing relief from these across-the-board cuts in other agencies.

So we are going to see many Federal agencies having to fundamentally change what they do. Let me give a couple of examples. I was recently at the National Institutes of Health and saw firsthand the great work they are doing. I could tell the Presiding Officer many of the missions they are doing are critically important to our health.

I was briefed on the work they are doing for an influenza vaccine that will help us deal not with every season having to deal with a different type of influenza and not knowing whether we get it right but looking at one that will work for multiple years. That is the type of work that is done at the National Institutes of Health, the kind of work in dealing with finding the answers to cancer. I remember when I was young, if you got cancer, it was a death sentence.

Now we reduce the fatalities of cancer. The survival rates are much higher. That is the work that is done at the National Institutes of Health, NIH. That work is being compromised by these across-the-board cuts that affect the grants NIH can give to the institutes around the country, including in Massachusetts and in Maryland.

What is happening with Head Start is 70,000 children who could benefit from Head Start will not be able to this fall. Why? Because of these across-the-board

cuts. Head Start is a program that works. We know that. The children who have participated in Head Start do much better. We have waiting lists now. Do we want to tell 70,000 families they are not going to be able to send their children to Head Start this fall?

Senior eating together programs are being cut. Do we truly want to reduce our commitment to seniors in this country so they can get a nutritional meal? The border security protections we are going to be debating on the floor in a short period of time, how we can deal with comprehensive immigration reform. We want to do what is right, but we want to protect our borders. Do we truly want to cut back on border security in this country?

Food safety. The list goes on and on and on to basic missions that will be affected by these across-the-board cuts. Why? I have heard people say this is not such a big deal, about 2 percent of the budget. The difficulty is it applies to only a small part of the budget; that is, basically our discretionary spending accounts. These discretionary spending accounts have already gone through several years of freezes and cuts. They have been really stretched. So the cut is condensed into a short period of time. There is no flexibility that is given in order to deal with it. It is going to have a negative impact on our economy.

I used the example at a forum I had 2 weeks ago with a group of business leaders; that is, if you had trouble in your business, you knew you had to cut back, you would look at your budget, your money planned for rent or your mortgage payment, you have some money planned for your family for the food budget, maybe you had some money put aside for a weekend vacation or trip with your family.

You do not cut every category the same. You are going to save your house and make sure there is food on the table. We have to do the same at the Federal level. We have to make the tough decisions as to where the priorities of this country need to be. I saw the impact on our Federal workforce. I am honored to represent a large number of Federal workers who are very dedicated people working to provide services to the people of this country. Many are going to go through what is known as furloughs. Furloughs are nothing more than telling you you are going to get a pay cut.

Now, they have already had 3 years of a freeze. They have seen a lot of vacant positions go unfilled so they are being asked to do more with less. Now they are being told they have to go through furloughs. That is not right. We can do better than that. This country can do better than that. What we need to do is replace sequestration and we need to do it now.

The majority leader made a unanimous consent request. I am sorry it

was not agreed to. What it said, very basically, is we can find other ways to get the budget savings, but let's not do this meat-ax, across-the-board approach that compromises the missions of this country. Unfortunately, that was objected to. I have spoken on the floor before about areas we can reduce spending.

I hear my friends on the other side of the aisle talking about mandatory spending. I agree. We can save money in health care. As the Presiding Officer knows, the work being done in Massachusetts, and I can tell you the work being done in Maryland, we see how we can reduce hospital readmissions, how we can deal with individuals with complicated illnesses and treat their conditions in a more comprehensive way, saving on less tests that need to be done, saving on hospitalizations.

We know how we can reduce hospital infection rates. There are ways we can cut back on health care costs that will reduce Medicare and Medicaid and health care costs. That is what we need to do. That will save money. Let's implement some of those cost savings.

I am honored to serve on the Senate Finance Committee. Our committee has jurisdiction over the Tax Code. We spend \$1.2 trillion a year in tax expenditures. That is not touched at all by sequestration. We need to take a look at the Tax Code. There are parts of the Tax Code that are not efficient. Let's get rid of those provisions and we can save money and use that to help balance the budget without these across-the-board cuts.

Then we are bringing our troops home from Afghanistan. I hope we can do that at a more rapid rate for many reasons. But those savings can also be used to close the gap on the budget problems and to allow us to replace sequestration.

The bottom line is what my constituents want is for Democrats and Republicans to work together and to come up with a responsible budget plan for this country. They want that for many reasons. First, that is the way business should be done. Secondly, it gives predictability; we know what the budget is going to be. People can plan if they know what the Tax Code looks like and they know what the Federal budget looks like. They can plan and our economy will take off. Predictability is very important.

Bottom line, what I urge us all to do: Let's get rid of these across-the-board cuts as soon as possible. We never should have been in this position. We have seen it in a couple agencies where the public was outraged and they flooded our phones. We are going to see that happen more and more because these are irrational cuts. We have a responsibility to act. The sooner we do, the better it is going to be for the American people, the better it is going to be for our economy. It is the responsible thing for the Senate to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. I ask unanimous consent to speak as in morning business.

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

Mr. MURPHY. Madam President, let me first associate myself with the comments of the Senator from Maryland. We are engaging in a bit of theater of the absurd on the floor of the Senate, as we have been chided for years now that the Senate would not and could not adopt a budget.

Having finally done that, Republicans are refusing to allow us to move forward with the process that would finally get us out of this crisis-by-crisis mentality and do what the American people have wanted us to do for a long time, which is to sit across the table with Republicans, two parties in one room, with the TV cameras on, trying to find some settlements, somewhere where 70 percent of the American public can find agreement with us.

GUN CONTROL

I am here, though, to turn back the clock about 3 weeks to another day that I would argue is amongst the saddest this Chamber has seen in a long time. That was the day in which we went against the wishes of 90 percent of the American public and refused to adopt a measure that would have applied background checks to the vast majority of gun purchases in this country, that they also would have for the first time made gun trafficking, illegal gun trafficking, a Federal crime.

During those days I came down to this floor four or five times to tell the stories of victims, the victims of Sandy Hook, but also the victims of, frankly, countless other mass shootings and routine gun violence mainly in our urban corridors. I said no matter what happens on that vote that I wouldn't stop, that I would come down here and continue to tell the real stories that should matter.

We didn't get that bill passed, even though we had the support of 55 Members of the Senate. Our fight isn't over because the plight of gun victims and the surviving of relatives of gun victims are not over either.

This is an old chart. It is one I had up here for a number of hours during that week. It displays the number of people who have been killed by guns since December 14, 2012, when my State was witness to one of the worst mass shooting tragedies this country has ever seen.

We would have to now have two charts up here to simply display the same thing, because this number, which was somewhere in the 3,000s, has now easily cleared 4,000, maybe even up close to 5,000—the number of people who since Sandy Hook have been killed across this country by gun violence.

I wanted to come back down here to the Senate floor this week, as I will

next week and the week after, to continue to tell the stories of who these people are, because they deserve an answer. The status quo is not acceptable to the mounting legions of families who have lost loved ones due to gun violence that could have been prevented if we had the courage to stand up and do something in this Chamber, if we had the courage to take on the gun lobby and make some commonsense changes the majority of Americans, the vast majority of Americans, support.

Let me tell you a few of these stories today, because I know we have other issues on the floor today to talk about. Let me tell you about Shamari Jenkins. She was 21 years old, and she lived in Hartford. About a week ago, on April 29, she was gunned down while driving in a car through the city of Hartford with her boyfriend. She was driving through the city when someone shot a couple of bullets through the back of the vehicle. It hit her and killed her. It went through her torso and her shoulder. She was 4 months pregnant when she was shot and killed. She was just a couple days away from that magical day many parents have experienced when they find out whether they are having a boy or a girl. That appointment was just a couple days away when she was killed. Close friends and family describe her as sweet and upbeat, with a lot of energy. Shamari was killed in Hartford at age 21 on April 29. Every single day in this country, on average, 30 people are killed by guns, many of them stories just like this.

The ages of all of the people I have been talking about on this floor—you get a couple who are in their forties or their fifties, a few, as I will talk about later, even younger—the majority of these kids are 17, 18, 19, 20, and 21 years old. It is a cruel moment to take somebody from this world, because when you are 21 you have a vision as to who this person is going to be. You can sort of see the greatness. Her friends described her as someone who always had a smile on her face. Yet you steal so much of their life. Shamari Jenkins, 21 years old, killed a week ago.

There are younger victims such as Caroline Starks, who, 1 day after Shamari Jenkins was killed, was killed in Cumberland County, KY, by her 5-year-old brother. She was 2 years old, and she was killed in an accidental shooting by her 5-year-old brother. She was killed by a .22 caliber Crickett rifle. They were messing around in the little bit of time that their mother had stepped outside onto the porch. Her brother picked up this little Crickett rifle, one he used to go hunting with his family. He was 5 years old, and he shot his 2-year-old sister. She died. It was a Crickett rifle. It is a cute name, right? It is a cute name because it is marketed to kids and sold as "My First Rifle." It is made by a company that

also makes another line of guns called Chipmunk rifles.

I certainly understand that in a lot of families there is a long history of hunting together as a family. The reality is that some of these shootings are malicious, with the number of guns that are out there. A gun lobby organization that used to spend a lot of time on gun safety now spends most of its time simply arguing for laws that perpetuate the number of guns in society. These accidental shootings are happening more and more.

Another one happened 3 days before Caroline Starks was killed. Michele Wanko of Parkside, PA, lost her husband William this year when she accidentally shot and killed him in the basement of their home. He was giving her lessons on how to use a semiautomatic pistol. As he demonstrated to her how to use one, she picked up another gun and accidentally fired it into his upper chest. Her screams awoke their 5-year-old son, who was sleeping alongside their 2-year-old son upstairs. It is not just mass shootings, it is not just urban violence, it is also this rash of accidental shootings taking the lives of mothers and children that we have seen as well.

We still should talk about these mass shootings because our inaction almost guarantees it is going to happen again. A lot of people said the law that we had on the floor of the Senate a couple of weeks ago had nothing to do with Newtown, so why are we talking about a piece of legislation that ultimately wouldn't have prevented an Adam Lanza from walking into that school and shooting 26 people.

That is true, but we know from experience that a better background check system could have prevented at least one mass tragedy in this country, and that is the Columbine tragedy. The guns that were used to perpetuate that crime on April 20, 1999, were bought at a gun show, the Tanner Gun Show, by a friend of the assailants. She bought the guns at a gun show because she knew if she bought them at a federally licensed dealer, she wouldn't have been able to do so. She would not have been able to walk out of that store with a gun. She went into a gun show where she wouldn't have to go through a background check.

Perhaps if we had a stronger background check system on the books on April 20, 1999, Rachel Joy Scott would still be with us today. Rachel was an aspiring actress. Her father said she was just made for the camera. She wasn't just acting, she was writing plays. She had written one already, and she was getting ready to write another one. She was a devout Christian and she kept diaries where she wrote about her hope for living a life that would change the world with small acts of compassion.

Maybe if we had had a better background check system in 1999, Daniel

Lee Rohrbaugh would still be alive today. He worked in his family's car and home stereo business. He loved electronics, and he had real talent for it. He would make a little bit of money working at the store, but he would never spend it on himself. He spent almost all of the money he earned on Christmas presents. His father remembers Danny's generosity by saying he didn't spend any of the money on himself, and he was upset because he came up \$4 short on the last present for Christmas.

Maybe we would still have Daniel Conner Mauser with us today. He was a straight-A student. He was the top biology student in his sophomore class. He was shy, but he knew he was shy and he wanted to overcome it, so he joined the debate team to become more confident about public speaking. He was as compassionate as Daniel was. When a neighbor became ill, he went down there, raked leaves, and asked how he could help his neighbor. He loved swimming, skiing, and hiking. He was on the school's cross-country team, a straight-A student, and the top biology student in his class. We will never get to know what Daniel Conner Mauser would have been.

If we had a better background check system, maybe Matthew Joseph Kechter would still be alive today. He was another straight-A student but a student athlete as well. He was a starting lineman on Columbine's football team. He was a great student athlete but also a great older brother. His younger brother looked up to Matthew and would wait at the mailbox for Matthew to come home from school every day. Matt hoped to attend the University of Colorado where he wanted to study engineering—a straight-A student, a student athlete who wanted to be an engineer. Doesn't that sound like the type of kid we need in this country today?

These are another half dozen of the thousands of victims we have read about in the newspapers and watched news about on TV since December 14, 2012.

One of the arguments I have heard repeated over and over, both during the debate on the floor and since then, is that even if we passed these laws, it wouldn't matter. Sure, you say the guns were purchased outside of the background check system for the Columbine shootings. Even if the background checks were required, these kids would have found another way to get the guns.

Another way of putting the argument is criminals are going to violate the law, so why pass the law in the first place? That is as absurd an argument as you can muster in this place. Frankly, that is an argument not to have any laws at all. People drive drunk and they kill people. Republicans aren't coming down to the floor of the Senate

and saying we should get rid of drunk driving laws because there are people who still go out and drink and drive. There are, unfortunately, other men out there who beat their wives, but nobody is coming down to the floor of the Senate or the House and arguing we should get rid of our domestic violence laws because some people don't follow them.

The fact is we make a decision as a country what standards we are going to apply to conduct. We trust that is going to funnel some conduct away from the kinds we don't want into the kinds we want. It is also going to allow us to punish those who act outside of the boundaries we have set. That is why we still have drunk driving laws and domestic violence laws, even if some people ignore them. It is why we should have an expectation that criminals in this country shouldn't have guns, even if some criminals are still going to ignore the law and get the guns anyway. That way we can punish those people who do wrong, and we can have some comfort in knowing that some people will choose to do right because of the consequence of the law being in place.

There was no consequence for that young lady, the friend of the Columbine shooters, when she went outside the background check system to get guns for her friends. We will never know if she would have made a different decision, but why not have the law to test out the theory. For the thousands of people who have died since December 14, they would take that chance that the law will work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I first of all thank my friend, the Senator from Connecticut, for his comments today and for his leadership on this issue which is of such enormous importance.

I have been a long-time supporter of the second amendment, but like so many other Americans after Newtown, the status quo just didn't cut it. The Senator and so many others have continued to come down and raise the issue. At least we ought to make sure we have a system in place in this country to prevent criminals and those with serious mental impairment from purchasing firearms. I think it is the most reasonable of all proposals. I thank the Senator for not letting us on the Senate floor forget that tragedy and that issue. I have a sense, and I am sure it is the same in Connecticut and it probably is the same in the Commonwealth of Massachusetts, the American people haven't forgotten. There is not a day that goes by when I don't have somebody coming up and saying, you have got to bring that back up.

I again thank the Senator for his good work. I think those of us who

want to put in place appropriate, reasonable restrictions that the vast majority of law-abiding gun owners support will have another day in this hall.

THE BUDGET

Madam President, I note a lot of my colleagues have also been down today talking about the budget, an issue some would say I have been a little bit obsessed about in the 4 years I have been here.

I want to come and talk about that tomorrow, but at least tangentially I want to raise that same issue in my comments today.

TRIBUTE TO FEDERAL EMPLOYEES
TIMOTHY GRIBBEN, CHRISTINE HEFLIN,
MICHELLE SILVER

Madam President, this week we celebrate Public Service Recognition Week to honor public servants at all levels of government for their admirable patriotism and contributions to our country. We talk about budgets sometimes and we forget that a lot of the resources we pay in taxes that go to budgets actually hire Americans who go to work every day trying to make our country a safer place to live and a better place to live. Quite honestly, the vast majority of folks who work in public service go about doing it with very little recognition for the work they do.

Since 2010, when I had the opportunity as a freshman Senator to preside more often than I would have liked to, I used to see then-Senator Ted Kaufman, who would come down to the floor almost every week and talk about a Federal employee. When Ted, who had served as staff director to JOE BIDEN for close to 30 years, left the Senate, I inherited that responsibility from him. While I have not been quite as conscientious as Senator Kaufman, I have tried to make certain to come down on a regular basis and call out Federal employees who deserve recognition, including even certain Federal employees who work in the Senate.

Today I want to take a moment to recognize three Federal employees who particularly are relevant to the debate we are having about budgets because one of the issues we all have to recognize is we have to find ways to make our Federal dollars go further. So I want to recognize three Federal employees who happen to be Virginians, who are working to make our government use data better to improve accountability and transparency. These are individuals whom, as chair of the Budget Committee's Government Performance Task Force, I have followed in some of their actions.

First, I want to recognize Timothy Gribben. Tim is the Director of Performance Management at the Small Business Administration, and in this role he developed SBA's quarterly performance review process that is now considered a best practice among other

agencies. Because of Tim's commitment to transparent and accessible performance metrics—I know that doesn't get everybody's eyes shiny, but performance metrics is something I am pretty interested in—the American public can now more clearly track the support provided to small businesses from SBA to see where our tax dollars are headed.

Tim has been recognized by the White House's Performance Improvement Council and the American Association of Government Accountants for his leadership.

Next, I want to recognize Christine Heflin. Christine is the Director of Performance Excellence at the Department of Commerce and has established the Performance Excellence Council to bring together performance leaders from across the Department to exchange best practices. Because of Christine's expertise, she is sought by other agencies for advice, and she leads performance management 101 training across the Department to educate staff on the benefits of data-driven decision-making, the use of analytics, and performance improvement techniques.

Finally, I would like to recognize Michelle Silver. Michelle served as the program manager for the Bank Act IT Modernization Program. Under her leadership, the program was able to successfully modernize the Financial Crimes Enforcement Network's IT infrastructure. This significantly improved the ability of law enforcement, regulatory, and intelligence agencies to access and analyze financial data to detect and prevent financial crimes. It is important to note that Michelle's management ensured the modernization program was delivered on time and within budget. Because of people like Michelle and many other hard-working Federal employees at the Department of Treasury, our country's financial system is at least safer now than it was before from emerging threats.

I know performance metrics, data analysis, and IT improvements aren't necessarily the subject of debates every day on the floor of the Senate, but regardless of how we get our country's balance sheet back in order, I believe that will require both additional revenue and entitlement reforms so we don't keep coming back to the small portion of our budget which is discretionary programs. Even with all of that, we still need to make sure we use those dollars in the most effective and efficient process possible.

I hope my colleagues will join me in honoring Mr. Gribben, Ms. Heflin, and Ms. Silver, as well as all government employees at all levels around the country for their commitment to public service. Again, I remind all of my colleagues that as we debate budgets and we debate the future of our country, there are literally millions of folks

at all levels of public service who go to work every day to make our country safer, to make our country more efficient, and to provide services for those who are in need.

A few minutes earlier today I was with seven DEA agents who had just received the Congressional Badge of Bravery. They had been recently deployed to Afghanistan. These are all people who represent the commitments we fight for on the floor of the Senate.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Madam President, I ask unanimous consent that at 11:30 a.m. on Wednesday, May 8, the Senate resume consideration of S. 601 and the following amendments be the first amendments in order to the pending Boxer-Vitter substitute amendment No. 799: Coburn amendment No. 804 on ammunition; Coburn amendment No. 805 on Army Corps lands and guns; and Whitehouse amendment No. 803 on oceans; that there be no second-degree amendments in order to any of these amendments prior to votes in relation to the amendments; that the Coburn and Whitehouse amendments be subject to a 60-vote affirmative vote threshold; and that the time until 2 p.m. be equally divided between the two leaders or their designees for debate on their amendments; that Senator COBURN control 40 minutes of the Republican time; that at 2 p.m. the Senate proceed to votes in relation to the Coburn and Whitehouse amendments in the order listed; that there be 2 minutes equally divided in between the votes and all after the first vote be 10-minute votes; further, that upon disposition of the Coburn and Whitehouse amendments, the substitute amendment, as amended, if amended, be agreed to and be considered original text for the purposes of further amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

WRDA

Mrs. BOXER. Madam President, I wish to take about 2 minutes—and I

know Senator BROWN is here to speak—to explain what just happened because a normal person would never follow this, in my opinion. That is just me speaking.

Let me tell my colleagues what we did. Happily, we are moving forward with the first votes on amendments to the WRDA bill—the water resources bill—tomorrow. I have to thank so much Majority Leader REID because he worked very hard on making sure we could figure out a way to move these votes forward. Senator VITTER and I both wanted to see this happen, and we are very pleased.

So what will happen is we will first have a vote on an amendment by Senator COBURN dealing with a study about ammunition. Upon disposition of that amendment, we will move to another Coburn amendment that deals with people being able to carry guns on Corps of Engineers land that has levees and dams on it and so on. We will have debate and a vote on that. Finally, we will have a vote on the Whitehouse amendment which deals with an oceans trust fund. So those three votes will be in order, and following that we believe the Boxer-Vitter amendment will be pending.

I wish to thank everybody for their cooperation in moving forward. I don't understand why and how we would have gun amendments on a water infrastructure bill, but that is just me. This is about water infrastructure. It is about flood control. It is about making sure our ports are deepened so that commerce can flow in and out. It is about water conservation. It is about wetlands conservation and restoration. So I don't quite get why we are voting on guns, but it is the Republicans' desire that the first two votes be on guns, so that is what we are going to do. We will dispose of those.

I can only say to my colleagues, my friends, on both sides of the aisle, could we keep the amendments to the subject at hand? If we could keep the amendments to the subject at hand—I know there is a desire to have votes on lots of issues, but I think we all agree that for the economic well-being of our country, we need an infrastructure that is top-notch. I hate to say it but our infrastructure has been rated as a D-plus. That means our ports are not functioning as they should and our flood control projects are not handling the extreme weather we are facing. We need to get back to work here in regular order.

I know there are people here who think more gun votes is the way to go. That is a very controversial subject. It tears at the heart of the American people in many ways. But so be it. Let the country see what we are dealing with. The first two votes by the Republicans on a water infrastructure bill are about guns. Let the people decide if they think it is appropriate on a water infrastructure bill that deals with flood

control and the adequacy of our ports and our wetlands, and restoration, if that bill should be burdened with amendments about guns. I don't think so. That is how I am talking about it. We will see what happens tomorrow, but at least we have a path forward.

Again, I thank Senator VITTER for working with me today. I thank Senator REID and all of my colleagues for their indulgence. Frankly, I hoped we would have had a few relevant amendments disposed of, but at least we have a path forward together, and I look forward to seeing everybody then.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

WORKERS MEMORIAL DAY

Mr. BROWN. Madam President, this past week we observed in this country Workers Memorial Day—when we pause and remember those Americans who lost their lives on the job.

For generations hard-working people have left their homes every morning or for second or third shift to earn an honest living, to provide for loved ones, to put food on the table. For generations too many would leave for their jobs but return home from work injured or in far too many cases not return home at all; they died operating heavy machinery on late-night shifts; they died working in coal mines; they died building roads and bridges; they died in far too many cases from lack of basic fire safety, ventilation systems, and lighting.

I have shared with my colleagues before that over the years many times I will wear a depiction of a canary in a bird cage on my lapel that reminds me why we honor these workers and why honoring these workers' lives matters. One hundred years ago, a mine worker took the canary down in the mine in a cage. If the canary died from toxic gas or lack of oxygen, the mine worker quickly left the mine, understanding that he had no union strong enough to protect him nor a government that cared enough to protect him.

In those days 100 years ago, when they took the canary in the mine, the life expectancy for a child born in this country was only 45 or 46 years. Today we live three decades longer because we understand everything from Medicare, to civil rights, to Social Security, to workers' compensation, to minimum wage, to prohibition, to child labor, to auto safety, to safe drinking water and clean air laws.

This pin symbolizes people who work hard and play by the rules. We have taken significant steps in this country to keep American workers safe and to

provide them with fair wages and benefits. We know more work needs to be done.

Since the National Labor Relations Act and the Fair Labor Standards Act were enacted into law in the 1930s, workers in this country were guaranteed the right to form a union and bargain collectively. They benefited from a minimum wage and from overtime pay.

Today we see vicious attacks on unions and collective bargaining from State legislatures at the behest of their corporate and far-right benefactors. We see obstructionists in this body who block even the most reasonable and clearly necessary nominations to the National Labor Relations Board.

Yes, there is more work to be done. Even as OSHA—the Occupational Safety and Health Administration—works to ensure safe working conditions, job fatality rates have not changed in the last few years. More than 4,600 workers—think about that: 4,600 workers—were killed on the job in 2011. That is more than 10 a day. And 4,600 American workers went to work and didn't come home that night. About 50,000 more died from occupational disease. That is almost 1,000 a week who died because of exposure to chemicals or something that happened to them in the workplace.

Given the progress we have made over the last several decades, nonetheless, Americans live longer and enjoy a better quality of life, but there is more work to be done because too many are still denied fair wages and benefits, and, equally important, too many are still at serious risk of injury or death on the job.

Just days ago, on May 4, two workers in Ohio were killed when part of a crane fell on them at a steel mill construction site in Stark County, OH, in Perry Township. Brian Black, Mark Tovissi, and their families and all the workers of the Faircrest plant deserve better and deserve answers.

So too do workers in McLennan County, TX, where a fertilizer plant exploded recently and was a major story in the national news. That facility in West, TX, had not had a health and safety inspection since 1985. This disaster shows the tragic consequences of not conducting regular workplace inspections.

Fewer American miners died or were injured in 2012 than ever before, but in the first 3 months of 2013, 11 miners were killed in accidents that the Mine Safety and Health Administration called "preventable."

Stephen Koff, a reporter at the Plain Dealer in Cleveland, documented some of the problems the government has faced—the agency in charge of protecting miners' safety—the problems they have in levying fines against coal mine owners who have violated public safety rules. Yet, in an interconnected,

globalized society, we can't turn away from these workplace disasters—not just in our country but overseas. The struggle to ensure that workers are treated with the dignity and respect they deserve is an international, universal, fundamental right.

We have recoiled from the stories of hundreds of garment workers in Bangladesh who died in a factory that collapsed a few weeks ago and others who died in a factory fire last year. Several brand-name retailers contract work in Bangladesh. They have a responsibility, once the label of their retail establishment is sewn into these clothes, whether they own the factory or whether they are an American retailer or an American textile maker that owns the factory or whether they subcontract to others and try to wash their hands of responsibility, they have a responsibility to work with the Bangladesh Government, to work with nongovernmental institutions, and to work with the workers themselves to improve their working environment. Anything less is unacceptable.

The United States has a moral duty to lead by example. We should examine contracts with companies that sell products manufactured by workers who have been denied in these countries—similar to the way they used to be in the United States and occasionally still are—who are denied even basic worker protections.

Let's not forget the American rescue workers who put their own lives in jeopardy to save hundreds of people over the past few weeks in Texas and in the home State of the Presiding Officer, the Commonwealth of Massachusetts. First responders across our country deserve to know that we are doing everything we can to keep them and the people they protect as safe as possible. These are, generally, public employees. They generally carry a union card. While bystanders and others tend to run from disasters, they run toward those disasters.

Let us always remember those whom we have lost over the years. Whether they are public sector or private sector workers, we have lost them due to their labor. On Workers Memorial Day, particularly, remember them, but on every day.

Let us honor those workers who have died by renewing our commitment to protect hard-working American workers who get up, who go to work, who try to provide for themselves and their families.

I yield the floor.

MARKETPLACE FAIRNESS ACT

TAX ISSUES

Mr. ENZI. Madam President, the Marketplace Fairness Act is about States' rights and giving States the right to decide to collect or not collect taxes that are already owed. Critics

have claimed that we are creating a new Internet sales tax, that businesses would have to remit sales taxes to 9,600 different tax jurisdictions, and that today's software simply isn't capable of helping businesses collect sales tax.

Nothing could be farther from the truth. On the issue of creating a new tax or imposing new taxes, we made it clear in section 3(d) of the legislation that nothing in the bill encourages a State to impose sales and use taxes on any goods or services not subject to taxation prior to the date of enactment. This includes imposing sales and use taxes on financial transactions or services and any other good or service that a State may be considering.

We also made it clear that nothing in this legislation limits the existing authority of States to impose State and local sales and use tax on and collect such taxes directly from the purchaser. As a former mayor and State legislator, I strongly favor allowing States the authority to require sales and use tax collection from retailers on all sales for each State that chooses to do so. We need to implement a plan that will allow States to collect revenue using mechanisms already approved by their local leaders.

I would like to ask my friend Senator ALEXANDER to help me respond to some of these concerns because he has been vocal about States' rights and that this has nothing to do with taxing the Internet.

Mr. ALEXANDER. Madam President, I thank Senator ENZI for this opportunity, and in fact there is a Federal moratorium that prohibits State taxes on access to the Internet. I was in the middle of that debate several years ago, and when the Marketplace Fairness Act is enacted that ban will still be there. In other words, today there is a Federal ban on Internet access taxes, and after this law passes, there will continue to be a ban on Internet access taxes. This issue is not about taxing the Internet, it is about the collection of State sales and use taxes that are already owed.

The complexities raised by our critics are unfounded, and I would like to ask Senator DURBIN what his thoughts are on these claims.

Mr. DURBIN. Madam President, first, let me thank my colleagues Senator ENZI, Senator ALEXANDER, and Senator HEITKAMP for their work on this important issue.

Senator ALEXANDER is right about the Federal ban on Internet access taxes. I also want our colleagues to know that the Marketplace Fairness Act would dramatically simplify and streamline the country's more than 9,600 diverse State tax jurisdictions.

The bill provides States with two options that would allow them to begin collecting State sales taxes from online and catalog purchases. Both options would reduce the number of re-

turns and audits businesses would have to file from 9,600 to fewer than 50.

The bill also exempts businesses with less than \$1 million in online or out-of-State sales from collection requirements. This small business exemption will protect small merchants and give new businesses time to get started.

Critics of the bill should not get away with saying this type of simplification can't be done. The different tax rates and jurisdictions are no problem for today's software programs. When you order something online, you have to put in your zip code. The zip code will tell you exactly how much is owed in sales and use taxes. As Senator ALEXANDER has said, it is as simple as looking up the weather.

We also made it very clear in the bill that States cannot require remote sellers to collect sales and use taxes already owed under State and local law until the State implements sales and use tax simplification requirements and is able to provide software to sellers free of charge.

Our goal is to allow States to satisfy the requirement to provide software free of charge under section 2(b)(2)(D)(ii) of the Act either by developing the software themselves or by using the services of certified software providers. If a remote seller elects to deploy and utilize a certified software provider, the seller should be permitted to deploy and utilize a certified software provider of their choice per section 3(c) of the Act. It is not our intent to allow or encourage States to require remote sellers to use the software provided by the State or certified software providers or penalize remote sellers for not using such software or certified software providers.

Now I want to go back to an issue my colleague, Senator ENZI, mentioned earlier. This bill does not expand or enlarge the authority of States to impose sales and use taxes on products or services. And it does not urge States and localities to impose financial transaction taxes. The bill only applies to sales and use taxes, so financial transactions taxes are excluded from the authority under the Act.

In almost 200 years of sales and use tax history in the United States, no State or locality has imposed a sales or use tax on financial transactions and no State is proposing to do so today. The Marketplace Fairness Act simply authorizes States to require remote sellers to collect taxes that are already owed under current law. As my colleague said, the bill is very clear and states:

(d) NO NEW TAXES.—Nothing in this Act shall be construed as encouraging a State to impose sales and use taxes on any goods or services not subject to taxation prior to the date of the enactment of this Act.

I would like to ask my friend Senator ENZI if he agrees.

Mr. ENZI. Yes, we were deliberate by including language in the Marketplace Fairness Act to authorize States to require remote sellers to collect taxes that are already owed under current law. It was not our intention to urge States and localities to impose other taxes not associated with sales and use taxes.

Another issue that my colleagues and I want to make clear is the reason we included language in the perfecting amendment recognizing tribal sovereignty. Tribes that have adopted sales taxes have the same concerns as States about the collection of taxes on remote sales. During the drafting and consideration of this legislative concept in 2005, Senator Byron Dorgan of North Dakota and I began working with the National Congress for American Indians and the National Governors' Association to find common ground to allow tribal governments the opportunity to participate in the Streamlined Sales and Use Tax Agreement, SSUTA. After 2 years of deliberation, tribal government legislative language was included in the Main Street Fairness Act bill introduction in 2007.

Although not included in the introduced version of the Marketplace Fairness Act this year, tribal governments requested the ability to collect sales and use tax if they choose to participate in the alternative system, not the SSUTA. Those tribal governments who participate in a streamlined system would agree to the same rules as the States who participate in that system. At this time, the Senate bill includes tribal governments in the "State" definition. Although some may disagree, I do encourage my House colleagues working on the Marketplace Fairness Act to further review this specific policy issue when the bill is debated in the U.S. House of Representatives.

This is a very important issue that Senator HEITKAMP has experience with, and I would ask her to share her comments with our colleagues. I also want to say yet again how grateful, and lucky, we are to be working with Senator HEITKAMP on this issue. She has been working to solve this problem for even longer than I have, and I want to ask her for her thoughts on the legislation.

Ms. HEITKAMP. Madam President, I thank Senator ENZI, Senator DURBIN, and Senator ALEXANDER for their leadership on the Marketplace Fairness Act and am proud to join them to address an issue I have been working on for just over 20 years now.

Tribes that have adopted sales taxes are faced with the same situation as States with regard to the collection of taxes on remote sales. Tribal governments provide essential government services to their communities, and including them in the Marketplace Fairness Act simply gives them the equal footing that they deserve.

Tribal governments that attempt to collect sales and use taxes from remote sellers will have to follow the same streamlined requirements that all States must use, including software and audit compliance. Additionally, the software provided—free-of-charge—to remote sellers under this bill can easily calculate sales tax at the point of sale. Most tribal governments will negotiate agreements with their States to provide for the collection of sales and use taxes from remote sellers and remittance to the tribe. As a result, businesses will have no additional burden.

It is important to note that this bill does not authorize States to collect a tax on sales to tribal members in Indian country. Under the bill's sourcing rules, read in conjunction with the definition of "State," a sale within a tribe's jurisdiction would be subject only to the tribal tax, and not to a non-tribal State or local tax. It is not the intent of the bill to subject such a sale to dual taxation—State and tribal—or to extend State taxation to tribal members residing in Indian country.

ADDITIONAL STATEMENTS

JEWISH COMMUNITY CENTER OF GREATER COLUMBUS

• Mr. BROWN. Madam President, today I wish to celebrate the 100th anniversary of the Jewish Community Center of Greater Columbus in Columbus, OH.

Since 1913, the JCC and its members have supported Ohioans through physical and mental well-being activities, early childhood initiatives, summer camps, and recreational sports programs.

I congratulate this vital organization on reaching this milestone and join many central Ohioans in expressing the deepest gratitude for JCC's service to the Greater Columbus community.

In 1913, Joseph Schonthal worked to help ensure Columbus's Jewish immigrant population had a place to come together in brotherhood.

He began providing meeting rooms for these newcomers and organizing activities for their children.

In 1918, he opened the Schonthal Center and the Jewish Infants Home of Ohio on East Rich Street in Columbus.

Nine years later, he purchased 25 acres of land in Union County for youth summer camps. In 1949, with the help of the United Jewish Fund, the JCC broke ground on its current home located on College Avenue.

Today's center is named in honor of Leo Yassenoff, the son of Russian immigrants, who made Columbus his home in 1912.

He graduated from The Ohio State University in 1916. After serving in World War I, Leo Yassenoff helped

start F&Y Construction Company, which built many local drive-in theaters.

Yassenoff was a philanthropist throughout his life and donated a significant sum to the Jewish Center upon his death in 1971.

In 1983, the current home for the Columbus JCC was named in his honor.

In many ways, the stories of Leo Yassenoff and Joseph Schonthal are chapters in the larger American story—of neighbors coming together to make stronger communities.

Today, the Jewish Community Center has multiple locations throughout the Columbus Metropolitan area, which provide recreation facilities and pre-school programs.

JCC also continues to host summer camps and educate both students and adults on Jewish cultural heritage. It remains a hub for education, the arts, and spiritual well-being.

It engages the Columbus Metropolitan area as a whole; transcending issues, cultures, ethnicities, races, and religions. JCC also provides classes to immigrants and new Americans.

It works with organizations like the United Way providing services and education opportunities for those with special needs.

Throughout the past century, the JCC has grown along with Columbus and remains focused on its goal: to serve its local community.

On behalf of the people of Ohio and the United States, I thank the JCC of Greater Columbus for all their efforts and wish them another one hundred years of success. Mazel Tov! •

CONGRATULATING JERRY TARKANIAN

• Mr. HELLER. Madam President, today I wish to congratulate former University of Nevada, Las Vegas, UNLV, Runnin' Rebels basketball coach Jerry Tarkanian for being selected for the Naismith Memorial Basketball Hall of Fame. Coach Tarkanian will be inducted into the Hall of Fame on September 8, 2013.

Jerry Tarkanian headed the Runnin' Rebels for 19 seasons with an aggressive and up-tempo style that captivated basketball fans in Las Vegas and across the Nation. Coach Tarkanian posted an impressive winning record at UNLV with a 509-105 winning record—in fact, he never had a losing season with UNLV. He led the Runnin' Rebels to four NCAA Final Four appearances, and a national championship in 1990 with a 103-73 run-away victory over Duke. The 1990 National Championship is still the highest margin of victory in NCAA tournament championship game history.

Not only did Jerry Tarkanian help bring UNLV basketball to national prominence, he aided the University of Nevada, Las Vegas, in gaining exposure

and distinction in Nevada. It would be impossible to quantify the impact that Coach Tarkanian has had on the progress and success of UNLV, but his contributions to the State of Nevada certainly deserve our deep appreciation.

Although Coach Tarkanian has not nervously chewed on a towel in the 'Shark Tank' for more than two decades, he is still a beloved figure in the Silver State. Fans and the university community honored him when the court at the Thomas & Mack Center was named in his honor on November 26, 2005.

I ask my colleagues to join me in congratulating this great Nevadan and iconic figure in NCAA basketball history. He may now just be officially joining the Hall of Fame in Springfield, MA, but he has long been in the Hall of Fame in the minds and hearts of UNLV fans. •

CONGRATULATING CHRIS AULT

• Mr. HELLER. Madam President, today I wish to congratulate Hall of Fame Nevada football coach Chris Ault on his retirement after 28 seasons coaching the Nevada Wolf Pack football team. Not only has Coach Ault been an unparalleled football coach, but he was also an extremely talented student-athlete at the University of Nevada Reno, UNR, as the Wolf Pack's star quarterback from 1965 to 1967.

Coach Ault was inducted into the College Football Hall of Fame in 2002 after guiding the UNR football program from Division II to Division I-AA to Division I-A. Coach Ault restored championship-caliber football to the University of Nevada by taking the Wolf Pack to seven straight bowl appearances and two WAC Championships. In 2010, he coached the team to a nearly perfect 13-1 record and finished the season ranked No. 11 in the final top 25 polls. Throughout his career, Coach Ault was named by his peers seven times as the conference's Coach of the Year, and became the 54th coach in NCAA history to win 200 games, and the 30th to win 200 games at one school.

I ask my colleagues to join me in congratulating Coach Chris Ault for a distinguished coaching career in Nevada. It is my hope that he will serve as an example of what great things a person can accomplish when they work with commitment, determination, and persistence. •

ALASKA MARINE HIGHWAY SYSTEM

• Ms. MURKOWSKI. Madam President, today I wish to celebrate 50 years of the Alaska Marine Highway System as an essential means of transportation to the people of Southeast Alaska. The Marine Highway began with one ship in 1963 and has grown to 11 vessels serving

more than 350,000 passengers and 30 communities a year, along routes that total more than 3,000 miles.

Growing up in Southeast Alaska like I did, or in other remote coastal communities, you grow to love the Marine Highway and depend on it. With 656,425 square miles of rugged wilderness, scenic beauty and abundant wildlife, Alaska is a large and diverse State. Naturally, traveling in Alaska presents some unique opportunities and challenges. Unlike the lower 48, many of our communities are not accessible by a land-based road system, and our only means of travel is by air or sea. The Marine Highway is a significant part of our highway system, and where traditional roads do not exist, it is our link to the rest of the State.

The Marine Highway began when the M/V Malaspina, a sleek blue and gold vessel named after a glacier in the panhandle of Southeast Alaska, docked in Ketchikan for the first time on January 21, 1963. Three days later it docked in Wrangell for the first time. My father, Frank Murkowski, whom at the time was president of the Wrangell Chamber of Commerce, was aboard the Malaspina for its maiden voyage to Petersburg. In its first year of service, the Marine Highway added the Taku and Matanuska ferries, which broadened service from Ketchikan to Petersburg, Sitka, Skagway, Wrangell and Prince Rupert, British Columbia. During that inaugural year the fleet moved more than 15,000 vehicles and 80,000 passengers.

In 2005, I attended the designation ceremony to name the Marine Highway as a National Scenic Byway—All American Road, the highest recognition that can be received under the Byways Program. This designation recognized that for Southeast Alaska, the ferry system is a piece of history, a tourist attraction, and a way of life. It is the primary transportation link for many of the 30 communities it serves that populates Alaska's 35,000 miles from Bellingham, WA, up the Inside Passage, across the Gulf of Alaska and out along the 1,000 mile stretch of the Aleutian Chain to the Bering Sea. It also enables Juneau to serve as the only United States capital city not accessible by road.

The Marine Highway directly affects our school system in Southeast Alaska. Over 15 rural schools are given an economically feasible way to travel so that students may participate in competitive academic and sporting events. This allows young Alaskans opportunities that would otherwise be impossible, providing the chance to interact and identify with communities, families and other students from across the State.

To commemorate this special occasion, this summer the M/V Malaspina will sail a special voyage inspired by the 1963 inaugural sailing. The celebra-

tion will include community events across Southeast Alaska showcasing the unique culture and heritage of each community.

Much like the blue and gold of Alaska's state flag, the blue and gold ships on the Alaska Marine Highway System embody the spirit and fortitude of Alaskans. What was once called one of the most important and permanent achievements for Alaska since statehood, the Marine Highway has grown alongside the people it serves to improve life in Alaska. We share pride for our unique State, and pride in the Alaska Marine Highway System.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13338 OF MAY 11, 2004, WITH RESPECT TO THE BLOCKING OF PROPERTY OF CERTAIN PERSONS AND PROHIBITION OF EXPORTATION AND RE-EXPORTATION OF CERTAIN GOODS TO SYRIA—PM 9

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004—as modified in scope and relied upon for additional steps taken in Ex-

ecutive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012—is to continue in effect beyond May 11, 2013.

While the Syrian regime has reduced the number of foreign fighters bound for Iraq, the regime's brutal war on the Syrian people, who have been calling for freedom and a representative government, endangers not only the Syrian people themselves, but could yield greater instability throughout the region. The Syrian regime's actions and policies, including pursuing chemical and biological weapons, supporting terrorist organizations, and obstructing the Lebanese government's ability to function effectively, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Assad regime's use of brutal violence and human rights abuses and calls on the Assad regime to stop its violent war and step aside to allow a political transition in Syria that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice.

The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

BARACK OBAMA.
THE WHITE HOUSE, May 7, 2013.

MESSAGE FROM THE HOUSE

At 2:19 p.m., a message from the House of Representatives, delivered by Mr. Novtony, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 291. An act to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

H.R. 507. An act to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes.

H.R. 588. An act to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 32. Concurrent resolution authorizing the use of the Capitol Grounds for

the National Honor Guard and Pipe Band Exhibition.

The message further announced that pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), the Minority Leader appoints the following individuals to the Military Compensation and Retirement Modernization Commission: Mr. Christopher Carney of Dimock, Pennsylvania and General Peter W. Chiarelli of Seattle, Washington.

MEASURES REFERRED

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

H.R. 291. An act to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; to the Committee on Energy and Natural Resources.

H.R. 507. An act to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 888. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-9. A concurrent resolution adopted by the General Assembly of the State of Ohio urging Congress to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 4

Whereas, The United States Air Force 179th Airlift Wing is a military airlift organization assigned to the Ohio Air National Guard and stationed at Mansfield-Lahm Regional Airport; and

Whereas, Due to its superior record, the 179th Airlift Wing received a mission to operate the C-27J Spartan aircraft, a twin turbo-prop aircraft with short takeoff and landing capabilities, ideal for the nation's current military needs and for providing rapid response support for homeland emergencies; and

Whereas, The United States Air Force has published proposed personnel actions associated with plans to retire more than 300 aircraft nationwide, including the C-27J; and

Whereas, The United States Air Force has plans to move personnel positions among states to mitigate the impact of the reductions; and

Whereas, The United States Air National Guard, including the 179th Airlift Wing, is responsible for homeland defense, and the C-27J is an important tool in accomplishing this mission; and

Whereas, The 179th Airlift Wing has made United States Air National Guard history by deploying the C-27J in Afghanistan in Operation Enduring Freedom; and

Whereas, Closing the Air National Guard Station at Mansfield-Lahm, relocating its personnel, and diverting or retiring its C-27J aircraft would create discontinuity and weaken national defense and homeland disaster readiness; now therefore be it

Resolved, That the Congress of the United States is urged to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport to ensure Ohio and our nation will continue to benefit from the unique experience and capabilities of its personnel and the region; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, to the President Pro Tempore and Secretary of the United States Senate, to the Speaker and the Clerk of the United States House of Representatives, to the members of the Ohio Congressional delegation, and to the news media of Ohio.

POM-10. A joint memorial adopted by the Legislature of the State of New Mexico urging Congress to reauthorize the Water Resources Development Act of 2007, section 5056, and to appropriate sufficient funds to carry out the purposes of the act; to the Committee on Environment and Public Works.

HOUSE JOINT MEMORIAL NO. 7

Whereas, the Rio Grande basin spans the territory of three states, Colorado, New Mexico and Texas, and twenty-two Native American tribes and pueblos and is one of the most rapidly growing areas in the United States; and

Whereas, the Rio Grande runs the entire length of New Mexico, for more than four hundred fifty river-miles, and major tributaries to the Rio Grande are located in New Mexico, including the Pecos river, the Rio Chama, the Jemez river and the Rio Puerco, and many other smaller tributaries too numerous to list; and

Whereas, the Rio Grande mainstem and tributaries provide a renewable water supply for irrigation and drinking water and support nationally significant ecosystems for fish and wildlife and renowned tourism destinations; and

Whereas, the water quality of the Rio Grande and the Pecos river and other tributaries is impaired, in part, by high concentrations of dissolved salts and elevated levels of bacteria that can limit available water supply for municipal and agricultural use; and

Whereas, the Rio Grande and Pecos watersheds in New Mexico have the highest total number of New Mexico species of greatest conservation need across all taxa and are predicted to contain some of the greatest diversity of aquatic species of greatest conservation need; and

Whereas, water quality, supply, conveyance and delivery; ecosystem degradation; and flooding are major issues in the Rio Grande basin in New Mexico, and state and local funding to address these issues is inadequate; and

Whereas, while the United States army corps of engineers has nationwide watershed assessment and construction authorities to study problems, recommend solutions and construct projects to restore the health of rivers, all Rio Grande basin projects must compete nationally for these limited federal funds; and

Whereas, the United States congress and president of the United States established a Rio Grande basin-specific funding authority in the Water Resource Development Act of 2007 under Section 5056, called the Rio Grande environmental management program, which authorized federal funding of up to fifteen million dollars (\$15,000,000) annually for the Rio Grande mainstem and tributaries and directed the secretary of the army to rehabilitate and enhance fish and wildlife habitat in partnership with local sponsors and to implement long-term monitoring, data collection and analysis, applied research and adaptive management; and

Whereas, the Rio Grande environmental management program authority expired in September 2011 before any funds could be appropriated to carry out the program, and congress is considering draft language for the next water resource development act; Now, therefore, be it

Resolved by the Legislature of the State of New Mexico that congress be requested to reauthorize Section 5056 of the Water Resource Development Act of 2007 and to appropriate sufficient funds to carry out work related to that legislation; and be it further

Resolved that copies of this memorial be transmitted to the president of the United States, the speaker of the United States house of representatives, the president of the United States senate, the members of the New Mexico congressional delegation, the commanding general of the United States army corps of engineers, the assistant secretary of the army (civil works), the district commander of the United States army corps of engineers, Albuquerque district, and the chair of the president's council on environmental quality.

POM-11. A joint memorial adopted by the Legislature of the State of New Mexico requesting Congress to continue funding its appropriate share of the costs associated with the benefits received by Indian tribes and the United States, as trustee, from settling Indian water rights disputes; to the Committee on Indian Affairs.

HOUSE JOINT MEMORIAL NO. 22

Whereas, the United States government has a trust responsibility to American Indians established through treaties and agreements with Indian tribes and affirmed by the United States supreme court; and

Whereas, Indian tribes gave up lands in return for goods, money and other resources promised by the United States government; and

Whereas, in exchange for taking Indian land and Indian resources, the United States made binding legal agreements that tribes would exercise sovereign authority within their reservation boundaries and be funded in perpetuity by the United States government; and

Whereas, pursuant to the trust responsibility, the United States has a legal obligation to protect Indian tribes' assets and provide needed services to Indian people; and

Whereas, the United States supreme court, in *Winters v. United States*, established that, when the United States government established reservations for Indian tribes, it also, by implication, reserved appurtenant water, then unappropriated, to the extent needed to satisfy both present and future needs of the reservations; and

Whereas, the United States government has supported settlement negotiations that are consistent with its trust responsibilities to Indian tribes in the Aamodt, Taos and Navajo Nation water rights settlements; and

Whereas, the Aamodt, Taos and Navajo Nation water rights settlements contain appropriate funding and cost-sharing by the United States government proportionate to the benefits received by all parties benefiting from the settlements; and

Whereas, continuing to provide adequate funding for pending Indian water rights disputes in the same cost-sharing proportions as past Indian water rights settlements provides certainty for all stakeholders; and

Whereas, the New Mexico legislature created the Indian water rights settlement fund to aid the implementation of the state's portion of Indian water rights settlements based on the cost-sharing proportions of the Aamodt, Taos and Navajo Nation water rights settlements; and

Whereas, the fund is used to pay the state's portion of the cost necessary to implement Indian water rights settlements approved by the legislature and the United States congress; and

Whereas, there are still pending Indian water rights disputes in New Mexico that need to be settled to satisfy both present and future water needs of the Indian tribes, nations and pueblos of New Mexico; and

Whereas, the New Mexico legislature requires continued full funding and cost-sharing by the United States government to reach settlements in the pending Indian water rights disputes in New Mexico; now, therefore, be it

Resolved by the Legislature of the State of New Mexico that congress be requested to provide full funding to cover the costs associated with the benefits received by Indian tribes and the United States, as trustee, in the same cost-sharing proportions as the Aamodt, Taos and Navajo Nation water rights settlements; and be it further

Resolved that copies of this memorial be transmitted to the speaker of the United States house of representatives, the president pro tempore of the United States senate, the New Mexico congressional delegation, the assistant secretary for Indian affairs of the department of the interior and the state engineer.

POM-12. A joint memorial adopted by the Legislature of the State of New Mexico requesting reauthorization of the Federal Violence Against Women Act 1994; to the Committee on the Judiciary.

HOUSE JOINT MEMORIAL NO. 34

Whereas, the federal Violence Against Women Act of 1994 recognizes the insidious and pervasive nature of domestic violence, dating violence, sexual assault and stalking and created comprehensive, effective cost-saving responses to these crimes; and

Whereas, domestic violence and sexual assault affect millions of Americans every year regardless of their age, economic status, race, religion or education; and

Whereas, nearly one in four women is beaten or raped by a partner during adulthood, and each year approximately two million three hundred thousand people are raped or physically assaulted by a current or former intimate partner; and

Whereas, New Mexico law enforcement identified twenty-one thousand three hundred sixty-eight victims of domestic violence in 2011 and six thousand two hundred nineteen children who were present and witnessed domestic violence; and

Whereas, New Mexico receives approximately one million two hundred thousand dollars (\$1,200,000) in funding for domestic violence, teen dating violence, sexual assault and stalking program services through the Violence Against Women Act; and

Whereas, it has been more than two years since the Violence Against Women Act expired; Now, therefore, be it

Resolved by the Senate of the State of New Mexico that it encourage the New Mexico congressional delegation in Washington, D.C., to immediately vote in favor of reauthorizing the Violence Against Women Act of 1994 in a bipartisan manner to protect all victims of intimate partner violence; and be it further

Resolved that copies of this memorial be transmitted to each member of the New Mexico congressional delegation and to the chief clerks of the United States Senate and the United States House of Representatives.

POM-13. A joint resolution adopted by the General Assembly of the State of Tennessee urging the United States Congress to adopt a balanced budget; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 38

Whereas, with each passing year our nation falls further into debt as federal government expenditures repeatedly exceed available revenue; and

Whereas, the annual federal budget has risen to unprecedented levels, demonstrating an unwillingness or inability of both the Legislative and Executive branches of federal government to control the federal debt; and

Whereas, knowledgeable planning and fiscal prudence require that the budget reflect all federal spending and that the budget be in balance; and

Whereas, fiscal discipline is a powerful means for strengthening our nation; with less of America's future financial resources channeled into servicing the national debt, more of our tax dollars would be available for public endeavors that reflect our national priorities, such as education, health, the security of our nation, and the creation of jobs; and

Whereas, Thomas Jefferson recognized the importance of a balanced budget when he wrote: "The question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay for them ourselves."; and

Whereas, state legislatures overwhelmingly recognize the necessity of maintaining a balanced budget; whether through constitutional requirement or by statute, forty-nine states require a balanced budget; and

Whereas, the federal government's unlimited ability to borrow involves decisions of such magnitude, with such potentially profound consequences for the nation and its people, today and in the future, that it is of vital importance to the future of the United States of America that a balanced budget be adopted on an annual basis; now, therefore, be it

Resolved by the Senate of the One Hundred Eighth General Assembly of the State of Tennessee, the House of Representatives concurring, that we hereby strongly urge the United States Congress to adopt a balanced federal budget on an annual basis, and be it further

Resolved, that an enrolled copy of this resolution be transmitted to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and each member of Tennessee's Congressional delegation.

POM-14. A resolution adopted by the Municipal Legislature of Toa Alta, Puerto Rico relative to urging the President and the Congress of the United States of America to act on the results from the November 6, 2012 plebiscite by the Commonwealth of Puerto Rico, which would assure democratic justice for 3.7 million U.S. citizens; to the Committee on Energy and Natural Resources.

POM-15. A resolution adopted by the Senate of the Legislature of the Northern Marianas Commonwealth requesting the Governor of the North Marinas Islands appoint a special representative for 902 Talks to discuss matters that are currently affecting the relationship between the Northern Mariana Islands and the United States; and for other purposes; to the Committee on Energy and Natural Resources.

POM-16. A resolution adopted by the Conservation Federation of Missouri relative to appropriating funds for the North American Wetlands Conservation Act; to the Committee on Environment and Public Works.

POM-17. A resolution adopted by the Council of the City of Monterey, California relative to supporting ratification of the United Nations Convention on the Elimination of All forms of Discrimination Against Women (CEDAW); to the Committee on Foreign Relations.

POM-18. A resolution adopted by the Senate of the Legislature of the Northern Marianas Commonwealth requesting the United States Congress to officially acknowledge the Chamorro and Carolinian people of the Commonwealth of the Northern Mariana Islands as Native Americans and to include the Chamorro and Carolinian people in definitions set forth under 25 U.S.C. Chapter 14, Subchapter II, Indian Self-Determination and Education Assistance, Section 450(b)(e); to the Committee on Indian Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HELLER (for himself and Ms. HIRONO):

S. 868. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. 869. A bill to establish the Alabama Black Belt National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico (for himself and Ms. HIRONO):

S. 870. A bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. AYOTTE, and Mr. BLUMENTHAL):

S. 871. A bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

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

S. 872. A bill to amend the Securities Exchange Act of 1934, to make the shareholder

threshold for registration of savings and loan holding companies the same as for bank holding companies; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 873. A bill to amend title IV of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program; to the Committee on Finance.

By Mr. VITTER (for himself, Mr. INHOFE, and Mr. COATS):

S. 874. A bill to prohibit universal service support of commercial mobile service through the Lifeline program; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 875. A bill to amend title 38, United States Code, to require the reporting of cases of infectious diseases at facilities of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 876. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 877. A bill to require the Secretary of Veterans Affairs to allow public access to research of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRANKEN (for himself, Mr. LEAHY, Ms. WARREN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. HIRONO, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. HARKIN, Mr. MENENDEZ, Mr. SCHATZ, Ms. HEITKAMP, Mr. BROWN, Mrs. BOXER, Mr. WYDEN, and Mr. LAUTENBERG):

S. 878. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 879. A bill to support State and tribal government efforts to promote research and education related to maple syrup production, natural resource sustainability in the maple syrup industry, market production of maple products, and greater access to lands containing maple trees for maple-sugaring activities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mrs. FEINSTEIN, and Mrs. MCCASKILL)):

S. 880. A bill to amend title 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND (for herself and Mr. SCHATZ):

S. 881. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself and Mr. COCHRAN):

S. 882. A bill to amend the Workforce Investment Act of 1998 to integrate public libraries into State and local workforce investment boards, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 883. A bill to reform and modernize domestic refugee resettlement programs, and for other purposes; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. MCCAIN, Mr. COBURN, and Mr. ROCKEFELLER):

S. 884. A bill to require the Director of National Intelligence to develop a watch list and a priority watch list of foreign countries that engage in economic or industrial espionage in cyberspace with respect to United States trade secrets or proprietary information, and for other purposes; to the Committee on Finance.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 885. A bill to designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the "Thaddeus Stevens Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. BAR-RASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. ENZI, Mr. CHAMBLISS, Mr. COATS, Mr. COCHRAN, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. INHOFE, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. MORAN, Mr. PAUL, Mr. PORTMAN, Mr. RISCHE, Mr. ROBERTS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER):

S. 886. A bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL:

S. 887. A bill to repeal the violation of sovereign nations' laws and privacy matters; to the Committee on Finance.

By Mr. JOHANNES (for himself, Mr. TESTER, Mr. BLUNT, Mr. CRAPO, Mr. DONNELLY, Mrs. HAGAN, Ms. HEITKAMP, Ms. KLOBUCHAR, Mr. MORAN, Mr. SHELBY, Mr. TOOMEY, and Mr. WARNER):

S. 888. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934; read the first time.

By Mr. BOOZMAN (for himself, Mr. MANCHIN, Mr. MORAN, and Mr. TESTER):

S. 889. A bill to amend title 10, United States Code, to improve the Transition Assistance Program of the Department of Defense, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL (for himself, Mr. LEE, Mr. RUBIO, Mr. VITTER, and Mr. MCCONNELL):

S. 890. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. Res. 130. A resolution designating the week of May 1 through May 7, 2013, as "National Physical Education and Sport Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 33

At the request of Mr. CASEY, his name was added as a cosponsor of S. 33, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 62

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 62, a bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 313

At the request of Mr. CASEY, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 314

At the request of Mr. FRANKEN, his name was added as a cosponsor of S. 314, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 314, supra.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 323

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for

extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 382

At the request of Mr. SCHUMER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 403

At the request of Mr. CASEY, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Rhode Island (Mr. REED) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 413

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 413, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program.

S. 456

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 456, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 479

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 479, a bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations, and for other purposes.

S. 496

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 545

At the request of Ms. MURKOWSKI, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. 554

At the request of Mr. ISAKSON, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 577

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 604

At the request of Mr. HELLER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 604, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 617

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 679

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 717

At the request of Ms. KLOBUCHAR, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 717, a bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

S. 728

At the request of Mr. SCHUMER, the names of the Senator from California (Mrs. BOXER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 728, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for

employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 734

At the request of Mr. NELSON, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 754

At the request of Mr. COWAN, his name was added as a cosponsor of S. 754, a bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops.

S. 772

At the request of Mr. NELSON, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 772, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 777

At the request of Mrs. GILLIBRAND, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 777, a bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 790

At the request of Mrs. MCCASKILL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 790, a bill to require the United States International Trade Commission to recommend temporary duty suspensions and reductions to Congress, and for other purposes.

S. 798

At the request of Mr. KIRK, his name was withdrawn as a cosponsor of S. 798, a bill to address equity capital requirements for financial institutions, bank holding companies, subsidiaries, and affiliates, and for other purposes.

S. 809

At the request of Mrs. BOXER, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 809, a bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contain genetically engineered ingredients be labeled accordingly.

S. 813

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

At the request of Mr. BROWN, his name was added as a cosponsor of S. 813, *supra*.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 813, *supra*.

At the request of Mr. COONS, his name was added as a cosponsor of S. 813, *supra*.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Mr. CARDIN), the Senator from Oregon (Mr. WYDEN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 845

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 845, a bill to amend title 38, United States Code, to improve the Department of Veterans Affairs Health Professionals Educational Assistance Program, and for other purposes.

S. 850

At the request of Mr. ALEXANDER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 850, a bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress.

S. 865

At the request of Mr. WHITEHOUSE, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Alabama (Mr. SESSIONS) were

added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

S. RES. 126

At the request of Mr. CARDIN, his name was added as a cosponsor of S. Res. 126, a resolution recognizing the teachers of the United States for their contributions to the development and progress of our country.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Ms. AYOTTE, and Mr. BLUMENTHAL):

S. 871. A bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

Mrs. MURRAY. Mr. President, I come to the floor because I believe the great strength of our military is in the character and dedication of our men and women who wear the uniform. It is the courage of these Americans to volunteer to serve. That is the Pentagon's greatest asset.

I know it is said a lot, but take a minute to think about that. Our servicemembers volunteer to face danger, to put their lives on the line to protect our country and all of its people. When we think of those dangers, we think of IEDs. We think of battles with insurgents, many of whom are so cowardly and evil that they refuse to even wear a uniform themselves, and they seek to kill innocent civilians.

There are, unfortunately, other dangers as well, dangers that cannot be expected and none of our courageous servicemembers should ever have to face. That is what I am speaking about, sexual assault. That continues to plague the ranks of our military services.

It is absolutely unconscionable that a fellow servicemember, the person whom you rely on to have your back and be there for you, would commit such a terrible crime. It is simply appalling that they could commit such a personal violation of their brother or sister in uniform.

Even worse is the prevalence of these crimes. Just today, we are hearing the alarming statistic that the number of cases has increased by more than one-third since 2010. For the estimated 26,000 cases of military sexual assault in 2012, less than 3,000 of them were reported. Out of 26,000, only 3,000 were reported. What is even more startling is that of those who bravely came forward and reported the abuse, an astounding 62 percent of them were retaliated against in one way or another.

According to the Department of Veterans Affairs, about one in five female veterans treated by the VA has suffered from military sexual trauma. That is certainly not the act of a comrade. It is not in keeping with the ethos in any service, and it can no longer be tolerated. We still have not done enough to put an end to these shameful acts.

Today I am taking action to change that. Today Senator AYOTTE and I joined to introduce the Combatting Military Sexual Assault Act of 2013. This is bipartisan legislation that we have worked on to make several vital improvements to protect our servicemembers, to assist the victims, and to punish the criminals. Our bill, the Combatting Military Sexual Assault Act, will create a new category of legal advocates called special victims' counsels who would be responsible for advocating on behalf of the interests of the victim. These SVCs, special victims' counsels, would advise the victim on the range of legal issues they might face. For example, when a young private first class is intimidated into not reporting a sexual assault, by threatening her with unrelated legal charges such as underage drinking, this new advocate, the SVC, would be there to protect her and tell her the truth.

This bill would also enhance the responsibilities and authority of the Department of Defense Sexual Assault Prevention and Response Office, known as the SAPRO, to provide better oversight of efforts to combat military sexual assault across our Armed Forces. SAPRO would also be required to regularly track and report on a range of MSA statistics, including assault rates, the number of cases brought to trial, and compliance within each of these individual services.

Some of this data collection and reporting is already being done, so this requirement is not going to be burdensome. It would give that office statutory authority to track and report to us on the extent of the problem.

The Combatting Military Sexual Assault Act would also require sexual assault cases to be referred to the next superior competent authority for court martial when there is a conflict of interest in the immediate chain of command. This is very important. This will help ensure that sexual assault allegations get a fair, impartial, and thorough investigation. The President of the Military Officers Association of America agrees. They stated:

Preventing sexual assault is a duty of everyone in the chain of command. This legislation will increase support for sexual assault victims and strengthen policies and procedures for such cases in our Nation's Armed Forces.

This legislation would also prohibit sexual contact between military instructors and servicemembers during basic training or its equivalent or

within 30 days after the training. As we have seen, with disturbing frequency at places such as Lackland Air Force Base or the Air Force Academy, new servicemembers are too often taken advantage of and abused.

In these settings, new servicemembers have every aspect of their life controlled by their instructor. While this is appropriate for military training, in this type of setting it is entirely inappropriate for senior servicemembers to seek a sexual relationship with a junior subordinate. It is our view it is impossible for a servicemember to freely give consent in that setting.

This bill will also ensure that sexual assault response coordinators are available to members of the National Guard and Reserve at all times. I was told a very disturbing story recently by a female servicemember from the National Guard in my home State of Washington. After being sexually assaulted during her monthly drill on a military base, she took all the necessary steps, including calling the sexual assault response coordinator. When she called, she was told that because the assault happened during a monthly drill, not on Active Duty, the sexual response coordinator could not help her. Those services were only reserved for those on Active Duty.

That is absolutely unacceptable. When one of our men and women in uniform is the victim of a sexual assault, and they have the courage to come forward and ask for help, the answer never, ever should be, sorry, there are regulations, nothing I can do for you.

This bill is one step to address the crises we have in our own Armed Forces, and it needs to be done now. Yesterday's news that the Air Force's chief of sexual assault prevention was arrested for sexual assault is another reminder that we have to change the culture around this issue.

I want to be very clear. The military has taken some steps on its own. For instance, I am looking forward to seeing Secretary Hagel's proposal on how to reform article 60 of the Uniform Code of Military Justice. As I think most of our colleagues know, under article 60, the convening authority of a court martial is empowered to dismiss the judgment of the court martial and overturn their verdict. Many of us, myself included, have had serious concerns about how that authority has been used in sexual assault cases.

We are here today to introduce this bill, and I wish to thank the Senator from New Hampshire for her advocacy on this issue and for her help in putting this legislation together.

I also wish to thank Representative TIM RYAN for his leadership and championing our companion bill in the other Chamber.

When I asked Navy Secretary Ray Mabus about the sexual assault epi-

demic, I was glad to hear him say "concern" wasn't a strong enough word to describe how he felt about this problem. He said he was angry about it.

I know a lot of us share this feeling. We want it to stop. I am very hopeful both Chambers can work quickly to do right by our Nation's heroes. When our best and brightest put on a uniform and joined our U.S. Armed Forces, they do so with the understanding they will sacrifice much in the name of defending our country and its people. That sacrifice should not have to come in the form of unwanted sexual contact from within the ranks.

I am very pleased to introduce this bill. I wish to thank Senator AYOTTE again for her hard work and advocacy. It is a pleasure to work with her.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 871

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Combating Military Sexual Assault Act of 2013".

SEC. 2. SPECIAL VICTIMS' COUNSEL FOR VICTIMS OF SEXUAL ASSAULT COMMITTED BY MEMBERS OF THE ARMED FORCES.

(a) SPECIAL VICTIMS' COUNSEL FOR VICTIMS OF SEXUAL ASSAULT COMMITTED BY MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of the military departments shall each implement a program on the provision of a Special Victims' Counsel to victims of a sexual assault committed by a member of the Armed Forces.

(2) QUALIFICATION.—An individual may not be designated as a Special Victims' Counsel under this subsection unless the individual is—

(A) a judge advocate who is a graduate of an accredited law school or is a member of the bar of a Federal court or the highest court of a State; and

(B) is certified as competent to be designated as a Special Victims' Counsel by the Judge Advocate General of the Armed Force of which the individual is a member.

(3) DUTIES.—

(A) IN GENERAL.—Subject to subparagraph (C), the duties of a Special Victims' Counsel shall include the provision of legal advice and assistance to a victim in connection with criminal and civil legal matters related to the sexual assault committed against the victim, including the following:

(i) Legal advice and assistance regarding criminal liability of the victim.

(ii) Legal advice and assistance regarding the victim's responsibility to testify, and other duties to the court.

(iii) Legal advice regarding the potential for civil litigation against other parties (other than the Department of Defense).

(iv) Legal advice regarding any proceedings of the military justice process which the victim may observe.

(v) Legal advice and assistance regarding any proceeding of the military justice process in which the victim may participate as a witness or other party.

(vi) Legal advice and assistance regarding available military or civilian restraining or protective orders.

(vii) Legal advice and assistance regarding available military and veteran benefits.

(viii) Legal assistance in personal civil legal matters in connection with the sexual assault in accordance with section 1044 of title 10, United States Code.

(ix) Such other legal advice and assistance as the Secretary of the military department concerned shall specify for purposes of the program implemented under this subsection.

(B) NATURE OF RELATIONSHIP.—The relationship between a Special Victims' Counsel and a victim in the provision of legal advice and assistance shall be the relationship between an attorney and client.

(b) ASSISTANCE AND REPORTING.—

(1) ASSISTANCE.—Section 1565b of title 10, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection (b):

"(b) AVAILABILITY OF SPECIAL VICTIMS' COUNSEL FOR VICTIMS OF SEXUAL ASSAULT COMMITTED BY MEMBERS OF THE ARMED FORCES.—(1) A member of the armed forces, or a dependent of a member, who is the victim of a sexual assault described in paragraph (2) may be provided assistance by a Special Victims' Counsel.

"(2) A sexual assault described in this paragraph is any offense if alleged to have been committed by a member of the armed forces as follows:

"(A) Rape or sexual assault under section 920 of this title (article 120 of the Uniform Code of Military Justice).

"(B) An attempt to commit an offense specified in subparagraph (A) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

"(3) A member of the armed forces or dependent who is the victim of sexual assault described in paragraph (2) shall be informed of the availability of assistance under paragraph (1) as soon as the member or dependent seeks assistance from a Sexual Assault Response Coordinator, a Sexual Assault Victim Advocate, a military criminal investigator, a victim/witness liaison, a trial counsel, health care providers, or any other personnel designated by the Secretary of the military department concerned for purposes of this paragraph. The member or dependent shall also be informed that the assistance of a Special Victims' Counsel under paragraph (1) is optional and may be declined, in whole or in part, at any time.

"(4) Assistance of a Special Victims' Counsel under paragraph (1) shall be available to a member or dependent regardless of whether the member or dependent elects unrestricted or restricted (confidential) reporting of the sexual assault."

(2) REPORTING.—Subsection (c) of such section, as redesignated by paragraph (1)(A) of this subsection, is further amended in paragraph (2)—

(A) by redesignating subparagraph (C) as subparagraph (D); and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

"(C) A Special Victims' Counsel."

(c) CONFORMING AMENDMENTS TO AUTHORITY ON SARC, SAVA, AND RELATED ASSISTANCE.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking "may" and inserting "shall, upon request,"; and

(2) in paragraph (2)—

(A) by inserting "a Special Victims' Counsel," after "a Sexual Assault Victim Advocate,"; and

(B) by striking “or a trial counsel” and inserting “a trial counsel, health care providers, or any other personnel designated by the Secretary of the military department concerned for purposes of this paragraph”.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§ 1565b. Victims of sexual assault: access to legal assistance and services of Sexual Assault Coordinators, Sexual Assault Victim Advocates, and Special Victims’ Counsels.”

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 80 of such title is amended by striking the item relating to section 1565b and inserting the following new item:

“1565b. Victims of sexual assault: access to legal assistance and services of Sexual Assault Coordinators, Sexual Assault Victim Advocates, and Special Victims’ Counsels.”.

SEC. 3. ENHANCED RESPONSIBILITIES OF SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE FOR DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

(a) IN GENERAL.—Section 1611(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note) is amended by striking “shall—” and all that follows and inserting “shall do the following:

“(1) Oversee development and implementation of the comprehensive policy for the Department of Defense sexual assault prevention and response program, including guidance and assistance for the military departments in addressing matters relating to sexual assault prevention and response.

“(2) Serve as the single point of authority, accountability, and oversight for the sexual assault prevention and response program.

“(3) Undertake responsibility for the oversight of the implementation of the sexual assault prevention and response program by the Armed Forces.

“(4) Collect and maintain data of the military departments on sexual assault in accordance with section 1615.

“(5) Provide oversight to ensure that the military departments maintain documents relating to the following:

“(A) Allegations and complaints of sexual assault involving members of the Armed Forces.

“(B) Courts-martial or trials of members of the Armed Forces for offenses relating to sexual assault.

“(6) Act as liaison between the Department of Defense and other Federal and State agencies on programs and efforts relating to sexual assault prevention and response.

“(7) Oversee development of strategic program guidance and joint planning objectives for resources in support of the sexual assault prevention and response program, and make recommendations on modifications to policy, law, and regulations needed to ensure the continuing availability of such resources.

“(8) Provide to the Secretary of Veterans Affairs any records or documents on sexual assault in the Armed Forces, including restricted reports with the approval of the individuals who filed such reports, that are required by the Secretary for purposes of the administration of the laws administered by the Secretary.”.

(b) COLLECTION AND MAINTENANCE OF DATA.—Subtitle A of title XVI of such Act (10 U.S.C. 1561 note) is amended by adding at the end the following new section:

“SEC. 1615. COLLECTION AND MAINTENANCE OF DATA OF MILITARY DEPARTMENTS ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

“In carrying out the requirements of section 1611(b)(4), the Director of the Sexual Assault Prevention and Response Office shall do the following:

“(1) Collect from each military department on a quarterly and annual basis data of such military department on sexual assaults involving members of the Armed Forces in a manner consistent with the policy and procedures developed pursuant to section 586 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 1561 note) that protect the privacy of individuals named in records and the status of records.

“(2) Maintain data collected from the military departments under paragraph (1).

“(3) Assemble from the data collected and maintained under this section quarterly and annual reports on the involvement of members of the Armed Forces in incidents of sexual assault.

“(4) Develop metrics to measure the effectiveness of, and compliance with, training and awareness objectives of the military departments on sexual assault prevention and response.

“(5) Establish categories of information to be provided by the military departments in connection with reports on sexual assault prevention and response, including, but not limited to, the annual reports required by section 1631, and ensure that the submittals of the military departments for purposes of such reports include data within such categories.”.

(c) ELEMENT ON UNIT OF ACCUSED AND VICTIM IN CASE SYNOPSIS IN ANNUAL REPORT ON SEXUAL ASSAULTS.—

(1) IN GENERAL.—Section 1631(f) of such Act (10 U.S.C. 1561 note) is amended—

(A) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(B) by inserting after paragraph (4) the following new paragraph (5):

“(5) The case synopsis shall indicate the unit of each member of the Armed Forces accused of committing a sexual assault and the unit of each member of the Armed Forces who is a victim of sexual assault.”.

(2) APPLICATION OF AMENDMENTS.—The amendments made by paragraph (1) shall apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be submitted by March 1, 2014, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

SEC. 4. DISPOSITION AND OTHER REQUIREMENTS FOR RAPE AND SEXUAL ASSAULT OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) DISPOSITION AND OTHER REQUIREMENTS.—

(1) IN GENERAL.—Subchapter VI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 830 (article 30) the following new section (article):

“§ 830a. Art. 30a. Rape and sexual assault offenses: disposition and other requirements

“(a) IN GENERAL.—Notwithstanding any other provision of this chapter, charges on offenses specified in subsection (b) shall be subject to the disposition requirement in subsection (c) and subject to the other requirements and limitations set forth in this section.

“(b) COVERED OFFENSES.—The charges on offenses specified in this subsection are charges on the offenses as follows:

“(1) Rape or sexual assault under section 920 of this title (article 120).

“(2) An attempt to commit an offense specified in paragraph (1) as punishable under section 880 of this title (article 80).

“(c) DISPOSITION REQUIREMENTS.—(1) Subject to paragraph (2), the charges on any offense specified in subsection (b) shall be referred to an appropriate authority for convening general courts-martial under section 822 of this title (article 22) for disposition.

“(2) If the appropriate authority to which charges described in paragraph (1) would be referred under that paragraph is a member with direct supervisory authority over the member alleged to have committed the offense, such charges shall be referred to a superior authority competent to convene a general court-martial.

“(d) VICTIM’S RIGHTS.—A victim of an offense specified in subsection (b) shall have rights as follows:

“(1) To a Special Victims’ Counsel provided under section 1565b(b) of this title.

“(2) To have all communications between the victim and any Sexual Assault Response Coordinator, Sexual Assault Victim Advocate, or Special Victims’ Counsel for the victim considered privileged communications for purposes of the case and any proceedings relating to the case.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VI of chapter 47 of such title (the Uniform Code of Military Justice) is amended by inserting after the item relating to section 830 (article 30) the following new item:

“830a. Art. 30a. Rape and sexual assault offenses: disposition and other requirements.”.

(b) REVISION OF MANUAL FOR COURTS-MARTIAL.—The Joint Service Committee on Military Justice shall amend the Manual for Courts-Martial to reflect the requirements in section 830a of title 10, United States Code (article 830a of the Uniform Code of Military Justice), as added by subsection (b), including, in particular, section 306 of the Manual relating to disposition of charges.

SEC. 5. PROHIBITION ON SEXUAL ACTS AND CONTACT BETWEEN CERTAIN MILITARY INSTRUCTORS AND THEIR TRAINEES.

(a) PROHIBITION.—Section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subsections (e) through (g) as subsections (f) through (h); respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) SEXUAL ACTS AND SEXUAL CONTACT BETWEEN CERTAIN MILITARY INSTRUCTORS AND TRAINEES.—

“(1) ENHANCED PROHIBITION ON SEXUAL ASSAULT.—A military instructor who commits a sexual act upon a member of the armed forces while the member is undergoing basic training (or its equivalent) or within 30 days after completing such training is guilty of sexual assault and shall be punished as a court-martial may direct.

“(2) ENHANCED PROHIBITION ON ABUSIVE SEXUAL CONTACT.—A military instructor who commits or causes sexual contact upon or by a member of the armed forces while the member is undergoing basic training (or its equivalent), or within 30 days after completing such training, which instructor was not the spouse of the member at the member’s commencement of such training, is guilty of abusive sexual contact and shall be punished as a court-martial may direct.

“(3) COVERED MILITARY INSTRUCTORS.—This subsection applies with respect to the following members of the armed forces otherwise subject to this chapter:

- “(A) Drill Sergeants in the Army.
- “(B) Drill Instructors in the Marine Corps.
- “(C) Recruit Division Commanders in the Navy.
- “(D) Military Training instructors in the Air Force.
- “(E) Company Commanders in the Coast Guard.

“(F) Such other members of the armed forces as the Secretary concerned may designate as having supervisory authority over new recruits undergoing basic training (or its equivalent).

“(4) CONSENT.—Lack of consent is not an element and need not be proven in any prosecution under this subsection. Consent is not a defense for any conduct in issue in any prosecution under this subsection.”.

(b) CROSS REFERENCES TO DEFINITIONS.—Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended—

(1) in section 920b(h)(1) (article 120b(h)(1)), by striking “section 920(g) of this title (article 120(g))” and inserting “section 920 of this title (article 120)”;

(2) in section 920c(d)(1) (article 120c(d)(1)), by striking “section 920(g) of this title (article 120(g))” and inserting “section 920 of this title (article 120)”.

SEC. 6. AVAILABILITY OF SEXUAL ASSAULT RESPONSE COORDINATORS FOR MEMBERS OF THE NATIONAL GUARD.

(a) AVAILABILITY IN EACH NATIONAL GUARD STATE AND TERRITORY.—Section 584(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1433; 10 U.S.C. 1561 note) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) AVAILABILITY IN EACH NATIONAL GUARD STATE AND TERRITORY.—The National Guard of each State and Territory shall ensure that a Sexual Assault Response Coordinator is available at all times to the members of the National Guard of such State or Territory. The Secretary of the Army and the Secretary of the Air Force may, in consultation with the Chief of the National Guard Bureau, assign additional Sexual Assault Response Coordinators in a State or Territory as necessary based on the resource requirements of National Guard units within such State or Territory. Any additional Sexual Assault Response Coordinator may serve on a full-time or part-time basis at the discretion of the assigning Secretary.”.

(b) AVAILABILITY TO PROVIDE ASSISTANCE FOR MEMBERS OF THE NATIONAL GUARD IN STATE STATUS.—Section 1565b of title 10, United States Code, as amended by section 2 of this Act, is further amended in subsection (a)—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) In the case of a member of the National Guard in State status under title 32 who is the victim of a sexual assault, assistance provided by a Sexual Assault Response Coordinator shall be provided by the Sexual Assault Response Coordinator Assistance available in the State or Territory concerned under paragraph (2) of section 584(a) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 1561 note), but, with the approval of the Secretary of the Army or

the Secretary of the Air Force, as applicable, may also be provided by Sexual Assault Response Coordinator assigned under paragraph (1) of that section.”.

Ms. AYOTTE. Let me say I wish to thank very much my colleague from Washington, Senator MURRAY, for her leadership on this issue and for the opportunity to work together to address this very important issue of making sure we eliminate sexual assaults that occur within our military and that the victims of these crimes get the respect, the support, and the justice they deserve. I am very honored to work with Senator MURRAY, and I thank her so much for giving me the opportunity to work with her on this important legislation to address a very serious problem in our military.

I approach this issue not just as someone who comes from a military family and has such great, deep respect for the military—as I know Senator MURRAY does with the important position she has on the Veterans’ Committee—but also as someone who serves on the Armed Services Committee and someone who worked in my prior career extensively with victims of sexual assault. During my time as a prosecutor in New Hampshire and then later as the State’s attorney general, I saw the devastating impact of these types of crimes.

I also saw the real need to address what is too often a silent crime. The victims often suffer in silence for fear of coming forward and not being supported when they are to come forward and report a sexual assault.

That is very important, and that is why I also supported efforts earlier this year—that I know Senator MURRAY was a very strong leader on—to reauthorize the Violence Against Women Act. I wish to thank her for her leadership on that as well.

Currently, military sexual assault occurs at alarming levels throughout all branches of our military. According to the Department of Defense estimates, 19,000 servicemembers were sexually assaulted in 2011, a rate of over 52 per day. Despite these shocking figures, fewer than 2,800 assaults against servicemembers were reported to the Department of Defense over the same period.

The Department of Defense Sexual Assault Prevention and Response Office’s annual report, which was actually just released today at the same time that we are filing our legislation, concludes that the number of people who made an anonymous sexual assault claim but never reported the attack increased from 19,000 in 2011 to 26,000 in 2012, nearly a 37-percent increase. Yet the number of reported sexual assaults against servicemembers only increased—in other words, those who did report and come forward—by about 8 percent. This is a dramatic example of people who were victims but

feel they would have the support to come forward and report the crimes that were being committed against them.

Astonishingly, as Senator MURRAY mentioned, just yesterday it was reported that the police arrested a lieutenant colonel in charge of the Air Force’s Sexual Assault Prevention and Response branch and charged him with sexual battery, which brought this issue very much to the forefront, given the fact that this individual was charged with important responsibility over the Sexual Assault Prevention and Response Program.

It is important to understand why sexual assault is so destructive, especially when it occurs in our military—of course, when it occurs anywhere. Sexual assault is a serious and unacceptable crime that can inflict lasting emotional and physical impact on the victims of these crimes that can last for years and throughout their lifetimes.

In the military, sexual assault can also damage unit morale, readiness, the preparedness of our troops. Also, military sexual assault can negatively impact the well-earned reputation of those who serve honorably, which is obviously the overwhelming number of members of our military who serve our country with great courage and with great character.

So we must aggressively tackle this problem to compassionately help victims but also to protect the good order and discipline that ultimately undermine and support the readiness of our military units. We do our military and our servicemembers little good if we ignore this problem.

Conversely, it is very important we pass commonsense legislation that will help solve the problem. But we should make no mistake that, again, the vast majority of our men and women in uniform serve with tremendous dignity and honor, and the United States continues to be the very best military in the world because of the character, quality, and courage of our men and women in uniform. But when a servicemember fails to live up to our values and commits a sexual assault, we must ensure victims have the support they need and the perpetrators are held accountable and are brought to justice.

That is why Senator MURRAY and I have introduced this legislation today. Our legislation, titled the “Combating Military Sexual Assault Act,” would expand and improve military sexual assault prevention and response resources available to the victims of these crimes. Building on the lessons we have learned from a pilot program already in place in the Air Force, our bill would provide trained special victims’ counsels to victims in all service branches to help them throughout the process. These counsels can help comfort and advise victims after the crime

has occurred. The special victims' counsel also provides victims the confidence they need to come forward, report the crime, and seek justice.

The Chief of Staff of the Air Force, General Welsh, testified this morning before the Armed Services Committee "the evidence is clear" that providing special victims' counsel to those who suffer from this crime has been "immensely helpful" in the Air Force. So every victim of crime within our Armed Services deserves to have the support of the special victims' counsel.

Our bill would also ensure sexual assault response coordinators are available to members of the National Guard and Reserve at all times, regardless of whether the servicemember is operating under title 10 or title 32 authority. It is very important we get this in the law now so that our Guard men and women get the support they deserve. We could not have fought the battles and wars we have fought without their courage and bravery and the sacrifices they have made.

Our bill would also make certain sexual assault cases are referred to the general court-martial level when sexual assault charges are filed or to the next superior competent authority when there is a conflict of interest in the immediate chain of command. Right now, the way the system is set up, there is not a set mechanism where there is a conflict of interest. This commonsense approach would recognize the uniquely devastating damage sexual assault crimes inflict on individuals and ensure that victims can have confidence in the military court justice system.

In conclusion, allowing this problem to persist is simply unacceptable, both for the victims and for the morale and readiness of our forces that do so much to ensure the freedom of this country. We must continue to make clear that sexual assault in the military simply will not be tolerated, and we must match these words with actions. Our legislation does just that.

I look forward to working with the Department of Defense, continuing to work with Senator MURRAY—and I thank her again for her leadership—as well as my Senate colleagues on both sides of the aisle in strengthening existing laws and policies so that all military sexual assault victims can come forward without fear of retribution and with the confidence they will receive the support, care, and justice they deserve from our country.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I want to thank my colleagues for working on military sexual assault. Senator GILLIBRAND and I and others are working on a way to handle these assaults which takes them out of the chain of command and makes sure the prosecu-

tors get the chance to decide whether a case goes forward, and no one in the chain of command can overturn a military court that makes a decision.

So I look forward to working with all my colleagues, female colleagues and male colleagues, because this is an absolute disgrace for the greatest Nation on Earth. We have to change a culture that somehow is permissive toward violence against women, and might I add men as well, when we look at the numbers. There is a lot of sexual violence against men in the military in terms of numbers—more cases against men than women—but in terms of percentages, there are more against women. It is a terrible situation.

By Mr. REED (for himself and Mr. COCHRAN):

S. 882. A bill to amend the Workforce Investment Act of 1998 to integrate public libraries into State and local workforce investment boards, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to introduce the Workforce Investments through Local Libraries Act or the WILL Act with Senator COCHRAN. During these challenging economic times, our one-stop system has been stretched to the limit. Stepping in to help have been our public libraries, which have always been a key access point for people looking for employment or looking to make a career change. According to the Institute of Museum and Library Services, 30 million Americans used a library computer to help address their career and employment needs in 2009.

The Employment and Training Administration and the Institute of Museum and Library Services have developed a partnership to highlight effective practices and encourage collaboration between the workforce investment system and public libraries, but more needs to be done. There are more than four times as many libraries as one-stop centers in high unemployment counties. We could greatly expand the reach of the workforce investment system by fully integrating public libraries into the delivery system and providing them with the resources they need to better assist Americans in finding work.

The Workforce Investments through Local Libraries, WILL, Act will strengthen the connection between the public library system and the one-stop system to better serve job seekers. The WILL Act will give library users access to workforce activities and information related to training services and employment opportunities, including resume development, job bank web searches, literacy services, and workshops on career information. The goal of the WILL Act is to enable libraries to access Workforce Investment Act re-

sources to continue to provide job search support in communities all across America.

Specifically, the WILL Act amends the Workforce Investment Act, WIA, to: include library representation on state and local workforce investment boards; ensure the coordination of employment, training, and literacy services carried out by public libraries as part of the state workforce investment plan; recognize public libraries as an allowable "One-Stop" partner; authorize new demonstration and pilot projects to establish employment resources in public libraries; and encourage the Employment and Training Administration to collaborate with other federal agencies, including the Institute of Museum and Library Services, to leverage and expand access to workforce development resources.

To get Americans back to work, we need to leverage all of our community assets. Public libraries play a vital role in providing access to information, technology, support, and other essential resources to help Americans find good jobs and build successful careers. I urge my colleagues to join Senator COCHRAN and me in cosponsoring the WILL Act and to support its inclusion in the effort to renew the Workforce Investment Act.

By Mr. LEVIN (for himself, Mr. MCCAIN, Mr. COBURN, and Mr. ROCKEFELLER):

S. 884. A bill to require the Director of National Intelligence to develop a watch list and a priority watch list of foreign countries that engage in economic or industrial espionage in cyberspace with respect to United States trade secrets or proprietary information, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, one aspect of cybersecurity threats from foreign nations relates directly to America's global competitiveness.

If American entrepreneurs are known for one thing, it is innovation. That innovation costs money. American companies invest billions and billions of dollars every year on research and development to create products that are the best in the world. Companies in my State alone invest \$16 billion a year in research and development. When these investments succeed American companies are often the leaders in their industries at home and in overseas markets, offering technologies that are not available elsewhere. This is a huge competitive value and one that we must protect.

But too many U.S. companies of all sizes are being robbed of their intellectual property, the engine of their businesses, and the American economy is being undermined through cyber theft. Often the culprits are foreign governments. To make matters worse, these governments share the stolen technology with companies that compete

with the very U.S. companies that developed the technology in the first place.

General Keith B. Alexander, head of the National Security Agency and U.S. Cyber Command, recently called the theft of intellectual property from U.S. entities through cyberspace “the greatest transfer of wealth in history.” He estimated that such theft costs U.S. companies and institutions hundreds of billions of dollars. It is outrageous that American trade secrets are being stolen and used to compete against us. So who is responsible?

As far back as 2011, the National Counterintelligence Executive said in its annual report to Congress that “Chinese actors are the world’s most active and persistent perpetrators of economic espionage. U.S. private sector firms and cybersecurity specialists have reported an onslaught of computer network intrusions that have originated in China.”

In March of this year, Mandiant, a company that investigates private sector cyber security breaches, published a report describing how a cyber-espionage unit of the Chinese People’s Liberation Army raided the computers of at least 141 different organizations, stealing “technology blueprints, proprietary manufacturing processes, test results, business plans, pricing documents, [and] partnership agreements.” According to Mandiant, the industries targeted by the PLA “match industries that China has identified as strategic to their growth.” Mandiant’s report exposed PLA cyber theft aimed at the information technology, transportation, aerospace, satellites and telecommunications, and high end electronics industries, to name just a few.

U.S. government reports also point to China. Just last week the U.S. Trade Representative issued its “Special 301” report reviewing the global state of intellectual property rights, IPR. USTR stated that “Obtaining effective enforcement of IPR in China remains a central challenge, as it has been for many years.” The report continued “This situation has been made worse by cyber theft, as information suggests that actors located in China have been engaged in sophisticated, targeted efforts to steal [intellectual property] from U.S. corporate systems.”

Also last week, an article in Bloomberg described cyber espionage conducted by the Chinese People’s Liberation Army against QinetiQ, a defense contractor. The article said the PLA operation “jeopardized the [victim] company’s sensitive technology involving drones, satellites, the U.S. Army’s combat helicopter fleet, and military robotics, both already-deployed systems and those still in development.” The report stated that the Chinese “hackers had burrowed into almost every corner of QinetiQ’s U.S. operations, including production facili-

ties and engineering labs in St. Louis, Pittsburgh, Long Beach, Mississippi, Huntsville, Alabama and Albuquerque, New Mexico, where QinetiQ engineers work on satellite-based espionage, among other projects.”

It is time that we fought back to protect American businesses and American innovation. We need to call out those who are responsible for cyber theft and empower the President to hit the thieves where it hurts most—in their wallets.

Today, I am introducing a bill along with Senators MCCAIN, COBURN and ROCKEFELLER that calls on the Director of National Intelligence, DNI, to develop a list of foreign countries that engage in economic or industrial espionage in cyberspace with respect to U.S. trade secrets or proprietary information. We have done something similar under the Special 301 process for intellectual property rights infringements in foreign countries.

Specifically, our legislation requires the DNI to publish an annual report listing foreign countries that engage in, facilitate, support or tolerate economic and industrial espionage targeting U.S. trade secrets or proprietary information through cyberspace. That report would identify:

A watch list of foreign countries that engage in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons; it would identify a priority watch list of foreign countries that are the most egregious offenders; U.S. technologies targeted for economic or industrial espionage in cyberspace and U.S. technologies that have been stolen, to the extent that is known; articles manufactured or produced or services provided, without permission from the rights holder, using such stolen technologies or proprietary information; foreign companies, including state-owned enterprises, that benefit from stolen technologies or proprietary information; details of the economic or industrial espionage engaged in by foreign countries; and actions taken by DNI and other Federal agencies and progress made to decrease foreign economic or industrial espionage in cyberspace against United States persons.

Creating a “name and shame” list, as this report would do, will shine a spotlight on those who are stealing U.S. technologies. But we need more than a report, we need action.

Our bill provides for more than a report. In order to enforce compliance with laws protecting U.S. patents, copyrights, and other intellectual property and protection of the Department of Defense supply chain, our legislation requires the President to block imports of products if they: contain stolen U.S. technology or proprietary information, or are produced by a state-owned enterprise of a country on the priority

watch list and are the same as or similar to products made using the stolen or targeted U.S. technology or proprietary information identified in the report, or are made by a company identified in the report as having benefitted from the stolen U.S. technology or proprietary information.

Blocking imports of products that either incorporate intellectual property stolen from U.S. companies or are from companies otherwise that benefit from cyber theft will send the message that we have had enough. If foreign governments—like the Chinese government—want to continue to deny their involvement in cyber theft despite the proof, that’s one thing. We can’t stop the denials on the face of facts. But we aren’t without remedies. We can prevent the companies that benefit from the theft—including state-owned companies from getting away with the benefits of that theft. Maybe once they understand that complicity will cost them access to the U.S. market, they will press their governments to stop or refuse to benefit at least. We will hit them where it hurts with this legislation and we aim to get results.

We have stood by for far too long while our intellectual property and proprietary information is plundered in cyberspace and in turn used to undercut the very companies that developed it. It is now time to act. Our legislation will give our Government powerful tools to fight back against these crimes and protect the investments and property of U.S. companies and institutions. I urge my colleagues to work to enact this very important legislation as quickly as possible. We have no time to lose.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 884

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Deter Cyber Theft Act”.

SEC. 2. ACTIONS TO ADDRESS FOREIGN ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to the appropriate congressional committees a report on foreign economic and industrial espionage in cyberspace during the 12-month period preceding the submission of the report that—

(A) identifies—

(i) foreign countries that engage in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons;

(ii) foreign countries identified under clause (i) that the Director determines engage in the most egregious economic or industrial espionage in cyberspace with respect to such trade secrets or proprietary information (in this section referred to as “priority foreign countries”);

(iii) technologies or proprietary information developed by United States persons that—

(I) are targeted for economic or industrial espionage in cyberspace; and

(II) to the extent practicable, have been appropriated through such espionage;

(iv) articles manufactured or otherwise produced using technologies or proprietary information described in clause (iii)(II);

(v) services provided using such technologies or proprietary information; and

(vi) foreign entities, including entities owned or controlled by the government of a foreign country, that request, engage in, support, facilitate, or benefit from the appropriation through economic or industrial espionage in cyberspace of technologies or proprietary information developed by United States persons;

(B) describes the economic or industrial espionage engaged in by the foreign countries identified under clauses (i) and (ii) of subparagraph (A); and

(C) describes—

(i) actions taken by the Director and other Federal agencies to decrease the prevalence of economic or industrial espionage in cyberspace; and

(ii) the progress made in decreasing the prevalence of such espionage.

(2) DETERMINATION OF FOREIGN COUNTRIES ENGAGING IN ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.—For purposes of clauses (i) and (ii) of paragraph (1)(A), the Director shall identify a foreign country as a foreign country that engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons if the government of the foreign country—

(A) engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons; or

(B) facilitates, supports, fails to prosecute, or otherwise permits such espionage by—

(i) individuals who are citizens or residents of the foreign country; or

(ii) entities that are organized under the laws of the foreign country or are otherwise subject to the jurisdiction of the government of the foreign country.

(3) PRIORITIZATION OF COLLECTION AND ANALYSIS OF INFORMATION.—The President shall direct the Director to make it a priority for the intelligence community to collect and analyze information in order to identify articles described in clause (iv) of paragraph (1)(A), services described in clause (v) of that paragraph, and entities described in clause (vi) of that paragraph.

(4) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) ACTION BY PRESIDENT.—

(1) IN GENERAL.—Not later than 120 days after each report required by subsection (a)(1) is submitted, the President shall direct U.S. Customs and Border Protection to exclude from entry into the United States an article described in paragraph (2) if the President determines the exclusion of the article is warranted—

(A) for the enforcement of intellectual property rights; or

(B) to protect the integrity of the Department of Defense supply chain.

(2) ARTICLE DESCRIBED.—An article described in this paragraph is an article—

(A) identified under subsection (a)(1)(A)(iv);

(B) produced or exported by an entity that—

(i) is owned or controlled by the government of a priority foreign country; and

(ii) produces or exports articles that are the same as or similar to articles manufactured or otherwise produced using technologies or proprietary information identified under subsection (a)(1)(A)(iii); or

(C) produced or exported by an entity identified under subsection (a)(1)(A)(vi).

(c) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner that is consistent with the obligations of the United States under international agreements.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CYBERSPACE.—The term “cyberspace”—

(A) means the interdependent network of information technology infrastructures; and

(B) includes the Internet, telecommunications networks, computer systems, and embedded processors and controllers.

(3) ECONOMIC OR INDUSTRIAL ESPIONAGE.—The term “economic or industrial espionage” means—

(A) stealing a trade secret or proprietary information or appropriating, taking, carrying away, or concealing, or by fraud, artifice, or deception obtaining, a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information;

(B) copying, duplicating, downloading, uploading, destroying, transmitting, delivering, sending, communicating, or conveying a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information; or

(C) knowingly receiving, buying, or possessing a trade secret or proprietary information that has been stolen or appropriated, obtained, or converted without the authorization of the owner of the trade secret or proprietary information.

(4) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(5) OWN.—The term “own”, with respect to a trade secret or proprietary information, means to hold rightful legal or equitable title to, or license in, the trade secret or proprietary information.

(6) PERSON.—The term “person” means an individual or entity.

(7) PROPRIETARY INFORMATION.—The term “proprietary information” means competitive bid preparations, negotiating strategies, executive emails, internal financial data, strategic business plans, technical designs, manufacturing processes, source code, data

derived from research and development investments, and other commercially valuable information that a person has developed or obtained if—

(A) the person has taken reasonable measures to keep the information confidential; and

(B) the information is not generally known or readily ascertainable through proper means by the public.

(8) TECHNOLOGY.—The term “technology” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(9) TRADE SECRET.—The term “trade secret” has the meaning given that term in section 1839 of title 18, United States Code.

(10) UNITED STATES PERSON.—The term “United States person” means—

(A) an individual who is a citizen of the United States or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States.

By Mr. BOOZMAN (for himself,
Mr. MANCHIN, Mr. MORAN, and
Mr. TESTER):

S. 889. A bill to amend title 10, United States Code, to improve the Transition Assistance Program of the Department of Defense, and for other purposes; to the Committee on Veterans’ Affairs.

Mr. BOOZMAN. Mr. President, the Transition Assistance Program, TAP, provides training to servicemembers regarding veteran benefits, job search skills, pre-separation counseling, resume writing, how to prepare for interviews, and other transition training. TAP is a great program; however, there is always room for improvement. For this reason, I am joining with Senator’s MORAN and MANCHIN to introduce their Servicemembers’ Choice in Transition Act of 2013. This legislation enhances the content of TAP to enable those leaving military service to better utilize their GI Bill benefits as a way to transition to civilian employment. It also makes TAP more interactive and provides a better fit for each servicemembers’ personal transition goals.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 889

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Servicemembers’ Choice in Transition Act of 2013”.

SEC. 2. CONTENTS OF TRANSITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

“(9) Provide information about disability-related employment and education protections.”.

(2) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) ADDITIONAL ELEMENTS OF PROGRAM.—The mandatory program carried out under this section shall include—

“(1) for any member who plans to use the member’s entitlement to educational assistance under title 38—

“(A) instruction providing an overview of the use of such entitlement; and

“(B) testing to determine academic readiness for post-secondary education, courses of post-secondary education appropriate for the member, courses of post-secondary education compatible with the member’s education goals, and instruction on how to finance the member’s post-secondary education; and

“(2) instruction in the benefits under laws administered by the Secretary of Veterans Affairs and in other subjects determined by the Secretary concerned.”.

(b) DEADLINE FOR IMPLEMENTATION.—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsections (b)(9) and (c) of such section, as added by subsection (a), by not later than April 1, 2015.

(c) FEASIBILITY STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans’ Affairs of the Senate and the House of Representatives the results of a study carried out by the Secretary to determine the feasibility of providing the instruction described in subsection (b) of section 1142 of title 10, United States Code, at all overseas locations where such instruction is provided by entering into a contract jointly with the Secretary of Labor for the provision of such instruction.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 130—DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 2013, AS “NATIONAL PHYSICAL EDUCATION AND SPORT WEEK”

Ms. KLOBUCHAR (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 130

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as “late in life” or “adult onset” diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2013, as “National Physical Education and Sport Week”;

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

AMENDMENTS SUBMITTED AND PROPOSED

SA 796. Mr. INHOFE (for himself, Mr. BAUCUS, Mr. CASEY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 797. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 798. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 799. Mrs. BOXER (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 601, supra.

SA 800. Mr. BLUNT (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 801. Mr. PRYOR (for himself, Mr. INHOFE, Mrs. FISCHER, Ms. LANDRIEU, Mr. JOHANNIS, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 802. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 803. Mr. WHITEHOUSE (for himself, Mr. ROCKEFELLER, Mr. NELSON, Mr. BLUMENTHAL, Ms. CANTWELL, Ms. COLLINS, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 804. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 805. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 806. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 807. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 808. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 809. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 810. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 811. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 812. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 813. Mr. BROWN (for himself, Mr. TOOMEY, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 796. Mr. INHOFE (for himself, Mr. BAUCUS, Mr. CASEY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 548, between lines 16 and 17, insert the following:

(10) **RURAL WATER INFRASTRUCTURE PROJECT.**—The term “rural water infrastructure project” means a project that—

(A) is described in section 10007; and
(B) is located in a water system that serves not more than 25,000 individuals.

On page 556, strike lines 1 through 3, and insert the following:

(2) **ELIGIBLE PROJECT COSTS.**—
(A) **IN GENERAL.**—Subject to subparagraph (B), the eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(B) **RURAL WATER INFRASTRUCTURE PROJECTS.**—For rural water infrastructure projects, the eligible project costs of a project shall be reasonably anticipated to be not less than \$2,000,000.

On page 570, between lines 19 and 20, insert the following:

(b) **RURAL WATER INFRASTRUCTURE PROJECTS.**—

(1) **IN GENERAL.**—Of the amounts made available to carry out this title for each fiscal year, not more than 10 percent shall be set aside to carry out rural water infrastructure projects.

(2) **APPLICABILITY.**—Any amounts set aside under paragraph (1) that remain unobligated on June 1 of the fiscal year for which the amounts are set aside shall be made available to the Secretary or the Administrator, as applicable, for use in accordance with this title.

SA 797. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United

States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:
SEC. 12. TULSA PORT OF CATOOSA, ROGERS COUNTY, OKLAHOMA LAND EXCHANGE.

(a) **DEFINITIONS.**—In this section:
(1) **FEDERAL LAND.**—The term “Federal land” means the approximately 87 acres of land situated in Rogers County, Oklahoma, contained within United States Tracts 413 and 427, and acquired for the McClellan-Kerr Arkansas Navigation System.

(2) **NON-FEDERAL LAND.**—The term “non-Federal land” means the approximately 34 acres of land situated in Rogers County, Oklahoma and owned by the Tulsa Port of Catoosa that lie immediately south and east of the Federal land.

(b) **LAND EXCHANGE.**—Subject to subsection (c), on conveyance by the Tulsa Port of Catoosa to the United States of all right, title, and interest in and to the non-Federal land, the Secretary shall convey to the Tulsa Port of Catoosa, all right, title, and interest of the United States in and to the Federal land.

(c) **CONDITIONS.**—
(1) **DEEDS.**—
(A) **DEED TO NON-FEDERAL LAND.**—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(B) **DEED TO FEDERAL LAND.**—The Secretary shall convey the Federal land to the Tulsa Port of Catoosa by quitclaim deed and subject to any reservations, terms, and conditions that the Secretary determines necessary to—

(i) allow the United States to operate and maintain the McClellan-Kerr Arkansas River Navigation System; and
(ii) protect the interests of the United States.

(2) **LEGAL DESCRIPTIONS.**—The exact acreage and legal descriptions of the Federal land and the non-Federal land shall be determined by surveys acceptable to the Secretary.

(3) **PAYMENT OF COSTS.**—The Tulsa Port of Catoosa shall be responsible for all costs associated with the land exchange authorized by this section, including any costs that the Secretary determines necessary and reasonable in the interest of the United States, including surveys, appraisals, real estate transaction fees, administrative costs, and environmental documentation.

(4) **CASH PAYMENT.**—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, the Tulsa Port of Catoosa shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(5) **LIABILITY.**—The Tulsa Port of Catoosa shall hold and save the United States free from damages arising from activities carried out under this section, except for damages due to the fault or negligence of the United States or a contractor of the United States.

SA 798. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which

was ordered to lie on the table; as follows:

At the end of title II, add the following:
SEC. 20. VERDIGRIS RIVER BASIN WATER SUPPLY STORAGE CONTRACTS.

Notwithstanding any other provision of law, any community entity that is a party to a contract in effect on the date of enactment of this Act for water supply storage on a nonhydropower lake within the Verdigris River Basin shall be required to pay not more than the contractual rate per acre-foot (as in effect on the date of enactment of this Act) in entering into a contract for new water supply storage in a nonhydropower lake within the Verdigris River Basin.

SA 799. Mrs. BOXER (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Development Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCE PROJECTS

Sec. 1001. Purposes.

Sec. 1002. Project authorizations.

Sec. 1003. Project review.

TITLE II—WATER RESOURCES POLICY REFORMS

Sec. 2001. Purposes.

Sec. 2002. Safety assurance review.

Sec. 2003. Continuing authority programs.

Sec. 2004. Continuing authority program prioritization.

Sec. 2005. Fish and wildlife mitigation.

Sec. 2006. Mitigation status report.

Sec. 2007. Independent peer review.

Sec. 2008. Operation and maintenance of navigation and hydroelectric facilities.

Sec. 2009. Hydropower at Corps of Engineers facilities.

Sec. 2010. Clarification of work-in-kind credit authority.

Sec. 2011. Transfer of excess work-in-kind credit.

Sec. 2012. Credit for in-kind contributions.

Sec. 2013. Credit in lieu of reimbursement.

Sec. 2014. Dam optimization.

Sec. 2015. Water supply.

Sec. 2016. Report on water storage pricing formulas.

Sec. 2017. Clarification of previously authorized work.

Sec. 2018. Consideration of Federal land in feasibility studies.

Sec. 2019. Planning assistance to States.

Sec. 2020. Vegetation management policy.

Sec. 2021. Levee certifications.

Sec. 2022. Restoration of flood and hurricane storm damage reduction projects.

Sec. 2023. Operation and maintenance of certain projects.

Sec. 2024. Dredging study.

Sec. 2025. Non-Federal project implementation pilot program.

- Sec. 2026. Non-Federal implementation of feasibility studies.
- Sec. 2027. Tribal partnership program.
- Sec. 2028. Cooperative agreements with Columbia River Basin Indian tribes.
- Sec. 2029. Military munitions response actions at civil works shoreline protection projects.
- Sec. 2030. Beach nourishment.
- Sec. 2031. Regional sediment management.
- Sec. 2032. Study acceleration.
- Sec. 2033. Project acceleration.
- Sec. 2034. Feasibility studies.
- Sec. 2035. Accounting and administrative expenses.
- Sec. 2036. Determination of project completion.
- Sec. 2037. Project partnership agreements.
- Sec. 2038. Interagency and international support authority.
- Sec. 2039. Acceptance of contributed funds to increase lock operations.
- Sec. 2040. Emergency response to natural disasters.
- Sec. 2041. Systemwide improvement frameworks.
- Sec. 2042. Funding to process permits.
- Sec. 2043. National riverbank stabilization and erosion prevention study and pilot program.
- Sec. 2044. Hurricane and storm damage risk reduction prioritization.
- Sec. 2045. Prioritization of ecosystem restoration efforts.
- Sec. 2046. Special use permits.
- Sec. 2047. Operations and maintenance on fuel taxed inland waterways.
- Sec. 2048. Corrosion prevention.
- Sec. 2049. Project deauthorizations.
- Sec. 2050. Reports to Congress.
- Sec. 2051. Indian Self-Determination and Education Assistance Act conforming amendment.
- Sec. 2052. Invasive species review.
- Sec. 2053. Wetlands conservation study.
- Sec. 2054. Dam modification study.
- Sec. 2055. Non-Federal plans to provide additional flood risk reduction.
- Sec. 2056. Mississippi River forecasting improvements.
- Sec. 2057. Flexibility in maintaining navigation.
- Sec. 2058. Restricted areas at Corps of Engineers dams.
- Sec. 2059. Maximum cost of projects.
- TITLE III—PROJECT MODIFICATIONS**
- Sec. 3001. Purpose.
- Sec. 3002. Chatfield Reservoir, Colorado.
- Sec. 3003. Missouri River Recovery Implementation Committee expenses reimbursement.
- Sec. 3004. Hurricane and storm damage reduction study.
- Sec. 3005. Lower Yellowstone Project, Montana.
- Sec. 3006. Project deauthorizations.
- Sec. 3007. Raritan River Basin, Green Brook Sub-basin, New Jersey.
- Sec. 3008. Red River Basin, Oklahoma, Texas, Arkansas, Louisiana.
- Sec. 3009. Point Judith Harbor of Refuge, Rhode Island.
- Sec. 3010. Land conveyance of Hammond Boat Basin, Warrenton, Oregon.
- Sec. 3011. Metro East Flood Risk Management Program, Illinois.
- Sec. 3012. Florida Keys water quality improvements.
- Sec. 3013. Des Moines Recreational River and Greenbelt, Iowa.
- Sec. 3014. Land conveyance, Craney Island Dredged Material Management Area, Portsmouth, Virginia.
- Sec. 3015. Los Angeles County Drainage Area, California.
- Sec. 3016. Oakland Inner Harbor Tidal Canal, California.
- Sec. 3017. Redesignation of Lower Mississippi River Museum and Riverfront Interpretive Site.
- Sec. 3018. Louisiana Coastal Area.
- TITLE IV—WATER RESOURCE STUDIES**
- Sec. 4001. Purpose.
- Sec. 4002. Initiation of new water resources studies.
- Sec. 4003. Applicability.
- TITLE V—REGIONAL AND NONPROJECT PROVISIONS**
- Sec. 5001. Purpose.
- Sec. 5002. Northeast Coastal Region ecosystem restoration.
- Sec. 5003. Chesapeake Bay Environmental Restoration and Protection Program.
- Sec. 5004. Rio Grande environmental management program, Colorado, New Mexico, Texas.
- Sec. 5005. Lower Columbia River and Tillamook Bay ecosystem restoration, Oregon and Washington.
- Sec. 5006. Arkansas River, Arkansas and Oklahoma.
- Sec. 5007. Aquatic invasive species prevention and management; Columbia River Basin.
- Sec. 5008. Upper Missouri Basin flood and drought monitoring.
- Sec. 5009. Northern Rockies headwaters extreme weather mitigation.
- Sec. 5010. Aquatic nuisance species prevention, Great Lakes and Mississippi River Basin.
- Sec. 5011. Middle Mississippi River pilot program.
- Sec. 5012. Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming.
- Sec. 5013. Chesapeake Bay oyster restoration in Virginia and Maryland.
- Sec. 5014. Missouri River between Fort Peck Dam, Montana and Gavins Point Dam, South Dakota and Nebraska.
- Sec. 5015. Operations and maintenance of inland Mississippi River ports.
- Sec. 5016. Remote and subsistence harbors.
- TITLE VI—LEVEE SAFETY**
- Sec. 6001. Short title.
- Sec. 6002. Findings; purposes.
- Sec. 6003. Definitions.
- Sec. 6004. National levee safety program.
- Sec. 6005. National levee safety advisory board.
- Sec. 6006. Inventory and inspection of levees.
- Sec. 6007. Reports.
- Sec. 6008. Effect of title.
- Sec. 6009. Authorization of appropriations.
- TITLE VII—INLAND WATERWAYS**
- Sec. 7001. Purposes.
- Sec. 7002. Definitions.
- Sec. 7003. Project delivery process reforms.
- Sec. 7004. Major rehabilitation standards.
- Sec. 7005. Inland waterways system revenues.
- Sec. 7006. Efficiency of revenue collection.
- Sec. 7007. GAO study, Olmsted Locks and Dam, Lower Ohio River, Illinois and Kentucky.
- Sec. 7008. Olmsted Locks and Dam, Lower Ohio River, Illinois and Kentucky.
- TITLE VIII—HARBOR MAINTENANCE**
- Sec. 8001. Short title.
- Sec. 8002. Purposes.
- Sec. 8003. Funding for harbor maintenance programs.
- Sec. 8004. Harbor Maintenance Trust Fund prioritization.
- TITLE IX—DAM SAFETY**
- Sec. 9001. Short title.
- Sec. 9002. Purpose.
- Sec. 9003. Administrator.
- Sec. 9004. Inspection of dams.
- Sec. 9005. National Dam Safety Program.
- Sec. 9006. Public awareness and outreach for dam safety.
- Sec. 9007. Authorization of appropriations.
- TITLE X—INNOVATIVE FINANCING PILOT PROJECTS**
- Sec. 10001. Short title.
- Sec. 10002. Purposes.
- Sec. 10003. Definitions.
- Sec. 10004. Authority to provide assistance.
- Sec. 10005. Applications.
- Sec. 10006. Eligible entities.
- Sec. 10007. Projects eligible for assistance.
- Sec. 10008. Activities eligible for assistance.
- Sec. 10009. Determination of eligibility and project selection.
- Sec. 10010. Secured loans.
- Sec. 10011. Program administration.
- Sec. 10012. State, tribal, and local permits.
- Sec. 10013. Regulations.
- Sec. 10014. Funding.
- Sec. 10015. Report to Congress.
- TITLE XI—EXTREME WEATHER**
- Sec. 11001. Study on risk reduction.
- Sec. 11002. GAO study on management of flood, drought, and storm damage.
- Sec. 11003. Post-disaster watershed assessments.
- SEC. 2. DEFINITION OF SECRETARY.**
In this Act, the term “Secretary” means the Secretary of the Army.
- TITLE I—WATER RESOURCE PROJECTS**
- SEC. 1001. PURPOSES.**
The purposes of this title are—
(1) to authorize projects that—
(A) are the subject of a completed report of the Chief of Engineers containing a determination that the relevant project—
(i) is in the Federal interest;
(ii) results in benefits that exceed the costs of the project;
(iii) is environmentally acceptable; and
(iv) is technically feasible; and
(B) have been recommended to Congress for authorization by the Assistant Secretary of the Army for Civil Works; and
(2) to authorize the Secretary—
(A) to review projects that require increased authorization; and
(B) to request an increase of those authorizations after—
(i) certifying that the increases are necessary; and
(ii) submitting to Congress reports on the proposed increases.
- SEC. 1002. PROJECT AUTHORIZATIONS.**
The Secretary is authorized to carry out projects for water resources development, conservation, and other purposes, subject to the conditions that—
(1) each project is carried out—
(A) substantially in accordance with the plan for the project; and
(B) subject to any conditions described in the report for the project; and
(2)(A) a Report of the Chief of Engineers has been completed; and
(B) after November 8, 2007, but prior to the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works has submitted to Congress a recommendation to authorize construction of the project.

SEC. 1003. PROJECT REVIEW.

(a) IN GENERAL.—For a project that is authorized by Federal law as of the date of enactment of this Act, the Secretary may modify the authorized project cost set under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280)—

(1) by submitting the required certification and additional information to Congress in accordance with subsection (b); and

(2) after receiving an appropriation of funds in accordance with subsection (b)(3)(B).

(b) REQUIREMENTS FOR SUBMISSION.—

(1) CERTIFICATION.—The certification to Congress under subsection (a) shall include a certification by the Secretary that—

(A) expenditures above the authorized cost of the project are necessary to protect life and safety or property, maintain critical navigation routes, or restore ecosystems;

(B) the project continues to provide benefits identified in the report of the Chief of Engineers for the project; and

(C) for projects under construction—

(i) a temporary stop or delay resulting from a failure to increase the authorized cost of the project will increase costs to the Federal Government; and

(ii) the amount requested for the project in the budget of the President or included in a work plan for the expenditure of funds for the fiscal year during which the certification is submitted will exceed the authorized cost of the project.

(2) ADDITIONAL INFORMATION.—The information provided to Congress about the project under subsection (a) shall include, at a minimum—

(A) a comprehensive review of the project costs and reasons for exceeding the authorized limits set under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280);

(B) an expedited analysis of the updated benefits and costs of the project; and

(C) the revised cost estimate level for completing the project.

(3) APPROVAL OF CONGRESS.—The Secretary may not change the authorized project costs under subsection (a) unless—

(A) a certification and required information is submitted to Congress under subsection (b); and

(B) after such submission, amounts are appropriated to initiate or continue construction of the project in an appropriations or other Act.

(c) DE MINIMIS AMOUNTS.—If the cost to complete construction of an authorized water resources project would exceed the limitations on the maximum cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), the Secretary may complete construction of the project, notwithstanding the limitations imposed by that section if—

(1) construction of the project is at least 70 percent complete at the time the cost of the project is projected to exceed the limitations; and

(2) the Federal cost to complete construction is less than \$5,000,000.

(d) TERMINATION OF EFFECTIVENESS.—The authority of the Secretary under this section terminates on the date that is 3 years after the date of enactment of this Act.

TITLE II—WATER RESOURCES POLICY REFORMS

SEC. 2001. PURPOSES.

The purposes of this title are—

(1) to reform the implementation of water resources projects by the Corps of Engineers;

(2) to make other technical changes to the water resources policy of the Corps of Engineers; and

(3) to implement reforms, including—

(A) enhancing the ability of local sponsors to partner with the Corps of Engineers by ensuring the eligibility of the local sponsors to receive and apply credit for work carried out by the sponsors and increasing the role of sponsors in carrying out Corps of Engineers projects;

(B) ensuring continuing authority programs can continue to meet important needs;

(C) encouraging the continuation of efforts to modernize feasibility studies and establish targets for expedited completion of feasibility studies;

(D) seeking efficiencies in the management of dams and related infrastructure to reduce environmental impacts while maximizing other benefits and project purposes, such as flood control, navigation, water supply, and hydropower;

(E) clarifying mitigation requirements for Corps of Engineers projects and ensuring transparency in the independent external review of those projects; and

(F) establishing an efficient and transparent process for deauthorizing projects that have failed to receive a minimum level of investment to ensure active projects can move forward while reducing the backlog of authorized projects.

SEC. 2002. SAFETY ASSURANCE REVIEW.

Section 2035 of the Water Resources Development Act of 2007 (33 U.S.C. 2344) is amended by adding at the end the following:

“(g) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a safety assurance review conducted under this section.”

SEC. 2003. CONTINUING AUTHORITY PROGRAMS.

(a) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended—

(1) in subsection (a), by striking “\$35,000,000” and inserting “\$50,000,000”; and

(2) in subsection (b), by striking “\$7,000,000” and inserting “\$10,000,000”.

(b) SHORE DAMAGE PREVENTION OR MITIGATION.—Section 111(c) of the River and Harbor Act of 1968 (33 U.S.C. 426i(c)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

(c) REGIONAL SEDIMENT MANAGEMENT.—

(1) IN GENERAL.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(A) in subsection (c)(1)(C), by striking “\$5,000,000” and inserting “\$10,000,000”; and

(B) in subsection (g), by striking “\$30,000,000” and inserting “\$50,000,000”.

(2) APPLICABILITY.—Section 2037 of the Water Resources Development Act of 2007 (121 Stat. 1094) is amended by added at the end the following:

“(c) APPLICABILITY.—The amendment made by subsection (a) shall not apply to any project authorized under this Act if a report of the Chief of Engineers for the project was completed prior to the date of enactment of this Act.”

(d) SMALL FLOOD CONTROL PROJECTS.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended in the third sentence by striking “\$7,000,000” and inserting “\$10,000,000”.

(e) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(d)) is amended—

(1) in the second sentence, by striking “Not more than 80 percent of the non-Fed-

eral may be” and inserting “The non-Federal share may be provided”; and

(2) in the third sentence, by striking “\$5,000,000” and inserting “\$10,000,000”.

(f) AQUATIC ECOSYSTEM RESTORATION.—Section 206(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(d)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

(g) FLOODPLAIN MANAGEMENT SERVICES.—Section 206(d) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking “\$15,000,000” and inserting “\$50,000,000”.

SEC. 2004. CONTINUING AUTHORITY PROGRAM PRIORITIZATION.

(a) DEFINITION OF CONTINUING AUTHORITY PROGRAM PROJECT.—In this section, the term “continuing authority program” means 1 of the following authorities:

(1) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(2) Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(3) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(4) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(5) Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(6) Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(b) PRIORITIZATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register and on a publicly available website, the criteria the Secretary uses for prioritizing annual funding for continuing authority program projects.

(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall publish in the Federal Register and on a publicly available website, a report on the status of each continuing authority program, which, at a minimum, shall include—

(1) the name and a short description of each active continuing authority program project;

(2) the cost estimate to complete each active project; and

(3) the funding available in that fiscal year for each continuing authority program.

(d) CONGRESSIONAL NOTIFICATION.—On publication in the Federal Register under subsections (b) and (c), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a copy of all information published under those subsections.

SEC. 2005. FISH AND WILDLIFE MITIGATION.

(a) IN GENERAL.—Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting “for damages to ecological resources, including terrestrial and aquatic resources, and” after “mitigate”; and

(II) by inserting “ecological resources and” after “impact on”; and

(III) by inserting “without the implementation of mitigation measures” before the period; and

(ii) by inserting before the last sentence the following: “If the Secretary determines that mitigation to in-kind conditions is not possible, the Secretary shall identify in the report the basis for that determination and the mitigation measures that will be implemented to meet the requirements of this section and the goals of section 307(a)(1) of the

Water Resources Development Act of 1990 (33 U.S.C. 2317(a)(1)).”;

(B) in paragraph (2)—

(i) in the heading, by striking “DESIGN” and inserting “SELECTION AND DESIGN”;

(ii) by inserting “select and” after “shall”; and

(iii) by inserting “using a watershed approach” after “projects”; and

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting “, at a minimum,” after “complies with”; and

(ii) in subparagraph (B)—

(I) by striking clause (iii);

(II) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(III) by inserting after clause (ii) the following:

“(iii) for projects where mitigation will be carried out by the Secretary—

“(I) a description of the land and interest in land to be acquired for the mitigation plan;

“(II) the basis for a determination that the land and interests are available for acquisition; and

“(III) a determination that the proposed interest sought does not exceed the minimum interest in land necessary to meet the mitigation requirements for the project;

“(iv) for projects where mitigation will be carried out through a third party mitigation arrangement in accordance with subsection (i)—

“(I) a description of the third party mitigation instrument to be used; and

“(II) the basis for a determination that the mitigation instrument can meet the mitigation requirements for the project;”;

(2) by adding at the end the following:

“(h) PROGRAMMATIC MITIGATION PLANS.—

“(1) IN GENERAL.—The Secretary may develop 1 or more programmatic mitigation plans to address the potential impacts to ecological resources, fish, and wildlife associated with existing or future water resources development projects.

“(2) USE OF MITIGATION PLANS.—The Secretary shall, to the maximum extent practicable, use programmatic mitigation plans developed in accordance with this subsection to guide the development of a mitigation plan under subsection (d).

“(3) NON-FEDERAL PLANS.—The Secretary shall, to the maximum extent practicable and subject to all conditions of this subsection, use programmatic environmental plans developed by a State, a body politic of the State, which derives its powers from a State constitution, a government entity created by State legislation, or a local government, that meet the requirements of this subsection to address the potential environmental impacts of existing or future water resources development projects.

“(4) SCOPE.—A programmatic mitigation plan developed by the Secretary or an entity described in paragraph (3) to address potential impacts of existing or future water resources development projects shall, to the maximum extent practicable—

“(A) be developed on a regional, ecosystem, watershed, or statewide scale;

“(B) include specific goals for aquatic resource and fish and wildlife habitat restoration, establishment, enhancement, or preservation;

“(C) identify priority areas for aquatic resource and fish and wildlife habitat protection or restoration;

“(D) encompass multiple environmental resources within a defined geographical area or focus on a specific resource, such as aquatic resources or wildlife habitat; and

“(E) address impacts from all projects in a defined geographical area or focus on a specific type of project.

“(5) CONSULTATION.—The scope of the plan shall be determined by the Secretary or an entity described in paragraph (3), as appropriate, in consultation with the agency with jurisdiction over the resources being addressed in the environmental mitigation plan.

“(6) CONTENTS.—A programmatic environmental mitigation plan may include—

“(A) an assessment of the condition of environmental resources in the geographical area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(B) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographical area covered by the plan through strategic mitigation for impacts of water resources development projects;

“(C) standard measures for mitigating certain types of impacts;

“(D) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(E) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring;

“(F) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources; and

“(G) any offsetting benefits of self-mitigating projects, such as ecosystem or resource restoration and protection.

“(7) PROCESS.—Before adopting a programmatic environmental mitigation plan for use under this subsection, the Secretary shall—

“(A) for a plan developed by the Secretary—

“(i) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public; and

“(ii) consider any comments received from those agencies and the public on the draft plan; and

“(B) for a plan developed under paragraph (3), determine, not later than 180 days after receiving the plan, whether the plan meets the requirements of paragraphs (4) through (6) and was made available for public comment.

“(8) INTEGRATION WITH OTHER PLANS.—A programmatic environmental mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(9) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic environmental mitigation plan has been developed under this subsection, any Federal agency responsible for environmental reviews, permits, or approvals for a water resources development project may use the recommendations in that programmatic environmental mitigation plan when carrying out the responsibilities of the agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(10) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this subsection limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(i) THIRD-PARTY MITIGATION ARRANGEMENTS.—

“(1) ELIGIBLE ACTIVITIES.—In accordance with all applicable Federal laws (including regulations), mitigation efforts carried out under this section may include—

“(A) participation in mitigation banking or other third-party mitigation arrangements, such as—

“(i) the purchase of credits from commercial or State, regional, or local agency-sponsored mitigation banks; and

“(ii) the purchase of credits from in-lieu fee mitigation programs; and

“(B) contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands if the Secretary determines that the contributions will ensure that the mitigation requirements of this section and the goals of section 307(a)(1) of the Water Resources Development Act of 1990 (33 U.S.C. 2317(a)(1)) will be met.

“(2) INCLUSION OF OTHER ACTIVITIES.—The banks, programs, and efforts described in paragraph (1) include any banks, programs, and efforts developed in accordance with applicable law (including regulations).

“(3) TERMS AND CONDITIONS.—In carrying out natural habitat and wetlands mitigation efforts under this section, contributions to the mitigation effort may—

“(A) take place concurrent with, or in advance of, the commitment of funding to a project; and

“(B) occur in advance of project construction only if the efforts are consistent with all applicable requirements of Federal law (including regulations) and water resources development planning processes.

“(4) PREFERENCE.—At the request of the non-Federal project sponsor, preference may be given, to the maximum extent practicable, to mitigating an environmental impact through the use of a mitigation bank, in-lieu fee, or other third-party mitigation arrangement, if the use of credits from the mitigation bank or in-lieu fee, or the other third-party mitigation arrangement for the project has been approved by the applicable Federal agency.

“(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third party mechanisms or to acquire interests in land necessary for meeting the mitigation requirements of this section.”.

(b) APPLICATION.—The amendments made by subsection (a) shall not apply to a project for which a mitigation plan has been completed as of the date of enactment of this Act.

(c) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary may provide technical assistance to States and local governments to establish third-party mitigation instruments, including mitigation banks and in-lieu fee programs, that will help to target mitigation payments to high-priority ecosystem restoration actions.

(2) REQUIREMENTS.—In providing technical assistance under this subsection, the Secretary shall give priority to States and local governments that have developed State, regional, or watershed-based plans identifying priority restoration actions.

(3) MITIGATION INSTRUMENTS.—The Secretary shall seek to ensure any technical assistance provided under this subsection will support the establishment of mitigation instruments that will result in restoration of high-priority areas identified in the plans under paragraph (2).

SEC. 2006. MITIGATION STATUS REPORT.

Section 2036(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2283a) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) INFORMATION INCLUDED.—In reporting the status of all projects included in the report, the Secretary shall—

“(A) use a uniform methodology for determining the status of all projects included in the report;

“(B) use a methodology that describes both a qualitative and quantitative status for all projects in the report; and

“(C) provide specific dates for and participants in the consultations required under section 906(d)(4)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)(4)(B)).”

SEC. 2007. INDEPENDENT PEER REVIEW.

(a) TIMING OF PEER REVIEW.—Section 2034(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) REASONS FOR TIMING.—If the Chief of Engineers does not initiate a peer review for a project study at a time described in paragraph (2), the Chief shall—

“(A) not later than 7 days after the date on which the Chief of Engineers determines not to initiate a peer review—

“(i) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of that decision; and

“(ii) make publicly available, including on the Internet the reasons for not conducting the review; and

“(B) include the reasons for not conducting the review in the decision document for the project study.”

(b) ESTABLISHMENT OF PANELS.—Section 2034(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(c)) is amended by striking paragraph (4) and inserting the following:

“(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Following the identification of a project study for peer review under this section, but prior to initiation of the review by the panel of experts, the Chief of Engineers shall, not later than 7 days after the date on which the Chief of Engineers determines to conduct a review—

“(A) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the review; and

“(B) make publicly available, including on the Internet, information on—

“(i) the dates scheduled for beginning and ending the review;

“(ii) the entity that has the contract for the review; and

“(iii) the names and qualifications of the panel of experts.”

(c) RECOMMENDATIONS OF PANEL.—Section 2034(f) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(f)) is amended by striking paragraph (2) and inserting the following:

“(2) PUBLIC AVAILABILITY AND SUBMISSION TO CONGRESS.—After receiving a report on a project study from a panel of experts under this section, the Chief of Engineers shall make available to the public, including on

the Internet, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) a copy of the report not later than 7 days after the date on which the report is delivered to the Chief of Engineers; and

“(B) a copy of any written response of the Chief of Engineers on recommendations contained in the report not later than 3 days after the date on which the response is delivered to the Chief of Engineers.

“(3) INCLUSION IN PROJECT STUDY.—A report on a project study from a panel of experts under this section and the written response of the Chief of Engineers shall be included in the final decision document for the project study.”

(d) APPLICABILITY.—Section 2034(h)(2) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by striking “7 years” and inserting “12 years”.

SEC. 2008. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES.

(a) IN GENERAL.—Section 314 of the Water Resources Development Act of 1990 (33 U.S.C. 2321) is amended—

(1) by striking the heading and inserting the following:

“**SEC. 314. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES;**”

(2) in the first sentence, by striking “Activities currently performed” and inserting the following:

“(a) IN GENERAL.—Activities currently performed”;

(3) in the second sentence, by striking “This section” and inserting the following:

“(b) MAJOR MAINTENANCE CONTRACTS ALLOWED.—This section”;

(4) in subsection (a) (as designated by paragraph (2)), by inserting “navigation or” before “hydroelectric”; and

(5) by adding at the end the following:

“(c) EXCLUSION.—This section shall not—

“(1) apply to those navigation facilities that have been or are currently under contract with a non-Federal interest to perform operations and maintenance as of the date of enactment of the Water Resources Development Act of 2013; and

“(2) prohibit the Secretary from contracting out future commercial activities at those navigation facilities.”

(b) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1990 (104 Stat. 4604) is amended by striking the item relating to section 314 and inserting the following:

“Sec. 314. Operation and maintenance of navigation and hydroelectric facilities.”

SEC. 2009. HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

(a) FINDINGS.—Congress finds that—

(1) in April 2012, the Oak Ridge National Laboratory of the Department of Energy (referred to in this section as the “Oak Ridge Lab”) released a report finding that adding hydroelectric power to the non-powered dams of the United States has the potential to add more than 12 gigawatts of new generating capacity;

(2) the top 10 non-powered dams identified by the Oak Ridge Lab as having the highest hydroelectric power potential could alone supply 3 gigawatts of generating capacity;

(3) of the 50 non-powered dams identified by the Oak Ridge Lab as having the highest hydroelectric power potential, 48 are Corps of Engineers civil works projects;

(4) promoting non-Federal hydroelectric power at Corps of Engineers civil works projects increases the taxpayer benefit of those projects;

(5) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects—

(A) can be accomplished in a manner that is consistent with authorized project purposes and the responsibilities of the Corps of Engineers to protect the environment; and

(B) in many instances, may have additional environmental benefits; and

(6) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects could be promoted through—

(A) clear and consistent lines of responsibility and authority within and across Corps of Engineers districts and divisions on hydroelectric power development activities;

(B) consistent and corresponding processes for reviewing and approving hydroelectric power development; and

(C) developing a means by which non-Federal hydroelectric power developers and stakeholders can resolve disputes with the Corps of Engineers concerning hydroelectric power development activities at Corps of Engineers civil works projects.

(b) POLICY.—Congress declares that it is the policy of the United States that—

(1) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects, including locks and dams, shall be given priority;

(2) Corps of Engineers approval of non-Federal hydroelectric power at Corps of Engineers civil works projects, including permitting required under section 14 of the Act of March 3, 1899 (33 U.S.C. 408), shall be completed by the Corps of Engineers in a timely and consistent manner; and

(3) approval of hydropower at Corps of Engineers civil works projects shall in no way diminish the other priorities and missions of the Corps of Engineers, including authorized project purposes and habitat and environmental protection.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, at a minimum, shall include—

(1) a description of initiatives carried out by the Secretary to encourage the development of hydroelectric power by non-Federal entities at Corps of Engineers civil works projects;

(2) a list of all new hydroelectric power activities by non-Federal entities approved at Corps of Engineers civil works projects in that fiscal year, including the length of time the Secretary needed to approve those activities;

(3) a description of the status of each pending application from non-Federal entities for approval to develop hydroelectric power at Corps of Engineers civil works projects;

(4) a description of any benefits or impacts to the environment, recreation, or other uses associated with Corps of Engineers civil works projects at which non-Federal entities have developed hydroelectric power in the previous fiscal year; and

(5) the total annual amount of payments or other services provided to the Corps of Engineers, the Treasury, and any other Federal agency as a result of approved non-Federal hydropower projects at Corps of Engineers civil works projects.

SEC. 2010. CLARIFICATION OF WORK-IN-KIND CREDIT AUTHORITY.

(a) **NON-FEDERAL COST SHARE.**—Section 7007 of the Water Resources Development Act of 2007 (121 Stat. 1277) is amended—

- (1) in subsection (a)—
 (A) by inserting “, on, or after” after “before”; and
 (B) by inserting “, program,” after “study” each place it appears;
 (2) in subsections (b) and (e)(1), by inserting “, program,” after “study” each place it appears; and
 (3) by striking subsection (d) and inserting the following:

“(d) **TREATMENT OF CREDIT BETWEEN PROJECTS.**—The value of any land, easements, rights-of-way, relocations, and dredged material disposal areas and the costs of planning, design, and construction work provided by the non-Federal interest that exceed the non-Federal cost share for a study, program, or project under this title may be applied toward the non-Federal cost share for any other study, program, or project carried out under this title.”

(b) **IMPLEMENTATION.**—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with any relevant agencies of the State of Louisiana, shall establish a process by which to carry out the amendments made by subsection (a)(3).

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) take effect on November 8, 2007.

SEC. 2011. TRANSFER OF EXCESS WORK-IN-KIND CREDIT.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary may apply credit for in-kind contributions provided by a non-Federal interest that is in excess of the required non-Federal cost-share for a water resources study or project toward the required non-Federal cost-share for a different water resources study or project.

(b) **RESTRICTIONS.**—

(1) **IN GENERAL.**—Except for subsection (a)(4)(D)(i) of that section, the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) (as amended by section 2012 of this Act) shall apply to any credit under this section.

(2) **CONDITIONS.**—Credit in excess of the non-Federal cost-share for a study or project may be approved under this section only if—

(A) the non-Federal interest submits a comprehensive plan to the Secretary that identifies—

(i) the studies and projects for which the non-Federal interest intends to provide in-kind contributions for credit that is in excess of the non-Federal cost share for the study or project; and

(ii) the studies and projects to which that excess credit would be applied;

(B) the Secretary approves the comprehensive plan; and

(C) the total amount of credit does not exceed the total non-Federal cost-share for the studies and projects in the approved comprehensive plan.

(c) **ADDITIONAL CRITERIA.**—In evaluating a request to apply credit in excess of the non-Federal cost-share for a study or project toward a different study or project, the Secretary shall consider whether applying that credit will—

(1) help to expedite the completion of a project or group of projects;

(2) reduce costs to the Federal Government; and

(3) aid the completion of a project that provides significant flood risk reduction or environmental benefits.

(d) **TERMINATION OF AUTHORITY.**—The authority provided in this section shall terminate 10 years after the date of enactment of this Act.

(e) **REPORT.**—

(1) **DEADLINES.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, and once every 2 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an interim report on the use of the authority under this section.

(B) **FINAL REPORT.**—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report on the use of the authority under this section.

(2) **INCLUSIONS.**—The reports described in paragraph (1) shall include—

(A) a description of the use of the authority under this section during the reporting period;

(B) an assessment of the impact of the authority under this section on the time required to complete projects; and

(C) an assessment of the impact of the authority under this section on other water resources projects.

SEC. 2012. CREDIT FOR IN-KIND CONTRIBUTIONS.

(a) **IN GENERAL.**—Section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i) by inserting “or a project under an environmental infrastructure assistance program” after “law”;

(2) in subparagraph (C), by striking “In any case” and all that follows through the period at the end and inserting the following:

“(i) **CONSTRUCTION.**—

“(I) **IN GENERAL.**—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of construction carried out by the non-Federal interest before execution of a partnership agreement and that construction has not been carried out as of the date of enactment of this subparagraph, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work prior to the non-Federal interest initiating construction or issuing a written notice to proceed for the construction.

“(II) **ELIGIBILITY.**—Construction that is carried out after the execution of an agreement to carry out work described in subclause (I) and any design activities that are required for that construction, even if the design activity is carried out prior to the execution of the agreement to carry out work, shall be eligible for credit.

“(ii) **PLANNING.**—

“(I) **IN GENERAL.**—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of planning carried out by the non-Federal interest before execution of a feasibility cost sharing agreement, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work prior to the non-Federal interest initiating that planning.

“(II) **ELIGIBILITY.**—Planning that is carried out by the non-Federal interest after the execution of an agreement to carry out work described in subclause (I) shall be eligible for credit.”;

(3) in subparagraph (D)(iii), by striking “sections 101 and 103” and inserting “sections 101(a)(2) and 103(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2); 33 U.S.C. 2213(a)(1)(A))”;

(4) by redesignating subparagraph (E) as subparagraph (H);

(5) by inserting after subparagraph (D) the following:

“(E) **ANALYSIS OF COSTS AND BENEFITS.**—In the evaluation of the costs and benefits of a project, the Secretary shall not consider construction carried out by a non-Federal interest under this subsection as part of the future without project condition.

“(F) **TRANSFER OF CREDIT BETWEEN SEPARABLE ELEMENTS OF A PROJECT.**—Credit for in-kind contributions provided by a non-Federal interest that are in excess of the non-Federal cost share for an authorized separable element of a project may be applied toward the non-Federal cost share for a different authorized separable element of the same project.

“(G) **APPLICATION OF CREDIT.**—To the extent that credit for in-kind contributions, as limited by subparagraph (D), and credit for required land, easements, rights-of-way, dredged material disposal areas, and relocations provided by the non-Federal interest exceed the non-Federal share of the cost of construction of a project other than a navigation project, the Secretary shall reimburse the difference to the non-Federal interest, subject to the availability of funds.”; and

(6) in subparagraph (H) (as redesignated by paragraph (4))—

(A) in clause (i), by inserting “, and to water resources projects authorized prior to the date of enactment of the Water Resources Development Act of 1986 (Public Law 99–662), if correction of design deficiencies is necessary” before the period at the end; and

(B) by striking clause (ii) and inserting the following:

“(ii) **AUTHORIZATION IN ADDITION TO SPECIFIC CREDIT PROVISION.**—In any case in which a specific provision of law authorizes credit for in-kind contributions provided by a non-Federal interest before the date of execution of a partnership agreement, the Secretary may apply the authority provided in this paragraph to allow credit for in-kind contributions provided by the non-Federal interest on or after the date of execution of the partnership agreement.”

(b) **APPLICABILITY.**—Section 2003(e) of the Water Resources Development Act of 2007 (42 U.S.C. 1962d–5b note) is amended by inserting “, or construction of design deficiency corrections on the project,” after “construction on the project”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) take effect on November 8, 2007.

(d) **GUIDELINES.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall update any guidance or regulations for carrying out section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)) (as amended by subsection (a)) that are in existence on the date of enactment of this Act or issue new guidelines, as determined to be appropriate by the Secretary.

(2) **INCLUSIONS.**—Any guidance, regulations, or guidelines updated or issued under paragraph (1) shall include, at a minimum—

(A) the milestone for executing an in-kind memorandum of understanding for construction by a non-Federal interest;

(B) criteria and procedures for evaluating a request to execute an in-kind memorandum of understanding for construction by a non-

Federal interest that is earlier than the milestone under subparagraph (A) for that execution; and

(C) criteria and procedures for determining whether work carried out by a non-Federal interest is integral to a project.

(3) PUBLIC AND STAKEHOLDER PARTICIPATION.—Before issuing any new or revised guidance, regulations, or guidelines or any subsequent updates to those documents, the Secretary shall—

(A) consult with affected non-Federal interests;

(B) publish the proposed guidelines developed under this subsection in the Federal Register; and

(C) provide the public with an opportunity to comment on the proposed guidelines.

(e) OTHER CREDIT.—Nothing in section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)) (as amended by subsection (a)) affects any eligibility for credit under section 104 of the Water Resources Development of 1986 (33 U.S.C. 2214) that was approved by the Secretary prior to the date of enactment of this Act.

SEC. 2013. CREDIT IN LIEU OF REIMBURSEMENT.

Section 211(e)(2) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(2)) is amended by adding at the end the following:

“(C) STUDIES OR OTHER PROJECTS.—On the request of a non-Federal interest, in lieu of reimbursing a non-Federal interest the amount equal to the estimated Federal share of the cost of an authorized flood damage reduction project or a separable element of an authorized flood damage reduction project under this subsection that has been constructed by the non-Federal interest under this section as of the date of enactment of this Act, the Secretary may provide the non-Federal interest with a credit in that amount, which the non-Federal interest may apply to the share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies.”.

SEC. 2014. DAM OPTIMIZATION.

(a) DEFINITIONS.—In this section:

(1) OTHER RELATED PROJECT BENEFITS.—The term “other related project benefits” includes—

(A) environmental protection and restoration, including restoration of water quality and water flows, improving movement of fish and other aquatic species, and restoration of floodplains, wetlands, and estuaries;

(B) increased water supply storage (except for any project in the Apalachicola-Chat-tahoochee-Flint River system and the Alabama-Coosa-Tallapoosa River system);

(C) increased hydropower generation;

(D) reduced flood risk;

(E) additional navigation; and

(F) improved recreation.

(2) WATER CONTROL PLAN.—The term “water control plan” means—

(A) a plan for coordinated regulation schedules for project or system regulation; and

(B) such additional provisions as may be required to collect, analyze, and disseminate basic data, prepare detailed operating instructions, ensure project safety, and carry out regulation of projects in an appropriate manner.

(b) PROGRAM.—

(1) IN GENERAL.—The Secretary may carry out activities—

(A) to improve the efficiency of the operations and maintenance of dams and related infrastructure operated by the Corps of Engineers; and

(B) to maximize, to the extent practicable—

(i) authorized project purposes; and

(ii) other related project benefits.

(2) ELIGIBLE ACTIVITIES.—An eligible activity under this section is any activity that the Secretary would otherwise be authorized to carry out that is designed to provide other related project benefits in a manner that does not adversely impact the authorized purposes of the project, including—

(A) the review of project operations on a regular and timely basis to determine the potential for operational changes;

(B) carrying out any investigation or study the Secretary determines to be necessary; and

(C) the revision or updating of a water control plan or other modification of the operation of a water resource project.

(3) IMPACT ON AUTHORIZED PURPOSES.—An activity carried out under this section shall not adversely impact any of the authorized purposes of the project.

(4) EFFECT.—

(A) EXISTING AGREEMENTS.—Nothing in this section—

(i) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act; or

(ii) supersedes or authorizes any amendment to a multistate water-control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act).

(B) WATER RIGHTS.—Nothing in this section—

(i) affects any water right in existence on the date of enactment of this Act; or

(ii) preempts or affects any State water law or interstate compact governing water.

(5) OTHER LAWS.—

(A) IN GENERAL.—An activity carried out under this section shall comply with all other applicable laws (including regulations).

(B) WATER SUPPLY.—Any activity carried out under this section that results in any modification to water supply storage allocations at a reservoir operated by the Secretary shall comply with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(c) POLICIES, REGULATIONS, AND GUIDANCE.—The Secretary shall carry out a review of, and as necessary modify, the policies, regulations, and guidance of the Secretary to carry out the activities described in subsection (b).

(d) COORDINATION.—

(1) IN GENERAL.—The Secretary shall coordinate all planning and activities carried out under this section with appropriate Federal, State, and local agencies and those public and private entities that the Secretary determines may be affected by those plans or activities.

(2) NON-FEDERAL INTERESTS.—Prior to carrying out an activity under this section, the Secretary shall consult with any applicable non-Federal interest of the affected dam or related infrastructure.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to Congress a report describing the actions carried out under this section.

(2) INCLUSIONS.—Each report under paragraph (1) shall include—

(A) a schedule for reviewing the operations of individual projects; and

(B) any recommendations of the Secretary on changes that the Secretary determines to be necessary—

(i) to carry out existing project authorizations, including the deauthorization of any

water resource project that the Secretary determines could more effectively be achieved through other means;

(ii) to improve the efficiency of water resource project operations; and

(iii) to maximize authorized project purposes and other related project benefits.

(3) UPDATED REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update the report entitled “Authorized and Operating Purposes of Corps of Engineers Reservoirs” and dated July 1992, which was produced pursuant to section 311 of the Water Resources Development Act of 1990 (104 Stat. 4639).

(B) INCLUSIONS.—The updated report described in subparagraph (A) shall include—

(i) the date on which the most recent review of project operations was conducted and any recommendations of the Secretary relating to that review the Secretary determines to be significant; and

(ii) the dates on which the recommendations described in clause (i) were carried out.

(f) FUNDING.—

(1) IN GENERAL.—The Secretary may use to carry out this section amounts made available to the Secretary from—

(A) the general purposes and expenses account;

(B) the operations and maintenance account; and

(C) any other amounts that are appropriated to carry out this section.

(2) FUNDING FROM OTHER SOURCES.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to carry out this section.

(g) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with other Federal agencies and non-Federal entities to carry out this section.

SEC. 2015. WATER SUPPLY.

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended by adding at the end the following:

“(e) The Committees of jurisdiction are very concerned about the operation of projects in the Apalachicola-Chat-tahoochee-Flint River System and the Alabama-Coosa-Tallapoosa River System, and further, the Committees of jurisdiction recognize that this ongoing water resources dispute raises serious concerns related to the authority of the Secretary of the Army to allocate substantial storage at projects to provide local water supply pursuant to the Water Supply Act of 1958 absent congressional approval. Interstate water disputes of this nature are more properly addressed through interstate water agreements that take into consideration the concerns of all affected States including impacts to other authorized uses of the projects, water supply for communities and major cities in the region, water quality, freshwater flows to communities, rivers, lakes, estuaries, and bays located downstream of projects, agricultural uses, economic development, and other appropriate concerns. To that end, the Committees of jurisdiction strongly urge the Governors of the affected States to reach agreement on an interstate water compact as soon as possible, and we pledge our commitment to work with the affected States to ensure prompt consideration and approval of any such agreement. Absent such action, the Committees of jurisdiction should consider appropriate legislation to address these matters including any necessary clarifications to the Water Supply Act of 1958 or other law. This subsection does not alter existing rights or obligations under law.”.

SEC. 2016. REPORT ON WATER STORAGE PRICING FORMULAS.

(a) FINDINGS.—Congress finds that—

(1) due to the ongoing drought in many parts of the United States, communities are looking for ways to enhance their water storage on Corps of Engineer reservoirs so as to maintain a reliable supply of water into the foreseeable future;

(2) water storage pricing formulas should be equitable and not create disparities between users; and

(3) water pricing formulas should not be cost-prohibitive for communities.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate an assessment of the water storage pricing formulas of the Corps of Engineers, which shall include an assessment of—

(A) existing water storage pricing formulas of the Corps of Engineers, in particular whether those formulas produce water storage costs for some beneficiaries that are greatly disparate from the costs of other beneficiaries; and

(B) whether equitable water storage pricing formulas could lessen the disparate impact and produce more affordable water storage for potential beneficiaries.

(2) REPORT.—The Comptroller General of the United States shall submit to Congress a report on the assessment carried out under paragraph (1).

SEC. 2017. CLARIFICATION OF PREVIOUSLY AUTHORIZED WORK.

(a) IN GENERAL.—The Secretary may carry out measures to improve fish species habitat within the footprint and downstream of a water resources project constructed by the Secretary that includes a fish hatchery if the Secretary—

(1) has been explicitly authorized to compensate for fish losses associated with the project; and

(2) determines that the measures are—

(A) feasible;

(B) consistent with authorized project purposes and the fish hatchery; and

(C) in the public interest.

(b) COST SHARING.—

(1) IN GENERAL.—Subject to paragraph (2), the non-Federal interest shall contribute 35 percent of the total cost of carrying out activities under this section, including the costs relating to the provision or acquisition of required land, easements, rights-of-way, dredged material disposal areas, and relocations.

(2) OPERATION AND MAINTENANCE.—The non-Federal interest shall contribute 100 percent of the costs of operation, maintenance, replacement, repair, and rehabilitation of a project constructed under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to carry out this section \$30,000,000.

SEC. 2018. CONSIDERATION OF FEDERAL LAND IN FEASIBILITY STUDIES.

At the request of the non-Federal interest, the Secretary shall include as part of a regional or watershed study any Federal land that is located within the geographic scope of that study.

SEC. 2019. PLANNING ASSISTANCE TO STATES.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “or other stakeholder working with a State” after “cooperate with any State”; and

(ii) by inserting “, including plans to comprehensively address water resources challenges,” after “of such State”; and

(B) in paragraph (2)(A), by striking “, at Federal expense.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “subsection (a)(1)” each place it appears and inserting “subsection (a)”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following:

“(2) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds in excess of the fees established under paragraph (1) that are provided by a State or other non-Federal public body for assistance under this section.”; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “\$10,000,000” and inserting “\$30,000,000”; and

(ii) by striking “\$2,000,000” and inserting “\$5,000,000 in Federal funds”; and

(B) in paragraph (2), by striking “\$5,000,000” and inserting “\$15,000,000”.

SEC. 2020. VEGETATION MANAGEMENT POLICY.

(a) DEFINITION OF NATIONAL GUIDELINES.—In this section, the term “national guidelines” means the Corps of Engineers policy guidelines for management of vegetation on levees, including—

(1) Engineering Technical Letter 1110-2-571 entitled “Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures” and adopted April 10, 2009; and

(2) the draft policy guidance letter entitled “Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls” (77 Fed. Reg. 9637 (Feb. 17, 2012)).

(b) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall carry out a comprehensive review of the national guidelines in order to determine whether current Federal policy relating to levee vegetation is appropriate for all regions of the United States.

(c) FACTORS.—

(1) IN GENERAL.—In carrying out the review, the Secretary shall consider—

(A) the varied interests and responsibilities in managing flood risks, including the need—

(i) to provide for levee safety with limited resources; and

(ii) to ensure that levee safety investments minimize environmental impacts and provide corresponding public safety benefits;

(B) the levee safety benefits that can be provided by woody vegetation;

(C) the preservation, protection, and enhancement of natural resources, including—

(i) the benefit of vegetation on levees in providing habitat for endangered, threatened, and candidate species; and

(ii) the impact of removing levee vegetation on compliance with other regulatory requirements;

(D) protecting the rights of Indian tribes pursuant to treaties and statutes;

(E) the available science and the historical record regarding the link between vegetation on levees and flood risk;

(F) the avoidance of actions requiring significant economic costs and environmental impacts; and

(G) other factors relating to the factors described in subparagraphs (A) through (F) identified in public comments that the Secretary determines to be appropriate.

(2) VARIANCE CONSIDERATIONS.—

(A) IN GENERAL.—In carrying out the review, the Secretary shall specifically consider whether the national guidelines can be amended to promote and allow for consideration of variances from national guidelines on a Statewide, tribal, regional, or watershed basis, including variances based on—

(i) soil conditions;

(ii) hydrologic factors;

(iii) vegetation patterns and characteristics;

(iv) environmental resources, including endangered, threatened, or candidate species and related regulatory requirements;

(v) levee performance history, including historical information on original construction and subsequent operation and maintenance activities;

(vi) any effects on water supply;

(vii) any scientific evidence on the link between levee vegetation and levee safety;

(viii) institutional considerations, including implementation challenges;

(ix) the availability of limited funds for levee construction and rehabilitation;

(x) the economic and environmental costs of removing woody vegetation on levees; and

(xi) other relevant factors identified in public comments that the Secretary determines to be appropriate.

(B) SCOPE.—The scope of a variance approved by the Secretary may include a complete exemption to national guidelines, as the Secretary determines to be necessary.

(d) COOPERATION AND CONSULTATION; RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the review under this section in consultation with other applicable Federal agencies, representatives of State, regional, local, and tribal governments, appropriate nongovernmental organizations, and the public.

(2) RECOMMENDATIONS.—The Chief of Engineers and any State, tribal, regional, or local entity may submit to the Secretary any recommendations for vegetation management policies for levees that conform with Federal and State laws, including recommendations relating to the review of national guidelines under subsection (b) and the consideration of variances under subsection (c)(2).

(e) PEER REVIEW.—

(1) IN GENERAL.—As part of the review, the Secretary shall solicit and consider the views of the National Academy of Engineering and the National Academy of Sciences on the engineering, environmental, and institutional considerations underlying the national guidelines, including the factors described in subsection (c) and any information obtained by the Secretary under subsection (d).

(2) AVAILABILITY OF VIEWS.—The views of the National Academy of Engineering and the National Academy of Sciences obtained under paragraph (1) shall be—

(A) made available to the public; and

(B) included in supporting materials issued in connection with the revised national guidelines required under subsection (f).

(f) REVISION OF NATIONAL GUIDELINES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) revise the national guidelines based on the results of the review, including—

(i) recommendations received as part of the consultation described in subsection (d)(1); and

(ii) the results of the peer review conducted under subsection (e); and

(B) submit to Congress a report that contains a summary of the activities of the Secretary and a description of the findings of the Secretary under this section.

(2) **CONTENT; INCORPORATION INTO MANUAL.**—The revised national guidelines shall—

(A) provide a practical, flexible process for approving Statewide, tribal, regional, or watershed variances from the national guidelines that—

(i) reflect due consideration of the factors described in subsection (c); and

(ii) incorporate State, tribal, and regional vegetation management guidelines for specific areas that have been adopted through a formal public process; and

(B) be incorporated into the manual proposed under section 5(c) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(c)).

(3) **FAILURE TO MEET DEADLINES.**—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of—

(A) why the deadline was missed;

(B) solutions needed to meet the deadline; and

(C) a projected date for submission of the report.

(g) **CONTINUATION OF WORK.**—Concurrent with the completion of the requirements of this section, the Secretary shall proceed without interruption or delay with those ongoing or programmed projects and studies, or elements of projects or studies, that are not directly related to vegetation variance policy.

(h) **INTERIM ACTIONS.**—

(1) **IN GENERAL.**—Until the date on which revisions to the national guidelines are adopted in accordance with subsection (f), the Secretary shall not require the removal of existing vegetation as a condition or requirement for any approval or funding of a project, or any other action, unless the specific vegetation has been demonstrated to present an unacceptable safety risk.

(2) **REVISIONS.**—Beginning on the date on which the revisions to the national guidelines are adopted in accordance with subsection (f), the Secretary shall consider, on request of an affected entity, any previous action of the Corps of Engineers in which the outcome was affected by the former national guidelines.

SEC. 2021. LEVEE CERTIFICATIONS.

(a) **IMPLEMENTATION OF FLOOD PROTECTION STRUCTURE ACCREDITATION TASK FORCE.**—In carrying out section 100226 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942), the Secretary shall—

(1) ensure that at least 1 program activity carried out under the inspection of completed works program of the Corps of Engineers provides adequate information to the Secretary to reach a levee accreditation decision for each requirement under section 65.10 of title 44, Code of Federal Regulations (or successor regulation); and

(2) to the maximum extent practicable, carry out activities under the inspection of completed works program of the Corps of Engineers in alignment with the schedule established for the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) **ACCELERATED LEVEE SYSTEM EVALUATIONS AND CERTIFICATIONS.**—

(1) **IN GENERAL.**—On receipt of a request from a non-Federal interest, the Secretary may carry out a levee system evaluation and certification of a federally authorized levee for purposes of the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) if the evaluation and certification will be carried out earlier than such an evaluation and certification would be carried out under subsection (a).

(2) **REQUIREMENTS.**—A levee system evaluation and certification under paragraph (1) shall—

(A) at a minimum, comply with section 65.10 of title 44, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

(B) be carried out in accordance with such procedures as the Secretary, in consultation with the Director of the Federal Emergency Management Agency, may establish.

(3) **COST SHARING.**—

(A) **NON-FEDERAL SHARE.**—Subject to subparagraph (B), the non-Federal share of the cost of carrying out a levee system evaluation and certification under this subsection shall be 35 percent.

(B) **ADJUSTMENT.**—The Secretary shall adjust the non-Federal share of the cost of carrying out a levee system evaluation and certification under this subsection in accordance with section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(4) **APPLICATION.**—Nothing in this subsection affects the requirement under section 100226(b)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942).

SEC. 2022. RESTORATION OF FLOOD AND HURRICANE STORM DAMAGE REDUCTION PROJECTS.

(a) **IN GENERAL.**—The Secretary shall carry out any measures necessary to repair or restore federally authorized flood and hurricane and storm damage reduction projects constructed by the Corps of Engineers to authorized levels (as of the date of enactment of this Act) of protection for reasons including settlement, subsidence, sea level rise, and new datum, if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified.

(b) **COST SHARE.**—The non-Federal share of the cost of construction of a project carried out under this section shall be determined as provided in subsections (a) through (d) of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(c) **OPERATIONS AND MAINTENANCE.**—The non-Federal share of the cost of operations, maintenance, repair, replacement, and rehabilitation for a project carried out under this section shall be 100 percent.

(d) **ELIGIBILITY OF PROJECTS TRANSFERRED TO NON-FEDERAL INTEREST.**—The Secretary may carry out measures described in subsection (a) on a water resources project, separable element of a project, or functional component of a project that has been transferred to the non-Federal interest.

(e) **REPORT TO CONGRESS.**—Not later than 8 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of this section, including—

(1) any recommendations relating to the continued need for the authority provided in this section;

(2) a description of the measures carried out under this section;

(3) any lessons learned relating to the measures implemented under this section; and

(4) best practices for carrying out measures to restore flood and hurricane and storm damage reduction projects.

(f) **TERMINATION OF AUTHORITY.**—The authority to carry out a measure under this section terminates on the date that is 10 years after the date of enactment of this Act.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$250,000,000.

SEC. 2023. OPERATION AND MAINTENANCE OF CERTAIN PROJECTS.

The Secretary may assume operation and maintenance activities for a navigation channel that is deepened by a non-Federal interest prior to December 31, 2012, if—

(1) the Secretary determines that the requirements under paragraphs (2) and (3) of section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)) are met;

(2) the Secretary determines that the activities carried out by the non-Federal interest in deepening the navigation channel are economically justified and environmentally acceptable; and

(3) the deepening activities have been carried out on a Federal navigation channel that—

(A) exists as of the date of enactment of this Act; and

(B) has been authorized by Congress.

SEC. 2024. DREDGING STUDY.

(a) **IN GENERAL.**—The Secretary, in conjunction with other relevant Federal agencies and applicable non-Federal interests, shall carry out a study—

(1) to compare domestic and international dredging markets, including costs, technologies, and management approaches used in each respective market, and determine the impacts of those markets on dredging needs and practices in the United States;

(2) to analyze past and existing practices, technologies, and management approaches used in dredging in the United States; and

(3) to develop recommendations relating to the best techniques, practices, and management approaches for dredging in the United States.

(b) **PURPOSES.**—The purposes of the study under this section are—

(1) the identification of the best techniques, methods, and technologies for dredging, including the evaluation of the feasibility, cost, and benefits of—

(A) new dredging technologies; and

(B) improved dredging practices and techniques;

(2) the appraisal of the needs of the United States for dredging, including the need to increase the size of private and Corps of Engineers dredging fleets to meet demands for additional construction or maintenance dredging needed as of the date of enactment of this Act and in the subsequent 20 years;

(3) the identification of any impediments to dredging, including any recommendations of appropriate alternatives for responding to those impediments;

(4) the assessment, including any recommendations of appropriate alternatives, of the adequacy and effectiveness of—

(A) the economic, engineering, and environmental methods, models, and analyses used by the Chief of Engineers and private dredging operations for dredging; and

(B) the current cost structure of construction contracts entered into by the Chief of Engineers;

(5) the evaluation of the efficiency and effectiveness of past, current, and alternative dredging practices and alternatives to dredging, including agitation dredging; and

(6) the identification of innovative techniques and cost-effective methods to expand regional sediment management efforts, including the placement of dredged sediment within river diversions to accelerate the creation of wetlands.

(c) STUDY TEAM.—

(1) IN GENERAL.—The Secretary shall establish a study team to assist the Secretary in planning, carrying out, and reporting on the results of the study under this section.

(2) STUDY TEAM.—The study team established pursuant to paragraph (1) shall—

(A) be appointed by the Secretary; and

(B) represent a broad spectrum of experts in the field of dredging and representatives of relevant State agencies and relevant non-Federal interests.

(d) PUBLIC COMMENT PERIOD.—The Secretary shall—

(1) make available to the public, including on the Internet, all draft and final study findings under this section; and

(2) allow for a public comment period of not less than 30 days on any draft study findings prior to issuing final study findings.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and subject to available appropriations, the Secretary, in consultation with the study team established under subsection (c), shall submit a detailed report on the results of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(f) FAILURE TO MEET DEADLINES.—If the Secretary does not complete the study under this section and submit a report to Congress under subsection (e) on or before the deadline described in that subsection, the Secretary shall notify Congress and describe why the study was not completed.

SEC. 2025. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out flood risk management, hurricane and storm damage reduction, coastal harbor and channel inland navigation, and aquatic ecosystem restoration projects.

(b) PURPOSES.—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives that reduce the backlog of authorized Corps of Engineers projects;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out the design, execution, management, and construction of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project management, design, and construction for authorized Corps of Engineers water resources projects.

(c) ADMINISTRATION.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary shall—

(A) identify a total of not more than 15 projects for flood risk management, hurricane and storm damage reduction (including levees, floodwalls, flood control channels, and water control structures), coastal harbor

and channels, inland navigation, and aquatic ecosystem restoration that have been authorized for construction prior to the date of enactment of this Act, including—

(i) not more than 12 projects that—

(I)(aa) have received Federal funds prior to the date of enactment of this Act; or

(bb) for more than 2 consecutive fiscal years, have an unobligated funding balance for that project in the Corps of Engineers construction account; and

(II) to the maximum extent practicable, are located in each of the divisions of the Corps of Engineers; and

(ii) not more than 3 projects that have not received Federal funds in the period beginning on the date on which the project was authorized and ending on the date of enactment of this Act;

(B) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the identification of each project under the pilot program;

(C) in collaboration with the non-Federal interest, develop a detailed project management plan for each identified project that outlines the scope, budget, design, and construction resource requirements necessary for the non-Federal interest to execute the project, or a separable element of the project;

(D) on the request of the non-Federal interest, enter into a project partnership agreement with the non-Federal interest for the non-Federal interest to provide full project management control for construction of the project, or a separable element of the project, in accordance with plans approved by the Secretary;

(E) following execution of the project partnership agreement, transfer to the non-Federal interest to carry out construction of the project, or a separable element of the project—

(i) if applicable, the balance of the unobligated amounts appropriated for the project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under subsection (h), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of construction, including any required design; and

(F) regularly monitor and audit each project being constructed by a non-Federal interest under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

(2) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1)(D), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on estimated funding levels, that lists all deadlines for each milestone in the construction of the project.

(3) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest, if the non-Federal interest contracts with and compensates the Secretary for the technical assistance relating to—

(A) any study, engineering activity, and design activity for construction carried out

by the non-Federal interest under this section; and

(B) expeditiously obtaining any permits necessary for the project.

(d) COST-SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a project carried out under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including—

(A) a description of the progress of non-Federal interests in meeting milestones in detailed project schedules developed pursuant to subsection (c)(2); and

(B) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(f) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the project shall apply to a non-Federal interest carrying out a project under this section.

(g) TERMINATION OF AUTHORITY.—The authority to commence a project under this section terminates on the date that is 5 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot program under this section, including the costs of administration of the Secretary, \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 2026. NON-FEDERAL IMPLEMENTATION OF FEASIBILITY STUDIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out feasibility studies for flood risk management, hurricane and storm damage reduction, aquatic ecosystem restoration, and coastal harbor and channel and inland navigation.

(b) PURPOSES.—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives to the existing feasibility study process;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out a feasibility study of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project planning, management, and operational decisionmaking process of the Corps of Engineers.

(c) ADMINISTRATION.—

(1) IN GENERAL.—On the request of a non-Federal interest, the Secretary may enter into an agreement with the non-Federal interest for the non-Federal interest to provide full project management control of a feasibility study for a project for—

- (A) flood risk management;
- (B) hurricane and storm damage reduction, including levees, floodwalls, flood control channels, and water control structures;
- (C) coastal harbor and channel and inland navigation; and
- (D) aquatic ecosystem restoration.

(2) USE OF NON-FEDERAL-FUNDS.—

(A) IN GENERAL.—A non-Federal interest that has entered into an agreement with the Secretary pursuant to paragraph (1) may use non-Federal funds to carry out the feasibility study.

(B) CREDIT.—The Secretary shall credit towards the non-Federal share of the cost of construction of a project for which a feasibility study is carried out under this section an amount equal to the portion of the cost of developing the study that would have been the responsibility of the Secretary, if the study were carried out by the Secretary, subject to the conditions that—

- (i) non-Federal funds were used to carry out the activities that would have been the responsibility of the Secretary;
- (ii) the Secretary determines that the feasibility study complies with all applicable Federal laws and regulations; and
- (iii) the project is authorized by any provision of Federal law enacted after the date on which an agreement is entered into under paragraph (1).

(3) TRANSFER OF FUNDS.—

(A) IN GENERAL.—After the date on which an agreement is executed pursuant to paragraph (1), the Secretary may transfer to the non-Federal interest to carry out the feasibility study—

(i) if applicable, the balance of any unobligated amounts appropriated for the study, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under subsection (h), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of the feasibility study.

(B) ADMINISTRATION.—The Secretary shall include such provisions as the Secretary determines to be necessary in an agreement under paragraph (1) to ensure that a non-Federal interest receiving Federal funds under this paragraph—

- (i) has the necessary qualifications to administer those funds; and
- (ii) will comply with all applicable Federal laws (including regulations) relating to the use of those funds.

(4) NOTIFICATION.—The Secretary shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the initiation of each feasibility study under the pilot program.

(5) AUDITING.—The Secretary shall regularly monitor and audit each feasibility study carried out by a non-Federal interest

under this section to ensure that the use of any funds transferred under paragraph (3) are used in compliance with the agreement signed under paragraph (1).

(6) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest relating to any aspect of the feasibility study, if the non-Federal interest contracts with the Secretary for the technical assistance and compensates the Secretary for the technical assistance.

(7) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to the feasibility study.

(d) COST-SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a feasibility study carried out under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including—

(A) a description of the progress of the non-Federal interests in meeting milestones in detailed project schedules developed pursuant to subsection (c)(7); and

(B) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(f) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the feasibility study shall apply to a non-Federal interest carrying out a feasibility study under this section.

(g) TERMINATION OF AUTHORITY.—The authority to commence a feasibility study under this section terminates on the date that is 5 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot program under this section, including the costs of administration of the Secretary, \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 2027. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (d)(1)(B)—

(A) by striking “The ability” and inserting the following:

“(i) IN GENERAL.—The ability”; and

(B) by adding at the end the following:

“(ii) DETERMINATION.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall issue guidance on the procedures described in clause (i).”; and

(2) in subsection (e), by striking “2012” and inserting “2023”.

SEC. 2028. COOPERATIVE AGREEMENTS WITH COLUMBIA RIVER BASIN INDIAN TRIBES.

The Secretary may enter into a cooperative agreement with 1 or more federally recognized Indian tribes (or a designated representative of the Indian tribes) that are located, in whole or in part, within the boundaries of the Columbia River Basin to carry out authorized activities within the Columbia River Basin to protect fish, wildlife, water quality, and cultural resources.

SEC. 2029. MILITARY MUNITIONS RESPONSE ACTIONS AT CIVIL WORKS SHORELINE PROTECTION PROJECTS.

(a) IN GENERAL.—The Secretary may implement any response action the Secretary determines to be necessary at a site where—

(1) the Secretary has carried out a project under civil works authority of the Secretary that includes placing sand on a beach;

(2) as a result of the project described in paragraph (1), military munitions that were originally released as a result of Department of Defense activities are deposited on the beach, posing a threat to human health or the environment.

(b) RESPONSE ACTION FUNDING.—A response action described in subsection (a) shall be funded from amounts made available to the agency within the Department of Defense responsible for the original release of the munitions.

SEC. 2030. BEACH NOURISHMENT.

Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d-5f) is amended to read as follows:

“SEC. 156. BEACH NOURISHMENT.

“(a) IN GENERAL.—Subject to subsection (b)(2)(A), the Secretary of the Army, acting through the Chief of Engineers, may provide periodic beach nourishment for each water resources development project for which that nourishment has been authorized for an additional period of time, as determined by the Secretary, subject to the condition that the additional period shall not exceed the later of—

“(1) 50 years after the date on which the construction of the project is initiated; or

“(2) the date on which the last estimated periodic nourishment for the project is to be carried out, as recommended in the applicable report of the Chief of Engineers.

“(b) EXTENSION.—

“(1) IN GENERAL.—Except as provided in paragraph (3), before the date on which the 50-year period referred to in subsection (a)(1) expires, the Secretary of the Army, acting through the Chief of Engineers—

“(A) may, at the request of the non-Federal interest and subject to the availability of appropriations, carry out a review of a nourishment project carried out under subsection (a) to evaluate the feasibility of continuing Federal participation in the project for a period not to exceed 15 years; and

“(B) shall submit to Congress any recommendations of the Secretary relating to the review.

“(2) PLAN FOR REDUCING RISK TO PEOPLE AND PROPERTY.—

“(A) IN GENERAL.—The non-Federal interest shall submit to the Secretary a plan for reducing the risk to people and property during the life of the project.

“(B) INCLUSION IN REPORT TO CONGRESS.—The Secretary shall submit to Congress the plan described in subparagraph (A) with the recommendations submitted in paragraph (1)(B).

“(3) REVIEW COMMENCED WITHIN 2 YEARS OF EXPIRATION OF 50-YEAR PERIOD.—

“(A) IN GENERAL.—If the Secretary of the Army commences a review under paragraph (1) not earlier than the period beginning on the date that is 2 years before the date on which the 50-year period referred to in subsection (a)(1) expires and ending on the date on which the 50-year period expires, the project shall remain authorized after the expiration of the 50-year period until the earlier of—

“(i) 3 years after the expiration of the 50-year period; or

“(ii) the date on which a determination is made as to whether to extend Federal participation in the project in accordance with paragraph (1).

“(B) CALCULATION OF TIME PERIOD FOR EXTENSION.—Notwithstanding clauses (i) and (ii) of subparagraph (A) and after a review under subparagraph (A) is completed, if a determination is made to extend Federal participation in the project in accordance with paragraph (1) for a period not to exceed 15 years, that period shall begin on the date on which the determination is made.”

SEC. 2031. REGIONAL SEDIMENT MANAGEMENT.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) (as amended by section 2003(c)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “or used in” after “obtained through”; and

(B) in paragraph (3)(C), by inserting “for the purposes of improving environmental conditions in marsh and littoral systems, stabilizing stream channels, enhancing shorelines, and supporting State and local risk management adaptation strategies” before the period at the end;

(2) in subsection (c)(1)(B)—

(A) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”; and

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) REDUCTION IN NON-FEDERAL SHARE.—The Secretary may reduce the non-Federal share of the costs of construction of a project if the Secretary determines that, through the beneficial use of sediment at another Federal project, there will be an associated reduction or avoidance of Federal costs.”

(3) in subsection (d)—

(A) by striking the subsection designation and heading and inserting the following:

“(d) SELECTION OF DREDGED MATERIAL DISPOSAL METHOD FOR PURPOSES RELATED TO ENVIRONMENTAL RESTORATION OR STORM DAMAGE AND FLOOD REDUCTION.—”; and

(B) in paragraph (1), by striking “in relation to” and all that follows through the period at the end and inserting “in relation to—

“(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion; or

“(B) the flood and storm damage and flood reduction benefits, including shoreline protection, protection against loss of life, and damage to improved property.”; and

(4) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) cooperate with any State or group of States in the preparation of a comprehensive State or regional sediment management plan within the boundaries of the State or among States;”

SEC. 2032. STUDY ACCELERATION.

(a) FINDINGS.—Congress finds that—

(1) delays in the completion of feasibility studies—

(A) increase costs for the Federal Government as well as State and local governments; and

(B) delay the implementation of water resources projects that provide critical benefits, including reducing flood risk, maintaining commercially important flood risk, and restoring vital ecosystems; and

(2) the efforts undertaken by the Corps of Engineers through the establishment of the “3-3-3” planning process should be continued.

(b) ACCELERATION OF STUDIES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), a feasibility study initiated after the date of enactment of this Act shall—

(A) be completed not later than 3 years after the date of initiation of the study; and

(B) have a maximum Federal cost share of \$3,000,000.

(2) ABILITY TO COMPLY.—On initiating a feasibility study under paragraph (1), the Secretary shall—

(A) certify that the study will comply with the requirements of paragraph (1);

(B) for projects the Secretary determines to be too complex to comply with the requirements of paragraph (1)—

(i) not less than 30 days after making a determination, notify the non-Federal interest regarding the inability to comply; and

(ii) provide a new projected timeline and cost; and

(C) if the study conditions have changed such that scheduled timelines or study costs will not be met—

(i) not later than 30 days after the study conditions change, notify the non-Federal interest of those changed conditions; and

(ii) present the non-Federal interest with a new timeline for completion and new projected study costs.

(3) APPROPRIATIONS.—

(A) IN GENERAL.—All timeline and cost conditions under this section shall be subject to the Secretary receiving adequate appropriations for meeting study timeline and cost requirements.

(B) NOTIFICATION.—Not later than 60 days after receiving appropriations, the Secretary shall notify the non-Federal interest of any changes to timelines or costs due to inadequate appropriations.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the status of the implementation of the “3-3-3” planning process, including the number of participating projects;

(2) the amount of time taken to complete all studies participating in the “3-3-3” planning process; and

(3) any recommendations for additional authority necessary to support efforts to expedite the feasibility study process for water resource projects.

SEC. 2033. PROJECT ACCELERATION.

Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) is amended to read as follows:

“SEC. 2045. PROJECT ACCELERATION.

“(a) DEFINITIONS.—In this section:

“(1) ENVIRONMENTAL IMPACT STATEMENT.—The term ‘environmental impact statement’ means the detailed statement of environmental impacts of water resource projects required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) ENVIRONMENTAL REVIEW PROCESS.—

“(A) IN GENERAL.—The term ‘environmental review process’ means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a water resource project.

“(B) INCLUSIONS.—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a water resource project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) FEDERAL JURISDICTIONAL AGENCY.—The term ‘Federal jurisdictional agency’ means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over an approval or decision required for a water resource project under applicable Federal laws (including regulations).

“(4) LEAD AGENCY.—The term ‘lead agency’ means the Corps of Engineers and, if applicable, any State, local, or tribal governmental entity serving as a joint lead agency pursuant to section 1506.3 of title 40, Code of Federal Regulations (or a successor regulation).

“(5) WATER RESOURCE PROJECT.—The term ‘water resource project’ means a Corps of Engineers water resource project.

“(b) POLICY.—The benefits of water resource projects designed and carried out in an economically and environmentally sound manner are important to the economy and environment of the United States, and recommendations to Congress regarding those projects should be developed using coordinated and efficient review and cooperative efforts to prevent or quickly resolve disputes during the planning of those water resource projects.

“(c) APPLICABILITY.—

“(1) IN GENERAL.—The project planning procedures under this section apply to proposed projects initiated after the date of enactment of the Water Resources Development Act of 2013 and for which the Secretary determines that—

“(A) an environmental impact statement is required; or

“(B) at the discretion of the Secretary, other water resource projects for which an environmental review process document is required to be prepared.

“(2) FLEXIBILITY.—Any authorities granted in this section may be exercised, and any requirements established under this section may be satisfied, for the planning of a water resource project, a class of those projects, or a program of those projects.

“(3) LIST OF WATER RESOURCES DEVELOPMENT PROJECTS.—

“(A) IN GENERAL.—The Secretary shall annually prepare, and make publicly available, a separate list of each study that the Secretary has determined—

“(i) meets the standards described in paragraph (1); and

“(ii) does not have adequate funding to make substantial progress toward the completion of the planning activities for the water resource project.

“(B) INCLUSIONS.—The Secretary shall include for each study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the study.

“(4) IMPLEMENTATION GUIDANCE.—The Secretary shall prepare, in consultation with the Council on Environmental Quality and other Federal agencies with jurisdiction over actions or resources that may be impacted by a water resource project, guidance documents that describe the coordinated review processes that the Secretary will use to implement this section for the planning of water resource projects, in accordance with the civil works program of the Corps of Engineers and all applicable law.

“(d) WATER RESOURCE PROJECT REVIEW PROCESS.—

“(1) IN GENERAL.—The Secretary shall develop and implement a coordinated review process for the development of water resource projects.

“(2) COORDINATED REVIEW.—The coordinated review process described in paragraph (1) shall require that any analysis, opinion, permit, license, statement, and approval issued or made by a Federal, State, or local governmental agency or an Indian tribe for the planning of a water resource project described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

“(3) TIMING.—The coordinated review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under subsection (e), establishes with respect to the water resource project.

“(e) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to the development of each water resource project, the Secretary shall identify, as soon as practicable, all Federal, State, and local government agencies and Indian tribes that may—

“(1) have jurisdiction over the water resource project;

“(2) be required by law to conduct or issue a review, analysis, or opinion for the water resource project; or

“(3) be required to make a determination on issuing a permit, license, or approval for the water resource project.

“(f) STATE AUTHORITY.—If the coordinated review process is being implemented under this section by the Secretary with respect to the planning of a water resource project described in subsection (c) within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

“(1) have jurisdiction over the water resource project;

“(2) are required to conduct or issue a review, analysis, or opinion for the water resource project; or

“(3) are required to make a determination on issuing a permit, license, or approval for the water resource project.

“(g) LEAD AGENCIES.—

“(1) FEDERAL LEAD AGENCY.—Subject to paragraph (2), the Corps of Engineers shall be the lead Federal agency in the environmental review process for a water resource project.

“(2) JOINT LEAD AGENCIES.—

“(A) IN GENERAL.—At the discretion of the Secretary and subject to any applicable regulations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the concurrence of the proposed joint

lead agency, an agency other than the Corps of Engineers may serve as the joint lead agency.

“(B) NON-FEDERAL INTEREST AS JOINT LEAD AGENCY.—A non-Federal interest that is a State or local governmental entity—

“(i) may, with the concurrence of the Secretary, serve as a joint lead agency with the Corps of Engineers for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) may prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

“(I) the Secretary provides guidance in the preparation process and independently evaluates that document

“(II) the non-Federal interest complies with all requirements applicable to the Secretary under—

“(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(bb) any regulation implementing that Act; and

“(cc) any other applicable Federal law; and

“(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

“(3) DUTIES.—The Secretary shall ensure that—

“(A) the non-Federal interest complies with all design and mitigation commitments made jointly by the Secretary and the non-Federal interest in any environmental document prepared by the non-Federal interest in accordance with this subsection; and

“(B) any environmental document prepared by the non-Federal interest is appropriately supplemented under paragraph (2)(B) to address any changes to the water resource project the Secretary determines are necessary.

“(4) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection may be adopted or used by any Federal agency making any approval to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

“(5) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any water resource project, the lead agency shall have authority and responsibility—

“(A) to take such actions as are necessary and proper and within the authority and responsibility of the lead agency to facilitate the expeditious resolution of the environmental review process for the water resource project; and

“(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a water resource project required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

“(h) PARTICIPATING AND COOPERATING AGENCIES.—

“(1) INVITATION.—

“(A) IN GENERAL.—The lead agency shall identify, as early as practicable in the envi-

ronmental review process for a water resource project, any other Federal or non-Federal agencies that may have an interest in that project and invite those agencies to become participating or cooperating agencies, as applicable, in the environmental review process for the water resource project.

“(B) PROCEDURES.—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013) shall govern the identification and the participation of a cooperating agency under subparagraph (A).

“(C) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the lead agency for good cause.

“(2) FEDERAL COOPERATING AGENCIES.—Any Federal agency that is invited by the lead agency to participate in the environmental review process for a water resource project shall be designated as a cooperating agency by the lead agency unless the invited agency informs the lead agency, in writing, by the deadline specified in the invitation that the invited agency—

“(A)(i) has no jurisdiction or authority with respect to the water resource project;

“(ii) has no expertise or information relevant to the water resource project; or

“(iii) does not have adequate funds to participate in the water resource project; and

“(B) does not intend to submit comments on the water resource project.

“(3) EFFECT OF DESIGNATION.—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

“(A) supports a proposed water resource project; or

“(B) has any jurisdiction over, or special expertise with respect to evaluation of, the water resource project.

“(4) CONCURRENT REVIEWS.—Each cooperating agency shall—

“(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would impair the ability of the Federal agency to conduct needed analysis or otherwise carry out those obligations; and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

“(i) PROGRAMMATIC COMPLIANCE.—

“(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

“(A) eliminates repetitive discussions of the same issues;

“(B) focuses on the actual issues ripe for analyses at each level of review;

“(C) establishes a formal process for coordinating with cooperating agencies, including the creation of a list of all data that is needed to carry out an environmental review process; and

“(D) complies with—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) all other applicable laws.

“(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

“(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal and State agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

“(B) emphasize the importance of collaboration among relevant Federal agencies, State agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

“(C) ensure that the programmatic reviews—

“(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, or tribal agencies, or the public, and the temporal and special scales to be used to analyze those issues;

“(ii) use accurate and timely information in the environmental review process, including—

“(I) criteria for determining the general duration of the usefulness of the review; and

“(II) the timeline for updating any out-of-date review;

“(iii) describe—

“(I) the relationship between programmatic analysis and future tiered analysis; and

“(II) the role of the public in the creation of future tiered analysis; and

“(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public;

“(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

“(E) address any comments received under subparagraph (D).

“(j) COORDINATED REVIEWS.—

“(1) COORDINATION PLAN.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—The lead agency shall, after consultation with and with the concurrence of each cooperating agency for the water resource project and the non-Federal interest or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a water resource project or a category of water resource projects.

“(ii) INCORPORATION.—The plan established under clause (i) shall be incorporated into the project schedule milestones set under section 905(g)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(g)(2)).

“(2) COMMENT DEADLINES.—The lead agency shall establish the following deadlines for comment during the environmental review process for a water resource project:

“(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and States agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

“(i) a different deadline is established by agreement of the lead agency, the non-Federal interest, as applicable, and all participating and cooperating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all comment periods established by the lead agency for agency or public comments in the environmental review process of an action within a program under the authority of the lead agency other than for a draft environmental impact statement, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

“(i) a different deadline is established by agreement of the lead agency, the non-Fed-

eral interest, and all cooperating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (k)(6)(B)(ii), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) as soon as practicable after the 180-day period described in subsection (k)(6)(B)(ii), an initial notice of the failure of the Federal agency to make the decision; and

“(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

“(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

“(k) ISSUE IDENTIFICATION AND RESOLUTION.—

“(1) COOPERATION.—The lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the water resource project under applicable laws.

“(2) LEAD AGENCY RESPONSIBILITIES.—

“(A) IN GENERAL.—The lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the water resource project area and the general locations of the alternatives under consideration.

“(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

“(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the water resource project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the water resource project.

“(4) INTERIM DECISION ON ACHIEVING ACCELERATED DECISIONMAKING.—

“(A) IN GENERAL.—Not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Secretary may convene a meeting with the non-Federal interest or joint lead agency, as applicable, relevant resource agencies, and relevant Federal and State agencies to establish a schedule of deadlines to complete decisions regarding the water resource project.

“(B) DEADLINES.—

“(i) IN GENERAL.—The deadlines referred to in subparagraph (A) shall be those established by the Secretary, in consultation with and with the concurrence of the non-Federal

interest or joint lead agency, as applicable, and other relevant Federal and State agencies.

“(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

“(I) the responsibilities of cooperating agencies under applicable laws;

“(II) the resources available to the non-Federal interest, joint lead agency, and other relevant Federal and State agencies, as applicable;

“(III) the overall size and complexity of the water resource project;

“(IV) the overall schedule for and cost of the water resource project; and

“(V) the sensitivity of the natural and historical resources that could be affected by the water resource project.

“(iii) MODIFICATIONS.—The Secretary may—

“(I) lengthen a schedule under clause (i) for good cause; and

“(II) shorten a schedule only with concurrence of the affected non-Federal interest, joint lead agency, or relevant Federal and State agencies, as applicable.

“(C) FAILURE TO MEET DEADLINE.—If the agencies described in subparagraph (A) cannot provide reasonable assurances that the deadlines described in subparagraph (B) will be met, the Secretary may initiate the issue resolution and referral process described under paragraph (5) before the completion of the record of decision.

“(5) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

“(A) AGENCY ISSUE RESOLUTION MEETING.—

“(i) IN GENERAL.—A cooperating agency or non-Federal interest may request an issue resolution meeting to be conducted by the Secretary.

“(ii) ACTION BY SECRETARY.—The Secretary shall convene an issue resolution meeting under clause (i) with the relevant cooperating agencies and the non-Federal interest, as applicable, to resolve issues that could—

“(I) delay completion of the environmental review process; or

“(II) result in denial of any approvals required for the water resource project under applicable laws.

“(iii) DATE.—A meeting requested under this subparagraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

“(iv) NOTIFICATION.—On receipt of a request for a meeting under this subparagraph, the Secretary shall notify all relevant cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

“(v) DISPUTES.—If a relevant cooperating agency with jurisdiction over an action, including a permit approval, review, or other statement or opinion required for a water resource project under applicable law determines that the relevant information necessary to resolve the issue has not been obtained and could not have been obtained within a reasonable time, but the Secretary disagrees, the resolution of the dispute shall be forwarded to the heads of the relevant agencies for resolution.

“(vi) CONVENTION BY LEAD AGENCY.—The Secretary may convene an issue resolution meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under clause (i).

“(vii) EXCEPTION.—

“(I) IN GENERAL.—The issue resolution and referral process under this subparagraph

shall not be initiated if the applicable agency—

“(aa) notifies, with a supporting explanation, the lead agency, cooperating agencies, and non-Federal interest, as applicable, that—

“(AA) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, tribal, State, or local law;

“(BB) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the water resource project, requires additional analysis for the agency to make a decision on the water resource project application; or

“(CC) the agency lacks the financial resources to complete the review under the scheduled time frame, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why there is not enough funding available to complete the review by the deadline; and

“(bb) establishes a new deadline for completion of the review.

“(II) INSPECTOR GENERAL.—If the applicable agency makes a certification under subclause (I)(aa)(CC), the Inspector General of the applicable agency shall conduct a financial audit to review that certification and submit a report on that certification within 90 days to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(B) ELEVATION OF ISSUE RESOLUTION.—

“(i) IN GENERAL.—If issue resolution is not achieved by not later than 30 days after the date on which a relevant meeting is held under subparagraph (A), the Secretary shall notify the heads of the relevant cooperating agencies and the non-Federal interest that an issue resolution meeting will be convened.

“(ii) REQUIREMENTS.—The Secretary shall identify the issues to be addressed at the meeting and convene the meeting not later than 30 days after the date on which the notice is issued.

“(C) SUBMISSION OF ISSUE RESOLUTION.—

“(i) SUBMISSION TO COUNCIL ON ENVIRONMENTAL QUALITY.—

“(I) IN GENERAL.—If a resolution is not achieved by not later than 30 days after the date on which an issue resolution meeting is held under subparagraph (B), the Secretary shall submit the matter to the Council on Environmental Quality.

“(II) MEETING.—Not later than 30 days after the date on which the Council on Environmental Quality receives a submission from the Secretary under subclause (I), the Council on Environmental Quality shall hold an issue resolution meeting with the lead agency, the heads of relevant cooperating agencies and the non-Federal interest.

“(III) ADDITIONAL HEARINGS.—The Council on Environmental Quality may hold public meetings or hearings to obtain additional views and information that the Council on Environmental Quality determines are necessary, consistent with the time frames described in this paragraph.

“(ii) REMEDIES.—Not later than 30 days after the date on which an issue resolution meeting is convened by the Council on Environmental Quality under clause (i)(II), the Secretary shall—

“(I) publish findings that explain how the issue was resolved and recommendations (in-

cluding, where appropriate, a finding that the submission does not support the position of the submitting agency); or

“(II) if the resolution of the issue was not achieved, submit to the President for action—

“(aa) the submission;

“(bb) any views or additional information developed during any additional hearings under clause (i)(III); and

“(cc) the recommendation of the Council on Environmental Quality.

“(6) FINANCIAL PENALTY PROVISIONS.—

“(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision on an expeditious basis using the shortest existing applicable process.

“(B) FAILURE TO DECIDE.—

“(i) IN GENERAL.—If a Federal jurisdictional agency fails to render a decision under any Federal law relating to a water resource project that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amounts specified in subclause (I) or (II) and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C)—

“(I) \$20,000 for any water resource project requiring the preparation of an environmental assessment or environmental impact statement; or

“(II) \$10,000 for any water resource project requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

“(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

“(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

“(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the water resource project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) LIMITATIONS.—

“(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual water resource project shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

“(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

“(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under title II of the Water Resources Development Act of 2013 and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

“(D) NO FAULT OF AGENCY.—

“(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the lead agency, cooperating agencies, and non-Federal interest, as applicable, that—

“(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

“(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the water resource project, requires additional analysis for the agency to make a decision on the water resource project application; or

“(III) the agency lacks the financial resources to complete the review under the scheduled time frame, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why there is not enough funding available to complete the review by the deadline.

“(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

“(I) conduct a financial audit to review the notice; and

“(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the notice.

“(E) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

“(F) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

“(I) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

“(m) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

“(I) SENSE OF CONGRESS.—It is the sense of Congress that—

“(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State agencies, and Indian tribes on environmental review and water resource project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and water resource project development decisions reflect environmental values; and

“(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and non-Federal interests of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

“(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or non-Federal interest, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as

determined by the agencies, provide technical assistance to the State or non-Federal interest in carrying out early coordination activities.

“(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or non-Federal interest, the lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the non-Federal interest, Indian tribe, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

“(n) LIMITATIONS.—Nothing in this section preempts, supersedes, amends, modifies, repeals, or interferes with—

“(1) any statutory or regulatory requirement, including for seeking, considering, or responding to public comment;

“(2) any obligation to comply with the provisions any Federal law, including—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) the regulations issued by the Council on Environmental Quality or any other Federal agency to carry out that Act; and

“(C) any other Federal environmental law;

“(3) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

“(4) any practice of seeking, considering, or responding to public comment; or

“(5) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or non-Federal interest has with respect to carrying out a water resource project or any other provision of law applicable to water resource projects.

“(o) CATEGORICAL EXCLUSIONS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall—

“(A) survey the use by the Corps of Engineers of categorical exclusions in water resource projects since 2005;

“(B) publish a review of the survey that includes a description of—

“(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

“(ii) any requests previously received by the Secretary for new categorical exclusions; and

“(C) solicit requests from other Federal agencies and non-Federal interests for new categorical exclusions.

“(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this subsection, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment of this subsection based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

“(p) REVIEW OF WATER RESOURCE PROJECT ACCELERATION REFORMS.—

“(1) IN GENERAL.—The Comptroller General of the United States shall—

“(A) assess the reforms carried out under this section; and

“(B) not later than 5 years after the date of enactment of this subsection, submit to the Committee on Transportation and Infra-

structure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the results of the assessment.

“(2) INSPECTOR GENERAL REPORT.—The Inspector General of the Corps of Engineers shall—

“(A) assess the reforms carried out under this section; and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate—

“(i) not later than 2 years after the date of enactment of this subsection, an initial report of the findings of the Inspector General; and

“(ii) not later than 4 years after the date of enactment of this subsection, a final report of the findings.”.

SEC. 2034. FEASIBILITY STUDIES.

Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

“(g) DETAILED PROJECT SCHEDULE.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall determine a set of milestones needed for the completion of a feasibility study under this subsection, including all major actions, report submissions and responses, reviews, and comment periods.

“(2) DETAILED PROJECT SCHEDULE MILESTONES.—Each District Engineer shall, to the maximum extent practicable, establish a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to feasibility studies in the District developed by the Secretary under paragraph (1).

“(3) NON-FEDERAL INTEREST NOTIFICATION.—Each District Engineer shall submit by certified mail the detailed project schedule under paragraph (2) to each relevant non-Federal interest—

“(A) for projects that have received funding from the General Investigations Account of the Corps of Engineers in the period beginning on October 1, 2009, and ending on the date of enactment of this section, not later than 180 days after the establishment of milestones under paragraph (1); and

“(B) for projects for which a feasibility cost-sharing agreement is executed after the establishment of milestones under paragraph (1), not later than 90 days after the date on which the agreement is executed.

“(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Beginning in the first full fiscal year after the date of enactment of this Act, the Secretary shall—

“(A) submit an annual report that lists all detailed project schedules under paragraph (2) and an explanation of any missed deadlines to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

“(B) make publicly available, including on the Internet, a copy of the annual report described in subparagraph (A) not later than 14 days after date on which a report is submitted to Congress.

“(5) FAILURE TO ACT.—If a District Engineer fails to meet any of the deadlines in the project schedule under paragraph (2), the District Engineer shall—

“(A) not later than 30 days after each missed deadline, submit to the non-Federal interest a report detailing—

“(i) why the District Engineer failed to meet the deadline; and

“(ii) a revised project schedule reflecting amended deadlines for the feasibility study; and

“(B) not later than 30 days after each missed deadline, make publicly available, including on the Internet, a copy of the amended project schedule described in subparagraph (A)(ii).”.

SEC. 2035. ACCOUNTING AND ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—On the request of a non-Federal interest, the Secretary shall provide to the non-Federal interest a detailed accounting of the Federal expenses associated with a water resources project.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a study on the efficiency of the Corps Engineers current staff salaries and administrative expense procedures as compared to using a separate administrative expense account.

(2) CONTENTS.—The study under paragraph (1) shall include any recommendations of the National Academy of Public Administration for improvements to the budgeting and administrative processes that will increase the efficiency of the Corps of Engineers project delivery.

SEC. 2036. DETERMINATION OF PROJECT COMPLETION.

(a) IN GENERAL.—The Secretary shall notify the non-Federal interest when construction of a water resources project or a functional portion of the project is completed so the non-Federal interest may commence responsibilities, as applicable, for operating and maintaining the project.

(b) NON-FEDERAL INTEREST APPEAL OF DETERMINATION.—

(1) IN GENERAL.—Not later than 7 days after receiving a notification under subparagraph (a), the non-Federal interest may appeal the completion determination of the Secretary in writing with a detailed explanation of the basis for questioning the completeness of the project or functional portion of the project.

(2) INDEPENDENT REVIEW.—

(A) IN GENERAL.—On notification that a non-Federal interest has submitted an appeal under paragraph (1), the Secretary shall contract with 1 or more independent, non-Federal experts to evaluate whether the applicable water resources project or functional portion of the project is complete.

(B) TIMELINE.—An independent review carried out under subparagraph (A) shall be completed not later than 180 days after the date on which the Secretary receives an appeal from a non-Federal interest under paragraph (1).

SEC. 2037. PROJECT PARTNERSHIP AGREEMENTS.

(a) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a comprehensive review of the process for preparing, negotiating, and approving Project Partnership Agreements and the Project Partnership Agreement template, which shall include—

(1) a review of the process for preparing, negotiating, and approving Project Partnership Agreements, as in effect on the day before the date of enactment of this Act;

(2) an evaluation of how the concerns of a non-Federal interest relating to the Project Partnership Agreement and suggestions for modifications to the Project Partnership Agreement made by a non-Federal interest are accommodated;

(3) recommendations for how the concerns and modifications described in paragraph (2) can be better accommodated;

(4) recommendations for how the Project Partnership Agreement template can be made more efficient; and

(5) recommendations for how to make the process for preparing, negotiating, and approving Project Partnership Agreements more efficient.

(b) REPORT.—The Secretary shall submit a report describing the findings of the National Academy of Public Administration to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 2038. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

Section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a) is amended—

(1) in subsection (a), by striking “other Federal agencies,” and inserting “Federal departments or agencies, nongovernmental organizations,”;

(2) in subsection (b), by inserting “or foreign governments” after “organizations”;

(3) in subsection (c), by inserting “and restoration” after “protection”;

(4) in subsection (d)—

(A) in the first sentence—

(i) by striking “There is” and inserting “(1) IN GENERAL.—There is”;

(ii) by striking “2008” and inserting “2014”;

(B) in the second sentence—

(i) by striking “The Secretary” and inserting “(2) ACCEPTANCE OF FUNDS.—The Secretary”;

(ii) by striking “other Federal agencies” and inserting “Federal departments or agencies, nongovernmental organizations”.

SEC. 2039. ACCEPTANCE OF CONTRIBUTED FUNDS TO INCREASE LOCK OPERATIONS.

(a) IN GENERAL.—The Secretary, after providing public notice, shall establish a pilot program for the acceptance and expenditure of funds contributed by non-Federal interests to increase the hours of operation of locks at water resources development projects.

(b) APPLICABILITY.—The establishment of the pilot program under this section shall not affect the periodic review and adjustment of hours of operation of locks based on increases in commercial traffic carried out by the Secretary.

(c) PUBLIC COMMENT.—Not later than 180 days before a proposed modification to the operation of a lock at a water resources development project will be carried out, the Secretary shall—

(1) publish the proposed modification in the Federal Register; and

(2) accept public comment on the proposed modification.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that evaluates the cost-savings resulting from reduced lock hours and any economic impacts of modifying lock operations.

(2) REVIEW OF PILOT PROGRAM.—Not later than September 30, 2017 and each year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the effectiveness of the pilot program under this section.

(e) ANNUAL REVIEW.—The Secretary shall carry out an annual review of the commercial use of locks and make any necessary adjustments to lock operations based on that review.

(f) TERMINATION.—The authority to accept funds under this section shall terminate 5 years after the date of enactment of this Act.

SEC. 2040. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) IN GENERAL.—Section 5(a)(1) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended in the first sentence—

(1) by inserting “and subject to the condition that the Chief of Engineers may include modifications to the structure or project” after “work for flood control”;

(2) by striking “structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when in the discretion of the Chief of Engineers such repair and restoration is warranted for the adequate functioning of the structure for hurricane or shore protection” and inserting “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the design level of protection when, in the discretion of the Chief of Engineers, such repair and restoration is warranted for the adequate functioning of the structure or project for hurricane or shore protection, subject to the condition that the Chief of Engineers may include modifications to the structure or project to address major deficiencies or implement nonstructural alternatives to the repair or restoration of the structure if requested by the non-Federal sponsor”.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the amounts expended in the previous 5 fiscal years to carry out Corps of Engineers projects under section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n).

(2) INCLUSIONS.—A report under paragraph (1) shall, at a minimum, include a description of—

(A) each structure, feature, or project for which amounts are expended, including the type of structure, feature, or project and cost of the work; and

(B) how the Secretary has repaired, restored, replaced, or modified each structure, feature, or project or intends to restore the structure, feature, or project to the design level of protection for the structure, feature, or project.

SEC. 2041. SYSTEMWIDE IMPROVEMENT FRAMEWORKS.

A levee system shall remain eligible for rehabilitation assistance under the authority provided by section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes” (33 U.S.C. 701n) as long as the levee system sponsor continues to make satisfactory progress, as determined by the Secretary, on an approved systemwide improvement framework or letter of intent.

SEC. 2042. FUNDING TO PROCESS PERMITS.

Section 214 of the Water Resources Development Act of 2000 (Public Law 106-541; 33 U.S.C. 2201 note) is amended by striking subsections (d) and (e) and inserting the following:

“(d) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public in a common format, including on the Internet, and in a manner that distinguishes final permit decisions under this section from other final actions of the Secretary.

“(2) DECISION DOCUMENT.—The Secretary shall—

“(A) use a standard decision document for evaluating all permits using funds accepted under this section; and

“(B) make the standard decision document, along with all final permit decisions, available to the public, including on the Internet.

“(3) AGREEMENTS.—The Secretary shall make all active agreements to accept funds under this section available on a single public Internet site.

“(e) REPORTING.—

“(1) IN GENERAL.—The Secretary shall prepare an annual report on the implementation of this section, which, at a minimum, shall include for each district of the Corps of Engineers that accepts funds under this section—

“(A) a comprehensive list of any funds accepted under this section during the previous fiscal year;

“(B) a comprehensive list of the permits reviewed and approved using funds accepted under this section during the previous fiscal year, including a description of the size and type of resources impacted and the mitigation required for each permit; and

“(C) a description of the training offered in the previous fiscal year for employees that is funded in whole or in part with funds accepted under this section.

“(2) SUBMISSION.—Not later than 90 days after the end of each fiscal year, the Secretary shall—

“(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the annual report described in paragraph (1); and

“(B) make each report received under subparagraph (A) available on a single publicly accessible Internet site.”.

SEC. 2043. NATIONAL RIVERBANK STABILIZATION AND EROSION PREVENTION STUDY AND PILOT PROGRAM.

(a) DEFINITION OF INLAND AND INTRACOASTAL WATERWAY.—In this section, the term “inland and intracoastal waterway” means the inland and intracoastal waterways of the United States described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(b) PILOT PROGRAM.—The Secretary—

(1) is authorized to study issues relating to riverbank stabilization and erosion prevention along inland and intracoastal waterways; and

(2) shall establish and carry out for a period of 5 fiscal years a national riverbank stabilization and erosion prevention pilot program to address riverbank erosion along inland and intracoastal waterways.

(c) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with appropriate Federal, State, local, and nongovernmental entities, shall carry out a study of the options and technologies available to prevent the erosion and

degradation of riverbanks along inland and intracoastal waterways.

(2) **CONTENTS.**—The study shall—

(A) evaluate the nature and extent of the damages resulting from riverbank erosion along inland and intracoastal waterways throughout the United States;

(B) identify specific inland and intracoastal waterways and affected wetland areas with the most urgent need for restoration;

(C) analyze any legal requirements with regard to maintenance of bank lines of inland and intracoastal waterways, including a comparison of Federal, State, and private obligations and practices;

(D) assess and compare policies and management practices to protect surface areas adjacent to inland and intracoastal waterways applied by various Districts of the Corps of Engineers; and

(E) make any recommendations the Secretary determines to be appropriate.

(d) **RIVERBANK STABILIZATION AND EROSION PREVENTION PILOT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary shall develop a pilot program for the construction of riverbank stabilization and erosion prevention projects on public land along inland and intracoastal waterways if the Secretary determines that the projects are technically feasible, environmentally acceptable, economically justified, and lower maintenance costs of those inland and intracoastal waterways.

(2) **PILOT PROGRAM GOALS.**—A project under the pilot program shall, to the maximum extent practicable—

(A) develop or demonstrate innovative technologies;

(B) implement efficient designs to prevent erosion at a riverbank site, taking into account the lifecycle cost of the design, including cleanup, maintenance, and amortization;

(C) prioritize natural designs, including the use of native and naturalized vegetation or temporary structures that minimize permanent structural alterations to the riverbank;

(D) avoid negative impacts to adjacent communities;

(E) identify the potential for long-term protection afforded by the innovative technology; and

(F) provide additional benefits, including reduction of flood risk.

(3) **PROJECT SELECTIONS.**—The Secretary shall develop criteria for the selection of projects under the pilot program, including criteria based on—

(A) the extent of damage and land loss resulting from riverbank erosion;

(B) the rate of erosion;

(C) the significant threat of future flood risk to public or private property, public infrastructure, or public safety;

(D) the destruction of natural resources or habitats; and

(E) the potential cost-savings for maintenance of the channel.

(4) **CONSULTATION.**—The Secretary shall carry out the pilot program in consultation with—

(A) Federal, State, and local governments;

(B) nongovernmental organizations; and

(C) applicable university research facilities.

(5) **REPORT.**—Not later than 1 year after the first fiscal year for which amounts to carry out this section are appropriated, and every year thereafter, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) the activities carried out and accomplishments made under the pilot program since the previous report under this paragraph; and

(B) any recommendations of the Secretary relating to the program.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2019.

SEC. 2044. HURRICANE AND STORM DAMAGE RISK REDUCTION PRIORITIZATION.

(a) **PURPOSES.**—The purposes of this section are—

(1) to provide adequate levels of protection to communities impacted by natural disasters, including hurricanes, tropical storms, and other related extreme weather events; and

(2) to expedite critical water resources projects in communities that have historically been and continue to remain susceptible to extreme weather events.

(b) **PRIORITY.**—For authorized projects and ongoing feasibility studies with a primary purpose of hurricane and storm damage risk reduction, the Secretary shall give funding priority to projects and ongoing studies that—

(1) address an imminent threat to life and property;

(2) prevent storm surge from inundating populated areas;

(3) prevent the loss of coastal wetlands that help reduce the impact of storm surge;

(4) protect emergency hurricane evacuation routes or shelters;

(5) prevent adverse impacts to publicly owned or funded infrastructure and assets;

(6) minimize disaster relief costs to the Federal Government; and

(7) address hurricane and storm damage risk reduction in an area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(c) **EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROJECTS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of all—

(A) ongoing hurricane and storm damage risk reduction feasibility studies that have signed feasibility cost share agreements and have received Federal funds since 2009; and

(B) authorized hurricane and storm damage risk reduction projects that—

(i) have been authorized for more than 20 years but are less than 75 percent complete; or

(ii) are undergoing a post-authorization change report, general reevaluation report, or limited reevaluation report;

(2) identify those projects on the list required under paragraph (1) that meet the criteria described in subsection (b); and

(3) provide a plan for expeditiously completing the projects identified under paragraph (2), subject to available funding.

(d) **PRIORITIZATION OF NEW STUDIES FOR HURRICANE AND STORM DAMAGE RISK REDUCTION.**—In selecting new studies for hurricane and storm damage risk reduction to propose to Congress under section 4002, the Secretary shall give priority to studies—

(1) that—

(A) have been recommended in a comprehensive hurricane protection study carried out by the Corps of Engineers; or

(B) are included in a State plan or program for hurricane, storm damage reduction, flood control, coastal protection, conservation, or restoration, that is created in consultation with the Corps of Engineers or other relevant Federal agencies; and

(2) for areas for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

SEC. 2045. PRIORITIZATION OF ECOSYSTEM RESTORATION EFFORTS.

For authorized projects with a primary purpose of ecosystem restoration, the Secretary shall give funding priority to projects—

(1) that—

(A) address an identified threat to public health, safety, or welfare;

(B) preserve or restore ecosystems of national significance; or

(C) preserve or restore habitats of importance for federally protected species, including migratory birds; and

(2) for which the restoration activities will contribute to other ongoing or planned Federal, State, or local restoration initiatives.

SEC. 2046. SPECIAL USE PERMITS.

(a) **SPECIAL USE PERMITS.**—

(1) **IN GENERAL.**—The Secretary may issue special permits for uses such as group activities, recreation events, motorized recreation vehicles, and such other specialized recreation uses as the Secretary determines to be appropriate, subject to such terms and conditions as the Secretary determines to be in the best interest of the Federal Government.

(2) **FEEES.**—

(A) **IN GENERAL.**—In carrying out this subsection, the Secretary may—

(i) establish and collect fees associated with the issuance of the permits described in paragraph (1); or

(ii) accept in-kind services in lieu of those fees.

(B) **OUTDOOR RECREATION EQUIPMENT.**—The Secretary may establish and collect fees for the provision of outdoor recreation equipment and services at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers.

(C) **USE OF FEES.**—Any fees generated pursuant to this subsection shall be—

(i) retained at the site collected; and

(ii) available for use, without further appropriation, solely for administering the special permits under this subsection and carrying out related operation and maintenance activities at the site at which the fees are collected.

(b) **COOPERATIVE MANAGEMENT.**—

(1) **PROGRAM.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary may enter into an agreement with a State or local government to provide for the cooperative management of a public recreation area if—

(i) the public recreation area is located—

(I) at a lake or reservoir operated by the Corps of Engineers; and

(II) adjacent to or near a State or local park or recreation area; and

(ii) the Secretary determines that cooperative management between the Corps of Engineers and a State or local government agency of a portion of the Corps of Engineers recreation area or State or local park or recreation area will allow for more effective and efficient management of those areas.

(B) **RESTRICTION.**—The Secretary may not transfer administration responsibilities for any public recreation area operated by the Corps of Engineers.

(2) ACQUISITION OF GOODS AND SERVICES.—The Secretary may acquire from or provide to a State or local government with which the Secretary has entered into a cooperative agreement under paragraph (1) goods and services to be used by the Secretary and the State or local government in the cooperative management of the areas covered by the agreement.

(3) ADMINISTRATION.—The Secretary may enter into 1 or more cooperative management agreements or such other arrangements as the Secretary determines to be appropriate, including leases or licenses, with non-Federal interests to share the costs of operation, maintenance, and management of recreation facilities and natural resources at recreation areas that are jointly managed and funded under this subsection.

(c) FUNDING TRANSFER AUTHORITY.—

(1) IN GENERAL.—If the Secretary determines that it is in the public interest for purposes of enhancing recreation opportunities at Corps of Engineers water resources development projects, the Secretary may transfer funds appropriated for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available at those Corps of Engineers water resource development projects to State, local, and tribal governments and such other public or private nonprofit entities as the Secretary determines to be appropriate.

(2) COOPERATIVE AGREEMENTS.—Any transfer of funds pursuant to this subsection shall be carried out through the execution of a cooperative agreement, which shall contain such terms and conditions as the Secretary determines to be necessary in the public interest.

(d) SERVICES OF VOLUNTEERS.—Chapter IV of title I of Public Law 98-63 (33 U.S.C. 569c) is amended—

(1) in the first sentence, by inserting “, including expenses relating to uniforms, transportation, lodging, and the subsistence of those volunteers, without regard to the place of residence of the volunteers,” after “incidental expenses”; and

(2) by inserting after the first sentence the following: “The Chief of Engineers may also provide awards of up to \$100 in value to volunteers in recognition of the services of the volunteers.”

(e) TRAINING AND EDUCATIONAL ACTIVITIES.—Section 213(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by striking “at” and inserting “about”.

SEC. 2047. OPERATIONS AND MAINTENANCE ON FUEL TAXED INLAND WATERWAYS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall have responsibility for 65 percent of the costs of the operation, maintenance, repair, rehabilitation, and replacement of any flood gate, as well as any pumping station constructed within the channel as a single unit with that flood gate, that—

(1) was constructed as of the date of enactment of this Act as a feature of an authorized hurricane and storm damage reduction project; and

(2) crosses an inland or intracoastal waterway described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(b) PAYMENT OPTIONS.—For rehabilitation or replacement of any structure under this section, the Secretary may apply to the full non-Federal contribution the payment option provisions under section 103(k) of the

Water Resources Development Act of 1986 (33 U.S.C. 2213(k)).

SEC. 2048. CORROSION PREVENTION.

(a) GUIDANCE AND PROCEDURES.—The Secretary shall develop guidance and procedures for the certification of qualified contractors for—

(1) the application of protective coatings; and

(2) the removal of hazardous protective coatings.

(b) REQUIREMENTS.—Except as provided in subsection (c), the Secretary shall use certified contractors for—

(1) the application of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;

(2) the removal of hazardous coatings or other hazardous materials that are present in sufficient concentrations to create an occupational or environmental hazard; and

(3) any other activities the Secretary determines to be appropriate.

(c) EXCEPTION.—The Secretary may approve exceptions to the use of certified contractors under subsection (b) only after public notice, with the opportunity for comment, of any such proposal.

SEC. 2049. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—Section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) LIST OF PROJECTS.—

“(A) IN GENERAL.—Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), each year, after the submission of the list under paragraph (1), the Secretary shall submit to Congress a list of projects or separable elements of projects that have been authorized but that have received no obligations during the 5 full fiscal years preceding the submission of that list.

“(B) ADDITIONAL NOTIFICATION.—On submission of the list under subparagraph (A) to Congress, the Secretary shall notify—

“(i) each Senator in whose State and each Member of the House of Representatives in whose district a project (including any part of a project) on that list would be located; and

“(ii) each applicable non-Federal interest associated with a project (including any part of a project) on that list.

“(C) DEAUTHORIZATION.—A project or separable element included in the list under subparagraph (A) is not authorized after the last date of the fiscal year following the fiscal year in which the list is submitted to Congress, if funding has not been obligated for the planning, design, or construction of the project or element of the project during that period.”; and

(2) by adding at the end the following:

“(3) MINIMUM FUNDING LIST.—At the end of each fiscal year, the Secretary shall submit to Congress a list of—

“(A) projects or separable elements of projects authorized for construction for which funding has been obligated in the 5 previous fiscal years;

“(B) the amount of funding obligated per fiscal year;

“(C) the current phase of each project or separable element of a project; and

“(D) the amount required to complete those phases.

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall compile and publish a complete

list of all uncompleted, authorized projects of the Corps of Engineers, including for each project on that list—

“(i) the original budget authority for the project;

“(ii) the status of the project;

“(iii) the estimated date of completion of the project;

“(iv) the estimated cost of completion of the project; and

“(v) any amounts for the project that remain unobligated.

“(B) PUBLICATION.—

“(i) IN GENERAL.—The Secretary shall submit a copy of the list under subparagraph (A) to—

“(I) the appropriate committees of Congress; and

“(II) the Director of the Office of Management and Budget.

“(ii) PUBLIC AVAILABILITY.—Not later than 30 days after providing the report to Congress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site, in a manner that is downloadable, searchable, and sortable.”.

(b) INFRASTRUCTURE DEAUTHORIZATION COMMISSION.—

(1) PURPOSES.—The purposes of this subsection are—

(A) to establish a process for identifying authorized Corps of Engineers water resources projects that are no longer in the Federal interest and no longer feasible;

(B) to create a commission—

(i) to review suggested deauthorizations, including consideration of recommendations of the States and the Secretary for the deauthorization of water resources projects; and

(ii) to make recommendations to Congress;

(C) to ensure public participation and comment; and

(D) to provide oversight on any recommendations made to Congress by the Commission.

(2) INFRASTRUCTURE DEAUTHORIZATION COMMISSION.—

(A) ESTABLISHMENT.—There is established an independent commission to be known as the “Infrastructure Deauthorization Commission” (referred to in this paragraph as the “Commission”).

(B) DUTIES.—The Commission shall carry out the review and recommendation duties described in paragraph (5).

(C) MEMBERSHIP.—

(i) IN GENERAL.—The Commission shall be composed of 8 members, who shall be appointed by the President, by and with the advice and consent of the Senate according to the expedited procedures described in clause (ii).

(ii) EXPEDITED NOMINATION PROCEDURES.—

(I) PRIVILEGED NOMINATIONS; INFORMATION REQUESTED.—On receipt by the Senate of a nomination under clause (i), the nomination shall—

(aa) be placed on the Executive Calendar under the heading “Privileged Nominations—Information Requested”; and

(bb) remain on the Executive Calendar under that heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subclause (II).

(II) QUESTIONNAIRES.—The Chairman of the Committee on Environment and Public Works of the Senate shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position under clause (i).

(III) PRIVILEGED NOMINATIONS; INFORMATION RECEIVED.—On receipt of the certification under subclause (II), the nomination shall—

(aa) be placed on the Executive Calendar under the heading “Privileged Nomination—Information Received” and remain on the Executive Calendar under that heading for 10 session days; and

(bb) after the expiration of the period referred to in item (aa), be placed on the “Nominations” section of the Executive Calendar.

(IV) REFERRAL TO COMMITTEE OF JURISDICTION.—During the period when a nomination under clause (i) is listed under the “Privileged Nomination—Information Requested” section of the Executive Calendar described in subclause (I)(aa) or the “Privileged Nomination—Information Received” section of the Executive Calendar described in subclause (III)(aa)—

(aa) any Senator may request on his or her own behalf, or on the behalf of any identified Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(bb) if a Senator makes a request described in paragraph item (aa), the nomination shall be referred to the appropriate committee of jurisdiction.

(V) EXECUTIVE CALENDAR.—The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this clause.

(VI) COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.—The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by that committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

(vii) QUALIFICATIONS.—Members of the Commission shall be knowledgeable about Corps of Engineers water resources projects.

(iv) GEOGRAPHICAL DIVERSITY.—To the maximum extent practicable, the members of the Commission shall be geographically diverse.

(D) COMPENSATION OF MEMBERS.—

(i) IN GENERAL.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(ii) FEDERAL EMPLOYEES.—All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(iii) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(3) STATE WATER RESOURCES INFRASTRUCTURE PLAN.—Not later than 2 years after the date of enactment of this Act, each State, in consultation with local interests, may develop and submit to the Commission, the Committee on Environment and Public

Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a detailed statewide water resources plan that includes a list of each water resources project that the State recommends for deauthorization.

(4) CORPS OF ENGINEERS INFRASTRUCTURE PLAN.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Commission, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a detailed plan that—

(A) contains a detailed list of each water resources project that the Corps of Engineers recommends for deauthorization; and

(B) is based on assessment by the Secretary of the needs of the United States for water resources infrastructure, taking into account public safety, the economy, and the environment.

(5) REVIEW AND RECOMMENDATION COMMISSION.—

(A) IN GENERAL.—On the appointment and confirmation of all members of the Commission, the Commission shall solicit public comment on water resources infrastructure issues and priorities and recommendations for deauthorization, including by—

(i) holding public hearings throughout the United States; and

(ii) receiving written comments.

(B) RECOMMENDATIONS.—

(i) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Commission shall submit to Congress a list of water resources projects of the Corps of Engineers for deauthorization.

(ii) CONSIDERATIONS.—In carrying out this paragraph, the Commission shall establish criteria for evaluating projects for deauthorization, which shall include consideration of—

(I) the infrastructure plans submitted by the States and the Secretary under paragraphs (3) and (4);

(II) any public comment received during the period described in subparagraph (A);

(III) public safety and security;

(IV) the environment; and

(V) the economy.

(C) NON-ELIGIBLE PROJECTS.—The following types of projects shall not be eligible for review for deauthorization by the Commission:

(i) Any project authorized after the date of enactment of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3658), including any project that has been reauthorized after that date.

(ii) Any project that, as of the date of enactment of this Act, is undergoing a review by the Corps of Engineers.

(iii) Any project that has received appropriations in the 10-year period ending on the date of enactment of this Act.

(iv) Any project that, on the date of enactment of this Act, is more than 50 percent complete.

(v) Any project that has a viable non-Federal sponsor.

(D) CONGRESSIONAL DISAPPROVAL.—Any water resources project recommended for deauthorization on the list submitted to Congress under subparagraph (B) shall be deemed to be deauthorized unless Congress passes a joint resolution disapproving of the entire list of deauthorized water resources projects prior to the date that is 180 days after the date on which the Commission submits the list to Congress.

SEC. 2050. REPORTS TO CONGRESS.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall

complete and submit to Congress by the applicable date required the reports that address public safety and enhanced local participation in project delivery described in subsection (b).

(b) REPORTS.—The reports referred to in subsection (a) are the reports required under—

(1) section 2020;

(2) section 2022;

(3) section 2025;

(4) section 2026;

(5) section 2039;

(6) section 2040;

(7) section 6007; and

(8) section 10015.

(c) FAILURE TO PROVIDE A COMPLETED REPORT.—

(1) IN GENERAL.—Subject to subsection (d), if the Secretary fails to provide a report listed under subsection (b) by the date that is 180 days after the applicable date required for that report, \$5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Army Corps of Engineers with responsibility for completing that report.

(2) SUBSEQUENT REPROGRAMMING.—Subject to subsection (d), for each additional week after the date described in paragraph (1) in which a report described in that paragraph remains uncompleted and unsubmitted to Congress, \$5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Secretary of the Army with responsibility for completing that report.

(d) LIMITATIONS.—

(1) IN GENERAL.—For each report, the total amounts reprogrammed under subsection (c) shall not exceed, in any fiscal year, \$50,000.

(2) AGGREGATE LIMITATION.—The total amount reprogrammed under subsection (c) in a fiscal year shall not exceed \$200,000.

(e) NO FAULT OF THE SECRETARY.—Amounts shall not be reprogrammed under subsection (c) if the Secretary certifies in a letter to the applicable committees of Congress that—

(1) a major modification has been made to the content of the report that requires additional analysis for the Secretary to make a final decision on the report;

(2) amounts have not been appropriated to the agency under this Act or any other Act to carry out the report; or

(3) additional information is required from an entity other than the Corps of Engineers and is not available in a timely manner to complete the report by the deadline.

(f) LIMITATION.—The Secretary shall not reprogram funds to reimburse the Office of the Assistant Secretary of the Army for Civil Works for the loss of the funds.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000.

SEC. 2051. INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT CONFORMING AMENDMENT.

Section 106(k) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j-1(k)) is amended by adding at the end the following:

“(13) Interest payments, the retirement of principal, the costs of issuance, and the costs of insurance or a similar credit support for a debt financing instrument, the proceeds of which are used to support a contracted construction project.”.

SEC. 2052. INVASIVE SPECIES REVIEW.

The Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Chairman of the Tennessee

Valley Authority, and other applicable heads of Federal agencies, shall—

(1) carry out a review of existing Federal authorities relating to responding to invasive species, including aquatic weeds, aquatic snails, and other aquatic invasive species, that have an impact on water resources; and

(2) based on the review under paragraph (1), make any recommendations to Congress and applicable State agencies for improving Federal and State laws to more effectively respond to the threats posed by those invasive species.

SEC. 2053. WETLANDS CONSERVATION STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall carry out a study to identify all Federal programs relating to wetlands conservation.

(b) REPORT.—The Comptroller General of the United States shall submit to Congress a report based on the study under subsection (a) describing options for maximizing wetlands conservation benefits while reducing redundancy, increasing efficiencies, and reducing costs.

SEC. 2054. DAM MODIFICATION STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall, in consultation with the Corps of Engineers, the Southeastern Power Administration, Federal hydropower customers, downstream communities, and other stakeholders, carry out a study to evaluate the structural modifications made at Federal dams in the Cumberland River Basin beginning on January 1, 2000.

(b) CONTENTS.—The study under subsection (a) shall examine—

(1) whether structural modifications at each dam have utilized new state-of-the-art design criteria deemed necessary for safety purposes that have not been used in other circumstances;

(2) whether structural modifications at each dam for downstream safety were executed in accordance with construction criteria that had changed from the original construction criteria;

(3) whether structural modifications at each dam assured safety;

(4) any estimates by the Corps of Engineers of consequences of total dam failure if state-of-the-art construction criteria deemed necessary for safety purposes were not employed; and

(5) whether changes in underlying geology at any of the Federal dams in the Cumberland River Basin required structural modifications to assure dam safety.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report based on the study under subsection (a) with findings on whether, with respect to structural modifications at Federal dams in the Cumberland River Basin, the Corps of Engineers has selected and implemented design criteria that rely on state-of-the-art design and construction criteria that will provide for the safety of downstream communities.

SEC. 2055. NON-FEDERAL PLANS TO PROVIDE ADDITIONAL FLOOD RISK REDUCTION.

(a) IN GENERAL.—If requested by a non-Federal interest, the Secretary shall construct a locally preferred plan that provides a higher level of protection than a flood risk management project authorized under this Act if the Secretary determines that—

(1) the plan is technically feasible and environmentally acceptable; and

(2) the benefits of the plan exceed the costs of the plan.

(b) NON-FEDERAL COST SHARE.—If the Secretary constructs a locally preferred plan under subsection (a), the Federal share of the cost of the project shall be not greater than the share as provided by law for elements of the national economic development plan.

SEC. 2056. MISSISSIPPI RIVER FORECASTING IMPROVEMENTS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, the Director of the United States Geological Survey, the Administrator of the National Oceanic and Atmospheric Administration, and the Director of the National Weather Service, as applicable, shall improve forecasting on the Mississippi River by—

(1) updating forecasting technology deployed on the Mississippi River and its tributaries through—

(A) the construction of additional automated river gages;

(B) the rehabilitation of existing automated and manual river gages; and

(C) the replacement of manual river gages with automated gages, as the Secretary determines to be necessary;

(2) constructing additional sedimentation ranges on the Mississippi River and its tributaries; and

(3) deploying additional automatic identification system base stations at river gage sites.

(b) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize the sections of the Mississippi River on which additional and more reliable information would have the greatest impact on maintaining navigation on the Mississippi River.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the activities carried out by the Secretary under this section.

SEC. 2057. FLEXIBILITY IN MAINTAINING NAVIGATION.

(a) IN GENERAL.—If the Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, determines it to be critical to maintaining safe and reliable navigation within the authorized Federal navigation channel on the Mississippi River, the Secretary may carry out only those activities outside the authorized Federal navigation channel along the Mississippi River, including the construction and operation of maintenance of fleeting areas, that are necessary for safe and reliable navigation in the Federal channel.

(b) REPORT.—Not later than 60 days after initiating an activity under this section, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a description of the activities undertaken, including the costs associated with the activities; and

(2) a comprehensive description of how the activities are necessary for maintaining safe and reliable navigation of the Federal channel.

SEC. 2058. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this section:

(1) RESTRICTED AREA.—The term “restricted area” means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established pursuant to chapter 10 of the regulation entitled “Project Operations: Navigation and Dredging Operations and Maintenance Policies”, published by the

Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) STATE.—The term “State” means the applicable agency of the State (including an official of that agency) in which the applicable dam is located that is responsible for enforcing boater safety.

(b) RESTRICTION ON PHYSICAL BARRIERS.—Subject to subsection (c), the Secretary, acting through the Chief of Engineers, in the establishing and enforcing restricted areas, shall not take any action to establish a permanent physical barrier to prevent public access to waters downstream of a dam owned by the Corps of Engineers.

(c) EXCLUSIONS.—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier under subsection (b).

(d) ENFORCEMENT.—

(1) IN GENERAL.—Enforcement of a restricted area shall be the sole responsibility of a State.

(2) EXISTING AUTHORITIES.—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved December 22, 1944 (16 U.S.C. 460d).

(e) DEVELOPMENT OR MODIFICATION OF RESTRICTED AREAS.—In establishing a new restricted area or modifying an existing restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters; and

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing or modifying any restricted area.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), this section shall apply to the establishment of a new restricted area or the modification of an existing restricted area on or after August 1, 2012.

(2) EXISTING RESTRICTIONS.—If the Secretary, acting through the Chief of Engineers, has established a new restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the date of enactment of this Act, the Secretary shall—

(A) cease implementing the restricted area until the later of—

(i) such time as the restricted area meets the requirements of this section; and

(ii) the date that is 2 years after the date of enactment of this Act; and

(B) remove any permanent physical barriers constructed in connection with the restricted area.

SEC. 2059. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) by striking “In order to” and inserting the following:

“(a) IN GENERAL.—In order to”; and

(2) by adding at the end the following:

“(b) CONTRIBUTED FUNDS.—Nothing in this section affects the authority of the Secretary to complete construction of a water resources development project using funds contributed under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h).”

TITLE III—PROJECT MODIFICATIONS

SEC. 3001. PURPOSE.

The purpose of this title is to modify existing water resource project authorizations,

subject to the condition that the modifications do not affect authorized costs.

SEC. 3002. CHATFIELD RESERVOIR, COLORADO.

Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (123 Stat. 608), is amended in the matter preceding the proviso by inserting “(or a designee of the Department)” after “Colorado Department of Natural Resources”.

SEC. 3003. MISSOURI RIVER RECOVERY IMPLEMENTATION COMMITTEE EXPENSES REIMBURSEMENT.

Section 5018(b)(5) of the Water Resources Development Act of 2007 (121 Stat. 1200) is amended by striking subparagraph (B) and inserting the following:

“(B) TRAVEL EXPENSES.—Subject to the availability of funds, the Secretary may reimburse a member of the Committee for travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of a Federal agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Committee.”

SEC. 3004. HURRICANE AND STORM DAMAGE REDUCTION STUDY.

With respect to the study for flood and storm damage reduction related to natural disasters to be carried out by the Secretary and authorized under the heading “INVESTIGATIONS” under title II of division A of Public Law 113–2, the Secretary shall include specific project recommendations in the report developed for that study.

SEC. 3005. LOWER YELLOWSTONE PROJECT, MONTANA.

Section 3109 of the Water Resources Development Act of 2007 (121 Stat. 1135) is amended—

(1) by striking “The Secretary may” and inserting the following:

“(a) IN GENERAL.—The Secretary may”;

and

(2) by adding at the end the following:

“(b) LOCAL PARTICIPATION.—In carrying out subsection (a), the Secretary shall consult with, and consider the activities being carried out by—

“(1) other Federal agencies;

“(2) conservation districts;

“(3) the Yellowstone River Conservation District Council; and

“(4) the State of Montana.”

SEC. 3006. PROJECT DEAUTHORIZATIONS.

(a) GOOSE CREEK, SOMERSET COUNTY, MARYLAND.—The project for navigation, Goose Creek, Somerset County, Maryland, carried out pursuant to section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577), is realigned as follows: Beginning at Goose Creek Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 0+00, coordinates North 157851.80, East 1636954.70, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, July 2003; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: S. 63 degrees 26 minutes 06 seconds E., 1460.05 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 973.28 feet to a point, thence; N. 26 degrees 13 minutes 09 seconds W., 240.39 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 42+57.54, coordinates North 157357.84, East

1640340.23, Geometry Left Toe of the 60-foot-wide main navigational ship channel, Left Toe Station No. 0+00, coordinates North 157879.00, East 1636967.40, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 12 seconds E., 1583.91 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following eight courses and distances: S. 63 degrees 25 minutes 38 seconds E., 1366.25 feet to a point, thence; N. 83 degrees 36 minutes 24 seconds E., 125.85 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 805.19 feet to a point, thence; N. 12 degrees 12 minutes 29 seconds E., 78.33 feet to a point thence; N. 26 degrees 13 minutes 28 seconds W., 46.66 feet to a point thence; S. 63 degrees 45 minutes 41 seconds W., 54.96 feet to a point thence; N. 26 degrees 13 minutes 24 seconds W., 119.94 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 41+81.10, coordinates North 157320.30, East 1640264.00, Geometry Right Toe of the 60-foot-wide main navigational ship channel, Right Toe Station No. 0+00, coordinates North 157824.70, East 1636941.90, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following six courses and distances: S. 63 degrees 25 minutes 47 seconds E., 1478.79 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 1016.69 feet to a point, thence; N. 26 degrees 14 minutes 49 seconds W., 144.26 feet to a point, thence; N. 63 degrees 54 minutes 03 seconds E., 55.01 feet to a point thence; N. 26 degrees 12 minutes 08 seconds W., 120.03 feet to a point on the Right Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+98.61, coordinates North 157395.40, East 1640416.50.

(b) LOWER THOROUGHFARE, DEAL ISLAND, MARYLAND.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Lower Thoroughfare, Maryland, authorized by the Act of June 25, 1910 (36 Stat. 630, chapter 382) (commonly known as the “River and Harbor Act of 1910”), that begins at Lower Thoroughfare Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 44+88, coordinates North 170435.62, East 1614588.93, as stated and depicted on the Condition Survey Lower Thoroughfare, Deal Island, Sheet 1 of 3, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 42 degrees 20 minutes 44 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 64 degrees 08 minutes 55 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 43 seconds W., 250.08 feet to a point, thence; N. 47 degrees 39 minutes 03 seconds E., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 44 seconds E., 300.07 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at com-

puted Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76; thence; continuing with the aforementioned centerline the following courses and distances: S. 42 degrees 20 minutes 42 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 20 degrees 32 minutes 06 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 49 seconds W., 250.08 feet to a point, thence; S. 47 degrees 39 minutes 03 seconds W., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 46 seconds E., 300.08 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76.

(c) THOMASTON HARBOR, GEORGES RIVER, MAINE.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act of June 3, 1896 (29 Stat. 215, chapter 314), and modified by section 317 of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2604), that lies northwesterly of a line commencing at point N87,220.51, E321,065.80 thence running northeasterly about 125 feet to a point N87,338.71, E321,106.46.

(d) WARWICK COVE, RHODE ISLAND.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Warwick Cove, Rhode Island, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) that is located within the 5 acre anchorage area east of the channel and lying east of the line beginning at a point with coordinates N220,349.79, E357,664.90 thence running north 9 degrees 10 minutes 21.5 seconds west 170.38 feet to a point N220,517.99, E357,637.74 thence running north 17 degrees 44 minutes 30.4 seconds west 165.98 feet to a point N220,676.08, E357,587.16 thence running north 0 degrees 46 minutes 0.9 seconds east 138.96 feet to a point N220,815.03, E357,589.02 thence running north 8 degrees 36 minutes 22.9 seconds east 101.57 feet to a point N220,915.46, E357,604.22 thence running north 18 degrees 18 minutes 27.3 seconds east 168.20 feet to a point N221,075.14, E357,657.05 thence running north 34 degrees 42 minutes 7.2 seconds east 106.4 feet to a point N221,162.62, E357,717.63 thence running south 29 degrees 14 minutes 17.4 seconds east 26.79 feet to a point N221,139.24, E357,730.71 thence running south 30 degrees 45 minutes 30.5 seconds west 230.46 feet to a point N220,941.20, E357,612.85 thence running south 10 degrees 49 minutes 12.0 seconds west 95.46 feet to a point N220,847.44, E357,594.93 thence running south 9 degrees 13 minutes 44.5 seconds east 491.68 feet to a point N220,362.12, E357,673.79 thence running south 35 degrees 47 minutes 19.4 seconds west 15.20 feet to the point of origin.

(e) CLATSOP COUNTY DIKING DISTRICT NO. 10, KARLSON ISLAND, OREGON.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the Diking District No. 10, Karlson Island portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (33 U.S.C. 701h).

(f) NUMBERG DIKE NO. 34 LEVEED AREA, CLATSOP COUNTY DIKING DISTRICT NO. 13, CLATSOP COUNTY, OREGON (WALLUSKI-YOUNGS).—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the Numberg Di-

No. 34 leveed area, Clatsop County Diking District, No. 13, Walluski River and Youngs River dikes, portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (33 U.S.C. 701h).

(g) PORT OF HOOD RIVER, OREGON.—

(1) EXTINGUISHMENT OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easement identified as Tract 1200E-6 on the Easement Deed recorded as Instrument No. 740320 is extinguished above elevation 79.39 feet (NGVD 29) the Ordinary High Water Line.

(2) AFFECTED PROPERTIES.—The properties referred to in paragraph (1), as recorded in Hood River County, Oregon, are as follows:

- (A) Instrument Number 2010-1235
- (B) Instrument Number 2010-02366
- (C) Instrument Number 2010-02367
- (D) Parcel 2 of Partition Plat #2011-12P.
- (E) Parcel 1 of Partition Plat 2005-26P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, AND OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the extinguishment of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(h) EIGHTMILE RIVER, CONNECTICUT.—

(1) The portion of the project for navigation, Eightmile River, Connecticut, authorized by the first section of the Act of June 25, 1910 (commonly known as the “River and Harbor Act of 1910”) (36 Stat. 633, chapter 382), that begins at a point of the existing 8-foot channel limit with coordinates N701002.39, E1109247.73, thence running north 2 degrees 19 minutes 57.1 seconds east 265.09 feet to a point N701267.26, E1109258.52, thence running north 7 degrees 47 minutes 19.3 seconds east 322.32 feet to a point N701586.60, E1109302.20, thence running north 90 degrees 0 minutes 0 seconds east 65.61 to a point N701586.60, E1109367.80, thence running south 7 degrees 47 minutes 19.3 seconds west 328.11 feet to a point N701261.52, E1109323.34, thence running south 2 degrees 19 minutes 57.1 seconds west 305.49 feet to an end at a point N700956.28, E1109310.91 on the existing 8-foot channel limit, shall be reduced to a width of 65 feet and the channel realigned to follow the deepest available water.

(2) Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project beginning at a point N701296.72, E1109262.55 and running north 45 degrees 4 minutes 2.8 seconds west 78.09 feet to a point N701341.18, E1109217.98, thence running north 5 degrees 8 minutes 34.6 seconds east 180.14 feet to a point N701520.59, E1109234.13, thence running north 54 degrees 5 minutes 50.1 seconds east 112.57 feet to a point N701568.04, E1109299.66, thence running south 7 degrees 47 minutes 18.4 seconds west 292.58 feet to the point of origin; and the remaining area north of the channel realignment beginning at a point N700956.28, E1109310.91 thence running north 2 degrees 19 minutes 57.1 seconds east 305.49 feet west to a point N701261.52, E1109323.34 north 7 degrees 47 minutes 18.4 seconds east 328.11 feet to a point N701586.60, E1109367.81

thence running north 90 degrees 0 minutes 0 seconds east 7.81 feet to a point N701586.60, E1109375.62 thence running south 5 degrees 8 minutes 34.6 seconds west 626.29 feet to a point N700962.83, E1109319.47 thence south 52 degrees 35 minutes 36.5 seconds 10.79 feet to the point of origin.

(i) BURNHAM CANAL.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Milwaukee Harbor Project, Milwaukee, Wisconsin, known as the Burnham Canal, beginning at channel point #415a N381768.648, E2524554.836, a distance of about 170.58 feet, thence running south 53 degrees 43 minutes 41 seconds west to channel point #417 N381667.728, E2524417.311, a distance of about 35.01 feet, thence running south 34 degrees 10 minutes 40 seconds west to channel point #501 N381638.761, E2524397.639 a distance of about 139.25 feet, thence running south 34 degrees 10 minutes 48 seconds west to channel point #503 N381523.557, E2524319.406 a distance of about 235.98 feet, thence running south 32 degrees 59 minutes 13 seconds west to channel point #505 N381325.615, E2524190.925 a distance of about 431.29 feet, thence running south 32 degrees 36 minutes 55 seconds west to channel point #509 N380962.276, E2523958.547, a distance of about 614.52 feet, thence running south 89 degrees 05 minutes 00 seconds west to channel point #511 N380952.445, E2523344.107, a distance of about 74.68 feet, thence running north 89 degrees 04 minutes 59 seconds west to channel point #512 N381027.13, E2523342.91, a distance of about 533.84 feet, thence running north 89 degrees 05 minutes 00 seconds east to channel point #510 N381035.67, E2523876.69, a distance of about 47.86 feet, thence running north 61 degrees 02 minutes 07 seconds east to channel point #508 N381058.84, E2523918.56, a distance of about 308.55 feet, thence running north 36 degrees 15 minutes 29 seconds east to channel point #506 N381307.65, E2524101.05, distance of about 199.98 feet, thence running north 32 degrees 59 minutes 12 seconds east to channel point #504 N381475.40, E2524209.93, a distance of about 195.14 feet, thence running north 26 degrees 17 minutes 22 seconds east to channel point #502 N381650.36, E2524296.36, a distance of about 81.82 feet, thence running north 88 degrees 51 minutes 05 seconds west to channel point #419 N381732.17, E2524294.72 a distance of about 262.65 feet, thence running north 82 degrees 01 minutes 02 seconds east to channel point # 415a the point of origin.

(j) WALNUT CREEK, CALIFORNIA.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for flood protection on Walnut Creek, California, constructed in accordance with the plan authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488) that consists of the culvert on the San Ramon Creek constructed by the Department of the Army in 1971 that extends from Sta 4+27 to Sta 14+27.

SEC. 3007. RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NEW JERSEY.

Title I of the Energy and Water Development Appropriations Act, 1998 (Public Law 105-62; 111 Stat. 1327) is amended by striking section 102.

SEC. 3008. RED RIVER BASIN, OKLAHOMA, TEXAS, ARKANSAS, LOUISIANA.

(a) IN GENERAL.—The Secretary is authorized to reassign unused irrigation storage within a reservoir on the Red River Basin to municipal and industrial water supply for use by a non-Federal interest if that non-Federal interest has already contracted for a

share of municipal and industrial water supply on the same reservoir.

(b) NON-FEDERAL INTEREST.—A reassignment of storage under subsection (a) shall be contingent upon the execution of an agreement between the Secretary and the applicable non-Federal interest.

SEC. 3009. POINT JUDITH HARBOR OF REFUGE, RHODE ISLAND.

The project for the Harbor of Refuge at Point Judith, Narragansett, Rhode Island, adopted by the Act of September 19, 1890 (commonly known as the “River and Harbor Act of 1890”) (26 Stat. 426, chapter 907), House Document numbered 66, 51st Congress, 1st Session, and modified to include the west shore arm breakwater under the first section of the Act of June 25, 1910 (commonly known as the “River and Harbor Act of 1910”) (36 Stat. 632, chapter 382), is further modified to include shore protection and erosion control as project purposes.

SEC. 3010. LAND CONVEYANCE OF HAMMOND BOAT BASIN, WARRENTON, OREGON.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means the city of Warrenton, located in Clatsop County, Oregon.

(2) MAP.—The term “map” means the map contained in Exhibit A of Department of the Army Lease No. DACW57-1-88-0033 (or a successor instrument).

(b) CONVEYANCE AUTHORITY.—Subject to the provisions of this section, the Secretary shall convey to the City by quitclaim deed, and without consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) DESCRIPTION OF LAND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the land referred to in subsection (b) is the parcel totaling approximately 59 acres located in the City, together with any improvements thereon, including the Hammond Marina (as described in the map).

(2) EXCLUSION.—The land referred to in subsection (b) shall not include the site provided for the fisheries research support facility of the National Marine Fisheries Service.

(3) AVAILABILITY OF MAP.—The map shall be on file in the Portland District Office of the Corps of Engineers.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—As a condition of the conveyance under subsection (b), the City shall agree in writing—

(A) that the City and any successor or assign of the City will release and indemnify the United States from any claims or liabilities that may arise from or through the operations of the land conveyed by the United States; and

(B) to pay any cost associated with the conveyance under subsection (b).

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may impose such additional terms, conditions, and requirements on the conveyance under subsection (b) as the Secretary considers appropriate to protect the interest of the United States, including the requirement that the City assume full responsibility for operating and maintaining the channel and the breakwater.

(e) REVERSION.—If the Secretary determines that the land conveyed under this section ceases to be owned by the public, all right, title, and interest in and to the land shall, at the discretion of the Secretary, revert to the United States.

(f) DEAUTHORIZATION.—After the land is conveyed under this section, the land shall no longer be a portion of the project for navigation, Hammond Small Boat Basin, Oregon,

authorized by section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577).

SEC. 3011. METRO EAST FLOOD RISK MANAGEMENT PROGRAM, ILLINOIS.

(a) IN GENERAL.—The following projects shall constitute a program, to be known as the “Metro East Flood Risk Management Program, Illinois”:

(1) Prairie du Pont Drainage and Levee District and Fish Lake Drainage and Levee District, Illinois, authorized by—

(A) section 5 of the Act of June 22, 1936 (33 U.S.C. 701h); and

(B) section 5070 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1220).

(2) East St. Louis, Illinois, authorized by—

(A) section 5 of the Act of June 22, 1936 (33 U.S.C. 701h); and

(B) Energy and Water Development Appropriation Act, 1988 (Public Law 100-202; 101 Stat. 1329-104).

(3) Wood River Drainage and Levee District, Illinois, authorized by—

(A) section 4 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved June 28, 1938 (52 Stat. 1218); and

(B) section 1001(20) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1053).

SEC. 3012. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

Section 109 of title I of division B of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A-221, 121 Stat. 1217) is amended—

(1) in subsection (a), by inserting “and unincorporated communities” after “municipalities”; and

(2) by redesignating subsection (f) as subsection (g); and

(3) by inserting after subsection (e) the following:

“(f) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to projects sponsored by—

“(1) the State of Florida;

“(2) Monroe County, Florida; and

“(3) incorporated communities in Monroe County, Florida.”

SEC. 3013. DES MOINES RECREATIONAL RIVER AND GREENBELT, IOWA.

The boundaries for the project referred to as the Des Moines Recreational River and Greenbelt, Iowa under the heading “CORPS OF ENGINEERS—CIVIL” under the heading “DEPARTMENT OF THE ARMY” under the heading “DEPARTMENT OF DEFENSE—CIVIL” in chapter IV of title I of the Supplemental Appropriations Act, 1985 (Public Law 99-88, 99 Stat. 313) are revised to include the entirety of sections 19 and 29, situated in T89N, R28W.

SEC. 3014. LAND CONVEYANCE, CRANEY ISLAND DREDGED MATERIAL MANAGEMENT AREA, PORTSMOUTH, VIRGINIA.

(a) IN GENERAL.—Subject to the conditions described in this section, the Secretary may convey to the Commonwealth of Virginia, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to 2 parcels of land situated within the project for navigation, Craney Island Eastward Expansion, Norfolk Harbor and Channels, Hampton Roads, Virginia, authorized by section 1001(45) of the Water Resources Development Act of 2007 (Pub. L. 110-114; 121 Stat. 1057), together with any improvements thereon.

(b) LANDS TO BE CONVEYED.—

(1) IN GENERAL.—The 2 parcels of land to be conveyed under this section include a parcel consisting of approximately 307.82 acres of land and a parcel consisting of approxi-

mately 13.33 acres of land, both located along the eastern side of the Craney Island Dredged Material Management Area in Portsmouth, Virginia.

(2) USE.—The 2 parcels of land described in paragraph (1) may be used by the Commonwealth of Virginia exclusively for the purpose of port expansion, including the provision of road and rail access and the construction of a shipping container terminal.

(c) TERMS AND CONDITIONS.—Land conveyed under this section shall be subject to—

(1) a reversionary interest in the United States if the land—

(A) ceases to be held in public ownership; or

(B) is used for any purpose that is inconsistent with subsection (b); and

(2) such other terms, conditions, reservations, and restrictions that the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(d) LEGAL DESCRIPTION.—The exact acreage and legal description of land to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(e) CONVEYANCE COSTS.—The Commonwealth of Virginia shall be responsible for all costs associated with the conveyance authorized by this section, including the cost of the survey required under subsection (d) and other administrative costs.

SEC. 3015. LOS ANGELES COUNTY DRAINAGE AREA, CALIFORNIA.

The project for flood control, Los Angeles County Drainage Area, California, authorized by section 101(b) of the Water Resources Development Act of 1990 (Pub. L. 101-640; 104 Stat. 4611), as modified, is further modified to authorize the Secretary to include, as a part of the project, measures for flood risk reduction, ecosystem restoration, and recreation in the Compton Creek watershed.

SEC. 3016. OAKLAND INNER HARBOR TIDAL CANAL, CALIFORNIA.

Section 3182(b)(1) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1165) is amended—

(1) in subparagraph (A), by inserting “, or to a multicounty public entity that is eligible to hold title to real property” after “To the city of Oakland”; and

(2) by inserting “multicounty public entity or other” before “public entity”.

SEC. 3017. REDESIGNATION OF LOWER MISSISSIPPI RIVER MUSEUM AND RIVERFRONT INTERPRETIVE SITE.

(a) IN GENERAL.—Section 103(c)(1) of the Water Resources Development Act of 1992 (106 Stat. 4811) is amended by striking “Lower Mississippi River Museum and Riverfront Interpretive Site” and inserting “Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the museum and interpretive site referred to in subsection (a) shall be deemed to be a reference to the “Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site”.

SEC. 3018. LOUISIANA COASTAL AREA.

(a) INTERIM ADOPTION OF COMPREHENSIVE COASTAL MASTER PLAN.—

(1) IN GENERAL.—Section 7002 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1270) is amended—

(A) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively;

(B) by inserting after subsection (c) the following:

“(d) INTERIM ADOPTION OF COMPREHENSIVE COASTAL PROTECTION MASTER PLAN.—Prior

to completion of the comprehensive plan described under subsection (a), the Secretary shall adopt the plan of the State of Louisiana entitled ‘Louisiana’s Comprehensive Coastal Protection Master Plan for a Sustainable Coast’ in effect on the date of enactment of the Water Resources Development Act of 2013 (and subsequent plans), authorized and defined pursuant to Act 8 of the First Extraordinary Session of the Louisiana State Legislature, 2005, for protecting, preserving, and restoring the coastal Louisiana ecosystem until implementation of the comprehensive plan is complete.”; and

(C) in subsection (g)(1) (as so redesignated), by striking “1 year” and inserting “10 years”.

(2) CONFORMING AMENDMENT.—Subsection (f) (as so redesignated) is amended by striking “subsection (d)(1)” and inserting “subsection (e)(1)”.

(b) Section 7006 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1274) is amended—

(1) in subsection (a)(2)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) to examine a system-wide approach to coastal sustainability, including—

“(i) flood and storm damage protection;

“(ii) coastal restoration; and

“(iii) the elevation of public and private infrastructure;”;

(2) in subsection (c)(1)(E), by striking “at Myrtle Grove” and inserting “in the vicinity of Myrtle Grove”.

TITLE IV—WATER RESOURCE STUDIES

SEC. 4001. PURPOSE.

The purpose of this title is to authorize the Secretary to study and recommend solutions for water resource issues relating to flood risk and storm damage reduction, navigation, and aquatic ecosystem restoration.

SEC. 4002. INITIATION OF NEW WATER RESOURCES STUDIES.

(a) IN GENERAL.—Subject to subsections (b), (c), and (d), the Secretary may initiate a study—

(1) to determine the feasibility of carrying out 1 or more projects for flood risk management, storm damage reduction, aquatic ecosystem restoration, navigation, hydropower, or related purposes; or

(2) to carry out watershed and river basin assessments in accordance with section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a).

(b) CRITERIA.—The Secretary may only initiate a study under subsection (a) if—

(1) the study—

(A) has been requested by an eligible non-Federal interest;

(B) is for an area that is likely to include a project with a Federal interest; and

(C) addresses a high-priority water resource issue necessary for the protection of human life and property, the environment, or the national security interests of the United States; and

(2) the non-Federal interest has demonstrated—

(A) that local support exists for addressing the water resource issue; and

(B) the financial ability to provide the required non-Federal cost-share.

(c) CONGRESSIONAL APPROVAL.—

(1) SUBMISSION TO CONGRESS.—Prior to initiating a study under subsection (a), the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees

on Transportation and Infrastructure and Appropriations of the House—

(A) a description of the study, including the geographical area addressed by the study;

(B) a description of how the study meets each of the requirements of subsection (b); and

(C) a certification that the proposed study can be completed within 3 years and for a Federal cost of not more than \$3,000,000.

(2) EXPENDITURE OF FUNDS.—No funds may be spent on a study initiated under subsection (a) unless—

(A) the required information is submitted to Congress under paragraph (1); and

(B) after such submission, amounts are appropriated to initiate the study in an appropriations or other Act.

(3) ADDITIONAL NOTIFICATION.—The Secretary shall notify each Senator or Member of Congress with a State or congressional district in the study area described in paragraph (1)(A).

(d) LIMITATIONS.—

(1) IN GENERAL.—Subsection (a) shall not apply to a project for which a study has been authorized prior to the date of enactment of this Act.

(2) NEW STUDIES.—In each fiscal year, the Secretary may initiate not more than—

(A) 3 new studies in each of the primary mission areas of the Corps of Engineers; and

(B) 3 new studies from any 1 division of the Corps of Engineers.

(e) TERMINATION.—The authority under subsection (a) expires on the date that is 3 years after the date of enactment of this Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for each of fiscal years 2014 through 2017.

SEC. 4003. APPLICABILITY.

(a) IN GENERAL.—Nothing in this title authorizes the construction of a water resources project.

(b) NEW AUTHORIZATION REQUIRED.—New authorization from Congress is required before any project evaluated in a study under this title is constructed.

TITLE V—REGIONAL AND NONPROJECT PROVISIONS

SEC. 5001. PURPOSE.

The purpose of this title is to authorize regional, multistate authorities to address water resource needs and other non-project provisions.

SEC. 5002. NORTHEAST COASTAL REGION ECOSYSTEM RESTORATION.

(a) IN GENERAL.—The Secretary shall plan, design, and construct projects for aquatic ecosystem restoration within the coastal waters of the Northeastern United States from the State of Virginia to the State of Maine, including associated bays, estuaries, and critical riverine areas.

(b) GENERAL COASTAL MANAGEMENT PLAN.—

(1) ASSESSMENT.—The Secretary, in coordination with the Administrator of the Environmental Protection Agency, the heads of other appropriate Federal agencies, the Governors of the coastal States from Virginia to Maine, nonprofit organizations, and other interested parties, shall assess the needs regarding, and opportunities for, aquatic ecosystem restoration within the coastal waters of the Northeastern United States.

(2) PLAN.—The Secretary shall develop a general coastal management plan based on the assessment carried out under paragraph (1), maximizing the use of existing plans and investigation, which plan shall include—

(A) an inventory and evaluation of coastal habitats;

(B) identification of aquatic resources in need of improvement;

(C) identification and prioritization of potential aquatic habitat restoration projects; and

(D) identification of geographical and ecological areas of concern, including—

- (i) finfish habitats;
- (ii) diadromous fisheries migratory corridors;
- (iii) shellfish habitats;
- (iv) submerged aquatic vegetation;
- (v) wetland; and
- (vi) beach dune complexes and other similar habitats.

(c) ELIGIBLE PROJECTS.—The Secretary may carry out an aquatic ecosystem restoration project under this section if the project—

(1) is consistent with the management plan developed under subsection (b); and

(2) provides for—

- (A) the restoration of degraded aquatic habitat (including coastal, saltmarsh, benthic, and riverine habitat);
- (B) the restoration of geographical or ecological areas of concern, including the restoration of natural river and stream characteristics;
- (C) the improvement of water quality; or
- (D) other projects or activities determined to be appropriate by the Secretary.

(d) COST SHARING.—

(1) MANAGEMENT PLAN.—The management plan developed under subsection (b) shall be completed at Federal expense.

(2) RESTORATION PROJECTS.—The non-Federal share of the cost of a project carried out under this section shall be 35 percent.

(e) COST LIMITATION.—Not more than \$10,000,000 in Federal funds may be allocated under this section for an eligible project.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section (including funds for the completion of the management plan) \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 5003. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

Section 510 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3759; 121 Stat. 1202) is amended—

(1) in subsection (a)—

- (A) in paragraph (1)—
- (i) by striking “pilot program” and inserting “program”; and
- (ii) by inserting “in the basin States described in subsection (f) and the District of Columbia” after “interests”; and

(B) by striking paragraph (2) and inserting the following:

“(2) FORM.—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chesapeake Bay estuary, based on the comprehensive plan under subsection (b), including projects for—

- “(A) sediment and erosion control;
- “(B) protection of eroding shorelines;
- “(C) ecosystem restoration, including restoration of submerged aquatic vegetation;
- “(D) protection of essential public works;
- “(E) beneficial uses of dredged material; and
- “(F) other related projects that may enhance the living resources of the estuary.”;

(2) by striking subsection (b) and inserting the following:

“(b) COMPREHENSIVE PLAN.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2013, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chesapeake Bay restoration plan to guide the implementation of projects under subsection (a)(2).

“(2) COORDINATION.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

“(3) PRIORITIZATION.—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will also improve water quality or quantity or use natural hydrological features and systems.

“(4) ADMINISTRATION.—The Federal share of the costs of carrying out paragraph (1) shall be 75 percent.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “to provide” and all that follows through the period at the end and inserting “for the design and construction of a project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b).”;

(B) in paragraph (2)(A), by striking “facilities or resource protection and development plan” and inserting “resource protection and restoration plan”; and

(C) by adding at the end the following:

“(3) PROJECTS ON FEDERAL LAND.—A project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b) that is located on Federal land shall be carried out at the expense of the Federal agency that owns the land on which the project will be a carried out.

“(4) NON-FEDERAL CONTRIBUTIONS.—A Federal agency carrying out a project described in paragraph (3) may accept contributions of funds from non-Federal entities to carry out that project.”;

(4) by striking subsection (e) and inserting the following:

“(e) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

“(1) the heads of appropriate Federal agencies, including—

“(A) the Administrator of the Environmental Protection Agency;

“(B) the Secretary of Commerce, acting through the Administrator of the National Oceanographic and Atmospheric Administration;

“(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

“(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

“(2) agencies of a State or political subdivision of a State, including the Chesapeake Bay Commission.”;

(5) by striking subsection (f) and inserting the following:

“(f) PROJECTS.—The Secretary shall establish, to the maximum extent practicable, at least 1 project under this section in—

“(1) regions within the Chesapeake Bay watershed of each of the basin States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia; and

“(2) the District of Columbia.”;

(6) by striking subsection (h); and

(7) by redesignating subsection (i) as subsection (h).

SEC. 5004. RIO GRANDE ENVIRONMENTAL MANAGEMENT PROGRAM, COLORADO, NEW MEXICO, TEXAS.

Section 5056 of the Water Resources Development Act of 2007 (121 Stat. 1213) is amended—

(1) in subsection (b)(2)—

(A) in the matter preceding subparagraph (A), by striking “2008” and inserting “2014”; and

(B) in subparagraph (C), by inserting “and an assessment of needs for other related purposes in the Rio Grande Basin, including flood damage reduction” after “assessment”;

(2) in subsection (c)(2)—

(A) by striking “an interagency agreement with” and inserting “1 or more interagency agreements with the Secretary of State and”; and

(B) by inserting “or the U.S. Section of the International Boundary and Water Commission” after “the Department of the Interior”; and

(3) in subsection (f), by striking “2011” and inserting “2024”.

SEC. 5005. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ECOSYSTEM RESTORATION, OREGON AND WASHINGTON.

Section 536(g) of the Water Resources Development Act of 2000 (114 Stat. 2661) is amended by striking “\$30,000,000” and inserting “\$75,000,000”.

SEC. 5006. ARKANSAS RIVER, ARKANSAS AND OKLAHOMA.

(a) **PROJECT GOAL.**—The goal for operation of the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma, shall be to maximize the use of the system in a balanced approach that incorporates advice from representatives from all project purposes to ensure that the full value of the system is realized by the United States.

(b) **MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Secretary shall establish an advisory committee for the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma, project authorized by the Act of July 24, 1946 (60 Stat. 635, chapter 595).

(2) **DUTIES.**—The advisory committee shall—

(A) serve in an advisory capacity only; and

(B) provide information and recommendations to the Corps of Engineers relating to the efficiency, reliability, and availability of the operations of the McClellan-Kerr Arkansas River navigation system.

(3) **SELECTION AND COMPOSITION.**—The advisory committee shall be—

(A) selected jointly by the Little Rock district engineer and the Tulsa district engineer; and

(B) composed of members that equally represent the McClellan-Kerr Arkansas River navigation system project purposes.

(4) **AGENCY RESOURCES.**—The Little Rock district and the Tulsa district of the Corps of Engineers, under the supervision of the southwestern division, shall jointly provide the advisory committee with adequate staff assistance, facilities, and resources.

(5) **TERMINATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the advisory committee shall terminate on the date on which the Secretary submits a report to Congress demonstrating increases in the efficiency, reliability, and availability of the McClellan-Kerr Arkansas River navigation system.

(B) **RESTRICTION.**—The advisory committee shall terminate not less than 2 calendar years after the date on which the advisory committee is established.

SEC. 5007. AQUATIC INVASIVE SPECIES PREVENTION AND MANAGEMENT; COLUMBIA RIVER BASIN.

(a) **IN GENERAL.**—The Secretary may establish a program to prevent and manage aquatic invasive species in the Columbia River Basin in the States of Idaho, Montana, Oregon, and Washington.

(b) **WATERCRAFT INSPECTION STATIONS.**—

(1) **IN GENERAL.**—In carrying out this section, the Secretary shall establish watercraft inspection stations in the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington at locations, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species into reservoirs operated and maintained by the Secretary.

(2) **INCLUSIONS.**—Locations identified under paragraph (1) may include—

(A) State border crossings;

(B) international border crossings; and

(C) highway entry points that are used by owners of watercraft to access boat launch facilities owned or managed by the Secretary.

(3) **COST-SHARE.**—The non-Federal share of the cost of operating and maintaining watercraft inspection stations described in paragraph (1) (including personnel costs) shall be 50 percent.

(4) **OTHER INSPECTION SITES.**—The Secretary may establish watercraft inspection stations using amounts made available to carry out this section in States other than those described in paragraph (1) at or near boat launch facilities that the Secretary determines are regularly used by watercraft to enter the States described in paragraph (1).

(c) **MONITORING AND CONTINGENCY PLANNING.**—The Secretary shall—

(1) carry out risk assessments of each major public and private water resources facility in the Columbia River Basin;

(2) establish an aquatic invasive species monitoring program in the Columbia River Basin;

(3) establish a Columbia River Basin watershed-wide plan for expedited response to an infestation of aquatic invasive species; and

(4) monitor water quality, including sediment cores and fish tissue samples, at facilities owned or managed by the Secretary in the Columbia River Basin.

(d) **COORDINATION.**—In carrying out this section, the Secretary shall consult and coordinate with—

(1) the States described in subsection (a);

(2) Indian tribes; and

(3) other Federal agencies, including—

(A) the Department of Agriculture;

(B) the Department of Energy;

(C) the Department of Homeland Security;

(D) the Department of Commerce; and

(E) the Department of the Interior.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$30,000,000, of which \$5,000,000 may be used to carry out subsection (c).

SEC. 5008. UPPER MISSOURI BASIN FLOOD AND DROUGHT MONITORING.

(a) **IN GENERAL.**—The Secretary, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of the Bureau of Reclamation, shall establish a program to provide for—

(1) soil moisture and snowpack monitoring in the Upper Missouri River Basin to reduce flood risk and improve river and water resource management in the Upper Missouri

River Basin, as outlined in the February 2013 report entitled “Upper Missouri Basin Monitoring Committee—Snow Sampling and Instrumentation Recommendations”;

(2) restoring and maintaining existing mid- and high-elevation snowpack monitoring sites operated under the SNOTEL program of the Natural Resources Conservation Service; and

(3) operating streamflow gages and related interpretive studies in the Upper Missouri River Basin under the cooperative water program and the national streamflow information program of the United States Geological Service.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$11,250,000.

(c) **USE OF FUNDS.**—Amounts made available to the Secretary under this section shall be used to complement other related activities of Federal agencies that are carried out within the Missouri River Basin.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) identifies progress made by the Secretary and other Federal agencies to implement the recommendations contained in the report described in subsection (a)(1) with respect to enhancing soil moisture and snowpack monitoring in the Upper Missouri Basin; and

(2) includes recommendations to enhance soil moisture and snowpack monitoring in the Upper Missouri Basin.

SEC. 5009. NORTHERN ROCKIES HEADWATERS EXTREME WEATHER MITIGATION.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall establish a program to mitigate the impacts of extreme weather events, such as floods and droughts, on communities, water users, and fish and wildlife located in and along the headwaters of the Columbia, Missouri, and Yellowstone Rivers (including the tributaries of those rivers) in the States of Idaho and Montana by carrying out river, stream, and floodplain protection and restoration projects, including—

(1) floodplain restoration and reconnection;

(2) floodplain and riparian area protection through the use of conservation easements;

(3) instream flow restoration projects;

(4) fish passage improvements;

(5) channel migration zone mapping; and

(6) invasive weed management.

(b) **RESTRICTION.**—All projects carried out using amounts made available to carry out this section shall emphasize the protection and enhancement of natural riverine processes.

(c) **NON-FEDERAL COST SHARE.**—The non-Federal share of the costs of carrying out a project under this section shall not exceed 35 percent of the total cost of the project.

(d) **COORDINATION.**—In carrying out this section, the Secretary—

(1) shall consult and coordinate with the appropriate State natural resource agency in each State; and

(2) may—

(A) delegate any authority or responsibility of the Secretary under this section to those State natural resource agencies; and

(B) provide amounts made available to the Secretary to carry out this section to those State natural resource agencies.

(e) LIMITATIONS.—Nothing in this section invalidates, preempts, or creates any exception to State water law, State water rights, or Federal or State permitted activities or agreements in the States of Idaho and Montana or any State containing tributaries to rivers in those States.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$30,000,000.

SEC. 5010. AQUATIC NUISANCE SPECIES PREVENTION, GREAT LAKES AND MISSISSIPPI RIVER BASIN.

(a) IN GENERAL.—The Secretary is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with any modifications or any emergency measures that the Secretary determines to be appropriate to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

(b) REPORTS.—The Secretary shall report to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives any emergency actions taken pursuant to this section.

SEC. 5011. MIDDLE MISSISSIPPI RIVER PILOT PROGRAM.

(a) IN GENERAL.—In accordance with the project for navigation, Mississippi River between the Ohio and Missouri Rivers (Regulating Works), Missouri and Illinois, authorized by the Act of June 25, 1910 (36 Stat. 631, chapter 382) (commonly known as the “River and Harbor Act of 1910”), the Act of January 1, 1927 (44 Stat. 1010, chapter 47) (commonly known as the “River and Harbor Act of 1927”), and the Act of July 3, 1930 (46 Stat. 918, chapter 847), the Secretary shall carry out a pilot program to restore and protect fish and wildlife habitat in the middle Mississippi River.

(b) AUTHORIZED ACTIVITIES.—As part of the pilot program carried out under subsection (a), the Secretary may carry out any activity along the Middle Mississippi River that is necessary to improve navigation through the project while restoring and protecting fish and wildlife habitat in the middle Mississippi River if the Secretary determines that the activity is feasible.

(c) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The maximum Federal share of the cost of carrying out a project under this section shall be 65 percent.

(2) AMOUNT EXPENDED PER PROJECT.—The Federal share described in paragraph (1) shall not exceed \$10,000,000 for each project.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2023.

SEC. 5012. IDAHO, MONTANA, RURAL NEVADA, NEW MEXICO, RURAL UTAH, AND WYOMING.

Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 383) is amended—

(1) by striking subsection (c) and inserting the following:

“(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of—

“(1) design and construction assistance for water-related environmental infrastructure and resource protection and development in Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming, including projects for—

“(A) wastewater treatment and related facilities;

“(B) water supply and related facilities;

“(C) environmental restoration; and

“(D) surface water resource protection and development; and

“(2) technical assistance to small and rural communities for water planning and issues relating to access to water resources.”; and

(2) by striking subsection (h) and inserting the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for fiscal year 2001 and each subsequent fiscal year \$450,000,000, which shall be made available to the States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities.”.

SEC. 5013. CHESAPEAKE BAY OYSTER RESTORATION IN VIRGINIA AND MARYLAND.

Section 704(b) of Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) in paragraph (1), by striking “\$50,000,000” and inserting “\$70,000,000”; and

(2) by striking subparagraph (B) of paragraph (4) and inserting the following:

“(B) FORM.—The non-Federal share may be provided through in-kind services, including—

“(i) the provision by the non-Federal interest of shell stock material that is determined by the Secretary to be suitable for use in carrying out the project; and

“(ii) in the case of a project carried out under paragraph (2)(D) after the date of enactment of this clause, land conservation or restoration efforts undertaken by the non-Federal interest that the Secretary determines provide water quality benefits that—

“(I) enhance the viability of oyster restoration efforts; and

“(II) are integral to the project.”.

SEC. 5014. MISSOURI RIVER BETWEEN FORT PECK DAM, MONTANA AND GAVINS POINT DAM, SOUTH DAKOTA AND NEBRASKA.

Section 9(f) of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665; 102 Stat. 4031) is amended by striking “\$3,000,000” and inserting “\$5,000,000”.

SEC. 5015. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) SHALLOW DRAFT.—The term “shallow draft” means a project that has a depth less than 14 feet.

(2) INLAND MISSISSIPPI RIVER.—The term “inland Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(b) IN GENERAL.—The Secretary, acting through the Chief of Engineers, shall carry out dredging activities on shallow draft ports located on the Inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 5016. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by inserting “or Alaska” after “Hawaii”; and

(B) in paragraph (2)—

(i) by striking “community” and inserting “region”; and

(ii) by inserting “, as determined by the Secretary based on information provided by the non-Federal interest” after “improvement”; and

(2) by adding at the end the following:

“(c) PRIORITIZATION.—Projects recommended by the Secretary under subsection (a) shall be given equivalent budget consideration and priority as projects recommended solely by national economic development benefits.

“(d) CONSTRUCTION.—

“(1) IN GENERAL.—The Secretary may plan, design, or construct projects for navigation in the noncontiguous States and territories of the United States if the Secretary finds that the project is—

“(A) technically feasible;

“(B) environmentally sound; and

“(C) economically justified.

“(2) SPECIAL RULE.—In evaluating and implementing a project under this section, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with the criteria established for flood control projects in section 903(c) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4184) if the detailed project report evaluation indicates that applying that section is necessary to implement the project.

“(3) COST.—The Federal share of the cost of carrying out a project under this section shall not exceed \$10,000,000.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects initiated by the Secretary under this subsection \$100,000,000 for fiscal years 2014 through 2023.”.

TITLE VI—LEVEE SAFETY

SEC. 6001. SHORT TITLE.

This title may be cited as the “National Levee Safety Program Act”.

SEC. 6002. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) there is a need to establish a national levee safety program to provide national leadership and encourage the establishment of State and tribal levee safety programs;

(2) according to the National Committee on Levee Safety, “the level of protection and robustness of design and construction of levees vary considerably across the country”; and

(3) knowing the location, condition, and ownership of levees, as well as understanding the population and infrastructure at risk in leveed areas, is necessary for identification and prioritization of activities associated with levees;

(4) levees are an important tool for reducing flood risk and should be considered in the context of broader flood risk management efforts;

(5) States and Indian tribes—

(A) are uniquely positioned to oversee, coordinate, and regulate local and regional levee systems; and

(B) should be encouraged to participate in a national levee safety program by establishing individual levee safety programs; and

(6) States, Indian tribes, and local governments that do not invest in protecting the individuals and property located behind levees place those individuals and property at risk.

(b) PURPOSES.—The purposes of this title are—

(1) to promote sound technical practices in levee design, construction, operation, inspection, assessment, security, and maintenance;

(2) to ensure effective public education and awareness of risks involving levees;

(3) to establish and maintain a national levee safety program that emphasizes the protection of human life and property; and

(4) to implement solutions and incentives that encourage the establishment of effective State and tribal levee safety programs.

SEC. 6003. DEFINITIONS.

In this title:

(1) **BOARD.**—The term “Board” means the National Levee Safety Advisory Board established under section 6005.

(2) **CANAL STRUCTURE.**—

(A) **IN GENERAL.**—The term “canal structure” means an embankment, wall, or structure along a canal or manmade watercourse that—

(i) constrains water flows;

(ii) is subject to frequent water loading; and

(iii) is an integral part of a flood risk reduction system that protects the leveed area from flood waters associated with hurricanes, precipitation events, seasonal high water, and other weather-related events.

(B) **EXCLUSION.**—The term “canal structure” does not include a barrier across a watercourse.

(3) **FEDERAL AGENCY.**—The term “Federal agency” means a Federal agency that designs, finances, constructs, owns, operates, maintains, or regulates the construction, operation, or maintenance of a levee.

(4) **FLOOD DAMAGE REDUCTION SYSTEM.**—The term “flood damage reduction system” means a system designed and constructed to have appreciable and dependable effects in reducing damage by floodwaters.

(5) **FLOOD MITIGATION.**—The term “flood mitigation” means any structural or non-structural measure that reduces risks of flood damage by reducing the probability of flooding, the consequences of flooding, or both.

(6) **FLOODPLAIN MANAGEMENT.**—The term “floodplain management” means the operation of a community program of corrective and preventative measures for reducing flood damage.

(7) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) **LEVEE.**—

(A) **IN GENERAL.**—The term “levee” means a manmade barrier (such as an embankment, floodwall, or other structure)—

(i) the primary purpose of which is to provide hurricane, storm, or flood protection relating to seasonal high water, storm surges, precipitation, or other weather events; and

(ii) that is normally subject to water loading for only a few days or weeks during a calendar year.

(B) **INCLUSIONS.**—The term “levee” includes a levee system, including—

(i) levees and canal structures that—

(I) constrain water flows;

(II) are subject to more frequent water loading; and

(III) do not constitute a barrier across a watercourse; and

(ii) roadway and railroad embankments, but only to the extent that the embankments are integral to the performance of a flood damage reduction system.

(C) **EXCLUSIONS.**—The term “levee” does not include—

(i) a roadway or railroad embankment that is not integral to the performance of a flood damage reduction system;

(ii) a canal constructed completely within natural ground without any manmade struc-

ture (such as an embankment or retaining wall to retain water or a case in which water is retained only by natural ground);

(iii) a canal regulated by a Federal or State agency in a manner that ensures that applicable Federal safety criteria are met;

(iv) a levee or canal structure—

(I) that is not a part of a Federal flood damage reduction system;

(II) that is not recognized under the National Flood Insurance Program as providing protection from the 1-percent-annual-chance or greater flood;

(III) that is not greater than 3 feet high;

(IV) the population in the leveed area of which is less than 50 individuals; and

(V) the leveed area of which is less than 1,000 acres; or

(v) any shoreline protection or river bank protection system (such as revetments or barrier islands).

(9) **LEVEE FEATURE.**—The term “levee feature” means a structure that is critical to the functioning of a levee, including—

(A) an embankment section;

(B) a floodwall section;

(C) a closure structure;

(D) a pumping station;

(E) an interior drainage work; and

(F) a flood damage reduction channel.

(10) **LEVEE SAFETY GUIDELINES.**—The term “levee safety guidelines” means the guidelines established by the Secretary under section 6004(c)(1).

(11) **LEVEE SEGMENT.**—The term “levee segment” means a discrete portion of a levee system that is owned, operated, and maintained by a single entity or discrete set of entities.

(12) **LEVEE SYSTEM.**—The term “levee system” means 1 or more levee segments, including all levee features that are interconnected and necessary to ensure protection of the associated leveed areas—

(A) that collectively provide flood damage reduction to a defined area; and

(B) the failure of 1 of which may result in the failure of the entire system.

(13) **LEVEED AREA.**—The term “leveed area” means the land from which flood water in the adjacent watercourse is excluded by the levee system.

(14) **NATIONAL LEVEE DATABASE.**—The term “national levee database” means the levee database established under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303).

(15) **PARTICIPATING PROGRAM.**—The term “participating program” means a levee safety program developed by a State or Indian tribe that includes the minimum components necessary for recognition by the Secretary.

(16) **REHABILITATION.**—The term “rehabilitation” means the repair, replacement, reconstruction, removal of a levee, or reconfiguration of a levee system, including a setback levee, that is carried out to reduce flood risk or meet national levee safety guidelines.

(17) **RISK.**—The term “risk” means a measure of the probability and severity of undesirable consequences.

(18) **SECRETARY.**—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(19) **STATE.**—The term “State” means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

SEC. 6004. NATIONAL LEVEE SAFETY PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall establish a national levee safety program to provide national leadership and consistent approaches to levee safety, including—

(1) a national levee database;

(2) an inventory and inspection of Federal and non-Federal levees;

(3) national levee safety guidelines;

(4) a hazard potential classification system for Federal and non-Federal levees;

(5) research and development;

(6) a national public education and awareness program, with an emphasis on communication regarding the residual risk to communities protected by levees and levee systems;

(7) coordination of levee safety, floodplain management, and environmental protection activities;

(8) development of State and tribal levee safety programs; and

(9) the provision of technical assistance and materials to States and Indian tribes relating to—

(A) developing levee safety programs;

(B) identifying and reducing flood risks associated with residual risk to communities protected by levees and levee systems;

(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

(b) **MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall appoint—

(A) an administrator of the national levee safety program; and

(B) such staff as is necessary to implement the program.

(2) **ADMINISTRATOR.**—The sole duty of the administrator appointed under paragraph (1)(A) shall be the management of the national levee safety program.

(c) **LEVEE SAFETY GUIDELINES.**—

(1) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with State and local governments and organizations with expertise in levee safety, shall establish a set of voluntary, comprehensive, national levee safety guidelines that—

(A) are available for common, uniform use by all Federal, State, tribal, and local agencies;

(B) incorporate policies, procedures, standards, and criteria for a range of levee types, canal structures, and related facilities and features; and

(C) provide for adaptation to local, regional, or watershed conditions.

(2) **REQUIREMENT.**—The policies, procedures, standards, and criteria under paragraph (1)(B) shall be developed taking into consideration the levee hazard potential classification system established under subsection (d).

(3) **ADOPTION BY FEDERAL AGENCIES.**—All Federal agencies shall consider the levee safety guidelines in activities relating to the management of levees.

(4) **PUBLIC COMMENT.**—Prior to finalizing the guidelines under this subsection, the Secretary shall—

(A) issue draft guidelines for public comment; and

(B) consider any comments received in the development of final guidelines.

(d) HAZARD POTENTIAL CLASSIFICATION SYSTEM.—

(1) ESTABLISHMENT.—The Secretary shall establish a hazard potential classification system for use under the national levee safety program and participating programs.

(2) REVISION.—The Secretary shall review and, as necessary, revise the hazard potential classification system not less frequently than once every 5 years.

(3) CONSISTENCY.—The hazard potential classification system established pursuant to this subsection shall be consistent with and incorporated into the levee safety action classification tool developed by the Corps of Engineers.

(e) TECHNICAL ASSISTANCE AND MATERIALS.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with the Board, shall establish a national levee safety technical assistance and training program to develop and deliver technical support and technical assistance materials, curricula, and training in order to promote levee safety and assist States, communities, and levee owners in—

(A) developing levee safety programs;

(B) identifying and reducing flood risks associated with levees;

(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

(2) USE OF SERVICES.—In establishing the national levee safety training program under paragraph (1), the Secretary may use the services of—

(A) the Corps of Engineers;

(B) the Federal Emergency Management Agency;

(C) the Bureau of Reclamation; and

(D) other appropriate Federal agencies, as determined by the Secretary.

(f) COMPREHENSIVE NATIONAL PUBLIC EDUCATION AND AWARENESS CAMPAIGN.—

(1) ESTABLISHMENT.—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency and the Board, shall establish a national public education and awareness campaign relating to the national levee safety program.

(2) PURPOSES.—The purposes of the campaign under paragraph (1) are—

(A) to educate individuals living in leveed areas regarding the risks of living in those areas;

(B) to promote consistency in the transmission of information regarding levees among government agencies; and

(C) to provide national leadership regarding risk communication for implementation at the State and local levels.

(g) COORDINATION OF LEEVE SAFETY, FLOODPLAIN MANAGEMENT, AND ENVIRONMENTAL CONCERNS.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with the Board, shall evaluate opportunities to coordinate—

(1) public safety, floodplain management, and environmental protection activities relating to levees; and

(2) environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws.

(h) LEEVE INSPECTION.—

(1) IN GENERAL.—The Secretary shall carry out a one-time inventory and inspection of all levees identified in the national levee database.

(2) NO FEDERAL INTEREST.—The inventory and inspection under paragraph (1) does not create a Federal interest in the construction, operation, or maintenance any levee that is included in the inventory or inspected under this subsection.

(3) INSPECTION CRITERIA.—In carrying out the inventory and inspection, the Secretary shall use the levee safety action classification criteria to determine whether a levee should be classified in the inventory as requiring a more comprehensive inspection.

(4) STATE AND TRIBAL PARTICIPATION.—At the request of a State or Indian tribe with respect to any levee subject to inspection under this subsection, the Secretary shall—

(A) allow an official of the State or Indian tribe to participate in the inspection of the levee; and

(B) provide information to the State or Indian tribe relating to the location, construction, operation, or maintenance of the levee.

(5) EXCEPTIONS.—In carrying out the inventory and inspection under this subsection, the Secretary shall not be required to inspect any levee that has been inspected by a State or Indian tribe using the same methodology described in paragraph (3) during the 1-year period immediately preceding the date of enactment of this Act if the Governor of the State or tribal government, as applicable, requests an exemption from the inspection.

(i) STATE AND TRIBAL LEEVE SAFETY PROGRAM.—

(1) GUIDELINES.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with the Board, the Secretary shall issue guidelines that establish the minimum components necessary for recognition of a State or tribal levee safety program as a participating program.

(B) GUIDELINE CONTENTS.—The guidelines under subparagraph (A) shall include provisions and procedures requiring each participating State and Indian tribe to certify to the Secretary that the State or Indian tribe, as applicable—

(i) has the authority to participate in the national levee safety program;

(ii) can receive funds under this title;

(iii) has adopted any national levee safety guidelines developed under this title;

(iv) will carry out levee inspections;

(v) will carry out, consistent with applicable requirements, flood risk management and any emergency action planning procedures the Secretary determines to be necessary relating to levees;

(vi) will carry out public education and awareness activities consistent with the national public education and awareness campaign established under subsection (f); and

(vii) will collect and share information regarding the location and condition of levees.

(C) PUBLIC COMMENT.—Prior to finalizing the guidelines under this paragraph, the Secretary shall—

(i) issue draft guidelines for public comment; and

(ii) consider any comments received in the development of final guidelines.

(2) GRANT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary shall establish a program under which the Secretary shall provide grants to assist States

and Indian tribes in establishing participating programs, conducting levee inventories, and carrying out this title.

(B) REQUIREMENTS.—To be eligible to receive grants under this section, a State or Indian tribe shall—

(i) meet the requirements of a participating program established by the guidelines issued under paragraph (1);

(ii) use not less than 25 percent of any amounts received to identify and assess non-Federal levees within the State or on land of the Indian tribe;

(iii) submit to the Secretary any information collected by the State or Indian tribe in carrying out this subsection for inclusion in the national levee safety database; and

(iv) identify actions to address hazard mitigation activities associated with levees and leveed areas identified in the hazard mitigation plan of the State approved by the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(j) LEEVE REHABILITATION ASSISTANCE PROGRAM.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall establish a program under which the Secretary shall provide assistance to States, Indian tribes, and local governments in addressing flood mitigation activities that result in an overall reduction in flood risk.

(2) REQUIREMENTS.—To be eligible to receive assistance under this subsection, a State, Indian tribe, or local government shall—

(A) participate in, and comply with, all applicable Federal floodplain management and flood insurance programs;

(B) have in place a hazard mitigation plan that—

(i) includes all levee risks; and

(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

(C) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

(D) comply with such minimum eligibility requirements as the Secretary, in consultation with the Board, may establish to ensure that each owner and operator of a levee under a participating State or tribal levee safety program—

(i) acts in accordance with the guidelines developed in subsection (c); and

(ii) carries out activities relating to the public in the leveed area in accordance with the hazard mitigation plan described in subparagraph (B).

(3) FLOODPLAIN MANAGEMENT PLANS.—

(A) IN GENERAL.—Not later than 1 year after the date of execution of a project agreement for assistance under this subsection, a State, Indian tribe, or local government shall prepare a floodplain management plan in accordance with the guidelines under subparagraph (D) to reduce the impacts of future flood events in each applicable leveed area.

(B) INCLUSIONS.—A plan under subparagraph (A) shall address potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in each applicable leveed area.

(C) IMPLEMENTATION.—Not later than 1 year after the date of completion of construction of the applicable project, a floodplain management plan prepared under subparagraph (A) shall be implemented.

(D) GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall develop such guidelines for the preparation of floodplain management plans prepared under this paragraph as the Secretary determines to be appropriate.

(E) TECHNICAL SUPPORT.—The Secretary may provide technical support for the development and implementation of floodplain management plans prepared under this paragraph.

(4) USE OF FUNDS.—

(A) IN GENERAL.—Assistance provided under this subsection may be used—

(i) for any rehabilitation activity to maximize overall risk reduction associated with a levee under a participating State or tribal levee safety program; and

(ii) only for a levee that is not federally operated and maintained.

(B) PROHIBITION.—Assistance provided under this subsection shall not be used—

(i) to perform routine operation or maintenance for a levee; or

(ii) to make any modification to a levee that does not result in an improvement to public safety.

(5) NO PROPRIETARY INTEREST.—A contract for assistance provided under this subsection shall not be considered to confer any proprietary interest on the United States.

(6) COST-SHARE.—The maximum Federal share of the cost of any assistance provided under this subsection shall be 65 percent.

(7) PROJECT LIMIT.—The maximum amount of Federal assistance for a project under this subsection shall be \$10,000,000.

(8) OTHER LAWS.—Assistance provided under this subsection shall be subject to all applicable laws (including regulations) that apply to the construction of a civil works project of the Corps of Engineers.

(k) EFFECT OF SECTION.—Nothing in this section—

(1) affects the requirement under section 100226(b)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942); or

(2) confers any regulatory authority on—

(A) the Secretary; or

(B) the Director of the Federal Emergency Management Agency, including for the purpose of setting premium rates under the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

SEC. 6005. NATIONAL LEEVE SAFETY ADVISORY BOARD.

(a) ESTABLISHMENT.—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall establish a board, to be known as the “National Levee Safety Advisory Board”—

(1) to advise the Secretary and Congress regarding consistent approaches to levee safety;

(2) to monitor the safety of levees in the United States;

(3) to assess the effectiveness of the national levee safety program; and

(4) to ensure that the national levee safety program is carried out in a manner that is consistent with other Federal flood risk management efforts.

(b) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Board shall be composed of the following 14 voting mem-

bers, each of whom shall be appointed by the Secretary, with priority consideration given to representatives from those States that have the most Corps of Engineers levees in the State, based on mileage:

(A) 8 representatives of State levee safety programs, 1 from each of the civil works divisions of the Corps of Engineers.

(B) 2 representatives of the private sector who have expertise in levee safety.

(C) 2 representatives of local and regional governmental agencies who have expertise in levee safety.

(D) 2 representatives of Indian tribes who have expertise in levee safety.

(2) NONVOTING MEMBERS.—The Secretary (or a designee of the Secretary), the Administrator of the Federal Emergency Management Agency (or a designee of the Administrator), and the administrator of the national levee safety program appointed under section 6004(b)(1)(A) shall serve as nonvoting members of the Board.

(3) CHAIRPERSON.—The voting members of the Board shall appoint a chairperson from among the voting members of the Board, to serve a term of not more than 2 years.

(c) QUALIFICATIONS.—

(1) INDIVIDUALS.—Each voting member of the Board shall be knowledgeable in the field of levee safety, including water resources and flood risk management.

(2) AS A WHOLE.—The membership of the Board, considered as a whole, shall represent the diversity of skills required to advise the Secretary regarding levee issues relating to—

(A) engineering;

(B) public communications;

(C) program development and oversight;

(D) with respect to levees, flood risk management and hazard mitigation; and

(E) public safety and the environment.

(d) TERMS OF SERVICE.—

(1) IN GENERAL.—A voting member of the Board shall be appointed for a term of 3 years, except that, of the members first appointed—

(A) 5 shall be appointed for a term of 1 year;

(B) 5 shall be appointed for a term of 2 years; and

(C) 4 shall be appointed for a term of 3 years.

(2) REAPPOINTMENT.—A voting member of the Board may be reappointed to the Board, as the Secretary determines to be appropriate.

(3) VACANCIES.—A vacancy on the Board shall be filled in the same manner as the original appointment was made.

(e) STANDING COMMITTEES.—

(1) IN GENERAL.—The Board shall be supported by Standing Committees, which shall be comprised of volunteers from all levels of government and the private sector, to advise the Board regarding the national levee safety program.

(2) ESTABLISHMENT.—The Standing Committees of the Board shall include—

(A) the Standing Committee on Participating Programs, which shall advise the Board regarding—

(i) the development and implementation of State and tribal levee safety programs; and

(ii) appropriate incentives (including financial assistance) to be provided to States, Indian tribes, and local and regional entities;

(B) the Standing Committee on Technical Issues, which shall advise the Board regarding—

(i) the management of the national levee database;

(ii) the development and maintenance of levee safety guidelines;

(iii) processes and materials for developing levee-related technical assistance and training; and

(iv) research and development activities relating to levee safety;

(C) the Standing Committee on Public Education and Awareness, which shall advise the Board regarding the development, implementation, and evaluation of targeted public outreach programs—

(i) to gather public input;

(ii) to educate and raise awareness in leveed areas of levee risks;

(iii) to communicate information regarding participating programs; and

(iv) to track the effectiveness of public education efforts relating to levee risks;

(D) the Standing Committee on Safety and Environment, which shall advise the Board regarding—

(i) operation and maintenance activities for existing levee projects;

(ii) opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees;

(iii) opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and

(iv) opportunities for collaboration by environmental protection and public safety interests in leveed areas and adjacent areas; and

(E) such other standing committees as the Secretary, in consultation with the Board, determines to be necessary.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall recommend to the Secretary for approval individuals for membership on the Standing Committees.

(B) QUALIFICATIONS.—

(i) INDIVIDUALS.—Each member of a Standing Committee shall be knowledgeable in the issue areas for which the Committee is charged with advising the Board.

(ii) AS A WHOLE.—The membership of each Standing Committee, considered as a whole, shall represent, to the maximum extent practicable, broad geographical diversity.

(C) LIMITATION.—Each Standing Committee shall be comprised of not more than 10 members.

(f) DUTIES AND POWERS.—The Board—

(1) shall submit to the Secretary and Congress an annual report regarding the effectiveness of the national levee safety program in accordance with section 6007; and

(2) may secure from other Federal agencies such services, and enter into such contracts, as the Board determines to be necessary to carry out this subsection.

(g) TASK FORCE COORDINATION.—The Board shall, to the maximum extent practicable, coordinate the activities of the Board with the Federal Interagency Floodplain Management Task Force.

(h) COMPENSATION.—

(1) FEDERAL EMPLOYEES.—Each member of the Board who is an officer or employee of the United States shall serve without compensation in addition to compensation received for the services of the member as an officer or employee of the United States, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(2) NON-FEDERAL EMPLOYEES.—To the extent amounts are made available to carry

out this section in appropriations Acts, the Secretary shall provide to each member of the Board who is not an officer or employee of the United States a stipend and a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Board.

(3) **STANDING COMMITTEE MEMBERS.**—Each member of a Standing Committee shall—

- (A) serve in a voluntary capacity; but
- (B) receive a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Board.

(i) **NONAPPLICABILITY OF FACAs.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board or the Standing Committees.

SEC. 6006. INVENTORY AND INSPECTION OF LEVEES.

Section 9004(a)(2)(A) of the Water Resources Development Act of 2007 (33 U.S.C. 3303(a)(2)(A)) is amended by striking “and, for non-Federal levees, such information on levee location as is provided to the Secretary by State and local governmental agencies” and inserting “and updated levee information provided by States, Indian tribes, Federal agencies, and other entities”.

SEC. 6007. REPORTS.

(a) **STATE OF LEVEES.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Secretary in coordination with the Board, shall submit to Congress a report describing the state of levees in the United States and the effectiveness of the national levee safety program, including—

- (A) progress achieved in implementing the national levee safety program;
- (B) State and tribal participation in the national levee safety program;
- (C) recommendations to improve coordination of levee safety, floodplain management, and environmental protection concerns, including—
 - (i) identifying and evaluating opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees; and
 - (ii) evaluating opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and

(D) any recommendations for legislation and other congressional actions necessary to ensure national levee safety.

(2) **INCLUSION.**—Each report under paragraph (1) shall include a report of the Board that describes the independent recommendations of the Board for the implementation of the national levee safety program.

(b) **NATIONAL DAM AND LEVEE SAFETY PROGRAM.**—Not later than 3 years after the date of enactment of this Act, to the maximum extent practicable, the Secretary, in coordination with the Board, shall submit to Congress a report that includes recommendations regarding the advisability and feasibility of, and potential approaches for, establishing a joint national dam and levee safety program.

(c) **ALIGNMENT OF FEDERAL PROGRAMS RELATING TO LEVEES.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to Con-

gress a report on opportunities for alignment of Federal programs to provide incentives to State, tribal, and local governments and individuals and entities—

- (1) to promote shared responsibility for levee safety;
- (2) to encourage the development of strong State and tribal levee safety programs;
- (3) to better align the national levee safety program with other Federal flood risk management programs; and
- (4) to promote increased levee safety through other Federal programs providing assistance to State and local governments.

(d) **LIABILITY FOR CERTAIN LEVEE ENGINEERING PROJECTS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes recommendations that identify and address any legal liability associated with levee engineering projects that prevent—

- (1) levee owners from obtaining needed levee engineering services; or
- (2) development and implementation of a State or tribal levee safety program.

SEC. 6008. EFFECT OF TITLE.

Nothing in this title—

- (1) establishes any liability of the United States or any officer or employee of the United States (including the Board and the Standing Committees of the Board) for any damages caused by any action or failure to act; or
- (2) relieves an owner or operator of a levee of any legal duty, obligation, or liability incident to the ownership or operation of the levee.

SEC. 6009. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this title—

- (1) for funding the administration and staff of the national levee safety program, the Board, the Standing Committees of the Board, and participating programs, \$5,000,000 for each of fiscal years 2014 through 2023;
- (2) for technical programs, including the development of levee safety guidelines, publications, training, and technical assistance—
 - (A) \$5,000,000 for each of fiscal years 2014 through 2018;
 - (B) \$7,500,000 for each of fiscal years 2019 and 2020; and
 - (C) \$10,000,000 for each of fiscal years 2021 through 2023;
- (3) for public involvement and education programs, \$3,000,000 for each of fiscal years 2014 through 2023;
- (4) to carry out the levee inventory and inspections under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303), \$30,000,000 for each of fiscal years 2014 through 2018;
- (5) for grants to State and tribal levee safety programs, \$300,000,000 for fiscal years 2014 through 2023; and
- (6) for levee rehabilitation assistance grants, \$300,000,000 for fiscal years 2014 through 2023.

TITLE VII—INLAND WATERWAYS

SEC. 7001. PURPOSES.

The purposes of this title are—

- (1) to improve program and project management relating to the construction and major rehabilitation of navigation projects on inland waterways;
- (2) to optimize inland waterways navigation system reliability;
- (3) to minimize the size and scope of inland waterways navigation project completion schedules;

(4) to eliminate preventable delays in inland waterways navigation project completion schedules; and

(5) to make inland waterways navigation capital investments through the use of prioritization criteria that seek to maximize systemwide benefits and minimize overall system risk.

SEC. 7002. DEFINITIONS.

In this title:

(1) **INLAND WATERWAYS TRUST FUND.**—The term “Inland Waterways Trust Fund” means the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) **QUALIFYING PROJECT.**—The term “qualifying project” means any construction or major rehabilitation project for navigation infrastructure of the inland and intracoastal waterways that is—

- (A) authorized before, on, or after the date of enactment of this Act;
- (B) not completed on the date of enactment of this Act; and
- (C) funded at least in part from the Inland Waterways Trust Fund.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

SEC. 7003. PROJECT DELIVERY PROCESS REFORMS.

(a) **REQUIREMENTS FOR QUALIFYING PROJECTS.**—With respect to each qualifying project, the Secretary shall require—

- (1) formal project management training and certification for each project manager;
- (2) assignment as project manager only of personnel fully certified by the Chief of Engineers; and
- (3) for an applicable cost estimation, that—
 - (A) the estimation—
 - (i) is risk-based; and
 - (ii) has a confidence level of at least 80 percent; and
 - (B) a risk-based cost estimate shall be implemented—
 - (i) for a qualified project that requires an increase in the authorized amount in accordance with section 902 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4183), during the preparation of a post-authorization change report or other similar decision document;
 - (ii) for a qualified project for which the first construction contract has not been awarded, prior to the award of the first construction contract;
 - (iii) for a qualified project without a completed Chief of Engineers report, prior to the completion of such a report; and
 - (iv) for a qualified project with a completed Chief of Engineers report that has not yet been authorized, during design for the qualified project.

(b) **ADDITIONAL PROJECT DELIVERY PROCESS REFORMS.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

- (1) establish a system to identify and apply on a continuing basis lessons learned from prior or ongoing qualifying projects to improve the likelihood of on-time and on-budget completion of qualifying projects;
- (2) evaluate early contractor involvement acquisition procedures to improve on-time and on-budget project delivery performance; and
- (3) implement any additional measures that the Secretary determines will achieve the purposes of this title and the amendments made by this title, including, as the Secretary determines to be appropriate—
 - (A) the implementation of applicable practices and procedures developed pursuant to

management by the Secretary of an applicable military construction program;

(B) the establishment of 1 or more centers of expertise for the design and review of qualifying projects;

(C) the development and use of a portfolio of standard designs for inland navigation locks;

(D) the use of full-funding contracts or formulation of a revised continuing contracts clause; and

(E) the establishment of procedures for recommending new project construction starts using a capital projects business model.

(c) PILOT PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may carry out 1 or more pilot projects to evaluate processes or procedures for the study, design, or construction of qualifying projects.

(2) INCLUSIONS.—At a minimum, the Secretary shall carry out pilot projects under this subsection to evaluate—

(A) early contractor involvement in the development of features and components;

(B) an appropriate use of continuing contracts for the construction of features and components; and

(C) applicable principles, procedures, and processes used for military construction projects.

(d) INLAND WATERWAYS USER BOARD.—Section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) DUTIES OF USERS BOARD.—

“(1) IN GENERAL.—The Users Board shall meet not less frequently than semiannually to develop and make recommendations to the Secretary and Congress regarding the inland waterways and inland harbors of the United States.

“(2) ADVICE AND RECOMMENDATIONS.—For commercial navigation features and components of the inland waterways and inland harbors of the United States, the Users Board shall provide—

“(A) prior to the development of the budget proposal of the President for a given fiscal year, advice and recommendations to the Secretary regarding construction and rehabilitation priorities and spending levels;

“(B) advice and recommendations to Congress regarding any report of the Chief of Engineers relating to those features and components;

“(C) advice and recommendations to Congress regarding an increase in the authorized cost of those features and components;

“(D) not later than 60 days after the date of the submission of the budget proposal of the President to Congress, advice and recommendations to Congress regarding construction and rehabilitation priorities and spending levels; and

“(E) a long-term capital investment program in accordance with subsection (d).

“(3) PROJECT DEVELOPMENT TEAMS.—The chairperson of the Users Board shall appoint a representative of the Users Board to serve on the project development team for a qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

“(4) INDEPENDENT JUDGMENT.—Any advice or recommendation made by the Users Board to the Secretary shall reflect the independent judgment of the Users Board.”;

(2) by redesignating subsection (c) as subsection (f); and

(3) by inserting after subsection (b) the following:

“(c) DUTIES OF SECRETARY.—The Secretary shall—

“(1) communicate not less than once each quarter to the Users Board the status of the study, design, or construction of all commercial navigation features or components of the inland waterways or inland harbors of the United States; and

“(2) submit to the Users Board a courtesy copy of all reports of the Chief of Engineers relating to a commercial navigation feature or component of the inland waterways or inland harbors of the United States.

“(d) CAPITAL INVESTMENT PROGRAM.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Users Board, shall develop, and submit to Congress a report describing, a 20-year program for making capital investments on the inland and intracoastal waterways, based on the application of objective, national project selection prioritization criteria.

“(2) CONSIDERATION.—In developing the program under paragraph (1), the Secretary shall take into consideration the 20-year capital investment strategy contained in the Inland Marine Transportation System (IMTS) Capital Projects Business Model, Final Report published on April 13, 2010, as approved by the Users Board.

“(3) CRITERIA.—In developing the plan and prioritization criteria under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that investments made under the 20-year program described in paragraph (1)—

“(A) are made in all geographical areas of the inland waterways system; and

“(B) ensure efficient funding of inland waterways projects.

“(4) STRATEGIC REVIEW AND UPDATE.—Not later than 5 years after the date of enactment of this subsection, and not less frequently than once every 5 years thereafter, the Secretary, in conjunction with the Users Board, shall—

“(A) submit to Congress a strategic review of the 20-year program in effect under this subsection, which shall identify and explain any changes to the project-specific recommendations contained in the previous 20-year program (including any changes to the prioritization criteria used to develop the updated recommendations); and

“(B) make such revisions to the program as the Secretary and Users Board jointly consider to be appropriate.

“(e) PROJECT MANAGEMENT PLANS.—The chairperson of the Users Board and the project development team member appointed by the chairperson under subsection (b)(3) shall sign the project management plan for the qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.”.

SEC. 7004. MAJOR REHABILITATION STANDARDS.

Section 205(1)(E)(ii) of the Water Resources Development Act of 1992 (33 U.S.C. 2327(1)(E)(ii)) is amended by striking “\$8,000,000” and inserting “\$20,000,000”.

SEC. 7005. INLAND WATERWAYS SYSTEM REVENUES.

(a) FINDINGS.—Congress finds that—

(1) there are approximately 12,000 miles of Federal waterways, known as the inland waterways system, that are supported by user fees and managed by the Corps of Engineers;

(2) the inland waterways system spans 38 States and handles approximately one-half of all inland waterway freight;

(3) according to the final report of the Inland Marine Transportation System Capital

Projects Business Model, freight traffic on the Federal fuel-taxed inland waterways system accounts for 546,000,000 tons of freight each year;

(4) expenditures for construction and major rehabilitation projects on the inland waterways system are equally cost-shared between the Federal Government and the Inland Waterways Trust Fund;

(5) the Inland Waterways Trust Fund is financed through a fee of \$0.20 per gallon on fuel used by commercial barges;

(6) the balance of the Inland Waterways Trust Fund has declined significantly in recent years;

(7) according to the final report of the Inland Marine Transportation System Capital Projects Business Model, the estimated financial need for construction and major rehabilitation projects on the inland waterways system for fiscal years 2011 through 2030 is approximately \$18,000,000,000; and

(8) users of the inland waterways system are supportive of an increase in the existing revenue sources for inland waterways system construction and major rehabilitation activities to expedite the most critical of those construction and major rehabilitation projects.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the existing revenue sources for inland waterways system construction and rehabilitation activities are insufficient to cover the costs of non-Federal interests of construction and major rehabilitation projects on the inland waterways system; and

(2) the issue described in paragraph (1) should be addressed.

SEC. 7006. EFFICIENCY OF REVENUE COLLECTION.

Not later than 2 years after the date of enactment of this Act, the Comptroller General shall prepare a report on the efficiency of collecting the fuel tax for the Inland Waterways Trust Fund, which shall include—

(1) an evaluation of whether current methods of collection of the fuel tax result in full compliance with requirements of the law;

(2) whether alternative methods of collection would result in increased revenues into the Inland Waterways Trust Fund; and

(3) an evaluation of alternative collection options.

SEC. 7007. GAO STUDY, OLMSTED LOCKS AND DAM, LOWER OHIO RIVER, ILLINOIS AND KENTUCKY.

As soon as practicable after the date of enactment of this Act, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study to determine why, and to what extent, the project for navigation, Lower Ohio River, Locks and Dams 52 and 53, Illinois and Kentucky (commonly known as the “Olmsted Locks and Dam project”), authorized by section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013), has exceeded the budget for the project and the reasons why the project failed to be completed as scheduled, including an assessment of—

(1) engineering methods used for the project;

(2) the management of the project;

(3) contracting for the project;

(4) the cost to the United States of benefits foregone due to project delays; and

(5) such other contributory factors as the Comptroller General determines to be appropriate.

SEC. 7008. OLMSTED LOCKS AND DAM, LOWER OHIO RIVER, ILLINOIS AND KENTUCKY.

Section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013) is amended by striking “and with the costs of construction” and all that follows through the period at the end and inserting “which amount shall be appropriated from the general fund of the Treasury.”.

TITLE VIII—HARBOR MAINTENANCE

SEC. 8001. SHORT TITLE.

This title may be cited as the “Harbor Maintenance Trust Fund Act of 2013”.

SEC. 8002. PURPOSES.

The purposes of this title are—

(1) to ensure that revenues collected into the Harbor Maintenance Trust Fund are used for the intended purposes of those revenues;

(2) to increase investment in the operation and maintenance of United States ports, which are critical for the economic competitiveness of the United States;

(3) to promote equity among ports nationwide;

(4) to ensure United States ports are prepared to meet modern shipping needs, including the capability to receive large ships that require deeper drafts; and

(5) to prevent cargo diversion from United States ports.

SEC. 8003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) **DEFINITIONS.**—In this section:

(1) **TOTAL BUDGET RESOURCES.**—The term “total budget resources” means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.

(2) **LEVEL OF RECEIPTS PLUS INTEREST.**—The term “level of receipts plus interest” means the level of taxes and interest credited to the Harbor Maintenance Trust Fund under section 9505 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget baseline projection, as determined under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

(b) **MINIMUM RESOURCES.**—

(1) **MINIMUM RESOURCES.**—

(A) **IN GENERAL.**—The total budget resources made available to the Secretary from the Harbor Maintenance Trust Fund shall be not less than the lesser of—

(i) (I) for fiscal year 2014, \$1,000,000,000;

(II) for fiscal year 2015, \$1,100,000,000;

(III) for fiscal year 2016, \$1,200,000,000;

(IV) for fiscal year 2017, \$1,300,000,000;

(V) for fiscal year 2018, \$1,400,000,000; and

(VI) for fiscal year 2019, \$1,500,000,000; and

(ii) the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year.

(B) **FISCAL YEAR 2020 AND SUBSEQUENT FISCAL YEARS.**—For fiscal year 2020 and each fiscal year thereafter, the total budget resources made available to the Secretary from the Harbor Maintenance Trust Fund shall be not less than the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year.

(2) **USE OF AMOUNTS.**—The amounts described in paragraph (1) may be used only for harbor maintenance programs described in section 9505(c) of the Internal Revenue Code of 1986.

(c) **IMPACT ON OTHER FUNDS.**—

(1) **IN GENERAL.**—Subject to paragraph (3), subsection (b)(1) shall not apply if providing

the minimum resources required under that subsection would result in making the amounts made available for the applicable fiscal year to carry out all programs, projects, and activities of the civil works program of the Corps of Engineers, other than the harbor maintenance programs, to be less than the amounts made available for those purposes in the previous fiscal year.

(2) **CALCULATION OF AMOUNTS.**—For each fiscal year, the amounts made available to carry out all programs, projects, and activities of the civil works program of the Corps of Engineers shall not include any amounts that are designated by Congress—

(A) as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); or

(B) as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)).

(3) **EXCEPTIONS.**—Paragraph (1) shall not apply if—

(A) amounts made available for the civil works program of the Corps of Engineers for a fiscal year are less than the amounts made available for the civil works program in the previous fiscal year; and

(B) the reduction in amounts made available—

(i) applies to all discretionary funds and programs of the Federal Government; and

(ii) is applied to the civil works program in the same percentage and manner as other discretionary funds and programs.

SEC. 8004. HARBOR MAINTENANCE TRUST FUND PRIORITIZATION.

(a) **IN GENERAL.**—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended by adding at the end the following:

“(c) **PRIORITIZATION.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **CONSTRUCTED WIDTH AND DEPTH.**—The term ‘constructed width and depth’ means the depth to which a project has been constructed, which shall not exceed the authorized width and depth of the project.

“(B) **GREAT LAKES NAVIGATION SYSTEM.**—The term ‘Great Lakes Navigation System’ includes—

“(i) (I) Lake Superior;

(II) Lake Huron;

(III) Lake Michigan; and

(IV) Lake Erie; and

(V) Lake Ontario;

“(ii) all connecting waters between the lakes referred to in clause (i) used for commercial navigation;

“(iii) any navigation features in the lakes referred to in clause (i) or waters described in clause (ii) that are a Federal operation or maintenance responsibility; and

“(iv) areas of the Saint Lawrence River that are operated or maintained by the Federal Government for commercial navigation.

“(C) **HIGH-USE DEEP DRAFT.**—

“(i) **IN GENERAL.**—The term ‘high-use deep draft’ means a project that has a depth of greater than 14 feet with not less than 10,000,000 tons of cargo annually.

“(ii) **EXCLUSION.**—The term ‘high-use deep draft’ does not include a project located in the Great Lakes Navigation System.

“(2) **PRIORITY.**—Of the amounts made available under this section to carry out projects described in subsection (a)(2) that are in excess of the amounts made available to carry out those projects in fiscal year 2012, the Secretary of the Army, acting through the Chief of Engineers, shall give priority to those projects in the following order:

“(A)(i) In any fiscal year in which all projects subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation) are not maintained to their constructed width and depth, the Secretary shall prioritize amounts made available under this section for those projects that are high-use deep draft and are a priority for navigation in the Great Lakes Navigation System.

“(ii) Of the amounts made available under clause (i)—

“(I) 80 percent shall be used for projects that are high-use deep draft; and

“(II) 20 percent shall be used for projects that are a priority for navigation in the Great Lakes Navigation System.

“(B) In any fiscal year in which all projects identified as high-use deep draft are maintained to their constructed width and depth, the Secretary shall prioritize amounts made available under this section for those projects that are not maintained to the minimum width and depth necessary to provide sufficient clearance for fully loaded commercial vessels using those projects to maneuver safely.

“(C) In any fiscal year in which all projects identified as high-use deep draft are maintained to their constructed width and depth, the Secretary shall prioritize 10 percent of remaining amounts made available under this section for projects—

“(i) that have been maintained at less than their authorized width and depth during the preceding 5 fiscal years; and

“(ii) for which significant State and local investments in infrastructure have been made at those projects.

“(3) **ADMINISTRATION.**—For purposes of this subsection, State and local investments in infrastructure shall include infrastructure investments made using amounts made available for activities under section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)).

“(4) **EXCEPTIONS.**—The Secretary may prioritize a project not identified in paragraph (2) if the Secretary determines that funding for the project is necessary to address—

“(A) hazardous navigation conditions; or

“(B) impacts of natural disasters, including storms and droughts.”.

(b) **OPERATION AND MAINTENANCE.**—Section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)) is amended—

(1) in paragraph (1), by striking “45 feet” and inserting “50 feet”; and

(2) by adding at the end the following:

“(3) **OPERATION AND MAINTENANCE ACTIVITIES DEFINED.**—

“(A) **SCOPE OF OPERATION AND MAINTENANCE ACTIVITIES.**—Notwithstanding any other provision of law (including regulations and guidelines) and subject to subparagraph (B), for purposes of this subsection, operation and maintenance activities that are eligible for the Federal cost share under paragraph (1) shall include—

“(i) the dredging of berths in a harbor that is accessible to a Federal channel, if the Federal channel has been constructed to a depth equal to the authorized depth of the channel; and

“(ii) the dredging and disposal of legacy-contaminated sediments and sediments unsuitable for ocean disposal that—

“(I) are located in or affect the maintenance of Federal navigation channels; or

“(II) are located in berths that are accessible to Federal channels.

“(B) **LIMITATIONS.**—

“(i) IN GENERAL.—For each fiscal year, subject to section 210(c)(2), subparagraph (A) shall only apply—

“(I) to the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012; and

“(II) if, in that fiscal year, all projects identified as high-use deep draft (as defined in section 210(c)) are maintained to their constructed width and depth.

“(ii) STATE LIMITATION.—For each fiscal year, the operation and maintenance activities described in subparagraph (A) may only be carried out in a State—

“(I) in which the total amounts collected pursuant to section 4461 of the Internal Revenue Code of 1986 comprise not less than 2.5 percent annually of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986; and

“(II) that received less than 50 percent of the total amounts collected in that State pursuant to section 4461 of the Internal Revenue Code of 1986 in the previous 3 fiscal years.

“(iii) PRIORITIZATION.—In allocating amounts made available under this paragraph, the Secretary shall give priority to projects that have received the lowest amount of funding from the Harbor Maintenance Trust Fund in comparison to the amount of funding contributed to the Harbor Maintenance Trust Fund in the previous 3 fiscal years.

“(iv) MAXIMUM AMOUNT.—The total amount made available in each fiscal year to carry out this paragraph shall not exceed the lesser of—

“(I) amount that is equal to 40 percent of the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012; and

“(II) the amount that is equal to 20 percent of the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section.

“(4) DONOR PORTS AND PORTS CONTRIBUTING TO ENERGY PRODUCTION.—

“(A) DEFINITIONS.—In this paragraph:

“(i) CARGO CONTAINER.—The term ‘cargo container’ means a cargo container that has an inside volume of not less than 20 feet.

“(ii) ELIGIBLE DONOR PORT.—The term, ‘eligible donor port’ means a port—

“(I) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

“(II)(aa) at which the total amounts collected pursuant to section 4461 of the Internal Revenue Code of 1986 comprise not less than \$15,000,000 annually of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986; and

“(bb) that received less than 25 percent of the total amounts collected at that port pursuant to section 4461 of the Internal Revenue Code of 1986 in the previous 5 fiscal years; and

“(III) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded on to vessels in calendar year 2011.

“(iii) ELIGIBLE ENERGY TRANSFER PORT.—The term ‘eligible energy transfer port’ means a port—

“(I) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code

of Federal Regulation (or successor regulation); and

“(II)(aa) at which energy commodities comprised greater than 25 percent of all commercial activity by tonnage in calendar year 2011; and

“(bb) through which more than 40 million tons of cargo were transported in calendar year 2011.

“(iv) ENERGY COMMODITY.—The term ‘energy commodity’ includes—

“(I) petroleum products;

“(II) natural gas;

“(III) coal;

“(IV) wind and solar energy components; and

“(V) biofuels.

“(B) ADDITIONAL USES.—

“(i) IN GENERAL.—Subject to appropriations, the Secretary may provide to eligible donor ports and eligible energy transfer ports amounts in accordance with clause (ii).

“(ii) LIMITATIONS.—The amounts described in clause (i)—

“(I) made available for eligible energy transfer ports shall be divided equally among all States with an eligible energy transfer port; and

“(II) shall be made available only to a port as either an eligible donor port or an eligible energy transfer port.

“(C) USES.—Amounts provided to an eligible port under this paragraph may only be used by that port—

“(i) to provide payments to importers entering cargo or shippers transporting cargo through an eligible donor port or eligible energy transfer port, as calculated by U.S. Customs and Border Protection;

“(ii) to dredge berths in a harbor that is accessible to a Federal channel;

“(iii) to dredge and dispose of legacy-contaminated sediments and sediments unsuitable for ocean disposal that—

“(I) are located in or affect the maintenance of Federal navigation channels; or

“(II) are located in berths that are accessible to Federal channels; or

“(iv) for environmental remediation related to dredging berths and Federal navigation channels.

“(D) ADMINISTRATION OF PAYMENTS.—If an eligible donor port or eligible energy transfer port elects to provide payments to importers or shippers in accordance with subparagraph (C)(i), the Secretary shall transfer the amounts that would be provided to the port under this paragraph to the Commissioner of U.S. Customs and Border Protection to provide the payments to the importers or shippers.

“(E) AUTHORIZATION OF APPROPRIATIONS.—

“(i) IN GENERAL.—For fiscal years 2014 through 2024, if the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated from the Harbor Maintenance Trust Fund to carry out this paragraph the sum obtained by adding—

“(I) \$50,000,000; and

“(II) the amount that is equal to 10 percent of the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012.

“(ii) DIVISION BETWEEN ELIGIBLE DONOR PORTS AND ELIGIBLE ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available shall be divided equally between eligible donor ports and eligible energy transfer ports.”.

(c) CONFORMING AMENDMENT.—Section 9505(c)(1) of the Internal Revenue Code of 1986 is amended by striking “as in effect on the date of the enactment of the Water Resources Development Act of 1996” and inserting “as in effect on the date of the enactment of the Harbor Maintenance Trust Fund Act of 2013”.

TITLE IX—DAM SAFETY

SEC. 9001. SHORT TITLE.

This title may be cited as the “Dam Safety Act of 2013”.

SEC. 9002. PURPOSE.

The purpose of this title and the amendments made by this title is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of the Federal Government and non-Federal interests in achieving national dam safety hazard reduction.

SEC. 9003. ADMINISTRATOR.

(a) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator”.

(b) CONFORMING AMENDMENT.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(3) by inserting before paragraph (2) (as redesignated by paragraph (2)) the following:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.”.

SEC. 9004. INSPECTION OF DAMS.

Section 3(b)(1) of the National Dam Safety Program Act (33 U.S.C. 467a(b)(1)) is amended by striking “or maintenance” and inserting “maintenance, condition, or provisions for emergency operations”.

SEC. 9005. NATIONAL DAM SAFETY PROGRAM.

(a) OBJECTIVES.—Section 8(c) of the National Dam Safety Program Act (33 U.S.C. 467f(c)) is amended by striking paragraph (4) and inserting the following:

“(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents;”.

(b) BOARD.—Section 8(f)(4) of the National Dam Safety Program Act (33 U.S.C. 467f(f)(4)) is amended by inserting “, representatives from nongovernmental organizations,” after “State agencies”.

SEC. 9006. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 11, 12, and 13 as sections 12, 13, and 14, respectively; and

(2) by inserting after section 10 (33 U.S.C. 467g–1) the following:

“SEC. 11. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

“The Administrator, in consultation with other Federal agencies, State and local governments, dam owners, the emergency management community, the private sector, nongovernmental organizations and associations, institutions of higher education, and any other appropriate entities shall carry out a nationwide public awareness and outreach program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.”.

SEC. 9007. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL DAM SAFETY PROGRAM.—

(1) ANNUAL AMOUNTS.—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(1)) (as so redesignated) is amended by striking “\$6,500,000” and all that follows through “2011” and inserting “\$9,200,000 for each of fiscal years 2014 through 2018”.

(2) MAXIMUM AMOUNT OF ALLOCATION.—Section 14(a)(2)(B) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(2)(B)) (as so redesignated) is amended—

(A) by striking “The amount” and inserting the following:

“(i) IN GENERAL.—The amount”; and

(B) by adding at the end the following:

“(ii) FISCAL YEAR 2014 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2014 and each subsequent fiscal year, the amount of funds allocated to a State under this paragraph may not exceed the amount of funds committed by the State to implement dam safety activities.”.

(b) NATIONAL DAM INVENTORY.—Section 14(b) of the National Dam Safety Program Act (33 U.S.C. 467j(b)) (as so redesignated) is amended by striking “\$650,000” and all that follows through “2011” and inserting “\$500,000 for each of fiscal years 2014 through 2018”.

(c) PUBLIC AWARENESS.—Section 14 of the National Dam Safety Program Act (33 U.S.C. 467j) (as so redesignated) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) PUBLIC AWARENESS.—There is authorized to be appropriated to carry out section 11 \$1,000,000 for each of fiscal years 2014 through 2018.”.

(d) RESEARCH.—Section 14(d) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$1,600,000” and all that follows through “2011” and inserting “\$1,450,000 for each of fiscal years 2014 through 2018”.

(e) DAM SAFETY TRAINING.—Section 14(e) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$550,000” and all that follows through “2011” and inserting “\$750,000 for each of fiscal years 2014 through 2018”.

(f) STAFF.—Section 14(f) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$700,000” and all that follows through “2011” and inserting “\$1,000,000 for each of fiscal years 2014 through 2018”.

TITLE X—INNOVATIVE FINANCING PILOT PROJECTS

SEC. 10001. SHORT TITLE.

This title may be cited as the “Water Infrastructure Finance and Innovation Act of 2013”.

SEC. 10002. PURPOSES.

The purpose of this title is to establish a pilot program to assess the ability of innovative financing tools to—

(1) promote increased development of critical water resources infrastructure by establishing additional opportunities for financing water resources projects that complement but do not replace or reduce existing Federal infrastructure financing tools such as the State water pollution control revolving loan funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12);

(2) attract new investment capital to infrastructure projects that are capable of gener-

ating revenue streams through user fees or other dedicated funding sources;

(3) complement existing Federal funding sources and address budgetary constraints on the Corps of Engineers civil works program and existing wastewater and drinking water infrastructure financing programs;

(4) leverage private investment in water resources infrastructure;

(5) align investments in water resources infrastructure to achieve multiple benefits; and

(6) assist communities facing significant water quality, drinking water, or flood risk challenges with the development of water infrastructure projects.

SEC. 10003. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) COMMUNITY WATER SYSTEM.—The term “community water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(3) FEDERAL CREDIT INSTRUMENT.—The term “Federal credit instrument” means a secured loan or loan guarantee authorized to be made available under this title with respect to a project.

(4) INVESTMENT-GRADE RATING.—The term “investment-grade rating” means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

(5) LENDER.—

(A) IN GENERAL.—The term “lender” means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or a successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)).

(B) INCLUSIONS.—The term “lender” includes—

(i) a qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986) that is a qualified institutional buyer; and

(ii) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986) that is a qualified institutional buyer.

(6) LOAN GUARANTEE.—The term “loan guarantee” means any guarantee or other pledge by the Secretary or the Administrator to pay all or part of the principal of, and interest on, a loan or other debt obligation issued by an obligor and funded by a lender.

(7) OBLIGOR.—The term “obligor” means an eligible entity that is primarily liable for payment of the principal of, or interest on, a Federal credit instrument.

(8) PROJECT OBLIGATION.—

(A) IN GENERAL.—The term “project obligation” means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project.

(B) EXCLUSION.—The term “project obligation” does not include a Federal credit instrument.

(9) RATING AGENCY.—The term “rating agency” means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(10) SECURED LOAN.—The term “secured loan” means a direct loan or other debt obligation issued by an obligor and funded by the Secretary in connection with the financing of a project under section 10010.

(11) STATE.—The term “State” means—

- (A) a State;
- (B) the District of Columbia;
- (C) the Commonwealth of Puerto Rico; and
- (D) any other territory or possession of the United States.

(12) STATE INFRASTRUCTURE FINANCING AUTHORITY.—The term “State infrastructure financing authority” means the State entity established or designated by the Governor of a State to receive a capitalization grant provided by, or otherwise carry out the requirements of, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(13) SUBSIDY AMOUNT.—The term “subsidy amount” means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument, as calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(14) SUBSTANTIAL COMPLETION.—The term “substantial completion”, with respect to a project, means the earliest date on which a project is considered to perform the functions for which the project is designed.

(15) TREATMENT WORKS.—The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

SEC. 10004. AUTHORITY TO PROVIDE ASSISTANCE.

(a) IN GENERAL.—The Secretary and the Administrator may provide financial assistance under this title to carry out pilot projects, which shall be selected to ensure a diversity of project types and geographical locations.

(b) RESPONSIBILITY.—

(1) SECRETARY.—The Secretary shall carry out all pilot projects under this title that are eligible projects under section 10007(1).

(2) ADMINISTRATOR.—The Administrator shall carry out all pilot projects under this title that are eligible projects under paragraphs (2), (3), (4), (5), (6), and (8) of section 10007.

(3) OTHER PROJECTS.—The Secretary or the Administrator, as applicable, may carry out eligible projects under paragraph (7) or (9) of section 10007.

SEC. 10005. APPLICATIONS.

(a) IN GENERAL.—To receive assistance under this title, an eligible entity shall submit to the Secretary or the Administrator, as applicable, an application at such time, in such manner, and containing such information as the Secretary or the Administrator may require.

(b) COMBINED PROJECTS.—In the case of an eligible project described in paragraph (8) or (9) of section 10007, the Secretary or the Administrator, as applicable, shall require the eligible entity to submit a single application for the combined group of projects.

SEC. 10006. ELIGIBLE ENTITIES.

The following entities are eligible to receive assistance under this title:

- (1) A corporation.
- (2) A partnership.
- (3) A joint venture.
- (4) A trust.
- (5) A Federal, State, or local governmental entity, agency, or instrumentality.
- (6) A tribal government or consortium of tribal governments.
- (7) A State infrastructure financing authority.

SEC. 10007. PROJECTS ELIGIBLE FOR ASSISTANCE.

The following projects may be carried out with amounts made available under this title:

(1) A project for flood control or hurricane and storm damage reduction that the Secretary has determined is technically sound, economically justified, and environmentally acceptable, including—

(A) a structural or nonstructural measure to reduce flood risk, enhance stream flow, or protect natural resources; and

(B) a levee, dam, tunnel, aqueduct, reservoir, or other related water infrastructure.

(2) 1 or more activities that are eligible for assistance under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)), notwithstanding the public ownership requirement under paragraph (1) of that subsection.

(3) 1 or more activities described in section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)).

(4) A project for enhanced energy efficiency in the operation of a public water system or a publicly owned treatment works.

(5) A project for repair, rehabilitation, or replacement of a treatment works, community water system, or aging water distribution or waste collection facility (including a facility that serves a population or community of an Indian reservation).

(6) A brackish or sea water desalination project, a managed aquifer recharge project, or a water recycling project.

(7) Acquisition of real property or an interest in real property—

(A) if the acquisition is integral to a project described in paragraphs (1) through (6); or

(B) pursuant to an existing plan that, in the judgment of the Administrator or the Secretary, as applicable, would mitigate the environmental impacts of water resources infrastructure projects otherwise eligible for assistance under this section.

(8) A combination of projects, each of which is eligible under paragraph (2) or (3), for which a State infrastructure financing authority submits to the Administrator a single application.

(9) A combination of projects secured by a common security pledge, each of which is eligible under paragraph (1), (2), (3), (4), (5), (6), or (7), for which an eligible entity, or a combination of eligible entities, submits a single application.

SEC. 10008. ACTIVITIES ELIGIBLE FOR ASSISTANCE.

For purposes of this title, an eligible activity with respect to an eligible project includes the cost of—

(1) development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(2) construction, reconstruction, rehabilitation, and replacement activities;

(3) the acquisition of real property or an interest in real property (including water rights, land relating to the project, and improvements to land), environmental mitigation (including acquisitions pursuant to section 10007(7)), construction contingencies, and acquisition of equipment;

(4) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction; and

(5) refinancing interim construction funding, long-term project obligations, or a secured loan or loan guarantee made under this title.

SEC. 10009. DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.

(a) **ELIGIBILITY REQUIREMENTS.**—To be eligible to receive financial assistance under this title, a project shall meet the following criteria, as determined by the Secretary or Administrator, as applicable:

(1) **CREDITWORTHINESS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the project shall be creditworthy, which shall be determined by the Secretary or the Administrator, as applicable, who shall ensure that any financing for the project has appropriate security features, such as a rate covenant, to ensure repayment.

(B) **PRELIMINARY RATING OPINION LETTER.**—The Secretary or the Administrator, as applicable, shall require each project applicant to provide a preliminary rating opinion letter from at least 1 rating agency indicating that the senior obligations of the project (which may be the Federal credit instrument) have the potential to achieve an investment-grade rating.

(C) **SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.**—The Administrator shall develop a credit evaluation process for a Federal credit instrument provided to a State infrastructure financing authority for a project under section 10007(8) or an entity for a project under section 10007(9), which may include requiring the provision of a preliminary rating opinion letter from at least 1 rating agency.

(2) **ELIGIBLE PROJECT COSTS.**—The eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(3) **DEDICATED REVENUE SOURCES.**—The Federal credit instrument for the project shall be repayable, in whole or in part, from dedicated revenue sources that also secure the project obligations.

(4) **PUBLIC SPONSORSHIP OF PRIVATE ENTITIES.**—In the case of a project carried out by an entity that is not a State or local government or an agency or instrumentality of a State or local government or a tribal government or consortium of tribal governments, the project shall be publicly sponsored.

(5) **LIMITATION.**—No project receiving Federal credit assistance under this title may be financed or refinanced (directly or indirectly), in whole or in part, with proceeds of any obligation—

(A) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(B) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(b) **SELECTION CRITERIA.**—

(1) **ESTABLISHMENT.**—The Secretary or the Administrator, as applicable, shall establish criteria for the selection of projects that meet the eligibility requirements of subsection (a), in accordance with paragraph (2).

(2) **CRITERIA.**—The selection criteria shall include the following:

(A) The extent to which the project is nationally or regionally significant, with respect to the generation of economic and public benefits, such as—

(i) the reduction of flood risk;

(ii) the improvement of water quality and quantity, including aquifer recharge;

(iii) the protection of drinking water; and

(iv) the support of international commerce.

(B) The extent to which the project financing plan includes public or private financing in addition to assistance under this title.

(C) The likelihood that assistance under this title would enable the project to proceed at an earlier date than the project would otherwise be able to proceed.

(D) The extent to which the project uses new or innovative approaches.

(E) The amount of budget authority required to fund the Federal credit instrument made available under this title.

(F) The extent to which the project—

(i) protects against extreme weather events, such as floods or hurricanes; or

(ii) helps maintain or protect the environment.

(G) The extent to which a project serves regions with significant energy exploration, development, or production areas.

(H) The extent to which a project serves regions with significant water resource challenges, including the need to address—

(i) water quality concerns in areas of regional, national, or international significance;

(ii) water quantity concerns related to groundwater, surface water, or other water sources;

(iii) significant flood risk;

(iv) water resource challenges identified in existing regional, State, or multistate agreements; or

(v) water resources with exceptional recreational value or ecological importance.

(I) The extent to which assistance under this title reduces the contribution of Federal assistance to the project.

(3) **SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.**—For a project described in section 10007(8), the Administrator shall only consider the criteria described in subparagraphs (B) through (I) of paragraph (2).

(c) **FEDERAL REQUIREMENTS.**—Nothing in this section supersedes the applicability of other requirements of Federal law (including regulations).

SEC. 10010. SECURED LOANS.

(a) **AGREEMENTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) through (4), the Secretary or the Administrator, as applicable, may enter into agreements with 1 or more obligors to make secured loans, the proceeds of which shall be used—

(A) to finance eligible project costs of any project selected under section 10009;

(B) to refinance interim construction financing of eligible project costs of any project selected under section 10009; or

(C) to refinance long-term project obligations or Federal credit instruments, if that refinancing provides additional funding capacity for the completion, enhancement, or expansion of any project that—

(i) is selected under section 10009; or

(ii) otherwise meets the requirements of section 10009.

(2) **LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.**—A secured loan under paragraph (1) shall not be used to refinance interim construction financing under paragraph (1)(B) later than 1 year after the date of substantial completion of the applicable project.

(3) **FINANCIAL RISK ASSESSMENT.**—Before entering into an agreement under this subsection for a secured loan, the Secretary or the Administrator, as applicable, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under section 10009(a)(1)(B), shall determine an appropriate capital reserve subsidy amount for the secured loan, taking into account each such preliminary rating opinion letter.

(4) INVESTMENT-GRADE RATING REQUIREMENT.—The execution of a secured loan under this section shall be contingent on receipt by the senior obligations of the project of an investment-grade rating.

(b) TERMS AND LIMITATIONS.—

(1) IN GENERAL.—A secured loan provided for a project under this section shall be subject to such terms and conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits), as the Secretary or the Administrator, as applicable, determines to be appropriate.

(2) MAXIMUM AMOUNT.—The amount of a secured loan under this section shall not exceed the lesser of—

(A) an amount equal to 49 percent of the reasonably anticipated eligible project costs; and

(B) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.

(3) PAYMENT.—A secured loan under this section—

(A) shall be payable, in whole or in part, from State or local taxes, user fees, or other dedicated revenue sources that also secure the senior project obligations of the relevant project;

(B) shall include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(C) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

(4) INTEREST RATE.—The interest rate on a secured loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

(5) MATURITY DATE.—

(A) IN GENERAL.—The final maturity date of a secured loan under this section shall be not later than 35 years after the date of substantial completion of the relevant project.

(B) SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.—The final maturity date of a secured loan to a State infrastructure financing authority under this section shall be not later than 35 years after the date on which amounts are first disbursed.

(6) NONSUBORDINATION.—A secured loan under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor of the project.

(7) FEES.—The Secretary or the Administrator, as applicable, may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

(8) NON-FEDERAL SHARE.—The proceeds of a secured loan under this section may be used to pay any non-Federal share of project costs required if the loan is repayable from non-Federal funds.

(9) MAXIMUM FEDERAL INVOLVEMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for each project for which assistance is provided under this title, the total amount of Federal assistance shall not exceed 80 percent of the total project cost.

(B) EXCEPTION.—Subparagraph (A) shall not apply to any rural water project—

(i) that is authorized to be carried out by the Secretary of the Interior;

(ii) that includes among its beneficiaries a federally recognized Indian tribe; and

(iii) for which the authorized Federal share of the total project costs is greater than the amount described in subparagraph (A).

(c) REPAYMENT.—

(1) SCHEDULE.—The Secretary or the Administrator, as applicable, shall establish a repayment schedule for each secured loan provided under this section, based on the projected cash flow from project revenues and other repayment sources.

(2) COMMENCEMENT.—

(A) IN GENERAL.—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date of substantial completion of the project.

(B) SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.—Scheduled loan repayments of principal or interest on a secured loan to a State infrastructure financing authority under this title shall commence not later than 5 years after the date on which amounts are first disbursed.

(3) DEFERRED PAYMENTS.—

(A) AUTHORIZATION.—If, at any time after the date of substantial completion of a project for which a secured loan is provided under this section, the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the secured loan, the Secretary or the Administrator, as applicable, subject to subparagraph (C), may allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest in accordance with subsection (b)(4) until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the secured loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the project meeting such criteria as the Secretary or the Administrator, as applicable, may establish.

(ii) REPAYMENT STANDARDS.—The criteria established under clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and secured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay a secured loan under this section without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A secured loan under this section may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

(d) SALE OF SECURED LOANS.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the date of substantial completion of a project and after providing a notice to the obligor, the Secretary or the Administrator, as applicable, may sell to another entity or reoffer into the capital markets a secured loan for a project under this section, if the Secretary or the Administrator, as applicable, determines that the sale or reoffering can be made on favorable terms.

(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary or the Administrator, as applicable, may not change the original terms and conditions of the secured loan without the written consent of the obligor.

(e) LOAN GUARANTEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may provide a

loan guarantee to a lender in lieu of making a secured loan under this section, if the Secretary or the Administrator, as applicable, determines that the budgetary cost of the loan guarantee is substantially the same as that of a secured loan.

(2) TERMS.—The terms of a loan guarantee provided under this subsection shall be consistent with the terms established in this section for a secured loan, except that the rate on the guaranteed loan and any prepayment features shall be negotiated between the obligor and the lender, with the consent of the Secretary or the Administrator, as applicable.

SEC. 10011. PROGRAM ADMINISTRATION.

(a) REQUIREMENT.—The Secretary or the Administrator, as applicable, shall establish a uniform system to service the Federal credit instruments made available under this title.

(b) FEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may collect and spend fees, contingent on authority being provided in appropriations Acts, at a level that is sufficient to cover—

(A) the costs of services of expert firms retained pursuant to subsection (d); and

(B) all or a portion of the costs to the Federal Government of servicing the Federal credit instruments provided under this title.

(c) SERVICER.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may appoint a financial entity to assist the Secretary or the Administrator in servicing the Federal credit instruments provided under this title.

(2) DUTIES.—A servicer appointed under paragraph (1) shall act as the agent for the Secretary or the Administrator, as applicable.

(3) FEE.—A servicer appointed under paragraph (1) shall receive a servicing fee, subject to approval by the Secretary or the Administrator, as applicable.

(d) ASSISTANCE FROM EXPERTS.—The Secretary or the Administrator, as applicable, may retain the services, including counsel, of organizations and entities with expertise in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments provided under this title.

(e) APPLICABILITY OF OTHER LAWS.—Section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) applies to the construction of a project carried out, in whole or in part, with assistance made available through a Federal credit instrument under this title in the same manner that section applies to a treatment works for which a grant is made available under that Act.

SEC. 10012. STATE, TRIBAL, AND LOCAL PERMITS.

The provision of financial assistance for project under this title shall not—

(1) relieve any recipient of the assistance of any obligation to obtain any required State, local, or tribal permit or approval with respect to the project;

(2) limit the right of any unit of State, local, or tribal government to approve or regulate any rate of return on private equity invested in the project; or

(3) otherwise supersede any State, local, or tribal law (including any regulation) applicable to the construction or operation of the project.

SEC. 10013. REGULATIONS.

The Secretary or the Administrator, as applicable, may promulgate such regulations as the Secretary or Administrator determines to be appropriate to carry out this title.

SEC. 10014. FUNDING.

(a) **IN GENERAL.**—There is authorized to be appropriated to each of the Secretary and the Administrator to carry out this title \$50,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

(b) **ADMINISTRATIVE COSTS.**—Of the funds made available to carry out this title, the Secretary or the Administrator, as applicable, may use for the administration of this title, including for the provision of technical assistance to aid project sponsors in obtaining the necessary approvals for the project, not more than \$2,200,000 for each of fiscal years 2014 through 2018.

SEC. 10015. REPORT TO CONGRESS.

Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary or the Administrator, as applicable, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report summarizing for the projects that are receiving, or have received, assistance under this title—

(1) the financial performance of those projects, including a recommendation as to whether the objectives of this title are being met; and

(2) the public benefit provided by those projects, including, as applicable, water quality and water quantity improvement, the protection of drinking water, and the reduction of flood risk.

TITLE XI—EXTREME WEATHER**SEC. 11001. STUDY ON RISK REDUCTION.**

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Interior and the Secretary of Commerce, shall enter into an arrangement with the National Academy of Sciences to carry out a study and make recommendations relating to infrastructure and coastal restoration options for reducing risk to human life and property from extreme weather events, such as hurricanes, coastal storms, and inland flooding.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall include—

(1) an analysis of strategies and water resources projects, including authorized water resources projects that have not yet been constructed, and other projects implemented in the United States and worldwide to respond to risk associated with extreme weather events;

(2) an analysis of historical extreme weather events and the ability of existing infrastructure to mitigate risks associated with those events;

(3) identification of proven, science-based approaches and mechanisms for ecosystem protection and identification of natural resources likely to have the greatest need for protection, restoration, and conservation so that the infrastructure and restoration projects can continue safeguarding the communities in, and sustaining the economy of, the United States;

(4) an estimation of the funding necessary to improve infrastructure in the United States to reduce risk associated with extreme weather events;

(5) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the necessary infrastructure improvements referred to in paragraph (3); and

(6) an analysis of the Federal, State, and local costs of natural disasters and the potential cost-savings associated with implementing mitigation measures.

(c) **COORDINATION.**—The National Academy of Sciences may cooperate with the National Academy of Public Administration to carry out 1 or more aspects of the study under subsection (a).

(d) **PUBLICATION.**—Not later than 30 days after completion of the study under subsection (a), the National Academy of Sciences shall—

(1) submit a copy of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make a copy of the study available on a publicly accessible Internet site.

SEC. 11002. GAO STUDY ON MANAGEMENT OF FLOOD, DROUGHT, AND STORM DAMAGE.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the strategies used by the Corps of Engineers for the comprehensive management of water resources in response to floods, storms, and droughts, including an historical review of the ability of the Corps of Engineers to manage and respond to historical drought, storm, and flood events.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall address—

(1) the extent to which existing water management activities of the Corps of Engineers can better meet the goal of addressing future flooding, drought, and storm damage risks, which shall include analysis of all historical extreme weather events that have been recorded during the previous 5 centuries as well as in the geological record;

(2) whether existing water resources projects built or maintained by the Corps of Engineers, including dams, levees, floodwalls, flood gates, and other appurtenant infrastructure were designed to adequately address flood, storm, and drought impacts and the extent to which the water resources projects have been successful at addressing those impacts;

(3) any recommendations for approaches for repairing, rebuilding, or restoring infrastructure, land, and natural resources that consider the risks and vulnerabilities associated with past and future extreme weather events;

(4) whether a reevaluation of existing management approaches of the Corps of Engineers could result in greater efficiencies in water management and project delivery that would enable the Corps of Engineers to better prepare for, contain, and respond to flood, storm, and drought conditions;

(5) any recommendations for improving the planning processes of the Corps of Engineers to provide opportunities for comprehensive management of water resources that increases efficiency and improves response to flood, storm, and drought conditions; and

(6) any recommendations for improving approaches to rebuilding or restoring infrastructure and natural resources that contribute to risk reduction, such as coastal wetlands, to prepare for flood and drought.

SEC. 11003. POST-DISASTER WATERSHED ASSESSMENTS.

(a) **WATERSHED ASSESSMENTS.**—

(1) **IN GENERAL.**—In an area that the President has declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may

carry out a watershed assessment to identify, to the maximum extent practicable, specific flood risk reduction, hurricane and storm damage reduction, or ecosystem restoration project recommendations that will help to rehabilitate and improve the resiliency of damaged infrastructure and natural resources to reduce risks to human life and property from future natural disasters.

(2) **EXISTING PROJECTS.**—A watershed assessment carried out paragraph (1) may identify existing projects being carried out under 1 or more of the authorities referred to in subsection (b) (1).

(3) **DUPLICATE WATERSHED ASSESSMENTS.**—In carrying out a watershed assessment under paragraph (1), the Secretary shall use all existing watershed assessments and related information developed by the Secretary or other Federal, State, or local entities.

(b) **PROJECTS.**—

(1) **IN GENERAL.**—The Secretary may carry out 1 or more small projects identified in a watershed assessment under subsection (a) that the Secretary would otherwise be authorized to carry out under—

(A) section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s);

(B) section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i);

(C) section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330);

(D) section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a);

(E) section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577); or

(F) section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(2) **EXISTING PROJECTS.**—In carrying out a project under paragraph (1), the Secretary shall—

(A) to the maximum extent practicable, use all existing information and studies available for the project; and

(B) not require any element of a study completed for the project prior to the disaster to be repeated.

(c) **REQUIREMENTS.**—All requirements applicable to a project under the Acts described in subsection (b) shall apply to the project.

(d) **LIMITATIONS ON ASSESSMENTS.**—

(1) **IN GENERAL.**—A watershed assessment under subsection (a) shall be initiated not later than 2 years after the date on which the major disaster declaration is issued.

(2) **FEDERAL SHARE.**—The Federal share of the cost of carrying out a watershed assessment under subsection (a) shall not exceed \$1,000,000.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2018.

SA 800. Mr. BLUNT (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Redesignate sections 11001, 11002, and 11003 as sections 11002, 11003, and 11004, respectively.

At the beginning of title XI, insert the following:

SEC. 11001. DEFINITION OF RESILIENT CONSTRUCTION TECHNIQUE.

In this title, the term “resilient construction technique” means a construction method that—

- (1) allows a property—
 - (A) to resist hazards brought on by a major disaster; and
 - (B) to continue to provide the primary functions of the property after a major disaster;
- (2) reduces the magnitude or duration of a disruptive event to a property; and
- (3) has the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event.

In section 11002(b) (as redesignated), strike paragraph (2) and insert the following:

- (2) an analysis of—
 - (A) historical extreme weather events;
 - (B) the ability of existing infrastructure to mitigate risks associated with extreme weather events; and
 - (C) the reduction in long-term costs and vulnerability to infrastructure through the use of resilient construction techniques.

In section 11003(b)(5) (as redesignated), strike the “and” at the end.

In section 11003(b) (as redesignated) redesignate paragraph (6) as paragraph (7).

In section 1003(b) (as redesignated), insert after paragraph (5) the following:

- (6) any recommendations on the use of resilient construction techniques to reduce future vulnerability from flood, storm, and drought conditions; and

SA 801. Mr. PRYOR (for himself, Mr. INHOFE, Mrs. FISCHER, Ms. LANDRIEU, Mr. JOHANNIS, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

- (a) DEFINITIONS.—In this title:
 - (1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.
 - (2) FARM.—The term “farm” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).
 - (3) GALLON.—The term “gallon” means a United States liquid gallon.
 - (4) OIL.—The term “oil” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).
 - (5) OIL DISCHARGE.—The term “oil discharge” has the meaning given the term “discharge” in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).
 - (6) REPORTABLE OIL DISCHARGE HISTORY.—The term “reportable oil discharge history” has the meaning used to describe “reportable discharge history” in section 112.7(k)(1) of title 40, Code of Federal Regulations (or successor regulations).
 - (7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “Spill Preven-

tion, Control, and Countermeasure rule” means the regulation, including amendments, promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification of compliance with the rule by—

- (A) a professional engineer for a farm with—
 - (i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;
 - (ii) an aggregate aboveground storage capacity greater than or equal to 42,000 gallons; or
 - (iii) a reportable oil discharge history; or
- (B) the owner or operator of the farm (via self-certification) for a farm with—
 - (i) an aggregate aboveground storage capacity greater than 10,000 gallons but less than 42,000 gallons; and
 - (ii) no reportable oil discharge history of oil; and

(2) exempt from all requirements of the rule any farm—

- (A) with an aggregate aboveground storage capacity of less than or equal to 10,000 gallons; and
- (B) no reportable oil discharge history.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

- (1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and
- (2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

SA 802. Ms. LANDRIEU (for herself and Mr. VITTEK) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20. DELAY IN FLOOD INSURANCE RATE CHANGES.

(a) IN GENERAL.—Any change in risk premium rates for flood insurance under the National Flood Insurance Program under the amendments made by sections 100205 and 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 917) to sections 1307 and 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014, 4015) shall not take effect until the date that is 180 days after the date on which the Administrator of the Federal Emergency Management Agency submits the report on affordability under section 100236(c) of the Biggert-Waters Flood Insurance Reform Act of 2012.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect as if enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 916).

SA 803. Mr. WHITEHOUSE (for himself, Mr. ROCKEFELLER, Mr. NELSON, Mr. BLUMENTHAL, Ms. CANTWELL, Ms. COLLINS, and Mr. KING) submitted an

amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—NATIONAL ENDOWMENT FOR THE OCEANS

SEC. 12001. SHORT TITLE.

This title may be cited as the “National Endowment for the Oceans Act”.

SEC. 12002. PURPOSES.

The purposes of this title are to protect, conserve, restore, and understand the oceans, coasts, and Great Lakes of the United States, ensuring present and future generations will benefit from the full range of ecological, economic, educational, social, cultural, nutritional, and recreational opportunities and services these resources are capable of providing.

SEC. 12003. DEFINITIONS.

In this title:

(1) COASTAL SHORELINE COUNTY.—The term “coastal shoreline county” has the meaning given the term by the Administrator of the Federal Emergency Management Agency for purposes of administering the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(2) COASTAL STATE.—The term “coastal State” has the meaning given the term “coastal state” in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) CORPUS.—The term “corpus”, with respect to the Endowment fund, means an amount equal to the Federal payments to such fund, amounts contributed to the fund from non-Federal sources, and appreciation from capital gains and reinvestment of income.

(4) ENDOWMENT.—The term “Endowment” means the endowment established under subsection (a).

(5) ENDOWMENT FUND.—The term “Endowment fund” means a fund, or a tax-exempt foundation, established and maintained pursuant to this title by the Foundation for the purposes described in section 12004(a).

(6) FOUNDATION.—The term “Foundation” means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(7) INCOME.—The term “income”, with respect to the Endowment fund, means an amount equal to the dividends and interest accruing from investments of the corpus of such fund.

(8) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(10) TIDAL SHORELINE.—The term “tidal shoreline” has the meaning given that term pursuant to section 923.110(c)(2)(i) of title 15, Code of Federal Regulations, or a similar successor regulation.

SEC. 12004. NATIONAL ENDOWMENT FOR THE OCEANS.

(a) ESTABLISHMENT.—The Secretary and the Foundation are authorized to establish the National Endowment for the Oceans as a permanent Endowment fund, in accordance

with this section, to further the purposes of this title and to support the programs established under this title.

(b) **AGREEMENTS.**—The Secretary and the Foundation may enter into such agreements as may be necessary to carry out the purposes of this title.

(c) **DEPOSITS.**—There shall be deposited in the Fund, which shall constitute the assets of the Fund, amounts as follows:

(1) Amounts appropriated or otherwise made available to carry out this title.

(2) Amounts earned through investment under subsection (d).

(d) **INVESTMENTS.**—The Foundation shall invest the Endowment fund corpus and income for the benefit of the Endowment.

(e) **REQUIREMENTS.**—Any amounts received by the Foundation pursuant to this title shall be subject to the provisions of the National Fish and Wildlife Establishment Act (16 U.S.C. 3701 et seq.), except the provisions of section 10(a) of that Act (16 U.S.C. 3709(a)).

(f) **WITHDRAWALS AND EXPENDITURES.**—

(1) **ALLOCATION OF FUNDS.**—Each fiscal year, the Foundation shall, in consultation with the Secretary, allocate an amount equal to not less than 3 percent and not more than 7 percent of the corpus of the Endowment fund and the income generated from the Endowment fund from the current fiscal year.

(2) **EXPENDITURE.**—Except as provided in paragraph (3), of the amounts allocated under paragraph (1) for each fiscal year—

(A) at least 59 percent shall be used by the Foundation to award grants to coastal States under section 12006(b);

(B) at least 39 percent shall be allocated by the Foundation to award grants under section 12006(c); and

(C) no more than 2 percent may be used by the Secretary and the Foundation for administrative expenses to carry out this title, which amount shall be divided between the Secretary and the Foundation pursuant to an agreement reached and documented by both the Secretary and the Foundation.

(3) **PROGRAM ADJUSTMENTS.**—

(A) **IN GENERAL.**—In any fiscal year in which the amount described in subparagraph (B) is less than \$100,000,000, the Foundation, in consultation with the Secretary, may elect not to use any of the amounts allocated under paragraph (1) for that fiscal year to award grants under section 12006(b).

(B) **DETERMINATION AMOUNT.**—The amount described in this subparagraph for a fiscal year is the amount that is equal to the sum of—

(i) the amount that is 5 percent of the corpus of the Endowment fund; and

(ii) the aggregate amount of income the Foundation expects to be generated from the Endowment fund in that fiscal year.

(g) **RECOVERY OF PAYMENTS.**—After notice and an opportunity for a hearing, the Secretary is authorized to recover any Federal payments under this section if the Foundation—

(1) makes a withdrawal or expenditure of the corpus of the Endowment fund or the income of the Endowment fund that is not consistent with the requirements of section 12005; or

(2) fails to comply with a procedure, measure, method, or standard established under section 12006(a)(1).

SEC. 12005. ELIGIBLE USES.

(a) **IN GENERAL.**—Amounts in the Endowment may be allocated by the Foundation to support programs and activities intended to restore, protect, maintain, or understand living marine resources and their habitats and

ocean, coastal, and Great Lakes resources, including baseline scientific research, ocean observing, and other programs and activities carried out in coordination with Federal and State departments or agencies, that are consistent with Federal environmental laws and that avoid environmental degradation, including the following:

(1) Ocean, coastal, and Great Lakes restoration and protection, including the protection of the environmental integrity of such areas, and their related watersheds, including efforts to mitigate potential impacts of sea level change, changes in ocean chemistry, and changes in ocean temperature.

(2) Restoration, protection, or maintenance of living ocean, coastal, and Great Lakes resources and their habitats, including marine protected areas and riparian migratory habitat of coastal and marine species.

(3) Planning for and managing coastal development to enhance ecosystem integrity or minimize impacts from sea level change and coastal erosion.

(4) Analyses of current and anticipated impacts of ocean acidification and assessment of potential actions to minimize harm to ocean, coastal, and Great Lakes ecosystems.

(5) Analyses of, and planning for, current and anticipated uses of ocean, coastal, and Great Lakes areas.

(6) Regional, subregional, or site-specific management efforts designed to manage, protect, or restore ocean, coastal, and Great Lakes resources and ecosystems.

(7) Research, assessment, monitoring, observation, modeling, and sharing of scientific information that contribute to the understanding of ocean, coastal, and Great Lakes ecosystems and support the purposes of this title.

(8) Efforts to understand better the processes that govern the fate and transport of petroleum hydrocarbons released into the marine environment from natural and anthropogenic sources, including spills.

(9) Efforts to improve spill response and preparedness technologies.

(10) Acquiring property or interests in property in coastal and estuarine areas, if such property or interest is acquired in a manner that will ensure such property or interest will be administered to support the purposes of this title.

(11) Protection and relocation of critical coastal public infrastructure affected by erosion or sea level change.

(b) **MATCHING REQUIREMENT.**—An amount from the Endowment may not be allocated to fund a project or activity described in paragraph (10) or (11) of subsection (a) unless non-Federal contributions in an amount equal to 30 percent or more of the cost of such project or activity is made available to carry out such project or activity.

(c) **CONSIDERATIONS FOR GREAT LAKES STATES.**—Programs and activities funded in Great Lakes States shall also seek to attain the goals embodied in the Great Lakes Restoration Initiative Plan, the Great Lakes Regional Collaboration Strategy, the Great Lakes Water Quality Agreement, or other collaborative planning efforts of the Great Lakes Region.

(d) **PROHIBITION ON USE OF FUNDS FOR LITIGATION.**—No funds made available under this title may be used to fund litigation over any matter.

SEC. 12006. GRANTS.

(a) **ADMINISTRATION OF GRANTS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Foundation shall establish the following:

(A) Application and review procedures for the awarding of grants under this section, including requirements ensuring that any amounts awarded under such subsections may only be used for an eligible use described under section 12005.

(B) Approval procedures for the awarding of grants under this section that require consultation with the Secretary of Commerce and the Secretary of the Interior.

(C) Eligibility criteria for awarding grants—

(i) under subsection (b) to coastal States; and

(ii) under subsection (c) to entities including States, Indian tribes, regional bodies, associations, non-governmental organizations, and academic institutions.

(D) Performance accountability and monitoring measures for programs and activities funded by a grant awarded under subsection (b) or (c).

(E) Procedures and methods to ensure accurate accounting and appropriate administration grants awarded under this section, including standards of record keeping.

(F) Procedures to carry out audits of the Endowment as necessary, but not less frequently than once every 5 years.

(G) Procedures to carry out audits of the recipients of grants under this section.

(2) **APPROVAL PROCEDURES.**—

(A) **SUBMITTAL.**—The Foundation shall submit to the Secretary each procedure, measure, method, and standard established under paragraph (1).

(B) **DETERMINATION AND NOTICE.**—Not later than 90 days after receiving the procedures, measures, methods, and standards under subparagraph (A), the Secretary shall—

(i) determine whether to approve or disapprove of such procedures, measures, methods, and standards; and

(ii) notify the Foundation of such determination.

(C) **JUSTIFICATION OF DISAPPROVAL.**—If the Secretary disapproves of the procedures, measures, methods, and standards under subparagraph (B), the Secretary shall include in notice submitted under clause (ii) of such subparagraph the rationale for such disapproval.

(D) **RESUBMITTAL.**—Not later than 30 days after the Foundation receives notification under subparagraph (B)(ii) that the Secretary has disapproved the procedures, measures, methods, and standards, the Foundation shall revise such procedures, measures, methods, and standards and submit such revised procedures, measures, methods, and standards to the Secretary.

(E) **REVIEW OF RESUBMITTAL.**—Not later than 30 days after receiving revised procedures, measures, methods, and standards resubmitted under subparagraph (D), the Secretary shall—

(i) determine whether to approve or disapprove the revised procedures, measures, methods, and standards; and

(ii) notify the Foundation of such determination.

(b) **GRANTS TO COASTAL STATES.**—

(1) **IN GENERAL.**—Subject to paragraphs (3) and (4), the Foundation shall award grants of amounts allocated under section 12004(e)(2)(A) to eligible coastal States, based on the following formula:

(A) Fifty percent of the funds are allocated equally among eligible coastal States.

(B) Twenty-five percent of the funds are allocated on the basis of the ratio of tidal shoreline miles in a coastal State to the tidal shoreline miles of all coastal States.

(C) Twenty-five percent of the funds are allocated on the basis of the ratio of population density of the coastal shoreline counties of a coastal State to the population density of all coastal shoreline counties.

(2) ELIGIBLE COASTAL STATES.—For purposes of paragraph (1), an eligible coastal State includes—

(A) a coastal State that has a coastal management program approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and

(B) during the period beginning on the date of the enactment of this Act and ending on December 31, 2018, a coastal State that had, during the period beginning January 1, 2008, and ending on the date of the enactment of this Act, a coastal management program approved as described in subparagraph (A).

(3) MAXIMUM ALLOCATION TO STATES.—Notwithstanding paragraph (1), not more than 10 percent of the total funds distributed under this subsection may be allocated to any single State. Any amount exceeding this limit shall be redistributed among the remaining States according to the formula established under paragraph (1).

(4) MAXIMUM ALLOCATION TO CERTAIN GEOGRAPHIC AREAS.—

(A) IN GENERAL.—Notwithstanding paragraph (1), each geographic area described in subparagraph (B) may not receive more than 1 percent of the total funds distributed under this subsection. Any amount exceeding this limit shall be redistributed among the remaining States according to the formula established under paragraph (1).

(B) GEOGRAPHIC AREAS DESCRIBED.—The geographic areas described in this subparagraph are the following:

- (i) American Samoa.
- (ii) The Commonwealth of the Northern Mariana Islands.
- (iii) Guam.
- (iv) Puerto Rico.
- (v) The Virgin Islands.

(5) REQUIREMENT TO SUBMIT PLANS.—

(A) IN GENERAL.—To be eligible to receive a grant under this subsection, a coastal State shall submit to the Secretary, and the Secretary shall review, a 5-year plan, which shall include the following:

(i) A prioritized list of goals the coastal State intends to achieve during the time period covered by the 5-year plan.

(ii) Identification and general descriptions of existing State projects or activities that contribute to realization of such goals, including a description of the entities conducting those projects or activities.

(iii) General descriptions of projects or activities, consistent with the eligible uses described in section 12005, applicable provisions of law relating to the environment, and existing Federal ocean policy, that could contribute to realization of such goals.

(iv) Criteria to determine eligibility for entities which may receive grants under this subsection.

(v) A description of the competitive process the coastal State will use in allocating funds received from the Endowment, except in the case of allocating funds under paragraph (7), which shall include—

(I) a description of the relative roles in the State competitive process of the State coastal zone management program approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) and any State Sea Grant Program; and

(II) a demonstration that such competitive process is consistent with the application and review procedures established by the Foundation under subsection (a)(1).

(B) UPDATES.—As a condition of receiving a grant under this subsection, a coastal State shall submit to the Secretary, not less frequently than once every 5 years, an update to the plan submitted by the coastal State under subparagraph (A) for the 5-year period immediately following the most recent submittal under this paragraph.

(6) OPPORTUNITY FOR PUBLIC COMMENT.—In determining whether to approve a plan or an update to a plan described in subparagraph (A) or (B) of paragraph (5), the Secretary shall provide the opportunity for, and take into consideration, public input and comment on the plan.

(7) APPROVAL PROCEDURE.—

(A) IN GENERAL.—Not later than 30 days after the opportunity for public comment on a plan or an update to a plan of a coastal State under paragraph (6), the Secretary shall notify such coastal State that the Secretary—

- (i) approves the plan as submitted; or
- (ii) disapproves the plan as submitted.

(B) DISAPPROVAL.—If the Secretary disapproves a proposed plan or an update of a plan submitted under subparagraph (A) or (B) of paragraph (5), the Secretary shall provide notice of such disapproval to the submitting coastal State in writing, and include in such notice the rationale for the Secretary's decision.

(C) RESUBMITTAL.—If the Secretary disapproves a plan of a coastal State under subparagraph (A), the coastal State shall resubmit the plan to the Secretary not later than 30 days after receiving the notice of disapproval under subparagraph (B).

(D) REVIEW OF RESUBMITTAL.—Not later than 60 days after receiving a plan resubmitted under subparagraph (C), the Secretary shall review the plan.

(8) INDIAN TRIBES.—As a condition on receipt of a grant under this subsection, a State that receives a grant under this subsection shall ensure that Indian tribes in the State are eligible to participate in the competitive process described in the State's plan under paragraph (5)(A)(v).

(C) NATIONAL GRANTS FOR OCEANS, COASTS, AND GREAT LAKES.—

(1) IN GENERAL.—The Foundation may use amounts allocated under section 12004(e)(2)(B) to award grants according to the procedures established in subsection (a) to support activities consistent with section 12005.

(2) ADVISORY PANEL.—

(A) IN GENERAL.—The Foundation shall establish an advisory panel to conduct reviews of applications for grants under paragraph (1) and the Foundation shall consider the recommendations of the Advisory Panel with respect to such applications.

(B) MEMBERSHIP.—The advisory panel established under subparagraph (A) shall include persons representing a balanced and diverse range, as determined by the Foundation, of—

- (i) ocean, coastal, and Great Lakes dependent industries;
- (ii) geographic regions;
- (iii) nonprofit conservation organizations with a mission that includes the conservation and protection of living marine resources and their habitats; and
- (iv) academic institutions with strong scientific or technical credentials and experience in marine science or policy.

SEC. 12007. ANNUAL REPORT.

(a) REQUIREMENT FOR ANNUAL REPORT.—Beginning with fiscal year 2014, not later than 60 days after the end of each fiscal year, the Foundation shall submit to the Committee

on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Endowment during the fiscal year.

(b) CONTENT.—Each annual report submitted under subsection (a) for a fiscal year shall include—

(1) a statement of the amounts deposited in the Endowment and the balance remaining in the Endowment at the end of the fiscal year; and

(2) a description of the expenditures made from the Endowment for the fiscal year, including the purpose of the expenditures.

SA 804. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ANNUAL REPORT ON AMMUNITION.

(a) DEFINITION.—In this section, the term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(b) ANNUAL REPORT.—Except as provided in subsection (c), not later than December 31, 2013, and before each December 31 thereafter, each agency shall submit to Congress a report on—

- (1) the number of firearms and types of firearms purchased or otherwise acquired by the agency during the previous fiscal year;
- (2) the number of rounds of ammunition and the type of ammunition purchased by the agency during the previous fiscal year;
- (3) the number of firearms owned by the agency that were stolen, lost, or unaccounted for during the previous fiscal year; and

(4) the number of firearms possessed by the agency at the end of the previous fiscal year.

(c) NATIONAL SECURITY EXCEPTION.—Subsection (b) shall not apply to the Department of Defense or the Central Intelligence Agency, if the Secretary of Defense or the Director of the Central Intelligence Agency—

- (1) submits to Congress a detailed explanation of why reporting of the information described in subsection (b) would harm national security; and
- (2) upon request, makes the information described in subsection (b) available to the relevant congressional oversight committees in a classified format.

SA 805. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 ____ . PROTECTING AMERICANS FROM VIOLENT CRIME.

- (a) FINDINGS.—Congress finds that—
 - (1) the Second Amendment of the Constitution provides that “the right of the people to keep and bear arms shall not be infringed”;

(2) section 327.13 of title 36, Code of Federal Regulations provides that, except in special circumstances, “possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons is prohibited” at water resources development projects administered by the Secretary;

(3) the regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the Second Amendment rights of the individuals while at the water resources development projects; and

(4) Federal laws should make it clear that the Second Amendment rights of an individual at a water resources development project should not be infringed.

(b) **PROTECTING THE RIGHT OF INDIVIDUALS TO BEAR ARMS AT WATER RESOURCES DEVELOPMENT PROJECTS.**—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under part 327 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

SA 806. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2012, strike subsection (b) and insert the following:

(b) **APPLICABILITY.**—Section 2003(e) of the Water Resources Development Act of 2007 (42 U.S.C. 1962d–5b) is amended—

(1) by inserting “, or construction of design deficiency corrections on the project,” after “construction on the project”; and

(2) by inserting “, or under which construction of the project has not been completed and the work to be performed by the non-Federal interests has not been carried out and is creditable only toward any remaining non-Federal cost share,” after “has not been initiated”.

SA 807. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . APPLICABILITY OF PROPOSED RULE ON IMPACT ANALYSES OF FISH AND WILDLIFE HABITAT.

The proposed rule of the United States Fish and Wildlife Service entitled “Endangered and Threatened Wildlife and Plants;

Revisions to the Regulations for Impact Analyses of Critical Habitat” (77 Fed. Reg. 51503–51510 (August 24, 2012)) shall have no force or effect.

SA 808. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 1003, redesignate subsection (c) as subsection (d) and insert after subsection (b) the following:

(c) **HIGH COST PROJECTS.**—If the cost of a project carried out under this section exceeds 400 percent of the authorized cost of the project, the Comptroller General of the United States shall—

(1) conduct an assessment of the reasons for the excess costs; and

(2) submit to Congress a recommendation for continued authorization or deauthorization of the project.

In section 11003(c), strike “All” and insert the following:

(1) **IN GENERAL.**—All

At the end of section 11003(c), add the following:

(2) **HIGH COST PROJECTS.**—If the cost of a project carried out under this section exceeds 400 percent of the authorized cost of the project and the benefit-cost ratio requirement was waived for the project, a benefit-cost ratio shall be calculated for the project, and included in the assessment required under section 1003(c), using the most recent available data.

SA 809. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____ —REINS ACT

SEC. ____01. SHORT TITLE.

This title may be cited as the “Regulations From the Executive in Need of Scrutiny Act of 2013” or the “REINS Act”.

SEC. ____02. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress finds the following:

(1) Section 1 of article I of the United States Constitution grants all legislative powers to Congress.

(2) Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes.

(3) By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the people of the United States for the laws imposed upon them.

(b) **PURPOSE.**—The purpose of this title is to increase accountability for and transparency in the Federal regulatory process.

SEC. ____03. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

“Sec.

“801. Congressional review.

“802. Congressional approval procedure for major rules.

“803. Congressional disapproval procedure for nonmajor rules.

“804. Definitions.

“805. Judicial review.

“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“§ 801. Congressional review

“(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of Congress and to the Comptroller General a report containing—

“(i) a copy of the rule;

“(ii) a concise general statement relating to the rule;

“(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

“(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

“(v) the proposed effective date of the rule.

“(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any;

“(ii) the actions of the agency pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

“(iii) the actions of the agency pursuant to sections 1532, 1533, 1534, and 1535 of title 2, United States Code; and

“(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

“(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 802(b)(2). The report of the Comptroller General shall include an assessment of compliance by the agency with procedural steps required by paragraph (1)(B).

“(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General’s report under subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

“(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

“(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

“(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, sections 802 and 803 shall apply, in the succeeding session of Congress, to any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session; or

“(B) in the case of the House of Representatives, 60 legislative days before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day after the succeeding session of Congress first convenes; or

“(II) in the case of the House of Representatives, the 15th legislative day after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be sub-

mitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

“§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;

“(B) bears the following title: ‘Approving the rule submitted by _____ relating to _____.’ (The blank spaces being appropriately filled in);

“(C) includes after its resolving clause only the following: ‘That Congress approves the rule submitted by _____ relating to _____.’ (The blank spaces being appropriately filled in); and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or the designee of the majority leader) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within 3 legislative days; and

“(B) in the case of the Senate, within 3 session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be lim-

ited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the House of Representatives, if the committee or committees to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee or committees shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for not fewer than 5 legislative days to call up the joint resolution for immediate consideration in the House without intervention of any point of order. When so called up, a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) For purposes of this subsection, the term ‘identical joint resolution’ means a joint resolution of the first House that proposes to approve the same major rule as a joint resolution of the second House.

“(2) If the second House receives from the first House a joint resolution, the Chair shall determine whether the joint resolution is an identical joint resolution.

“(3) If the second House receives an identical joint resolution—

“(A) the identical joint resolution shall not be referred to a committee; and

“(B) the procedure in the second House shall be the same as if no joint resolution had been received from the first house, except that the vote on final passage shall be on the identical joint resolution.

“(4) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively,

but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

“(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“§ 803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).

“(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

“(2) For purposes of this section, the term ‘submission or publication date’ means the later of the date on which—

“(A) the Congress receives the report submitted under section 801(a)(1); or

“(B) the nonmajor rule is published in the Federal Register, if so published.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

“(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint reso-

lution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

“§ 804. Definitions

“For purposes of this chapter—

“(1) the term ‘Federal agency’ means any agency as that term is defined in section 551(1);

“(2) the term ‘major rule’ means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual effect on the economy of \$100,000,000 or more;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets;

“(3) the term ‘nonmajor rule’ means any rule that is not a major rule; and

“(4) the term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to agency management or personnel; or

“(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

“§ 805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

“(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not—

“(1) be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule;

“(2) extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule; and

“(3) form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

“§ 806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

“§ 807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.”.

SEC. 04. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following:

“(E) Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”.

SA 810. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE XII—MISCELLANEOUS

SECTION 12001. SHORT TITLE.

This title may be cited as the “Defense of Environment and Property Act of 2013”.

SEC. 12002. NAVIGABLE WATERS.

(a) IN GENERAL.—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by striking paragraph (7) and inserting the following:

“(7) NAVIGABLE WATERS.—

“(A) IN GENERAL.—The term ‘navigable waters’ means the waters of the United States, including the territorial seas, that are—

“(i) navigable-in-fact; or
 “(ii) permanent, standing, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact.

“(B) EXCLUSIONS.—The term ‘navigable waters’ does not include (including by regulation)—

“(i) waters that—
 “(I) do not physically abut waters described in subparagraph (A); and
 “(II) lack a continuous surface water connection to navigable waters;
 “(ii) man-made or natural structures or channels—
 “(I) through which water flows intermittently or ephemerally; or
 “(II) that periodically provide drainage for rainfall; or
 “(iii) wetlands without a continuous surface connection to bodies of water that are waters of the United States.

“(C) EPA AND CORPS ACTIVITIES.—An activity carried out by the Administrator or the Corps of Engineers shall not, without explicit State authorization, impinge upon the traditional and primary power of States over land and water use.

“(D) AGGREGATION; WETLANDS.—
 “(i) AGGREGATION.—Aggregation of wetlands or waters not described in clauses (i) through (iii) of subparagraph (B) shall not be used to determine or assert Federal jurisdiction.

“(ii) WETLANDS.—Wetlands described in subparagraph (B)(iii) shall not be considered to be under Federal jurisdiction.

“(E) JUDICIAL REVIEW.—If a jurisdictional determination by the Administrator or the Secretary of the Army would affect the ability of a State or individual property owner to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, the State or individual property owner may obtain expedited judicial review not later than 30 days after the date on which the determination is made in a district court of the United States, of appropriate jurisdiction and venue, that is located within the State seeking the review.

“(F) TREATMENT OF GROUND WATER.—Ground water shall—

“(i) be considered to be State water; and
 “(ii) not be considered in determining or asserting Federal jurisdiction over isolated or other waters, including intermittent or ephemeral water bodies.

“(G) PROHIBITION ON USE OF NEXUS TEST.—Notwithstanding any other provision of law, the Administrator may not use a significant nexus test (as used by EPA in the proposed document listed in section 3(a)(1)) to determine Federal jurisdiction over navigable waters and waters of the United States.”.

(b) APPLICABILITY.—Nothing in this section or the amendments made by this section affects or alters any exemption under—

(1) section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)); or
 (2) section 404(f) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)).

SEC. 12003. APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The following regulations and guidance shall have no force or effect:

(1) The final rule of the Corps of Engineers entitled “Final Rule for Regulatory Programs of the Corps of Engineers” (51 Fed. Reg. 41206 (November 13, 1986)).

(2) The proposed rule of the Environmental Protection Agency entitled “Advance Notice of Proposed Rulemaking on the Clean Water Act Regulatory Definition of ‘Waters of the United States’” (68 Fed. Reg. 1991 (January 15, 2003)).

(3) The guidance document entitled “Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in *Rapanos v. United States* & *Carabell v. United States*” (December 2, 2008) (relating to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)).

(4) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term “navigable waters”.

(b) PROHIBITION.—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

SEC. 12004. STATE REGULATION OF WATER.

Nothing in this title affects, amends, or supersedes—

(1) the right of a State to regulate waters in the State; or

(2) the duty of a landowner to adhere to any State nuisance laws (including regulations) relating to waters in the State.

SEC. 12005. CONSENT FOR ENTRY BY FEDERAL REPRESENTATIVES.

Section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1318) is amended by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—
 “(1) ENTRY BY FEDERAL AGENCY.—A representative of a Federal agency shall only enter private property to collect information about navigable waters if the owner of that property—
 “(A) has consented to the entry in writing;
 “(B) is notified regarding the date of the entry; and
 “(C) is given access to any data collected from the entry.

“(2) ACCESS.—If a landowner consents to entry under paragraph (1), the landowner shall have the right to be present at the time any data collection on the property of the landowner is carried out.”.

SEC. 12006. COMPENSATION FOR REGULATORY TAKING.

(a) IN GENERAL.—If a Federal regulation relating to the definition of navigable waters or waters of the United States diminishes the fair market value or economic viability of a property, as determined by an independent appraiser, the Federal agency issuing the regulation shall pay the affected property owner an amount equal to twice the value of the loss.

(b) ADMINISTRATION.—Any payment provided under subsection (a) shall be made from the amounts made available to the relevant agency head for general operations of the agency.

(c) APPLICABILITY.—A Federal regulation described in subsection (a) shall have no force or effect until the date on which each landowner with a claim under this section relating to that regulation has been compensated in accordance with this section.

SA 811. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the

Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5011. RELEASE OF USE RESTRICTIONS.

Notwithstanding any other provision of law, the Tennessee Valley Authority shall, in a manner it considers appropriate and without need for further congressional approval, grant releases from real estate restrictions established pursuant to section 4(k)(b) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)(b)) with respect to tracts of land identified in section 4(k)(b) of that Act.

SA 812. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 578, after line 10, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. REMOVAL OF FAT POCKETBOOK PEARLY MUSSEL FROM THE LIST OF ENDANGERED OR THREATENED SPECIES.

(a) DEFINITION OF SECRETARY.—In this section, the term “Secretary” has the meaning given the term in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532).

(b) REMOVAL.—Not later than 30 days after the date of enactment of this section, the Secretary shall remove from the list of endangered or threatened species under section 4(c) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)) the fat pocketbook pearly mussel.

SA 813. Mr. BROWN (for himself, Mr. TOOMEY, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 50 . . . MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI RIVER AND OHIO RIVER BASINS AND TRIBUTARIES.

(a) MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI AND OHIO RIVER BASINS AND TRIBUTARIES.—

(1) IN GENERAL.—The Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, the Director of the National Park Service, and the Director of the United States Geological Survey, shall lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing high-level technical assistance, coordination, best practices, and

support to State and local governments in carrying out activities designed to slow, and eventually eliminate, the threat posed by Asian carp.

(2) **BEST PRACTICES.**—To the maximum extent practicable, the multiagency effort shall apply lessons learned and best practices such as those described in the document prepared by the Asian Carp Working Group entitled “Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States”, and dated November 2007, and the document prepared by the Asian Carp Regional Coordinating Committee entitled “FY 2012 Asian Carp Control Strategy Framework” and dated February 2012.

(b) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than December 31 of each year, the Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, shall submit to the Committee on Appropriations and the Committee on Natural Resources of the House of Representatives and the Committee on Appropriations and the Committee on Environmental and Public Works of the Senate a report describing the coordinated strategies established and progress made toward goals to control and eliminate Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include—

(A) any observed changes in the range of Asian carp in the Upper Mississippi and Ohio River basins and tributaries during the 2-year period preceding submission of the report;

(B) a summary of Federal agency efforts, including cooperative efforts with non-Federal partners, to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(C) any research that the Director determines could improve the ability to control the spread of Asian carp;

(D) any quantitative measures that Director intends to use to document progress in controlling the spread of Asian carp; and

(E) a cross-cut accounting of Federal and non-Federal expenditures to control the spread of Asian carp.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, May 8, 2013, at 4 p.m. in room 430 of the Dirksen Senate Office Building to mark up the nomination of Thomas E. Perez, to be Secretary of Labor.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, May 9, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Pharmaceutical Compounding: Proposed Legislative Solution.”

For further information regarding this meeting, please contact Emily

Schlichting of the committee staff on (202) 224-6840

COMMITTEE ON VETERANS' AFFAIRS

Mr. SANDERS. Mr. President, I wish to announce that the Committee on Veterans' Affairs will meet on Thursday, May 9, 2013, at 10 a.m., to conduct a hearing entitled “Pending Health Care Legislation.”

For further information regarding this meeting, please contact Jeff Johnson at the Veterans' Affairs Committee at (202) 224-6478.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, May 16, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Pending Nominations to the National Labor Relations Board.”

For further information regarding this meeting, please contact Anna Porto of the committee staff on (202) 224-5441.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 7, 2013, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 7, 2013, at 10:15 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 7, 2013, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 7, 2013, at 10 a.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Gov-

ernmental Affairs be authorized to meet during the session of the Senate on May 7, 2013, at 10:30 a.m. to conduct a hearing entitled “Border Security: Examining Provisions in the Border Security, Economic Opportunity, and Immigration Modernization Act (S. 744).”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 7, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 7, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, “Credit Reports: What Accuracy and Errors Mean for Consumers.”

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Forces be authorized to meet during the session of the Senate on May 7, 2013, at 2:30 p.m.

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

JOINT COMMITTEE ON THE LIBRARY

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Joint Committee on the Library be authorized to meet during the session of the Senate on May 7, 2013, at 10 a.m.

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

NOTICE: PUBLIC FINANCIAL DISCLOSURE REPORTS

The filing date for the 2012 Public Financial Disclosure reports is Wednesday, May 15, 2013. Senators, political fund designees and staff members whose salaries exceed 120% of the GS-15 pay scale must file reports.

Public Financial Disclosure reports should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

The PRESIDING OFFICER. The Senator from Ohio.

PRODUCTION OF NATIONAL BASEBALL HALL OF FAME COMMEMORATIVE COINS

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 1071, which was received from the House and is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 1071) to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

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

Mr. BROWN. Madam President, I ask unanimous consent that the bill be read three times and passed; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (H.R. 1071) was ordered to a third reading, was read the third time, and passed.

COMMEMORATING THE 10-YEAR ANNIVERSARY OF THE LOSS OF THE STATE SYMBOL OF NEW HAMPSHIRE

Mr. BROWN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to S. Res. 127.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 127) commemorating the 10-year anniversary of the loss of the State symbol of New Hampshire, the Old Man of the Mountain.

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

Mr. BROWN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 127) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 25, 2013, under "Submitted Resolutions.")

NATIONAL PHYSICAL EDUCATION AND SPORT WEEK

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 130, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 130) designating the week of May 1 through May 7, 2013, as "National Physical Education and Sport Week."

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

Mr. BROWN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 130) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 888

Mr. BROWN. Madam President, I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 888) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Security Exchange Act of 1934.

Mr. BROWN. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

AUTHORITY TO APPOINT ESCORT COMMITTEE

Mr. BROWN. Madam President, I ask the President of the Senate be authorized to appoint a committee on the part of the Senate to join a like committee on the part of the House of Representatives to escort Her Excellency Park Geun-hye, the President of South Korea, into the House Chamber for the joint meeting at 10:30 a.m., Wednesday, May 8, 2013.

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

ORDERS FOR WEDNESDAY, MAY 8, 2013

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, May 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a pe-

riod of morning business until 10 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; further, that at 10 a.m. the Senate recess for the joint meeting of Congress with the President of the Republic of Korea until 11:30 a.m.; that when the Senate reconvenes, the Senate resume consideration of S. 601, the Water Resources Development Act, under the previous order.

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

PROGRAM

Mr. BROWN. Senators should gather in the Senate Chamber at 10 a.m. tomorrow to proceed as a body to the House for the joint meeting of Congress.

There will be three rollcall votes at 2 o'clock in relation to amendments to WRDA.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:50 p.m., adjourned until Wednesday, May 8, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE NAVY

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

To be vice admiral

REAR ADM. PAUL A. GROSKLAGS

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

To be vice admiral

VICE ADM. SCOTT H. SWIFT

DEPARTMENT OF TRANSPORTATION

ANTHONY RENARD FOXF, OF NORTH CAROLINA, TO BE SECRETARY OF TRANSPORTATION, VICE RAY LAHOOD.

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL FROMAN, OF NEW YORK, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, VICE RONALD KIRK, RESIGNED.

FEDERAL HOUSING FINANCE AGENCY

MELVIN L. WATT, OF NORTH CAROLINA, TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY FOR A TERM OF FIVE YEARS. (NEW POSITION)

CONFIRMATION

Executive nomination confirmed by the Senate May 7, 2013:

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

DAVID MEDINE, OF MARYLAND, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2018.

HOUSE OF REPRESENTATIVES—Tuesday, May 7, 2013

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 7, 2013.

I hereby appoint the Honorable REID J. RIBBLE to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

WHAT WOULD REAGAN DO ABOUT ILLEGAL IMMIGRANTS?

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

Mr. BROOKS of Alabama. Mr. Speaker, what would President Ronald Reagan do about illegal immigration?

Mr. Speaker, let me share verbatim with you parts of a 2006 editorial by Ronald Reagan's Attorney General, Edwin Meese, that is instructive:

What would Ronald Reagan do? I can't tell you how many times I have been asked that question, on virtually every issue imaginable.

Immigration is one area where Reagan's principles can guide us, and the lessons are instructive.

President Reagan set out to correct the loss of control at our borders. Border security and enforcement of immigration laws would be greatly strengthened, in particular through sanctions against employers who hired illegal immigrants. If jobs were the attraction for illegal immigrants, then cutting off that option was crucial.

He also agreed with the legislation in adjusting the status of immigrants, even if they had entered illegally, who were law-abiding long-term residents, many of whom had children in the United States.

Illegal immigrants who could establish that they had resided in America continu-

ously for 5 years would be granted temporary resident status, which could be upgraded to permanent residency after another 18 months and, after another 5 years, to citizenship. It wasn't automatic. They had to pay application fees, learn to speak English, understand American civics, pass a medical exam and register for military Selective Service. Those with convictions for a felony or three misdemeanors were ineligible.

The lesson from the 1986 experience is that such an amnesty did not solve the problem. There was extensive document fraud, and the number of people applying for amnesty far exceeded projections. And there was a failure of political will to enforce new laws against employers. After a brief slowdown, illegal immigration returned to high levels and continued unabated, forming the nucleus of today's large population of illegal aliens.

So here we are, having much the same debate and being offered much the same deal.

What would President Reagan do? For one thing, he would not repeat the mistakes of the past, including those of his own administration. He knew that secure borders are vital and would now insist on meeting that priority first. He would seek to strengthen the enforcement of existing immigration laws. He would employ new tools like biometric technology for identification and cameras, sensors and satellites to monitor the border that make enforcement and verification less onerous and more effective.

One idea President Reagan had at the time that we might also try improving on is to create a pilot program that would allow genuinely temporary workers to come to the United States, a reasonable program consistent with security and open to the needs and dynamics of our market economy.

And what about those already here? Today it seems to me that the fair policy, one that will not encourage further illegal immigration, is to give those here illegally the opportunity to correct their status by returning to their country of origin and getting in line with everyone else. This, along with serious enforcement and control of the illegal inflow at the border, a combination of incentives and disincentives, will significantly reduce over time our population of illegal immigrants.

Lastly, we should remember Reagan's commitment to the idea that America must remain open and welcoming to those yearning for freedom. As a Nation based on ideas, Ronald Reagan believed that there was something unique about America and that anyone, from anywhere, could become an American. That means that while we seek to meet the challenge of illegal immigration, we must keep open the door of opportunity by preserving and enhancing our heritage of legal immigration, assuring that those who choose to come here permanently become Americans. In the end, it was his principled policy—and it should be ours—to “humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.”

According to Reagan Attorney General Ed Meese, President Ronald

Reagan would learn from history and not repeat the 1986 amnesty mistake that created today's illegal alien problem, the very same amnesty that today's President and so many Senators and Congressmen demand.

President Reagan would insist that those who are here illegally must repent and atone for their illegal conduct by returning to their country of origin and getting in line with everyone else.

Mr. Speaker, America's most cherished right is American citizenship. Foreigners whose first action on American soil is illegal conduct are not deserving of that cherished right.

SEQUESTRATION

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

Mr. HOYER. Mr. Speaker, I rise once again to call on Congress to replace the dangerous and irrational sequester with a big and balanced deficit solution.

Ten weeks after the dysfunction of this Congress led to the sequester taking effect, our economy and the most vulnerable in our society are continuing to experience its effects. On a macro level, the sequester has added to the uncertainty businesses and markets were already facing, making it even more difficult to plan for the future and discouraging private sector investment and development that creates jobs.

Just this past Wednesday, the Federal Reserve issued a statement that “fiscal policy is restraining economic growth.”

But the ill-effects of the Republican sequester policy have been most devastating to those who are in the greatest need and rely on Federal assistance. 70,000 children who will be 3 once and 4 once will be kicked out of Head Start. \$115 million in subsidies that help low-income parents access child care while they work will be eliminated. Over half a billion dollars is being taken away from children and family service programs. Because of the sequester, our most vulnerable children are at risk of losing their shot at the American Dream.

It's not only our youngest citizens who are being hurt by sequestration. Low-income seniors will see 4 million fewer Meals on Wheels deliveries this year, putting at risk seniors who are sick and homebound.

The National Institutes of Health will have to reduce life-saving medical

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

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

research, and 600,000 women, infants, and children could be dropped from the U.S. Department of Agriculture's nutrition program. What an extraordinarily perverse version of "women and children first"—an admonition to save first, not abandon first.

Congress, Mr. Speaker, must act to replace this stupid sequester. I tell people that sequester starts with "s," which stands for stupid. Congress needs to replace it with a big, balanced agreement that every bipartisan commission that has looked at our fiscal challenge has recommended. Restoring financial discipline sets America on a fiscally sustainable path and enables us to invest in education, innovation, and infrastructure that will grow our economy, create jobs and keep millions out of poverty and lift millions of others from poverty.

□ 1010

In order for that to happen, of course, Mr. Speaker, I think you should appoint budget conferees so that negotiations on such a rational solution can begin in earnest.

Sadly, it's becoming increasingly clear that Republicans are in no hurry to complete the work on a budget as a result of the draconian, unrealistic, and damaging spending levels they set forth under the sequester. Simply put, they cannot implement the budget they adopted, neither through the appropriations process nor through the Ways and Means Committee.

Sequestration, of course, was meant to be so unacceptable that we surely would not allow it to come into effect. But it has. It has because it reflects the spending levels Republicans have long sought.

Now, when I say that, some Republicans say, oh, well, the sequester was the President's idea. Not only is the President opposed to sequester, Democrats in the Senate and Democrats in the House are opposed. Most Republicans—that is to say, 229 Republicans—voted for H.R. 2560, Cut, Cap, and Balance. And what this bill that 229 Republicans voted for—and, by the way, 181 Democrats voted against—was to say that we set numbers. If we don't meet them, what do we have? A sequester.

Sequester was their policy; the across-the-board, irrational cutting of the highest priority and the lowest priority the same was their policy that they voted for, an unfortunate policy because it is so irrational and so harmful. Now they won't say how we can get there, of course, because it just isn't possible without gutting some of the most important programs that have a positive impact on our communities. The Republican Appropriations chairman, my friend, Mr. ROGERS from Kentucky, said, on April 25:

There will be some who are shocked. I don't think people yet understand how severe the numbers will be.

That's the Republican chairman, my friend, with whom I served for many years on that committee, HAL ROGERS from Kentucky. "How severe the numbers will be." They're the numbers that were in the Ryan budget; they're the numbers that will be affected by sequester.

Republicans are setting up, in my view, a dangerous game of hide-and-seek in which they will hide what sequester levels actually mean and try to mitigate the ones they believe will have political backlash, very frankly, as we did just about 12 days ago regarding the FAA.

They know they can't achieve cuts their caucus can agree on and that the American people would support. And they seek, in my view, to blame the President and Democrats for what has been a wrong-standing Republican policy which I referenced in their Cut, Cap, and Balance legislation for which 229 of them voted for on July 19, 2011.

To do so, Republicans proposed shifting the defense portion of the sequester—"to do so," meaning to get to the numbers that they proposed—by shifting the defense portion of the sequester on to domestic programs. In other words, the cuts that would normally be across the board, their solution is to simply shift them to some of the programs that I mentioned earlier in terms of Head Start, Meals on Wheels, and other programs that are so necessary to make sure that some of the least of ours are taken care of.

Of course, this is a breaking of the agreement reached in the Budget Control Act of 2011. We all know the likely outcome of these partisan games, Mr. Speaker. House Republicans will once again be divided, as they were a week before we left, and prevent the adoption of a budget that includes a balanced approach.

Now, balanced approach, I won't like all of it. My friend, Mr. JONES, won't like all of it. None of us will like all of it because it will be balanced and we'll have to take the good with the bad. But what it will be is an effort and a reality of getting America on a fiscally sustainable, credible path. Democrats are ready to make tough choices necessary to reach a compromise, and both sides have a responsibility—my side, their side. Very frankly, we ought to be one side, the American side. Both sides have a responsibility to work together to meet our challenges in a sensible way, not a senseless, irrational way, which is what the sequester does, but in a smart way, worthy of our role as the American people's representatives.

OUT OF AFGHANISTAN

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

Mr. JONES. Mr. Speaker, like most Members of Congress, I was home last

week and did two or three different civic clubs. Everywhere I went, when I said it's time to get our troops out of Afghanistan, save lives of our American soldiers, and save money, I would get applause.

Also, in the last couple of weeks, my office has sent out a survey, and 17,000 people of the Third District responded, and 70 percent of the 17,000 said the same thing: Why are we still in Afghanistan spending money we do not have and having our young men and women to give their life for a failed policy known as Afghanistan?

Mr. Speaker, a week ago, I was watching NBC News and Brian Williams broke the story that the CIA admitted that for the last 10 years, each month for the last 10 years they've been carrying cash money to Karzai—cash money. And they said that the best they could do was to estimate that this would be tens of millions of dollars. Poor Uncle Sam. I don't know how he can afford to continue to spend money of the taxpayers that we can't even account for so we can borrow the more money from China to uphold Karzai, who's a corrupt leader to begin with.

I wonder where the outrage is in Congress? I have friends on both sides of the aisles that I think the world of and respect very greatly, but why isn't there more outrage by Congress on the money being spent and, more importantly, the lives of those lost?

Last Saturday, Mr. Speaker, an AP article said seven Americans were killed in Afghanistan. Seven Americans were killed. God help the families. Yet we in Congress just sit here and continue to think that Afghanistan is not our problem, it's just somewhere out there, and we'll find the millions and billions of dollars to send over there with no accountability.

Mr. Speaker, I'm on the Armed Services Committee, and I have written a letter to the chairman of the Oversight Subcommittee and asked her to hold hearings and bring in the inspectors general who've been looking into how the waste, fraud, and abuse abounds in Afghanistan. They can't even account for half the money we've spent over in Afghanistan. We've already spent over \$700 billion in Afghanistan, and half of it we can't even account for.

I don't blame the American people for being frustrated. I really do not. I'm frustrated, too. And I would hope we can find more members of the Republican Party and the Democratic Party to join together in these budget bills coming up this summer and start bringing our troops out of Afghanistan.

I bring this photograph, Mr. Speaker, that has our marines carrying a flag-draped coffin. I try to do this down in the district, and I do it here on the floor because I'm afraid too many times the American people, unless they've got a family member in Afghanistan, probably, with all of the

problems that the American people are faced with, and certainly we are here in Congress, don't think a whole lot about the war. But when you hear about the CIA sending cash money for 10 years, millions and millions and millions of dollars to Karzai so that he can take care of the warlords over in Afghanistan and give a little bit of money to the Taliban so they can buy weapons to kill Americans, then I don't know and I sometimes just am frustrated. Where is the outrage in Congress?

Just a couple more points, Mr. Speaker, before I relinquish my time. I hope that the leadership of the House, led by Speaker BOEHNER and Minority Leader PELOSI, I hope they will join us, Democrat and Republican, in trying to bring an end to this failed policy in Afghanistan. It is a failed policy. We're not going to change one thing. They've already acknowledged, Mr. Speaker, that we are fighting the Taliban, and most of the Taliban are Pashtuns, the largest tribe in Afghanistan. They will eventually be the leaders, and Mr. Karzai will not even be in Afghanistan. He'll probably be in Switzerland counting his money that Uncle Sam has sent to him. Taxpayer, taxpayer, it is wrong that you're having to pay that bill in Afghanistan.

Families who've lost loved ones and families who have kids losing their legs and their lives, it's not fair to you, either.

So, Mr. Speaker, I ask God to continue to bless our men and women in uniform. I ask God to continue to bless the families who've given a child dying for freedom in Afghanistan and Iraq. I'll ask God to please bless the House and Senate, that we will do what is right in the eyes of God for his people. I'll ask God to bless President Obama, that he will do what is right in the eyes of God for his people. And as I yield back, God, please, God, please, God, please, continue to bless America.

□ 1020

THE TIME HAS COME TO DO SOMETHING ABOUT SEXUAL ASSAULT IN OUR MILITARY

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

Ms. SPEIER. Mr. Speaker, next to me is a mug shot. It's a mug shot of someone who's been charged with sexual assault. This is a mug shot of Jeffrey Krusinski.

Jeffrey Krusinski is a lieutenant colonel in the Air Force. His job is to work at the Pentagon as the chief officer of the Sexual Assault and Prevention Office within the Air Force. This man is charged with the responsibility of preventing and reporting sexual assault in the military, in the Air Force. And just this last weekend, he was charged with sexually assaulting a woman in a parking lot.

The best and the brightest the Air Force has to offer to run this office, and he's a sexual predator? Is that what we're talking about?

This is an indictment of the SAPRO office that is supposed to be the solution for military rape and assault. It's an indictment of our procedures. It's an indictment of everything we have done on this issue.

And Congress is as culpable as the military in not addressing it, because we've known about this issue for 25 years. And we are big on holding hearings and beating our chests and saying, This has got to stop. And the big brass comes up to the Hill, and they say all the right words. They say, We have a zero tolerance. And then our chief prevention officer is charged with a sexual assault.

But it doesn't end there. The bad news doesn't end there.

The military just released today its Sexual Assault and Prevention Office report on how many sexual assaults took place in the military last year. And guess what? The numbers have gone up by 30 percent, from 19,000 sexual assaults and rapes in the military, based on the last year's figures, to the most recent year's figures of 26,000 rapes and sexual assaults in the military.

For all the money we've been throwing at this issue, for all the prevention and all the rehabilitation and all of the training, the numbers keep going up. And now, this most recent report also suggests that one-third of the women serving in the military reported that they were sexually harassed last year.

This is an institution of military good discipline, good order?

It is time for us to roll up our sleeves and do something real about this. We have got to stop just kind of nibbling around the edges in an effort to try and fix a broken system.

121 Members have joined me as co-authors of legislation that would take the reporting of sexual assault out of the chain of command, keep it in the military, but place it in a separate office staffed by persons who are experts in investigations, experts in prosecuting these crimes.

And until we do something like this, the numbers of sexual assaults will continue to rise in the military. The number of unrestricted reports will not rise as fast as the number of restricted reports.

And why do we have restricted reports? Why would we say to any member of the military, Yes, report this, but we will keep it quiet, we will sweep it under the rug?

This, my friends, is time for us to do something. It is time for us to say that we are not going to tolerate another scandal. We're not going to tolerate a scandal on Lackland Air Force Base, where there were 59 victims and 32 military training instructors who were

implicated. We're not going to tolerate that in Aviano, Italy. We had a major general who overturned the decision by five military members of a jury who court-martialed a lieutenant colonel and found him guilty, and yet the major general overturned the decision and decided to reinstate this individual.

The time, my friends, has come to do something.

ADDRESSING THE DEBT LIMIT

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

Mr. MCCLINTOCK. Mr. Speaker, amidst all the controversies gripping the Congress, certainly we should at least all be able to agree that the full faith and credit of the United States, the very trust that the public has when it loans money to the government, should not hang in the balance every time there's a fiscal debate in Washington.

This week, the House is expected to consider H.R. 807, to allow a temporary exception to the debt limit solely to assure that the full and prompt payment of principal and interest is made on the debt in the event of an impasse in Washington.

Now, that should make perfect sense. As a practical matter, a family that's depending on its credit cards to pay its bills had better make sure to pay the credit card bills first.

The executive branch already has considerable powers to protect the Nation's credit, but the administration hasn't always acknowledged it. The 14th Amendment to the Constitution places the validity of the public debt beyond question.

The Government Accountability Office has consistently held that the Treasury Secretary already has "the authority to choose the order in which to pay obligations of the United States" in order to protect the Nation's credit. This authority is inherent in the 1789 act that established the Treasury Department and entrusted it with the management of the revenue and the support of the public credit.

Even with record deficits, our revenues are roughly 10 times greater than our public debt service, so there's no excuse for a debt default. And yet, when an impasse over the debt limit loomed 2 years ago, then-Treasury Secretary Tim Geithner insisted that his only option was to default on the Nation's credit.

Now, whether this was a crude attempt to hold the Nation's credit hostage to political demands for higher spending or whether it was the sincere misunderstanding of his powers and responsibilities is really immaterial.

In the future, this measure would order the Treasury Secretary to

promptly and fully pay all principal and interest due on the national debt, even providing a temporary exemption from the debt limit in order to do so.

Now, most States have provisions in their laws or constitutions guaranteeing their debt. Last year in testimony to the Senate, Fed Chairman Ben Bernanke praised these State provisions for maintaining confidence in State and municipal markets, and he told the House Budget Committee that a similar measure at the Federal level would help protect the Nation's credit.

Is this a tacit suggestion that we shouldn't meet our other obligations? Well, does anyone suggest that all the States that have had similar provisions in their constitutions and statutes for hundreds of years have ever used them as an excuse not to pay their other bills? Of course not. On the contrary, providing clear and unambiguous mandates to protect their credit first, they actually support and maintain their ability to pay all of their other obligations.

For a Congress that's borrowing nearly 40 cents on every dollar that it spends, the importance of this provision should be obvious. With the Nation carrying a total debt that exceeds its entire economy, it is imperative that credit markets be absolutely certain that the risk of an American default is nonexistent. Without this confidence, rising interest rates could rapidly consume vital government programs and make a mockery of the even modest budget savings wrought by the sequester.

Opponents charge that protecting the public credit above all other expenditures would subordinate many other essential obligations, like payments to troops or children's nutrition, but they forget the public credit is what makes it possible to meet every other obligation of the government.

A prolonged impasse over the debt limit is something that is much to be avoided.

□ 1030

Postponing payment of any of the government's bills would be dangerous and unprecedented. Although existing revenues could support critical government responsibilities for a while, distress to other Federal employees and contractors would be severe, would rapidly compound, and would eventually threaten core governmental functions.

Yet there is a worse fiscal outcome, and that is a failure to honor the Nation's debt obligations. We should remember that if the full faith and credit of the United States is ever compromised, all programs are jeopardized.

We must recognize that today our country is divided over fiscal policy and that bitter fiscal disputes in Congress are likely to continue for some time. Financial markets ought to be confident that their Treasury bonds

are safe regardless of what political storms are raging in Washington.

TRIBUTE TO MR. JOSEPH CARTER CORBIN, FOUNDER OF THE UNIVERSITY OF ARKANSAS AT PINE BLUFF

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to Mr. Joseph Carter Corbin, founder of the University of Arkansas at Pine Bluff.

As a proud graduate of Arkansas Mechanical and Normal College, now the University of Arkansas at Pine Bluff, I am pleased to have the opportunity to participate in the dedication of a headstone on the grave site of our founder and first president, Professor Joseph Carter Corbin.

The Bible says, "Where there is no vision, the people perish;" and all of us who revere and appreciate the history of the University of Arkansas at Pine Bluff owe a debt of gratitude to our fellow alumna, Ms. Gladys Turner Finney, who thought of the idea, did the research, and communicated with other alumni across the country and brought the idea to fruition. The final resting place of Joseph Carter was recently discovered in an unmarked grave in Forest Home Cemetery in Forest Park, Illinois, which I represent as a Member of Congress.

Professor Corbin died January 9, 1911, in Pine Bluff, Arkansas. He was interred at the Waldheim Cemetery in Forest Park near his wife, Mary Jane Corbin, and two sons, John W. Corbin and William H. Corbin. The cemetery, known at that time as Waldheim German Cemetery, is located at 863 South Des Plaines Avenue in Forest Park, Illinois.

Mr. Corbin was born in Chillicothe, Ohio, on March 26, 1833, to free parents, William and Susan Corbin. He entered Ohio University at Athens, Ohio, in 1850, when he was 17, after having been home-schooled. He earned a bachelor's degree in art. He also earned two master's degrees from Ohio University in 1856 and 1889.

He later moved to Little Rock, Arkansas, joined the Republican Party, and became a leader. He quickly rose and became secretary of the State convention and was elected State Superintendent of Public Instruction, where he laid the groundwork for the establishment of the Branch Normal College. It finally started, and he became its founder and principal for 27 years, from 1875 to 1902.

A leader in the public education movement in Arkansas, Professor Corbin became the principal of Merrill High School in 1902. He and fellow educator, R.C. Childress, founded Teachers of Negro Youth in Arkansas, which be-

came the first State colored teachers association. Professor Corbin was its first president.

Compared with educators Booker T. Washington and Horace Mann, Professor Corbin was thought to be one of the most highly educated individuals of his time as a scholarly graduate of Ohio University. During his tenure at Branch Normal, he worked tirelessly to maintain an adequate physical plant and academic program. The student population grew from 7 students to 241 students by 1894, when Arkansas graduated its first African American student.

As beneficiaries of his work, we hold Professor Corbin and his legacy in high esteem. An institution which started with 7 students is now the University of Arkansas at Pine Bluff offering master's degrees, bachelor's degrees, and doctorate degrees. We owe Joseph Carter Corbin, our first president and the founder of a now great institution, a debt of gratitude and thank him for his work.

PASS A RESPONSIBLE FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Mr. Speaker, I rise today to talk about the importance of getting a farm bill done this year. Growing up on a farm in South Dakota, I know how volatile the agriculture industry certainly is. Our producers will invest in seed; they will fertilize the land; and they will put it in the ground in the spring, oftentimes in unfavorable weather, in the hope that that fall they will come back and be able to pick something up and have something to show for it in the fall. The crops that are grown provide food not just for South Dakota, but for our Nation and for our world.

South Dakotans understand that our weather can be extreme and it can be unpredictable. It can also vary a lot from year to year. We have certainly seen that situation this year. Look at what we have witnessed lately. We have gone from extreme droughts in the Midwest to now blizzards in April. For agriculture producers, these extremes are more than an inconvenience. Whether it is an extended drought that dries out crops or a blizzard that endangers a herd of cattle, weather disasters can mean the difference between a family operation that is able to make it through another year or a family operation that ends forever.

When faced with weather-related disasters, I know that it is essential for our farmers and ranchers to have immediate assistance to keep their operations running. We have a national security interest in being able to produce our own food in this country. The instance we depend on another country

to feed our people is the instance that we completely let them control us and our future. A farm bill not only provides a safety net for us, it keeps us safe. We need to keep our farmers on the land in good times and in bad times.

Budgeting for these programs through the farm bill process is much more responsible than doing what has been done in the past, such as passing large, ad hoc disaster assistance packages, which is what Congress often ends up doing year after year if these programs are not in place and are not funded. Often these disaster programs could be spent at a deficit level rather than responsibly being budgeted for.

One of the situations we don't talk about very often is how the dynamics have changed in the farming industry. It is simply not possible for farmers and ranchers to continue to operate without having access to credit. The only way they have access to credit a lot of times is because of dependence on crop insurance and somewhat of a farm safety net.

Next week, the House Agriculture Committee plans to mark up the farm bill. We need this House to act. We need them to get a farm bill done, one that will support both rural and urban America. We cannot accept another extension this year. We must pass a long-term bill to give certainty to our producers and to guarantee our Nation's food supply.

MATTIE RIPKOWSKI—TEXAS MOTHER

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

Mr. POE of Texas. Mr. Speaker, Sunday is Mother's Day where we honor our Nation's mothers. My mom is still alive. I got to know my grandmothers, both of them, until they died in their nineties, and my three daughters all have children.

But I want to talk about a mother that most Americans probably have never ever heard of. Her name was Mattie Ripkowski. Let me tell you a little bit about her and her family.

She was a first-generation American-born Polish immigrant. Back in the 1800s, the Polish community came into Texas through the Port of Galveston. They settled there while Texas was an independent country. In fact, some Poles fought at the Battle of San Jacinto where Texas won its independence from Mexico in 1836.

□ 1040

Mattie Olbrich was born in 1896 in Texas. At the age of 17, she married Stash Ripkowski—both newlyweds—another small-town guy from New Waverly, Texas. They started raising a family, Mattie and Stash. And after several years, this was their family.

Yes, Mattie Ripkowski had 16 children—4 daughters and 12 sons. They were all born by natural childbirth with a midwife, except one. This whole family lived in southeast Texas on a small, 200-acre farm near Dayton, Texas.

Mattie—the mother, the wife—made sure that during the Depression all the kids never went hungry. She taught them the basics of life: true grit, a work ethic, a belief in the Almighty. They worked hard, everything from picking cotton to tending to animals to hauling corn. And every child was expected to do their work on the farm, which was self-sufficient.

When two of the Ripkowski boys got to be in high school, they were excellent football players. And you know, Mr. Speaker, Texas is known for its football teams all the way back to the 1800s. Two of them were so good that the local high school football coach, who knew that they had to work on the farm, had the school hire two farmers to take the sons' place and work the farm. Then the two high school football stars could play for Dayton High School. Dayton is a small Texas town that loves football. The 5,500 people there that go to Friday night football, the stadium seats more than the entire town population.

But anyway, back to the Ripkowskis. They never missed a meal. In fact, Mattie was so adamant about family that they all ate together three times a day. Now, can you imagine preparing a table three times a day for 18 people—16 of them kids and 12 of them sons?

As the Depression ended, World War II came. And as World War II came, Mattie, having taught her kids service to America, all 12 of her sons joined the United States military. They served in all branches of the military. They served either in World War II or Korea, or both.

Every night, Mattie would write one of them a letter. She would say the Rosary every night for all 12. She would pray for all of her sons. Miraculously, all 12 of her sons who went to war for America came back. There has never been another family with that many sons from the same parents who joined the United States military. She instilled in them those important values of country, God, and family. The Ripkowski family is quite a remarkable clan of Texans.

Mrs. Ripkowski—Mattie, as they called her—her kids grew up to all marry. She knew all of their spouses and many of her grandchildren and great-grandchildren. The fruits of Mattie Ripkowski's labor produced honest, hardworking, God-fearing patriots.

One test of motherhood, Mr. Speaker, is how a mother's kids turn out. Well, Mattie passed the test 16 times with her 16 children. They all turned out to

be wonderful people. In fact, six of them are still alive. I had the opportunity recently at a dedication where we honored a Vietnam veteran who received the Medal of Honor by naming a post office for him. Some of her kids came to that ceremony. The youngest, Anna Lee Campbell, who is now 80, and I talked about her family, about Mattie, about growing up with this remarkable woman. And she showed me numerous photographs of their family.

I was also there with one of the sons, Mike, who talked about their family, Polish immigrants, and how they have all turned out to be successful and how they fought for America. Before the conversation was over with Mike I asked him, "What did you call your mother all those many years?" He said, "Well, of course I called her mama, and I also called her ma'am." No kidding.

Remarkable lady, Mattie Ripkowski. We honor her and all of America's mothers this Sunday for their lives and dedication to motherhood.

And that's just the way it is.

RECESS

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

Accordingly (at 10 o'clock and 44 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

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

We ask discernment for the Members, that they might judge anew their adherence to principle, conviction, and commitment, lest they slide uncharitably toward an inability to listen to one another and work cooperatively to solve the important issues of our day.

Give them the generosity of heart and the courage of true leadership to work toward a common solution which might call for sacrifice on both sides. We pray that their work results not in a Nation comprised of winners and losers, but where our citizens know in their hearts that we Americans are all winners.

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

Amen.

THE JOURNAL

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

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

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

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

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. BENISHEK led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING SERGEANT 1ST CLASS JAMES PRIESTAP

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

Mr. BENISHEK. Mr. Speaker, I rise today to announce that the circle drive of the Oscar G. Johnson Veterans Affairs Medical Center in Iron Mountain, Michigan, will be named after local son and Iraq War veteran, Sergeant 1st Class James Priestap.

Sergeant Priestap graduated from North Dickinson High School in 1985 before attending Ferris State University and Northern Michigan University and joining the U.S. Navy as a rescue swimmer. Sergeant Priestap also served as a police officer at the Oscar G. Johnson VA Medical Center, where I worked as a physician. While bravely defending his Nation in Iraq, Sergeant Priestap was killed in action on Thanksgiving Day 2006.

The entire Dickinson community came together to memorialize Sergeant Priestap at the VA facility where he guarded our veterans, and I am honored today to have helped him fight for this distinction over the past 2 years.

This memorial represents a small but important gesture of gratitude, not only for Sergeant Priestap's sacrifice but for his lifelong pursuit of selfless service to others. I'm very pleased that all visitors to the world-class VA hospital in Iron Mountain will soon be able to remember a true hero from northern Michigan who laid down his life so that others could live in freedom.

NATIONAL TEACHER APPRECIATION DAY

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

Mr. QUIGLEY. Madam Speaker, I rise today on National Teacher Appreciation Day with an oft-forgotten remedy to our economic downturn: investments in early childhood education.

Successful nations invest in three things: infrastructure, research, and education. To compete in the global market, we need to have the most highly skilled workforce in the world. And to develop that workforce, we have to start at the beginning with early childhood education.

Research from Stanford shows that rich students perform better than middle- and low-income students. Quite simply, they enter kindergarten more prepared thanks to high quality preschool. Nobel Laureate economist James Heckman found a 7 to 10 percent annual return on investment in effective preschool.

Every child deserves a chance to succeed in school and throughout their lives. Providing early childhood education can give them that chance, and the entire Nation will be better off for it.

MONTANA VOTES AGAINST AN ONLINE SALES TAX

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

Mr. DAINES. Madam Speaker, today I rise in strong opposition to the Marketplace Fairness Act. This is a bill that mandates small businesses to collect sales tax on behalf of other cities and States when selling products over the Internet.

This bill would fundamentally change how online purchases are taxed and would impose yet another burden on Montana's small businesses. You see, back home in Montana, we don't have a Statewide sales tax. In fact, we often say that "You know you're a native Montanan if you've voted against a sales tax twice."

But under this legislation, which the Senate passed last night, Montana's small businesses would be forced to collect sales tax for up to 9,600 cities

and States—none of which would go to Montana. The added costs and the burden of more paperwork and more regulations would severely undermine many small businesses in our State.

As a fifth-generation Montanan who supports our State's no sales tax policy, I strongly oppose this legislation, and I will fight to stop it should it reach the House floor.

URBAN AREA SECURITY INITIATIVE

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

Mr. HIGGINS. Madam Speaker, the success of Boston law enforcement in responding to the marathon bombing is due to the skill and coordination of their law enforcement community.

Boston's law enforcement agencies also have the benefit of membership in the Urban Area Security Initiative, or UASI, program. The security program was created to develop capabilities to prevent and respond to attacks just like this one in our most vulnerable cities.

Unfortunately, funding shortfalls in recent years have cut the number of cities included in this program from 64 to 32. The Buffalo-Niagara region which I represent was among the eliminated regions.

Madam Speaker, the eliminated cities are still vulnerable, and, in fact, it was recently revealed that a Canadian terror plot may have targeted the border in Niagara Falls.

The Federal Government made an investment in these communities, and a sudden exclusion from this security program threatens to render that investment wasted. The increased security and response capabilities that have been developed must be preserved, and we have an obligation to restore eligibility to these excluded communities.

CONGRATULATING ANGELO STATE UNIVERSITY RAMS AND RAMBELLES

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

Mr. CONAWAY. Madam Speaker, I rise today to congratulate the historic achievement of the Angelo State University men's and women's track and field teams. On May 4, 2013, the Rams and the Rambelles won the Lone Star Conference Outdoor Track and Field titles.

This marks the first time in school history that both the men's and women's teams have won their conference title in the same year, the fifth consecutive year for the Rambelles and the first for the Rams since 1992. The Rams won their title in dramatic west

Texas fashion, defeating their rivals West Texas A&M in the final race.

Coach James Reid, his staff, and these young men and women worked tirelessly this year to have earned their place in ASU history. They bring great pride to their school, the city of San Angelo, and west Texas. I encourage them to savor their victories, and I wish them great success as they defend their titles next year.

Again, I congratulate the Angelo State Rams and Rambelles for their Lone Star Conference Outdoor Track and Field titles. Go Rams!

RIGHT TO WORK FOR LESS ACT

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

Ms. PINGREE of Maine. Madam Speaker, for generations we have fought to improve conditions for working American families: the minimum wage, anti-discrimination rules, and the 40-hour workweek. These changes were all passed by Congress to make it a little bit easier for Americans to make a decent living under decent working conditions.

Now the Republicans want to roll back some of these basic protections, starting with the 40-hour workweek. The bill we are debating this week—which should be called the Right to Work for Less Act—is designed to let employers avoid paying overtime and could force workers to take comp time instead. But the comp time could only be used when it suits the employer.

There is no question we need to improve workplace rules, like equal pay for equal work or guaranteed paid sick leave or a higher minimum wage. But rolling back the clock to do away with the 40-hour workweek is a step backwards, and it is a lousy deal for American workers.

□ 1210

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. DESJARLAIS. Madam Speaker, I come to the floor today to voice my support for H.R. 1406, the Working Families Flexibility Act of 2013.

Working families all across America face difficult choices every day over how to balance their responsibilities at work with their duties to their families at home.

Government employees have always had the option to convert accrued overtime into time off from work. However, private sector employees do not have this option. Today's rigid and archaic wage-and-hour laws force these employees to take vacation days or sim-

ply not work when confronted with sick children, responsibilities to aging patients, or even seemingly mundane, yet time-consuming, tasks like running errands.

H.R. 1406 would provide private employees that same flexibility that government workers enjoy while protecting both the rights of workers and their employers.

I ask my colleagues to support working families and vote in favor of this legislation.

SEXUAL ASSAULT IN THE MILITARY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, last night, reports circulated that the Air Force official who is in charge of its sexual assault prevention program at the Pentagon was arrested for sexually assaulting a woman in a parking lot. Although we are still waiting for a full investigation to be conducted, if true, this type of conduct is absolutely unacceptable, especially from the individual who's in the leadership position to prevent this.

When one joins the U.S. military, he or she is expected to have the highest level of character and respect. Mr. Krusinski was not only a leader, but he was responsible for enforcing sexual assault prevention.

I have worked for many years in Congress on this issue. Fundamental changes are needed in order to combat this. It's up to the military and to the Congress to ensure that victims will be respected and protected and that offenders will be punished. It's absolutely necessary that this problem of leadership and climate in the military be addressed immediately. If not, the health and strength of this Nation's military will deteriorate.

SENATE IMMIGRATION BILL COSTS \$6.3 TRILLION

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

Mr. SMITH of Texas. Madam Speaker, a new study by The Heritage Foundation warns that the Senate immigration bill would cost \$6.3 trillion. That's because over their lifetime, illegal immigrants given amnesty would receive \$9.4 trillion in government benefits while paying only \$3.1 trillion in taxes. Government benefits include Social Security, Medicare, Medicaid, food stamps, and health care. That means each taxpayer would be forced to pay \$40,000 just to cover some of the costs of the immigration bill.

The immigration bill costs too much, has no deadline to secure the border,

and hurts American workers. We should put the interests of American taxpayers and American workers first.

PAYING TRIBUTE TO AMEAL MOORE

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

Mr. TAKANO. Madam Speaker, I rise today to pay tribute to former Riverside City Councilman Ameal Moore.

Born and raised in the South, Ameal experienced "separate but equal" and injustice firsthand. In 1965, his brother Oneal, a Louisiana sheriff, was murdered by the racist vigilante group the Night Riders—a tragedy that in some ways fueled Ameal's activism and desire to create safer communities.

A veteran, Ameal served in the United States Air Force for 8 years. After being honorably discharged, he settled with his family in Riverside, where he worked for the United States Postal Service for over 30 years, eventually becoming the assistant postmaster.

Never one to sit idly by, Ameal was always involved in local organizations. He was the president of Riverside's NAACP chapter and served on the Greater Riverside Urban League. Later, he decided to run for public office and was elected to the Riverside City Council in 1994, becoming one of the first African American city council members in our city's history. During his tenure, Ameal showed unparalleled passion toward improving our community.

Riverside is lucky to have had such a remarkable and dedicated public servant like Ameal Moore. I am incredibly proud that Ameal came to Riverside and that our city is where he fulfilled his dreams. He will be missed.

MONEY FOR NOTHING

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

Mr. MESSER. Madam Speaker, I rise today to highlight more wasteful government spending.

The Washington Post recently reported that the Federal Government will spend at least \$890,000 on service fees for more than 13,000 empty bank accounts this year. Let me say that again. Our Federal Government will spend \$890,000 servicing 13,000 empty bank accounts with a balance of zero.

The President's OMB thinks that's good news because the number of these so-called zero balance accounts has decreased by 50 percent over the past several years. I think we can do better. We must close these empty bank accounts and put the money sitting in the inactive ones to good use, like reducing the

deficit. I plan to introduce legislation soon that will do just that.

Madam Speaker, President Reagan once noted how only in Washington does it make sense for the agency responsible for everything outside to be called the Department of the Interior. I would add that only in Washington is it good news when the government spends \$1 million on nothing.

SEQUESTRATION

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

Mr. BUTTERFIELD. Madam Speaker, sequestration—we must repeal the sequester now.

Americans have lived under these budget cuts for over 2 months, and one thing is clear: sequestration is hurting Americans; it is hurting constituents in your district and in mine, damaging the American economy and killing American jobs. We must totally repeal sequestration now. Democrats are prepared to vote for full repeal.

Madam Speaker, a piecemeal approach to reversing these cuts is simply the wrong way forward. We should not be in the business of picking winners and losers when it comes to restoring funding, like when we reversed the cuts to TSA because the delays created made front-page news. Our actions should not be driven by who makes the most noise, but rather what is best for the country and the American people.

Lifesaving medical research funded by NIH has taken a \$1.6 billion hit. Are we to think that research for cures to cancer, HIV/AIDS, and diabetes are less important than how quickly we move through airport lines?

Madam Speaker, we need to send a clear message to the American people that we will not stand for arbitrary cuts. We must fully repeal sequestration now.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. SESSIONS. Madam Speaker, today I rise in support of H.R. 1406, the piece of legislation that we will be debating today, the Working Families Flexibility Act of 2013. I am proud of the work that my friend Congresswoman MARTHA ROBY has done on this important bill. This legislation makes life easier for American families by giving them an additional tool to balance the demands of their family and workplace life.

As the father of boys, I know it takes a lot of time to help not only raise them, but to prepare them for their future. But I also had a job in the private sector; and I know that there are times when people in the private sector need

the flexibility to do like I did, to take their boys to a Boy Scout campout or a wrestling tournament.

Currently, public sector workers have the flexibility to convert their overtime into comp time off. Labor unions include similar provisions in collective bargaining agreements with their employees. America's private sector workers deserve the same option that union workers have.

I look forward to supporting this legislation on the floor and encourage my colleagues to do the same.

□ 1220

ARBITRATION FAIRNESS ACT

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

Mr. JOHNSON of Georgia. Madam Speaker, today I introduce H.R. 1844, the Arbitration Fairness Act. Forced arbitration agreements stack the deck against working people and have been of concern to me ever since I've come to Congress. These agreements are pervasive and they adversely affect countless Americans every year.

Too many Americans are forced to give up their rights to have a trial by jury when it comes to these consumer agreements that they sign with these megabusinesses. My bill would remedy this by prohibiting any predispute agreement that requires arbitration for claims involving employees, consumers, civil rights, and antitrust.

We must protect our constitutional right to a fair trial by a jury of one's peers. I will continue to champion this bill until it is signed into law, and I urge my colleagues to support the Arbitration Fairness Act.

OBAMACARE

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

Mr. SHUSTER. Madam Speaker, as we approach the summer months, we get closer to the dreaded date of 2014 when ObamaCare is launched. We still face major uncertainty to how this massive takeover of health care is actually going to work. In fact, the administration is not even certain of that.

Families and small businesses in my district have great concern over what's going to happen. In fact, when I talk to small business owners, many of them say they're going to have to stop providing health care and put these folks into these exchanges because they need the money to stay competitive. It's going to be something that they can find savings; and, again, in these uncertain times, they're not sure exactly what they're going to do.

When you look at what the President said that "if you like your health care,

you can keep your health care," well, in fact, in my district, there's going to be 44,000 seniors that are going to lose Medicare Advantage because of ObamaCare.

Taxes will go up. Taxes will go up on businesses and families. Individuals are already seeing their premiums increased.

And the President has done nothing to provide certainty, as I said. The administration isn't even sure how this is going to play out. And I believe, ladies and gentlemen, that this is going to end up in a train wreck. This is going to end up in something that is going to hurt the economy and hurt health care.

DEPARTMENT OF DEFENSE CIVILIAN FURLONGHS

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

Mr. MAFFEI. Madam Speaker, last weekend, I had the honor to visit the men and women of the 174th Attack Wing at Hancock Air National Guard Base in Syracuse, New York.

The 174th is tasked with training airmen and supporting missions around the globe, including supporting combat missions in Afghanistan. It also supports homeland defense and aids during domestic emergencies, such as Hurricane Sandy. It does this 24 hours a day, 7 days a week.

I was thoroughly impressed with the professionalism of Colonel Greg Semmel and the officers and airmen under his command. But I also saw firsthand how sequestration is affecting our military and its ability to execute its mission, a mission that the Congress of the United States authorized.

Approximately 280 that work for the 174th are subject to furlough, forcing the unit to operate missions in a theater of war shorthanded. Many of these men and women are in the National Guard and work full time in uniform. They are members of our Armed Forces on military missions and yet subject to sequestration.

This Congress should be ashamed that soldiers are sequestered in a time of war. I urge this body to find a way to prevent these furloughs so that the 174th and the rest of our military can complete the mission and protect our national security. We cannot wait another week. We must do it this week. We must give our soldiers and sailors and airmen the support that they need.

GUN VIOLENCE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, it has been more than 20 weeks since the tragic shooting at Sandy Hook school; yet

Congress has still been unable to pass a comprehensive legislative piece to curb gun violence in this country. While an overwhelming majority of Americans support expanding background checks, Senate Republicans last month blocked an important measure that would have expanded background checks to many types of private firearm sales.

I came here from the mental health field. Every day that the Republicans in Congress choose to block critical measures to reduce gun violence, we will prevent having a safe community, because with the background check, many innocent sick people will be stopped. We cannot afford to continue to lose lives and have families severely impacted by senseless violence at the hands of criminals with deadly firearms.

Madam Speaker, we owe it to the American people to respond immediately to this violence.

WORKING FAMILIES FLEXIBILITY ACT II

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Madam Speaker, leave it to Washington to leave a severely outdated government regulation on the books where it can continue to be a thorn in the side of hardworking Americans all across the country.

Under the Fair Labor Standards Act of 1938—yes, 1938, 3 years before our country entered World War II—American workers in the private sector are not allowed to choose to be paid for overtime with extra time off instead of extra wages.

There's no denying that our workforce has changed since 1938. Nowadays, 59 percent of American families have two parents that work, and 8.5 million workers are single parents. When you're balancing work and family, time can be just as valuable as money.

The Working Families Flexibility Act, which House Republicans have introduced, will amend the 1938 law to give more American workers the choice to be paid in extra time off. It's your time and you deserve it.

SEQUESTRATION

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

Mr. JEFFRIES. Madam Speaker, this institution is commonly referred to as the people's House. We have an obligation to address issues that impact all Americans.

The sequestration cuts began as a slow burn but have increasingly caused pain for people all across this country. Now, this House somehow found the courage to rescue air travelers from

the sequestration battlefield, but we left other Americans behind:

We left Head Start children behind; we left expectant mothers behind; we left seniors who rely on the Meals on Wheels program behind; we left public housing residents behind; we left the long-term unemployed behind.

We have an obligation to address issues that confront all Americans. That's why I support H.R. 900, a one-sentence bill that would repeal the sequester.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. SCHWEIKERT. Madam Speaker, I wanted to take this 60-second moment to stand here in front of the House and talk a little bit about the Working Families Flexibility Act. I am someone that as a Member of Congress, in a previous life, has run both a State agency where they could do this, where actually employees at my State level had the options of how they managed their compensation, whether they wanted to take it in time or actually in dollars.

But yet the arrogance, the continuing arrogance of Washington, it's good enough for our public employees, but it's not good enough for the businesses around the country. I've got to give MARTHA ROBY credit. Thank you for bringing this bill before us. Hopefully, we're going to step up and say, if we really want economic choice for the American people, we'll pass this bill.

□ 1230

HONORING THE STUDENTS OF ELM PLACE MIDDLE SCHOOL'S PROBLEM SOLVERS

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

Mr. SCHNEIDER. Madam Speaker, my district is home to Highland Park's Elm Place Middle School. The sixth, seventh, and eighth graders who make up the Problem Solvers team recently won their division at the Illinois Future Problem Solvers Bowl, and they will compete in the international competition in June.

The Future Problem Solving Program encourages young students to think critically and creatively in order to develop a vision for the future and to become leaders. In my view, these Elm Place students have achieved all three.

Their project, Tefkiir, connected them with a girls school in Jordan, and they began to exchange books and educational materials. Quickly, the students realized how much they all have

in common—how much more binds us than separates us. The Elm Place students are moving on to the International Problem Solving Bowl, but they don't want to go without their partners, without their friends in Jordan. So the team raised money in our community to pay for the airfare. These students, a half a world apart, started this project together, and that's how they will finish it.

Madam Speaker, I am proud to use my time today to honor the students of Elm Place Middle School's Problem Solvers.

TIME FOR THE FEDERAL GOVERNMENT TO FACE SEQUESTER

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

Mr. SHIMKUS. Madam Speaker, the Federal budget is approximately \$3.6 trillion; \$2.4 trillion is what we call "mandatory spending." That's Medicare, Medicaid, Social Security, and interest payments on the debt. Approximately \$1.2 trillion is the discretionary budget, and we sit here and moan about \$85 billion in sequester. Businesses have had the sequester over the past 3 to 4 years. Not-for-profits have had the sequester for the past 3 or 4 years. It's about time that the Federal Government sequestered also.

I want to thank the President for addressing the mandatory-spending program. With his chained CPI address on Social Security, he recognizes the fact that, if we want to stop sequestration from occurring, mandatory programs have to be reformed.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. VARGAS. Madam Speaker, I rise today in favor of comprehensive immigration reform, especially one that respects the heroic work and heroic lives of our military.

We've now heard from many military personnel who have said that what they fear most is that their spouses are going to be unfortunately and dastardly taken from them and deported. We heard from a young marine over at the Russell Building who is going off to Afghanistan for his third tour of duty. He said that he is not afraid of dying. He says, "That's what marines do—we fight and we die." His only fear is that, when he is gone, they may deport his wife back to Mexico, and then he doesn't know what he can do to help her or their two children.

So we have to change the law. The law is not fair. How can the law possibly be fair when our military men

and women are under this kind of threat? I stand here today to say that we have to have comprehensive immigration reform, especially one that respects our military.

30TH ANNUAL NATIONAL TRAVEL AND TOURISM WEEK

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

Ms. TITUS. I rise today in recognition of National Travel and Tourism Week, and I will be introducing a resolution to that effect later today.

Travel and tourism make up the lifeblood of our economy in southern Nevada: 383,000 southern Nevada jobs are supported by the tourism industry, accounting for 47 percent of southern Nevada's labor force and generating \$45 billion in economic activity.

Men and women are employed in the convention, entertainment, gaming, and related service industries. Their hard work, ingenuity, and dedication make Las Vegas one of the world's premier travel destinations for business and pleasure. Last year, nearly 40 million visitors came to Las Vegas. In addition, we hosted over 21,000 conventions and meetings, which brought in some 5 million national and international tourists, most of whom spent considerable time in District One. Furthermore, 43 percent of these visitors traveled through McCarran Airport, which is the Nation's sixth busiest airport, also located in District One.

So for the sake of southern Nevada's economy and our national future, we must make real investments in our country's infrastructure in order to increase the efficiency and reliability of travel and to encourage greater tourism to the United States and to Las Vegas.

WORKING FAMILIES FLEXIBILITY ACT

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

Ms. FOXX. It is hard to raise a family and earn a living at the same time. The reality is that every hour you spend working to provide for your family is an hour you can't spend with your family.

For nearly 30 years, Federal, State, and local government employees have been able to choose paid time off, or comp time, instead of cash wages as compensation for working overtime hours. Unfortunately, Federal law prohibits employees in the private sector from having the same option. It's time to put an end to this double standard. Private sector employees deserve the same flexibility.

That is why Republicans have introduced H.R. 1406, the Working Families Flexibility Act; and that bill deserves

our support. We will vote shortly on the rule for that and tomorrow on the bill. Madam Speaker, I urge all of my colleagues to vote for fairness for the private sector.

U.S. AIR FORCE CAPTAIN REID NISHIZUKA, A HERO

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

Ms. GABBARD. Madam Speaker, I rise today to honor and recognize one of Hawaii's heroes, U.S. Air Force Captain Reid Nishizuka of Kailua, Hawaii.

On April 27, 30-year-old Captain Nishizuka died as a result of an MC-12 aircraft crash near Kandahar Airfield in Afghanistan. Captain Nishizuka put his life on the line in the service of our Nation, and he made the ultimate sacrifice. I am deeply saddened by this loss for his family, for Hawaii, and for our country. My thoughts and prayers are with the Nishizukas.

Captain Nishizuka always knew he wanted to serve. He had been on track to join the Air Force since high school when he was a member of the Kailua JROTC and when he later went on to the Notre Dame ROTC, where he studied aeronautical engineering. As his family and friends have said, Captain Nishizuka always loved flying, brought joy to everyone around him, and even inspired his brother Chad to join the Air Force, too.

As we do our work here in the people's House, let us always remember the selfless example set by Captain Nishizuka and by so many other heroes, and let us do our very best to honor their immeasurable sacrifice.

HONORING OAKLAND PARK STUDENTS ON WHITE HOUSE SCIENCE FAIR

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

Ms. FRANKEL of Florida. Today, I rise to say congratulations to the student inventors at Northeast High School in Oakland Park, Florida.

They were recently recognized for designing and creating a bicycle that serves as an emergency water sanitation system. After a natural disaster, the bicycle can be transported to the scene to filter contaminated water for E. coli and other pathogens. It can be assembled and taken apart in less than 1 hour, and it can produce enough water to hydrate 20 to 30 people for a 15-hour period.

These students first got the idea from unsanitary conditions in Haiti, and they have devoted countless hours to bringing this to life, and they even received a \$10,000 grant from MIT. Their work ethic, creativity, and dedication to making this world a better place is an inspiration to all of us.

So, again, congratulations to the student inventors of Northeast High School in Broward County, Florida; and my best wishes to all of them in the future.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mrs. HARTZLER) laid before the House the following communication from the Clerk of the House of Representatives:

MAY 7, 2013.

Hon. JOHN A. BOEHNER

Speaker,

U.S. Capitol,

House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 7, 2013 at 9:30 a.m.:

That the Senate passed S. 743

With best wishes, I am

Sincerely,

KAREN L. HAAS.

□ 1240

PROVIDING FOR CONSIDERATION OF H.R. 1406, WORKING FAMILIES FLEXIBILITY ACT OF 2013

Ms. FOXX. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 198 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 198

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Gibson of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman

from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 198 provides for a structured rule providing for consideration of H.R. 1406, the Working Families Flexibility Act of 2013.

Madam Speaker, it's hard to raise a family and earn a living at the same time. The reality is that every hour you spend working to provide for your family is an hour you can't spend with your family, seeing your children off the first day of school, taking them to a doctor's appointment, or attending parent-teacher conferences. As a mother who worked while my daughter was growing up, I understand the firsthand struggles of working parents. That is why my colleagues and I have introduced H.R. 1406, the Working Families Flexibility Act.

This commonsense legislation will allow private sector workers to choose paid time off instead of cash wages as compensation for working overtime, which is the same privilege that Federal, State, and local government employees have been able to choose for over 30 years.

The Working Families Flexibility Act is pro-family, pro-worker legislation that gives workers the flexibility to spend time with family, attend parent-teacher conferences, care for aging parents, or attend to other family needs that may arise.

If an employer and an employee agree on comp time, then the paid time off must be granted at time-and-a-half for each hour of overtime worked. Labor unions support flexible overtime compensation for their own members, and this benefit is already included in many public sector union collective bargaining agreements.

The flexible approach offered by this bill has worked for public sector employees since 1985. If the policy works for our public service employees, it will work for our private sector employees, as well. Fair is fair, Madam Speaker.

The bill maintains protections for workers to ensure that this new flexibility is not abused by making the decision to receive comp time completely voluntary and allows an employee to change his or her mind if he or she initially chooses comp time but later decides to receive cash wages for overtime. All existing protections in the Fair Labor Standards Act remain in effect under this legislation, and it is up

to the employee when he or she decides to use accrued comp time. Additionally, an employee cannot be intimidated, coerced, or otherwise forced to accept comp time in lieu of cash wages for overtime.

The legislation also maintains all existing enforcement remedies for employees if an employer fails to uphold the agreement, and employers must provide 30 days' notice to employees if comp time will no longer be offered.

H.R. 1406 provides proper protection and flexibility for employees and will help American workers better balance the needs of family and the workplace. I urge my colleagues to support this rule and the underlying bill.

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

Mr. POLIS. Madam Speaker, I thank the gentlelady for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I rise today in opposition to the rule and the underlying bill, which should be called the More Work, Less Pay bill.

As my colleagues know, last week Majority Leader CANTOR outlined his party's agenda for the month of May. The words he used to describe it was as a "full legislative agenda," yet here we are only debating this bill on the floor of the House and I think finishing the business of the House around 1:30 p.m. today with plenty of time for Members of Congress to play golf, to go to the beach, whatever they want to do. This is hardly a full legislative agenda.

Let me add, Madam Speaker, that this bill is about overtime. Under this current legislative agenda, Congress wouldn't even come close to qualifying for overtime at a time when we have increasing national needs, balancing the budget, moving forward with jobs and the economy, comprehensive immigration reform. There are so many issues crying out for our attention, but here we are debating yet another bill that not only won't go anywhere, but also would actually make life harder and more unpredictable for American families.

This bill claims to provide working families flexibility, but in reality it allows employers to avoid paying overtime and get interest-free loans from their own employees.

There are many hourly employees who struggle holding two or three jobs, depending on overtime to pay bills, to keep food on the family table. If this bill were to become law, employers would be able to save a couple of bucks by essentially requiring people, in effect, to take comp time instead of overtime pay if they want extra hours.

Many American workers want to work more, not less. Under this bill, people's paychecks would be reduced and people don't have a real choice. It's no wonder that the vast majority of labor unions and workers oppose this

bill and are not asking for this bill or this "kind of help."

I also want to correct something that has been claimed by my Republican colleagues, that somehow this bill gives private sector employees the same protections as public sector employees. That is not true. Most public sector workers are already protected against arbitrary and unfair treatment by civil service laws. Private sector workers don't have anything like that kind of protection.

That's why my colleague, Mr. TIM BISHOP of New York, offered an amendment in committee specifying that private sector employers could provide comp time instead of overtime if they provided the same job security protections that public employees already receive. But this amendment was voted down in the Rules Committee yesterday, and we're not even allowed here on the floor of the House, where we're going to finish by 1:30 p.m., to have a debate. Somehow, there is not even enough time. Ten minutes is all we asked for on Mr. BISHOP of New York's amendment.

Madam Speaker, the presentation of this bill is not consistent with the content of the bill. Of course it sounds good. Why wouldn't employees want the choice of being able to choose how they take their time? It all sounds good.

□ 1250

But like so many things that Congress does, the devil is in the details.

Contrary to what this bill says, employers can already give their employees time off if they so choose. Many do. We had Representative JOE COURTNEY in our Rules Committee yesterday who talked about when he was in the private sector and he had employees who had to attend school meetings, et cetera, he gave them time off. That's what most responsible employers do. We don't need legislation to tell employers it's okay to give their employees comp time.

Contrary to what the majority party here in the House says, employees wouldn't get paid under this bill until the end of the year for saved comp time—at no interest. No interest. So effectively, an interest-free loan to the company. Let's say an employee does overtime, works 45 hours a week for 3 weeks, accruing 15 hours of overtime. If they want this so-called flexibility that's provided under this bill, they choose to say, "I may use this as comp time." That's their choice. However, they pay dearly for that choice in a number of ways.

Number one, if they don't use that comp time after a year, they get paid the original amount by the company. While it is true that if they got a raise in the intervening period, they get paid at that level of the raise, there is no accounting for interest or the net

present value of those dollars. That's less of an impact when inflation is 1 or 2 percent, but still, it's an interest-free loan to the company. There's a much greater impact should interest rates ever return to their historical norms. And it wasn't that long ago that interest rates were in the high single digits, even double digits, effectively taking money from the worker and giving it to the company.

Number two, let's say the employee does want to use this comp time. Effectively, the employer has a unilateral veto over that. All they have to do is show that it creates undue disruption. That's the standard of unilateral employer veto.

Now, this is nothing like what occurs under the Family and Medical Leave Act, the FMLA. We've heard them say it's the same; it's not. Under FMLA it's a factor that leave doesn't create undue disruption. There's a variety of factors. It's not a sole determinant as determined by the employer.

In this case, the language is wide open to effectively provide a complete veto right of when that employee takes their time off. So again, our friend works 45 hours a weeks for 3 weeks, accrues 15 hours of overtime, and they get sold on this program. They say, "I'll set aside the 15 hours." They try to take it off for their kid's birthday, they try to take it off when their kid is home from school. The employer says, "No, you can't take it off that week." So it turns out that at the end of the year they still have their 15 hours. They finally get paid, but because of net present value and interest, they are out 2 or 3 percent of that. Again, with higher interest, they could be out 10 percent. They could be out 15 percent of that. We can and must do better for American workers.

This bill would have a devastating impact for workers in my home State of Colorado. Me and my staff talked to Debbie Olander from United Food and Commercial Workers, Local 7. Debbie is a leader in our community, and she told me that wage step is already a big problem for workers in Colorado, and this bill would make it easier for employers to avoid overtime obligations and make it harder for employees who need those hours to pay those bills.

What happens if the employer goes out of business in the intervening year? Of course, the person whose wages are due can line up with other creditors, but who has the time or, if you're living paycheck to paycheck, the ability to wait to see if you ever get paid by a bankrupt employer? Instead of improving the lives of working families by giving greater flexibility, this bill allows employers to avoid paying overtime.

My Democratic colleagues on the Education and Workforce Committee and I agree that we must give working families flexibility to meet workplace

and family needs. That's why we support bills like the Paycheck Fairness Act, which would help ensure that women are paid as much as men in the workplace, and the Healthy Families Act, which would establish a national paid sick day standard.

I've also heard from hundreds of workers from my district and across the country who support the Employment Nondiscrimination Act, which would prohibit workplace discrimination based on sexual orientation and gender identity. In more than half of the States, it's still perfectly legal in this day and age for an employer to fire an employee just because they're gay and what they do in their off work time. It's none of the employer's business who an employee is dating. To think that in this day and age it's legal in half the States for an employer to fire an employee because of who they're dating is absolutely absurd. We need to solve that by passing the Employment Nondiscrimination Act.

American workers are asking for these kinds of protections, unlike this sort of program that's being discussed today, which workers oppose or don't see as necessary. Well, you know, based on again the schedule for Congress, me and my colleagues aren't about to accrue any overtime anytime soon unless things change around here. Here we are, examining bills that are catchy, have good titles, might sound good on the surface, but don't address any of the real issues faced by American workers, the American economy, or our country as a whole. We need an agenda that's consistent with the needs of working families.

Madam Speaker, despite this fixation on changing the image and appealing to voters, many on the other side of the aisle seem to be recycling old ideas. In fact, an identical version of this bill was introduced in 1996, 1997, and 2003. It failed to pass the House each time. Madam Speaker, what this body needs is not just new branding, it needs new ideas, ideas that will actually help working families and make our country stronger.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume to respond to the gentleman from Colorado.

Madam Speaker, this bill sounds good because it is good. This is the theme from our colleagues across the aisle: everything about the private sector is bad; everything about government is good. That is their constant theme. This bill allows voluntary participation by employees. It does not require things.

I would also like to point out to my colleague from across the aisle, who is very quick to point out any mistake that I might make, is we did not have an amendment from Representative BISHOP in the Rules Committee yester-

day. Representative BISHOP's amendment was offered in the Education Committee, but was not offered in the Rules Committee yesterday.

I would also like to say that government employees do not get interest paid on the time that they eventually get paid for instead of comp time, so we are not setting up a double standard here. What we're trying to do is eliminate a double standard, again, that our colleagues across the aisle love to have—bash the private sector.

Madam Speaker, we live in the greatest country in the world, and what made us a great country? Look at the rest of the world. What's made us a great country is the rule of law, which means we believe everybody should be treated the same way. It's our capitalistic system which has worked wonderfully well for this country, and every other system has failed all across the world. We don't need to do much but to look at what is happening in the rest of the world and how sorry their economies are, and it's our Judeo-Christian underpinnings. Those are the things that I think have made us great, Madam Speaker, and this bill will allow us to give people who work in the private sector, which is part of what's made us such a great country, the same privileges that people get who work in the public sector.

With that, Madam Speaker, I yield 2 minutes to my distinguished colleague, the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. Madam Speaker, I thank the gentlewoman for yielding.

As a working mom, I know how tough it is to occasionally miss family events. And whether it's a parent-teacher conference, a soccer or a football game, or helping my mom, my family always comes first. That is why I support this bill.

The Working Families Flexibility Act would help hardworking Americans be there for their families by allowing all workers the same opportunities to manage their work-life balance.

Government employees have enjoyed the ability to exchange overtime pay for comp time for nearly 30 years, and it is not fair or logical to continue to prevent private sector employees from having access to this very same benefit. The Fair Labor Standards Act of 1938 is out of touch with reality, and it needs updating. We're not talking about creating a new regulation or forcing folks to give up overtime pay. This pro-worker, pro-family bill simply provides comp time as a voluntary option for private sector employees who want it instead of overtime pay.

□ 1300

There are many employee protections in this bill, and a worker can take their comp time whenever they choose, as long as they provide reasonable notice and avoid disrupting business operations. Workers can also cash

out on their comp time for any reason, at any time, and the employer would be required to fulfill that request in 30 days.

This type of legislation is the exact reason I ran for Congress and why I'm proud to be a Republican: to make sure laws passed in Washington help people and don't make life more difficult for Kansans and their families.

I encourage my colleagues in the House to support this bill that will empower working moms and dads by giving them more control and freedom to be there for their families.

Mr. POLIS. Before further yielding, I yield myself a moment to respond.

I thank the gentlelady for the correction. What I was referring to is the vote in the Rules Committee yesterday on an open rule which we voted on in committee. Had we considered this bill under an open rule, I or Mr. BISHOP, or any other Member of this body, could have brought forth his amendment.

You're correct, it was not submitted to the Rules Committee. It was offered in the committee of jurisdiction, on which I also serve. And I argued, you might recall, to the chair yesterday that this bill is a fine candidate for an open rule. Given that there's nothing else this body's doing today and we're getting done at 1:30, we might as well allow amendments like Mr. BISHOP's and others to be able to be debated by the House and considered by the full House.

I also want to discuss something that the gentlelady said, something about how a mischaracterization of the opponents of this bill is somehow saying the private sector is bad or the government's good. I haven't heard anybody argue that. The private sector is great. The private sector is a chief engine of economic growth. This discussion is about the private sector.

In fact, it's the other side that's somehow trying to model policies that they say already exist in the public sector and force the private sector to comply with them. We're not here seeking to try to copy what exists in the public sector and apply it to the private sector. The private sector is the primary engine of economic growth.

I think where perhaps we disagree is that I hear from many on the other side that somehow government is bad. I believe, and many on my side believe, that the minimum amount of government is necessary to ensure the success of the private sector, to ensure the rules are followed and there's an open and competitive environment that allows the private sector to thrive and succeed and create jobs for American families.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the managers of this legislation. And I think it

should be made very clear, since we'll have a general debate that I hope to engage in, that the underlying premise of this bill, H.R. 1406, is two simple points, and H.R. 1406 undermines this point.

The Fair Labor Standards Act only provides the incentive for employers to adhere to the 40-hour workweek by paying time and a half. H.R. 1406 removes that fundamental requirement and allows employers to pay nothing for overtime work at the time the work is performed.

I, too, am sensitive to those who want to join with their families, and clearly, that opportunity is there. But if you allow this bill to go forward, you take the choice out of the hands of the employee. And if you are looking at a boilermaker, or those in manufacturing, and a boilermaker can have close to 210 overtime hours making a certain amount per hour, literally, if you force them to take comp time and not be paid, you would cause them to lose their time and a half, and they would lose almost \$6,000 in income.

I can tell you, with the economic divide between the top 1 percent and working Americans, many people work overtime in order to receive payment. And I think that H.R. 1406 goes in the wrong direction.

What I would encourage my colleagues to do is to spend some time discussing the budget, passing a budget, ending sequestration, creating opportunities for the private sector to hire more people; and, frankly, the private sector would do well to cut their costs by hiring additional persons.

So I oppose the rule and the underlying bill, and, Mr. Speaker, I ask unanimous consent at this time to bring up H.R. 900, which would end sequestration at this time and begin to put us on the right track to ensure that we end the cuts in air traffic controllers, in Homeland Security, in Head Start, in Medicare, Medicaid, Meals on Wheels, and begin to get this Nation back on track.

Mr. Speaker, I rise to speak in opposition to the Rule on H.R. 1406, the so-called "Working Families Flexibility Act of 2013." I thank Ranking Member MILLER for this opportunity to speak on behalf and in support of the working women and men in my District and against this rule because it does not fix this very flawed bill.

If the Education and the Workforce Committee had accepted Congressman JOE COURTNEY's amendment in the nature of a substitute when the bill was marked up in full Committee—workers would have something to be cheering about today. His amendment would have created 56 hours of paid medical leave for employees to use when they needed it.

The rule for this bill should be open and allow us to do something to help workers and their families. When the economy is weak—workers and their families need more protection not less.

Under current law (the Fair Labor Standards Act), employers are required to pay workers time-and-a-half cash for hours worked in excess of 40 hours per week.

The bill's text suggests that existing workers will retain their right to receive overtime pay and that only new employees would fall under the "comp time" provisions. The bill attempts to divide existing workers and new workers by denying one group of workers something as basic as equal pay for equal work. This may lead some employers to prefer their workers who are not protected by wage laws.

The reality is all workers in this economy face the potential fallout from a change in labor laws that reduce protection of monetary compensation for work done.

The bill fails to mention that workers already have the right to ask for "comp time" within any 40 hour workweek when they need it. What is not allowed is an employer making the decision that workers must take "comp time" when they work overtime.

The Fair Labor Standards Act (FLSA) of 1938 established the 40-hour workweek to allow employees to spend more time away from work and encourage employers to hire more staff when workloads increase. The FLSA's only incentive for employers to maintain a 40-hour workweek is the requirement that they pay a time-and-a-half cash premium for overtime.

The cost of labor is a factor in helping to expand the numbers of employed persons in our nation. When employers see the cost savings associated with hiring more workers as the hours worked by existing employees increase labor cost due to overtime pay—they hire more workers.

The Bureau of Labor Statistics counts overtime as a benefit not as pay. If the result of the bill is to have employees work more hours, but without the guarantee of compensation—it is flawed.

This bill also makes it harder for America's workers to have their rights enforced by the Department of Labor. Amending the law to weaken work for pay requirements would result in even more widespread violation of the overtime law and more workers working longer hours for less pay.

Under the rule for H.R. 1406, employers can schedule workers to work up to 160 hours of "comp time." Workers will be cheated out of their accrued overtime earnings when their employer goes bankrupt.

I stand today with America's workers. We are united in opposition to H.R. 1406, the Working Families Flexibility Act of 2013. We should not be wasting time on legislation that is going nowhere. Instead we should be focused on the real problems facing Americans, like creating jobs, ending the sequester, and helping businesses grow.

Therefore, I ask unanimous consent to call up for immediate consideration H.R. 900, the Cancel the Sequester Act of 2013.

If Congress wants to do something for workers we should end the sequester.

The SPEAKER pro tempore (Mr. WOMACK). Under guidelines consistently issued by successive Speakers as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request

unless it has been cleared by the bipartisan floor and committee leaderships.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my distinguished colleague from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Speaker, I rise today in support of the Working Families Flexibility Act. This legislation would remove an outdated Federal mandate that prohibits private sector workers from benefiting from the personal option of flextime. Public sector employees have had the flextime option for 30 years, and it's time private sector workers had the same opportunity to spend more time with their families or more time engaged in other interests away from the workplace.

The State of Missouri has allowed flextime for years for a variety of State agencies like the Missouri State Water Patrol. The Lake of the Ozarks is in my district and is a destination for many during the warm summer months, and the Water Patrol work long, hard days over the summer to keep order on the lake and ensure safety for boaters, skiers, and swimmers.

With Missouri's seasonal climate, these State workers have taken advantage of working long summer days and saving flextime in the winter months for extended vacations or other seasonal work. These workers enjoy the flexibility and income stability of their jobs, and it works out to be mutually beneficial for the employees and the State. This commonsense labor provision makes the Water Patrol officer a very popular career choice and encourages the type of competition that has led to continuous quality in the force.

The Working Families Flexibility Act would modernize outdated regulations to allow private sector workers in Missouri's Fourth District and elsewhere to voluntarily choose paid time off as compensation for the overtime hours they work. It will remove the obstacles standing in the way of working families and will allow working women to better balance their work and family obligations.

As a working wife and mother, I understand how important it is to have a schedule that is flexible when children unexpectedly get sick or when high school graduation nears and mothers need extra time to celebrate the child's accomplishments.

I support this commonsense legislation that allows flexibility for American workers and gives the power back to the workers and employers to voluntarily work together and find a solution that works best for everyone.

Again, I urge my colleagues to vote for this pro-family legislation.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 377, Representative DELAURO's Paycheck Fairness Act. To discuss her bill, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in opposition to the previous question. Defeat of the previous question will allow the gentleman from Colorado to amend the rule to provide for consideration of the Paycheck Fairness Act, an act that addresses the persistent problem of unequal pay in our economy and would help to make the bill before us a real boon for workers and families.

Today, women are now half of the Nation's workforce. They are still only being paid 77 cents on the dollar as compared to men. And this holds true across all occupations and education levels. And for women of color, the disparities are even worse.

Let's take this body, the U.S. Congress, the House of Representatives. We come from all over the country. We have different educational backgrounds. We have different skill sets and different philosophies. And yet, while we are all men and women here, we get paid the same amount of money. That is not true for most women in the United States of America.

The only other institution in which there is same job, same pay, men and women, is in the U.S. military.

□ 1310

Less pay for women means less pay for the entire family at a time when millions are struggling to enter the middle class, give their children a chance at a better life, and achieve the American Dream.

That's what paycheck fairness is all about: men, women, same job, same pay. Fifty years ago, Congress passed the Equal Pay Act to confront this "serious and endemic" problem of unequal wages in America. President John F. Kennedy signed it into law to end "the unconscionable practice of paying female employees less wages than male employees for the same job."

Fifty years later, it is clear that we have more to do. If this majority really wants to show good faith towards workers and their families and women in this Nation, then what they will do is they will join us, and they will take the steps that are necessary to end unequal pay, put an end to pay secrecy, strengthen a worker's ability to challenge discrimination, and bring equal-pay law into line with other civil rights laws.

What they will do is they will abandon the legislation that will gut the 40-hour workweek and that will allow employers to cut employees' overtime pay in order to save money.

America's women and America's families have waited far too long for this institution to act. They're watching us now, and I urge this majority to do right by them at last and help us to end unequal pay for women in this Nation for good.

Ms. FOXX. Mr. Speaker, I would believe that the comments of my colleague from Connecticut would be a lit-

tle more sincere if she would direct the issue of pay disparity to the White House. The White House needs to do something about pay disparity. If we had leaders who led by example, then the White House would straighten out the pay disparity that exists there.

Also, my colleagues don't seem to want to talk about the bill before us today because it is such commonsense legislation. They have no real arguments to offer about defeating it, so they want to distract the American people onto other issues.

With that, Mr. Speaker, I yield 2 minutes to my colleague from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Speaker, I thank the gentlelady for yielding.

Mr. Speaker, life is hard. Across Indiana, moms and dads are working hard to make ends meet, and it's anything but easy. The national unemployment rate is 7.5 percent. More businesses are reducing employees' hours under the immense pressure and weight of ObamaCare's red tape. On top of all that, President Obama wants \$1.2 trillion in new taxes on families and businesses.

There is no timecard at the dinner table. Parenting is a 24/7, 365-day job. Unfortunately, moms and dads in the private sector have to consider missing a day of work when flu season strikes, when teacher conferences roll around, or when life throws another curve ball.

The last thing Hoosiers in the real economy need is an outdated Federal law that makes things harder. Under the Fair Labor Standards Act of 1938, too many families are forced to make a difficult trade-off: sit down with your son's teacher and you could see a thinner paycheck at the end of the week. Often, mom and dad will take turns after they've looked at the budget and the calendar. For single parents, it's another uphill battle.

But while families on Main Street have to make tough choices, government workers have the flexibility to work overtime to cover these situations. We need to make sure that Hoosiers in the everyday world have the same option.

Here in the House, we've introduced a simple, commonsense solution. Our bill gives Hoosiers and Americans a choice between cash wages and comp time for the overtime hours that they work. Government workers already get this option. So should everyday Americans. By fixing an outdated law today, we can give working parents more flexibility tomorrow.

Mr. POLIS. Before further yielding, I want to address this fallacious concept that the gentlelady from North Carolina has brought up in previous debate as well as this one that somehow the White House discriminates against women. Again, that's been proven as untrue. We actually have a young lady on our Rules Committee staff who

worked for the White House and tells us she earned the same amount as men.

Of course, for the same job, women get paid the same amount. That's what paycheck fairness is about. It doesn't say if you do a different job you get paid the same amount, and it doesn't mean that every man and every woman is compensated the same. It's just for the same job, same pay. As for the Obama administration, every one of their actions and the White House's actions have been consistent with that. We believe it should apply to the private sector because, of course, not every woman in the country has the privilege of working for the White House.

We're talking about American families with real private sector jobs out there, not these government jobs that the other side keeps alluding to.

With that, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague from Colorado for yielding time.

I rise in opposition to H.R. 1406. This isn't the first time we've seen anti-worker legislation paraded as a pro-family solution. But it's embarrassing that here in 2013 we are considering a bill that would reverse over 70 years of worker protections.

The so-called Working Families Flexibility Act is out of touch with what real American working families need. Real working families need protections against egregiously long hours and unreasonable management demands. Real working families need fair wages paid to them in a timely manner. Real working families need predictable schedules with time to care for their families and themselves, and real working families need the ability to take earned leave when they have earned it and when they need it.

This bill does nothing to address those needs. Instead, it sets up a false choice between time and pay. It incentivizes excess overtime scheduling. It reduces the employee's control over her daily schedule, and it provides no guarantee that the time off earned could be actually used.

The only flexibility provided in this bill is to bosses who would be given the flexibility to choose to do whatever they choose without standards and without consideration for the needs of the families of their workers.

I urge my colleagues to come together and support policies that would truly support our working families. A real family-friendly bill would allow workers to earn paid sick days. It would extend access to job-protected leave. It would work to close the gender pay gap. Instead, this Mother's Day, all we have to offer our hard-working moms is a disingenuous bill that moves us backwards. Our mothers deserve better.

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

As my colleague from California knows, I am very fond of her and respect her a great deal; but I want to say that this bill is not a bad bill. This bill does not roll back the rights of workers at all.

And if the bill is so bad and what it does is give fairness to people in the private sector and it gives to the people in the private sector the same rights and privileges that people in the public sector have, then why are my colleagues not trying to roll back those rights for the public sector? It would make sense that all the horrible things they've said about this bill which apply to the public sector you would want to protect the public sector.

But that's not what my colleagues are doing. They're simply saying it isn't right to let the private sector employees have the same rights and privileges that public sector employees have. It doesn't make any sense for them to make that argument. It just doesn't make any sense to do that.

Mr. Speaker, the Working Families Flexibility Act makes it easier for American workers to juggle the needs of family and the workplace. That's what it accomplishes.

I want to urge the people watching this debate to read the bill. Unlike the thousand-page bill that came out that people have to "wait until it passes" before they understand what's in it, before we understand what's in it, this bill is basically 8 pages long. Any American can read this bill and understand it. So I would say to you, if you doubt what we are saying on our side of the aisle, read the bill. That is the best way for the American public to be informed.

□ 1320

Mr. Speaker, as we consider it, there are some things to keep in mind.

First, it in no way undermines longstanding essential worker safeguards or forces workers to give up overtime pay if that's how they choose to be compensated. It simply provides an additional level of flexibility that government workers already enjoy. I don't know how many more ways we can make that point, Mr. Speaker, but we will continue to do that.

Further, the bill does not allow employers to bully employees into picking comp time over cash payment. It provides new important safeguards to ensure that the choice to use comp time over cash wages is truly voluntary. Employees can change their minds and request overtime cash payment in lieu of unused comp time.

For employees represented by a labor organization, the labor organization and the employer must first reach an agreement to provide this benefit before the employee can choose to exercise it. For an employee who is not a

member of a labor organization, the agreement is between the employer and the individual employee and must be entered into knowingly and voluntarily by the employee and may not be a condition of employment.

The bill does not change the 40-hour workweek or how overtime is currently calculated and accrued, and it does not affect comp time provisions regarding employees of Federal, State, or local governments.

Mr. Speaker, in fiscal year 2012, IRS employees accrued 246,450 hours of comp time in lieu of overtime pay. That amounts to 30,806 full 8-hour days. Employees at the Department of Labor accrued 51,097 hours of comp time, or 6,387 full 8-hour days. Employees at the Department of Education accrued 12,408 hours of comp time, or 1,551 full 8-hour days.

It's clear that Federal employees appreciate this flexibility. What is unclear is why my colleagues on the other side of the aisle are so hell-bent on denying private sector employees this same flexibility. What's good for the goose is good for the gander.

We hear the word "fairness" from the other side of the aisle constantly. This bill is fair, Mr. Speaker. H.R. 1406 simply affords private sector employees the same flexibility that Federal, State, and local government employees have enjoyed for over 30 years. It is unconscionable to me that our colleagues would vote against this and say you should be a second-class citizen if you work in the private sector.

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

Mr. POLIS. Before further yielding, I want to again address this great and sudden desire that the gentlelady from North Carolina has expressed to make sure that government policies apply to the private sector, to try to say somehow the way that government employees are treated needs to be the way that every private sector employee is treated. Usually it's the private sector that leads the way, not Big Government like the gentlelady from North Carolina is arguing. In fact, it's even a misinterpretation of what the public sector does.

The public sector has civil service protections for its employees. That's something that doesn't exist in the private sector. That's why, if we had been able to, under an open rule—which we don't have because, of course, somehow this body has to finish up by 2 p.m. so everybody can go home. But if we were allowed to have an open rule and actually bring forth amendments on this, we would be able to introduce Mr. BISHOP's amendment, which would have facilitated this discussion of, well, if it's good enough for the goose, it's good enough for the gander. If the Republicans are so keen to apply public sector personnel policy to the private sector, then why not apply civil service protections to the private sector?

Again, the truth of the matter is there's a night-and-day difference between the types of protections and policies that public sector and private sector employees have. One of the goals of the Civil Service Act was to add a degree of professionalism to public sector jobs, to take away the patronage components that had a corrupting influence on the system. By and large it succeeded in that goal, to its great credit. It's a very different set of rules that we have with regard to the private sector.

So, again, I think that that is, to a certain degree, a false analogy, and I hope that the information I provided helps correct that in the eyes of those who are listening.

With that, Mr. Speaker, I'd like to yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), a colleague of mine.

Ms. KAPTUR. I thank Congressman POLIS for yielding time and rise against the rule and the underlying bill, H.R. 1406, the More Work for Less Pay Act.

Congress should protect workers' wages and overtime rights, not undermine them. USA Today reported yesterday that stock markets and corporate profits are breaking records, but workers who rely on paychecks for their income have been running in place—financially speaking—and falling behind, despite their productivity increasing consistently for the last several years. That means they're working harder for less. Adjusting for inflation, an average worker who was paid \$49,650 at the end of 2009 is now making about \$545 less, and that's before taxes and deductions.

Living standards aren't rising for the middle class; they're falling. Yet the profits of Standard and Poor's 500 companies hit a record in the first quarter. The roaring market is making the richest Americans even richer, giving them even more money to spend.

How about this? Brian Moynihan, Bank of America, he earns about \$12.1 million that is reported in the papers—I'm sure it's even more than that—and Goldman Sachs, their CEO, Lloyd Blankfein, \$21 million that he's willing to admit; and John Stumpf at Wells Fargo, \$22.9 million. Frankly, how much more do they need?

Now, meanwhile, during the first 2 years of the recovery, while average net worth rose for the top 7 percent of households, it fell for the other 93 percent, according to the Pew Research Center. The reason is clear: corporate America isn't sharing its record earnings with those who are earning them. In fact, higher corporate profits owe partially to the employers' success at paying workers less even while those workers are working harder, and holding down their raises and forcing overtime rather than hiring from the ranks of the 12 million who remain unemployed.

Productivity has been rising at an average of 1.5 percent a year since the recovery began, while companies are squeezing more out of each worker even as inflation-adjusted wages have stagnated and hiring remains sluggish.

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

Mr. POLIS. I yield the gentlelady an additional 30 seconds.

Ms. KAPTUR. I thank the gentleman. Still, so many Americans are out of work that employers can get away with giving no raises at all.

America is supposed to be about opportunity for all, not just the few. We're supposed to be about fair pay for hard work.

I ask my colleagues to oppose the Republican More Work for Less Pay Act, and I would urge us to pay fair wages for a fair day's work. All you have to do is go to parts of the country where people's faces are worn. You'll see what's really happening out in the real America. Let's oppose this Republican bill and the rule.

The bill gives employers the flexibility not to pay overtime to their workers; instead employees would be provided comp time.

However, employers, not the employee, are provided the flexibility to decide when and even if comp time can be used.

There is nothing in the legislation that guarantees that workers will be able to use the comp time they have earned when they need it.

In fact, the bill permits the employer to deny a comp time request if the employee's use of comp time would unduly disrupt operations.

Employers can even veto an employee's request to use comp time even in cases of urgent need under the legislation.

If an employee does not accept comp time, they could be penalized with fewer hours, bad shifts, and loss of overtime hours.

Given that it is cheaper to provide comp time than to pay overtime wages, this bill provides a significant incentive for employers to hire fewer people and rely on overtime to be paid for future comp time.

The Fair Labor Standards Act currently allow employers to provide workers with flexibility and time off without compromising their right to be paid fairly for the hours they work.

Consequently, this legislation is unnecessary based on current law.

Workers should not have to put in extra time beyond a 40-hour week and be forced to forgo pay to earn time to care for themselves or their loved ones.

The same bill proposed and died in committee in 2003 and failed in 1996 and 1997 to get through Congress.

[From USA Today, May 6, 2013]

ECONOMY LEAVES WAGES BEHIND

(By Paul Davidson and John Waggoner)

Stock markets and corporate profits are breaking records. The economy suddenly looks brighter after the government's surprising report Friday that employers added 635,000 jobs the past three months.

But instead of celebrating, many working Americans are borrowing a line from the 1996 movie Jerry Maguire: "Show me the money."

Hourly wages ticked up 4 cents in April to an average \$23.87, rising at about the same tepid 2 percent annual pace since the recovery began in mid-2009.

But taking inflation into account, they're virtually flat. Workers who rely on paychecks for their income have been running in place, financially speaking. Adjusting for inflation, an average worker who was paid \$49,650 at the end of 2009 is making about \$545 less now—and that's before taxes and deductions.

Stagnant wages aren't only tough on workers—the American economy is paying a price too. Living standards aren't rising. Consumer spending, which is 70 percent of the economy, is more restrained. And the recovery advances at a slower pace.

"Ultimately, for the economy to thrive we need everyone participating," says Mark Zandi, chief economist of Moody's Analytics.

The profits of Standard & Poor's 500 companies hit a record in the first quarter. Their healthy earnings have boosted stocks, and April's encouraging jobs report sent the stock market even higher Friday. The Dow Jones industrial average crossed 15,000 for the first time and closed at a record 14,973.96, up 142.38 points.

The roaring market is making the richest Americans richer and giving them more money to spend. But in 2010, only 31 percent of U.S. households had stock holdings of \$10,000 or more, according to the Economic Policy Institute (EPI). During the first two years of the recovery, average net worth rose for the top 7 percent of households but fell for the other 93 percent, the Pew Research Center says.

Meanwhile, Corporate America isn't sharing its record earnings with employees.

"Don't hold your breath," for employers to become more generous, says John Lonski, chief economist for Moody's Investors Service. One reason, he says, is that revenue growth has been meager, up between 0.5 percent and 1 percent in the last year.

In fact, higher profits owe partially to employers' success in controlling labor expenses by getting workers to be more productive, holding down raises and hiring conservatively.

Productivity, or output per labor hour, has risen an average 1.5 percent a year since the recovery began. Companies are squeezing more out of each worker even as inflation-adjusted wages have stagnated.

Another reason for stagnant wages is the law of supply and demand. Sure, the job market has picked up: Employers added 165,000 jobs last month and an average 196,000 a month this year, up from 183,000 in 2012. And the jobless rate has fallen from a peak of 10 percent in 2009.

FEW INCENTIVES TO BOOST PAY

Yet today's 7.5 percent unemployment rate is still high. Nearly 12 million Americans are unemployed, and millions more want to work but are so discouraged they've stopped looking. With an abundant supply of potential workers, employers have little reason to shell out big raises.

"High unemployment hurts workers' bargaining power," EPI economist Heidi Shierholz says. "Employers know they can go get someone else."

So many Americans are out of work that employers could get away with giving no raises at all, Zandi says, leaving household income falling behind inflation. But employers realize that would hurt morale and, in turn, productivity, he says.

Still, wage increases that just barely keep up with inflation don't make for a prosperous economy.

"We're not seeing the living standard growth of American workers that we should be seeing," Shierholz says.

Stagnant wages also hurt consumer spending. Low- and moderate-income workers typically spend nearly all their paychecks, juicing the economy, while high-income workers tend to save a portion, says Dean Baker, co-director of the Center for Economic and Policy Research.

Larry Breech, of Milville, Pa., a retired farmer who makes about \$10,000 a year, says his per diem pay for substitute teaching hasn't changed in several years.

"We will be frugal," he says. "Fiscal restraint is imperative."

Consumer spending, which has been growing at an average annual rate of about 2 percent during the recovery, would be rising by 2.5 percent if employers simply passed their productivity gains onto their workers, Zandi says.

Some workers are getting bigger raises. While the lowest 10 percent of income earners got average raises of 0.3 percent last year, those in the top 25 percent saw their pay jump 3.1 percent, say the Bureau of Labor Statistics and Moody's Analytics. Workers with higher skills and more education in booming industries, such as energy and technology, can command higher salaries.

Stephen Allen, an oil industry contractor in St. Louis, says his wages have increased by more than 60 percent the past three years. He makes about \$85,000 a year.

For now, it's up to Americans like Allen and those with large stock holdings to generate a bigger share of spending and economic activity. The top 20 percent of households based on income account for nearly half of consumer spending, according to Barclays Capital.

GOOD NEWS FOR HOUSEHOLDS

A bright spot is that despite puny wage increases, other barometers of household finances show improvement. The housing market is continuing a solid recovery. Climbing home and stock prices have helped households overall recover the wealth they lost in the recession and housing crash.

And the share of income Americans are using to pay off debt has fallen to 10.4 percent, the lowest level since the government began tracking the data in 1980, reports the Federal Reserve. Meanwhile, falling gas prices are putting more cash in consumers' pockets. Such developments can partly offset sluggish wage growth and pave the way for higher spending.

After working off debt the past three years, Allen says he expects to be debt-free this summer "and then save for a down payment on a house."

Still, economists say consumer spending won't take off in earnest until inflation-adjusted wages return to a normal growth rate of about 1.5 percent a year. Baker says that likely won't happen until unemployment falls below 6 percent, probably in 2016.

Then, employers will begin to worry about not finding enough workers.

"They'll start to hire more aggressively," pushing up wages faster, Zandi says.

Ms. FOXX. Mr. Speaker, I assume the gentleman from Colorado has additional speakers, but at this time I would like to reserve the balance of my time.

Mr. POLIS. I would just like to indicate I have one remaining speaker.

With that, I would like to yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding, and I rise in opposition to the majority's Working Families Flexibility Act.

It troubles me to oppose a bill that has the exact same name of a bill that I've introduced in the three previous Congresses that provided real workplace flexibility for working men and women. I believe that this bill, the Republican bill, would be more aptly named the More Work, Less Pay Act.

My bill would have provided employers and employees with protections in discussing flexible work arrangements. Under the More Work, Less Pay Act, workers would lose the basic guarantees of fair pay for overtime work and time off from work under the Fair Labor Standards Act. It would deprive hardworking people of their earned income and fail to guarantee them the right to use that overtime even for a personal or family emergency.

Shamefully, the U.S. ranks among the least generous of industrialized countries when it comes to family-friendly workplace policies like paid family leave and paid sick leave. Congress should be focused on increasing the minimum wage, expanding family and medical leave, and providing opportunities for real flexible work options.

□ 1330

These policies are common sense. True workplace advancement benefits both business and worker interests. Instead, the Republican bill hurts employees by giving them less pay at a time when their wages are stagnant.

I urge my colleagues to oppose this legislation, to oppose this rule, and bring up the minority's alternatives and allow the minority to have amendments and alternatives to the rule.

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

A little while ago we had a debate about the pay in the White House. I have an article from the Daily Caller that I would like to enter into the RECORD, and I will quote briefly from the article. The article is dated January 15, 2013, posted by Caroline May:

While President Obama handily won the women's vote by 11 percentage points in November over Republican nominee Mitt Romney, his administration paid the women on his payroll less than his male employees last year.

A Daily Caller analysis of the administration's "2012 Annual Report to Congress on White House Staff" shows that while women comprised about half of the 468 staffers—as the President touted during his press conference Monday—they also earned about 13 percent less, on average, than their male counterparts.

The median 2012 salary for female employees of the White House was \$62,000; for men that number was \$71,000.

The article ends with a quote from New York Democratic Representative CHARLIE RANGEL. He, however, called

Obama's failure to appoint more women and minorities to high-profile positions "embarrassing as hell."

"The questions I've heard are fair," RANGEL said January 10 on MSNBC. "The record does speak for itself."

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

[From the Daily Caller, Jan. 15, 2013]

OBAMA WHITE HOUSE PAID WOMEN STAFFERS LESS THAN MEN IN 2012

(By Caroline May)

While President Barack Obama handily won the women's vote by 11 percentage points in November over Republican nominee Mitt Romney, his administration paid the women on his payroll less than his male employees last year.

A Daily Caller analysis of the administration's "2012 Annual Report to Congress on White House Staff" shows that while women comprised about half of the 468 staffers—as the president touted during his press conference Monday—they also earned about 13 percent less, on average, than their male counterparts.

The median 2012 salary for female employees of the White House was \$62,000; for men that number was \$71,000.

The DC calculated the median male and female salaries by determining employee genders based on their names. In cases where the gender was not clear, the DC either identified the specific employee in other ways or—in a few cases—assigned gender based on the most common use of a given name according to databases of baby names.

The 2012 pay disparity represented an improvement from the disparity in 2011 figures the Washington Free Beacon reported last year. According to that analysis, the median female compensation in the White House was \$60,000—\$2,000 less than in 2012—and the male employees' median was unchanged at \$71,000. That amounted to an 18 percent difference.

In his statement last year declaring April 17 Equal Pay Day, Obama lamented the pay disparity between men and women in America, echoing the well-worn yet often-quoted statistic that "women who worked full-time earned only 77 percent of what their male counterparts did."

He pointed to the Lilly Ledbetter Fair Pay Act, which made it easier for women to sue for lost wages due to pay discrimination, and to the creation of the National Equal Pay Task Force in 2010, as examples of the administration's commitment to equal pay.

"At a time when families across our country are struggling to make ends meet, ensuring a fair wage for all parents is more important than ever," the president said. "Women are breadwinners in a growing number of families, and women's earnings play an increasingly important role in families' incomes. For them, fair pay is even more than a basic right—it is an economic necessity."

Obama's White House female employees achieved a slightly better 87 percent of what their male counterparts earned, compared to Obama's national 77 percent figure.

In recent weeks Obama has come under fire for the composition of his inner circle—initially sparked by an official White House photo of the president published by The New York Times in which he was surrounded by all men. His nomination of white men to all four second-term cabinet positions so far has also drawn criticism.

Establishment media outlets and women's groups have been troubled by the apparent lack of female leadership and diversity the

administration has exhibited so far—with the National Organization for Women demanding to know “President Obama, Where are the Women?” Jane Fonda, Robin Morgan and Gloria Steinem, all co-founders of the Women’s Media Center, have pressed Obama to adopt an inner circle that looks more like American.

“[Obama] wouldn’t have been re-elected without 55 percent of the women’s vote, something he earned by representing women’s majority views on issues, yet now he seems to be ignoring women’s ability to be not only voters, but leaders,” the trio wrote Friday in a CNN website essay. NBC’s Andrea Mitchell noted Sunday on “Meet the Press” that women inside the White House “are not happy” with the male-dominated face of Obama’s administration.

Monday, Obama addressed some of the criticisms about the composition of his cabinet, saying that it is too soon to “rush to judgment” and that women were influential throughout his first term.

“So if you think about my first four years, the person who probably had the most influence on my foreign policy was a woman,” Obama said. “The people who were in charge of moving forward my most important domestic initiative, health care, were women. The person in charge of our homeland security was a woman. My two appointments to the Supreme Court were women. And 50 percent of my White House staff were women. So I think people should expect that that record will be built upon during the next four years.”

Mr. POLIS. Mr. Speaker, I am prepared to close.

I would like to inquire if the gentle lady has any remaining speakers.

Ms. FOXX. We have no further speakers, Mr. Speaker, and I am willing to close after the gentleman from Colorado.

Mr. POLIS. Mr. Speaker, I yield myself the remainder of the time.

First of all, conflating somehow paycheck fairness with compensation of women at the White House is comparing apples and oranges.

Nothing that we are supporting or that the Paycheck Fairness Act includes says that women and men should all be paid the same regardless of what their job is. It simply says “equal work, equal pay.” There’s no evidence in the Daily Caller or anywhere else that for the same job, in the White House or anywhere in the administration, that women are paid less. They are not.

Even if you had paycheck fairness—again, we passed our law; it becomes the law of the land in the private sector—it doesn’t mean every woman gets the same pay as every man. It simply means that for the same job men and women get the same pay. It is quite possible there could still be a differential either way. There’s not a problem with that. It depends on what jobs people have. But for the same job, it should be the law of the land, just as it has been President Obama’s policy that men and women receive the same pay.

Mr. Speaker, this bill, the “more work, less pay bill,” is yet another attempt to roll back workers’ rights

under the guise of doing just the opposite.

I wish we were here talking about things that would benefit American families like the Paycheck Fairness Act to ensure women receive equal pay for equal work; making sure that people can’t be fired from their job just because of who they date. It is none of the boss’s darn business.

But instead of collaborating with Democrats to produce a compromise bill we can be proud of, instead, this House is considering a bill that would weaken over time and is nearly identical to bills that have failed in three prior Congresses.

There are many measures that we could be taking up to help grow the economy, reduce the deficit, create jobs, invest in the middle class, replace our broken immigration system with one that works; but this bill is none of those.

I wanted to point out and highlight the work of the Democrats on the Educational and the Workforce Committee. The Web site is Democrats.edworkforce.house.gov. They produced a video that shows exactly what this “more work, less pay” legislation is.

Mr. Speaker, I support giving American workers and families more flexibility. There could be a way to work together; but, again, this body has not done so. It does just the opposite. Instead of having an open rule under which many of us could bring forth amendments to discuss, Democratic Members offered several sensible amendments, which were rejected by the House majority, both in the committee of jurisdiction and the Rules Committee.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 377, Representative DELAURO’s Paycheck Fairness Act, of which I am an original cosponsor.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote “no” and defeat the previous question so we can bring up the Paycheck Fairness Act. I urge a “no” vote on this restrictive rule and the bill, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, we are very proud of this bill. I can’t understand why our colleagues on the other side of the aisle are so opposed to fairness when fairness applies to the private sector.

I would like to point out to my colleague that we would have entertained

amendments in the Rules Committee had they been germane or if they had not been withdrawn. As he well knows, being a member of the Rules Committee, the amendments that were introduced by his colleagues were withdrawn before the committee had an opportunity to consider the amendments or were ruled nongermane.

I also assume that, based on the comments our colleagues have made across the aisle, that because the rights and privileges that are given to public employees are so horrible that they cannot be extended to the private sector, that they will probably be introducing a bill to withdraw those rights and privileges because they’re only hurting public employees, and our colleagues don’t want to be hurting private sector employees.

Mr. Speaker, House Republicans are committed to providing more opportunities for more Americans and helping make life work for more families. This legislation is a great step in that direction.

The rule before us today provides for consideration of a bill that gives employees across the country the flexibility that they deserve so they can better manage the many daily challenges of family life. Whether the employee is a new parent who wishes to stay at home with a newborn, a proud aunt who wishes to attend her nephew’s baseball game, or a son or daughter who wants to care for an elderly parent, America’s private sector employees should be able to determine for themselves what to do with the overtime compensation that they have earned.

Therefore, I urge my colleagues to vote for this rule and the underlying bill.

Mr. HOLT. Mr. Speaker, the bill before us today, H.R. 1406, the so-called “Working Families Flexibility Act” is a wolf in sheep’s clothing. This bill would amend the Fair Labor Standards Act of 1938 in order to allow private sector employers to compensate their employees with compensatory time or comp time, instead of earned overtime pay. This proposal subverts the power and purpose of the Fair Labor Standards Act by making private sector workplaces less fair and certainly less flexible.

Instead of ensuring fairness and flexibility for employees, H.R. 1406 gives employers the legal cover for forcing employees to work more and then, in turn, paying them less. This bill does nothing to assist working families; rather it is an assault on the wages of working families all across the country. What would improve the lives of working families is a proposal to increase the minimum wage, such as introduced by Ranking Member MILLER and cosponsored by me and 134 members of this House. H.R. 1010 would increase the minimum wage in three tiered steps and then index future increases to inflation. Such a proposal would actually provide more flexibility by putting more money in the pockets of working families today and in the future. However, instead of considering a proposal which would

directly benefit American workers, this Committee is considering a misleadingly named bill which does just the opposite.

Flexibility in the workplace is something that the government welcomes. However, H.R. 1406 is not the way to achieve that goal. Flexible workplaces do not force employees to choose between working more and earning less. Instead, flexible workplaces provide adequate leave options under the Family Medical Leave Act. Flexible workplaces provide a competitive, living wage for employees regardless of their gender. Flexible workplaces provide sufficient paid sick leave. H.R. 1406 does nothing to advance any of these proposals and most of all does nothing to foster a flexible work environment.

H.R. 1406 is nothing more than a message moment for the majority party. The bill weakens the worker protections under which we have lived comfortably for 75 years. This bill provides less flexibility, not more. Even if this deeply flawed bill passes this House, it will not be considered by the Senate nor will it become law. It is a diversion from the real issues that this Committee was tasked with tackling: creating jobs and fostering economic growth.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 198 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 377) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 377.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to

offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

Ms. FOXX. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 1 o'clock and 39 minutes p.m.), the House stood in recess.

□ 1410

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATHAM) at 2 o'clock and 10 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

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

Votes will be taken in the following order:

The previous question on H. Res. 198, by the yeas and nays; adoption of H. Res. 198, if ordered; and approval of the Journal, by the yeas and nays.

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

PROVIDING FOR CONSIDERATION
OF H.R. 1406, WORKING FAMILIES
FLEXIBILITY ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 198) providing for consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 230, nays 198, not voting 4, as follows:

[Roll No. 132]

YEAS—230

Aderholt	Barton	Boustany
Alexander	Benishak	Brady (TX)
Amash	Bentivolio	Bridenstine
Amodei	Bilirakis	Brooks (AL)
Bachmann	Bishop (UT)	Brooks (IN)
Bachus	Black	Broun (GA)
Barletta	Blackburn	Buchanan
Barr	Bonner	Buchson

Burgess	Herrera Beutler	Pompeo	Hahn	Maloney, Sean	Sánchez, Linda	Conaway	Johnson (OH)	Renacci
Calvert	Holding	Posey	Hanabusa	Matsui	T.	Cook	Johnson, Sam	Ribble
Camp	Hudson	Price (GA)	Heck (WA)	McCarthy (NY)	Sanchez, Loretta	Cotton	Jones	Rice (SC)
Campbell	Huelskamp	Radel	Higgins	McCollum	Sarbanes	Cramer	Jordan	Rigell
Cantor	Huizenga (MI)	Reed	Himes	McDermott	Schakowsky	Crawford	Joyce	Roby
Capito	Hultgren	Reichert	Hinojosa	McGovern	Schiff	Crenshaw	Kelly (PA)	Roe (TN)
Carter	Hunter	Renacci	Holt	McIntyre	Schneider	Culberson	King (IA)	Rogers (AL)
Cassidy	Hurt	Ribble	Honda	McNerney	Schrader	Daines	King (NY)	Rogers (KY)
Chabot	Issa	Rice (SC)	Horsford	Meeks	Schwartz	Davis, Rodney	Kingston	Rogers (MI)
Chaffetz	Jenkins	Rigell	Hoyer	Meng	Scott (VA)	Denham	Kinzing (IL)	Rokita
Coble	Johnson (OH)	Roby	Huffman	Michaud	Scott, David	Dent	Kline	Rooney
Coffman	Johnson, Sam	Roe (TN)	Israel	Miller, George	Serrano	DeSantis	Labrador	Ros-Lehtinen
Cole	Jones	Rogers (AL)	Jackson Lee	Moore	Sewell (AL)	DesJarlais	LaMalfa	Roskam
Collins (GA)	Jordan	Rogers (KY)	Jeffries	Moran	Shea-Porter	Diaz-Balart	Lamborn	Ross
Collins (NY)	Joyce	Rogers (MI)	Johnson (GA)	Murphy (FL)	Sherman	Duffy	Lance	Rothfus
Conaway	Kelly (PA)	Rohrabacher	Johnson, E. B.	Nadler	Sinema	Duncan (SC)	Lankford	Royce
Cook	King (IA)	Rokita	Kaptur	Napolitano	Sires	Duncan (TN)	Latham	Runyan
Cotton	King (NY)	Rooney	Keating	Neal	Slaughter	Ellmers	Latta	Ryan (WI)
Cramer	Kingston	Ros-Lehtinen	Kelly (IL)	Negrete McLeod	Smith (WA)	Farenthold	LoBiondo	Salmon
Crawford	Kinzing (IL)	Roskam	Kennedy	Nolan	Speier	Fincher	Long	Scalise
Crenshaw	Kline	Ross	Kildee	O'Rourke	Swalwell (CA)	Fitzpatrick	Lucas	Schock
Culberson	Labrador	Rothfus	Kilmer	Owens	Takano	Fleischmann	Luetkemeyer	Schwikert
Daines	LaMalfa	Royce	Kind	Pallone	Thompson (CA)	Fleming	Lummis	Schweikert
Davis, Rodney	Lamborn	Runyan	Kirkpatrick	Pascrell	Thompson (MS)	Flores	Marchant	Scott, Austin
Denham	Lance	Ryan (WI)	Kuster	Pastor (AZ)	Tierney	Forbes	Marino	Sensenbrenner
Dent	Lankford	Salmon	Langevin	Payne	Titus	Fortenberry	Massie	Sessions
DeSantis	Latham	Scalise	Larsen (WA)	Pelosi	Tonko	Fox	McCarthy (CA)	Shimkus
DesJarlais	Latta	Schock	Larson (CT)	Perlmutter	Tsongas	Franks (AZ)	McCaul	Shuster
Diaz-Balart	LoBiondo	Schweikert	Lee (CA)	Peters (CA)	Van Hollen	Frelinghuysen	McClintock	Simpson
Duffy	Long	Scott, Austin	Levin	Peters (MI)	Vargas	Gardner	McHenry	Smith (NE)
Duncan (SC)	Lucas	Sensenbrenner	Lewis	Peterson	Veasey	Garrett	McKeon	Smith (NJ)
Duncan (TN)	Luetkemeyer	Sessions	Lipinski	Pingree (ME)	Vela	Gerlach	McKinley	Smith (TX)
Ellmers	Lummis	Shimkus	Loeb	Pocan	Velázquez	Gibbs	McMorris	Southerland
Farenthold	Marchant	Shuster	Loeb	Polis	Visclosky	Gibson	Rodgers	Stewart
Fincher	Marino	Simpson	Lowenthal	Price (NC)	Walz	Gingrey (GA)	Meadows	Stivers
Fitzpatrick	Massie	Smith (NE)	Lowey	Quigley	Wasserman	Gohmert	Meehan	Stockman
Fleischmann	Matheson	Smith (NJ)	Lujan Grisham	Rahall	Schultz	Goodlatte	Messer	Stutzman
Fleming	McCarthy (CA)	Smith (TX)	(NM)	Richmond	Waters	Gosar	Mica	Terry
Flores	McCaul	Southerland	Lujan, Ben Ray	Roybal-Allard	Watt	Gowdy	Miller (FL)	Thompson (PA)
Forbes	McClintock	Stewart	(NM)	Ruiz	Waxman	Granger	Miller (MI)	Thornberry
Fortenberry	McHenry	Stivers	Lynch	Ruppersberger	Welch	Graves (GA)	Miller, Gary	Tiberi
Fox	McKeon	Stockman	Maffei	Rush	Wilson (FL)	Graves (MO)	Mullin	Tipton
Franks (AZ)	McKinley	Stutzman	Maloney,	Ryan (OH)	Yarmuth	Griffin (AR)	Mulvaney	Turner
Frelinghuysen	McMorris	Thompson (PA)	Carolyn			Griffith (VA)	Murphy (PA)	Upton
Gardner	Rodgers	Thornberry		NOT VOTING—4		Grimm	Neugebauer	Valadao
Garrett	Meadows	Tiberi	Hastings (FL)	Westmoreland		Guthrie	Noem	Wagner
Gerlach	Meehan	Tipton	Markay	Young (FL)		Hall	Nugent	Walberg
Gibbs	Messer	Turner				Hanna	Nunes	Walden
Gibson	Mica	Upton				Harper	Nunnelee	Walorski
Gingrey (GA)	Miller (FL)	Valadao				Harris	Olson	Weber (TX)
Gohmert	Miller (MI)	Wagner				Hartzler	Palazzo	Weber (FL)
Goodlatte	Miller, Gary	Walberg				Hastings (WA)	Paulsen	Webster (FL)
Gosar	Mullin	Walden				Heck (NV)	Pearce	Wenstrup
Gowdy	Mulvaney	Walorski				Hensarling	Perry	Whitfield
Granger	Murphy (PA)	Weber (TX)				Herrera Beutler	Petri	Williams
Graves (GA)	Neugebauer	Webster (FL)				Holding	Pittenger	Wilson (SC)
Graves (MO)	Noem	Wittman				Hudson	Pitts	Wittman
Griffin (AR)	Nugent	Wolf				Huelskamp	Poe (TX)	Wolf
Griffith (VA)	Nunes	Womack				Huizenga (MI)	Pompeo	Womack
Grimm	Nunnelee	Woodall				Hultgren	Posey	Woodall
Guthrie	Olson	Yoder				Hunter	Price (GA)	Yoder
Hall	Palazzo	Yoho				Hurt	Radel	Yoho
Hanna	Paulsen	Young (AK)				Issa	Reed	Young (AK)
Harper	Pearce	Young (IN)				Jenkins	Reichert	Young (IN)
Harris	Perry							
Hartzler	Petri							
Hastings (WA)	Pittenger							
Heck (NV)	Pitts							
Hensarling	Poe (TX)							

NAYS—198

Andrews	Castro (TX)	Dingell
Barber	Chu	Doggett
Barrow (GA)	Cielline	Doyle
Bass	Clarke	Duckworth
Beatty	Clay	Edwards
Becerra	Cleaver	Ellison
Bera (CA)	Clyburn	Engel
Bishop (GA)	Cohen	Enyart
Bishop (NY)	Connolly	Eshoo
Blumenauer	Conyers	Esty
Bonamici	Cooper	Farr
Brady (PA)	Costa	Fattah
Braley (IA)	Courtney	Foster
Brown (FL)	Crowley	Frankel (FL)
Brownley (CA)	Cuellar	Fudge
Bustos	Cummings	Gabbard
Butterfield	Davis (CA)	Gallo
Capps	Davis, Danny	Garamendi
Capuano	DeFazio	Garcia
Cárdenas	DeGette	Grayson
Carney	Delaney	Green, Al
Carson (IN)	DeLauro	Green, Gene
Cartwright	DelBene	Grijalva
Castor (FL)	Deutch	Gutierrez

□ 1435

Messrs. OWEN, SCHRADER, and ENYART changed their vote from “yea” to “nay.”

Mr. KING of New York changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 199, not voting 5, as follows:

[Roll No. 133]
AYES—228

Aderholt	Blackburn	Camp
Alexander	Bonner	Campbell
Amash	Boustan	Cantor
Amodei	Brady (TX)	Capito
Bachmann	Bridenstine	Carter
Bachus	Brooks (AL)	Cassidy
Barletta	Brooks (IN)	Chabot
Barr	Broun (GA)	Chaffetz
Barton	Buchanan	Coble
Benishek	Bucshon	Coffman
Bentivolio	Burgess	Cole
Bilirakis	Calvert	Collins (GA)
Bishop (UT)		Collins (NY)

Andrews	Cleaver	Farr
Barber	Clyburn	Fattah
Barrow (GA)	Cohen	Foster
Bass	Connolly	Frankel (FL)
Beatty	Conyers	Fudge
Becerra	Cooper	Gabbard
Bera (CA)	Costa	Gallo
Bishop (GA)	Courtney	Garamendi
Bishop (NY)	Crowley	Garcia
Blumenauer	Cuellar	Grayson
Bonamici	Cummings	Green, Al
Brady (PA)	Davis (CA)	Green, Gene
Braley (IA)	Davis, Danny	Grijalva
Brown (FL)	DeFazio	Gutierrez
Brownley (CA)	DeGette	Hahn
Bustos	Delaney	Hanabusa
Butterfield	DeLauro	Heck (WA)
Capps	DelBene	Higgins
Capuano	Deutch	Himes
Cárdenas	Dingell	Hinojosa
Carney	Doggett	Holt
Carson (IN)	Doyle	Honda
Cartwright	Duckworth	Horsford
Castor (FL)	Edwards	Hoyer
	Ellison	Huffman
	Engel	Israel
	Enyart	Jackson Lee
	Eshoo	Jeffries
	Esty	Johnson (GA)

NOES—199

Johnson, E. B. Meng Schakowsky
 Kaptur Michaud Schiff
 Keating Miller, George Schneider
 Kelly (IL) Moore Schrader
 Kennedy Moran Schwartz
 Kildee Murphy (FL) Scott (VA)
 Kilmer Nadler Scott, David
 Kind Napolitano Serrano
 Kirkpatrick Neal Sewell (AL)
 Kuster Negrete McLeod Shea-Porter
 Langevin Nolan Sherman
 Larsen (WA) O'Rourke Sinema
 Larson (CT) Owens Sires
 Lee (CA) Pallone Slaughter
 Levin Pascrell Smith (WA)
 Lewis Pastor (AZ) Speier
 Lipinski Payne Swalwell (CA)
 Loeb sack Pelosi Takano
 Lofgren Perlmutter Thompson (CA)
 Lowenthal Peters (CA) Thompson (MS)
 Lowey Peters (MI) Tierney
 Lujan Grisham Peterson Titus
 (NM) Pingree (ME)
 Luján, Ben Ray Pocan Tsongas
 (NM) Polis Van Hollen
 Lynch Price (NC) Vargas
 Maffei Quigley Veasey
 Maloney, Rahall Vela
 Carolyn Rangel Velázquez
 Maloney, Sean Richmond Visclosky
 Matheson Roybal-Allard Walz
 Matsui Ruiz Wasserman
 McCarthy (NY) Ruppertsberger Schultz
 McCollum Rush Waters
 McDermott Ryan (OH) Watt
 McGovern Sánchez, Linda Waxman
 McIntyre T. Welch
 McNerney Sanchez, Loretta Wilson (FL)
 Meeks Sarbanes Yarmuth

NOT VOTING—5

Hastings (FL) Rohrabacher Young (FL)
 Markey Westmoreland

□ 1444

So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 293, nays 131, answered "present" 1, not voting 7, as follows:

[Roll No. 134]

YEAS—293

Aderholt Brady (TX) Castro (TX)
 Alexander Braley (IA) Chabot
 Amodei Bridenstine Chu
 Bachmann Brooks (AL) Cicilline
 Barber Brooks (IN) Clarke
 Barletta Brown (FL) Clay
 Barrow (GA) Brownley (CA) Cleaver
 Barton Buchanan Clyburn
 Beatty Bucshon Coble
 Becerra Bustos Cole
 Bentivolio Calvert Collins (NY)
 Bera (CA) Camp Conaway
 Bilirakis Campbell Conyers
 Bishop (GA) Cantor Cook
 Bishop (UT) Capito Cooper
 Black Capps Cramer
 Blackburn Cárdenas Crawford
 Blumenauer Carney Crenshaw
 Bonamici Carter Cuellar
 Bonner Cartwright Culberson
 Boustany Cassidy Cummings

Daines Davis (CA) Kline
 Davis, Danny Davis, Danny Kuster
 Delaney Labrador
 DeLauro LaMalfa
 DeBene Lamborn
 Dent Langevin
 DesJarlais Lankford
 Deutch Larson (WA)
 Diaz-Balart Larson (CT)
 Dingell Latta
 Doggett Levin
 Doyle Lipinski
 Duckworth Loeb sack
 Duncan (SC) Lofgren
 Duncan (TN) Long
 Ellison Lucas
 Ellmers Luetkemeyer
 Engel Lujan Grisham
 Enyart (NM)
 Eshoo Luján, Ben Ray
 (NM)
 Lummis
 Farenthold Maloney,
 Farr Carolyn
 Fattah Marchant
 Fincher Marino
 Fleischmann Massie
 Flores Matsui
 Forbes McCarthy (CA)
 Fortenberry McCarthy (NY)
 Foster McCaul
 Frankel (FL) McClintock
 Franks (AZ) McCollum
 Frelinghuysen McHenry
 Gabbard Sherman
 Gallego McIntyre
 Garrett McKeon
 Gerlach McKinley
 Gibbs McMorris
 Rodgers
 Gingrey (GA) McNeerney
 Goodlatte Meadows
 Gosar Meehan
 Gowdy Meng
 Granger Messer
 Grayson Mica
 Grimm Michaud
 Guthrie Miller (FL)
 Gutierrez Miller (MI)
 Hahn Miller, Gary
 Hall Moran
 Hanabusa Mullin
 Harper Mulvaney
 Harris Murphy (FL)
 Hartzler Murphy (PA)
 Hastings (WA) Nadler
 Heck (WA) Napolitano
 Hensarling Neugebauer
 Higgins Noem
 Himes Nunes
 Hinojosa Nunnelee
 Holt O'Rourke
 Horsford Olson
 Huelskamp Palazzo
 Huffman Pascrell
 Hultgren Payne
 Hunter Pearce
 Hurt Perlmutter
 Jackson Lee Peters (CA)
 Johnson (GA) Petri
 Johnson, Sam Pingree (ME)
 Jones Pocan
 Kaptur Polis
 Kelly (IL) Pompeo
 Kelly (PA) Posey
 Kennedy Price (NC)
 Kildee Quigley
 King (IA) Braley (IA)
 King (NY) King (NY)
 Kingston Ribble
 Rice (SC) Young (IN)

NAYS—131

Amash Chaffetz Duffy
 Andrews Coffman Edwards
 Bachus Cohen Fitzpatrick
 Barr Collins (GA) Fleming
 Bass Connolly Foxx
 Benishek Costa Fudge
 Bishop (NY) Cotton Garamendi
 Brady (PA) Courtney Garcia
 Brown (GA) Crowley Gardner
 Burgess Davis, Rodney Gibson
 Butterfield DeFazio Graves (GA)
 Cuapano DeGette Graves (MO)
 Carson (IN) Denham Green, Al
 Castor (FL) DeSantis Green, Gene

Griffin (AR) Maffei Rush
 Griffith (VA) Maloney, Sean Ryan (OH)
 Grijalva Matheson Salmon
 Hanna McDermott Sánchez, Linda
 Heck (NV) McGovern T.
 Herrera Beutler Meeks Sanchez, Loretta
 Holding Miller, George Schakowsky
 Honda Moore Schwartz
 Hoyer Neal Sires
 Hudson Negrete McLeod Slaughter
 Huizenga (MI) Nolan Southerland
 Israel Nugent Stivers
 Jeffries Pallone Terry
 Jenkins Pastor (AZ) Thompson (CA)
 Johnson (OH) Paulsen Thompson (MS)
 Johnson, E. B. Pelosi Thompson (PA)
 Jordan Perry Tiberi
 Joyce Peters (MI) Tipton
 Kilmer Peterson Turner
 Kind Pittenger Valadao
 Kinzinger (IL) Pitts Veasey
 Kirkpatrick Poe (TX) Vela
 Lance Price (GA) Velázquez
 Latham Radel Visclosky
 Lee (CA) Rahall Welch
 Lewis Reed Wilson (FL)
 LoBiondo Reichert Wittman
 Lowenthal Renacci Woodall
 Lowey Richmond Yoder
 Lynch Rigell Young (AK)

ANSWERED "PRESENT"—1

Owens

NOT VOTING—7

Gohmert Keating Young (FL)
 Hastings (FL) Markey
 Issa Westmoreland

□ 1452

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

REMOVAL OF NAME OF MEMBERS AS COSPONSORS OF H.R. 632

Mr. PETRI. Mr. Speaker, I ask unanimous consent to withdraw Mr. MIKE POMPEO of Kansas, Mr. RAÚL GRIJALVA of Arizona, and Mr. RUBÉN HINOJOSA of Texas as cosponsors of H.R. 632, who were mistakenly added to the bill.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. PETRI. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

NATIONAL TEACHERS APPRECIATION DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today is National Teachers Appreciation Day. There are many factors that contribute towards a quality education, but no one factor is more significant than the teacher.

Teachers make a difference in the lives of students every day across this great Nation. Teachers work to open students' minds to ideas, knowledge and dreams, and keep American democracy alive by laying the foundation for good citizenship.

To quote President Kennedy:

There is an old saying that the course of civilization is a race between catastrophe and education. In a democracy such as ours, we must make sure that education wins the race.

Our Nation faces many challenges today, including a struggling economy and record unemployment. For these problems and others, the education provided by teachers can be the key to our success.

I am very appreciative to all of the teachers who have made such a difference in my life, including the lives of my children; and I urge my colleagues to take time to recognize and acknowledge the impact of teachers in our lives.

SAFE CLIMATE CAUCUS

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

Mr. BLUMENAUER. Today, the Environmental Working Group launched their Worth It campaign, highlighting the invaluable role that small and mid-sized farmers play in protecting our environment, contributing to our economy, and strengthening our core values.

I could not agree more. It's our small and mid-sized farmers who are some of the best stewards of our land.

Many of those farmers talk to me about climate change. They're worried. They're outside every day, seeing the impact changing weather has on their topsoil, crop patterns, and water availability. They're the people who experienced the 3,527 weather records that were broken last year, and they're the ones asking Congress to help them.

That's why, later this week, I will be introducing the Balancing Food, Farm and Environment Act, to assist farmers to better adapt to climate change impact and to continue to support their stewardship efforts by updating the conservation provisions in the farm bill.

THANK A TEACHER

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

Mr. POE of Texas. Mr. Speaker, Kara was in the third grade when the school notified her parents about her difficulty in processing words. Her speech pattern was different. It affected every aspect of her life, including her self-esteem.

Kara's third grade teacher, Mrs. Morgan, at the Oaks Elementary in

Atascocita, Texas, was determined to help the little girl speak better, so the teacher and the pupil worked very hard together on talking. The success of both of them occurred this way:

Later, that little girl who couldn't speak very well walked off the stage in high school as valedictorian. She also obtained her bachelor's degree, her master's degree, and today she is an associate professor at Baylor University in the department of—yes—English. The little girl with word problems is teaching about word patterns.

I come from a family of teachers. My mother, my mother-in-law, my wife, and my three daughters are teachers by profession—and Kara is one of those daughters.

So today, being Teachers Appreciation Day, we thank Mrs. Morgan and all of America's teachers for helping our kids be what they want to be.

And that's just the way it is.

□ 1500

THE CLEAN ACT

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

Ms. KUSTER. Mr. Speaker, in recent years, the Federal Government has wasted millions of dollars maintaining empty bank accounts that serve no purpose. Last year, the Government Accountability Office found that the government was spending more than \$170,000 maintaining over 28,000 empty bank accounts at an annual cost of \$2 million. That's inexcusable.

No New Hampshire family or business would tolerate that type of waste, and neither should the government. That's why today I'm partnering with my Republican colleague, Representative KEVIN CRAMER, to introduce commonsense legislation that would put an end to this wasteful practice.

This legislation won't solve our fiscal challenges, but the fact is the Federal Government shouldn't tolerate any waste, no matter how big or small.

Let's prove to the American people that we're capable of coming together to cut the most obvious examples of waste by passing the CLEAN Act.

HONORING ESPERANZA BRAVO DE VARONA AND LESBIA ORTA VARONA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to thank and honor Esperanza Bravo de Varona and Lesbia Orta Varona on their well-deserved retirement after a long career with the Otto G. Richter Library at the University of Miami.

Their distinguished careers were marked by impressive contributions to

a special collection called the Cuban Heritage Collection.

Their commitment to excellence has truly allowed them to shape the lives of many students, academics, and historians, and in that I count my father, Enrique Ros, who authored 19 books on Cuban history and local politics and relied upon the original documents found in the library's collection. Many other authors and historians have also come to rely on these documents.

I have great confidence that the library will continue in the positive direction that Esperanza and Lesbia have set for it and that their commitment will be remembered for many years to come, Mr. Speaker.

As a former Florida certified teacher, I know that there are few rewards greater than the satisfaction of investing in education, and I thank Esperanza and Lesbia for having empowered so many in our community with the resources and guidance to expand their knowledge.

I wish them both all the best in this new chapter of their lives.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. DEFAZIO. The Republicans, under the guise of being family friendly, are going to strip American workers of overtime pay. That's right, work more than 40 hours a week, you don't get paid overtime anymore under their bill. Instead, you get comp time.

They say, Oh, this is family friendly, it's flexible. Well, there's certainly flexibility now that employers can grant people leave for family problems and other things. This would be essentially an interest-free loan to employers. They tell you you're working 50 hours, and I'll give you comp time, but it's up to them to give you the comp time. So they could wait until the end of the year, then pay you the overtime without having granted you comp time and having had an interest-free loan. This is outrageous.

Many Americans are having trouble making ends meet. They're dependent upon overtime pay to make ends meet. Wages are stagnant, and they need the overtime pay to make ends meet. Women still only earn 77 cents on the dollar compared to male workers. They need the overtime pay to help feed their kids. But, no, the Republicans want to take that away from them under the guise of being family friendly.

Happy Mother's Day from the Republicans.

NIDAL HASSAN'S ACTIONS SHOULD BE CLASSIFIED AS TERRORISM

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

Mr. ROONEY. Mr. Speaker, on November 5, 2009, Nidal Hassan, after coordinating with known terrorist leader Anwar al-Awlaki, opened fire at Fort Hood, Texas, killing 14 and wounding 32 others.

This was clearly an act of terror, yet the Department of Defense and the Army have classified this case as workplace violence. This is an insult to the brave men and women who were killed and injured that day. But this isn't about semantics; this is about who we are as Americans.

By declaring their deaths as injuries as a result of workplace violence, the Department denied these soldiers and their families benefits like VA health care, counseling and critical mental health services, disability benefits, and combat-related special compensation. It's also made them ineligible to receive the Purple Heart.

As someone who served in the Army at Fort Hood, I can say without hesitation that the Army should be ashamed of this poor level of care and outright disrespect it has shown our soldiers.

Yesterday, I joined one Republican and one Democrat, Congressman WOLF and Congressman FATTAH, in sending a letter to Secretary Hagel asking them to change the designation from workplace violence to combat-related.

Let us send a message that that is who we are as Americans and that is how we treat our veterans.

THE TURKISH AND ISRAELI GOVERNMENTS WORKING TOGETHER

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

Mr. COHEN. Mr. Speaker, last night, there was historic and important news from the Middle East. For the second time, the Israeli and the Turkish governments met and feel they're close to having an agreement to renew their diplomatic relations, which for 3 years have not existed.

There could be nothing more important to peace in the Middle East and America's interests than the Turkish and the Israeli Governments working together.

Having that historic relationship mended came about because President Obama, on his trip to Israel, urged Prime Minister Netanyahu to apologize for the incidents with the flotilla. He did so. That was a major act on Prime Minister Netanyahu's part. And for Prime Minister Erdogan to accept it was important too. They're working together. They're very close.

I'm pleased with both the Turkish and the Israeli Governments and their leaders, and I thank President Obama for his initiative.

NATIONAL PUBLIC CHARTER SCHOOLS WEEK

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

Mr. PAULSEN. Mr. Speaker, this week we celebrate National Public Charter Schools Week. With over 2 million students attending public charter schools nationwide, it is important that we continue to create and develop this very important educational option.

Minnesota is a leader in developing innovative new ways to educate our children, including being the very first State to allow charter schools 21 years ago. In Minnesota, we have 146 charter schools, and we are now ranked number one in the country for having charter school friendly laws and developing high quality and independent charter school options.

Last Congress, we made significant bipartisan support and progress with the introduction of the bipartisan All-STAR Act and passage of the Empowering Parents through Quality Charter Schools Act. I'm building on this progress and success by working now to craft additional options that aid in the replication of successful charter schools.

America will continue to lead the world in innovation and ideas if our children receive the best education from childhood through graduate school, and all by strengthening charter schools and helping ensure that a child's ZIP code does not determine the quality of education they are able to receive. That is the direction we should go in Congress.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. HOLT. Mr. Speaker, the so-called "Working Families Flexibility Act" would amend and would subvert the Fair Labor Standards Act of 1938 in order to allow private sector employers to compensate their employees instead of paying them overtime.

It gives employers the legal cover to force employees to work more and to pay them less. What would improve the lives of working families would be an increase in the minimum wage. What would provide flexible workplaces would be to give adequate leave options under the Family and Medical Leave Act.

Flexible workplaces provide competitive living wages for employees. Flexible workplaces provide sufficient sick-pay leave.

H.R. 1406 does nothing to advance any of these proposals.

□ 1510

GIVING WORKERS MORE CHOICES

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

Mr. HARRIS. This week the House is going to take action on a bill that's going to give the American workers in the private sector the exact same rights that Federal Government workers have, and that is that if you're going to choose to work extra, you get a choice whether to take overtime pay or to get time off to go to your child's school.

In my district we have Patriot Days during the school day at elementary schools where parents would love to have the time to go and spend that time with their child. This bill will get the parent the choice, not a Federal law. This will allow the parent to take that time off as comp time instead of getting overtime. It just gives everyone more choice.

HONORING SYED HASAN-ASIF

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

Ms. JACKSON LEE. Mr. Speaker, it gives me a sad opportunity to rise to acknowledge the loss of one of Houston's distinguished citizens—not only Houston, but recognized in places far away from this great Nation—Mr. Syed Hasan-Asif, a great leader and the father of a wonderful family, sons, and many extended family members. I am saddened that this great man has been lost, but I offer the words:

Do not fear and do not grieve but receive good tidings of Paradise, which you were promised.

This gentleman leaves his wife, Tahseen F. Begun. But he was a great man that was a father to many. He was a businessman, trained his family to be able to be sharers of their opportunities that they had. And the prosperity that they were able to achieve they did not keep to themselves. He was a friend to many. He loved many. He stood strong. He took care of his family. He brought joy, and he was generous. I'm so very pleased that so many got a chance to know Mr. Syed Hasan-Asif and to know of his generosity and his spirit and to know that his reach was not only here in the United States, but also in faraway places.

I offer to his family my deepest sympathy, my respect and admiration for having such a great leader in our community, who generated businesses and created an economic engine of opportunity wherever he was able to come. Now as he rests in peace, may it be, as I indicated, for us not to fear and not to grieve, but receive good tidings of Paradise, which you were promised. May blessings be upon him and his family.

RECOGNIZING THE JEWISH STATE OF ISRAEL

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

Mr. ENGEL. Mr. Speaker, I have just come back from a bipartisan trip to Israel where we met with top officials and really celebrated the alliance between the U.S. and Israel. Israel obviously is in a very dangerous neighborhood, and they were absolutely justified to carry out the bombing strikes in Syria where Hezbollah terrorists were attempting to get arms from Iran.

What happens is Iran sends the weapons, the missiles through Syria into Lebanon to arm the Hezbollah terrorists. No nation would put up with having terrorists prepared to attack them without striking back. So I think it is very, very important that we support Israel in its quest to rid itself of the scourge of terrorism.

Peace in the Middle East will come about when both sides recognize the other's right to exist. The problem has been that many of the Arab nations do not recognize Israel's right to exist as a Jewish State, and I think that really needs to change. I am glad President Obama said that he supports Israel in doing whatever it needs to do for its own self-defense, and I'm pleased that talks are being started with the help of Secretary Kerry to try to get peace talks online again. But again, in my estimation, peace will only happen when the Arab nations recognize the Jewish State of Israel.

DOCTORS' CAUCUS: HEALTH CARE

The SPEAKER pro tempore (Mr. CRAMER). Under the Speaker's announced policy of January 3, 2013, the gentleman from Tennessee (Mr. ROE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROE of Tennessee. I thank the Speaker. The hour we are going to spend with our Physicians' Caucus is going to be on health care today. I'm joined by numerous colleagues here on the House floor from the Doctors' Caucus to discuss this extremely important issue.

When I was elected 4 years ago to the House, one of the burning issues at that time was health care reform in this country, and the greatest problem with health care in America was the cost. Certainly I could see it every day. I practiced for 31 years as an obstetrician-gynecologist in Johnson City, Tennessee, a small town in northeast Tennessee. I saw where it was becoming harder and harder and harder for my patients to afford care. The major problem was that.

Number two, we had a problem with access. We had working people out every day. Maybe one was a carpenter, maybe the wife worked at a local store

that didn't have health insurance coverage. Together they made a living that was livable in northeast Tennessee, but certainly not enough money to pay \$1,000 or \$1,500 a month for a health insurance policy.

Thirdly, we have a liability crisis. When I began my practice, I thought about it, I began in 1977. I know this is hard to believe, but we would take care of a woman who was pregnant for 1 year and see her for a 6-week checkup and stay as long with her as we needed to when she was in labor, and that cost was \$360. And if you had a Caesarean section, it cost another \$100. So it was very affordable. Even young families could come in and make payments and pay for it. The hospital bill was more than that, but it certainly wasn't the exorbitant prices that we see today.

The malpractice premium I first paid, and obstetricians and neurosurgeons and others are very high risk, was about \$4,000 a year. Five years ago when I retired from my practice to run for Congress, the malpractice premiums had ballooned to the mid-\$70,000s, and the patients didn't get anything more for that. They didn't get better care. They just got a higher bill. It didn't improve the quality of their care. So we can see, number one, cost.

I remember when we had the debate down here. I stood in the well of the House the night we debated that bill, in March of 2010, to vote on it. I was one of the last people to stand down here, and I remember the President's remarks: If you like your health insurance, you can keep it. And your costs are going to go down by \$2,500.

Now 3 years later, let's see what the reality is. Many of us here in the Doctors' Caucus brought decades, and I do mean decades. I look around, and I wish each speaker as they step up, would tell how many years they practiced medicine. You'll see the experience that's on the floor today. So what happened was the cost has gone up; it didn't go down. And I'm not even sure after this is all implemented that access is actually going to increase because as we discuss during this hour, you'll see that for some people there's more access, but for others it may be cut off; and I think it was unintended. I don't believe that they wrote a bill to actually do that, to actually cut access. But I think the reality is it's going to happen.

Before I continue, I want to introduce one of my colleagues, Dr. PHIL GINGREY, who is in the well today. Dr. GINGREY and I are both OB/GYN doctors. He is from Georgia, and a good friend. Dr. GINGREY, I yield to you.

Mr. GINGREY of Georgia. I thank the gentleman from Tennessee for yielding, my physician colleague and cochairman of the House GOP Doctors' Caucus, several of whom are here on the floor in the House on this Special

Order hour to discuss the impending train wreck that Dr. ROE referenced.

Mr. Speaker, it is not just Dr. ROE's words, but it is almost a direct quote from the chairman of the Senate Finance Committee, Senator MAX BAUCUS. I don't know how many years Senator BAUCUS has served, but he has been chairing that committee for many years. And, of course, the Senate version of ObamaCare was essentially written by Senator MAX BAUCUS and his senior staff of the Senate Finance Committee.

So of those 2,700 pages in that final bill that we saw President Obama sign as his legacy, ObamaCare, on March 25, 3 years ago, the Senator knew everything that was in that bill. And just last week, there was a hearing on the Senate side, the Senate Finance Committee asked the secretary who is in charge of the rulemaking. You know, after a piece of legislation is passed, Mr. Speaker, then come the rules.

Well, I don't know how high 2,700 pages stack, but the rules stacked 7 feet tall. In fact, Senator BARRASSO was doing a Special Order recently on a press interview, and he is 6 feet tall and he's standing next to these rules and regulations that came through the Department of Health and Human Services, led by Secretary Kathleen Sebelius, and they're 7 feet tall. I don't know whether it was 40,000 pages or 400,000 pages, but it was a big number.

□ 1520

What I'd like to point out to my colleagues before yielding back to my good friend from Tennessee so he can yield to some of the other doctors who are members of the House GOP Doctors' Caucus, I want to point out, colleagues and Mr. Speaker, this poster. And I give credit for this poster to Representative KEVIN BRADY from Texas, a senior member of the House Ways and Means Committee.

I was speaking with Congressman BRADY a little earlier this morning, and I said, KEVIN, I'm going to use your poster today because we're doing this Special Order because of this impending train wreck—the words of Senator MAX BAUCUS, Democratic Chairman of the Senate Finance Committee, not just Dr. ROE's words—and I said I was trying to count real quickly how many new bureaucracies, agencies—not number of people, mind you, but, literally, new agencies—of the Federal Government, talking about expanding the Federal Government and taking over one-sixth of our economy, which is health care. Pretty soon it'll be a fifth, and pretty soon it'll be a fourth as we continue to go broke.

But KEVIN told me, Representative BRADY told me, 159. I didn't have time to count them all. But in the center, of course, my colleagues, you can see the Secretary of Health and Human Services, and today that's Ms. Sebelius. Tomorrow it could be somebody else.

But, I mean, the whole point is it is a train wreck. And this law is going to be fully implemented, Mr. Speaker, on the first day of January 2014. Well, what is that? Here we are, May. That's 7 months away.

And all of these exchanges that you're hearing about, colleagues, that many of the States have said, "We can't do this; we're not going to do it," they're not even close to being set up. And yet people, the general public who doesn't have health insurance, can't get it from their employer or can't afford it, whatever reason, they are supposed to be able, on October the 1st, October the 1st of this year, 2013, to begin signing up for health insurance through those exchanges. But this is why they can't.

This is a train wreck. I mean, these lines are not railroad tracks, but they could be. So I thought I would, colleagues, I would point that out to you. I think you all are aware of it.

The gentleman from Tennessee is generous with his time.

Mr. ROE of Tennessee. It reminds me, Dr. GINGREY, of biochemistry in college. Looks like the Krebs cycle, the sugar cycle. It is incredibly complicated, this bill is, and I think we need to spend more time explaining it to the American people.

And one of the frustrations, Dr. GINGREY, that I've had is that I've read the bill, as you have, as many of us have, probably all of us have in the Doctors' Caucus.

I went to a hearing the other day on the Veterans' Affairs Committee on which I serve. We spent 2 hours and 15 minutes explaining the effects of the Affordable Care Act on veterans with Dr. Petzel, who is the medical director of the VA. The IRS, the Treasury Department was represented. And when we walked out of that room, I don't think anybody could explain to you the effects of the Affordable Care Act on our veterans.

Mr. GINGREY of Georgia. If the gentleman will yield back quickly.

Mr. ROE of Tennessee. I yield to Dr. GINGREY.

Mr. GINGREY of Georgia. My colleagues, the IRS is just right up here. That's 15,000 new IRS agents to make sure that the poor people have purchased health insurance or they're going to get taxed. Right?

Mr. ROE of Tennessee. Correct.

I now yield to my good friend, Dr. ANDY HARRIS from Maryland One. And Dr. HARRIS serves on the faculty of Johns Hopkins University. He's an anesthesiologist.

Dr. HARRIS.

Mr. HARRIS. Thank you very much. I want to thank my colleague from Tennessee.

I've practiced for 28 years before coming to the body here 2 years ago. Part of the reason is because of what the gentleman from Georgia mentions,

the train wreck, to use the Senator's term, the train wreck that's coming upon us.

Mr. Speaker, the people in Maryland got a little rude awakening last week when BlueCross Blue Shield CareFirst, which is our nonprofit provider in Maryland, announced their new rates in the individual market on these exchanges that the gentleman from Georgia mentioned.

Now, in Maryland we're going to have an exchange October 1. You're just not going to be able to afford to buy the insurance on the exchange because that nonprofit insurer announced that their average increase was 25 percent—25 percent increase in the already high cost of health insurance. And it ranged from a small savings in a small number of people to—and I want you to hear this number—150 percent increase for healthy young people, a 150 percent increase in the premium to the people who are supposed to make that decision to do the right thing and buy insurance.

So this is the decision someone's going to be faced with coming out of high school or college, getting that first job, is: Should I buy health insurance? Maybe my employer no longer offers it because of the penalties that are in this bill and the mandates, so their employer may not offer it. Their choice is going to be: Should I do the right thing and get it?

And now they're faced with a 150 percent increase in that cost. And that was supposed to be—as the gentleman from Georgia said, and the gentleman from Tennessee, we were promised more affordable, and it was, you could keep it if you have it.

Well, let me tell you something. For that employee who's going to lose it because their employer can no longer afford it, they're not going to have it; and in Maryland, they're not going to be able to afford it.

So I want to thank the gentleman from Tennessee for keeping this issue in front of the American people because there are going to be many more surprises like we got in Maryland coming out across the United States in the next few months as this train wreck comes upon us.

Mr. ROE of Tennessee. I thank the gentleman.

Dr. HARRIS, if you would stay there just a moment so that people understand: How could this possibly happen? How could young people—which I have three children, and I think it's a good idea to keep our under-26-year-olds on. I think there were a lot of things we could have all agreed upon. But the thing that we didn't explain to people is: How did you get this number? Why did that happen?

Well, here's why it happened. Young healthy people are going to be subsidizing people who are not as healthy and older. How does that happen?

Well, this bill does not allow you—when actuaries look at it, they know that I'm six times more risky than someone who is my children's age, who is in their twenties. In other words, I've got six times the actuarial risk that they have. The bill only allows an actuary to charge 3 to 1.

So a healthy young person that's 25—Dr. HARRIS and I were laughing. Having a son—and I know that he has a fine-looking young son. We know that you insure young boys for stupidity. They're going to go out and trip and fall and jump off things, but illness is not it. So we're taking young healthy men and women, 20 to 25 years of age, sometimes doubling and tripling their costs so that someone else's can be a little less expensive.

Now, what would a young person do if all of a sudden they were going to pay \$80 or \$90 a month for a basic health insurance policy and now it's \$300, or they can pay the first year a \$95 fine, a \$95 fine and they have guaranteed issuance, they cannot be turned away? There can be no preexisting conditions, so they can get the insurance. So what do you think these smart young people are going to do? They're going to figure it out pretty quickly. They're not going to subsidize that, and they're going to be very upset when they look at their first paycheck and realize what's happened to them.

I yield to Dr. HARRIS.

Mr. HARRIS. Thank you very much for yielding.

And the gentleman has hit the nail on the head on this one. We want to encourage young folks to do the right thing and buy insurance. And in Maryland, our insurance was affordable for the young because we did allow appropriate risk to be priced.

But the Federal Government—and by the way, we also had high-risk pools. Anyone with a preexisting condition in Maryland could not be turned away by the high-risk pool that was actually run by the State of Maryland. So we didn't have a problem with someone not being able to get insurance in the State of Maryland.

But the Federal Government came in and fixed our problem in Maryland. Now, we didn't have one, but the result is going to be that all that risk that used to be in the high-risk pool which everybody paid a little bit for is now all on the backs of the person, the individual now going into that exchange to buy insurance.

□ 1530

Again, Mr. Speaker, a 150 percent increase in the cost of that policy for those young people just entering the workforce. These are the people who have big student loans if they've gone to college. They've got other costs. They've got the costs of raising a young family. And now, thanks to the

Federal Government and to the President's Affordable Care Act, a 150 percent increase in the cost of their insurance.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

I would now like to yield to my friend and colleague, a new Member, Dr. BRAD WENSTRUP from Ohio, near Cincinnati. Dr. WENSTRUP also has served in Iraq in our military. I now yield to Dr. WENSTRUP.

Mr. WENSTRUP. I thank the gentleman for yielding.

I would like to take a little time to discuss a portion of the Affordable Care Act known as the Independent Payment Advisory Board. As you look at this chart, it's one of the agencies that has been developed here on this chart.

I'd also like to point out on this chart that right down here is the physician, and over here is the patient. It seems to me that all we're really trying to do is get the patient to the physician. It behooves me to be able to explain why we need all this in between when we are just trying to get a patient to the physician. I would also like to point out that I think at the center of our health care in America should be the patient, not the Secretary of Health and Human Services.

But let's talk for a minute about the Independent Payment Advisory Board. Who are they? Who are these people? Well, they're actually 15 unelected bureaucrats appointed by the President. To date, as this law is being enacted, no one has been appointed yet.

What do they do? Well, they limit options. They limit care options. They limit access to care. They drive a wedge between the doctor and the patient, and they're responsible for denials of payment for certain types of treatment. I contend to you that really this is a wedge that we cannot afford if we are to have the best health care in the world, which we have been known to have.

I would like to share with you a little story that I experienced in my 26 years as a doctor, as a surgeon. I had a patient who came in one time, and she explained to me that she's had a problem for 10 years. For 10 years she's had a problem, and she's had multiple treatments. She explained to me what those were. Between cortisone shots and physical therapy, she's had previous X-rays, she had paddings and strappings, different things that might put the painful area to rest and make it better, but none of it got better. They were all acceptable treatments, but for 10 years, they failed.

So I said, Well, your X-ray looks normal. Have you ever had an MRI? She said, No. So I said, I don't want to repeat all the things that have failed. Let's go ahead and get an MRI and take a look inside.

Well, later that afternoon, I get a call from the insurance company where

I have to speak to a doctor about ordering this MRI. The doctor says to me, Why are you ordering the MRI? I explained it. And he said, Well, you've only seen her one time, so I'm not going to allow it. I'm not going to allow this to be ordered. I said, Well, maybe I've only seen her one time, Doctor, but you haven't seen her at all. You've never seen her. And I said, And you haven't taken the 10-year history that I have taken, and yet you're going to be deciding the care? I said, How can I get this patient to come and see you? The doctor said, Well, you can't do that. I said, Well, what's your specialty? He said, I'm an emergency room doctor. I said, Okay, fair enough. You would probably, in the emergency room then, refer her to a specialist, which is where she is today, and yet you, in your specialty, are denying this care.

I went back and I explained this to the patient. But not until I said to the doctor, I said, I hope this call is being monitored for quality assurance because I want someone to hear what you said to me today.

I went back to the patient and I said, You need to talk to your person at your work, your H.R. person, explain to them that you are being denied care and have them make a call to the insurance company.

Do you know, the next day we got approval for that MRI. I was able to look inside, find out what was wrong and treat this patient, and within 3 weeks, she was better. But the advice from the person who had never seen the patient was, You can't have that MRI.

This is what we are dealing with today. At least in this situation we had the opportunity to have her work call the insurance company and make a case saying, You need to take care of this patient.

But imagine when it is a government agency. What kind of recourse do you think that we will have between the doctors and our patients? At least in this case it was a doctor. The Independent Payment Advisory Board will not be made up entirely of doctors, and they will not have people on there from every specialty with knowledge about everything that comes across medically.

So do we want a third party deciding who gets care? Frankly, I don't think anyone should have the ability to determine someone's care unless they have looked the patient in the eye, they have looked and they've discussed the options, and the patient and the doctor decide together. This is a dangerous course that we're on in America and in Americans' health care.

Mr. ROE of Tennessee. I thank the gentleman.

And before you leave, Doctor, I want to ask you a question. This is an issue that is very near and dear to my heart. I have a bill, H.R. 351, which is to repeal the Independent Payment Advi-

sory Board. When I read that health care law, this was not in the original version of the House version of the bill. This version came from the Senate version. The House version did not. And Representative NEAL from Massachusetts wrote a letter to then-Speaker PELOSI, which I signed in a bipartisan way, to not put this in. It was included in this side.

So to better understand, let me sort of go over just a minute and we'll talk about it in just a little more detail. I know you have another appointment, but there are 15 people on here, and only one of them may be a doctor. These are health care policy people. Basically, all this board does is to determine how Medicare dollars are spent. There's a preset budget in Medicare, and if you spend more than that, this board is charged to give the Congress, they have to cut. If they don't make different cuts, they have to make the ones that this board—and that's how it's going to affect care.

Guess where the cuts are coming from? They come from providers. And if you keep cutting the providers, you will lessen access. I've seen it happen, and I'll go through that after you leave. But that is exactly what's going to happen. If you don't believe me, simply read a New England Journal of Medicine article in June 2011. This is an article that is not for it or against it. It just analyzed it. It looked at the formula, and they looked back 25 years. In 21 of the 25 previous years, this would have cut providers.

Guess what the Congress has been able to do? The Congress has been able to override those cuts in the SGR, the way doctors are paid through Medicare now, and prevent that loss of access. Without a three-fifths majority in the Senate, we've lost that ability; we've given up our constitutional right for the people to come to us and say that we don't believe this is the way it ought to be going. It is a huge mistake.

I believe in that poster of gibberish down there that you're looking at. It's the single worst thing in there because it will ultimately deny access for our seniors. I believe that in my heart of hearts. I've seen it in Tennessee with our TennCare program, which I'll discuss later.

I will yield back to you if you would like to make any closing comments.

Mr. WENSTRUP. Just in closing, I would just like to reiterate the importance of decisions being able to be made between a doctor and a patient, because that's what we expect, and that's what Americans deserve in their health care system.

Mr. ROE of Tennessee. I thank the gentleman.

He pointed out something that's clear from his statement down there—he is and has been a practicing physician—because each of us know this, Mr. Speaker, that health care decisions

should be made between a patient, the doctor, and that patient's family. It shouldn't be made by insurance companies. It shouldn't be made by organizations, ACOs, the government, IPABs and so forth.

When you're in need, you see the person, the doctor most capable of taking care of your needs, and you make a decision based upon that between you and that family. We're losing that in this country with the doctor-patient relationship, and it is a very, very, very bad thing to happen.

I would now like to yield to my good friend, JOHN FLEMING, from Louisiana. He is also a veteran and a three-decade family practitioner.

Dr. FLEMING.

Mr. FLEMING. I thank the gentleman from Tennessee.

Of course, all of us here today talking are physicians of different specialties. Most of us were actually here during the ObamaCare debate. We actually began that in 2009. It actually went in to law, it was signed into law March 23, 2010.

The interesting thing about this law—the Affordable Care Act, which I refer to as the Unaffordable Care Act, but lovingly and affectionately known as ObamaCare—is the fact that what it does is it adds 15 million more Americans on to Medicaid, which already way underreimburses physicians, which means most doctors don't accept that as payment, and it adds another 15 million Americans to a system that's already stressed.

□ 1540

Ultimately, what's going to happen is you're going to have more Americans carrying more cards that entitle them to health care, but it really will entitle them only to a waiting line—a waiting list—just as we see today with Canada and Great Britain.

Let's talk for a moment about the promises. You know, Washington, Mr. Speaker, has a reputation for making promises it can't keep, and indeed that applies to ObamaCare.

First of all, the President said if you like your plan, you can keep it. Well, we know that's not true. We know now that you're going to get whatever plan and mandates that go with it, and you'll have to pay the cost that goes with it.

ObamaCare will not add one dime to our deficits. The CBO has now come back to show that the early estimates were way out of line. It's going to add billions of dollars to our deficit, and I think that's really an underestimation.

"No Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place." Federal conscience laws have been totally gutted. We know that, for instance, Hobby Lobby will be fined to the tune of millions of dollars as a result of its unwillingness to pay for abortifacients—that

is, pills that can cause an abortion—and other things that are against the conscience of those who are in management and ownership there.

President Obama said, "I will protect Medicare." Well, if he's going to protect Medicare, why did he take \$716 billion out of Medicare to fund ObamaCare? He says that's savings. Well, if we can save that kind of money out of Medicare over 30 or 40 years, why didn't we do it once? We didn't because we can't without changing it structurally. It will simply be cuts to services.

ObamaCare will not raise any of your taxes. Mr. Speaker, ObamaCare includes 21 new taxes. And they're not just on rich people; about half of them are on the middle class.

I'll just give you an example of one very nasty tax that's coming your way. If you're a business owner, there is a tax—3.8 percent—on unearned income, which includes capital gains, dividends, rents, royalties and interest, which means that you're going to get hit hard and very hard. And then also a device tax on revenues—not on profits—which those who make everything from tongue blades to artificial hearts tell us will drive them out of this country into another country. And we'll have to buy back those devices, killing tens of thousands—maybe hundreds of thousands—of American jobs.

ObamaCare will "lower your premiums by \$2,500 per family per year." Mr. Speaker, no one has told me their premiums have gone down as a result of ObamaCare. In fact, in most cases, it's gone up \$3,000. That's a net of \$5,500 change, and many of them are expected to double and even triple as a result of ObamaCare. You can't just keep adding mandates to insurance and expect not to have to pay for them. That's just the simple truth.

What about IPAB? We heard some discussion about the Independent Payment Advisory Board, and it's really straightforward what they do: they take out of the hands of Congress our ability to find more efficient ways and ways to limit costs to Medicare patients. In fact, it's a 15-member board that's appointed by the President—not necessarily health care providers—who will have more power than Congress itself. It will actually be able to determine what gets paid for, how much it gets paid for, what type of doctors/providers will be paid for their services to Medicare patients. Mr. Speaker, that is absolutely the beginning of rationing and long lines for health care.

One other point before I yield back. Let me quote something that's already been referred to today in our discussion.

Senator Finance Committee Chairman MAX BAUCUS, who helped author ObamaCare, before a hearing, out of frustration, he asked Secretary Sebelius, he said, we've got all kind of

problems, aren't you going to help us on this? Here's a quote from Senator BAUCUS—who shortly after this decided to retire. He said:

I am very concerned that not enough is being done so far. Very concerned. When I'm home, small businesses have no idea what to do, what to expect. They don't know what affordability rules are, they don't know what penalties may apply.

I just see a huge train wreck coming down. You and I have discussed this many times and I don't see any results yet.

And we've yet to hear a good answer, a reasonable answer from Secretary Sebelius on how this has come together. We know that much of this has to be implemented really by October and finished by the first of January of 2014, and nobody knows what's going to happen, how it's going to happen.

Business owners today are looking at, should they have 50 employees or less than 50 employees? What kind of penalties are they going to have to pay, which is not tax deductible. There is nothing but chaos across America among small businesses.

Even parts of ObamaCare have already either been repealed or just simply dropped. The CLASS Act, long-term care, which was unworkable and is not going to help fund it. A very onerous 1099 tax reporting requirement has been dropped. So, little by little, this bill is beginning to fall apart. I'll just say, finally, that this train wreck not only is coming down, but the wheels are falling off the train.

So with that, I would like to yield back to the gentleman and certainly stick around for more discussion.

Mr. ROE of Tennessee. I thank the gentleman for yielding. And let me reminisce before I yield to my friend from Indiana.

As a young medical student in Memphis many, many years ago in the late 1960s, my first pediatric rotation was at St. Jude Children's Hospital, a remarkable place. At that point in time almost 90 percent of children died of their disease. I would go in and start an IV, and Dr. FLEMING, I can still remember seeing some of those kids, I knew they wouldn't survive. It was very hard for me emotionally to deal with that.

Fast forward today, almost 90 percent of those children live today. And they are treated at no cost, their families are sent there at no cost. I've had children of patients of mine who have gone to that wonderful place. I hope that we don't end up in a Middle Ages in health care, with device taxes and disincentives for new medications.

You and I both remember, when I graduated from medical school there were five or six anti-hypertensives, three or four of them made you sicker than high blood pressure did. Well, today there is a plethora of wonderful new medications to use for people. There wasn't a day that went by that I went in the operating room that I

didn't see somebody that needed surgery for a bleeding ulcer—almost every day. It's unheard of now because of new medications.

I just found out today, in my own State of Tennessee—and I did not know this—the largest thing that we export in the State of Tennessee is, guess what? Medical devices. It will hurt my State dramatically in jobs, as you clearly point out—and I know, Dr. BUCSHON, in Indiana you're very concerned about that.

You mentioned the IPAB. If the President right yet has not appointed anyone and no one is approved, or they don't have a quorum, they don't have at least eight people confirmed by the Senate, guess who makes all those decisions at the IPAB? One person. That's the Secretary. That's who makes all the decisions. Not the Congress. We have given up, this body—even though it may look funny down here with us debating and contentious, that's what we're elected to do. We are turning over that power—could be—to one single individual. It's Secretary Sebelius right now; there will be a different name 4 years from now. I don't want that person, be it Republican or Democrat—that power should be here.

I yield to the gentleman.

Mr. FLEMING. Your experience is exactly the same as mine when it comes to blood disorders, blood cancers, solid tumors in children. That used to be a death warrant when you and I were in medical school. Today, the vast majority of those children survive and live a happy life.

Yet, what we see today is some of the oldest chemotherapeutic agents, some that are 60 years old—and of course the patents have run out a long time ago—are in severe short supply because, again, the heavy boot of government on the neck of industry that can't produce these at a rate that can meet up with demand. So it's important that we begin to pull back on this now, because we're going to be in the same situation as Canada and Great Britain, who have government-run health care, where early diagnosis, early treatment and using the best chemotherapeutic agents shows up in their statistics. Their death rates from cancer are much higher than ours are.

□ 1550

Mr. ROE of Tennessee. I thank the gentleman.

Mr. Speaker, I would now like to take the opportunity to yield to my good friend from Indiana, a cardiothoracic surgeon, Dr. LARRY BUCSHON.

Mr. BUCSHON. Thank you, Dr. ROE, for yielding. It's great to be here with many members of the Doctors' Caucus and again remember the focus of what we are trying to do here is focusing on the patient, what's best for the American people and our patients.

It's already been quoted a number of times today—I've got a couple other quotes. Senator SCHUMER also said:

The Affordable Care Act could cause rates to go through the roof.

That's exactly what we are seeing in the private health insurance. I won't repeat Senator BAUCUS' statement about a train wreck. But Senator ROCKEFELLER also said:

It's so complicated, and if it isn't done right the first time and it's not being done at all, it will just simply get worse.

What I'm going to focus on now and the rest of the time is what this means to employers and people that have employer-provided health insurance and what this law is going to do to employers.

Let me focus on first what the city of Long Beach, California, just came out and said recently. They are going to be limiting most of their 1,600 part-time employees to fewer than 27 hours a week on average. So these are employees that had a 40-hour workweek and now they are being cut to less than 40 hours to comply with the law.

You say, Why would that happen? Well, because city officials say that without cutting payroll hours, new health care benefits would cost up to \$2 million more next year and that expense would trigger layoffs and cutbacks in city services. This is a city in southern California. This isn't an isolated event.

Regal Entertainment Group, the Nation's largest movie theater chain, with over 500 movie theaters operating in 38 States, recently said they plan to cut many nonsalaried employees back to part-time to comply with ObamaCare.

In a memo to company managers, Regal stated:

To comply with the Affordable Care Act, Regal had to increase our health care budget to cover those newly deemed eligible, based on the law's definition of full-time employee, which is 30 hours or above. To manage this budget, all other employees will be scheduled in accord with business needs in a manner that will not negatively impact our health care budget.

That needs a translation. The translation is: everybody is getting cut back to less than 30 hours, and they are going to see their income dramatically drop.

There are other examples. The State of Virginia, Palm Beach State College in Florida, and CKE Restaurants, among others.

I have an example in my district. We got an email the other day. A constituent said she and 52 other employees at a school district in my district in Indiana were recently informed that their hours will be cut to 28 hours a week because the school can't afford to comply with the health care law.

Municipal government officials are telling me, city government officials are telling me in my district this may

hit city government, municipal government, county government, and school districts. This is just people being cut.

Now, let's talk about people losing their health insurance. Here's a chart right here that says we were promised that everybody could keep their health insurance. Here are some, what I consider, conservative estimates of the number of Americans who are going to lose their health insurance after full implementation of the law.

Why is that? Well, because I talk to small business owners all the time who have more than 50 employees. I talked to one young man who has been very successful in starting a business and creating jobs. He says, Not only will I probably not be able to afford it and have to just pay the penalty rather than complying with the law, but I don't know a small business owner that I've spoken to—this is his words—that is not going to pay the penalty and not going to jettison their employee-provided health insurance.

All of those employees are going to be forced to go to these State-based exchanges, which aren't set up and which are going to cost more. The gentleman from Maryland just talked about that about half an hour ago. People aren't even going to be able to afford it, so employer-provided health insurance is going out the window.

I think estimates like this are very conservative, according to the people that I've talked to.

Mr. ROE of Tennessee. Will the gentleman yield?

Mr. BUCSHON. I yield to the gentleman from Tennessee.

Mr. ROE of Tennessee. Here is what absolutely amazes me about—and I'm glad Senator BAUCUS mentioned this as a train wreck. I wrote an editorial about it 3½ years ago describing the train wreck of TennCare. But that's not what I want to talk about.

What I want to talk about, Dr. BUCSHON, is we have people right now today, for instance, in Medicaid, a system that what did we do? We expanded a system that was already broken.

If you look at surgical outcomes for Medicaid patients, they're worse. The outcome is a huge study—eight hundred and something thousand patients—done by the University of Virginia. Those outcomes were worse than people who did not have health insurance coverage.

Why would you expand a program that's already broken? Why don't we fix that first? I know Dr. FLEMING has talked about this at length.

Mr. BUCSHON. I practice in southern Indiana where I get patients from southern Illinois, northern Kentucky, and southern Indiana. Every year, the Illinois Medicaid system ran out of money before the end of the year, September-October. They just ran out of money. No money for their Medicaid population.

This is exactly what you are talking about, Dr. ROE, is that a system that is already broken and we are going to expand it. And what it's going to do is, like Dr. FLEMING said, put a card in your pocket that says you have health insurance, but you don't have access to health care providers, except guess where. Through the emergency room, which is one of the biggest problems we are already trying to defeat.

Mr. ROE of Tennessee. I've always thought this: Why do our lower-income patients deserve different care than somebody else? They don't.

Mr. BUCSHON. They don't.

Mr. ROE of Tennessee. And they do not. They should get the same care and deserve the same care that anyone else has.

Maybe the President when he said, I'll go over this bill line by line with anybody who wants to, maybe he should have taken that up with us and gone over it with the Doctors' Caucus line by line, because we came here in a totally nonpartisan way.

Health care should not be a partisan issue. Dr. BUCSHON has taken care of numerous cardiac patients with heart attacks. He doesn't know whether they're Republicans or Democrats. He could care less. They are just patients who need care.

I yield back to the gentleman.

Mr. BUCSHON. I would agree with that. And let me tell you, there are some things that we could have agreed on that we could have made some advances on in health care reform. Pre-existing conditions, all of us agree.

I had a patient that had Hodgkin's disease when he was in his twenties. He worked his entire life. He is now in his fifties. He needed bypass surgery. He was never able to get health insurance the whole time because of a preexisting condition. That's just wrong.

Mr. FLEMING. Will the gentleman yield?

Mr. BUCSHON. I yield to the gentleman from Louisiana.

Mr. FLEMING. I just want to expand a moment on what you were talking about small business is critical. I'm a small business owner myself, apart from my medical practice. We employ around 500 employees. Many of them are entry level. Businesses and business owners across America, at this very moment, are in a state of panic. Mr. Speaker, businesses across the country are, at this moment because of ObamaCare, in a state of panic.

The reason is because of what you said. They're calculating if they have more than 50 employees, they've got to ratchet below them if they can. They've got to know how much of the punishment—or penalty, I really should say, but it's more like punishment—they can absorb for those employees that they can't afford to pay for their insurance. This is having a direct impact on our economy and on job

creation. This is something that's critical going forward what this is doing to small business, which, arguably, employs about 75 percent of Americans.

Mr. ROE of Tennessee. I just spoke to a physician today from Massachusetts. He said what had happened there, and what's not clearly understood by the public—unless you're in this line of work you don't—is how the payers pay.

Medicaid, for instance, pays about 60 percent of the cost of actually providing the care. Let's say private insurance is a 1. Medicare would pay about 90 percent.

The people they added in Massachusetts paid about the same as Medicaid. What happened was big insurers, big corporations with lots of employees could negotiate a really good price, but small business could not. So when the hospital had bills to pay, they shifted those costs to private business, forcing their premiums up and up and up and up. That's why you are seeing those premiums for small business escalate until you really force them out of business.

□ 1600

We talk about the exchange, and what absolutely frustrates me is that, on the 1st of October—and this is a person who works in Congress, who is a doctor who understands health care—I can't even tell the people who work for me here in the Washington office and in my office back in the district in Tennessee what their health care premiums are going to be or how they're going to get their health insurance coverage, and that is 90 days from now I can't tell them. You can imagine what other businesses are going through. I can tell them this: that I bet it's going to cost them a lot more money.

Mr. BUCSHON. Let me add a few final comments.

Again, on the things that we can agree on, many of us agree on children up to age 25 or 26. A lot of us agree that we need to look at finding ways to expand the affordability of health care. Remember, this was supposed to bring down the costs. There are a lot of things that could be done to bring down the costs. There are a lot of things we could have agreed on, Dr. ROE, if we would have just worked together and not put in, what I would consider, a near government takeover of the entire system.

I've been a practicing physician for 15 years, and if I count my residency, it's more than that. Imagine if you're out there as a physician today and you have to look a patient in the eye and you have to tell him, Well, I'm sorry. The IPAB told me that this is not statistically something that we can provide because, based on statistics calculated in Washington, D.C., it's not cost-effective for the Medicare system to provide this service anymore.

This is going to happen, and I hope we all wake up in America and realize that it will happen. This happens in other countries that have government insurance. The Canadian system could not exist if it did not sit next to the United States. It's two-tiered. People come to the United States, if they have money, to get health care in a timely manner. The same thing is true in England. If you have money, you get private health insurance. If you don't, you wait for months. So this is bad for patients, and it's bad for business. There are things we could have done. It's a shame that we didn't and that we weren't consulted.

With that, I want to thank the gentleman from Tennessee for this hour to talk about this.

Mr. ROE of Tennessee. I thank the gentleman.

It is ultimately about the patients that we take care of. Really, it's not about systems and organizations and insurance—it's about people. That's the frustrating part to me because I think people are going to be harmed by this.

I know Dr. FLEMING mentioned small business. I was in North Carolina last Tuesday, a week ago today, holding a hearing, which I hope we have time to go through maybe a little later, on small businesses and how this is going to affect them. It's really eye opening to see businesses that have done everything exactly right. Mr. Horn is someone I want to talk about in just a minute—all preventative services. He is self-insured. He did everything right. It shouldn't have cost him a nickel, and yet it is going to cost his business thousands of dollars. So we'll go into that.

At this point, I want to yield some time to my good friend G.T. THOMPSON from Pennsylvania, who is part of our Health Care Caucus and who is a health care administrator.

Mr. THOMPSON of Pennsylvania. I thank my good friend from Tennessee.

What an important topic. As you have been, Dr. ROE, I have been out in the community throughout my congressional district, listening, sitting with individuals and families and businesses, a lot of small businesses. All indications are, at the very best, costs are going up, and there are so many questions that people have. Most is unknown, but what is known is very negative. It will have a negative impact on individuals and families and businesses.

I'll be careful here because, as with scope of practice, I'm with a bunch of physicians. I know even as a former therapist and rehab services manager and manager in hospitals, I know not to diagnose, but I can't resist. I'm going to diagnose. ObamaCare is terminal. It is. It is going to fail under the crushing weight of its own flawed design, and all evidence points to that.

I'm not going to re-plow the fields that you all have as to what Democratic Senators are admitting and acknowledging in going public, but many of us have held concerns about this law for some time, and I'm glad that some proponents of the law are now really finally speaking the truth on it.

For example, this past week, on May 3, Investors Business Daily reported how retailers are slashing work hours in anticipation of the implementation of the President's so-called Affordable Care Act.

I quote:

Retailers are cutting workers' hours at a rate not seen in more than three decades, a sudden shift that can only be explained by the onset of ObamaCare's employer mandates.

Opponents of this law haven't been far off the mark when it comes to predicting the harm this law would impose on the economy, and this week's report from the Investors Business Daily is just the latest in a long list of failed promises under the Affordable Care Act. I think about each new tax or regulatory mandate and about the number of regulations that came out under HIPAA, and those of us who were working in health care, we saw the cost that that added to care. Now multiply by over 100 the new bureaucracies that there will be—so it's HIPAA on steroids—and what that will do to crush the availability of affordable health care.

The President's so-called Affordable Care Act becomes even more unaffordable for individuals, families and for businesses. I had the opportunity and the privilege of working for almost 30 years in health care, serving people facing life-changing disease and disability. I always followed four principles during my professional work, and they've guided me in health care here in that whatever we did to make changes in health care should decrease costs, increase access and make sure America always remains a place of quality and innovation, and it should be the patient who makes decisions in consultation with his physician. When I read that bill, it stood out to me that the language of the Affordable Care Act was going to violate those four principles, and we've seen nothing but evidence mounting that that is occurring today.

In terms of cost, we've seen what happens to premiums, and the American people know that because they see what those premium costs are that are coming to them. It's beyond what their budgets can sustain, and it's much more than what they were paying prior to the signing of that bill. The fact is that there are more than two-dozen new taxes that are coming. I don't care who you tax in the end, there is only one person who winds up paying the tax, and that's the consumer in the end. So that's adding to their costs.

It has redefined full-time employment to 30 hours. I have to wonder as, today, we have record unemployment and underemployment. How many more Americans are going to be pushed into underemployment? I know it's an unintended consequence, but if you're underemployed, how do you afford the costs of those increased premiums coming your way?

Mr. FLEMING. I just want to put an asterisk to your comment about employment.

We met with Mort Zuckerman, economist and editor of U.S. News & World Report. He says that much of the "growth" in jobs reports that you see is actually people reentering the job market, but they're actually getting part-time jobs instead of full-time jobs and, in some cases, getting a second or third part-time job so that we're actually seeing an inflation of the actual number.

So ObamaCare—and I would argue Obamanomics in general—is actually taking us to not only an underemployed society but to an unemployed and underemployed society, and much of it is from ObamaCare.

Mr. THOMPSON of Pennsylvania. I couldn't agree with the gentleman more.

We talk a lot about and we hear a lot about unemployment numbers, but underemployment is a terrible story in itself. This, unfortunately, puts the wrong types of pressure on the business community to actually have people working part time, which is now anything under 30 hours and working two and three jobs in trying to make ends meet.

Access, I said, was the second principle. The Affordable Care Act—ObamaCare—has violated access from many different perspectives. You just look at the announcement in the past 2 weeks about the preexisting condition fund. That was one of the two target groups under which this piece of legislation was shoved down the throats of the American people, and that fund is depleted. It was so poorly designed that now the President appears to have no intention of doing anything with it, so it's leaving out all the folks with pre-existing conditions.

I think all of us would agree, in our vision of what we're to do in health care, that that is a group for which we want to try to find a way for them to be able to purchase affordable health insurance. Just because you're born with or develop a disease or a disability, it shouldn't keep you from coverage. ObamaCare is failing on that.

The other one I would say is the expansion of Medicaid, which Dr. BUCSHON did a nice job of capturing. We're going to put somewhere between 18 and 50 million Americans on medical assistance, and they're all going to get this nice card that says they have medical assistance, and they'll have it in

their wallets or they'll have it in their pocketbooks.

□ 1610

But the reality is most physicians today will not accept a patient on medical assistance. So just because you have coverage, it doesn't mean you have access. The folks that wrote this bill clearly were clueless about the approach that we need to take. There are things out there that we should be doing, and I think those are things that we can agree upon.

Finally, quality and innovation. The excise tax is going to stymie innovation and quality that we've enjoyed here in this country. With regards to patient choice, I just come back to one thing among many, the Independent Payment Advisory Board. The Independent Payment Advisory Board is where you've got a group of bureaucrats appointed by the President that will make decisions about which procedures are approved by Medicare.

Medicare is an area I worked very closely with. Actually, after the Balanced Budget Act of 1997, I was asked to serve on a technical-expert panel to review prospective payment for Medicare. This Independent Payment Advisory Board is going to determine and give a blessing of "yes" for that procedure and "no" for that one. That's not patient choice. That's being dictated to by bureaucrats who are unelected and therefore unaccountable.

Let me close very quickly.

You meet a lot of people that have been impacted by this early. There was one woman in particular who lived her whole life planning her retirement and was so looking forward to it. She is a smart lady. She had laid her plan out. She had worked for a company. Part of her plan was health care, what was going to be affordable. She had her company plan and had invested, and then it was announced that the employer was going to switch over and put them into the exchange with the retirees.

This woman spent most of her adult life taking care of a brother and a sister who were less fortunate in life and needed a family member to step up and be there. This woman's retirement plan has been totally crushed by ObamaCare, and she's concerned now. As a smart lady, she went out to get some estimate of what it was going to cost her in her retirement now for health care compared to what it was before. It's completely unaffordable. So does she choose health care, or does she choose to still be there for her brother and her sister who have come to rely on her? I think there's many of those stories.

Mr. ROE of Tennessee. I thank the gentleman.

As we finish, I want to go over just a couple of things. One of the things the Secretary stated, Dr. FLEMING and Mr.

THOMPSON, is that she needed to use some money, and the prevention fund was one of the things she was going to use to help implement the exchanges. We've now had prevention funds used for massage therapy, kickboxing, kayaking, Zumba and pickleball. I didn't know what pickleball was. But that's tennis, badminton and ping pong. I can go on and on. It's utterly ridiculous. It should have been spent on health care. That's what this bill was supposed to be about.

Let me finish by saying that even with this 1 hour here, we have lots more to talk about. We've barely scratched the surface. It's a complicated issue. Democrats and Republicans should have gotten together in a bipartisan way to work out a health care plan that does the principles that were pointed out here today, which is to increase access and quality, lower costs and to leave health care decisions in the hands of doctors, patients and those patients' families.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

JOBS AND HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, once again we're back here on the floor of the House of Representatives to talk about what I believe is the most pressing problem here in the United States, and that's jobs. Americans want to work, Americans are capable of working, and it ought to be our job here on the floor of the House of Representatives to talk about how we can create jobs.

We've just heard about 1 hour of discussion from our good friends on the Republican side, the Doctors' Caucus, about how to destroy the Affordable Health Care Act. For 36 times, the Republicans have put up legislation that would essentially gut, amend, or destroy the Affordable Health Care Act, which has the promise and the probability of providing health insurance for 50-plus-million Americans that are today uninsured.

Why would you want to deny those people health insurance? I can see no reason for it.

I notice that they also did not spend any time at all talking about their effort to destroy Medicare. Medicare was a promise made to seniors by the American people that when they reach

65 years of age, they would have a guaranteed health insurance program. Yet, for the last 2 years and 4 months, the Republicans have continually put up legislation that would end Medicare as we know it and turn Medicare over to the insurance companies.

One of the last statements made here on the floor by one of our colleagues was decisions on medical services ought to be in the hands of the physician and the patient. I agree. I was also the insurance commissioner in California, a statewide elected position for 8 years; and I can assure you that under the private health insurance programs, it is the insurance companies that are making the decisions about what medical care will be given to individuals. That is wrong. We did our best in California to stop that. But if you turn Medicare over to the private insurance companies, as the Republicans want to do with their voucher plan, then it will be the insurance companies that will decide what medical services will be available, if at all, to seniors.

I'd like to put that aside and go back to the issue that I really wanted to talk about, but there are some things that you just cannot let go, things that are said on the floor that need to be at least discussed in their fullness.

Let's talk about jobs. Let's talk about the fact that over the last 30 years we have seen the middle class in America held down. The middle class in America has made very little economic progress over the last 30 years. We're going to discuss that in some detail and specifically what we can do here with public policy, with proposals that have been put forth by the Democratic Caucus in the House and our colleagues in the Senate, solid proposals to put Americans back to work and to rebuild the American Dream so that every American has the opportunity to put their foot on the rung of the ladder and climb just as high as they can do so.

Before we get to those rungs on the economic ladder, I'd like to have a more full discussion about what has happened to the middle class over the last 30 years. Joining me in that discussion is the Representative from South Carolina, the Honorable JIM CLYBURN.

JIM, if you'll join us, I know you have some things you'd like to discuss; and I see you have your own chart there.

Mr. CLYBURN. I thank the gentleman for yielding me the time.

Mr. Speaker, I want to commend my colleague, Congressman GARAMENDI, for his leadership on this very important issue.

Just a few minutes ago, we received some breaking news: the stock market just closed, and for the first time in the history of this great country, the Dow Jones Industrial Average closed over 15,000 at 15,056. Standard & Poor's also closed at a record 1,625. So much for a socialist President.

Now, during my 20 years of service in this body, I have often reflected upon my experiences growing up in a church parsonage in the little town of Sumter, South Carolina. Early on, I internalized an Old Testament scripture, Micah 6:8: To do justly, to love mercy and walk humbly.

Today in this great country, we are experiencing an injustice that continues to get worse, one which I believe demands our attention. Indisputable evidence continues to show that income inequality has worsened over the last 30 years. The Congressional Budget Office released a report back in October 2011 on the distribution of household income between 1979 and 2011.

□ 1620

On the distribution of household income during that time, you might remember that report came out just a few days before the so-called supercommittee held its first public hearing. I served on that special panel, and I raised concerns with the CBO director about the ever-widening gap between America's rich and poor.

This chart is from that CBO report, and it shows that over the past 30 years, the wealthiest 1 percent have enjoyed income growth of more than 275 percent, while the lowest 20 percent have experienced only 18 percent growth.

Working families across the country have seen their wages stagnate and decline as earnings for the wealthiest few continue to soar. In fact, earnings for the top 1 percent during the current economic recovery have risen 11.2 percent, but declined for the other 99 percent by 0.4 percent. I'm going to repeat that.

The 99 percent have seen a decline of 0.4 percent—that is a negative—while the upper 1 percent, a positive growth of 11.2 percent.

Now, my friends across the aisle will talk about the American Dream and the ability of every American to work their way up to the top. But numerous studies have shown that there is less economic mobility in America than most people think. The fact is that if you work hard, play by the rules and take responsibility, it is currently harder to get ahead in America than it is in many parts of the world.

Let me cite an example. Thirty years ago, CEOs made an average of 42 times as much as rank-and-file workers, 42 times as much.

Today, a newly released report confirms that last year, CEOs of the biggest companies in the United States made 354 times what the average worker made, 354 times. That is the widest pay gap in the world.

Do most Americans believe that our CEOs work 354 times harder than their average employees?

Here is another example. Over the last 45 years, average income for 90 percent of Americans went up just \$59—almost no change at all. That's over 45

years, an increase of \$59. For the top 10 percent, average incomes rose roughly \$116,000. For the top 1 percent, average income rose \$628,000; and for the top 1 percent of the top 1 percent, the average incomes rose \$18.3 million.

The numbers are so staggering it's almost difficult to comprehend. So if we convert the dollars to distances, the vast majority of Americans, 90 percent, saw their average income increase by 1 inch. The top 10 percent went up 168 feet; the top 1 percent, 888 feet; and the top 1 percent of 1 percent, their incomes rose by almost 5 miles relative to that 1 inch.

We are recovering from one of the greatest economic recessions in American history. As I said in the beginning, the Dow Jones Industrial Average just a few minutes ago closed for the first time in history over 15,000. The stock markets are setting record highs, but working families continue to struggle.

Wages have stayed low, and unemployment is still too high. It does not have to be that way, and it should not be that way. This Congress can and must take direct action to restore a just economic system for working people.

We need to raise the minimum wage. We need to boost Pell Grants, Head Start, and other support for public education. We need to invest in innovation and infrastructure to create jobs now and foster broad-based economic growth and prosperity. And we need to pass a budget that reflects the values of working Americans.

It is time to "do justly." It is time to refocus on the American Dream, on building ladders of opportunity, on restoring fairness in our Tax Code, and on creating good, high-quality jobs so that every American who wants a job can find a job.

I call on Speaker BOEHNER to appoint budget conferees as soon as possible so that we can get to work on a budget that puts America back to work.

I thank my colleague from California.

Mr. GARAMENDI. Thank you very much, Mr. CLYBURN, for your excellent exposition of the problem faced by the middle class, by the working families of America: the fact that over the last 40 years they've seen virtually no progress in their economic status while those very, very few at the very top have seen extraordinary wealth. It's also a shifting of wealth, and some say that this discussion is a discussion of class warfare. Well, I wouldn't call it warfare, but I would say that the middle class of America is clearly losing, while those very, very few at the top are clearly winning. And the reason is the policies of the United States are pushing the wealth to the top and literally taking the wealth from the working men and women. We need to change those policies, and our discussion here is very, very much about that.

Thank you for your excellent discussion.

I see that our colleague from Washington, D.C., ELEANOR HOLMES NORTON, is here. Thank you very much for joining us. And, Mr. CLYBURN, if you'd like to stick around, we will engage in a discussion, but I think you have other obligations.

Mr. CLYBURN. I do, but I appreciate the time.

Ms. NORTON. I want to thank the gentleman from South Carolina, one of our leaders, and my good friend from California for his leadership, his almost weekly leadership on the issue of jobs. Both of my colleagues have discussed long-term declines in the middle class, much of it owing over the last decade to the policies of this Congress and the Federal Government.

The last thing you would expect Congress would do in the face of a recovery that is still in the throes of recovery is anything to hurt it, so I wanted to come to the floor to discuss the early warning signs we are seeing of jobs loss because of the sequester so that we can do something about it now.

First, let me indicate, quite unexpectedly, the best statistics I've seen in a long time, and how we are stepping on these statistics with each day of the sequester.

□ 1630

The April jobs report unexpectedly showed 165,000 workers added to non-farm payroll. That was terrific news. What it tells us is that the private sector is making jobs, trying its best, because those jobs were not created in the public sector; those jobs were created in spite of the fact that the Congress is furloughing people, cutting programs to the States and, thus, jobs.

So the April jobs report, you might say, means maybe it's going to be all right after all. Early signs are absolutely not. April reported the first 2 months of the sequester. It's 4 months to go, and already we see horrific news, each day, a kind of rolling disaster on jobs and the economy.

Deep cynicism spread the week before last throughout the country as Americans saw Congress vote to relax the sequester on the air traffic controllers, just as Congress was about to take a week-long recess; deep cynicism because nothing had been done for the American people, for their jobs, for their programs, but the skies were cleared.

Actually, there was a good reason for that, and that reason was, of course, that the controllers, who were only doing their jobs, about 10 percent of them had to be furloughed each week; therefore, with less people, there were slowdowns. That was already beginning to have a catastrophic effect on the economy, and that's why I think, yes, Congress, and even the administration, moved to correct that.

Sequester-driven flight delays were already placing over 80,000 American jobs at risk. And if it had gone on, if just this one sector had gone the full sequester, that would have lost \$9 billion, one sector alone, in the economy. All right. One sector. One sector and only one sector.

Have we shown we understand what our bottom line responsibility is?

Whether you come here you think to reduce the deficit, or whether you come here as a Member of Congress you think to add revenue to grow an economy, both sides should agree that the best way, and perhaps the only way, to do that is to create jobs. People with jobs pay into the economy rather than requiring us to spend and add to the deficit.

Yet, when the sequester began and the administration warned of its effect on jobs and the economy, howls came from my good colleagues on the Republican side that the claims of the administration were overblown, that they were exaggerated, that the President was crying wolf, not to mention those of us on the Democratic side.

Here are the early signs, and I bring some examples to the floor this evening because there's still time to correct the sequester. I bring them to the floor to ask the appropriators to do what the President has done in his budget and correct the mistake of the sequester, recognizing that neither Democrats or Republicans anticipated that the sequester would ever happen, so neither side has to take credit or blame if we change it since neither side wanted it.

But look at the early effects, and let's look at some of the effects that flow directly from what Congress has done:

250 workers at the Hanford nuclear reservation laid off;

The contractor that repairs our U.S. Naval ships, Continental Maritime, laid off 185 employees;

418 contract workers laid off at the Tobyhanna Army Depot in Pennsylvania;

Northrop Grumman Information Systems in Lawton, Oklahoma, lays off, or anticipates laying off, 270 workers.

Those jobs add up. I'm not trying to call the roll. I'm trying to give examples of what the sequester directly does to jobs in the military sector, no less.

U.S. Army Garrison-Rock Island Arsenal, 175 employees laid off.

By the way, these are not furloughs. These employees are gone.

That's how we get, I say to my good friend from California, to the CBO figure of the loss of 750,000 jobs. Imagine this Congress doing anything to cause, to be the direct cause of the loss of jobs when we should be trying with all our might to create jobs after the Great Recession.

The examples abound. You will find them with every small business in your

district feeling the effect by laying off people or refusing to fill vacancies. You will find it in every sector of the country.

Military bases are now going on a 4-week schedule for schools. Workers at missile testing fields are being fired.

We're having the functional equivalent of the meat inspectors exception to the sequester. Remember that they were the one sector, because we were afraid that rancid meat would appear all over the country, and you have to have meat inspectors to inspect.

Well, now the dairy farmers are saying that they can't get access to production information about milk and are anticipating higher prices on milk. So look at how that affects the farmer, whom he employs, and the milk, that's us, the consumer. That's how it's passed through. That's how it's passed on.

You know, you'd expect some of these examples from a depression, or even the recession that we are just coming out of, but who would have expected that hospitals are now reporting that medical schools anticipate not taking on as many residents, not with the sequester and the amount of money that comes to hospitals from the Federal Government. And they say that means fewer residency spots and fewer doctors in various communities, since residents tend to stay in the communities where they do their residency.

I've come to the floor when we're discussing jobs precisely because the sequester cuts to jobs in the public sector and the private sector and speaks to whether we're going to make it in America, keeping what we have, much less making in America and growing what we need to have.

The sequester itself is even affecting what was always exempted from cuts in the Congress, public safety cuts, even at the Federal level. U.S. attorneys throughout the country are cutting. We never would have allowed that to happen before.

After Boston, I asked the Federal police forces to come and have a conversation with me. The Capitol Police, the Federal Protective Service, the Park Police, none of them are exempt. And to the extent that they are not doing furloughs, it's because they are requiring people to work tours of duty that no public safety officer should have to work if he really means to keep us safe.

So I say to my good friend, Mr. GARAMENDI, whom I'm so grateful to for keeping us focused on jobs when every other day we're talking about something else, I'm grateful because these dumb cuts are, above all, cruel cuts.

I haven't begun to mention their effect on the domestic programs for the very needy, the 70,000 children who will be off of Head Start, the 600,000 off of the WIC program, Women, Infants, and

Children. That is the program for the most vulnerable children, who will lose basic nutrition assistance.

□ 1640

I was concerned that we weren't paying any attention to this, that it was only crisis by crisis. After the controllers matter came to the floor, the very day we left I, myself, came to the floor and said, with the controllers, you're only moving money around. That's what we did with some appropriations. If we had a budget meeting or even a meeting of any kind of both sides, we'd probably come to a compromise where some of what it would take to get off the sequester might mean doing what we did with the controllers, just moving from one program area to another.

But other ways to relieve the effects of the sequester would surely mean doing the kind of budget we meant to do in the first place. You'd want to do something with respect to matters that can only be fixed by some addition of funds, as, by the way, I think will be done in the next appropriations.

To be sure, sequester cuts go over to the following years, but they'll go a full year, and you will see some funds added just because it will be too heartless, too impossible to otherwise begin to justify.

So I come to have this conversation with my good friend, who focuses us, I think correctly, on the long term. We are forgetting to think about the long term when we see the sequester cuts that have a gnawing effect on the middle class so that, by the time we get to the point when we must do something about it, we will have a very steep hill to climb. That's what Mr. CLYBURN was talking about when he talked about what is now an impossibly large income gap of the kind we have not seen in my lifetime, of the kind we are making as we speak.

Mr. GARAMENDI. I thank you so very, very much for really bringing to all of our attention the extraordinary impact that the sequestration is having on American families. Jobs are being lost. Real jobs are disappearing, and Americans, working men and women, are feeling their paychecks being significantly reduced.

Now, another word for sequestration is austerity budgets. Shortly after the Great Recession began in 2008, there was the debate about should the governments of the world, the United States, Europe, China and Japan, should they take a policy of actively engaging in the economy to boost demand, which would be a Keynesian model of increasing the purchasing power within the economy, or should there be a reduction in government spending because of the deficits that were created as people lost their jobs and as tax revenues declined?

That debate was robustly engaged here on the floor of the House, with the

decision being made to engage the government in increasing the demand. So the stimulus bill came forth, and it really worked. It really had an effect. Hundreds of thousands of jobs were created. The decline was stopped, and slowly in 2009 and 2010, the American economy began to recover.

Now, Europe made a different decision. In Europe, they made a decision not to stimulate the economy but rather to go into austerity, to reduce the budgets of the governments. The result in Europe has been perfectly clear. They have headed into a deep, deep recession yet again. They never came out of it. And so the entire European economy has been continuing to decline over these years. Austerity has gained in Europe a very, very bad name. In fact, conservative magazines such as *The Economist* magazine have been for the last 2 years saying, no more austerity, you have to stimulate the economy. We now see policies in Europe that are now turning around and looking to the stimulation of the economy as we did here.

China did exactly the opposite of Europe. They followed the American model—or we followed theirs, depending on how you want to look at this—and they put into place a very heavy stimulus program, almost all of it in infrastructure, creating enormous demand and growth in China.

Now, unfortunately, here in the United States, our initial effort at stimulus was cut short. It was cut short by the 2010 election. We had a new Congress, and the American Government since that moment has been involved in an austerity program. The sequestration is but one of the austerity programs that have been foisted upon the American public by our colleagues on the Republican side of the aisle. We have had fiscal cliff after fiscal cliff, and every time we come up against that cliff, we've seen a reduction in the role of the Federal Government in so many ways.

Ms. NORTON, you so clearly pointed out dozens of ways in which the Federal Government is backing away from previously important tasks, tasks such as, well, flight controllers, airline flight controllers. Now, we passed a bill to deal with that, but nevertheless, we took money out of the construction of airports and the upgrading of air traffic systems to keep the air traffic controllers going. So the austerity continued even in the airline sector.

We've seen it in my district. I've got maybe more than a thousand miles of flood levees. The Army Corps of Engineers, \$250 million reduction in their ability to upgrade and to deal with the levees and to prevent flooding. On and on. I won't go through all the list that Ms. NORTON put forward. But those are the continuing austerity measures that have been forced upon us.

It can't continue. It cannot continue. Our task is to create jobs. Our task is

to put Americans back to work. Our task is to make sure that this incredible income disparity ends and that we find ways to rebuild the American middle class.

Ms. NORTON. If the gentleman would yield, this has been a very important, it seems to me, a very clear explanation the gentleman has given as to how we got where we are, and particularly his description of the difference between the European model and the American model. With the European model you would think that would be all the object lesson we would need because Britain is one of our closest allies. And what austerity has done to Europe it will almost certainly do to us.

What I don't understand, Mr. GARAMENDI, is why my good friends—our good friends—on the other side would believe that you can get something for nothing. Many of them believe in the economy of the private sector. Well, the first thing the private sector does is to invest. Once it invests, it hopes to yield from that investment. The kind of approach you're speaking about says that if you do nothing, if you—you, the Federal Government—step back and contribute nothing to a recovery, then recovery will happen.

Well, let me tell you why I think that's impossible. The economy is of a piece. You can't pull an important piece out and expect the whole to remain whole, particularly when ours is a demand, a consumer-driven economy. What that means is what the Federal Government does is really meant to get people out there spending so that other people can make jobs. Well, the last thing you want to happen, if you want to make sure people have jobs, so that they're spending so that other people have jobs, is to cut back yourself on the jobs that you're responsible for.

□ 1650

The sequester does that with the furloughs. Imagine what will happen in their counties across the United States—3 million Federal workers—when those workers who feed their economy go on furloughs. That's the equivalent of a job cut. They have got to cut back spending. That cuts back demand. That works its way through the entire economy.

What we're doing is dampening demand because we're sending the signal to the private sector that we are cutting the programs that made jobs. You can look at Head Start as a program for kids if you want to, but I bet the thousands of teachers and other Head Start workers look at it as a jobs program. So if 70,000 kids are gone, imagine how many workers are also gone.

It's almost as if our colleagues don't understand the way the economy works, that you could take one sector of it that's very important—the Federal sector—damp it down, and expect

the rest to keep growing. And the operative word, my friend, is "growth." We were doing almost nothing for growth because we had no balanced approach that allowed some revenue to fuel growth. What we're doing now is keeping growth from happening because we are deliberately cutting jobs that we need, which, in turn, feed the economy.

People with jobs buy goods and services. People who make goods and provide services will look to see if anybody is cutting jobs. If I run a department store in my county and the auto plant there lays off people, I cut back on inventory.

Mr. GARAMENDI. Exactly.

Ms. NORTON. Because that's how the economy works. The sequester is working that way, I say to my friend, and we can do something about it. There are 4 months left in this sequester. Before it becomes more of a rolling disaster with some of the examples I have given as emblematic of the disaster, we could, all of us, decide, let's just do a budget, a budget that I'm sure I would disagree with in many ways—in other words, it's not a budget I would want, because my good friends on the other side would want the things they would want. They would want some cuts. I would want to add some revenue, to WIC—Women, Infant and Children, for example. But together, at least we could stop the sequester and stop the catastrophic sequester cuts that drive down jobs as if we were creating a new recession of our own.

Mr. GARAMENDI. Well, we certainly will create a new recession. We know that 750,000 Americans will be unemployed, lose their jobs by the end of this fiscal year—that would be the first of October—as a result of sequestration.

Now, it's not that we haven't tried to do a different proposal. Our budget proposal is one that would maintain the reduction, but push it forward so that it doesn't immediately dampen the American economy. The President has made a similar proposal, but we've had no action. Right now, we are calling on our colleagues and Speaker BOEHNER to appoint a conference committee so that we can actually do a budget. Please, let's get that budget going. Let's get this thing out of the way of America's job growth.

Ms. NORTON. You remember how our colleagues said, for 3 or 4 years now, that the Senate refused to do a budget; and if they would just do a budget, then maybe the kind of meetings we've all been calling for would happen and we could work together? They did a budget, and still we get no action so that we can sit down and try to work the sequester out.

Mr. GARAMENDI. Well, that's exactly the problem. We need to get this sequestration out of the way of America's growth.

There are many things that we can do. I'd like to remind everybody that

the President, more than 2 years ago, put forth an American jobs proposal, an American Jobs Act. In that proposal—which has never been taken up by the leaders of the House of Representatives—those who are in control of the House now, our colleagues here on the right side of the aisle, have never taken it up.

So what was in it? There was a \$50 billion immediate investment in infrastructure. Well, what is infrastructure? Infrastructure is highways, our roads, our streets, our sanitation facilities, our water facilities, airports, flood levees, the kinds of things that upon which the economy can grow and be built. It is the foundation of the economy. They brushed it aside, wouldn't even consider it. One of the most basic things that any economy, any government must do is to make sure the foundation is in place.

The President had also proposed—and it's part of our Make It in America—an educational program to make sure that our students are ready for the jobs that are part of the American economy today and to retrain American workers.

A proposal that I have is that our tax dollars be spent on American-made equipment. Oh, my, how strange would that be. But yet we go out and buy Chinese steel to build the new San Francisco-Oakland Bay Bridge. No, we don't buy American-made steel and give Americans the jobs; we turn the jobs over to China.

Wind turbines, solar panels, all of the new energy systems, our tax money supports those systems. Shouldn't we be buying American-made equipment with your tax money? I believe we should. That's my legislation.

The Democratic agenda, the Make It in America agenda, is about 30 different bills dealing with rebuilding the great American manufacturing sector. I know that if we were to carry these policies forward, if they were to become law, we would see a resurgence in the American manufacturing sector.

The reason that that is so important is this—Mr. CLYBURN spoke to this earlier when he was here. I've got a little different display. This is what's happened to the American middle class, and beyond.

I'm going to use a football analogy here—I played football back at the University of California a few years ago—actually, many years ago. So we can use a football analogy.

The bottom 99 percent of America, 99 percent of every family and 99 percent of all of the workers and men and women in America have, since 1966, seen a net increase in their take-home pay of \$59. This is in constant dollars. The top 10 percent have seen their income grow by \$116,071 over that period, '66 to 2011.

The top 1 percent—remember the 99 percent thing? Well, this is the top 1

percent—have seen their income grow by \$628,817. Now, the very, very tippy top, that is, the one-tenth of 1 percent—we're talking the superwealthy billionaires here; Mitt Romney wouldn't fit into this category—they have seen their income grow by over \$18 million annually.

So what we're seeing in the American economy is a skewing of the wealth in this economy. Literally, the wealth in the economy is flowing to the very top so that the wage increases are not among the men and women that work every day, that put in their 40 hours a week or more. But, rather, it's flowing to those at the top. This is the result of economic policies that are put in place here in the Congress—tax policies, educational policies, other kinds of policies that lay the foundation for this extraordinary inequality.

This has never been seen in America. During the Gilded Age in the 19th century, this kind of wealth disparity was not in existence. During the Roaring Twenties, this type of wealth inequality was not seen in the American economy. Only now, in the last 20, 30 years, have we seen policies put in place that have created the most inequality ever in modern American history.

□ 1700

What does that mean? What does that mean to the average American family? It means that both mom and pop are working. It means that they cannot afford to send their children to school. And added on top of that, the Great Recession has stripped the wealth from the 90 percent. The wealth was stripped, mostly in the housing market collapse.

So now we are faced with the situation, what can we do? Well, what we can do is to rebuild the American manufacturing sector, because this is where the middle class had decent wages. We are not talking about a \$7.50 an hour minimum wage. We are talking about wages that a man or a woman could earn to protect and to provide for their family.

Ms. NORTON. If the gentleman will yield on that point?

Mr. GARAMENDI. I would be happy to.

Ms. NORTON. The point you are making about disparities in income needs to be understood as you are portraying it—as a new phenomenon in American life. That, yes, there were recessions and there were very hard times, and there were times before the New Deal when government did not do much about it.

The kind of policy-made disparity that we are experiencing today, not disparity that comes because a few wealthy people created wealth in the last part of the 19th century, and even then there was a need for so many workers the disparity was not as great as today, but disparities that come

straight from policies like failure to raise the minimum wage, come straight from policies like 20–25 years of failing to raise the user fee so that we could build roads.

Now, construction jobs are classic middle class jobs. If we want to build the middle class, we've got to go in the modern era to the post-World War II economy. Americans who didn't have a college education could raise four and five children because they had good manufacturing jobs made in America.

My good friend talks about how if we take the materials for bridges, however, and you buy them in China, we are not making it in America, and we're having a downward effect on our own manufacturing sector. But at the same time, as he points up, infrastructure—he points to the classic way to come out of a recession by building what you would have to build anyway.

Here is the government investing in something that's never controversial, because building roads and bridges and water infrastructure are always the function of government. If you would have to do it anyway, the theory goes, you do it when in the process of doing it you can create jobs and fuel the economy.

We are about to have to do another infrastructure bill. We did one 2 years ago that will last only 2 years because we did not raise the user fee, so it goes for only 2 years at a time. And even though we had some of the materials from abroad—something we've got to keep from doing next time—every bridge had to be built by an American worker, all that cement had to be the work of the American middle class.

If we have to do it anyway, construction is probably the best way to revive the economy in the first place, because it has an effect on all the rest of the economy. It wakes up the rest of the economy.

Because we should be working right now—and I know Mr. SHUSTER, who's chair of the Transportation and Infrastructure Committee, does want to do something—we ought to be thinking about precisely the sector that you have mentioned, the sector that creates jobs, does what we have to do for the crumbling parts of our country, which turn out to be the parts underground where our water and sewers are and the parts above ground where we drive to and from work every day.

Mr. GARAMENDI. If the gentlelady would yield for a moment, you're exactly right about the infrastructure. We need to build it.

I notice that our colleague from Ohio has joined us. The last time we were on the floor, we talked about these issues. So if you would like to carry on here for awhile, please, Mr. RYAN.

Mr. RYAN of Ohio. I would just like to support what the gentlelady from the District of Columbia has been saying, that this is bread and butter, this

is Economics 101 in how you get the economy back up and running. At a time when we have these high unemployment numbers for the building trades and the construction trades, what a shot in the arm.

For work—and I think this is the essential point—this work needs to be done anyway. So it's either going to get done now or it's going to get done later. Why not do it now when you can get the best bang for your buck, to put people back to work when they need to go back to work and also jump-start the economy as opposed to say, Oh, we're going to wait, we're going to do it 5 years from now when cement is more expensive 5 years from now, labor is more expensive 5 years from now, all the other costs associated with the project and the materials are going to be more expensive 5 years from now. So let's get the job done now, let's make these investments now, let's get the economy going now.

We are having some job growth and the sequester is hurting, but we have got to make these investments. Let's rebuild the country, and let's rebuild the way our cities look. Let's have an innovative approach to the way we create and invest in our downtowns and tie it into what we are doing in many older industrial areas where we are knocking down a lot of old homes. Cities like Youngstown—180,000 people lived in that town a few decades ago, they're at 70,000 now—were knocking down homes because of the neighborhood stabilization program. Now we have green space. Now we are planning urban gardens, urban farming, so we can get fresh foods into some of these food deserts because of the investments that we are making. We should do the same thing with bike trails and downtown redevelopment and incentives for investment downtown as we do the roads, the bridges, the big heavy infrastructure.

Combined sewer—how many cities have hundreds of millions of dollars, billions of dollars, in need for combined sewer overflow? These cities don't have the money to do it. And if they do it, if they even can, if they have the bonding capacity to do it, they're going to drive rates up so high in their own communities they are going to further create sprawl, which means more new waterlines, more new sewer lines, in more green space, and that's counterproductive.

Let's drive people back into the urban core, let's have urban space, urban farming, urban gardens, farmers' markets, fresh food for our young people and people who are living in our cities, at the same time we make these investments. When you are building roads and bridges and needing steel, it's going to affect manufacturing.

Mr. GARAMENDI. If you use American taxpayer money to buy American-made equipment, supplies and products.

Mr. RYAN of Ohio. Right. And you look at the supply chain with manufacturing and you see the six or seven or eight jobs for every one job that's created on the manufacturing floor.

I love representing my district, like we all do, but I'm in northeast Ohio, so I could do a factory tour a day for my career and not even scrape the surface as to what the manufacturers are. And whether you're talking about the defense industrial base, whether you're talking about construction all the way down the line, auto, the manufacturing capabilities in this country, they're tremendous.

Now we see on the defense side that maybe a lot of the defense industrial base isn't in America like it used to be. How do we come together, Democrats and Republicans, and say, well, we are spending this money, why don't we drive it into Youngstown, Ohio? Why don't we drive it into Mobile, Alabama? Why don't we drive it into Iowa? Why don't we drive it into some of these old industrial areas? This can be done.

I want to make one last point.

□ 1710

The narrative today is that everything that the government does—every dollar the government spends money on—is bad. Well, that's the narrative we're all operating on now because our friends on the other side, quite frankly, have won that discussion. But here we are. We can't get a transportation bill because that falls into government spending. Early childhood education, Head Start—that all somehow falls into this abyss of wasteful government spending when the fact of the matter is that these are investments that yield results and that create value and wealth in our society.

I will just say that we were in the Defense Appropriations Subcommittee hearing today, and we were talking about the Navy. We were talking about the sea lanes, and we were talking about the Strait of Hormuz and all of these different areas that we protect, that tax dollars protect, so that commerce can go—government investments to help business thrive.

It's a delicate balancing act, and to come up with just the bumper sticker slogans in order to score political points has damaged our ability to do what we did from post-World War II into the eighties, and that's to invest in research, invest in infrastructure, invest in American workers, and then let the free market go from there.

So I want to thank the gentleman for his leadership on the Make It in America caucus—in promoting manufacturing. I thank the gentelady from the District of Columbia. It's an honor to be with you.

Mr. GARAMENDI. I want to thank the gentleman from Ohio, who knows what it is to rebuild the manufacturing base, and I thank you for the work that you've been doing.

We have just a few seconds, Ms. NORTON, if you could wrap and then I'll wrap, and we'll call it a day.

Ms. NORTON. When the gentleman speaks about manufacturing, both of you have spoken about manufacturing in its different aspects.

Look at what is happening today. The private sector is bringing manufacturing home because of the low cost of energy, and we are producing more of our own natural gas because of the low cost of energy. The government just needs to do its part. Don't countermand what the private sector is doing. Do what the gentleman says. Don't take jobs from Youngstown. Help Youngstown to rebuild Youngstown. It's going to be built anyway. Now is the time to rebuild it.

So I thank the gentleman for yielding to us in this very important discussion every week.

Mr. GARAMENDI. We must start thinking about what we can do rather than what we cannot do. This is America. This is the country that built the future—we really did—and we can claim the future if we reach back into our history and do what we did before. We were builders. We built the foundations.

Mr. RYAN, as you said so very clearly, it's investment. It's investment in the intellectual ability of Americans—in education and research. It's investment in the infrastructure. It's investment in the business community. There is a combination of government and private sector. It's the history of America. It's an exciting history. It's a potential. Unfortunately, we are ignoring the key role that the governments—local, State and Federal—play in that process. We're builders, we're Americans, and we're going to do it. We will make it happen, and I will tell you this: when America begins to make it in America, Americans are going to make it.

I thank my colleagues.

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

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS OF THE GOVERNMENT OF SYRIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-22)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of

its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004—as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012—is to continue in effect beyond May 11, 2013.

While the Syrian regime has reduced the number of foreign fighters bound for Iraq, the regime's brutal war on the Syrian people, who have been calling for freedom and a representative government, endangers not only the Syrian people themselves, but could yield greater instability throughout the region. The Syrian regime's actions and policies, including pursuing chemical and biological weapons, supporting terrorist organizations, and obstructing the Lebanese government's ability to function effectively, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Assad regime's use of brutal violence and human rights abuses and calls on the Assad regime to stop its violent war and step aside to allow a political transition in Syria that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice.

The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

BARACK OBAMA.
THE WHITE HOUSE, May 7, 2013.

THE CASE OF DR. KERMIT GOSNELL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Louisiana (Mr. FLEMING) for 30 minutes.

Mr. FLEMING. Thank you, Mr. Speaker.

It is, indeed, a pleasure to be here tonight to talk about a very, very important subject, and that is the case of Dr. Kermit Gosnell.

Before I do, I do want to mention a couple of things about the previous Special Order of my friends on the other side of the aisle who were talking about, for instance, Medicare and coverage under Medicare and ObamaCare, pointing out that insurance companies are not as good as the government in terms of denying care. I would suggest to my friends that at least you can change your insurance companies. You cannot change your government. So I see that as a fatal flaw, among many, with ObamaCare.

Also, a lot of time was spent talking about income disparity. I absolutely agree with my friends that the rich are getting richer and that the poor are getting poorer in America—but President Barack Obama has been our President for the last nearly 5 years. It's his policies that are creating that situation. In fact, unemployment levels among minorities, particularly Hispanics and African Americans, are at historically high levels. It is because of the policies of Obamanomics, ObamaCare regulations, Dodd-Frank, and the excessive spending that has been occurring in Washington that have led to this problem.

Then, finally, my friends talked about the fact that the President has submitted a couple of jobs bills and that we've refused to take them up or to pass them. I would submit, Mr. Speaker, that these jobs bills are nothing more than mini-stimulus bills which passed this House, under Democrat control, in the first 2 years of the President's first term. What did we get as a result? Only more deficits and more debt. We did not get an improvement of the jobs picture.

On the other hand, in the last term, under a Republican-controlled House, we passed 33 jobs bills, and the President and the Senate, controlled by Democrats, would not take up even a single one. One of them included diverting revenue from energy on Federal lands to rebuilding bridges and highways, the very infrastructure that they're talking about.

□ 1720

So again I would submit, Mr. Speaker, and to our friends on the other side of the aisle, that perhaps they need to update their talking points. They're giving the same ones they gave in 2009 at the beginning of the Obama administration. Now we're nearly 5 years down the road in the second Obama term, and the policies we're living under and have been the Obama economic policies, not Republican policies, and certainly not President Bush.

Mr. Speaker, I'd like to talk about Kermit Gosnell. The mayor of Philadelphia says that Dr. Kermit Gosnell is an

aberration, an outlier, a rare case. Gosnell, of course, is the abortionist in Philadelphia who is awaiting a verdict on charges of killing four babies and a woman, though we know that there were many more. Philadelphia's mayor said of these atrocities, "This is a highly unusual situation."

Perhaps it's no wonder why some see Gosnell as an aberration. His clinic was inspected only three times in 31 years, and it was never inspected from 1993 to 2010. The gruesome discovery of multiple body parts from aborted babies, blood splattered on the walls, and other deplorable conditions were discovered only by accident.

I want to point out that I think we know what Dr. Gosnell was all about. He was not about elevated principles of doing right for women, women's health and this sort of thing. Mr. Speaker, it was about money, and you'll see why.

Despite the fact that this had been going on for 31 years, it went undiscovered. Agents from the Drug Enforcement Administration entered the clinic with the correct belief that Gosnell was running an illegal prescription drug business selling OxyContin and many other highly addictive drugs. He was writing about 1,900 prescriptions a month, and customers were picking them up in a take-out fashion.

Again, it was not about elevated principles and women's health; it was about money.

Law enforcement had no idea, until they raided Gosnell's clinic in 2010, that the pill mill he was running by day was a gruesome abortion mill by night. Gosnell had been performing late-term abortions for decades, and his procedures caused so much harm to women that he was being hit with malpractice lawsuits.

You see, in late term, doing those kind of abortions, it is very damaging to the womb. In many cases, they use sharp instruments to literally cut up the little baby, to puncture the skull. That's very damaging to the womb, and, of course, women can have excessive bleeding, a perforated uterus. These things lead to complications and, of course, lawsuits.

So it is a sad irony, but abortion supporters have argued for years that making abortion legal protects women from the kind of butchery performed by doctors like Gosnell. But you see, Dr. Gosnell, after having literally dozens of lawsuits, he decided that it was safer for Gosnell—not for the women—to stop trying to kill the babies in the womb. He just went ahead and induced labor in late term and then killed the baby shortly thereafter the birth.

How did he do it? He did what he referred to as "snipping." He would thrust a pair of scissors in the base of the skull, in the back of the neck, clip the spinal cord, destroy the lower part of the brain and make the baby stop

breathing. In fact, witnesses said that in a number of cases, the late-term babies, but somewhat premature but certainly well enough mature to have survived outside of the womb, would be there breathing before he did his heinous acts, or in some cases were actually crying.

I know we'd like to wish that Kermit Gosnell was an aberration. In fact, I hope there's a day when we look back and see the practice of abortion itself as a horrible aberration in a culture that should defend life and protect the innocent.

Since Bill Clinton first said it in 1996, the pro-abortion side has been telling us that abortion should be safe, legal, and rare, yet there are still more than a million abortions each year in the United States. We know that they're never safe for the unborn child because the child dies, of course. And as we can see, they're often dangerous for the women involved not only during the procedure, but shortly thereafter and often long term. We know statistics tell us that the infertility rate down the road, suicide rate, depression and many other scales by which we measure quality of life are all diminished after abortions. And the more abortions, the worse the outcomes.

How many other Gosnells work in secret without inspections or regulations, as in this case? Perhaps they're not really so rare. Take, for example, Dr. LeRoy Carhart, who was responsible for the abortion procedure earlier this year in Maryland that ended with the death of a 29-year-old woman who was 33 weeks pregnant. Carhart had another patient die after a similar procedure in 2005.

In Muskegon, Michigan, details are just surfacing about another abortionist who is accused of leaving the decapitated head of an unborn child inside a woman's womb after rupturing her uterus and nearly taking her life. The Michigan State Legislature is investigating why the State Board of Medicine did not pursue earlier complaints about this same doctor.

You see, what we're finding in many cases is that the medical agencies who are responsible for oversight are turning their heads when it comes to the issue of abortion. They're all about inspecting hospitals and doctors' offices; but when it comes to abortion, they don't want to even go there, apparently.

In recent weeks, we've seen undercover videos from the group Live Action showing doctors and medical personnel at abortion clinics with a callous and even heinous disregard for life. In the most recent video, a woman who is at 23 weeks gestation in her pregnancy asked if there was any chance her baby might be born alive and could she take it home if it is. A clinic counselor assures her that it is not likely to happen and says that if

the child happens to be born alive during the abortion procedure, the medical staff will make no efforts to preserve the child's life but will allow it simply to die.

That's no surprise, considering the Planned Parenthood representative who testified about the late-term abortions in March before a Florida State House subcommittee. When asked what Planned Parenthood would want to happen if a baby was born alive and still struggling to live after a botched abortion, she said, "We believe that any decisions that's made should be left up to the woman, her family, and the physician."

When pressed further about what Planned Parenthood physicians do if a baby is alive and moving and breathing on the table, she answered, "I do not have that information."

Doesn't that sound familiar?

Remember that President Obama was once asked, "When does life begin?" of course implying, does it begin at conception? His answer was it was above his pay grade. Mr. Speaker, if it's above the President's pay grade, where do we go from there? Certainly Planned Parenthood doesn't know the answer either.

I can tell you I do. I'm a physician. It's called the Born-Alive Infants Protection Act, a Federal law that was enacted in 2002, that extends legal protections to any infant born alive during an attempted abortion. There shouldn't be any doubt or any question about what to do with that baby. It is a life that is to be preserved.

Remember, Planned Parenthood is the largest provider of abortions in this country. So if a Planned Parenthood representative in Florida thinks it's okay for the family to decide to let the child die, is there really any doubt that there are many more cases like Kermit Gosnell?

Beyond cases of infanticide, badly injured women, and even women who have died during abortions, there has been an increase in the number of reports of dangerous and filthy conditions at abortion clinics. State officials in Delaware are investigating Planned Parenthood of Delaware for unsafe and unsanitary conditions.

□ 1730

In Virginia, again, elaboration here, there are many different examples of problems. In Virginia, an abortion clinic closed this month because it didn't want to operate under new safety standards and proper inspections that have been long overdue in the Commonwealth. Virginia's State Legislature and the State's Board of Health overwhelmingly saw the need for commonsense rules, like making sure doorways are wide enough for an emergency gurney to pass through so a patient can be taken to an ambulance in case of an emergency.

Sadly, the abortion industry, with its focus on bottom-line profits—and remember Kermit Gosnell. He ran a pill mill during the day and performed late-term abortions at night. We know what he was all about. It was not elevated principles. It was not women's health. It was all about the almighty dollar.

What the Gosnell case and these others have helped to expose is the sad truth that some States simply look the other way while abortion clinics run amuck and the health and lives of women are endangered. Let's be clear: there's no such thing as a safe abortion. Not only does the pregnant woman face emotional and physical risks, up to and including death, but each abortion is the ending of an innocent human life.

So, how is it that we have a Humane Society for animals but we don't have a humane society for the most vulnerable and innocent humans, babies? Why is it that the media and many Americans go crazy over the treatment of wild and domesticated animals, yet seem to turn a deaf ear to the silent screams emanating from inside the womb of millions of young women.

Mr. Speaker, what can be done about such alleged murderers as Gosnell? How many more Gosnells are out there damaging wombs and killing babies? If we wait on the media and State health care officials to find them, we may have to wait many years while many deaths occur.

Therefore, I call on State legislatures and Governors to write ironclad laws and regulations to protect mothers and infants from these heinous acts, State regulators to ensure that abortion clinics and abortionists are adhering completely to every rule and law now in place and the many more that will be established in the future, we hope. And, I call on prosecutors and judges to make sure that abortionists and abortion clinics that break the law and that defy the Born-Alive Act face the full measure of law.

Finally, we stand today with our national conscience stirred by the Gosnell trial to stop and look again at life in the womb. Kermit Gosnell was killing babies who could otherwise survive had they been given the chance. But his trial is merely scratching the surface of the greater reality that medical technology has been showing us now for more than a decade: the life that is developing in the womb is a baby. It is a growing and developing child that feels pain, we know scientifically, as early as 20 weeks gestation, midpregnancy, and maybe even earlier. And destroying that life is extremely painful to the baby and should not—that is, abortion—be an option.

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

END HUNGER NOW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 30 minutes.

Mr. MCGOVERN. Mr. Speaker, next Wednesday the House Agriculture Committee is expected to mark up the farm bill. The farm bill is an important bill for many reasons, but chief among them is the reauthorization of our Nation's antihunger safety net programs. The largest and arguably most important is the Supplemental Nutrition Assistance Program, or SNAP.

As I continue to remind my colleagues through my series of End Hunger Now speeches, it is important to acknowledge that hunger is a real problem in America. Even as we slowly come out of this recession and as Americans struggle to get back on their feet, there are still nearly 50 million hungry people living in this country. Nearly 17 million are kids. The hungry, labeled by some as food insecure because they don't know where their next meal is coming from, aren't like those who starve in Third World countries. They don't have sunken eyes and swollen bellies, and that's primarily because of SNAP and other antihunger safety net programs.

SNAP has prevented millions of people from going without food when they desperately need it. The population served by SNAP is not the rich. They aren't living in mansions or driving expensive cars or eating in five-star restaurants. No, Mr. Speaker, they are primarily low-income families who are trying to make ends meet. They are trying to provide healthy food for their families while they try to keep a roof over their head and pay the bills to keep utilities running. And that's why the farm bill is so important.

Every 5 years, we have an opportunity to look at SNAP and other programs that make up the farm bill. We have an opportunity to look at what is and what isn't working. We have an opportunity to make the program run better, at least that's what we should be doing. Unfortunately, Mr. Speaker, as we move to the markup of this farm bill, we haven't had a single hearing, not a single hearing this year, on the SNAP program.

But next week, the House Agriculture Committee will mark up a farm bill that we're told, if reports are to be trusted, that will cut \$20 billion from SNAP. That's \$20 billion that could go to feed hungry Americans. That's a \$20 billion cut that will literally take food out of the mouths of hungry Americans. In short, it's a bill that will make hunger in America worse, not better.

SNAP is among the most effective and efficient, if not the most effective and efficient, federally run program. Error rates are at an all-time low. In

fact, when it comes to error rates, more SNAP benefits are underpaid rather than overpaid. That means that a SNAP error will likely result in a beneficiary receiving a smaller benefit than they are eligible for rather than a higher benefit. Waste and abuse is almost negligible, and USDA continues to crack down on fraud. People who defraud SNAP, those who break the law, are being arrested and they're going to jail.

The program is working, Mr. Speaker, and I defy anyone to show me any other Federal program that is as effective and as efficient as SNAP. Yet some Republicans are hell-bent on cutting the program. I should say, obliterating the program, and I simply do not understand why. What do they have against poor people? Why do they think that it's okay to hold back a helping hand. SNAP isn't a get-rich scheme. People use SNAP to put food on their table during difficult times. The way to reduce the number of people on SNAP is by creating jobs, by helping to get this economy going again. The more people go back to work, the less people need to rely on SNAP.

But what some in this House are proposing is that we arbitrarily and indiscriminately cut the help that people need. A \$20 billion cut will do real damage. It will be harder for some to get SNAP. For others, they will see their SNAP benefit cut, meaning they'll have to buy the same amount of food with less money. And we'll see, at a minimum, several hundred thousand poor kids lose their free school meals. Yes, Mr. Speaker, this bill will take food away from poor kids.

For the life of me, I cannot understand why anyone—I don't care what your political party is—would want to do this. Cutting SNAP is a bad policy. Cutting SNAP in the name of fiscal responsibility is not just a misnomer, it is a falsehood that must be debunked.

There are many other programs in the farm bill that have higher rates of fraud, waste, and abuse—programs like direct payments and crop insurance, just to name two. These programs must be reined in rather than going after programs that help poor people struggle to feed their families during difficult times.

Mr. Speaker, I continue to believe that we can end hunger now if we muster the political will to do so.

□ 1740

But cutting SNAP, passing a farm bill that cuts \$20 billion from this program will not end hunger now. It will make hunger worse. It is the wrong thing to do at the wrong time in our history.

I'd like to believe that my Republican colleagues on the Agriculture Committee would realize this before they embrace a bill that would have

such a draconian cut, that would have a \$20 billion cut in SNAP.

And, Mr. Speaker, I'm urging my Democratic colleagues on the Agriculture Committee to join me in rejecting these cuts. And if these cuts prevail, then we should vote against this farm bill. I think it is simply wrong to send a bill to the House floor, or if it passes the House floor, over to the United States Senate that decimates this important program. It is just wrong.

And for some reason, it has become fashionable in this House to not worry about the poor and to not worry about the vulnerable. Every time we need to find a cut, you go after programs that benefit the most vulnerable. It is wrong. It is outrageous. It goes against everything we're supposed to be doing in this Congress.

Mr. Speaker, rejecting these cuts is the right thing to do, especially if we want to end hunger now.

Mr. Speaker, I would remind my colleagues that hunger is a political condition. Hunger is a political condition. We have the resources, we have the means, we have the infrastructure to end it; but we don't have the political will.

We have the political will when it comes to going to war. We have the political will when it comes to giving tax breaks to wealthy people. We have the political will when it comes to protecting special interest subsidies to Big Oil.

But when it comes to ending hunger, the political will is not here. It is not here. And what a shame, Mr. Speaker.

I would also remind my colleagues that there was a cost to hunger. When people say to me, oh, we can't afford to help these people; we can't afford to expand these programs because this is a tough budgetary time that we find ourselves in, I remind my colleagues that there is a cost here.

There's a cost in avoidable health care cost, for example. People who do not eat on a regular basis, children who do not eat on a regular basis, who are denied food, who are hungry, you know, their immune systems are compromised. They get common colds, and it ends up turning into something worse, and they end up going into emergency rooms and staying for several days. There's a cost to this.

Senior citizens who can't afford their food and their medicine, they take their medicine on an empty stomach, they end up getting sick. They go into the hospital, they stay for several days, sometimes weeks. There is a cost to that.

There's a cost to hunger in terms of lost productivity in the workplace. Workers aren't as productive.

And, oh, let me just remind my colleagues, Mr. Speaker, when people think that SNAP is only a program for those who are unemployed, millions

and millions and millions of people on this program work for a living. They work, but they don't earn enough to not qualify for this benefit.

If you want to do something to help more people get off SNAP, increase the minimum wage, invest in this economy, get more people back to work. But there are millions of working people who rely on this program to feed their families. So there's a cost, Mr. Speaker.

There's also a cost in terms of kids going to school hungry who can't learn. I mean, if you're hungry, you can't focus.

If I had my way, Mr. Speaker, I would require universal school breakfast for everyone who goes to school in this country at the bell, because the bottom line is that meal, that nutrition is every bit as important to a young child, in terms of learning, as that textbook is because that textbook doesn't do a kid any good if he or she is hungry, if all they're worried about is where they're going to get their next meal. And there are too many kids, as I said, 17 million children in this country that are hungry.

Mr. Speaker, we are supposed to be a political body here that is dedicated to solving problems. That's what our job is supposed to be. We're supposed to try to help people and solve problems, not ignore them or make them worse.

There are millions of vulnerable people in this country who need our attention and who need our help. They don't want a handout; they want a hand up. They want to enter the job market; they want to enter into a secure economy. They're looking for some help to get them to the point they could survive long enough to be able to see this economy get back on its feet.

Hunger in America is a real problem. This is an issue. No one talks about it here, but it is an issue. You don't see the leadership of this House, the Republican leadership of this House, paying any attention to this. They never even mention the word hunger. They never mention the word poverty when they speak.

But this is a real problem. This is a real problem, and I would urge my colleagues who are about to embrace a \$20 billion cut in SNAP to get out of Washington or, better yet, just leave the Capitol Grounds and go out and meet some people who are struggling on this benefit. Meet some people who don't have enough to eat, who end up going to food banks even when they get the SNAP benefits because it's not enough. This is not a get-rich scheme.

And here's the other thing that my colleagues need to understand. Even if we did nothing in the farm bill, even if we protected everything, as it is, I mean, and didn't make any cuts in the farm bill next week, guess what? The average benefit, the average food

stamp benefit, the average SNAP benefit, is going to go down anyway because we have dipped into SNAP to pay for other programs. It has been our ATM machine to pay for a lot of other programs, and so the benefit already is going to go down for people. People are already going to feel it even if we were to do nothing.

But to pile on \$20 billion worth of cuts—and my friends will say, oh, well, you know, it's this categorical eligibility, or it's this, you know, we don't like the way this State does it or that State does it—

Here's a point I want to make. If people were truly interested in making this program run better, then we would be doing hearing after hearing after hearing, not only here in Washington, but out in the field, listening to people who are beneficiaries, listening to the food banks, listening to the anti-hunger advocacy groups, listening to the mayors, listening to the Governors, listening to people; and we would figure out how to do this in a way that made sense.

And by the way, I think any savings we find in SNAP we ought to put back into programs to combat hunger and to promote nutrition, you know, not take this money and help pay for a subsidy to some big agri-business or continue to fund some cockamamie crop insurance scheme. We ought to put this, we ought to put any savings we find and any reforms back into these programs.

Let's do this right. But my friends who want to cut this program don't want to do it right. They're not interested in helping this work better. All they're interested in is taking this money so they don't have to take it away from the special interests that fund political campaigns around here. And I find that outrageous.

So, Mr. Speaker, I urge my colleagues, both Republicans and Democrats, don't turn your backs on the poor. Don't turn your backs on the hungry in this country.

As Members of the United States Congress, we should be ashamed, we should be ashamed that there are 50 million people in the United States of America that are hungry, that 17 million of them are children. It is outrageous.

We're the richest, most powerful country in the world. There shouldn't be any hunger here. There shouldn't be anybody who has to worry about whether or not they're going to be able to put good, nutritious food on the table.

So I urge my colleagues, Democrats, Republicans, please do not fall for this notion that cutting \$20 billion won't make any difference to anybody, that we're just kind of tightening the program up. Don't fall for that line, because it's just not true. It's just not true.

\$20 billion in cuts from this program will mean that people today, who today

are getting food tomorrow will not. And, again, if people qualify for this program, their kids automatically qualify for the free breakfast or lunch program at school. You cut these families off this program, those kids will no longer be eligible for that.

How that serves our natural interest, how that helps anything in this country, how that even deals with our deficit, our debt problem is beyond me because we're creating a whole slew of new problems.

□ 1750

We are so much better than that. We are so much better than that.

Let me just close with this, Mr. Speaker. Some people have said to me, well, hunger has been around for a long time. There's nothing we can do about it. Those people are wrong, Mr. Speaker. They're wrong. In 1968, there was a documentary on television on ABC that documented for the entire Nation to see the hunger problem in America. And in the aftermath of that documentary, in a bipartisan way, people like Senator George McGovern of South Dakota, Senator Robert Dole of Kansas, Senator Jake Javits of New York and Senator Hubert Humphrey of Minnesota, in a bipartisan way came together and helped put together an effort to end hunger.

In the 1970s, in the mid- to late 1970s, we almost succeeded in ending hunger in this country. We almost succeeded. And then came along a Congress that undid everything, and today we have seen the results of the negligence of Congress and of various White Houses over the years, and that is 50 million Americans—50 million Americans—who are hungry.

Mr. Speaker, I believe that we can do better than that, and I believe that we are a much better country than that. I plead with my colleagues here, please don't do this. Please don't do this. The people we're talking about who benefit from this program don't have any big political PACs, and they don't have a lot of high-priced lobbyists here in Washington. I'm not even sure how many of them are going to vote in the next election. But they're our neighbors. They're our friends. They're part of our community. We're supposed to represent them. We're supposed to help people, not hurt people.

If this farm bill goes forward with a \$20 billion cut in SNAP, we will be hurting people in this country. We will be hurting millions and millions of people in this country.

I hope we don't go down that path. I urge my colleagues, in a bipartisan way, to join with me. End hunger now. Reject these attempts at cutting SNAP by \$20 billion, support a farm bill that supports not only our farmers, but supports good nutrition and supports an effort that will end hunger now.

I thank my colleagues for listening to me, and I yield back the balance of my time.

SNAP AND IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you here on the floor of the House of Representatives and also the times that I've had to be here on the floor and listen to the dialogue and the debate that's delivered by Members of both sides, the Republican and the Democrat side of the aisle. I listened with interest as my friend and colleague on the Agriculture Committee, Mr. MCGOVERN, talked about the SNAP program and the necessity to maintain the dollars that were there.

I was a little surprised that he didn't ask for more dollars going into the SNAP program as opposed to opposing any reduction in the programmed increase in the SNAP program. We have about \$78 billion a year that are going into food stamps now—\$78 billion, a little more than that. And by next year it will be \$80 billion.

Now, we do calculate our budgets and spending in a 10-year budget window, so that means \$800 billion is the universe of money that he's talking about, and he's pleading with us not to reduce that growth from a little bit more than \$78 billion a year up over \$80 billion a year. So of that \$2 billion a year that's programmed between this year and next year over the period of time of 10 years there would be \$20 billion trimmed off of \$800 billion, which comes to about a 2½ percent decrease in the overall projected expenditures of the food stamp program known as SNAP.

Now, after all of that technical gibberish, the bottom line is a \$20 billion cut is a \$2½ billion cut in the increase. \$20 billion spread out over 10 years is not something that's going to be noticeable. When the gentleman speaks of how we would "literally take food out of the mouths of hungry Americans," Mr. Speaker, it's important to point out, literally taking the food out of hungry Americans has never happened as an action of government in the history of the United States. It is very unlikely to ever happen into the future of the United States. And it certainly isn't something that would be the result of a piece of legislation that would come out of this Congress and specifically out of the Agriculture Committee and specifically from the subcommittee which I chair.

No, Mr. Speaker. There is not going to be any literal taking food out of the mouths of hungry Americans, to quote the gentleman from Massachusetts. Literally means "really." It means "actually." It means it physically happens. Now, if you're literally going to take food out of the mouths of hungry Americans, you would have to think in

terms of some way to extract it once they have put it in their mouth. That's what the man has said. That's a little bit perhaps over-the-top rhetoric, and I understand he's passionate about the issue.

But even figuratively speaking, it's a little bit of a stretch to argue that a 2½ percent reduction in anticipated expenditures of the food stamp program over a 10-year period of time is going to do something to starve kids when we're addressing the eligibility for the food stamp program. And we are seeing narratives—facts, actually—of people that are using their EBT card—that electronic benefits transfer card, that card that has spawned rap music about its easy accessibility and its marketability on the street—to get tattoos, and using that food stamp EBT card to bail at least one individual out of jail.

There has to be a place where the gentleman from Massachusetts and I would draw the line and say, enough. Enough. We've taxed the taxpayers enough. We've punished the producers enough. We've borrowed enough money from the Chinese and the Saudis. We should not be borrowing money from the Chinese and the Saudis to fund somebody's tattoos, to hold up a tattoo parlor that in the neon sign says, we take EBT cards. No, Mr. Speaker, there has to be a place to draw the line and actually say no. The gentleman from Massachusetts gave me no indication, even though I listened to every word, of where he would say enough is enough, or even an amount being too much.

So I would suggest that I have watched as the numbers of Americans that have signed up for the food stamp program have gone from 19 million people to 49 million people. Think of that. Thirty million new people on the food stamp program, millions of dollars being spent by the U.S. Department of Agriculture to advertise food stamp sign-ups so that we can expand the numbers of people that are on another government program and encourage them to sign up. What for? It grows the empire of dependency which grows the empire of politics of the people on the left. They know that. They are not stupid. They have a whole different set of motives than I have, but they understand what they're doing.

Not any longer are there 19 million people on food stamps. There are 49 million people on food stamps, and the Secretary of Agriculture has an advertising budget spending millions to go out there and recruit more to sign on.

Now there are communications going on and publications popping up from Mexican consulates that in Spanish say, in foreign countries even that you can—we don't have to ask you and will not ask you about your status in the United States. If you are here illegally, sign up anyway and we'll do that in your native language, and we'll give

you American benefits and advertise in Mexico to get people to sign up on the food stamp program here or there. Do they send the EBT card through the Mexican consulate? Or does it just go in regular mail? Or do you have to show up to claim it?

I question all of these things, Mr. Speaker. In the question about what do "they"—and he means Republicans—what do "they" have against poor people? Here's what we have. We have an aspiration for everybody to be the best they can be. We have an aspiration for everybody to have an opportunity to succeed to the limit of their God-given abilities and to demonstrate their ambition and to be challenged out here in this society. That's why people come here. It's not because we offer 80 different means-tested Federal welfare programs, and we advertise that if you come here, you don't have to be responsible, you don't have to work, and you don't have to carry your share of the load. You might have thought that America had a safety net. No, sir; it's a hammock. It's a hammock with 80 different means-tested welfare programs in it, and they're out of hand. And this administration is promoting the expansion of them for political purposes, whatever the level of compassion might be of the gentleman from Massachusetts.

By the way, when he said arbitrarily and indiscriminately cut, and that there are 17 million kids that are hungry and 50 million Americans that are hungry, this reduction of this 2½ percent over the next 10-year period of time that's in the anticipated formula for food stamps is not going to be arbitrary, and it's not going to be indiscriminate.

□ 1800

It is going to be a number close to \$20 billion. But instead, it's going to lower the eligibility so the people that need it less—in fact, many of the people that don't need it at all won't qualify. So that we're not paying for tattoos and we're not paying to bail people out of jail, and that we're not sending food stamps along with everybody's LIHEAP claim. Where in the past, if you qualify for \$1 and the Low-Income Heating Assistance Program, you qualify for the full array of SNAP benefits. That's going to be adjusted upwards so that the evaluation of LIHEAP raises the bar a little bit. That's a tiny little trim and a little haircut that is 2.5 percent, but it's not arbitrary and it's not indiscriminate. It will be those that don't need this nearly as much as others.

We're going to protect hungry kids, and we're going to protect people that need the benefit; but we're not going to be paying for tattoos and we're not going to be bailing people out of jail. By the way, I don't think we're either going to be paying for the deposits on

those \$7 water jugs that people are going in and using their EBT card to buy a big old jug of water, take it out in the parking lot of the grocery store, dump it upside down and dump the water out and carry it back in and turn it in for the \$7 cash refund for the deposit. That is a place where millions of dollars have been wasted by people who have EBT cards. If they're hungry, they're not going to be spending that EBT money on water, dumping the water out in the parking lot, and converting the empty jug into \$7 worth of cash. The gentleman from Massachusetts, I'd like to see him look at some of the fraud that's going on here and have some compassion for the American taxpayers.

Several hundred thousand kids will lose their school meals, he said. Mr. Speaker, that may or may not be true. I don't know about the basis of that statement, but I know this: that decision is not going to be made by the Ag Committee; it's not going to be made under the SNAP program. The school lunch program is a product of the Ed and Workforce Committee. That will be authorized out of that committee. It will be appropriated out of a different committee than what we'll expect this farm bill is appropriated under. Several hundred thousand kids will lose their school meals, that he's worried about this being part of the markup that's coming up of the farm bill in the Ag Committee this month. That won't be a subject matter—as much as I'd like it to be.

If the gentleman from Massachusetts is concerned about hungry kids, then I would think he would sign onto my bill—my bill, Mr. Speaker, which prohibits the U.S. Department of Agriculture from rationing food to our children in the school lunch program. That is what they're doing, Mr. Speaker.

There was a piece of legislation that passed through this House in the lame duck session of 2010. It was the First Lady's bill, the Healthy, Hunger-Free Kids Act. They always have a way of putting these real nice labels on bills that do something else. I understand her initiative on this. She wants people, especially young people, to get good, healthy, well-balanced meals, get some get exercise; and I think that's a good message for the First Lady to send.

When you promote a piece of legislation, however, and that legislation then requires that there be a certain mix of vegetables and fruit and carbohydrates and that kind of thing spread out through the USDA school lunch program—which the Ag Committee doesn't have jurisdiction over—that recommendation on its basis was relatively sound, Mr. Speaker. And even though I didn't agree that we should be dictating that at the Federal level, I didn't have a major objection to that initiative either.

But we've seen what's happened. The Secretary of Agriculture has taken license that doesn't exist within the bill and capped the calories to our kids in schools. So they have put a lid on the amount of calories that can be served in each of the categories of elementary, middle school, and in high school. That cap on the calories, at least in one case with the middle schoolers, the calorie limitations that they had as a minimum coming into this school year was greater than the maximum that they allow for some of those middle school kids today. They have put every kid on the school lunch program in this country on a diet, Mr. Speaker.

The administration—a policy supported by the gentleman from Massachusetts, a policy driven by—manufactured, I think, out of thin air, but with a self-assigned license by the Department of Agriculture—is rationing food to our kids in school.

I listened to the gentleman from Massachusetts and he said that if you're hungry in school, you can't focus. I agree. I think kids need to go to school, and they need to have food in their belly. They need to go to lunch knowing they can get all the nutritious food they want to eat because for many of them that's the only decent meal they're going to get all day.

They need to be fed in school. I will make this statement, Mr. Speaker: there is not a single kid in America that's getting fat on school lunch. That's not where it's happening. It's in the junk food afterwards because they can't wait to get out of the school door because they've been starved at the school lunch program, shortened on calories.

So if I were going to set up a new franchise and try to make money today, I would set up a little junk food wagon like the ice cream truck out there in the parking lot outside of the school and as soon as those kids are released, sell them all the junk they're going to be out there clamoring for. That's what they do: they race to the convenience store, they jam themselves full of junk food, then they sit down in front of the TV and continue to eat junk food.

And somehow this administration thinks our kids are getting fat on a school lunch program, and so they ration food to all kids. Same level of calories to a 70-pound freshman in high school as there is in a 250-pound high school football player with a high level of activity and energy requirement. How is it that one size fits all for four grades in school, a 70-pounder and a 270-pounder need the same amount of calories? You know that you're going to be starving the biggest kids and probably not providing enough opportunity for that younger one to grow. Meanwhile, we're not just inhibiting their mental growth; we're inhibiting their physical growth as well.

If you think that you can reduce calories and ration food to kids that are growing and are active and somehow they're going to grow physically and mentally in an environment like that, that is a tragedy. I'd say to the gentleman from Massachusetts, that's a tragedy we should be able to work on together is starving kids in the school lunch program.

I point out that North and South Korea—let me say as close as you can get ethnically speaking and genetically speaking—have been separated for over 60 years. The people in North Korea don't get a lot of diet. The people in South Korea have been successful, and they do get a far more healthy diet. The people in South Korea are, on average, 3½ inches taller than the people in North Korea.

So if we're going to starve our kids in school under some myopic idea that we're going to train them to eat their raw broccoli and their raw cauliflower, and that they'll somehow get enough to eat and that they'll be active and healthy and grow, that's a mistake. Give them all the healthy food that they want to eat at least once a day. Do not starve them. I could go on with the gentleman's statement.

We're going to write up and mark up a good farm bill that does the prudent thing, and it doesn't starve people. It doesn't take food out of the mouths of babes or adults or anybody else. It just prohibits the utilization of these EBT cards, food stamps, SNAP program, from being used by people who aren't needy or by people that use it for something that it wasn't intended for.

That's just the beginning of my response to the gentleman. But this fits in with the broader theme, Mr. Speaker, that I came here to speak about, and that is the issue here in the United States of this massive dependency that's been growing in this country.

The gentleman is worried about 50 million people that are hungry—I don't know where that number comes from. I think we've all been hungry at one time or another, so that would be a subjective number. But I would point out that we have over 100 million Americans that are simply not in the workforce. When you add the unemployed to those who are not in the workforce by the definition that's put out by the Department of Labor, that number is over 100 million Americans.

The highest levels of unemployment that we have in the country are at the lowest skilled jobs. No skilled jobs, low-skilled jobs, double-digit unemployment. This isn't a country like it was back in 1849, when we needed to build the transcontinental railroad and we brought people in from across the ocean or the Pacific to drive spikes and lay ties and lay rail coming from the West. We brought people in from Western Europe to go build the train tracks from the east, and they met at the

golden spike territory in that period of time. This country needed labor then. We needed low-skilled labor then, people that would put their hands and their back to this work.

Some folks think that America needs that kind of labor today. Well, if we did, we wouldn't have double-digit unemployment in the low-skill jobs. And here we have the United States Senate that seems to be poised—and too many people in the House of Representatives that seem to be prepared to support them—to move an immigration bill out of the Senate that would be this: it would grant instantaneous amnesty to everybody that's in America illegally, with a few tiny exceptions—maybe later, not right away. It would send an invitation off to everyone who has been deported in the past that, why don't you apply to come back into the United States. We really didn't mean it when we bought you a ticket to wake up in the country that you were legal to live in. And it's an implicit promise that anybody that's in America after the cut-off deadline—December 31, 2011—or anybody that should be able to come after that date—today, tomorrow, next year, next decade—all would be granted a presence in America where they didn't have to fear that the immigration law would be applied against them unless they committed a felony and were brought to the attention of law enforcement or unless they committed a series of three misdemeanors—undefined in the law. That would be the discretion of—I suppose it would be ICE or Janet Napolitano. And this open borders policy would be perpetual.

□ 1810

I knew in 1986 what this meant, Mr. Speaker. Ronald Reagan only let me down twice in 8 years. One of them was in 1986 when he gave in to the advisers around him and public pressure and signed the amnesty bill of 1986. I knew then that the stroke of Ronald Reagan's pen did severe, severe damage to the rule of law in this country and that to restore it and reestablish the respect for the law was going to be a very difficult task indeed.

But I also lived in fear that if I had job applicants coming into my company and I didn't have all of the I's dotted and the T's crossed on the I-9 form, if I didn't review the proper identification documents, fraudulent or not, and keep my records to protect myself, I expected ICE would be knocking on my door at any time—actually, it was INS at the time, Immigration Naturalization Services—and that they would be scouring through my records to make sure that I didn't violate one of the details of the Federal law of the 1986 Amnesty Act.

Of course, Mr. Speaker, we know the INS agents, later on to be ICE agents, never showed up in my office. They

didn't show up at thousands and thousands of companies where there are employers in the United States. And that the roughly a million people—it started out to be 800,000—roughly a million people that were estimated to be the beneficiaries of this Amnesty Act—which at least they were honest and called it amnesty then—that that million people became, not a million, 3 million people because of underestimates and because of a massive amount of fraud, including document fraud.

So the rule of law was eroded in 1986, and Ronald Reagan really did intend to enforce the law to the best of his ability. It was undermined by leftist and “open borders” people in America that didn't really want to let that happen.

Each succeeding President enforced immigration law less and less and less from 1986 through Bush 41 through Bill Clinton, who accelerated a naturalization process of a million people in 1986 just in time to magically vote in the reelection of that year. Following that, George W. Bush in his two terms, and now Barack Obama, who says, I refuse to enforce immigration law.

There are 300,000 people on the list that had been adjudicated for deportation, and with a stroke of his Presidential edict pen, he forbade that the law be enforced and required that they simply waive their applications, on an individual basis, I might add. That gets a little tiring to read that when it is group and it is class.

Nonetheless, the President got away with that. He told a high school class here in town—if I remember the date correctly, it was March 28, 2011—that he didn't have the authority to grant the DREAM Act by executive order, that had to be a legislative act. And a little over a year later, by the stroke of his Presidential edict pen, he did so, however, created four classes of people, and gave them a legal status by Presidential edict by a memorandum from Janet Napolitano and John Morton, supported by a Presidential press conference, gave people a legal status in this country unconstitutionally, unlawfully, and granted them also a work permit manufactured out of thin air.

Every document that allows people to be in the United States who are not American citizens is manufactured by the Congress of the United States, except the President took it upon himself to take on article I activity legislation from article II, the executive branch.

So ICE and the president of ICE, Chris Crane, sued the President, sued the executive branch. They had the first decision that came out of the circuit in Texas. And the answer is, on 10 points, the judge held with the ICE union on nine of the 10. And the 10th one, I think today is the deadline for them to come back with their response to this in a cogent fashion so the judge can also rule again.

I'm hopeful that he'll be consistent in the theme. The theme of his decision is this: Mr. President, executive branch, all who we will see and hear, “shall” means “shall.” When Congress means “shall,” they don't mean “may.”

That doesn't mean that the President may do whatever in the world he may wish to do. If Congress writes it into law and it's signed by any President, it's going to be a preceding President, that means “shall.” You shall enforce the law. You shall follow the directive in statute. If you don't do that, you undermine this constitutional Republic that we have.

Tomorrow morning, Mr. Speaker, at 8 in the morning in a “Members only” gathering, Robert Rector of the Heritage Foundation will be delivering his report that was released yesterday around 11 or so. This report is about 101 pages, of which the executive summary is around five. I have read through this. It is definitive economic data that I believe will be assailed, but it's logically unassailable.

He says in this document that “at every stage of the life cycle, unlawful immigrants on average generate fiscal deficits.” That's benefits that exceed taxes. “Unlawful immigrants on average are always tax consumers. They never once generate a fiscal surplus that can be used to pay for government benefits elsewhere in society.”

This situation, obviously, will get much worse after amnesty. And if you believe that the second generation will make up for the first, if they were all college graduates, they would still have a tremendous struggle to make up the \$6.3 trillion deficit that's created by this in expenditures minus taxes collected from this group of people. But only 13 percent of their children will go to college, so that will tell you how difficult this will be.

This is a generational economic burden taken on, proposed out of the Senate. If the American people take this on, there is no undoing this. We must get this right. We must have a Congress that's informed and educated and pays attention.

I urge all to take a look at the Heritage Foundation report by Robert Rector released yesterday. It is titled, Mr. Speaker, as I close, “The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer,” dated yesterday, and that is May 6, 2013. I would urge that you and all pay attention to that, and I yield back the balance of my time.

RECESS

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

Accordingly (at 6 o'clock and 17 minutes p.m.), the House stood in recess.

□ 1904

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 7 o'clock and 4 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 807, FULL FAITH AND CREDIT ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113-52) on the resolution (H. Res. 202) providing for consideration of the bill (H.R. 807) to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 8, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1391. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Controlled Import Permits [Docket No.: APHIS-2008-0055] (RIN: 0579-AD53) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1392. A letter from the Director, Department of Transportation, transmitting the Department's final rule — Order Imposing Recordkeeping and Reporting Obligations on Certain U.S. Financial Institutions with Respect to Transactions Involving Kassem Rmeiti & Co. for Exchange as a Financial Institution of Primary Money Laundering Concern received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1393. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Order Imposing Recordkeeping and Reporting Obligations on Certain U.S. Financial Institutions with Respect to Transactions Involving Kassem Rmeiti & Co. for Exchange as a Financial Institution of Primary Money Laundering Concern received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1394. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Aerovias de Mexico, S.A. de C.V. (AeroMexico) of Mexico City, Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1395. A letter from the Acting Director, Federal Housing Finance Agency, transmitting Office of Minority and Women Inclusion's annual report for 2012; to the Committee on Financial Services.

1396. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final priority; National Institute on Disability and Rehabilitation Research — Disability and Rehabilitation Research Projects and Centers Program — Disability Rehabilitation Research Project [CFDA Number: 84.133A-8] received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1397. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Innovative Products and Treatments to Achieve Abstinence From Tobacco Use, Reductions in Consumption of Tobacco, and Reductions in the Harm Associated With Continued Tobacco Use"; to the Committee on Energy and Commerce.

1398. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Matters Incorporated by Reference [Docket No.: NHTSA-2011-0185] (RIN: 2127-AL25) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1399. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report for the period January 16, 2012 to January 15, 2013 on the activities of the Multinational Force and Observers (MFO) and U.S. participation in that organization; to the Committee on Foreign Affairs.

1400. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2012 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1401. A letter from the Associate Commissioner/EEO Director, National Indian Gaming Commission, transmitting the Commission's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1402. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC575) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1403. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administrations final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management Plan; Amendment 19 [Docket No.: 120822383-3277-02] (RIN: 0648-BC48) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1404. A letter from the Management and Program Analyst, Department of Homeland Security, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program, Part 2 (RIN: 1205-AB69) received

April 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1405. A letter from the Vice President, Government Affairs and Corporate Communications, Amtrak, transmitting an addendum to the Fiscal Year 2014 Legislative and Grant Request of March 27, 2013; to the Committee on Transportation and Infrastructure.

1406. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0932; Directorate Identifier 2012-NM-014-AD; Amendment 39-17426; AD 2013-08-09] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1407. A letter from the Acting Assistant Administrator, Environmental Protection Agency, transmitting a report entitled, "Great Lakes Restoration Initiative Report to Congress and the President for both FY 2010 and FY 2011"; to the Committee on Transportation and Infrastructure.

1408. A letter from the President and Chief Executive Officer, National Railroad Passenger Corporation, transmitting the Corporation's FY 2014 General and Legislative Annual Report; to the Committee on Transportation and Infrastructure.

1409. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Services final rule — Relief from the Anti-cutback Requirements of Section 411(d)(6) for Certain ESOP Amendments [Notice 2013-17] received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1410. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a report required by the Foreign Intelligence Surveillance Act of 1978, pursuant to 50 U.S.C. 1807; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SESSIONS: Committee on Rules. House Resolution 202. Resolution providing for consideration of the bill (H.R. 807) to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached. (Rept. 113-52). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CUMMINGS (for himself, Mr. MICHAUD, Mr. SMITH of Washington, Mrs. DAVIS of California, Mr. TAKANO, and Mr. TIERNEY):

H.R. 1842. A bill to amend the Servicemembers Civil Relief Act to improve the protections for servicemembers, surviving spouses, and disabled veterans against mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LEE of California (for herself and Ms. ROS-LEHTINEN):

H.R. 1843. A bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. LOEBACK, Ms. NORTON, Mr. BRALEY of Iowa, Ms. PINGREE of Maine, Ms. BASS, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. HASTINGS of Florida, Ms. JACKSON LEE, Ms. TSONGAS, Mr. PRICE of North Carolina, Mr. BLUMENAUER, Mr. NADLER, Mr. GRIMALVA, Ms. SCHAKOWSKY, Ms. LEE of California, Ms. CHU, Mr. LYNCH, Mr. CARTWRIGHT, Mr. SARBANES, Mr. DEUTCH, and Ms. LOFGREN):

H.R. 1844. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. POLIS (for himself and Ms. CHU):

H.R. 1845. A bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students; to the Committee on Education and the Workforce.

By Ms. VELÁZQUEZ:
H.R. 1846. A bill to amend the Act establishing the Lower East Side Tenement National Historic Site, and for other purposes; to the Committee on Natural Resources.

By Mr. SALMON (for himself and Mr. FRANKS of Arizona):

H.R. 1847. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

By Mr. POMPEO (for himself, Mr. LIPINSKI, Mr. GRAVES of Missouri, Mr. NOLAN, and Mr. ROKITA):

H.R. 1848. A bill to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Texas (for himself, Mr. SCALISE, Mr. CASSIDY, and Mr. WAXMAN):

H.R. 1849. A bill to amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COLE:
H.R. 1850. A bill to amend the Internal Revenue Code of 1986 to extend for 2 years the deduction for expenses of elementary and secondary school teachers and to allow such deduction with respect to home school expenses; to the Committee on Ways and Means.

By Mr. LEWIS (for himself, Ms. MOORE, Mr. MCGOVERN, Mr. TIERNEY, and Mr. KEATING):

H.R. 1851. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes; to the Committee on Ways and Means.

By Mr. YODER (for himself and Mr. GRAVES of Georgia):

H.R. 1852. A bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY:

H.R. 1853. A bill to amend title XIX of the Social Security Act to reform payment to States under the Medicaid program; to the Committee on Energy and Commerce.

By Ms. CHU (for herself, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mr. CONYERS, Mr. GRIJALVA, Mr. HONDA, Ms. JACKSON LEE, Ms. LEE of California, Mr. LOWENTHAL, Mrs. NEGRETE MCLEOD, Mr. RANGEL, Ms. SHEA-PORTER, Ms. SINEMA, and Ms. WILSON of Florida):

H.R. 1854. A bill to increase the recruitment and retention of school counselors, school social workers, school psychologists, and other psychologists qualified to work in schools by low-income local educational agencies; to the Committee on Education and the Workforce.

By Ms. HANABUSA (for herself, Ms. CHU, Mr. FALDOMAVALA, Mr. RANGEL, Mr. MORAN, Ms. NORTON, Ms. GABBARD, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, Ms. BORDALLO, Mr. HECK of Nevada, Mr. LOWENTHAL, Mr. HONDA, Mr. PETERS of California, and Mr. TAKANO):

H.R. 1855. A bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KUSTER (for herself, Mr. CRAMER, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mr. MURPHY of Florida, Ms. SHEA-PORTER, Ms. SINEMA, Mr. MESSER, and Mrs. KIRKPATRICK):

H.R. 1856. A bill to eliminate unnecessary Federal bank accounts; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York:

H.R. 1857. A bill to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 1858. A bill to amend the Congressional Accountability Act of 1995 to provide enhanced enforcement authority for occupational safety and health protections applicable to the legislative branch, to provide whistleblower protections and other antidiscrimination protections for employees of the legislative branch, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself and Ms. CHU):

H.R. 1859. A bill to revise the process by which the Federal Emergency Management Agency evaluates a request for major dis-

aster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER:

H.R. 1860. A bill to modernize, shorten, and simplify the Federal criminal code, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. DUNCAN of South Carolina, Mr. RYAN of Wisconsin, Mr. HUIZENGA of Michigan, Mr. KINZINGER of Illinois, Mr. HULTGREN, Mr. JONES, Mr. DUFFY, Mr. GRIFFIN of Arkansas, and Mr. TERRY):

H.R. 1861. A bill to stop motorcycle check-point funding, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STIVERS (for himself, Mr. CARSON of Indiana, and Mrs. BEATTY):

H.R. 1862. A bill to amend the Federal Home Loan Bank Act to allow non-Federally insured credit unions to become members of a Federal Home Loan Bank; to the Committee on Financial Services.

By Mr. VELA (for himself and Mr. O'ROURKE):

H.R. 1863. A bill to require the Secretary of State to submit a report on water sharing with Mexico; to the Committee on Foreign Affairs.

By Mrs. WALORSKI (for herself and Ms. LORETTA SANCHEZ of California):

H.R. 1864. A bill to amend title 10, United States Code, to require an Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault; to the Committee on Armed Services.

By Mr. WELCH:

H.R. 1865. A bill to designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the "Thaddeus Stevens Post Office"; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.R. 1866. A bill to amend the Endangered Species Act of 1973 to promote sustainable-use conservation, to harmonize that Act with the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and for other purposes; to the Committee on Natural Resources.

By Ms. BASS (for herself, Mr. MARINO, Mr. MCDERMOTT, Mrs. BACHMANN, Mr. LANGEVIN, Ms. LEE of California, Mr. STOCKMAN, Mr. SCHIFF, Ms. JACKSON LEE, Mr. CICILLINE, Mr. HASTINGS of Florida, Mr. LATHAM, Mr. CONYERS, and Ms. TITUS):

H. Res. 203. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system; to the Committee on Ways and Means.

By Mr. BRADY of Pennsylvania:

H. Res. 204. A resolution commending Korean American veterans of the Vietnam War for their service to the United States; to the Committee on Veterans' Affairs.

By Mr. HORSFORD (for himself, Ms. TITUS, and Ms. NORTON):

H. Res. 205. A resolution recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. CUMMINGS:

H.R. 1842.

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

Article I, section 8, Clause 1 of the United States Constitution, the reported bill is authorized by Congress' power "To provide for the common Defense and general Welfare of the United States."

Article I, Section 8, Clause 18 of the United States Constitution, the reported bill is authorized by Congress' power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

Article I, Section 8, Clause 12 of the United States Constitution, the reported bill is authorized by Congress' power "To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years."

By Ms. LEE of California:

H.R. 1843.

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

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

By Mr. JOHNSON of Georgia:

H.R. 1844.

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

Article I, Sec. 8, Cl. 3

By Mr. POLIS:

H.R. 1845.

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

Article I, Section 1, All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. VELÁZQUEZ:

H.R. 1846.

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

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. SALMON:

H.R. 1847.

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

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

By Mr. POMPEO:

H.R. 1848.

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

Article I, Section 8, Clause 3

By Mr. SMITH of Texas:

H.R. 1849.

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

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. COLE:

H.R. 1850.

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

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LEWIS:

H.R. 1851.

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

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

By Mr. YODER:

H.R. 1852.

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

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

By Mr. CASSIDY:

H.R. 1853.

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

Article I, Section 8, Clause 1 [the Spending Clause] of the United States Constitution states that "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay for Debts and provide for the common Defence and general Welfare of the United States."

By Ms. CHU:

H.R. 1854.

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

Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause." This provision grants Congress the broad power "to pay the Debts and provide for the common defense and general welfare of the United States."

Please note, pursuant to Article I, Section 8, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. HANABUSA:

H.R. 1855.

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

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Ms. KUSTER:

H.R. 1856.

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

Article 1, Section 8, Clause 18 (relating to the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof) of the United States Constitution.

By Mrs. MCCARTHY of New York:

H.R. 1857.

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

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. NORTON:

H.R. 1858.

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution.

By Mr. SCHIFF:

H.R. 1859.

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

The Disaster Declaration Improvement Act is constitutional under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The bill is constitutionally authorized under the Necessary and Proper Clause, which supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text.

By Mr. SENSENBRENNER:

H.R. 1860.

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

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 and the First, Second, Fourth, Fifth, Sixth and Eighth Amendments to the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 1861.

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

The Tenth Amendment to the Constitution

By Mr. STIVERS:

H.R. 1862.

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

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. VELA:

H.R. 1863.

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

Article 1, Section 8, Clause 10

The Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mrs. WALORSKI:

H.R. 1864.

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

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

By Mr. WELCH:

H.R. 1865.

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

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United

States, or in any Department or Officer thereof..

By Mr. YOUNG of Alaska:

H.R. 1866.

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

Article 1, Section 8, Clause 3

ADDITIONAL SPONSORS

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

H.R. 3: Mr. WENSTRUP, Mr. JOYCE, Mr. WOODALL, Mrs. BLACK, and Mr. ROYCE.

H.R. 47: Mr. MURPHY of Florida.

H.R. 140: Mrs. CAMPBELL.

H.R. 164: Mr. ALEXANDER.

H.R. 176: Mr. LONG.

H.R. 185: Mr. VELA.

H.R. 199: Mr. ELLISON.

H.R. 207: Mr. LAMALFA and Mr. BENTIVOLIO.

H.R. 258: Mr. SIMPSON, Mr. BARBER, and Mr. CHABOT.

H.R. 259: Mr. LAMBORN.

H.R. 274: Mr. TONKO, Mr. BLUMENAUER, and Mr. CONNOLLY.

H.R. 301: Mr. LANKFORD.

H.R. 320: Mr. BLUMENAUER, Ms. MCCOLLUM, and Mr. CONNOLLY.

H.R. 324: Mrs. BROOKS of Indiana.

H.R. 333: Mr. GRAYSON, Mr. VEASEY, Mr. BONNER, and Ms. ESTY.

H.R. 357: Mr. BARBER.

H.R. 367: Mrs. BACHMANN and Mr. WEBER of Texas.

H.R. 411: Mr. FARR.

H.R. 427: Mr. BLUMENAUER.

H.R. 431: Mr. BLUMENAUER.

H.R. 452: Ms. DEGETTE, Ms. KUSTER, and Ms. PINGREE of Maine.

H.R. 460: Mr. TAKANO.

H.R. 474: Mr. PETERS of California and Mr. HUFFMAN.

H.R. 481: Mr. AMODEI.

H.R. 487: Mr. CONNOLLY.

H.R. 495: Mr. REED, Ms. CLARKE, Ms. BASS, Mr. CASSIDY, Mr. CRAWFORD, Mr. KINGSTON, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. GIBSON, and Mr. KLINE.

H.R. 518: Mr. COSTA.

H.R. 519: Mr. SCOTT of Virginia, Ms. FRANKEL of Florida, and Mr. BRADY of Pennsylvania.

H.R. 543: Mr. YOHO.

H.R. 556: Mr. LATTA and Mr. MARCHANT.

H.R. 569: Mr. LOEBSACK and Mr. BARLETTA.

H.R. 570: Mr. LOEBSACK and Mr. BARLETTA.

H.R. 578: Mr. SMITH of Nebraska.

H.R. 594: Mr. HUFFMAN and Ms. JACKSON LEE.

H.R. 627: Mr. ROTHFUS, Mr. LONG, and Mr. DAVID SCOTT of Georgia.

H.R. 630: Mr. DOYLE.

H.R. 685: Mr. RUIZ and Mr. AMODEI.

H.R. 693: Mr. CAMPBELL.

H.R. 708: Ms. BORDALLO.

H.R. 719: Mr. HUFFMAN.

H.R. 725: Mr. LOWENTHAL.

H.R. 730: Mr. GOSAR and Mr. DUNCAN of Tennessee.

H.R. 739: Mr. WOLF and Mr. VAN HOLEN.

H.R. 755: Mr. NUNNELEE and Mr. HUFFMAN.

H.R. 783: Ms. SLAUGHTER.

H.R. 795: Mr. HUELSKAMP and Mr. RICE of South Carolina.

H.R. 813: Mr. JONES, Mr. LOEBSACK, and Mr. AMODEI.

H.R. 842: Mrs. DAVIS of California.

H.R. 830: Mr. LOEBSACK, Ms. SLAUGHTER, Mr. JORDAN, Mr. TERRY, and Mr. POLIS.

H.R. 855: Mr. SWALWELL of California.

- H.R. 838: Mrs. WAGNER.
H.R. 911: Mr. YOUNG of Florida.
H.R. 958: Mr. BISHOP of New York.
H.R. 961: Mr. DOYLE.
H.R. 963: Mr. SIMPSON.
H.R. 980: Mr. ENYART.
H.R. 983: Mr. POLIS.
H.R. 990: Mr. GUTIERREZ.
H.R. 991: Mr. COLE.
H.R. 1014: Ms. GABBARD and Mr. MAFFEL.
H.R. 1015: Mr. MICHAUD, Mr. CONNOLLY, Mr. KING of New York, Ms. KAPTUR, Mr. HINOJOSA, and Mr. SCHIFF.
H.R. 1020: Mr. LANCE, Mr. SMITH of Nebraska, and Mr. KLINE.
H.R. 1024: Mr. PETERS of California and Mr. HUFFMAN.
H.R. 1026: Mr. OLSON.
H.R. 1030: Mr. SARBANES and Ms. LOFGREN.
H.R. 1078: Mr. KLINE.
H.R. 1094: Mr. FARR, Mr. BISHOP of New York, and Mr. HARRIS.
H.R. 1098: Mr. PALLONE.
H.R. 1141: Ms. KUSTER.
H.R. 1149: Mr. HULTGREN, Mr. GRAVES of Missouri, and Mr. SCHOCK.
H.R. 1151: Mr. RODNEY DAVIS of Illinois, Mr. OLSON, and Mr. DENHAM.
H.R. 1153: Mr. SHIMKUS.
H.R. 1155: Mr. LATHAM and Mr. BOUSTANY.
H.R. 1189: Mr. HIGGINS.
H.R. 1191: Mr. HIGGINS.
H.R. 1201: Mr. RODNEY DAVIS of Illinois, Mr. DINGELL, Mr. PAYNE, and Mr. RAHALL.
H.R. 1213: Mr. McDERMOTT.
H.R. 1214: Mr. STIVERS, Mr. COTTON, and Mr. LUETKEMEYER.
H.R. 1221: Mr. GRAVES of Georgia.
H.R. 1240: Mr. VEASEY and Mr. SCHIFF.
H.R. 1245: Mr. BARBER and Mr. O'ROURKE.
H.R. 1248: Mr. GOSAR.
H.R. 1250: Mr. STIVERS and Mr. McINTYRE.
H.R. 1252: Mr. LATHAM, Mr. BARBER, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1257: Mr. LOEBSACK.
H.R. 1293: Mr. CONNOLLY.
H.R. 1304: Mr. WESTMORELAND and Mrs. MILLER of Michigan.
H.R. 1317: Mr. BACHUS.
H.R. 1327: Mr. CARSON of Indiana and Mr. LAMBORN.
H.R. 1333: Ms. SHEA-PORTER.
H.R. 1386: Mr. BENISHEK and Mr. BONNER.
H.R. 1413: Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, and Ms. SPEIER.
H.R. 1416: Mr. WESTMORELAND, Mrs. MCCARTHY of New York, Mr. BUCHANAN, Mr. MAFFEL, Mr. ROGERS of Michigan, and Mr. LOEBSACK.
H.R. 1417: Mr. LONG.
H.R. 1453: Mr. O'ROURKE and Ms. SHEA-PORTER.
H.R. 1461: Mr. KINGSTON, Mr. McCLINTOCK, and Mr. BROUN of Georgia.
H.R. 1462: Mr. SCOTT of Virginia, Mr. OWENS, Mr. CONNOLLY, Mr. BROOKS of Alabama, Mr. KINGSTON, and Mr. BROUN of Georgia.
H.R. 1488: Mr. NUNNELEE and Mr. RIGELL.
H.R. 1493: Mr. LATTA.
H.R. 1496: Mr. TERRY, Mr. POMPEO, Mr. SMITH of Nebraska, and Mr. NUNNELEE.
H.R. 1497: Mrs. BACHMANN.
H.R. 1502: Mr. MARCHANT.
H.R. 1510: Mr. HUELSKAMP.
H.R. 1518: Ms. SLAUGHTER, Mr. QUIGLEY, Mr. COBLE, and Mr. JONES.
H.R. 1526: Mr. COTTON.
H.R. 1528: Mr. DOYLE, Mr. KLINE, Mr. BENISHEK, Mr. WALBERG, Mr. LONG, and Mr. RYAN of Ohio.
H.R. 1565: Ms. DUCKWORTH, Mrs. BEATTY, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. CAPPs, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. CLAY, Mr. CLEAVER, Mrs. DAVIS of California, Mr. DELANEY, Mr. DOYLE, Ms. HANABUSA, Mr. HINOJOSA, Ms. KELLY of Illinois, Mr. BEN RAY LUJÁN of New Mexico, Mr. McNERNEY, Ms. MENG, Mr. NEAL, Mr. NOLAN, Mr. PASTOR of Arizona, Mr. PETERS of California, Mr. QUIGLEY, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. SHERMAN, Mr. SIREs, Mr. SMITH of Washington, Mr. VEAsY, Mr. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WATT, and Ms. WILSON of Florida.
H.R. 1566: Mr. SIREs, Mr. FINCHER, and Mr. JONES.
H.R. 1579: Mr. McDERMOTT.
H.R. 1587: Mr. OLSON and Mr. COLLINS of New York.
H.R. 1592: Mr. POSEY, Mr. YOHO, and Mr. DESANTIS.
H.R. 1594: Mr. DESANTIS.
H.R. 1595: Mr. LEVIN and Mr. VEASEY.
H.R. 1613: Mr. WESTMORELAND and Mrs. WAGNER.
H.R. 1620: Mr. RIGELL.
H.R. 1638: Mr. COBLE.
H.R. 1646: Mr. MEEKS and Mr. COLLINS of New York.
H.R. 1648: Mr. POCAN.
H.R. 1649: Mr. POCAN.
H.R. 1657: Mr. WESTMORELAND, Mr. PITTENGER, Mrs. HARTZLER, Mr. BENISHEK, Mr. KINGSTON, Mr. HARRIS, and Mr. NUNNELEE.
H.R. 1692: Ms. SCHWARTZ and Mr. DOYLE.
H.R. 1696: Ms. SCHWARTZ.
H.R. 1708: Mr. DANNY K. DAVIS of Illinois.
H.R. 1724: Mr. FITZPATRICK, Mr. MESSER, Mrs. MILLER of Michigan, Mr. COLLINS of New York, Mr. KLINE, Mr. BACHUS, Mr. ROKITA, and Mr. WILSON of South Carolina.
H.R. 1727: Mr. SCHRADER.
H.R. 1729: Ms. TSONGAS, Mr. O'ROURKE, Ms. SINEMA, Ms. MENG, Ms. KUSTER, Mr. MCGOVERN, Ms. LEE of California, Mr. RIGELL, and Ms. LOFGREN.
H.R. 1735: Mrs. BROOKS of Indiana.
H.R. 1748: Mr. HUFFMAN.
H.R. 1750: Mr. FINCHER.
H.R. 1759: Ms. KUSTER, Mr. McINTYRE, and Mr. O'ROURKE.
H.R. 1761: Mr. LATHAM and Ms. SCHKOWSKY.
H.R. 1768: Mr. SMITH of New Jersey, Mr. WALBERG, and Mr. FRANKS of Arizona.
H.R. 1780: Ms. JENKINS, Mr. LANCE, and Mr. STIVERS.
H.R. 1788: Mr. PETRI.
H.R. 1790: Mr. O'ROURKE and Mr. LOWENTHAL.
H.R. 1809: Ms. MENG, Mr. TAKANO, Mr. RUIZ, and Mr. BARBER.
H.R. 1814: Mr. WALBERG, Mr. STIVERS, Mr. POLIS, Mr. HIMES, Mr. COHEN, Mrs. CAPITO, and Mr. WHITFIELD.
H.R. 1825: Mr. KLINE.
H.R. 1826: Mr. BROUN of Georgia and Mr. NEUGEBAUER.
H.R. 1830: Mr. HANNA, Mr. YOUNG of Florida, Mr. COFFMAN, Mr. ROYCE, Mr. KING of New York, Mr. KING of Iowa, Mr. PAYNE, Mr. SCHIFF, Mr. BISHOP of Georgia, Ms. TSONGAS, Mr. WOLF, Mr. GRIMM, Mr. BARTON, Mr. SCALISE, Mr. ELLISON, Mr. LEWIS, Mr. GIBSON, Ms. VELÁZQUEZ, Mr. TONKO, Mr. YOUNG of Alaska, and Mr. FITZPATRICK.
H.J. Res. 26: Mrs. BROOKS of Indiana.
H. Con. Res. 27: Mr. LIPINSKI and Mr. SABLAN.
H. Con. Res. 36: Ms. WILSON of Florida.
H. Res. 36: Mr. LABRADOR and Mr. GIBBS.
H. Res. 69: Mr. BLUMENAUER.
H. Res. 76: Mr. KLINE.
H. Res. 95: Mr. ENYART.
H. Res. 112: Mr. LUETKEMEYER, Mr. YOHO, Ms. DELBENE, Mr. WITTMAN, and Mr. HANNA.
H. Res. 144: Mr. MATHESON and Ms. SLAUGHTER.
H. Res. 147: Mr. GOWDY.
H. Res. 167: Mr. BARR, Mr. WHITFIELD, Ms. TITUS, Mr. GARY G. MILLER of California, Mrs. WALORSKI, Mr. RODNEY DAVIS of Illinois, Mr. HUFFMAN, Mr. RUNYAN, and Mr. SIREs.
H. Res. 173: Mr. TERRY.
H. Res. 174: Ms. PINGREE of Maine and Mr. LOEBSACK.
H. Res. 177: Mr. COTTON and Mr. LATTA.
H. Res. 190: Mr. COBLE, Mr. WEBER of Texas, Mr. CRAMER, Mr. DINGELL, and Mr. LONG.
H. Res. 195: Mr. RUSH.
H. Res. 196: Mr. SCOTT of Virginia and Ms. JACKSON LEE.
H. Res. 200: Mr. CONNOLLY, Ms. CHU, Ms. FRANKEL of Florida, Ms. LORETTA SANCHEZ of California, Mr. FALDOMAVAEGA, Mr. CROWLEY, Ms. BORDALLO, Mr. PIERLUISI, Ms. JACKSON LEE, Mr. STOCKMAN, Mr. WEBER of Texas, Mr. SALMON, Mr. POMPEO, Mr. KINZINGER of Illinois, Mr. ENGEL, and Mr. BILIRAKIS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

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

The amendment to be offered by Representative CAMP, or a designee, to H.R. 807, the Full Faith and Credit Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

THAILA SCHUG HONORED FOR HER GOLD MEDAL ACHIEVEMENT IN THE 2012 AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA COMPETITION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. YOUNG of Florida. Mr. Speaker, I would like to pay tribute to Thaila Schug for her dedication to proving and showing patriotism in her community.

Thaila's essay was entered into competition by Unit 14, and she won the 2012 American Legion Auxiliary Department of Florida gold medal for Class III (7th and 8th grade). Thaila wrote the winning essay, on the topic of "How Can I Show My Patriotism in My Community", while she was an eighth grader at St. Paul's Catholic School in St. Petersburg, Florida.

I want to express to my colleagues how very excited I am for Thaila and her tremendous accomplishment. She is a superb example of the student leaders developing in the 13th District of Florida, which I have the privilege to represent. It is with great pride that I congratulate her on this great occasion.

When you think of a patriotic deed, what do you think of? You may believe it's sacrificing your life in war or standing up for your belief and pride in our country, but our lives have been influenced by patriotism even in our own communities. American pride is American duty and only we can sustain that. Since our own people make it possible to celebrate America as it is today, we need to represent what we are in the action we undertake.

In my community, the simple actions are the most memorable. Patriotism in my community is shown by saying the Pledge of Allegiance every day before school and stopping to acknowledge the National Anthem at sports events and saluting and thanking those in our country who have served in the Army. Not only can these be ways to show one's patriotism, but I can show the pride I have in my country by collecting food and donations for the Salvation Army or by even giving clothes or help to those families who are struggling. In addition, folding the American flag at the end of school and singing the National Anthem before participation in sports are also ways that we can show our patriotism in our community. Also, many people in my community get together once a year to see football games like Army versus Navy. Just by showing your support for our troops in this way shows your appreciation for our country in a way you enjoy. It doesn't have to be an action you don't want to do. If you enjoy baking, you can give your neighbor cupcakes with American flags on top for Fourth of July or if your passion is playing an instrument, play for those who want to listen.

Not only can you show your patriotism in these ways, one way I showed my patriotism

is when I went to my mother's work to see our returning troops come home from war. It was so touching to see what people did for freedom, but what I didn't realize is that other workers were looking toward me with disbelief that I was there showing my country that I respect and thank our troops for every day they had served. Just by showing up, I revealed my patriotism to those returning home and to me that was the best way I could have shown it.

TRIBUTE TO ALVIN KEITH TERRY

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to pay tribute to Alvin Keith Terry, posthumously, and the many contributions he has made as a dedicated citizen of Essex County and a committed professional to the improvement of healthcare for the people of Newark and the surrounding area.

Alvin spent more than 30 years at the University of Medicine and Dentistry (UMDNJ), rising to the role of Business Manager at the medical center. A product of the Newark Public Schools and a graduate of East Orange High School, Alvin later attended both Kean and Rutgers University. As a student and later as a young professional, Alvin's work ethic and keen sensibility to financial management laid the foundation for a career in business and for a long and impressive career at UMDNJ, working his way up through the ranks to become a chief executive at UMDNJ.

Alvin's career serves as a shining example to his children, his family and others, a myriad of ways to contribute to healthcare, aside from a career as a physician, nurse or clinical professional. Alvin's work and commitment contributed to UMDNJ, remaining not just in the community, but of the community. Alvin and my family, particularly my father, The Honorable Donald M. Payne, Sr., shared a love and commitment to healthcare and to UMDNJ. My father, and I at his side, hosted several Health and Wellness Expos at UMDNJ. My father's goal, my goal, and Alvin's goal was to ensure the very best in healthcare was available for the people of Newark and Essex County.

We salute Alvin and the Terry family, including his brother, Darrell K. Terry, Chief Operating Officer of Newark Beth Israel Medical Center and Children's Hospital of New Jersey and a former UMDNJ employee, who, along with many members of the Terry family, continue to make healthcare a career of choice and commitment. Under the tutelage of Alvin, the oldest Terry brother, the Terry family continues to have a pivotal role on healthcare in Essex County and in Newark. Alvin's imprint has left an indelible mark on healthcare in

Newark and Essex County. On behalf of the people of Essex County and certainly the people of Newark, we are grateful. Thank you.

Mr. Speaker, I know my fellow members of the House of Representatives agree that Alvin Keith Terry, has been an integral part of the growth and development of UMDNJ, and healthcare in general, serving the people of Essex County and particularly, the people of Newark. This tribute recognizes his life's work, namely a stellar career and a personal commitment to improve the lives of others.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. JORDAN. Mr. Speaker, I missed my connecting flight into Washington yesterday afternoon. As a result, I was absent from the House floor during last night's three rollcall votes.

Had I been present, I would have voted in favor of H.R. 588, H.R. 291, and H.R. 507.

A TRIBUTE TO CHRISTINA ARASIM—TEAMSTERS LOCAL 830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Christina Arasim, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Christina are able to make higher education possible.

Christina's father, David Arasim, works in the Delivery Department of Meenan Oil Company. I greatly admire Christina's hard work at Pennsbury High School and her aspirations to study earth & mineral sciences. With her work ethic, I am sure Christina will be successful in whatever career she chooses.

I ask that you and my other distinguished colleagues help me in honoring Christina Arasim and her commitment to her community and studies that enabled her to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

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

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

HONORING THE GRADUATES FROM
DUVAL COUNTY PUBLIC
SCHOOLS WHO HAVE ENLISTED
IN THE U.S. ARMED FORCES

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize and honor the young men and women who will be graduating from the Duval County Public Schools and who have volunteered to enlist in the Army, Navy, Air Force, Marines and Florida National Guard. These young people are Our Nation's Future.

Northeast Florida is proud of its military heritage and takes great pride in recognizing our youth who have stepped forward to carry on military traditions and take their turns at the watch, whether aboard a ship, on land or in the air.

By joining the ranks of our Armed Forces, these volunteers have demonstrated leadership potential and perseverance while seeking to serve our country. They join a select team whose job is to protect our Nation. They have dedicated themselves to an awesome responsibility.

Our area is home to The Players Championship and so it is fitting that Our Community Salutes program has chosen to honor our newest military members on Military Appreciation Day at the home of the Tournament Players Championship on May 8, 2013. The world's famous golfers will all be assembled and the world will watch. But the accomplishments on the fairways and greens pale in comparison to the heroics of the small, elite group of Americans who protect our country every day around the globe.

Becoming a member of the Armed Forces is a very impressive and important goal. I know I join other Members when I congratulate each of these young people on their commitment. Our communities and our country will be enriched by their service.

As they proceed with their military careers, each will carry the valuable self-knowledge and discipline that they have gained from their families and our community and use these traits to continue to serve.

It is my honor to bring these young people who have volunteered to serve our country in the Armed Forces and Our Northeast Florida Community Salutes program to the attention of the United States Congress and to invite Members to join me in extending our thanks and congratulations.

A TRIBUTE TO CINDY ROTH

HON. MARK TAKANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. TAKANO. Mr. Speaker, I rise today to honor Cindy Roth as she receives the Frank Miller Civic Achievement Award on May 9th in recognition of her leadership and service as President and CEO of the Greater Riverside Chamber of Commerce. Cindy Roth's extraor-

dinary dedication and service has greatly enriched our beloved community of Riverside.

Cindy began her service out of high school when she entered a work experience program with then-Senator Bob Presley. She later worked as a receptionist at the Greater Riverside Chamber of Commerce during her studies at Riverside Community College. When Cindy's mentor former President and Riverside City Councilman Art Pick passed away in 1999, Cindy was selected as President.

Under her leadership, the Greater Riverside Chamber of Commerce has expanded to become the third largest Chamber in Southern California, comprising 1,300 businesses, civic organizations, educational institutions and individuals. She has also reached out to women business owners and encouraged their involvement with the local community.

In addition to her work with the Chamber, Cindy is deeply involved with the Monday Morning Group of Western Riverside County, the Foundation Board of Trustees for La Sierra University, and the Honorary Commanders of March Field. Her dedication was honored in 2003 as she was named Woman of the Year by Assemblyman John Benoit.

Mr. Speaker, Cindy's talent and leadership exemplify the best of Riverside. Our community is a more prosperous place because of the commitment and dedication of Cindy Roth, and I congratulate her on this prestigious and well-deserved award.

ROYDA KIMBALL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to congratulate and applaud Royda Kimball on her retirement from the Colorado State Capitol.

Royda began her career in 1974 when she was hired by Comfort Shaw, the Secretary of the Senate. Her journey at the Colorado State Capitol would take her from a Telephone Messenger to Chief Assignable Clerk. She is beloved by all who had the fortune to work with her over the years.

Royda kept the wheels of government greased by keeping bills and amendments up to date and organizing elected officials so they could do a better job for the citizens of Colorado. She was nicknamed fondly the "Warden of the Senate." More importantly, Royda never let her own political beliefs get in the way. She treated both sides of the aisle with respect.

I had the good fortune to work with Royda Kimball during my time in the Colorado State Senate and I know she will be dearly missed. Once again, I congratulate Royda on her retirement. I have no doubt she will bring the same character, devotion and passion to all of her future endeavors.

A TRIBUTE TO COLIN LANGAN—
TEAMSTERS LOCAL 830 SCHOLARSHIP
AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Colin Langan, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Colin are able to make higher education possible.

Colin's father, Thomas Langan, works in the Delivery Department of Canada Dry. I greatly admire Colin's hard work at Central Bucks High School South and his aspirations to study pre-med. With his work ethic, I am sure Colin will achieve his dream of one day becoming an Orthopedic Doctor.

I ask that you and my other distinguished colleagues help me in honoring Colin Langan and his commitment to his community and studies that enabled him to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

RECOGNIZING MORRIS L. RASCOE

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to celebrate the retirement of Morris L. Rascoe, a devoted public servant who worked for 36 years in service to the First Congressional District of North Carolina.

A North Carolina native, Mr. Rascoe graduated from Bertie High School in 1973 and matriculated to North Carolina Agricultural and Technical (A&T) University in Greensboro, NC where he earned a Bachelor of Science in Social Work in 1977. Mr. Rascoe is also a proud member of Kappa Alpha Psi Fraternity, Inc.

Mr. Rascoe began his career in public service as a social worker within the Bertie County Department of Social Services. While there, he worked to improve the quality of life for families in his eastern North Carolina community. Mr. Rascoe's exemplary 10-year service helped promote him to the position of Director of the Department of Social Services. Remarkably, during his tenure at the helm Mr. Rascoe was also appointed as Assistant County Manager of Bertie County, a position which he held simultaneously while he led the Department of Social Services.

After nine years, Mr. Rascoe was promoted to interim County Manager. In this role, Mr. Rascoe continued to display exceptional character and due diligence. In 2012, the Bertie Board of Commissioners confirmed Mr. Rascoe as the County Manager.

As Secretary of the Choanoke Area Development Association Board, past Chair of the

Choanoke Public Transportation Authority Board, Commissioner of the State Personnel Commission Board, and Parliamentarian of the Workforce Development Board, Mr. Rascoe continues his commitment to the community. Mr. Rascoe was inducted into the North Carolina Community Actions Hall of Fame and was also named a NAACP Outstanding Citizen by the National Association for the Advancement of Colored People (NAACP).

Mr. Speaker, next month Mr. Rascoe will retire from public service. For 36 years, the people of North Carolina have been fortunate to call him a friend and ally. I am honored to congratulate Mr. Rascoe on his retirement, and ask my colleagues to join me in thanking him for his service to the people of North Carolina.

IN HONOR OF INDIANA GOVERNOR
OTIS "DOC" BOWEN

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. ROKITA. Mr. Speaker, I rise today to honor the life of former Indiana Governor Otis "Doc" Bowen, who passed away on the evening of Saturday, May 4, 2013.

I remember Doc Bowen as one of the first "former" public figures I met on the campaign trail, running for the third highest office in the Hoosier state, Indiana's Secretary of State, as a 30-year-old. In my mind, he always embraced my words when he was in the audience, although now I am sure that was just Doc trying to encourage one of the young guys in the party. He knew the struggles, not just of Indiana, but of Indiana Republicans, in particular.

While I was Secretary of State, he regularly dropped by my office when visiting the Statehouse, "to check on the young guy." I so greatly appreciated learning from him.

One of hardest conversations I have ever had in politics was with Governor Bowen. He was pitching a candidate for Governor and I had earlier decided to support a different man. Doc Bowen made it very difficult for me that day. He did it, not with threats and guilt trips that are all-too-often the norm in politics, but with honesty and class. It would be a high achievement in our politics today if those in the statehouse and Washington even pretended to emulate the ways of Doc Bowen. All in public life would do well to follow his example.

Doc Bowen was a model public servant who dedicated his life to serving Hoosiers, and our State is stronger because of it. I join Hoosiers from across the State in giving thanks for his life and his service.

TRIBUTE TO CINDY ROTH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose

dedication and contributions to the community of Riverside, California are exceptional. Riverside has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Cindy Roth is one of these individuals. On May 9, 2013, Cindy will be honored with the Frank Miller Civic Achievement Award for her service as the President and Chief Executive Officer of the Greater Riverside Chamber of Commerce.

Cindy's relationship with the Chamber began through a work experience program after working under then-Senator Bob Presley out of high school. She later worked for the Chamber as a receptionist while attending Riverside Community College. Soon, she was taken under the wing of the Chamber's former President and Riverside City Councilman, Art Pick. When Pick died in 1999, the selection committee selected Cindy as President.

Under Cindy's leadership, the Chamber has actively promoted and supported the community, fostered growth among its members and engaged federal, state and local representatives to become the third largest Chamber in southern California and the eighth largest in the state. It is currently composed of over 1,300 business enterprises, civic organizations, educational institutions and individuals. Following in the footsteps of her predecessor, she has also reached out to women business owners and encouraged them to get involved in the local economy.

Cindy's dedication is not only to local business, but also to the wider community. She serves with numerous organizations, including the Monday Morning Group of Western Riverside County, the Science and Technology Education Partnership, the Raincross Exchange Club, the Foundation Board of Trustees for La Sierra University, and the Honorary Commanders of March Field. She has received the 1996 Community Service Award from the Rotary Club of Arlington, the 2000 Athena of the Inland Valleys Award, and was previously honored as the 2003 Woman of the Year by Assemblyman John Benoit.

I have come to know Cindy well through many years working together on a variety of projects in Riverside, and it has been an honor to work with her on behalf of the community. I can personally attest to Cindy's incredible work-ethic, professionalism and positive attitude. Throughout her career, Cindy has been supported by her husband, California State Senator Gen. Richard Roth, USAF and her daughter, an alumnus of the University of California, Riverside.

In light of all Cindy has done for Riverside, the Mission Inn Foundation will honor her with the Frank Miller Civic Achievement Award at the historic Mission Inn in Riverside. Cindy's tireless passion for community service has contributed immensely to the betterment of Riverside County. She has been the heart and soul of many community organizations and events and I am proud to call her a fellow community member, American and friend. I know that many are grateful for her service and salute her as she receives this prestigious award.

HONORING CHANCELLOR ROBERT
J. BIRGENEAU

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of Dr. Robert J. Birgeneau as he steps down from nearly a decade of service to the University of California, Berkeley as chancellor. Chancellor Birgeneau's transformative leadership at UC Berkeley has added tremendously to its role as the world's premier public research and teaching university. Therefore, I join our community in celebrating the many ways in which his tenure has contributed to the success, insight, and well-being of countless people throughout the Bay Area and beyond.

Tasked with the challenge of guiding UC Berkeley through one of the most challenging financial periods in its 145-year history, Chancellor Birgeneau worked to ensure that the school's hallmark qualities of inclusion and excellence continued to thrive. His tenure oversaw a breadth of achievement, including three Nobel Prizes and the dream of financial aid for undocumented California students.

An internationally distinguished physicist who was the first in his family to graduate from high school, Chancellor Birgeneau was appointed as UC Berkeley's ninth chancellor in 2004. Since then, he has launched the largest fundraising campaign in UC Berkeley's history—raising more than \$2.4 billion to date. He helped create one of academia's first 10-year strategic plans for a Division of Equity & Inclusion and fostered multidisciplinary campus connections to work on pressing social issues, resulting in the Berkeley Energy and Climate Institute; the Energy Biosciences Institute; the Li Ka Shing Center for Biomedical and Health Sciences; and the Richard C. Blum Center for Developing Economies.

Additionally, Chancellor Birgeneau's tireless advocacy played a leadership role in the successful passage of the California DREAM Act. A vocal proponent for fair access to public higher education amidst difficult state funding cuts and rising tuition, Chancellor Birgeneau championed Pell Grants and put in place a groundbreaking financial aid plan for middle-income families. He also took up the cause of students who are former foster children, and upon winning the 2008 Academic Leadership Award from the Carnegie Corporation, gave \$50,000 of his prize to seed an endowment fund for UC Berkeley students from the foster care system.

Chancellor Birgeneau's numerous accolades and associations include the 2009 Pathfinders to Peace Prize from the Shinnyo-en Foundation, White House recognition, and being one of six academic leaders tapped by President Obama to create the national Advanced Manufacturing Partnership. His plan to remain at UC Berkeley to teach and conduct research is certainly welcome news. Chancellor Birgeneau's wise guidance, influence, and example has set the course for UC Berkeley's continued status as one of the world's most celebrated public institutions.

On behalf of the residents of California's 13th Congressional District, Dr. Robert J.

Birgeneau, I salute you for your outstanding service to higher education. I congratulate and thank you for your unparalleled legacy as a passionate and effective steward of the University of California, Berkeley. You have touched many lives in profound ways throughout your career, and we wish you and your loved ones continued success and happiness in this new chapter.

PEGGY HALDERMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to honor and applaud Peggy Halderman for receiving national recognition for her efforts to feed the hungry in Golden, Colorado.

April 5, 2013 the White House honored twelve Rotary International members from around the country as "Champions of Change." I am proud to say Peggy Halderman is one of the Rotarians to receive this honor.

When Peggy learned over more than nine hundred children participated in the Free/Reduced Lunch program in Golden area schools and did not have adequate food on weekends, she decided to do something. Collaborating with her Rotary club, the mayor and city council, the Backpack program was born. In its fifth year it has grown to feed over five hundred and twenty children every weekend of the school year. Peggy is currently expanding the program to provide food year round.

Peggy Halderman truly exemplifies the Rotary Club Motto of "Service above Self." Her outstanding dedication to our community's children will pay benefits to our citizens for years to come.

I extend my deepest congratulations to Peggy Halderman for this well deserved recognition from the White House. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

A TRIBUTE TO LINDSEY GIBBS—
TEAMSTERS LOCAL 830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Lindsey Gibbs, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Lindsey are able to make higher education possible.

Lindsey's father, Christopher Gibbs, works in the Operations Department of PBC in Philadelphia, Pennsylvania. I greatly admire Lindsey's hard work at Little Flower High School and her aspirations to study health ad-

ministration and pre-law. With her work ethic, I am sure Lindsey will achieve her dream of one day becoming a lawyer.

I ask that you and my other distinguished colleagues help me in honoring Lindsey Gibbs for her commitment to her community and studies that enabled her to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

ARMENIAN GENOCIDE

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, 98 years ago, the world suffered its first deliberate act of systematic mass murder of people of one culture by another. With this, the unspeakable horror of genocide was born.

The massacre and mistreatment of one and-a-half million Armenians in the final years of the Ottoman Empire shows the incredible depths of inhumanity that the human race can sink.

Out of this wretched episode of history, we, as human beings, have made a determined effort to move beyond hatred and to prevent similar tragedies from happening in the future.

We are morally obligated to learn from the lapses of the human soul that caused the Armenian Genocide. We are morally obligated to make sure that we do all that we can to protect all oppressed, vulnerable, and subjugated peoples.

I want to express my sympathy to the survivors and descendants of the Armenian Genocide. I hope we can all take time to reflect on this solemn day of remembrance.

As we commemorate this somber anniversary, it's also important that we recognize the resiliency of the Armenian people. Armenia has been a great champion of freedom and democracy. I expect our two nations will continue to build strong commercial ties and support peace and stability in the region.

I am proud to consistently co-sponsor resolutions affirming the U.S. record on the Armenian Genocide. Our policy should appropriately reflect understanding and sensitivity concerning issues related to the Armenian Genocide. This should be documented in the United States RECORD.

RECOGNIZING BROTHER RONALD
GALLAGHER

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, it is with great pleasure that I rise today to recognize Brother Ronald Gallagher, Fratres Scholarum Christianarum (F.S.C.), Ph.D., as he prepares to retire as President of St. Mary's College of California in Moraga and to commend him for his outstanding service to the St. Mary's students, faculty and to our community as a whole.

A Native Californian, Brother Ronald Gallagher spent his formative years in Santa Cruz and Bakersfield, and then joined the Christian Brothers after graduating from Mont La Salle High School in Napa. After graduating from Saint Mary's College in 1969 with a Bachelor of Arts in English, Brother Ronald received a Master of Arts in comparative literature from San Francisco State University and earned his doctorate in comparative literature from the University of Washington.

Prior to assuming the college presidency, Brother Ronald was a member of the English Department. His teaching specialties include 19th and 20th Century Anglo-Irish Literature, the modern novel, and the history and culture of Ireland. His passion for Irish literature began when he read James Joyce's "Ulysses" during his senior year at Saint Mary's. In recent years, he has led several groups of students on tours of the historical and cultural sites of Ireland.

From 1993 to 1997, Brother Ronald was Vice Chancellor of Bethlehem University, where he oversaw administration, development, finance and academics. As the leader of a Catholic university in the deeply divided Middle East, he responded to formidable challenges by forging strong regional and global support for the school. Enlisting the help of many countries, individuals, groups, international aid agencies and the Vatican, Brother Ronald was able to raise the funds necessary for Bethlehem University to fulfill its educational mission among the economically disadvantaged Palestinian community.

In his role as Secretary General of the Brothers of the Christian Schools in Rome from 1997 to 2001, Brother Ronald organized the 43rd General Chapter, an international assembly that produced a seven-year global strategic plan for Lasallian educators.

Brother Ronald Gallagher, F.S.C., Ph.D., became the 28th President of Saint Mary's College of California on Jan. 2, 2005. A seasoned educator, he is deeply devoted to the College's Catholic, Lasallian and liberal arts traditions and is committed to promoting the values of those traditions among students, faculty, staff and friends of Saint Mary's.

In addition to leading St. Mary's College, Brother Ronald has served as President of the International Association of Lasallian Universities, as a member of the Executive Committee of the Association of Independent Catholic Colleges and Universities (AICCU), a member of the Board of Directors for the Association of Catholic Colleges and Universities (ACCU), on the Executive Board of Directors of the International Federation of Catholic Universities (IFCU), and he is the Chair of the West Coast Conference (WCC) President's Council. Throughout his career, Brother Ronald has also been a strong supporter of intercollegiate and recreational athletics at Saint Mary's College.

Mr. Speaker, I invite this chamber to join me in recognizing Brother Ronald for his devoted service to Saint Mary's College of California and thank him for his unparalleled contribution to higher education. I am pleased to join Brother Ronald's family, friends, and colleagues in congratulating him on his outstanding accomplishments during his long and highly successful career. I wish him a healthy

and happy retirement and the very best in all his future endeavors.

COMMEMORATION OF THE DESIGNATION OF THE SAN FRANCISCO BAY/ESTUARY AS A WETLANDS OF INTERNATIONAL IMPORTANCE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today with my colleagues Leader PELOSI and Representatives ESHOO, GARAMENDI, HONDA, HUFFMAN, LEE, MCNERNEY, GEORGE MILLER, SPEIER, and SWALWELL to commemorate the designation of the San Francisco Bay/Estuary as a Wetland of International Importance on February 2, 2013 by the Convention on Wetlands, also known as the "Ramsar Convention".

The Ramsar Convention is an international treaty adopted in 1971 and signed by the United States in 1987. This treaty provides a voluntary framework for national action and international cooperation for the conservation and wise use of wetlands, their resources, biodiversity, and ecosystem services. Ramsar Wetlands of International Importance benefit from increased conservation status and recognition, and are part of an international conservation network that encompasses flyways and other migratory routes.

The San Francisco Bay/Estuary is the largest estuary on the Pacific Coast of the United States, encompassing approximately 1,600 square miles and is critically ecologically important, accounting for 77 percent of California's remaining perennial estuarine wetlands. It also provides for a host of social and economic values through ports and industry, agriculture, fisheries, archeological and cultural sites, recreation, and research. Unfortunately, the San Francisco Bay/Estuary today faces numerous threats and challenges from invasive species, development, pollution, sediment shortfalls, disease, disturbance to wildlife, and climate change.

The San Francisco Bay/Estuary has broad support for its conservation and restoration from a large number of federal, state, public, private organizations, and citizens who act to conserve its values. Their conservation efforts continue to pioneer strategies that are modeled, adapted, and adopted by others across the nation and beyond.

The San Francisco Bay/Estuary met or exceeded all nine Ramsar criteria on multiple counts, which refer to biodiversity measures and the presence of rare or unique wetland types, and has undoubtedly earned the global distinction of a dedicated Ramsar Wetland of International Importance:

Mr. Speaker, we ask our colleagues to join us in commemorating the designation of the San Francisco Bay/Estuary as an official Ramsar Wetland of International Importance, pay tribute to the dedicated stewards and activists who have worked to preserve this unique ecosystem, and support critical efforts to ensure the health and protection of the San Francisco Bay/Estuary.

DAVID MYERS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud David Myers for being honored by the Jefferson Center for Mental Health for his outstanding service to our community.

David is President and CEO of Metro Community Provider Network. MCPN is a nonprofit healthcare organization providing medical, dental, mental health, substance abuse, pharmacy and community based services to the underserved, uninsured and working families who cannot afford these services. Under David's leadership in fiscal year 2012, MCPN provided healthcare services to nearly 39,000 individuals.

David's dedication to healthcare for all is evident by his pivotal role in health insurance reform. He was one of the on the ground drivers, paving the roads ahead for the health care community. David navigates the complex issues surrounding healthcare with his dedication to partnerships and collaborations. The patients at Metro Community Provider Network are recipients of the fruits of his labor of love every day.

I am honored to congratulate David Myers on receiving this recognition from the Jefferson Center for Mental Health. I have no doubt David will exhibit the same dedication, passion and vision to all his future endeavors.

A TRIBUTE TO GABRIELLE BAMBERSKI—TEAMSTERS LOCAL 830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Gabrielle Bamberski, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million dollars to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Gabrielle are able to make higher education possible.

Gabrielle's father, Joseph Bamberski, works in the Delivery Department of Canada Dry. I greatly admire Gabrielle's hard work at Archbishop Ryan High School and her aspirations to study forensic psychology. With her work ethic, I am sure Gabrielle will be successful in whatever career she chooses.

I ask that you and my other distinguished colleagues help me in honoring Gabrielle Bamberski and her commitment to her community and studies that enabled her to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

HONORING LAUREL SAYER, OF IDAHO, FOR HER DISTINGUISHED SERVICE TO THE PEOPLE OF IDAHO

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. SIMPSON. Mr. Speaker, I rise today to pay tribute to Laurel Sayer, a member of my staff and one of the finest public servants I have ever met. While I am happy for Laurel that her long career as a Congressional staffer has culminated with her well-earned retirement from this body, I am equally concerned by the hole her absence will leave in my office and the challenge my remaining staff faces in filling the void.

Laurel began her service in my office not long after my election to Congress in 1998. She had served with then-Congressman Mike Crapo for several years and I consider my successful effort to lure her away from his office one of my earliest, and finest, achievements.

For the last 14 years, Laurel has been the anchor of my staff in eastern Idaho where she led my outreach efforts regarding natural resources, arts, and conservation issues. She was also my lead staffer on issues related to the Idaho National Laboratory and its talented workforce. Her compassion, insight, knowledge, and reliability were often critical to my constituents dealing with the peaks and valleys of the federal government's support for nuclear energy and the work of the laboratory.

In a district that spans almost two dozen counties and roughly half of the State of Idaho, you spend a lot of time driving back roads, visiting small communities, talking politics in farmer's fields, and marveling at the stunning geography of the American West. Laurel has always been the best traveling companion a Congressman could ask for on those long trips across the state.

We've been backpacking and fishing in the Boulder-White Coulds. We've worked together to open a wheel-chair accessible trail in central Idaho and to assist Custer County in their economic development needs.

Laurel is a great advocate for the arts, and will remain so in her life after Congress. A few years ago we visited Idaho's rural communities with National Endowment for the Arts Chairman Rocco Landesman and watched Idaho's Shakespeare Festival share its talents with schoolchildren. Laurel and I have spent many hours in book stores large and small and have been in perpetual pursuit of the best chicken fried steak in Idaho. And we think we found it in Salmon, Idaho.

Laurel and I have shared a lot of laughs, many successes, a few failures, and a tremendous friendship over the past 14 years. Laurel has been loyal, fair, honest, and dependable. She has provided wise counsel, constructive criticism, and the not-so-subtle nudges those of us who work in this body need from time-to-time. She has been a fierce advocate for my priorities but the source of measured advice when things didn't go our way. In short, she has been a valued adviser, supporter, and friend for as long as I have been in Congress. What more could any of us ask of our staff?

Laurel's presence in the office and in the communities of eastern Idaho will be deeply missed by me and by everyone who works in my office. While we are going to miss her, we are comforted by the fact that she vows to remain in the Boise area and visit us often. We're going to lean on her frequently for the same advice, constructive criticism, and gentle nudges she always offered and hope to see her regularly on the trail, in the museum, or at a play.

In closing, I would simply like to thank Laurel for her hard work, her tenacity, her good counsel, and most of all, her friendship.

HONORING MARYE L. THOMAS,
M.D.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of Dr. Marye L. Thomas as she retires from over 30 years of dedicated public service, including the last two decades as the Director of Behavioral Health Care Services for Alameda County. I join our community in celebrating the many ways in which her life's work has contributed to the success and well-being of countless people throughout the Bay Area and beyond.

Marye L. Thomas, M.D. graduated from Fisk University in Nashville, Tennessee, with a Bachelor of Arts degree in 1965, and went on to earn her medical degree from Meharry Medical College in 1969. Upon completion of her residency at the University of California San Francisco Medical Center in 1973, Dr. Thomas accepted a position with John Hale Mental Health Services as a Senior Staff Psychiatrist. She directed a clinical team and was responsible for intake assessment, crisis intervention, individual therapy, and coordination of treatment for acute inpatients and chronically ill patients in day treatment and community care. She was promoted to the position of Assistant Director of Clinical Services in 1977. During this same year, Dr. Thomas was named in Who's Who Among Black Americans.

Her career with Alameda County began in 1978 when she accepted a position as Chief of Clinical Services for the East Oakland Community Mental Health Center. There, she was responsible for the clinical direction of the adult outpatient component of the NIMH Center with direct supervision of clinical teams, policy development and planning, and community relations. After rising through the ranks, Dr. Thomas was selected to be Director of Behavioral Health Care Services (BHCS) for Alameda County in 1994.

In this vital leadership role, Dr. Thomas led the department responsible for the delivery of all publicly funded mental health, alcohol, and other drug services in the County. She oversaw a budget of \$260 million, as well as more than 3000 employees in County and community based organizations who delivered services to nearly 30,000 people each year. During her tenure, the behavioral health service system evolved from a \$58 million county

operated mental health service to a more comprehensive behavioral health care system comprising nearly \$300 million. The growth spearheaded by Dr. Thomas includes a vastly expanded resource base for children's services, the increased capacity to offer alcohol and drug services, and the opening of numerous behavioral health facilities.

With more than 20 years' experience as the physician/administrator for BHCS, Dr. Thomas has ensured the provision of high-quality services and the administration of federal, state, and local programs. Among her many accolades and professional associations, Dr. Thomas is the recipient of the 1994 Alameda County Mental Health Association Achievement Award and holds leadership positions in many community organizations.

Furthermore, as a former psychiatric social worker and founder of a mental health clinic, I've known Marye for over 35 years. She has inspired me as a fellow social worker and, for that, I am deeply grateful.

On behalf of the residents of California's 13th Congressional District, Dr. Marye L. Thomas, I salute you for three decades of outstanding service creating a more integrated, culturally competent, and empowering system of behavioral health care in Alameda County. I congratulate and thank you for your unparalleled service to our community. You have touched many lives in profound ways throughout your career, and we wish you and your loved ones continued happiness and prosperity in this exciting new chapter of life.

CELEBRATING OLDER AMERICANS
MONTH

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BUCHANAN. Mr. Speaker, I rise today in celebration of Older Americans Month.

Every year since 1963, May has been a month to honor older Americans and highlight the value that senior citizens contribute to our communities.

Recent medical advancements are helping Americans live longer, healthier, happier lives. Those older Americans have a wealth of wisdom, energy and experience from which our communities can benefit.

The theme for Older Americans Month 2013 is "Unleash the Power of Age."

In my congressional district, the Jefferson Center, a Sarasota, Florida, non-profit that provides housing to senior citizens with low to moderate income, is celebrating Older Americans Month with a variety of special events to recognize the achievements of their residents and encourage them to continue to share their knowledge with their family, friends, and neighbors.

I appreciate this opportunity to recognize the accomplishments of older Americans in Florida's 16th District and applaud the Jefferson Center for their efforts to enhance the quality of life of their residents and encourage them to share their lifetime of experience with those around them.

RECOGNIZING FORMER SECOND
GRADE TEACHER, MRS. NINFA
TREVINO PEÑA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. CUELLAR. Mr. Speaker, I rise today to recognize former Second Grade Teacher, Mrs. Ninfa Treviño Peña, in honor of her contributions to the South Texas region. On May 8, 2013, Mrs. Peña celebrates her 100th birthday and a lifetime of achievements as an educator.

Mrs. Peña was born May 8, 1913, to father Manuel and mother Procora Izaguirre Treviño. The youngest of five sisters, Ninfa attended Texas A&I University in Kingsville, Texas where she earned her degree in Education. Upon receiving her degree she began her career as an educator. Throughout her career, Mrs. Peña became known for her work as a second grade teacher at Our Lady of Guadalupe Catholic School and her dedication to assisting students with special needs.

In 1937, Ninfa married Ernesto Peña Flores of Mission, Texas; and in 1987, the couple celebrated their 50th wedding anniversary alongside their friends and family. Though Mr. Peña Flores has passed, Mrs. Peña continues to be a great influence in promoting strong family values. Reaching three generations, the Peña family has been honored as one of the original pioneer families of Mission, Texas. She has witnessed the lives of her six children, twelve grandchildren, and eleven great-grandchildren. Mrs. Peña continues to live in Mission and remains a passionate supporter of education.

Mr. Speaker, I am honored to have had the opportunity to recognize the remarkable life of Mrs. Ninfa Treviño Peña and her 100th birthday celebration. Thank you.

A MASTER'S HANDS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Michelle and Jim Bartlett and their company, A Master's Hands, for receiving the Golden Rotary Ethics in Business award.

A Master's Hands adheres to high standards of business ethics and employs ethical behavior as a philosophy in daily business.

Co-founder Jim Bartlett is the principal source behind this philosophy and serves as a role model for the employee's at A Master's Hands. Leading by example from the top is demonstrated through commitment to hard work and excellence in everything they do.

Giving back to the community is something Michelle and Jim strive to achieve. Working with Jeffco Workforce Center and Jefferson County Human Services, A Master's Hands offers job skills trainings to help individuals find employment. The company has been known to do pro bono work for families and provide

discounts to others who needed their help, all of which has made a lasting impact in the neighborhoods in which they work.

I am honored to congratulate Michelle and Jim Bartlett and A Master's Hands for their commitment to outstanding ethics in business and receiving this very deserved award.

HONORING COACH PAUL PATTERSON ON THE OCCASION OF HIS RETIREMENT

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to pay tribute to Coach Paul Patterson on the occasion of his retirement. Coach Patterson has led the Taylor University Men's Basketball team for an incredible 34 years. In that time, he's recorded 734 victories and an astonishing 28 winning seasons.

As he finishes his illustrious career, Coach Patterson is ranked eleventh all-time among men's collegiate basketball coaches in wins, and has won more games than any other collegiate head coach in Indiana's history. Given the Hoosier state's tremendous basketball legacy, Coach Patterson's accomplishment is all the more impressive.

Coach Patterson has not only won games, but also helped form young men who are champions both on and off of the court. He has been recognized as the Coach-of-the-Year twelve times, and 24 of his players have been named to the prestigious NAIA All-American team. This outstanding accomplishment is a reflection of the quality and character of Coach Patterson's players as well as his exceptional talent as a coach and mentor. As the daughter of a high school football coach, I understand the time commitment and personal sacrifices required to lead young athletes to victory, and applaud Coach Patterson's years of leadership.

On behalf of the constituents of the Fifth Congressional District, I congratulate Coach Patterson on the occasion of his retirement. Thank you, Coach, for your 34 years of dedicated leadership with Taylor University. Best wishes to you as you pursue new challenges in the many bright years ahead of you.

A TRIBUTE TO JACQUELYN BAMBERSKI—TEAMSTERS LOCAL 830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Jacquelyn Bamberski, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million dollars to talented young adults throughout our community. Because of the hard work of the members of

Teamsters Local 830 and the employers of these members, students like Jacquelyn are able to make higher education possible.

Jacquelyn's father, Joseph Bamberski, works in the Delivery Department of Canada Dry. I greatly admire Jacquelyn's hard work at Archbishop Ryan High School and her aspirations to study biology. With her work ethic, I am sure Jacquelyn will achieve her dream of getting her Physical Therapy Doctorate.

I ask that you and my other distinguished colleagues help me in honoring Jacquelyn Bamberski and her commitment to her community and studies that enabled her to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. SMITH of Washington. Mr. Speaker, on Friday, April 26, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted "yes" on rollcall vote No. 125 (on the motion to suspend the rules and pass H.R. 1765); "no" on rollcall vote No. 126 (on agreeing to the Dent Amendment Number 2 to H.R. 527); "yes" on rollcall vote No. 127 (on the motion to recommit H.R. 527 with instructions); and "yes" on rollcall vote No. 128 (on passage of H.R. 527).

HONORING MAUDELLA SHIREK

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary life of the Honorable Maudelle Shirek, former City of Berkeley vice mayor and eight-term council member. Known throughout our community as the "godmother of East Bay progressive politics," and the "conscience of the Council," Ms. Shirek has left an indelible mark. With her passing on April 11, 2013, we look to the outstanding quality of her life's work and the inspiring role she played in shaping social change here in the East Bay and throughout the world.

Born on June 18, 1911 Maudelle Miller was raised on a farm in Jefferson, Arkansas. The granddaughter of slaves, she was fundamentally passionate about challenging injustice and championing civil rights. After moving to Berkeley in the 1940s, she became active in fighting for the anti-war movement, the integration of the military, and fair housing. She married political activist Brownlee Shirek in the mid-1960s.

Renowned for her powerful voice and contagious energy, Ms. Shirek broke racial barriers and flexed her leadership at the Berkeley Consumers Co-op Credit Union to secure loans for low-income borrowers and people of color. She fought on behalf of unions, helped organize the Free Mandela Movement, and

advocated for HIV/AIDS awareness. She was also the first elected official in the United States to advocate for needle-exchange programs, and was not afraid to chain herself to a building or be hand-cuffed in the name of activism.

During her long tenure as a council member, Berkeley became the first city to divest in companies doing business with South Africa during Apartheid and the first city to provide domestic benefits to same sex partners. She was instrumental in creating multiple city commissions, including the Berkeley Commission on Labor. When she retired at 92, Councilmember Shirek was the oldest elected official in California at the time and, in 2007, the Berkeley City Council renamed City Hall in her honor.

Above all, Maudelle Shirek was a consummate advocate for the poor, often visiting families in crisis or offering food and household assistance to ailing seniors. Additionally, her advocacy on behalf of youth music programs helped raise crucial public funding to support arts programs for children and older adults.

On a personal note, Maudelle was a friend, mentor, and confidante. I met her in the early 1970s while I was a student at Mills College. She widened my perspective on global politics during our travels around the world including Vienna, Prague, Cuba, and the former Czechoslovakia. She reinforced the idea that we are all part of a global family and that what happens here in the United States affects our brothers and sisters in other parts of the world and vice versa. Moreover, her wise guidance as a lifelong health aficionado helped educate seniors and the entire community regarding the benefits of healthy living and natural remedies. She loved shopping for fresh fruits and vegetables and you would often find her cooking nutritious meals at the West Berkeley Senior Center and New Light Senior Center, which she helped found.

Maudelle was also a woman of great faith whose passion for service and justice was driven by a commitment to what she called, "doing the Lord's work on earth." We enjoyed attending the Church for Today together during the 1970s, and I will never forget the day she introduced me to the late Rev. Dr. W. Hazaiah Williams. The impact that they both had on my life is profound. I will also never forget how Maudelle traveled all the way to Washington, DC to look out for me and offer her support after my lone vote back in 2001.

Today, California's 13th Congressional District salutes and honors an outstanding individual and a stalwart community leader, the Honorable Maudelle Shirek. Her bold legacy of service, spanning over seven decades, will continue to inspire many to speak for the voiceless and to stand up for justice across the globe. I join all of Maudelle's loved ones in celebrating her incredible life and her love of humanity. Her warm and beautiful smile will continue to smile down on us. She will be deeply missed.

IN TRIBUTE TO DR. GRACE JONES

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor Dr. Grace Jones on her retirement as President of Three Rivers Community College in Norwich, Connecticut. Dr. Jones' exemplary work and dedication to eastern Connecticut's students and her community has contributed greatly to the educational development of our region.

Dr. Jones began her career as a high school physical education and science instructor in Chicago, Illinois. She advanced to higher education in the 1970s, continuing her career as a teacher at Berkshire Community College in Pittsfield, Massachusetts. During her decade of service at Berkshire, she served as a member of the faculty, coordinator of the recreational leadership program, coordinator of student activities, and director of personnel services. Her gifts for university leadership took her to new heights in 1990 when she was named tenured professor and Vice President for Multicultural Affairs at SUNY Oneonta. Soon afterward, Dr. Jones became president of College of Eastern Utah in Price, Utah, before being named President of Three Rivers Community College in 2001.

As President, Dr. Jones balanced her extensive administrative duties with a commitment to remaining visible to her students across campus. A key initiative for Dr. Jones was designing open spaces on campus for students to congregate. She was instrumental in securing funding and overseeing the construction and renovation for the college's new campus. Dr. Jones has also sought to contribute to the region's workforce by continuing to administer professional programs, including those for nursing, manufacturing technology, and hospital management. This ground breaking work—tying Three Rivers curricula to the region's workforce needs—is a model that has been embraced in Washington, D.C. and all across the country as a solution to filling the "skills gap" that has hindered economic growth. Under Dr. Jones's presidency, enrollment at the college has grown to 5,150 full and part-time students and an additional 2,000 non-credit enrollees.

A distinguished member of the educational community, Dr. Jones has been recognized by numerous outlets for her extensive achievements. In 2009, she received the Palmer Davies award from the United Community and Family Services of Connecticut, honoring her commitment to fostering an environment of community spirit and understanding. During that year, Dr. Jones was also recognized by the Connecticut State Conference of the NAACP. In 2012, Dr. Jones was named 62nd Citizen of the Year by the Eastern Connecticut Chamber of Commerce.

Dr. Grace Jones's contributions as an educator, administrator, and community leader have encouraged generations of students to attain high levels of achievement and contribute to their communities and the economy in a positive way. Across the United States and here in eastern Connecticut, countless

students have benefited from Grace's hard work and dedication to her craft. I ask my colleagues to join me in honoring the career of Dr. Grace Jones.

THE OCCASION OF THE TWENTY-SIXTH ANNUAL CAREER DAY OF THE PONTIAC ROTARY CLUB

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PETERS of Michigan. Mr. Speaker, as a former Rotarian, I rise today to recognize the Pontiac Rotary Club as it hosts its twenty-sixth annual Career Day for youth in Pontiac, Michigan.

Founded in 1922, the Pontiac Rotary Club has been serving the residents of the Greater Pontiac community for over nine decades. The core of its mission over the last ninety years has been to undertake endeavors that nurture and support the development of youth in the Pontiac community. In fulfillment of its mission, the Club has engaged a broad array of community stakeholders in public, private and non-profit organizations to create programs that provide youth with experiences that empower them to control their future.

One of Pontiac Rotary Club's biggest annual programs, Career Day, provides middle school students in Pontiac a hands on opportunity to learn more about the career fields that pique their interests. This year, as part of Career Day, one-hundred students will have spent the morning of Thursday, May 2, shadowing professionals in their daily work routine. This experience provides the youth of Pontiac an opportunity to gain first-hand knowledge that will shape their development into active adult members of their community.

Furthermore, on the same day as Career Day, the Pontiac Rotary will host its annual Scholarship Luncheon for high school students. During this luncheon, several high school students will have been recognized for their outstanding achievements and awarded a scholarship that will help them in their journey to seek higher education.

The programs of Career Day are just a couple of examples of the types of programming provided by the Pontiac Rotary Club. In addition, to Career Day and the Scholarship Luncheon, the Club runs a Student of the Month program for students in Pontiac schools which recognizes youth for outstanding achievements.

With an eye in their community and beyond, the members of the Pontiac Rotary Club have also supported the Rotary International's program to cure Polio around the world and taken up initiatives that support clean water projects. Recently, the Pontiac Rotary has partnered with a sister club in Ecuador to implement a bio-sand water filter project that will provide cleaner water to that region.

Mr. Speaker, I congratulate the members of the Pontiac Rotary Club on occasion of its twenty-sixth annual Career Day and applaud the tremendous impact their work has had both in the Greater Pontiac community and in other communities around the world.

RITA SCHNIDT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Rita Schnidt for being honored by the Jefferson Center for Mental Health for her decades of outstanding service to our community.

Rita is a long time resident of Jefferson County and is a tireless and energetic volunteer for the Jefferson Center for Mental Health. She is a former Jefferson Center Board member and chair of the Jefferson Mental Health Foundation. Her other accomplishments are numerous. Jeanne Oliver states "Combining her political savvy with her commitment to grass roots-level change, Rita remains a staunch advocate for battered women, low-income housing, those struggling with mental illness and alcoholism, and others who don't have any other voice." Her friends describe her as "a force of nature", "the lady who knows how to get things done", "a dynamo of action!" and "always there when people need her."

I am honored to congratulate Rita Schnidt on receiving this well deserved recognition from the Jefferson Center for Mental Health. I have no doubt she will exhibit the same passion, dedication and character in all her future endeavors.

A TRIBUTE TO TAYLOR DONIA—LOUIS P. MATTUCCI MEMORIAL SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Taylor Donia, the 2013 award recipient of the Louis P. Mattucci Memorial Scholarship. Over the past 37 years, the Teamsters Local 830 Scholarship fund has awarded scholarships totaling over \$2.7 million dollars to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Taylor are able to make higher education possible.

Taylor's father, Joseph Donia, is a truck driver for American B & D. I greatly admire Taylor's hard work at Seneca High School. With her work ethic, I am sure Taylor will achieve her dream of one day becoming a Physician's Assistant.

I ask that you and my other distinguished colleagues help me in honoring Taylor Donia and her commitment to her community and studies that enabled her to become the 2013 award recipient of the Louis P. Mattucci Memorial Scholarship.

JOINT SESSION OF CONGRESS RECEIVING THE HONORABLE PARK GEUN HYE, PRESIDENT OF THE REPUBLIC OF KOREA

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. POE of Texas. Mr. Speaker, a few weeks ago, Congressman ISRAEL and I asked Speaker BOEHNER to invite President Park Geun Hye ("Gun Hay"), South Korea's first female president, to address a Joint Session of Congress.

Tomorrow, we officially welcome her here in this Chamber.

Her visit is important to both of our nations, but also to my district in Texas where a vibrant and engaged Korean American community lives in Spring Branch and Houston.

In stark contrast to its neighbor to the North led by media-hungry dictator, Junior,—South Korea shines as a beacon democracy and freedom.

S. Korea is also an important trading partner—America's 7th largest—and with the implementation of our Free Trade Agreement, our trade relations will only get better.

Tomorrow, we celebrate our friendship and partnership, or as President Park recently said: "the most successful alliance in history."

I couldn't agree more.

America is here to help South Korea, as they are here to help us.

That's what friends do for each other.

And that's just the way it is.

HONORING DR. J. HERMAN BLAKE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of Dr. J. Herman Blake as we celebrate over forty five years of his contributions to higher education. Dr. Blake continues to be a celebrated educator, and we join together in praise of his remarkable academic and cultural contributions to the Bay Area, California, and our great nation.

Born John Herman Blake in Mount Vernon, New York on March 15, 1934, Dr. Blake grew up with six siblings and was raised by a single mother, Lylace E. Blake. Dr. Blake served in the U.S. Army during the Korean War, and furthered his education with the assistance of the G.I. Bill by graduating from New York University with a B.A. degree in sociology. Dr. Blake went on to receive his M.A. degree and his Ph.D. in sociology from the University of California, Berkeley.

Dr. Blake's exemplary academic career has spanned over four decades as a professor, scholar and administrator at a wide array of institutions. He served an eighteen year tenure at the University of California, Santa Cruz (UCSC) where he became the first African American on faculty as the Assistant Professor of Sociology. Dr. Blake also served as the

founding Provost of Oakes College at UCSC. Following his tenure at UCSC, Dr. Blake went on to serve as President of Tougaloo College in Mississippi.

He has also held positions at Swarthmore College in Pennsylvania, Mills College in Oakland, California, served as the Vice Chancellor at Indiana University Purdue University Indianapolis, and served as the Director of African American Studies at Iowa State University. Dr. Blake retired from Iowa State University as Professor of Sociology-Emeritus and served most recently as Scholar in Residence and founding Director of the Sea Islands at the University of South Carolina, Beaufort. Currently, Dr. Blake is the Inaugural Humanities Scholar in Residence at the Medical University of South Carolina, Charleston.

Throughout his prolific career, Dr. Blake has focused on academic achievement of students from minority and/or low-wealth communities. His important work not only focuses on maximizing student achievement and closing disparate learning gaps between our young people, but also focuses on Gullah communities in South Carolina and Black militants in urban communities.

Dr. Blake has earned myriad accolades, including Iowa Professor of the Year by the Carnegie Foundation for the Advancement of Education and the Council for the Advancement and Support of Education. He has been awarded six honorary degrees and two presidential medals.

As a student at Mills College, I had the privilege to benefit from Dr. Blake's amazing intellect. Also, I worked with him as a researcher for his book, the autobiography of Huey P. Newton, Revolutionary Suicide. He taught me how to conduct and present thorough research and to this day, these skills I learned under Dr. Blake's tutelage have benefitted my work tremendously. Dr. Blake took me under his wings and encouraged me to study hard. He saw something in me that I did not see. He was patient and kind but he was determined to push my intellect and help me understand I could achieve the American dream regardless of the difficulties I faced as a young single mother on public assistance. For that, I am forever grateful.

Therefore, on behalf of California's 13th Congressional District, Dr. J. Herman Blake, I salute you. You have touched countless lives in profound ways throughout your career, and we wish you continued success and happiness. Thank you for your continued work, and best wishes to you and your loved ones in the years to come.

HONORING TED WELCH

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mrs. BLACKBURN. Mr. Speaker, there are citizens making up this great country who never cease in offering themselves to their communities while improving the quality of our lives. I rise today to celebrate the time, talents, and treasures of Ted Welch as he retires from decades of active philanthropy.

Ted Welch grew up in a one-room schoolhouse in Decatur County, Tennessee. He joined Southwestern Publishing Company as a student salesman and manager in 1953. During his tenure there, he served as Executive Vice President, a member of the Board of Directors, and a member of the Executive Committee. Working for Southwestern, selling books door-to-door, Ted exemplified the true value of hard work. Thankfully, that service did not stop with his tenure at Southwestern, nor after building a real estate empire. Ted served as a Deacon and Elder at Vice Street Christian Church, former board member of Lexington Theological Seminary, and as a part of the foundation of the Schermerhorn Symphony Center.

Ted Welch has spent his life's work following his passions. As he worked to shape the direction of the country, he labored to shape the direction of the next generation of community leaders. Whether by selling Bibles or actively participating in democracy, it is no simple statement that more have encountered truth and freedom due to Ted Welch's work. I ask my colleagues to join me in celebrating all Ted Welch has offered to the great state of Tennessee and our beloved country. We join with his wife, his children, and his grandchildren in offering our deepest gratitude for his life's work.

PHYLLIS REYNOLDS-HEBB

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Phyllis Reynolds Hebb for her commitment to early childhood education.

Phyllis's story begins when she enrolled her daughter in New Child Montessori School in Arvada and realized the potential of the Montessori Method. She resigned from her job at the United States Geological Survey and went to work at the Montessori school.

In 1983, the opportunity to purchase the New Child Montessori School presented itself. Phyllis bought the school, renamed it Cornerstone Montessori School and eventually moved the school to the Applewood area. In January of 1997, Phyllis purchased the property at 15970 West 50th Avenue and renovations to the buildings began. Cornerstone Montessori School moved to its current location at the end of May 1997.

Phyllis continued growing the school and extending into the community with a Toddler Program in 2004 and expanded the Spanish Language Program in 2005. Cornerstone Montessori School currently provides dual language Montessori classrooms for preschool and kindergarten aged children. Cornerstone has come full circle with three people on staff who attended Cornerstone as preschoolers and several students who are children of former preschoolers and kindergartners.

I extend my deepest congratulations to Phyllis Reynolds Hebb for thirty years of providing early childhood education to our future leaders. I have no doubt Phyllis will continue

to provide adventure, learning and fun to all of her students.

WELCOMING THE NINTH HONOR FLIGHT SOUTH ALABAMA TO WASHINGTON, DC

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BONNER. Mr. Speaker, it is with great pride that I recognize Honor Flight South Alabama and the World War II veterans this very special organization is bringing on its ninth and final flight to Washington, DC, on May 8, 2013. I am honored to insert this tribute in the RECORD on the anniversary of the unconditional surrender of Germany to the allies.

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from southwest Alabama to see their national memorial.

Nearly seven decades have passed since the end of World War II and, regrettably, it took nearly this long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. Armed Forces and the more than 400,000 who died. Sadly, many veterans did not live long enough to hear their country say "thank you," yet for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

This final Honor Flight begins at dawn when the veterans will gather at historic Fort Whiting in Mobile and travel to Mobile Regional Airport to board a chartered flight to Washington. During their time in their nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

The veterans will return to Mobile Regional Airport that evening, where some 1,000 people are expected to greet them.

Mr. Speaker, the May 8, 2013, journey of heroes from South Alabama is an appropriate time for us to pause and thank them—and all of the soldiers who fought in World War II. They collectively—and literally—saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedoms we enjoy.

I salute each of the veterans who made the trip to Washington. May we never forget their valiant deeds and tremendous sacrifices:

Bill Addis; Bill Audrain; George Baker; Joe Befay; Benny Bender; Jerry Bernhardt; Bill Bidez; K.E. Bray; Tommy Breedlove; Bern Brunegruff; George Bryan; Don Burch; Bob Campbell, Sr.; Homer F. Campbell, Sr.; Regie Carpentier; Giles Chapman, Jr.; Ted Christakos; Ed Clapper; John Coleman; Frank Coleman.

Bill Collins, Sr.; Emmett Cox; Jack Davis; John Dodd; Wyman Dupuis; Harry Ellegood; Bill Evers; Bob Ewer; Wes Ferrill; James Forte; William Fountain; Aubrey Fulford; Norm Garlotte; Joe Godwin; Red Guy; Sid Hamilton;

John Hampton; Dean Hansen; J.C. Harris, Jr.; Vida Hartfield.

Dick Havron; Robert Hedgepeth; Morris Helms; Dorsey Henderson; Jim Hill; E.R. Holt; L.V. Horne; Dixie Howell; Joe Jones; Joseph Jones; Leon Jones; John Kane; Hilda Kay; Kuhlke Kuhlmann; Will Lambert, Sr.; Herb Law, Jr.; Bo Lewis, Jr.; John Littlepage; Edward Mahon; Ken Main.

Bob Maley; L.C. Malone; Fred Mason; Wild Bill Mathers, Sr.; Duke McCall; Chuck McDonald; Albert McFadden; John C. McFerrin; Nute McLain; Ralph McLaney; Bob McLeod; Mac McRae; Caylop Minchew; Sparks Morris; Maurice Neely; Don Nelson; Lewis Nichols; Jack Nolan, Sr.; Dick Nolte, Sr.; Don Palmer.

Gene Passmore; Bill Phillips; William Rentz; Win Ritchie; Don Roberts; Porter Roberts, Jr.; Jerry Ryals; Tom Shackelford; Herman Shaddix; Terry Shiver; Gene Sorik; Capt. Les Stinson; Steve Thames; Howard Walker, Jr.; Willie Wilson; Doc Wise; Dutch Yon; Marion Yonge; and Robert Johnson, Jr.

A TRIBUTE TO DUPONT PIONEER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate DuPont Pioneer, based in Johnston, Iowa, for being named a winner of the 2013 Patents for Humanity pilot program by the United States Patent and Trademark Office (USPTO). The Patents for Humanity competition awards patent owners and licensees who address the world's most daunting humanitarian challenges in innovative ways.

DuPont Pioneer was selected for this prestigious award for its collaborative research and work to increase the nutritional value of sorghum for a growing African population that relies on the food crop as a dietary staple. While affordable and easy to grow in dry, fragile environments, sorghum is deficient in essential nutrients like amino acids, Vitamins A and E, iron, and zinc, and is difficult to digest when cooked. Working through the Africa Biofortified Sorghum Project, a public-private partner consortium, DuPont developed a more nutrient-rich strain of sorghum that is expected to combat malnourishment and benefit millions of Africans in the years ahead.

Mr. Speaker, it is a profound honor to represent DuPont Pioneer in the United States Congress as it continues to work to help feed the world. I commend the company on this tremendous breakthrough that will go to great lengths to improving food security in Africa, and I invite my colleagues in the House to join me in congratulating it on receiving this impressive recognition for its efforts.

FORT WOLTERS MEDAL OF HONOR MEMORIAL

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. CONAWAY. Mr. Speaker, I rise today to congratulate the Fort Wolters Gate Committee, the service members at Fort Wolters, and the community of Mineral Wells, Texas on the dedication of the Ft Wolters Medal of Honor Memorial. On March 23, 2013, they came together to help honor some of our nation's greatest men and ensure the legacy of their service will never be forgotten.

The Medal of Honor Memorial lies at the heart of the quiet Fort Wolters Historical Park near the main entrance of Fort Wolters. This memorial is composed of stone columns with the fourteen names of the Medal of Honor recipients who trained at Wolters inscribed upon them. These inscriptions tell the stories of men who found themselves in defining moments and responded exceptionally. The following names are those who passed through Wolters as part of their journey to those moments:

1st LT Charles L. Thomas; Birmingham, AL.; 1st Lt Eli L. Whitely; Georgetown, TX; 2nd Lt Audie L. Murphy; Kingston, TX; 1st Lt Jack L. Knight; Garner, TX; SSG Edward A. Carter, Jr.; Los Angeles, CA; 1st Lt Vernon Baker; Cheyenne, WY; 1st Lt James M. Sprayberry; LaGrange, GA; CWO Michael J. Novosel; Etna, PA; MAJ Patrick H. (Pat) Brady; Philip, SD; CWO Frederick E. Ferguson; Pilot Point, TX; CPT Jon E. Swanson; Boulder, CO; MAJ William E. Adams; Casper, WY; CPT Ed (Too Tall) Freeman; Neely, MS; SSG Joe R. Hooper; Louisville, KY.

These fourteen men came from different eras, regions, and backgrounds, but are all connected through a common story. Their stories of duty, honor, sacrifice, and love represent an important part of the American story.

The love of their country and their families brought them to Mineral Wells, but the love for their brothers in arms drove their momentous actions. When these men met their defining moments they acted with valor and courage and have been recognized with the nation's highest military award: the Medal of Honor.

We are blessed to live in a country with individuals like the ones honored here. Their actions embody our nation's greatest ideals. They proceeded without hesitation to put their country's needs, and more importantly, the lives of the men around them, before their own. We remember them for their meritorious acts of courage and heroism, even though they knew it could cost them their lives.

The memorial in Fort Wolters Historical Park will serve to inspire and teach future generations of duty, honor, and sacrifice. It will serve the families that loved these men as a place to remember their stories and celebrate their lives and achievements.

Again, I would like to thank the volunteers and people of Mineral Wells who worked tirelessly to build this memorial and our veterans and service members whom we owe a debt that can never be repaid.

THE INTRODUCTION OF THE CONGRESS LEADS BY EXAMPLE ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. NORTON. Mr. Speaker, today, I introduce the Congress Leads by Example Act of 2013, to subject Congress and the rest of the legislative branch to the federal workplace laws and standards that protect employees in the private sector and the executive branch. In a similar vein, a few weeks ago, I introduced the Member of Congress Pay Sequestration and Fairness Act, which would subject the pay of members of the House and Senate to any future sequestration, or automatic, across-the-board spending cuts. While members of Congress may differ on the merits of sequestration, once Congress passes laws, members should abide by the laws we impose on the American people and American businesses. That was the promise Congress made when we passed the Congressional Accountability Act of 1995 (CAA).

The CAA was an important first step in making the legislative branch accountable to its employees, but it did not finish the job. The CAA did bring the legislative branch under 13 major civil rights, labor and workplace safety and health laws, but it exempted the legislative branch from important notice and training provisions, and altogether omitted important substantive and administrative protections.

The Congress Leads by Example Act of 2013 is a necessary follow up bill to my 2010 investigation of staff complaints at the Capitol Visitor Center

(CVC) and to the recommendations from the Office of Compliance (OOC), which found a gap in OOC's authority to enforce the Occupational Safety and Health Act of 1970 (OSHA) provisions against the legislative branch. In the 111th Congress, as chair of the Committee on Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings, and Emergency Management, I held a hearing examining claims by OOC, which was created by the CAA, of an estimated 6,300 safety hazards in the U.S. Capitol complex, as well as complaints by CVC tour guides that they were compelled to work in uniforms that were inappropriate for outdoor work in the summer and winter and that there were limits placed on their water consumption. Our hearing demonstrated that many of the serious safety hazards in the Capitol complex had been resolved, and the Architect of the Capitol assured us that it continues to correct the outstanding hazards with due speed. Eventually, the formation of a union local by CVC tour guides led to specific improvements in uniform and water consumption practices and policies.

However, in a 2010 report entitled Recommendations for Improvements to the Congressional Accountability Act, OOC identified additional provisions of federal workplace laws and standards that should be applicable to the legislative branch, including laws that grant the OOC General Counsel subpoena power, provide whistleblowers with protection from retaliation,

and require the maintenance of employment records. In OOC's 2011 report entitled State of the Congressional Workplace, it presents the successes and shortcomings of the CAA by tracking the trends in legislative branch employee complaints and workplace safety hazards in fiscal year 2010. My bill takes into account the OOC reports, and seeks to both apply the standard of fairness to employees in the legislative branch that Congress requires for other employees and to provide a safer work environment for Congress and Capitol Hill employees by bringing the legislative branch substantially in line with what is legally required of private sector employers and the executive branch.

As Congress searches for ways to trim the federal budget, it would be timely to provide whistleblower protections to legislative branch employees so that they can report misuse of federal funds and other legal violations without fear of retaliation. My bill provides general whistleblower protections, also championed by Senators CHUCK GRASSLEY and CLAIRE MCCASKILL. My bill also makes applicable additional OSHA provisions to the legislative branch, including providing subpoena authority to OOC to conduct inspections and investigations into OSHA violations, and requiring the posting of notices in workplaces detailing employee rights to a safe workplace under OSHA.

This bill also furthers the CAA's mission to prevent discrimination in legislative branch offices by prohibiting the legislative branch from making adverse employment decisions on the basis of an employee's wage garnishment or involvement in bankruptcy proceedings pursuant to the Consumer Credit Protection Act (CCPA) and Chapter 11 of the bankruptcy code. The bill requires legislative branch employers to provide their employees with notice of their rights and remedies under the CAA anti-discrimination provisions through the placement of signage in offices highlighting relevant anti-discrimination laws, including Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act. The bill also requires legislative branch offices to provide training to employees about their CAA rights and remedies. Adding the CCPA and bankruptcy provisions will deter economic discrimination, while the notice and training provisions will empower legislative branch employees with the full knowledge of their rights.

Finally, the bill bolsters the CAA's record-keeping requirements. It extends to the legislative branch the obligation to maintain accurate records of safety information and employee injuries, as otherwise required by OSHA, as well as employee records necessary to administer anti-discrimination laws. The enhanced recordkeeping requirements will facilitate better enforcement of laws.

On the eve of the CAA's passage in 1995, then-Senator Olympia Snowe may have best captured the intent of Congress and the will of the people when she remarked, "Congress simply cannot continue to live above the law and call itself a body that is representative of the America we live in today. After all, what kind of message does Congress send to Americans when it sets itself above the law? What kind of message does Congress send to

America when it believes it is beholden to different standards? And how can Congress claim to pass laws in the best interest of the American people if Congress refuses to abide by those very same laws. . . . Congress should be the very last institution in America to exempt itself from living under the nation's laws." By passing this bill and heeding this wise call to action, Congress will help restore the faith of the public in this institution by redoubling our efforts to exercise leadership by example. I urge bipartisan support for this important measure.

A TRIBUTE TO DANIEL
GINDHART—TEAMSTERS LOCAL
830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Daniel Gindhart, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Daniel are able to make higher education possible.

Daniel's father, Daniel Gindhart, Sr., works in the Warehouse Department of PBC in Philadelphia, Pennsylvania. I greatly admire Daniel's hard work at Triton Regional High School and his aspirations to study accounting. With his work ethic, I am sure Daniel will achieve his dream of one day becoming a Certified Public Accountant.

I ask that you and my other distinguished colleagues help me in honoring Daniel Gindhart and his commitment to his community and studies that enabled him to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

A TRIBUTE TO KATELYN
CINNAMON

HON. TOM LATHAM

OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor and congratulate 18-year-old Katelyn Cinnamon of Valley High School in West Des Moines, Iowa, who has been named the state's top high school youth volunteer for 2013 by the Prudential Spirit of Community Awards.

The Prudential Spirit of Community Awards program is our country's largest youth recognition program based entirely on volunteer community service. The program was created in conjunction with Prudential and the National Association of Secondary School Principals to honor middle and high school students for outstanding service to benefit others at the local,

state, and national level. Since 1995, 345,000 American youths have participated in this program, with only 102 state honorees chosen each year.

Katelyn's path to this prestigious award began with a stroke of inspiration while helping at the Blank Children's Hospital Hematology/Oncology Clinic. After witnessing the courage and strength of the patients up-close, she wanted to take her volunteerism to the next level. She set out to raise \$10,000 to buy six tablet computers for the clinic and pay for an annual oncology camp at which patients could enjoy typical camp activities. She also collects fleece tie blankets for the Children's Cancer Connection in Des Moines. With the help of a friend and networking in the community, she has achieved almost half of her fundraising goal and has delivered the tablet computers to the clinic.

As a state honoree, Katelyn received a \$1,000 prize, an engraved silver medallion, and was recently recognized at an award ceremony and gala dinner reception at the Smithsonian's National Museum of Natural History in our nation's capital.

Mr. Speaker, it is with great pride that I recognize and applaud Miss Cinnamon for her sincere dedication to positively impacting the lives of others in her community and beyond. Katelyn's commitment to a cause greater than herself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. Our future is bright with young people like Katelyn, and it is an honor to represent her and her family in the United States Congress. I invite my colleagues in the House to join me in congratulating Katelyn, thanking her supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts.

NATIONAL TEACHER APPRECIATION DAY

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to honor the outstanding teachers of Broward and Miami-Dade Counties on National Teacher Appreciation Day.

This day gives us an opportunity to thank teachers for the incredible work that they do for our children and communities. Teachers help form the backbone of our nation, assisting children in harnessing their creativity and critical thinking skills to grow up into the next great American generation.

Today serves as a reminder that we must continue to invest in our nation's teachers, children and schools. As a proud mother of three students in Broward County public schools, I know firsthand the excellence our teachers bring to the classroom each day. Their patience and encouragement are shaping tomorrow's leaders and ensuring that America remains competitive, innovative, and prosperous.

If you talk to any educator, they will tell you that teaching is demanding. Teachers work long hours and are expected not only to im-

part certain knowledge, but also instill a love of learning in their students. They have made a conscious career decision to make a difference in the lives of our children.

As a Member of Congress for Florida's 23rd Congressional District, I am committed to supporting Broward and Miami-Dade educators and their peers across the country. Unfortunately, teachers don't always receive the recognition or resources they deserve. As policy makers, we must ensure that our teachers have the tools, resources and support they need. When we do this, we not only invest in these dedicated professionals, but we also invest in our children and their futures.

As a parent, let me say thank you to all teachers for devoting your time and skills to our children. We are grateful for all that you do.

PERSONAL EXPLANATION

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mrs. WALORSKI. Mr. Speaker, on rollcall No. 129 on H.R. 588, I am not recorded because of flight delays. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 130 on H.R. 291, I am not recorded because of flight delays. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 131 on H.R. 507, I am not recorded because of flight delays. Had I been present, I would have voted "aye."

NATIONAL TEACHER'S APPRECIATION DAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. REICHERT. Mr. Speaker, I rise today, on National Teacher's Appreciation Day, to recognize and honor the teachers of America. Year in and year out, they dedicate their lives to educating our children and helping them to succeed both in and out of the classroom. They not only teach us to read and write, but for many of us, it is a teacher who first shows us that we can achieve whatever we put our minds to; they tell us that anything is possible, that it is okay to dream. The confidence and curiosity that teachers instill in their students are just as important as the traditional subjects they teach; it is these life lessons that will resonate with our children well into adulthood.

In my own experience, the teacher who brought these truths home to me was Mr. Gowenlock. Mr. Gowenlock was my high school geometry teacher as well as one of my football coaches. He made sure I knew that I had the ability to be a great man, and the only thing that would get in the way was my own doubt. He was one of the first to fully believe in me, and that is a gift that has made it possible for me to be where I am today.

I hope that students and parents everywhere will join with me in recognizing the importance and value of good teachers. Without them, America would not be the beacon of hope that it is today. We owe them our gratitude and our respect. I have fought for teachers in the past, with legislation such as the Teacher Tax Relief Act, and I will continue to fight for them. Teachers must have the tools and support they need to ensure our children receive the best education possible for they will be the ones shaping the future of this great nation. Thank you.

A TRIBUTE TO BRANDI ZIEMINSKI—TEAMSTERS LOCAL 830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Brandi Zieminski, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Brandi are able to make higher education possible.

Brandi's father, Theodore Zieminski, works in the Facilities Department of Thomas Jefferson University Hospital in Philadelphia, Pennsylvania. I greatly admire Brandi's hard work at Archbishop Ryan High School and her aspirations to study secondary education. With her work ethic, I am sure Brandi will achieve her dream of one day becoming a high school teacher.

I ask that you and my other distinguished colleagues help me in honoring Brandi Zieminski and her commitment to her community and studies that enabled her to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

HONORING CANCER SURVIVOR BEAUTY AND SUPPORT DAY AND BARBARA PAGET

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to pay tribute to Barbara Paget and her extraordinary work establishing in 2003 Cancer Survivor Beauty and Support Day (CSBSD). This extraordinary endeavor for the past ten years has brought support and kindness to countless men, women and children cancer survivors.

Barbara is a remarkable woman, dedicated to brightening the lives of cancer survivors across the country. In conceiving and launching CSBSD, Barbara has united full communities across the country in support for their friends and neighbors.

Taking place the first Tuesday of June each year, CSBSD provides cancer survivors in all 50 states with the opportunity to enjoy a day of complimentary services at salons, spas, barber shops and beauty parlors. Barbara has worked tirelessly to expand CSBSD, and she has succeeded tremendously, expanding the initiative each year and receiving previous recognition in Congress.

The beauty of the day, as Barbara would put it, is the support that it gives. CSBSD does not require any money—the day is all about volunteering. Participants donate only their time, services and kindness. The helping, caring hand of a volunteer on CSBSD and the one-on-one connection it fosters are incredibly powerful forces for cancer survivor and service provider alike.

Barbara has more than 1,000 places celebrating CSBSD in all 50 states, working to reach out to as many of the more than 12 million cancer survivors as possible—offering a supportive, fun and rewarding day.

Cancer affects so many of us, our friends and family. We have seen the toll it takes. Barbara has seen it too, and that is why she stepped up and decided to take action. Mr. Speaker, it is my honor to recognize Barbara Paget and Cancer Survivor Beauty and Support Day for all the good they do.

HONORING EUGENE DAVID ZOLLER

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. GARCIA. Mr. Speaker, I rise today to pay tribute to Teacher Mr. Eugene David Zoller who is retiring this year after 47 years in public and private school classrooms as an exemplary and inspirational teacher of Social Studies. Eugene Zoller attributes his calling as a teacher to the influence of his mother Dorothea Donahue Zoller, his aunt Josephine Donahue, and his Grade 8 teacher, Sr. Joan Bernadette Davis, a sister of Notre Dame de Namur.

He started his teaching career in the Massachusetts public schools and continued his teaching in 1985, until his retirement in 2013, at Belen Jesuit Preparatory School in Miami, Florida, which I am proud to proclaim as my high school alma mater.

In 28 years at Belen Jesuit, Mr. Zoller has been the lead Teacher of Civics and Honors Civics, Faculty Advisor of the National Junior Honor Society, Director of the Patriot Program, Organizer of the Miami-Dade County Court and Jail tour, Chaperone of the Overseas Study Program trip to Russia, Chaperone of the Close Up program, Supervisor of the daily posting of the Miami Herald and El Nuevo Herald in the Central Patio, and honored by Nova Southeastern University with the Cervantes Award and Univision as a Maestro Especial. Mr. Zoller immortalized the Pan con Lechon Booth at the Belen Tombola dedicated to raising money for the school's scholarship program.

With honor, unwavering commitment, and love of country, Mr. Zoller has nurtured in his students a fervent patriotism for the United

States of America. The Belen Jesuit community of students, parents, teachers, and alumni consider Mr. Zoller one of the pillars of our school and I eagerly add my name to the legions that admire and appreciate his service to God, Country, and Belen Jesuit Preparatory School.

PERSONAL EXPLANATION

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. PETERS of Michigan. Mr. Speaker, due to an interruption in my travel to Washington, DC, I was unable to be present to cast my vote on three bills considered under suspension of the rules. I wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 129, I would have voted "yea."

Had I been present for rollcall No. 130, I would have voted "yea."

Had I been present for rollcall No. 131, I would have voted "yea."

IN RECOGNITION OF THE KENTUCKY LAW ENFORCEMENT OFFICERS MEMORIAL

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BARR. Mr. Speaker, I rise today to recognize the nearly 900,000 law enforcement officers across the country who put their lives on the line every day for the safety and protection of others.

Today, the Kentucky Law Enforcement Memorial Service was held in observance of those who have given their all in our Commonwealth. The event was hosted at the nationally recognized Department of Criminal Justice Training Center on the campus of Eastern Kentucky University in Richmond, Kentucky.

The protection of our families can come with a heavy price. Over the last decade, an average of 160 Kentucky law enforcement officers per year have been killed in the line of duty.

I am saddened that I was unable to attend today's service in Kentucky due to votes in Washington. I will, however, continue to honor the sacrifices of officers such as the most recent officer killed in the line of duty in Kentucky, Officer Bryan Joseph Durman of Lexington.

Officer Durman, and other heroes like him, will not be forgotten and will always remind us of the ultimate sacrifices that our Law Enforcement Officers make every day. We remember them, and their families, each and every day.

CONGRATULATING THE CREEKSIDE MIDDLE SCHOOL NATIONAL SCIENCE BOWL TEAM

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate Creekside Middle School in Carmel, Indiana in celebration of the team of students who placed first in the National Science Bowl, sponsored by the United States Department of Energy.

The National Science Bowl is an annual competition designed to encourage the best of our nation's young students to develop an interest in science and mathematics and to make contributions in those fields. It is a competition that promotes discovery, innovation, hard work and a commitment to a better tomorrow.

For all of these reasons and many more, I am so proud that a team from Indiana's 5th District won the national championship. It is a wonderful display of the best of Indiana's young minds. Over 5,000 middle school students from 1,023 teams across the country participated in this event, making Creekside's win all the more impressive.

As a member of the Education and the Workforce Committee, I also want to acknowledge how important it is to our nation's future to encourage and raise a new generation of Science, Technology, Engineering and Mathematics—STEM—leaders. For America to maintain its competitive edge in our global marketplace, we must pursue STEM excellence with a sense of urgency and passion.

Students like those at Creekside give me hope that we'll accomplish this vital mission. Their outstanding work is an inspiration to students, educators and parents across the nation. Once again, congratulations Creekside, I am very proud of you.

A TRIBUTE TO RICHY MASCIARELLI—TEAMSTERS LOCAL 830 SCHOLARSHIP AWARD RECIPIENT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise in tribute today for Richy Masciarelli, a 2013 award recipient of the Teamsters Local 830 Scholarship Fund. Over the past 37 years, this important fund has awarded scholarships totaling over \$2.7 million to talented young adults throughout our community. Because of the hard work of the members of Teamsters Local 830 and the employers of these members, students like Richy are able to make higher education possible.

Richy's father, Richard Masciarelli, works in the Maintenance Department of Thomas Jefferson University Hospital. I greatly admire Colin's hard work at Pottstown High School and his aspirations to study business management and health & occupation. With his work

ethic, I am sure Richy will be successful in whatever career he chooses.

I ask that you and my other distinguished colleagues help me in honoring Richy Masciarelli and his commitment to his community and studies that enabled him to become a 2013 award recipient of the Teamsters Local 830 Scholarship Fund.

A TRIBUTE TO SAMANTHA
DILOCKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor and congratulate 13-year-old Samantha Dilocker of Red Oak, Iowa, who has been named the state's top middle school youth volunteer for 2013 by the Prudential Spirit of Community Awards.

The Prudential Spirit of Community Awards program is our country's largest youth recogni-

tion program based entirely on volunteer community service. The program was created in conjunction with Prudential and the National Association of Secondary School Principals to honor middle and high school students for outstanding service to benefit others at the local, state, and national level. Since 1995, 345,000 American youths have participated in this program, with only 102 state honorees chosen each year.

Samantha's path to this prestigious award began in 2006 when she received the troubling news that her mother's employer would be closing its doors resulting in lost jobs not just at home, but across her community. Equipped with the determination to help her neighbors, Samantha began to establish an auction for baked goods at her local Elks Lodge by soliciting donations, creating advertising posters and signs, and working hands-on to run the auction. Samantha's first auction raised more than \$1,000 and left no doubt in her mind that her work would continue. Now, her annual craft and baked goods auctions have raised more than \$22,000 over the past seven years for a local food pantry, a commu-

nity toy drive, a scholarship fund, and even provided assistance for a family whose young boy was diagnosed with cancer.

As a state honoree, Samantha received a \$1,000 prize, an engraved silver medallion, and was recently recognized at an award ceremony and gala dinner reception at the Smithsonian's National Museum of Natural History in our nation's capital.

Mr. Speaker, it is with great pride that I recognize and applaud Miss Dilocker for her sincere dedication to positively impacting the lives of others in her community and beyond. Samantha's commitment to a cause greater than herself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. Our future is bright with young people like Samantha, and it is an honor to represent her and her family in the United States Congress. I invite my colleagues in the House to join me in congratulating Samantha, thanking her supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts.

HOUSE OF REPRESENTATIVES—Wednesday, May 8, 2013

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 8, 2013.

I hereby appoint the Honorable MARK R. MEADOWS to act as Speaker pro tempore on this day.

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

PRAYER

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

Almighty God of the universe, we give You thanks for giving us another day.

We pray for the gift of wisdom to all with great responsibility in this House for the leadership of our Nation.

May all the Members have the vision of a world where respect and understanding are the marks of civility, and honor and integrity are the marks of one's character.

Send Your blessing today upon our honored guest, Madam President, the Honorable Park Geun-hye of the Republic of Korea. Raise up, O God, women and men from every nation who will lead toward the paths of peace and whose good judgment will heal the hurt between all peoples.

Bless us this day and every day, and may all that is done within these hallowed halls be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by Her Excellency Park Geun-hye, President of the Republic of Korea, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, April 24, 2013, the House stands in recess subject to the call of the Chair.

Accordingly, (at 9 o'clock and 4 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1022

JOINT MEETING TO HEAR AN ADDRESS BY HER EXCELLENCY PARK GEUN-HYE, PRESIDENT OF THE REPUBLIC OF KOREA

During the recess, the House was called to order by the Speaker at 10 o'clock and 22 minutes a.m.

The Deputy Sergeant at Arms, Mrs. Kerri Hanley, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint meeting will come to order.

The Chair appoints as members of the committee on the part of the House to escort Her Excellency Park Geun-hye, President of the Republic of Korea, into the Chamber:

The gentleman from Virginia (Mr. CANTOR);

The gentleman from California (Mr. MCCARTHY);

The gentleman from Oregon (Mr. WALDEN);

The gentleman from Oklahoma (Mr. LANKFORD);

The gentleman from Texas (Mr. SESSIONS);

The gentleman from California (Mr. ROYCE);

The gentleman from Michigan (Mr. CAMP);

The gentleman from California (Mr. MCKEON);

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

The gentleman from Texas (Mr. BRADY);

The gentleman from Ohio (Mr. CHABOT);

The gentlewoman from Texas (Ms. GRANGER);

The gentleman from Washington (Mr. REICHERT);

The gentleman from Alabama (Mr. ROGERS);

The gentleman from Texas (Mr. POE);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from California (Mr. BECERRA);

The gentleman from New York (Mr. CROWLEY);

The gentleman from New York (Mr. ISRAEL);

The gentleman from New York (Mr. ENGEL);

The gentleman from Virginia (Mr. MORAN);

The gentleman from New Jersey (Mr. PASCRELL);

The gentleman from California (Mr. HONDA);

The gentleman from Maryland (Mr. VAN HOLLEN);

The gentlewoman from California (Ms. MATSUI);

The gentlewoman from California (Ms. CHU);

The gentlewoman from Alabama (Ms. SEWELL); and

The gentlewoman from New York (Ms. MENG).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort Her Excellency Park Geun-hye, President of the Republic of Korea, into the House Chamber:

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

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

The Senator from Nevada (Mr. REID);
The Senator from Alaska (Mr. BEGICH);

The Senator from New Jersey (Mr. MENENDEZ);

The Senator from Maryland (Mr. CARDIN);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from Alaska (Ms. MURKOWSKI); and

The Senator from Tennessee (Mr. CORKER).

The Deputy Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency Hersey Kyota, the Ambassador of the Republic of Palau.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Deputy Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 10 o'clock and 36 minutes a.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced Her Excellency Park Geun-hye, President of the Republic of Korea.

The President of the Republic of Korea, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you Her Excellency Park Geun-hye, President of the Republic of Korea.

(Applause, the Members rising.)

President PARK. Speaker BOEHNER, Vice President BIDEN, distinguished Members of the House and the Senate, ladies and gentlemen,

I am privileged to stand in this Chamber—this hallowed ground of freedom and democracy—to speak about our friendship and our future together.

After I arrived in Washington the day before yesterday, I went to the Korean War Memorial near the banks of the Potomac. I read the words etched in granite: "Our nation honors her sons and daughters, who answered the call to defend a country they never knew and a people they never met." Time and again, I am moved when I read those familiar words.

Let me express—on behalf of the people of the Republic of Korea—our profound gratitude to America's veterans. Their blood, sweat and tears helped safeguard freedom and democracy.

I also offer my heartfelt appreciation to four men in particular. They served

in that war and now serve in this Chamber. Their names are Congressmen JOHN CONYERS, CHARLES RANGEL, SAM JOHNSON and HOWARD COBLE.

Gentlemen, my country thanks you.

When the guns fell silent in the summer of 1953, Koreans were surviving on \$67 a year. Six decades later, Korea is one of the top five car producers and the eighth-largest trading nation.

Some call this the "Miracle on the Han River."

But for those of us in Korea, it was anything but a miracle. And it wasn't just built from within. Koreans worked tirelessly in the mines of Germany, in the jungles of Vietnam, and in the deserts of the Middle East.

These are the people—the proud Korean people—I am so honored to serve as President.

They are the ones that made Korea what it is today.

Together, we will write a sequel to that story: "A Second Miracle on the Han River."

This time, it will be written with a revived economy, with a people that are happy, with a flourishing culture, and on a pathway to a reunified Peninsula.

These are the four tenets that guide my government. We also know that we didn't come this far on our own.

Along our journey we have been aided by great friends, and among them the United States is second to none. America, I thank you for your friendship.

If the past is anything to go by, our new journey will also be filled with excitement.

This year, we honor the 60th anniversary of our alliance. And today, I would like to acknowledge one iconic family that captures those 60 years.

It is the family of Lieutenant Colonel David Morgan.

Colonel Morgan's grandfather, the late Warren Morgan, fought in the Korean War. The senior Morgan was a commander in the U.S. Naval Reserve.

His father, John Morgan, also served in the Korean War. He was a battery commander of the 213th Field Artillery.

Colonel Morgan himself has served two tours in Korea in 1992 and 2005.

The Morgan family is a living testimony to our 60 years together—three generations of Americans helping to safeguard Korea. That family is here with us today.

As President of a grateful nation, I salute the Morgan family and the commitment and friendship of the American people.

Looking forward, our precious alliance is setting its sights on a better world—a brighter future. Bound by trust, guided by shared values, we are cooperating across and beyond our own boundaries.

Korea has stood by the United States in Iraq and Afghanistan. Together, we

supported peace-building and reconstruction in those nations.

Following the Washington Conference in 2010, Seoul hosted the second Nuclear Security Summit last year. There we reaffirmed our commitment to the vision of "a world without nuclear weapons."

A world without nuclear weapons—President Obama's vision—must start on the Korean Peninsula. For the Peninsula is home to the only divided nation-state and directly faces the threat of nuclear weapons. It is an ideal test bed for a future free of nuclear arms. If we can pull it off on the Korean Peninsula, then we can pull it off anywhere else.

Korea has been pursuing the peaceful use of nuclear energy. It is also firmly committed to the principle of non-proliferation. Korea and the United States are partnering to build reactors in third countries. In this regard, we need a modernized, mutually beneficial successor to our existing civil nuclear agreement. Such an accord will bring huge benefits to related industries in both our countries.

Our partnership also extends to development assistance.

The United States and Korea send the largest numbers of aid volunteers abroad. We will work side by side to help lower-income countries. In 2011, our aid agencies signed a document that facilitates these efforts. And Korea's aid agency will soon be signing another with the U.S. Peace Corps.

In March of last year, the Korea-U.S. Free Trade Agreement went into effect. The agreement adds an economic pillar to our alliance. It has moved us closer to a comprehensive strategic alliance.

We can do even more. If the bill on visa quotas for Korean professionals is passed in this Congress, both our economies will benefit, for it would help create many more jobs. It would show our people what the FTA can do for them.

I ask Congress for its understanding—for its support.

Our FTA also connects East Asia and North America and provides a key platform for building a common Asia-Pacific market. The agreement also helps underpin Washington's rebalancing toward the region.

Collectively, these developments paint a forward-leaning alliance. They point to a 21st century partnership that is both comprehensive and strategic.

Ladies and gentlemen,

That is our present, the foundation on which we stand. I now wish to share my vision of "our future together"—a future that we will build together as partners.

Following our meeting yesterday, President Obama and I adopted a joint declaration. Building on the extraordinary accomplishments of the last 60 years, we determined to embark on another shared journey toward peace on

the Korean Peninsula, toward cooperation in Northeast Asia, and, finally, toward prosperity around the world.

It is my hope that as we make this journey, our partnership will be guided by a three-part vision.

The first is to lay the groundwork for enduring peace on the Korean Peninsula and over time for reunification.

That future, I know, feels distant today.

North Korea continues to issue threats and provocations firing long-range missiles, staging nuclear tests that undermine peace on the Peninsula and far beyond it.

The Korean Government is reacting resolutely but calmly. We are maintaining the highest level of readiness. We are strengthening our cooperation with the U.S. and other international partners.

Korea's economy and financial markets remain stable. Companies—both domestic and foreign—see this, and are expanding their investments.

Korea's economic fundamentals are strong. Its government is equal to the task. And it is backed by the might of our alliance. So long as this continues, you may rest assured: no North Korean provocation can succeed.

I will remain steadfast in pushing forward a process of trust-building on the Korean Peninsula. I am confident that trust is the path to peace, the path to a Korea that is whole again.

The Republic of Korea will never accept a nuclear-armed North Korea. Pyongyang's provocations will be met decisively.

At the same time, I will not link humanitarian aid provided to the North Korean people, such as infants and young children, to the political situation.

And with the trust that gradually builds up, through exchange, through cooperation, we will cement the grounds for durable peace and, eventually, peaceful reunification.

But as we say in Korea, it takes two hands to clap. Trust is not something that can be imposed on another.

The pattern is all too familiar—and badly misguided. North Korea provokes a crisis. The international community imposes a certain period of sanctions. Later, it tries to patch things up by offering concessions and rewards. Meanwhile, Pyongyang uses that time to advance its nuclear capabilities. And uncertainty prevails.

It is time to put an end to this vicious cycle.

Pyongyang is pursuing two goals at once—a nuclear arsenal and economic development. We know these are incompatible. You cannot have your cake and eat it, too.

The leadership in Pyongyang must make no mistake. Security does not come from nuclear weapons. Security comes when the lives of its people are improved. It comes when people are free to pursue their happiness.

North Korea must make the right choice. It must walk the path to becoming a responsible member in the community of nations.

In order to induce North Korea to make that choice, the international community must speak with one voice. Its message must be clear and consistent.

Only then will we see real progress in inter-Korean relations. Only then will lasting peace be brought to the Korean Peninsula and Northeast Asia.

Sixty years ago, a stretch of earth bisecting the Korean Peninsula was cleared of arms. Today, that demilitarized zone drawn to prevent armed collision is the most militarized place on the planet. And the standoff around the DMZ has the potential to endanger global peace.

We must defuse that danger. Not just South and North Korea. The world must also get involved. The demilitarized zone must live up to its name, a zone that strengthens the peace, not undermines it.

It is with this vision in mind that I hope to work toward an international park inside the DMZ. It will be a park that sends a message of peace to all of humanity. This could be pursued in parallel with my trust-building process. There, I believe we can start to grow peace—to grow trust. It would be a zone of peace, bringing together not just Koreans separated by a military line, but also the citizens of the world. I call on America and the global community to join us in seeking the promise of a new day.

Honorable Members of Congress,

The second leg of our journey extends beyond the Korean Peninsula to all of Northeast Asia, where we must build a mechanism of peace and cooperation.

Sadly, today, the nations of this region fail to fulfill all that we can achieve collectively. That potential is tremendous.

The region's economies are gaining ever greater clout and becoming more and more interlinked. Yet differences stemming from history are widening.

It has been said that those who are blind to the past cannot see the future. This is obviously a problem for the here and now. But the larger issue is about tomorrow. For where there is failure to acknowledge honestly what happened yesterday, there can be no tomorrow.

Asia suffers from what I call "Asia's paradox": the disconnect between growing economic interdependence, on the one hand, and backward political, security cooperation on the other. How we manage this paradox—this will determine the shape of a new order in Asia.

Together, we must meet these challenges. And so I propose an initiative for peace and cooperation in Northeast Asia.

We cannot afford to put off a multi-lateral dialogue process in Northeast

Asia. Together, the United States and other Northeast Asian partners could start with softer issues. These include environmental issues and disaster relief. They include nuclear safety and counterterrorism. Trust will be built through this process. And that trust will propel us to expand the horizons of our cooperation.

The initiative will serve the cause of peace and development in the region, but it will be firmly rooted in the Korea-U.S. alliance. In this sense, it could reinforce President Obama's strategy of rebalancing towards the Asia-Pacific.

Of course, North Korea could also be invited to join. If we start where our interests overlap, then later on it will be easier to find common ground on the larger challenges, easier to find solutions to our mutual benefit.

I firmly believe that Korea and the United States will work hand in hand as we shape an emerging process for cooperation in the region.

The third and final leg of our journey extends even farther beyond the Peninsula—beyond Northeast Asia to the rest of the world.

It is to contribute to happiness—the happiness of Koreans on both halves of the Peninsula, the happiness of all humanity. This is a vision I also advanced at my inauguration.

The "pursuit of happiness" is enshrined in the American Declaration of Independence. It also occupies a special place in the Korean Constitution. I have long believed that our alliance should aim far, that it should ultimately seek a happier world.

Guided by this spirit, we stood side by side in the frontiers of peace and freedom. Infused by this spirit, we are expanding cooperation on global issues, issues like counterterrorism, nuclear nonproliferation and the global financial crisis.

Our efforts will not stop there. Together, we will help spread the universal values of freedom, human rights, and the rule of law. We will march together to take on global challenges—from fighting poverty to tackling climate change and other environmental issues.

Members of the House and the Senate,

Our journey since the Korean war has been led by a specific mission to respond to threats and provocations from the north and to defend freedom and peace on the Korean Peninsula.

Today, our alliance is called upon to go beyond that—beyond just the defense of freedom and peace. We are called upon to step forward on a new journey—a journey toward a Korea that is at peace, that is happy, and that is made whole.

Our economic partnership must also aim higher and reach further into the future.

President Obama has outlined the Startup America Initiative. Together,

with my strategy for a creative economy, we can advance toward a common goal—to help channel the innovative ideas, the passion, and the drive of our youths towards a brighter future.

Koreans and Americans are partnering in new ways, whether at world tours of Korean pop stars for Hollywood films or at reconstruction sites in the Middle East.

Together, we can envision a future that is richer, that is safer, and that is happier.

Our chorus of freedom and peace, of future and hope, has not ceased to resonate over the last 60 years and will not cease to go on.

Thank you very much.

(Applause, the Members rising.)

At 11 o'clock and 15 minutes a.m., Her Excellency Park Geun-hye, President of the Republic of Korea, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, (at 11 o'clock and 16 minutes a.m.) the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1201

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 12 o'clock and 1 minute p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. ROGERS of Alabama. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 8, 2013 at 9:27 a.m.:

That the Senate passed without amendment H.R. 1071.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

WORKING FAMILIES FLEXIBILITY ACT

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

Mrs. BLACK. Mr. Speaker, as a mother who has worked for many years outside of the house raising our three children, I know firsthand about the challenges of trying to balance work with family life. That is why I'm a proud cosponsor of the Working Families Flexibility Act, which would give more time to workers, the freedom to decide how to use their time. For some people, this may mean taking a sick child to the doctor or attending their daughter's ballet recital or caring for an aging parent.

Currently, an outdated law prohibits private sector employers from even offering their employees the option to choose paid time off as compensation for overtime hours worked. The Working Families Flexibility Act would put an end to this arbitrary restriction.

By leveling the playing field and giving more employees the freedom to control their overtime compensation, this commonsense proposal will help strengthen families and our workforce.

TRAVEL AND TOURISM

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

Mr. CICILLINE. Mr. Speaker, this week is the 30th annual National Travel and Tourism Week. On Monday, I met with travel and tourism leaders in my State to discuss what we can do at the Federal level of government to strengthen this key sector of our economy.

According to the U.S. Travel Association, travel and tourism generated \$2 trillion in economic output in 2012. The

industry is also one of America's largest employers, supporting 14.6 million jobs. And this is especially important for my home State of Rhode Island, where the travel and tourism sector supports more than 40,000 jobs and generates \$3.5 billion in spending. But we need to do more to support the travel industry, as well as the small business community that depends on a thriving tourism economy.

I am a cosponsor of the bipartisan JOLT Act, a bill that would revise existing visa laws to support the American travel and tourism economy while maintaining essential national security protocols.

I look forward to working further with my colleagues to highlight the importance of our travel and tourism economy in a way that will put men and women back to work in Rhode Island and across our country.

KEYSTONE XL PIPELINE

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

Mr. DENHAM. As chair of the Subcommittee on Railroads, Pipelines and Hazardous Materials, tomorrow the full Transportation Committee will be taking up legislation which represents a significant opportunity to create American jobs and spur economic growth in our country.

Quite simply, the Northern Route Approval Act will end years of bureaucratic delays and finally allow construction to the Keystone XL pipeline project. The delay alone over the last 4 years has blocked 120,000 American jobs. The delays have to stop. This has bipartisan support. It is time to stop the delays. In my home State of California, we have not only seen huge skyrocketing gas prices, but we continue to see high unemployment and rolling blackouts.

I'm part of the House Energy Action Team, and it is time to make sure that we have energy independence, lower gas prices and energy prices, and create American jobs. It's time to stop the delays of the Keystone XL pipeline.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. KILDEE. Mr. Speaker, today we're considering the Republican's latest attack on workers' rights. Republicans are calling this bill the Working Families Flexibility Act, but a more appropriate name would be the More Work, Less Pay Act. This bill is bad for middle class families and would make life worse for workers.

It would essentially end the 40-hour workweek by permitting employers to

not pay overtime to workers who exceed 40 hours per week. Instead, it would allow employers to hold earned comp time in their control. It would allow employers to refuse the right of workers to take time off to help a family member in need or attend a parent-teacher conference. That's wrong, Mr. Speaker.

Productivity of our Nation's workers is at an all-time high, yet again we see efforts to whittle down the rights of hardworking families.

Instead of focusing on attacking workers, maybe we should focus on creating good-paying jobs. That's what our constituents want. That's what Americans want.

REINING IN REGULATION TO HELP JOBS RECOVER

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

Mr. GOODLATTE. Mr. Speaker, America's workers and families are in a jobs depression. Since 2009, 9.5 million people have dropped out of the workforce. America's workforce participation rate is the lowest since Jimmy Carter was President. Millions looking for full-time work can find only part-time jobs.

Overreaching Federal regulation is a big reason for this jobs disaster. The Obama administration's onslaught of new major regulation is unprecedented. Every day, Federal agencies erect more roadblocks to economic growth and a jobs recovery.

The House Judiciary Committee is working hard to provide relief. It passed the REINS Act last month and is at work on other groundbreaking legislation to reduce unneeded regulation. This legislation is critical to the growth and recovery America needs, and the Judiciary Committee will do all it can to achieve it.

□ 1210

CANCEL THE SEQUESTER ACT

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

Ms. WILSON of Florida. It has now been 857 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis.

The nightmare of joblessness is destroying the American Dream.

When I was graduating from college, my American Dream was owning a home and starting a family, while, for the class of 2013, the American Dream means just having a job—any job—to make ends meet. By eliminating public sector jobs during a time of high unemployment, the sequester is killing the

American Dream. It's up to us to cancel the sequester and ensure that America is again a land of opportunity.

Mr. Speaker, let's bring H.R. 900, the Cancel the Sequester Act, to the floor for a vote to end this shame. Our mantra should be jobs, jobs, jobs.

AMERICAN AND SOUTH KOREAN ALLIANCE

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

Mr. GARRETT. I rise to speak about the strong relationship between the United States and South Korea, one of our most important relationships, for South Korea is one of America's closest allies in Asia and, indeed, in the entire world. Since the Korean war in the 1950s, the U.S. and South Korea have stood side by side in the name of democracy and liberty and to face down the forces of tyranny and oppression and dictatorship from North Korea and the broader world.

All you need to do is to compare North and South Korea to understand how successful South Korea has been and how much of a failure the Kim regime in the North has been.

South Korea is the world's 15th-largest economy and Asia's fourth-largest. Companies like Samsung, Kia, and LG are major, globally known brands, while Seoul ranks as one of the great cities of the world. South Korea is a vibrant, open society with an equally vibrant and open political system.

Now take North Korea. North Korea is a kleptocratic, vicious dictatorship that tramples on the most basic rights of its citizens, all in the name of glorifying the Kim family and its cadre of jack-booted thugs. There is no freedom of choice, no freedom of religion, and no freedom to dissent from the line of the Kim regime. For the average North Korean, there is only poverty, despotism, and no hope as the regime squanders its resources on its bloated military and dangerous nuclear program.

THE MIRA LOMA SCIENCE BOWL WIN

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

Mr. BERA of California. Mr. Speaker, last week, a team from Mira Loma High School in Sacramento won the National Science Bowl for the third time since 2009. Hosted by the U.S. Department of Energy, the Science Bowl was created to encourage students to enter science and mathematics careers.

I want to congratulate these talented and hardworking students from my home district. They represent America's future. They are our country's next generation of innovators. We must continue to inspire our students to

excel in fields like science and math. We need to make science cool.

To Jack Gurev, Daniel Shen, Siddharth Trehan, and Saaket Agrawal, you guys make us proud.

And, Coach James Hill, keep inspiring the next generation to go into science and math. It's cool.

OBAMA'S VISIT TO TEXAS SHOULD FOCUS ON ENERGY

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

Mr. WEBER of Texas. Tomorrow, the President of the United States will be traveling to the great State of Texas to talk jobs. I am proud that the President recognizes Texas as a leading job-producing State and that he understands what it is to create jobs and retain a robust economy.

Mr. Speaker, on Monday, The Wall Street Journal had an interesting article—it's on my chart up here—about the energy boom in Texas. It stated that Texas produces as much oil as the next four oil-producing States combined. The Lone Star State now pumps nearly 2 million barrels a day.

Now, the President's tour only has one stop in Texas, south of Austin, which is unfortunate. I would like to invite the President to come to my energy-rich district along the Texas gulf coast and see what job creation really looks like. If the President wants to create jobs, there is a project—the Keystone pipeline to be exact—that has been waiting 1,692 days to do just that.

I encourage and welcome President Obama to come to my district so he can talk with local business leaders who want the Keystone pipeline.

That's the way it is from where I sit. I'm RANDY WEBER.

THE CAMARILLO SPRINGS WILDFIRE AND THE HEROISM OF THE FIRST RESPONDERS

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

Ms. BROWNLEY of California. Last week, Ventura County endured one of the largest wildfires in our county's history. The Camarillo Springs wildfire burned over 28,000 acres, damaging some homes and buildings and threatening many neighborhoods in Ventura County.

I rise today to thank more than 1,800 firefighters and first responders who worked around the clock to control the blaze and who, in so doing, saved every single life and prevented the potentially massive destruction of personal property. Despite high heat, dry temperatures, and very windy conditions, firefighters in Ventura County joined others from throughout the State to successfully contain the fire quickly and without any loss of life.

I am so proud of our first responders and of our brave firefighters. All of Ventura County is so very grateful for their heroic dedication to our continued safety.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. HALL. Mr. Speaker, we will be voting on the House floor for the Working Families Flexibility Act. This legislation will allow private sector employers to empower their workforce by allowing them to choose compensation in the form of paid time off or in cash wages.

Now let me tell you a story about Karen and her family.

Karen works hour after hour to meet the family needs, to make ends meet, and to provide for her two children. Sometimes there just does not seem to be enough hours in the day. When school starts up, she can never have enough hours with Matt and Sarah to support them in their extracurricular activities. Instead of being able to use her overtime for time instead of wages, she has to take time off without pay. Federal law mandates that Karen take money when what she really values is time with the family.

Folks, the key word when discussing this bill is "choice." This is not a mandate on our job creators. Let me repeat that: this is not a mandate. This is a step toward letting hardworking Americans decide what is best for them and getting government out of their lives.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. PAYNE. Mr. Speaker, I rise today in strong opposition to the so-called Working Families Flexibility Act. Mr. Speaker, this is a wolf in sheep's clothing—a guise to pressure employees to work more and get paid less.

H.R. 1406, which I like to call "Paying Working Families Less Act," cuts overtime pay and eliminates all flexibility. Rather than pay overtime when the work is performed, this bill provides that the employers have up to a year to pay an employee his overtime, essentially providing employers unauthorized, interest-free loans. This bill will hurt working class families and wage workers who depend on their overtime to pay their rent, their grocery bills, their heating and water bills. They can't afford to wait a year for pay that they have rightfully earned.

Mr. Speaker, this is not a worker or a family friendly bill, as some of my

colleagues are leading this body to believe. Rather, it is a blatant attempt to dismantle the Fair Labor Standards Act and roll back workers' rights 100 years. I urge my colleagues to vote "no" on this bill. We should be strengthening the fair labor laws and standards for working men and women, not destroying them.

□ 1220

FULL FAITH AND CREDIT ACT

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

Mr. MCCLINTOCK. Mr. Speaker, yesterday, the President vowed to veto the Full Faith and Credit Act, charging that it would "result in Congress refusing to pay obligations it has already agreed to."

I challenge the President to name one Member of Congress who has ever suggested that this is an acceptable substitute for not paying our other bills. His reliance on this falsehood is a measure of the bankruptcy of his argument.

Delaying payments on our other obligations would do enormous damage. But one thing could do even more damage, and that is the threat of defaulting on our sovereign debt. H.R. 807 takes that threat off the table and assures credit markets that their investments in the United States are absolutely guaranteed, no matter what political storms are raging in Washington.

One would think that a President who has run up more debt than almost all of his predecessors combined would understand the importance of guaranteeing the credit that supports that debt.

INVEST IN SUSTAINABLE ENERGY TECHNOLOGIES

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

Mr. MCNERNEY. Mr. Speaker, I rise today on behalf of the Safe Climate Caucus to highlight the fact that investing in sustainable energy technologies won't only move the Nation towards a clean energy future, but it will also grow our economy.

In order to prevent the worst impacts of climate change, we must transition to lower carbon energy systems. Making the necessary investments in the Nation's smart grid is one way to facilitate this transition. Smart grid investments are already producing real economic benefits.

The Department of Energy recently released a report on the economic impact of Recovery Act investments in the smart grid. The report found that for every million dollars of direct

spending on smart grid, the Nation's GDP increased by \$2.5 million. In addition, a wide variety of industrial sectors have benefited from these smart grid investments.

Mr. Speaker, climate change is a real threat to our way of life, and there's no time to waste. Fortunately, if we take action now, we can cut pollution while growing our economy.

THE IMPACT OF OBAMACARE

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

Mr. ROGERS of Alabama. Mr. Speaker, this past week, I was back in my district, like the other Members were, talking with folks about how Washington is affecting their families. One of the biggest concerns I heard was how ObamaCare could impact their lives.

It turns out the health care law seems to be anything but affordable and more of a problem than a solution. For example, since it was signed into law in 2010, the administration hasn't been completely transparent about the new health care exchanges. The exchanges are just over 6 months from implementation, and we still know very little about how they will operate.

There's also the impact the law could have on jobs. The CBO estimates ObamaCare will become a \$1 trillion tax hike. These tax hikes could hurt small businesses across Alabama and across the country as employers cut hours to avoid covering employees' health care. In fact, according to a study by the Hudson Institute, over 54,000 jobs in Alabama related to the hospitality, restaurant, and leisure industries are at risk because of the health care law.

I voted against this bill because of these concerns and more, and I also voted to repeal it time and time again. It's looking like a train wreck of a law, and we need to stop it.

NATIONAL TEACHER APPRECIATION WEEK

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

Mr. SIRES. Mr. Speaker, I rise today in recognition of our teachers during National Teacher Appreciation Week.

Across the country, we trust teachers with our most valuable resource: our children.

Our teachers serve as role models and mentors to our kids, helping them to reach their potential; and in New Jersey, we have among the most talented teachers in the country.

It was because of the mentorship of my teachers in high school that I applied for college and eventually became a teacher myself, and it is because of my experience in the classroom that I

understand the challenges of our educators today.

While we ask our teachers to prepare our children to meet the challenges of the 21st century, we must also give them the tools to rise to these challenges. Competitive salaries and financial resources must be provided so that they can recruit the very best teachers in science, technology, engineering, math, and the arts.

While we honor our teachers this week, let's not forget the services they do for our children every day. Let us join together in recognizing teachers across this country.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. PITTENGER. Mr. Speaker, as a father and a grandfather, I am fully aware of the responsibilities and challenge of balancing a vocation and job responsibilities with taking care of the needs of my family. Mr. Speaker, that challenge is even greater today for American hardworking families who have to address the needs of their young children or perhaps aging parents who live nearby.

For almost 30 years, we have allowed this flexibility and option for those who work for the government to have the choice between taking comp pay or taking additional pay for additional work that they have to perform. Wouldn't it be great if we would do the same thing for those who are in the private sector? For some reason, we haven't allowed that.

Today, Mr. Speaker, I'm supporting the Working Families Flexibility Act. We need to pass this today in the United States Congress to give the same privileges, rights, and options to those in the private sector as we allow in the public sector.

THE SO-CALLED WORKING FAMILIES FLEXIBILITY ACT

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

Mr. SWALWELL of California. Today is just a few days before Mother's Day, and the House Republican leadership has this House considering the so-called Working Families Flexibility Act on the floor.

This bill is no Mother's Day bouquet, but instead it amounts to a bunch of dead flowers. It denies working mothers—like my mother, who still works today as a secretary and is a part of our middle class—and other hardworking Americans the flexibility they need. This bill only gives flexibility to employers.

Under this misguided legislation, employers would have the flexibility to substitute compensation time for overtime pay. This legislation makes it less expensive for employees to work overtime, encouraging employers to demand more overtime, leading to more work and less pay.

Instead, we should be voting on priorities for working families like equal pay for all, raising the minimum wage, and giving hardworking Americans true flexibility. Unfortunately, the majority just does not understand the needs of working Americans.

Today, I will be voting "no" on H.R. 1406 because I will defend hardworking moms like my mom and others who rely often on overtime pay to make ends meet.

I urge my colleagues to stand up for working families. Vote "no" on H.R. 1406 and give working moms what they deserve this Mother's Day, which is equal pay for equal work.

THE IMMIGRATION BILL THREATENS PUBLIC SAFETY

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

Mr. SMITH of Texas. Mr. Speaker, the Center for Immigration Studies has analyzed the Senate immigration bill and found it threatens public safety. For example:

The bill allows the legalization of illegal immigrants who have been convicted of three misdemeanors, including multiple offenses for drunk driving, vehicular homicide, domestic violence, certain sex offenses, and identity theft;

It requires immigration agencies to ignore convictions under State laws for immigrant smuggling and human trafficking;

It waives criminal offenses for anyone under 18, even if the offender was tried as an adult; and

Anyone simply claiming eligibility for any legalization program may not be detained and need not show proof of eligibility.

So the Senate bill threatens American safety, which is another reason it should be opposed.

□ 1230

GIVING NIAGARA FALLS THE WATERFRONT IT DESERVES

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

Mr. HIGGINS. Mr. Speaker, this week's announcement that New York State is committing to take action on removing the Robert Moses Parkway in Niagara Falls is welcome news for western New York. Niagara Falls is a national treasure, drawing millions of visitors each year, yet the parkway has

created a physical and economic barrier between Niagara Falls and its extraordinary waterfront.

With Federal infrastructure dollars already stretched thin, we must take every opportunity to look at alternative funding sources. In this case, the New York Power Authority, the body responsible for the creation of the parkway and the current owner of its infrastructure, has the responsibility and the capacity to fund its removal.

Mr. Speaker, we cannot let the New York Power Authority off the hook on this historic wrong. By holding them to this obligation, we free up State and Federal resources for additional projects in Niagara Falls, maximizing the impact of our investment. It's time for Niagara Falls to have the waterfront it deserves.

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. YODER. Mr. Speaker, in our recovering economy today, we have many families that have two working parents, each juggling their careers, coordinating children at school and extracurricular activities, parent-teacher meetings, and other work obligations. For so many Americans, balancing these important demands of family and work proves to be extremely difficult and oftentimes exhausting.

That is why I rise today in support of giving private sector employees the same flexibility and choice to balance their careers and home lives that public sector employees have enjoyed for the past 30 years.

The Working Families Flexibility Act simply gives employees a choice that already exists for public employees; and if passed, this commonsense legislation would correct an outdated Federal law and help give all employees more options to take care of family obligations.

Mr. Speaker, during our continued economic recovery, at a time when it is difficult for Americans to see Washington come together and pass bipartisan, positive solutions, let's show them that we understand times are difficult for many and pass the Working Families Flexibility Act of 2013.

HONORING BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

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

Mr. WALZ. Mr. Speaker, I rise today to honor the 150th anniversary of the Brotherhood of Locomotive Engineers and Trainmen, North America's oldest

rail labor union. Since its founding on May 8, 1863, the BLET has always played a critical role in the transportation of people and goods throughout our Nation.

As America expanded westward, locomotive engineers and trainmen led the way. Our men and women on the railroads connected two oceans and opened up the new frontier.

Today, U.S. railroads transport 2.5 trillion metric tons a year. As we expand into new technology and high-speed rail, locomotive engineers will continue to propel the American economy forward.

The Brotherhood of Locomotive Engineers and Trainmen now counts 55,000 active and retired members among its ranks. These are the men and women who work around the clock to literally make the trains run on time.

In recognition of the 150th anniversary of the Brotherhood, I ask my colleagues to join me in passing a resolution to honor them for their contributions in growing this great Nation.

WORKING FAMILIES FLEXIBILITY ACT

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Mr. Speaker, I rise today to make life work a little easier for moms and dads in the St. Louis region. I rise today on behalf of every parent who wished they had more time to spend with their children or more time to care for a parent or a loved one. I rise today to level the playing field for all private sector employees so they receive the same flexibility public sector employees have enjoyed for nearly 30 years.

That is why I cosponsored the Working Families Flexibility Act of 2013, which allows employees the choice, voluntary choice, of paid time off or comp time in lieu of cash wages for overtime. The Working Families Flexibility Act is commonsense legislation that will help balance the needs of family life and the workplace, and I urge my colleagues to support this measure and make life work a little easier for all Americans.

REPEAL SEQUESTRATION

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

Ms. HANABUSA. Mr. Speaker, we've heard the words "sequestration" and "sequester" so often they've now become household terms. But when the Budget Control Act of 2011 became law, no one intended that sequestration would take place. In fact, everyone thought it would be so devastating that neither political party would let it stand. Well, Mr. Speaker, it stands.

At every opportunity to repeal sequestration, it has not happened. Yet we know Congress can act to address the impacts if it hits the front page of the paper. Our Republican colleagues did so for the FAA. But it is now time for us to ask: What about the children's Head Start program? What about FEMA for the victims of Hurricane Sandy? What about nutrition for women and children, also called WIC?

We need to compromise on these and other major programs, just like for the FAA. We need Republicans to come to the table for the benefit of the people.

Wouldn't it be great if we could finally repeal sequestration?

GROWING JOBS IN AMERICA

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

Mr. SESSIONS. Mr. Speaker, just a few hours ago we had an opportunity to welcome the President of South Korea to this great body to listen to her words about how America, through not only our foreign policy but also with our United States military, helped South Korea to overcome the forces of Communism from the north and from China.

We heard the President speak about the economic growth and vitality of her people, of the Korean people who want more and better friendship with America. But the underlying theme was economic freedom—freedom for her people, freedom for people to make their own decisions. This is consistent with the message that we heard from the last head of a foreign government speaker we had, from Mexico, who spoke about how Mexico is going to aim for GDP growth of 6 percent.

Mr. Speaker, it is time that we here in America catch on to what our allies are doing all across the globe, and that is seeking economic freedom, economic growth, and jobs for all of their people. We should be doing the same thing in this country. Mr. Speaker, that's why the Republican Party is trying to grow jobs and make sure life is better for Americans now.

STUDENT AID EXPANSION ACT

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

Mr. CASTRO of Texas. Mr. Speaker, over the last 4 months, I have been proud to work towards building out what I have called the Infrastructure of Opportunity for our Nation. Recently, I had the opportunity to file legislation to reinforce one of the major cornerstones of that infrastructure: access to colleges and universities.

A few weeks ago, I filed the Student Aid Expansion Act of 2013 that will provide higher education students in-

creased access to affordable financial aid. As we've all witnessed across our districts, the cost of tuition continues to rise. In Texas, for example, tuition and fees at public institutions have increased over 90 percent since 2003.

Meanwhile, students and families are left looking for ways to keep their higher education affordable. Over the last 10 years, we have seen students rely more heavily on loans to finance their education. Fifty-two percent of direct student aid now comes in the form of loans.

The Student Aid Expansion Act of 2013 would remove barriers that are currently preventing our institutions of higher education from promoting affordable, State-based alternatives. These types of loans are zero interest and can be fully forgiven if a student does well in school. Importantly, this legislation will not cost Federal, State, or local governments a single dime.

SUPPORT UNEMPLOYMENT BENEFITS

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

Ms. KAPTUR. Mr. Speaker, it has now been more than 2 months since mindless sequestration across-the-board cuts were enacted, crippling so many important services and benefits that Americans rely on, such as Social Security processing at Social Security offices around this country.

Well, there's another very important earned benefit that's being cut—unemployment benefits. Republicans keep rewarding the super rich while cutting unemployment benefits. When you cut benefits, you not only hurt men and women who are looking for work, you actually hurt economic recovery.

Fact: unemployment checks pump money back into local communities, helping the economy to recover. Where does the money go? Groceries, gasoline, school clothing, rent payments, basics.

The U.S. Department of Labor, during the Bush administration, found that every dollar spent on unemployment benefits pumped \$2 back in to the local economy. It's a good deal. Therefore, sequestration cuts in unemployment compensation inflict pain not only on jobless families, but also harms economic growth in a major way.

I call on my Republican colleagues to come to the table, compromise, reverse the mindless sequester that is cutting unemployment benefits. Let's celebrate Mother's Day by paying workers their full earned benefits, not imposing more worry on the unemployed among America's working families.

□ 1240

WORKING FAMILIES FLEXIBILITY ACT

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

Mr. GALLEGRO. Mr. Speaker, today I rise to speak against H.R. 1406, misnamed the Working Families Flexibility Act.

Feeding a family, paying our bills, and making sure that our kids have what they need, for most of us, those are the core things that we worry about each month, and they all involve money.

However, H.R. 1406, which would be more appropriately named the Working Families Get Less Act, does nothing for those working families who are struggling to make ends meet. The bill fails to recognize that people usually work overtime because they need the money.

The legislation essentially ends overtime pay by allowing an employer to give time off instead. Supporters say it gives working mothers more flexibility because they would have the option of spending their time at home—that's the flexibility.

But no matter how you slice it, you cannot feed a family with time off. Every hour of work matters to a family's bottom line. It's a factor in food and clothing and keeping a roof over your head.

So I urge a "no" vote on this bill that takes the money out of the pockets of working women and families in Texas and across the country.

PROVIDING FOR CONSIDERATION OF H.R. 807, FULL FAITH AND CREDIT ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 202 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 202

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 807) to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on

Rules accompanying this resolution, if offered by Representative Camp of Michigan or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the ranking member of the Committee on Rules, the gentlewoman from New York, my friend (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. DURING consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. House Resolution 202 provides for a structured rule for consideration of H.R. 807. This rule provides for discussion opportunities for Members of the minority and the majority to participate in this debate.

Today, Mr. Speaker, we have an opportunity to guarantee the full faith and credit of the United States for generations to come by ensuring that our Nation will never default on our debt obligations.

Functionally, H.R. 807, the Full Faith and Credit Act of 2013, ensures that the Treasury Department will continue to make payments on the principal and interest of our debt, including debt held by the Social Security trust fund, in the event that the statutory debt limit is reached. Requiring the Treasury to make good on its obligations to the Social Security trust fund will ensure that those funds are available to honor our commitment to seniors and disabled Americans.

Moreover, H.R. 807 provides certainty to investors, small businesses, retirees, pension beneficiaries, and international markets that we will never negatively impact our economy by allowing this Nation to default on its debts.

In the larger sense, it is our opportunity to engage, in a public forum, the Treasury Department and the administration on what we believe is the right way to engage in discussions about how we will move forward in uncharted territories as it's dealing with the financial difficulties of our country.

However, today's debate is symptomatic of the larger problem. For far too long, our Federal Government has spent too much money and borrowed

too much. We have spent money and not listened to the American people, nor looked ahead at the consequences of spending too much, saving too little, and not creating jobs that will help to sustain the American Dream, the next generation, and the systems which we hold so dear to the American system.

House Republicans however, today, come to the floor, under the leadership of our great Ways and Means Chairman, DAVE CAMP, and some ideas that have come from Congressman TOM MCCLINTOCK of California, and we are working on ideas with commonsense solutions to cut wasteful spending, reform entitlement programs, and balance the budget in a way that furthers our country, strengthens what we do, and makes sure we are ready for tomorrow.

Yet at almost every turn, including yesterday, up in the Rules Committee upstairs, our colleagues on the other side of the aisle have opposed pro-growth agendas and pushed for higher taxes and more spending. It happens almost every single day, every single bill that we bring before the Rules Committee, a demand to increase spending and increase taxes.

Our Nation does not have a taxing problem. It has a spending problem; and until we enact meaningful reforms, we will not improve our dire financial dilemma and the circumstances that come with trying to manage a problem instead of a growth opportunity to make our country stronger.

Today, the American economy is struggling and has been struggling now in our fifth year to regain momentum and is burdened by massive amounts of Federal spending and Federal debt. Allowing our Nation to default would severely hinder what little growth there is, potentially causing the U.S. to slip back into another recession and risk another downgrading of our credit rating.

For these reasons, default is unacceptable; and that is why House Republicans, we think weeks, perhaps months ahead of trying to finally address this issue, we think it's time that our ideas are on the floor of the House of Representatives, talking openly, not just among ourselves and with the administration, but also the American people. And that is the purpose of us being here today.

House Republicans are willing to work with our colleagues in the Senate, as well, and also at the White House; and we'd like to find a compromise that would raise the debt limit, while simultaneously enacting meaningful legislation that will fix our Nation's broken tax system.

We need to create jobs through job enrichment, through a Tax Code that is vibrant and does not harm job creation, that does not do things that would cause people to want to not invest in this country because of taxes

that are out of control and spending that harms their business.

So we want to rein in our out-of-control spending and reform our ballooning entitlement programs to preserve them for generations to come. It should be our responsibility.

We, as Members of Congress, were elected by the people, and we should be able to come and face tough issues with good answers. We should not try and scare people back home. We should be able to tell the truth about the legislation, and we need to be honest about the circumstances of the pathway that we remain on because of our President's and the Democrats' agenda.

So, unfortunately, President Obama has already stated that he is unwilling to negotiate with the House or the Senate over the debt limit.

□ 1250

It is this President when he was a Senator who voted repeatedly against a debt limit increase, called it irresponsible and a lack of leadership; and yet today he says just give him all the power, he'll take care of this himself. As such, the bill before us today is a necessary and prudent safety net designed to avoid economic calamity should we reach the debt limit and not have resolved that between the House, the Senate, and the President.

I applaud Congressman TOM MCCLINTOCK, my dear friend from California, and our great young chairman from Michigan, DAVE CAMP, chairman of the Ways and Means Committee. Each of them brings their work product to the floor today, as well as many of our other colleagues such as my Rules Committee member, the young man from Orlando, Florida, DAN WEBSTER, who brought forth ideas that would help shape not only the legislation that we have today, but the desire of the Republican conference to make sure that we continue to talk about the issues and problems that we see before they become a crisis, before they become something that is unworkable and rather to share our great ideas now. So for the timeless work on this issue, I thank all three of them for working on this bill today.

I encourage my colleagues to vote "yes." I encourage them to vote "yes" on the rule, I encourage them to be thoughtful and truthful about the legislation, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman, my friend from Texas, for yielding me the customary 30 minutes and yield myself such time as I may consume.

Mr. Speaker, before I really begin, I want to make clear that what the President said in his statement of disapproval and veto, that he would not negotiate over this foolish bill, that he was not going to negotiate what to do if we go into default because his intent,

as well as the intent of the Democratic Party, is not to default.

It's right honest, but instead of really talking about today lifting the debt limit, we're going to discuss the usual do-nothing legislative agenda: let's fiddle while Rome burns and pass a one-House bill that the Senate will never touch and the President will never see, which is what we do here once, sometimes twice, a week.

But today, I think they've really outdone themselves. Instead of wasting time on a bill that can be characterized as redundant like we do the 35, 36 times that we vote against health care, the majority is now considering legislation that treads into the realm of the precarious.

Regardless of whether the legislation before us is approved by this Chamber, the very fact that the majority is proposing policies to manage the economic default is by itself a threat to our economy. Both the Treasury and outside experts have made clear that picking and choosing which debts we pay is legally questionable and logistically impossible.

The President has, as my colleague said, warned that in the highly unlikely event that this bill reaches his desk, he will unequivocally veto it. But instead of listening to this fact, the majority is moving ahead with a proposal and a debate that puts us on the road to default. They do so even as The Washington Post reports this morning that the economy is improving, revenues are up and spending is down, which undermines the stream of doom that we hear. But today the irresponsible actions of the majority are, once again, needlessly encouraging the economic recovery.

Let me be clear: the legislation does not raise the debt ceiling, which is the only way to take away the threat of default; but, instead, the bill guarantees that when we hit the debt ceiling, our foreign creditors and the Social Security trust fund will be paid in full while the well-being of millions of Americans—vendors and people we owe legitimate debts to—are left to chance.

Under this legislation, the majority is actively putting the interests of China before millions of Americans, including Active military servicemembers, veterans, and even the men and women who clean the floors of the Capitol and fold napkins in the Members' dining room. Every single one of these citizens relies upon their paycheck and upon the United States Government to pay the debts in order to put the food on their tables and to make ends meet.

With today's bill, the majority is proposing that the welfare of these Americans be left to chance while they protect China and foreign bondholders from the threat of default. In addition, the majority is endangering the regular payments owed to infrastructure

projects, food safety inspectors, education programs, and public health research. It is a reckless plan that would directly hurt the most vulnerable members of society who already struggle in the sequestration to get by.

Furthermore, the act of choosing whom we will repay when we default on our debt is in and of itself an act that will threaten to throw our economy back into recession. During the recent hearing of the Committee on Ways and Means, the MIT economist Simon Johnson warned that if we default on even a portion of our debt, the unemployment rate would more than double, countless companies would go out of business, and investors would flee the United States.

Meanwhile, The Economist magazine has written:

Failure to raise the debt ceiling would force immediate spending cuts equal to 6 percent of GDP. Not only would that threaten to send the economy back into recession; it would also deprive doctors, pensioners, contractors, and millions of others the money needed to meet their own obligations and set off a chain reaction of defaults. Even a few days' default would roil the global financial system which relies on Treasuries in countless transactions. The mere possibility could incite skittish investors to dump their holdings, driving up interest rates.

Tony Fratto, a former spokesperson for President George W. Bush, said:

Prioritization is impossible. Is the government really going to be in the position of withholding benefits, salaries, rent, contractual payments, and so forth in order to pay off Treasury bondholders? That would be a political catastrophe.

It should be clear by now that the act of even bringing a bill such as this to the floor for debate can scare investors and endanger our economy. This type of economic brinksmanship is extremely dangerous. The majority's games are compounded by their uninterest in repealing the sequester. As we speak, the sequester is preventing thousands of cancer patients from receiving lifesaving treatment and keeping thousands more children from receiving the education—I think 70,000 is the figure—through the Head Start program. These are some of the devastating cuts that don't go away simply because the majority refuses to take action and repeal the sequester in full.

Tragically, the majority's willingness to endanger our economy is not new. In August of 2011, the majority headed down the road to default for the first time in our history by threatening to default on our debts. Despite the opportunity to reach compromise with the administration, the majority claimed a zero-sum political game that had serious consequences. And because of their actions, August 2011 was the worst month for job creation in 3 years. The Dow Jones Industrial Average plunged 2,000 points, and our Nation's credit rating was downgraded for

the very first time. The effects were very real and very dangerous. A responsible legislative body would never head down that road again a second time. But that's exactly what we're doing here today.

For more than 225 years, this Chamber has been dedicated to preserving the order and stability of our government even in the most partisan of times. Despite their differences, generation after generation of legislators has known that when it comes to the integrity of our Nation, we must succeed together or else fall alone.

Dangerously in the last 2 years, the majority has taken step after step to undermine the central pillar of our government, including the proposal that they put forward today. We've frequently done so through a closed legislative process. And while the majority states that today's legislation is moving forward under a structured rule, it is only structured for the Members of the majority.

For the second time this week, the majority is bringing forth a rule that denies consideration of a single Democrat amendment. As a result, we debate a dangerous proposal and one that puts the interests of China before the welfare of the American people and the economic stability of the United States.

Yesterday, the Speaker of the House was asked if the proposal laid before us would indeed pay China before paying U.S. troops. He admitted that it would and said:

Listen, those who have loaned us money, like in any other proceeding, if you will, court proceeding, the bondholders usually get paid first. The same thing here.

That simple statement tells us what we need to know.

□ 1300

I refuse to put China's interests before the interests of the American people, and I refuse to sit silently as the majority moves us one step closer to default.

I urge my colleagues to please vote "no" on today's rule and the underlying legislation, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, one of the Members of Congress that I spoke about that not only brought pieces of this legislation to the Ways and Means Committee but really as part of the debate for our conference and to the American people is our next speaker.

I yield 5 minutes to the gentleman from Elk Grove, California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this rule to bring the Full Faith and Credit Act to the House floor.

I had hoped that amidst all the controversies gripping this Congress that certainly we should at least be able to

agree that the full faith and credit of the United States Government should not hang in the balance every time there's a fiscal debate in Washington. Unfortunately, even so commonsense a proposition as this cannot produce a consensus in today's Congress.

This bill simply guarantees the debt of the United States. No matter what political storms are raging in Washington, the public credit must be maintained. Yet this President and his followers—who have taken our Nation on the biggest borrowing binge in its history, who have run up more debt than almost all of his predecessors put together—oppose this commonsense attempt to assure credit markets that whatever else happens in Washington, their loans to this government are absolutely safe.

You know, most States have had similar provisions in their laws or constitutions guaranteeing their debt for generations. Last year, in testimony to the Senate, Fed Chairman Ben Bernanke praised these State provisions for maintaining confidence in State and municipal markets. He told our own House Budget Committee that a similar measure at the Federal level would help protect our Nation against the threat of default.

The President and his followers argue that this is somehow an excuse for not paying our other obligations. What absolute nonsense. I challenge them to name one Member of Congress who has ever suggested that this measure is an acceptable alternative to not paying our other bills.

Their reliance on this falsehood is a measure of the bankruptcy of their argument. Do they actually suggest that all of these other States—that have guaranteed their sovereign debts for many generations—have ever used these guarantees as an excuse not to pay their other bills? On the contrary, by providing clear and unambiguous mandates to protect their credit first, they actually support and maintain their ability to pay for all of their other obligations.

The gentlelady from New York puts forth the argument that this measure would put foreign creditors ahead of programs serving Americans. Well, I would remind her that public credit is what makes possible all of the other programs of this government, from paying our troops to seniors' health care. Without it, we cannot pay our other bills.

I would also remind her that most of the public debt is held by Americans—much of it through American pension funds. China holds less than 10 percent. So the overwhelming effect of this measure is to protect the investments that Americans have made in their own government while protecting the credit that supports every other expenditure of this government, including our troops.

In its original form, this measure restated the already existing authority of the Treasury Department to prioritize the other obligations in order to assure prompt and full payment of the debt, and added a mandate requiring it to do so. The committee's much simpler and more practical approach directs the Treasury Secretary to pay the debt, even if it means temporarily borrowing outside the debt limit in order to do so. I want to thank it for this improvement, which I gratefully acknowledge and wholeheartedly endorse.

Let me say this again: no one advocates that this government delay paying any of its bills, and this legislation does no such thing. Indeed, this measure protects our ability to pay all of our other bills because paying those bills depends on maintaining the Nation's credit.

But given the precarious nature of our Nation's finances, principle disputes over how the debt limit is addressed are going to happen from time to time. I remember just a few years ago when then-Senator Barack Obama vigorously opposed increasing the debt limit sought by the Bush administration. Well, I've never equated Mr. Obama's opposition to the debt limit increase as anything other than a principled and well-placed concern over the proper management of our finances. It's sad that he cannot grant the motives of his opposition the same courtesy.

But when these controversies erupt—as they inevitably will do in a free society—it is imperative that credit markets are supremely confident that their loans are secure.

So I say this a third time: an impasse on the debt limit is something much to be avoided because it could do enormous damage to our Nation's prestige and its prosperity. But there is one thing that could do even more damage than delaying payments on our other bills, and that is the threat of a default on our sovereign debt. This measure takes that threat off the table. It assures credit markets that their investments in the United States are as certain as anything that can be had in this life.

Mr. Speaker, let us pass this rule and proceed with consideration of the bill.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the ranking member on Ways and Means.

Mr. LEVIN. You know, when you boil this all down, essentially what this bill says is pay some bills first and not others. I came here because, if the rule passes, we'll have a full discussion tomorrow, but I wanted to share with everybody the story that I saw this morning. It's accurate.

The headline is: "John Boehner on Debt Ceiling: Let's Pay China First, Then U.S. Troops." That headline in

Huff Post is based on an interview with the Speaker on Bloomberg TV by Peter Cook. I quote Mr. Cook:

Doesn't it mean, as Democrats have suggested, that you're basically choosing to pay China before you pay U.S. troops?

The Speaker: Listen, those who have loaned us money, like in any other proceeding, if you will, court proceeding, the bondholders usually get paid first. Same thing here.

Then the Speaker says, to conclude his comments as to the Administration:

If it comes to the point where they don't have enough money to pay the bills, here is some order that we think is sound.

It's not sound. As the SAP says, it's not workable. It endangers our economy. I quote Keith Hennessey, a former Bush administration economist:

It would be the first step to becoming a banana republic. A bloody mess.

As mentioned earlier by our distinguished ranking member on the Rules Committee, another Bush administration official, Tony Fratto, said:

Prioritization is impossible. Is the government really going to be in the position of withholding benefits, salaries, rent, contract payments in order to pay off Treasury bondholders?

Almost half, by the way, are held by foreigners. So it isn't sound also to choose some over others. So I just wanted to go through the list, if I might, so everybody understands essentially what this is saying.

China and other bondholders first, not American troops in harm's way.

China first, not retired and disabled veterans.

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

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

Mr. LEVIN. China first, not doctors and hospitals treating Medicare patients.

China first, not American small businesses who provide goods and services.

China and others first, not school lunch programs.

China and others first, not universities doing medical research.

China and other bondholders first, not college students who earn Pell Grants, or taxpayers due refunds, or other Federal trust funds holding Treasury bonds—for example, Medicare trust funds, deposit insurance, highway and airport trust funds, and the Federal Housing Authority.

□ 1310

In a word, this is irresponsible. Default is default is default. The Republicans are playing with fire, I think, to gain political leverage. Instead, they should think of the national interest.

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

We've had an opportunity once again today, as we did yesterday, to hear from the ranking member of the Ways

and Means Committee, the gentleman from Michigan. He brought his ideas, the best ideas he had, up to the Rules Committee yesterday on this same issue.

But the issues that the gentleman speaks about are attacking our answers. Their answer that they propose is tax increases and spending increases, and that way we'll simply have more money into the system. Because as we've already heard today just a few minutes ago, the more money we give in unemployment compensation, the more vitality is in our cities, more spending takes place, more unemployment compensation, more vitality, more spending in our cities.

Mr. Speaker, that's the wrong way to go. The Republican Party does not believe that we should create a permanent underclass of people who receive unemployment compensation or who are afraid of facing the truth about where this country is headed.

The facts of the case are other countries are ahead of us on this curve. Most of them are in Europe, and they ignored the signs that Republicans are here talking about today, the signs of spending too much, relying on its people to raise taxes for them to bring money in, and a big government continuing to put rules and regulations and impediments in front of people.

The facts of the case are simple. We are here today because it is President Obama and the Democrats who spent too much money, who are destroying jobs, and who even today are holding back the Keystone pipeline, what could be thousands of jobs for people in this country, lessen our reliance on other parts of the world for our energy, and bring back American-made jobs. This is exactly why we are having problems.

So, it's the Republican Party that is trying to offer a public discussion, a public debate, including our great Speaker, JOHN BOEHNER, who says we need to make sure that part of the debate comes down to, if we get to that point, that we pay back the people who loaned us money in the first place. They need to have confidence that they can continue loaning us money because we are still having to borrow a lot of money.

I can think of few things that would be worse than to publicly announce we are going to pay somebody else before we pay back our creditors. That is how creditors no longer lend any money to you.

So, what Republicans are doing is having a public debate. We are bringing this to the floor. And I do recognize our friends on the other side, our Democrat friends, that they want to spend more and tax more. They have never seen enough spending in this place. They want more and more. They are like our President—they have an insatiable appetite to spend people's money. And then, like, literally, somebody who

started a fire, is an arsonist, show up as the firefighter, the hero, to say, but I want to save our country.

They created the economic malaise that we have. It is overspending, it's holding back job creation, and Republicans are going to stand on the floor and have this debate with the media and the American people and the administration and say, let's know what we are going to do when we get there months ahead of time so that we don't falter like we did some time ago, and take on the President's idea again of sequestration only to have him argue against his own idea later and then try to mislead the American public what this whole issue is about. It's about the economic demise of the United States of America and how we are having to work here to make sure that we publicly discuss this before it becomes too late.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from California, one of our impressive freshmen, Mr. HUFFMAN.

Mr. HUFFMAN. Mr. Speaker, I rise to oppose the impossibly misnamed Full Faith and Credit Act, a bill which would actually make a mockery of our country's full faith and credit. It prepares our country for default by prioritizing payments to Wall Street and foreign governments over nearly every other national obligation.

We've seen the disastrous effects on our credit rating, our stock market, and our economic recovery when Congress plays political games with the debt ceiling, but here we go again.

Why would my colleagues across the aisle prioritize paying the Chinese Government over paying our troops in Afghanistan? What about air traffic controllers, FBI investigators, disabled veterans, small businesses who contract with the government, doctors who treat Medicare patients? This bill says it's okay to stiff all of them, as long as Chinese bondholders are paid in full.

Mr. Speaker, it's time to move forward with House-Senate negotiations on a final budget resolution that strengthens the economy and avoids default. That's what we've been asking Speaker BOEHNER to do. Instead of taking that responsible step, we are here today considering a bill that will take us closer to the brink of economic chaos.

For the sake of American workers and businesses, I urge my colleagues to reject this dangerous bill.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 3 minutes to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. I thank the gentleman for yielding.

Once again, the dominant theme from our friends on the other side seems to be China first, this pays China

first. That's the constant refrain we're hearing.

Let me again remind them, China holds about 10 percent of our debt; Americans hold more than half of it. All of our spending from this government depends on maintaining our credit.

That means whoever is loaning us money, whether China or Timbuktu, whether it's the Teamsters pension fund or a child's savings bond that they've gotten for their birthday, we are borrowing over a quarter of everything that we spend. If we cannot borrow, if the confidence of the credit markets is ever compromised, this whole house of cards collapses around us, a house of cards constructed by this administration's profligate borrowing.

Our credit is now bearing a greater burden and strain that it has ever borne before. All this measure suggests is that we should at least reinforce that credit with exactly the same guarantees that most of our States have successfully employed for generations and, I would remind my friend from California, California has had in its Constitution for over 100 years.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I'm opposed to the rule, and I'm opposed to the Pay China First bill. It is my understanding that they've added something, I think it's called the Camp amendment, that would make sure that Members of Congress are not paid if the Nation, in fact, defaults. This borrows an idea that I introduced back in the summer of 2011, H.R. 2653. We had a number of bipartisan cosponsors.

I'm worried, though, that despite imitation being the sincerest form of flattery they've diluted this concept to make it unconstitutional. Due to the 27th Amendment, it is unconstitutional to adjust Member pay during a session. We had it drafted so that Members would be paid last, which would pretty much ensure that we would not be paid. Perhaps they've corrected the drafting on their side.

□ 1320

They've also done this to me once before this year. They took our no budget-no pay idea that the No Labels group had sponsored, which has now become law, but they took out the heart of it. Right now, we should be having a House-Senate conference since both Houses have finally passed legislation. The Senate being the laggard, now after 4 years, they've finally passed a budget, but now we're refusing to conference the budget.

I am a believer in pay-for-performance. The American taxpayers are not getting their money's worth from today's Congress. They should be getting their money's worth, and I think these concepts about penalizing Congress

when we fail to do our job are very powerful concepts; but they should be given full strength, not diluted and unconstitutional treatment in a quicky amendment such as is being offered here. The core idea of pay-for-performance I hope that more of my colleagues will look at because Congress does many things right, and we should be rewarded for that. We fail in many ways, and we should be penalized for that.

Today, sadly, the only people in America who are not able to pay Congress by performance are the taxpayers. Those special interests are paying us by performance all the time whether in PAC contributions or in post-retirement job opportunities. That is one reason this Congress is not performing to full capability. It is one reason we are not living up to our potential. So, as we look at this concept, at this Camp amendment, please let's do it right. Please, let's make sure that Congress is not paid for failure.

Mr. SESSIONS. I yield myself 2 minutes.

Mr. Speaker, I want to acknowledge Mr. COOPER's presence here today. His idea was valid and, in fact, was utilized in what we have done.

The slight difference of how I'd like to describe this to the gentleman is: we did not say that Members cannot be paid. What we said is that no new debt can be used to pay Members. So, if we're spending 40 percent too much money today and if 60 percent were coming in, we could be paid out of that amount, but we could not be paid out of the debt-side amount, which is what this legislation is about and why this legislation is germane.

I do thank the gentleman. I thank the gentleman for his idea that Members of Congress should equally suffer or equally gain as the American people have. In this circumstance, it's a loss for all of us, and that is why Chairman CAMP included this as an amendment. It was to make sure that we clarified: As part of this bill, Members of Congress could not be paid with new debt that was being brought to the United States.

So I hope that clarifies not only the success that we believe that Mr. COOPER brought with his ideas but also the intent of what this legislation actually does, what we spoke about in the Rules Committee and the fine line between paying a Member and whether it comes from new debt or whether it comes from operating entities that would be within the 60 percent that would not be the new debt. I hope this clarifies not only what we are trying to do but that we speak forthrightly to Members about what this legislation actually is.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Article I, section 8.1:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States.

Now Amendment 14, section 4:

The validity of the public debt of the United States . . . including debts incurred for payment of pensions and bounties for services . . . shall not be questioned.

But that's precisely what the Republican Party, the Republican majority, is doing today. I have many friends on the Republican side of the aisle whom I respect, but I've never been as disappointed in them as I am today.

"Pari passu." That means "equal." The United States of America, for 235 years, has treated all of its creditors equally. If you're the landlord, if you get a salary, if you mow the lawn on the National Mall, you get paid at the same time that somebody who loans money to the United States gets paid. Everybody gets paid. That's how we treat it. We don't treat it that China or Wall Street or Saudi Arabia, because they've loaned us money, gets paid before the nurse working in one of our VA hospitals. That's not America. That is wrong. That is not how we run our country. It is unconstitutional.

I'd say to my friends that this short, little bill of yours to prioritize our debts is exactly the wrong thing to do. If I were a credit-rating agency, I'd say, if you're prioritizing your debts, you're getting ready to not pay somebody. Everybody is treated equally. If I were that credit rating agency, I would downgrade us today.

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

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

Mr. PERLMUTTER. I'd say to my friends on the Republican side of the aisle, to the majority party: Don't do this. This is wrong. This is not our Nation.

We have built this Nation on equality, and that includes the equality of payment. Whether you're a landlord or if you work for the country or if you're a veteran, whatever it may be, you get paid. That's how we operate it.

We in this Congress have the ability not only to raise the revenue that's needed to do that but to manage our expenses, but we don't stiff anybody. So I'd say to my friends: Withdraw this bill now. It is bad legislation. It is wrong for this Nation. Get rid of it.

Mr. SESSIONS. Mr. Speaker, at this time, I yield 5 minutes to the chairman of the Financial Services Committee, the Member from the Fifth District of Texas, the gentleman from Dallas, Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the distinguished chairman of the Rules Committee for yielding, Mr. Speaker.

I also want to thank the gentleman from California (Mr. MCCLINTOCK), who

has been, perhaps, the most cogent defender of the Constitution on the floor of the United States House of Representatives and who has provided his leadership today to ensure that we do not have default on sovereign debt but that we put this Nation on a path to fiscal sanity, and I thank him for his leadership.

Mr. Speaker, the folks in the Fifth Congressional District of Texas, whom I'm proud to represent, have a lot of insecurity about their personal economy, and they have great fear that their children will not enjoy a brighter future.

I heard my friend, the gentleman from Colorado, say that everyone gets paid. Well, maybe that's part of the problem. Maybe that is one of the reasons under President Obama's leadership there has been more debt created in the last 4 years than in our Nation's first 200. We are awash in debt. We know that we have a debt, not because we have insufficient taxes, but because we spend too much. Math is a pesky thing.

In the last 10 years, the Department of Ag: up 114 percent; HUD: up 61 percent; HHS: up 79 percent. Our total government spending has increased 70 percent; and measured by median family income, the family budget, which has to pay for the Federal budget, it is down 6 percent.

Now, some have said, You know, revenues are a problem. Well, revenues are up 52 percent, but you can't raise taxes enough to chase the spending that the Democrats and the President want to foist upon the American people. They have put us on a path to national bankruptcy. At some point, we've got to quit spending money we don't have. Again, we are on the precipice of a debt crisis, and we have it because of too much spending.

To some of my friends on the other side of the aisle, their answer to the debt ceiling is to get rid of it. Some have introduced legislation just to get rid of the debt ceiling.

□ 1330

That's kind of like, Mr. Speaker, a fire breaks out in your home and your response is to unplug the smoke detector because of that nuisance noise in the background that maybe your house is on fire. I would remind my friends on the other side of the aisle, Greece didn't have a debt ceiling vote, and yet we have Democrats who say, No, let's just get rid of it.

But for those who believe that we're not going to get rid of it, we have other friends from across the aisle who essentially want to use it as a hostage for something that is not a debt. A debt is when you go out and you borrow money and you must pay it back. Every family understands this. It's one thing for an American family to borrow money to pay their mortgage

versus borrowing money so that they can pay for a Las Vegas vacation that they would like to take. They are not equivalent.

Mr. Speaker, paying sovereign debt is not the same thing as borrowing money so that this institution and this town can continue to spend money for pottery classes in Morocco, to pay for the travel expenses of the Alabama Watermelon Queen, to pay for robotic squirrels and all the rest of the lunacy that this Federal Government spends and in the end takes bread off the table of hardworking American families.

Mr. Speaker, we believe that the President has this power, but he says, No, I don't have this power. So I find it ironic that we're willing to codify what we already believe to be the law of the land, and the President says, No, I want to veto that. Again, he wants to use this as a hostage.

This is a very simple bill introduced by the gentleman from California to require our Treasury to make good on all of our debt payments. That's it. We must stop borrowing money to squander our children's future. This bill will help us do this.

But the Democrats, they don't want to take this specter of default off the table. It's the only way they can continue spending. They say they do. If they do, Mr. Speaker, I look forward to seeing their name up on the big board soon.

This is the right thing and the smart thing to do, and I urge that the House, adopt this rule and adopt the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to talk about what it is we're trying to pay for on our side:

Pay and benefits for 1.4 million active duty troops and 780,000 troops in reserves will not be paid while China is paid;

Benefits to 3.4 million disabled veterans;

1.3 million veterans receiving education or home purchasing assistance;

Earned payments to American small businesses;

Payments to 1.1 million doctors and health care practitioners who provide care to seniors with Medicare;

Payments to schools for nutritious lunches served to 32 million children;

Payments to 44,000 National Institutes of Health grantees.

With that, I am pleased to yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlelady for yielding.

Mr. Speaker, this bill would raise the debt ceiling, but only insofar as necessary and only for the purpose of paying our debts to China and to Social Security.

Not raising the debt ceiling beyond what this bill does would mandate not paying Medicare beneficiaries or our troops overseas or our veterans here at

home or anyone owed money for working for the Federal Government and would generally collapse the economy by forcing default on most of our debts.

Raising the debt ceiling merely allows us to pay debts we have previously incurred—all debts previously incurred. We should recognize this simple reality by eliminating the debt ceiling and passing responsible budgets. But Republicans now use the debt ceiling to hold the entire country hostage unless the demands that they haven't figured out yet are met. This reminds me of a 1930s gangster film: it's a nice restaurant you've got over there; it's a nice economy you've got over there; pity if it should happen to blow up if you don't meet our demands.

This Republican tactic has already brought about the first downgrade in the U.S. credit rating in history and has brought about brutal spending cuts that have punished the middle class, failed to help the millions of Americans looking for work, and weakened the safety net for working families and seniors.

Mr. Speaker, it was two wars and two Bush tax cuts and 8 years of irresponsibility that brought us the deficit in the last budget adopted under George Bush of 10.1 percent of GDP. We have reduced that budget deficit in 3 years from 10.1 percent of GDP to 4.8 percent today. This is the fastest deficit reduction since the demobilization after World War II.

Economists agree that the draconian austerity decreed by the sequester is slowing our economic growth, eliminating millions of jobs, and could create a double-dip recession. We have seen this in Europe where, starting 2½ years ago, they adopted the policies the Republicans want. They adopted severe austerity and they cut budgets too much. The result is a double-dip recession. With their negative economic growth, we're still at positive economic growth.

We're hearing from our Republican friends today about how endangered our credit rating is. Our credit rating is so endangered, despite their frightening rhetoric, that we are paying the lowest interest rates on our bonds ever, and our bonds are selling higher. People are getting in line to buy our bonds because our credit rating is, in fact, quite good.

Yet, in spite of presenting the American people with a plan to invest in our economy and create jobs for the 12 million Americans looking for work, Republicans are once again intent on manufacturing a crisis that will only increase unemployment. We should not develop a plan for how to generate and then manage a devastating default that will put our economy into chaos; we should repeal the sequester, slow down our deficit reduction, spend the money on highways and bridges and infrastructure investing and putting our

people back to work so that more people work, unemployment goes down, government spending and unemployment insurance and food stamps go down, and the economy improves and our unemployment also goes down. That's the proper path.

What the Republicans are trying to do would say, Don't do that. Follow the path of Europe. Get 12 percent or 15 percent unemployment. This bill would head us in that direction. That's not the direction we should be going.

We ought to safeguard our credit and not even contemplate the possibility of default.

The SPEAKER pro tempore. The gentlewoman from New York has 7½ minutes remaining, and the gentleman from Texas has 4 minutes remaining.

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

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 1 minute to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, I rise in opposition to House Resolution 202 and H.R. 807 because the last time Congress did something this dumb it cost the American public \$19 billion over the next 10 years. Why? Because our credit rating was downgraded for the first time in the history of the United States. Let's not do something like that again.

That does not help the economy, and it doesn't put anyone to work. All it does is make sure that everybody around the world who loves to buy American-backed paper just gets more money for it, which means more money out of the pockets of Americans for one reason and one reason only: to have the optics of politics of a bill like this that actually basically states that we are not going to back the paper that people buy.

That is something that is not within our American values. That's something that doesn't even need to see the light of day. And it's a shame that we would play politics with the American dollar and we would play politics with the reputation of this great country by having these two bills before us.

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

Ms. SLAUGHTER. Mr. Speaker, may I inquire if my colleague has any more requests for time?

Mr. SESSIONS. Except for my final close, I do not. And I thank the gentlewoman.

Ms. SLAUGHTER. I thank the gentleman.

Let me introduce the previous question.

Mr. Speaker, if we can defeat the previous question, I will offer an amendment to the rule that will allow the House to hold a vote on the Student Loan Relief Act.

If Congress doesn't act, next month undergraduate students across the

country will see a hike in their student loan interest rates. If my Republican colleagues want to talk about debt priority, this should be a part of the dialogue.

To discuss the proposal, I yield 4 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I rise in opposition to the previous question.

As the gentlelady said, defeat of the previous question will allow her to propose, instead, an amendment to the rule to a bill that intentionally degrades the full faith and credit of our country, sets that aside and instead allows for consideration of the Student Loan Relief Act, a measure which will prevent the subsidized Stafford student loan program from doubling in 53 days.

□ 1340

Let me again reiterate that point. On July 1, if Congress does not act, the subsidized Stafford student loan program, which provides student loan assistance to over 7 million young Americans, will double from 3.4 percent to 6.8 percent. We have heard a lot of talk on the floor here today about debt and about trying to protect the young people of this country. Well, the Federal Reserve Bank of New York recently issued its latest update regarding student loan debt in this country, which is now \$1.1 trillion. It's higher than credit card debt, and it is higher than car loan debt.

When we talk about the challenges facing, particularly, young people in this country who are trying to get the opportunity to upgrade their skills, something that this recession has taught us painfully is necessary because the unemployment rate of people with high school degrees or less is three times as high as people with 4-year degrees, the fact of the matter is that the subsidized Stafford student loan program is a lifeline in terms of young people being able to pay the rising cost of tuition.

Despite the fact that we have a ticking clock of 53 days and only 24 session days scheduled between now and July 1, the majority has not brought a single proposal forward to avoid this catastrophe from happening to young people all across the country.

The Student Loan Relief Act, which I am the lead cosponsor of, has over 125 cosponsors here in the House, will extend the lower rate for 2 years, and will allow this Chamber to once and for all get its arms around this serious, critical problem for the future of this country. The fact of the matter is that the student loan debt issue requires a comprehensive rewrite of the Higher Education Authorization Act which will give tools to young people, starting in high school, to make better choices about where they go to school, how they're going pay for it, with better awareness and information. It

would also allow people who have graduated to be able to refinance their debt so they can lower those monthly payments.

Again, talk to the Realtors in this country about what's holding back the housing market. Young people in their twenties and thirties who are carrying student loan debt of 60, 70, \$80,000 are not in a position to go out and buy a house because they can't qualify for a mortgage because of these high payments.

It is time for Congress to focus on what people are really waking up in the morning thinking about and worrying about, which is how to pay for college.

Mr. Speaker, on May 1, we just celebrated decision day, which is the day when young people make the choice about where they're going to college. Unfortunately, they have no clue about whether or not their subsidized Stafford loan rate, which has been in place for the last 6 years, is going to continue beyond July 1.

It is time for this Chamber to focus on what's important for American families. Let's take up the Student Loan Relief Act. Let's pass a higher education authorization bill which deals with this issue from soup to nuts, and let's set aside this crazy bill which intentionally degrades the full faith and credit of our country.

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

The fact that this Chamber has dedicated valuable time and resources to the consideration of an unconstitutional bill that will put our Nation on the road to default is regretful. The fact that this legislation puts the economic interests of China before paying our soldiers' salaries and providing benefits to our veterans is a disgrace.

The plan presented by the majority fails to raise the debt ceiling, which is the only way that we can prevent economic default. Instead, it simply wastes another week of valuable time and the \$24 million that it costs to run this House of Congress for a week and moves us that much closer to yet another downgrade in our Nation's credit rating, something that had never happened until this majority assumed control of the House. And now it is actually possible the majority would lead us to the second downgrade of the Nation's credit over the course of 2 short years.

On May 19, our Nation will reach its debt ceiling, and emergency measures would be put into place to delay default. We've seen this film before, and we know how the movie ends—a twisted plot with terrible consequences that come by refusing to pay our bills. I urge my colleagues not to walk down that road again.

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

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues most enthusiastically to vote “no” to defeat the previous question. I urge a “no” vote on the rule. I would like to see this bill withdrawn.

I yield back the balance of my time.

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

I have been around this place a long time, and I’ve heard of people who did not read bills. I have heard of people who did not understand bills, but I have never seen a circumstance such as today where the truth was being held hostage.

The facts of the case are very simple. Republicans today are offering a mechanism to the President of the United States and the American people that says, if we do get in a circumstance where we do not extend our debt to further allow the Federal Government to buy more debt to pay its obligations, then we offer this opportunity, and that is that the government can, even when we’re in a circumstance where we cannot borrow more money, and let’s say we spend 60 percent that we get money in but 40 percent is the debt that we can no longer have available to pay our obligations, about a 60/40 split, then we’re allowing the Federal Government to go borrow more debt to pay its obligations so that it doesn’t compete against the money that does come in to pay the bills of the United States as the President of the United States would choose.

I’ve never heard of a more reasonable option. We’re not telling the President how to spend the money. We’re giving authorization for new debt to pay our debt obligations. That’s not cutting people off. It’s not truthful to say we’re going to do that. Anybody that tells you that didn’t read the bill.

What this is about is to say, if we go into a debt circumstance where we cannot come to an agreement, then we are authorizing the Federal Government, the Treasury, to go get more debt, only enough to pay debt obligations to where we do not default, and then we work on the circumstances of how much money comes in.

This has been miscast. The truth has been held hostage, and I am disappointed in Members of Congress who came down here and misled the American people about what this bill is. It is nothing more than allowing the Treasury to go borrow money to pay its already obligations to people who loaned us money. It says nothing about how they will pay normal bills to people.

And to come to this floor and to suggest this is simply a disservice to the obligations I think that we have to be open and honest about what our job is.

I urge my colleagues to understand the simplification of what this bill is about, to not try to twist it to have it become something that it is not. I hope my colleagues will vote “yes” on the rule and “yes” on the underlying legislation.

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

AN AMENDMENT TO H. RES. 202 OFFERED BY
MS. SLAUGHTER OF NEW YORK

Amendment in the nature of a substitute:
Strike all after the resolved clause and insert:

That immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1595) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

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

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party of-

ferred a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

□ 1350

WORKING FAMILIES FLEXIBILITY
ACT OF 2013

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1406.

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

There was no objection.

Mr. KLINE. Mr. Speaker, pursuant to House Resolution 198, I call up the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 198, the amendment recommended by the Committee on Education and the Workforce printed in the bill is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1406

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Working Families Flexibility Act of 2013”.

SEC. 2. COMPENSATORY TIME.

Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end the following:

“(s) COMPENSATORY TIME OFF FOR PRIVATE EMPLOYEES.—

“(1) GENERAL RULE.—An employee may receive, in accordance with this subsection and in lieu of monetary overtime compensation, compensatory time off at a rate not less than one and one-half hours for each hour of employment for which overtime compensation is required by this section.

“(2) CONDITIONS.—An employer may provide compensatory time to employees under paragraph (1)(A) only if such time is provided in accordance with—

“(A) applicable provisions of a collective bargaining agreement between the employer and the labor organization that has been certified or recognized as the representative of the employees under applicable law; or

“(B) in the case of employees who are not represented by a labor organization that has been certified or recognized as the representative of such employees under applicable law, an agreement arrived at between the employer and employee before the performance of the work and affirmed by a written or otherwise verifiable record maintained in accordance with section 11(c)—

“(i) in which the employer has offered and the employee has chosen to receive compensatory time in lieu of monetary overtime compensation; and

“(ii) entered into knowingly and voluntarily by such employees and not as a condition of employment.

No employee may receive or agree to receive compensatory time off under this subsection unless the employee has worked at least 1,000 hours for the employee’s employer during a period of continuous employment with the employer in the 12-month period before the date of agreement or receipt of compensatory time off.

“(3) HOUR LIMIT.—

“(A) MAXIMUM HOURS.—An employee may accrue not more than 160 hours of compensatory time.

“(B) COMPENSATION DATE.—Not later than January 31 of each calendar year, the employ-

ee’s employer shall provide monetary compensation for any unused compensatory time off accrued during the preceding calendar year that was not used prior to December 31 of the preceding year at the rate prescribed by paragraph (6). An employer may designate and communicate to the employer’s employees a 12-month period other than the calendar year, in which case such compensation shall be provided not later than 31 days after the end of such 12-month period.

“(C) EXCESS OF 80 HOURS.—The employer may provide monetary compensation for an employee’s unused compensatory time in excess of 80 hours at any time after giving the employee at least 30 days notice. Such compensation shall be provided at the rate prescribed by paragraph (6).

“(D) POLICY.—Except where a collective bargaining agreement provides otherwise, an employer that has adopted a policy offering compensatory time to employees may discontinue such policy upon giving employees 30 days notice.

“(E) WRITTEN REQUEST.—An employee may withdraw an agreement described in paragraph (2)(B) at any time. An employee may also request in writing that monetary compensation be provided, at any time, for all compensatory time accrued that has not yet been used. Within 30 days of receiving the written request, the employer shall provide the employee the monetary compensation due in accordance with paragraph (6).

“(4) PRIVATE EMPLOYER ACTIONS.—An employer that provides compensatory time under paragraph (1) to employees shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce any employee for the purpose of—

“(A) interfering with such employee’s rights under this subsection to request or not request compensatory time off in lieu of payment of monetary overtime compensation for overtime hours; or

“(B) requiring any employee to use such compensatory time.

“(5) TERMINATION OF EMPLOYMENT.—An employee who has accrued compensatory time off authorized to be provided under paragraph (1) shall, upon the voluntary or involuntary termination of employment, be paid for the unused compensatory time in accordance with paragraph (6).

“(6) RATE OF COMPENSATION.—

“(A) GENERAL RULE.—If compensation is to be paid to an employee for accrued compensatory time off, such compensation shall be paid at a rate of compensation not less than—

“(i) the regular rate received by such employee when the compensatory time was earned; or

“(ii) the final regular rate received by such employee, whichever is higher.

“(B) CONSIDERATION OF PAYMENT.—Any payment owed to an employee under this subsection for unused compensatory time shall be considered unpaid overtime compensation.

“(7) USE OF TIME.—An employee—

“(A) who has accrued compensatory time off authorized to be provided under paragraph (1); and

“(B) who has requested the use of such compensatory time, shall be permitted by the employee’s employer to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the employer.

“(8) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘employee’ does not include an employee of a public agency; and

“(B) the terms ‘overtime compensation’ and ‘compensatory time’ shall have the meanings given such terms by subsection (o)(7).”.

SEC. 3. REMEDIES.

Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended—

(1) in subsection (b), by striking “(b) Any employer” and inserting “(b) Except as provided in subsection (f), any employer”; and

(2) by adding at the end the following:

“(f) An employer that violates section 7(s)(4) shall be liable to the employee affected in the amount of the rate of compensation (determined in accordance with section 7(s)(6)(A)) for each hour of compensatory time accrued by the employee and in an additional equal amount as liquidated damages reduced by the amount of such rate of compensation for each hour of compensatory time used by such employee.”.

SEC. 4. NOTICE TO EMPLOYEES.

Not later than 30 days after the date of enactment of this Act, the Secretary of Labor shall revise the materials the Secretary provides, under regulations published in section 516.4 of title 29, Code of Federal Regulations, to employers for purposes of a notice explaining the Fair Labor Standards Act of 1938 to employees so that such notice reflects the amendments made to such Act by this Act.

SEC. 5. SUNSET.

This Act and the amendments made by this Act shall expire 5 years after the date of enactment of this Act.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 113–51, if offered by the gentleman from New York (Mr. GIBSON) or his designee, which shall be considered read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Minnesota (Mr. KLINE) and the gentleman from Connecticut (Mr. COURTNEY) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Speaker, I rise today in strong support of H.R. 1406, the Working Families Flexibility Act of 2013, and yield myself such time as I may consume.

Today we have an opportunity to make life a little easier for working families across the country. This legislation doesn’t create a new government program or bureaucracy. It doesn’t spend taxpayer dollars or add to the national debt. The Working Families Flexibility Act simply removes an outdated Federal policy that denies private sector workers the flexibility they need to better balance family and work.

For 75 years, the Fair Labor Standards Act has provided covered workers with basic wage and hour protections. Those covered by the law receive time-and-a-half in paid compensation for each overtime hour worked. The law plays a significant role in millions of workplaces; yet it does not reflect the realities of the modern workforce.

For example, in 2011, 59 percent of families with children had two working parents, compared to 37 percent 40

years ago. Meanwhile, 8.5 million workers today are single parents, and one in three undergraduate students also works full-time.

Behind each statistic, Mr. Speaker, are men and women trying to juggle family and work; a single, working mom that needs extra time to attend a parent-teacher conference, a dad hoping to leave work early to catch his son's Little League game, a married couple working two jobs while raising a family and caring for an aging relative.

Supporting a family is about more than providing an income; it's about being there for one another. We know there are a lot of workers who would seize the opportunity to earn a few extra dollars, but others may welcome additional paid time off to spend with loved ones.

Shouldn't workers choose what's best for their families? Shouldn't workers choose?

Unfortunately, Federal law denies many private sector workers this fundamental choice. The law assumes everyone would choose more money in the bank over more time with family. To add insult to injury, public sector employees have enjoyed this benefit for decades; yet we continue to treat those in the private sector differently.

That's not fair, Mr. Speaker. It's not fair to millions of hardworking Americans. The Working Families Flexibility Act will remove this unnecessary barrier and allow private sector employers to offer employees the choice to accrue paid time off, or comp time, for working overtime. The bill does not change the 40-hour work week, and comp time would accrue at the same time-and-a-half rate as cash wages.

The legislation includes numerous protections to ensure the use of comp time is strictly, strictly, Mr. Speaker, voluntary, such as requiring a written agreement between the employer and employee, allowing workers to cash out their accrued comp time whenever they choose, retaining all enforcement remedies available under current law, and adding new protections to prevent coercion and intimidation.

At the heart of the legislation is worker choice. Workers choose whether to accept comp time. Workers choose when to cash out their accrued comp time, and workers choose when to use their paid time off, so long as they follow the same standard public sector employees do. Same standard, Mr. Speaker.

Americans sacrifice a lot to provide for their families. Let's get the Federal Government out of the way and give workers the flexibility they need to thrive at home and at work.

I urge my colleagues to support the Working Families Flexibility Act of 2013, and I reserve the balance of my time.

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

I rise in opposition to this legislation, which, again, is no stranger, sadly, to this Congress. This is the fifth time that the majority party has introduced it, going back to 1997; and each time, the huge flaws in this legislation have resulted in its complete collapse in terms of getting anything close to real support through both Chambers and through the executive branch. And once again, it doesn't deserve that support in this case.

Despite the representations made in its title, that it promotes workers' flexibility, that it gives workers choice, the fact of the matter is, a closer examination of the bill shows the opposite is true.

The better way to describe this bill is the More Work, Pay Less bill because what it does is take the 1938 Fair Labor Standards Act, which created a bright line to protect people's right to a 40-hour work week, and make sure that that next hour after 40 hours is paid for with the time-and-a-half of wages. And, again, that created the weekend in America. That created the time off that families have taken for granted as middle class Americans for decades.

What this bill does is it blurs that line; it creates total chaos in terms of trying to come up with a system to set up ground rules with a case-by-case contract, written contract, that's mandated by the language of the bill, and then leaves it to the enforcement of State Labor Departments Wage and Hours Divisions, which are totally incapable of going into the tens of thousands of workplaces all across America and trying to figure out whether or not, in fact, the rules have been followed.

A closer examination of the bill shows, on page 8 of the bill, in lines 7-10, that, in fact, all these representations that the worker gets to choose are, in fact, not correct. At the end of the day, the employer has the right to veto any comp time that this bill has allowed to accrue over any period of time. So the notion that somehow a person has that choice to accumulate comp time and then be able to use it for a family vacation, or a family emergency, in fact, does not meet the actual plain language of the bill that is before us today.

And that is why organizations that represent working families, organizations that represent women, organizations that have been part of employment law for years and years and years in this country have resoundingly come out in opposition to this legislation. Over 160 various organizations of every stripe representing religious groups, women's groups, labor groups, groups that, again, deal with employment law have basically looked at this legislation for the fifth time and given it thumbs down.

□ 1400

The fact is we should do that. There's no question, however, that workers do,

in fact, need more help in terms of making sure that the wages that have stagnated over the last three decades get more support. And families, again, are strained by the fact that those stagnating wages have required second jobs and multiple spouses in the workforce.

But the fact is that there are much better solutions than this legislation, the More Work Pay Less Act. In fact, what we should do is set up a standard for paid sick leave in this country so that a single parent waking up with a child whose temperature is over 100 degrees doesn't feel that they have no choice in terms of how to deal with that situation, that they have some guaranteed opportunity without losing the pay that they need to put food on the table or put gas in the tank, that they, in fact, have that choice which so many of us here as Members of Congress and our staffs certainly take for granted. We should apply the same standards in terms of sick pay that we enjoy to the working people of this country.

This bill doesn't do it. This bill does not meet that test. Again, it sets up a system that is completely unworkable and unenforceable. It butchers the Fair Labor Standards Act's bright line that has protected the American weekend for decades and decades in this country, and in the name of workplace flexibility, in fact, tips the scales of power within the American workforce, once again against the worker, against the employee, who basically for far too long has suffered in this economy.

We need better solutions. This is not the bill.

I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I'm very, very pleased right now to yield 3 minutes to the author of this terrific piece of legislation, a member of the committee, the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Mr. Speaker, I rise today in support of the Working Families Flexibility Act of 2013. I thank the gentleman from Minnesota, my chairman, for all of the hard work on this bill and the committee, as well.

Mr. Speaker, I am proud to sponsor this bill. And I can tell you, as a working mom, my husband, Riley, and I certainly relate to and understand the pulls on families that are juggling so much between their work life and their home life. If you talk to any working mom or dad, you'll hear them say things like, wouldn't it be nice to have flexibility to attend my son's soccer game, coach a tee ball team, take care of my aging parent, or be there to support my children at a time when one of the spouses is being deployed by our military.

These are all things that working moms and dads want to be a part of. Those that have elderly parents want to be there for their parents in their

time of need. We can't legislate another hour in the workday, but we sure can give moms and dads a little bit of relief when it comes to flexibility in their workplace.

Under this bill, no worker could ever be forced—despite the claims of my colleagues on the other side—no worker could ever be forced to take time off, paid time off, just like no business would ever be forced to offer it. For some people, having paid time off is far more valuable than money.

The problem is, Mr. Speaker, that under the current law, the private sector doesn't enjoy the same privilege to offer this benefit to their workers as the public sector does. And as my colleague was just talking about sick time, sick leave, and the benefits that we may enjoy in the Federal Government, I think that the private sector should enjoy the benefit that Federal employees have now, and that's compensatory time and the right to choose what to do with their time.

Our message to Americans, Mr. Speaker, is very clear. We must get Washington out of the way of how they use their time. It is your time to choose.

All existing enforcement remedies under the current law are retained; but this legislation goes above and beyond to incorporate additional protections that will prevent coercion and ensure utilizing comp time is truly voluntary, including a requirement of a written agreement, a voluntary written agreement between the employer and the employee, a cash-out provision entitling the employee to ask for their paid overtime at any time, and a provision requiring employers to be found in violation of coercion to pay double damages.

I want to read—I have lots of quotes from constituents, but there is one in particular that sums all of this up. I got a note from a young lady who lives a long way from Alabama's Second Congressional District, in California; and she writes:

As a kid growing up with both parents who worked, I missed a lot of time with them. I am also an only child so I didn't really spend time with my actual family. I was either in daycare or a friend's house during the 5-day workweek. And if my mom took time off, she wouldn't get paid over that time period—

The SPEAKER pro tempore (Mr. YODER). The time of the gentlewoman has expired.

Mr. KLINE. I yield the gentlewoman 1 additional minute.

Mrs. ROBY.

I didn't really spend time with my actual family. I was either in daycare or a friend's house during the 5-day workweek. And if my mom took time off, she wouldn't get paid over that time period, even though she would work overtime. So when I read about this bill, I was touched and compelled to tell you that if this bill passes it really would change people's lives and help families around America. Thank you for recognizing how val-

uable time is to people, and for giving us an option of how to use our time.

I thought that was compelling. Mr. Speaker, I think that sums up this bill in its entirety. This doesn't solve our Nation's debt problems or our deficit, but this provides some relief to working families in America, to those working moms and dads.

I urge my colleagues to support this bill.

Mr. COURTNEY. Mr. Speaker, it is my privilege now to yield 2 minutes to the minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mrs. ROBY and I are friends, but we have a very substantial disagreement about this bill.

I call it the Pay Working Families Less bill because what it will result in is a cut in pay for almost everybody. Yes, there will be those who will volunteer who can afford to do comp time. Others will not be. And so they will not be able to earn overtime because the employer will invariably—not because they're bad people—but will invariably go to the person that will, in fact, do it for free.

I understand it's comp time, but they won't get paid. Most workers at this level need the pay. They need to pay their mortgage, they need to pay their car payment, and they need to send their kids to school. It would, of course, be cheaper to run a business if we didn't pay people at all. But it wouldn't be America.

Mr. Speaker, today in the House it's *deja vu* all over again. This bill has been here before. In 2003 it was pulled from the floor. Why? Because at that point in time, there were a significant number of Republicans who thought this was a lousy idea and thought it would undermine the Fair Labor Standards Act and the pay of working people. Unfortunately, there aren't that number of Republicans left in this House.

It's *deja vu* all over again not only because this bill would send American workers back to the days before the 40-hour workweek, but we've also seen this same bill introduced and then, as I said, withdrawn. That's because it would eliminate the 40-hour workweek as we know it.

Now, I know my friends on the Republican side disagree with that premise. I've been an employer. I've seen employers. They're not bad people, but they're trying to maximize profits, and they wouldn't be paying minimum wage if they didn't have to; and very frankly, the minimum wage is way below what it ought to be.

This bill says that we would provide the workers with comp time, but permission as to when a worker could take accrued comp time would be entirely in his or her boss' hands.

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

Mr. COURTNEY. I yield the gentleman 1 additional minute.

Mr. HOYER. So that that letter, while a very nice letter, doesn't take that into consideration. The result would be longer hours for workers with no overtime pay and only the hope that their bosses will let them take their earned time off when asked. How we have skewed the rules and play against the middle working class of America. You ought to read the book "Who Stole the American Dream?" by Hedrick Smith.

Workers wishing to collect their overtime pay would be forced to wait until the end of the year, essentially granting employers an interest-free loan.

Mr. Speaker, this isn't fair, it isn't right, and it isn't going to become law; and everybody on this floor knows that—everybody. All 434 of us that are here today know that this bill is not going to become law. But we're wasting our time on it. Instead of wasting time on a partisan measure that would never make it through the Senate, we ought to be working on creating jobs and restoring fiscal discipline, not a partisan rollback of workers' rights, but a bipartisan compromise to help put more Americans to work.

Again, I say, if those Republicans who were Members of this House in 2003 were still here, this bill would not be on the floor.

Mr. KLINE. Mr. Speaker, I'm always interested to listen to the characterizations of a bill that simply aren't true.

It's my pleasure right now to yield 3 minutes to the gentlewoman from Washington, the chair of the Republican Conference, Mrs. McMORRIS RODGERS.

□ 1410

Mrs. McMORRIS RODGERS. I want to recognize and express appreciation to the chairman of the committee and the author of the legislation, Mrs. ROBY, for their tremendous leadership on this important issue.

I'm proud to rise in support of the Working Families Flexibility Act because it is time for our labor laws to enter the 21st century, just like our workforce has.

I support this legislation because it is time for those in the private sector to have the same freedom and flexibility that those in the public sector have had for years. As a mom, a working mom, I have two young kids—Cole is six and Grace is two. I understand firsthand how important it is to have the flexibility to meet the demands of your job and still the obligation of your family. And I am so grateful, like millions of working moms in this country, that I do have flexibility. It's not easy, that's for sure, but the current law makes it way too hard for many hardworking moms and dads in this country.

The workplace today is not the workplace of the 1930s, when many of these laws and regulations were first written. In fact, the most significant economic and sociological change in our society in the last half century has been the entry of women into the workforce.

Today, 75 percent of women between the ages of 25 and 55 are in the workforce, and we've seen a significant growth in the number of working moms. In fact, today, 60 percent of moms with children under 6 are in the labor force. The workforce has changed, and it's time for the laws to change with it.

Most of our labor laws and regulations were drafted in the 1930s, at a time when most households had a single income. For too long, Federal laws and regulations have lagged behind, and it's time we bring them into the 21st century. This legislation does just that. It amends the Fair Labor Standards Act to allow the private sector to provide time off instead of overtime compensation if that's what the employee prefers.

Labor laws—written years ago—require that full-time hourly workers be paid time and a half if they work longer than 40 hours a week. For the most part, hourly employees who want to take occasional time away from their jobs either must take annual leave or leave without pay. These rules are particularly outdated given that we live in a world where people no longer need to be chained to their desk for precisely 8 hours a day, especially in light of cell phones and Internet connections, mobile offices and part-time work.

Current law doesn't provide any workplace flexibility for those in the private sector. This legislation changes that. It gives private sector employees the same choice as those in the public sector, while getting the Federal Government out of the way and putting decisions in the hands of people rather than Washington bureaucrats. That's why we must pass this law. It promotes freedom and choice, and it makes life easier for Americans all across this country.

Mr. COURTNEY. Mr. Speaker, as somebody who was a private sector small employer for over 25 years, I just have to say that today, under existing law, employers already have the flexibility to give workers paid time off. The only new flexibility this bill gives is flexibility for employers to not pay people overtime. The fact is employers have that choice to give their workers paid time off.

With that, I would now like to yield 3 minutes to the esteemed chairman of our committee, who has led the fight for working families for over 30 years in this Congress, the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, this legislation is a shell

game. It's a trick. It's a Trojan horse. If an employer wants to give you time off, as the gentleman from Connecticut said, the employer can give you time off. He can give you comp time to go to your parent-teacher conferences, to take care of an ill member of your family, take care of yourself. But they don't do that. So they're going to dangle overtime here.

If you're willing to work overtime, sometime in the future they might give you that comp time. But it's not your comp time; it's the comp time that the employer will choose when and where you can take it. So if you work overtime this week and your child is very sick next week and you ask for the time and he says, no, we're busy, I can't give you the time off, you lose.

Your employer can bank up to 160 hours of your comp time before there's any obligation. That's almost 4 weeks of overtime. For many people, that overtime is really important. But this bill says your employer can go to you and say you can have the overtime—which may be very important to your family budget. It was when I was young and married and had children. I worked every hour of overtime I could get when I was in the Merchant Marines working on oil tankers. I worked every hour I could get in the canneries. I worked every hour I could get in the refineries because I needed that for my family budget. I didn't need comp time, I needed income.

But now the employer says you can have overtime, but I'm going to pay you back in comp time. If you say no, you have no protections. Your employer might say, okay, I'll find somebody else. Or your employer may offer it to you again and you say I can't do it, I need the overtime, and then you could be fired.

They want to keep saying you're protected and you have the same rights as people in the Federal employment system. You don't. There's nothing in the law that prevents your employer from firing you because you can't work the schedules your employer wants. They can say it all day long, but it's not in this legislation.

If your employer goes broke before the time that they have to give you your comp time, you're out. And if you don't like the way your employer treated you and fires you because you couldn't possibly do the comp time or you couldn't do the overtime, you can go sue in court. How many middle class families can go sue their employer in court, have that kind of money?

This is what it has always been since 1997, when this bill was introduced—1997. Yes, the workplace has changed. States and cities and employers are giving people paid time off so they can take care of their families when they need to take care of their families. But that's not what this bill is. It's an assault on the 40-hour workweek. It's an

assault on overtime. An employer can get the work and never really have to pay the overtime.

If you're in seasonal employment, if you're in an up-and-down business, you work like crazy and he says okay, things are slower in this part of the season, take that time off. You don't get to say, well, I don't really need that time off; I wanted to save that time for a parent-teacher conference. I'm sorry, we're going to be busy when that parent-teacher conference is.

You get what's going on here? This isn't women friendly. This isn't mom friendly. This isn't family friendly. This is friendly to people who want to get rid of overtime and break down the 40-hour week that protects families so they're not working overtime.

Mr. KLINE. Mr. Speaker, I now am pleased to yield 2 minutes to a member of the committee, the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Thank you, Mr. Chairman.

I rise today in this Chamber as the son of a working, single-parent mother who still works at the Delta Faucet factory in Greensburg.

I rise today in this Chamber as the son of a family who would have benefited from the flexibility and the time that is presented in the opportunity of the Working Families Flexibility Act.

I want to commend my committee chairman, Representative KLINE from Minnesota, and I want to commend my committee colleague from Alabama (Mrs. ROBY) for bringing forward this commonsense, family friendly legislation.

This bill is about freedom, the freedom to choose whether working overtime means more money in your pocket or more time to spend with your family.

This bill is about equality, the equality of giving private sector employees the same opportunities that their public sector counterparts have had for years. Despite the rhetoric on the other side of the aisle, this act provides private sector employees the same kinds of opportunities that public sector employees have had for years and used successfully.

This bill is also about time, the extra time workers will have to spend doing what they want to do or need to do if they decide that's more important to them than having a few extra dollars.

Mr. Chairman, this bill will make life a little easier for the working men and women of this great country by giving them the freedom to choose how they spend their time. That's something we all should support.

□ 1420

Mr. COURTNEY. Mr. Speaker, I now yield 1½ minutes to the Representative from Oregon, a colleague on the House Education and the Workforce Committee, Ms. BONAMICI.

Ms. BONAMICI. Mr. Speaker, today, I rise in opposition to H.R. 1406, the so-called Working Families Flexibility Act, which would deal yet another devastating blow to working families who are already scraping by in these tough economic times. Let's look at the facts:

Approximately two-thirds of Americans are living paycheck to paycheck.

Since 2000, hourly wages have flatlined, but productivity has risen 23 percent.

Employee compensation as a share of national income is at its lowest in 50 years, but corporate profits are stronger than ever.

American families are putting in longer hours for less pay; and, colleagues, this bill makes things worse.

If this bill becomes law, which we know it won't, a single mom living paycheck to paycheck could work more than 40 hours a week and receive no overtime pay in her paycheck. She would still have to pay the babysitter that week for the extra hours she spent on the job with no guarantee she'll be able to take the comp time off when she needs it. She would have to accept the days off her employer offers—that might not match her schedule—or else wait up to a year to receive the pay that's rightfully hers. And if the business closes, she's out of luck and out of pay.

Instead of getting a paycheck that includes overtime, she'll be forced to decide between an interest-free loan to her employer, or time off when it's convenient for her boss, not for her. Under this bill, millions of working families who are already living on the edge would work longer hours and take home less pay. They would have less flexibility, not more.

Colleagues, if we really want to talk about flexibility, let's talk about paid sick leave. I urge my colleagues to take a stand for working people and oppose this bill.

Mr. KLINE. Mr. Speaker, I am now pleased to yield 2 minutes to the gentlelady from Indiana, a member of the committee, Mrs. BROOKS.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in strong support on behalf of moms and dads and those who aren't parents that would be possibly impacted by the Working Families Flexibility Act of 2013. Currently, private sector employees do not have the same choice their public sector counterparts have enjoyed. Specifically, there are so many obstacles that prevent workers from being able to take comp time in lieu of cash wages. This commonsense piece of legislation removes those barriers and gives the private sector working moms and dads more flexibility.

We are getting ready to celebrate Mother's Day this weekend, and I wanted to make special note of the difficulties working moms have finding a

job that respects their family choices and pressures. I recently finished a book—talking about books earlier—called "Leaning In" by Facebook's COO, Sheryl Sandberg. She says, "Too many standards remain inflexible and unfair, often penalizing women with children." She notes that 50 percent of employed mothers are unable to take time off to care for a sick child.

She also discusses a Human Rights Watch study that found parents delayed having their babies immunized or dealing with their own health issues because they can't get time off. The study found parents believe "there is virtually no protection for workers seeking flexible schedules."

The bill on the floor now would give those working moms and dads the flexibility they want, need, and deserve. This empowers working parents to make the right decisions for their family. If dad can take work off for a doctor's visit, mom can choose to take cash if that's what she decides. If he can't, then she can choose to take the comp time. It gives them that flexibility.

As a woman and a mom who has worked in the public sector and the private sector, I know firsthand how this does help working parents, and it helps those government workers attain that flexibility they deserve. It's time we bring that flexibility to the private sector. It's the 21st century. We have to reform our workplace. This bill helps us accomplish that. I urge adoption.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from Maryland (Ms. EDWARDS) for the purpose of a unanimous consent request.

Ms. EDWARDS. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's wretched Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

Ms. EDWARDS. Mr. Speaker, today I rise in opposition to H.R. 1406, the deceptively-named, Working Families Flexibility Act—or, as I call it, The Working Families to Death Act. This bill—which is really an old, recycled idea from 1997—would allow employers to provide hourly workers with comp time rather than paying time-and-a-half on wages for more than 40 hours of work. Simply, for hourly workers, this bill equals more work for less pay.

Republicans have stated that "hourly workers do not have the same rights that salaried employees and all federal employees have." And that they are "trying to make equity and fairness." Further, they highlight that "flexible work arrangements have been available to federal government workers since 1978" and "it is high time that the workers in the private sector of this country enjoy the same benefits."

Can you guess when those statements were made? Not this week or last week but in 1997

and 2003. Today's latest attempt to pass this "comp time" bill is part of the GOP's rebrand to become more family-friendly. The bill's sponsor stated, "time is more precious to [a working father] than the cash payments."

In reality, this bill creates more flexibility for employers and places workers at risk of being fired if they choose overtime pay to help meet their obligations rather than comp time. I urge my colleagues to oppose this bill and work on policies that provide true, earned flexibility and fair wages for all workers.

The SPEAKER pro tempore. A Member asking to insert remarks may include a simple declaration of sentiment toward the question under debate but should not embellish the request with extended oratory.

The gentleman from Connecticut is recognized.

Mr. COURTNEY. Thank you, Mr. Speaker.

I now yield to the gentlelady from New York (Mrs. LOWEY) for the purpose of a unanimous consent request.

Mrs. LOWEY. I ask unanimous consent to insert my statement into the RECORD opposing the GOP's dubious Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The Chair would advise Members to confine their unanimous-consent request to a simple declarative statement of the Member's attitude toward the measure. Further embellishments will result in a deduction of time from the yielding Member.

The gentleman from Connecticut is recognized.

Mr. COURTNEY. Mr. Speaker, I now yield to the gentlelady from New York (Ms. VELÁZQUEZ) for the purpose of a unanimous consent request.

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's reprehensible Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. VELÁZQUEZ. Mr. Speaker, I rise in opposition to the "GOP's Mother's Day Gift: More Work, Less Pay."

This misnamed "Working Families Flexibility Act" only offers greater flexibility to employers and lower wages to workers. Under this measure, workers will not get paid for hours that exceed 40 hours per week. That compensation will instead go into a fund controlled by their employer.

Employers would be allowed to refuse a worker time off to deal with a family member or attend a parent-teacher conference. This is

not real flexibility for workers. This proposal is simply another assault on working families and it should be defeated.

It is particularly ironic that House Republicans would offer this legislation in the week leading up to Mother's Day. As working women and mothers in New York and throughout the nation struggle with a tough economy, this ill-conceived measure would pull the rug out from under them, making them work more for less compensation.

It is time to focus on real solutions that help working families prosper. Vote down this bill so we can focus on creating jobs, speeding our economic recovery and addressing challenges faced by working men and women.

Mr. COURTNEY. Mr. Speaker, I now yield to the gentlelady from California (Mrs. NAPOLITANO) for the purpose of a unanimous consent request.

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's shameful Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from Nevada (Ms. TITUS) for the purpose of a unanimous consent request.

Ms. TITUS. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's deplorable Mother's Day gift—more work and less pay for working mothers. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. TITUS. Mr. Speaker, the Working Families Flexibility Act, more aptly called the "Paying Working Families Less Act," would have a negative impact on families in Nevada and across the country. H.R. 1406 offers the empty choice of comp time in lieu of overtime wages without providing sufficient employee protections or real flexibility for workers to use their comp time when they need it the most. Nevadans are already struggling to make ends meet while caring for their families. I oppose H.R. 1406 because I believe that our nation needs legislation that will protect working Americans and strengthen the middle class. This legislation does the opposite.

Mr. COURTNEY. Mr. Speaker, I yield now to the gentlelady from Massachusetts (Ms. TSONGAS) for the purpose of a unanimous consent request.

Ms. TSONGAS. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's indefensible Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I now yield to the gentlelady from California (Ms. ROYBAL-ALLARD) for the purpose of a unanimous consent request.

Ms. ROYBAL-ALLARD. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's thoughtless Mother's Day gift—more work and less pay for working moms.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. ROYBAL-ALLARD. Mr. Speaker, I join my colleagues in opposition to H.R. 1406, the Republican More Work, Less Pay Act.

Hardworking American families deserve reasonable working hours and scheduling flexibility, livable wages, fair overtime pay and job security. Unfortunately, H.R. 1406 is a misguided policy which provides none of these. American workers need real choices in the workplace which put the interests of American families first. They don't need stunts like H.R. 1406.

Mr. COURTNEY. Mr. Speaker, I now yield to the gentlelady from Connecticut (Ms. ESTY) for the purpose of a unanimous consent request.

Ms. ESTY. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's scandalous Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from California (Ms. WATERS) for the purpose of a unanimous consent request.

Ms. WATERS. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's vile Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. WATERS. Mr. Speaker, I rise in opposition to H.R. 1406. This bill should be known as the "More Work Less Pay Act."

Congress passed the Fair Labor Standards Act (FLSA) in 1938 to encourage a 40-hour

workweek. FLSA also ensured that hourly workers would be fairly compensated for working over 40 hours a week. 75 years later, we are now debating a bill that will, in effect, eliminate overtime pay for millions of hourly workers.

Last year, nearly 60 percent of the workforce in this country aged 16 and over, were paid an hourly wage. This amounts to 75.3 million people in the United States according to the Bureau of Labor and Statistics.

Further, the Bureau found that 3.6 million of these workers earn wages at or below the federal minimum wage of \$7.25 per hour. I represent the 43rd congressional district of California. In my home state, the minimum wage is 8.00 an hour. The impact of an \$8.00 minimum wage is clear. We have one of the lowest percentages of workers who are earning at or below the federal minimum wage. There are several states that cannot say the same. Yet, like in all states, Californians who earn overtime still rely upon that extra income.

The legislation before us today needlessly targets millions of workers. These workers have come to rely on their overtime to make ends meet. We are not talking about millionaires but everyday hard working men and women. They utilize their added income to pay their rent and mortgages. They are using their overtime to feed their families and clothe their children. Hourly workers in this country are working overtime to pay for gas for their cars or pay their bus fare to get to work.

H.R. 1406 provides absolutely no legitimate incentive for employers to give their employees time off. Under this bill, an employer could defer paying overtime for up to a year. This would, in effect, provide an employer with an interest free loan.

Under this "More Work Less Pay" bill workers are not guaranteed compensatory time, commonly known as "comp" time. An employer retains the right to refuse to grant comp time. Under current law, workers are required to receive their overtime pay in their very next check.

If an employer fails to pay overtime to their employee then the employee has a right to sue his or her employer. In 2011, the Labor Department recovered \$225 million in back wages for employees. In that same year, there were 7,006 wage and hour suits filed in federal court. The numbers of employees suing their employers for back wages has steadily increased.

Today, thousands of workers are currently fighting to ensure they are receiving their earned income. This is not the time to add into the fray, "comp" time flexibility and overtime pay cuts. If this bill did as it claimed and provided hourly workers with flexibility then there would be thousands of workers marching to D.C. championing this bill, instead nearly 200 labor unions and women's organizations oppose this measure.

I believe we can all agree that working families do need flexibility. They need the flexibility that their extra earned income can afford them.

The Jobs Report released last Friday reflected that our economy added 165,000 new jobs in the month of April. Instead of focusing on legislation to create additional jobs, boost

our economy, and increase the earning potential of workers in the United States. Republican leadership has chosen instead to focus on legislation that cuts the pay of working families.

A pay cut called flexibility is still a pay cut. Mr. COURTNEY. Mr. Speaker, I now yield to the gentlelady from the Virgin Islands (Mrs. CHRISTENSEN) for the purpose of a unanimous consent request.

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's deplorable Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mrs. CHRISTENSEN. Mr. Speaker, I join women Democratic Members in opposition to this H.R. 1406—a "more work, less pay bill."

Contrary to the title of this bill, it will take away the right workers currently have to overtime pay and instead authorize employers to substitute compensatory time to private sector employees. This bill is a smoke and mirrors proposal that sets up a deplorable false choice between time and money when working families need both.

H.R. 1406 allows employers to offer comp time in lieu of overtime to their hourly workers without guaranteed right to use the time when they need it, even in time of a personal or family emergency. The Republicans try to compare this benefit to federal employees but this is not a fair comparison. Hourly workers do not have the same rights that salaried employees and federal employees have. Compensatory agreements can be terminate at the will of the employer. This legislation short-changes workers both financially and logistically.

This must not be done at any time, but certainly not at a time, when households are challenged by rising cost of living, they need cash for their time.

This idea did not work in 1997, 2003 and will not work in 2013.

I urge my colleagues to oppose this legislation.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from Illinois (Ms. SCHAKOWSKY) for the purpose of a unanimous consent request.

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's disrespectful Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong opposition to H.R. 1406, the misnamed "Working Families Flexibility Act." This bill

would take away critical overtime pay from families still struggling from the effects of the Great Recession. It might provide more flexibility for some businesses, but it would create real hardship for everyone else.

Under this bill, employers could offer comp time to replace earned time-and-a-half wages for overtime. But workers who opt for that time off would not be guaranteed to get it when they want it—employers would have the right to deny comp time off requests, even if the request was needed for a personal or family emergency. Employers could dictate when you got your comp time—and they could make those decisions unilaterally. If you want to take comp time to care for a loved one or see your daughter in a school play, your employer can say no. And you have no right to appeal. And if the business closes or lays you off before you have a chance to use your comp time, you get nothing at all.

Under this bill, a worker would have the option of foregoing overtime pay and hoping that sometime in the future she can get time off when she needs it, not when it's convenient for her employer. That's option one—work more and get paid less. Or she can take option two: demand overtime pay and find out that another worker—one who is willing to accept the employer's offer of future comp time—is given the extra hour.

That unfairness is the reason that over 160 organizations representing working women oppose H.R. 1406—groups like Jewish Women International, the Coalition of Labor Union Women, the National Council of Women's Organizations, Wider Opportunities for Women, the National Women's Law Center, and the National Partnership for Women and Families.

The U.S. Women's Chamber of Commerce also opposes this bill. Their CEO Margot Dorfman writes, "H.R. 1406 would reward those employees who agree to "comp time" in lieu of overtime payments. Employers incentivized by a reduced payroll might well give "comp time" employees the preferred shifts, the needed hours, and the promotions. There is no protection in H.R. 1406 against this kind of employer behavior."

The American Sustainable Business Council and Restaurant Opportunities Center United joins in opposition to H.R. 1406, because it "would create headaches for any employer who must track banked hours across multiple employees." They add, it "becomes a scheduling and accounting challenge when employees decide to trade in banked hours, requiring business owners to make unexpected shifts in personnel and paychecks. Obviously, small businesses with fewer resources and employees would be even harder hit by these enormous logistics than larger corporations."

It's true that working women and men need greater flexibility and the ability to balance family and job obligations. That's why today we should be debating the Healthy Families Act to guarantee paid sick leave. We should be debating expansion of the Family and Medical Leave Act to provide the paid leave needed to allow working women and men to address family needs.

Instead, the Republican majority has decided to bring this bill to the floor—a bill that threatens overtime pay and gives employers more ability to determine schedules for their

workers. That is no solution for working families.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from Alabama (Ms. SEWELL) for the purpose of a unanimous consent request.

Ms. SEWELL of Alabama. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's appalling Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from California (Ms. HAHN) for the purpose of a unanimous consent request.

Ms. HAHN. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's dreadful Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlelady from Florida (Ms. CASTOR) for the purpose of a unanimous consent request.

Ms. CASTOR of Florida. Mr. Speaker, I ask unanimous consent to insert my statement into the RECORD opposing the GOP's awful Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

□ 1430

Mr. COURTNEY. I yield to the gentlelady from Texas (Ms. JACKSON LEE) for the purpose of a unanimous consent request.

Ms. JACKSON LEE. I ask unanimous consent to insert my statement into the RECORD opposing the GOP's revolting Mother's Day gift—more work, less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong and unyielding opposition to H.R. 1406, the so-called "Working Families Flexibility Act

of 2013." I thank Mr. COURTNEY for this opportunity to speak on behalf and in support of the working women and men in my District and against this terrible bill, which has been offered repeatedly over several Congresses, and each time it has found strong opposition and ultimate defeat.

This bill should it become law would take income out of the hands of workers and their families. When the economy is weak—workers and their families need more protection not less.

Under current law (the Fair Labor Standards Act), employers are required to pay workers time-and-a-half cash for hours worked in excess of 40 hours per week.

According to statisticians with the U.S. Bureau of Labor Statistics there is no survey to offer insight on the issues addressed in this bill—the desire of employees to receive “comp time” instead of cash for their work.

We do know that if the Education and the Workforce Committee had accepted Congressman JOE COURTNEY's amendment in the nature of a substitute when the bill was marked up in full Committee—workers would have something to be cheering about today. His amendment would have created 56 hours of paid medical leave for employees to use when they needed it.

The Administration along with many of my colleagues will not support H.R. 1406—and it will not become law for very good reasons. H.R. 1406 supporters say that it would not prevent employers from cutting the overtime hours and reducing the take-home pay of employees who currently have the right to overtime compensation. But will workers be in a position to assert this right given the economic climate and their own situations.

So-called “comp time” or the “company time” legislation would allow employers to pay workers nothing for overtime work at the time the work is performed—in exchange for a promise of time off in the future.

“COMP TIME” WOULD REDUCE NEW WORKER AND COULD JEOPARDIZE EXISTING WORKER TAKE HOME PAY

According to the U.S. Bureau of Labor Statistics the average weekly overtime hours for manufacturing workers in 2012 was 4.2 hours or over 44 hours a week. In a year 4.2 additional hours of overtime, considering 2 weeks for vacation would total 210 hours.

The average income of a Boilermaker with less than 2 years of experience would earn \$35,856.00 a year or about \$18 an hour. In real dollar terms, a Boilermaker making \$18 an hour, when working overtime would earn \$27 an hour. Under H.R. 1406, the total for-gone hours for the average workweek for a manufacturing worker over a year is 210 hours—if the worker is a Boilermaker it means a loss of \$5,670 annually.

The bill's text suggests that existing workers will retain their right to receive overtime pay and that only new employees would fall under the “comp time” provisions. The bill attempts to divide existing workers and new workers by denying one group of workers something as basic as equal pay for equal work. This may lead some employers to prefer their workers who are not protected by wage laws.

The reality is all workers in this economy face the potential fallout from a change in labor laws that reduce protection of monetary compensation for work done.

“COMP TIME” WOULD HURT WORKERS AND THEIR FAMILIES

Another clue that this bill may be way off the mark for what workers need—is the reaction of organized labor to it being brought before the House of Representatives for a vote. Labor is in strong opposition to H.R. 1406 because they know what this bill would mean to workers and their families, just as I and many of you know—it would mean forced labor hours without giving workers the guaranteed right to get paid for their work. The skill acquired by a worker is something they own and can bring to the market place in exchange for a fair wage. This is an important component of a capitalistic system that should be valued and respected.

The bill fails to mention that workers already have the right to ask for “comp time” within any 40-hour workweek when they need it. What is not allowed is an employer making the decision that workers must take “comp time” when they work overtime.

H.R. 1406 places unnecessary competitive pressure on employees to accept “comp time” because employers believe it is an easy way to reduce operational costs for their businesses. H.R. 1406 provides no meaningful protection against employers pressuring workers to enter into “comp time” agreements.

The first quarter of 2013 according to the Bureau of Labor Statistics recorded an increase of overtime hours worked to 4.3 hours per week for manufacturing jobs this is an increase over the last quarter of 2012. If Congress allows the free market to work then the numbers of employed persons will increase.

“COMP TIME” WOULD THREATEN THE PROTECTIONS OFFERED BY THE 40 HOUR WORKWEEK

The Fair Labor Standards Act (FLSA) of 1938 established the 40-hour workweek to allow employees to spend more time away from work and encourage employers to hire more staff when workloads increase. The FLSA's only incentive for employers to maintain a 40-hour workweek is the requirement that they pay a time-and-a-half cash premium for overtime.

The cost of labor is a factor in helping to expand the numbers of employed persons in our nation. When employers see the cost savings associated with hiring more workers as the hours worked by existing employees increase labor cost due to overtime pay—they hire more workers.

The Bureau of Labor Statistics counts overtime as a benefit not as pay. If the result of the bill is to have employees work more hours, but without the guarantee of compensation—it is flawed.

The 40-hour workweek discourages employers from demanding overtime by making overtime more expensive.

This bill by contrast, encourages employers to demand more overtime by making overtime less expensive.

This gives all of the power to employers to demand their employees work longer hours without adequate compensation.

By making it cheaper for employers to demand overtime, “comp time” would lead to more mandatory overtime, longer hours, and more unpredictable work schedules for workers.

This bill also makes it harder for America's workers to have their rights enforced by the

Department of Labor. Amending the law to weaken work for pay requirements would result in even more widespread violation of the overtime law and more workers working longer hours for less pay.

“COMP TIME” IS A PAY CUT FOR AMERICA'S WORKERS

Millions of workers depend on cash overtime to make ends meet and pay their housing, food, and other living expenses.

These workers would see a substantial reduction in their take-home pay if they were compensated with time off rather than cash up front.

It is true that “comp time” is paid leave, but most workers would have been paid anyway if they had not taken the time off, and under H.R. 1406 they are paid nothing for their overtime work at the time they work it.

Again, H.R. 1406 takes the power out of the hands of the employees. H.R. 1406 does not ensure that workers' choice to reduce their income through “comp time” is truly voluntary.

H.R. 1406 provides no meaningful protection against employers assigning overtime work preferentially to employees who accept “comp time”.

Under H.R. 1406, employers can schedule workers to work up to 160 hours of “comp time.” Workers will be cheated out of their accrued overtime earnings when their employer goes bankrupt.

I stand today with America's workers. We are united in opposition to H.R. 1406, the Working Families Flexibility Act of 2013.

If Congress wants to do something for workers we should support the President's Budget for state paid leave programs. His proposal would not force workers to choose between taking time off for family needs and receiving income, or even risk losing their jobs. The President's minimum wage proposal would also support working families by making sure that all workers receive enough hourly income to make ends meet.

That is why I oppose H.R. 1406 and urge my colleagues to join me in voting against this terrible legislation.

Mr. COURTNEY. I yield to the gentlelady from New York (Mrs. MALONEY) for the purpose of a unanimous consent request.

Mrs. CAROLYN B. MALONEY of New York. I ask unanimous consent to insert my statement in the RECORD opposing the GOP's bill. It should be called the Fake Flexibility Act and should more aptly be named More Work For Less Pay For Working Mothers.

Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise in opposition to the Majority's so-called Working Families Flexibility Act. The American people should not be deceived by this fake advertising.

True workplace flexibility should be a two-way street for both employees and employers.

I am a longtime sponsor of work-life balance legislation, including the original bill titled the

"Working Families Flexibility Act" that provides both employers and employees with protections in discussing flexible work arrangements.

Over the last 50 years there have been tremendous changes to our workforce. According to the U.S. Census Bureau, more than 70 percent of children are raised in families that are headed by either a working single parent or two working parents. In addition, studies show that 60 percent of those who provide care to an adult or to a child with special needs are employed.

The numbers show the real case for flexibility in the workplace.

And yet, Americans must not be deceived about the recycled bill on the floor this week. The more aptly named "More Work, Less Pay Act" undermines the basic guarantees of fair pay for overtime work and time off from work under the Fair Labor Standards Act.

I urge my colleague to bring to the floor true workplace advancement legislation and oppose the H.R. 1406.

Mr. COURTNEY. I yield to the gentlelady from Arizona (Mrs. KIRKPATRICK) for the purpose of a unanimous consent request.

Mrs. KIRKPATRICK. I ask unanimous consent to insert my statement in the RECORD opposing the GOP's miserable Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I yield now to the gentlelady from New Mexico (Ms. LUJAN GRISHAM) for the purpose of a unanimous consent request.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I ask unanimous consent to insert my statement in the RECORD opposing the GOP's dubious Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I yield now to the gentlelady from Texas (Ms. JOHNSON) for the purpose of a unanimous consent request.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to insert my statement in the RECORD opposing the GOP's unscrupulous Mother's Day gift—more work and less pay for working mothers. Happy Mother's Day to all mothers.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I now yield to the gentlelady from California (Mrs. CAPP) for the purpose of a unanimous consent request.

Mrs. CAPP. Thank you to my colleague for yielding.

I ask unanimous consent to insert my statement in the RECORD opposing the GOP's appalling Mother's Day gift. Happy Mother's Day by giving more work and less pay to working moms.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I now yield to the gentlelady from California (Ms. SPEIER) for the purpose of a unanimous consent request.

Ms. SPEIER. I thank the gentleman for yielding.

I ask unanimous consent to insert my statement into the RECORD opposing the GOP's "shame on you" Mother's Day gift—more work and less pay for working moms.

Is this really what we want to give mothers on Mother's Day?

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I now yield to the gentlelady from California (Ms. MATSUI) for the purpose of a unanimous consent request.

Ms. MATSUI. Thank you very much. I ask unanimous consent to insert my statement in the RECORD opposing the GOP's heartless Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I yield to my neighbor and good friend, the gentlelady from Connecticut (Ms. DELAURO), for the purpose of a unanimous consent request.

Ms. DELAURO. I ask unanimous consent to insert my statement in the RECORD in opposition of a sham bill that, in fact, takes money away from men and women, particularly from women, and that is in no way a way to ensure the economic security of women in this Nation.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I now yield to the gentlelady from Florida (Ms. FRANKEL) for the purpose of a unanimous consent request.

Ms. FRANKEL of Florida. I ask unanimous consent to insert my statement in the RECORD opposing the GOP's uncaring Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, if I could be given the time remaining, I'd appreciate it.

The SPEAKER pro tempore. The gentleman from Connecticut has 15¼ minutes remaining.

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

Mr. KLINE. May I inquire as to the time remaining on our side.

The SPEAKER pro tempore. The gentleman from Minnesota has 16 minutes remaining.

Mr. KLINE. I want to thank my colleagues on the other side. It was an excellent show. It expanded the lexicon in the thesaurus.

I now yield 2 minutes to a member of the committee, a subcommittee chairman, the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the chairman.

Mr. Speaker, I rise in support of H.R. 1406, and I encourage my colleagues to support this.

In my previous life, I served as an employer for over 30 years, as a single parent and as a mayor of a city.

We had an issue several years ago with our fire department on compensatory pay versus overtime. We agreed with the firefighters. It worked out fine. The firefighters all understood they couldn't all be gone on the same day. They worked with us great, and it was not a problem. It works in the public sector. I don't know why it cannot work in the private sector.

All this bill does is leave the decision to receive comp time. It's completely voluntary. You don't have to do it. You can choose to do it if you want to. Number two, workers can withdraw from the comp time agreement whenever they choose. They can do that. It's not a problem. All existing protections in the Fair Labor Standards Act are maintained, the 40-hour workweek and how overtime compensation is accrued. It is up to the employee to decide when to use his or her comp time as long as there is reasonable notice to the employer.

I certainly have heard mentioned what happens if an employer goes bankrupt. Well, what happens when a city like Stockton, California, goes bankrupt?

I will finish by saying over and over that more work and less pay for working mothers doesn't make it true. I support this bill, and I urge my colleagues to do so.

Mr. COURTNEY. I now yield to the gentlelady from California (Ms. BASS) for the purpose of a unanimous consent request.

Ms. BASS. I ask unanimous consent to insert my statement in the RECORD opposing the indefensible Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I now yield to the gentlelady from New York (Ms. SLAUGHTER) for the purpose of a unanimous consent request.

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent to insert my statement in the RECORD opposing the reprehensible Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. I now yield to the gentlelady from New Hampshire (Ms. SHEA-PORTER) for the purpose of a unanimous consent request.

Ms. SHEA-PORTER. Thank you.

I ask unanimous consent to insert my statement in the RECORD opposing the GOP's awful Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, it is now my honor to yield 1½ minutes to an outstanding colleague on the Education and the Workforce Committee, the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. So it's Friday afternoon at the nursing home, and Debbie and Donna are approached by the boss.

The boss says, I have 5 hours of overtime this weekend. You can either have cash or comp time.

Debbie says, I'll take the cash. I need the money.

Donna says, I'll take the comp time.

Donna gets the overtime.

The next Friday rolls around—the same boss, the same request.

Debbie says, I'll take the cash. I'll take the overtime.

Donna says, No. I'll take the comp time.

Donna gets the overtime.

It doesn't take very long for people to figure out what the right answer is when you're asked for overtime. You might say, Well, Donna is going to be okay because she gets all this comp time.

Donna comes back and says, Next Friday is the pageant at my daughter's school for second grade. I want to take the morning off so I can go to my daughter's pageant.

The boss says, No, that's not convenient for me. No.

Now, I suppose in some theoretical universe Donna could hire a lawyer, sue her boss, and try to get to see her daughter's second grade pageant—not in the world that she lives in and the world we live in. The boss decides when she uses the comp time.

The end of the year comes, and she hasn't used it yet. The boss writes a check to Donna without interest. Donna has made an interest-free loan to her employer. If the employer goes bankrupt in that year, Donna is out of the money altogether.

This is not about flexibility. It's about the conversion of someone's wages and assets. This is an assault on the 40-hour workweek. It is not worthy of this institution. It's wrong for our country. We should vote "no."

□ 1440

Mr. KLINE. Mr. Speaker, I need to inquire again as to the time remaining because as I listened to my colleagues come down for unanimous consent requests, it seems to me I heard the Speaker saying that the gentleman's time was going to be charged. How did that add up?

The SPEAKER pro tempore. The gentleman from Connecticut has 13½ minutes remaining, and the gentleman from Minnesota has 14½ minutes remaining.

Mr. KLINE. Thank you, Mr. Speaker. That's interesting math.

I'm now pleased to yield 2 minutes to a friend and colleague, the gentlelady from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Mr. Speaker, I thank the chairman and the committee for all the hard work that you've done, and especially to my good friend and fellow Republican Women's Policy Committee member, Representative MARTHA ROBY, who introduced this very important bill because she realizes that as a mother of two children that the workplace must change to adapt to our increasingly stressful lives.

Americans are struggling to balance their lives, doing everything they can to maintain their careers while still spending time with their families. We in the Congress can help. If H.R. 1406 becomes law, a working mom and dad can choose to use the time and a half

overtime he or she earns as actual paid time off instead of cash. They would be able to use this time to see their daughter's piano recital or their son's baseball game when they would otherwise have to be at work.

But, of course, even with this commonsense piece of legislation, there are detractors. Many myths have been spread about this bill. You've heard them here today. And the opponents refer to it as a "pay cut for working moms," but this simply is not true.

Also, I've heard that it's the assault on the 40-hour workweek. It is not. However, what is an assault on the 40-hour workweek is ObamaCare, which will force job creators to cut back their employees from full-time to part-time in order to keep their doors open. The decision to receive comp time is completely voluntary.

This is not a partisan issue. In 1985, Ted Kennedy, HARRY REID, JOE BIDEN, and STENY HOYER all supported giving the public sector employees the flexibility to choose comp time.

Mr. Speaker, I urge my colleagues to support this bill. I cannot think of a better Mother's Day gift. This is something we can do right now to help families at a time when they need it most.

Mr. COURTNEY. Mr. Speaker, I now yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and his leadership.

I rise in opposition to the Republican Party's Working Families Flexibility Act. It should be named the "Fake Flexibility Act." It's a failure to advertise truthfully. If you were true, you would call it the "More Work and Less Pay Act."

Under this bill, workers would lose the basic guarantees of fair pay for overtime work and time off from work under the Fair Labor Standards Act. It would deprive hardworking men and women of their earned income and fail to guarantee them the right to use that overtime when they need to use it for a personal or family emergency.

Shamefully, the United States ranks among the least generous of industrialized countries when it comes to family-friendly policies. We are one of three countries that fail to provide paid leave for the birth of a child. True workplace advancement benefits both businesses and worker interests. Instead, the Republican bill hurts employees by giving them less pay at a time when American wages are stagnant.

I urge my colleagues to oppose this legislation and bring up the Democratic minority's alternatives for paid sick leave, paid leave for the birth of a child, and true flex time.

Mr. KLINE. Mr. Speaker, I'm now very pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the chairman and I thank Mrs. ROBY for bringing this forward.

It's really about time, because on the deathbed, very few people say, Boy, I wish I had spent more time at the office.

I've got to tell you, from being in business all my life—and I think maybe that's the problem in Washington, not enough of you have actually been on the floor of a business because you think it's always about some kind of a fair treatment. But your definition of "fair" is not fair.

When I look at men and women, I don't look at them as men and women. I look at them as moms and dads and grandmas and grandpas and aunts and uncles. They love to go to soccer games. They love to go to baseball games, and they love to go to all those Cub Scout meetings. But you know what? We want to just give them the flexibility, the same as we do in the public sector.

What an odd concept to actually give people the freedom to do what they want with their time and to work a little overtime so they can pick up extra time. My gosh, what a confusing concept that would be.

And this is not by gender, by the way. If you think this is about working mothers, it's also about working fathers. Do you know how many times people don't have that time to go see their sons and daughters in a school play or a baseball game? You want to take that away from them with some kind of phony act today, and you'll line up 15 deep? Talk about insincerity and inflexibility; that's your party.

You're supposed to be the party of the women. We're supposed to be the ones that don't like women. We're giving them a gift that you can never give: the gift of time. Nobody has the ability to do that.

This bill makes it possible for people to spend that precious time with those precious few that they want to.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. COURTNEY. Mr. Speaker, again, as someone who was a private sector employer for over 25 years, there is nothing under existing law that prevents an employer from giving an employee paid time off. I did it many times.

Now it is my privilege to yield 1 minute to my colleague from the State of Florida, Congresswoman DEBBIE WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to discuss the real effect that the Working Families Flexibility Act would have on our families.

Contrary to its name, this bill does not protect working families. Many hourly workers in south Florida and across the country depend on the op-

portunity to collect their hard-earned overtime pay to support their families and make ends meet. This antifamily, antiworker bill would make it harder for employees to provide for their families and easier for employers to pay less for overtime work with hazy promises of time off later. The bottom line is that comp time doesn't pay the bills.

This legislation provides no guarantee that employees would get to use their time off when they need it; or if an employer goes out of business, workers may never get compensated at all.

I've heard no one on the other side of the aisle answer what happens when a boss says "no" to a request for comp time for that school play or taking their child to a doctor.

Employees who depend on overtime pay to put food on the table may be forced to compete with fellow employees who are willing to trade their overtime wages for comp time.

Passing this bill would deepen the financial insecurity of wage workers, especially Hispanic women who are more likely to be hourly wage workers, more likely to be responsible for family caregiving, and less likely to have negotiating power in their jobs.

There are other bills on the table that offer far more meaningful solutions, and I urge the Republican majority to take them up and take care of America's working families instead of giving them the short end of the stick as this bill does.

Mr. KLINE. Mr. Speaker, I'm now pleased to yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in support of this piece of legislation.

This Sunday is Mother's Day. It's a very bittersweet day for me. As a father of three children, I am constantly reminding my wife how important this day is and how important her job as a mother is. But it's 14 years ago this month that I lost my mother, my inspiration, my teacher, someone that I think about every single Mother's Day.

I ask myself what would my mom, Sally Davis, say when we give the option to provide more flexibility to working mothers. In Illinois alone, my home State, there are over 1 million single parents that need this flexibility to be able to make the decisions they need to raise their families.

As a father of three school-aged children, I've coached baseball games, I've watched my daughter cheer, and I've shuttled my kids to doctor appointments. It's part of raising kids and being a parent. However, more than 60 percent of employees feel they do not have enough time to spend with their families. Why not give these families the same flexibility that those in the public sector—many of my constituents in Springfield, Illinois, and

throughout have the same opportunity to use? Why not to give them that flexibility? Just last year, employees at the IRS took more than 246,000 hours of comp time instead of additional government pay.

No legislation is perfect, Mr. Speaker, but this legislation gives families, gives mothers, gives fathers the opportunity to choose and work with their employers to do so.

I urge my colleagues to support this bill, and I urge my colleagues to think of their mother and ask them what would they do.

□ 1450

Mr. COURTNEY. Mr. Speaker, I now yield to 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), a champion for working families and my neighbor.

Ms. DELAURO. I rise in strong opposition to the bill before us. It aims to end overtime pay, bring to an end the 40-hour workweek. This is another attempt by the House majority to accelerate a race to the bottom, strip workers of basic rights and protections, and undermine the foundations of the American middle class.

The Working Families Flexibility Act does exactly the opposite of what it describes. There is no flexibility. The legislation guts the 75-year-old statute guaranteeing overtime pay for work over a 40-hour workweek, overtime pay that those single moms need. Hard-working American families, they rely on it. It allows employers, if they so choose, to provide comp time for all of this extra work, except there are no guarantees that workers can take the time when they need it, and there are no avenues for workers to file grievances if employers do not comply. This bill forces employees to work extra hours without overtime pay and get nothing in return.

Yes, we need serious economic solutions to the problems that families are facing. Wages have stagnated for decades. Forty percent of Americans make less today than what the minimum wage was worth in 1968. And in America today, unlike in every other competitive economy in the world, 42 million workers cannot take off time when they are sick, when they need to care for a sick child or an ailing relative.

We need legislation that provides employees with paid time off if they need it. The Healthy Families Act would allow workers up to seven job-protected paid sick days for each year. It builds on and reflects pro-family policies that have been passed in Connecticut; Seattle; Portland, Oregon; San Francisco; Washington, D.C. This majority has said "no" to an airing of this legislation. They want to eliminate worker protections and further undermine workers' paychecks and benefits.

And America's families, they sent us here to represent their interests and

address their needs, not to further erode their economic instability. Vote against this bill. Support paid leave, minimum wage, and pay equity if you want to help Americans families.

Mr. KLINE. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), the chairman of the Workforce Protection Subcommittee.

Mr. WALBERG. Mr. Speaker, I thank the chairman.

I find it unbelievable to sit here and listen to the divisive, erroneous, fear-mongering information that's being put forth by the other side of the aisle. It's unbecoming. Today's workplaces are a lot different than they were just a generation ago. Technology continues to alter the way goods and services reach consumers, and cultural changes have transformed the nature of America's workforce.

This important legislation, this compassionate legislation, allows private sector employees to choose—and I say “choose,” Mr. Speaker—choose paid time off or comp time as compensation for working overtime hours, and this policy has already proven extremely successful.

For nearly 30 years, government sector workers have been able to earn comp time. In fact, last year employees at the IRS took more than 246,000 hours of comp time in lieu of overtime pay. No complaints. Yet working parents and individuals in the private sector are not afforded with this same choice.

This is simply not right. Certainly every employee faces a unique set of circumstances and challenges and responsibilities. For some, taking time at home is a good thing for them. Additional pay is not necessary for them at that point, but having the opportunity to spend time with their children, to go to parent-teacher conferences and do other things with family is more valuable than a few extra dollars in the bank.

Choice and flexibility helps employees meet the demands of their jobs and address the needs of their families. That's why I'm proud to support this bill, this pro-family, this pro-worker bill. This is what is meant for this time, and I encourage my colleagues to get off the divisive rhetoric and get to the unifying effect of saying, We will encourage people in their lives, their families, and their incomes.

Mr. COURTNEY. Mr. Speaker, I now yield 1 minute to my colleague from the State of Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to the Working Families Flexibility Act of 2013. The bill would amend the Fair Labor Standards Act of 1938 to authorize private employers to provide comp time or compensatory time off to private employees at the rate of 1.5 hours per hour of employment for which overtime compensation is required.

Essentially, workers would be promised comp time instead of overtime pay. Many families depend on overtime pay to make ends meet. The Fair Labor Standards Act guarantees workers will receive overtime pay for over 40 hours per week. The bill only promises the potential for future comp time without any real protections for the workers. Hardworking Americans would be unprotected against long hours and less pay without the guarantee of any compensation. H.R. 1406 falsely promises more time with their loved ones by allowing them to choose paid time off. Unfortunately, workers will only get more time with their families after they've spent long hours, for less pay, at the approval of the employer.

I stand with America's workers to oppose this legislation, and I encourage my colleagues to do the same. The 40-hour week has stood for 75 years, and it should continue.

Mr. KLINE. Mr. Speaker, I yield 1 minute to the majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I want to thank the chairman for his leadership in bringing this bill forward, as well as the bill's sponsor, the gentlelady from Alabama, a working mom whose inspiration is her kids at home and her husband that she is responsible for and with in order to make life work for them in Alabama. So I want to appreciate her leadership.

Mr. Speaker, I rise today in support of the bill, the Working Families Flexibility Act. If you are a working parent in this country, you know from experience that there's hardly ever enough time to spend with your family.

Recently, I spoke with a constituent from Richmond. Her name is Nicole Lambert. She's a working mom who runs an early childhood education center. It's quite often that Nicole is approached by one of her employees requesting more flexibility with how they can use their overtime. Some of her employees need to take off to take their child to the doctor, some need to go and meet with a teacher. But under the current law, Nicole is not able to present her hardworking staff with this option. She understands that this bill would give her employees more flexibility to balance both work and their lives at home.

Mr. Speaker, for too long working families in the private sector have not been able to choose a more flexible schedule when working overtime; but for the past 30 years, government employees have been afforded this luxury. It's time for all of us to present all parents in America with this option.

As a father of three, I can tell you as a working parent I know that it is very necessary to be there for your children. And I bet no matter who you are as a working parent, if you asked a mom or a dad what they need more of, it's time. Washington should not be stand-

ing in the way of any employer voluntarily offering this benefit for any employee choosing more time. That's the bottom line, Mr. Speaker. Washington should not be in the way of more freedom in the workplace.

I know this policy will work, from speaking with local government employees who already enjoy this advantage.

Vicki is a working mom and a police officer in my district. She works long hours, and she raises her children.

□ 1500

She tells me her life is made a little easier because she's allowed to work a few extra hours, save it up in case there's a sick day or an after-school event that she must attend.

It's simply unfair for those who work for Nicole in the private sector to be prohibited from receiving the benefits that Vicki does, a government employee.

This is a bill that should easily garner bipartisan support because, frankly, it puts parents before politics and will give people more freedom to make their lives work. There's simply no good reason to deny hardworking parents the opportunity to take their children to the doctor or to attend a parent-teacher conference.

I want to thank my constituents for their relaying stories to me about their life story, about how this bill helps.

And again, I'm very grateful to the leadership and the role model that the gentlewoman from Alabama (Mrs. ROBY) and Chairman KLINE have set forth in this effort. This act will help parents all across America, and I urge my colleagues to support it.

Mr. COURTNEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. BISHOP), my colleague from the Education and Workforce Committee.

Mr. BISHOP of New York. Mr. Speaker, I thank Mr. COURTNEY for yielding, and for his leadership on this issue.

I rise in opposition to H.R. 1406. I have a great many concerns about this bill, but let me focus on just one. There is little question that this bill will result in unjust actions being taken against employees who choose the traditional overtime pay option over the comp time arrangement.

Under this legislation, employers have the right to only schedule employees that have agreed to enter into comp time arrangements without consequence. Suddenly, workers who rely on overtime income to help feed their family or put a child through college will see their hours curtailed and instead given to workers who choose comp time arrangements.

There is not one word in this legislation that would protect a worker who needs cash for his or her overtime hours. They will clearly lose out to those workers who are willing to take

paid time off or compensatory time off, as opposed to time-and-a-half overtime.

There are a great many workers, and I grew up in a family that had one of those workers, that rely on overtime to pay the bills, to put their kids through college, and to see to it that they get to live lives of dignity. This legislation will take away that ability from those families.

Republicans claim that this is somehow part of a new, family friendly approach to governing. Well, one of the first votes I cast as a member of the Education Committee, as a new Member of Congress in 2003, was against a bill called the Family Time Flexibility Act. The bill in front of us today is literally identical to that 2003 bill, minus the title.

I urge a "no" vote on H.R. 1406.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), my friend and colleague, a leader in so many areas.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Minnesota for his work on this effort. And I also want to say thank to you Mrs. ROBY from Alabama for the outstanding job that she has done on the Working Families Flexibility Act.

I have loved talking with my constituents about this issue. And it is absolutely amazing, when you say, tell me what you think about this. Would you like to have the option, the ability to control what your compensation method is going to be? And so many of my constituents, whether they're rearing families, whether they have teenagers that they're working with, whether they're caring for elderly relatives, say, this is a great idea. And it is so worthy of discussion, and it is about time for Congress to do something that's just plain old good common sense.

Mr. Speaker, the reason for this is, take a look at what is happening now. In 1975, when I was newly married and beginning to start a family, there were only 37 percent of all the families where both parents were working outside of the home.

Look at what is happening now that my children are having their careers, and my daughter has two children. You've got just under 60 percent where both parents are working outside of the home. On top of this, you have those of us who are caring for elderly relatives.

And as the majority leader just said, any time you run a survey and ask women what they want, they would love to have more time, and they also want more control over how they're able to manage their lives and the lives of their families. And this is a piece of legislation that does that.

I agree with what some of my colleagues have said. This Obama economy has really forced more families

than ever to work more than one job. It has been very difficult. And having more options makes it easier for those families to manage.

I thank the leadership for the work on the bill.

Mr. COURTNEY. Mr. Speaker, can I inquire as to the time left?

The SPEAKER pro tempore. The gentleman from Connecticut has 7 minutes remaining. The gentleman from Minnesota has 4¾ minutes remaining.

Mr. COURTNEY. Mr. Speaker, at this time I'd like to yield to the gentlewoman from Ohio (Ms. KAPTUR) for the purpose of a unanimous consent request.

Ms. KAPTUR. I thank the gentleman for yielding and ask unanimous consent to insert my statement in the RECORD opposing the GOP's shameful Mother's Day gift—more work and less pay for working moms. Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield now to the gentlewoman from California (Ms. PELOSI) for the purpose of a unanimous consent request.

Ms. PELOSI. Mr. Speaker, I ask unanimous consent to insert my statement in the RECORD opposing the GOP's deplorable Mother's Day gift—more work, less pay for working moms. No way to say Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Ms. PELOSI. Mr. Speaker, on Sunday morning, millions of mothers nationwide will wake up to the excited faces of their children wishing them a "happy Mother's Day."

Mothers will receive gifts of all kinds from their sons and daughters—tokens of love and gratitude for all that moms do every day.

MORE WORK, LESS PAY

Yet today, House Republicans are offering up a different Mother's Day gift: more work, less pay.

House Republicans are putting forward the so-called "Working Families Flexibility Act."

The name may make it sound appealing, but don't be fooled—this bill is nothing more than smoke and mirrors meant to hide its true purpose:

To end the 40-hour workweek;

To cut pay for women;

To undermine the economic security of the middle class.

This legislation claims the mantle of flexibility, yet only means greater flexibility for employers and lower wages for workers.

This proposal is simply another ideological assault on workers, another mean-spirited attack on workers' rights, and another Republican message bill that will never become law.

WHAT THE BILL DOES

More work, less pay—that's what this bill is about.

It guts protections for workers and removes flexibility for working families.

It amounts to an interest-free loan to employers—paid for by workers' wages and unused comp time hours.

It is nothing more than a mirage—claiming to give flexibility to workers to take time off to care for family or attend a parent-teacher conference while actually handing flexibility to their bosses to cut pay or call for more hours.

SAYING "NO" TO WORKERS

This legislation is brought to you by the same people who attack and undermine working families at every turn—the same people who say:

"No" to raising the minimum wage.

"No" to the Paycheck Fairness Act.

"No" to extending unemployment benefits that strengthen our economy.

"No" to any measure that could expand the middle class.

The same people who will only say "yes" to more hardship for workers, to more pain for the middle class, to more work and less pay.

OPPOSITION

No wonder this bill is opposed by more than 160 women's organizations across the country, from Arkansas and Arizona to Washington and Wisconsin, who wrote a letter to Congress calling this measure "an empty promise [that] would cause considerably more harm than good."

No wonder President Obama has pledged to veto this bill, declaring that "this legislation undermines the existing right to hard-earned overtime pay, on which many working families rely to make ends meet, while misrepresenting itself as a workplace flexibility measure . . ."

CLOSE

The Republican proposal is the last gift anyone should give our families on Mother's Day.

That's why I urge my colleagues to oppose this legislation and to work together on steps to invest in working families, to bolster small businesses, to create jobs, and to build a strong, thriving middle class.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlewoman from New York (Ms. MENG) for the purpose of a unanimous consent request.

Ms. MENG. Mr. Speaker, I ask unanimous consent to insert my statement in the RECORD opposing the GOP's callous Mother's Day gift—more work and less pay for working moms. Not a Happy Mother's Day.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. BEATTY) for the purpose of a unanimous consent request.

Mrs. BEATTY. I ask unanimous consent to insert my statement in the RECORD opposing the GOP's appalling Mother's Day gift—more work and less

pay for working moms. And that's a Happy Mother's Day?

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut's time will be charged.

Mr. COURTNEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman for his leadership.

Mr. Speaker, you've seen them, many, many women, hourly workers. You've seen them with their sneakers on, their rubber-soled shoes, standing at bus stops, getting on buses in order to get to work and to get back in time to be with their children.

But those workers need cash, Mr. Speaker. They need cash to make ends meet in housing, food and other living expenses. It's also our men as well.

These workers would see a substantial reduction in their take-home pay if they were compensated with time off rather than cash up front. We know that if H.R. 1406 was passed they would be paid nothing for their overtime work at the time they work.

We also realize that employers can schedule workers to work up to 160 hours of comp time. Workers will be cheated out of the accrued overtime earnings, these same mothers and many, many men who depend on this overtime pay. You've seen them.

The same mothers that will receive for their gift on Mother's Day a little outstretched hand with maybe a daffodil or a rose in it from a little 5-year old, mothers who need the cash.

Let me tell you that the U.S. Women's Chamber of Commerce is against this legislation because they know that there will be preferential treatment. There will be pets, and the employers will pick those who have taken the comp time.

You've seen these mothers. They get the outstretched hand and the little flower. Pay them their money.

This is a bad bill.

Mr. Speaker, I rise in strong and unyielding opposition to H.R. 1406, the so-called "Working Families Flexibility Act of 2013." I thank Ranking Member MILLER for this opportunity to speak on behalf and in support of the working women and men in my District and against this terrible bill, which has been offered repeatedly over several Congresses, and each time it has found strong opposition and ultimate defeat.

Under current law (the Fair Labor Standards Act), employers are required to pay workers time-and-a-half cash for hours worked in excess of 40 hours per week.

Workers can request "comp time" during any 40 hour workweek if they need it.

According to the U.S. Bureau of Labor Statistics the average weekly overtime hours for manufacturing workers in 2012 was 4.2 hours or over 44 hours a week. In a year 4.2 addi-

tional hours of overtime, considering 2 weeks for vacation would total 210 hours.

A Boilermaker with less than 2 years of experience earns \$35,856.00 a year or \$18 an hour. A Boilermaker making \$18 an hour working overtime would earn \$27 an hour.

In 2012 manufacturer workers overtime averaged 4.2 hours a week that would be 210 hours for 50 weeks of work.

A Boilermaker over a year could accrue 210 hours in overtime—if this bill becomes law this could mean a loss of \$5,670 annually.

The first quarter of 2013 according to the Bureau of Labor Statistics recorded an increase of overtime hours worked to 4.3 hours per week for manufacturing jobs this is an increase over the last quarter of 2012. If Congress allows the free market to work then the numbers of employed persons will increase.

Labor is in strong opposition to H.R. 1406 because—this bill would mean forced labor hours without giving workers the guaranteed right to get paid for their work.

Workers already have the right to ask for "comp time" within any 40 hour workweek when they need it.

The Bureau of Labor Statistics counts overtime as a benefit not as pay. If the result of the bill is to have employees work more hours, but without the guarantee of compensation—it is flawed.

If Congress wants to do something for workers we should support the President's Budget for state paid leave programs. His proposal would not force workers to choose between taking time off for family needs and receiving income, or even risk losing their jobs. The President's minimum wage proposal would also support working families by making sure that all workers receive enough hourly income to make ends meet.

That is why I oppose H.R. 1406 and urge my colleagues to join me in voting against this terrible legislation.

□ 1510

Mr. KLINE. Mr. Speaker, I now yield 2 minutes to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Thank you, Mr. Chairman, for yielding. I appreciate the committee's leadership on this important measure.

I rise today in support of the Working Families Flexibility Act, a House of Representatives initiative that will give families and individuals across the Fifth District the freedom of workplace choice and limit the Federal overreach in our daily lives. At a time when our economy is struggling, we must look for ways to help our hardworking families and individuals.

Under current law, public employees can choose between using overtime hours for pay or for paid time off. Unfortunately, this same option is not afforded to those who work for private companies. With small businesses and family farms being the engine of our rural economy, this option is therefore not available to many of my constituents.

This bill before us today changes all of that. By ensuring private workers

can accrue paid time off instead of overtime compensation, we will provide Fifth District Virginians greater flexibility in balancing their work schedules with the demands of family life. And we will take these important decisions out of the hands of Federal bureaucrats and place them into the hands of hardworking Americans.

It is high time that this outdated regulation be replaced with the principles of individual freedom and individual choice. I urge my colleagues to support this commonsense legislation.

I thank Representative ROBY for sponsoring this important initiative.

Mr. COURTNEY. Mr. Speaker, it's now my privilege to yield 1 minute to my colleague from the State of Maryland (Ms. EDWARDS).

Ms. EDWARDS. This really is an insidious bill. I've been listening to the debate on the floor, Mr. Speaker, and I have to tell you there are some things I heard that I think need correcting.

First of all, median hourly wages in this country are \$12.80 an hour. That's about \$26,000 a year. And what that means is that for most workers, for some of our workers who are hourly workers, this bill really goes at the heart of the 40-hour workweek. In fact, what it does is it puts in jeopardy some of our most vulnerable in the workforce. Ninety percent of our hourly workers don't work under collective bargaining agreements, and that means that they don't have the protections that public sector workers have who get to enjoy comp time when it's available to them. They really do need the time and a half.

It's not like the other side is proposing that we have earned sick leave, earned vacation, earned maternity leave. Instead, they want to take away pay and get a no-interest loan from workers instead of paying them time and a half for their overtime. There's no flexibility. The power is only in the hands of the employer who gets to decide when the comp time can be taken, whether it can be taken, and how it should be paid.

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

Mr. COURTNEY. Mr. Speaker, if I could just inquire through you, again, we have no further speakers, so I'm prepared to close.

Mr. KLINE. We have no further speakers, either.

Mr. COURTNEY. Could the Chair give me one last update in terms of how much time remains?

The SPEAKER pro tempore. The gentleman from Connecticut has 4½ minutes remaining. The gentleman from Minnesota has 3½ minutes remaining.

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

We've probably reached the point where enough has been said where the full 4½ minutes maybe isn't necessary, but again, I would just like to reiterate

a few points. And again, as somebody who was an employer in the private sector for over 20 years, and, again, the notion that somehow existing labor law makes it impossible for employers to respond to their staff's family emergencies, to vacations is really just a myth.

The fact of the matter is that over the last 75 years under the Fair Labor Standards Act, which protects the 40-hour workweek, employers in tens of thousands of workplaces all across America have always made accommodations for their staffs with paid time. What is different about this bill is it's basically tying that flexibility to sacrificing your right under the Fair Labor Standards Act to time and a half for every hour earned over 40 hours. Given the fact that we're living in a time right now where the median income of this country has basically been as flat as a pancake for the last 30 years, that is basically tipping the scales once again against working families in an unacceptable fashion.

If you read this bill closely, you have to execute a written agreement every time you want to set up a comp time arrangement. Can you imagine small employers out there, basically, and their workers have to sit down and write like a mini labor agreement every time they want to come up with one of these arrangements? It doesn't allow for emergencies when you have a system like that.

The enforcement mechanism, which would be through the State Department of Labor's Wage and Hour Division—if anybody has ever dealt with them before, they know that is mission impossible. There is no way that that unit—which, again, today benefits from a bright line system where you just check the payroll hours. If you hit 40 hours, you've got to pay the time and a half. Nobody has the time to go through and examine that agreement to see if it was free and voluntary and whether or not the exercise of comp time was done in accordance with it. You're basically creating a labor relations board in every State, in every workplace across America.

Careful what you wish for as employees if you read this bill closer.

But the fact of the matter is that at the end of the day, it does not empower employees or workers in terms of giving them the ability to basically support their family and have time to deal with the important family issues, whether it's the birth of a child, making sure you're there on important school dates, or making sure that they're there when they're ill or in need of family and parental assistance.

The fact of the matter is paid sick time is the way that you do that. That's the way you empower people. And that is what exists in the public sector. That's why comp time works in the public sector. Paid sick time is

something that is part of every collective bargaining agreement in all 50 States in the public sector.

Small employers, is that what the majority really wants to impose on every private employer in this country?

The fact of the matter is that we need to scrap this bill which is before us for the fifth time since 1996 and go back and have a real dialogue in a real bipartisan collaboration in terms of coming up with real solutions for working families.

I actually am an optimist and believe we can do that. I respect the chairman. I respect my chairman of the Subcommittee on Workforce Protections. But the fact is we can do far better than this recycled, rehashed bill which, again, has been rejected by over 160 organizations which represent working families and women.

Again, let's vote this bill down, go back, and as a real body, deliberative body, come up with a better solution for working families.

I yield back the balance of my time. Mr. KLINE. Mr. Speaker, I yield myself the remainder of our time.

I agree with some of the comments made by my colleague. The gentleman from Connecticut has talked about the years that we, Congress, have tried to extend the use of comp time to the private sector employees so they can access the same benefits that those in the public sector have enjoyed for almost 30 years. Yet powerful special interests have stood in the way through a constant campaign of misinformation.

We've heard a lot of those same, tired talking points from the other side today. We've seen some political stunts. We've heard divisive language, and we've heard just plain misinformation, things that this bill does not say.

We've heard, for example, that an employer could coerce an employee into taking comp time instead of overtime wages. That is simply not true. The bill specifically prohibits employers from doing that. An employer "shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce any employee for the purpose of interfering with such employee's rights under this subsection to request or not request compensatory time off."

There are extensive protections in this bill for employees and for employers. But we've seen the straw men, we've seen the accusations, and we've heard some things that, frankly, are just absolutely preposterous.

Let's go over some of the basics.

The Working Families Flexibility Act allows for the voluntary—the voluntary—use of comp time. Any worker who wants to receive cash wages is free to do so and can do so at any time, even if the worker has made an agreement, and not every time, and not some extensive legal document. It can

be as simple as checking a block or just signing a piece of paper that says I would like to take comp time in lieu of cash overtime. And they can do it once a year.

Even after they've signed such an agreement, if the employee says, "Do you know what? I really do need that cash. I wanted the time; now I need the cash. Another emergency has arisen," the employee can demand the cash and get it and must get it.

The Working Families Flexibility Act puts workers in control of their time. They get to take the time off when they want to. These are exactly the same standards that have been working almost 30 years in the public sector. They simply can't unduly disrupt the business. That's worked for almost 30 years in the public sector, and it will work in the private sector.

Mr. Speaker, despite all the rhetoric, despite all the accusations and despite all the misinformation, we know that millions of mothers for Mother's Day would like to have time. Time is more important to them than money. This legislation would give them the option, the choice—the voluntary choice—to take that time.

We heard an example of a young, 5-year-old child coming forward with a flower. A lot of moms would like to take that time to spend with that 5-year-old. They can't do it under the current law. We want to give that mother and that father that time.

□ 1520

This is a commonsense proposal. It will help hardworking Americans balance the demands of work and family. We need to do that for them. This doesn't balance the budget, but it will help families.

I urge my colleagues to vote "yes" on H.R. 1406, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT OFFERED BY MR. GIBSON

Mr. GIBSON. Mr. Speaker, I have an amendment at the desk.

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

The text of the amendment is as follows:

Redesignate section 5 as section 6 and insert after section 4 the following:

SEC. 5. G.A.O. REPORT.

Beginning 2 years after the date of enactment of this Act and each of the 3 years thereafter, the Comptroller General shall submit a report to Congress providing, with respect to the reporting period immediately prior to each such report—

(1) data concerning the extent to which employers provide compensatory time pursuant to section 7(s) of the Fair Labor Standards Act of 1938, as added by this Act, and the extent to which employees opt to receive compensatory time;

(2) the number of complaints alleging a violation of such section filed by any employee with the Secretary of Labor;

(3) the number of enforcement actions commenced by the Secretary or commenced

by the Secretary on behalf of any employee for alleged violations of such section;

(4) the disposition or status of such complaints and actions described in paragraphs (2) and (3); and

(5) an account of any unpaid wages, damages, penalties, injunctive relief, or other remedies obtained or sought by the Secretary in connection with such actions described in paragraph (3).

The SPEAKER pro tempore. Pursuant to House Resolution 198, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GIBSON. I thank the chairman. And I thank the gentlelady from Alabama (Mrs. ROBY) for bringing the bill.

I have an amendment, but I first want to say that I support the underlying bill.

I take a look at the fact that almost 30 years ago, right here in these halls, in bipartisan work, Democrats and Republicans worked together here, led by the Democratically controlled Congress, and worked with the President—then President Reagan—to provide comp time for State and local workers. What we're doing today is taking that same concept and extending it out to the private sector.

I reflect on my constituents. I think about the busy lives that all our workers have, and I think about how challenging it is to bring balance to those lives. I think this is an important concept to bring forward, to think about those who are pursuing higher education, mothers and fathers that are looking to bring balance to the workplace, but also to raising their children, and how important that is for our families, for individuals, and for our country. So I think it's important that we extend this concept to the private sector.

Now, I have friends who have concerns, and we've heard some of the concerns here today. I have reflected very extensively on those. I will tell you that what I see in this bill—and the chairman actually, I think, summed it up very well just moments ago—is, first and foremost, that this is a choice for the worker on whether or not they want to join this program. I recognize that there are arguments that are concerning on that score. But also, if the worker decides to enter the comp time program and decides to take comp time and then something unexpected happens where they choose to change their mind, there are provisions in this bill where the individual can notify their employer, and within 30 days the business needs to pay the employee.

So as I reflect on the wording in this bill, I think there is a balance. But I also recognize that there are still concerns out there, and I want those voices to be heard. So this is the purpose of my amendment. I think we should hear from our government, hear

from the GAO to talk about the implementation on how well it's going. This amendment says that after 2 years of implementation of this law, that the GAO would report out to us on how well that's going, and also provide us data if there are abuses and what's being done about those abuses.

So I see this as yet another protection to ensure that as we look to extend this concept from the State and local governments, that we have protections in there to ensure that our workers are having justice.

So I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. COURTNEY. Mr. Speaker, I claim time in opposition, although I am not opposed to the amendment.

The SPEAKER pro tempore. Without objection, the gentleman from Connecticut is recognized for 5 minutes.

There was no objection.

Mr. COURTNEY. Mr. Speaker, first of all, I just want to again recognize my colleague's hard work. He is a person that I respect and admire greatly.

Again, I do not oppose the amendment. It's hard to oppose a GAO study of almost anything because the more we know and the more we learn, it's always a good thing. However, what I would say, just in observation, in passing, is that if you look at the scope of the study, which is to basically look at actual adjudicated complaints before the Secretary of Labor, and looking again at the scope of the U.S. economy in the private sector, the fact of the matter is it is not going to be a very accurate picture really in terms of the operation of this bill—again, an attempt albeit, but nonetheless not something that I think is really going to give us a very accurate picture in terms of all of the day-to-day sort of conflicts. Blurring the lines of the Fair Labor Standards Act and creating an almost chaotic system of executing written agreements in every instance where a person wants to negotiate an overtime comp arrangement really, I think, is even beyond the scope and great powers of the Government Accountability Office—which does do great work.

Because, again, will this study tell us how many workers were fired or discriminated against for their choices? No. Because there is no right to reinstatement or rescheduling under this bill. Will this study tell us how many times a worker was denied the precise day he or she asked for? No. Because the bill provides no right to use comp time on that specific day.

I want to go back to that point. If you go to page 8 of the bill, use of comp time is, again, under the veto power of the employer. The notion that somehow employees have unilateral choice or power over using that comp time is not the way this bill is written.

As far as the public sector is concerned, again, in all of those instances

you have an elaborate grievance system which exists at State government levels, city government levels, which doesn't exist in the private sector. And it certainly doesn't exist in the Department of Labor's Wage and Hours Division—which, again, Mrs. ROBY and I, in all of our back and forth, fleshed out the fact that that ultimately is where complaints would go and reside.

So, again, a GAO study is fine, and I'm certainly going to join the gentleman in supporting his amendment, but this does not fix a flawed bill. Once we get past this amendment, I think all of the arguments that you've heard over the last hour or so in opposition to the bill still trump any benefit that Mr. GIBSON's good-faith amendment brings to the bill.

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

Mr. GIBSON. I just want to say that the gentleman from Connecticut is somebody whom I've very much enjoyed working with. I think he is a very thoughtful Member. I consider him a friend. I have listened very carefully to his comments and certainly will give him further consideration. I still believe that this amendment will be helpful.

At this point, I would like to yield 2 minutes to the gentlelady from Alabama (Mrs. ROBY).

Mrs. ROBY. I thank my friend, Representative GIBSON, for offering this amendment, which I strongly support.

Let me start by highlighting a provision of the Working Families Flexibility Act that is meant to ensure this policy works today and into the future.

Section 5 of the bill states:

This act and the amendments made by this act shall expire 5 years after the date of enactment of this act.

The intent here is clear: Congress has an opportunity and a responsibility to review the use of comp time by private sector employers and employees, if need be, to make adjustments in the law before authorizing its continued use.

Even though comp time has worked well in the public sector for decades, Congress should examine its use in the private sector to make sure that workers are protected. To further support this oversight of the law the Gibson amendment would require GAO to regularly review private sector use of comp time and provide information to Congress relating to changes that might be needed. This commonsense addition to the bill will help inform Congress as it continues to oversee the use of comp time by private sector employees.

The Gibson amendment is about transparency and accountability, and will help ensure the use of comp time in the private sector is a net benefit to employers and employees.

Mr. Speaker, the Working Families Flexibility Act will help more Americans balance family and work. Because

the Gibson amendment would strengthen this important effort, I urge my colleagues to support the amendment.

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

Mr. PETERS of Michigan. Mr. Speaker, today the House will consider H.R. 1406, inaccurately named the Working Families Flexibility Act. Instead of helping hard-working Americans earn an honest wage and more flexible work hours, this bill makes it harder on folks already struggling to make ends meet. The reality is that under this bill, workers will lose personal control over their schedule and their pay. In addition, the system this bill imposes is ripe for potential workplace manipulation and abuse.

Under this bill, workers will not get paid more than 40 hours per week, no matter how much overtime they put in. Overtime earnings would become an interest-free loan out of workers' pockets. Workers' overtime pay will be held until the end of each fiscal year or allocated as time-off, all at the discretion of the employer. There is no guarantee in this bill that workers could even get the time off that they might need for a family emergency or doctor's appointment when they need it. Workers could even jeopardize their job security by refusing to go along with this new system.

Mr. Speaker, in Michigan, we believe that hard work merits fair pay. We believe that anyone who works hard and plays by the rules should get a shot at the American Dream. Last year, the average Michigan household income was \$43,970. Adjusted for inflation, this is the same as the average household in 1989. This bill makes it harder for people who are already working hard and playing by the rules to make life better for their family by not allowing them to decide what's best for them and their family. If they work more, they should get paid more.

When I talk to folks in my district, I ask about the concerns they are raising around the dinner table. Michigan families worry about how to stretch work schedules and each dollar earned to meet the needs of their family. There is no part of that discussion where Michiganders want Washington to force them to sacrifice their personal decision-making about whether overtime pay or comp time is the right choice for them.

Too many families in my district and across our country are still trying to recover from the worst economic crisis in generations. Why then, instead of working towards common-sense ways we can ease the financial burden on working families, is Washington forcing a personal decision to forfeit their overtime pay? Why is Washington dredging up deeply flawed proposals that have already been rejected time and time again?

Now more than ever, we need ways to support our middle class so families in Michigan and across the nation can thrive. We can develop solutions that make raising a family easier for everyone. We have a lot of work ahead to rebuild our economy and strengthen our middle class, but this bill does neither.

Mr. LANGEVIN. Mr. Speaker, I rise today in opposition to H.R. 1406, the so-called "Working Families Flexibility Act."

This bill, which might more accurately be titled the "More Work, Less Pay Act," would

undermine the right to overtime pay and further weaken worker protections. Instead of actual money, employers would be authorized to provide compensatory time off at a rate of 1.5 hours per hour of overtime worked.

While this might sound like a good deal in theory, it's a raw deal in practice. First, it could end up denying countless workers the opportunity to earn extra money they may desperately need to pay their mortgage, cover medical bills, or provide a good education for their children. Just as unfairly, there is no guarantee that a worker will be able to take off the comp time they accrue. This bill would allow employers to claim that a request for time off—time that the employee has worked extra hours to earn—is "unduly disruptive," and the request would be denied without any follow-up. We all know that you can't plan for medical emergencies and sometimes parent-teacher conferences don't fit easily into the workday. But unless your employer agrees to allow you to use the comp time you've earned, you're out of luck.

The Fair Labor Standards Act (FLSA) implemented the 40-hour work week to allow workers time to be with their families; and to increase demand for workers when a firm has larger workloads. This bill would effectively put an end to the 40-hour work week without any guarantee of proper compensation for extra time worked, and would strip employees of the flexibility to meet workplace and family needs.

Instead of making life more difficult for hard-working American families, we should be considering legislation to establish a fair minimum wage, equal pay for women, or the Healthy Families Act, which makes earned paid sick days available to millions of workers.

American workers deserve better than this misleading and misguided bill, and I urge my colleagues to oppose it.

Mr. DINGELL. Mr. Speaker, I rise in strong opposition to H.R. 1406, the Working Families Flexibility Act. It outrages me that my Republican colleagues continue to clothe despicable bills in inventive titles. In point of fact, H.R. 1406 offers no flexibility to working families. It does, however, grant employers the flexibility not to pay their employees overtime.

The Working Families Flexibility Act is nothing short of an assault on American working families. It will put an end to the 40-hour work week that my father fought so hard to enact in the Fair Labor Standards Act. The bill will force employees to work longer hours without guarantee of fair pay. It contains no provision to allow employees to contest employer decisions not to grant time off for personal or family emergencies. In short, the bill's sole purpose is to empower employers and disenfranchise the American middle class.

I urge my colleagues to recognize H.R. 1406 for the evil it is and call on them to stand up for working families by voting it down.

Mr. MORAN. Mr. Speaker, I rise in opposition to H.R. 1406, the Working Families Flexibility Act. A more accurate name would be the Employer Flexibility Act, because the bill would give employers the flexibility to deny their workers overtime pay.

H.R. 1406 would overturn a key provision of the landmark 1938 Fair Labor Standards Act (FLSA) that ensures workers who work beyond the 40 hour standard work week are to

be paid overtime—a rate that is set higher than the normal rate in order to keep the number of hours workers are asked to work reasonable. H.R. 1406 would undo this important provision so that an employer could, in lieu of making overtime payments to an hourly worker, make the promise of some future time off.

And this legislation goes one step further. The time off promised in lieu of overtime payment would be up to the discretion of the employer. The employer could deny requests for time off for up to a year before the legislation would require employers pay out the equivalent in wages. This is great for bosses, but it doesn't do much for working families.

Let's call this effort what it is: it is an anti-worker bill. Its effect would be to harm our nation's hourly workers: housekeepers, fast food workers, store clerks and other vulnerable members of our community. These individuals need their overtime wages the most.

This bill would also have a disproportionate impact on women, who have increasingly become the breadwinners in American families. A Center for American Progress study demonstrates that in more than two-thirds of our families, women earn at least a quarter of the family income, and in many cases earn as much or more than their spouse. Among families with children in 2011, some 40 percent were headed by two working parents. Our federal policies must take this reality into account and meet our families half way by granting genuine flexibility while maintaining the important protections, like overtime pay, that help families thrive.

Unfortunately, this is not the first time that Republican Party leaders have sought to roll back worker protections. The past few years we have seen Republican Governors attempt to break up public sector unions and more recently, House Republicans repeatedly offered legislation to eviscerate the National Labor Relations Board.

If House Republicans wanted to help working families have more flexibility, they could start by undoing earlier efforts to make life harder for American workers and join Democrats in calling for a vote on the Paycheck Fairness Act so that women are paid the wages they deserve, or the Healthy Families Act so that families struggling with a child's illness or other crisis could get time off to deal with those challenges without jeopardizing their families' future. Another important improvement for working families Republicans have refused is to increase the minimum wage of \$2.13 per hour for tipped workers—a wage that has not been increased in nearly twenty years.

H.R. 1406 has no chance of becoming law. It will not be taken up in the Senate, and the White House has promised to veto it. Why are we wasting valuable time on it? I urge my colleagues to take action for U.S. workers now, and support family friendly policies that will help our workers, restore the economic vitality of our middle class, and strengthen the social and economic bonds that knit us together as a people.

Mr. CONYERS. Mr. Speaker, I rise today in opposition to H.R. 1406, the so-called "Working Families Flexibility Act of 2013." After reviewing the text, I must confess I am confused about how the Majority came up with the

name for this bill. The “Pay Working Families Less Act of 2013” certainly does not have the same ring to it—but it would be a fair title for legislation that undermines the rights that workers have struggled for generations to secure. By repealing overtime protections in the Fair Labor Standards Act of 1938, this legislation offers flexibility for bosses eager to exploit their workforce and roll back pro-family reforms that 21st century families need. In their place, is the illusion of flexibility wherein an employee can take overtime compensation in time rather than pay—but only when the employer decides it is convenient.

However, just giving employers more flexibility is not what this bill is really about—H.R. 1406’s ultimate goal is the systematic evisceration of overtime laws and all the benefits they guarantee. No longer will employers have an incentive to boost employment by hiring enough workers to do the job. No longer will employers be forced to do something as basic as treat employees equally. No longer will employers be forced to pay every employee time-and-a-half for working more than 40 hours a week. Instead, they can shuffle overtime hours to employees who agree to take time rather than compensation.

Of course, this bill purports to protect against such manipulation. H.R. 1406’s sponsor has said that the bill addresses these concerns because it bans employers from intimidating, coercing, and threatening workers. However, she also very clearly and very tellingly failed to include protections against discrimination. This lets employers force their employees to compete against one another for who will do the most work for the least amount of compensation.

If my friends across the aisle were serious about being friendly to families, they would find a way to help them without gutting important wage and hour protections that middle class families need to survive. If my friends across the aisle were serious about workers’ familial responsibilities, they would support Representative DELAURO’s Health Families Act. If they wanted to ensure that an illness did not bankrupt a family, they would help working families save by supporting the Fair Minimum Wage Act. If they cared about working mothers, they would support the Paycheck Fairness Act so that women aren’t receiving 77 cents for every dollar a man earns.

Unfortunately, they simply are not serious—at least not about helping working class families find the stability and security that a flexible work environment offers.

I urge my colleagues to provide working families with legislation that provides real workplace flexibility and oppose this flawed and disingenuous bill.

Mr. BLUMENAUER. Mr. Speaker, I oppose the so called “Working Families Flexibility Act,” which more accurately should be called the “Less Pay for Middle Class Families Act.” I voted against similar legislation in 1997 and continue to strongly oppose this policy. In effect, this bill takes pay from the pockets of American families and loans it to their employers, with no condition that they pay it back for up to a year. If enacted, this policy would make life even more difficult for millions of middle class Americans. Even the bill’s promise of flexibility is only true for the employer,

which can determine on its own when the employee could use any accrued compensatory time. Enactment of this bill would translate into less money for American workers, more power for their employers, and breaks the time-honored tradition that extra work means extra pay.

This bill is an affront to middle class families across America. I oppose it.

Mr. FARR. Mr. Speaker, I rise today to offer my strong opposition to the egregiously misnamed Working Families Flexibility Act. It should be named the Working Families Inflexibility Act. This bill takes all of the control and choice out of the hands of workers and hands it right over to employers!

H.R. 1406 denies workers their earned overtime pay and deprives them of any promise of future compensation. It strips them of any guarantees of time off for personal or family emergencies. It would, however, guarantee them longer work hours and less control over their own schedules.

H.R. 1406 would also mean a pay cut for the millions of workers who need cash overtime to help pay their housing, food, and medical bills. Middle-income and low-income workers living paycheck to paycheck are already struggling to make ends meet and have come to rely on their overtime pay. After all, time off does not pay the bills.

The Fair Labor Standards Act and the 40-hour work week has been extremely successful for decades, why does the Majority want to change that other than to cater to employers and continue their war on the working American?

Mr. Speaker, under the guise of family-friendly public policy, the Working Families Flexibility Act is simply another assault on workers’ rights. I urge my colleagues to oppose this bill.

Ms. NORTON. Mr. Speaker, by allowing employers to deny overtime pay, by substituting compensatory time off for overtime at the discretion of employers and by denying guaranteed time off for workers when they need it, the Republican attempt to give the nation’s mothers a Mother’s Day bill gets jeers instead of cheers. This same bill has died in committee or failed three times since 1996 and the President has pledged to veto it this time. We need new ideas for hard-pressed working mothers, not a redux that takes more than it gives. This was a message bill, not a serious attempt to help working mothers. The Senate won’t touch it. So, happy Mother’s Day. We can and will do better.

Ms. CLARKE. Mr. Speaker, today, I rise in opposition to H.R. 1406, The Working Families Flexibility Act. This bill is a sham! It does not offer working families flexibility, nor does it protect employee rights. But what it does is strip employees of their rights by eliminating the Federal Labor Standards Act statute guaranteeing overtime pay for time worked over 40 hours per week.

It shifts control of overtime from a monetarily incentivized program for the employee to an employer-controlled one incentivized by cheaper labor and less need to hire more workers. This bill also contains no avenue for employees to file grievances if requests for time off are denied or not responded to.

Under H.R. 1406, after the employee makes a request to use compensatory time, the em-

ployer’s only responsibility is to permit the employee “to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the employer.” There is no responsibility on the part of the employer to respond in a timely manner or accommodate an employee request.

H.R. 1406 turns back years of hard won victories for American workers and their families by undermining the Federal Labor Standards Act and giving the employer virtually complete control over when the overtime is used.

The AFL-CIO, the Communication Workers of America, the National Partnership for Women & Families, and numerous other organizations oppose this bill. However, imagine my surprise when I received an e-mail from the U.S. Women’s Chamber of Commerce also urging me to oppose this bill!

As a rule, Chambers of Commerce usually support “pro-employer” bills. However, in this case, the U.S. Women’s Chamber of Commerce wrote, “all employers want as low a payroll expenditure as possible but there is a reason to be concerned that employers incentivized by H.R. 1406 would reward those employees who agree to “comp time” in lieu of overtime payments. Employers incentivized by a reduced payroll might well give “comp time” employees the preferred shifts, the needed hours, and the promotions. There is no protection in H.R. 1406 against this kind of employer behavior.”

Make no mistake about it—H.R. 1406 hurts American workers and their families. This bill is just another Republican attempt to destroy the American worker. So I ask my colleagues to join me in opposing H.R. 1406.

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to H.R. 1406—a bill more appropriately titled the “More Work, Less Pay Act.”

My colleagues on both sides of the aisle have spoken today about the challenges facing working families. Far too many families are still struggling financially to make ends meet, and as their Representatives we should be voting on legislation that provides more opportunities and support for America’s workers.

Instead, House Republicans are wasting time on a harmful bill that puts us on a path to eliminating the 40 hour work week and a worker’s right to overtime pay. This bill presents a false flexibility that could amount to a real pay-cut for many of our nation’s hard working families. Under this bill, employers could cut the hours of employees who want overtime pay instead of comp time. And for workers who do choose comp time, employers could later deny or delay their requests for time off.

There are bills pending in the House right now that would actually benefit working families. We should be voting on the Paycheck Fairness Act (H.R. 377) to ensure that women and men take home the same pay for the same jobs. The Healthy Families Act (H.R. 1286) would guarantee paid sick time so workers can care for themselves and their loved ones. And we should be raising the minimum wage to lift millions out of poverty and boost our economy.

Mr. Speaker, we all want to make it easier for Americans to care for themselves and their

families, but this bill creates more problems than solutions. It undermines the right of employees to be paid fairly for the hours they work. I urge my colleagues to vote against the bill, and encourage them to support bringing real family friendly legislation to the floor.

The SPEAKER pro tempore. Pursuant to House Resolution 198, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentleman from New York (Mr. GIBSON).

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

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

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

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further proceedings on this question are postponed.

RECESS

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

Accordingly (at 3 o'clock and 32 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

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

WORKING FAMILIES FLEXIBILITY ACT OF 2013—Continued

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector, will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pending is the demand of the gentleman from Connecticut (Mr. COURTNEY) for the yeas and nays on the question of adopting the amendment offered by the gentleman from New York (Mr. GIBSON). Those in support of the request for the yeas and nays will rise and be counted.

A sufficient number having risen, the yeas and nays are ordered. Members will record their votes by electronic device.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on adoption of the amendment will be followed by 5-minute votes on a motion to recommit H.R. 1406, if ordered; passage of H.R. 1406, if ordered; ordering the previous question on House Resolution 202; and adoption of House Resolution 202, if ordered.

The vote was taken by electronic device, and there were—yeas 384, nays 42, not voting 6, as follows:

[Roll No. 135]

YEAS—384

Aderholt DesJarlais Kilmer
 Alexander Diaz-Balart Kind
 Amash Doggett King (IA)
 Amodei Duckworth King (NY)
 Bachmann Duffy Kingston
 Bachus Duncan (TN) Kingzinger (IL)
 Barber Edwards Kirkpatrick
 Barletta Ellison Kline
 Barr Ellmers Kuster
 Barrow (GA) Engel Labrador
 Barton Eshoo LaMalfa
 Bass Esty Lamborn
 Beatty Farenthold Lance
 Becerra Farr Langevin
 Benishek Fincher Lankford
 Bentivolio Fitzpatrick Larsen (WA)
 Bera (CA) Fleischmann Larson (CT)
 Bilirakis Fleming Latham
 Bishop (GA) Flores Latta
 Bishop (NY) Forbes Lee (CA)
 Bishop (UT) Fortenberry Levin
 Black Foster Lewis
 Blackburn Foxx Lipinski
 Blumenauer Franks (AZ) LoBiondo
 Bonamici Frelinghuysen Loeback
 Bonner Fudge Lofgren
 Boustany Gabbard Long
 Brady (TX) Gallego Lowey
 Braley (IA) Garcia Lucas
 Bridenstine Gardner Luetkemeyer
 Brooks (IN) Gerlach Lujan Grisham
 Brown (FL) Gibbs (NM)
 Brownley (CA) Gibson Lujan, Ben Ray
 Buchanan Gingrey (GA) (NM)
 Bucshon Goodlatte Lummis
 Burgess Gosar Lynch
 Bustos Gowdy Maffei
 Butterfield Granger Maloney,
 Calvert Graves (GA) Carolyn
 Camp Graves (MO) Maloney, Sean
 Campbell Grayson Marchant
 Cantor Green, Al Marino
 Capito Green, Gene Massie
 Capps Griffin (AR) Matheson
 Capuano Griffith (VA) Matsui
 Cárdenas Grimm McCarthy (CA)
 Carney Guthrie McCaul
 Carson (IN) Gutierrez McClintock
 Carter Hahn McCollum
 Cassidy Hall McDermott
 Castro (TX) Hanabusa McHenry
 Chabot Hanna McIntyre
 Chaffetz Harper McKeon
 Chu Harris McKinley
 Cicilline Hartzler McMorris
 Clarke Hastings (FL) Rodgers
 Clay Hastings (WA) McNerney
 Cleaver Heck (NV) Meadows
 Clyburn Heck (WA) Meehan
 Coble Hensarling Meeks
 Coffman Herrera Beutler Meng
 Cohen Higgins Messer
 Cole Himes Mica
 Collins (GA) Hinojosa Michaud
 Collins (NY) Holding Miller (FL)
 Conaway Holt Miller (MI)
 Connolly Horsford Miller, Gary
 Cook Hoyer Miller, George
 Cotton Hudson Moran
 Courtney Huelskamp Mullin
 Cramer Huffman Mulvaney
 Crawford Huizenga (MI) Murphy (FL)
 Crenshaw Hultgren Murphy (PA)
 Cuellar Hunter Napolitano
 Culberson Hurt Neal
 Cummings Israel Negrete McLeod
 Daines Issa Neugebauer
 Davis (CA) Jenkins Noem
 Davis, Danny Johnson (GA) Nugent
 Davis, Rodney Johnson (OH) Nunes
 DeFazio Johnson, E. B. Nunnelee
 DeGette Johnson, Sam O'Rourke
 Delaney Jones Olson
 DeLauro Joyce Owens
 DelBene Keating Pallone
 Denham Kelly (IL) Pascrell
 Dent Kelly (PA) Pastor (AZ)
 DeSantis Kennedy Paulsen

Payne Rush Thornberry
 Pelosi Ryan (OH) Tiberi
 Perry Ryan (WI) Tierney
 Peters (CA) Salmon Tipton
 Peters (MI) Sánchez, Linda Titus
 Peterson T. Tonko
 Petri Sanchez, Loretta Tsongas
 Pingree (ME) Sarbanes Turner
 Pittenger Scalise Upton
 Pitts Schiff Valadao
 Poe (TX) Schneider Van Hollen
 Polis Schock Vargas
 Pompeo Schradler Veasey
 Posey Schwartz Vela
 Price (GA) Schweikert Velázquez
 Price (NC) Scott (VA) Visclosky
 Quigley Scott, Austin Wagner
 Radel Scott, David Walberg
 Rangel Sensenbrenner Walden
 Reed Serrano Walorski
 Reichert Sessions Walz
 Renacci Sewell (AL) Watt
 Ribble Shea-Porter Waxman
 Rice (SC) Sherman Weber (TX)
 Richmond Shimkus Welch
 Rigell Shuster Wenstrup
 Roby Simpson Westmoreland
 Roe (TN) Sinema Whitfield
 Rogers (AL) Smith (NE) Williams
 Rogers (KY) Smith (NJ) Williams
 Rogers (MI) Smith (TX) Wilson (FL)
 Rohrabacher Southerland Wilson (SC)
 Rokita Speler Wittman
 Rooney Stewart Wolf
 Ros-Lehtinen Stivers Womack
 Roskam Stockman Woodall
 Ross Stutzman Yarmuth
 Rothfus Swalwell (CA) Yoder
 Roybal-Allard Terry Yoho
 Ruiz Thompson (CA) Young (AK)
 Runyan Thompson (MS) Young (FL)
 Ruppertsberger Thompson (PA) Young (IN)

NAYS—42

Andrews Fattah Nolan
 Brady (PA) Frankel (FL) Palazzo
 Brooks (AL) Garamendi Perlmutter
 Broun (GA) Garrett Pocan
 Cartwright Grijalva Rahall
 Castor (FL) Honda Schakowsky
 Conyers Jackson Lee Sires
 Cooper Jeffries Slaughter
 Costa Kaptur Smith (WA)
 Crowley Kildee Takano
 Deutch Lowenthal Wasserman
 Dingell McCarthy (NY) Schultz
 Doyle McGovern Waters
 Duncan (SC) Moore
 Enyart Nadler

NOT VOTING—6

Gohmert Markey Royce
 Jordan Pearce Webster (FL)

□ 1728

Messrs. CROWLEY, BRADY of Pennsylvania, DUNCAN of South Carolina, and SMITH of Washington changed their vote from “yea” to “nay.”

Mr. TIERNEY, Ms. DEGETTE, Mr. NEAL, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. ELLISON, LEVIN, BARBER, ENGEL, LARSEN of Washington, and McDERMOTT, Ms. SINEMA, and Messrs. KEATING, LARSON of Connecticut, and WHITFIELD changed their vote from “nay” to “yea.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Ms. SHEA-PORTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SHEA-PORTER. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Shea-Porter moves to recommit the bill, H.R. 1406, to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendment:

Page 8, after line 9, insert the following:

“(8) GUARANTEED EMPLOYEE CHOICE FOR USE OF COMP TIME FOR CERTAIN PURPOSES.—An employee may not be denied use of earned compensation time for the specific date and time requested by the employee for the following family or medical purposes:

“(A) To attend a medical appointment, including a medical appointment for a family member.

“(B) To care for a sick child or other family member or because the employee is sick.

“(C) To attend counseling or rehabilitation appointments in relation to injuries sustained by the employee as a member of the Armed Forces.

“(9) EXCLUSION OF EMPLOYERS THAT VIOLATE EQUAL PAY PROTECTIONS FOR WOMEN.—An employer that has been found to have violated section 6(d) (as added by the Equal Pay Act of 1963) shall not be eligible to replace monetary overtime compensation with compensatory time under this subsection.”.

Page 8, line 10, strike “(8)” and insert “(10)”.

The SPEAKER pro tempore. The gentlewoman from New Hampshire is recognized for 5 minutes.

Ms. SHEA-PORTER. Mr. Speaker, I rise in opposition to this bill and to offer the final amendment, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

The amendment I offer today would reject this bill's attack on workers and their families. The base bill brought to the floor today effectively ends the 40-hour workweek and offers comp time in lieu of overtime pay.

The Republican bill boils down to this: more work, less pay. This continues the House Republican no jobs agenda that undermines American workers, weakens worker checkbooks, and harms the middle class. This legislation does not guarantee that workers will be able to use the time they have earned when they need it the most. Instead, the comp time earned by workers would go into a pot that would be controlled by their employer. This is not more flexibility for workers; it's less pay for workers.

Under this bill, employers could schedule excessive overtime hours and only offer overtime work to workers who agree to take comp time instead of overtime wages. An employer can refuse to allow a worker to take time

off to deal with a family member or to attend a parent-teacher conference. And under this bill, if employers choose not to allow the time off, workers will get paid at the end of the year, having kindly provided their boss with an interest-free loan. And let's hope the year's worth of accounting is accurate.

So this amendment presents the House with a choice: support hardworking Americans and their families, or side with interest groups and corporate lobbyists.

This final amendment says that workers may not be denied use of earned compensation time to attend a medical appointment, care for a sick child or a family member, or for veterans to attend counseling or rehabilitation appointments for injuries suffered in combat. Finally, if you are an employer that has violated the Equal Pay Act, my amendment ensures that you can't cut workers' overtime pay also. That's just common sense.

Today, as the gap between the very wealthy and middle class Americans is widening, a pay cut is the last thing that hardworking Americans who are struggling to provide for their families need. That's why President Obama has pledged to veto this legislation, and that's why more than 160 organizations oppose it, including women's organizations, labor organizations, and civil rights organizations.

Now, I'm passionate about workers' rights because that's where I come from. I worked on the floor of a manufacturing plant to pay for college. I took all the overtime I could work, second and third shifts, and I needed that money. I remember the tough conditions in that plant. Workers were afraid to question management. Anyone who thinks this won't happen to many workers who try to get comp time when they need it is fooling themselves.

Workers need the guarantees provided in this final amendment in order to make sure they're not trading overtime pay for comp time they might never be able to use. Instead of asking employees to work more and get paid less, I urge my colleagues to adopt this amendment and protect veterans, women, and working families.

I yield back the balance of my time.

Mrs. ROBY. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Alabama is recognized for 5 minutes.

Mrs. ROBY. Mr. Speaker, here we go again. My friends on the other side of the aisle are again refusing to work with us to help American families. Instead, they are spending their time taking political shots and, in fact, politicizing Mother's Day in order to do it.

Despite having taken the underlying bill through the committee process be-

fore bringing it to the floor, my Democratic colleagues have made no real attempt to engage in meaningful conversations on this bill. In fact, while they originally offered a related provision as an amendment to floor consideration, it was quickly withdrawn. I guess they've decided they score more political points by waiting until now, when the process is about to conclude, than offering up meaningful suggestions during the months we've been debating this issue.

Americans are tired of this game. They're tired of watching us fight each other when we should be fighting for them. That is why it is time that we pass the Working Families Flexibility Act. Our bill gives private sector employees the same choice government workers have enjoyed for decades: the choice to receive comp time instead of wages for overtime.

Again, this is something that the public sector has engaged in for many, many years—decades, in fact. If it's good enough for the Federal Government, it ought to be good enough for the private sector.

I'm a mom. Riley and I have two beautiful children, Margaret and George. Margaret is 8 and George is 4. I understand the pulls on working families as we balance our workplace and our home time. This is about helping working moms and dads. This is about providing the ability to spend time at home that's so needed in today's hectic time. I know this firsthand. And this is important and will provide help for many working families. This could change lives.

It is time to do the right thing for working families. It is time we do the right thing for American families. Let's pass the Working Families Flexibility Act. I encourage my colleagues to defeat this motion to recommit, and I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Ms. SHEA-PORTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 200, noes 227, not voting 5, as follows:

[Roll No. 136]

AYES—200

Andrews	Bera (CA)	Braley (IA)
Barber	Bishop (GA)	Brown (FL)
Barrow (GA)	Bishop (NY)	Brownley (CA)
Bass	Blumenauer	Bustos
Beatty	Bonamici	Butterfield
Becerra	Brady (PA)	Capps

Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda

NOES—227

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito

Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)

Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gingrich
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler

Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Rangel
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Radel
Reed
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers

Markey
Pearce

Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Runyan

NOT VOTING—5

Richmond
Royce

□ 1746

So the motion to recommit was rejected.
The result of the vote was announced as above recorded.
The SPEAKER pro tempore. The question is on the passage of the bill.
The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ANDREWS. Mr. Speaker, I demand a recorded vote.
A recorded vote was ordered.
The SPEAKER pro tempore. This will be a 5-minute vote.
The vote was taken by electronic device, and there were—ayes 223, noes 204, not voting 5, as follows:

[Roll No. 137]
AYES—223

Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy

Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines

Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souterland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walorski
Weber (TX)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Webster (FL)

Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)

NOES—204

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers

King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble

Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al

Rice (SC)
Rigell
Kingston
Roe (TN)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Young (FL)
Young (IN)

Green, Gene
Grijalva
Grimm
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)

Lee (CA)	Negrete McLeod	Scott, David	Bishop (UT)	Guthrie	Pittenger	Gabbard	Luján, Ben Ray	Ruppersberger
Levin	Nolan	Serrano	Black	Hall	Pitts	Gallego	(NM)	Rush
Lewis	O'Rourke	Sewell (AL)	Blackburn	Hanna	Poe (TX)	Garamendi	Lynch	Ryan (OH)
Lipinski	Owens	Shea-Porter	Bonner	Harper	Pompeo	Garcia	Maffei	Sánchez, Linda
LoBiondo	Pallone	Sherman	Boustany	Harris	Posey	Grayson	Maloney,	T.
Loeback	Pascrell	Sinema	Brady (TX)	Hartzler	Price (GA)	Green, Al	Carolyn	Sanchez, Loretta
Lofgren	Pastor (AZ)	Sires	Bridenstine	Hastings (WA)	Radel	Green, Gene	Maloney, Sean	Sarbanes
Lowenthal	Payne	Slaughter	Brooks (AL)	Heck (NV)	Reed	Grijalva	Matheson	Schakowsky
Lowe	Pelosi	Smith (NJ)	Brooks (IN)	Hensarling	Reichert	Gutierrez	Matsui	Schiff
Lujan Grisham	Perlmutter	Smith (WA)	Broun (GA)	Herrera Beutler	Renacci	Hahn	McCarthy (NY)	Schneider
(NM)	Peters (CA)	Speier	Buchanan	Holding	Ribble	Hanabusa	McCollum	Schrader
Luján, Ben Ray	Peters (MI)	Swaiwell (CA)	Bucshon	Hudson	Rice (SC)	Hastings (FL)	McDermott	Schwartz
(NM)	Pingree (ME)	Takano	Burgess	Huizenga (MI)	Rigell	Heck (WA)	McGovern	Scott (VA)
Lynch	Pocan	Thompson (CA)	Calvert	Hultgren	Roby	Higgins	McIntyre	Scott, David
Maffei	Polis	Thompson (MS)	Camp	Hunter	Roe (TN)	Himes	McNerney	Serrano
Maloney,	Price (NC)	Tierney	Campbell	Hurt	Rogers (AL)	Hinojosa	Meeks	Sewell (AL)
Carolyn	Quigley	Titus	Cantor	Issa	Rogers (KY)	Holt	Meng	Shea-Porter
Maloney, Sean	Rahall	Tonko	Capito	Jenkins	Rogers (MI)	Honda	Michaud	Sherman
Matsui	Rangel	Tsongas	Carter	Johnson (OH)	Rohrabacher	Horsford	Miller, George	Sinema
McCarthy (NY)	Richmond	Van Hollen	Cassidy	Johnson, Sam	Rokita	Hoyer	Moore	Sires
McCorm	Roybal-Allard	Vargas	Chabot	Jones	Rooney	Huffman	Moran	Slaughter
McDermott	Ruiz	Veasey	Chaffetz	Jordan	Ros-Lehtinen	Israel	Murphy (FL)	Smith (WA)
McGovern	Runyan	Vela	Coble	Joyce	Roskam	Jackson Lee	Nadler	Swalwell (CA)
McIntyre	Ruppersberger	Velázquez	Coffman	Kelly (PA)	Ross	Jeffries	Napolitano	Takano
McNerney	Rush	Visclosky	Cole	King (IA)	Rothfus	Johnson (GA)	Neal	Thompson (CA)
Meehan	Ryan (OH)	Walz	Collins (GA)	King (NY)	Runyan	Johnson, E. B.	Nolan	Thompson (MS)
Meeks	Sánchez, Linda	Wasserman	Collins (NY)	Kingston	Ryan (WI)	Kaptur	O'Rourke	Tierney
Meng	T.	Schultz	Conaway	Kinzinger (IL)	Salmon	Keating	Owens	Titus
Michaud	Sanchez, Loretta	Waters	Cook	Kline	Scalise	Kelly (IL)	Pallone	Tonko
Miller, George	Sarbanes	Watt	Cotton	Labrador	Schock	Kennedy	Pascrell	Tsongas
Moore	Schakowsky	Waxman	Cramer	LaMalfa	Schweikert	Kilmer	Pastor (AZ)	Van Hollen
Moran	Schiff	Welch	Crawford	Lamborn	Scott, Austin	Kind	Payne	Vargas
Murphy (FL)	Schneider	Wilson (FL)	Crenshaw	Lance	Sensenbrenner	Kirkpatrick	Pelosi	Veasey
Nadler	Schrader	Yarmuth	Culberson	Lankford	Sessions	Kuster	Perlmutter	Peters (CA)
Napolitano	Schwartz	Young (AK)	Daines	Latham	Shimkus	Langevin	Peters (MI)	Velázquez
Neal	Scott (VA)		Davis, Rodney	Latta	Shuster	Larsen (WA)	Peters (ME)	Walz
			Denham	LoBiondo	Simpson	Larson (CT)	Pingree (ME)	Wasserman
			Dent	Long	Smith (NE)	Lee (CA)	Pocan	Polis
			DeSantis	Lucas	Smith (NJ)	Levin	Lewis	Price (NC)
			DesJarlais	Luetkemeyer	Smith (TX)	Lewis	Lipinski	Quigley
			Diaz-Balart	Lummis	Southerland	Lipinski	Loeback	Rahall
			Duffy	Marchant	Stewart	Lofgren	Lowenthal	Rangel
			Duncan (SC)	Marino	Stivers	Lowey	Lujan Grisham	Richmond
			Duncan (TN)	Massie	Stockman	(NM)	Ruiz	Roybal-Allard
			Ellmers	McCarthy (CA)	Stutzman			
			A motion to reconsider was laid on the table.	McCaul	Terry			
			Stated for:	McClintock	Thompson (PA)			
			Mr. PEARCE. Mr. Speaker, on rollcall No. 137, I am not recorded because I was absent from the House of Representatives for personal reasons. Had I been present, I would have voted "aye."	McHenry	Thornberry			
				McKeon	Tiberi			
				McKinley	Tipton			
				McMorris	Turner			
				Rodgers	Upton			
				Meadows	Valadao			
				Meehan	Wagner			
				Messer	Walberg			
				Mica	Walden			
				Miller (FL)	Walorski			
				Miller (MI)	Weber (TX)			
				Miller, Gary	Wenstrup			
				Mullin	Westmoreland			
				Mulvaney	Whitfield			
				Murphy (PA)	Williams			
				Neugebauer	Wilson (SC)			
				Noem	Wittman			
				Nugent	Wolf			
				Nunes	Womack			
				Nunnelee	Woodall			
				Olson	Yoder			
				Palazzo	Yoho			
				Paulsen	Young (AK)			
				Perry	Young (FL)			
				Petri	Young (IN)			

NOT VOTING—5

Gutierrez	Pearce	Webster (FL)
Markey	Royce	

□ 1753

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PEARCE. Mr. Speaker, on rollcall No. 137, I am not recorded because I was absent from the House of Representatives for personal reasons. Had I been present, I would have voted "aye."

PROVIDING FOR CONSIDERATION OF H.R. 807, FULL FAITH AND CREDIT ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 202) providing for consideration of the bill (H.R. 807) to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 199, not voting 6, as follows:

[Roll No. 138]

YEAS—227

Aderholt	Bachmann	Barton
Alexander	Bachus	Benishkek
Amash	Barletta	Bentivolio
Amodei	Barr	Billrakis

NAYS—199

Andrews	Carson (IN)	DeFazio
Barber	Cartwright	DeGette
Barrow (GA)	Castor (FL)	Delaney
Bass	Castro (TX)	DeLauro
Beatty	Chu	DelBene
Becerra	Cielline	Deutch
Bera (CA)	Clarke	Dingell
Bishop (GA)	Clay	Doggett
Bishop (NY)	Cleaver	Doyle
Blumenauer	Clyburn	Duckworth
Bonamici	Cohen	Edwards
Brady (PA)	Connolly	Ellison
Bralley (IA)	Conyers	Engel
Brown (FL)	Cooper	Enyart
Brownley (CA)	Costa	Eshoo
Bustos	Courtney	Esty
Butterfield	Crowley	Farr
Capps	Cuellar	Fattah
Capano	Cummings	Foster
Cárdenas	Davis (CA)	Frankel (FL)
Carney	Davis, Danny	Fudge

NOT VOTING—6

Huelskamp	Pearce	Speier
Markey	Royce	Webster (FL)

□ 1800

So the previous question was ordered. The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 199, not voting 7, as follows:

[Roll No. 139]

YEAS—226

Aderholt	Bridenstine	Coffman
Alexander	Brooks (AL)	Cole
Amash	Brooks (IN)	Collins (GA)
Amodei	Broun (GA)	Collins (NY)
Bachmann	Buchanan	Conaway
Barletta	Bucshon	Cook
Barr	Burgess	Cotton
Barton	Calvert	Cramer
Benishkek	Camp	Crawford
Bentivolio	Campbell	Crenshaw
Bilirakis	Cantor	Culberson
Bishop (UT)	Capito	Daines
Black	Carter	Davis, Rodney
Blackburn	Cassidy	Denham
Bonner	Chabot	Dent
Boustany	Chaffetz	DeSantis
Brady (TX)	Coble	DesJarlais

Diaz-Balart Kinzinger (IL)
 Duffy Kline
 Duncan (SC) Labrador
 Duncan (TN) LaMalfa
 Ellmers Lamborn
 Farenthold Lance
 Fincher Lankford
 Fitzpatrick Latham
 Fleischmann Latta
 Fleming LoBiondo
 Flores Long
 Forbes Lucas
 Fortenberry Luetkemeyer
 Foxx Lummis
 Franks (AZ) Marchant
 Frelinghuysen Marino
 Gardner Massie
 Garrett McCarthy (CA)
 Gerlach McCaul
 Gibbs McClintock
 Gibson McHenry
 Gingrey (GA) McKeon
 Goodlatte McKinley
 Gosar McMorris
 Gowdy Rodgers
 Granger Meadows
 Graves (GA) Meehan
 Graves (MO) Messer
 Griffin (AR) Mica
 Griffith (VA) Miller (FL)
 Grimm Miller (MI)
 Guthrie Miller, Gary
 Hall Mullin
 Hanna Mulvaney
 Harper Murphy (PA)
 Harris Neugebauer
 Hartzler Noem
 Hastings (WA) Nugent
 Heck (NV) Nunes
 Hensarling Nunnelee
 Herrera Beutler Olson
 Holding Palazzo
 Hudson Paulsen
 Huelskamp Peters
 Huizenga (MI) Petri
 Hultgren Pittenger
 Hunter Pitts
 Hurt Poe (TX)
 Issa Pompeo
 Jenkins Posey
 Johnson (OH) Price (GA)
 Johnson, Sam Radel
 Jones Reed
 Jordan Reichert
 Joyce Renacci
 Kelly (PA) Ribble
 King (IA) Rice (SC)
 King (NY) Rigell
 Kingston Roby

NAYS—199

Andrews Cooper
 Barber Costa
 Barrow (GA) Courtney
 Bass Crowley
 Beatty Cuellar
 Becerra Cummings
 Bera (CA) Davis (CA)
 Bishop (GA) Davis, Danny
 Bishop (NY) DeFazio
 Blumenauer Blumens
 Bonamici Delaney
 Brady (PA) DeLauro
 Braley (IA) DelBene
 Brown (FL) Deutch
 Brownley (CA) Dingell
 Bustos Doggett
 Butterfield Doyle
 Capps Duckworth
 Capuano Edwards
 Cárdenas Ellison
 Carney Engel
 Carson (IN) Enyart
 Cartwright Eshoo
 Castor (FL) Esty
 Castro (TX) Farr
 Chu Fattah
 Cicilline Kilmer
 Clarke Frankel (FL)
 Clay Fudge
 Cleaver Gabbard
 Clyburn Gallego
 Cohen Garamendi
 Connolly Garcia
 Conyers Grayson

Roe (TN) Levin
 Rogers (AL) Lewis
 Rogers (KY) Lipinski
 Rogers (MI) Loebsock
 Rohrabacher Lofgren
 Rokita Lowenthal
 Rooney Lowey
 Ros-Lehtinen Lujan Grisham (NM)
 Roskam Lujan, Ben Ray (NM)
 Ross Rothfus
 Runyan Lynch
 Ryan (WI) Maffei
 Salmon Maloney, Carolyn
 Scalise Maloney, Sean
 Schock Matheson
 Schweikert Matsui
 Scott, Austin McCarthy (NY)
 Sensenbrenner McCollum
 Sessions McDermott
 Shimkus McGovern
 Shuster McIntyre
 Simpson McNeerney
 Smith (NE) Meeks
 Smith (NJ) Meng
 Smith (TX) Michaud
 Southerland Miller, George
 Stewart Moran
 Stivers Murphy (FL)
 Stockman Nadler
 Stutzman Napolitano
 Terry Neal
 Thompson (PA) Negrete McLeod

Nolan Scott (VA)
 O'Rourke Scott, David
 Owens Serrano
 Pallone Sewell (AL)
 Pascrell Shea-Porter
 Pastor (AZ) Sherman
 Payne Sinema
 Pelosi Sires
 Perlmutter Slaughter
 Peters (CA) Smith (WA)
 Peters (MI) Speier
 Peterson Swalwell (CA)
 Pingree (ME) Takano
 Pocan Thompson (CA)
 Polis Thompson (MS)
 Price (NC) Tierney
 Quigley Titus
 Rahall Tonko
 Rangel Tsongas
 Richmond Van Hollen
 Roybal-Allard Vargas
 Ruiz Veasey
 Ruppertsberger Vela
 Rush Velázquez
 Ryan (OH) Visclosky
 Sanchez, Linda Walz
 T. Wasserman
 Sanchez, Loretta Schultz
 Sarbanes Waters
 Schakowsky Watt
 Schiff Waxman
 Schneider Welch
 Schrader Wilson (FL)
 Schwartz Yarmuth

NOT VOTING—7

Bachus Moore
 Gohmert Pearce
 Upton Royce

□ 1812

So the resolution was agreed to.
 The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROYCE. Mr. Speaker, I rise today regarding my recent absence from the House on Wednesday, May 8th. During this time, as Chairman of the Foreign Affairs Committee, I travelled back to Southern California to participate in the official visit of President Park Geun-hye of South Korea. Because of this absence, I missed several important votes on the House floor, and would like to submit how I would have voted had I been in attendance. The votes were:

Rollcall No. 135, on Agreeing to the Amendment to H.R. 1406, the Gibson of New York Amendment No. 1. I would have voted "aye."

Rollcall No. 136, on the Motion to Recommit H.R. 1406 with instructions, I would have voted "no."

Rollcall No. 137, on Passage of H.R. 1406, the Working Families Flexibility Act, I would have voted "aye."

Rollcall No. 138, on Ordering the Previous Question for H. Res. 202, To Provide for Consideration of H.R. 807, the Full Faith and Credit Act I would have voted "aye."

Rollcall No. 139, on H. Res. 202, Providing for consideration of the bill H.R. 807, the Full Faith and Credit Act I would have voted "aye."

HOOR OF MEETING ON TOMORROW

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is there ob-

jection to the request of the gentleman from Georgia?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1286

Mr. WELCH. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1286.

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

There was no objection.

HONORING JOSEPH FANDINO

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in memory of Mr. Joseph Gregory Fandino, a resident of south Florida and a hero who lost his life while serving our Nation in Vietnam in 1972.

Last Friday, on Foreign Affairs Day, Joseph was honored by the Department of State and the American Foreign Service Association, who commemorated their colleagues who died in the line of duty overseas.

Joseph was one of the first Hispanic-born service officers who, despite being told by classmates that he had the wrong kind of ethnic background, served the United States valiantly for many years.

Joseph also served in the Air Force during the Korean war and as a Foreign Service officer in Vietnam, the Dominican Republic, Spain and Canada where he worked with large numbers of refugees fleeing Cuba.

Joseph put himself in harm's way, choosing to sacrifice his safety in order to assist others and advance freedom and peace around the world.

His commitment to our American ideals, his courage and his good humor during difficult times will be forever remembered.

Mr. Speaker, I'm proud to salute our heroes.

FOSTER YOUTH MONTH

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

Mr. LANGEVIN. Mr. Speaker, I rise today in honor of Foster Care Month and on behalf of the foster youth across this country.

I'd like to commend Representatives KAREN BASS, TOM MARINO, JIM McDERMOTT, and MICHELE BACHMANN for their leadership of the bipartisan Foster Youth Caucus and for their work on this important issue.

Foster youth are some of the most at-risk children in our society. They are often the victims of abuse or neglect, and too many face trials and tribulations beyond their years.

So much of what we take for granted—a stable home, living with our siblings or returning to the same school year after year—are constant obstacles for these children.

However, the month of May and, in fact, every day should serve as a reminder of the opportunities that we all have to make a positive difference in their lives.

Growing up, my parents welcomed many foster children into our family and provided them with a loving, stable and nurturing environment.

Mr. Speaker, these children belong to all of us, and we are all responsible for them.

HYDRAULIC FRACTURING

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I have the privilege of serving as co-chairman of the Congressional Natural Gas Caucus, a bipartisan group working to identify challenges and further utilizing this clean, abundant energy resource.

One of these challenges has to do with the swarm of misinformation that surrounds the process of hydraulic fracturing, the extraction process which is stringently regulated at the State level.

On April 29, after a 16-month investigation, regulators in my home State of Pennsylvania found that hydraulic fracturing, contrary to highly publicized claims, is not to blame for high methane levels found in drinking water in the town of Franklin Forks. Instead, it was due to naturally occurring methane. The same incident was used by environmentalists as an example of the dangers of fracking and the subject of numerous media reports.

Mr. Speaker, science and facts—not rhetoric and scare tactics—must guide our energy policy. The fact of the matter is that there has been no confirmed reports of groundwater contamination from hydraulic fracturing. Even former EPA Administrator Lisa Jackson has testified to this fact.

□ 1820

HONORING AGRICULTURAL PROGRAM AT UC DAVIS

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

Mr. GARAMENDI. Mr. Speaker, I rise today to honor the University of California, Davis. This historic land grant university excels in a wide range and variety of fields, including medicine, physics, law, and agriculture.

Today, the University of California, Davis, agriculture and forestry pro-

gram was recognized as the best in the world by QS World University Rankings, a respected firm that measures publications and citations in scientific journals and the program's reputation among both academics and employers in the field. I offer my highest congratulations to the school's faculty, students, and staff.

For decades, the University of California, Davis, has developed cutting-edge farm practices, research, and local partnerships. Right now, they're studying genetics, nutrition, milk, wine grapes, and so much more. As epitomized by the mechanical tomato harvester and other inventions developed there, this work directly boosts agricultural production and profits.

As we write the new farm bill, I urge my colleagues to join me in supporting agricultural studies and research.

VICTOR FROM HUFFMAN, TEXAS

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

Mr. POE of Texas. Mr. Speaker, Victor from Huffman, Texas, writes me this:

I work. I pay my taxes. In order to earn that paycheck, I work on construction projects. Every morning we file into a job site like cattle. We are searched, scanned and tested. But the government hands out our money to those who don't work for free houses, cars, food, and the list just gets longer. I work 84 hours a week just to make ends meet. The more I work, the more I get taxed. We have families that we only see at night, if at all. We work outages, turn-arounds, and shutdowns. If I don't pay my taxes, I go to jail. If I don't do my job, I'm fired. We work extra to have extra, not so we can pay for more government programs.

Mr. Speaker, workers are tired of their taxes going up just so the government can get more people dependent on government.

And that's just the way it is.

CONGRATULATING HIGH TECH HIGH

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

Mr. PETERS of California. Mr. Speaker, today, along with my colleague, SUSAN DAVIS, I rise in recognition of the High Tech High robotics team, nicknamed the Holy Cows, who recently won a world championship robotics competition. High Tech High is located in the Point Loma neighborhood of San Diego in the 52nd District.

The team beat out more than 10,000 other students to win the prized Chairman's Award at the For Inspiration Recognition of Science and Technology event.

This group of talented young students has used their expertise to develop a smart phone app for robotics,

and they even took time to help other San Diego robotics teams along the way.

I'm proud that High Tech High and local high-tech companies in San Diego, including Qualcomm, SAIC, and Nordson Asymtek, have supported these scholars as they won multiple regional championships on the road to their world title. The success of these students demonstrates what can be done in a school culture that celebrates STEM education. Investments in the field of science, technology, engineering, and math education must continue to be at the forefront of our national school priorities.

With that in mind, I congratulate the High Tech High team, and look forward to their future successes.

HONORING POLICE OFFICERS' SERVICE AND SACRIFICE

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

Mr. FITZPATRICK. Mr. Speaker, this week marks Police Week, an annual tribute to those serving in law enforcement, with May 15 set aside as Peace Officers Memorial Day, as designated in 1962 by President Kennedy.

We honor those who dedicate their lives to safeguarding their fellow citizens, with May 15 the day to remember the fallen with deepest gratitude and prayers. We cherish the memory of all heroes and public servants, and especially for Pennsylvanians, Montgomery County police officer Brad Fox who lost his life last September on the eve of his 35th birthday.

Prior to becoming a police officer, Brad Fox was a United States Marine staff sergeant who served his country for 10 years, including tours of duty in Iraq. We join those who hold these honorable individuals in the highest esteem as we, again, acknowledge the service and sacrifice of all law enforcement officers throughout the Commonwealth of Pennsylvania and this great Nation.

HONORING HIGH TECH HIGH

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

Mrs. DAVIS of California. Mr. Speaker, I join my colleague, Mr. PETERS, and rise to congratulate the remarkable achievement of San Diego's very own High Tech High robotics team.

This past week, the team participated in the largest and more prestigious school robotics world championship, and then came home taking the event's biggest prize. On behalf of San Diegans, we couldn't be any more proud of these remarkable and talented students, who are destined to change our world with their ideas and innovations.

High Tech High represents all that is possible in K-12 education. Some of these students never envisioned themselves in a STEM field, and now they have internships at some of the top STEM companies in the country.

I was able to visit and see the robotics team in action, and it was clear to me that the spirit of teamwork and cooperation I witnessed will make them successful in STEM fields and beyond. These students represent the best and the brightest in our Nation, and we stand and congratulate their hard-earned win and know that there is more to come.

HONORING RAYMOND CLARK THOMPSON

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

Ms. FRANKEL of Florida. Mr. Speaker, I am proud to say that on Sunday, Vietnam war veteran Raymond Clark Thompson's name is being added to the Vietnam War Memorial Wall where he will be remembered for his valiant service in the Army and extraordinary sacrifice for our country.

A native of Indiana and the oldest of six children, Ray served in the Vietnam War as a radio specialist.

Mr. Speaker, I would like to waive my time, and I will try again in a few minutes.

ACCESS TO EDUCATION AND TRAINING ACT

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

Mrs. BUSTOS. Mr. Speaker, I rise today to talk about a commonsense bill that I will be introducing to give more flexibility to students eligible for the Pell Grant program.

Last month, I had the privilege of spending a week on the road, touring and meeting with educators, students, business people, and others at the seven community colleges that serve my congressional district. On this tour I learned more about the ways local community colleges and businesses are coming together to address the skills gap, increase American manufacturing, and put people back to work.

However, the one disappointment I learned during this tour is that the Pell Grant program doesn't give students who want to go to school year-round enough flexibility. Due to senseless changes in 2011, Pell Grants are no longer available for use during the summer semester under too many circumstances.

The bill I am introducing, called the Access to Education and Training Act, would give more flexibility to the Pell Grant program to allow students to re-

ceive assistance year-round. This is important because many of the students I've met are interested in accelerated training courses that take place over the course of an entire year. Many of those who would benefit most are non-traditional students who want to complete their courses faster, simply so they can get back to the workforce. I want to make sure that community colleges are accessible and affordable for all Americans who want to get an education, learn a skill, and acquire the training they need to excel in today's economy.

Giving more flexibility to the Pell Grant program would help ensure success for hardworking students simply looking to get ahead.

□ 1830

IN RECOGNITION OF NATIONAL NURSES WEEK

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in recognition of National Nurses Week and to support one of the most important nurses I know, my wife, Shannon.

Shannon is the mother to our three children and has been a nurse for 18 years. She now teaches our next generation of nurses in Springfield, Illinois, at St. John's College.

It's important for us to recognize the more than 3.1 million nurses across this great country. They are truly the backbone of our Nation's hospitals, clinics, and doctors' offices.

I know firsthand that nurses work every day to ensure that their patients are receiving the quality care they need and deserve. In fact, most of the time, they are the first and last contact patients and their families receive. This is not always an easy task, but one that has greatly contributed to making our health care system one of the greatest in the world.

This week we celebrate all of our nurses who work long, hard hours and go the extra mile to provide safe, high-quality care to their patients and pave the way for a more innovative and efficient health care system.

Thank you, Shannon, and thank you to all the nurses who care for our families each and every day.

RECOGNIZING THE 2013 WOODHAVEN SCHOLARSHIP RECIPIENTS

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

Mr. VEASEY. Mr. Speaker, I rise today to honor eight exceptional students from my hometown of Fort Worth, Texas, who are all Woodhaven Scholarship recipients.

Ambar Aguilera from Amon Carter-Riverside High School, Carolyn Estrada and Rasheda Bellat, Eastern Hills High School, Maria Barragan at Nolan Catholic High School, Ta'lor at Dunbar High School, Kimberlee Sims at Temple Christian School, David Detrick at Polytechnic High School, and Sierra Wilson at Northside High School.

Created in 1998 to support the educational needs of the East Fort Worth community, the Woodhaven Scholarship helps students who are looking to pursue their dream of higher education.

Woodhaven Scholarships are given to East Fort Worth high school seniors who plan to attend Texas colleges and universities. Scholarships are awarded to students attending 4-year institutions as well as those attending 2-year colleges. The funds can be used for college tuition, educational fees, equipment, supplies, as well as on-campus housing expenses.

The eight students chosen will spread their talents across different prestigious institutions in the great State of Texas. I'm sure they will continue to succeed in their pursuit of higher education.

Mr. Speaker, again I would like to congratulate these students on their accomplishments and the honors presented to them.

THE END OF THE 40-HOUR WORKWEEK

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

Mr. COHEN. Mr. Speaker, today was one of the saddest days this House of Representatives has probably ever seen. The 40-hour workweek, a great part of our heritage since 1938, destroyed. Don't get overtime, get comp time. Employer decides if you get comp time, when you get it, when he wants you to have it.

Assuming that everybody around here that's working is working 40 hours and wants to get some extra time is well-heeled and got time to take off and doesn't need that extra money, that time-and-a-half overtime, and they've got time to go out and play 18 holes of golf or something.

Most hardworking Americans need that overtime to take care of their families and to get through from day to day. But today this House voted to take away that opportunity for employees to have the 40-hour week and overtime thereafter. It was a shameful day.

We need to look out for our workers and preserve American rights, not give more to the 1 percent, more control and more money away from the 99 percent.

HONORING RAYMOND CLARK
THOMPSON

The SPEAKER pro tempore (Mr. SHIMKUS). Without objection, the first 1-minute speech of the gentlewoman from Florida is vacated.

There was no objection.

Ms. FRANKEL of Florida. Thank you, Mr. Speaker.

I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Ms. FRANKEL of Florida. Mr. Speaker, I am proud to say that on Sunday, the Vietnam War veteran, Raymond Clark Thompson's name is being added to the Vietnam War Memorial wall, where he will be remembered for his valiant service in the Army and the extraordinary sacrifice for our country.

A native of Indiana and the oldest of six children, Ray served in the Vietnam War as a radio specialist. On June 6, 1969, rockets were fired into Raymond's base camp, causing shrapnel to explode into his body from head to toe as he showered.

Despite suffering severe wounds, Raymond, at age 21, persevered and went on to have a full life, later marrying his wife, Patricia, and fathering three children. And he later worked as a health technician in the VA Medical Center in West Palm Beach, my hometown, where he gave back to veterans like himself. Sadly, he fell ill in recent years to old war injuries and passed in October of 2010.

With Raymond's name joining all the other valiant men and women at the Vietnam War Memorial, we're reminded every day of the bravery of the men and women who serve in our military and who are willing to sacrifice their lives for our own freedoms.

CONGRESSIONAL PROGRESSIVE
CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I am here and rise today on behalf of the Congressional Progressive Caucus for a Special Order hour on a topic. However, before we start that Special Order hour, I would like to yield to the lady from the Ninth District of Arizona (Ms. SINEMA).

THE STEADY ACT

Ms. SINEMA. Mr. Speaker, I rise today as a proud college instructor of over a decade and perhaps, most importantly, a proud Sun Devil from Arizona State University in Tempe, Arizona, the largest and, yes, the brightest public university in our country.

May 9 is Graduation Day for many of my students, and while I cannot be with them on their special day, I introduce a bill today in their honor, in honor of their hard work and their future contributions to our community and our economy.

Today, I have introduced the Stability to Ensure the American Dream for Youth Act, the STEADY Act. The STEADY Act extends the 3.4 percent for Stafford student loans until June 30 of 2017.

As we all know, if Congress fails to act by June 30 of this year, the interest rate on student loans will double from 3.4 percent to 6.8 percent. This will have an enormous impact on the cash flow and economic participation of students entering the workforce, starting a family, planing for the future.

In college communities like the one I have the pleasure of representing, the economics of higher education are directly linked to every part of our daily economic activity. Consumer spending, home ownership, and employment opportunity are inexorably tied to the cost of education.

My bill ensures that those who are in college or planning for college can continue to do so without worry of cutting their paychecks by an additional \$1,000 of interest a year paid to the Federal Government.

The STEADY Act ensures that they can plan for their future, plan for their family's future, and continue to contribute to our local economy. It allows added stability to get the education they need and find the job they want.

Our communities sent us to Congress to fight for them and get things done. Today I'm thinking of my students who need a voice in this Congress. It's my hope that we will get this done for them.

I think about Ariel Carlos, my student in ASU's School of Social Work. Ariel hopes to give back to our community as a social worker for seniors. He wants to help seniors who have worked and contributed their entire lives, help them continue to do so with health and support.

Ariel and his wife, May, have kids, and they support each other by working hard. Ariel has had to work for a paycheck. He worked hard through his entire college career, taking out student loans along the way so that he and May could care for their family while he studied. At the end of his college career, Ariel found himself with a student loan debt of \$45,000.

I would be remiss if I didn't mention that a new social worker in Arizona is likely to start his career making about \$30,000 a year or less. For Ariel and his family, an added expense of \$1,000 a year means less money for child care, less money for school books, less money for groceries.

□ 1840

\$1,000 a year from his family's budget—to pay to the Federal Govern-

ment—means less spending in our local economy and less savings for the future.

The New York Federal Reserve recently noted that student loan debt is slowing our economy. Those with large student debt participate less in their local economies, delaying home ownership and family planning while foregoing long-term job opportunities. Students who should be planning their lives are instead nervous about their future and concerned about debt impeding their ability to get ahead.

We have the opportunity to set things right for Ariel and May, to maintain a steady road for our economic future, and to make certain that the hard work that goes into our community stays in our community and pays off in our community.

I ask my colleagues to join me today in support of the STEADY Act of 2013.

I thank the gentleman from Wisconsin for yielding.

Mr. POCAN. Thank you. And thank you for introducing that important bill to help students and families across the country.

Today during the Special Order hour for the Progressive Caucus, we are here to specifically talk about the issue of income inequality in America and the growing gap between the wealthiest and the average person.

Just today, Mr. Speaker, while we voted on legislation, we voted on a bill, the ironically titled Working Families Flexibility Act, which, in reality, would mean more work and less pay for hardworking Americans in my State of Wisconsin and across the country.

As many of my colleagues have spoken on the floor this week, what this bill will do is to deny workers compensation for overtime—any hours that they would work over 40 hours a week. This is, in essence, an attack on workplace flexibility and an attack on the hard-earned wages Americans rely on.

But what makes this bill even more onerous, though, is a topic of importance to our caucus, the Progressive Caucus, and to workers across America: the growing income inequality in our country.

Mr. Speaker, it's hard to imagine why some of our colleagues are interested in reducing wages for Americans when multiple reports this week show that despite the fact that stock markets and corporate profits are close to all-time highs, wages in this country are stagnant at best.

In fact, according to the St. Louis Fed, wages as a percentage of the economy have hit an all-time low. What does that mean in real dollars? Well, adjusted for inflation, an average worker who was paid \$49,650 at the end of 2009 makes \$545 less now, even before taxes and deductions. Meanwhile, because companies have slowed down hiring to control costs, many are operating with fewer employees, meaning

there's more work for those with a job, even though their wages aren't moving upward. To summarize, Americans are working harder while getting paid less, even before the bill the Republicans put on the floor this week.

Mr. Speaker, given that our economy is still recovering from the recent recession, and close to 12 million Americans are still looking for work, it would make sense if all areas of the economy were facing tough times. But that's not the case. In fact, the stock markets and corporate profits are breaking records. Standard & Poor's 500 corporations hit a record in the first quarter of the year; and last week, including today, the blue-chip Dow Jones Industrial Average crossed 15,000 for the first time in quite a while.

The wealthiest Americans only are getting richer. According to tax expert David Cay Johnston, in the first 2 years of our recovery, from 2009 to 2011, close to 150 percent of the increased income in this country went to the top 10 percent of earners. Why? Because incomes fell for the bottom 90 percent of Americans.

If you dive deeper into those numbers, the increasing inequity becomes even more staggering. Just in the past 2 years, the top 1 percent saw 81 percent of all this country's increased income. Almost 40 percent of the increased income since 2009 went to the top 1 percent of the top 1 percent, or those making at least \$8 million a year. What does that mean? Our country, our Nation, has 158.4 million households, and only about 16,000 of those households have accounted for 40 cents of every dollar of increased income in this country in the last the 2 years.

Unfortunately, Mr. Speaker, this trend of a growing income inequality can be traced back to more than just the 2 years following the recession. You can go all the way back to 1966 to find the last time the average adjusted gross income was lower in this country than it was in 2011. In between this time, 45 years, the bottom 90 percent Americans saw their income increase by an average of \$59.

What about the top 10 percent? Well, from 1966 to 2011, their income increased by an average of approximately \$116,000. And what about the top 1 percent? Their income increased by an average of \$629,000. And the top 1 percent of the top 1 percent, the wealthiest in this country, have seen their income rise \$18.4 million on average in the last 45 years.

Let me say that again. In the past 45 years, since 1966, the vast majority of Americans, 90 percent, have seen their average incomes increase by an average of \$59, and the top 1 percent of the top 1 percent have seen their incomes increase by an average of \$18.4 million.

It's almost impossible to comprehend, but Mr. Johnston found a

way. If you represented these increases in a line chart, and 1 inch is equivalent to \$59, the top 10 percent's would go to over 163 feet. The top 1 percent's line would go to 884 feet, and the top 1 percent of the top 1 percent would go for 5 miles. One inch of increase, 5 miles of increase for the top 1 percent of the top 1 percent.

So while the majority of us have gained only an inch over the last 40 years, the uber-wealthy have gained not just inches but miles. Put another way, for every extra dollar of annual income earned by the top 90 percent of Americans, an extra 311,000 went to the households in the top 1 percent of 1 percent.

This growing income disparity, what does it mean? Well, it's bad for the economy. It's bad for our deficit, and it's bad for the most vulnerable in our society, and, of course, that's bad for the American Dream.

As Mark Zandi, chief economist for Moody's Analytics recently said, for the economy to thrive, we need everyone participating: When a majority of Americans are left behind in the recovery, our economy will never truly thrive. In fact, there have been a number of studies that have said that the way to get the economy going is to make sure those who have the least have the money because they'll spend it. They'll put it immediately into the economy. When the wealthiest have the extra income, it often goes into savings. But for the average person, that 90 percent, when they get the money, it goes right back into the economy and stimulates the economy. But when the average 90 percent of Americans only see a \$59 wage increase in 45 years, that just doesn't put money back into the economy.

Consumer spending, which constitutes 70 percent of our economy, is strained when wages decrease. This is particularly acute when low- and moderate-income workers spend nearly all of their paychecks as those studies have shown us. And when there's a lack of demand, there will be a lack of economic growth, which means a lack of jobs, which means a lack of opportunities for Americans.

When we have vast income inequality, reducing our debt and our deficits becomes nearly impossible. When people are making less, we collect less in revenue. And at that point, the only way to balance our budget would be to drastically reduce funding for programs that primarily serve those with, guess what, decreasing incomes. It is a lose-lose proposition, and we shouldn't pursue it.

What else is this bad for? Well, it's bad for college affordability. It's bad for health care costs, and it's bad for programs that help the elderly, including programs like Social Security. Multiple studies have shown us that huge income inequality makes Ameri-

cans more pessimistic and less likely to believe that they have little in common with anyone else unlike themselves.

The basic tenets of the American Dream are at risk when the income gap is so wide. When 90 percent of the country is so far behind the top tiers of the country, it's hard to make the case that if you work hard, you can get ahead. In fact, studies have demonstrated that the higher the income inequality gets in this country, the harder it is for people to move up and make a better life for themselves and their parents.

□ 1850

Let's just look at CEO pay, just to give you an idea how CEO pay has increased. In the last three decades, CEO pay has skyrocketed at a rate of 127 times faster than worker pay. In fact, from 1978 to 2011, CEO compensation increased more than 725 percent—faster than the stock market, and painfully faster than the 5.7 percent growth in worker compensation in the same period.

The ratio of CEO-to-worker pay has increased since 1950 by 1,000 percent, according to data from Bloomberg. And the AFL-CIO, the American Federation of Labor, has found that CEO pay has reached a high of 354 times that of the average employee. Just decades ago, that ratio was in the 20 to 30 times average for the lowest paid employee, and now 354 times. CEO pay has absolutely taken off, while everyone else's pay has been stagnant now for decades.

I've recently started reading a book, "Who Stole the American Dream?," by Hedrick Smith, a book that our whip, Mr. HOYER, has often referred to for our caucus to read. It details exactly how the middle class has been under attack for the last 40 years largely due to a corporate takeover of our culture. I highly recommend this book to every American.

This is a book that says Americans are willing to accept inequality in our society, to a degree. They understand that if you work harder, you should be able to get ahead. But they want it within a percent that makes sense and that we've had in this country for so long.

This massive wealth gap in our country—where the top 1 percent captured 93 percent of the Nation's gains in 2010—undermines our social fabric and our ideal of equal opportunity. This has been caused by the way corporate interests have taken over our lives, our laws and our elections in the last several decades.

According to "Who Stole the American Dream?," up until the seventies, the middle class had thrived as increases in productivity were matched by increases in wages. When prosperity was shared, there was a stable relationship between business and government

and labor. Everyone pitched in, and everyone benefited and gained.

Then, around the time President Nixon was in—when he put in place some very good business regulations—corporate interests decided to fight back. And we've seen over these decades how they fought back.

One, they started importing cheap foreign workers for a wide range of occupations.

They've moved jobs offshore, so many of our Nation's previously unionized blue collar jobs—even calling centers—have been sent overseas.

And they've changed our laws, from bankruptcy laws to Tax Code changes, so that just in Tax Code changes alone workers could supplement existing pension plans with individual retirement accounts. But the result is corporations got rid of the robust pension programs to help people when they retire. Now workers cover 50 percent of their retirement costs, compared to 11 percent in the 1950s.

Finally, there has been a race to the bottom. We compete now with Asian sweatshops, we import cheap foreign goods that undermine American small businesses, and there are major U.S. business operations that have moved overseas.

So the bottom line is we need to have a thriving middle class, not the inequality of a \$59 increase in the last 45 years for the bottom 90 percent of the population, and the top 1 percent have an increase of \$628,000. And the top 1 percent of the top 1 percent received an increase that's the equivalent of 5 miles to the 1 inch of increase that the bottom 90 percent have made.

So what do we need to do? I think the Center for American Progress has noted a strong middle class can help promote the development of human capital and a well-educated population. It can create a stable source of demands for goods and services. One of the key findings of that book is that people, when they had that income matched by their productivity, it went back into buying more goods and kept the economy stable. When those changes took place, since the Nixon administration, that's what has helped to create the strong inequality.

It incubates the next generation of entrepreneurs and supports inclusive political and economic institutions to make sure we have solid economic growth.

So what do we need to do differently? One, we need to have tax rules that are fair for everyone. We need to make sure that everyone pays their fair share. We don't incentivize companies to ship jobs overseas. And we promote the creation of jobs here at home.

We look at things like capital gains like any other way we would tax, not differently for those with the most money, who make money off of money rather than off of their hard work. But

we need to make sure there is equal tax treatment for everyone under the laws. And those companies that want to outsource their headquarters overseas to avoid paying taxes aren't allowed to do that. It's an important part of changing our Tax Code to get the equality back that we need to.

Next, we need to invest in American workers. That means investing in education, investing in research and development, and investing in job training. Especially at a time that we have 12 million Americans out of work, we need to get people the skills so they can get back to work and work at jobs back here in America.

We need to establish a livable—not a minimum, but a livable—wage so that people who are in that 90 percent, who are making so little gains right now, can put that money back into the economy and stimulate the economy from the bottom up, from the grassroots. That's what we need to do.

Bottom line, we need to have trade policies that reward jobs in America and not reward jobs overseas. We've lost way too many jobs through many of our trade agreements overseas.

And fundamentally, we need to change the way we finance our elections in Wisconsin and across the country. I can tell you from my practical viewpoint of spending 14 years in the Wisconsin Legislature and my time here, there is no question that we have seen a lurching of corporate influence and big-dollar influence in our elections that have influenced the bottom-line policies that have created this sort of inequality.

So to summarize, we need prosperity over austerity in this country. And those are some of the things that we need to move toward.

I could talk more about income inequality, but I just want to address for a minute if I can another part of this inequality, which is going specifically to the sequester.

The sequester we have talked about now for a number of weeks, the ill effects on the economy of the sequester. We know 700,000 jobs between now and September 30 are at risk, including almost 36,000 jobs in the State of Wisconsin. The verdict on the sequester is clear and predictable, as we said. These mindless, reckless cuts are slowing our economic growth and taking away valuable resources to get the economy up and going.

Congress continues to defy logic in this area. We're dealing with the sequester piece by piece. During the continuing resolution, we fixed meat inspectors. A few weeks ago, we fixed people who wait in line at airports. But what we haven't done is addressed those who aren't as well connected in this country and the problems that they're seeing on a daily basis with the sequester. That means for Wisconsin seniors, they're receiving fewer Meals

on Wheels that help seniors—for many of which 50 percent of their daily nutrition comes from the Meals on Wheels program, those who receive that program.

Close to 1,000 Wisconsin children and families will lose access to Head Start services. Just last week, I was in Beloit, Wisconsin, which is in a county, Rock County, that Representative PAUL RYAN and I share. While we were down visiting that Head Start program, they told us that they were going to have to have fewer students in the program next year. And they already have a waiting list for low-income families to participate in these programs to give them a fair start in education.

In the Bayview neighborhood of Madison, Wisconsin—one of my very first county board district and local governments—this neighborhood center, one of their very first programs was the Head Start program. That program will be closing because of the sequester and what we've done to that.

Cancer patients and HIV patients are being turned away from cancer clinics and other clinics because of cuts to Medicare payments caused by the sequester. And nearly 125,000 low-income Americans will not receive rental assistance. In Dane County, that means people are going to lose that critical assistance right back in my district.

Finally, over the Easter break I visited with people at UW-Madison, one of the world's premier research institutions. They're going to see a \$35 million cut in funding—\$17 million just in research alone—from NIH cuts.

So that FAA solution that we did a few weeks ago was anything but a solution—it was barely a bandaid. In fact, that bandaid will only get us through September 30, and we're going to be back to long lines in airports and not having meat inspectors for companies that need to have meat inspectors to have people go to work every day.

The bottom line is we need to fix the sequester now holistically, and we need to deal with that in this House.

This piecemeal approach is irresponsible, it's inadequate, and it's offensive to the people of Wisconsin and the country who are caught in the political cross-fires of Washington, D.C. And it does nothing to help our economy or create jobs—in fact, just the opposite; it will be shrinking the economy between now and September 30.

□ 1900

The people of this country deserve a comprehensive national budget. I don't know why we can't get the Republicans to appoint conferees so we can have that budget. But until they do, we're going to continue to have the squabbles that you find all too often in Congress that don't address the sequester and don't give this country a roadmap for our finance's budget. Once again,

we are likely not to have a national budget.

I would urge my Republican colleagues to appoint the budget conferees immediately so that we can not only pass a budget, but we can replace the sequester cuts for everyone, not just those who are the most well connected.

I would like to talk just briefly in closing about the income gap that we have. There's another way of talking about this chart. When you talked about the bottom 1 percent being an inch to the 5 miles represented by the top 1 percent of the top 1 percent, let me share another statistic that was shared with me.

If you talk about that 1 inch being a football field, the top 1 percent of the top 1 percent is equivalent to 86 football fields. So 1 inch of a football field

to 86 football fields. That's the gap in wages that we have with this inequality.

With that, Mr. Speaker, the Progressive Caucus was glad to be able to talk tonight about income inequality.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROYCE (at the request of Mr. CANTOR) for today on account of his participation in the official visit of President Park Geun-hye of South Korea to Los Angeles County.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1071. An act to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 9, 2013, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2013 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Paul Terry	1/10	1/15	Germany		1,363.59						1,363.59
	1/15	1/17	Sweden		845.24						845.24
	1/17	1/19	United Kingdom		1,013.14						1,013.14
	1/19		United States		8.60						8.60
Commercial Airfare							5,298.78				5,298.78
Miscellaneous Transportation Costs							154.14				154.14
Hon. Jack Kingston	1/25	1/26	Israel		498.00		(³)				498.00
	1/26	1/27	Bangladesh		294.94		(³)				294.94
	1/27	2/2	India		1,982.19		(³)				1,982.19
	2/2	2/3	Portugal		278.00		(³)				278.00
Miscellaneous Embassy Costs									4,322.12		4,322.12
Hon. Adam B. Schiff	1/25	1/26	Israel		498.00		(³)				498.00
	1/26	1/27	Bangladesh		294.94		(³)				294.94
	1/27	2/2	India		1,954.48		(³)				1,954.48
	2/2	2/3	Portugal		264.00		(³)				264.00
Miscellaneous Embassy Costs									4,322.12		4,322.12
John Bartrum	1/25	1/26	Israel		498.00		(³)				498.00
	1/26	1/27	Bangladesh		294.94		(³)				294.94
	1/27	2/2	India		1,954.48		(³)				1,954.48
	2/2	2/3	Portugal		264.00		(³)				264.00
Miscellaneous Delegation Costs									4,322.12		4,322.12
Tom O'Brien	1/25	1/26	Israel		498.00		(³)				498.00
	1/26	1/27	Bangladesh		294.00		(³)				294.00
	1/27	2/2	India		1,954.48		(³)				1,954.48
	2/2	2/3	Portugal		264.00		(³)				264.00
Miscellaneous Delegation Costs									4,322.12		4,322.12
Betsy Bina	1/25	1/26	Israel		498.00		(³)				498.00
	1/26	1/27	Bangladesh		294.94		(³)				294.94
	1/27	2/2	India		1,954.48		(³)				1,954.48
	2/2	2/3	Portugal		264.00		(³)				264.00
Miscellaneous Delegation Costs									4,322.12		4,322.12
Hon. Jo Bonner	2/21	2/23	Philippines		474.00		(³)				474.00
Miscellaneous Delegation Expenses									28.35		28.35
Hon. Frank Wolf		2/17	United States								
	2/18	2/20	Lebanon		84.00						84.00
	2/20	2/22	Egypt		184.00						184.00
	2/22		United States								
Return of Unused Per Diem					-151.00						-151.00
Commercial Airfare							9,123.00				9,123.00
Committee total					18,920.35		14,575.92		21,638.95		55,135.22

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

HON. HAROLD ROGERS, Chairman, Apr. 29, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Ed Whitfield	1/25	1/26	Israel		498.00		(³)		1,724.08		2,222.08
	1/26	1/27	Bangladesh		294.93		(³)		224.03		518.96
	1/27	2/02	India		1,954.48		(³)		1,904.26		3,858.74

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	2/02	2/03	Portugal		278.00		(³)		469.75		747.75
Committee total					3,025.41				4,322.12		7,347.53

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kevin Fitzpatrick	3/23	3/25	Cambodia		424.00		16,754.00		⁴ 288.52		17,466.52
	3/25	3/28	Vietnam		967.00				⁴ 70.49		1,037.49
Priscilla Koepke	3/23	3/25	Cambodia		419.00		16,754.00				17,173.00
	3/25	3/28	Vietnam		964.00						964.00
Hon. Edward R. Royce	1/25	1/26	Japan		361.00		(³)				361.00
	1/26	1/28	Taiwan		426.00		(³)				426.00
	1/28	1/30	Philippines		300.00		(³)		⁴ 5,156.10		5,456.10
	1/30	2/1	China		458.00		(³)				458.00
	2/1	2/2	South Korea		316.00		(³)				316.00
Hon. Eliot Engel	1/25	1/26	Japan		416.00		(³)				416.00
	1/26	1/28	Taiwan		556.00		(³)				556.00
	1/28	1/30	Philippines		490.00		(³)				490.00
	1/30	2/1	China		538.00		(³)				538.00
Hon. Matt Salmon	2/1	2/2	South Korea		330.00		(³)				330.00
	1/25	1/26	Japan		436.00		(³)				436.00
	1/26	1/28	Taiwan		576.00		(³)				576.00
	1/28	1/30	Philippines		510.00		(³)				510.00
	1/30	2/1	China		558.00		(³)				558.00
Hon. Tom Marino	2/1	2/2	South Korea		350.00		(³)				350.00
	1/25	1/26	Japan		436.00		(³)				436.00
	1/26	1/28	Taiwan		576.00		(³)				576.00
	1/28	1/30	Philippines		510.00		(³)				510.00
	1/30	2/1	China		558.00		(³)				558.00
Hon. Gregory Meeks	2/1	2/2	South Korea		350.00		(³)				350.00
	1/25	1/26	Japan		436.00		(³)				436.00
	1/26	1/28	Taiwan		576.00		3,016.00				3,592.00
Nien Su	1/25	1/26	Japan		361.00		(³)				361.00
	1/26	1/28	Taiwan		426.00		(³)				426.00
	1/28	1/30	Philippines		410.00		(³)				410.00
	1/30	2/1	China		458.00		(³)				458.00
Melissa Medina	2/1	2/2	South Korea		275.00		(³)				275.00
	1/25	1/26	Japan		334.00		(³)				334.00
	1/26	1/28	Taiwan		566.00		(³)				566.00
	1/28	1/30	Philippines		491.00		(³)				491.00
	1/30	2/1	China		499.00		(³)				499.00
Elizabeth Heng	2/1	2/2	South Korea		322.00		(³)				322.00
	1/25	1/26	Japan		330.00		(³)				330.00
	1/26	1/28	Taiwan		576.00		(³)				576.00
	1/28	1/30	Philippines		490.00		(³)				490.00
	1/30	2/1	China		523.00		(³)				523.00
JJ Ong	2/1	2/2	South Korea		302.00		(³)				302.00
	1/25	1/26	Japan		436.00		(³)				436.00
	1/26	1/28	Taiwan		576.00		(³)				576.00
	1/28	1/30	Philippines		510.00		(³)				510.00
	1/30	2/1	China		558.00		(³)				558.00
	2/1	2/2	South Korea		350.00		(³)				350.00
Gregory Simpkins	2/16	2/21	Kenya		1,575.00		5,201.02				6,776.02
Worku Gachou	2/16	2/21	Kenya		1,575.00		5,236.12				6,811.12
Jacqueline Quinones	2/16	2/21	Kenya		1,575.00		4,703.02				6,278.02
Hon. Dana Rohrabacher	2/16	2/18	France		1,074.00		(³)		⁴ 6,550.00		7,624.00
	2/18	2/20	Uzbekistan		502.00		(³)		⁴ 10,747.16		11,249.16
	2/20	2/23	Georgia		898.00		(³)		⁴ 2,242.33		3,140.33
	2/23	2/25	United Kingdom		1,104.00		(³)		⁴ 3,000		4,104.00
Hon. Ted Poe	2/16	2/18	France		761.00		(³)				761.00
	2/18	2/20	Uzbekistan		376.00		(³)				376.00
	2/20	2/23	Georgia		749.13		(³)				749.13
	2/23	2/25	United Kingdom		868.00		(³)				868.00
Hon. Brian Higgins	2/16	2/18	France		1,074.00		(³)				1,074.00
	2/18	2/20	Uzbekistan		498.00		(³)				498.00
	2/20	2/23	Georgia		898.00		(³)				898.00
	2/23	2/25	United Kingdom		1,073.77		(³)				1,073.77
Hon. Paul Cook	2/16	2/18	France		1,074.00		(³)				1,074.00
	2/18	2/20	Uzbekistan		502.00		(³)				502.00
	2/20	2/23	Georgia		898.00		(³)				898.00
	2/23	2/25	United Kingdom		1,104.00		(³)				1,104.00
Paul Berkowitz	2/16	2/18	France		1,074.00		(³)				1,074.00
	2/18	2/20	Uzbekistan		498.00		(³)				498.00
	2/20	2/23	Georgia		898.00		(³)				898.00
	2/23	2/25	United Kingdom		1,104.00		(³)				1,104.00
Jesper Pedersen	2/16	2/18	France		1,074.00		(³)				1,074.00
	2/18	2/20	Uzbekistan		458.00		(³)				458.00
	2/20	2/23	Georgia		873.00		(³)				873.00
	2/23	2/25	United Kingdom		1,104.00		(³)				1,104.00
Hon. Albio Sires	2/17	2/19	South Korea		470.00		13,537.00		⁴ 1,235.64		15,242.64
	2/19	2/21	Vietnam		376.00				⁴ 568.62		944.62
	2/21	2/22	Cambodia		227.00				⁴ 459.78		686.78
Hon. Ted Poe	1/24	1/26	Germany		340.16		(³)				340.16
	1/26	1/28	Israel		704.35		(³)				704.35
	1/28	1/30	Turkey		402.28		(³)				402.28
	1/30	1/31	Italy		139.00		(³)				139.00
Hon. Ted Deutch	2/1	2/3	Germany		1,359.74		(³)				1,359.74
Hon. Tom Cotton	1/31	2/3	Germany		1,054.44		(³)				1,054.44
Hon. Karen Bass	2/18	2/19	Senegal		167.09		(³)				167.09
	2/18	2/18	Mali				(³)				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Eric Williams	2/19	2/22	South Africa		1,538.81		(³)				1,538.81
	2/22	2/24	Democratic Republic of the Congo		396.00		(³)				396.00
	2/24	2/25	Morocco		171.43		(³)				171.43
	2/18	2/19	Senegal		167.09		(³)				167.09
	2/18	2/18	Mali				(³)				
	2/19	2/22	South Africa		1,538.81		(³)				1,538.81
	2/22	2/24	Democratic Republic of the Congo		396.00		(³)				396.00
	2/24	2/25	Morocco		171.43		(³)				171.43
Committee total					56,511.53		65,201.16		30,318.64		152,031.33

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.
⁴ Delegation costs.

HON. EDWARD R. ROYCE, Chairman, Apr. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jeff Miller	2/21	2/22	Philippines	474.00	(³)						474.00
Hon. Gus Bilirakis	2/21	2/22	Philippines	474.00							474.00
Hon. Michael Michaud	2/21	2/22	Philippines	474.00							474.00
Hon. Timothy Walz	2/21	2/22	Philippines	474.00							474.00
Helen Tolar	2/21	2/22	Philippines	474.00							474.00
Jian Iza Zapata	2/21	2/22	Philippines	474.00							474.00
Committee totals					2,844						2,844.00

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

HON. JEFF MILLER, Chairman, Apr. 18, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Darren Dick	1/08	1/16	Asia		224.00		(³)				224.00
Chelsey Campbell	1/08	1/16	Asia		224.00		(³)				224.00
Hon. Mike Rogers	2/01	2/01	Africa		280.91						280.91
	2/01	2/03	Europe		1,763.12		(³)				2,044.03
Hon. Mike Thompson	2/16	2/19	Middle East		1,494.00						1,494.00
Commercial Air							9,321.87				10,815.87
Linda Cohen	2/16	2/19	Middle East		1,494.00						1,494.00
Commercial Air							8,656.87				10,150.87
"In accordance with title 22, United States Code, Section 1754(b)(2), information as would identify the foreign countries in which Committee Members and staff have traveled is omitted."											
Committee total					5,480.03		17,978.74				23,458.77

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MIKE ROGERS of Michigan, Chairman, Apr. 30, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

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

1411. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's annual report for 2012 on Voting Practices in the United Nations; to the Committee on Foreign Affairs.

1412. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-632, "Local Budget Autonomy Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

1413. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Air-

worthiness Directives; The Boeing Company Airplanes [Docket No: FAA-2012-0413; Directorate Identifier 2011-NM-257-AD; Amendment 39-17441; AD 2013-08-23] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1414. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company [Docket No.: FAA-2012-0000; Directorate Identifier 2007-NM-271-AD; Amendment 39-17425; AD 2013-08-08] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1415. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Tex-

tron Canada (Bell) Helicopters [Docket No.: FAA-2012-1127; Directorate Identifier 2010-SW-035-AD; Amendment 39-17423; AD 2013-08-06] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1416. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1105; Directorate Identifier 2012-NM-137-AD; Amendment 39-17406; AD 2013-07-02] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1417. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France

Helicopters [Docket No.: FAA-2012-0630; Directorate Identifier 2011-SW-010-AD; Amendment 39-17409; AD 2013-07-05] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1418. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0809; Directorate Identifier 2011-NM-135-AD; Amendment 39-17361; AD 2013-04-04] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1419. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-1087; Directorate Identifier 2009-SW-32-AD; Amendment 39-17424; AD 2013-08-07] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1420. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30893; Amdt. No. 3528] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1421. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Grob-Werke Airplanes [Docket No.: FAA-2013-0013; Directorate Identifier 2012-CE-046-AD; Amendment 39-17421; AD 2013-08-04] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1422. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30894; Amdt. No. 3529] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1423. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Caldwell, NJ [Docket No.: FAA-2010-0609; Airspace Docket No. 12-AEA-10] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1424. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Reading, PA [Docket No.: FAA-2010-1270; Airspace Docket No. 12-AEA-16] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1425. A letter from the Aeronautical Information Specialist, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30895; Amdt. No. 506] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1426. A letter from the Chief Counsel, Saint Lawrence Seaway Development Corporation,

Department of Transportation, transmitting the Department's final rule — Tariff of Tolls (RIN: 2435-AA32) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1427. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the Commission's 2012 Annual Report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008 and 22 U.S.C. 1622a; jointly to the Committees on Foreign Affairs and the Judiciary.

1428. A letter from the Special Inspector General for Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) April 2013 Quarterly Report; jointly to the Committees on Foreign Affairs and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. TURNER (for himself and Ms. TSONGAS):

H.R. 1867. A bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mrs. BLACK (for herself, Mr. RYAN of Wisconsin, Mrs. BLACKBURN, Mr. MULVANEY, Mr. RIBBLE, Mr. ROKITA, and Mr. YOUNG of Florida):

H.R. 1868. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIBBLE (for himself, Mr. RYAN of Wisconsin, Mr. POCAN, Mr. ROKITA, Mr. SCHRADER, and Mr. DUFFY):

H.R. 1869. A bill to establish biennial budgets for the United States Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself and Mr. VAN HOLLEN):

H.R. 1870. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOODALL (for himself, Mr. GOHMERT, Mr. RIBBLE, and Mr. RYAN of Wisconsin):

H.R. 1871. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; to the Committee on the Budget.

By Mr. GARRETT (for himself, Mr. RYAN of Wisconsin, Mr. DUNCAN of South Carolina, Mr. FLORES, Mr.

MULVANEY, Mr. WESTMORELAND, Mr. AMASH, and Mr. HENSARLING):

H.R. 1872. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. RYAN of Wisconsin):

H.R. 1873. A bill to require greater accountability in discretionary and direct spending programs, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. RYAN of Wisconsin, Mrs. BLACK, Mr. CHAFFETZ, Mr. COLLINS of Georgia, Mr. COTTON, Mr. GARRETT, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. HENSARLING, Mr. JOHNSON of Ohio, Mr. MARCHANT, Mr. MULVANEY, Mr. RADEL, Mr. REED, Mr. RIBBLE, Mr. ROSS, Mr. SCALISE, Mr. AUSTIN SCOTT of Georgia, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WOODALL, Mr. JORDAN, Mr. BARR, Mr. TERRY, Mr. FRANKS of Arizona, Mr. BISHOP of Utah, Mr. PITTFINGER, Mr. YODER, and Mr. FORTENBERRY):

H.R. 1874. A bill to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Mr. PETRI, Mr. LOEBSACK, and Mr. CARTWRIGHT):

H.R. 1875. A bill to support evidence-based social and emotional learning programming; to the Committee on Education and the Workforce.

By Ms. SINEMA:

H.R. 1876. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Education and the Workforce.

By Mr. BISHOP of New York (for himself, Mr. RAHALL, Mr. YOUNG of Alaska, Ms. NORTON, Mr. KING of New York, Ms. ESTY, Mrs. NAPOLITANO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GARAMENDI, Mr. CUMMINGS, Mr. NADLER, Mr. CAPUANO, Ms. BROWN of Florida, Mr. LARSEN of Washington, Mr. MICHAUD, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. DEFazio, Mr. NOLAN, Mrs. KIRKPATRICK, Mr. SEAN PATRICK MALONEY of New York, Mr. COHEN, Mr. SIREs, Ms. HAHN, Mr. LIPINSKI, Ms. TITUS, Mr. WALZ, and Mrs. BUSTOS):

H.R. 1877. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART (for himself, Mr. SIREs, Mr. BLUMENAUER, Ms. NORTON, Mr. DENHAM, Mr. FITZPATRICK, Mr. CONNOLLY, Mr. GIBSON, and Mr. PALAZZO):

H.R. 1878. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance existing programs providing mitigation assistance by encouraging States to adopt and actively enforce State building codes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PEARCE (for himself and Mr. REED):

H.R. 1879. A bill to provide for the safe disposal of Federal Government-owned transuranic waste for the benefit of all Americans; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI (for himself, Mr. HECK of Nevada, Ms. TITUS, and Mr. HORSFORD):

H.R. 1880. A bill to prohibit an agency or department of the United States from establishing or implementing an internal policy that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Utah:

H.R. 1881. A bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK:

H.R. 1882. A bill to amend the Food and Nutrition Act of 2008 to prohibit the Department of Agriculture from entering into partnerships with foreign governments to promote enrollment in the supplemental nutrition assistance program and to terminate the current Partnership for Nutrition Assistance Initiative between the United States and Mexico; to the Committee on Agriculture, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER (for himself and Mr. CUELLAR):

H.R. 1883. A bill to amend the Internal Revenue Code of 1986 to provide for a deduction for the purchase of secure gun storage or safety device for the securing of firearms; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER (for himself, Mr. COSTA, Mr. KIND, Mrs. CAPPS, Mr.

SCHRADER, Mr. OWENS, Ms. TSONGAS, Mr. BARROW of Georgia, Mr. GALLEGRO, Mr. CUELLAR, Mr. MATHESSON, Mr. MULVANEY, Mr. LOEBSACK, Mr. RIGELL, Mr. MICHAUD, Mr. CHABOT, and Mr. BARBER):

H.R. 1884. A bill to provide that Members of Congress shall be paid last whenever the Treasury is unable to satisfy the obligations of the United States Government in a timely manner because the public debt limit has been reached; to the Committee on House Administration.

By Mrs. DAVIS of California (for herself, Mr. LOWENTHAL, Ms. BONAMICI, Mr. TAKANO, and Mr. HUFFMAN):

H.R. 1885. A bill to amend the Internal Revenue Code of 1986 to allow eligible veterans to use qualified veterans mortgage bonds to refinance home loans, and for other purposes; to the Committee on Ways and Means.

By Ms. DELBENE (for herself, Mr. HANNA, Mr. OWENS, Mr. CRAMER, Mr. HIGGINS, and Mr. HUIZENGA of Michigan):

H.R. 1886. A bill to prohibit land border crossing fees; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mr. WELCH):

H.R. 1887. A bill to amend the Internal Revenue Code of 1986 to deny certain tax benefits to persons responsible for an oil spill if such person commits certain additional violations; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 1888. A bill to make payments by the Department of Homeland Security to a State contingent on a State providing the Federal Bureau of Investigation with certain statistics, to require Federal agencies, departments, and courts to provide such statistics to the Federal Bureau of Investigation, and to require the Federal Bureau of Investigation to publish such statistics; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA (for himself, Mr. LOEBSACK, Mr. WITTMAN, and Ms. KAPTUR):

H.R. 1889. A bill to amend title 10, United States Code, to recognize the dependent children of members of the Armed Forces who are serving on active duty or who have served on active duty through the presentation of an official lapel button; to the Committee on Armed Services.

By Mr. BLUMENAUER (for himself, Mr. FARR, Mr. KIND, Mr. MORAN, Ms. SLAUGHTER, Mr. WAXMAN, Mr. HUFFMAN, Mr. DINGELL, Mr. GEORGE MILLER of California, Ms. LEE of California, Mrs. CAPPS, Mr. HOLT, and Mr. ELLISON):

H.R. 1890. A bill to modernize the conservation title of the Food Security Act of 1985, protect long-term taxpayer investment, increase small and midsize farmer's access to programs, and prioritize modern-day conservation needs through management practices, local engagement, and stewardship; to the Committee on Agriculture.

By Ms. LOFGREN (for herself, Mr. SMITH of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BONAMICI, Mr.

PETERS of California, Mr. SWALWELL of California, Mr. VEASEY, Mr. LIPINSKI, Mr. CRAMER, Mr. TAKANO, Ms. ESTY, Mr. KILMER, Mr. KENNEDY, Ms. BROWNLEY of California, Mr. HULTGREN, Mr. BERA of California, and Ms. WILSON of Florida):

H.R. 1891. A bill to establish a position of Science Laureate of the United States; to the Committee on Science, Space, and Technology.

By Ms. LOFGREN (for herself, Mr. MASSIE, Mr. POLIS, and Ms. ESHOO):

H.R. 1892. A bill to amend section 1201 of title 17, United States Code, to require the infringement of a copyright for a violation of such section, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. HARPER, Mr. MORAN, Mr. GRUJALVA, Mr. POLIS, Ms. WILSON of Florida, Ms. MOORE, Ms. BONAMICI, Ms. SLAUGHTER, Mr. PAYNE, Mr. CICILLINE, Ms. MCCOLLUM, and Ms. SHEA-PORTER):

H.R. 1893. A bill to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. NOEM:

H.R. 1894. A bill to establish an Office of Tribal Relations in the Department of Agriculture; to the Committee on Agriculture.

By Mrs. NOEM:

H.R. 1895. A bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. DOGGETT, Mr. LEWIS, Mr. BOUSTANY, Mr. CROWLEY, Mr. REED, Mr. YOUNG of Indiana, Mr. KELLY of Pennsylvania, Mr. GRIFFIN of Arkansas, and Mr. RENACCI):

H.R. 1896. A bill to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. ROYCE, Mr. WOLF, Ms. LOFGREN, and Mr. LOWENTHAL):

H.R. 1897. A bill to promote freedom and democracy in Vietnam; to the Committee on Foreign Affairs.

By Mr. TURNER (for himself and Mr. ANDREWS):

H.R. 1898. A bill to protect the child custody rights of deployed members of the

Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VISCLOSKEY:

H.R. 1899. A bill to prohibit business enterprises that lay off a greater percentage of their United States workers than workers in other countries from receiving any Federal assistance, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FINCHER (for himself, Mrs. BLACKBURN, and Mr. STUTZMAN):

H. Res. 206. A resolution expressing the sense of the House of Representatives that Congress and the States should investigate and correct abusive, unsanitary, and illegal abortion practices; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. HECK of Washington, Mr. LARSEN of Washington, Ms. DELBENE, Mr. MCDERMOTT, Mr. REICHERT, and Mr. SMITH of Washington):

H. Res. 207. A resolution recognizing the 50th anniversary of the first ascent of Mt. Everest by United States citizens; to the Committee on Oversight and Government Reform.

By Mr. MORAN:

H. Res. 208. A resolution expressing opposition to the use of carbon monoxide, carbon dioxide, nitrogen, nitrous oxide, argon, or other gases to euthanize shelter animals and support for State laws that require the use of the more humane euthanasia by injection method; to the Committee on Agriculture.

By Mr. WALZ (for himself, Mr. PETERS of Michigan, Mr. CONYERS, Ms. BROWN of Florida, Mr. CAPUANO, Mrs. NAPOLITANO, Ms. NORTON, Mr. LOEBSACK, Ms. LINDA T. SÁNCHEZ of California, Mr. NADLER, Ms. SCHWARTZ, Ms. MCCOLLUM, Ms. JACKSON LEE, Mr. RUSH, Mr. GRIJALVA, Mr. DEFazio, Mr. HIGGINS, Mr. TERRY, Mr. TONKO, Ms. SLAUGHTER, Mr. DINGELL, Mr. HUFFMAN, Mr. LYNCH, Ms. TSONGAS, Mr. YOUNG of Alaska, Mr. GIBSON, Mr. NOLAN, Ms. BROWNLEY of California, Mr. TIERNEY, Mr. TAKANO, Mr. BRADY of Pennsylvania, Mr. LIPINSKI, Mr. ISRAEL, Ms. TITUS, Mr. MCGOVERN, Mr. ENYART, and Mr. ELLISON):

H. Res. 209. A resolution recognizing the 150th anniversary of the founding of the Brotherhood of Locomotive Engineers and Trainmen, and congratulating the members and officers of the Brotherhood of Locomotive Engineers and Trainmen for the union's many achievements; to the Committee on Transportation and Infrastructure.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

22. The SPEAKER presented a memorial of the House of Representatives of the State of Ohio, relative to House Concurrent Resolution No. 4 urging the Congress to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport; to the Committee on Armed Services.

23. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 31 urging the President and the

Congress to preserve full funding and support for the Department of Defense STARBASE youth science and technology program; to the Committee on Armed Services.

24. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to a Senate Resolution requesting the Federal Government provide sufficient funding and personnel to process veterans' claims in a more timely manner; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. TURNER:

H.R. 1867.

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

Military Regulation: Article I, Section 8, Clauses 14 and 18

To make Rules for the Government and Regulation of the land and naval Forces; and

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mrs. BLACK:

H.R. 1868.

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

Article I, section 9, clause 7 of the United States Constitution

By Mr. RIBBLE:

H.R. 1869.

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

Article I, section 9, clause 7 of the United States Constitution

By Mr. RYAN of Wisconsin:

H.R. 1870.

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

Article I, section 9, clause 7 of the United States Constitution

By Mr. WOODALL:

H.R. 1871.

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

Article I, section 9, clause 7 of the United States Constitution

By Mr. GARRETT:

H.R. 1872.

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

Article I, Section 9, Clause 7.

By Mr. CHAFFETZ:

H.R. 1873.

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

Article I, section 9, clause 7 of the United States Constitution

By Mr. PRICE of Georgia:

H.R. 1874.

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

Article I, section 9, clause 7 of the United States Constitution which provides that, "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. RYAN of Ohio:

H.R. 1875.

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

Defines social and emotional learning (SEL) and amends the Elementary and Secondary Education Act (ESEA) to allow funding for teacher and principal training and professional development to be used for SEL programming.

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SINEMA:

H.R. 1876.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties, imposts and excises, to pay the debts and provide for the general welfare of the United States; as enumerated in Article I, Section 8.

By Mr. BISHOP of New York:

H.R. 1877.

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

Article 1, Section 8

By Mr. DIAZ-BALART:

H.R. 1878.

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

Article I, Section 8, Clause 18

By Mr. PEARCE:

H.R. 1879.

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

Article IV, Section 3, Clause 2 of the Constitution.

By Mr. AMODEI:

H.R. 1880.

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

Article I, Section 8, Clause 3 of the Constitution states "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

Article I, Section 8, Clause 18 of the Constitution states "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. BISHOP of Utah:

H.R. 1881.

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

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mrs. BLACK:

H.R. 1882.

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

Congress under Article 1, Section 8, clause 3 of the United States Constitution. Article 1, Section 8, Clause 3 of the United States Constitution bestows upon Congress the authority "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes." Congress is within its constitutionally prescribed role to reform, limit, or abolish programs maintained by the United States Department of Agriculture, a

body which has regulated interstate commerce under the auspices of Congress continue

By Mr. CARTER:

H.R. 1883.

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

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. COOPER:

H.R. 1884.

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

Article 1, Sections 8 and 9 of the Constitution of the United States

By Mrs. DAVIS of California:

H.R. 1885.

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

Article I, Section 8, Clause 1

By Ms. DELBENE:

H.R. 1886.

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

Article I, Section 8, Clause 3 (the Commerce Clause)

By Mr. ENGEL:

H.R. 1887.

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

Article 1, Section 1 of the Constitution.

By Mr. JONES:

H.R. 1888.

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

The constitutional authority of Congress to enact this legislation is provided by Article 4, section 4 of the United States Constitution: The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

By Mr. LATTA:

H.R. 1889.

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

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

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. BLUMENAUER:

H.R. 1890.

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

Article I of the Constitution of the United States provides clear authority for Congress to pass legislation regarding federal agriculture programs and public expenditures in support of those programs.

By Ms. LOFGREN:

H.R. 1891.

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

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

By Ms. LOFGREN:

H.R. 1892.

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

Article 1, Section 8 of the U.S. Constitution.

By Mr. GEORGE MILLER of California:

H.R. 1893.

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

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

By Mrs. NOEM:

H.R. 1894.

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

Article I, Section 8, Clause 3, which delegates power to Congress "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"

By Mrs. NOEM:

H.R. 1895.

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

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. REICHERT:

H.R. 1896.

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

Article I, Section 8, Clause 1 (relating to the general welfare of the United States); and Article I, Section 10, Clause 3 (relating to the power to enter into foreign compacts on behalf of States).

By Mr. SMITH of New Jersey:

H.R. 1897.

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

Article I, Section 8

By Mr. TURNER:

H.R. 1898.

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

Military Regulation: Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

Necessary and Proper Regulations to Effectuate Powers:

Article I, Section 8, Clause 18: The Congress shall have Power To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. VISCLOSKEY:

H.R. 1899.

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

Clause 3 of Section 8 of Article I of the Constitution.

ADDITIONAL SPONSORS

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

H.R. 45: Mr. SCHWEIKERT, Mr. SHUSTER, Mr. DUNCAN of South Carolina, Mr. RADEL, Mr. THORNBERRY, Mr. HALL, Mr. GINGREY of Georgia, Mr. CONAWAY, Mr. HOLDING, Mr. ROGERS of Kentucky, Mr. MCKINLEY, Mr. CRAMER, Mr. WALBERG, Mr. SIMPSON, Mr. GARRETT, Mr. YOHO, Mr. SAM JOHNSON of Texas, Mr. NEUGEBAUER, Mr. YODER, Mr. BISHOP of Utah, Mr. GRAVES of Georgia, Mr. STEWART, Mr. SOUTHERLAND, Mr. HUIZENGA of Michigan, Mr. DAINES, Mr. WEBER of Texas, Mr. OLSON, Mr. BARTON, Mr. LATTA, Mr. HUELSKAMP, Mr. CAMPBELL, Mr.

WOODALL, Mr. GRIMM, Mr. WILLIAMS, Mr. AMASH, Mr. HUDSON, and Mr. LABRADOR.

H.R. 164: Mr. BERA of California and Mrs. WAGNER.

H.R. 176: Mr. DUFFY.

H.R. 177: Mr. SENSENBRENNER.

H.R. 241: Mr. RIGELL.

H.R. 311: Mr. WENSTRUP.

H.R. 318: Mr. JOHNSON of Ohio.

H.R. 335: Mr. VEASEY.

H.R. 351: Mr. COLE, Mr. SENSENBRENNER, and Mr. MCHENRY.

H.R. 357: Mr. ROE of Tennessee, Mr. PETERS of California, Ms. BROWNLEY of California, and Mrs. WALORSKI.

H.R. 401: Mrs. BROOKS of Indiana and Mr. LOEBESACK.

H.R. 419: Mr. MARCHANT and Mr. GRIMM.

H.R. 483: Mr. RODNEY DAVIS of Illinois.

H.R. 500: Ms. SHEA-PORTER.

H.R. 508: Mr. RUSH and Mr. RAHALL.

H.R. 523: Mr. GRAVES of Missouri.

H.R. 525: Mr. CRAMER.

H.R. 543: Mrs. BUSTOS.

H.R. 569: Mrs. LUMMIS.

H.R. 612: Mr. STUTZMAN.

H.R. 627: Mr. LOBIONDO.

H.R. 630: Ms. CASTOR of Florida, Mr. MARINO, Mr. LANGEVIN, and Ms. VELAZQUEZ.

H.R. 631: Mr. JONES and Mr. RUIZ.

H.R. 647: Mr. CUMMINGS, Mr. RAHALL, Mr. GIBSON, Mr. ROGERS of Alabama, Ms. KUSTER, Mr. BRALEY of Iowa, and Mr. LUETKEMEYER.

H.R. 666: Mr. COLE.

H.R. 676: Mr. GRAYSON.

H.R. 689: Mr. DEFazio.

H.R. 698: Mr. WITTMAN.

H.R. 714: Mr. MORAN.

H.R. 721: Mr. DIAZ-BALART.

H.R. 724: Mr. GOSAR.

H.R. 725: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 744: Ms. ROS-LEHTINEN and Mr. HASTINGS of Florida.

H.R. 755: Mr. SMITH of Nebraska.

H.R. 760: Mr. HUFFMAN.

H.R. 761: Mr. LONG.

H.R. 763: Mr. MEADOWS, Mr. LUETKEMEYER, Mr. BROOKS of Alabama, Mr. SHIMKUS, Mr. THORNBERRY, Mr. BACHUS, Mr. BISHOP of Utah, and Mr. CRENSHAW.

H.R. 792: Mr. TIPTON, Mr. HARRIS, Mr. PALAZZO, Mr. AUSTIN SCOTT of Georgia, Mr. KING of New York, and Mr. YOUNG of Alaska.

H.R. 809: Mr. STIVERS.

H.R. 833: Mrs. BROOKS of Indiana.

H.R. 836: Mr. LOWENTHAL.

H.R. 846: Mr. GENE GREEN of Texas, Mr. CHAFFETZ, Mr. VALADAO, Mr. COFFMAN, Mr. RUNYAN, Mrs. NOEM, Ms. SPEIER, Mr. JOHNSON of Georgia, Mr. CULBERSON, Mr. HANABUSA, Mr. MCHENRY, and Mr. DUFFY.

H.R. 847: Ms. MENG.

H.R. 850: Mr. PASTOR of Arizona, Mr. ROGERS of Alabama, Mr. HINOJOSA, and Mr. GRIF-FITH of Virginia.

H.R. 855: Ms. CASTOR of Florida.

H.R. 900: Mr. VELA and Mr. JEFFRIES.

H.R. 904: Mr. MURPHY of Pennsylvania.

H.R. 935: Mr. STUTZMAN, Mr. COSTA, Mr. BACHUS, Mr. GARDNER, Mr. HULTGREN, Mrs. ELLMERS, Mr. GOSAR, Mr. THORNBERRY, and Mr. ROGERS of Alabama.

H.R. 979: Mr. DENHAM, Mr. RICE of South Carolina, and Mr. YOHO.

H.R. 991: Mr. CRENSHAW.

H.R. 992: Mr. SCHNEIDER.

H.R. 1020: Mr. KINZINGER of Illinois, Mr. NUNNELEE, Mr. JOHNSON of Ohio, and Mr. YOUNG of Indiana.

H.R. 1024: Mr. SMITH of Texas.

H.R. 1026: Mr. MARCHANT.

H.R. 1029: Mr. DINGELL.

- H.R. 1038: Mr. TAKANO.
H.R. 1072: Mrs. BACHMANN.
H.R. 1074: Mr. BENISHEK, Mr. GOWDY, Mr. WHITFIELD, Mr. BILIRAKIS, Mr. HALL, Mr. CRENSHAW, Mr. GUTHRIE, and Ms. KUSTER.
H.R. 1093: Mr. COBLE, Mr. FARENTHOLD, and Ms. ESHOO.
H.R. 1143: Mr. NUGENT.
H.R. 1144: Mr. BENISHEK and Mr. GRIJALVA.
H.R. 1146: Mr. ROKITA and Mrs. BROOKS of Indiana.
H.R. 1148: Mr. THORNBERRY.
H.R. 1151: Mr. KINZINGER of Illinois and Mr. GRIMM.
H.R. 1155: Mr. RUSH and Mr. GRIMM.
H.R. 1173: Mr. PETERS of California.
H.R. 1179: Mr. CONNOLLY, Mr. POCAN, Mr. PETRI, and Mr. WELCH.
H.R. 1209: Mr. MCCLINTOCK, Mr. LOEBSACK, Mr. HUIZENGA of Michigan, Mr. FORTENBERRY, Mr. GARDNER, and Mr. ENYART.
H.R. 1219: Mr. ROSS.
H.R. 1240: Mr. O'ROURKE.
H.R. 1247: Mr. COLLINS of New York.
H.R. 1250: Mr. HUFFMAN, Mr. ROKITA, Mr. VISLOSKEY, Mr. POE of Texas, Mr. HARPER, and Mrs. HARTZLER.
H.R. 1288: Mr. FITZPATRICK, Mr. RUIZ, Mr. KILMER, Mr. GRIMM, and Ms. KUSTER.
H.R. 1298: Mr. COLLINS of New York.
H.R. 1304: Mr. ROKITA and Mr. GIBBS.
H.R. 1313: Mrs. LUMMIS, Mr. RIGELL, Mr. PITTS, and Mr. JOHNSON of Ohio.
H.R. 1351: Mr. LOWENTHAL.
H.R. 1354: Ms. SCHAKOWSKY, Mr. RICE of South Carolina, Mr. JOHNSON of Ohio, Ms. GABBARD, and Mr. LUCAS.
H.R. 1386: Mr. BURGESS and Mr. JOHNSON of Ohio.
H.R. 1405: Mr. TAKANO, Mr. CALVERT, Mr. JOHNSON of Ohio, Mr. LANCE, Mr. O'ROURKE, Mr. LOEBSACK, and Mr. RUIZ.
H.R. 1416: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. TIBERI.
H.R. 1427: Mr. SENSENBRENNER.
H.R. 1440: Mr. JOHNSON of Ohio and Mr. JOYCE.
H.R. 1449: Mr. POE of Texas, Mr. MCINTYRE, Mr. SENSENBRENNER, Mr. LONG, Mr. NUNNELEE, Mr. PAYNE, Mr. AMODEI, Mr. CONNOLLY, and Mr. LUCAS.
H.R. 1451: Mr. KING of New York.
H.R. 1472: Mr. JOHNSON of Ohio.
H.R. 1474: Mr. GRIJALVA, Mr. CICILLINE, and Mr. KING of New York.
H.R. 1492: Mr. GIBSON.
H.R. 1494: Ms. ESHOO.
H.R. 1496: Mr. ROKITA, Mr. COLLINS of New York, and Mr. YOUNG of Indiana.
H.R. 1498: Mr. TAKANO, Ms. NORTON, Ms. WILSON of Florida, and Mr. RUSH.
H.R. 1499: Mr. KING of New York.
H.R. 1507: Mr. KLINE, Mr. GRIJALVA, Mr. LONG, Mr. YOUNG of Alaska, Ms. BROWNLEY of California, Mr. BRADY of Pennsylvania, Ms. SCHWARTZ, Ms. DEGETTE, Mr. BARLETTA, Ms. CHU, and Mr. LOWENTHAL.
H.R. 1521: Mr. O'ROURKE, Mr. RAHALL, Ms. BROWNLEY of California, and Mrs. MCCARTHY of New York.
H.R. 1528: Mr. DAVID SCOTT of Georgia, Ms. PINGREE of Maine, Mr. COHEN, and Mr. GRIF-FITH of Virginia.
H.R. 1551: Mr. ENYART.
H.R. 1560: Mr. MURPHY of Florida, Mr. HAS-TINGS of Florida, and Ms. WILSON of Florida.
H.R. 1572: Mrs. HARTZLER.
H.R. 1591: Mr. WELCH.
H.R. 1595: Mr. SHERMAN, Mr. PRICE of North Carolina, Mr. NEAL, and Mr. GALLEGGO.
H.R. 1598: Mr. COBLE.
H.R. 1623: Ms. BROWNLEY of California and Mrs. MCCARTHY of New York.
H.R. 1638: Mr. ROKITA.
H.R. 1667: Mr. JONES and Mr. ELLISON.
H.R. 1693: Mr. GIBBS.
H.R. 1699: Ms. SHEA-PORTER and Ms. ESHOO.
H.R. 1701: Mr. MCCAUL.
H.R. 1727: Mr. COLLINS of New York and Mr. BLUMENAUER.
H.R. 1731: Ms. DELBENE, Mr. MORAN, Mr. WELCH, Ms. SCHWARTZ, Mr. DEUTCH, Mr. QUIGLEY, Mr. PRICE of North Carolina, Mr. PETERS of Michigan, Mr. BISHOP of New York, Mr. LEVIN, Ms. MCCOLLUM, Ms. PIN-GREE of Maine, and Mr. SARBANES.
H.R. 1735: Mr. COLLINS of New York, Mr. SENSENBRENNER, and Mr. JOHNSON of Ohio.
H.R. 1740: Mr. BOUSTANY, Mr. KLINE, Mr. HUELSKAMP, Mr. NUNNELEE, Mr. FARENTHOLD, and Mr. JOHNSON of Ohio.
H.R. 1749: Mr. BISHOP of Georgia.
H.R. 1762: Ms. GRANGER.
H.R. 1763: Ms. BROWNLEY of California, Mr. BRALEY of Iowa, Ms. SCHWARTZ, Mr. POLIS, Mr. SIRES, Ms. MCCOLLUM, Mr. HUFFMAN, Ms. LINDA T. SANCHEZ of California, and Ms. HER-RERA BEUTLER.
H.R. 1764: Mr. COLE, Mr. LANCE, Mr. MEAD-OWS, and Mr. MARCHANT.
H.R. 1780: Mr. MARCHANT and Mr. HUDSON.
H.R. 1781: Mr. KING of New York.
H.R. 1795: Mr. HUFFMAN, Mr. JOYCE, Ms. LOFGREN, Mr. RUNYAN, Mr. SWALWELL of California, Mr. SIRES, Ms. TITUS, Mr. RUP-PERSBERGER, Mr. BEN RAY LUJÁN of New Mexico, and Ms. CHU.
H.R. 1796: Mr. WITTMAN, Mr. VEASEY, Mr. RIGELL, Mr. WALZ, Mr. COOK, Mr. HIGGINS, and Mrs. BACHMANN.
H.R. 1797: Mr. TERRY and Mr. BISHOP of Utah.
H.R. 1809: Ms. BROWNLEY of California, Mr. BRIDENSTINE, and Mrs. MCCARTHY of New York.
H.R. 1814: Mrs. BLACKBURN, Mr. GRIFFIN of Arkansas, Mr. MARCHANT, Mr. SIMPSON, and Mr. YODER.
H.R. 1825: Mr. PEARCE and Mr. DESJARLAIS.
H.R. 1826: Mr. FARENTHOLD.
H.R. 1830: Mr. CLAY, Mr. CONYERS, Mr. COSTA, Mr. CICILLINE, Mrs. LOWEY, Mr. GER-LACH, Mr. HINOJOSA, Mr. JOHNSON of Georgia, Mr. LYNCH, Ms. JENKINS, Mr. MAFFEI, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of New York, Ms. LEE of California, Mr. RYAN of Ohio, Mr. LANGEVIN, Mr. HIGGINS, Mr. SENSENBRENNER, Ms. SPEIER, and Mr. BUTTERFIELD.
H.R. 1847: Mr. FORTENBERRY, Mr. CAMP-BELL, Mr. FLEMING, Mr. OLSON, Mr. BARTON, Mr. YOHO, and Mr. HUNTER.
H.R. 1851: Ms. SCHWARTZ and Ms. WASSERMAN SCHULTZ.
H.R. 1857: Ms. NORTON and Mr. RANGEL.
H. Con. Res. 16: Ms. MICHELLE LUJAN GRIS-HAM of New Mexico, Mr. GOWDY, Mr. WHIT-FIELD, Mr. VEASEY, Ms. WILSON of Florida, and Mr. GRAVES of Georgia.
H. Con. Res. 29: Mr. MARCHANT.
H. Res. 30: Mr. MARINO and Ms. CASTOR of Florida.
H. Res. 36: Mrs. BROOKS of Indiana and Mr. ROKITA.
H. Res. 78: Mr. O'ROURKE.
H. Res. 132: Mr. MCNERNEY and Mr. SABLAN.
H. Res. 134: Mr. BERA of California.
H. Res. 160: Mr. ROKITA.
H. Res. 167: Ms. BROWNLEY of California.
H. Res. 170: Mr. COTTON.
H. Res. 174: Mr. TIERNEY, Mr. DELANEY, and Mr. VELA.
H. Res. 182: Ms. BROWNLEY of California.
H. Res. 190: Mr. PERRY.
H. Res. 195: Ms. NORTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

[Omitted from the Record of May 7, 2013]

H.R. 632: Mr. HINOJOSA, Mr. GRIJALVA, and Mr. POMPEO.

[Submitted May 8, 2013]

H.R. 1286: Mr. WELCH.

SENATE—Wednesday, May 8, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Creator and sustainer, whose almighty hand leaps forth in beauty all the starry band, thank You for the gift of freedom that You have given our Nation. Make us responsible stewards of Your bounty.

Guide our lawmakers in the way of peace, as Your liberating love is seen in their lives. Lord, give them tough faith for troubled times. May they submit to Your guidance and strive to faithfully serve You. Give them the serenity to accept the things they cannot change, the courage to change the things they can, and the wisdom to know the difference.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U. S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

MEASURE PLACED ON THE CALENDAR—S. 888

Mr. REID. Mr. President, I understand that S. 888 is at the desk and due for a second reading.

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

The assistant legislative clerk read as follows:

A bill (S. 888) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

Mr. REID. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

RECOGNITION OF THE MAJORITY LEADER

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

THE BUDGET

Mr. REID. Mr. President, for years Republicans have been singing the praises of regular order, week after week, month after month. It has gone into years now. Even though they may not have been correct, they did it anyway. They said how they missed the days of committee markups, how they longed for an amendment vote-arama, amendments, and how they pined for a budget resolution.

As the junior Senator from Texas said just before the election:

Senate Democrats have not even had a budget in 3 years. They are not pretending to try to fix these problems. I think that is irresponsible.

But then Republicans got what they wanted 46 days ago. Forty-six days it has been since the Senate passed its budget, but Republicans are standing in the way of moving forward in the conference. They got what they asked, and now they no longer want what they asked for.

Remember, 46 days ago, under regular order, after a thorough committee markup, an all-night session—we ended at 5 a.m. in the morning—the Senate passed a budget resolution. Over the last 46 days, Republicans have stunningly and repeatedly blocked attempts to name budget conferees. If we did that, we could start down the path to compromise.

That is what legislation is all about. Legislation, by definition, is the art of compromise.

It is Republicans who, as Senator CRUZ put it, aren't even intending to fix these problems.

Republicans often have said the regular order of the budget process is the only way to get long-term sound fiscal policy. Democrats and Republicans will

not find common ground if they don't sit down and talk. Obviously, if we can't talk, it doesn't do any good. We need someone to talk to. Here is what we are trying to accomplish. Move legislation forward.

Don't take my word for it. This is what the Speaker of the House of Representatives said just a few weeks ago:

Here is the process. The House passes a bill. The Senate can pass a bill. And if we disagree, we go to conference and work it out.

What Speaker BOEHNER and Senator CRUZ have said is that they used to love the idea of regular order, but they don't like it anymore. They got what they wanted, but they don't like what they got.

This is what my friend, the minority leader, said in January of this year in praise of the conference committee:

If the Senate version is different than the one the House sends over, send it off to conference. That's how things are supposed to work around here. We used to call it legislating.

That is what the Republican leader said.

A few days later, Senator MCCONNELL extolled the virtue of regular order by saying this:

Remember, regular order is how the Senate is supposed to function. . . . The public is supposed to have a chance to scrutinize the proposals before us.

Here we have the junior Senator from Texas, the Speaker of the House, and the Republican leader saying we should have regular order. We should pass legislation, as we have done and the House has done, and then work it out in conference.

So we agree. I agree with those three people. Do you know something else. The American public agrees.

They suddenly don't like what they wished for. We passed our budget; the House Republicans passed theirs. The next step under regular order is to move to conference to negotiate a compromise.

I can't understand—maybe I do. I think I understand why Republicans don't want to debate their budget in the light of day.

You see, the Ryan budget, which they extol to each other, which passed the House, would turn Medicare into a voucher program—the end of Medicare as we know it.

The Ryan Republican budget would lower taxes for the rich while the middle class foots the bill. That is in their budget.

The Republican budget would rip the safety net from under the elderly, the middle class, veterans, and the poor.

No wonder they don't want to go to conference. No wonder they don't want transparency.

The Democratic budget, by contrast, would preserve or protect Medicare for our children and grandchildren. The Democratic budget would ask the wealthiest Americans to contribute just a little bit more to help reduce the deficit. The Democratic budget would balance smart spending cuts with new revenue from closing loopholes.

It is obvious, then, why the Republicans don't want to compare the sensible Senate budget with the extreme House budget. The extreme House Republican budget was resoundingly rejected by the voters in November. That is what Governor Romney touted. Remember, Congressman RYAN was his Vice Presidential candidate. They ran together.

Now it is time for each side to stand for what it believes. As the junior Senator from Texas said late last year, we have "got to go on record and say this is what we want to do, this is our budget."

Democrats aren't afraid to debate our principles in the light of day. We aren't afraid to try to resolve our differences in a conference committee instead of behind closed doors. This has been the custom in the Senate and House of Representatives for more than 200 years.

Why are Republicans so afraid? Why are they blocking us from continuing this process in public?

We heard from the junior Senator from Texas: Republicans will only go to conference if Democrats agree ahead of time to give in to every one of their demands. That is a strange one. Sure, we will go to conference, but before we go you have to agree to everything we want.

If Republicans can't rig the game in their favor, he said, there will be no game, no conference, no legislating at all. Democrats want to put deadline-day negotiations and last-minute fixes behind us. We want to engage in a responsible legislative process under regular order, and we will keep pushing the process forward. Passing a budget in each Chamber is a good step to restoring regular order. It is only a first step. The next step is to sit down and resolve our differences.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, the Senate will be in morning business until 10 a.m. At 10 a.m., the Senate will recess until 11:30 to allow for the joint meeting of Congress with the President of the Republic of Korea. When the Senate reconvenes, we will resume consideration of S. 601, the Water Resources Development Act. At 2 p.m. there will be three rollcall votes in relation to amendments to the bill.

RECOGNITION OF THE MINORITY LEADER

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

WELCOMING THE PRESIDENT OF SOUTH KOREA

Mr. MCCONNELL. Later today we will welcome the President of the South Korea to address both Houses of Congress. President Park is a truly extraordinary woman, the first female chief executive of her country and, I might add, a conservative.

She is a strong leader too. I suppose that is because she endured so much in her own life; the assassination of her mother when she was only 22, the assassination of her father a few years after that, and the violent attack she herself endured in 2006.

Yet beyond a scar on her face, you would not know. She didn't recoil in fear. She threw herself right back into the rough and tumble of public life. So she is tough. I know this tenacious leader is committed to the United States-South Korea alliance which is so important to both of our countries. The transition from her predecessor, President Lee, could not have been smoother. Both his administration and hers have been true partners, especially at a time of high contention.

We welcome President Park and look forward to hearing what she has to say later today.

NOMINATION OF THOMAS PEREZ

Mr. MCCONNELL. Mr. President, this morning I would like to say a few words about the nomination of Thomas Perez as Labor Secretary.

The Perez nomination has generated a fair amount of controversy. For those who haven't tuned in yet to the debate surrounding his nomination, I would like to take a few minutes this morning to explain why.

The first thing to say about this nomination is that neither I nor anyone else on this side of the aisle has anything against Mr. Perez personally. As a graduate of Harvard Law School, there are a lot of things he could have done other than advocate for those struggling on the fringes of our society.

Yet when it comes to a vote such as this, we have to weigh a lot more than a nominee's intentions. We have to look at how those intentions square with the higher obligation that any nominee, but especially a Cabinet nominee, has to the rule of law. It is on this point where this nomination becomes so controversial and where the deference that Senators of both parties generally grant Presidents when it comes to picking Cabinet nominees begins to break down.

By all accounts, Tom Perez is not just a man with a heart for the poor, he is a committed ideologue who appears willing, quite frankly, to say or do anything to achieve his ideological end.

His willingness, time and again, to bend or ignore the law and misstate the facts in order to advance his far-left ideology leads me and others to conclude he would continue to do so if he were confirmed to another and much more consequential position of public trust.

Take, for instance, his efforts while on the Montgomery County Council to get Canadian drugs imported to the United States. According to the Washington Post, Perez tried to get the county to import these drugs even after—even after—a top FDA official said doing so would be, in his words, "undeniably illegal."

What was Perez's response? "Federal law is muddled," he said at the time. "Sometimes you have to push the envelope."

Think about that statement. "Sometimes you have to push the envelope." Is that the kind of approach to Federal law we want in those we confirm to run Federal agencies? Folks who think if a Federal law is inconvenient to their ends they can simply characterize it as unclear and use that as an excuse to do whatever they want?

If that is not a red flag for those of us who have to review a Presidential nominee, I don't know what is.

Now, again, someone might say everybody in politics has to make judgments about how a given law is to be interpreted. Those who disagree with those judgments call it pushing the envelope. Mr. Perez, however, does not merely push the envelope. All too often he circumvents or ignores a law with which he disagrees.

Here are a few examples: As a member of the Montgomery County Council, Mr. Perez pushed through a county policy that encouraged the circumvention of Federal immigration law. Later, as head of the Federal Government's top voting rights watchdog, he refused to protect the right to vote for Americans of all races, in violation of the very law he was charged to enforce.

In the same post at the Department of Justice, Perez directed the Federal Government to sue, against the advice of career attorneys in his own office. In another case involving a Florida woman who was lawfully exercising her First Amendment right to protest in front of an abortion clinic, the Federal judge who threw out Mr. Perez's lawsuit said he was "at a loss as to why the government chose to prosecute this particular case" in the first place.

This is what pushing the envelope means in the case of Mr. Perez—a flippancy and dismissive attitude about the boundaries everyone else has to follow for the sake of the liberal causes in which he believes. In short, it means a

lack of respect for the rule of law and a lack of respect for the need of those in positions of power to follow it.

Just as troubling, however, is the fact that Mr. Perez has been called to account for his failures to follow the law, and he has been less than forthright about his actions when called to account. When he testified that politics played no role in his office's decision not to pursue charges against members of a far-left group who may have tried to prevent others from voting, for instance, the Department's own watchdog said "Perez's testimony did not reflect the entire story." And a Federal judge said the evidence before him "appear[ed] to contradict . . . Perez's testimony."

Perez has also made misleading statements about this case under oath—under oath—to Congress and the U.S. Civil Rights Commission.

Mr. Perez's involvement in an alleged quid pro quo deal with the city of St. Paul, MN, also fits the pattern. Here was a case where Perez was allegedly so concerned about a potential Supreme Court challenge to the legality of a theory he championed in housing discrimination suits known as "disparate impact," he quietly worked out a deal with St. Paul officials whereby they would withdraw their appeal to the Supreme Court of a disparate impact case if he arranged for the Federal Government to throw out two whistleblower complaints against St. Paul that could have recovered millions of dollars for the taxpayers that had been falsely obtained. The two whistleblowers' complaints were dropped, and the Supreme Court never heard the disparate impact case.

Perez told investigators he hadn't even heard of the disparate impact case until the Court initially decided to hear it. But that has been contradicted by HUD Deputy Assistant Secretary Sara Pratt, who told investigators she and Mr. Perez discussed the case well before that.

Taken together, all of this paints the picture, for me at least, not of a passionate liberal who sees himself as patiently operating within the system and through the democratic process to advance a particular set of strongly held beliefs but a crusading ideologue whose conviction about his own rightness on the issues leads him to believe the law does not apply to him. Unbound by the rules that apply to everyone else, Perez seems to view himself as free to employ whatever means—whatever means—at his disposal, legal or otherwise, to achieve his ideological goals.

To say this is problematic would be an understatement. As Secretary of Labor, Perez could be handling numerous contentious issues and implementing many politically sensitive laws, including laws enforcing the disclosure of political activity by labor

unions. Perez's devotion to the cause of involuntary universal voter registration is also deeply concerning to me personally, and I would imagine many of my colleagues in the Senate also believe in the absolute centrality of maintaining the integrity of the vote.

Americans of all political persuasions have the right to expect the head of such a sensitive department, whether appointed by a Republican or Democrat, will implement and follow the law in a fair and reasonable way. I do not believe they could expect as much from Mr. Perez.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10 a.m., with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees.

The Senator from Massachusetts is recognized.

Ms. WARREN. I thank the Chair.

(The remarks of Ms. WARREN pertaining to the introduction of S. 897 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF SOUTH KOREA, HER EXCELLENCY PARK GEUN-HYE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will stand in recess until 11:30 a.m. for the purpose of attending a joint meeting with the House of Representatives to hear the President of South Korea, Her Excellency Park Geun-hye.

Thereupon, the Senate, at 9:59 a.m., recessed until 11:31 a.m. and the Senate, preceded by its Secretary, Nancy Erickson, Drew Willison, Deputy Sergeant at Arms, and the Vice President of the United States, proceeded to the Hall of the House of Representatives to hear an address delivered by Her Excellency Park Geun-hye, President of South Korea.

(The address delivered by the President of South Korea is printed in to-

day's RECORD of the House of Representatives.)

At 11:31 a.m., the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding Officer (Ms. HEITKAMP).

WATER RESOURCES DEVELOPMENT ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 601, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

Boxer/Vitter amendment No. 799, in the nature of a substitute.

The PRESIDING OFFICER. Under the previous order, the time until 2 p.m. will be equally divided between the two leaders or their designees.

The Senator from California.

Mrs. BOXER. Madam President, what is the order?

The PRESIDING OFFICER. The Senate is in a period of debate prior to votes in relationship to S. 601.

Mrs. BOXER. Madam President, how much time is going to be controlled by Senator COBURN, the opposition to his amendments, and Senator WHITEHOUSE?

The PRESIDING OFFICER. The Senator from Oklahoma controls 40 minutes. The majority controls 75 minutes.

Mrs. BOXER. How much time is there as far as Senator WHITEHOUSE is concerned?

The PRESIDING OFFICER. There is no specific time agreement for Senator WHITEHOUSE.

Mrs. BOXER. Thank you very much. I wanted to get the order squared away so I could share the information with colleagues before Senator COBURN is heard on his amendments.

Madam President, we are on the Water Resources Development Act—it is a great day for the Senate—because we have received a D-plus rating on our infrastructure. This is the greatest Nation in the world. If we cannot move people or products, if our ports need to be deepened—and because they are not deepened, we cannot move commerce in and out—we have problems.

As we move into periods of extreme weather—there is some debate as to why, and I will not get into that because it is almost like a religious debate, so I will not go there. The fact is we have extreme weather, and now that we have some rules in place, this bill will make it a lot easier for people in the State of the Presiding Officer to deal with the corps after an extreme weather event. For the first time they

will not have to come back for new authorizations. They can do some moves right then and there to improve the situation, and that is a reform I think is very necessary.

I certainly thank Senator VITTER, my ranking member, and every member of the Environment and Public Works Committee. I want to thank all the organizations that have come to support this legislation. We have them listed, and I am just going to read a few of those.

Madam President, may I speak for approximately 5 more minutes.

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

Mrs. BOXER. We have the American Association of Port Authorities, the American Concrete Pressure Pipe Association, the American Council of Engineering Companies, the American Farm Bureau Federation, the American Foundry Society, the American Public Works Association, the American Road and Transportation Builders Association, American Society of Civil Engineers, American Soybean Association, Associated General Contractors of America, Association of Equipment Manufacturers, Clean Water Construction Coalition, Concrete Reinforcing Steel Institute, Construction Management Association of America, International Liquid Terminals Association, International Propeller Club of the United States, and the International Union of Operating Engineers.

I will not read all of these as there are too many.

We received a letter today from the chamber of commerce, which I will talk about in a few minutes.

We also have listed the Laborers International Union of North America, surveyors, real estate people, Grain and Feed Association, the Retail Federation, the National Waterways Conference, National Stone Sand & Gravel Association, Portland Cement Association, the American Institute of Architects, the Fertilizer Institute, the United Brotherhood of Carpenters and Joiners of America, the Waterways Council.

This is just a sample. America is behind this bill. This is important. Everything we do here is important, and this is as important. It will, in fact, support over half a million jobs—*not* doing things we don't need but doing things we need and must do.

We have some very important letters. One letter is from the American Association of Port Authorities and the American Road and Transportation Builders Association. They talk about how it is important that this legislative progress should not be slowed or jeopardized by amendments that are not germane to the bill.

This is their language: If enacted, this long overdue legislation will ensure critical investments are being made.

They say nice things about Senator VITTER and me, which I will not read because it is too self-serving, but I am very proud to have it in writing. I will put it on my wall when I get back to the office.

There is another letter from the Transportation Construction Coalition, and it basically says: This bill will remove barriers to realizing the benefits of water resources projects. It needs to be bipartisan and bicameral. Let's swiftly pass this.

That is a very important message for us.

We have the Associated General Contractors of America, and they say: Please don't slow or jeopardize this bill.

We have a letter coming from the chamber of commerce, and it is going to say the same thing.

I know Senator COBURN feels very strongly about his amendments, and we have agreed to take them up and vote on them. Every Senator has the right to do anything they want. I just want to lay it out here for the American people: This is a public works bill dealing with water infrastructure. It is not a bill about guns, it is not a bill about a woman's right to choose, it is not a bill about gay rights or gay marriage, it is not a bill about those very hot button issues we know divide the American people.

I will have more to say after Senator COBURN talks about his amendment. I am just going to make a plea to my colleagues: We are trying so hard to accommodate everybody but, speaking for myself, I hope we can avert and avoid controversy on this bill. We have so much controversy every minute of every day. There have been terrible arguments on this floor about issues as to whether we should extend the debt ceiling, whether to default, do background checks. These issues are tough. I am not saying they should be avoided. We have to confront them. Every once in a while I hope we can take a pause from this controversy and do something for this country and come together without the rancor, without the upset, and without the divisiveness of some of these issues.

We will proceed to deal with these issues that Senator COBURN has brought forth on guns. After we dispose of these, I hope we will not have this kind of divisiveness on a bill that is so needed.

I thank the Presiding Officer very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, first of all, I thank my colleagues for the opportunity to have regular order in the Senate. The ranking member of the committee would like to have 2 minutes before I start.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, through the Chair, I thank the Senator from Oklahoma. I briefly want to say two things: No. 1, I too am very supportive of this bill, which I do think is a strong bipartisan and a reform-oriented effort. I think the best proof of that is that it came out of our EPW committee 18 to 0. We have a committee that reflects the wide spectrum of opinion of the entire Senate. The waterway infrastructure bill is important, so I am very supportive of it.

No. 2, I am also very glad we have this open amendment process. I think it reflects a lot of work and goodwill on a lot of folks' part, including the Chair and myself. I welcome this debate and vote. We want to take up and vote on amendments.

With that show of good faith, I hope Members can focus on germane—or at least relevant—amendments, and that is what we will be turning to in our next set of amendments.

I hope this open process and show of good faith engenders that response. I look forward to all of these amendments and debates and votes.

With that, I thank the Senator from Oklahoma for the time.

AMENDMENT NO. 805 TO AMENDMENT NO. 799

The PRESIDING OFFICER. The chairman—Senator from Oklahoma.

Mr. COBURN. The only thing I am chairman of, Madam President, is my dogs at home, but I thank the Presiding Officer for that misquote.

At this time, I call up Coburn amendment No. 805.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment No. 805 to amendment numbered 799.

Mr. COBURN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army)

At the end of title II, add the following:

SEC. 20. PROTECTING AMERICANS FROM VIOLENT CRIME.

(a) FINDINGS.—Congress finds that—

(1) the Second Amendment of the Constitution provides that “the right of the people to keep and bear arms shall not be infringed”;

(2) section 327.13 of title 36, Code of Federal Regulations provides that, except in special circumstances, “possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons is prohibited” at water resources development projects administered by the Secretary;

(3) the regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the Second Amendment rights of the individuals while at the water resources development projects; and

(4) Federal laws should make it clear that the Second Amendment rights of an individual at a water resources development project should not be infringed.

(b) PROTECTING THE RIGHT OF INDIVIDUALS TO BEAR ARMS AT WATER RESOURCES DEVELOPMENT PROJECTS.—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under part 327 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

Mr. COBURN. A couple of years ago I added an amendment in our deliberative process that gave Americans their constitutional rights in the U.S. National Forest. There were two main reasons I did that.

No. 1, the amount of murders, rapes, robberies, and assaults were rising; and No. 2, there is some confusion with the conceal and carry State laws.

We have 35 or 36 States that have conceal and carry State laws, but when someone accidentally walks onto U.S. forest land, they are actually violating Federal law even though they might not know they are on State land versus Federal land.

I would note that since that time the amount of crime in our national parks has declined. So since then, we now have, throughout the country, the same approach we have in national parks on the Bureau of Land Management areas, the Forest Service, the National Park Service, and the National Wildlife Refuge.

The reason this is important for the Corps of Engineers is because after we passed those amendments, the corps proactively stated that none of this applied to them. Well, the fact is the corps has more visitors every year on their 422 lake and river projects, 11.7 million acres, 95,000 camp sites, and 6,500 miles of trails, and they have more than 370 million visitors. Corps projects are the most visited of any single Federal agency sites—even more than the 280 million annual visitors to our national parks.

Americans who camp, hunt, or fish on these federally managed lands are prevented from exercising their Second Amendment rights that have been guaranteed by the Supreme Court, but also are under the jurisdiction of their State laws.

The purpose of this amendment is so law-abiding citizens who are granted the authority in their State will not be vulnerable to criminals or dangerous wildlife while on Army Corps land, and we, in fact, will ensure they have their rights guaranteed. This does not include an exemption for Federal facilities, Army Corps headquarters, research facilities, lock or dam buildings,

or any other significant infrastructure associated with the corps. This amendment would simply require the Corps of Engineers to follow State firearm possession laws on lands and waters managed by them—the same approach the Bureau of Land Management, the Forest Service, the National Parks, and the National Wildlife Refuges use.

It is a simple issue. This is the only area of Federal lands now where we put people in double jeopardy if they are accidentally on corps land; they are violating Federal law even though they are complying with their State laws. They are totally in compliance with the State laws, but if they step one foot onto corps land, they are violating corps regulations. This amendment makes it consistent across all government lands—we have already done it everywhere else—the corps land, which is the most visited, the most utilized lands we have in the country. It is straightforward.

I am very appreciative of the chairman of this committee for her cooperation in allowing this amendment. As a matter of fact, I am so cooperative I am not going to offer the other one so I can help move her bill forward. I congratulate her on the bipartisan work she has done on her committee.

Mrs. BOXER. I thank the Senator from Oklahoma.

Mr. COBURN. I think this is a principled stand. The question is, Why should we not have the same policy everywhere, No. 1; and No. 2, Why would we dare deny the rights we give everywhere else on Federal Government-owned land—why would we do something different on corps land?

I actually wouldn't even be offering this had the corps not proactively stated that what we passed did not apply to them. We actually intended for it to apply and, technically, they could get out. All we are saying is let's make it the same everywhere, so you can follow State law, be a good, law-abiding citizen; but if a person happens to walk onto corps land, they are violating a Federal statute according to the corps. Not on BLM lands, not on Forest Service lands, not in the Parks, but if a person walks up to a lake in Oklahoma that is run by the corps, they are violating Federal law but they are not violating State law. So we ought to have consistency with our law. This is about consistency, good government, and common sense. Wouldn't it be a tragedy—and it happens all the time—that a person is on a campsite in Oklahoma and because there is no law allowing that person to carry their weapon onto that campsite, they are vulnerable to the prey of people who are going to violate that law. That is exactly what was happening in the national parks. We were having women raped, we were having people murdered, we were having people accosted and robbed. Guess what. That has all

markedly declined since we allowed gun owners to carry their guns. There has not been, to my knowledge, one case of an inappropriate use by a law-abiding citizen of their weapons in those areas. So it is common sense.

My hope is we will pass this amendment and have a consistent law on all Federal lands so people can be protected under the Second Amendment, people can follow their State's law and do it adequately and accurately and be great law-abiding citizens.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I wish to thank my friend from Oklahoma because it was tough for me on this bill to face the first amendment being a gun amendment. The Senator from Oklahoma has very strong emotions about it. So do I. We just come down on different sides. But I believe we want to show our good faith. I am also pleased we are not going to vote on the study amendment because, as I researched it, it looks as if there is already a study underway and I look forward to looking at the results of that study with the Senator from Oklahoma in terms of the buying of ammunition. I thank the Senator for that. It means a lot.

I ask the Chair, since Senator COBURN is now not going to take up one of his amendments and we only have one more, what is the status of time? How does that change things?

The PRESIDING OFFICER. The majority controls 65 minutes, the Republicans control 64 minutes.

Mrs. BOXER. I thank the Chair. Madam President, I am going to answer a question that was posed rhetorically by my friend, which is a fair question. Why make a difference as far as who can carry a gun on Federal land versus national park land? My statement will address this directly to my friend.

Coburn amendment No. 805 would make it legal for anyone to carry weapons on critical water infrastructure property managed by the Army Corps of Engineers. My view of this is it is a dangerous amendment. He and I just see it very differently.

I believe this amendment would put our national security at risk by making the Nation's dams, reservoirs, hydroelectric powerhouses, navigation locks, major river systems, levees, and other flood risk management features vulnerable to attacks.

Current law on Army Corps property is this: Army regulations prohibit the private possession of loaded firearms, ammunition, loaded projectile firing devices, and other weapons on Army Corps property unless—and this is important—unless the weapon is being used for hunting, fishing, or target shooting in designated areas. So let's

establish that, yes, people can bring a gun onto corps property, but it needs to be for hunting, fishing, or target shooting.

I don't know what other usage there would be. I guess one could argue that a person wants to defend themselves, but they could argue that anywhere. So I don't know what more my friend wants. We have hunting, fishing, and target shooting in designated areas so we don't have these weapons near this critical infrastructure.

Similar to the regulations that govern private gun possession on military bases, corps regulations require guns to be unloaded when transported to and from these designated hunting, fishing, and target-shooting areas. In addition, under current law, the regulations allow for permission to be given to private individuals by the district commander of the corps. So if somebody has a need to do this, they can get permission to do it. As I look at the current rules, I see it very differently. I see the Army Corps cooperating, making sure people can take their weapons onto corps land, but making sure the uses are the recreational uses. If they have a special problem or a special issue, they can get permission to carry a gun for other circumstances.

So the law already allows for the transport of guns on and off Army Corps property when used appropriately for hunting or sport. I guess we would have to say why would we have an amendment here that I believe will put our critical water infrastructure installations and millions of Americans who visit corps land at risk? I think it is a public safety issue.

Why do I oppose this Coburn amendment and why do I say it is dangerous? First of all, Army Corps rangers are not trained or equipped to be law enforcement officers. That is quite different from the national park lands. Second, Army Corps facilities are infrastructure that is critical to national security, the economy, and the safety of the American people. Third, the amendment ignores significant increases in the budget deficit, and I know my friend is, if not the biggest deficit hawk, certainly one of the biggest deficit hawks in history—ever since I have been here, which is a long time. So we have costs—notifying the public of the change in law and somehow hiring security guards to protect dams and reservoirs and other critical infrastructure.

I have sat in on numerous discussions, both classified and unclassified, that talk about the need to protect the critical infrastructure of this world in which we live. In this world we live in, we may well see more homegrown terrorists who know our land and who know where these dams are, and who know where these reservoirs are, and who know where these locks are.

The Army Corps rangers are not trained or equipped to be law enforce-

ment officers. They have no authority to carry firearms, to make arrests, or execute search warrants. Corps rangers are tasked with resource management and recreation maintenance. They are not law enforcement officers.

The Coburn amendment would allow individuals to carry loaded or concealed weapons on all corps land as long as the individual's possession is in compliance with the State law where the property is located. By the way, I appreciate the fact the Coburn amendment does that, because some others have offered amendments where if a person is in a State that allows conceal and carry, they can go to any State. The Coburn amendment doesn't do that. I appreciate that very much.

Now in the 49 States that allow concealed carrying of loaded weapons, the corps would not be able to prevent visitors from carrying concealed loaded weapons on corps campsites and hiking trails. Yet the corps has no employees who perform law enforcement duties. I have said this now three times. It is a very important point. We are putting our corps people in a situation where they are unarmed and people coming on the property are armed. So if someone carries a weapon onto corps land—and I agree with my friend that 99-something percent of the people are wonderful and would never think of committing any type of felony, but we know violent crime happens every day. Good Lord, all one has to do is read the paper. We know there are—how many deaths every day from guns? There are 87 deaths a day from guns. A lot of that is suicide and a lot of that is violence toward another person. So let me tell my colleagues what the corps can do in the case where there is a felony on the land there—someone doing something violent. They could write a ticket or call for backup. Since they have no weapons and no authority to arrest suspects, it is a dangerous situation. If this were to pass, we would have to spend a whole lot of dough making sure we train the corps personnel or allow them to hire law enforcement. We are talking about a lot of funds we don't have.

I don't know what the problem is. Honestly, maybe my friend has heard from colleagues or friends or people who are upset about this. But the fact is people can have weapons on corps land for all kinds of reasons pertaining to recreation, which is the point. Yes, one has to get them to the site not loaded and so on, and there are rules and regulations, but I don't think that is a problem. Some of the hunters I know are extremely proud of the safety record they have had and what they teach their kids.

Now let's talk about the facilities that I think are being put at risk—facilities important to our national security, to our economy, and to our public safety. The Department of Homeland

Security under President Bush took action in 2003 to list—and I am quoting—this sounds funny—“dam”—D-A-M—“assets.” Those include navigation locks, levees, and water retention facilities, as a sector that is critical to the function of the economy, to the government, to our society, to the well-being of our people. The inspector general notes that these assets are especially important because one catastrophic failure at some locations could affect populations exceeding 100,000 people and have economic consequences surpassing \$10 billion. So we are talking about changing the law on corps land that would expand the right to carry a gun, which people now have on corps land as long as it is for recreation purposes—expanding it in a way that could threaten critical infrastructure. This is in a situation where there are no armed guards. One catastrophic failure could affect 100,000 people and could have economic consequences surpassing \$10 billion.

This is a report from the Bush administration, folks.

A 2011 DHS Inspector General report indicated there were numerous security gaps already at critical dam assets across the Nation. So I do not know why we would allow anyone to bring firearms to those critical infrastructure facilities. They can use them for hunting and fishing, but we should have some rules that protect this infrastructure.

Just notifying the public of the change in law that my friend wants to see happen will cost an enormous amount of money—millions of dollars. The Coburn amendment does not address the costs, and normally he would do that in an amendment: address the costs the corps would incur in order to train their workers to carry weapons or to hire outside security for that.

I appreciate and respect the views of my friend, but I also think this is something we should not do today on this bill now, especially when we are seeing a lot of talk about more homegrown terrorism. We want to protect our infrastructure. It may be that the corps ought to look at more protection for these facilities. I am willing to look at that. But I do think we are making a problem where there is not a problem. People can go on corps land and use their guns for hunting and fishing, recreation and target shooting, and I think that is working out fine. This seems to be an amendment that is solving a problem that, frankly, does not exist.

I have 38 million people in my State. That is a lot of people. I asked: Do we have a lot of letters on this? I, at this point, do not know of any. But I may have some now that the Senator has brought this up. We probably have it on both sides now. But I hate to see us do this because I think it is going to put critical water infrastructure at risk.

This is not the national parks. These are not facilities where we have armed guards. If something were to happen to a reservoir, to a dam, the Bush administration tells us it could be quite devastating to communities.

So I hope we will oppose this amendment. Again, it is with respect that I say these things. I say them because I truly do think this is misguided. I hope we can get on with the underlying bill.

I thank my colleague and yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Oklahoma.

Mr. COBURN. Madam President, first of all, our amendment exempts the areas the chairman talked about—locks and dams. All those areas are exempt from this amendment. As ranking member on Homeland Security, I know more about these issues than probably anybody other than our chairman and the past chairman and ranking member in terms of the safety.

The people the chairman talks about do not care what the law is now. They do not care what the law is. So the people about whom we are going to be worried—Boston has pretty tight laws. They did not care what the laws were. They broke multiple sets of laws, as we saw what happened in Boston. We have to prepare for that regardless of whether this amendment goes through.

I would also note, in several of our national parks we have corps land where we have hydroelectric facilities and we have these things. We have not had any problem with that. What we have had is a marked decline in the number of rapes and a marked decline in the number of murders in national parks since we instituted the State laws in national parks for guns.

On campgrounds we do have problems with rapes, with accosts, with assaults, with robberies; and we do have murders on corps land and campgrounds. So the point is, standardizing where you can go—I would also make the point, we only allow State law to apply. If Oklahoma law is different than California law, it is not Oklahoma law, it is whatever California law is and recognizing that individual right so we do not put people in jeopardy when they accidentally get on corps land.

I understand her inhibition toward it, toward any expression of the Second Amendment generally. But the fact is we ought to have a common policy in all areas. We already do it in Bureau of Land Management, we already do it in the Forest Service, we already do it in national parks. So we should not exempt the corps.

The fact is, the people who are going to violate our laws are not the law-abiding citizens. They are not the law-abiding citizens. It does not matter what we do; they are not going to pay attention to what we do. The one thing we have proven in the National Parks

is, when we allowed people the ability to carry and follow their own State's law in terms of their Second Amendment, we saw rapes go down, we saw murders go down, we saw assaults go down, and we saw robberies go down in the national parks.

The same thing will happen on corps land. Most of the people will not carry. Most of the people will not come in. But to deny the ability to do that, that is what this amendment is about.

I will be happy to debate the Senator further. The fact is, there is a big difference in our view of what the Second Amendment should be about in this country and our trusting of law-abiding citizens to do the right things. Her issue on critical infrastructure—we are doing everything we can do to protect that now and building toward the ultimate goals of where we need to be, and this is not going to change our approach. It is not going to change it at all. So I would dispute the fact that it is going to change our approach.

As we look at critical infrastructure and the protection of it, we are going to do the same whether or not this amendment passes. It is not going to have any impact on it.

My hope would be that since I actually have withdrawn the other amendment we would yield back the time and move to Senator WHITEHOUSE's amendment as soon as we can.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I wish to ask my friend to show me where he excludes the areas that have the critical infrastructure because we have a report from CRS that says they are not excluded. The dams are not excluded.

Mr. COBURN. I will be happy to get it for the Senator.

Mrs. BOXER. No problem.

Madam President, I think the point is, the Senator tries to say what I think about the right to bear arms. He does not know my views. It is very clear the Supreme Court has stated the Second Amendment—that there is a right to bear arms. But just as any other right—free speech, freedom of the press—rights are not unrestricted. We all know the story: You have free speech, but you cannot go into a theater and yell “fire, fire” unless there is a fire because you could be charged for causing a riot. So there is no absolute right.

The corps has stated on their land you can already bring a gun as long as it is about hunting, it is about fishing, it is about recreation. But they say, if it is near their critical infrastructure—which the Bush administration says is a homeland security necessity to protect—you cannot carry a loaded weapon.

My friend says he excluded these areas. I am telling you—you can read

this—there is no exclusion. And if you read the CRS—

Mr. COBURN. Will the Senator yield?

Mrs. BOXER. I will in 1 second. I want to read what CRS says:

Proposed legislation does not explicitly provide the Corps with authority to restrict firearms at Corps facilities (e.g., dams) or in specifically designated areas.

I am happy to yield.

Mr. COBURN. I will get the Senator the actual statute.

Federal structures are covered under another statute and I will get that statute for it. The reason we did not specifically represent that is because they are already covered. We did not exclude those structures. We said: Corps land. We did not specifically say that, and we will get you the code where Federal structures are excluded.

Mrs. BOXER. Well, if I could say to my friend, through the Chair, fine, get me the code. But the Senator said his amendment specifically excluded it, and it does not. I am researching now that part, but there is no question there is no explicit prohibition here.

So now you get into a circumstance where you have one Federal law that says one thing, another Federal law that says something else, and we know where that leads, folks. That leads to court.

I think my friend wanted to exclude being able to carry weapons near levees and dams and so on. He ought to like the status quo because that is the status quo. The status quo is, if you want to use a gun for hunting, fishing, recreation, fine, the corps already allows it. You just cannot use it on critical infrastructure. He says that is his point. What is the problem? What is the problem?

As I discuss this with my friend, I do not see why his amendment is necessary. I hope he will withdraw it, frankly.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I do not have any intention of withdrawing the amendment. There is a Federal statute that already prohibits the carrying of firearms in Federal buildings and structures, and we will get the Senator the statute. That is very clear. We were advised by legislative counsel we did not have to put that in there because it is already prohibited. I will challenge the statement of the CRS and will give the Senator the section of the code that provides that.

Again, the point is, this critical infrastructure is already being beefed up. We are going to be doing that in Homeland Security. We are doing that in Homeland Security, and it has no bearing whatsoever on the Second Amendment right to unify our policies across all government-owned land in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent to have printed in the RECORD the CRS report summary that was done on this identical bill, which clearly states in their analysis that this would allow individuals to carry firearms—loaded—on to levees, dams, near reservoirs, and the rest. It is clearly stated here:

Proposed legislation does not explicitly provide the Corps with authority to restrict firearms at Corps facilities [like dams]. . . .

And it goes on to say that is their decision.

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

[From the Congressional Research Service, July 12, 2012]

FIREARMS AT ARMY CORPS WATER RESOURCES PROJECTS: PROPOSED LEGISLATION AND ISSUES FOR CONGRESS

(By Nicole T. Carter)

SUMMARY

As part of its civil works mission, the U.S. Army Corps of Engineers manages water resource projects. Reservoirs lying behind Corps dams, and Corps navigation locks and their pools, are popular recreation sites, attracting 370 million visits annually. Corps projects include some of the most densely used federal recreation lands. Currently, 36 C.F.R. Section 327 sets out the regulations for public use of Corps projects. Section 327.13 generally prohibits possession of loaded firearms by private (i.e., non-law enforcement) individuals at Corps-administered projects unless they are being used for hunting at designated sites (with devices required to be unloaded while transported to and from the sites) or at authorized shooting ranges. The regulation applies at projects regardless of their location in states allowing open or concealed carry of loaded firearms.

Proposed legislation—the Recreational Lands Self-Defense Act (H.R. 1865, S. 1588), and Section 111 of H.R. 5325, the Energy and Water Development and Related Agencies Appropriations Act of FY2013 (which are all substantively similar)—would bar the Secretary of the Army from promulgating or enforcing regulations that prohibit individuals from possessing firearms (including assembled or functional firearms) at Corps projects. The bills would require that firearms possession comply with state law. Supporters of the proposed legislation see it as a partial remedy to a current patchwork of regulations restricting firearms on federally managed lands, as a means to provide consistency for open and concealed firearms possession within a state, and as facilitating self-defense. They argue that enactment would establish Corps policies consistent with Section 512 of P.L. 111-24, which made it legal for individuals to possess firearms at National Park Service (NPS) and National Wildlife Refuge System (NWRS) units of the Department of the Interior (DOI). Other stakeholders are concerned that the proposed legislation may produce unintended public safety and infrastructure security issues at Corps projects.

The issue for Congress is not only possession of loaded firearms by private individuals but also how to maintain public safety and infrastructure security at Corps projects.

• Critical facilities security: Proposed legislation does not explicitly provide the Corps with authority to restrict firearms at Corps

facilities (e.g., dams) or in specifically designated areas.

• Public safety and law enforcement: There are no armed federal law enforcement officers commissioned for public safety and security purposes at Corps projects. Unlike DOI, the Corps does not have authority to perform most law enforcement functions at its projects. Corps rangers are limited to issuing citations for regulatory violations and are not allowed to carry firearms. Most law enforcement is provided by local and state law enforcement personnel; the Corps' authority to contract for this assistance is \$10 million annually.

A safety and security assessment of the proposed legislation for Corps projects has not been performed. DOI's Bureau of Reclamation is faced with similar safety and security issues at its water resource projects. It allows possession of firearms on Reclamation lands and waterbodies (e.g., reservoirs behind dams) when such possession complies with federal, state, and local law. The regulations restrict firearms at Reclamation facilities (e.g; dams, buildings). DOI and Reclamation also use multiple authorities and mechanisms to provide for armed and unarmed law enforcement and public safety and security. Whether the Corps, given its current authorities, could similarly provide for safety and security at its projects if the proposed legislation is enacted has not been assessed.

Mrs. BOXER. CRS did a big study of it. I appreciate my friend says he covers this. It is not in his legislation. It is just not in there. He does not refer to that other law. He does not say anything about the other law.

My point is that the corps already allows you to bring a loaded gun onto the premises. You can even get a special permit if you want to bring it to other areas. It is already the law.

So this is an amendment that, in my reading of it, would allow you then to go onto these other areas—the levees, the reservoirs, the critical infrastructure. CRS agrees. I have put it in the RECORD. My friend says no.

I will tell you something, I do not think we should move forward with this—he is—and we will see where the votes fall.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I would yield back the remainder of my time if the chairman of the committee would do as well.

Mrs. BOXER. Yes, I do. I yield my time back as well and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WHITEHOUSE. May I ask further consent that time during all of the quorum calls be charged equally to both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Madam President, for the interest of all Senators, we are moving forward with our bill. We have a first vote on an amendment at 2 o'clock. At this time we are determining whether Senator WHITEHOUSE will offer his amendment. If he does, there will be a vote on one of the two Coburn amendments—he has withdrawn the other—and then a vote on the Whitehouse amendment if, in fact, he offers it.

I would like say for the benefit of all Senators that this is a WRDA bill; this is a water bill. This is about dredging our ports. This is about making sure we have restoration of our wetlands. This is about making sure we have flood control protection. This is about the infrastructure of our country, the ability to move goods, and the ability to have an infrastructure that is much better than the D-plus it is rated at this time.

This is not a gun bill. I beg my colleagues, whatever side you are on, we cannot turn this bill into a gun bill because that is not going to happen. I hope my colleagues will look at the Coburn amendment and decide that the best course is not to have it on this bill. It doesn't belong on this bill, and it shouldn't be on this bill. It is non-germane, and, more important to me, it is very controversial.

I wish to ask the Senator from Rhode Island a question. I know the Senator has a wonderful amendment that deals with the protection of our oceans on a water bill. Guess what—an amendment about water on a water bill. This is good. I would ask my friend if he intends to offer his amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, through the Chair, I will tell the distinguished chairman that I, with great enthusiasm, intend to offer my amendment. I hope my colleagues on both sides of the aisle will support it.

You should support it if you are from a coastal State because the coastal problems that coastal States face are so often overlooked. If you are not from a coastal State but you visit coastal States to go to the beach, if you like to eat fish or, frankly, if you like imported products that come through our coastal ports, you too have an interest in this legislation. I hope you will support it.

Finally, this is a piece of legislation that was agreed to before by this body

in the form of the RESTORE Act. In the RESTORE Act, we literally sent billions of dollars to our colleagues along the Gulf States for remediation, repair, and economic reconstruction after the two disasters of Hurricane Katrina and the explosion of the oil well. Those two disasters. So for reasons that don't merit further discussion here today, that part of the agreement was left unaccomplished.

Whether you are from a coastal State or whether you enjoy coastal products or visits, I would urge my colleagues, for the sake of the Senate being a place in which a bargain once struck is honored, that we owe a vote strongly in support of the authorization—and this is only an authorization, no funding whatsoever—of a national endowment for the oceans that will allow coastal and Great Lakes States to at least be able to compete for funding to be obtained later through existing structures—no new bureaucracies—so we can do what we need to do to protect our coastal economies.

I thank the chairman.

Mrs. BOXER. Retaining my time, I would like to ask through the Chair if Senator WHITEHOUSE has to actually send his amendment to the desk and ask for the yeas and nays. Because, if so, I think it would be an appropriate time to do that since we intend to vote at 2 p.m.

The PRESIDING OFFICER. It can be offered at this time.

Mr. WHITEHOUSE. If I may seek recognition.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 803 TO AMENDMENT NO. 799

(Purpose: To create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems)

Mr. WHITEHOUSE. At the Chairman's suggestion, and with her permission, I ask unanimous consent that my amendment be called up.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE], for himself, Mr. ROCKEFELLER, Mr. NELSON, Mr. BLUMENTHAL, and Ms. CANTWELL, proposes an amendment numbered 803 to amendment No. 799.

(The amendment is printed in the RECORD of Tuesday, May 7, 2013, under "Text of Amendments.")

Mrs. BOXER. Does the Senator need to ask for the yeas and nays or are the yeas and nays ordered?

The PRESIDING OFFICER. The yeas and nays would have to be requested.

Mr. WHITEHOUSE. I ask for the yeas and nays, Madam President.

The PRESIDING OFFICER. There is not a sufficient second at this time.

Mrs. BOXER. Madam President, I am very confused. Yesterday there was an agreement there would be a vote. What is my colleague's understanding?

OK, we just need to have some more time. So I recommend the Senator stay on the floor so we can get a colleague on the floor. That would be great. After we do that, I am going to encourage my friend to take some time and go into why it is so critical we pay attention to the oceans of our country, what is happening to the state of our oceans, and what is happening to the quality of our oceans, given so many factors, including the changes we are experiencing in climate, because he is a great expert on that.

Does my friend want some time now? I would like to see if I can get us to the yeas and nays.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, while the chairman goes about the parliamentary task of organizing a sufficient second on the national endowment bill, I do wish to describe some of the changes our coastal and Great Lakes States are seeing and need to deal with.

Probably the most obvious of all are the storms we have been seeing—the unprecedented and extreme storms we have been seeing—along our coasts. Whether it was Hurricane Katrina or Superstorm Sandy, we have seen unprecedented damage done at the merger of land and sea, where driven by these powerful storms the sea can wreak such havoc on the land. But it goes well beyond the damage of extreme storms. If we go out into the Gulf of Maine, we can see the cod catch, which is a historic fishery going back centuries, has now collapsed to the point where the draconian measures that must be applied to that fishery actually risk extinguishing the fishing industry for cod in some of our Northeastern States.

We can move down the coast to the Carolinas, where highway departments are raising the bridges out to the Outer Banks in order to prepare for higher seas and stronger storm surges. We can go further south, to the Florida coast, where in some parts of that ocean—the Caribbean ocean nearby—as little as 10 percent of the coral remains alive. That is actually a pretty big industry for Florida. I think they do 15 million scuba dives a year for recreational purposes—15 million scuba dives—which are not just economically valuable for the dive boat owners and operators but for the people who travel, who have meals and who stay in hotels and buy equipment. They are not going to come to do scuba diving there as much if the famous Caribbean reefs and coral reefs off of Florida continue to die at the rate they are.

We can go all the way across the country to the West Coast, where we see the oyster fisheries in Washington and Oregon threatened by the acidification of the oceans. There have been

oyster hatcheries that have had massive die-offs within the hatchery when acidified water from the sea welled up and came into the intakes of these, in many cases, multigenerational family operations and were too acidic to allow the larval oysters to develop their shells, resulting in massive die-offs and economic loss.

I can tell two stories about my home State of Rhode Island that are very current. In Rhode Island, the biggest storm we have seen, worse even than Superstorm Sandy in recent decades, was the famous hurricane of 1938, which did immense damage along our shoreline at a time when our shoreline was far less developed than it is now. Between the 1930s, when that hurricane took place, and now, the sea level at the Newport tide gauge in Newport, RI, has actually climbed 10 inches. So when the next hurricane of 1938 comes—or perhaps even a bigger one, as our current experience of storms would seem to suggest is possible—it will be driving a higher ocean against the shore and probably not just 10 inches higher, because a storm surge will stack that 10-inch increase as it crashes against our Rhode Island shores, and that can be a game changer.

States such as Rhode Island have to do a lot of work to reconfigure where the so-called velocity zones are, where it is safe to build or not safe to build, what is actually now vulnerable in a 100-year flood or a 500-year flood as things change along our coasts. That is something that is a little hard to debate. It is actually a measurement. It is a measurement of 10 inches on a tide gauge. This is not some theory. This is what has happened. That water lying out there 10 inches higher is a terrific risk to our State and something we have to prepare for. Given the way State budgets are, we would like to be able to compete, once we have found some Federal funding, for the ability to figure things out so investors and people living along coastal communities can have a solid and fact-based appreciation of what the risks are to them from this worsening condition of stronger storms and higher measured sea levels.

Another Rhode Island-specific example is the winter flounder. The winter flounder is a major catch species in Narragansett Bay—or at least it was. We can go back to the earliest Native American settlements and find winter flounder bones around the settlements. For many years the winter flounder was the biggest catch in Narragansett Bay. I know a certain amount about it because when my wife did her Ph.D. thesis, she studied the winter flounder in Narragansett Bay and what was happening to it and how its life cycle interacted with another bay creature called the sand shrimp—or the Crangon septemspinosa, which is the technical

name. In the time between when she wrote her thesis and now, the catch of winter flounder in Narragansett Bay has crashed more than 90 percent. It is no longer an active direct fishery in Narragansett Bay.

I can remember not that many years ago, it doesn't seem, driving over the Jamestown Bridge or the Newport Bridge or the Bristol Bridge and looking down and seeing trawlers working the upper bay trawling for winter flounder. We don't see that any longer because that fishery has crashed.

It has crashed for two reasons. One is the bay is warmer in the winter. I am having a dispute with PolitiFact right now, but I stand by my assertion it is 4 degrees warmer in the winter. They think it is more like 3 degrees warmer in the winter than it was 30 years ago. Four degrees in water temperature may not seem like much to us humans, but we don't live in that environment. If that is your environment, 4 degrees sends a signal to certain species they don't belong there any longer and to move to cooler waters.

The other thing it has done is it has allowed this other bay creature, the sand shrimp, to move in earlier to the bay when the larval winter flounders are still small enough to be eaten by the sand shrimp. It used to be the sand shrimp would come in and they would feed on the larval winter flounders, but enough of them would get big enough soon enough that they got too big to eat for the sand shrimp. In fact, as they got bigger, they would turn around and eat the sand shrimp. That was the cycle of life. Now the sand shrimp come in earlier. There are fewer winter flounder because of the temperature, and because they are getting in earlier, it is a much more dangerous environment because the larval winter flounder are smaller and remain prey longer. So for all those reasons, there goes what once was a very key fishery.

These are just individual examples. Every coastal State, every Great Lakes State could come and have their Senator give the same speech with at least two examples of things that are changing and making a dramatic difference in the coasts. The phrase I use is: The faster you drive, the better your headlights need to be. These changes are coming fast. Things that used to happen across centuries are happening in decades; things that used to happen over decades are happening in years. We need to have better headlights as we see these changes coming at us, and the headlights are the science, the research, the information, and the ability to do this kind of work.

I hope my colleagues, on the merits, will support my amendment. I hope even if they do not particularly care, even if they are from an inland State

and don't have a great interest, that simply in the interest of the spirit of the Senate they will respect an agreement once it has been reached and will make an effort to make sure agreements, when struck, aren't broken and that I will get my partisan support.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Madam President, I rise today in support of the 2013 Water Resources Development Act, or WRDA. I agree with my colleagues who believe that moving forward with a bipartisan WRDA bill is important for our communities.

As the ranking member of the Subcommittee on Transportation and Infrastructure, I believe we need to address the issues facing the Army Corps and the country. Today we have problems with aging infrastructure, with a lack of transparency, and with fiscal accountability—all of which impact the public health, the safety, and the economic welfare of our communities.

My staff and I have worked with our colleagues on the full committee and the subcommittee to create a bipartisan product to address these concerns. We may have our differences on a number of the issues, but the bulk of what we have accomplished is about protecting our States and protecting our constituents, not about partisan politics.

For example, issues such as flood mitigation are very important to my State. In 1984 the town of Baggs, WY, faced a major flood. The entire town had to be evacuated, and there was over \$1 million worth of damage done. In mid-May of 2008, Baggs faced another major potential flood. The Wyoming National Guard was called in to assist, as well as the Department of Homeland Security. At the request of the Department of Homeland Security, the Army Corps Sacramento office sent an official who was able to oversee the reinforcement of existing berms and the construction of new ones. This time Baggs did not need to be evacuated and the damage was minimal.

Baggs is not the only town in Wyoming to need assistance to protect itself from the threat of flooding. Predicting floods and being better prepared for them is a major component in keeping Wyoming communities safe. That is why I proposed and successfully included language in this bill, with the help of the chair and ranking member,

for an authorization for Upper Missouri Basin flood and drought monitoring. This program will restore the stream gauges and snowpack monitors through the Upper Missouri Basin at all elevations. These gauges are used to monitor snow depth and soil moisture, to help inform agencies such as the Corps as to potential flooding and also drought in the future. This type of monitoring will protect communities and save lives. The language is supported by the Upper Missouri Water Association.

I am also pleased that the language I have authored for technical assistance to help rural communities comply with environmental regulations was included in the bill. Rural communities often do not have the expertise or the funding to make important upgrades to their water systems. Dedicated professionals, such as the folks at the Wyoming Rural Water Association, use this funding to go into these communities and provide the critical assistance they need. I thank Subcommittee Chairman BAUCUS for his help in working with me to get this important language included in the bill.

As I mentioned, transparency and fiscal responsibility are also important components to tackling the issues that need to be addressed with the Army Corps. That is why I offered language to create an Army Corps project deauthorization process. It is one that mimics the Base Realignment and Closure Commission—you know, the BRAC Commission—that the Department of Defense uses to close or re-consolidate military bases.

Under my language, an independent commission appointed by the President would identify projects for deauthorization based on established criteria and then submit those projects as one package for an up-or-down vote by the Congress. There are many of these projects that are on the books. They are authorized for millions of dollars, and they are going nowhere. The backlog of Army Corps projects is currently about \$60 billion according to the National Academy of Sciences. It is time for the Corps and Congress to clean the books, cut the waste, and bring fiscal responsibility to the WRDA process.

I am specifically thankful to Chairman BOXER and to Ranking Member VITTER and Subcommittee Chairman BAUCUS for supporting my language. I am also grateful to my colleagues for the bipartisan process under which this bill was considered. Our staffs worked well together. We put together a good product. I specifically want to thank a member of my staff, Brian Clifford, who worked diligently on this process and worked in a unified way. We see the results in the Senate.

The bill unanimously passed the Senate Environment and Public Works Committee.

Although the bill is not perfect and there is always room for improvement, I believe we have achieved a compromise, a solution that is substantive, effective, and in the public interest. This is a product that will save lives, will maintain the flow of commerce, and will protect communities for years to come.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. I ask unanimous consent that the order for the quorum call be rescinded.

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

EDUCATION EQUALITY

Mr. COONS. Madam President, as the son and grandson of classroom teachers, as a father myself, as someone for whom education played a central role in my life, and as a passionate believer in the power of education to change others' lives, I rise today to talk about a bill that is one of the most important to me that I have moved as a Senator.

The fact is if we look at the American national condition, the lack of access to higher education as well as the lack of an opportunity for a quality education is one of the greatest problems we face. Inequality in having some real hope, some real promise of a shot at college defines and distinguishes the drivers of social inequality in America in ways it has not in decades. If we want to ensure going forward that American workers can compete in the global economy, if we want to ensure a country that is capable of living up to our promise of liberty and justice for all, if we want to deal with one of the biggest civil rights issues in our country, then we have to ensure every child has an equal chance for high-quality education regardless of the ZIP Code they are born into.

Long before I was elected to public office, I spent years working with a nonprofit education center called "I Have A Dream" Foundation. In my role there, I visited schools all over the United States. More often than not, these were schools in very tough communities and neighborhoods, schools that were in public housing developments or that were in some of the most forlorn and troubled neighborhoods in all of America.

What struck me over and over when I would go into an elementary school and talk to a group of young kids and ask: What do you dream of? What do you hope to be when you grow up? They would raise their hands, and none of them said: I dream of being in a gang; I dream of being in jail; I dream of being a drug dealer; I dream of dying

before I turn 20. They would say: I dream of being a Senator or a lawyer or owning my own business or being a star in the NBA or being a success. The dreams we hear from kids in elementary schools are the same regardless of the community in America. Yet the outcomes are so desperately different.

What I saw in the nearly 20 years I was active with the "I Have A Dream" Foundation was that the young people who came from a community, family, or school where there was little or no experience or expectation of a college education sent a powerful, persistent, and negative message at a very early age—that college is not for them. They are told indirectly that it is not affordable, it is not accessible, it is not part of the plan for their future. Those messages have a cumulative, powerful, and consequential impact.

Very few of the 50 "Dreamers" from the east side of Wilmington that my family and I worked very closely with had any expectation of a college education. In 1988 when our chapter of "I Have A Dream" Foundation promised them the opportunity for a higher education through a scholarship, we could see the change. First we saw the change in their teachers and parents, then in their mentors and classmates, and ultimately we saw it in them. We saw a change in their hopes and their expectations.

The most powerful thing the "I Have A Dream" Foundation did in our chapter, and in dozens of chapters around the country, was to hold up a mirror to young people of their future that was a brighter and more promising future than they had ever dreamed of on their own. They were challenged to walk through that open door and make college not just a distant dream, not something they heard of or watched on TV, but something that became a part of their lived life, and to change their outcomes.

That experience has inspired the bill I introduced in the last Congress, and I am most personally connected to in this Congress.

Last year I found a Republican partner who shares my passion for expanding access to college and for making it more affordable. That partner is Senator MARCO RUBIO of Florida. Some folks have noticed that here in the Senate we don't always get along and we don't always agree and sometimes partisanship divides us. I have been very pleased to have this strong and able partner in moving forward a bipartisan bill which we named the American Dream Accounts Act. This is a bill that bridges the opportunity gap by connecting students, teachers, parents, and mentors to create a new generation of higher education achievers.

There are too many American kids today who are cut off from the enormous potential of a higher education. The numbers are grim. If someone

comes from a low-income family, the chance that student will complete a college degree by the time that person turns 25 is about 1 in 10 at best.

In order to have the prospect of employment and opportunity of accumulating wealth and providing an education and security for our family and kids, a college education is essential these days. We in the Federal Government spend billions of dollars on making higher education affordable through Pell grants, yet do almost nothing to make it clear to children at the earliest age that this funding will be available to them.

In my home State of Delaware, our Governor Jack Markell and our first lady Carla Markell have done a wonderful job of incorporating the power of this insight and lesson. They are ensuring there is a State-funded scholarship and network of engaged mentors and real reform in our public schools. We don't tell kids, even in our State, in elementary school of the possibilities that lie ahead of them in a way that changes their expectations. That is what this bill will hopefully do. It encourages partnerships between schools and colleges, nonprofits and businesses. It allows them to develop individualized student accounts, such as their Facebook account, married to a college savings account; individual accounts that are secure, Web-based, personal, and portable; accounts that contain information about each student's academic preparedness and financial literacy. It is something that combines a portfolio of their entire education experience with the very real savings for the future of higher education we want to pull them toward from their earliest years.

Instead of forcing motivated parents or concerned teachers or interested mentors or empowered students—instead of forcing all of these folks to track down these different resources separately, this legislation, this idea would connect them across existing silos and across existing education programs at the State and Federal level.

So tomorrow Senator RUBIO and I will reintroduce this legislation as the bipartisan American Dream Accounts Act of 2013. We are working hard to earn the support of our colleagues in the Senate and in the House, and I will keep at this for as long as it takes.

The American Dream Accounts Act addresses the longstanding challenges and barriers to college access: connectivity, financial resources, early intervention, and portability. Let me briefly speak to each of those.

First, connectivity. The journey from elementary school, to high school, to higher education is a long one, and for a student to be successful it takes lots of engaged and attentive adults—motivated parents, concerned teachers, supportive family. So many students in

our schools all over this country disengage or drop out along the way because they are not connected, they are not supported by those concerned and engaged adults. The American Dream Accounts Act takes advantage of modern technology to create Facebook-inspired individualized accounts—an opportunity to deliver personalized hubs of information that would connect these kids and sustain and support them throughout the entire journey of education by continuing to remind them of the promise of higher education and its affordability.

Second, these dream accounts would connect kids with college savings opportunities. Studies show that students who know there is a dedicated college savings account in their name are seven times more likely to go to college than peers without one. Think about that for a moment. States such as Delaware and our Nation invest billions of dollars in programs to make higher education affordable. Yet so few of the kids I have worked with all over this country in the “I Have a Dream” program have any idea. They have never heard of Senator Pell. They don’t know Pell grants exist. They don’t live in States that have the HOPE scholars, the Aspire scholars, or the Dream scholarships that a number of States have, and they don’t know they will be there for them when they are of age to go to college. Why don’t we tell them early? Why don’t we change their expectations? That is one of the things this program would do. And it is not a new idea; it is a demonstrated one that we know works.

The third piece of this American Dream Accounts Act is early intervention. As I said, States and Federal programs that provide billions of dollars in support to make college affordable don’t connect with kids early enough. By letting them know early, we can change their ultimate orientation and outcomes.

The last important piece is portability. One of the things I saw in my own experience with my Dreamers, the students in the “I Have a Dream” program I helped to run in Delaware, was just how often they moved. Children growing up in poverty, in families facing unexpected challenges, relocate over and over and bounce from school to school, district to district, often facing overstretched teachers with full classrooms who, when they move mid-year into a new school, don’t get any background information or insight on the student who has moved into their classroom. So instead of being welcomed and engaged in a positive way, sometimes they feel and are disconnected and develop into discipline problems or students who are difficult to teach. The mobility that comes with poverty sometimes also leads to disconnection from education.

This robust, online, secure, individualized account would empower teach-

ers to connect with parents, to connect with mentors, and to know the entire education history of the student newly before them. So no matter what disruptions or challenges a student might face as they travel through the long journey of education, their own individual American dream act—their own portfolio of their dreams and their activities and their progress—would be there with them.

Our Nation’s long-term economic competitiveness requires a highly trained and highly educated workforce, and our Nation’s commitment to a democracy and to a country of equal opportunity demands that we do everything we can to make real the hope of higher education for kids no matter the ZIP Code into which they are born, no matter their background. While we spend billions on making higher education affordable, we aren’t delivering it effectively enough to change that future. What I saw in my years with the “I Have a Dream” program was bright faces, raised arms, hope, and opportunity that sadly was not as often as it could be realized. This program, this connectivity, this new type of account is a way to make real on that promise.

We can meet this challenge by connecting students with a broad array of higher education options, informing them about them early, whether it is vocational school or job training, community college or 4-year universities. Not everyone is made for a 4-year higher education degree. This would connect kids with all of the different opportunities for skill training and higher education that are out there. It also would support students as they identify the type of education best for them, the career they most want, and give them the tools to get there.

As I visit schools across my own State of Delaware, one thing is clear: All of these different resources currently exist in different ways and at different stages of education, but they are not connected in a way that weaves together students, parents, mentors, and the resources of our highly motivated, highly engaged State.

So this vision—one that has stayed with me from my time at “I Have a Dream” to my service here as a Senator—is that when we ask a roomful of elementary school kids in the future, “What do you dream of, what is your hope,” when their hands shoot up in the air and they list all of the different dreams they have, regardless of background or income or community, we can make that possible. We can make our investments real, and we can make the dream of equal opportunity a reality.

This year, with the support of lots of groups, including the Corporation for Enterprise Development, a wonderful group called Opportunity Nation, the First Focus Campaign for Children, we are hopeful that bipartisan support for

this American dream accounts idea will simply continue to grow. Let’s work together to empower students and parents of all backgrounds to achieve their dreams from the earliest age.

THE BUDGET

Madam President, I rise today to speak about our current impasse over the progress of the Federal budget. I have been a Senator for just a little over 2 years. I have presided over this Chamber a great deal, as has the Senator now presiding. I have listened to dozens of speeches from colleagues—in particular, Republican colleagues—upset that this Chamber and the Budget Committee on which I serve hadn’t passed a budget in several years. But this year we passed a budget, finally. We went through the long and grinding process known here in Washington as vote-arama where we considered, debated, and disposed of over 100 amendments over hours and hours of deliberation and debate and voting on this floor, and we passed a budget.

It has been 46 days since the Senate passed our budget, but we still need to reconcile it with the House of Representatives’ budget for it to become a forceful resolution, a budget resolution that drives the decisions of the Congress. It is important we do that because it has been 66 days since the sequester kicked in.

I know “sequester” is Washington-speak, but all of us as Senators are hearing from our home States the very real, very human impact of these across-the-board spending cuts that have begun to really bite. We hear about potential furloughs of men and women who serve at Dover Air Force Base. We hear about the tens of thousands of children being kicked out of needed Head Start Programs. We hear about the thousands of women not getting the breast cancer screenings they need, and we hear about the hundreds of thousands of children not getting the vaccines they are supposed to get. The impacts of the sequester are becoming stronger and broader and more negative all across our country.

The sequester exists because of a lack of political will to come together and resolve a fundamentally different vision between the Senate and the House enacted in our respective budgets. This sequester exists because we haven’t come together across the House and the Senate in the way that for 200 years and more this Congress has done. When we pass a bill and when the House passes a bill, it is supposed to go to conference or reconciliation, resolution, and ultimately passage. Here is our chance.

Why would Republicans actively keep us from going to conference to finalize a budget, especially after years of coming to this floor and giving speeches, claiming over and over how terrible it was that we would not pass a budget in

the Senate? Americans are tired of this dysfunction. In my view, today Republicans are manufacturing a crisis by preventing the Senate and House from coming together to reconcile our budgets in conference.

As I said, I am a member of the Budget Committee, and I can say with some detailed knowledge, as can the Presiding Officer, that there are real differences between the budget adopted here in the Senate and the budget adopted in the House. I believe the Democratic budget promotes growth and the Republican budget focuses on cuts. I believe ours prioritizes the middle class while the other prioritizes more tax cuts for the wealthiest. In my view, ours prioritizes balance; the other, politics. I think our budget puts us on the path toward job creation while the other takes a path to austerity. But we will never reconcile these two budgets, achieve a shared path forward, and set aside this terrible sequester if we don't go to conference.

Reconciling these two budgets is the definition of what I have heard Member after Member come to the floor and call for, what we have heard here in the Senate called regular order—the process set out by the Founders of this Nation and to which we should return.

These political games, in my view, are destroying this institution. I think it is no wonder the opinion of the average American across this country of this institution simply sinks lower and lower.

What is standing in the way of our progress on this budget at this point is repeated Republican objections. It is my hope that they will step aside and allow us to walk the corridor to the House, get to the conference table, and resolve our budget differences.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 805

Mrs. BOXER. Madam President, I ask unanimous consent to have up to 5 minutes to speak before the vote. Am I correct in assuming the vote is at 2 o'clock?

The PRESIDING OFFICER. The Senator is correct.

Without objection, it is so ordered.

Mrs. BOXER. Thank you very much, Madam President.

I wish to again let Senators know where we are. At 2 o'clock, we will be voting on a gun amendment. I would hope this gun amendment would not get the 60 votes required because I believe it is dangerous. Even though Sen-

ator COBURN says it would not allow guns to be carried on critical infrastructure such as dams and locks and reservoirs, we now have two studies that say, in fact, it would allow that.

According to the Bush administration, this critical water infrastructure is a target for terrorists. We are now entering into a stage when our leaders are talking about homegrown terror, and we do not have to look too much further than Boston to understand this is a problem.

Why would we want to have on a water infrastructure bill an amendment that allows people to come in with guns and go right to the heart of those critical water infrastructure projects—those dams, those reservoirs, those locks, et cetera—particularly since the corps already allows, for recreational use, the use of guns for hunting, target practice or fishing. That is already allowed.

There are rules. This is not comparable to the National Park Service. We could get into another debate on that. That one—I know some people here voted for that, to allow extensive guns being carried on parkland. That change was made. The corps is a different situation. The Park Service act like police. They can come in. They can quell a disturbance. They are armed. They are trained. The corps is not a law enforcement entity. That means what they would have to do, if there was a violent outburst, is call the local governments, the State governments, and we do not know how long it would take to have those law enforcement people arrive at such a situation.

So I am pleading with my colleagues, this is a water infrastructure bill. This is not a gun bill. This is not the place to add these types of amendments. We have a very bipartisan bill. It is supported by the chamber of commerce, it is supported by the unions, it is supported by local governments, by the Governors Association. I could go on and on. There is a list of literally 150 organizations. It came out of the committee with a bipartisan vote.

I hope when the clock strikes 2 we can have a vote that keeps us on track, that does not turn the WRDA bill into a gun bill. It is not necessary. It is not appropriate. The fact is, there is nothing in the amendment that would stop people from carrying guns onto critical water infrastructure. It sets up a national security threat. It endangers people.

I just want to be clear: I am not going to allow a bill to move forward that endangers the lives of the people I represent. I owe them a lot more than that, let alone the entire country. We all serve this Nation.

So I hope we will not pass this amendment. I ask for a "no" vote on the Coburn amendment.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). All time is expired. The

question is on agreeing to the Coburn Amendment No. 805.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 115 Leg.]		
YEAS—56		
Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Paul
Begich	Hagan	Portman
Blunt	Hatch	Pryor
Boozman	Heinrich	Risch
Burr	Heitkamp	Roberts
Chambliss	Heller	Rubio
Coats	Hoeben	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shaheen
Collins	Johanns	Shelby
Corker	Johnson (WI)	Tester
Cornyn	King	Thune
Crapo	Landrieu	Toomey
Cruz	Lee	Vitter
Donnelly	Manchin	Wicker
Enzi	McCain	

NAYS—43		
Baldwin	Harkin	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	Kirk	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Stabenow
Carper	Levin	Udall (CO)
Casey	McCaskill	Udall (NM)
Coons	Menendez	Warner
Cowan	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—1
Lautenberg

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. One of the three scheduled votes has been withdrawn, an amendment, so we only have one more vote. Senator BOXER and Senator VITTER have a number of other people wanting to offer amendments today, so if you have amendments, talk to the managers of the bill.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. CARDIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER. I ask for the yeas and nays on the Whitehouse amendment and urge its passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 803 offered by the Senator from Rhode Island, Mr. WHITEHOUSE.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President and colleagues, if I could have my colleagues' attention for a moment, I would appreciate it. This is a measure that this body has voted on before in a strong bipartisan vote. This was part of the RESTORE Act, which was a part of the highway bill.

For reasons that don't merit further discussion now, this piece of it fell out of the bargain that had been reached at the last minute in conference.

I hope this will be a bipartisan vote with support on both sides. If you supported the RESTORE Act, you have already supported this bill. If you believe that deals should be deals in the Senate, then you should support this bill. For all of us in coastal States who are facing very unique pressures, it is very important that we as a body support this bill.

It does not create a single extra bureaucracy or person. It works within the existing government, and it adds no funding. I am going to have to work with all of you to find funding for it later and within our existing budget constraints.

This is just the authorization. Please give me a strong bipartisan vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time in opposition?

Mrs. BOXER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I understand there are some asking for a voice vote. Would that be all right with Senator WHITEHOUSE?

The PRESIDING OFFICER. It would require unanimous consent.

Mrs. BOXER. All right. I think we should go on with the vote then.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment No. 803 offered by the Senator from Rhode Island, Mr. WHITEHOUSE.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 67, nays 32, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—67

Ayotte	Bennet	Cantwell
Baldwin	Blumenthal	Cardin
Baucus	Boxer	Carper
Begich	Brown	Casey

Chambliss	Kaine	Reid
Cochran	King	Rockefeller
Collins	Kirk	Sanders
Coons	Klobuchar	Schatz
Cowan	Landrieu	Schumer
Donnelly	Leahy	Sessions
Durbin	Levin	Shaheen
Feinstein	Manchin	Shelby
Franken	McCain	Stabenow
Gillibrand	McCaskill	Tester
Graham	Menendez	Udall (CO)
Hagan	Merkley	Udall (NM)
Harkin	Mikulski	Warner
Heinrich	Murkowski	Warren
Heitkamp	Murphy	Whitehouse
Hirono	Murray	Wicker
Isakson	Nelson	Wyden
Johanns	Pryor	
Johnson (SD)	Reed	

NAYS—32

Alexander	Enzi	Moran
Barrasso	Fischer	Paul
Blunt	Flake	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Coats	Heller	Rubio
Coburn	Hoeven	Scott
Corker	Inhofe	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Cruz	McConnell	

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the amendment is agreed to.

Mrs. BOXER. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CHANGE OF VOTE

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, on rollcall vote 116, I voted "yea." It was my intention to vote "nay." Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

Mrs. BOXER. Mr. President, I have a unanimous consent request. I will make it in a minute.

We are making good progress. We have three amendments in order now: the Blunt amendment No. 800, Pryor amendment 806, and Inhofe amendment No. 835. I ask they be the following amendments in that order to be considered; further, that no second-degree amendments be in order to these amendments prior to votes in relation to the amendments. That is my request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. BOXER. Mr. President, we are well on our way to getting this bill done, I hope. The Whitehouse amendment was one that was overwhelmingly supported. I hope that will set the tone for this particular bill; that we will come forward together; that we will not have contentious issues that divide us and divide the American people on a

bill that is so motherhood and apple pie as this one is, which is to make sure our ports are dredged, that our flood control projects are done, that our environmental restoration of wetlands is done. It is a very simple, straightforward bill.

ORDER OF PROCEDURE

I further ask unanimous consent that immediately following my remarks here Senator WHITEHOUSE be recognized for up to 5 minutes to thank the Senate for this vote—I know he has worked exceedingly hard on this—and then there be a period of morning business for up to 30 minutes, with each Senator allowed to speak for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, amendment No. 799, as amended, is agreed to and is considered original text for the purposes of further amendment.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I appreciate the chairman's leadership and her offer of 5 minutes of time. I will not need anything near that. I want to take this moment to extend to all of my colleagues a very heartfelt thank you for that last vote.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate is in a period of morning business.

The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—
H. CON. RES. 25

Mr. WARNER. Mr. President, I rise to make a few remarks and to make a motion. Everyone in this body knows one of the issues, the issue I believe is most holding back our economic recovery and most holding back our ability to sort through so many issues our country faces, is the issue of our debt and deficit. We are like \$17 trillion in debt. The debt goes up over \$4 billion every night when we go to sleep. This problem is structural in nature. Time alone will not solve this issue.

In the last 4 years, my time in the Senate, there has been no issue on which I have spent more time, spent more effort trying to reach out. I understand many of my colleagues actually try to avoid me in the hallways now because they fear they are going to get a Mark Warner harangue on the debt and deficit.

I also know the only way we are going to get this issue resolved is if both sides are willing to meet each other in the middle. This is a problem that cannot be solved by continuing to cut back on discretionary spending. It will require, yes, more revenues, and it

will require entitlement reform. Those are issues where, unfortunately, in many ways our parties have not found agreement.

We have all agreed as well at least that, while we do not have to solve this problem overnight, we need at least \$4 trillion in debt reduction over the next 10 years. The good thing is, while we have been lurching from budget crisis to budget crisis, we have gotten halfway to our goal. The good news as well is that this year both the Senate and the House adopted budget resolutions. As I said on the floor in March, I believe the Senate budget was a solid first chapter toward producing a balanced fiscal plan for our country. My vote for the Senate budget—and it was not a budget on which I would agree with every component part—was a vote for progress, a vote for regular order, regular order that so many of my distinguished colleagues who served here much longer than I say is the glue that holds this institution together.

It has now been 46 days since the Senate passed its budget. Unfortunately, there are certain colleagues on the other side of the aisle who seem to block our ability to go to conference. In a few minutes—just 2 minutes—I will ask my colleagues to agree to authorize the Chair to name a conference to the Budget Committee. Unfortunately, I expect that request to be objected to. I find that extremely disappointing. I can only speak at this point for folks from Virginia, but no single other issue is as overriding, as I travel across Virginia and I imagine for most of my colleagues as they travel across their States. At the end of the day, Americans, Virginians, want us to work together and get this issue solved.

We have seen, over the last 2½ years, as we have lurched from manufactured budget crisis to budget crisis, the effects on the stock market, on job creation, and our overall recovery. We have a chance to put this behind us. We need to find the kind of common ground between the House budget proposal and the Senate budget proposal on which so many have called upon us to work.

Again, I am going to make this motion in a moment. I want to add one last point. I appreciate some of the calls we have had from colleagues on the Republican side over the last couple of years for the Senate to pass a budget. I believed we needed to pass that budget. Mr. President, 46 days ago, after 100 amendments and a session that went until 5 o'clock in the morning, we passed such a document. I think it is time now that we allow the Senate to announce its conferees to meet with the House, to get a budget resolved for the United States of America so we have a framework to make sure we get this issue of debt and deficit behind us; that we allow the economy to recover in a way that it needs.

Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof, and H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, I ask the Senator to modify his request so it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt limit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, I point out what the Senator requests is for us to redo the budget debate where those amendments were considered and defeated in the Senate, and it is now up to us to go to conference to work out our differences with the House. There is no need to go back through another 50 hours of debate and 100-plus amendments to be considered. This body needs to go to work. We have been told time and time again we need a budget, we need a solution. We do not need to manage by crisis. There is no need to relitigate the budget on this side. We need to go to conference and litigate our differences with the House Republicans.

I object to the Senator's request and urge we move to conference and allow the request of the Senator from Virginia, Senator WARNER, to go forward.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Virginia.

Mr. WARNER. Mr. President, while it is not unexpected, I am disappointed. The nub of this issue, as commentators from left to right, Democrat and Republican, pointed out, is if we are going to avoid the path we are on, the path of sequestration, which was set up to be literally the worst possible option—which right now is seeing cuts made in the most unsophisticated, unplanned, and inefficient way possible, plans that, if we continue on the path we are on, would so dramatically cut back this country's investments in education, infrastructure, research and development, that I don't believe, as a former business person, that America

will be able to compete with the kind of economic growth we need to maintain our economy.

If we are going to avoid those kinds of draconian cuts, if we are going to have a rational business plan for our country, I think most of us, or at least an overwhelming majority of the Senate, would recognize we have to generate both some additional revenues and—while there may be some on my side who disagree—we have to find ways to reform entitlement programs to make sure Medicare and Social Security are going to be there 30 years from now.

The only way to get that done is to take the House product, which focuses particularly on entitlement reform, combine it with the Senate product that makes reasonable increases in revenues and starts us on a path on changes in some of our entitlement programs but also puts in place a more reasonable and balanced approach on cuts. The only way we are going to get to that finish line, particularly for those who have advocated for regular order, is to have a conference.

It is with great distress that we heard opposition raised to regular order, an appeal for regular order, an appeal that was made consistently for the past 2½ years. I don't understand why my colleagues on the other side will not take yes for an answer. They asked for us to pass a budget. We passed that budget. I think it is a good first step in the process and I hope in the coming days there will be a change of heart, that the regular order will be allowed to proceed, conferees will be named for both the House and Senate, and that we can reach agreement on this issue that I think is important, not only to the future of our economy but quite honestly now has taken on the metaphor for whether institutions can actually function in the 21st century.

I see my good friend, the Senator from Virginia, who may want to add some comments to this discussion.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise in support of the motion of Senator WARNER and his argument for budget compromise and a budget conference that would enable us to find that compromise for the Nation. During my campaign for the Senate I heard this over and over. Every time I would turn on the TV it seemed there would be someone, even a colleague from this body, arguing that the Senate had not passed a budget in 2 years or 3 years or 4 years. That was a point that was repeated over and over. Then, coming into this body, often sitting there in the presider's chair, I have heard that speech delivered from the floor of this body in January and February, often with charts demonstrating the number of days it had been since the Senate passed a budget.

We know as part of the debt ceiling deal a bill was passed, signed by the President so, arguably, even the claim of no Senate budget was inaccurate. But taking that claim at its word, that the Senate had not passed a budget in 4 years, you would think that, having passed a budget, everyone would be excited and would be willing now to move forward to try to find a compromise for the good of the Nation.

Instead, what we have is an abuse of a Senate rule, an individual Senator standing up—even though they had a chance to vote against a budget and to vote on 100 amendments about a budget—they are utilizing and abusing a prerogative to block a budget conference.

For those listening to this who do not understand what a conference is, it is exactly what it sounds like. We passed a budget. The House passed a budget. The next step in normal business would be for the two budgets to be put in a conference and House and Senate Members to sit down and, God forbid, listen to one another and dialog and hopefully find compromise.

That is all we are asking to do, to have a process of listening and compromise. Yet individual Senators are objecting, blocking even the opportunity to have this discussion. In the 4 months I have been in this body we have had two major budgetary issues and I think it is important to point them both out. The first was the issue surrounding the sequester, a designed regimen of nonstrategic, stupid, across-the-board budget cuts that were never supposed to go into place. In late February this body developed a plan that was able to attain more than 50 votes, to turn off the sequester, to avoid the harm to the economy and other key aspects of the military, and to do it and find first year savings. That proposal was able to get more than 50 votes in this body. It had sufficient votes to pass. But the minority chose to invoke the paper filibuster process to block it from passing. They were not required to. Fifty votes is normally enough for something to pass. We could have avoided the filibuster altogether. We could have avoided the sequester altogether and the harmful cuts. Yet the other side decided: We are going to invoke the filibuster to block it from happening. That was the first instance of an abuse of the Senate rules to proceed with normal budgetary order.

Now we are in the second such instance. On March 23, this body passed a budget in accord with normal Senate order, and as we have seen over the past few days, the very group of people who criticize the Senate for not wanting to pass a budget have done everything they can and pulled out every procedural mechanism they can come up with to block the us from coming up with a budget. This is an abuse of rules, and it is directly contrary to the

Members' claims—now for years—that they wanted to pass a budget. This is not just a matter of budget nor is it a matter of numbers on a page. This is hurting our economy.

Everyone in this Chamber will remember that when the American credit rating was downgraded in the summer of 2011—in the aftermath of the discussion about the debt ceiling limitation—the reason cited for the downgrade was not that the mechanics of the deal were bad; instead, our credit was downgraded because of the perception that legislators were engaging in foolish behavior and threatening to repudiate American debt instead of focusing upon their jobs and trying to do the right thing for the economy.

It was legislative gimmickry, not the details of the deal, that caused us to have a bond rating downgrade for the first time in the history of the United States. It hurts the economy when we elevate legislative gimmickry above doing the Nation's business, especially on matters such as the budget.

There are some signs of economic progress these days. The unemployment rate is moving down, the stock market is moving up, the deficit projections going forward are moving down, but we know we have a long way to go. There is more work to be done, and finding a budget deal that addresses the components which Senator WARNER mentioned is one of the factors that can create confidence to additionally accelerate the economy.

A budget deal will provide an additional acceleration to the economy. I have to ask the question: Is that what people are truly worried about? Are they worried about doing the budget deal that will accelerate the economy because it might not work to their particular political advantage? That is the concern I have; otherwise, why wouldn't they be true to the cause they have had for the past few years to actually have a conference and find a deal?

This is not only hurting the economy, this is hurting defense. The hearing I had earlier with Senator KING was the hearing of the Seapower Subcommittee of Armed Services. In that hearing we talked about the effect on the Nation's security and on our defense that is being visited upon us as we are going through budgetary challenges, including the sequester.

We talked about the effect of the sequester on what the witnesses called the platform, the shipbuilding, and the assets we need to keep us safe in a challenging world. We talked about these budget crises and how they hurt our planning. Because instead of planning in a forward-looking way, we are tying up all of our planning time to meet one self-imposed crisis after the next. We talked about the effect on readiness. Because of the sequester, one-third of the air combat command units in this country are standing down

at a time when we may well need them today or tomorrow.

Finally, and most important, we talked about the effect of this budgetary uncertainty on our people, whether it is civilians being furloughed, whether it is private sector ship repairers getting warning notices because the ship repairing accounts cannot be done consistent with the sequester. This also affects people who are trying to make a decision about whether they want to make the military a career, and they look at Congress's unwillingness to provide budgetary certainty so they may decide maybe it is not the best thing to do right now.

Whether it is our platform, whether it is our readiness, whether it is our planning or whether it is our people, this sequester and these budgetary challenges and crises are hurting our ability to defend our Nation at the very time when the world is not getting simpler or safer but it is getting more challenging.

Many of my colleagues came from a joint session this morning with the President of South Korea, who is visiting at a time of incredible concern because of Northern Korea's nuclear ambitions that will call upon us, the United States—just as with so many other challenges around the world—to have a well-planned and well-financed defense of the Nation.

I join Senator WARNER in expressing disappointment. We passed this budget. We passed it 46 days ago. We were here until 5 in the morning. We voted on 100 amendments. Everyone had a chance to have their say and have their vote. Guess what. After our conference, they will have a chance to have their say and vote again. They will have a chance to express their opinions.

I urge my colleagues to rethink their position and allow this budget to move into conference so we can do the business of the United States of America.

I thank the Presiding Officer and yield the floor.

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

Mrs. MURRAY. Mr. President, I wish to thank my budget colleagues who are here with me today. They have spent many hours putting together a budget and coming to the floor with all of the Senate to work on over 100 amendments way into the middle of the night in order to get a budget passed. We are all here ready because we came to the Senate—to this Congress—to solve problems. We decided, as a committee and as a Democratic caucus, it is very important we move forward on a budget.

We want to solve this problem so we can get back to regular order so our country—businesses, communities, and everyone—knows where our priorities are and what path we are on so we can bring some certainty to this country again.

It is so disappointing to me that four times now the Republicans have objected to us now taking the necessary next step, which is to work together with our House colleagues, find a compromise, and move forward. We are working for certainty. It is disappointing to me that those on the other side of the aisle—and we all remember they spent month after month and had chart after chart on the floor telling us we had not passed a budget, we need to go to regular order—are now saying: No. No regular order, no budget, no process, no certainty, no conclusion to this very important problem on which we have all come together to work. This is disturbing for a number of reasons, and my colleagues have talked about it.

We have constituents at home—whether it is a business, a school, delivering Meals On Wheels, planning their military operations for the next year, as well as the agricultural industry—wondering what their plan is for the future. What they are being told—now for the fourth time in a row—by the Republicans in the Senate is: We are not going to give you any certainty. We like to live with uncertainty.

There is no doubt that moving to conference is not going to be easy; solving this problem is not going to be easy. I want our colleagues to know what I have consistently heard from the Democratic side is that we understand the word “compromise.” We know that in order to solve this huge problem, we have to come to the table and compromise and listen to the other side.

We cannot do this in the dead of night. We cannot do it with a couple of people sitting in a room. That has been done before, and it doesn't work. We need to have regular order, and we need to have this process out in the open. We need to have the American people hear what the different sides say, and then we are all going to have to take some tough votes.

I can assure the American people that on this side we understand what it means to take tough votes and we understand the word “compromise” and the need to get our country back on track.

As the Senator from Virginia said, we need to show the country that democracy can work. We are willing to take that step to make it work, and I urge our Republican colleagues to step forward and allow us to make that move. Do not object to us trying to solve problems because that is what is happening.

I urge our Republican colleagues—and the House as well—to move to conference so we can have a debate and discussion on this deeply urgent matter for our country.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, I wish to thank the chair of our Budget Committee for doing such a terrific job in bringing us all together. I wish to thank my colleagues on the committee. We worked very hard together in order to be able to put together a balanced budget that reflects the values of the American people. It is fair and balanced in values as well as in numbers, and we did that 46 days ago.

So we passed that 46 days ago after hearing for over 3 years about how the Senate had not passed a budget. By the way, we did pass a law—this is a caveat—called the Budget Control Act which actually had done the same thing as a budget. Those of us who were on the ballot this last time heard that over and over from our opponents.

So I am stunned that we would now be 46 days—and counting—into a situation where we have been trying to take the budget we passed by a majority vote—by the way, this passed on a majority vote. Each one of us ran for election, and we can win by one vote, and that is the majority. Decisions are made by a majority vote.

We went through 110 amendments. We were here all hours of the night. There were a lot of tired faces by the time we got done, but we got it done, and we made the commitment we were going to get a budget done.

The House did a budget—a very different budget, no question about it. There is no question we have a very different vision of the country. The budget in the House eliminates Medicare as an insurance plan. That is certainly not something I or the majority here would support. We rejected that approach, but that was in their budget. They have a right to put forward their vision for how things should be done.

There were many differences in values and perspectives, and that is what the Democratic process is all about. So we passed a budget by a majority and they passed a budget by a majority. The next step is to negotiate and come up with a final budget. That is the next step, and that is how the process works. We have different views, different perspectives, and then we sit down in something called a conference committee.

We cannot get to that next step. We have had 46 days of trying to get to a point to get it done by working with the House, and all we get is objection after objection after objection. I appreciate that colleagues on the other side of the aisle who have voted for similar budgets to the Ryan Republican budget would have preferred if we would have eliminated Medicare. We didn't do that, and we are not going to do that.

The majority here said we are putting forward a budget that is going to move the country forward and address the deficit and reflect the values

around education and innovation and outbuilding the competition in a global economy. We are putting forward our vision. The House has their vision, which cuts innovation and cuts education and does not allow us to build.

We have very different visions. The Democracy we have says: We take both of those visions and then we sit down and try to figure something out. That is the next step.

We are not interested in just being on the floor and counting the days, although we will be on the floor and counting the days. That is not how we want to spend our time. We would rather spend our time listening to our colleagues in a respectful way about very different visions and very different values so we can find a way—if we can—to come together. We need to come together so we can tackle the last part of deficit reduction.

We have gone about \$2.5 trillion toward the \$4 trillion that everyone says we need to do to begin to turn the corner as it relates to the economy and the deficit. In order to get the rest of it, we need to sit down in a room together and figure it out.

We are going to continue to come to the floor and ask for an agreement. Unfortunately, if there is an objection, we have to go through the whole process of trying to get it done. We are going to keep pushing and pushing until we can get a budget done.

Why is this so important? It is very important because in our bill we stop what everyone feels is a very crazy approach to the final step in deficit reduction, which is to have across-the-board—regardless of value, importance or impact—cuts in the investments and in the discretionary budget of our country.

We know there needs to be spending reductions. We have voted for them. We have already put in place about \$2.5 trillion in deficit reduction, and right now about 70 percent of that has been in spending reductions.

The concern that I have and that others in the majority have is that most of those have fallen right in the laps of the middle class, our children, the future through innovation, and seniors. We have said in our budget: No more. No more. We have to look at an approach that is balanced and that says to those who are the wealthiest in our country, who are the most blessed economically: You have to be a part of the solution in a significant way.

We want to look at spending under the Tax Code. How many times do we talk about special deals in the Tax Code, things that don't make sense in terms of spending, special deals that support jobs going overseas rather than keeping them here at home. There is spending in the Tax Code that needs to be addressed so it is more fair for American businesses, for small businesses, for families, for the future of

the country. Our budget does that by saying we are going to tackle spending in the Tax Code, we are going to tackle the question of fairness in the code and asking those who are the wealthiest among us to contribute a little bit more to be able to help pay down this deficit, not just cutting Meals On Wheels or Head Start or cancer research, which is what is happening right now.

So the intensity we feel about getting this budget done is to be able to stop the things happening now that are very harmful. We saw the lines at the airports. We don't as readily see the lines of people who can no longer participate, such as people I know, in cancer research efforts that may save lives. We know there is incredibly important research going on in science, in medicine, in agriculture, including food safety and pest and disease control and every area of research where our country, the United States of America, has led the world. And that doesn't show up in lines at the airport, but it does show up in the future of our country. It does show up in the lives of someone who has Alzheimer's or Parkinson's disease or breast cancer or other diseases where we are this close to cures, where there is treatment going on that can save lives—is saving lives—and it is stopping.

We don't see the seniors who get Meals On Wheels lining up. They are getting one meal a day right now—one meal a day that allows them a little bit of a visit from a volunteer and one meal a day to eat through Meals On Wheels. Now, because of these irrational cuts, we are told there are waiting lists for one meal a day. How do we have a waiting list for one meal a day? I don't get that.

So we are saying we want to fix the airports; we appreciate that. We want to fix the one meal a day going to somebody's grandma who can't figure out what is going on in terms of the priorities of this country. The children who are getting a head start to be successful in school—how many times do we all say: Education, the most important thing; children, the most important thing. But because they don't directly have a voice here, as do a lot of other special interest groups, who gets cut first? Our budget values children and families, opportunity, innovation, fairness, and the ability to grow this economy, to create jobs so everyone has the dignity of work.

We want to get to conference committee. We want to get about the business of negotiating a final budget because we do not accept what is happening right now without a budget. Tackle the deficit, yes. Do it in a way that works for growth in America and jobs, do it in a way that supports families, that lifts our children, that respects our elders, yes. That is the budget we voted for in the Senate and the

budget we want to see come to completion in this process. We can't get there unless we can negotiate, and that is what this whole discussion is about.

It has been 46 days since we passed a budget. We are ready to go. We are more than ready to go. Let's sit down in a room and work it out. We know it is a negotiation. We know we have to have give-and-take. But we are blocked right now from even getting in the room, and that is wrong. We are going to keep coming every day, and we are going to keep counting the days until our colleagues on the other side of the aisle decide they are willing to get in the room and get a budget done that works for the growth and the families of our country.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, this discussion, this debate isn't about budgets. It is not about deficits. It is about governing. That is the fundamental question that is before this body. It is about governing.

I rise surprised and disappointed I expected to come here and debate issues. Instead, we are debating debating. We are having to argue and debate about the very act of getting to talk about these issues. And the problem with the economy of this country right now, to my mind, is very largely attributable to the uncertainty about whether the government in Washington is competent. It is the uncertainty that is killing us.

A reporter asked me this last week in Maine: What do you think you can do in Washington to help us create jobs?

My immediate answer was that the most important thing we can do is pass a budget in a kind of rational process, in the normal way it has been done for 200 years, and show the country we can govern. What is in the budget is less important than whether we can do it at all. That is why I am so surprised and disappointed to have come to this impasse where we can't even get to the point of negotiating with the majority about the budget in the other body. It makes me wonder if the Members on the opposite side of the aisle in the Senate lack so much confidence in their colleagues in the House that they don't think they can hold the line on whatever issues they believe are important.

These two budgets are very different, but I think there are items of value in both, and I can see the outlines of a compromise. We need deficit reduction. We need to clean up the Tax Code. We need a tax rate reduction as part of cleaning up the Tax Code. We need to make investments in the future of this country. But the idea that we can't even get to talk—I, frankly, am perplexed. I don't understand what the strategy is because when I was running last year and when I was in Maine just

last week, the single question I got more than anything else was, why in the heck can't you people do something down there—only they stated it a little less elegantly than I just did. Why can't you get anything done?

The question that was raised in the hearing this morning was from people in the street: We are having a hard time understanding what is happening and why.

Well, I am a U.S. Senator, and I am having a hard time understanding what is happening and why.

Budgeting is one of the most fundamental obligations of government. I was a Governor. I know about putting budgets together. I know about making choices. It is not easy. It is not going to be easy to make the choices required for this budget. It is going to be very difficult, but that is what we were sent here to do. That is our job. That is our obligation to the American people. I believe there are areas of consensus and there are some areas in the House budget that I think are ideas worth considering.

The American people simply want us to act. Sure, everybody in this body has different views, and they are partisan views, but as somebody who was sent down here explicitly to try to make the place work—I think that was why I was elected as an Independent, because people are so frustrated with this warfare that they don't understand and that doesn't contribute to the welfare of the country.

So I hope, from the point of view of someone who sees values on both sides and believes that the only way we are going to solve these problems is by discussion and, yes, by compromise, that is what we move forward toward. That is what we have to do in order to regain the confidence of the American people.

We have a long way to go, but I believe that if we can move in a regular, orderly way to go to conference, which is what my civics book always told me we are supposed to do next—the House passes a bill, the Senate passes a bill, they have differences, they go to conference, they resolve the differences, both Houses then vote, and it goes to the President. That is the way the system was designed. If we could do that, almost regardless of what the content of the budget is, that in itself would electrify the country. It would be so remarkable, and people would say: Oh, now they are finally doing something.

So I hope my colleagues on the other side will decide to engage, to allow the conference to go forward with Members of both parties who go over to the House and sit down and try to work something out. We all know what the issues are. We all know what the amounts are. We all know what the dollars are.

I believe that people who enter a room in good faith could solve this in

about an afternoon if they left their ideological blinders at the door. I believe there are solutions to be had, and we have a responsibility to find them. But today we can't even begin to talk about it, and that is what is so puzzling to the American people. That is what is puzzling to me. I don't understand what is wrong with debating, what is wrong with working on the problem. And to just say: Oh, well, we can't do it; the sequester is going to be with us, and it is going to be with us for another couple of years—I think that doesn't meet our fundamental responsibility as people who came here to govern.

We all know there was something passed last year about no budget, no pay. Well, unfortunately, it only said that if you pass a budget in the House, they get it, and if you pass a budget—well, we have done that. It should have been no budget that finally gets done, no pay, because now we are just stuck at an impasse.

I don't know what the outcome of the negotiations would be. I am not sure I would like them. But I believe the real task before us today is not budgets and deficits. The question before us is, Is this experiment in democracy that is an aberration in world history, is it still working? Are we able to make this idea work in the 21st century and meet the challenges of this country? It seems to me the only way to begin that process is to talk and debate and argue and work through the process the Framers gave us in order to solve the problems of the country.

I hope that before long we will reach a point where all of us can agree in this body that it is time to go to work on trying to bring a budget back to both Houses that we can all support and move this country forward. The act of at least coming up with a solution—not a perfect solution but a solution—would be the most important gift we could provide today to the people of this country.

Thank you, Mr. President.

The PRESIDING OFFICER. The Republican whip.

HEALTH CARE

Mr. CORNYN. Mr. President, a few weeks ago the chairman of the Senate Finance Committee, Senator BAUCUS of Montana, warned that the President's premier domestic legislative accomplishment—ObamaCare—was turning into a huge train wreck. Now, that is pretty remarkable for a number of reasons, one of which is that Senator BAUCUS was one of the principal authors of ObamaCare. So his comments cannot be dismissed as simply partisan rhetoric or politics as usual.

A few days after he made those comments, another important contributor to ObamaCare, Dr. Zeke Emanuel, brother of Rahm Emanuel, the President's former Chief of Staff, acknowledged that the massive uncertainty

generated by the health care law is already causing insurance premiums to go up. Here is the scary part: ObamaCare hasn't actually been fully implemented and won't be until next year, 2014. So when it does take effect in 2014, we can expect insurance premiums to continue to rise, particularly for young people who are being asked once again to subsidize their elders, this time in the context of health care premiums.

So much for the President's promise that the average family of four would see a reduction in their insurance premiums under his premier health care law by \$2,500. That is right. If people remember, the President said: If you like what you have, you can keep it, which is proving not to be true as employers are going to be shedding the employer-provided coverage and dropping their employees into the exchange. He also said the average family of four would see a reduction in their health care costs of \$2,500. Neither one of these is proving to be true.

It gets worse from there. According to a new study, there is a new tax that was created by ObamaCare on insurance premiums. So we have to pay a tax on our insurance premiums too, which will reduce private sector employment anywhere from 146,000 jobs to 262,000 jobs by the year 2022. And, of course, the majority of those jobs will be in small businesses. It is not surprising, since small businesses are actually the engine of job creation in America, that they will be disproportionately hit.

To make matters worse, ObamaCare's looming employer regulations are already prompting businesses to lay off workers, to reduce their working hours, and transform many full-time jobs into part-time jobs just so they can avoid the penalties and the sanctions in ObamaCare for employers.

Last month alone the number of Americans doing part-time work "because their hours had been cut back or because they were unable to find a full-time job" increased by 278,000—more than a quarter million Americans. Indeed, the total number of involuntary part-time workers was higher in April 2013 than it was in April 2012, just a year before.

So the message for President Obama could not be any more obvious: His signature domestic legislative initiative is driving up health care costs, destroying jobs, and damaging our economic recovery. That is why it is so important we repeal this law, which I will grant the President his best intentions but in practice has shown to be the opposite of what he promised in so many different instances.

But the consequences on long-term unemployment are what most people will feel; and that is the story of a very human tragedy for many people, some of whom have just simply given up

looking for work. In fact, the Bureau of Labor Statistics has something called the labor participation rate. You can search it on the Internet. Look under "labor participation rate." It will reveal that the percentage of Americans actually in the workforce and looking for work is at a 30-year low.

What that means is some people have simply given up. We all know the longer you are out of work, the harder it is to find a job because your skills have gotten rusty. Others may, in fact, be more qualified to get a job opening if one presents itself.

I cannot imagine the pain and frustration felt by millions of Americans who have been jobless for more than half a year. That is a long time. Unfortunately, the President does not seem to have an answer to this unemployment crisis—and that is exactly what it is—other than more taxes, after he got \$620 billion in January as a result of the fiscal cliff negotiations, the expiration of temporary tax provisions. The President seems to believe more spending—even after his failed stimulus of a \$1 trillion, which ratcheted up the debt even more—and more regulations is the answer to the unemployment crisis: more taxes, more spending, more regulations.

Since the President has taken office, he has raised taxes by \$1.7 trillion already. That includes the \$620 billion I just mentioned—but \$1.7 trillion. His policies have increased our national debt by \$6.2 trillion. He has added another \$518 billion worth of costly new regulations on the very people we are depending on to create the jobs and provide employment opportunities. The consequence is the longest period of high unemployment since the Great Depression.

Now for some good news: Tomorrow the President is traveling to Texas, to the city of Austin where my family and I live. According to Forbes magazine, Austin is one of America's 10 Best Cities for Good Jobs. In fact, half of the top 10 Best Cities for Good Jobs in America include Dallas, Fort Worth, Houston, and San Antonio. So, yes, I am bragging. But we must be doing something right, and I hope the President goes with an open mind to try to learn what is the cause of the Texas miracle when it comes to job creation and economic growth.

Let me just point out that for 8 consecutive years Texas has been ranked as the best State for business by Chief Executive magazine. That explains why between 2002 and 2011 Texas accounted for almost one-third of all private sector job growth in America—one-third—many of these in high-paying industries. I know we like the claim about being big, but we are only 8 percent of the population, and we accounted for one-third of all of the U.S. private sector job growth between 2002 and 2011.

Now, there is not a secret sauce or a secret formula. It is pretty clear why

we have enjoyed that sort of job growth in America, and it is something I think the rest of the country could learn. It is low taxes on the very people we are depending upon to create jobs; it is limited government; it is the belief in the free enterprise system as the best pathway to achieve the American dream; and it is sensible regulations.

We also believe in taking advantage of the abundant natural resources we have in our State and using those resources to expand the domestic energy supply, to bring down costs for consumers, and to create jobs in the process.

I was recently in the Permian Basin—that is the Midland-Odessa region, as the Presiding Officer knows. This is an area that since 1920 has been one of the most prolific energy-producing regions of our State and the country. But because of new drilling technology—horizontal drilling and fracking—it is anticipated that from this point forward that region will produce as much as it has since 1920. That is amazing. That is something we ought to be very excited about, and it has created a lot of jobs.

The nominal unemployment rate in the Permian Basin is about 3.2 percent. But employers will tell you they are hiring everybody they can get their hands on. Some of these folks have had problems in the past that might otherwise disqualify them for work, but as one employer told me: There is nothing like a job to provide an opportunity for people to rehabilitate themselves and get themselves on the right track.

Well, President Obama's policies, in contrast to what we are seeing in Texas, seem to send the message that only Washington knows how to revive our economy, and by raising taxes and spending more money we do not have to boot. In other words, with all due respect to my colleagues from the west coast, he favors the California model. Unfortunately, that model has not worked too well for even our friends in California, and it will not work well for the rest of America either.

By comparison, in that laboratory of democracy known as the State of Texas, our State has become a powerhouse for job creation, and it would go a long way to restoring the fiscal and economic health of the United States. Yes it would help those people who have been unemployed for 6 months or more, or even a shorter period of time, find work that will help them regain their sense of dignity and productivity and allow them to provide for their families, which is a goal I know we all share.

NOMINATION OF THOMAS PEREZ

Mr. CORNYN. Mr. President, on another matter—but it is an important matter—I want to share a few words and a few observations about the President's nominee to be the Secretary of the Department of Labor, who is cur-

rently serving in the Justice Department. I am talking about Assistant Attorney General Thomas Perez.

Of course, we know the Department of Labor plays a very significant role in our economic policy and even U.S. immigration policy, which is a very controversial topic that we are just getting to take up tomorrow in the Senate Judiciary Committee, of which I am a member.

During his tenure at the Justice Department, Mr. Perez has been in charge of the Civil Rights Division, which includes the Voting Section—obviously, a very important responsibility, but one that ought to eschew politics. Unfortunately, under his watch as head of the Civil Rights Division and Voting Section, that section has compiled a disturbing record of political discrimination and selective enforcement of our laws—something antithetical to what we consider to be one of the best things we have going for us in America, which is the rule of law: that all of us, no matter who we are, are subject to the same rules and play by those rules.

You do not have to take my word for it—how the Voting Section and the Civil Rights Division have gotten dangerously off track under Mr. Perez's leadership. The Department of Justice inspector general published a 258-page report that said the Voting Section under Mr. Perez's leadership had become so politicized and so unprofessional that at times it became simply dysfunctional, it could not function properly.

This 258-page report by the Department of Justice inspector general cited “deep ideological polarization,” which began under his predecessors and which has continued under Mr. Perez's leadership. The inspector general said this polarization “has at times been a significant impediment to the operation of the Section and has exacerbated the potential appearance of politicized decision-making.”

This is at the Department of Justice. So instead of upholding and enforcing all laws equally, the Department of Justice, Civil Rights Division—the Voting Section—under Mr. Perez, has launched politically motivated campaigns against commonsense constitutional laws, such as the voter ID laws adopted by the States of Texas and South Carolina.

In addition, he delivered misleading testimony to the U.S. Commission on Civil Rights back in 2010. The inspector general said Mr. Perez's testimony about a prominent voting rights case “did not reflect the entire story regarding the involvement of political appointees.” So when you are not telling the whole truth, you are not telling the truth.

Before joining the Department of Justice—and this is part of his unfortunate track record—he served as a local official in Montgomery County, MD.

During those years, he consistently opposed the proper enforcement of our immigration laws. In fact, Mr. Perez testified against enforcement measures that were being considered by the Maryland State Legislature.

I would ask my colleagues, because we have an important function to play under our constitutional system, one of advice and consent—that is the confirmation process for Presidential nominees—is this really the type of person we want running the Department of Labor, especially at a time when Congress is contemplating passage of important immigration reform laws?

Given his record, I am concerned Mr. Perez does not have the temperament or the competence we need in our Secretary of the Department of Labor. I fear that, just like he has at the Department of Justice, he would invariably politicize the Department of Labor and impose ideological litmus tests. For all these reasons, and more, I will oppose his nomination.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF THOMAS PEREZ

Mr. HARKIN. Mr. President, I come to the floor today to express my deep disappointment that once again Republican obstructionism and procedural tricks are preventing this body from carrying out its constitutional duty and responsibility, its obligation to consider important Presidential nominations.

This time the target is Mr. Tom Perez, the President's extremely qualified nominee to be Secretary of Labor.

The HELP Committee, which I chair, was scheduled to vote on his nomination at 4 o'clock this afternoon. Obviously, we are not doing that. An anonymous Republican has invoked an obscure procedural rule to prevent our committee from meeting at that scheduled time. This pointless obstructionism is extremely disturbing.

I would like to point out that we had previously been scheduled to vote on his nomination in my committee 2 weeks ago. In an effort to bend over backwards and to be accommodating to our colleagues who requested more time to consider documents related to the nomination, I deferred it for 2 weeks as sort of senatorial courtesy.

This time there is no allegation that they have had insufficient time for

consideration, just delay for delay's sake on the nomination. Tom Perez has been before our committee since March. We have had our hearing, during which Mr. Perez fully answered all questions posed to him. I cut off no one. I allowed anyone to ask whatever questions they wanted.

Mr. Perez has met with any interested Senator personally and answered over 200 written questions for the record. It is an understatement to say his nomination has been thoroughly vetted. This continuing delay is unconscionable and only hurts the American workers and businesses that rely on the Department of Labor each and every day.

As our country continues to move down the road to economic recovery, the work of the Department of Labor is becoming even more vital to the lives of our working families. Whether it is making sure workers get paid the wages they deserve, helping returning veterans reenter the workforce, protecting our seniors' retirement nest eggs, ensuring that a new mother can care for her baby without losing her job, the Department of Labor helps families build the cornerstones of a middle-class life.

Now more than ever we need strong leadership at the Department to help strengthen our fragile recovery and build a stronger and revitalized American middle class. That is why this nomination is so important.

There has been a lot of public discussion about Mr. Perez but remarkably little of it has focused on what should be the central question before our committee today: Will Tom Perez be a good Secretary of Labor. The answer is unequivocally yes. Without question, he has the knowledge and experience needed to guide this critically important agency.

Through his professional experiences, and especially his work as Secretary of the Maryland Department of Labor, Licensing and Regulation, he has developed strong policy expertise about the many important issues for American workers and businesses that come before the Department of Labor every day. He spearheaded major initiatives on potentially controversial issues, such as unemployment insurance reform and worker misclassification, while finding common ground between workers and businesses to build sensible, commonsense solutions.

He also clearly has the management skills to run a large Federal agency effectively. He was also an effective manager and a responsible steward of public resources, undertaking significant administrative and organizational reforms that made the Maryland DLLR more efficient and more effective.

His outstanding work in Maryland has won him the support of the business community and worker advocates alike. To quote from the endorsement

letter of the Maryland Chamber of Commerce:

Mr. Perez proved himself to be a pragmatic public official who was willing to bring differing voices together. The Maryland Chamber had the opportunity to work with Mr. Perez on an array of issues of importance to employers in Maryland, from unemployment and workforce development to the housing and foreclosure crisis. Despite differences of opinion, Mr. Perez was always willing to allow all parties to be heard, and we found him to be fair and collaborative. I believe that our experiences with him here in Maryland bode well for the nation.

That is a pretty strong endorsement by a chamber of commerce for a nominee whom the minority leader today on the floor characterized as a "crusading ideologue . . . willing to do or say anything to achieve his ideological ends." That is how he was characterized by the Republican leader today, but the Maryland Chamber of Commerce didn't seem to think so. So that grossly unfair characterization by the Republican leader is manifestly inconsistent with the experiences of the Republican leaders and businesses that have actually worked with Tom Perez.

Mr. President, I ask unanimous consent to have printed in the RECORD letters from businesses and Republican leaders demonstrating the strong bipartisan support for Mr. Perez's nomination. These people clearly disagree with the Republican leader's assessment of Mr. Perez's qualifications and character.

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

MARCH 19, 2013.

JOINT STATEMENT FROM STATE ATTORNEYS GENERAL IN SUPPORT OF NOMINATION OF TOM PEREZ AS SECRETARY OF U.S. DEPARTMENT OF LABOR

"Tom Perez is a brilliant lawyer and leader, who listens thoughtfully to all sides and works collaboratively to solve problems. He has dedicated his career to serving the public, and his experience as Secretary of the Maryland Department of Labor, Licensing and Regulation and in the U.S. Department of Justice make him ideally suited to serve as the Secretary of the U.S. Department of Labor.

"As state Attorneys General, we have found Perez to be open, responsive and fundamentally fair. He is committed to justice and the rule of law and able to work across party and philosophical lines to achieve just results.

"The U.S. Department of Labor and the country will be well served by a leader who understands the need to forge partnerships with state and local officials and who values cooperation to bring about successful results for both employers and employees."

"The following Attorneys General issued this joint statement in support of Perez's nomination:

"California Attorney General Kamala Harris, Delaware Attorney General Beau Biden, Illinois Attorney General Lisa Madigan, Iowa Attorney General Tom Miller, Mississippi Attorney General Jim Hood, North Carolina Roy Cooper, Oregon Attorney General Ellen Rosenblum, Tennessee Attorney General Robert Cooper, Jr., Former Utah At-

torney General Mark Shurtleff and Former Washington Attorney General Rob McKenna.

MARCH 15, 2013.

Hon. BARACK OBAMA,
President of the United States, The White House, Washington, DC.

DEAR PRESIDENT OBAMA: The Maryland Chamber of Commerce supports the nomination of Thomas E. Perez to serve as the United States Secretary of Labor.

During his tenure as Secretary of Maryland's Department of Labor, Licensing and Regulation, Mr. Perez oversaw a wide range of regulatory programs of critical importance to the state's business community, including unemployment insurance, the regulation of financial institutions, worker safety and professional licensing.

Mr. Perez proved himself to be a pragmatic public official who was willing to bring differing voices together. The Maryland Chamber had the opportunity to work with Mr. Perez on an array of issues of importance to employers in Maryland, from unemployment and workforce development to the housing and foreclosure crisis.

Despite differences of opinion, Mr. Perez was always willing to allow all parties to be heard and we found him to be fair and collaborative. I believe that our experiences with him here in Maryland bode well for the nation.

The Maryland Chamber of Commerce is Maryland's leading statewide business advocacy organization. Our 800 member companies employ more than 442,000 people in the state. The Chamber works to support its members and advance the State of Maryland as a national and global competitive leader in economic growth and private sector job creation through its effective advocacy, high level networking and timely communications.

Sincerely,
KATHLEEN T. SNYDER,
*CCE, President/CEO,
Maryland Chamber of Commerce.*

GREATER PRINCE GEORGE'S
BUSINESS ROUNDTABLE,
Bowie, MD, March 18, 2013.

TO WHOM IT MAY CONCERN: Tom Perez is one of the most honest and dedicated public officials that we in the Prince George's County business community have ever worked with. His understanding that government must work in partnership with business to find solutions that succeed in today's marketplace highlights his continual accessibility and his empathic approach to working with job creators nationwide.

We applaud the President's nomination of Tom Perez as Secretary of Labor because we have experienced, first hand, the fruits of Tom's open door policy and his steady approach to finding solutions that work for the benefit of all.

Sincerely,
M.H. JIM ESTEPP,
President/CEO.

THE MARYLAND MINORITY
CONTRACTORS ASSOCIATION, INC.,
Baltimore, MD, March 21, 2013.

President BARACK OBAMA,
The White House, Pennsylvania Avenue, Washington, DC.

DEAR PRESIDENT OBAMA, The Maryland Minority Contractors Association applauds the nomination of Tom Perez as the United States Secretary of Labor, and encourages a quick confirmation. While serving as Maryland's labor secretary, Tom proved to be fair-minded, and always had an open door.

The Maryland Minority Contractors Association is composed primarily of merit shops, so our member companies have employees that are not under union collective bargaining agreements. We found ourselves at the table with Tom on a range of issues, from workplace safety to apprenticeships to the proper classification of employees. Although our perspectives often differed, we always had a seat at the table, and I can confidently say that our perspective was always taken into consideration. Tom pursues his role of protecting workers with vigor, but he always took the concerns of our members seriously, and, when presented with sound arguments, was willing to compromise.

We strongly support the nomination of Tom Perez, and we believe that he will make an excellent Secretary of Labor. He is a smart, honest person who will serve our county well.

PLESS JONES,
President, Maryland Minority Contractors.

WHITEMAN OSTERMAN
& HANNA LLP,
Albany, NY, April 15, 2013.

Re Thomas Perez, Nominee for
Secretary of Labor.

Sen. THOMAS HARKIN (D-IA),
*Hart Senate Office Building,
Washington, DC.*

Sen. LAMAR ALEXANDER (R-TN),
*Dirksen Senate Office Building,
Washington, DC.*

DEAR SENATORS HARKIN AND ALEXANDER: I write as an appointee by former President George H.W. Bush to the United States Department of Justice in support of Thomas Perez who has been nominated by President Obama to serve as Secretary of Labor and urge your favorable consideration of his candidacy.

As the Assistant Attorney General for Civil Rights (1990-1993), I worked directly with Tom (in fact, I hired him in 1990) on a variety of sensitive matters, including criminal and voting rights issues. During a number of face-to-face meetings, I had the opportunity both to review his legal-based memoranda and to engage in a number of intense debates as to what should be the Division's final course of action. As a result of those experiences, I found Tom to be an excellent lawyer, a dedicated public servant with a deep commitment to the common good, and a person of legal and moral integrity; qualities that enable him to recognize the value of contending parties' positions in order to achieve workable solutions.

I believe that he will bring those skills and strong personal qualities to the duties of the Secretary of Labor and enable him to perform in a manner worthy of your trust.

Thank you for listening to my support for this very special and patriotic man.

Respectfully yours,

JOHN R. DUNNE.

Mr. HARKIN. Indeed, I think Mr. Perez's character—his character—is exactly what qualifies him for this job—his character.

Tom Perez has dedicated his life to making sure every American has a fair opportunity to pursue the American dream. At the Maryland Department of Labor, he revamped the State's adult education system so more people could successfully train for better jobs and brighter futures. As the Assistant Attorney General for Civil Rights at the U.S. Department of Justice, where he

is right now, he has been a voice for the most vulnerable, and he has reinvigorated the enforcement of some of our most critical civil rights laws. He has helped more Americans achieve the dream of home ownership through his unprecedented efforts to prevent residential lending discrimination. He has helped to ensure that people with disabilities have the choice to live in their own homes and communities rather than only in institutional settings and to make sure people with disabilities receive the support and services they need to make independent living possible. He has stepped up the Department's efforts to protect the employment rights of servicemembers so our men and women in uniform can return to their jobs and support their families after serving their country.

I can tell you that Tom Perez is passionate about these issues. He is passionate about justice and about fairness, and I believe these are qualities that Tom Perez learned at the hand of his former employer here in the Senate, our former committee chairman of the HELP Committee, Senator Ted Kennedy. But, as he explained in his confirmation hearing, he also learned from Senator Kennedy "that idealism and pragmatism are not mutually exclusive." Mr. Perez knows how to bring people together to make progress on even controversial issues without burning bridges or making enemies. He knows how to hit the ground running and quickly and effectively become an agent of real change. That is exactly the kind of leadership we need at the Department of Labor. We need his vision, we need his passion, and we need, yes, his character at the helm of this important agency.

Allow me to state very clearly that while I know there has been generated controversy—not real controversy but generated controversy—surrounding Mr. Perez's nomination, there is absolutely nothing that calls into question his ability to fairly enforce the law as it is written. There is absolutely nothing that calls into question his professional integrity or his moral character or his ability to lead the Department of Labor.

As I mentioned, Mr. Perez has been as open and aboveboard as he could possibly be throughout this entire confirmation process. He has met with any Member personally who requested a meeting. As I said, he appeared before our committee in a public hearing. He has answered more than 200 written questions. He has bent over backward to respond to any and all concerns raised about his work at the Department of Justice.

This administration—President Obama—has also been extraordinarily accommodating to any Republican colleague, especially to their concerns about Mr. Perez's involvement in the global resolution of two cases involving

the city of St. Paul, MN—Magner v. St. Paul and Newell v. St. Paul. The administration has produced thousands of documents concerning these two cases. They have arranged for the interview of government employees. They have facilitated almost unprecedented levels of disclosure to alleviate any concern about his involvement in these cases.

As chairman of the committee, I have also tried to be as accommodating as possible, joining in requests for documents that I, quite frankly, thought were unnecessary but willing to acquire and postponing the executive session for 2 weeks to provide Members additional time for consideration.

All this extensive process has revealed is that Mr. Perez acted at all times ethically and appropriately to advance the interests of the U.S. Government. For example, with respect to the Magner and Newell matters, Mr. Perez consulted with both outside ethics and professional responsibility experts at the Department of Justice, and Mr. Perez acted within their guidelines at all times. It is no surprise that outside ethics experts have confirmed that Mr. Perez acted appropriately in these matters.

I would like to submit again for the RECORD letters and statements from several legal ethics experts and experts in the False Claims Act confirming that Mr. Perez's handling of the Magner and Newell cases was both ethical and appropriate. And I ask unanimous consent to have printed in the RECORD these letters.

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

STATEMENT OF STEPHEN GILLERS, ELIHU ROOT
PROFESSOR OF LAW, NEW YORK UNIVERSITY
SCHOOL OF LAW, MAY 6, 2013

The Joint Staff Report makes many assertions and contains many factual allegations, which may or may not be contested. However, only one issue is described as ethical. It is this issue that the Democratic Staff memo mainly addresses. Stated most favorably from the Joint Staff perspective, the issue is:

"Assuming that Assistant Attorney General Tomas E. Perez (Civil Rights Division) was mainly responsible for reaching the agreement with the City of St. Paul described below—even assuming that the agreement would not have happened without his intervention—but assuming, too, that Assistant Attorney General Tony West (Civil Division), who had ultimate authority to decide whether or not to intervene in Newell and Ellis, chose not to do so after considering their merits, the United States interest in preserving the disparate impact test under the Fair Housing Act, and the U.S. interest in ensuring (so far as possible) that a Supreme Court ruling on the proper test be based on favorable facts, did Perez violate any rule of professional conduct (ethics rule) governing him as a lawyer by encouraging others at DOJ or HUD (or elsewhere) to refrain from intervention in Newell and Ellis in exchange for St. Paul's agreement to withdraw the Magner appeal?"

The Joint Staff Report argues that linking the two cases—withdrawal of the Magner appeal and U.S. non-intervention in the two

Qui Tam actions, Newell and Ellis (hereafter Newell)—was unethical. However, it cites no professional conduct rule, no court decision, no bar ethics opinion, and no secondary authority that supports this argument. In fact, no authority supports it.

The duty of lawyers for the United States is no different from the duty of lawyers generally, namely to pursue the goals of their client within the bounds of law and ethics. Clients generally identify those goals, but when the client is the government, its lawyers often do so, sometimes in conjunction with agencies, elected officials, or other representatives of the government who are authorized to speak for the client.

The United States had interests in Magner and also in Newell. Qui Tam actions are brought to vindicate interests of the sovereign, here the U.S. The U.S. interest was to recover money assuming, of course, that Newell had merit. The U.S. interest in Magner was to avoid Supreme Court review of a legal issue in Magner, whose facts were seen as unfavorable to a decision that would sustain a disparate impact test for violations of the Fair Housing Act. Perez believed that preserving the disparate impact test was important to his client and more important than intervention in Newell.

I assume that Perez persuaded others with decision-making authority, and in particular West, that withdrawing the Magner appeal was more important to U.S. interests than intervention in Newell. I also assume, though it is contested, that Newell was meritorious and that but for the agreement with St. Paul, the United States would have intervened in Newell and perhaps prevailed.

Of course, it is legitimate to argue that Perez, West, and others made the wrong choice and that pursuing Newell was more important to U.S. interests than how the Supreme Court would ultimately resolve the issue in Magner. I have no view on that question. It is not an ethical question. The question I can answer is whether Perez could ethically make the decision he did and which he encouraged others to accept. Could he ethically decide, when faced with a situation where only one of two possible choices could be made, and where each choice offered a benefit to his client, to choose option A over option B?

The answer is unequivocally yes. Perez was not choosing to advantage one client over another client. There was no conflict here between the interests of two clients because there was only one client. That client, we are assuming, had two interests—withdrawal of Magner or intervention in Newell—but under the circumstances, it could pursue only one. Perez made a choice between these options and encouraged others to agree. His conduct violates no ethical rule that governs lawyers. He was acting in what he believed to be the best interests of his client, which is what lawyers are required to do.

THE VERNIA LAW FIRM,
Washington DC, May 6, 2013.

Re Declination by the United States Department of Justice in *United States ex rel. Newell v. City of St. Paul*, Civil No. 09-SC-001177 (D.Minn.).

Hon. Representative JIM JORDAN,
Chairman, Subcommittee on Economic Growth,
Job Creation & Regulatory Affairs Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

Hon. Representative MATT CARTWRIGHT
Ranking Minority Member, Subcommittee on Economic Growth, Job Creation & Regulatory Affairs, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

Hon. Representative TRENT FRANKS
Chairman, Subcommittee on the Constitution and Civil Justice, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

Hon. Representative JERROLD NADLER
Ranking Minority Member, Subcommittee on the Constitution and Civil Justice, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MESSRS. JORDAN, CARTWRIGHT, FRANKS, AND NADLER:

I am writing in advance of the Committee's May 7, 2013 hearing regarding the Department of Justice's declination of the False Claims Act *qui tam* cases, *United States ex rel. Newell v. City of St. Paul, Minnesota*, Civil No. 09-SC-001177 (D.Minn.), and *United States ex rel. Ellis v. City of St. Paul*, Civil No. 11CV-0416 (D.Minn.), to provide my comments on certain of the conclusions reached in the Joint Staff Report, *DOJ's Quid Pro Quo with St. Paul: How Assistant Attorney General Thomas Perez Manipulated Justice and Ignored the Rule of Law* (April 15, 2013). I appreciate the opportunity to address the Committee.

For most of my twenty years practicing law, I have handled investigations and cases brought under the False Claims Act, 31 U.S.C. §§ 3729, *et seq.* Early in my career, I served for eight years as a Trial Attorney in the Fraud Section of the Commercial Litigation Branch of the Department of Justice's Civil Division. In that capacity, I handled dozens of False Claims Act cases involving numerous federal agencies, including the Department of Housing and Urban Development (HUD). I left the Fraud Section to be a prosecutor in the Criminal Division where, in 2005 I received a John Marshall Award from the Department of Justice, and the National Exploited Children's Award from the National Center for Missing and Exploited Children.

That same year, I joined Covington & Burling LLP, initially focusing on the defense of False Claims Act investigations and suits. I started my own firm in 2009, in part to have the flexibility of representing whistleblower clients as well as defendants. I have filed numerous *qui tam* suits, and I am now litigating some of those, including a major case against a long-term care pharmacy for prescriptions reimbursed by Medicare Part D. In addition to my work on these cases, I have made presentations on the False Claims Act and related statutes, and I write the best-read legal blog on the topic, www.falseclaimscounsel.com.

I have had no professional involvement in the *Newell* or *Ellis* cases, and have not spoken about them with any of the persons described in the Joint Staff Report. I have, however, reviewed that Report, its attached documents, the Democratic Staff's Report on

the same topic (April 14, 2013), and certain of the documents publicly available on the District Court for the District of Minnesota's PACER website.

As one of the few attorneys in private practice with significant Department of Justice experience who represents both defendants and whistleblowers, I read these documents with great interest. With all due respect to the Joint Staff, however, I feel compelled to write to take issue with certain of their factual conclusions. I will limit my comments to those that I feel are critical to assessing the conduct of Department of Justice officials involved in these cases.

MERITS OF THE NEWELL CASE

Because the documents do not treat the *Ellis* case as a significant factor in the Department's decision-making, I have not undertaken to analyze the merits of that matter. Let me also preface my remarks by stating that I do not intend this letter to disparage Mr. Newell or his counsel. The Department of Justice appears to have largely corroborated his allegations and his *qui tam* complaint is well-drafted.

I disagree, however, with the Joint Staff's conclusion that "The Department of Justice Sacrificed a Strong Case Alleging a Particularly Egregious Example of Fraud." See Joint Staff Report at 37. Instead, I believe that the documents evidence significant bases for skepticism by Department of Justice officials.

The Joint Staff's conclusion rests in large part on its rejection of statements by Department of Justice supervisors that whether or not to intervene in *Newell* was a "close call," and its reliance instead on earlier positions in support of intervention taken by the trial attorney and others assigned to the case. But the draft memorandum urging intervention acknowledges several significant potential problems with the case—problems that clearly rebut the conclusion that the case was a "strong" one, as the Joint Staff asserts.

Newell's most prominent weakness was the potential difficulty in proving that St. Paul's noncompliance with Section 3 was material to the decision of HUD to make grant payments. The trial attorney handling the case candidly admitted that there was litigation risk regarding materiality:

"The City will argue that even if HUD did not say it explicitly, HUD's silence over many years is tacit approval. We will have to admit that the City was failing to comply with Section 3 in ways that should have been apparent to HUD. The City did not send its HUD 60002 forms each year. HUD never objected to this failure. The City will argue that HUD was so unconcerned with Section 3 compliance that the City's failure to comply did not affect, or could not have affected HUD's decision to pay.

"The City will argue that HUD's failure to monitor its Section 3 compliance was consistent with HUD's general lack of oversight of Section 3 during the relevant period. The city has already noted that previous federal administrations were not concerned with Section 3 (a position with support in recent HUD comments), and that it is unfair to require a City to make boilerplate certification each year, ignore the City's non-compliance year-after-year, and then seek FCA relief when a new administration comes in that is more concerned with compliance with Section 3.

Draft Intervention Memo at 7. Although the trial attorney was optimistic that these arguments could be overcome, there can be no doubt that significant concerns about proving materiality of the City's noncompliance

were evident long before the alleged *quid pro quo*.

RELIABILITY OF THE DRAFT INTERVENTION MEMORANDUM'S DAMAGES CALCULATION

I also respectfully disagree with the Joint Staff's assertion that the Department of Justice's decision to intervene in the case cost taxpayers a significant opportunity to recover over \$200 million. See Joint Staff Report at 61. This, too, significantly overstates the strength of *Newell*.

The draft intervention memo very briefly describes only one damages theory, which the trial attorney characterizes as "aggressive": that the damages under the False Claims Act were the entire amount of the Section 3 construction project grants (which was some unknown fraction of the overall \$86 million in HUD grants). That "aggressive" theory is an unsettled area of law, however, and the Joint Staff's reliance on it in calculating the cost to taxpayers of declining to intervene in the suit is dubious.

For much of the False Claims Act's 150-year history, computing damages was relatively straightforward: the fact-finder calculated the difference between what the Government actually paid and the value of the goods or services it received. See *United States v. Bornstein*, 423 U.S. 303, 316 n. 13 (1976). When a third-party, and not the Government is the intended recipient of the tangible benefit from the outlay of federal funds, this approach arguably breaks down. The traditional "benefit-of-the-bargain" approach is strained further when the false claim relates not to quality of the goods or services received by the third-party, but to the fund recipient's satisfaction of some other condition intended to benefit society more generally. The *Newell* case falls into this category: the city receives Section 3 funds to improve housing, and allegedly false claims relate to its compliance with a condition unrelated to the quality of that work.

The Courts have struggled with these issues, and four Courts of Appeals—for the Second, Fifth, Seventh, and Ninth Circuits—have chosen to follow the "aggressive" approach the trial attorney described. The District of Columbia and Third Circuits instead continue to employ the "benefit-of-the-bargain" approach, which might result in a very low damages calculation in a case such as *Newell*. I am not aware of any controlling precedent on this issue in the Eighth Circuit, in whose jurisdiction *Newell* was filed.

Given the unsettled nature of this area and the imprecision in the Draft Intervention Memorandum's damages figure, \$86 million represented only a theoretical upper limit on the Government's damages for St. Paul's alleged violations. The Department of Justice trial attorney acknowledged the limitations of this approach, writing in the Draft Intervention Memorandum: "We acknowledge this is an aggressive position, and that some less aggressive approach may be needed for trial. To date, however, we have not yet determined an alternative approach." *Id.* at 5.

Even if the Department of Justice had intervened and secured a judgment against the City on False Claims Act liability, moreover, there is a significant risk that the District Court or the Court of Appeals for the Eighth Circuit would, under the facts of this case (including HUD's apparent disregard of Section 3 enforcement, and the defendant's status as a taxpayer-funded entity) reject the "aggressive" approach of seeking to recoup all Section 3 grants. Such a decision would hinder the Government and relators in future False Claims Act cases in the Eighth Circuit's jurisdiction.

THE RISK OF NEWELL'S DISMISSAL ON PUBLIC DISCLOSURE GROUNDS

The Joint Staff Report also criticizes the Department's declination on the grounds that it exposed Mr. Newell to dismissal of his *qui tam* suit on grounds that the Court lacked jurisdiction under the False Claims Act's public disclosure bar. See Joint Staff Report at 58; 31 U.S.C. §3730(e)(4)(A) (2010). I respectfully disagree with the premise of this criticism, which is that the Department of Justice does, or should, evaluate the potential success of a motion to dismiss on public disclosure grounds.

In my experience, both at the Department and in private practice, the Government does not typically investigate the common grounds on which declined *qui tam* suits founder: public disclosure and particularity under Fed. R. Civ. P. 9(b). Although I, as a whistleblower attorney, would prefer that the Department investigate these possible grounds for dismissal prior to deciding whether to decline or intervene a case, there are sound reasons for not doing so: the Department of Justice has inadequate resources to investigate the merits of the fraud allegations; routinely investigating the public disclosures that might lead to the dismissal of a declined *qui tam* would ultimately detract from the Department's ability to carry out the False Claims Act's core mission of detecting and remedying fraud.

Certainly no one has done more than Senator Grassley to encourage whistleblowers to assist the Government in uprooting fraud. The recent amendment to the public disclosure bar demonstrates well his interest in improving enforcement of the Act. I nevertheless believe that Congress could best improve whistleblowers' involvement in fraud enforcement by addressing more significant problems besetting them (such as the application of Fed. R. Civ. P. 9(b) to False Claims Act complaints, which is by far the most common grounds for dismissal of declined *qui tam* cases).

In conclusion, after reviewing the publicly available materials on the Department of Justice's decision to decline to intervene in *United States ex rel. Newell v. City of St. Paul*, I believe that Department officials acted well within the scope of their discretion in declining to intervene in that case. I must respectfully disagree with the contrary conclusions the Joint Staff reached in its Report. I appreciate your consideration.

Truly yours,

BENJAMIN J. VERNIA.

COHEN MILSTEIN
SELLERS & TOLL PLLC,
Philadelphia, PA, May 6, 2013.

The Hon. JIM JORDAN,
Chairman, Subcommittee on Economic Growth,
Job Creation & Regulatory Affairs,
Committee on Oversight and Government Reform,
Rayburn House Office Building,
Washington, DC.

The Hon. MATT CARTWRIGHT,
Ranking Minority Member, Subcommittee on
Economic Growth, Job Creation & Regulatory
Affairs, Committee on Oversight and
Government Reform, Rayburn House Office
Building, Washington, DC.

The Hon. TRENT FRANKS,
Chairman, Subcommittee on the Constitution
and Civil Justice, Committee on the Judiciary,
Rayburn House Office Building, Wash-
ington, DC.

The Hon. JERROLD NADLER,
Ranking Minority Member, Subcommittee on the
Constitution and Civil Justice, Committee on
the Judiciary, Rayburn House Office Build-
ing, Washington, DC.

DEAR CHAIRMEN JORDAN AND FRANKS AND RANKING MEMBERS CARTWRIGHT AND NADLER: The undersigned are partners and co-chairs of the Whistleblower/False Claims Act Practice Group at Cohen Milstein Sellers & Toll, PLLC. For over ten years, we have assiduously represented whistleblowers in legal actions brought pursuant the federal False Claims Act, 31 U.S.C. §§3729, *et seq.*, and its state counterparts in federal and state courts throughout the country. We regularly engage in the evaluation of the viability of potential claims under those statutes and work with relators to combat fraud against the government. We have been asked by committee staff to offer our opinion regarding the effect of the Department of Justice's decision to decline to intervene in the *qui tam* cases of *United States ex rel. Newell v. City of St. Paul* and *United States ex rel. Ellis v. City of Minneapolis*, *et al.* What follows is that opinion.

On May 19, 2009, Relator Frederick Newell filed his *qui tam* action under the federal False Claims Act against the City of St. Paul in the United States District Court for the District of Minnesota. On February 9, 2012, the Department of Justice advised the court that it declined to intervene in the case. On March 12, 2012, Mr. Newell filed an amended complaint in response to which the City of St. Paul filed a motion to dismiss based, in part, on the Public Disclosure Bar.

At the time that Mr. Newell filed his initial complaint in his action, the False Claims Act provided a jurisdictional bar to a relator's *qui tam* action commonly referred to as the Public Disclosure Bar. Subsequently amended and rendered a non-jurisdictional basis for dismissal in the Patient Protection and Affordable Care Act of 2010, this section, 31 U.S.C. §3730(e)(4), provided as follows:

"(A) No court shall have jurisdiction over an action under this section based upon the public disclosure of allegations or transactions in a criminal, civil, or administrative hearing, in a congressional, administrative, or Government Accounting Office report, hearing, audit, or investigation, or from the news media, unless the Attorney General or the person bringing the action is an original source of the information.

"(B) For purposes of this paragraph, 'original source' means an individual who has direct and independent knowledge of the information on which the allegations are based and has voluntarily provided the information to the Government before filing an action under this section which is based on the information."

On July 20, 2012, the court granted St. Paul's motion to dismiss, finding that it lacked subject matter jurisdiction over Mr. Newell's action because of manifold public disclosures of his allegations predating the filing of his complaint and because he was not an original source of the information on which the allegations were based. Mr. Newell has appealed the dismissal of his case and his appeal is currently pending before the United States Court of Appeals for the 8th Circuit.

On February 18, 2011, Relators Andrew Ellis, Harriet Ellis and Michael Blodgett

filed their *qui tam* action under the federal False Claims Act against, among others, the Cities of Minneapolis and St. Paul in the United States District Court for the District of Minnesota. On June 18, 2012, the Department of Justice filed a Notice of Election to Decline Intervention. The defendants in that case subsequently filed motions to dismiss the Relators' complaints, which the court denied without prejudice. That case remains pending as of the date of this letter.

The effect of the government's decision not to intervene in these two *qui tam* cases is central to the issues presently being considered by your subcommittees. Indeed, it is important to understand that, contrary to conclusory statements set forth in the Congressional Committees' Joint Staff Report of April 15, 2013, the decision by the Department of Justice not to intervene in Mr. Newell's case did not allow the City of St. Paul to move for dismissal of the case "on grounds that would have otherwise been unavailable if the Department had intervened." (Joint Staff Report, p. 58). In fact, the same motion would have been available to the City whether or not the government had intervened in the case. In *Rockwell Intl. Corp. v. United States ex rel. Stone*, 549 U.S. 457 (2007), the United States Supreme Court rejected the argument that government intervention provides jurisdiction to a Relator who is not an original source. Even had the government intervened, Mr. Newell would have been vulnerable to the exact same public disclosure jurisdictional bar.

Likewise, in declining to intervene in Mr. Newell's *qui tam* action, the Department of Justice did not "give up the opportunity to recover as much as \$200 million." (Joint Staff Report, p. 4). A declination of intervention has never been recognized by any court as tantamount to the termination of the government's right to pursue the claim asserted in the action. In fact, the federal False Claims Act specifically provides that if the government initially elects not to proceed with the action, it may intervene at a later date upon a showing of good cause. 31 U.S.C. § 3730(c)(3). The government can decline to intervene in one action and, after that complaint is dismissed, decide to intervene in a subsequently filed action. Or the government can institute and pursue its own action under the False Claims Act. Moreover, the dismissal of Mr. Newell's complaint does not affect the government's ability to pursue the same claims itself. Thus, in declining to intervene in the Newell and Ellis actions, the government is not foreclosed from pursuing the claims that Mr. Newell could no longer himself pursue or to intervene at a later date in the Ellis action, nor is it foreclosed from pursuing remedies that might be available under any other statutory or regulatory provisions. In fact, in declining to intervene in these actions, it "gave up" no rights or opportunities whatsoever.

We trust that the foregoing sheds light on the effect of the government's decision not to intervene in the Newell and Ellis *qui tam* actions and that this letter is helpful to the work of your committees.

Respectfully submitted,

GARY L. AZORSKY.

JEANNE A. MARKEY.

Mr. HARKIN. As Professor Stephen Gillers, who has taught legal ethics for more than 30 years at New York University School of Law, wrote in one of these letters, Mr. Perez's actions in these cases "violate[d] no ethical rule

that governs lawyers. He was acting in what he believed to be the best interests of his client, which is what lawyers are required to do."

In short, Mr. Perez did his job at DOJ, and he did it well. When it comes down to it, I think the fact that he did his job well is probably the source of much of the generated controversy surrounding his nomination. Maybe some people just don't like Tom Perez precisely because he is passionate about enforcing our civil rights laws and has vigorously pursued such enforcement in his current position.

I take great issue with the minority leader's suggestion today that Mr. Perez doesn't follow the law or believe that it applies to him. I would respectfully suggest that the Republican leader needs to check his facts. To the contrary, Tom Perez has had a remarkable career as a result of a determination to make the promise of our civil rights statutes a reality for everyday Americans. Maybe these are some of the same laws that some colleagues sometimes would like to forget are on the books, but these laws matter. Voting rights matter. Fair housing rights matter. The rights of people with disabilities matter. These laws are part of what makes our country great. I am incredibly proud of the work Mr. Perez has done at the Department of Justice to make those rights a reality after years of neglect. He should be applauded, not vilified, for the service he has provided to this country.

Mr. President, it almost seems that when Mr. Perez's name came up, there was a controversy generated about these cases in St. Paul involving whistleblower types and that somehow he acted inappropriately and denied the government the ability to get back a couple hundred million dollars or so. That seemed to be a belief some of my colleagues on the other side had. So we looked into it. We went through all the documents, all the e-mails, and thousands of pages, with ethics lawyers both in the government and out. What we came up with was that Mr. Perez acted ethically and appropriately at all times. There is no "there" there. So the facts belie the belief, but it seems that the belief carries on and that somehow the belief trumps the facts.

Well, if some of my colleagues want to believe the worst about Tom Perez, they can believe that, but they have no facts to back it up. It is an unfounded belief. Is that what is going to guide this body in approving nominations for this President or any President—that if I believe something and I can get maybe some of my colleagues to join in and believe it, that is enough? That is sufficient to vilify a nominee, to try to tear him down?

What about the facts? Don't facts matter? Doesn't the record matter? Of course it does. And the facts, as proven time and time again, are that Mr.

Perez acted ethically and appropriately at the Department of Justice at all times and especially in the two cases—*Magner v. St. Paul* and *Newell v. St. Paul*. That has been clearly brought forth, that he acted appropriately and ethically.

So I say to my colleagues on the other side, believe what you want, but that belief, mistaken as it is, should not be used to tear down a good person, to vilify a good person, to cast this person in a light which is totally false.

So, yes, Mr. President, there was an objection to our meeting today under this obscure rule of the Senate, but we have rescheduled the meeting for 1 week hence. So in 1 week we will meet again, and we will vote to report out the nomination of Tom Perez, and then we will come to the floor. Again, I hope that it won't be filibustered by my Republican colleagues but that we will be able to vote up or down on Mr. Perez based not upon what someone believes but what the facts are, what his record is, what his record has been both in local government, State government, and at the Department of Justice.

When you look at that record, it is an exemplary record of unstinting public service in the best interests of the civil rights and equal rights of our country. That is why, with his background, his experience, and his dedication to fairness and justice, the fact that he has actually worked in the Senate on the HELP Committee—the committee that has jurisdiction over the Department of Labor—gives tremendous weight to his background and insight into how to be a truly great Secretary of Labor.

So we will vote next week. I hope there are not other kinds of roadblocks—unfounded roadblocks—thrown into the path of his confirmation. We will do everything we can to make sure this good person takes his rightful place as our next Secretary of Labor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah.

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

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

UNANIMOUS CONSENT REQUESTS

Mr. LEE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 133 submitted earlier today. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Reserving the right to object, I will have a request with another resolution momentarily, but I understand the resolution of my friend from Utah. I believe this problem is broader than the one cited in his resolution. In fact, looking to the conduct of the Philadelphia instance, I would prosecute that case to the fullest extent of the law. I think the conduct—or, more correctly, misconduct—in that instance was absolutely despicable and abhorrent.

I am concerned about patient safety in a variety of areas. They may be a small fraction of the total number of health care cases in this country, but anytime, anywhere patients are endangered or threatened by criminal conduct or malpractice, people should be prosecuted and disciplined to the full extent of the law. These cases shock and horrify our sense of decency and we understand the responsibility of health care practitioners anywhere, anytime.

My resolution, which I intend to offer after the Senator from Utah concludes his, will call upon our colleagues to condemn these actions in all health care settings, whether clinics, hospitals, nursing homes, or dental offices across the country.

So with that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, this week in Philadelphia, a jury is deliberating the case of Kermit Gosnell. That doctor has been charged and tried for some of the most gruesome atrocities ever encountered by the American justice system.

As the grand jury opened its harrowing report:

This case is about a doctor who killed babies and endangered women. What we mean is that he regularly and illegally delivered live, viable babies in the third trimester of pregnancy—and then murdered these newborns by severing their spinal cords with scissors.

Yet according to defense attorneys, Dr. Gosnell is not a monster, not a serial killer, not a predator of vulnerable mothers and their helpless children. He is just an abortionist.

Mr. President, let me suspend my speech momentarily. I understand my friend, the Senator from Connecticut, wishes to make a motion.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to offer the resolution that I and Senator BOXER, who is a long-time champion of better health care for the citizens of our country, and Senator SHAHEEN, expressing the sense of the Senate that these practices will not be tolerated in any setting, regardless of personal beliefs about the type of health care being offered.

This resolution is broader than the resolution of the Senator from Utah. I understand and sympathize with the basic objectives which, as I understand it, are to improve health care generally and to make sure the kinds of abuses being prosecuted in Philadelphia will not occur anywhere in this country.

I offer my resolution calling on the Senate to condemn such practices in all health care settings, be they clinics or hospitals, dental offices, anywhere in this country. They may be a small fraction and, hopefully, are a very small fraction, of the kinds of cases we would want to condemn. But we should condemn them wherever they occur, not just in one instance, not just singling out one case, but everywhere, anytime.

I might add as a former U.S. attorney that while this case is before the jury, I think we need to be very careful about what we say in a public forum as respected as this one about the facts of that case and about potentially prejudging the result. My understanding is the jury has not yet come back. If the allegations are true—if the jury concludes they have been proved beyond a reasonable doubt—then the punishment should certainly be sufficiently severe and serious to fit those circumstances and well deserving of our condemnation. But equally deserving of our condemnation are any circumstances where health care patients are put in danger, where safety is in peril, where the consequences do damage, or threaten damage, to the recipients of health care. Whatever the kind of health care, whatever we may think of it personally in terms of the merits and the type of care provided, we ought to condemn it, and that is the purpose and sense of the resolution I am offering.

So if I may, I ask unanimous consent that the Senate proceed to the consideration of a Senate resolution expressing the sense of the Senate regarding all incidents of abusive, unsanitary, or illegal health care practices be condemned—the text is at the desk; and I ask that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Reserving the right to object, as my friend, the Senator from Connecticut, is aware, we have only just received the language of this resolution in the last few minutes. Without having to read it closely, I am reluctant to grant consent at this time. But I will say I am heartened, and I think all Americans should be heartened, and the entire pro-life movement should be heartened by the clear implication that health regulations should be equitably applied and enforced on abortion clinics

as they are on other health care facilities.

Part of the reason we fear that Dr. Gosnell's clinic, if, in fact, the allegations are proven true, was not a rare outlier is that abortion clinics are generally held to the same safety standards as hospitals, ambulatory, surgical facilities, et cetera. So on that basis, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, if I may continue my remarks which I started a few moments ago.

According to his defense attorneys, then, Dr. Gosnell is not a monster, not a serial killer, not a predator of helpless mothers and their children. He is just an abortionist. In this context, Dr. Gosnell's alleged crimes were just abortions, and his facility, the so-called Women's Medical Society—reportedly strewn about with animal waste, infectious instruments, and fetal remains—was not, as the grand jury alleged, “a baby charnel house.” No, it was just a clinic.

His staff of allegedly unqualified, untrained frauds were not coconspirators in the contract killing of newborns. No, they were just health care providers. And the failure of local health inspectors and political officials to investigate repeated claims of Dr. Gosnell's barbarism was just a bureaucratic oversight—perhaps—or perhaps, as the panicked abortion industry would have us believe, Dr. Gosnell is an outlier, an outcast, nothing like the professional, competent, law-abiding late-term abortion providers around the country. But then again perhaps not.

Just a few weeks ago, a Planned Parenthood representative testified before the Florida State legislature and suggested that infants born alive during botched abortions might not be entitled to medical attention—in clear violation of Federal law, to say nothing of fundamental human rights and dignity. Even since then, undercover videos have caught late-term abortion providers telling pregnant mothers that even if their babies are accidentally born alive during the procedure, even if the law requires them to treat the newborn as a patient and citizen of the United States, and also telling them that even if the baby is born somewhere other than their clinic, they will see to it that the child does not survive.

So is the case of Dr. Gosnell an outlier or is the legitimacy of the late-term abortion industry merely a lie? The American people deserve to know.

Yesterday I introduced legislation to end the practice of late-term abortion in Washington, DC, after 20 weeks, the point at which science tells us unborn children can feel pain, in light of the chilling details coming in from Pennsylvania, Maryland, the District of Columbia, and various abortion clinics

around the country that late-term abortions on pain-capable, unborn children are an important issue we need to debate.

Opinions will obviously be divided, as they always are on abortion-related issues. But we owe it to the American people to see if we can find common ground to protect innocent women and innocent children.

But there should be no division or controversy surrounding the sense-of-the-Senate resolution I called up a few minutes ago. The resolution has the support of every Republican Senator, pro-life and pro-choice Members alike.

The resolution expresses the sense of the Senate, affirming: The duty of the State and Federal Government agencies to protect women and children from violent criminals posing as health care providers; the equal human and constitutional rights of fully born infant children; the need to prevent and punish abusive, unsanitary, and illegal abortion practices.

One of the newborns Dr. Gosnell is accused of murdering, "Baby Boy A," was born alive—breathing and moving—to an underage girl almost 30 weeks pregnant. Witnesses describe Gosnell severing the baby's spine, discarding the child in a shoebox, and joking that he was big enough "to walk me to the bus stop."

Joking. Joking.

A clinic employee estimated Baby Boy A's birth weight at about 6 pounds, larger and heavier than two of my own children when they were born.

If there are other Kermit Gosnells out there waging their own personal war on women, we need to know about it, and we need to stop them.

I don't think I can make a stronger argument for this resolution than the one the grand jury in the Gosnell case made itself:

Let us say right up front we realize this case will be used by both sides of the abortion debate. We ourselves cover a spectrum of personal beliefs about the morality of abortion. For us as a criminal grand jury, however, the case is not about that controversy; it is about disregard of the law and disdain for the lives and health of mothers and infants. We find common ground in exposing what happened here and in recommending measures to prevent anything like this from ever happening again.

I hope the Senate too, whose Members cover a similar spectrum of views on abortion, can follow the grand jury's lead to find common ground in the pursuit of truth and justice for American women and children.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Again, Mr. President, I accept and sympathize with the goals of the resolution offered by my friend from Utah. What I am suggesting is a resolution that includes those criminals who may be posing as health care practitioners in one field of

practice but extends the condemnation to all areas of practice.

I hope Senator LEE, my friend from Utah, will share my outrage at reprehensible and illegal actions that occur, unfortunately and tragically, in other areas of practice. Let me mention a few.

We ought to speak about the tragedy at the Pennsylvania clinic, where these incidents occurred, but we also should talk about the Oklahoma dentist who exposed as many as 7,000 patients to HIV and hepatitis B and C through unsanitary practices. Thousands of his patients are being tested to see if they have been infected. So far 60 of his patients have tested positive for these viruses. That is 60 people who trusted their dentist, a health care provider in a position of trust and responsibility, relying on him to respect and care for them safely and responsibly, and, instead they are now facing potentially life-threatening diseases that are as abhorrent and despicable in the lack of responsibility and care as what happened in Pennsylvania. We ought to talk about that incident with the same outrage that we talk about what happened, allegedly, in Pennsylvania.

We ought to speak about the health care practitioners at the Endoscopy Center of Southern Nevada who exposed 40,000 patients to hepatitis C through unsanitary practices. These unsanitary practices went on for years, and that is why this clinic may have hurt as many as 40,000 people. We are talking about 40,000 people, again, exposed to unnecessary danger because of the lack of trust and responsibility on the part of their health care provider.

We also ought to talk about the nursing director at Kern Valley nursing home in California who inappropriately medicated patients using antipsychotic drugs for her own convenience, resulting in the death of at least one patient.

We should be talking about the compounding pharmacies in Massachusetts and elsewhere in this country that provided products that killed and harmed thousands of people.

These incidents, as alleged, are willful violations of law, violations of human dignity and decency, that ought to shock the conscience of the Nation every bit to its core as much as the alleged misconduct and potential criminal activity in Pennsylvania.

These standards of care—or more appropriately and correctly, the violation of them—are simply unacceptable and intolerable, which is why my resolution would take as common ground the alleged Pennsylvania misconduct and include many other instances where standards of care—basic standards of decency and trust—are violated. I ask my friend from Utah to join me in espousing a resolution that establishes this kind of common ground.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. LEE. Mr. President, I appreciate the insight and the concern shared by my friend and colleague from Connecticut. These are all things we all ought to be thinking about, be concerned about, and be debating from time to time. To reiterate one of the points we need to make here: As with all health-care-providing institutions, all clinics, all hospitals need to be subjected to the scrutiny of some outside regulator. They need to have some accountability to those who will ensure that conditions there are safe, that the treatments being provided are effective, and that they are not going to result in more injury, in more disease, in life-threatening conditions, in emergency responders who show up not being able to access the patient in time because the hallways are too narrow, the exits are blocked or the hallways are crowded.

I appreciate the insight from my colleague from Connecticut and thank him for his remarks.

Thank you, Mr. President.

WATER RESOURCES DEVELOPMENT ACT OF 2013—Continued

Mrs. BOXER. Mr. President, can I ask what the order is at this time?

The PRESIDING OFFICER. The Senate is considering S. 601.

Mrs. BOXER. OK. So this is my understanding: I ask Senator BLUMENTHAL, do you have more to say on this matter with the resolution?

Mr. BLUMENTHAL. I do not.

Mrs. BOXER. OK. I know Senator COATS has some very important remarks to make about the death of a figure whom he cares about very much.

What I wish to propose, if I can, is to talk a little bit about this little back and forth we had going between my two friends here, and then immediately following what will only take about 2 or 3 minutes is to yield the floor to Senator COATS for 10 minutes.

Mr. COATS. Less than that.

Mrs. BOXER. Less than that. For the benefit of all Senators, we think we are going to have a vote tonight on the Brown amendment. So everyone stay around. We are hoping to have that in the next half hour or so. That is our plan. We hope it will happen.

But I wanted to say in this back and forth we heard between two Senators why I was very strongly for the resolution that was put forward by Senator BLUMENTHAL.

Clearly, what we have in our society today are callous, abusive, unsanitary, or illegal health care practices. These horrible, callous practices turn into tragedies. They produce tragedies. As Senator BLUMENTHAL said, it goes across a wide array of various health care settings.

We do not come down here every day to call out one horrific problem after another. Certainly what has happened

in Pennsylvania—and, again, I would take the admonition of Senator BLUMENTHAL, who was a prosecutor, we have to be careful when a jury is deliberating—but certainly if these allegations are true, the individuals involved should be punished to the full extent of the law—and the toughest kind of punishment—and I believe in other cases too.

I know my colleague has talked about a horrible situation in southern Nevada, where 40,000 patients were exposed to hepatitis C. Hepatitis C is a serious and life-threatening condition. Mr. President, 40,000 people were exposed to it. They did nothing. That is deserving of condemnation as well.

He talked about a nursing home in California, where we had the death of a patient because the nurse in that particular case—and nurses are some of the most extraordinarily wonderful people, but in this particular case she had her own convenience ahead of the situation. She improperly medicated patients using antipsychotic drugs, and we know one patient died.

Whatever the setting is—if it is a reproductive health care clinic, if it is a dentist, if it is any type of doctor, any kind of clinic—where there are willful violations of the law and violations of human dignity and violations of standard of care, we should call them out.

What I thought was so important about Senator BLUMENTHAL's resolution is that he took the spirit of Senator LEE's resolution. He did. He actually included in that what occurred in Pennsylvania. And we did get it to the Republicans 2 hours ago, so it was not a few minutes. I think that is a case in point where we could come together, where we say: Absolutely what happened in Pennsylvania is an outrage, it is a violation of everything we hold dear; and here are some other cases.

As long as I have the floor, I will conclude with this: I have been getting involved in issues that deal with medical errors. I was stunned to find out, as I think are my colleagues—as a matter of fact, I met with a doctor from a Texas hospital where they have improved very much where they were losing patients, dozens of patients every month, because of medical errors, terrible errors that are preventable errors: the wrong prescriptions, the lack of monitoring, infections, terrible infections in hospitals. These are all horrible deaths that are preventable.

I think my colleague's resolution was very statesmanlike. I think what he did was he said to our colleagues who wanted to pass their resolution: Of course we will work with you. Let's broaden it. Let's include condemnation of other horrible tragedies that are occurring throughout the Nation, not just this one case, which is tragic and despicable and every word I could think of, but all these other cases, so we do not every day come here with an-

other example. This is a broad problem in our country. We do the best out of most developed countries, but we still have a long way to go.

I wanted to explain why I supported my friend when he opposed the narrower resolution and support his broad resolution. I would urge my colleagues to work with us.

With that, I yield the floor to my friend from Indiana.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Indiana.

Mr. COATS. Mr. President, I thank my colleague for allowing me to speak as in morning business, and I ask unanimous consent to do that.

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

REMEMBERING OTIS RAY BOWEN

Mr. COATS. Mr. President, this past Saturday my State of Indiana lost a humble giant whose soft-spoken yet very firm convictions influenced many Hoosiers for many years, including me.

Former Indiana Governor Otis Ray Bowen, known affectionately to Hoosiers as "Doc," passed away at the age of 95, the culmination of a life spent in service to others.

Born in 1918, near Rochester, IN, Doc Bowen earned both a bachelor's degree and a medical degree from Indiana University, joining the Army Medical Corps, after completing his internship, in 1943.

He served in the Medical Corps of the U.S. Army during World War II and went ashore with the first wave of Allied troops during the invasion of Okinawa in 1945.

After the end of the war, Doc Bowen started a family medical practice in Bremen, IN, which he continued for the next 25 years. He estimated that during his career this family doctor delivered more than 3,000 babies.

He was first elected to political office in 1952 as Marshall County's coroner and then to the Indiana House of Representatives in 1956.

Doc lost the reelection following that 2-year stint by only 4 votes in 1958 but then subsequently was elected to seven consecutive house terms, beginning in 1960. He became minority leader in 1965 and speaker in 1967. He served as speaker of the Indiana House through four legislative sessions.

As the 44th Governor of Indiana, from 1973 to 1981, Dr. Bowen served Hoosiers with dignity and respect. His tenure included numerous accomplishments, including landmark tax restructuring, improvements to State park facilities, and the development of a Statewide emergency medical services system.

One of the most significant accomplishments of Governor Bowen was a medical malpractice bill he signed into law. Aimed to reduce the cost of health insurance and the burden on doctors, Governor Bowen's medical malpractice law became a national model.

Hoosiers will also remember the Governor's passionate love of Indiana basketball. When the TV cameras would scan the players' bench, there was Doc, encouraging the team and, at times, casting a critical eye on the referee who just missed an important call.

Following his service as Governor, Dr. Bowen returned to medicine as a professor at the Indiana University Medical Center.

But his time in public service did not end there. President Ronald Reagan called Dr. Bowen out of private life and back into public service in 1985 by naming him Secretary of Health and Human Services—the first physician to serve in this position.

In 1989, Dr. Bowen returned to his Bremen home and continued to serve others through various charities and commissions.

I was privileged to be able to meet with him on some occasions—quietly, nonpublicly, just sharing stories, talking about his career, and, more importantly, his love for Indiana, his love for his wife, his love for his country.

This good doctor and good Governor will long be remembered as an example of political leadership and human decency. The imprint of his leadership and, most of all, the imprint of his character will live on in the minds and hearts of Hoosiers for generations to come.

My wife Marsha and I join millions of Hoosiers as we extend our deepest condolences to his family and also our gratitude for his shining example of a life well lived.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleague for his very warm remarks.

I ask unanimous consent that notwithstanding the previous order, the Brown amendment No. 813, as modified with the changes that are at the desk, also be in order; that there be no amendments in order to the Brown amendment prior to a vote in relation to the amendment; that at 5:45 p.m. today, the Senate proceed to vote in relation to the Brown amendment No. 813, as modified; further, that all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I just asked unanimous consent to vote on the Brown amendment. I am going to be supporting that amendment. I think it is an important amendment. I just want to say to colleagues, we are making progress. It is not as fast as Senator VITTER and I would like, but considering the Senate it is not bad. We have moved through a number of

amendments already, one particularly contentious amendment.

We are moving toward the finish line. I urge everyone to get their amendments in. I urge them, as best I can, to stay away from nongermane amendments that are controversial, that cause us to pause in our work. This is an important bill. This bill was last done in 2007. You would ask, why does it take so long? We used to do these bills every 2 or 3 years. But the reason it has taken this long, in the interim we decided we would no longer have earmarks.

That made this bill particularly difficult because normally we would mention the projects by name. We could not do that. So we had to figure a way to move forward by making sure we never listed any particular project. We did it in a good way. We said if there is a completed Army Corps report, the project runs forward. If there is a modification that has to be made that did not add to the cost of the project, it goes forward. In the future the local governments can come forward and pitch to the Corps directly. We need flood control in this country. We know that. We knew that before Superstorm Sandy. We certainly know it now. We need port dredging in this country to move our goods. Our goods must be moved, and goods to our country have to come into our ports.

We need environmental restoration. We need to take care of the Everglades. We need to take care of the Chesapeake. I have a place called the Salton Sea that is drying up. We need to take care of these kinds of challenges. We are going to turn to the Brown amendment. I am going to give up the floor now and hope he will explain it. I will be strongly supporting it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 813, AS MODIFIED

Mr. BROWN. I thank the Senator from California, the chair of the committee who has done an extraordinary job with Senator VITTER on this bill.

I ask unanimous consent to call up amendment No. 813.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN], for himself, Mr. TOOMEY, Mr. CASEY, Ms. KLOBUCHAR and Mr. DURBIN, proposes an amendment numbered 813, as modified.

Mr. BROWN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries)

At the end of title V, add the following:

SEC. 50. MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI RIVER AND OHIO RIVER BASINS AND TRIBUTARIES.

(a) MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI AND OHIO RIVER BASINS AND TRIBUTARIES.—

(1) IN GENERAL.—The Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, the Director of the National Park Service, and the Director of the United States Geological Survey, shall lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing high-level technical assistance, coordination, best practices, and support to State and local governments in carrying out activities designed to slow, and eventually eliminate, the threat posed by Asian carp.

(2) BEST PRACTICES.—To the maximum extent practicable, the multiagency effort shall apply lessons learned and best practices such as those described in the document prepared by the Asian Carp Working Group entitled “Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States”, and dated November 2007, and the document prepared by the Asian Carp Regional Coordinating Committee entitled “FY 2012 Asian Carp Control Strategy Framework” and dated February 2012.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than December 31 of each year, the Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, shall submit to the Committee on Appropriations and the Committee on Natural Resources of the House of Representatives and the Committee on Appropriations and the Committee on Environmental and Public Works of the Senate a report describing the coordinated strategies established and progress made toward goals to control and eliminate Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) any observed changes in the range of Asian carp in the Upper Mississippi and Ohio River basins and tributaries during the 2-year period preceding submission of the report;

(B) a summary of Federal agency efforts, including cooperative efforts with non-Federal partners, to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(C) any research that the Director determines could improve the ability to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(D) any quantitative measures that Director intends to use to document progress in controlling the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries; and

(E) a cross-cut accounting of Federal and non-Federal expenditures to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

Mr. BROWN. Mr. President, I am pleased to offer today, with my colleagues from Pennsylvania, Senator TOOMEY and Senator CASEY, this amendment. As many of you know, the spread of Asian carp poses a threat to the Great Lakes’ ecosystem. Because of the work of my Great Lakes State col-

leagues from Minnesota to Michigan, Pennsylvania, we are working to address this problem.

But it is not, contrary to what many believe, limited just to the Great Lakes. The Ohio and Upper Mississippi River Basins also face the threat of these invasive species. This no-cost amendment that Senator TOOMEY and I are offering would support multiagency efforts to hold the spread of Asian carp in the Ohio and Upper Mississippi Basin.

I ask my colleagues for their support.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. TOOMEY. Mr. President, I would like to begin by thanking my colleague Senator BROWN for his leadership on this issue, and Senator CASEY, my colleague from Pennsylvania, who is supportive of this effort as well.

This is not a complicated amendment. I do not think it is a controversial amendment either. The fact is in southwestern Pennsylvania, we have three iconic rivers. In northwestern Pennsylvania we have access to and a coastline along a beautiful and important national treasure, Lake Erie.

On all of these, the rivers and Lake Erie, the commerce and the recreation that occurs on these waterways are potentially at risk to an invasion of the Asian carp. This, as we all know, is a very aggressive, large, nonindigenous species that could be very disruptive to the ecosystem of the rivers, to the ecosystem of Lake Erie.

What we discovered is that there is no single entity in the entire Federal Government that is responsible for coordinating our response, a response that will help to minimize the risk that the Asian carp would be able to invade the waterways and ultimately make their way into the Great Lakes.

It would be potentially devastating if the Asian carp were to do so. We have introduced this amendment to this bill which would simply do two things. It would place the U.S. Fish and Wildlife Service in charge of coordinating the Federal multiagency effort. That would include the National Park Service, the U.S. Geological Survey, and the Army Corps of Engineers. It would require an annual report on what is being done at the Federal and State level to minimize the risk of an invasion of the Asian carp.

As I say, I believe this is a very constructive, modest amendment. I trust it is not controversial. I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I ask for the yeas and nays on the Brown amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio, Mr. BROWN.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Nevada (Mr. HELLER) and the Senator from Nebraska (Mr. JOHANNIS).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—95

Alexander	Flake	Murphy
Ayotte	Franken	Murray
Baldwin	Gillibrand	Nelson
Barrasso	Graham	Paul
Baucus	Grassley	Portman
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Blumenthal	Hatch	Reid
Blunt	Heinrich	Risch
Boozman	Heitkamp	Roberts
Boxer	Hirono	Rockefeller
Brown	Hoeben	Rubio
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Coburn	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Lee	Toomey
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCain	Vitter
Cruz	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	

NOT VOTING—5

Cardin	Johannis	McCaskill
Heller	Lautenberg	

The amendment (No. 813), as modified, was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we have made progress on this bill in the last couple of days. We have had a difficult time on some of the amendments that were nongermane, but we worked our way through those. The two managers on this bill are waiting for amendments to be offered.

I hope we could get this bill done as quickly as possible. It is an important bill for every State in the Union. I hope it is not bogged down with a lot of non-relevant, nongermane amendments. If people want to offer them, have at it. I

just don't think it is the right thing to do on this bill. We have already been through that. I have talked to Senator BOXER and Senator VITTER and they want to move through this bill.

There is a lot of good stuff in this legislation, and they have worked so hard. They have listened to all of their colleagues who have situations, and some of that can be resolved with a managers' amendment. So if Senators have to offer an amendment, go ahead and offer it, but let's try to get this legislation complete.

Monday is a no-vote day. We should do everything tomorrow to at least come up with a finite list of amendments because we are not going to spend all week on this bill next week, that is for sure.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for 10 or 11 minutes.

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

INSIDER TRADING LAWS

Mr. GRASSLEY. Mr. President, with the passage of the STOCK Act last year, Congress made an important statement: When it comes to insider trading laws, there is no special exemption for Congress. If anyone in government provides confidential information to someone for the purpose of trading on it, that is insider trading.

It is illegal if the information is both material and nonpublic. The word "material" means a reasonable investor would want to know it before investing. "Nonpublic" means the information has not been released to the general public. To violate the law, the person making the disclosure must have a duty to keep the information secret.

Frankly, there is very little information in Congress that must be kept secret. Of course, that is a good thing. Unlike the executive branch, most of what Congress does is public immediately. But disclosing material nonpublic information can be a crime. Even if it is done intentionally, people might be investigated before getting a chance to clear their name. And there is a big difference between material nonpublic information and an expert's educated guess about what a government agency might do.

We now know that Wall Street has been harvesting expertise and tidbits of information from Washington, DC, for years while keeping us largely in the dark. In fact, the political intelligence industry is so big and so opaque that the Government Accountability Office was unable to quantify it or judge its size despite 1 whole year of investigating.

Political intelligence firms extract pieces of information from the government and use that intelligence to make money on Wall Street. Each detail a political intelligence firm gathers may

not be material or nonpublic on its own, but the purpose of collecting and analyzing those details is to get an edge in the markets over other investors.

That is not illegal, and I have never suggested that it should be. People should not be discouraged from sharing information and opinions about how our government operates. We should be more transparent, not less. The less open and transparent government is, the more opportunities there are to exploit government information for profit in the markets.

I have been investigating the role of political intelligence firms in the early release of information about Medicare Advantage rates prior to the public announcement on April 1st. There has been some confusion over the scope of my inquiry, so I want to be clear.

There are reports that the Securities and Exchange Commission is investigating whether material non-public information was released about the Medicare Advantage rates. My interest is much broader than that. Political intelligence is not the same thing as material non-public information. Gathering political intelligence includes a lot of activity that falls short of material non-public information. So, just because I am asking questions about how certain information or expert opinions flowed to these political intelligence firms, does not mean I am accusing anyone of any wrongdoing.

I am not seeking to ban the gathering of political intelligence. I am not suggesting that if someone was the source for some piece of political intelligence, that the source did anything illegal. But, the goal of these firms is to get an edge on other investors, and that should be understood by everyone who communicates with them.

This investigation has shed a great deal of light on the political intelligence industry. I hope to use this information to improve the legislation on political intelligence disclosure that I plan to re-introduce with Representative SLAUGHTER. I am trying to learn how these political intelligence firms function by using this real-world example, so that I can write better legislation on disclosure.

To be clear, I am not focused on examining whether particular Congressional staff acted properly with regard to their professional duties. Any reports to the contrary are simply inaccurate. What I think we need is more transparency. Government officials need to know what happens with the information they provide to outside parties. I want to arm government officials with knowledge about who they are talking to.

My inquiry started with Height Securities, the firm that put out an alert 18 minutes before the markets closed on April 1st. That alert caused a huge spike in the health insurance stocks

that stood to gain from the rate announcement.

I initially learned that an email on April 1st from a healthcare lobbyist to the analyst at Height Securities looked like the basis for the flash alert that moved the markets. In the interest of full disclosure, it has been reported in the press that the lobbyist was formerly on my staff. But, I continued to press for more information.

I learned that Height paid for his expertise on healthcare, although his entire billing amounted to only 1.75 hours of work before sending the email on April 1st. I learned that the Height analyst had also communicated with two other healthcare policy experts before putting out his alert to the market.

Then, I learned that the Centers for Medicare and Medicaid Services—CMS—had already made its decision to reverse the rate cuts much earlier, two weeks before the Height Securities alert.

The press has reported that there were major spikes in options trading on March 18th and March 22nd. Options trading is one way folks on Wall Street make big bets on a stock when they think they have a sure thing. March 18th happens to be the first trading day after CMS made its decision internally. March 22nd happens to be the day that CMS transmitted its draft decision to the White House more than a week before the public announcement. On that date, the circle of people in the administration who would have known about the CMS decision expanded significantly.

This suggests that political intelligence firms may have obtained key information for their clients in mid-March, not just the day of the announcement on April 1st.

The press also reported on the possible involvement of another political intelligence firm, Capitol Street. Capitol Street arranges conference calls between investors and governments experts.

In addition, I have asked two major hedge funds mentioned in the press whether they profited from trades in advance of the rate announcement. So the scope of my inquiry is broad. It is not focused on particular people. It is focused on the facts.

The Securities and Exchange Commission is also investigating. It is their job to determine whether any material non-public information was passed to Height or to anyone else in this case. That is not my job.

I am working on legislation to make the political intelligence industry more transparent. I am gathering facts to inform that legislation.

Remember, political intelligence does not necessarily involve material non-public information. But, people in government need to know who they are talking to and what they will do with your information. That is why it is so

important to ensure that political intelligence relationships are transparent. Even if the information you provide is merely an educated guess, it can still move markets. It can still create an impression that a fortunate few are making money from special access to insiders.

If political intelligence transparency is passed, government officials would be more fully informed when they provide expertise to these firms about how the information might be used. But as things stand, without transparency, you do not necessarily know what firms like Height Securities or Capitol Street do with the information you provide to them. You don't know if they have a contract with a lobbyist who is bringing in some other client for a meeting. You don't know that your discussion with that lobbyist's client might be repeated to people who are looking for an edge in the stock market. What you think may be an innocent detail or an educated guess may move markets.

At the end of the day, that is what these firms want to exploit. That is what they are after. That is what they sell. They should be honest and upfront with people about how they make money. Lobbying disclosure isn't perfect, but it has brought more transparency to the process.

Now, we need political intelligence disclosure too, for the same reasons.

Transparency increases the public's ability to trust that we are working for them, not for just for special interests. That principle should apply just as much to special interests on Wall Street as it does to special interests on K Street.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask consent to follow Senator MORAN at the conclusion of his remarks.

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

The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

CHARITABLE GIVING

Mr. MORAN. Mr. President, April 15 has now come and gone, known as tax day to most Americans. Millions of Americans filed their returns last month and many took into account in filing that return the dollars they contributed to charitable and worthwhile causes. According to an organization called Giving USA, Americans gave nearly \$300 billion in 2011 to support important programs and services, from food pantries and medical research to youth programs and seed grants to start new businesses. Because of those generous donations of millions of Americans each year, not-for-profits

have impacted the lives of countless individuals for decades.

An example back home in my State, an example of where a charitable contribution made a tremendous difference in the life of an individual is William Wilkerson, a 16-year-old from Overland Park, KS. At age 3, William was diagnosed with moderate to severe bilateral hearing loss.

After visiting several doctors, William was taken to Children's Mercy Hospital, where he was fitted with his first set of hearing aids. He later put into words what he experienced that day: With so many different things that I had never heard before, it was as if somebody had turned on the world!

Denise Miller, the manager of the Children's Mercy Hearing and Speech Clinic, said this about the importance of donations: Because of the donor support we receive, we are able to fit the most appropriate hearing aids on each and every child, based on their own unique needs.

In 2011, the clinic fit nearly 500 patients with hearing aids bringing the world of sound to their ears and changing their lives forever.

Nonprofits like Children's Mercy Hospital depend on the generosity of Kansans and other Americans to help support their ongoing care for children.

But President Obama has proposed changes to the 100-year-old tradition of providing tax incentives for charitable giving that could significantly diminish this support for nonprofits.

In the President's 2014 budget is a proposal to cap the total value of tax deductions at 28 percent for higher income Americans—including the charitable tax deduction.

According to the Charitable Giving Coalition, this proposal could reduce donations to the nonprofit sector by more than \$5.6 billion every year. This reduction amounts to more than the annual operating budgets of the American Red Cross, Goodwill, the YMCA, Habitat for Humanity, the Boys and Girls Clubs, Catholic Charities, and the American Cancer Society combined. A reduction in giving of this magnitude would have a devastating impact on the future of charitable organizations in our country.

Given our country's current economic situation, more Americans have turned to nonprofits for help in recent years. According to the Nonprofit Finance Fund, 85 percent of nonprofits experienced higher demand for their services in 2011 and at least 70 percent have seen increased demand since 2008. Our country depends upon a strong philanthropic sector to provide a safety net for services, especially given the tighter local and State budgets.

Americans understand the value and impact of the charitable deduction, which is why a recent United Way Worldwide survey found that two out of every three Americans are opposed

to reducing the charitable tax deduction.

Nonprofits are best equipped to provide assistance on the local level and can often do so in a far more effective manner than many government programs. Studies have shown that for every \$1 subject to the charitable deduction, communities will receive \$3 in benefits.

The Federal Government will be hard-pressed to find a more effective way to generate that kind of public impact. Congress has previously acknowledged the benefits of private investments and regularly passes charitable giving incentives in the wake of a natural disaster to encourage more giving.

Last October, when Hurricane Sandy tore across the east coast, the storm left thousands of residents without the basic necessities of life: food, water, and shelter. Within 6 weeks, the American Red Cross served more than 8 million meals, provided more than 81,000 shelter stays, and distributed more than 6 million relief items to thousands of residents impacted by the storm.

In times of crisis, Americans depend on relief service organizations such as the American Red Cross, Catholic Charities, and the Salvation Army—all not-for-profit organizations whose main purpose is to help their fellow citizens when they need it the most.

Nonprofits such as Habitat for Humanity also help families make a fresh start in life after a disaster. In May of 2007, an EF5 tornado swept through my home State of Kansas devastating 95 percent of the town of Greensburg.

Diana Torres, a single mom, had lived in Greensburg for nearly 7 years when the tornado destroyed the home they were renting. Diana faced the likelihood of having to move out of State when the Wichita Habitat for Humanity stepped in with 1,400 volunteers to build a new home. Thanks to special financing and donated supplies, Diana could afford to purchase the home for her family.

Executive director of the Wichita Habitat for Humanity Linda Stewart said those who support Habitat “know they are making a difference in someone’s life that lasts for years.” That is what not-for-profits do every day across Kansas and around our country. They make a difference one life at a time.

Since the founding of our Nation, neighbors have been helping other neighbors. They lend that helping hand that is so often needed. The charitable deduction is one way to encourage that tradition to continue.

Any change in the Tax Code related to charitable giving would have a long-lasting and negative consequence, not necessarily to the generous donor but, more importantly, to the millions of Americans who rely upon the services provided by a charitable organization.

With our economy still recovering and the tremendous need for charitable causes, the President should be encouraging Americans to give more, not less, and Congress should reject this administration’s proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I would like to ask consent to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. As I am sure the Presiding Officer suspects, I am back on the floor again to urge that we awaken to what carbon pollution is doing to our planet, to our oceans, to our seasons, and to our storms. I wonder why is it that we are so comfortably asleep when the warnings are so many and so real. What could beguile us away from wakefulness and duty?

I was recently at a Senate meeting when I heard a Member of our Senate community say: “God won’t allow us to ruin our planet.” Maybe that is why we do nothing. We are comfortable that God somehow will not allow us to ruin our planet. That seems like such an extraordinary notion, I thought I would reflect on it in my remarks this week.

First of all, the statement refers to God and is couched in religious terms, but is it truly an expression of religious inquiry? I think not. It is less an expression of religious thinking than it is of magical thinking. The statement that God will not allow us to ruin our planet sweeps aside ethics, responsibilities, consequences, duties, even awareness. It comforts us with the anodyne assumption that no matter what we do, some undefined presence will—through some undefined measure—make things right and clean up our mess. That is seeking magical deliverance from our troubles, not divine guidance through our troubles.

Is God truly here just to tidy up after our sins and follies, to immunize us from their consequence? If that is true, why does the Bible say in Galatians 6:7, “Do not be deceived . . . whatever one sows, that will he also reap.” If God is just a tidy-up-after-us God, why does the book of Job 4:8 warn that “those who plow iniquity and sow trouble reap the same.” If God is not a God of consequences, why does Luke 6:38 tell us, “For with the measure you use, it will be measured back to you.” Proverbs 22:8 tells us, “Whoever sows injustice will reap calamity.”

Jeremiah 17:10 says, “I the Lord search the heart and test the mind to give every man according to his ways, according to the fruit of his deeds.”

So it seems we should not walk in the counsel of the wicked or sit in the seat of the scoffers and then expect

there will be no bitter fruit of our deeds, no consequence.

We are warned in the Bible not to plow iniquity, not to eat the fruit of lies. Where in the Bible are we assured of safety if we do? I see no assurances of that. The Bible says in 1 Samuel 2:3 that “the Lord is a God of knowledge, and by Him actions are weighed.” At Thessalonians 1:6, “God considers it just to repay with affliction those who afflict.” Those who “sow the wind,” the Bible says, “they shall reap the whirlwind.”

Look at our own American history. If God is just here to tidy up after our sins and follies, how could Abraham Lincoln say this about our bloody Civil War to free and redeem us from the sin of slavery? Here is what Lincoln said about that war:

Yet, if God wills that it continue, until all the wealth piled by the bond-man’s two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said: “The judgments of the Lord, are true and righteous judgment altogether.”

That was Abraham Lincoln. Blood drawn by the sword in equal measure to that drawn by the lash as the true and righteous judgment of the Lord—that doesn’t sound like a God of amnesty.

Go to the very beginning. If we live in a state of God-given general amnesty from consequences, why were Adam and Eve expelled from Eden for their sin? Why was Cain sent into the wilderness, condemned to wander for the crime against his brother? If it is your assertion that God’s love has no measure of tough love, wander a bit through the Old Testament before getting too married to that idea.

If the Old Testament is too bloodthirsty for you, look at Revelations 11:18:

And Thy wrath is come, and the time . . . that Thou . . . shouldst destroy them which destroy the earth.

If we believe in an all-powerful God, we must then believe that God gave us this Earth, and we must in turn believe God gave us its laws of gravity, chemistry, and physics. We must also believe that God gave us our human powers of intellect and reason. He gives us these powers so we, His children, can learn and understand Earth’s natural laws, which He also gave us, so that as His children we can use that understanding of Earth’s natural laws to build and create and prosper on His Earth.

Hasn’t that, in fact, been the path of human progress? We learn these natural laws, and we apply them to build and create and we prosper.

Why then when we ignore His plain, natural laws, when we ignore the obvious conclusions to be drawn by our God-given intellect and reason would God—the tidy-up God—drop in and

spare us? Why would He allow an innocent child to burn its hand when it touches the hot stove but protect us from this lesson? Why would He allow a badly engineered bridge or building to fall, killing innocent people, but protect us from this mistake? Why would He allow cholera to kill in epidemics until we figure out that the well water is contaminated?

The Earth's natural laws and our capacity to divine them are God's great gift to us, allowing us to learn and build great things and cure disease. But God's gift to us of a planet with natural laws and natural order has as an integral part of that gift consequences—consequences when we get that law and order wrong. The child's hand burns, the bridge falls, the disease spreads. If it didn't matter whether we got it right or wrong, there would be no value to God's creation of that natural law and order in the first place.

So is that then to be our answer to polluting our atmosphere with carbon by the megaton and changing our climate and changing our seas? Is it to be our answer to that, that God would not allow us to ruin our planet? We are to continue to pollute our Earth with literally megatons each year of carbon, heating up our atmosphere, acidifying our seas, knowing full well by His natural laws what the consequences are? Instead of correcting our own behavior, we are going to bet on a miracle? That is the plan? Excuse me, but that is not the American way. President Kennedy described the American way as he ended his inaugural address connecting our work to God's:

... let us go forth, to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own.

That is the order of things. We are here to do God's work. He is not here to do ours. How arrogant. How very far from humility would be the self-satisfied smug assurance that God—a tidy-up-after-us God—will come and clean up our mess; that on this Earth, God's work need not be our own.

Remember the story of the man trapped in his house during a huge flood. A faithful man, he trusted God to save him. As the waters began to rise in his house, his neighbor came by and offered him a ride to safety, and he said: I am waiting for God to save me. So the neighbor got in his pickup truck and drove away.

As the water rose, the man climbed to the second floor of his house, and a boat came by his window with people who were headed for safe ground. They threw a rope and they yelled at the man to climb out and come with them, but he told them: No, I trust in God to save me. They shook their heads, and they moved on.

The flood waters kept rising, and the man clambered up onto his roof. A helicopter flew by, and a voice came over

the loudspeaker offering to lower a ladder to the man, let him climb up and fly to safety. The man waved the helicopter away, shouting back that he counted on God to save him, so the helicopter left.

Well, eventually the floodwaters swept over the roof, and the man was drowned. When the man reached Heaven, he had some questions for God:

God, he asked, didn't I trust in You to save me?

Why did You let me drown?

God answered: I sent you a pickup truck, I sent you a boat, I sent you a helicopter. You refused my help.

Just as God sent the pickup truck, the boat, and the helicopter to the drowning man, He has sent us everything we need to solve this carbon pollution problem. We just refuse. We just refuse. Some of us even deny that the floodwaters are rising.

As I have indicated in previous speeches, climate denial is bad science. Indeed, it is such bad science it falls into the category of falsehood. Climate denial is bad economics, ignoring that in a proper marketplace the costs of carbon pollution should be factored into the price of carbon. Climate denial is bad policy in any number of areas—bad national security policy, bad environmental policy, bad foreign policy, bad economic policy.

Although I am a Senator, not a preacher, from everything I have learned and believe, it seems to me that climate denial is also bad religion and bad morals. Hopes for a nanny God who will, with a miracle, grant us amnesty from our folly is not aligned with history or text of the Bible.

We need to face the fact that there is only one leg on which climate denial stands: money. The polluters give and spend money to create false doubt. The polluters give and spend money to buy political influence. The polluters give and spend money to keep polluting. That is it—not truth, not science, not economics, not safety, not policy, and certainly not religion, nor morality. Nothing supports climate denial—nothing except money.

But in Congress, in this temple, money rules. So here I stand in one of the last places on Earth that is still a haven to climate denial. In our arrogance, we here in Congress think we can somehow ignore or trump Earth's natural laws—laws of chemistry, laws of physics, laws of science—with our own political lawmaking, with our own political influence. But we are fools to think that. The laws of chemistry and the laws of physics neither know nor care what we say or do here.

So we need to wake up. We need to walk not in the counsel of the wicked, nor sit in the seat of scoffers, but with due humility awaken to our duty and get to work because here on Earth God's work must truly be our own.

Thank you very much. I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I just want to say to Senator WHITEHOUSE before he leaves the floor how much I appreciated his remarks tonight and how much I learned from his remarks. I wish to say to the Senator that I think he put forward the most cogent argument from a religious perspective as to why we have to take action to make sure we don't lose this planet. We are in a planetary emergency. As he said, this is the last place in the world, almost, that doesn't get it.

I wish to say to the Senator from Rhode Island that the reason so many religious leaders are in our coalition to call attention to climate change, to call attention to global warming, to call attention to the rising waters, to call attention to the terrible droughts, to the terrible fires, to the terrible storms, to the extreme weather and all the things we are seeing around us—the Senator from Rhode Island has laid it out chapter and verse, we can truly say, chapter and verse, and I so appreciate what he is doing here. I so appreciate his consistent voice, his passionate voice.

I so appreciate that he is on the committee I am so proud to chair, the Environment and Public Works Committee. We are on a bill that deals with the public works side of the committee. We have good camaraderie there. But when it comes to protecting the environment, it is as if there are just two totally different species of humanity—the deniers and the believers. I am proud to be on the side of the believers. I believe America is built on facts. It is built on, yes, religious beliefs and scientific proof.

I think the Senator from Rhode Island laid it out tonight in such a magnificent way that I intend to send the Senator's remarks, with his permission, to all of our colleagues, to put them up on my Web site because I am so proud to stand with the Senator from Rhode Island in this fight. This is a fight, and as my friend from Rhode Island said it is a fight that puts on one side the special interests, the polluters, the money, versus those who just say we have to save this planet. It is our responsibility. It is our God-given responsibility.

I thank the Senator from Rhode Island so much, and I yield to him.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I just want to say how honored I am to serve on Senator BOXER's committee with her as our chairman and leader and how eager I am to fight beside her in the struggles ahead.

With that, with my appreciation, I yield the floor.

Mrs. BOXER. Mr. President, I wish to say to my friend, today was a great day for the Senator from Rhode Island, not

only because of the speech that I think is quite memorable but also because of the amendment he passed with the help of our Republican friends, to set up an oceans trust fund. I think this is a good, positive day, and I am very pleased about that.

I would ask the staff if we are ready to make the unanimous consent request.

We will be in 2 minutes. So I would say to my colleague that we are going to dispose of about six amendments very quickly on the floor, with the indulgence of the Senator, and we should be free and done with this business in a few minutes.

Mr. HOEVEN. I thank the Senator. No objection.

Mrs. BOXER. I thank the Senator.

So we will put in a quorum call. I ask unanimous consent to complete my remarks after the remarks of Senator HOEVEN.

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

The PRESIDING OFFICER. The Senator from California.

AMENDMENTS NOS. 801, 806, 835, 833, AND 832, EN BLOC

Mrs. BOXER. Mr. President, I ask unanimous consent that notwithstanding the previous order, the following amendments which have been cleared on both sides be considered and agreed to en bloc: Pryor amendment No. 801, as modified, with the changes at the desk; Pryor amendment No. 806; Inhofe amendment No. 835, with a modification to the instruction lines; McCain amendment No. 833; and Murray amendment No. 832; further, that all of the provisions of the previous order remain in effect.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 801, AS MODIFIED

(Purpose: To direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms)

At the end, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) DEFINITIONS.—In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term “farm” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(3) GALLON.—The term “gallon” means a United States liquid gallon.

(4) OIL.—The term “oil” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(5) OIL DISCHARGE.—The term “oil discharge” has the meaning given the term “discharge” in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(6) REPORTABLE OIL DISCHARGE HISTORY.—The term “reportable oil discharge history” has the meaning used to describe the legal requirement to report a discharge of oil under applicable law.

(7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “Spill Prevention, Control, and Countermeasure rule” means the regulation, including amendments, promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification of compliance with the rule by—

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(ii) an aggregate aboveground storage capacity greater than or equal to 20,000 gallons; or

(iii) a reportable oil discharge history; or
(B) the owner or operator of the farm (via self-certification) for a farm with—

(i) an aggregate aboveground storage capacity not more than 20,000 gallons and not less than the lesser of—

(I) 6,000 gallons; or

(II) the adjustment described in subsection (d)(2); and

(ii) no reportable oil discharge history of oil; and

(2) not require a certification of a statement of compliance with the rule—

(A) subject to subsection (d), with an aggregate aboveground storage capacity of not less than 2,500 gallons and not more than 6,000 gallons; and

(B) no reportable oil discharge history; and
(3) not require a certification of a statement of compliance with the rule for an aggregate aboveground storage capacity of not more than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and

(2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

(d) STUDY.—

(1) IN GENERAL.—Not later than 12 months of the date of enactment of this Act, the Administrator, in consultation with the Secretary of Agriculture, shall conduct a study to determine the appropriate exemption under subsection (b)(2)(A) and (b)(1)(B) to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant rise of discharge to water.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in subsection (b)(2)(A) and (b)(1)(B) in accordance with the study.

AMENDMENT NO. 806

(Purpose: To provide a work-in-kind credit)

In section 2012, strike subsection (b) and insert the following:

(b) APPLICABILITY.—Section 2003(e) of the Water Resources Development Act of 2007 (42 U.S.C. 1962d–5b) is amended—

(1) by inserting “, or construction of design deficiency corrections on the project,” after “construction on the project”; and

(2) by inserting “, or under which construction of the project has not been completed and the work to be performed by the non-Federal interests has not been carried out and is creditable only toward any remaining non-Federal cost share,” after “has not been initiated”.

AMENDMENT NO. 835, AS MODIFIED

(Purpose: To provide for rural water infrastructure projects)

On page 319, between lines 9 and 10, insert the following:

(10) RURAL WATER INFRASTRUCTURE PROJECT.—The term “rural water infrastructure project” means a project that—

(A) is described in section 10007; and
(B) is located in a water system that serves not more than 25,000 individuals. On page 527, strike lines 1 through 3, and insert the following:

(2) ELIGIBLE PROJECT COSTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(B) RURAL WATER INFRASTRUCTURE PROJECTS.—For rural water infrastructure projects, the eligible project costs of a project shall be reasonably anticipated to be not less than \$5,000,000.

AMENDMENT NO. 833

(Purpose: To protect the American taxpayer by establishing metrics to measure the effectiveness of grants administered by the national levee safety program)

In section 6004(i)(2), add at the end the following:

(C) MEASURES TO ASSESS EFFECTIVENESS.—Not later than 1 year after the enactment of this Act, the Secretary shall implement quantifiable performance measures and metrics to assess the effectiveness of the grant program established in accordance with subparagraph (A).

AMENDMENT NO. 832

(Purpose: To modify the definition of the term “cargo container”)

On page 305, strike lines 11 through 14 and insert the following:

“(i) CARGO CONTAINER.—The term ‘cargo container’ means a cargo container that is 1 Twenty-foot Equivalent Unit.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise in support of amendment No. 802, which I understand will be offered to the WRDA bill by my colleague from Louisiana Senator LANDRIEU which would stop flood insurance premiums from skyrocketing until FEMA completes its study on the affordability of premiums of the National Flood Insurance Program.

As everyone here knows, my home State of New Jersey was at the epicenter of Superstorm Sandy which destroyed thousands of homes, left millions without power, and caused billions of dollars in damage. But despite the devastation, the people of New Jersey didn’t give up. They began rebuilding, and we showed the country that “Jersey Tough” isn’t just a slogan.

But even as we slowly recover from the worst natural disaster in our State’s history, a manmade disaster is looming in the distance, jeopardizing our recovery. The combination of updated flood maps and the phaseout of

premium subsidies for the National Flood Insurance Program threaten to force victims out of their homes and destroy entire communities.

It is like a triple whammy. We have the consequences of Superstorm Sandy, which devastated homes, so they have to rebuild. Many times, that insurance didn't rise to the level of the cost of rebuilding. Secondly, and as a result of flood maps that came in after the storm, there are now requirements for new elevations. Thirdly, the premiums are going to skyrocket because the subsidies go down. So we have a triple whammy.

Now, many homeowners are going to be forced to pay premiums that are several times higher than their current policy. Those who cannot afford the higher premiums will either be forced to sell or abandon their homes. This, in turn, will drive down property values and local revenues at the worst possible time—when we are doing everything we can to bring communities back to life after the storm.

I have heard from countless New Jerseyans. Many who are facing this predicament have come to me in tears. These are hard-working middle-class families who have played by the rules, purchased flood insurance responsibly, and now are being priced out of the only home in which they have ever lived. This amendment would delay these potentially devastating changes until FEMA completes its study on premium affordability.

This study is the result of a requirement I authored in the flood insurance bill last year because I was concerned that premiums could become unaffordable for too many families. Of course, at that time the challenge was made by many of our colleagues, particularly on the other side of the aisle, who said: Well, we will let the flood insurance program die unless it can be self-sufficient.

Given the choice between having no flood insurance program—that, therefore, would mean no homeowner would have any insurance available to them, and, of course, it dramatically reduces the value of the home if you cannot get flood insurance and you are in a flood plain—or having a flood insurance program under the conditions our colleagues insisted on, there was a need to have a flood insurance program. But because I knew that had some potential rate shock to individuals, the study I required and sought and achieved in the flood insurance bill last year was because of this concern of unaffordability for too many families. That was even before Superstorm Sandy struck.

While my friends on the other side of the aisle protested my efforts to provide assistance to help low- and middle-income families afford insurance, I was able to include a requirement that FEMA conduct this study on afford-

ability. Well, it has been 10 months since we passed the reauthorization, and there is still no study.

Unfortunately, my concerns about premiums becoming unaffordable have already come true for many New Jersey homeowners. Until FEMA does its job and provides options, according to the law, to improve affordability, the people of New Jersey should not have to face these skyrocketing premiums at a time they are, in essence, getting a triple whammy: They lost their homes or their homes are dramatically uninhabitable, they have to rebuild—in many cases, because of new flood maps, they will have to elevate—and they will have to pay incredibly higher premiums. That is simply a devastation that should not take place.

We all remember the devastation that happened in New Jersey in late October and the way the country came together to help the victims. Last week we marked the 6-month anniversary of Sandy, and the work is far from over. We still have too many people out of their homes and too many people who are afraid of losing their homes.

New Jersey families already suffered from a natural disaster. The next disaster should not be a manmade one. I urge my colleagues to support this amendment.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Connecticut.

MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO JOEL NAJMAN

Mr. LEAHY. Mr. President, to many Vermonters, Joel Najman is part of rock-and-roll radio history. Taking the reins of the Vermont Public Radio show "My Place" 30 years ago this spring, he captivated rock-and-roll enthusiasts from around the region and staked his claim in Vermont radio history.

Marcelle and I have known Joel for many years and have followed his career with great interest. Starting in radio at Vermont's own Middlebury College, Joel went on to WJOY in South Burlington and continues to work WDEV in Waterbury, in addition to hosting "My Place" on Vermont Public Radio.

Joel first joined "My Place" as a substitute host in 1982. After taking over full time in 1983, he took the show far beyond an "oldies rock radio hour" and

made it his mission to apply cultural and historical context to rock music for his listeners. In each hour-long episode, he examines rock-and-roll history, providing his listeners with details that often take years to accumulate. He has even been known to spend his entire radio hour picking apart a single song.

In 2004, he was inducted into the Vermont Broadcaster's Hall of Fame, and the Vermont State Legislature recently passed a resolution honoring him as a "rock and roll impresario." Today, I would like to congratulate Joel for his 30 years as host of "My Place." I ask unanimous consent an article from the Vermont publication, *Seven Days*, entitled, "Vermont Legislature Honors 'My Place' Host Joel Najman" be printed in the RECORD.

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

[From *Seven Days*, Apr. 26, 2013]

VERMONT LEGISLATURE HONORS "MY PLACE"
HOST JOEL NAJMAN
(By Dan Bolles)

On Wednesday, April 24, the Vermont Legislature surprised Joel Najman with a resolution congratulating the local DJ on his 30th anniversary as the host of the Vermont Public Radio show, and rock-and-roll time machine, "My Place."

"My Place" was originally hosted by David Field and began life as a wide-ranging, interactive retrospective of rock and roll from the 1950s and '60s. But Najman dramatically revamped the show's format when he took over in 1983, after serving as a substitute host the year prior.

Najman is as passionate a musicologist as he is a fan, which is really saying something. In each hourlong episode, he hones in on a specific theme or topic, sometimes sharpening his focus to a single song, and examines its historical context and cultural importance in painstaking detail.

He's said those details can take years—yes, years—of sleuthing to fully unearth. Recent episodes of "My Place" have explored the first and second waves of the British Invasion, Berry Gordy's pre-Motown canon and "Popular Songs About Women."

"There are a lot of oldies stations, and you can buy oldies CDs, or go online and MP3 them or however you want to get the music," said Najman in a 2007 interview with *Seven Days* celebrating his 25th anniversary. "But it's relating it to the evolving culture of that time and the stories behind the songs—how they came about, how they were made—which has always been my hobby."

Some hobby.
If you're into stiff, overly formal verbiage with lots of "Whereas"-es, you can read the full resolution here. Whereas, if you'd like to hear from the man himself, Najman will appear as a guest on VPR's "Vermont Edition" on Monday, April 29.

Whereas, you could also listen to "My Place" on VPR Saturdays at 8 p.m.
Congrats, Joel.

TRIBUTE TO BRIAN JOSEPH DAVID

Mr. REID. Mr. President, I rise today to pay tribute to Mr. Brian Joseph David, who retired from the Department of Defense on December 31, 2012,

after 30 years of dedicated service to the Federal Government. Mr. David's expertise in continuity issues greatly enhanced the safety and security of the legislative, executive, and judicial branches of government.

While serving as the Detection Project Officer for the Joint Program Office of Biological Defense, JPO-BD, Mr. David supervised and operated DOD's first integrated biological and chemical detection system, which was deployed overseas for force protection during Operation Desert Thunder in Kuwait. He also created the Concept of Operations for the Portal Shield biological detection Advanced Concept Technology Demonstration, ACTD, Program, which was implemented during actual deployment conditions. He was awarded the Superior Civilian Service Award for successfully leading this deployment overseas.

Mr. David played an integral role providing advice and counsel to assist national emergency managers as they worked to mitigate and recover evidence from biological warfare attacks on the Senate. Mr. David's knowledge and expertise significantly reduced the recovery time and expenses related to the anthrax and ricin attacks on the Senate. He oversaw a major chemical, biological, radiological, and explosives defense effort to protect our country's national assets. By combining surveillance and identification technologies, defensive measures and mitigation capabilities, Mr. David formed a standard by which other large-scale protective efforts are now measured.

I commend Mr. David's contributions and longstanding career in public service. I, along with my colleagues on both sides of the aisle, congratulate him on his well-earned retirement and wish him well in his future endeavors.

JOINT COMMITTEE ON THE LIBRARY

RULES OF PROCEDURE

Mr. SCHUMER. Mr. President, on May 7, 2013, the Joint Committee on the Library organized, elected a Chairman, a Vice Chairman, and adopted its rules for the 113th Congress. Members of the Joint Committee on the Library elected Senator CHARLES E. SCHUMER as Vice-Chairman and Congressman GREGG HARPER as Chairman. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent to have printed in the RECORD a copy of the Committee rules.

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

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY 113TH CONGRESS

TITLE I—MEETINGS OF THE COMMITTEE

1. Regular meetings may be called by the chairman, with the concurrence of the vice-

chairman, as may be deemed necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personal or internal staff management or procedures;

(C) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under the provisions of law or Government regulation. (Paragraph 5(b) of rule XXVI of the Standing Rules of the Senate.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members at least 3 days in advance. In addition, the committee staff will email or telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of committee business will normally be sent to all members of the committee by the staff director at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the chairman waived such a requirement for good cause.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, 4 members of the committee shall constitute a quorum.

2. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 members of the committee shall constitute a quorum for the purpose of taking testimony; provided, however, once a quorum is established, any one member can continue to take such testimony.

3. Under no circumstance may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the members present so demand, a recorded vote will be taken on any question by rollcall.

3. The results of the rollcall votes taken in any meeting upon a measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall be include a tabulation of the votes cast in favor and the votes cast in opposition to each measure and amendment by each member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matters shall require the concurrence of a majority of the members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a member's position on the question and then only in those instances when the absentee committee member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

TITLE IV—DELEGATION AND AUTHORITY TO THE CHAIRMAN AND VICE CHAIRMAN

1. The chairman and vice chairman are authorized to sign all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf on all routine business.

2. The chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

JOINT COMMITTEE ON PRINTING

RULES OF PROCEDURE

Mr. SCHUMER. Mr. President, on May 7, 2013, the Joint Committee on Printing organized, elected a Chairman, a Vice Chairman, and adopted its rules for the 113th Congress. Members of the Joint Committee on Printing elected Senator CHARLES E. SCHUMER as Chairman and Congressman GREGG HARPER as Vice Chairman. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent to have printed in the RECORD a copy of the Committee rules.

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

JOINT COMMITTEE ON PRINTING, 113TH
CONGRESS

RULE 1.—COMMITTEE RULES

(a) The rules of the Senate and House insofar as they are applicable, shall govern the Committee.

(b) The Committee's rules shall be published in the Congressional Record as soon as possible following the Committee's organizational meeting in each odd-numbered year.

(c) Where these rules require a vote of the members of the Committee, polling of members either in writing or by telephone shall not be permitted to substitute for a vote taken at a Committee meeting, unless the ranking minority member assents to waiver of this requirement.

(d) Proposals for amending Committee rules shall be sent to all members at least one week before final action is taken thereon, unless the amendment is made by unanimous consent.

RULE 2.—REGULAR COMMITTEE MEETINGS

(a) The regular meeting date of the Committee shall be the second Wednesday of every month when the House and Senate are in session. A regularly scheduled meeting need not be held if there is no business to be considered and after appropriate notification is made to the ranking minority member. Additional meetings may be called by the Chairman, as he may deem necessary or at the request of the majority of the members of the Committee.

(b) If the Chairman of the Committee is not present at any meeting of the Committee, the vice-Chairman or ranking member of the majority party on the Committee who is present shall preside at the meeting.

RULE 3.—QUORUM

(a) Five members of the Committee shall constitute a quorum, which is required for the purpose of closing meetings, promulgating Committee orders or changing the rules of the Committee.

(b) Three members shall constitute a quorum for purposes of taking testimony and receiving evidence.

RULE 4.—PROXIES

(a) Written or telegraphic proxies of Committee members will be received and recorded on any vote taken by the Committee, except for the purpose of creating a quorum.

(b) Proxies will be allowed on any such votes for the purpose of recording a member's position on a question only when the absentee Committee member has been informed of the question and has affirmatively requested that he be recorded.

RULE 5.—OPEN AND CLOSED MEETINGS

(a) Each meeting for the transaction of business of the Committee shall be open to the public except when the Committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public. No such vote shall be required to close a meeting that relates solely to internal budget or personnel matters.

(b) No person other than members of the Committee, and such congressional staff and other representatives as they may authorize, shall be present in any business session that has been closed to the public.

RULE 6.—ALTERNATING CHAIRMANSHIP AND
VICE-CHAIRMANSHIP BY CONGRESSES

(a) The Chairmanship and vice Chairmanship of the Committee shall alternate between the House and the Senate by Congresses: The senior member of the minority

party in the House of Congress opposite of that of the Chairman shall be the ranking minority member of the Committee.

(b) In the event the House and Senate are under different party control, the Chairman and vice Chairman shall represent the majority party in their respective Houses. When the Chairman and vice-Chairman represent different parties, the vice-Chairman shall also fulfill the responsibilities of the ranking minority member as prescribed by these rules.

RULE 7.—PARLIAMENTARY QUESTIONS

Questions as to the order of business and the procedures of Committee shall in the first instance be decided by the Chairman; subject always to an appeal to the Committee.

RULE 8.—HEARINGS: PUBLIC ANNOUNCEMENTS
AND WITNESSES

(a) The Chairman, in the case of hearings to be conducted by the Committee, shall make public announcement of the date, place and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman shall make such public announcement at the earliest possible date. The staff director of the Committee shall promptly notify the Daily Digest of the Congressional Record as soon as possible after such public announcement is made.

(b) So far as practicable, all witnesses appearing before the Committee shall file advance written statements of their proposed testimony at least 48 hours in advance of their appearance and their oral testimony shall be limited to brief summaries. Limited insertions or additional germane material will be received for the record, subject to the approval of the Chairman.

RULE 9.—OFFICIAL HEARING RECORD

(a) An accurate stenographic record shall be kept of all Committee proceedings and actions. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the Chairman.

(b) Each member of the Committee shall be provided with a copy of the hearing transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks. If any other person is authorized by a Committee Member to make his corrections, the staff director shall be so notified.

(c) Members who have received unanimous consent to submit written questions to witnesses shall be allowed two days within which to submit these to the staff director for transmission to the witnesses. The record may be held open for a period not to exceed two weeks awaiting the responses by witnesses.

(d) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee. Testimony received in closed hearings shall not be released or included in any report without the approval of the Committee.

RULE 10.—WITNESSES FOR COMMITTEE HEARINGS

(a) Selection of witnesses for Committee hearings shall be made by the Committee staff under the direction of the Chairman. A list of proposed witnesses shall be submitted to the members of the Committee for review sufficiently in advance of the hearings to permit suggestions by the Committee members to receive appropriate consideration.

(b) The Chairman shall provide adequate time for questioning of witnesses by all members, including minority Members and the rule of germaneness shall be enforced in all hearings notified.

(c) Whenever a hearing is conducted by the Committee upon any measure or matter, the minority on the Committee shall be entitled, upon unanimous request to the Chairman before the completion of such hearings, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

RULE 11.—CONFIDENTIAL INFORMATION
FURNISHED TO THE COMMITTEE

The information contained in any books, papers or documents furnished to the Committee by any individual, partnership, corporation or other legal entity shall, upon the request of the individual, partnership, corporation or entity furnishing the same, be maintained in strict confidence by the members and staff of the Committee, except that any such information may be released outside of executive session of the Committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation or entity in connection with any pending hearing or as a part of a duly authorized report of the Committee if such release is deemed essential to the performance of the functions of the Committee and is in the public interest.

RULE 12.—BROADCASTING OF COMMITTEE
HEARINGS

The rule for broadcasting of Committee hearings shall be the same as Rule XI, clause 4, of the Rules of the House of Representatives.

RULE 13.—COMMITTEE REPORTS

(a) No Committee report shall be made public or transmitted to the Congress without the approval of a majority of the Committee except when Congress has adjourned: provided that any member of the Committee may make a report supplementary to or dissenting from the majority report. Such supplementary or dissenting reports should be as brief as possible.

(b) Factual reports by the Committee staff may be printed for distribution to Committee members and the public only upon authorization of the Chairman either with the approval of a majority of the Committee or with the consent of the ranking minority member.

RULE 14.—CONFIDENTIALITY OF COMMITTEE
REPORTS

No summary of a Committee report, prediction of the contents of a report, or statement of conclusions concerning any investigation shall be made by a member of the Committee or by any staff member of the Committee prior to the issuance of a report of the Committee.

RULE 15.—COMMITTEE STAFF

(a) The Committee shall have a staff director, selected by the Chairman. The staff director shall be an employee of the House of Representatives or of the Senate.

(b) The Ranking Minority Member may designate an employee of the House of Representatives or of the Senate as the minority staff director.

(c) The staff director, under the general supervision of the Chairman, is authorized to deal directly with agencies of the Government and with non-Government groups and individuals on behalf of the Committee.

(d) The Chairman or staff director shall timely notify the Ranking Minority Member or the minority staff director of decisions made on behalf of the Committee.

RULE 16.—COMMITTEE CHAIRMAN

The Chairman of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Specifically, the Chairman is authorized, during the interim periods between meetings of the Committee, to act on all requests submitted by any executive department, independent agency, temporary or permanent commissions and committees of the Federal Government, the Government Printing Office and any other Federal entity, pursuant to the requirements of applicable Federal law and regulations.

BATTLE OF ATTU 70TH
ANNIVERSARY

Ms. MURKOWSKI. Mr. President, I rise today to commemorate the 70th Anniversary of the Battle of Attu.

The Battle of Attu is often times forgotten or dismissed, but this battle is an important part of our history as a Nation. After all, it was the last battle between warring nations to be fought in North America.

During WWII Alaska was still a territory to the United States, and in 1942, Japan seized three islands off the end of the Aleutian chain in the most southwest part of Alaska. Japan prepared the island for the inevitable counterattack.

On May 11, 1943, the Americans launched towards Attu Island, and a battle raged until May 29 when 800 Japanese soldiers employed a full fledged Banzai attack, fighting hand to hand. While the Japanese attack crumbled, Japanese soldiers pulled grenades, dying by their own hand as a sign of honor. By the afternoon, the battle was over. American forces had prevailed.

This battle was remarkable in many ways. More men were killed in action on Attu than at Pearl Harbor. It also remains the only time American soldiers have fought an invading army on American soil since the war of 1812. Last summer I had the honor of traveling to Attu with Admiral Ostebo, the Coast Guard District 17 Commander, where we dedicated a permanent memorial to the sacrifice of the Attu villagers. Now all who walk the hills of Attu will be reminded of the sacrifice Attu village residents and other Alaskans made during World War II.

An article in the Anchorage Daily News by Mike Dunham did a great job in relaying the story of the battle, and I ask unanimous consent to have it printed in the RECORD.

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

[From the Anchorage Daily News, May 4,
2013]

70 YEARS AGO THIS MONTH, THE BATTLE OF
ATTU RAGED

(By Mike Dunham)

Cpl. Joe Sasser was asleep in his pup tent on a cold, soggy morning 70 years ago when

the alarm sounded. "Somebody was shouting, 'The Japs have come through!'" he recalled.

Sasser's outfit, the 50th Engineers, were builders, not fighters. Most of the men—and there weren't a lot of them—were what the Army calls noncombatants. Their job was to make roads and move supplies to the soldiers on the front lines. The strung-out line of supply tents was not fortified. The soldiers had rifles, not machine guns.

He struggled into his perpetually damp leather boots—"Not the right attire" for the snow and mud of Alaska, he said—grabbed his helmet and M-1 rifle, went to an embankment created when the road was pushed through a few days earlier and peered over the side.

"The Japanese were moving up the hill," he said. "The ravines were full of them" in numbers that far exceeded the Americans at the outpost.

He watched the mass of determined, desperate men swarm toward him in an action no U.S. soldier had faced since the War of 1812—a bayonet charge by an enemy invader on American soil.

Thus began the Battle of Engineer Hill, the last battle between warring nations to be fought in North America.

THEATER OF FRUSTRATION

In 1942 Japan seized three islands at the end of Alaska's Aleutian chain. Only one, Attu, had a village. The citizens, mostly Aleut Natives, were sent to internment camps in Japan. The invaders prepared the island for the counterattack they knew would come.

Historians debate whether Japan's Alaska incursion was a feint to draw attention away from their real target, Midway Island, or part of an ambitious plan to create a virtual "fence" across the Pacific.

Either way, the propaganda value was undeniable. The Territory of Alaska was part of the North American continent, sharing the mainland with the 48 states. The occupation by a hostile force, even of an island 1,000 miles from the coast, constituted an embarrassment that could not be tolerated.

On May 11, 1943, the Americans launched the Battle of Attu with amphibious landings from two directions.

The day began in fog, Sasser recalled in a phone call from his home in Carthage, Miss., last month. "But it cleared up somewhat later in the day. We got on our boats and went ashore at Massacre Bay," the southern landing site.

"There was no resistance."

It was a misleading start.

American intelligence originally estimated Japanese strength at 500 men. There were more like 2,500. U.S. maps were incomplete or inaccurate. Planners failed to understand the swampy tundra that rose from the beach, a skim of grass over bottomless muck. Soldiers went ashore in summer uniforms and slick-bottom leather boots suitable for desert combat.

The defenders waited in the steep mountains, cloaked in clouds, set in positions to cover the approaches in crossfire. When the Americans were well into Massacre Valley, the Japanese opened up with machine guns and mortars. The valley offered little cover and no quick retreat. The advance ground to a halt and the scene turned into what one historian has called "the theater of military frustration."

Planes supposed to provide air cover crashed in the Aleutian winds. Some attacked American soldiers by mistake. The offshore armada couldn't see or reach inland

targets where U.S. forces were getting ripped up. Heavy guns and supplies barely moved off the beach as heavy equipment bogged down in the mire.

"The invasion of Attu was scheduled for a three-day deal," Sasser said. "Three days, they told us, and we'd be out of there."

On the fifth day the commanding general was replaced. Reinforcements poured in as the Americans suffered heavy losses—not just from the bullets but from exposure. Some froze or died from hypothermia. "Trench foot" and frostbite crippled their numbers. So did the psychological battering of constant incoming fire.

"We went on one detail all the way across the valley to pick up a guy who'd lost his marbles," Sasser said. "He was really a zombie at that point. He followed us back, almost like a child, not saying anything."

GALLONS OF BLOOD

Historian John Cloe observes that "two under-strength Japanese infantry battalions on half-rations" repeatedly threw back six battalions of amply supplied U.S. infantry. But bit by bit the Americans pushed ahead—particularly on days when air support could reach them.

On the seventh day, the Japanese retreated toward Chichagof Harbor. The Americans' northern and southern landing forces finally met. The Americans slowly took possession of strategic ground, one yard at a time, each little victory measured in gallons of blood. By May 28, the Japanese were cornered at Chichagof Harbor.

Commander Col. Yasuyo Yamazaki had less than half his forces still able to fight. They were almost out of ammunition and near starvation.

But the valley above the harbor was lightly defended with the Americans' main fighting units dispersed along the high ground—and there were caches of U.S. supplies at the top.

Yamazaki devised a last-ditch plan. A surprise attack could throw the Americans in Chichigof Valley back in panic. In the rout, his men might reach the heavy artillery in Massacre Valley and turn the Americans' own guns against them. He could replenish his stock of weapons, hold strategic ground, cut supply lines, divide the dispirited American forces and perhaps maintain a stalemate until help arrived.

But he knew the odds of success were slim. He ordered all documents burned. Men too sick or injured to fight died either by their own hand or from an overdose of morphine.

BANZAI

Just before dawn on May 29, Americans in the valley were told to leave their positions and get a hot breakfast at the regimental mess tent. Cloe suspects the order may have been spread by an English-speaking Japanese infiltrator.

The groggy men were thinking of coffee when upwards of 800 screaming Japanese came charging out of the mist and dark. The Americans were caught off guard and overrun. Fighting was hand-to-hand. It was impossible to see what was going on. There were no prisoners.

The Japanese reached the medical tents and slaughtered the wounded in their cots. Their death shrieks added to the chaos. U.S. troops, their top officers dead, uncertain of the number or positions of the invisible enemy, scattered or retreated.

It was one of those soldiers, fleeing over Engineer Hill, who gave the warning that woke Sasser.

Among those escaping the carnage was an unarmed doctor. "He asked for a gun, but nobody had two," Sasser said. "He disappeared

for a while and came back with a rifle and took up position with us. He wanted to be in the fight."

Dr. John Bassett was killed about 15 feet from Sasser.

Sasser had a slight advantage over many of the other men. He had trained as a scout before being transferred to the engineers. As he looked down on the approaching Japanese, he felt lucky that he'd moved his tent the night before.

"Three of us initially pitched at the crest of a ravine. Then, I can't remember why, we moved 40 to 50 yards farther up the hill to the road bed," he said. "Two other guys thought it was a good spot and pitched there. They were bayoneted in their sleeping bags."

Sasser credited a small embankment along the road for saving him from a similar fate. "It saved our lives."

Outnumbered and rattled, a thin line of bulldozer drivers, mechanics, medics and cooks formed a hasty defense. Some of the men didn't have time to put on their boots. The only automatic weapons they had were those dropped by the men in retreat.

But the Japanese had even less, little more than bayonets, swords, knives and sticks along with a few precious bullets. Nonetheless, they engaged the Americans with a ferocity that Sasser recalls to this day.

"They were a tenacious group," he said. "I was surprised. It was dishonor for them to be captured and an honor to be killed."

Yamazaki died with his sword in hand. The Japanese fell back and reassembled for a second charge. The Americans had their rifles ready.

"We picked 'em off one by one," Sasser said.

As their assault crumbled, the remaining Japanese each took the grenade he kept for himself, gripped it to his chest or his head—and pulled the pin.

The battle was over. The valley, in the words of one historian, looked like an excavated cemetery. Hundreds of corpses from both sides lay atop the rock and tundra.

"Then we had to go down there and pick 'em up," Sasser said.

Morning's heroes became the afternoon's grave diggers.

AFTERMATH

The Battle of Attu, often dismissed or forgotten, was remarkable in many ways.

More men were killed in action on Attu than at Pearl Harbor: at least 2,350 Japanese—plus those never accounted for—and 549 Americans; 1,148 Americans were wounded and 2,100 listed as casualties due to cold and shell shock. How many Americans died as a result of injuries in the weeks after the battle is uncertain, but some say it was equal to or greater than the battlefield deaths.

Fewer than 30 Japanese were captured alive.

It was the only land battle in the war fought in the Americas, the first amphibious landing by the U.S. Army and, aside from Iwo Jima, the most costly in terms of the percentage of American casualties. "For every hundred of the enemy, about 71 Americans were killed or wounded," according to the official Army history.

It was the first time in the war that the U.S. military retook occupied American territory, and the first time the Army encountered the fanatical fight-to-the-death ethos of the Japanese.

It remains the only time American soldiers have fought an invading army on American soil since the War of 1812.

It was the deadliest battle on the continent since the Civil War.

But history wasn't on Sasser's mind as he braced for the screaming, charging enemy 70 years ago. "At that particular point I was not aware of the significance," he said. "I just knew we were there because it was American territory. And we were going to get it back."

REMEMBERING AUDREY THIBODEAU

Ms. COLLINS. Mr. President, on May 25, loving family members and countless friends will gather in Presque Isle, ME, to celebrate the remarkable life of Audrey Bishop Thibodeau, who passed away January 2, at the age of 97. I rise today in tribute to a caring citizen and dear friend.

It has been said that we all have a birth date and a death date, with a dash in between. It's what we do with our dash that counts.

Audrey Thibodeau's dash was long, and she made it count. She was a devoted wife, a wonderful mother, an educator, a farmer, and an entrepreneur. Wherever there was a need, she was a committed volunteer and a generous philanthropist.

She was born Audrey Elaine Bishop on December 13, 1915, in Caribou, ME, my hometown. She attended Caribou public schools and, in 1937, graduated from the University of Maine with a degree in nutrition. It was while teaching high school home economics that she developed one of the great passions of her life—raising awareness and fostering education for students with reading disabilities. Her commitment to youth was also seen years later when she founded a Pony Club to help young people learn the skills and responsibilities of horsemanship.

In 1939, she married Lawrence Thibodeau, a high school classmate. After a brief adventure with farming in New York State, they returned to Maine and settled in Fort Kent, on the Canadian border. It was there that Audrey immersed herself in French to better appreciate the culture of the region.

The couple, with their growing family, relocated to Presque Isle in 1946 and soon became valued members of that community. Audrey's love of local culture led her to become instrumental in the incorporation of the Vera Estes House into the Presque Isle Historical Society and the creation of the Cultural and Museum Center at the Old Presque Isle Fire House, which celebrates the heritage of the local area. Audrey witnessed much history during her long life. Just as important, she was devoted to preserving the rich history of Aroostook County for future generations.

Her husband, Lawrence Thibodeau, better known as "Tib," passed away in 2008, but he will long be remembered for his contributions to Maine agri-

culture and support of the University of Maine Cooperative Extension Service. Together, the couple will always be remembered for the Larry and Audrey Thibodeau Scholarship that helps Aroostook County students pursue careers in medicine. After Audrey's passing, her family carried on her commitment to others by asking that memorial contributions be made to the Audrey B. Thibodeau Charitable and Educational Fund.

Audrey's philanthropy and volunteerism earned her accolades from the Maine Legislature and the Lifetime Achievement Award from the Presque Isle Area Chamber of Commerce. Her service and compassion will always be cherished by the people of Aroostook County. A strong leader, Audrey Thibodeau filled her dash with an infectious smile, enthusiasm for life, assistance to others, community participation, a dedication to Aroostook County, and a great deal of love for her remarkable family. May her memory inspire us all to follow her example.

RECOGNIZING AROOSTOOK MEDICAL CENTER

Ms. COLLINS. Mr. President, I rise today to commend The Aroostook Medical Center, TAMC, in Presque Isle, ME, for its efforts to improve its energy efficiency with compressed natural gas, CNG.

Dedicated to environmental stewardship and improving the community, TAMC is at the cutting edge with its conversion to CNG to meet the hospital's heating, cooling, and other energy needs. CNG represents a sensible effort to use a viable and affordable domestic energy alternative. This event demonstrates TAMC's efforts to create, sustain, and grow a modern health care organization to continue making a positive difference in Aroostook County. The countless and continuing efforts this northern Maine hospital is making to energy efficiency are to be commended for their lasting impact.

Converting to CNG is just one of the ways TAMC has reduced its carbon footprint. This efficient source of energy is safer to work with, will lower costs, and will burn more cleanly. The conversion to CNG will not only benefit the hospital and its patients and employees directly, but also will benefit the entire community by reducing emissions.

TAMC is quickly becoming a leader in environmentally friendly practices in northern Maine. The hospital has made changes to its nutritional program by eliminating disposable kitchenware, which has reduced the amount of waste it sends to the area's landfill. In addition, TAMC partners with the University of Maine at Presque Isle to improve composting. TAMC also purchases produce from MSAD No. 1 school farm, local farmers, and other

small local growers to support the community and reduce transportation emissions.

Whether it is taking actions as small as reducing waste or as large as converting to CNG, TAMC is making a positive impact on the area, improving both public health and the environment. I commend TAMC for its commitment to conservation and improving efficiency. TAMC is truly standing up to its motto, TAMC: More Than a Hospital.

ADDITIONAL STATEMENTS

CONGRATULATING THE BOSTON CHILDREN'S MUSEUM

• Mr. COWAN. Mr. President, today I am delighted to recognize the Boston Children's Museum for receiving the National Medal for Museum and Library Service. I had the pleasure of congratulating the staff of the Boston Children's Museum earlier today before they headed to the White House to have the medal presented in a ceremony by the First Lady.

This medal is the Nation's highest honor conferred on museums and libraries. The award is given to institutions which demonstrate extraordinary and innovative approaches to public service, exceeding the expected levels of community outreach. Out of 33 well-deserved finalists, only 10 were selected to receive the medal.

The Boston Children's Museum is a center of family in Massachusetts and it comes as no surprise to me that this revered institution would receive the Nation's highest honor.

Children spend their whole day learning, and Boston Children's Museum provides resources for families and educators to help support that continuous discovery. It provides a welcoming, imaginative, child centered learning environment that supports families and promotes the healthy development of all children.

Boston Children's Museum is one of the oldest and largest children's museums in the world. It was founded in 1913 by a group of visionary educators as a center for the exchange of materials and ideas to advance the teaching of science. For the past century, the museum has provided children with opportunities to engage in joyful discovery experiences that instill an appreciation of our world, develop foundational skills, and spark a lifelong love of learning.

The Museum has prided itself on developing exhibits and programs that emphasize hands on engagement and learning through experience. Children use play-based learning activities to spark their natural creativity and curiosity. The exhibits focus on science, culture, environmental awareness, health and fitness, and the arts. Mu-

seum educators also develop programs and activities that address literacy, performing arts, science and math, visual arts, cultures, and health and wellness.

Boston Children's Museum is a pioneer in early childhood education and development and works with research partners to gain a deeper understanding of how children learn, and how they develop physically, intellectually, and socio-emotionally. The museum has teamed up with researchers from the Massachusetts Institute of Technology to create Play Lab—an exhibit featuring active research in cognitive development. They have also worked with Harvard University on research involving developmental studies and social cognition. Additionally, they have worked with researchers from Boston College to explore the psychology of the arts and children's understanding of emotional development.

I would like to congratulate Carole Charnow, president and chief executive officer, and all the employees at the Boston Children's Museum on receiving the National Medal for Museum and Library Service.

For 100 years, their outstanding efforts have inspired lifelong learning for generations of children and have served as a model for the Nation in early childhood education and development. I believe that the Boston Children's Museum will continue to be the best children's museum in the world and I look forward to the innovation and leadership they will deliver over the next 100 years.●

CONGRATULATING JOHN ANTHONY SCIRE

• Mr. HELLER. Mr. President, today I wish to recognize Dr. John Anthony Scire, who has been awarded the 2013 Dean's Award for Teaching by a Member of the Contingent Faculty of the University of Nevada, Reno. My home State of Nevada is proud and privileged to acknowledge an extraordinary educator and leader.

Since 1993, Dr. John Scire has dedicated himself to the students and faculty of the College of Liberal Arts at the University of Nevada, Reno, UNR, as an adjunct professor. His extensive education in areas of international relations, international finance, and political science has prepared him for his service to the students of UNR. Nevada is fortunate to have such great educational leadership serving the students across our great State.

Prior to working in higher education, Dr. John Scire served nearly three decades in the U.S. military. His work included intelligence, counterintelligence, and psychological warfare operations that were vital to maintaining the national security of our country. Dr. Scire, like all of our military men and women, dedicated his life to serve

this great Nation, and I am grateful for his sacrifices.

I want to acknowledge and thank Dr. John Scire for his faithful service to our country, both in the classroom and protecting America. I ask my colleagues to join me in congratulating Dr. John Scire and celebrating the achievements of our Nation's teachers, administrators, and staff who help guide our students to educational excellence.●

TRIBUTE TO SERGEANT TIMOTHY HALL

• Mr. HELLER. Mr. President, today I wish to recognize Sergeant Timothy Hall, an extraordinary Nevadan who sacrificed his well-being in defense of this great Nation. The State of Nevada and the U.S. Army are proud and grateful for his selfless service and dedication to protecting our freedom.

Sergeant Hall put service to his Nation above his personal safety in 2010 when he was deployed to Afghanistan. He was willing to stand up and defend the United States in some of the harshest conditions. Just 6 months into Sergeant Hall's deployment, he was critically wounded in an enemy mortar attack that resulted in the loss of both his legs. Since then, Sergeant Hall has endured more than 60 surgeries and countless hours of rehabilitation.

In Sergeant Hall, I see the values of integrity, service, and excellence that define the brave men and women in our Armed Forces. It is these virtues that will define the rest of his life as he continues to adapt to the civilian world as a disabled veteran in his hometown of Hawthorne, NV. Sergeant Hall is the kind of patriot who, at the end of the day, is a hero that dedicated himself wholly to the most professional fighting force the world has ever known. America is an exceptional nation because of heroes like Sergeant Hall who are dedicated to securing our freedom no matter what the situation, no matter what the challenge.

All of our Nation's service men and women know all too well the price that is paid for freedom. Each and every day, our troops are serving the United States to protect our liberties. They dedicate their lives in service and constantly make grave sacrifices to ensure the safety of our country. For all who served and all who continue to serve, I cannot thank you enough, and you will continue to have my unwavering support.

I ask my colleagues to stand with me in honoring Sergeant Hall's service to our Nation. Let us continue to be mindful of our dedicated service members who fight to protect and preserve the ideals of freedom and democracy.●

RECOGNIZING VIVA FLORIDA 500

• Mr. RUBIO. Mr. President, I would like to take this opportunity to recognize the events taking place in my home State of Florida commemorating five centuries of historic and cultural significance.

Five hundred years ago Spanish explorer Juan Ponce de León led an expedition from the island of Puerto Rico in search of new territory for Spain to claim. Ponce de León laid claim to the new territory they found, calling the site La Florida because of the lush floral beauty that he saw. From our beautiful sandy beaches, to our rivers and lakes, to the Everglades in South Florida, our State remains true to Ponce de León's first description.

Ponce de León's landing can be considered the first step in Florida's journey to become a part of our great country. Ponce de León was the first European to land on what is now the continental United States. His landing predates some of the most treasured historical sites and moments in the United States, including the English landing at Jamestown, VA, and the Pilgrims landing at Plymouth, MA.

It is also important to recognize the State of Florida's Native American population during these events. Native Americans inhabited territories in and around Florida prior to Ponce de León's arrival and continue to make a positive contribution to our State and its culture.

Since its founding over five centuries ago, Florida continues to display its rich history by contributing new ideas, culture, and events to the American experience. I am proud to come from a State with a deeply rooted history, and I celebrate the State of Florida's leadership both past and present.

Mr. President, colleagues, please join me in recognizing the State of Florida and its 500th anniversary.●

TRIBUTE TO ANDREW DOWNS

• Mr. SHELBY. Mr. President, today I wish to pay tribute to Andrew Downs who, at age 15, has been named to the first ever National Youth Orchestra of the United States. Andrew is a native of Irondale, AL, and is a sophomore at the Alabama School of Fine Arts. He is the principal bassist for the Alabama Symphony Youth Orchestra.

The National Youth Orchestra of the United States of America is an initiative of Carnegie Hall's Weill Music Institute that brings together 120 of the most promising and talented young musicians from across the country to play together across the Nation and the globe. This year marks their inaugural session.

Andrew was selected out of a pool of 2,500 applicants from all 50 States, and is clearly one of Alabama's most talented young musicians. He is a member of the National Junior Honor Society

and also plays the violin, cello, and piano. He hopes to one day pursue a career as a bass player for a symphony orchestra.

This talented young man will be the only Alabamian in the orchestra, as well as one of only 10 bassists selected. I am proud to represent a State that is home to promising young individuals such as Andrew, who are committed to displaying excellence in their education and the arts.

Further, I wish Andrew Downs all the best as he embarks on his journey playing with the National Youth Orchestra. This is a true honor bestowed upon a very deserving student.●

TRIBUTE TO HANNAH MUDD

• Mr. THUNE. Mr. President, today I recognize Hannah Mudd, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Hannah is a graduate of St. Vincent de Paul High School in Perryville, MO. Currently, she is attending Saint Mary's College, where she is majoring in political science and history. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Hannah for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO KARINA KIEWEL

• Mr. THUNE. Mr. President, today I recognize Karina Kiewel, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Karina is a graduate of Dakota Valley High School in North Sioux City, SD. Currently, she is attending the University of Kansas, where she is majoring in political science and environmental studies. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Karina for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 6:29 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1071. An act to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

MEASURES PLACED ON THE CALENDAR

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

S. 888. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1378. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Liquidity and Funding" (RIN3052-AC54) received in the Office of the President of the Senate on April 24, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1379. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Gypsy Moth Generally Infested Areas; Additions in Wisconsin" (Docket No. APHIS-2012-0075) received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1380. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Updates to the List of Plant Inspection Stations" (Docket No. APHIS-2012-0099) received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1381. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dinotefuran; Pesticide Tolerances for Emergency Exemptions; Technical Amendment" (FRL No. 9384-9) received in the Office of the President of the Senate on April 25, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1382. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Glyphosate; Pesticide Tolerances" (FRL No. 9384-3) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1383. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Data Requirements for Antimicrobial Pesticides" (FRL No. 8886-5) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1384. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Carol M.

Pottenger, United States Navy Reserves, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1385. A communication from the Chairman of the Joint Chiefs of Staff, transmitting, pursuant to law, a report entitled “2013 Report to Congress on Vulnerability Assessments for Fiscal Year 2012 and Military Construction Requirements for the Then-Current Future Years Defense Plan”; to the Committee on Armed Services.

EC-1386. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled “2013 Report to Congress on Sustainable Ranges”; to the Committee on Armed Services.

EC-1387. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-1388. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting, pursuant to law, the Bank’s 2012 Statement on System of Internal Controls, audited financial statements, Report of Independent Registered Public Accounting Firm, and Report of Independent Registered Public Accounting Firm on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; to the Committee on Banking, Housing, and Urban Affairs.

EC-1389. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Kuwait; to the Committee on Banking, Housing, and Urban Affairs.

EC-1390. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-1391. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Order Imposing Recordkeeping and Reporting Obligations on Certain U.S. Financial Institutions with Respect to Transactions Involving Halawi Exchange Co. as a Financial Institution of Primary Money Laundering Concern” (RIN1506-AA63) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1392. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Order Imposing Recordkeeping and Reporting Obligations on Certain U.S. Financial Institutions with Respect to Transactions Involving Kassem Rmeiti and Co. for Exchange as a Financial Institution of Primary Money Laundering Concern” (RIN1506-AA63) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1393. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of

a rule entitled “Final Flood Elevation Determinations” ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on March 12, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1394. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations” ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1395. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled “Identity Theft Red Flags Rules” (RIN3235-AL26) received in the Office of the President of the Senate on April 25, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1396. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank’s 2012 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-1397. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the North Slope Science Initiative; to the Committee on Energy and Natural Resources.

EC-1398. A communication from the Administrator of the U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled “The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran”; to the Committee on Energy and Natural Resources.

EC-1399. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Segregation of Lands—Renewable Energy” (RIN1004-AE19) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Energy and Natural Resources.

EC-1400. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, a report entitled “Geologic Sequestration of Carbon Dioxide: Draft Underground Injection Control (UIC) Program Class VI Well Plugging, Post-Injection Site Care, and Site Closure Guidance”; to the Committee on Environment and Public Works.

EC-1401. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the States of Arizona, California, and Nevada” (FRL No. 9806-3) received in the Office of the President of the Senate on April 25, 2013; to the Committee on Environment and Public Works.

EC-1402. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances—Fire Suppression and Explosion Protection” (FRL No. 9800-9) received in the Office of the President of the Senate on April

25, 2013; to the Committee on Environment and Public Works.

EC-1403. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method Request Submission Deadline for Petroleum and Natural Gas Systems Source Category” (FRL No. 9806-7) received in the Office of the President of the Senate on April 25, 2013; to the Committee on Environment and Public Works.

EC-1404. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Significant New Use Rule on Ethoxylated, Propoxylated Diamine Diaryl Substituted Phenylmethane Ester with Alkenylsuccinate, Dialkylethanolamine Salt” (FRL No. 9885-1) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Environment and Public Works.

EC-1405. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Georgia: Final Authorization of State Hazardous Waste Management Program Revisions” (FRL No. 9806-9) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Environment and Public Works.

EC-1406. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Control of Air Pollution from Nitrogen Compounds from Stationary Sources” (FRL No. 9808-2) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Environment and Public Works.

EC-1407. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Texas; Approval of Texas Low Emission Diesel Fuel Rule Revisions” (FRL No. 9808-4) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Environment and Public Works.

EC-1408. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Indiana; Consent Decree Requirements” (FRL No. 9809-1) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Environment and Public Works.

EC-1409. A communication from the Acting United States Trade Representative, Executive Office of the President, transmitting a report relative to the inclusion of Japan in the ongoing negotiations of the Trans-Pacific Partnership (TPP) Agreement; to the Committee on Finance.

EC-1410. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the

Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief from the Anti-cutback Requirements of 411(d)(6) for Certain ESOP Amendments" (Notice 2013-17) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Finance.

EC-1411. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report concerning military assistance and military exports, including defence articles and defense services which were licensed for export under Section 38 of the Arms Export Control Act, as amended (OSS-2013-0590); to the Committee on Foreign Relations.

EC-1412. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-053, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1413. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-033, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1414. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-052); to the Committee on Foreign Relations.

EC-1415. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-060); to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MERKLEY:

S. 891. A bill to increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer wants to fill with H-2B nonimmigrants; to the Committee on the Judiciary.

By Mr. KIRK (for himself, Mr. MANCHIN, Ms. COLLINS, Mr. NELSON, and Mr. CORNYN):

S. 892. A bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. BROWN, Mr. TESTER, Mr.

BEGICH, Mr. BLUMENTHAL, Ms. HIRONO, Mr. ISAKSON, Mr. JOHANNIS, Mr. MORAN, Mr. BOOZMAN, and Mr. HELLER):

S. 893. A bill to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 894. A bill to amend title 38, United States Code, to extend expiring authority for work-study allowances for individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs, to expand such authority to certain outreach services provided through congressional offices, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself and Mr. FEINSTEIN, and Ms. COLLINS):

S. 895. A bill to improve the ability of the Food and Drug Administration to study the use of antimicrobial drugs in food-producing animals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself, Mr. HELLER, Ms. WARREN, and Ms. COLLINS):

S. 896. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Finance.

By Ms. WARREN:

S. 897. A bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013-2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 898. A bill to authorize the Administrator of General Services to convey a parcel of real property in Albuquerque, New Mexico, to the Amy Biehl High School Foundation; to the Committee on Environment and Public Works.

By Ms. HIRONO (for herself, Mr. WICKER, Ms. AYOTTE, Mrs. MURRAY, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. UDALL of New Mexico, and Mr. BOOZMAN):

S. 899. A bill to establish a position of Science Laureate of the United States; to the Committee on Commerce, Science, and Transportation.

By Ms. MIKULSKI:

S. 900. A bill to amend the Internal Revenue Code of 1986 to regulate payroll tax deposit agents, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. SCHUMER):

S. 901. A bill to protect State and local witnesses from tampering and retaliation, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. HELLER):

S. 902. A bill to amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. REED)):

S. 903. A bill to clarify State of residence requirements for aliens and nonimmigrant requirements for purposes of chapter 44 of title 18, United States Code; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself and Mr. WICKER):

S. 904. A bill to minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, and Mr. SCHUMER):

S. 905. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance existing programs providing mitigation assistance by encouraging States to adopt and actively enforce State building codes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRAPO (for himself, Mr. WYDEN, Ms. CANTWELL, and Mr. RISCH):

S. 906. A bill to amend the Internal Revenue Code of 1986 to expand the technologies through which a vehicle qualifies for the credit for new qualified plug-in electric drive motor vehicles; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 907. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON of South Dakota:

S. 908. A bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. DURBIN):

S. 909. A bill to amend the Federal Direct Loan Program under the Higher Education Act of 1965 to provide for student loan affordability, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 910. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to receive charitable contributions of apparently wholesome food; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BEGICH:

S. Res. 131. A resolution recommending the designation of a Presidential Special Envoy to the Balkans to evaluate the successes and shortcomings of the implementation of the Dayton Peace Accords in Bosnia and Herzegovina, to provide policy recommendations, and to report back to Congress within

one year; to the Committee on Foreign Relations.

By Mr. BEGICH (for himself, Mr. TESTER, and Mr. BAUCUS):

S. Res. 132. A resolution expressing the sense of the Senate that the Department of Defense request for domestic Base Realignment and Closure authority in 2015 and 2017 is neither affordable nor feasible as of the date of agreement to this resolution and that the Department of Defense must further analyze the capability to consolidate excess overseas infrastructure and increase efficiencies by relocating missions from overseas to domestic installations prior to requesting domestic Base Realignment and Closure authority; to the Committee on Armed Services.

By Mr. LEE (for himself, Mr. TOOMEY, Mr. RUBIO, Mr. SCOTT, Mr. CRUZ, Mr. INHOFE, Mr. BURR, Mr. VITTER, Mr. BOOZMAN, Mr. BLUNT, Mrs. FISCHER, Mr. THUNE, Mr. JOHANNIS, Mr. PAUL, Mr. MCCONNELL, Mr. COATS, Mr. CORNYN, Mr. COCHRAN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. ISAKSON, and Mr. GRAHAM):

S. Res. 133. A resolution expressing the sense of the Senate that Congress and the States should investigate and correct abusive, unsanitary, and illegal abortion practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mrs. BOXER, Mrs. SHAHEEN, and Mr. FRANKEN):

S. Res. 134. A resolution expressing the sense of the Senate that all incidents of abusive, unsanitary, or illegal health care practices should be condemned and prevented and the perpetrators should be prosecuted to the full extent of the law; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 131

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 131, a bill to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, and for other purposes.

S. 273

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 273, a bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

S. 294

At the request of Mr. TESTER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the names of the Senator from Maine (Mr.

KING) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 313

At the request of Mr. CASEY, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 381

At the request of Mr. BROWN, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 403

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 409

At the request of Mr. BURR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 427

At the request of Mr. HOEVEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 427, a bill to amend the Richard B. Rus-

sell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 534

At the request of Mr. JOHANNIS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 545

At the request of Ms. MURKOWSKI, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. 548

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 548, a bill to amend title 10, United States Code, to improve and enhance the capabilities of the Armed Forces to prevent and respond to sexual assault and sexual harassment in the Armed Forces, and for other purposes.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 623

At the request of Mr. CARDIN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Massachusetts (Mr. COWAN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 682

At the request of Mr. COBURN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 682, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 709

At the request of Ms. STABENOW, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 710

At the request of Mr. WARNER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. 731

At the request of Mr. MANCHIN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 742

At the request of Mr. CARDIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 761

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 761, a bill to promote energy savings in residential and commercial buildings and industry, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. DURBIN, his name was added as a cosponsor of S.

813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 837

At the request of Mr. HARKIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 837, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 845

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 845, a bill to amend title 38, United States Code, to improve the Department of Veterans Affairs Health Professionals Educational Assistance Program, and for other purposes.

S. 862

At the request of Ms. AYOTTE, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAPO) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 865

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 867

At the request of Mr. PRYOR, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 867, a bill to amend title XVIII of the Social Security Act to provide for pharmacy benefits manager standards under the Medicare prescription drug program, to establish basic audit standards of pharmacies, to further transparency of payment methodology to pharmacies, and to provide for recoupment returns to Medicare.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 877

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 877, a bill to require the Secretary of Veterans Affairs to allow public access to research of the Department, and for other purposes.

S. 878

At the request of Mr. FRANKEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 878, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 886

At the request of Mr. LEE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 886, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 888

At the request of Mr. JOHANNIS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 888, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

AMENDMENT NO. 802

At the request of Ms. LANDRIEU, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 802 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 803

At the request of Mr. WHITEHOUSE, the names of the Senator from Massachusetts (Mr. COWAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 803 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 804

At the request of Mr. COBURN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 804 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 805

At the request of Mr. COBURN, the names of the Senator from Oklahoma

(Mr. INHOFE) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of amendment No. 805 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 806

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 806 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 810

At the request of Mr. PAUL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 810 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 813

At the request of Mr. BROWN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of amendment No. 813 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

At the request of Ms. STABENOW, her name was added as a cosponsor of amendment No. 813 proposed to S. 601, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANDERS (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. BROWN, Mr. TESTER, Mr. BEGICH, Mr. BLUMENTHAL, Ms. HIRONO, Mr. ISAKSON, Mr. JOHANNIS, Mr. MORAN, Mr. BOOZMAN, and Mr. HELLER):

S. 893. A bill to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, as Chairman of the Committee on Veterans' Affairs, I am proud to introduce the Veterans' Compensation Cost-of-Living Adjustment Act of 2013. I am also pleased to be joined by Ranking Member BURR and all of my colleagues on the Committee on Veterans' Affairs in introducing this important legislation. I look forward to our continued work together to improve the lives of our Nation's veterans.

Effective December 1, 2013, this measure would direct the Secretary of Veterans Affairs to increase the rates of veterans' compensation to keep pace with a rise in the cost-of-living, should an adjustment be prompted by an increase in the Consumer Price Index, CPI. Referred to as the COLA, this important legislation would make an increase available to veterans at the same level as the increase provided to recipients of Social Security benefits.

Last year, I was proud to cosponsor the Veterans' Compensation Cost-of-Living Adjustment Act of 2012, which provided a 1.7 percent increase in veterans' compensation. The annual COLA legislation is so important because it impacts vital benefits, including veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. In fiscal year 2014, it is projected that over 4.2 million veterans and survivors will receive compensation benefits.

As a longstanding advocate of our Nation's veterans, I understand the critical nature of these benefits as many recipients depend upon these tax-free payments to feed their families, heat their homes, pay for prescription drugs, and to provide for the needs of spouses and children. We have an obligation to the men and women who have sacrificed so much to serve our country and who now deserve nothing less than the full support of a grateful Nation. The COLA brings us one step closer to fulfilling our Nation's promise to care for our brave veterans and their families.

We also must continue to ensure that these benefits are not diminished by the effects of inflation. For this reason, I strongly oppose the President's proposal to adopt the chained CPI. I am joined in opposition by nearly every major veterans' organization in America. The Gold Star Wives, The American Legion, Veterans of Foreign Wars, Disabled American Veterans and many, many more all oppose the chained CPI.

I will do everything within my power as Chairman of the Veterans' Affairs Committee to ensure we honor the promise we made to veterans and survivors. It is important that this country address our budget deficit, but there are fairer ways to do it than on the backs of disabled veterans—men and women who have already sacrificed so much for their country.

I ask my colleagues to join with me in honoring the promise that has been

made to our Nation's veterans. We cannot allow this misguided attempt to balance the budget on the backs of those who have so proudly served our Nation diminish the benefits provided to veterans and their survivors.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 893

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2013".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2013, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2013, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2013, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2014.

By Mr. SANDERS:

S. 894. A bill to amend title 38, United States Code, to extend expiring

authority for work-study allowances for individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs, to expand such authority to certain outreach services provided through congressional offices, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, as the Chairman of the Veterans' Affairs Committee, I am committed to ensuring we provide our Nation's veterans the opportunities they need to successfully transition back to civilian life. One of the programs afforded to veterans to assist them during this difficult time is the Department of Veterans Affairs' work-study program.

VA's work-study program provides veterans participating in several VA educational, vocational, and rehabilitation programs the opportunity to work alongside school certifying officials and State and Federal employees to assist veterans with VA benefits and services. In fiscal year 2012, this program assisted more than 10,000 veterans, who received approximately \$25.7 million in work study payments. Under current law, this program is set to expire this year.

I am proud to introduce legislation that would extend VA's work-study program for three more years. This legislation would allow veterans to continue doing such important activities as conducting outreach programs with State Approving Agencies; working with a National Cemetery or a State Veteran's Cemetery; assisting in caring for veterans in State Homes; and working with school certifying officials, claims processors, and other state and federal employees to provide much needed benefits and services to our Nation's heroes.

VA has determined work-study participants do not have the authority to work in congressional offices, despite their successful service in such offices in the past. These veterans were critical to Congress' efforts to understand the needs of our Nation's veterans. They used congressional resources and personal experience to help veterans access earned benefits and services. This legislation would allow veterans to work in congressional offices to assist other veterans with casework issues, help congressional staff address the unique challenges facing our newest generation of veterans, and develop the knowledge and experience needed to successfully transition into the civilian workforce.

Our veterans have sacrificed so much in defense of this country. They deserve a seamless transition when they look to return to civilian life. This legislation would expand a program that has been so vital in preparing veterans to succeed in the civilian workforce.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 894

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

SECTION 1. EXTENSION AND EXPANSION OF AUTHORITY FOR CERTAIN QUALIFYING WORK-STUDY ACTIVITIES FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) EXTENSION OF EXPIRING CURRENT AUTHORITY.—Section 3485(a)(4) of title 38, United States Code, is amended by striking “June 30, 2013” each place it appears and inserting “June 30, 2016”.

(b) EXPANSION TO OUTREACH SERVICES PROVIDED THROUGH CONGRESSIONAL OFFICES.—Such section is further amended by adding at the end the following new subparagraph:

“(K) During the period beginning on June 30, 2013, and ending on June 30, 2016, the following activities carried out at the offices of Members of Congress for such Members:

“(i) The distribution of information to members of the Armed Forces, veterans, and their dependents about the benefits and services under laws administered by the Secretary and other appropriate governmental and non-governmental programs.

“(ii) The preparation and processing of papers and other documents, including documents to assist in the preparation and presentation of claims for benefits under laws administered by the Secretary.”.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than June 30 each year, beginning with 2014 and ending with 2016, the Secretary of Veterans Affairs shall submit to Congress a report on the work-study allowances paid under paragraph (1) of section 3485(a) of title 38, United States Code, during the most recent one-year period for qualifying work-study activities described in paragraph (4) of such section, as amended by subsections (a) and (b) of this section.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the year covered by such report, the following:

(A) A description of the recipients of such work-study allowances.

(B) A list of the locations where qualifying work-study activities were carried out.

(C) A description of the outreach conducted by the Secretary to increase awareness of the eligibility of such work-study activities for such work-study allowances.

By Ms. WARREN:

S. 897. A bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. WARREN. Mr. President, on July 1, the interest rate on new federally subsidized student loans is set to dou-

ble from 3.4 to 6.8 percent. That means unless Congress acts, for millions of young people the cost of borrowing money to go to college will double.

The student debt problem in this country is a quiet but growing crisis. Today's graduates collectively carry more than \$1 trillion in debt—more than all the outstanding credit card debt in the whole country. Doubling the interest rate on new student loans will just increase the pressure on our young people.

Keep in mind: these young people didn't go to the mall and run up charges on a credit card. They worked hard, they stayed in class, they learned new skills, and they borrowed what they needed to pay for their education. Their education will improve their opportunities in life, but their education will not just help these students. When they acquire more skills, these students help us build a strong and competitive economy and they strengthen our middle class.

Student interest rates are set to double in less than 2 months, but so far this Congress has done nothing—to address this problem. Some people say that we can't afford to help our kids through school by keeping student loan interest rates low. But right now, as I speak, the Federal Government offers far lower interest rates on loans, every single day—they just don't do it for everyone.

Right now, a big bank can get a loan through the Federal Reserve discount window at a rate of about 0.75 percent. But this summer a student who is trying to get a loan to go to college will pay almost 7 percent. In other words, the Federal Government is going to charge interest rates that are nine times higher than the rates for the biggest banks—the same banks that destroyed millions of jobs and nearly broke the economy. That isn't right. And that is why I am introducing legislation today to give students the same deal that we give to the big banks.

The Bank on Students Loan Fairness Act would allow students eligible for federally subsidized Stafford loans to borrow at the same rate the big banks get through the Federal Reserve discount window. For 1 year the Federal Reserve would make funds available to the Department of Education to make loans to students at the same low rates offered to the big banks. This will give students relief from high interest rates while giving Congress a chance to find a long-term solution.

Some may say we can't afford this proposal. I would remind them the Federal Government currently makes 36 cents in profit for every \$1 it lends to students. Add up those profits and you'll find next year student loans will bring in \$34 billion. Meanwhile, the banks pay interest that is one-ninth of the amount students will be asked to

pay. That is just wrong. It doesn't reflect our values. We shouldn't be profiting from our students who are drowning in debt while we are giving a great deal to the big banks. We should be investing in our young people so they can get good jobs and grow the economy, so let's give them the same great deal the banks get.

Some explain that we give banks exceptionally low interest rates because the economy is still shaky and banks need access to cheap credit to continue the recovery. But our students are just as important as banks to a strong recovery, and the debt they carry poses a serious risk to that recovery. In fact, in March of this year, the Federal Reserve said because of the economic impact on family budgets, high levels of student debt pose a risk to our shaky economic recovery.

If the Federal Reserve can float trillions of dollars to large financial institutions at low interest rates to grow the economy, surely they can float the Department of Education the money to fund our students, keep us competitive, and grow our middle class.

Let's face it, banks get a great deal when they borrow money from the Fed. In effect, the American taxpayer is investing in those banks. We should make the same kind of investment in our young people who are trying to get an education. Lend them the money and make them pay it back, but give our kids a break on the interest they pay. Let's bank on students.

The Bank on Students Loan Fairness Act is my first stand-alone bill in the Senate. I am introducing this bill because our students are facing a crisis. We cannot stand by and simply watch. This is about our students, our economy, and our values. The Bank on Students Loan Fairness Act is a first step toward helping young people who are drowning in debt. Unlike the big banks, students don't have armies of lobbyists and lawyers. They have only their voices. And they call on us to do what is right.

I thank the Chair.

By Mr. REED (for himself and Mr. DURBIN):

S. 909. A bill to amend the Federal Direct Loan Program under the Higher Education Act of 1965 to provide for student loan affordability, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to introduce the Responsible Student Loan Solutions Act with Senator DURBIN to offer a long-term approach to setting student loan interest rates.

Congress must take swift action to prevent the doubling of the interest rate on need-based loans on July 1, 54 days away. We also need a new mechanism for setting interest rates on all

federal student loans for the long term so that students and taxpayers are protected, and we need to take the time to get it right.

In April, I introduced the Student Loan Affordability Act to keep the rate on subsidized loans at 3.4 percent for the next 2 years. This would give Congress time to debate a long-term solution as part of the reauthorization of the Higher Education Act.

Today, I am introducing legislation with Senator DURBIN and Congressman TIERNEY and Congressman COURTNEY to overhaul the mechanism for setting the interest rates on federal student loans. Instead of setting a numerical rate in law, which quickly becomes out of sync with the economic and interest rate environment, or locking borrowers into a fixed rate with no opportunity to refinance when rates drop, our proposal will offer adjustable rate loans for students and parents with the protection of a cap on the maximum interest rate that could be charged during periods of high interest rates.

In today's low interest rate environment, the fixed rates for student loans are too high, resulting in student loans generating a profit for the Federal Government. If we would have maintained the variable rate for student loans that was in law before 2006, the interest rate for students in repayment on their loans would be 2.39 percent this year. At today's fixed rates, they will pay 3.4 percent for subsidized loans and 6.8 percent for unsubsidized loans. The Federal Government provides student loans to increase the number of Americans who attain college degrees, not to generate revenue. Yet, according to CBO estimates, the Federal Government will save more than 36 cents for every dollar lent in the student loan programs for fiscal year 2013. CBO projects that the student loan programs will continue to generate savings on the backs of students through fiscal year 2023. We need to change this.

The Responsible Student Loan Solutions Act will offer adjustable rate loans for students and parents with a cap on the maximum interest rate that could be charged to protect borrowers during periods of high interest rates. Interest rates for need-based, subsidized loans will be capped at 6.8 percent. Rates for unsubsidized and parent loans will be capped at 8.25 percent. Rates will be set every year based on the 91-day Treasury bill plus a percentage determined by the Secretary of Education to cover program administration and borrower benefits. The Secretary must set the rate so that the student loan programs are revenue neutral.

The Responsible Student Loan Solutions Act will also correct an inequity for undergraduate students who qualify for subsidized loans. Currently, a dependent undergraduate student can

borrow up to \$31,000 total. However, the maximum amount that can be subsidized is \$23,000, which means that needy students often have to resort to more expensive unsubsidized loans to finance a part or the remainder of their education costs. The Responsible Student Loan Solutions Act will allow borrowers with demonstrated financial need to have up to the full loan limit in the lower cost subsidized program.

Finally, the Responsible Student Loan Solutions Act will allow borrowers with high fixed-rate federal student loans to refinance those loans into the new variable rate loan with a cap. This could be a real help to borrowers trying to make ends meet, considering that, under current conditions, rates calculated under a bill would be much lower than the fixed rates for unsubsidized loans 6.8 percent, PLUS loans made under the old bank-based program, 8.5 percent, and PLUS loans made through the Federal Direct Loan program 7.9 percent.

We need a multi-faceted approach to solving our student loan debt crisis, which reports from the Federal Reserve and others show is a drag on our economy. We cannot allow this generation of Americans to flounder, unable to buy a home or a car or secure credit or start a family under the weight of student debt.

We need to keep rates low in the short term—that means taking quick action to keep the rate from doubling in July. It also means over the long-term, setting rates in a way that does not add to the growth of student debt. I encourage our colleagues to join Senator DURBIN and me in cosponsoring the Responsible Student Loan Solutions Act to put in place a long-term approach to setting student loan interest rates that is fair to students and taxpayers. I also urge our colleagues to support taking immediate steps to reassure students and families that the rate on subsidized loans will not double this July.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 131—RECOMMENDING THE DESIGNATION OF A PRESIDENTIAL SPECIAL ENVOY TO THE BALKANS TO EVALUATE THE SUCCESSES AND SHORTCOMINGS OF THE IMPLEMENTATION OF THE DAYTON PEACE ACCORDS IN BOSNIA AND HERZEGOVINA, TO PROVIDE POLICY RECOMMENDATIONS, AND TO REPORT BACK TO CONGRESS WITHIN ONE YEAR

Mr. BEGICH submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 131

Whereas, on December 14, 1995, the General Framework Agreement for Peace in Bosnia

and Herzegovina (referred to in this resolution as “BiH”), known as the Dayton Peace Accords, brought an end to the brutal conflict in that country that was marked by aggression and ethnic cleansing, including the commission of war crimes, crimes against humanity, and genocide;

Whereas the Dayton Peace Accords define BiH as a country with three constituent peoples—Bosniaks, Croats, and Serbs—to be comprised of two internal entities known as the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), from which an extremely complex, fundamentally flawed system of governance and administration has been derived;

Whereas the Dayton Peace Accords included many compromises imposed by the need for quick action to preserve human life and bring an end to the conflict in BiH, and as a result may have hindered efforts to develop efficient and effective political institutions capable of overcoming the challenges required to become an integral member of the Euro-Atlantic community of nation-states;

Whereas, since the signing of the Dayton Peace Accords, the Government and people of BiH have been working in partnership with the international community to achieve progress in building a peaceful and democratic society based on the rule of law, respect for human rights, and a free market economy;

Whereas BiH demonstrated its commitment to the shared values of democracy, security, and stability by joining the Partnership for Peace program of the North Atlantic Treaty Organization (NATO) in December 2006;

Whereas BiH received a conditional Membership Action Plan status in NATO in April 2010 pending completion of specific military and political reforms;

Whereas the Government of BiH took the first important step on the road toward European Union (EU) membership by signing a Stabilization and Association Agreement (SAA) with the EU in June 2008;

Whereas, despite these notable achievements, the Government and people of BiH continue to face significant challenges in their efforts at integrating into Euro-Atlantic institutions and the country’s economy continues to decline;

Whereas the Council of Europe’s Venice Commission concluded that the current constitutional arrangements in BiH are not conducive to the efficient or rational functioning of state institutions, hindering the pace of the country’s accession to NATO and the EU;

Whereas the Government of BiH has the obligation to implement the ruling of the Grand Chamber of the European Court of Human Rights in the case of *Sejdić-Finci* from 2009 with regard to the election to the Presidency and House of Peoples of BiH of Others, who are defined as those Bosnian citizens who are not primarily a member of the Dayton Accords’ stipulated three constituent peoples—the Serb Bosnians, the Croat Bosnians, and the Muslim Bosnians or Bosniaks;

Whereas reform at any level, including that originating from the implementation of the European Court of Human Rights ruling on the *Sejdić-Finci* Case, should take into account the protection of equal constitutional rights of all;

Whereas the elections in BiH should reflect the right of the constituent peoples and others to choose their legal representatives, who would therefore represent those people con-

sistent with the founding provisions of the Dayton Peace Accords, as opposed to the existing practice, which allows for the representatives of one people to be elected by the members of other constituent peoples, hindering the political stability of BiH;

Whereas only the full protection of equal political, economic, legal, and religious rights of all the constituent peoples and others throughout the territory of BiH, including the inalienable right to return, will guarantee the future stability, functionality, and effectiveness of the country;

Whereas the number of Bosnian Croats has declined from 820,000 before the war to around 460,000 remaining in BiH today, as reported by the Catholic Church in BiH which has played an important role in protecting rights of Catholic Bosnian Croats and reporting problems and cases of destruction of personal and real property of both the Catholic Church and Croat returnees;

Whereas it is not acceptable that this negative demographic trend is reflected in the reduction of constitutional rights of Bosnian Croats, as that reduction directly causes political and administrative dysfunctionality of the country;

Whereas a functional BiH as a whole is not possible without a fully functional FBiH, one of the two entities established by the Dayton Peace Accords, both being ethnically and administratively composite;

Whereas FBiH’s protracted poor functionality only exacerbates the existing predominant separatist tendency in the RS, the predominantly Serb entity of BiH, thus threatening the very integrity of the country as a whole;

Whereas continuous economic decline is a direct consequence of the fact that most of BiH’s gross domestic product (GDP) is generated from the publicly owned companies, which are run at the RS and FBiH entity levels by political parties with enduring ethnocentric agendas reflecting their particular and non-common interests, preventing the further creation of much-needed free enterprise business development and closely integrated national internal markets;

Whereas the social fabric of BiH is the single most important victim of the war and ensuing political conflict, and the need for repair, strengthening, and further development of civil society is fundamental to the country’s recovery and desired development;

Whereas the Republic of Croatia has clearly demonstrated that allegiance to democracy, market economy, rule of law, and respect for human and citizen rights is conducive to full integration into the Euro-Atlantic community, and the Government of Croatia continues to play an active role in contributing to BiH’s political stability, internal integrity, and international viability;

Whereas all the other neighbors of BiH share the ambition to join the European Union; and

Whereas the future of BiH is in the European Union and NATO: Now, therefore, be it

Resolved, That the Senate—

(1) reiterates its support for the sovereignty, territorial integrity, and legal continuity of BiH within its internationally recognized borders, as well as the equality of its three constituent peoples and others within an integrated multiethnic country;

(2) welcomes steps taken by the government of BiH towards integration into the Euro-Atlantic community and reiterates its position that this commitment is in the interests of the further stabilization of the region of southeastern Europe;

(3) emphasizes that it is urgent that BiH, as well as its internal political entities, all

work toward the creation of an efficient and effective state able to meet its domestic and international obligations with effective and functional institutions, and that the national government of BiH—as well as the institutions of the entities—are able to instill necessary reforms in order to fulfill European Union and North Atlantic Treaty Organization membership requirements;

(4) reiterates its call that constitutional reform in BiH take the Dayton Peace Accords as its basis, but advance the principles of political, economic, legal, and religious equality and tolerance in order to rectify provisions that conflict with the European Charter of Human Rights and the ruling of the European Court of Human Rights, and to rectify the conditions to enable economic development and the creation of a single economic space, including through the fair and effective functioning of public companies so as to be consistent with the goal of successful EU membership;

(5) stresses the importance of privatization of the publicly owned enterprises through fully transparent international tenders prepared in close cooperation with the EU and the Office of the High Representative (OHR) as a means of avoiding the misplacement of political attention and energy toward running companies rather than providing effective service to the citizens of the country;

(6) commends the present focus of the United States Government in support of stronger civil society in BiH, and urges the Department of State to further increase endeavors in that regard;

(7) believes that the Department of State and the President must seek to address all these matters more emphatically in a manner that provides for a just evaluation of the current grievances of the three constituent peoples and the Others in the two entities of the BiH;

(8) believes that it is of paramount importance that the United States Government work closely with the EU in conceiving and implementing an accession process specifically made for BiH, which would link in a causal and firmly conditional way the internal integration of BiH with its phased integration into the EU;

(9) urges that it is substantially beneficial for the process of building up the functional capacities of BiH to the level of its full ability to enable membership in NATO and the EU, that the United States Government work closely with BiH’s neighboring countries—especially those who are signatories to the Dayton Peace Accords—ensuring consistency along the lines of their own European ambitions so that they actively contribute to BiH’s internal integration and political and administrative functionality conducive to BiH’s successful membership in NATO and the EU;

(10) reiterates that a fully functional Federation of BiH entity is essential for the future of BiH as a functional and stable state and therefore any envisaged reform should take into account protection of the constitutional rights of all, including Bosnian Croats—demographically smallest of the three Dayton Peace Accords recognized constituent peoples in BiH—and prevent further weakening of their position;

(11) believes that it is important that the United States Government, together with other international actors, support countries of the region in fulfilling their obligations as agreed through the launching of the Sarajevo Process in 2005, reaffirmed in the 2011 Belgrade Declaration, as well as during the Donor Conference held in Sarajevo in April

2012, aimed at ending the protracted refugee and internal-displacement situation in the region of Southeast Europe and finding durable solutions for the refugees and internally displaced persons through the implementation of the Balkans Regional Housing Programme;

(12) reiterates its call that the United States should designate a Presidential Special Envoy to the Balkans who should work in partnership with the OHR, the EU, NATO, and the political leaders in Bosnia and Herzegovina, as well as with neighboring countries, to facilitate much needed reforms at all levels of government and society in BiH; and

(13) urges the Presidential Special Envoy, not later than one year after the date of the enactment of this Act, to submit to the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives a report with targeted evaluations and discoveries, including to provide proposals on how to address any ongoing difficulties outlined above, as well as ways to overcome any remaining political, economic, legal, or religious inequalities in BiH.

SENATE RESOLUTION 132—EX-PRESSING THE SENSE OF THE SENATE THAT THE DEPARTMENT OF DEFENSE REQUEST FOR DOMESTIC BASE REALIGNMENT AND CLOSURE AUTHORITY IN 2015 AND 2017 IS NEITHER AFFORDABLE NOR FEASIBLE AS OF THE DATE OF AGREEMENT TO THIS RESOLUTION AND THAT THE DEPARTMENT OF DEFENSE MUST FURTHER ANALYZE THE CAPABILITY TO CONSOLIDATE EXCESS OVERSEAS INFRASTRUCTURE AND INCREASE EFFICIENCIES BY RELOCATING MISSIONS FROM OVERSEAS TO DOMESTIC INSTALLATIONS PRIOR TO REQUESTING DOMESTIC BASE REALIGNMENT AND CLOSURE AUTHORITY

Mr. BEGICH (for himself, Mr. TESTER, and Mr. BAUCUS) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 132

Whereas the Department of Defense claims a 24 percent surplus in domestic military infrastructure and has requested domestic Base Realignment and Closure (BRAC) rounds in 2015 and 2017;

Whereas Congress rejected a request for 2 BRAC rounds made by the Department of Defense in fiscal year 2013;

Whereas the Senate Armed Services Committee noted in title XXIV of Senate Report 112-173 to accompany S. 3254 of the 112th Congress, that a request by the Department of Defense for authority to conduct a domestic BRAC round must be preceded by a comprehensive evaluation of opportunities to obtain efficiencies through the consolidation of the overseas operations of defense agencies and possible relocation back to the United States;

Whereas the Base Structure Report for fiscal year 2012 of the Office of the Deputy Under Secretary of Defense, Installations

and Environment, found that the Department of Defense has 666 military sites in foreign countries, including 232 in Germany, 109 in Japan, and 85 in South Korea;

Whereas the United States has developed an increased capacity to rapidly deploy around the globe, thereby reducing the strategic value of an overseas footprint based largely on Cold War geopolitics and an obsolete National Security Strategy;

Whereas the Government Accountability Office concluded in a 2007 study that the 2005 BRAC round was the most complex and costliest ever;

Whereas the Government Accountability Office found in a 2012 report entitled "Military Base Realignments and Closures: Updated Costs and Savings Estimates from BRAC 2005" that the 2005 BRAC round far exceeded estimated implementation costs, growing from \$21,000,000,000 to \$35,100,000,000, a 67 percent increase;

Whereas the Government Accountability Office found in the 2012 report that the estimated 20-year savings for the 2005 BRAC round decreased by 72 percent from \$35,600,000,000 to \$9,900,000,000;

Whereas the Government Accountability Office estimates that it will take until 2017 for the Department of Defense to recoup up-front implementation costs of BRAC 2005, 4 years longer than the BRAC Commission estimates and 12 years after the date of execution and initial investment;

Whereas the Department of Defense would spend \$2,400,000,000 in a time of fiscal austerity to execute the proposed BRAC round in 2015;

Whereas the financial crisis in the United States continues to challenge local economies and a BRAC round would create more uncertainty and economic hardship for impacted communities still in the recovery process;

Whereas Federal budget uncertainty and the fiscal challenges a domestic BRAC round would bring to communities renders the significant \$2,400,000,000 in up-front costs neither affordable nor feasible as of the date of agreement to this resolution; and

Whereas the lack of potential return on the significant investment required for a BRAC round may result in an inefficient use of taxpayer funds: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) as of the date of agreement to this resolution, the Department of Defense should not be granted authority for the requested 2015 and 2017 Base Realignment and Closure rounds;

(2) before granting the authority for the requested 2015 and 2017 BRAC rounds, the Department of Defense should achieve economic efficiencies by—

(A) closing and consolidating excess infrastructure and facilities in overseas locations; and

(B) reexamining relocation opportunities of overseas missions to United States military installations; and

(3) the Department of Defense is unwise to request a BRAC round when the economy of the United States is struggling to recover and negatively impacted communities are fighting to put citizens back to work.

SENATE RESOLUTION 133—EX-PRESSING THE SENSE OF THE SENATE THAT CONGRESS AND THE STATES SHOULD INVESTIGATE AND CORRECT ABUSIVE, UNSANITARY, AND ILLEGAL ABORTION PRACTICES

Mr. LEE (for himself, Mr. TOOMEY, Mr. RUBIO, Mr. SCOTT, Mr. CRUZ, Mr. INHOFE, Mr. BURR, Mr. VITTER, Mr. BOOZMAN, Mr. BLUNT, Mrs. FISCHER, Mr. THUNE, Mr. JOHANNIS, Mr. PAUL, Mr. MCCONNELL, Mr. COATS, Mr. CORNYN, Mr. COCHRAN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. ISAKSON, and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 133

Whereas the Declaration of Independence sets forth the principle that all people are created equal and are endowed by their Creator with certain unalienable rights, and that among these rights are life, liberty, and the pursuit of happiness;

Whereas the dedication of the people of the United States to this principle, though at times tragically marred by institutions such as slavery and practices such as segregation and the denial of the right to vote, has summoned the people of the United States time and again to fight for human dignity and the common good;

Whereas the people of the United States believe that every human life is precious from its very beginning, and that every individual, regardless of age, health, or condition of dependency, deserves the respect and protection of society;

Whereas the people of the United States believe that early and consistent care for mothers, with due regard both for the well-being of expectant mothers and for the children they carry, is a primary goal of any sound health care policy in the United States;

Whereas no woman should ever be abandoned, by policy or practice, to the depredations of an unlicensed, unregulated, or uninspected clinic operating outside of the law with no regard for the mothers or children ostensibly under its care;

Whereas the Report of the Grand Jury in the Court of Common Pleas of the First Judicial District of Pennsylvania, certified on January 14, 2011, contains the results of a thorough investigation of the policies and practices of Dr. Kermit Gosnell and the Women's Medical Society of Philadelphia, which found multiple violations of law and public policy relating to abortion clinics, and recommended to the Pennsylvania Department of Health that these abortion clinics "be explicitly regulated as ambulatory surgical facilities, so that they are inspected annually and held to the same standards as all other outpatient procedure centers";

Whereas the Report of the Grand Jury documented a pattern, over a period of 2 decades, at the Women's Medical Society of Philadelphia of untrained and uncertified personnel performing abortions, non-medical personnel administering medications, grossly unsanitary and dangerous conditions, violations of law regarding storage of human remains, and, above all, instances of willful murder of infants born alive by severing their spinal cords;

Whereas the violations of law and human dignity documented at the Women's Medical

Society of Philadelphia involved women referred to the facility by abortion facilities in a number of surrounding States, including Virginia, Maryland, North Carolina, and Delaware;

Whereas abortion clinics in a number of States, particularly Michigan and Maryland, and including 2 clinics at which Dr. Kermit Gosnell performed or initiated abortions and 2 Planned Parenthood facilities in Delaware, have been closed temporarily or permanently due to unsanitary conditions, and the Planned Parenthood facilities in Delaware have been described by former employees as resembling a "meat market";

Whereas the imposition of criminal and civil penalties on individuals and corporations involved in the deplorable practices described in this preamble is appropriate, but is not the only necessary response to such practices;

Whereas it is essential that the Federal Government and State and local governments take action to prevent dangerous conditions at abortion clinics;

Whereas government accountability means that officials whose duty it is to protect the safety and well-being of mothers accessing health care clinics must have their actions made public and their failures redressed;

Whereas the extent of, and purported justification for, legal and illegal abortions in the United States performed late in the second trimester of pregnancy and into and throughout the third trimester of pregnancy are not routinely reported by all States or by the Centers for Disease Control, and are therefore unknown;

Whereas women and children in the United States deserve better than the 56,145,920 abortions that have been performed in the United States since the Supreme Court rulings in *Roe v. Wade*, 410 U.S. 113, and *Doe v. Bolton*, 410 U.S. 179, in 1973; and

Whereas there is substantial medical evidence that an unborn child is capable of experiencing pain at 20 weeks after fertilization, or earlier: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Congress and States should gather information about and correct—

(A) abusive, unsanitary, and illegal abortion practices; and

(B) the interstate referral of women and girls to facilities engaged in dangerous or illegal second- and third-trimester procedures;

(2) Congress has the responsibility to—

(A) investigate and conduct hearings on—

(i) abortions performed near, at, or after viability in the United States; and

(ii) public policies regarding such abortions; and

(B) evaluate the extent to which such abortions involve violations of the natural right to life of infants who are born alive or are capable of being born alive, and therefore are entitled to equal protection under the law;

(3) there is a compelling governmental interest in protecting the lives of unborn children beginning at least from the stage at which substantial medical evidence indicates that they are capable of feeling pain, which is separate from and independent of the compelling governmental interest in protecting the lives of unborn children beginning at the stage of viability, and neither governmental interest is intended to replace the other; and

(4) governmental review of public policies and outcomes relating to the issues described in paragraphs (1) through (4) is long overdue and is an urgent priority that must be addressed for the sake of women, children, families, and future generations.

SENATE RESOLUTION 134—EX-PRESSING THE SENSE OF THE SENATE THAT ALL INCIDENTS OF ABUSIVE, UNSANITARY, OR ILLEGAL HEALTH CARE PRACTICES SHOULD BE CONDEMNED AND PREVENTED AND THE PERPETRATORS SHOULD BE PROSECUTED TO THE FULL EXTENT OF THE LAW

Mr. BLUMENTHAL (for himself, Mrs. BOXER, Mrs. SHAHEEN, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 134

Whereas in recent years there have been rare and tragic incidents of willful violations of law, human dignity, and standards of care across a variety of health care settings that have exposed trusting patients to death and disease, and shocked the conscience of the United States, including—

(1) a physician at the Women's Medical Society of Philadelphia who is rightfully facing multiple criminal charges related to horrific practices;

(2) health care practitioners at the Endoscopy Center of Southern Nevada who exposed 40,000 patients to hepatitis C through unsanitary practices;

(3) an Oklahoma dentist who exposed as many as 7,000 patients to HIV and hepatitis B and C through unsanitary practices; and

(4) a nursing director at Kern Valley nursing home in California who, for her own convenience, inappropriately medicated patients using antipsychotic drugs, resulting in the death of at least 1 patient: Now, therefore, be it

Resolved, That it is the sense of the Senate that all incidents of abusive, unsanitary, or illegal health care practices should be condemned and prevented and the perpetrators should be prosecuted to the full extent of the law.

AMENDMENTS SUBMITTED AND PROPOSED

SA 814. Mr. COBURN (for himself, Mr. FLAKE, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 815. Mr. COBURN (for himself, Mr. MCCAIN, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 816. Mr. COBURN (for himself, Mrs. MCCASKILL, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 817. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 818. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 819. Mr. SESSIONS submitted an amendment intended to be proposed by him

to the bill S. 601, supra; which was ordered to lie on the table.

SA 820. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 821. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 822. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 823. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 824. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 825. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 826. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 827. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 828. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 829. Mr. WICKER (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 830. Mr. WICKER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 831. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 832. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 601, supra.

SA 833. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 834. Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 835. Mr. INHOFE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 836. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 837. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 838. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 839. Mrs. GILLIBRAND (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 840. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 841. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 842. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 843. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 844. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 845. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 846. Mr. MANCHIN (for himself, Mr. PORTMAN, Mr. ROCKEFELLER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 847. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 848. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 849. Mr. RUBIO (for himself, Mr. SESSIONS, Mr. SHELBY, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 850. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 851. Mr. UDALL, of New Mexico (for himself, Mr. CARDIN, Mr. HEINRICH, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 852. Mr. UDALL, of New Mexico (for himself, Mr. GRAHAM, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 853. Mr. UDALL, of New Mexico (for himself, Mr. COWAN, Mr. HEINRICH, Ms. WARREN, Mr. CARDIN, Mr. BENNET, Mr. ROCKEFELLER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. LEAHY, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 854. Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. McCASKILL, Ms. LANDRIEU, Ms. STABENOW, Mr. FRANKEN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 855. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 856. Mr. BROWN (for himself, Mr. GRAHAM, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 857. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 814. Mr. COBURN (for himself, Mr. FLAKE, and Mr. MCCAIN) submitted

an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. PERIODIC BEACH RENOURISHMENT.

Section 103(d)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—Notwithstanding subsection (e)(1), the non-Federal cost of the periodic nourishment of the project, or any measure for shore protection or beach erosion control for the project, that is authorized for construction before, on, or after the date of enactment of the Water Resources Development Act of 2013 shall be 65 percent.”.

SA 815. Mr. COBURN (for himself, Mr. MCCAIN, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2030.

SA 816. Mr. COBURN (for himself, Mrs. McCASKILL, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2049(b)(5), strike subparagraph (C).

SA 817. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike title I.

SA 818. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United

States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1001 and insert the following:

SEC. 1001. PURPOSES; SENSE OF CONGRESS.

(a) PURPOSES.—The purposes of this title are—

(1) to authorize projects that—
(A) are the subject of a completed report of the Chief of Engineers containing a determination that the relevant project—

(i) is in the Federal interest;
(ii) results in benefits that exceed the costs of the project;
(iii) is environmentally acceptable; and
(iv) is technically feasible; and

(B) have been recommended to Congress for authorization by the Assistant Secretary of the Army for Civil Works;

(2) to authorize the Secretary—
(A) to review projects that require increased authorization; and

(B) to request an increase of those authorizations after—

(i) certifying that the increases are necessary; and

(ii) submitting to Congress reports on the proposed increases; and

(3) not to establish new precedent or congressional practices concerning the delegation of authority from Congress to the Executive Branch with respect to the authorization of water resources projects or funding amounts for projects.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress should enact legislation to reduce wasteful spending, reform the earmark and project authorization processes under law, and address the long-term fiscal challenges in the United States; and

(2) on enactment of the legislation described in paragraph (1), Congress should resume the prudent authorization of projects consistent with law.

SA 819. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2049 and insert the following:

SEC. 2049. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—Section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) LIST OF PROJECTS.—

“(A) IN GENERAL.—Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), each year, after the submission of the list under paragraph (1), the Secretary shall submit to Congress a list of projects or separable elements of projects that have been authorized but that have received no obligations during the 5 full fiscal years preceding the submission of that list.

“(B) ADDITIONAL NOTIFICATION.—On submission of the list under subparagraph (A) to Congress, the Secretary shall notify—

“(i) each Senator in whose State and each Member of the House of Representatives in whose district a project (including any part

of a project) on that list would be located; and

“(ii) each applicable non-Federal interest associated with a project (including any part of a project) on that list.”; and

(2) by adding at the end the following:

“(3) MINIMUM FUNDING LIST.—At the end of each fiscal year, the Secretary shall submit to Congress a list of—

“(A) projects or separable elements of projects authorized for construction for which funding has been obligated in the 5 previous fiscal years;

“(B) the amount of funding obligated per fiscal year;

“(C) the current phase of each project or separable element of a project; and

“(D) the amount required to complete those phases.

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall compile and publish a complete list of all uncompleted, authorized projects of the Corps of Engineers, including for each project on that list—

“(i) the original budget authority for the project;

“(ii) the status of the project;

“(iii) the estimated date of completion of the project;

“(iv) the estimated cost of completion of the project; and

“(v) any amounts for the project that remain unobligated.

“(B) PUBLICATION.—

“(i) IN GENERAL.—The Secretary shall submit a copy of the list under subparagraph (A) to—

“(I) the appropriate committees of Congress; and

“(II) the Director of the Office of Management and Budget.

“(ii) PUBLIC AVAILABILITY.—Not later than 30 days after providing the report to Congress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site, in a manner that is downloadable, searchable, and sortable.”.

(b) INFRASTRUCTURE DEAUTHORIZATION STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall, in consultation with the States, Chief of Engineers, water resources associations, and other stakeholders, submit a report to Congress on options for establishing an appropriate and cost effective process for identifying authorized Corps of Engineers water resources projects, including those listed in the report described in section 1001(b)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(4)), that are no longer in the Federal interest and should be deauthorized.

SA 820. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike title X and insert the following:

TITLE X—SENSE OF CONGRESS REGARDING WATER AND WASTEWATER INFRASTRUCTURE FINANCING PROGRAMS

SEC. 10001. SENSE OF CONGRESS REGARDING WATER AND WASTEWATER INFRASTRUCTURE FINANCING PROGRAMS.

It is the sense of Congress that, instead of establishing a new, unfunded water infrastructure financing program during the period of significant Federal deficits in effect on the date of enactment of this Act, Congress should, to the extent fiscally prudent—

(1) maximize funding for existing water and wastewater infrastructure financing programs, including—

(A) the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.); and

(B) the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12);

(2) abate restrictions on the use of private activity bonds on water and wastewater infrastructure projects; and

(3) take other fiscally appropriate actions to improve water and wastewater infrastructure in the United States.

SA 821. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 IMPROVING PLANNING AND ADMINISTRATION OF WATER SUPPLY STORAGE.

(a) IN GENERAL.—The Secretary shall carry out activities—

(1) to ensure increased uniformity and flexibility in the development and administration of storage agreements with non-Federal interests for municipal or industrial water supply at Corps of Engineers projects pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(2) to enable non-Federal interests to anticipate and accurately budget for annual operations and maintenance costs and, as applicable, repair, rehabilitation, and replacement costs, including through—

(A) the formulation by the Secretary of a uniform billing statement format for those storage agreements relating to operations and maintenance costs, and as applicable, repair, rehabilitation, and replacement costs, incurred by the Secretary, which, at a minimum, shall include—

(i) a detailed description of the activities carried out relating to the water supply aspects of the project;

(ii) a clear explanation of why and how those activities relate to the water supply aspects of the project; and

(iii) a detailed accounting of the cost of carrying out those activities;

(B) a review by the Secretary of the regulations and guidance of the Corps of Engineers relating to criteria and methods for the equitable distribution of joint project costs across project purposes in order to ensure nationwide consistency in the calculation of the appropriate share of joint project costs allocable to the water supply purpose; and

(C) a review by the Secretary of the procedures and processes of the Corps of Engineers

for evaluating new requests for water supply storage reallocation and for developing water supply storage plans to accommodate the needs of non-Federal interests in order to increase the flexibility of those procedures and processes and enhance the coordination within the Corps of Engineers in communicating timely and unified responses to the requests of non-Federal interests.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the findings of the reviews carried out under subparagraphs (B) and (C) of subsection (a)(1) and any subsequent actions taken by the Secretary relating to those reviews.

(2) INCLUSIONS.—The report under paragraph (1) shall include an analysis of the feasibility and costs associated with the provision by the Secretary to each non-Federal interest of not less than 1 statement each year that details for each water storage agreement described in subsection (a)(1) the estimated amount of the operations and maintenance costs and, as applicable, the estimated amount of the repair, rehabilitation, and replacement costs, for which the non-Federal interest will be responsible in that fiscal year.

(3) EXTENSION.—The Secretary may delay the submission of the report under paragraph (1) for a period not to exceed 180 days after the deadline described in paragraph (1), subject to the condition that the Secretary submits a preliminary progress report to Congress not later than 1 year after the date of enactment of this Act.

SA 822. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. AMERICA THE BEAUTIFUL NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS PROGRAM.

The Secretary may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

SA 823. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Section 2049(b) is amended by adding at the end the following:

(6) APPLICATION.—For purposes of this subsection, water resources projects shall include environmental infrastructure assistance projects and programs of the Corps of Engineers.

SA 824. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 30 . BIG SUNFLOWER RIVER.

(a) IN GENERAL.—With respect to the project for flood control on the Big Sunflower River, authorized by section 10 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 895, chapter 665), the Secretary may install sediment structures throughout the watershed for water quality and aquatic restoration purposes.

(b) STRUCTURAL PRACTICES.—In carrying out the activities authorized under subsection (a), the Secretary shall use structural practices modeled on the structural practices provided by the Natural Resources Conservation Service Environmental Quality Incentives Program of the Department of Agriculture.

SA 825. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall not take effect until the date on which the Secretary certifies in writing to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives that the Governors of the States of Louisiana and Mississippi have submitted to the Secretary a written certification that the Governors have no objections to the adoption by the Secretary of the plan described in subsection (d) of section 7002 of the Water Resources Development Act of 2007 (121 Stat. 1270) (as amended by subsection (a)).

SA 826. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) EFFECT OF SECTION.—Nothing in this section or an amendment made by this section constitutes an authorization for the design or construction of the East Land Bridge Levee, New Orleans.

SA 827. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall not take effect until the date on which the Secretary certifies in writing to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives that the implementation of this section and the amendments made by this section will not increase, directly or indirectly, the flood risk of any property in a State other than the State of Louisiana.

SA 828. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 50 . RIGHTS AND RESPONSIBILITIES OF CHEROKEE NATION OF OKLAHOMA REGARDING W.D. MAYO LOCK AND DAM, OKLAHOMA.

Section 1117 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4236) is amended to read as follows:

“SEC. 1117. W.D. MAYO LOCK AND DAM, OKLAHOMA.

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Cherokee Nation of Oklahoma has exclusive authorization—

“(1) to design and construct 1 or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River in the State of Oklahoma, subject to the requirements of subsection (b) and in accordance with the conditions specified in this section; and

“(2) to market the electricity generated from any such hydroelectric generating facility.

“(b) PRECONSTRUCTION REQUIREMENTS.—

“(1) IN GENERAL.—The Cherokee Nation shall obtain any permit required by Federal or State law before the date on which construction begins on any hydroelectric generating facility under subsection (a).

“(2) REVIEW BY SECRETARY.—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

“(c) PAYMENT OF DESIGN AND CONSTRUCTION COSTS.—

“(1) IN GENERAL.—The Cherokee Nation shall—

“(A) bear all costs associated with the design and construction of any hydroelectric generating facility under subsection (a); and

“(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities relating to the design and construction of the hydroelectric generating facility.

“(2) USE BY SECRETARY.—The Secretary may—

“(A) accept funds offered by the Cherokee Nation under paragraph (1); and

“(B) use the funds to carry out the design and construction of any hydroelectric generating facility under subsection (a).

“(d) ASSUMPTION OF LIABILITY.—The Cherokee Nation—

“(1) shall hold all title to any hydroelectric generating facility constructed under this section;

“(2) may, subject to the approval of the Secretary, assign that title to a third party;

“(3) shall be solely responsible for—

“(A) the operation, maintenance, repair, replacement, and rehabilitation of any such facility; and

“(B) the marketing of the electricity generated by any such facility; and

“(4) shall release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

“(e) ASSISTANCE AVAILABLE.—Notwithstanding any other provision of law, the Secretary may provide any technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of any hydroelectric generating facility under subsection (a).

“(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines to be necessary to carry out this section.”

SA 829. Mr. WICKER (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. DONALD G. WALDON LOCK AND DAM.

(a) FINDINGS.—Congress finds that—

(1) the Tennessee-Tombigbee Waterway Development Authority is a 4-State compact comprised of the States of Alabama, Kentucky, Mississippi, and Tennessee;

(2) the Tennessee-Tombigbee Authority is the regional non-Federal sponsor of the Tennessee-Tombigbee Waterway;

(3) the Tennessee-Tombigbee Waterway, completed in 1984, has fueled growth in the United States economy by reducing transportation costs and encouraging economic development; and

(4) the selfless determination and tireless work of Donald G. Waldon, while serving as administrator of the waterway compact for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, at an appropriate time and in

accordance with the rules of the House of Representatives and the Senate, the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the "Donald G. Waldon Lock and Dam".

SA 830. Mr. WICKER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 30 . PEARL RIVER BASIN, MISSISSIPPI.
 Section 3104 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1134) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The project for flood damage reduction, Pearl River Basin, including Shoccoe, Mississippi, authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4132), is modified to authorize the Secretary, subject to subsection (c), to construct the project generally in accordance with the plan described in the ‘Pearl River Watershed, Mississippi, Feasibility Study and Environmental Impact Statement Main Report’, with an estimated Federal share of \$133,770,000 and an estimated non-Federal cost of \$72,030,000.”; and

(2) by striking subsection (b) and inserting the following:

“(b) **COMPARISON OF ALTERNATIVES.**—Before initiating construction of the project, the Secretary shall compare the level of flood damage reduction provided by the plan that maximizes national economic development benefits of the project and the locally preferred plan, to that portion of Jackson, Mississippi and vicinity, located below the Ross Barnett Reservoir Dam.”.

SA 831. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. FOREST HIGHWAY PROGRAM UNOBLIGATED BALANCES.

Section 204 of title 23, United States Code, is amended by adding at the end the following:

“(d) **FOREST HIGHWAY PROGRAM UNOBLIGATED BALANCES.**—Until September 30, 2014, on request by a State, the Secretary or Secretary of the appropriate land management agency shall apply available and unobligated balances of funds allocated under the Forest Highway Program under subsection (b)(2), as in effect on July 6, 2012, to the non-Federal share of the cost of 1 or more projects selected under this section by the programming decisions committee of the State.”.

SA 832. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

On page 305, strike lines 11 through 14 and insert the following:

“(i) **CARGO CONTAINER.**—The term ‘cargo container’ means a cargo container that is 1 Twenty-foot Equivalent Unit.

SA 833. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

In section 6004(i)(2), add at the end the following:

(C) **MEASURES TO ASSESS EFFECTIVENESS.**—Not later than 1 year after the enactment of this Act, the Secretary shall implement quantifiable performance measures and metrics to assess the effectiveness of the grant program established in accordance with subparagraph (A).

SA 834. Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2043, add at the end the following:

(f) **UTILIZATION OF EROSION CONTROL MATERIALS.**—The Secretary shall encourage the utilization of materials and practices that are demonstrated to produce cost savings and project acceleration, including gabions, geosynthetics, and other erosion control materials, in applications, including—

- (1) shoreline protection; and
- (2) the storage and transportation of canal water as recommended by the Commissioner of the Bureau of Reclamation in the report entitled “Canal-Lining Demonstration Project Year 10 Final Report”.

SA 835. Mr. INHOFE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 548, between lines 16 and 17, insert the following:

(10) **RURAL WATER INFRASTRUCTURE PROJECT.**—The term “rural water infrastructure project” means a project that—

- (A) is described in section 10007; and
- (B) is located in a water system that serves not more than 25,000 individuals.

On page 556, strike lines 1 through 3, and insert the following:

(2) **ELIGIBLE PROJECT COSTS.**—
 (A) **IN GENERAL.**—Subject to subparagraph (B), the eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(B) **RURAL WATER INFRASTRUCTURE PROJECTS.**—For rural water infrastructure projects, the eligible project costs of a project shall be reasonably anticipated to be not less than \$5,000,000.

SA 836. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:
SEC. 20 . STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) **STUDY.**—

(1) **STUDY REQUIRED.**—The Administrator of the Federal Emergency Management Agency (referred to in this section as the “Administrator”) shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) **CONSIDERATIONS.**—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) **CONSULTATION.**—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) **REPORT BY THE ADMINISTRATOR.**—

(1) **REPORT REQUIRED.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies

that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) **REPORT BY COMPTROLLER GENERAL.**—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

SA 837. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 50 . . . CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) **IN GENERAL.**—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) (referred to in this section as the “Site”) is reopened and shall remain open and available until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity; or

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed.

(b) **LIMITATIONS.**—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SA 838. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 308, strike lines 21 through 25, and insert the following:

“(II) are located in berths that are accessible to Federal channels;

“(iv) for environmental remediation related to dredging berths and Federal navigation channels; or

“(v) for capital investments in the infrastructure of eligible donor ports and goods movement corridors associated with eligible donor ports that mitigate the local impacts of the movement of goods, including traffic congestion, air pollution, infrastructure degradation, public safety threats, and other impacts identified by the Secretary.

SA 839. Mrs. GILLIBRAND (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

Subtitle B—Extreme Weather Resilience

SEC. 11101. SHORT TITLE.

This subtitle may be cited as the “Strengthening The Resiliency of Our Nation on the Ground Act” or the “STRONG Act”.

SEC. 11102. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Extreme weather has serious economic costs for Americans, American businesses, and State and local governments. Hurricanes, droughts, floods, tornadoes, extreme heat, and extreme cold cause death, result in loss of property and well-being, especially among the most vulnerable populations, and negatively impact business activity and economic growth.

(2) Superstorm Sandy, which devastated the Eastern United States in late October 2012, resulted in more than 100 deaths, the evacuation of hundreds of thousands of people from their homes, power outages affecting more than 8,500,000 homes, massive flooding, gasoline shortages, and a crippled regional energy and transportation infrastructure. As a result of this storm, Congress passed the Disaster Relief Appropriations Act, 2013, which appropriated \$50,500,000,000 for post-Sandy recovery efforts.

(3) In the past 30 years, there have been more than 130 weather-related disasters in the United States that each generated at least \$1,000,000,000 in damages or more than \$80,000,000,000 in total standardized loss. In addition, there have been many other extreme weather events that generated less than \$1,000,000,000 in damages, but still caused immeasurable harm to the Nation’s citizens, infrastructure, and economy.

(4) Hurricane Katrina led to more than 1,800 deaths, property damage exceeding \$80,000,000,000, more than \$120,000,000,000 in Federal spending, and long-term impacts on the economy and livelihoods of those living in the Gulf Coast region.

(5) In 2011, one of the most severe and costly years for weather and climate on record, extreme weather hit every region in the United States, resulting in—

(A) prolonged droughts in the South and the West;

(B) deadly floods in the Southeast and Midwest;

(C) hundreds of devastating tornadoes across the United States;

(D) Hurricane Irene in the Northeast;

(E) more than \$50,000,000,000 in weather-related damages;

(F) 14 extreme weather events, which resulted in more than \$1,000,000,000 in damages each and caused a combined death toll of hundreds of people; and

(G) many other extreme weather events with lesser, but still significant, impacts.

(6) In 2012, in addition to Superstorm Sandy, the United States experienced—

(A) drought conditions in more than 60 percent of the contiguous United States at the peak of the drought, including more than 2,200 counties that have received disaster designations from the Secretary of Agriculture due to the drought;

(B) deadly floods in Minnesota, Tropical Storm Debby in Florida, and Hurricane Isaac in Louisiana;

(C) destructive wildfires on more than 9,000,000 acres across 37 States;

(D) power outages affecting more than 3,400,000 homes due to severe storms during the summer; and

(E) deadly heat waves, highlighted by July as the warmest month on record for the contiguous United States and more than 9,600 daily high temperature records broken during June, July, and August.

(7) These events and natural disaster trends, when combined with the volatility of weather, ongoing demographic changes, and development in high risk areas, indicate that the negative impacts of extreme weather events and natural disasters have the potential to increase over time. The fact that a significant number of people and assets continue to be located in areas prone to volatile and extreme weather indicates that these events will continue to be expensive and deadly if the United States fails to enhance its resiliency to such events. Recent studies show that the intensity and frequency of some types of, but not all, extreme weather events will likely increase in the future.

(8) Economic savings can be achieved by considering the impacts of extreme weather over the short- and long-term in the planning process. For example, a 2005 review of the Federal Emergency Management Agency’s hazard mitigation programs, conducted by the National Institute of Building Sciences’ Multi-Hazard Mitigation Council, found that every dollar spent on hazard mitigation yields a savings of \$4 in future losses.

(9) There are several efforts currently underway at the Federal, regional, tribal, State, and local levels that have helped lay the foundation for a federally-coordinated effort to increase the Nation’s resiliency to extreme weather events, such as the Hurricane Sandy Rebuilding Task Force, the Presidential Policy Directive on National Preparedness (referred to in this subtitle as “PPD-8”), the National Preparedness System, the whole community approach led by the Department of Homeland Security, and the Silver Jackets Program by the Army Corps of Engineers. Other recent reports on this subject include the National Academies of Sciences’ reports “Disaster Resilience: A National Imperative” and “Building Community Disaster Resilience through Public-Private Collaboration”.

(b) **PURPOSE.**—The purpose of this subtitle is to minimize the economic and social costs and future losses of life, property, well-being, business activity, and economic growth by making the United States more resilient to the impacts of extreme weather events over the short- and long-term, thereby creating business and job growth opportunities by—

(1) ensuring that the Federal Government is optimizing its use of existing resources

and funding to support State and local officials, businesses, tribal nations, and the public to become more resilient, including—

(A) encouraging the consideration of, and ways to incorporate, extreme weather resilience across Federal operations, programs, policies, and initiatives;

(B) promoting improved coordination of existing and planned Federal extreme weather resilience and adaptation efforts that impact extreme weather resilience and ensuring their coordination with, and support of, State, local, regional, and tribal efforts;

(C) minimizing Federal policies that may unintentionally hinder or reduce resilience, such as damaging wetlands or other critical green infrastructure, or lead Federal agencies to operate at cross purposes in achieving extreme weather resilience; and

(D) building upon existing related efforts, such as the Hurricane Sandy Rebuilding Task Force, the PPD-8, the National Preparedness System, and the whole community approach;

(2) communicating the latest understanding and likely short- and long-term human and economic impacts and risks of extreme weather to businesses and the public;

(3) supporting decision making that improves resilience by providing forecasts and projections, data decision-support tools, and other information and mechanisms; and

(4) establishing a consistent vision and strategic plan for extreme weather resilience across the Federal Government.

SEC. 11103. DEFINITIONS.

In this subtitle:

(1) **EXTREME WEATHER.**—The term “extreme weather” includes severe and unseasonable weather, heavy precipitation, hurricanes, storm surges, tornadoes, other windstorms (including derechos), extreme heat, extreme cold, and other qualifying weather events as determined by the interagency group established under section 11104(a)(1).

(2) **RESILIENCE.**—The term “resilience” means the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse events in a timely manner.

SEC. 11104. EXTREME WEATHER RESILIENCE GAP AND OVERLAP ANALYSIS.

(a) **INTERAGENCY WORKING GROUP.**—

(1) **IN GENERAL.**—

(A) **ESTABLISHMENT.**—The Director of the Office of Science and Technology Policy (referred to in this section as the “Director”), with input from the Department of Homeland Security, shall establish and chair an interagency working group with Cabinet-level representation from all relevant Federal agencies.

(B) **DUTIES.**—The working group shall—

(i) come together to provide a strategic vision of extreme weather resilience;

(ii) conduct a gap and overlap analysis of Federal agencies’ current and planned activities related to achieving short- and long-term resilience to extreme weather and its impacts on the Nation, such as storm surge, flooding, drought, and wildfires; and

(iii) develop a National Extreme Weather Resilience Plan in accordance with section 11105(a).

(2) **ADDITIONAL REPRESENTATION FROM EXECUTIVE OFFICE OF THE PRESIDENT.**—The interagency working group established under paragraph (1) shall include representatives of the relevant offices and councils within the Executive Office of the President, including—

- (A) the Office of Management and Budget;
- (B) the National Security Staff;
- (C) the Council of Economic Advisors;

(D) the Council on Environmental Quality; and

(E) the Domestic Policy Council.

(3) **CONSULTATION WITH TRIBAL, STATE, AND LOCAL REPRESENTATIVES.**—

(A) **IN GENERAL.**—The Federal interagency working group established under paragraph (1) shall work closely with an advisory group to take into account the needs of State and local entities across all regions of the United States. The advisory group shall consist of—

(i) 1 representative from the National Emergency Management Association;

(ii) 7 representatives from States and State associations; and

(iii) 8 representatives from local entities and associations, including representation from a tribal nation and at least 1 major metropolitan area.

(B) **KEY SECTORS.**—The representatives described in subparagraph (A) shall, in the aggregate, represent all of the key sectors set forth in subsection (b)(1).

(C) **MEETINGS.**—The Director shall meet with the representatives described in subparagraph (A) not fewer than 9 times during the development of—

(i) the gap and overlap analysis under this section; and

(ii) the National Extreme Weather Resilience Action Plan under section 11105.

(4) **COOPERATION BY FEDERAL AGENCIES.**—In carrying out the activities described in subsection (b), Federal agency representatives participating in the working group shall be forthright and shall fully cooperate with the Office of Science and Technology Policy.

(5) **DETAILEES.**—Upon the request of the Director, each agency or entity referred to in paragraph (1) shall provide the working group with a detailee, without reimbursement from the working group, to support the activities described in subsection (b), section 11105, and section 11107(a). Such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(6) **VOLUNTEER SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the working group may investigate and use such voluntary services as the working group determines to be necessary.

(b) **GAP AND OVERLAP ANALYSIS.**—In conducting the gap and overlap analysis required under subsection (a)(1), Federal agency representatives shall—

(1) develop a Federal Government-wide working vision for resilience to the impacts of extreme weather events in the short- and long-term, in accordance with the purpose set forth in section 11102(b), through an effort led by the Director and the interagency working group, which includes goals and objectives for key sectors. Key sectors shall include—

- (A) agriculture;
- (B) forestry and natural resources management;
- (C) water management, including supply and treatment;
- (D) energy supply and transmission;
- (E) infrastructure, including natural and built forms of water and wastewater, transportation, coastal infrastructure, and other landscapes and ecosystems services;
- (F) public health and healthcare delivery, including mental health and hazardous materials management;
- (G) communications, including wireless communications;
- (H) housing and other buildings;
- (I) national security;
- (J) emergency preparedness;
- (K) insurance; and

(L) other sectors that the Director considers appropriate;

(2) consider and identify the interdependencies among the key sectors when developing the vision referred to in paragraph (1);

(3) create summaries of the existing and planned efforts and programmatic work underway or relevant to supporting State and local stakeholders in achieving greater extreme weather resilience in the short and long term for each sector identified under paragraph (1) and across the sectors, specifically including summaries of—

(A) individual Federal agency programs, policies, regulations, and initiatives, and research and data collection and dissemination efforts;

(B) areas of collaboration and coordination across Federal agencies; and

(C) areas of coordination with State and local agencies, private entities, and regional cooperation;

(4) identify specific Federal programs, statutes, regulations, policies, and initiatives which may unintentionally hinder resilience efforts, including an analysis of disincentives, barriers, and incompatible programs, policies, or initiatives across agencies and sectors;

(5) examine how the severity and frequency of extreme weather events at the local and regional level may change in the future and communicate these potential risks to stakeholders;

(6) work together to identify and evaluate existing Federal tools and data to describe, analyze, forecast, and model the potential impacts identified under paragraph (5) and develop recommendations to strengthen their ability to provide reliable and accurate forecasts at the national, regional, State, and local levels;

(7) identify gaps and overlaps in Federal agency work, resources, and authorities that impair the ability of the United States to meet the vision for short- and long-term extreme weather resilience, by comparing the goals and objectives identified for each sector and across sectors with the summaries identified in paragraph (3), specifically identifying gaps relating to—

(A) individual Federal agency programs, policies, and initiatives, and research data collection and dissemination efforts;

(B) areas of collaboration and coordination across Federal agencies;

(C) areas of coordination with State and local agencies and private entities, and regional cooperation;

(8) determine potential measures to address the issues referred to in paragraph (4) and to address the gaps and overlaps referred to in paragraph (7) by—

(A) designating individual or multiple Federal agencies to address these gaps;

(B) building upon existing delivery mechanisms;

(C) evaluating options for programs, policies, and initiatives that may particularly benefit extreme weather resilience efforts, including the role of ecosystem-based approaches;

(D) recommending modifications to existing Federal agency programs, statutes, regulations, policies, and initiatives to better support extreme weather resiliency;

(E) requesting new authorities and resource requirements, if needed; and

(F) identifying existing Federal government processes that can be built upon to address the purpose of this subtitle; and

(9) establish, with the assistance of the General Services Administration or such other Federal agency as the Director may

designate, a Federal advisory working group to provide ongoing collective input to the process.

(c) **WORKING GROUP.**—The Federal advisory working group established pursuant to subsection (b)(9) shall consist of relevant private sector, academic, State and local government, tribal nation, regional organization, vulnerable population, and nongovernmental representatives, with representation from each sector described in paragraph (1). The Director may designate an existing Federal advisory committee under which the working group would operate independently, with the same rights and privileges held by members of the advisory committee. The members of the working group established pursuant to subsection (b)(9) may not simultaneously serve as members of the advisory committee designated pursuant to this subsection. The activities of the working group should complement and not duplicate the stakeholder process conducted under PPD-8. **SEC. 11105. NATIONAL EXTREME WEATHER RESILIENCE ACTION PLAN.**

(a) **IN GENERAL.**—Based on the results of the gap and overlap analysis conducted under section 11104, the Director, working with the interagency working group established under such section, and considering the efforts described in section 11102(a)(9), shall develop a National Extreme Weather Resilience Action Plan (referred to in this section as the “Plan”)—

(1) to build upon existing Federal Government processes referred to in section 11104(b)(8)(F)—

(A) to address the results of the gap and overlap analysis under section 11104; and

(B) to incorporate the activities required under subsection (c);

(2) to best utilize existing resources and programs through improved interagency coordination and collaboration;

(3) to improve Federal coordination with existing regional entities, State and local governments, networks, and private stakeholders;

(4) to make data and tools accessible and understandable and to help facilitate information exchange for tribal, State, and local officials, businesses, and other stakeholders in a manner that addresses the needs expressed by these stakeholders;

(5) to facilitate public-private partnerships;

(6) to improve Federal agencies’ economic analytical capacity to assess—

(A) the likelihood and potential costs of extreme weather impacts by region and nationally; and

(B) the relative benefits of potential resilience measures to multiple stakeholders;

(7) to provide tools to stakeholders—

(A) to conduct analyses similar to those described in paragraph (6); and

(B) to support decision-making;

(8) to support resiliency plans developed by State and local governments, regional entities, and tribal nations, to the extent possible; and

(9) to request further resources, if necessary, to fill in gaps to enable national resilience to extreme weather, including resilience of tribal nations, and particularly vulnerable populations, and the use of green infrastructure and ecosystem-based solutions.

(b) **COOPERATION.**—Any Federal agency representative contacted by the Director, in the course of developing the Plan, shall be forthright and shall fully cooperate with the Office of Science and Technology Policy, as requested.

(c) **REQUIRED ACTIVITIES.**—

(1) **RESPONSIBILITIES.**—The Plan shall include specific Federal agency and interagency responsibilities, identify potential new authorities, if necessary, and employ risk analysis—

(A) to address the gaps identified through the gap and overlap analysis; and

(B) to improve Federal interagency coordination and Federal coordination with State, regional, local, and tribal partners.

(2) **AVAILABLE FUNDING OPPORTUNITIES.**—

(A) **IDENTIFICATION.**—The Director shall identify—

(i) existing Federal grant programs and other funding opportunities available to support State and local government extreme weather resiliency planning efforts; or

(ii) projects to advance extreme weather resiliency.

(B) **PUBLICATION.**—The Director shall publish the information described in subparagraph (A) in the information portal identified in paragraph (3).

(C) **RESPONSIBILITIES.**—Each participating agency shall—

(i) consider incorporating criteria or guidance into existing relevant Federal grant and other funding opportunities to better support State and local efforts to improve extreme weather resiliency; and

(ii) evaluate and modify existing Federal funding opportunities, as appropriate, to maximize the return on investment for pre-disaster mitigation activities.

(3) **INFORMATION PORTAL.**—

(A) **IN GENERAL.**—The Plan shall—

(i) include the establishment of an online, publicly available information portal for use by Federal agencies, their partners, and stakeholders, that directs users to key data and tools to inform resilience-enhancing efforts; and

(ii) build off and be complementary to existing Federal efforts, including data.gov.

(B) **MAINTENANCE.**—The coordinating entity identified under paragraph (3) shall be responsible for establishing and maintaining the information portal.

(C) **INFORMATION SUPPLIED.**—Information shall be supplied as requested by Federal agencies, their partners, academia, and private stakeholders, in coordination with regional, State, local, and tribal agencies.

(D) **CONTENTS.**—The information portal established under this paragraph shall direct users to coordinated and systematic information on—

(i) best or model practices;

(ii) data;

(iii) case studies;

(iv) indicators;

(v) scientific reports;

(vi) resilience and vulnerability assessments;

(vii) guidance documents and design standards;

(viii) incentives;

(ix) education and communication initiatives;

(x) decision support tools, including risk management, short- and long-term economic analysis, and predictive models;

(xi) planning tools;

(xii) public and private sources of assistance; and

(xiii) such other information as the coordinating entity considers appropriate.

(4) **COORDINATING ENTITY.**—The Plan shall include the identification of a Federal agency, interagency council, office, or program, which participated in the gap and overlap analysis and Plan development. Such entity shall—

(A) coordinate the implementation of the Plan;

(B) track the progress of such implementation; and

(C) transfer responsibilities to another Federal agency, interagency council, office, or program to serve as the coordinating entity if the entities participating in the working group agree that circumstances necessitate such a change.

(5) **RESILIENCY OFFICER.**—Each Federal agency that assists with the gap and overlap analysis required under section 11104 shall designate, from among the agency’s senior management, a Senior Resiliency Officer, who shall—

(A) facilitate the implementation of the agency’s responsibilities under paragraph (1);

(B) monitor the agency’s progress and performance in implementing its responsibilities under paragraph (1);

(C) report the agency’s progress and performance to the head of the agency and the coordinating entity identified under paragraph (3); and

(D) serve as the agency lead in ongoing coordination efforts within the Federal agency and between the coordinating entity, other Federal agencies, public and private partners, and stakeholders.

(d) **PUBLICATION.**—

(1) **DRAFT PLAN.**—Not later than 420 days after the date of the enactment of this Act, the Director shall publish a draft of the Plan developed under this section in the Federal Register.

(2) **PUBLIC COMMENT PERIOD.**—During the 60-day period beginning on the date on which the draft Plan is published under paragraph (1), the Director shall—

(A) solicit comment from the public; and

(B) conduct a briefing for Congress to explain the provisions contained in the draft Plan.

(3) **FINAL PLAN.**—Not later than 120 days after the end of the public comment period described in paragraph (2), the Director shall publish the final Plan in the Federal Register.

(e) **IMPLEMENTATION.**—Not later than 630 days after the date of the enactment of this Act, the Director shall begin implementing the final Plan published under subsection (d)(3).

(f) **FINANCING.**—To the extent possible—

(1) Federal funding should be used to leverage private sector financing for resilience building activities, consistent with the implementation of the Plan, through public-private partnerships; and

(2) Federal grant and loan programs of the Federal agencies participating in the interagency working group for this effort shall consider extreme weather resilience as a key factor when awarding funding, including the projected extreme weather risk to a project over the course of its expected life.

(g) **TRIBAL, STATE, AND LOCAL RESPONSIBILITIES.**—The Plan may not place new unfunded requirements on State or local governments.

SEC. 11106. AUTHORIZATION OF OTHER ACTIVITIES.

(a) **IN GENERAL.**—Federal agencies are authorized to develop tools and disseminate information to improve extreme weather resilience in the key sectors set forth in section 11104(b)(1).

(b) **OFFICE OF SCIENCE AND TECHNOLOGY POLICY.**—In conducting the gap and overlap analysis under section 11104 and developing the National Extreme Weather Resilience Action Plan under section 11105, the Director may carry out additional activities in support of the purpose of this subtitle.

SEC. 11107. REPORTS.

(a) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that—

(1) identifies existing Federal Government programs and policies related to disaster relief, response, and recovery that impede improving short- and long-term extreme weather resilience; and

(2) make recommendations for how the programs or policies could be structured differently to better support short- and long-term resilience after an extreme weather event.

(b) INITIAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director shall submit a report to Congress that contains—

(1) the results of the gap and overlap analysis;

(2) the final National Extreme Weather Resilience Action Plan;

(3) an update on the implementation of the plan; and

(4) available resources for the sustained implementation of the plan.

(c) TRIENNIAL REPORTS.—Not later than 2 years after the submission of the report under subsection (a), and every 3 years thereafter, the coordinating entity identified under section 11105(c)(3), in cooperation with the interagency working group established under section 11104(a), shall submit a report to Congress that—

(1) contains an update of the National Extreme Weather Resilience Action Plan;

(2) describes the progress of the plan's implementation;

(3) improves upon the original analysis as more information and understanding about extreme weather events becomes available;

(4) establishes criteria for prioritization of activities described in the plan;

(5) reconsiders and makes changes to the plan based on the availability of new information described in paragraph (3); and

(6) identifies cost-effective changes to laws, policies, or regulations that could advance the purpose of this subtitle.

(d) FEMA REPORTS ON FUNDING.—

(1) FINDINGS.—Congress finds the following:

(A) The Federal Emergency Management Agency grant programs are a key vehicle that exists to fund activities related to resilience planning and projects.

(B) In order to ensure that the United States becomes more resilient to extreme weather, it is important to ensure that sufficient resources are available to support resiliency activities

(2) REPORTS.—At the end of each fiscal year, the Director of the Federal Emergency Management Agency (FEMA) shall submit a report to Congress that—

(A) identifies the amounts that were made available to the FEMA during such fiscal year for State and local entities to use for activities that support the purposes of this subtitle;

(B) identifies the amounts disbursed by FEMA to State and local entities during such fiscal year for such activities;

(C) describes the resources requested by State and local entities for activities that support the purposes of this subtitle; and

(D) identifies the difference between the amounts disbursed by FEMA and the amounts requested from FEMA by State and local entities.

SEC. 11108. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNTS FOR ANALYSIS, PLAN DEVELOPMENT AND IMPLEMENTATION, AND REPORTS.—

There are authorized to be appropriated such sums as may be necessary for fiscal years 2014 through 2016—

(1) to conduct the gap and overlap analysis required under section 11104;

(2) to conduct the activities required under section 11105, including the creation and maintenance of the information portal; and

(3) to prepare the reports to Congress required under subsections (b) and (c) of section 11107.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available for the purposes set forth in such subsection through December 31, 2016.

SA 840. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 216, between lines 3 and 4, insert the following:

SEC. 3019. FOUR MILE RUN, CITY OF ALEXANDRIA AND ARLINGTON COUNTY, VIRGINIA.

Section 84(a)(1) of the Water Resources Development Act of 1974 (Public Law 93-251; 88 Stat. 35) is amended by striking “twenty-seven thousand cubic feet per second” and inserting “18,000 cubic feet per second, which—

“(A) includes wetland and fluvial habitat features; and

“(B) does not include freeboard”.

SA 841. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 . . . SENSE OF CONGRESS REGARDING NAVIGATION MAINTENANCE FOR SMALL HARBORS.

(a) FINDING.—Congress finds that the criteria used by the Secretary as of the date of enactment of this Act to determine funding for navigation maintenance projects does not allow small, remote, or subsistence harbors properly to compete for scarce navigation maintenance funds.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should revise the criteria described in subsection (a) to account for the impact of small, remote, and subsistence harbor projects on local and regional economies.

SA 842. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to

rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1004. NAVIGATION PROJECTS.

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a navigation project if—

(1) a Chief of Engineers report recommending implementation of the applicable project—

(A) is completed and submitted to Congress; and

(B) reflects a benefit-to-cost ratio of not less than 2:1; and

(2) the local sponsor of the applicable project will—

(A) advance an amount equal to the total Federal share of the cost of construction of the project; and

(B) seek reimbursement for the Federal share for future fiscal years, as described in the Chief of Engineers report.

SA 843. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1004. CONTINGENCY AUTHORIZATION FOR WATER AND RELATED RESOURCES PROJECTS.

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a project if—

(1) a Chief of Engineers report recommending implementation of the applicable project—

(A) is completed and submitted to Congress; and

(B) reflects a benefit-to-cost ratio of not less than 2:1; and

(2) the local sponsor of the applicable project will—

(A) advance an amount equal to the total Federal share of the cost of construction of the project; and

(B) seek reimbursement for the Federal share for future fiscal years, as described in the Chief of Engineers report.

SA 844. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1004. NAVIGATION PROJECTS.

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a navigation project if—

(1) a Chief of Engineers report recommending implementation of the applicable project is completed and submitted to Congress; and

(2) the project is included in the initiative of the President entitled "We Can't Wait", as implemented by Executive Order 13604 (77 Fed. Reg. 18887 (March 28, 2012)).

SA 845. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1004. NAVIGATION PROJECTS.

During the period beginning on October 1, 2012, and ending on September 30, 2017, the Secretary may carry out construction of a navigation project if a Chief of Engineers report recommending implementation of the applicable project—

(1) is completed and submitted to Congress; and

(2) reflects a benefit-to-cost ratio of not less than 2:1.

SA 846. Mr. MANCHIN (for himself, Mr. PORTMAN, Mr. ROCKEFELLER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 12001. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) IN GENERAL.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended in the first sentence by striking "The Administrator" and inserting "Until such time as a permit under this section has been issued by the Secretary, the Administrator".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 18, 1972.

SA 847. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 236, strike line 13 and insert the following:

(f) EFFECT OF SECTION.—

(1) IN GENERAL.—Nothing in this section replaces or provides a substitute for the authority to carry out projects under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(2) FUNDING.—The amounts made available to carry out this section shall be used to carry out projects that are not otherwise carried out under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(g) AUTHORIZATION OF APPROPRIATIONS.—There is

SA 848. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20. DELAY IN IMPLEMENTATION OF BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012 IN CERTAIN STATES.

(a) IN GENERAL.—The Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 916) and the amendments made by that Act shall have no force or effect in New York or New Jersey until the date that is 1 year after the date on which the Administrator of the Federal Emergency Management Agency notifies Congress that all amounts contributed by the Federal Government under the Hazard Mitigation Grant Program authorized under section 404 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5170c) in response to Hurricane Sandy have been expended.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect as if enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 916).

SA 849. Mr. RUBIO (for himself, Mr. SESSIONS, Mr. SHELBY, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2015 and insert the following:

SEC. 2015. WATER SUPPLY.

Section 301(d) of the Water Supply Act of 1958 (43 U.S.C. 390b(d)) is amended—

(1) by striking "(d) Modifications" and inserting the following:

"(d) APPROVAL OF CONGRESS OF MODIFICATIONS OF RESERVOIR PROJECTS.—

"(1) IN GENERAL.—A modification"; and

(2) by adding at the end the following:

"(2) ADDITIONAL APPROVAL.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), in addition to the approval under paragraph (1), approval by Congress shall be required for any modification that provides storage for municipal or industrial water supply at a reservoir project (other than a project located in a State in which the Bureau of Reclamation operates reservoir projects as of April 1, 2013) with a conservation storage pool exceeding 200,000 acre-feet if, when considered cumulatively with all previous modifications of the project pur-

suant to this section, the modification would involve an allocation or reallocation of more than 5 percent of the conservation storage pool of the project.

"(B) EXCEPTION.—Approval by Congress shall not be required under subparagraph (A) for any modification made pursuant to—

"(i) an interstate water compact approved by Congress; or

"(ii) a project-specific statutory authorization.".

SA 850. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE XII—CLEAN WATER COOPERATIVE FEDERALISM

SECTION 12001. SHORT TITLE.

This title may be cited as the "Clean Water Cooperative Federalism Act of 2013".

SEC. 12002. STATE WATER QUALITY STANDARDS.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking "(4)" and inserting "(4)(A)";

(3) by striking "The Administrator shall promulgate" and inserting the following:

"(B) The Administrator shall promulgate"; and

(4) by adding at the end the following:

"(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act.".

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

"(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.".

(c) STATE NPDES PERMIT PROGRAMS.—Section 402(c) of such Act (42 U.S.C. 1342(c)) is amended by adding at the end the following:

"(5) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO WITHDRAW APPROVAL OF STATE PROGRAMS.—The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

"(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

"(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards.".

(d) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO OBJECT TO INDIVIDUAL PERMITS.—Section 402(d) of such Act (33 U.S.C. 1342(d)) is amended by adding at the end the following:

“(5) The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

“(A) the Administrator’s interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”.

SEC. 12003. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) AUTHORITY OF EPA ADMINISTRATOR.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking “(c)” and inserting “(c)(1)”;

and

(2) by adding at the end the following:
“(2) Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator’s determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).”.

(b) STATE PERMIT PROGRAMS.—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking “The Governor of any State desiring to administer its own individual and general permit program for the discharge” and inserting “The Governor of any State desiring to administer its own individual and general permit program for some or all of the discharges”.

SEC. 12004. DEADLINES FOR AGENCY COMMENTS.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (m) by striking “ninetieth day” and inserting “30th day (or the 60th day if additional time is requested)”;

and

(2) by adding at the end the following:
“(2) The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.”.

SEC. 12005. APPLICABILITY OF AMENDMENTS.

The amendments made by this title shall apply to actions taken on or after the date of enactment of this Act, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated as of such date of enactment.

SEC. 12006. REPORTING ON HARMFUL POLLUTANTS.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report on any increase or reduction in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of this title, including the amendments made by this title.

SEC. 12007. PIPELINES CROSSING STREAMBEDS.

None of the provisions of this title, including the amendments made by this title, shall

be construed to limit the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, to regulate a pipeline that crosses a streambed.

SEC. 12008. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) NOTIFICATION.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State’s Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

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

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term “covered action” means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term “more than a de minimis negative impact” means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical cre-

ation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than \$1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

SA 851. Mr. UDALL of New Mexico (for himself, Mr. CARDIN, Mr. HEINRICH, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, strike lines 4 through 14 and insert the following:

“(1) IN GENERAL.—The project development procedures under this section apply to project studies initiated after the date on which the Secretary—

“(A) certifies to Congress that the cost to construct the water resources projects authorized for construction, but not completed on the date on which the certification is made, by the Chief of Engineers by any Act of Congress relating to water resources development, flood control, or rivers and harbors is less than \$20,000,000,000 (adjusted for inflation as of the date on which the certification is made); and

“(B) determines that an environmental impact statement is required.

SA 852. Mr. UDALL of New Mexico (for himself, Mr. GRAHAM, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, lines 24 and 25, strike “the date of enactment of this Act” and insert “December 31, 2016”.

SA 853. Mr. UDALL of New Mexico (for himself, Mr. COWAN, Mr. HEINRICH, Ms. WARREN, Mr. CARDIN, Mr. BENNET, Mr. ROCKEFELLER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. LEAHY, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 138, between lines 3 and 4, insert the following:

SEC. 2034. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—The authority provided by section 2032 of this Act and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) (as amended by section 2033 of this Act) shall constitute a pilot program, the authority for which terminates on the date that is 5 years after the date of enactment of this Act.

(b) REPORT.—Prior to the date on which authority is terminated under subsection (a), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the effectiveness of the authority described in subsection (a) in streamlining projects.

SA 854. Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. MCCASKILL, Ms. LANDRIEU, Ms. STABENOW, Mr. FRANKEN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 289, strike line 16 and all that follows through page 291, line 11, and insert the following:

SEC. 7005. REVISION TO THE INLAND WATERWAYS TRUST FUND FINANCING RATE.

(a) IN GENERAL.—Subparagraph (A) of section 4042(b)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to uses during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SA 855. Mr. KAINÉ (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 . . . CONSIDERATION OF APPLICATIONS FOR DREDGED OR FILL MATERIAL.

Section 404(b) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)) is amended—

(1) by striking “(b) Subject to subsection (c) of this section” and inserting the following:

“(b) SPECIFICATION OF DISPOSAL SITES.—

“(1) IN GENERAL.—Subject to subsection (c)”;

(2) by striking “Secretary (1) through” and inserting the following:

“Secretary—
“(A) through”;

(3) by striking “section 403(c), and (2) in any case where such guidelines under clause (1) alone” and inserting the following:

“section 403(c); and

“(B) in any case in which the guidelines described in subparagraph (A)”;

and

(4) by adding at the end the following:

“(2) END-USER CONSIDERATION.—For a determination of whether to issue a permit under this section, the lack of a specified end-user for a site shall not be considered under subsection (a)(3)(iv) of section 230.12 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013), to be a lack of sufficient information to make a reasonable judgment as to whether the proposed discharge will comply with the guidelines contained in subsection (a) of that section (as in effect on that date of enactment), if the jurisdiction for which the permit application is submitted—

“(A) meets all applicable requirements of paragraph (1) and section 230.12(a) of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013); and

“(B) is, or is located in, a county with a 5-year average unemployment rate of not less than 10 percent.”.

SA 856. Mr. BROWN (for himself, Mr. GRAHAM, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, lines 24 and 25, strike “the date of enactment of this Act” and insert “December 31, 2016”.

SA 857. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 71, after line 22, insert the following:

SEC. 2024. OPERATION AND MAINTENANCE OF GREAT LAKES PROJECTS.

(a) FINDINGS.—Congress finds that—

(1) the Great Lakes Navigation System is a unique resource that supports waterborne commerce critical to the national economy; and

(2) in managing the Great Lakes Navigation System, the Secretary, acting through the Chief of Engineers, should recognize—

(A) the connectivity and interrelationships among the projects; and

(B) the factors that threaten safe navigation conditions throughout the Great Lakes Navigation System, including lake level fluctuations and shoaling caused by major storm events.

(b) DEFINITION OF GREAT LAKES NAVIGATION SYSTEM.—In this section, the term “Great Lakes Navigation System” has the meaning given the term in section 210(c) of the Water Resources Development Act of 1986 (as added by section 8004(a)).

(c) MANAGEMENT OF THE GREAT LAKES NAVIGATION SYSTEM.—

(1) IN GENERAL.—To sustain the most effective and efficient operation and maintenance of the Great Lakes Navigation System, the Secretary, acting through the Chief of Engineers, shall manage and allocate funding for all of the individually authorized commercial navigation projects in the Great Lakes Navigation System as components of a single, comprehensive system, recognizing the interdependence of the projects.

(2) CARGO MEASUREMENTS.—Cargo measurements for the purpose of prioritizing annual operations and maintenance budget resources for the Great Lakes Navigation System, and for any of the component projects of the System, shall aggregate the tonnage of all components of the System.

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The Role of Immigrants in America’s Innovation Economy.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 8, 2013, at 11:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 8, 2013, at 10 a.m. in order to conduct a hearing entitled “Curbing Federal Agency Waste and Fraud: New Steps to Strengthen the Integrity of Federal Payments.”

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 8, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on May 8, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 8, 2013, at 10 a.m. in room 106 Dirksen Senate Office building to conduct a hearing entitled "Strengthening the Entrepreneurial Ecosystem for Minority Women."

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

SUBCOMMITTEE ON AIRLAND

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Armed Services Committee be authorized to meet during the session of the Senate on May 8, 2013, at 9:30 a.m.

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

SUBCOMMITTEE ON CRIME AND TERRORISM

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate, on May 8, 2013, at 9 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Cyber Threats: Law Enforcement and Private Sector Responses."

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

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m. to conduct a hearing entitled, "The Role of the Private Sector in Preparedness and Emergency Response."

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

SUBCOMMITTEE ON SEAPOWER

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Armed Services Committee be authorized to meet during the session of the Senate on May 8, 2013, at 9:30 a.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Senate Committee on Armed Services

be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 39 and 41; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

ANIMAL DRUG AND ANIMAL GENERIC DRUG USER FEE REAUTHORIZATION ACT OF 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 31, S. 622.

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

The assistant bill clerk read as follows:

A bill (S. 622) to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

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

Mr. BLUMENTHAL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be made and laid upon the table, with no intervening action or debate.

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

The bill (S. 622) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 622

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS; REFERENCES IN ACT.

(a) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents; references in Act.
TITLE I—FEES RELATING TO ANIMAL DRUGS

Sec. 101. Short title; finding.
Sec. 102. Definitions.
Sec. 103. Authority to assess and use animal drug fees.
Sec. 104. Reauthorization; reporting requirements.
Sec. 105. Savings clause.
Sec. 106. Effective date.
Sec. 107. Sunset dates.

TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

Sec. 201. Short title; finding.
Sec. 202. Authority to assess and use generic new animal drug fees.
Sec. 203. Reauthorization; reporting requirements.
Sec. 204. Savings clause.
Sec. 205. Effective date.
Sec. 206. Sunset dates.

(b) REFERENCES IN ACT.—Except as otherwise specified, amendments made by this Act to a section or other provision of law are amendments to such section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

TITLE I—FEES RELATING TO ANIMAL DRUGS

SEC. 101. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the "Animal Drug User Fee Amendments of 2013".

(b) FINDING.—Congress finds that the fees authorized by the amendments made in this title will be dedicated toward expediting the animal drug development process and the review of new and supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified, for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 102. DEFINITIONS.

Section 739 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-11) is amended to read as follows:

"SEC. 739. DEFINITIONS.

"For purposes of this part:
"(1) The term 'animal drug application' means an application for approval of any new animal drug submitted under section 512(b)(1). Such term does not include either a new animal drug application submitted under section 512(b)(2) or a supplemental animal drug application.
"(2) The term 'supplemental animal drug application' means—

"(A) a request to the Secretary to approve a change in an animal drug application which has been approved; or
"(B) a request to the Secretary to approve a change to an application approved under section 512(c)(2) for which data with respect to safety or effectiveness are required.

"(3) The term 'animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an animal drug application or a supplemental animal drug application has been approved.

“(4) The term ‘animal drug establishment’ means a foreign or domestic place of business which is at one general physical location consisting of one or more buildings all of which are within 5 miles of each other, at which one or more animal drug products are manufactured in final dosage form.

“(5) The term ‘investigational animal drug submission’ means—

“(A) the filing of a claim for an investigational exemption under section 512(j) for a new animal drug intended to be the subject of an animal drug application or a supplemental animal drug application; or

“(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of an animal drug application or supplemental animal drug application in the event of their filing.

“(6) The term ‘animal drug sponsor’ means either an applicant named in an animal drug application that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational animal drug submission that has not been terminated or otherwise rendered inactive by the Secretary.

“(7) The term ‘final dosage form’ means, with respect to an animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes animal drug products intended for mixing in animal feeds.

“(8) The term ‘process for the review of animal drug applications’ means the following activities of the Secretary with respect to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions:

“(A) The activities necessary for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(B) The issuance of action letters which approve animal drug applications or supplemental animal drug applications or which set forth in detail the specific deficiencies in animal drug applications, supplemental animal drug applications, or investigational animal drug submissions and, where appropriate, the actions necessary to place such applications, supplements or submissions in condition for approval.

“(C) The inspection of animal drug establishments and other facilities undertaken as part of the Secretary’s review of pending animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(D) Monitoring of research conducted in connection with the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(E) The development of regulations and policy related to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(F) Development of standards for products subject to review.

“(G) Meetings between the agency and the animal drug sponsor.

“(H) Review of advertising and labeling prior to approval of an animal drug application or supplemental animal drug application, but not after such application has been approved.

“(9) The term ‘costs of resources allocated for the process for the review of animal drug applications’ means the expenses in connec-

tion with the process for the review of animal drug applications for—

“(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific animal drug applications, supplemental animal drug applications, or investigational animal drug submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities;

“(B) management of information and the acquisition, maintenance, and repair of computer resources;

“(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

“(D) collecting fees under section 740 and accounting for resources allocated for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(10) The term ‘adjustment factor’ applicable to a fiscal year refers to the formula set forth in section 735(8) with the base or comparator month being October 2002.

“(11) The term ‘person’ includes an affiliate thereof.

“(12) The term ‘affiliate’ refers to the definition set forth in section 735(11).”

SEC. 103. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.

Section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-12) is amended to read as follows:

“SEC. 740. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.

“(a) TYPES OF FEES.—Beginning in fiscal year 2004, the Secretary shall assess and collect fees in accordance with this section as follows:

“(1) ANIMAL DRUG APPLICATION AND SUPPLEMENTAL FEE.—

“(A) IN GENERAL.—Each person that submits, on or after September 1, 2003, an animal drug application or a supplemental animal drug application shall be subject to a fee as follows:

“(i) A fee established in subsection (c) for an animal drug application, except an animal drug application subject to the criteria set forth in section 512(d)(4).

“(ii) A fee established in subsection (c), in an amount that is equal to 50 percent of the amount of the fee under clause (i), for—

“(I) a supplemental animal drug application for which safety or effectiveness data are required; and

“(II) an animal drug application subject to the criteria set forth in section 512(d)(4).

“(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the animal drug application or supplemental animal drug application.

“(C) EXCEPTION FOR PREVIOUSLY FILED APPLICATION OR SUPPLEMENT.—If an animal drug application or a supplemental animal drug application was submitted by a person that paid the fee for such application or supplement, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an animal drug application or a supplemental animal drug application for the same product by the same person (or the person’s licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

“(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subpara-

graph (B) for any animal drug application or supplemental animal drug application which is refused for filing.

“(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an animal drug application or a supplemental animal drug application is withdrawn after the application or supplement was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application or supplement after the application or supplement was filed. The Secretary shall have the sole discretion to refund the fee under this paragraph. A determination by the Secretary concerning a refund under this paragraph shall not be reviewable.

“(2) ANIMAL DRUG PRODUCT FEE.—

“(A) IN GENERAL.—Each person—

“(i) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510; and

“(ii) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application,

shall pay for each such animal drug product the annual fee established in subsection (c).

“(B) PAYMENT; FEE DUE DATE.—Such fee shall be payable for the fiscal year in which the animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be due each subsequent fiscal year that the product remains listed, upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) LIMITATION.—Such fee shall be paid only once for each animal drug product for a fiscal year in which the fee is payable.

“(3) ANIMAL DRUG ESTABLISHMENT FEE.—

“(A) IN GENERAL.—Each person—

“(i) who owns or operates, directly or through an affiliate, an animal drug establishment;

“(ii) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510; and

“(iii) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application,

shall be assessed an annual establishment fee as established in subsection (c) for each animal drug establishment listed in its approved animal drug application as an establishment that manufactures the animal drug product named in the application.

“(B) PAYMENT; FEE DUE DATE.—The annual establishment fee shall be assessed in each fiscal year in which the animal drug product named in the application is assessed a fee under paragraph (2) unless the animal drug establishment listed in the application does not engage in the manufacture of the animal drug product during the fiscal year. The fee under this paragraph for a fiscal year shall be due upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(i) January 31 of each year.
 “(C) LIMITATION.—
 “(1) IN GENERAL.—An establishment shall be assessed only one fee per fiscal year under this section, subject to clause (ii).
 “(ii) CERTAIN MANUFACTURERS.—If a single establishment manufactures both animal drug products and prescription drug products, as defined in section 735(3), such establishment shall be assessed both the animal drug establishment fee and the prescription drug establishment fee, as set forth in section 736(a)(2), within a single fiscal year.
 “(4) ANIMAL DRUG SPONSOR FEE.—
 “(A) IN GENERAL.—Each person—
 “(i) who meets the definition of an animal drug sponsor within a fiscal year; and
 “(ii) who, after September 1, 2003, had pending before the Secretary an animal drug application, a supplemental animal drug application, or an investigational animal drug submission,
 shall be assessed an annual sponsor fee as established under subsection (c).
 “(B) PAYMENT; FEE DUE DATE.—The fee under this paragraph for a fiscal year shall be due upon the later of—
 “(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or
 “(ii) January 31 of each year.
 “(C) LIMITATION.—Each animal drug sponsor shall pay only one such fee each fiscal year.
 “(b) FEE REVENUE AMOUNTS.—
 “(1) IN GENERAL.—Subject to subsections (c), (d), (f), and (g)—
 “(A) for fiscal year 2014, the fees required under subsection (a) shall be established to generate a total revenue amount of \$23,600,000; and
 “(B) for each of fiscal years 2015 through 2018, the fees required under subsection (a) shall be established to generate a total revenue amount of \$21,600,000.
 “(2) TYPES OF FEES.—Of the total revenue amount determined for a fiscal year under paragraph (1)—
 “(A) 20 percent shall be derived from fees under subsection (a)(1) (relating to animal drug applications and supplements);
 “(B) 27 percent shall be derived from fees under subsection (a)(2) (relating to animal drug products);
 “(C) 26 percent shall be derived from fees under subsection (a)(3) (relating to animal drug establishments); and
 “(D) 27 percent shall be derived from fees under subsection (a)(4) (relating to animal drug sponsors).
 “(c) ANNUAL FEE SETTING; ADJUSTMENTS.—
 “(1) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2003, for that fiscal year, animal drug application fees, supplemental animal drug application fees, animal drug sponsor fees, animal drug establishment fees, and animal drug product fees based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.
 “(2) INFLATION ADJUSTMENT.—For fiscal year 2015 and subsequent fiscal years, the revenue amounts established in subsection (b) shall be adjusted by the Secretary by notice, published in the Federal Register, for a fiscal year, by an amount equal to the sum of—
 “(A) one;
 “(B) the average annual percent change in the cost, per full-time equivalent position of

the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 of the preceding 4 fiscal years for which data are available, multiplied by the average proportion of personnel compensation and benefits costs to total Food and Drug Administration costs for the first 3 years of the preceding 4 fiscal years for which data are available; and
 “(C) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; not seasonally adjusted; all items less food and energy; annual index) for the first 3 years of the preceding 4 years for which data are available multiplied by the average proportion of all costs other than personnel compensation and benefits costs to total Food and Drug Administration costs for the first 3 years of the preceding 4 fiscal years for which data are available.
 The adjustment made each fiscal year under this paragraph shall be added on a compounded basis to the sum of all adjustments made each fiscal year after fiscal year 2014 under this paragraph.
 “(3) WORKLOAD ADJUSTMENT.—For fiscal year 2015 and subsequent fiscal years, after the revenue amounts established in subsection (b) are adjusted for inflation in accordance with paragraph (2), the revenue amounts shall be further adjusted for such fiscal year to reflect changes in the workload of the Secretary for the process for the review of animal drug applications. With respect to such adjustment—
 “(A) such adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of animal drug applications, supplemental animal drug applications for which data with respect to safety or effectiveness are required, manufacturing supplemental animal drug applications, investigational animal drug study submissions, and investigational animal drug protocol submissions submitted to the Secretary;
 “(B) the Secretary shall publish in the Federal Register the fees resulting from such adjustment and the supporting methodologies; and
 “(C) under no circumstances shall such adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b), as adjusted for inflation under paragraph (2).
 “(4) FINAL YEAR ADJUSTMENT.—For fiscal year 2018, the Secretary may, in addition to other adjustments under this subsection, further increase the fees under this section, if such an adjustment is necessary, to provide for up to 3 months of operating reserves of carryover user fees for the process for the review of animal drug applications for the first 3 months of fiscal year 2019. If the Food and Drug Administration has carryover balances for the process for the review of animal drug applications in excess of 3 months of such operating reserves, then this adjustment will not be made. If this adjustment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2018.
 “(5) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of animal drug applications.
 “(d) FEE WAIVER OR REDUCTION.—
 “(1) IN GENERAL.—The Secretary shall grant a waiver from or a reduction of one or more fees assessed under subsection (a) where the Secretary finds that—

“(A) the assessment of the fee would present a significant barrier to innovation because of limited resources available to such person or other circumstances;
 “(B) the fees to be paid by such person will exceed the anticipated present and future costs incurred by the Secretary in conducting the process for the review of animal drug applications for such person;
 “(C) the animal drug application or supplemental animal drug application is intended solely to provide for use of the animal drug in—
 “(i) a Type B medicated feed (as defined in section 558.3(b)(3) of title 21, Code of Federal Regulations (or any successor regulation)) intended for use in the manufacture of Type C free-choice medicated feeds; or
 “(ii) a Type C free-choice medicated feed (as defined in section 558.3(b)(4) of title 21, Code of Federal Regulations (or any successor regulation));
 “(D) the animal drug application or supplemental animal drug application is intended solely to provide for a minor use or minor species indication; or
 “(E) the sponsor involved is a small business submitting its first animal drug application to the Secretary for review.
 “(2) USE OF STANDARD COSTS.—In making the finding in paragraph (1)(B), the Secretary may use standard costs.
 “(3) RULES FOR SMALL BUSINESSES.—
 “(A) DEFINITION.—In paragraph (1)(E), the term ‘small business’ means an entity that has fewer than 500 employees, including employees of affiliates.
 “(B) WAIVER OF APPLICATION FEE.—The Secretary shall waive under paragraph (1)(E) the application fee for the first animal drug application that a small business or its affiliate submits to the Secretary for review. After a small business or its affiliate is granted such a waiver, the small business or its affiliate shall pay application fees for all subsequent animal drug applications and supplemental animal drug applications for which safety or effectiveness data are required in the same manner as an entity that does not qualify as a small business.
 “(C) CERTIFICATION.—The Secretary shall require any person who applies for a waiver under paragraph (1)(E) to certify their qualification for the waiver. The Secretary shall periodically publish in the Federal Register a list of persons making such certifications.
 “(e) EFFECT OF FAILURE TO PAY FEES.—An animal drug application or supplemental animal drug application submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational animal drug submission under section 739(5)(B) that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any animal drug application, supplemental animal drug application or investigational animal drug submission from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.
 “(f) ASSESSMENT OF FEES.—
 “(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2003 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater

than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

“(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for animal drug applications, supplemental animal drug applications, investigational animal drug submissions, animal drug sponsors, animal drug establishments and animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

“(g) CREDITING AND AVAILABILITY OF FEES.—

“(1) IN GENERAL.—Subject to paragraph (2)(C), fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of animal drug applications.

“(2) COLLECTIONS AND APPROPRIATION ACTS.—

“(A) IN GENERAL.—The fees authorized by this section—

“(i) subject to subparagraph (C), shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year, and

“(ii) shall be available to defray increases in the costs of the resources allocated for the process for the review of animal drug applications (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2003 multiplied by the adjustment factor.

“(B) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated for the process for the review of animal drug applications—

“(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

“(ii)(I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

“(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

“(C) PROVISION FOR EARLY PAYMENTS.—Payment of fees authorized under this section for a fiscal year, prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

“(3) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2014 through 2018, there is authorized to be appropriated for fees under this section an amount equal to the total revenue amount determined under subsection (b) for the fiscal year, as adjusted or otherwise affected under subsection (c) and paragraph (4).

“(4) OFFSET OF OVERCOLLECTIONS; RECOVERY OF COLLECTION SHORTFALLS.—

“(A) OFFSET OF OVERCOLLECTIONS.—If the sum of the cumulative amount of fees collected under this section for fiscal years 2014 through 2016 and the amount of fees estimated to be collected under this section for fiscal year 2017 (including any increased fee collections attributable to subparagraph (B)), exceeds the cumulative amount appropriated pursuant to paragraph (3) for the fiscal years 2014 through 2017, the excess amount shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for fiscal year 2018.

“(B) RECOVERY OF COLLECTION SHORTFALLS.—

“(i) FISCAL YEAR 2016.—For fiscal year 2016, the amount of fees otherwise authorized to be collected under this section shall be increased by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2014 falls below the amount of fees authorized for fiscal year 2014 under paragraph (3).

“(ii) FISCAL YEAR 2017.—For fiscal year 2017, the amount of fees otherwise authorized to be collected under this section shall be increased by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2015 falls below the amount of fees authorized for fiscal year 2015 under paragraph (3).

“(iii) FISCAL YEAR 2018.—For fiscal year 2018, the amount of fees otherwise authorized to be collected under this section (including any reduction in the authorized amount under subparagraph (A)), shall be increased by the cumulative amount, if any, by which the amount collected under this section and appropriated for fiscal years 2016 and 2017 (including estimated collections for fiscal year 2017) falls below the cumulative amount of fees authorized under paragraph (3) for fiscal years 2016 and 2017.

“(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

“(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.—To qualify for consideration for a waiver or reduction under subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due.

“(j) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of animal drug applications, be reduced to offset the number of officers, employees, and advisory committees so engaged.

“(k) ABBREVIATED NEW ANIMAL DRUG APPLICATIONS.—The Secretary shall—

“(1) to the extent practicable, segregate the review of abbreviated new animal drug applications from the process for the review of animal drug applications; and

“(2) adopt other administrative procedures to ensure that review times of abbreviated new animal drug applications do not increase from their current level due to activities under the user fee program.”

SEC. 104. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-13) is amended to read as follows:

“SEC. 740A. REAUTHORIZATION; REPORTING REQUIREMENTS.

“(a) PERFORMANCE REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 101(b) of the Animal Drug User Fee Amendments of 2013 toward expediting the animal drug development process and the review of the new and supplemental animal drug applications and investigational animal drug submissions during such fiscal year, the future plans of the Food and Drug Administration for meeting the goals, the review times for abbreviated new animal drug applications, and the administrative procedures adopted by the Food and Drug Administration to ensure that review times for abbreviated new animal drug applications are not increased from their current level due to activities under the user fee program.

“(b) FISCAL REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

“(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the Internet Web site of the Food and Drug Administration.

“(d) REAUTHORIZATION.—

“(1) CONSULTATION.—In developing recommendations to present to the Congress with respect to the goals, and plans for meeting the goals, for the process for the review of animal drug applications for the first 5 fiscal years after fiscal year 2018, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

“(A) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(B) the Committee on Energy and Commerce of the House of Representatives;

“(C) scientific and academic experts;

“(D) veterinary professionals;

“(E) representatives of patient and consumer advocacy groups; and

“(F) the regulated industry.

“(2) PRIOR PUBLIC INPUT.—Prior to beginning negotiations with the regulated industry on the reauthorization of this part, the Secretary shall—

“(A) publish a notice in the Federal Register requesting public input on the reauthorization;

“(B) hold a public meeting at which the public may present its views on the reauthorization, including specific suggestions for changes to the goals referred to in subsection (a);

“(C) provide a period of 30 days after the public meeting to obtain written comments from the public suggesting changes to this part; and

“(D) publish the comments on the Food and Drug Administration’s Internet Web site.

“(3) PERIODIC CONSULTATION.—Not less frequently than once every 4 months during negotiations with the regulated industry, the Secretary shall hold discussions with representatives of veterinary, patient, and consumer advocacy groups to continue discussions of their views on the reauthorization and their suggestions for changes to this part as expressed under paragraph (2).

“(4) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

“(A) present the recommendations developed under paragraph (1) to the Congressional committees specified in such paragraph;

“(B) publish such recommendations in the Federal Register;

“(C) provide for a period of 30 days for the public to provide written comments on such recommendations;

“(D) hold a meeting at which the public may present its views on such recommendations; and

“(E) after consideration of such public views and comments, revise such recommendations as necessary.

“(5) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2018, the Secretary shall transmit to Congress the revised recommendations under paragraph (4) a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.

“(6) MINUTES OF NEGOTIATION MEETINGS.—

“(A) PUBLIC AVAILABILITY.—Before presenting the recommendations developed under paragraphs (1) through (5) to Congress, the Secretary shall make publicly available, on the Internet Web site of the Food and Drug Administration, minutes of all negotiation meetings conducted under this subsection between the Food and Drug Administration and the regulated industry.

“(B) CONTENT.—The minutes described under subparagraph (A) shall summarize any substantive proposal made by any party to the negotiations as well as significant controversies or differences of opinion during the negotiations and their resolution.”.

SEC. 105. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11 et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to animal drug applications and supplemental animal drug applications (as defined in such part as of such day) that on or after October 1, 2008, but before October 1, 2013, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2014.

SEC. 106. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2013, or the date of

enactment of this Act, whichever is later, except that fees under part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this title, shall be assessed for all animal drug applications and supplemental animal drug applications received on or after October 1, 2013, regardless of the date of the enactment of this Act.

SEC. 107. SUNSET DATES.

(a) AUTHORIZATION.—Section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12) shall cease to be effective October 1, 2018.

(b) REPORTING REQUIREMENTS.—Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–13) shall cease to be effective January 31, 2019.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Section 108 of the Animal Drug User Fee Amendments of 2008 (Public Law 110–316) is repealed.

(2) CONFORMING AMENDMENT.—The Animal Drug User Fee Amendments of 2008 (Public Law 110–316) is amended in the table of contents in section 1, by striking the item relating to section 108.

(d) TECHNICAL CLARIFICATION.—Effective November 18, 2003, section 5 of the Animal Drug User Fee Act of 2003 (Public Law 108–130) is repealed.

TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

SEC. 201. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the “Animal Generic Drug User Fee Amendments of 2013”.

(b) FINDING.—The fees authorized by this title will be dedicated toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs as set forth in the goals identified in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 202. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) is amended to read as follows:

“SEC. 741. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

“(a) TYPES OF FEES.—Beginning with respect to fiscal year 2009, the Secretary shall assess and collect fees in accordance with this section as follows:

“(1) ABBREVIATED APPLICATION FEE.—

“(A) IN GENERAL.—Each person that submits, on or after July 1, 2008, an abbreviated application for a generic new animal drug shall be subject to a fee as established in subsection (c) for such an application.

“(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the abbreviated application.

“(C) EXCEPTIONS.—

“(i) PREVIOUSLY FILED APPLICATION.—If an abbreviated application was submitted by a person that paid the fee for such application, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an abbreviated application for the same product by the same person (or the person’s licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

“(ii) CERTAIN ABBREVIATED APPLICATIONS INVOLVING COMBINATION ANIMAL DRUGS.—An abbreviated application which is subject to the criteria in section 512(d)(4) and submitted on or after October 1, 2013 shall be subject to a fee equal to 50 percent of the amount of the abbreviated application fee established in subsection (c).

“(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any abbreviated application which is refused for filing.

“(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an abbreviated application is withdrawn after the application was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application after the application was filed. The Secretary shall have the sole discretion to refund the fee under this subparagraph. A determination by the Secretary concerning a refund under this subparagraph shall not be reviewable.

“(2) GENERIC NEW ANIMAL DRUG PRODUCT FEE.—

“(A) IN GENERAL.—Each person—

“(i) who is named as the applicant in an abbreviated application or supplemental abbreviated application for a generic new animal drug product which has been submitted for listing under section 510; and

“(ii) who, after September 1, 2008, had pending before the Secretary an abbreviated application or supplemental abbreviated application,

shall pay for each such generic new animal drug product the annual fee established in subsection (c).

“(B) PAYMENT; FEE DUE DATE.—Such fee shall be payable for the fiscal year in which the generic new animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the generic new animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be due each subsequent fiscal year that the product remains listed, upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) LIMITATION.—Such fee shall be paid only once for each generic new animal drug product for a fiscal year in which the fee is payable.

“(3) GENERIC NEW ANIMAL DRUG SPONSOR FEE.—

“(A) IN GENERAL.—Each person—

“(i) who meets the definition of a generic new animal drug sponsor within a fiscal year; and

“(ii) who, after September 1, 2008, had pending before the Secretary an abbreviated application, a supplemental abbreviated application, or an investigational submission, shall be assessed an annual generic new animal drug sponsor fee as established under subsection (c).

“(B) PAYMENT; FEE DUE DATE.—Such fee shall be due each fiscal year upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) AMOUNT OF FEE.—Each generic new animal drug sponsor shall pay only 1 such fee each fiscal year, as follows:

“(i) 100 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with more than 6 approved abbreviated applications.

“(ii) 75 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with more than 1 and fewer than 7 approved abbreviated applications.

“(iii) 50 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with 1 or fewer approved abbreviated applications.

“(b) FEE AMOUNTS.—Subject to subsections (c), (d), (f), and (g), the fees required under subsection (a) shall be established to generate fee revenue amounts as follows:

“(1) TOTAL FEE REVENUES FOR APPLICATION FEES.—The total fee revenues to be collected in abbreviated application fees under subsection (a)(1) shall be \$1,832,000 for fiscal year 2014, \$1,736,000 for fiscal year 2015, \$1,857,000 for fiscal year 2016, \$1,984,000 for fiscal year 2017, and \$2,117,000 for fiscal year 2018.

“(2) TOTAL FEE REVENUES FOR PRODUCT FEES.—The total fee revenues to be collected in generic new animal drug product fees under subsection (a)(2) shall be \$2,748,000 for fiscal year 2014, \$2,604,000 for fiscal year 2015, \$2,786,000 for fiscal year 2016, \$2,976,000 for fiscal year 2017, and \$3,175,000 for fiscal year 2018.

“(3) TOTAL FEE REVENUES FOR SPONSOR FEES.—The total fee revenues to be collected in generic new animal drug sponsor fees under subsection (a)(3) shall be \$2,748,000 for fiscal year 2014, \$2,604,000 for fiscal year 2015, \$2,786,000 for fiscal year 2016, \$2,976,000 for fiscal year 2017, and \$3,175,000 for fiscal year 2018.

“(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

“(1) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2008, for that fiscal year, abbreviated application fees, generic new animal drug sponsor fees, and generic new animal drug product fees, based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.

“(2) WORKLOAD ADJUSTMENT.—The fee revenues shall be adjusted each fiscal year after fiscal year 2014 to reflect changes in review workload. With respect to such adjustment:

“(A) This adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of abbreviated applications for generic new animal drugs, manufacturing supplemental abbreviated applications for generic new animal drugs, investigational generic new animal drug study submissions, and investigational generic new animal drug protocol submissions submitted to the Secretary. The Secretary shall publish in the Federal Register the fees resulting from this adjustment and the supporting methodologies.

“(B) Under no circumstances shall this workload adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b).

“(3) FINAL YEAR ADJUSTMENT.—For fiscal year 2018, the Secretary may, in addition to other adjustments under this subsection, further increase the fees under this section, if such an adjustment is necessary, to provide for up to 3 months of operating reserves of carryover user fees for the process for the

view of abbreviated applications for generic new animal drugs for the first 3 months of fiscal year 2019. If the Food and Drug Administration has carryover balances for the process for the review of abbreviated applications for generic new animal drugs in excess of 3 months of such operating reserves, then this adjustment shall not be made. If this adjustment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2018.

“(4) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of abbreviated applications for generic new animal drugs.

“(d) FEE WAIVER OR REDUCTION.—The Secretary shall grant a waiver from or a reduction of 1 or more fees assessed under subsection (a) where the Secretary finds that the generic new animal drug is intended solely to provide for a minor use or minor species indication.

“(e) EFFECT OF FAILURE TO PAY FEES.—An abbreviated application for a generic new animal drug submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational submission for a generic new animal drug that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any abbreviated application for a generic new animal drug, supplemental abbreviated application for a generic new animal drug, or investigational submission for a generic new animal drug from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.

“(f) ASSESSMENT OF FEES.—

“(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2008 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

“(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for abbreviated applications, generic new animal drug sponsors, and generic new animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

“(g) CREDITING AND AVAILABILITY OF FEES.—

“(1) IN GENERAL.—Subject to paragraph (2)(C), fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such

sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of abbreviated applications for generic new animal drugs.

“(2) COLLECTIONS AND APPROPRIATION ACTS.—

“(A) IN GENERAL.—The fees authorized by this section—

“(i) subject to subparagraph (C), shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year; and

“(ii) shall be available to defray increases in the costs of the resources allocated for the process for the review of abbreviated applications for generic new animal drugs (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2008 multiplied by the adjustment factor.

“(B) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated for the process for the review of abbreviated applications for generic new animal drugs—

“(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

“(ii)(I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

“(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

“(C) PROVISION FOR EARLY PAYMENTS.—Payment of fees authorized under this section for a fiscal year, prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fees under this section—

“(A) \$7,328,000 for fiscal year 2014;

“(B) \$6,944,000 for fiscal year 2015;

“(C) \$7,429,000 for fiscal year 2016;

“(D) \$7,936,000 for fiscal year 2017; and

“(E) \$8,467,000 for fiscal year 2018;

as adjusted to reflect adjustments in the total fee revenues made under this section and changes in the total amounts collected by abbreviated application fees, generic new animal drug sponsor fees, and generic new animal drug product fees.

“(4) OFFSET.—If the sum of the cumulative amount of fees collected under this section for the fiscal years 2014 through 2016 and the amount of fees estimated to be collected under this section for fiscal year 2017 exceeds the cumulative amount appropriated under paragraph (3) for the fiscal years 2014 through 2017, the excess amount shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for fiscal year 2018.

“(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

“(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.—To qualify for consideration for a waiver or reduction under subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due.

“(j) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of abbreviated applications for generic new animal drugs, be reduced to offset the number of officers, employees, and advisory committees so engaged.

“(k) DEFINITIONS.—In this section and section 742:

“(1) ABBREVIATED APPLICATION FOR A GENERIC NEW ANIMAL DRUG.—The terms ‘abbreviated application for a generic new animal drug’ and ‘abbreviated application’ mean an abbreviated application for the approval of any generic new animal drug submitted under section 512(b)(2). Such term does not include a supplemental abbreviated application for a generic new animal drug.

“(2) ADJUSTMENT FACTOR.—The term ‘adjustment factor’ applicable to a fiscal year is the Consumer Price Index for all urban consumers (all items; United States city average) for October of the preceding fiscal year divided by—

“(A) for purposes of subsection (f)(1), such Index for October 2002; and

“(B) for purposes of subsection (g)(2)(A)(ii), such Index for October 2007.

“(3) COSTS OF RESOURCES ALLOCATED FOR THE PROCESS FOR THE REVIEW OF ABBREVIATED APPLICATIONS FOR GENERIC NEW ANIMAL DRUGS.—The term ‘costs of resources allocated for the process for the review of abbreviated applications for generic new animal drugs’ means the expenses in connection with the process for the review of abbreviated applications for generic new animal drugs for—

“(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific abbreviated applications, supplemental abbreviated applications, or investigational submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities;

“(B) management of information, and the acquisition, maintenance, and repair of computer resources;

“(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

“(D) collecting fees under this section and accounting for resources allocated for the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(4) FINAL DOSAGE FORM.—The term ‘final dosage form’ means, with respect to a generic new animal drug product, a finished

dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes generic new animal drug products intended for mixing in animal feeds.

“(5) GENERIC NEW ANIMAL DRUG.—The term ‘generic new animal drug’ means a new animal drug that is the subject of an abbreviated application.

“(6) GENERIC NEW ANIMAL DRUG PRODUCT.—The term ‘generic new animal drug product’ means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an abbreviated application for a generic new animal drug or a supplemental abbreviated application has been approved.

“(7) GENERIC NEW ANIMAL DRUG SPONSOR.—The term ‘generic new animal drug sponsor’ means either an applicant named in an abbreviated application for a generic new animal drug that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational submission for a generic new animal drug that has not been terminated or otherwise rendered inactive by the Secretary.

“(8) INVESTIGATIONAL SUBMISSION FOR A GENERIC NEW ANIMAL DRUG.—The terms ‘investigational submission for a generic new animal drug’ and ‘investigational submission’ mean—

“(A) the filing of a claim for an investigational exemption under section 512(j) for a generic new animal drug intended to be the subject of an abbreviated application or a supplemental abbreviated application; or

“(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of a generic new animal drug in the event of the filing of an abbreviated application or supplemental abbreviated application for such drug.

“(9) PERSON.—The term ‘person’ includes an affiliate thereof (as such term is defined in section 735(11)).

“(10) PROCESS FOR THE REVIEW OF ABBREVIATED APPLICATIONS FOR GENERIC NEW ANIMAL DRUGS.—The term ‘process for the review of abbreviated applications for generic new animal drugs’ means the following activities of the Secretary with respect to the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions:

“(A) The activities necessary for the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(B) The issuance of action letters which approve abbreviated applications or supplemental abbreviated applications or which set forth in detail the specific deficiencies in abbreviated applications, supplemental abbreviated applications, or investigational submissions and, where appropriate, the actions necessary to place such applications, supplemental applications, or submissions in condition for approval.

“(C) The inspection of generic new animal drug establishments and other facilities undertaken as part of the Secretary’s review of pending abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(D) Monitoring of research conducted in connection with the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(E) The development of regulations and policy related to the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(F) Development of standards for products subject to review.

“(G) Meetings between the agency and the generic new animal drug sponsor.

“(H) Review of advertising and labeling prior to approval of an abbreviated application or supplemental abbreviated application, but not after such application has been approved.

“(I) SUPPLEMENTAL ABBREVIATED APPLICATION FOR GENERIC NEW ANIMAL DRUG.—The terms ‘supplemental abbreviated application for a generic new animal drug’ and ‘supplemental abbreviated application’ mean a request to the Secretary to approve a change in an approved abbreviated application.”

SEC. 203. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-22) is amended to read as follows:

“SEC. 742. REAUTHORIZATION; REPORTING REQUIREMENTS.

“(a) PERFORMANCE REPORTS.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 201(b) of the Animal Generic Drug User Fee Amendments of 2013 toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs during such fiscal year.

“(b) FISCAL REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

“(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the Internet Web site of the Food and Drug Administration.

“(d) REAUTHORIZATION.—

“(1) CONSULTATION.—In developing recommendations to present to Congress with respect to the goals, and plans for meeting the goals, for the process for the review of abbreviated applications for generic new animal drugs for the first 5 fiscal years after fiscal year 2018, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

“(A) the Committee on Energy and Commerce of the House of Representatives;

“(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(C) scientific and academic experts;

“(D) veterinary professionals;

“(E) representatives of patient and consumer advocacy groups; and

“(F) the regulated industry.

“(2) PRIOR PUBLIC INPUT.—Prior to beginning negotiations with the regulated industry on the reauthorization of this part, the Secretary shall—

“(A) publish a notice in the Federal Register requesting public input on the reauthorization;

“(B) hold a public meeting at which the public may present its views on the reauthorization, including specific suggestions for changes to the goals referred to in subsection (a);

“(C) provide a period of 30 days after the public meeting to obtain written comments from the public suggesting changes to this part; and

“(D) publish the comments on the Food and Drug Administration’s Internet Web site.

“(3) PERIODIC CONSULTATION.—Not less frequently than once every 4 months during negotiations with the regulated industry, the Secretary shall hold discussions with representatives of veterinary, patient, and consumer advocacy groups to continue discussions of their views on the reauthorization and their suggestions for changes to this part as expressed under paragraph (2).

“(4) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

“(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

“(B) publish such recommendations in the Federal Register;

“(C) provide for a period of 30 days for the public to provide written comments on such recommendations;

“(D) hold a meeting at which the public may present its views on such recommendations; and

“(E) after consideration of such public views and comments, revise such recommendations as necessary.

“(5) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2018, the Secretary shall transmit to Congress the revised recommendations under paragraph (4), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.

“(6) MINUTES OF NEGOTIATION MEETINGS.—

“(A) PUBLIC AVAILABILITY.—Before presenting the recommendations developed under paragraphs (1) through (5) to Congress, the Secretary shall make publicly available, on the Internet Web site of the Food and Drug Administration, minutes of all negotiation meetings conducted under this subsection between the Food and Drug Administration and the regulated industry.

“(B) CONTENT.—The minutes described under subparagraph (A) shall summarize any substantive proposal made by any party to the negotiations as well as significant controversies or differences of opinion during the negotiations and their resolution.”.

SEC. 204. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of enactment of this title, shall continue to be in effect with respect to abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug (as defined in such part as of such day) that on or after October 1, 2008, but before October 1, 2013, were accepted by the Food and Drug Administration for filing with respect to assessing and col-

lecting any fee required by such part for a fiscal year prior to fiscal year 2014.

SEC. 205. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2013, or the date of enactment of this Act, whichever is later, except that fees under part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this title, shall be assessed for all abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug received on or after October 1, 2013, regardless of the date of enactment of this Act.

SEC. 206. SUNSET DATES.

(a) AUTHORIZATION.—Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) shall cease to be effective October 1, 2018.

(b) REPORTING REQUIREMENTS.—Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–22) shall cease to be effective January 31, 2019.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Section 204 of the Animal Generic Drug User Fee Act of 2008 (Public Law 110–316) is repealed.

(2) CONFORMING AMENDMENT.—The Animal Generic Drug User Fee Act of 2008 (Public Law 110–316) is amended in the table of contents in section 1, by striking the item relating to section 204.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 32, which was received from the House and is at the desk.

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

The assistant bill clerk read as follows:

A concurrent resolution (H. Con. Res. 32) authorizing the use of the Capitol Grounds for the National Honor Guard and Pipe Band Exhibition.

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

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 32) was agreed to.

RECOGNIZING TEACHERS OF THE UNITED STATES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 126 and that the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 126) recognizing the teachers in the United States for their contributions to the development and progress of our country.

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

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 126) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, MAY 9, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on May 9, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, and that the time be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling final half; further, that following morning business the Senate resume consideration of S. 601, the Water Resources Development Act.

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

PROGRAM

Mr. BLUMENTHAL. Mr. President, we will continue to work through amendments to the bill during tomorrow’s session. Senators will be notified when votes are scheduled.

ORDER FOR ADJOURNMENT

Mr. BLUMENTHAL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator HOEVEN of North Dakota.

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

The Senator from North Dakota.

WATER RESOURCES DEVELOPMENT ACT

Mr. HOEVEN. Mr. President, I rise to speak in support of the Water Resources Development Act or the WRDA

bill that we are considering on the Senate floor. I wanted to begin by thanking leadership on both sides of the aisle for moving this very important legislation to the floor so we can act on it.

This legislation is important because it funds vital infrastructure projects that make our country stronger, safer, and more competitive. I wish to begin by talking about one of those flood protection projects, permanent flood protection for the Red River Valley. The Fargo-Moorhead Area Diversion Project will establish permanent flood protection measures for the Red River Valley region of North Dakota and Minnesota.

It will, in essence, divert water around—actually water that is now almost an annual flood event—population centers, channel it safely downstream for both States. In fact, it will protect nearly one-quarter of a million people and billions of dollars of property in one of the Midwest's most dynamic, productive, and growing metro areas on both sides of the North Dakota-Minnesota border.

Furthermore, this vital infrastructure will not only protect lives and property, it will actually save the Federal Government money. This is very important at a time when we face deficits and debt, something we very much need to address.

So let me explain. This project will actually save the Federal Government money. When the waters threaten, as they have in 4 of the past 5 years, many agencies of the Federal Government are mobilized to protect life and property. That includes the Army Corps of Engineers, FEMA, the Federal Emergency Management Agency, U.S. Fish and Wildlife, Coast Guard, even Customs and Border Protection, which has been called in to monitor the advancing waters of the flood from the air, and other agencies as well.

Those are just Federal agencies. In addition, we have State and local agencies that respond as well. Many of them also rely on Federal funding. That includes agencies such as emergency management, the National Guard, State departments of transportation, highway patrol, water commission, human services, departments of health, and many others.

The point is the flood fight requires a lot of work and it costs a lot of money. We are doing it every year. It involves the enormous task of building miles and miles—not feet, not yards, but miles of temporary earthen dams, dikes, and levees. That means moving heavy equipment such as backhoes, bulldozers, dump trucks, as well as tons and tons of dirt. It means activating the National Guard to devote its resources and equipment to the task of fighting the rising waters.

The flood fight also involves filling sandbags, literally millions of sandbags to protect homes and businesses. It in-

volves deploying industrial pumps to try to move water out faster than it is moving into the cities. That, I tell you, is very fast at the height of the flood, thousands of cubic feet per second.

It means calling on local police and highway patrol officers to work overtime to direct traffic, provide security, and keep order. Ultimately it means paying out millions in taxpayer dollars year after year, and that is the point. We are fighting this flood every single year, and we are expending these dollars every single year.

Then there is another phase after the water recedes and then comes the cleanup: removing those dams, dikes, and levees, disposing of those millions of sandbags, cleaning the streets, repairing the damage, and addressing the multitude of costs and time-consuming tests necessary to get things back to normal. Again, as I have said, you are doing all of this on a temporary basis, and you have to do it all over again the following year. In fact, the expense of mounting a successful flood fight year in and year out amounts to many millions of dollars every year.

For example, the successful flood fight of 2009 cost Fargo-Moorhead about \$50 million. When you lose the flood fight, the cost is much greater in both human terms and in financial terms.

For example, in another community, a much smaller community, Minot, ND, lost the flood fight in 2011, destroying or damaging more than 4,000 homes and displacing thousands of people. The Federal Government has put more than \$632 million—let me repeat—more than \$632 million into the city's recovery efforts to date, and we are still not done.

A similar flood in the Fargo-Moorhead metro area would be far worse and far more expensive. The Army Corps of Engineers predicts a 500-year flood in the Red River Valley would cost more than \$10 million in damage, and that doesn't even take into account the impact in terms of human cost and difficulty to families and to businesses.

Let's look at how the costs of such a flood are typically shared. This is very important when we do the cost-benefit analysis. Typically local government covers 15 percent of the cost. The State pays about 10 percent of the cost, and the Federal Government pays by far the largest share of the cost. The Federal Government is paying 75 percent of the cost every single year—oh, except, in severe disasters, FEMA recommends raising the 75-percent Federal share for public assistance, the repair of infrastructure, to 90 percent Federal cost after you meet a certain threshold.

When you have very significant damage and higher losses, now the Federal Government is picking up as much as 90 percent of the cost, particularly for the public infrastructure. That cost, in

our case now, is incurred on a year-in and year-out basis.

In fact, Fargo-Moorhead has not only had to mount a flood fight but then conduct cleanup afterwards in 4 out of the last 5 years, including this spring. That is my point. That is exactly my point. With permanent flood protection, which is provided through the WRDA bill, we can break that cycle. With one-time spending we can protect people on a permanent basis and do so much more cost-effectively. Once you build it, you are done with the endless and traumatic sequence of fighting floods and cleaning up after them. Not only that, but the cost-sharing for permanent flood protection is lower for the Federal Government. The Federal share would be less than half of the cost of the permanent project, 45 percent of the permanent project. That compares with 75 to 90 percent the Federal Government is obliged to cover for the annual flood fight or, worse, if you lose the flood fight and you have that recovery effort.

We are saying for the permanent protection, the non-Federal share, Federal share 45 percent. The non-Federal share is more than half, which means State and local government will cover 55 percent of the cost, which is actually the majority of the project. We have already lined up those funds. At that local level and the State level, we are ready to go.

This is a two-State effort, as I said. That cost is incurred by the State of North Dakota, by local government, and Minnesota, and it breaks out as follows: Minnesota would cover about 10 percent of the non-Federal share or about \$100 million. North Dakota will cover 90 percent of the non-Federal share, about \$900 million, divided evenly between the State and local municipalities, each putting in about \$450 million.

In the end you can't put a price on the kind of hardship and despair that losing a home or a business means after the fact. You can help to spare people that hardship in the first place with permanent flood protection.

That is what the Fargo-Moorhead diversion is all about, and that is why it is so important to North Dakota, to Minnesota, and to the Red River Valley region of the North. The Water Resources Development Act, however, does more. It is key to building and rebuilding vital water infrastructure projects throughout our Nation, projects that will make us stronger and safer.

Moreover, the WRDA bill includes streamlining provisions to help us complete worthy projects more cost effectively with less bureaucracy, with greater savings, and with less redtape. In addition, we work conscientiously through the process to make sure we do these vital projects right. They have

been subjected to full corps review, including cost-benefit analyses, in an open and transparent way.

ple of our region and other regions throughout the country.

I yield the floor.

For all of these reasons and more, I urge my colleagues to support the Water Resources Development Act for the peace of mind permanent flood control and protection will give to the peo-

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:18 p.m., adjourned until Thursday, May 9, 2013, at 9:30 a.m.

EXTENSIONS OF REMARKS

RECOGNIZING THE CITY OF GRANDVILLE FOR THEIR COMMENDABLE FLOOD RESPONSE

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to recognize the outstanding community of Grandville, Michigan.

From April 18 until April 22, more than nine inches of rain plagued West Michigan. It was called the "Tale of Two Floods" by local residents as flood-waters cascaded out of the Grand River and Buck Creek. Businesses were shutdown, residents were forced from their homes, and the entire downtown district was inaccessible.

Grandville has been at an important place, geographically, on the Grand River since its founding. During West Michigan's logging days, the community of Grandville played a fundamental part at the river-bend by ensuring that the logs did not jam up as the Grand River turned north-west toward Grand Haven. Despite the difficult conditions created by the "Tale of Two Floods", Grandville's citizens yet again took care of the river-bend, putting forth a historic effort to both protect and clean up their city.

When faced with a time of crisis, the citizens, churches, and businesses of Grandville came together to care for their fellow residents and their community. Many individuals sacrificed for their neighbors and are worth acknowledging, but I was particularly struck by an act of generosity from eleven-year-old Emma Kukla. While on a bike ride to explore the damage, Emma and her mom came across a family carrying their remaining possessions from their flooded home. They volunteered their van to help the family move their salvaged belongings and Emma generously gave the last \$20 from her wallet.

Emma embodies the spirit of Grandville, Michigan. The Grandville/Jenison Chamber of Commerce describes the community as one devoted to: "Faith, family, honesty, caring, respect, responsibility. That's Grandville. Since its inception, Grandville has given people a place they truly belong. They support each other, take pride in the community, and make Grandville a positive place to live."

I ask my colleagues to join me in honoring the city of Grandville for serving one another during a time of great need.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. GERLACH. Mr. Speaker, unfortunately, on May 6, 2013, I missed three recorded

votes on the House floor. Had I been present, I would have voted "aye" on rollcall 129, "aye" on rollcall 130, and "aye" on rollcall 131.

IN MEMORY OF RICHARD E. HUG

HON. ANDY HARRIS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. HARRIS. Mr. Speaker, I rise today to honor the life of Richard E. "Dick" Hug, who passed away on May 4, 2013. Dick was a friend of mine and was determined to make a difference in the State of Maryland and in the country through his civic involvement. I know he will be greatly missed by his family and those who knew him.

Dick was born January 11, 1935 in Paterson, New Jersey. After graduating from Duke University in 1956, Dick began his business career with Koppers Company, Inc. In 1973, Dick was named Corporate Vice President of Koppers. Dick went on to serve as President, Chairman, and Chief Executive Officer of Environmental Elements Corporation, a company specializing in air pollution control systems for the utility and industrial markets listed on the New York Stock Exchange in 1991. In 1995, Dick retired and remained a Director and Chairman Emeritus until the company's sale in 2005.

Dick was very active and well-known in the Maryland community serving as Chairman of the Maryland Chamber of Commerce, Maryland Business for Responsive Government, Leadership Maryland, the National Aquarium of Baltimore, the Kennedy Krieger Institute, the United Way of Central Maryland, and Duke University School of the Environment. Dick also served as Regent on the University of Maryland Board. In addition, Dick served on the Boards of the University System of Maryland Foundation, Loyola University of Maryland, AAA Maryland, the Baltimore Symphony Orchestra, and Bank of Annapolis. His philanthropy was well-known throughout the State.

Dick is survived by his wife of 56 years, Lois-ann Hug, a son Donald R. Hug and his wife Deborah H. Hug, and daughter Cynthia H. Marino and her husband Mark D. Marino, four grandchildren, David, Scott, and Stephanie Marino, and Leanne Hug. He is also survived by his sister, Barbara H. Overstreet and her husband Ronald N. Overstreet.

Dick's absence will be felt throughout the community, but his service will not be forgotten. I ask those here today to join me in honoring Richard E. "Dick" Hug.

RECOGNIZING THE 75TH ANNIVERSARY OF THE GREAT RIVER ROAD

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. KIND. Mr. Speaker, I rise before you today to celebrate the 75th anniversary of the Great River Road; one of our Nation's most historic and extensive scenic byways.

Spanning nearly 3,000 miles from Canada to the Gulf of Mexico, the Great River Road traces its origins back to a time when Franklin Roosevelt was President and the automatic transmission was the cutting edge of automotive technology. In 1938, governors from 10 States came together to form the planning commission for what was initially envisioned as a continuous national parkway extending along the entire length of the Mississippi River. Over the next two years the U.S. House of Representatives Committee on Public Lands held hearings to authorize a feasibility study of the parkway concept. While popular, the idea was soon overshadowed in the wake of the Second World War.

More than a decade passed before a feasibility study was finally completed by the Bureau of Public Roads in 1951. Finding the construction of an entirely new parkway to be too expensive, the study offered an alternative proposition; the development of a scenic route built from the existing network of rural roads and highways that meandered and criss-crossed the Mississippi River. This route, now known as the Great River Road, is a testament to the cooperative effort of States and the Federal Government working together with local communities to preserve the many historic features and natural beauties of the Mississippi River Valley.

Today the Great River Road offers travelers not just a leisurely scenic drive but a unique and lasting journey through diverse communities and landscapes; from charming river towns to lush forests, from bluffs to the delta, from big city to sprawling rural vistas. The Great River Road is truly a national treasure. It is with great pride that I rise today to commemorate the 75 years of hard work and dedication that have gone into developing and preserving the Greater River Road so that it will continue to serve as a gateway to the rich heritage of the Mississippi River for future generations.

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

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

CONGRESSIONAL TRIBUTE FOR
BIG SANDY COMMUNITY AND
TECHNICAL COLLEGE

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the Big Sandy Community and Technical College as this progressive institute for post-secondary education celebrates a unique combination of anniversaries in 2013.

Seventy-five years ago, the Mayo Technical College was established in 1938. Fifty years ago, the Prestonsburg Community College was established in 1964. Finally, ten years ago, the two institutions merged in 2003, creating the Big Sandy Community and Technical College. I count it an honor to congratulate the founders of these institutions on this rare triple celebration of the combined 75th, 50th and 10th anniversaries.

The Big Sandy Community and Technical College is a tremendous resource in the Appalachian Mountains of eastern Kentucky, providing excellence in post-secondary education for students in Floyd, Johnson, Pike, Martin, and Magoffin Counties to pursue the dream of earning a college degree close to home, with four campus locations.

The Big Sandy Community and Technical College continues to carry on the mission of the institutions that laid its foundation by enriching the lives of thousands of students each year, dedicated to helping raise a generation from its heavy burden of poverty, and preparing them for successful careers and a better future for our rural region.

Mr. Speaker, I ask my colleagues to join me celebrating the tenth anniversary of the Big Sandy Community and Technical College and the tireless efforts of educators and leaders of the past that pioneered the path for quality post-secondary education in the mountains of eastern Kentucky over the last seventy-five years.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 129–131. Had I been present, I would have voted “yes” on all three votes.

RECOGNIZING THE HONOREES OF
THE NIAGARA FALLS EDU-
CATION FOUNDATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize an exceptional group of individuals

as they are honored by the Niagara Falls Education Foundation. Angelica, Theresa and Joseph DiCamillo, Joseph Calato, Douglas Mooradian and Coach Pat Monti have made great investments in Niagara Falls. Their tireless work and generosity with their talents make them outstanding role models for current students.

Angelica, Theresa, and Joseph of the DiCamillo family are all proud alumni of Niagara Falls High School. Their parents, Tomasso and Addolorata DiCamillo, opened the legendary DiCamillo bakery on 14th Street and Tronolone Place in Niagara Falls. When people visit Niagara Falls, their first stop is often DiCamillo's. As teenagers, Angelica, Theresa, and Joseph began working to support their family's business. Angelica began working in the bakery a few years after graduating high school, after managing the family grocery store. Theresa handled office responsibilities such as payroll and accounting as early as age 13, while attending school. Today, she and Angelica are the Senior Advisers to the company. Joseph began as a baker while in school, eventually becoming a driver for the family's company and staying involved for fifty-four years. Today, the company is operated by the next generation of the DiCamillo family.

Joseph Calato ensured Niagara Falls's place in music history. Joe became known as a passionate drummer while enrolled at Niagara Falls High School. Often, Joe became frustrated at how quickly the tips of his drumsticks deteriorated. One day, after returning home to Niagara Falls following his service in the Air Force, he put a plastic tip on the end of his drumstick, and created what is now known as the Regal Tip drumstick. Regal Tip is now a family business, producing drumsticks and brushes that are sold internationally from Niagara Falls.

Douglas Mooradian returned to Niagara Falls after spending four years pursuing higher education at SUNY Cortland and four years working in North Carolina for the Greensboro Coliseum Complex. As the Director of Marketing and Public Relations at Health System Services, a company based in Wheatfield, Doug has played an integral role in the growth of the company's Home Medical and Respiratory Equipment Division. Since returning home, Doug has immersed himself in the community, and has won honors such as “Volunteer of the Year” in 2009 from the Niagara Falls Boys' & Girls' Club. His mother, Kathy, father, Carl, sisters, Stacy and Wendy, and wife, Jennifer, are all proud Niagara Falls High School alumni.

Coach Patrick Monti spent twenty-five years as a basketball coach at LaSalle High School. While coaching at LaSalle High School, he compiled an impressive 423–112 record, and led the Explorers to two New York State Public High School Athletic Association Class A Championships in 1995 and 1996. In 1987, the Explorers completed a legendary unbeaten season, ending with a record of twenty-seven wins and zero losses. Coach Monti was known for his discipline, and beloved by the LaSalle High School community.

Mr. Speaker, thank you for allowing me to recognize the work these individuals have done with the Niagara Falls public schools and in the greater Niagara Falls community. I am

grateful for their wonderful talents and incredible generosity.

IN RECOGNITION OF 25 YEARS OF
SERVICE BY THE SANTA BAR-
BARA WOMEN'S POLITICAL COM-
MITTEE

HON. LOIS CAPP

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mrs. CAPP. Mr. Speaker, I rise today to recognize 25 years of service by the Santa Barbara Women's Political Committee and to commemorate the designation of May 15th as “Founding Mother's Day” within Santa Barbara County.

In 1988, a group of women convened the first meeting of the Santa Barbara Women's Political Committee, an organization founded to increase the number of women in local elected and appointed positions and to promote policies advancing women's status. Through their dedication to promote gender equality, the proportion of women holding local political office has increased dramatically and virtually all candidates for office in the Santa Barbara County have come to seek the group's endorsement.

Today, we celebrate the success of these Founding Mothers who have made it possible for women of every race, age, and class to contribute to the growth and vitality of Santa Barbara County. The Santa Barbara Women's Political Committee is a shining example of the potential for active local efforts to increase women's representation in leadership throughout the country.

Mr. Speaker, I ask that all Members join me in honoring the tireless work of the Santa Barbara Women's Political Committee.

INCREASING AMERICAN JOBS
THROUGH GREATER EXPORTS TO
AFRICA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, I chaired a Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations hearing that examined the issues surrounding U.S. exports to Africa, which are supposed to at least balance African exports to the United States. This included looking at existing obstacles to two-way trade with Africa. The hearing specifically examined the Increasing American Jobs Through Greater Exports to Africa Act of 2013 (H.R. 1777). The bill was reintroduced in the House by myself, Ranking Member KAREN BASS, and Congressman BOBBY RUSH on April 26th and was introduced in the Senate on April 11th as S. 718.

The purpose of H.R. 1777 (and S. 718) is to increase U.S. exports to Africa by 200 percent over the next decade. This bill does not replace AGOA. It complements it by providing

for a rebalancing that makes it as beneficial to Americans as it is to Africans. The bill intends to reach its ambitious, but achievable, goal by taking several steps, including the creation of a comprehensive U.S.-Africa trade strategy and a coordinator to ensure that all U.S. agencies involved in trade work in concert with one another.

This legislation also calls for not less than 25 percent of available U.S. financing for trade deals to be devoted to facilitating U.S.-Africa trade. Furthermore, it encourages the descendants of Africa in this country, who largely operate small and medium-sized businesses, to play a greater role in trade with the countries in Africa.

Various studies show that every additional \$1 billion in exports generates 6,000–7,000 new U.S. jobs. According to current data from the U.S. International Trade Administration export-supported jobs linked to manufacturing account for an estimated 3.3 percent of my home state of New Jersey's total private-sector employment. More than one-sixth, or 17.2 percent, of all manufacturing workers in New Jersey depend on exports for their jobs.

But U.S. exports have suffered during the global economic downturn because traditional markets, such as in Europe, are buying fewer U.S. products. According to the USITA, we are the largest importer of African goods, receiving 20.2 percent of the continent's total global exports. However, U.S. exports to Africa fell sharply during the height of the global recession. From 2008 to 2009, U.S. exports to Africa dropped 45 percent from \$78.3 billion to \$42.8 billion.

According to statistics released by the U.S. Census Bureau, African exports to the United States since AGOA took effect in 2001 increased from \$25.4 billion to \$66.9 billion in 2012—an increase of more than 262 percent. By far, petroleum exports from Africa led the way with more than \$28.6 billion in 2012. Meanwhile, Census Bureau statistics showed that U.S. exports to Africa increased from \$12.1 billion in 2001 to \$32.8 billion in 2012—an increase of 271 percent. Consequently, while U.S. exports to Africa showed a robust increase since the inception of AGOA, the U.S. trade deficit with Africa increased from \$13.3 billion in 2001 to more than \$34 billion last year.

The five most popular import sectors for African countries are: machinery and equipment, chemicals, petroleum products (including lubricating oils, plastics and synthetics fibers), scientific instruments and food products. That means that small and medium companies across the United States have commercial opportunities available in exporting goods and services to African countries. The African Development Bank estimates that one out of three Africans is considered to be in the middle class—that's nearly 314 million Africans who have escaped poverty and can now buy consumer goods, including those from the United States.

In the supermarkets and department stores that have sprung up across Africa in recent years, there are some American products already on the shelves, but there is space for more contributions from U.S. producers. Companies such as Procter and Gamble have long realized the potential of African markets. Two

years ago, Wal-Mart, the world's largest retail outlet, purchased South Africa's Massmart and its 288 stores in 14 African countries.

The Economist magazine created a significant buzz within the U.S.-Africa trade community two years ago when it announced that six of the world's 10 fastest growing economies in the first decade of this century were in Africa: Angola, Chad, Ethiopia, Mozambique, Nigeria and Rwanda. In the following five years, The Economist projected that seven of the top 10 fastest growing global economies would be African: the Democratic Republic of the Congo, Ethiopia, Ghana, Mozambique, Nigeria, Tanzania and Zambia.

Whether or not you agree with the popular slogan—Africa Is Rising—markets on the continent are attracting foreign trade and investment in increasing amounts. It is not only China that has its sights set on African markets. Countries as diverse as India, Japan, Brazil and Turkey all see the potential of selling their products in Africa.

The Anglo-Dutch consumer goods giant Unilever has long considered Africa a lucrative environment for consumer sales, earning a fifth of its profits in Africa until the 1970s, when it turned its main commercial attention to Asia. Now Unilever is back in Africa in force, selling \$3.7 billion of everything from soup to soap. Frank Braeken, head of Unilever's Africa operations, said African consumers are underserved and overcharged. To meet the continent's need for personal care products for African skin and hair, Unilever developed its Motions range of products.

At our hearing on this legislation last spring, we heard from Luster Products, which produces items that fit that description. There is little reason why this company and other U.S. producers can't follow suit and meet the needs Unilever says are now unmet.

We will hear today from four witnesses with expertise on the opportunities and challenges faced by U.S. companies in trade with countries in Africa. We expect to learn why U.S. exports to Africa have not kept pace with U.S. imports from Africa and find out what Congress can do to better balance U.S.-Africa trade.

100TH ANNIVERSARY OF TROOP ONE OF BRIDGETON

HON. FRANK A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. LOBIONDO. Mr. Speaker, today I extend my personal congratulations and the recognition of the U.S. House of Representatives to Troop One of Bridgeton, NJ, which is celebrating its centennial anniversary as a chartered member of the Boy Scouts of America. Organized by Percy W. Owen in February 1913, Troop One has been honored by the national headquarters as one of the country's oldest troops with continuous service. It is the oldest charter in South Jersey with a roster of former scout masters and scouts exceeding one thousand.

Individual skills and societal benefits of scouting are well-known, with countless youth

across the country becoming better citizens due to their experience. Leadership, ingenuity, integrity, compassion and cooperation are invaluable life skills that each scout is encouraged to learn and bring forward into their lives. Troop One, however, has always gone above and beyond those standard goals.

In addition to traditional activities, Troop One has long instilled a dedication to public service in their ranks. Throughout the past century, that dedication has been exemplified in Troop One's commitment to the greater Bridgeton community and the success of past scouts in their adult lives. From military officers and educators to medical professionals and business leaders, the critical life skills of such distinguished members in our nation can be traced back to their time at Troop One.

I join with the greater Bridgeton community and Boy Scouts across the country in congratulating Troop One for an outstanding one hundred years. As your impressive past is well-documented, it is your contributions today and to the youth of the future that reinforce your legacy.

RECOGNIZING THE FALLEN LAW ENFORCEMENT OFFICERS WHO LIVED OR SERVED IN PRINCE WILLIAM COUNTY BETWEEN 1922 AND 2012

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize and honor the sixteen fallen law enforcement officers who lived or served in Prince William County, Virginia, between 1922 and 2012. I commend the Prince William County Citizen Police Academy Alumni Association (PWCCPAAA) for their memorial and tribute service for these fallen heroes.

The PWCCPAAA was founded in 1993 under the leadership of former Police Chief Charlie Deane. The Association hosts a National Police Week and facilitates citizen training programs to promote interaction between the Police Department and county residents.

I would like to join the PWCCPAAA in memorializing the law enforcement officers who lost their lives protecting the public from harm and danger. It is my honor to enter into the CONGRESSIONAL RECORD the names of the fallen law enforcement officer who lived or served in Prince William County between 1922 and 2012:

Justice of the Peace Thomas Semms Meredith; July 22, 1922; Prince William County Circuit Court, Virginia.

Trooper Jackie M. Bussard; May 5, 1970; Virginia State Police.

Officer Paul T. White Jr.; October 27, 1973; Prince William County Police.

Investigator Claude Everett Seymour; April 25, 1975; Virginia State Police.

Trooper Johnny R. Bowman; August 19, 1984; Virginia State Police.

Sergeant John D. Conner, III; July 24, 1988; Manassas City Police.

Officer Philip M. Pennington; November 22, 1990; Prince William County Police.

Trooper Jose M. Cavazos; February 24, 1993; Virginia State Police.

Special Agent William H. Christian, Jr.; May 29, 1995; Federal Bureau of Investigation.

Detective John M. Gibson; July 24, 1998; United States Capitol Police.

Officer Marlon F. Morales; June 13, 2001; Washington D.C. Metropolitan Transit Police.

Second Lt. Francis Joseph Stecco; October 25, 2008; Fairfax County Police.

Special Agent Chad L. Michael; October 26, 2009; Drug Enforcement Administration.

Special Agent Forrest N. Leamon; October 26, 2009; Drug Enforcement Administration.

Officer Paul Michael Dittamo; October 30, 2010; Washington D.C. Metropolitan Police Department.

Officer Chris Yung; December 31, 2012; Prince William County Police.

Mr. Speaker, I ask my colleagues to join me in honoring these sixteen fallen law enforcement officers. I extend my personal appreciation to the Prince William County Citizens Police Academy Alumni Association for their continued dedication to strengthening the relationship between the Police Department and county residents. With this tribute, we honor the memories and lives of the officers and the sacrifices made by them and their families to keep our community safe.

HONORING JOHN AND GWEN
SLOOP

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to honor Dr. John and Mrs. Gwen Sloop on the occasion of their retirement after 27 years of devoted service to First Presbyterian Church.

As senior pastor of First Presbyterian Church of Harrisonburg, Virginia, Dr. Sloop is a true spiritual leader dedicated to his flock. A powerful preacher, he is a man "on fire" for Jesus. He has been a champion for global missions and has lead dozens of others to follow him into the missionary field. He has been actively involved in Presbyterians for Renewal, the Presbyterian Coalition, the Confessing Church movement and has served on the board of the Presbyterian Outreach Foundation.

Mrs. Sloop has earned a reputation for her selflessness and kindness, routinely demonstrated by her outstanding work with children. Along with her husband, she attended Gordon-Conwell Seminary in Boston before transferring to Columbia Seminary in Atlanta, graduating in 1973. For 13 years they served the growing congregation of the Lithonia Presbyterian Church in the suburbs of Atlanta.

The Sloops are passionate about seeing the Presbyterian Church renewed and growing again. Under their stewardship, First Presbyterian has grown to more than 1,100 members and more than 500 attendees for Sunday services since they were called there in 1986. They are loving parents to three children and devoted grandparents to five grandchildren.

I have had the privilege of attending First Presbyterian Church under the direction of Dr. and Mrs. Sloop. I know them to be dearly be-

loved by the entire congregation. Though they will be truly missed, we know they will continue to inspire many more followers, just as they have inspired my family and me.

Mr. Speaker, I ask that you join with me today to recognize Dr. and Mrs. Sloop. Their generosity and commitment to leaving this world better than they found it is an inspiration to us all and deserving of the utmost gratitude. It is with great pride that I congratulate them on their retirement and wish them continued success and happiness in the next chapter of their lives together.

HONORING THE DUGAS FAMILY OF
IBERIA PARISH FOR THEIR
SERVICE DURING WORLD WAR II

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. BOUSTANY. Mr. Speaker, I rise today to commemorate the service of the Antoine and Emma Dugas Family, who selflessly served as aircraft spotters during World War II in Iberia Parish, Louisiana. Their dedication to country, spending countless hours watching the skies of our Gulf Coast as a first line of defense against an aerial assault, deserves our thanks and recognition.

Emma and Antoine Dugas moved from the Atchafalaya Basin area to Lake Dauterive, Iberia Parish, in 1927 following the great floods that predated our Louisiana levee system. At the advent of the war, due to the rural, isolated location of their home, the family was approached by the U.S. Army Air Force to serve as aircraft spotters. This required studying and memorizing various types of aircraft by sight, filling out reports of their surveillance and calling in any observations of aircraft they might spot in the skies. The family faithfully carried out this duty from June 24, 1943 until the war's end in 1945.

Until now, Antoine and Emma Dugas, and their children, Claude "Nook" Dugas, Mabel "Pie" Broussard, Melba "Eunice" Dugas Verret, Antoine "Tan" Dugas, Jr., and John Gabriel "Creed" Dugas, have received no special recognition for their service. Today I would like to take the opportunity to recognize and thank these citizens for their service and hold them up as an example of sacrifice and dedication in service of our country.

This month, on May 19, 2013, the Dugas family will come together at Lake Fausse Pointe State Park—significant due to its approximate location as a midpoint between the Bayou Chene area where the family lived in the basin, and the Lake Dauterive area where the family moved to build their first home on land. As they remember their family history, we thank them for their service and commend them on a job well done.

DISCOVERY SCIENCE CENTER,
SANTA ANA, CALIFORNIA 2013
NATIONAL MEDAL FOR MUSEUM
AND LIBRARY SERVICE

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, today, the Discovery Science Center in Santa Ana, California will be presented with the 2013 National Medal for Museum and Library Service by the Institute of Museum and Library Services.

In recognition of their outstanding public service and dedicated community outreach to the families, schools and residents of Orange County, the Discovery Science Center will be given one of our nation's highest honors in the area of arts and humanities.

The Discovery Science Center exemplifies the innovative ways in which a museum can strengthen our communities and foster the creative and educational integrity in our youth. The humanities are an important part of our national fabric and institutions like the Discovery Science Center are inspiring, educating and leading our nation's future.

Congratulations Discovery Science Center and thank you for making Orange County proud.

RECOGNIZING NATIONAL MPS
AWARENESS DAY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. MARCHANT. Mr. Speaker, I would like to recognize the National MPS Society for their 38 years of supporting families while searching for cures for this genetic disease. Mucopolysaccharidosis or MPS is a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates. The damage caused by MPS on a cellular level adversely affects the body and damages the heart, respiratory system, bones, internal organs, and central nervous system. MPS often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span. Symptoms of MPS are usually not apparent at birth and without treatment; the life expectancy of an individual affected begins to decrease at a very early stage in their life. Research towards combating MPS has resulted in the development of limited treatments for some of the MPS diseases.

I ask my colleagues and their staff to join me in recognizing May 15, 2013 as National MPS Awareness Day. This is an important time during which the MPS disease community will help increase the awareness of this devastating disease, as well as supporting research to improve treatments, find cures and

receive early diagnosis. The MPS families are encouraged to reflect and support each other and to reach out to those families who have lost loved ones to MPS. By wearing their purple ribbons and sharing these ribbons within their community, they are increasing public awareness about this disease. This date is also the start of the National MPS Run/Walk season along with other local community activities to raise awareness along with money for research and for family assistance programs. I commend the National MPS Society and their many volunteers for an unwavering commitment to bring about awareness of this disease and to continue to advocate for federal legislation to streamline the regulatory processes and to speed effective treatments and cures for their loved ones. More must be done to find cures and effective treatments, but let us reflect on the importance of this day. I ask that all of my colleagues join me in commemorating National MPS Awareness Day.

INTRODUCTION OF THE VETERANS HOME LOAN REFINANCE OPPORTUNITY ACT OF 2013

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce the Veterans Home Loan Refinance Opportunity Act of 2013. This bipartisan legislation improves the federal Qualified Veterans Mortgage Bonds (QVMB) program to allow eligible States to use tax-free bond proceeds to refinance the home mortgages of our military veterans.

This legislation is necessary during our troubled economic times. QVMB home loan financing was not available to newly discharged veterans returning home from Iraq and Afghanistan until passage of the Heroes Earning Assistance Relief Tax Act of 2008 (H.R. 6081) in the 110th Congress.

Prior to 2008, some veterans may have taken out adjustable-rate mortgages (ARM) to purchase a home during the real estate boom earlier in the decade. It is only fair to them that they have the same opportunity as newly discharged veterans to take advantage of the low-interest, fixed rate mortgages available through QVMB financing.

For some veterans with a costly ARM or interest-only mortgage, this legislation could prevent a foreclosure.

Finally, Mr. Speaker, this legislation includes an inflation index to ensure the QVMB program remains viable in the future.

I urge passage of the Veterans Home Loan Refinance Opportunity Act.

CELEBRATING PUBLIC SERVICE RECOGNITION WEEK

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. WOLF. Mr. Speaker, I rise today to recognize our Nation's public servants and thank

them for their invaluable contributions to our country.

In every community, federal employees work to make sure the government is effective, promote the common good and keep us safe. They are the people you call when you need help. As we celebrate Public Service Recognition Week, which started on Sunday, May 5, and ends on Saturday, May 11, I rise to express my gratitude to our civil servants for their tireless dedication and service.

Federal employees often get little recognition for their work, despite the fact that day in and day out many of them are repeatedly put in dangerous situations. From the Customs and Border Patrol and DEA agents working to combat illegal immigration and human trafficking and drug runners, to the FBI agents rescuing children who have been kidnapped and finding suspected terrorists—federal employees perform vital jobs that make our country a safer and better place.

Every day intelligence agents and Foreign Service officers on the front lines of duty sacrifice to defend democracy and keep us safe. The CIA agents who coordinated the raid to kill Osama bin Laden are federal employees. On the evening of the September 11, 2012 terrorist attack on the U.S. mission in Benghazi, Libya, the Foreign Service officers representing our government at the consulate and annex where the attack occurred were federal employees.

In addition to providing security abroad, federal employees regularly risk their lives to protect us here at home. Just last month, FBI and ATF agents worked diligently to track down the suspects in the Boston Marathon bombings. Without their hard work, we could not bring the individuals responsible for these unspeakable acts to justice.

It is also important to recognize that many federal employees who are not directly in harm's way graciously serve our Nation. Nurses and doctors at the VA who care for our veterans and wounded warriors, medical researchers at NIH searching for a cure for cancer, diabetes, Alzheimer's, and autism are all federal employees. The FDA inspectors who trace E. coli and salmonella outbreaks to ensure that our food is safe to eat are federal employees.

There are federal employees who propel our country to the forefront of scientific advancements. Scientists at Department of Energy labs, NASA astronauts, engineers and scientists all work to keep America competitive in the increasingly global economy. Meteorologists at weather service storm centers track hurricanes, tornadoes, tsunamis, and blizzards so that we can prepare for inclement weather and natural disasters.

Defense civilian riggers, machinists, refuelers, and engineers who repair sophisticated electronic weaponry systems at our Army depots, Air Force bases, and shipyards are the federal employees who support our military personnel. Air traffic controllers work to make sure we are safe when we travel. Federal firefighters protect homes and businesses when a lightning strike sets a national forest on fire. Park Service rangers facilitate safe hiking and camping in our national parks and tours of our national battlefields.

These are but a few of the essential services federal employees provide. I hope my col-

leagues will join me in thanking them for their service to ensure the safety and security of our Nation.

MIKE AND CORKY HALE STOLLER CIVIL RIGHTS MEMORIAL THEATER

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Ms. PELOSI. Mr. Speaker, on April 27th, in Montgomery, Alabama, leaders of the civil rights movement and the Southern Poverty Law Center came together to dedicate the Mike Stoller and Corky Hale Stoller Civil Rights Memorial Theater.

It is appropriate that the theater is named for Mike and Corky because of their ongoing commitment to the civil rights movement. The Stollers are two of kind—in music, in activism, in their generosity of spirit.

Since the day Corky came to Mike's studio to record demos as a musician, they have been partners in every sense of the word: fighting together for liberty and justice for all, for the basic dignity of every human being.

Mike and Corky's values run deep. They are tireless in their work. They are idealistic and compassionate, dedicated and determined. They know what they believe and recognize what's needed to follow through and get the job done. Thanks to their boundless energy, their beautiful relationship with one another, and their friendship with so many others, they have made a difference in advancing the cause of civil rights.

At the opening of the theater dedicated in their names, we heard Chairman Emeritus of the NAACP Julian Bond's extraordinary presentation of how African Americans influenced and shaped musical history from around World War II to the days of Elvis Presley and beyond.

Through the story of music, he told the story of the civil rights movement—how music popular among Americans emerged from the compositions well-known among African Americans; how the attraction of African teenagers in the 1950s to traditionally African-American styles helped advance the movement and break down barriers among races.

What a fitting tribute to Mike and Corky Stoller, whose music made them famous and whose compassion made them special. When Mike joined Jerry Leiber to write "Hound Dog," "Jailhouse Rock," and countless other hits, he was helping sow the seeds of an effort that would connect communities through music, that would transform American culture, and that would grow with Mike and Corky's leadership for the cause of justice.

Now, Mike and Corky's names will remain inscribed on the Civil Rights Memorial Theater in Montgomery. Their legacy will be intertwined with the names of the men, women, and children remembered at the memorial, who gave their lives in the cause of freedom. Their theater will stand tall alongside the Wall of Tolerance and the wheel of water that reminds us of the biblical charge to "let justice roll down like waters, righteousness like a mighty stream."

At this theater and across the country, may all Americans associate the names of Mike Stoller and Corky Hale Stoller with their contributions to music and their leadership for civil rights.

TRIBUTE TO MR. ARTURO ALBERTO DIAZ, SENIOR OWNER'S REPRESENTATIVE FOR NEW CONSTRUCTION, MILITARY SEALIFT COMMAND

HON. SCOTT H. PETERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. PETERS of California. Mr. Speaker, I rise today to recognize the extraordinary contributions of Mr. Arturo Alberto Diaz, a public servant of the highest caliber who dedicated his entire life to the service of our nation. Over a career that exceeded three decades, Mr. Diaz selflessly served the United States Navy shipbuilding and maritime industry, contributing directly to the delivery of over 40 ships to the nation's maritime forces. Mr. Diaz passed away on December 24, 2012, but he has left behind a long and lasting legacy to our nation—both through his unparalleled technical contributions to the strength and flexibility of our Navy's surface fleet and through the generation of professionals that he has mentored throughout his time in federal service. Today, it is my great honor to recognize his achievements and thank his wife and family for his service.

Mr. Diaz's pursuit of a life of public service began in 1972 at the Admiral Farragut Academy in New Jersey, where he spent three years and ultimately achieved the Battalion Executive Officer position his senior year. Upon graduation, he entered the United States Merchant Marine Academy at Kings Point, New York, receiving a Bachelor of Science degree in Marine Engineering in 1979 and a Third Assistant Engineer License from the U.S. Coast Guard. While attending the United States Merchant Marine Academy, he further achieved the rank and position of Regimental Executive Officer his senior year. He served with distinction as a U.S. Coast Guard officer from 1979 to 1984 before joining the federal civil service, where he went to work for the Navy as a civilian Construction Representative for the Military Sealift Command (MSC). Mr. Diaz rose through the chain of command to become the MSC Senior Owner's Representative for New Construction. During his tenure, he became widely known as an unparalleled expert in his field, working tirelessly to ensure that the operator's needs were integrated throughout the ship design and construction process.

Mr. Diaz had a long and distinguished career of innovative thinking and aggressive execution of shipbuilding programs across the entire spectrum of military sealift new construction and conversion. A man of uncommon character and boundless passion, he was highly respected throughout the naval shipbuilding and ship operations community as a visionary leader, team builder, and technical problem solver. Since joining federal service in

1984, he held a variety of technical and key leadership roles throughout his professional career. He also provided strong technical consultation to groups such as the National Shipbuilding Research Program and the Marine Engineering and Shipyard Management Program, where he worked tirelessly with his peers throughout government and industry across the globe to promote the open interchange of ideas and information and constantly improve shipbuilding and conversion processes and technology. When technical assistance was required on both U.S. Navy and Military Sealift Command ships, the Navy often called upon Mr. Diaz for his support. The expert technical leadership and ship design, construction, and ship operational knowledge that he shared throughout his career contributed to hundreds of millions of dollars in taxpayers' savings in ship acquisition and annual operation costs over the life of the forty ships that he was responsible for delivering to the Navy's Military Sealift Command. Beyond the shipbuilding programs with which he was actively involved and which serve as tangible evidence of his commitment and technical acumen, perhaps his most lasting and profound legacy will be the development he fostered and advocated in emerging leaders in naval shipbuilding. He left a lasting impression on countless young professionals who will exemplify his leadership principles throughout their promising careers. Simply put, he brought out the best in them and cultivated a love of the trade. Throughout his distinguished federal service career, he has been honored with numerous awards for his exceptional service, including Superior and Meritorious Civilian Service Medals, Navy Unit Commendation, and other prominent citations.

Mr. Diaz's contributions to our nation extend far beyond his material achievements and specific accomplishments. He was an inspiration to all who served with him, government and industry alike, ensuring that all members of his team were keenly aware of their importance to the Navy and the true appreciation that he held for their efforts. His unique ability to recognize talent and to foster respect and camaraderie throughout the workforce has had an enormous influence on everyone he met and will continue to steer the course of our Navy well into the future. One of his most memorable quotes is "Friends build ships." Mr. Diaz recognized both the arm's length nature of government and industry negotiations as well as the necessity for teamwork. During a challenging time in the completion of the lead ship of the Navy's new Joint High Speed Vessel (JHSV), Mr. Diaz provided a compilation of "22 Attributes of a Good Team" to help bring the team together. The soundness of his observations regarding teams is clearly reflected in the teamwork that exists in the shipbuilding community today, as well as through the scores of young engineers who are now carrying forth his legacy into the next generation of ships for the Navy.

Mr. Diaz's tireless leadership and lifelong commitment to Navy shipbuilding new construction and conversion have earned him the deep respect of his peers and shipmates throughout the Military Sealift Command, Navy acquisition, and commercial shipbuilding community. His was a life of courage and con-

sequence—a life devoted to the security of our nation. Mr. Diaz touched the lives of all who knew him, and it is my great honor to recognize him posthumously for his service. I know my colleagues join me in thanking his wife, Lisa, for sharing him with us these many years and wish her fair winds and following seas.

RECOGNIZING THE CONTRIBUTIONS OF ISABELLA CATHERINE INGLES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the enormous contributions of a true American patriot: Isabella Catherine Ingles (nee Hankel). Isabella has done a lot with her life: she is a wife, a mother, a grandmother, a World War II veteran, and so much more. She is a great example of what we call the "greatest generation."

Isabella was born in Chicago, Illinois, in 1921, and graduated from Senn High School. A few short years afterwards, the United States was attacked at Pearl Harbor and entered into World War II. Isabella felt the need to contribute to the war effort, and enlisted in the United States Navy in early 1944. After basic training, she attended the Control Tower Operator School, and graduated second in her class. Isabella was stationed in the Pacific Northwest, and spent the next two years working in the control tower at Naval Air Station Pasco, in Washington State. While stationed here, Isabella met her future husband, Roy Ingles, who was at the time serving as an Aviation Chief Machinist Mate, and had survived the sinking of the USS *Lexington* during the Battle of the Coral Sea.

Isabella left the Navy in 1946, having achieved the rank of Specialist (Control Tower Operator) First Class, and returned to her home in Chicago. Roy soon followed and the two were married on her birthday the next year.

Isabella Ingles has kept very busy in the years since. Settling in Des Plaines, Illinois, Isabella and Roy had two boys and two girls. Following in their parents' footsteps, both of her sons went on to serve, joining the United States Air Force. After raising her children, Isabella became a Certified Occupational Therapy Assistant, and worked with senior citizens in her local community as the Activities Director for a local assisted living facility. Since then, she has continued to contribute. Isabella is a long time volunteer all over our community: helping with the Des Plaines Self Help Closet & Pantry, visiting the local Veterans Administration hospital and volunteering for over six decades with the Women's Service League.

On behalf of myself and a grateful nation, I want to thank Isabella Catherine Ingles for all that she has done for our nation: for her service, her sacrifices, and for all the contributions she has made to our community. I want to welcome her, and all the other veterans participating in the "Honor Flights" to Washington, DC to visit the World War II Memorial.

CONGRATULATING DANIEL
MCCAULEY, M.D.

HON. JEFF DENHAM
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Daniel McCauley, M.D. who was named as the recipient of the 2013 John Darroch Memorial Award for Physician of the Year by The Stanislaus Medical Society. He will be honored during a ceremony in Modesto, California on May 9, 2013.

Dr. McCauley was born and raised in Northern Ireland. He dreamed of joining the Merchant Marines but unable to pursue that career choice, he turned to medicine. He obtained his medical degree at the University College in Dublin, Ireland in 1968. He continued his education with residencies at Hammersmith Hospital and Kingston Hospital located in England and also, Boston City Hospital in Boston, Massachusetts.

For the last thirty years, Dr. McCauley has practiced in Turlock. He is known for being well trained, cooperative, dedicated, and having moral character with excellent clinical judgment. Dr. McCauley gives selflessly by providing indigent care throughout the Valley.

During his free time, Dr. McCauley is an avid reader and gardener. Dr. McCauley and his colleague enjoy sailing on the San Francisco Bay.

Mr. Speaker, please join me in praising Dr. Daniel McCauley for his significant contributions to the medical field and to the people of Stanislaus County.

HONORING THE 2013 INDUCTEES OF
THE MAINE FRANCO-AMERICAN
HALL OF FAME

HON. MICHAEL H. MICHAUD
OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the four outstanding individuals being inducted into the Maine Franco-American Hall of Fame this year. Father Jacques LaPointe of Madawaska, Dr. Lisa Marraché of Waterville, Cindy Larouck of Lewiston, and Judge Michael Cantara of Biddeford are representative of the enduring strength and influence of Maine's French heritage.

This year's inductees join the ranks of Maine's finest Franco-American leaders. Each of these honorees have made enormous contributions to the preservation and advancement of our state's unique history and culture.

Father Jacques LaPointe is a key member of the greater Madawaska community and a respected author on the history of the St. John Valley.

Lisa Marraché is an accomplished physician and legislator who has long worked to preserve French culture in Maine, including as a founder of the Franco-American Heritage Society of the Kennebec Valley.

Cindy Larouck is well-known across her hometown of Lewiston and the state of Maine

for her efforts to share and revive her love of traditional Franco-American dance and music.

Michael Cantara is a highly regarded public servant, having previously served as Mayor of his hometown of Biddeford, York County District Attorney, Maine Public Safety Commissioner, and now as a District Court Judge. He has long been an unyielding force for the preservation of Maine's Franco-American heritage.

The Franco-American Hall of Fame will also posthumously honor five Mainers for their outstanding contributions to the State of Maine: Leon Albert Guimond, Adolphe and Napoleon Gingras, Louis Phillippe Gagne, and Camille Bolduc.

Mr. Speaker, please join me in honoring these outstanding individuals as they are permanently and fittingly recognized for their tremendous contributions to the state of Maine and Franco-American culture.

TRIBUTE TO MARK PALMER

HON. FRANK R. WOLF
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. WOLF. Mr. Speaker, there are some who argue that the world's destinies are shaped by impersonal forces rather than by the courage and determination of individual men and women.

I believe that historians of that persuasion never met my friend, and freedom's friend, Mark Palmer. I rise to celebrate the life of Ambassador Mark Palmer, who died recently after a characteristically brave and uncomplaining twenty year battle against melanoma.

But for Mark's controversial determination while U.S. ambassador to Hungary that the barbed wire fences between Hungary and Austria should be severed in order to allow East Germans to leave the Communist orbit, the Berlin Wall might still be standing. But for his brave willingness to openly challenge Hungary's Communist government when conventional thinkers at the State Department and elsewhere were worried about the "destabilizing" effects of a Communist collapse, the Soviet Empire might still be in power. But for Mark's years of incomparably influential service as a speechwriter and pro-democracy advocate to three Presidents and six Secretaries of State, America might not have understood how the promotion of human rights, democracy and American values strategically tracks with the promotion of American national security interests.

There are many examples of how history was made by the man once described by The New York Times "as the most active Western booster for economic and political liberalization" of Communist dictatorships. They are examples of why, at the celebration of the 20th anniversary of Hungary's liberation from communist dictatorship, Mark was awarded a Commander's Cross of Hungary's Order of Merit because, as "the right man at the right time at the right place . . . he rose to the occasion [of] shepherding democratic opposition . . . through . . . turbulent times by giving [it] legitimacy." They are reasons why Mark re-

ceived three Presidential Awards and two Superior Honor Awards from the Department of State during a 26 year career as a Foreign Service officer.

A great moment in Mark Palmer's career—and proof of how his ideas have shaped events—was his role while in the Foreign Service as co-drafter of President Ronald Reagan's great 1982 Westminster Hall "Democracy Crusade" speech on democracy and human rights. The speech, whose every word had to be fought through a resistant bureaucracy, was a critical step in moving the United States from a policy of accepting and containing communism to what became the successful policy of peacefully challenging it. Thanks to Mark, the speech also led to the establishment of the National Endowment for Democracy—which he had proposed and later served as a key board member.

After his Foreign Service career, Mark served for nearly twenty years as Vice Chair of Freedom House, one of America's primary human rights organizations. He was honorary chair and co-founder of the International Management Center in Budapest, Hungary and served on the boards of the Johns Hopkins School of Advanced International Studies, the Georgetown University Institute for the Study of Diplomacy, the Budapest International Centre for Democratic Transition, the American Academy of Diplomacy, the Association for Diplomatic Studies and Training, the University of the District of Columbia, the Friends of Falun Gong, and the Secretary of State's Advisory Committee on Democracy Promotion.

Mark was the brains and inspiration behind another great institution whose positive impact will grow over the years. He helped to establish the Community of Democracies, a global assembly of democratic governments that now meets annually in support of democracy and human rights and to deepen the bonds between democratic governments. Mark served as Vice Chair of the Community's permanent operating body, its Council. As but one example of the Council's work and Mark's efforts on its behalf, he initiated and helped write increasingly influential training handbooks that guide U.S. diplomats and military officers to assist democratic promotion and transition. In Mark's honor, the Council established Palmer Prizes for contributions by diplomats to the advancement of democracy that were first awarded in 2011 to diplomats from seven countries for pro-human rights efforts in such nations as Belarus, Cuba and Zimbabwe.

A frequent author of policy and advocacy pieces to leading media outlets, and of expert testimony and counsel to Congress and the Executive Branch, Mark published in 2003 his groundbreaking *Breaking the Real Axis of Evil: How to Oust the World's Last Dictators by 2025*. In it, he argued for a revamping of U.S. foreign policy to make worldwide promotion of democracy a primary goal. Legislation based on the book was sponsored by Senator JOHN MCCAIN and my late colleague and fellow Palmer admirer Tom Lantos, and was signed into law by President George W. Bush on August 3, 2007. Entitled "ADVANCE Democracy Act of 2007", it was described by a scholar at the Carnegie Endowment for International Peace as ". . . the most important bill . . . on democracy promotion since the 1983 initiative

to establish the National Endowment for Democracy . . .”

Mark's business career was as successful as his diplomatic career and was often focused on the same objectives. Knowing the critical value of free and unmonitored information in dictatorial and post-dictatorial countries, he founded Central European Media Enterprises Ltd. which, with local partners, established, owned and operated the first politically independent national television stations in the Czech Republic, Slovakia, Slovenia, Romania, Ukraine and Poland. He was a co-founder of Television Development Partners and Signal One Media Corporation—ventures for the establishment of independent, commercial satellite TV channels in the Middle East. He chaired the advisory board of New Tang Dynasty Television, and strongly backed the launch of the first uncensored satellite TV broadcasts into China.

In what may prove as great a contribution to 21st century world freedom as those Mark made during the 20th century, he led the effort to establish a robust U.S. initiative to overcome the Internet firewalls of China, Iran and other closed society regimes. Mark knew what the world's dictators know—that Internet firewalls are present day equivalents of the brick and barbed wire walls he helped bring down in the 20th century. He knew what China's former Premier Hu Jintao has openly acknowledged—that the ability of closed society regimes to “purify” the Internet is critical to their ability to remain in power. Thus, when millions of house church Christians freely and safely conduct worship services over their mobile phones in China, and when hundreds of thousands of Iranians in and out of the country conduct interactive town meetings—as I believe will soon occur—this development will be a tribute to the vision that Mark inspired many of us to share during the latter part of his productive life.

Mark came early to his activism in the cause of human rights, participating during the early 1960s in Freedom Bus rides and other civil rights demonstrations while a student at Yale University, from which he graduated magna cum laude and Phi Beta Kappa. Taking similar action, Mark regularly sought out and met with dissidents in Moscow and Belgrade early in his career as a junior Foreign Service Officer. As a private citizen, he returned to Belgrade in 1996 to march with students against the criminal regime of then Serbian President Slobodan Milosevic.

Patriotism is said to be an honorable competition with one's ancestors, and Mark had many models that helped make him the man he became. He was born on July 14, 1941 in Ann Arbor, Michigan to the late Captain Robie Ellis Palmer, USN and the late Katherine Hooker Palmer. His mother was the granddaughter of Civil War Colonel George W. Hooker, an Antietam Medal of Honor winner of the 4th Vermont Volunteers who was later appointed Assistant Adjutant General of Union Army Volunteers by President Lincoln. Not long after Mr. Palmer's birth, his father left to take command of the submarine USS *Pollack*, which operated in the Pacific theater and served in several dangerous missions in Japanese waters.

America—and the world—will miss Mark. But as my colleagues on both sides of the

aisle know—Mark's legacy will be with us for years and generations to come. When men and women escape the chains of 21st century oppression, they will be in Mark Palmer's debt as we, his friends, will forever be.

Finally, in rising to celebrate Mark I rise as well to celebrate his cherished partner in all that he accomplished during his distinguished career—his wife of 47 years, Dr. Sushma Palmer.

TRIBUTE TO MICKEY EDWARDS

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute a remarkable American, Mickey Edwards, who has been elected to the American Academy of Arts and Sciences in recognition of his excellence in journalism, public affairs, and communication.

An Ohio native, Mr. Edwards has achieved continued success throughout his long career as a public servant. After receiving his education from the University of Oklahoma and Oklahoma City University School of Law, he began his career in news media and public relations. He was later elected to represent the 5th Congressional District of Oklahoma for sixteen years and was a senior member of the House Republican leadership. He served as Chairman of the Republican Policy Committee, was a member of both the House Appropriations and Budget Committees, and was the ranking member of the House Subcommittee on Foreign Operations. After leaving Congress, he taught government and public policy at Harvard's Kennedy School of Government, Harvard Law School, and Georgetown University's Public Policy Institute.

Mr. Edwards is a widely respected columnist and contributor whose work has appeared in news outlets including the Chicago Tribune, Los Angeles Times, San Francisco Examiner, the New York Times, Wall Street Journal, and The Washington Post. He is the author of two books, the co-author of a third, and has contributed chapters to several more publications.

Mr. Edwards has chaired several task forces for the Brookings Institution, the Council on Foreign Relations, and the Constitution Project. He has also been an adviser to the U.S. Department of State and is a member of the Princeton Project on National Security. He is currently a lecturer at Princeton University's Woodrow Wilson School of Public and International Affairs, is a vice president of the Aspen Institute, and is director of the Institute's Aspen-Rodel Fellowships in Public Leadership program. I came to know, like, and respect Mr. Edwards through the Aspen-Rodel program.

Mr. Edwards' impressive resume does not fully encompass the accomplishments of this extraordinary man. He continues to fight for cooperation between parties and for placing national interest ahead of political gain, encouraging and educating young Americans on the benefits of civil discourse and compromise. A man worthy of professional accolades and personal respect, Mr. Edwards is

truly committed to his family, his community and his country. His is an example we should all strive to emulate. I am privileged to call him a friend and salute him for this tremendous and well-deserved honor.

YOM YERUSHALAYIM, JERUSALEM DAY

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Ms. FRANKEL of Florida. Mr. Speaker, 46 years ago today Israel liberated its capital city of Jerusalem during the Six-Day War, allowing Jews for the first time in decades to visit Judaism's holiest site, the Western Wall. That is why Jews across my home District in South Florida today are celebrating Yom Yerushalayim, Jerusalem Day.

In synagogues and community centers from Palm Beach, to Boca Raton, to Ft. Lauderdale, and indeed around the world, Jews are rejoicing with song, dance, and prayer, while also commemorating the solemn sacrifice of hundreds of Israeli soldiers whose lives were cut short in the Battle for Jerusalem.

Jerusalem has been the heart of the Jewish people for thousands of years. Through centuries of exile, Jerusalem remained the focal point of Jewish aspiration. In fact, Jews have always prayed toward the Western Wall regardless of where they stood geographically in the world.

That is why Israel's founding Prime Minister David Ben-Gurion said in 1947, “No city in the world, not even Athens or Rome, ever played as great a role in the life of a nation for so long a time, as Jerusalem has done in the life of the Jewish people.”

IN RECOGNITION OF MT. MARIAH MISSIONARY BAPTIST CHURCH'S 200TH ANNIVERSARY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my sincere congratulations to the congregation of Mt. Mariah Missionary Baptist Church in Omaha, Georgia as the church's membership and leadership celebrates a remarkable 200 years. The congregation of Mt. Mariah Missionary Baptist Church will celebrate this very significant anniversary with a Bicentennial Celebration on Sunday, May 12, 2013 at the Church in Omaha, Georgia.

Tracing its roots back to the antebellum era, the church was an illustration of the segregation and slavery practices of the South. From 1813 to 1856, the black community of Omaha worshipped with the white community although only a select number of blacks were allowed to attend church, including the overseer, the maids and the cooks. They had to sit in the back of the church and were not allowed to participate. As time passed, more members of

the black community were allowed to attend the worship service but remained unsatisfied with the arrangement of services being held at Summer Hill Baptist Church, as it was known then.

After the Emancipation Proclamation was signed in 1865, the black community of Omaha was still discontented with the church service arrangement and called for a church of their own. In 1866, the white community had a church built within the city limits of Omaha and donated the old church to the black community. It was then used as both a school and a church and the name was changed to Mount Mariah Missionary Baptist Church.

In 1890, a church was built within the Omaha city limits for the black families living and working there so they wouldn't have to walk as far on Sunday and be tired for work on Monday. The church continued to grow and formed an organization named the "Mt. Mariah Baptist Church Association."

In 1911, the church bought six acres of land for \$412.00 to build a new church, fellowship hall and cemetery. This structure stood until a tornado tore through the Omaha area and destroyed the church. Through the sadness and the tears came a firm resolve and an unyielding faith in the Lord to build a new church. After working hard to raise the funds, on November 9, 1947, the new church was dedicated with much prayer, song, and joy.

Throughout the years, the church was remodeled and improved with help, funds and donations from its members. It has seen many great leaders, each one leaving their lasting mark on the church. Today, under the leadership of Pastor Marcus B. Hunter, the prospering church looks back on 200 years of hardship, unending faith, and ultimate success.

The story of Mt. Mariah Missionary Baptist Church, which began during a dark and divided time in our nation's history, is a truly inspiring one of the dedication and perseverance of a faithful congregation of people who put all their love and trust in the Lord.

Mr. Speaker, today I ask my colleagues to join me in paying tribute to Mt. Mariah Missionary Baptist Church in Omaha, Georgia for their long history of coming together through the good and difficult times to praise and worship our Lord and Savior Jesus Christ.

HONORING THE DOS PALOS DIVINO ESPIRITO SANTO

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. COSTA. Mr. Speaker, I rise today to celebrate the 90th "Festa do Divino Espirito Santo" or the Festival of the Divine Holy Spirit in Dos Palos, California. This annual festa is a lively gathering that promotes family reconciliation and peace, through prayer and charity.

The celebration began in the early 1920s when Azoreans began to emigrate from the Azore Islands to Dos Palos. In 1923 the Divino Espirito Santo, DES, Association was incorporated, and it stands as one of the city's

oldest organizations. The Dos Palos DES has been successful over the past nine decades due to the donations and support from residents, business owners, dairymen, and ranchers. The organization is supported by individuals of all backgrounds and faiths. The money that DES raises goes to their annual celebrations, scholarships for young men and women, and parks for children. They also provide assistance to those who are in immediate need.

Dos Palos DES is known for its sense of community and comradeship. Neighbors are like family in Dos Palos, and there is no question that there is a sense of loyalty between everyone. Each year, the Festa do Divino Espirito Santo serves as a place for citizens to come together, appreciate their town, and enjoy each other's company. The traditional meal of sopas is served to over 2,000 people.

As someone with a strong Portuguese background and up-bringing, I truly admire all of the efforts made by Dos Palos DES. The individuals who have put together this wonderful celebration must be recognized for all of their hard work and dedication.

Mr. Speaker, I ask my colleagues to join me in recognizing the Festa do Divino Espirito Santo as residents from all over the Central Valley celebrate the 90th celebration. These wonderful traditions are passed down from generation to generation, and we can expect that Dos Palos DES will be hosting celebrations for many years to come.

INTRODUCTION OF THE INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. REICHERT. Mr. Speaker, today I, along with Ranking Member DOGGETT and other Members of the Human Resources Subcommittee, introduce the International Child Support Recovery Improvement Act of 2013. This bill is nearly identical to H.R. 4282, which passed the House by voice vote on June 5, 2012, and serves as the implementing legislation for the Hague Convention on International Recovery of Child Support and Other Forms of Family Maintenance. This multilateral treaty, to which the Senate provided its consent in 2010, provides for the structured exchange of information and consistent enforcement of international cases of child support.

The bill also builds on the Subcommittee's recent bipartisan efforts to standardize data within and across social programs. This includes applying to the child support enforcement program the same no-cost data standardization provision recently enacted in the child welfare, Temporary Assistance for Needy Families (TANF), and unemployment insurance programs.

The data provision is designed to recognize the need for standards in the exchange of data both across state-level programs and between states and the federal government. The goal is to better organize data within programs so that data can then be more easily shared

across multiple human services programs that serve similar populations.

The data provision recognizes that multiple standards may well be needed to address different types of data exchanges, and that some data exchanges may already be standardized. It provides some authority to the Secretary of Health and Human Services to exercise some flexibility in situations where standardized systems are found to operate efficiently. Certain sectors, such as financial institutions, that interact with covered programs have well-established data exchange standards that need to be taken into account and should serve as the base for moving forward. In the case of child support, this data provision does not require that systems such as the Federal Parent Locator Service (FPLS) be retrofitted, but instead encourages incremental, cost-effective implementation of consistent data standards across human services programs.

I invite all Members to join me in supporting this important legislation and look forward to its speedy consideration. That way we can take the next step toward ratifying the Hague Convention so that more child support is collected in international cases, providing more children the financial support they deserve.

PROCLAIMING SUPPORT FOR NATIONAL ARSON AWARENESS WEEK

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to support National Arson Awareness Week, which runs from May 5th-11th this year.

The United States Fire Administration (USFA) has made tremendous strides in educating the public about the dangers of Arson during its annual Arson Awareness Week. This year's theme, "Reducing Residential Arson," is focused on ways for community members to come together and develop plans to combat arson in their neighborhoods. According to USFA, over 14,700 law enforcement agencies report 43,400 arsons every year.

This is an issue that hits home for my constituents in the city of Lewiston, who have endured three large fires during the past week. The fires have destroyed over 79 apartments and left roughly 200 people homeless. Firefighters from Lewiston and the surrounding communities have performed heroically to contain the fires and protect residents from harm. These brave men and women place themselves at enormous risk every day to keep us safe, and I applaud them for their efforts.

USFA is recommending a number of strategies to help communities better protect themselves against arson. Neighborhood cleanups have enabled residents to remove flammable materials and identify possible hazards. Groups have also had success by improving internal and external security for their homes and at abandoned properties. Working together, we can all help make our communities a safer place to live.

Mr. Speaker, please join me again in recognizing National Arson Awareness Week for its

role in helping our communities educate themselves about ways to combat arson.

DRURY UNIVERSITY'S THREE
NATIONAL CHAMPIONSHIPS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Drury University's Men's Basketball and Men's and Women's Swimming and Diving Teams on their national championships.

Drury University is the only school in the NCAA at any level in this 2012–13 school year to have won three national championships.

The Panthers Basketball Team won in dramatic fashion over Metro State to win 74–73 after they overcame a 17-point deficit to win on a last minute free throw in Atlanta, Georgia, on April 7. This is Drury's first NCAA-II National Basketball Championship, and it also marked Drury's 23rd straight win of the season. They won through their hard work and the sheer determination to win.

I want to commend Head Coach Steve Hesser, Assistant Coaches Ja Havens and Steven Gum, and Graduate Assistant Brandon Kimbrough for guiding the team through its extraordinary season. Coach Hesser did a remarkable job, and the National Association of Basketball Coaches honored Coach Hesser as its National D-II Coach of the Year, an award he certainly deserves.

Drury University's Men's and Women's Swimming and Diving Teams, coached by Brian Reynolds, swept the titles on March 9 in Birmingham, Alabama. This was the ninth straight national championship for the Drury Men—a record for NCAA Division II schools—and the fourth national title in the last five years for the Drury Women. I also want to commend Assistant Coach Jason Hite, Diving Coach Richard Hackett, Graduate Assistant Michal Winiewicz, and Graduate Assistant Marta Stepien for all their work this year.

I also congratulate Coach Reynolds, who was named National Coach of the Year for both the men's and women's competitions for his efforts this year. Coach Reynolds has developed a truly unique and dominant program.

The Springfield community is proud of the Drury teams for reaching such a high level of success. Drury University won three national titles and three national championships in the span of a month. Drury's national championships are remarkable achievements, and the teams will have memories to last a lifetime.

I urge my colleagues to join me in congratulating the Drury Panthers on their outstanding athletic performances this year.

INTRODUCTION OF THE WATER
QUALITY PROTECTION AND JOB
CREATION ACT OF 2013

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. BISHOP of New York. Mr. Speaker, today, I join with 27 of my colleagues in intro-

ducing bipartisan legislation to make long, overdue investments in our nation's water infrastructure systems that will benefit both our communities and our economy.

When it comes to America's infrastructure, the role of the Federal government is both critical and clear. Never has the need for Federal investment been greater, and in my district, perhaps more urgent both in the short term and long term.

As the Committee on Transportation and Infrastructure heard at its Water Resources and Development Act hearing last month, America's waterways related infrastructure projects are in drastic need of Federal investment that will create jobs and benefit our economy. So too, will federal investment in our wastewater infrastructure systems provide economic benefits and create jobs while rebuilding and expanding our treatment systems. For every \$1 billion this nation spends on wastewater infrastructure it can create as many as 33,000 jobs in communities across America while improving our public health and the environment. It is a win-win proposition.

Around the country, states report a need of close to \$300 billion in wastewater treatment, pipe replacement and repair, and stormwater management projects over the next twenty years. This need is especially pressing in many cities and communities where pipes and sewage treatment facilities are reaching the end of their expected useful life.

Without a greater Federal investment, communities that cannot upgrade and expand their wastewater systems will find it harder to attract new business and build new homes. Existing businesses and homes will see treatment costs rise as short term fixes are sought. Current Federal appropriations that equal a small fraction of the identified need to modernize and repair these systems are clearly not sufficient. The time for a new approach to Federal investment and financing of these efforts is now.

The "Water Quality Protection and Job Creation Act of 2013" we are introducing today is intended to provide the "all of the above" approach to water infrastructure investment and financing that will be needed to close our current funding gaps. The bill renews the Federal commitment to addressing our Nation's substantial needs for wastewater infrastructure by investing \$13.8 billion in the State Revolving Funds over the next five years. For decades, the SRFs have been the traditional mechanism for Federal wastewater infrastructure assistance.

Yet, also recognizing that significant additional resources will be necessary, the bill establishes two complementary new initiatives for the long-term, sustainable financing of wastewater infrastructure. The first is a direct loan and loan guarantee program and the second, a Clean Water Infrastructure Trust Fund. These proposals, when implemented in concert, would leverage billions of additional dollars to meet local wastewater infrastructure needs, create jobs, and protect our public health and environmental quality.

Meeting the critical water infrastructure investment needs of our local communities is a bipartisan issue, and indeed, this bill has bipartisan support. Members from both sides of the aisle recognize that the investments that

we make will benefit our local constituents, the economies of our towns, cities, and States, and provide the added benefit of protecting public health and the overall condition of the environment.

I am pleased that this legislation has garnered bipartisan support for introduction, and I am also pleased that Republican and Democratic staff on the Transportation and Infrastructure Committee have had several productive meetings to discuss this issue and explore a collaborative path forward. I look forward to working with Chairmen SHUSTER and GIBBS and Ranking Member RAHALL to advance long-term, sustained investment in our nation's wastewater infrastructure that has broad support from cities and communities around the country, industry, utilities, environmental groups, unions, equipment suppliers, and engineers.

In short, Mr. Speaker, this bill is good for America and American workers, and I urge my colleagues to join myself and my fellow co-sponsors in supporting this very important legislation.

INTRODUCTION OF THE BALANCING
FOOD, FARM, AND THE
ENVIRONMENT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. BLUMENAUER. Mr. Speaker, today, I am introducing the Balancing Food, Farm, and the Environment Act of 2013. This legislation modernizes the conservation title of the Farm Bill to better reflect farmers' needs and the priorities of the American public. I know from working with farmers in Oregon that many farmers are the best possible stewards of their land, and they are producing healthy, local food in ways that protect their livelihood, their farm, and the environment. The Farm Bill as a whole, however, does far too little to reward good stewardship, support sustainable farming practices, or meet conservation priorities.

The Balancing Food, Farm, and the Environment Act of 2013 leverages current Farm Bill programs to produce better environmental outcomes and increase ease of access for farmers. The bill prioritizes longer terms of protection for high-priority environmentally-sensitive lands, providing a better return for taxpayers and stability for farmers. It also makes clean water a higher priority in conservation programs, increasing protection and restoration for riverbanks. The Balancing Act targets wetlands and critical habitat to protect wildlife population. It increases access to program funding for farmers, and expands the funding available for technical assistance. It helps keep antibiotics out of our water and food by reducing grants to factory farms and by helping farmers transition to organic or less antibiotic intensive farming methods. Finally, the Balancing Act acknowledges that American farmers are experiencing impacts from climate change, and it provides funding for adaptation and mitigation of these effects.

I look forward to working with my colleagues to advance this legislation on behalf of our

farmers, the millions of Americans who care about a safe, healthy, domestic food supply, and our grandchildren, who will live with the air, water, and soil we pass on to them.

CONGRATULATING THE
PRESIDENTIAL SCHOLARS

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate the 49th class of U.S. Presidential Scholars, composed of 141 high school seniors who have excelled in academics or the arts. I am especially proud that a student from my district, James Y. Wang, has been selected as one of two students from Indiana for this prestigious honor.

These outstanding young people are selected by the White House Commission on Presidential Scholars as a result of their academic success, community service, leadership, and commitment to excellence. Each state will send a young man and a young woman to Washington, DC, on June 16, where they will receive a Presidential Scholar Medallion.

This achievement is a wonderful reflection of the quality of academic instruction in my district and of the hard work and dedication of the students. I would like to congratulate not only Mr. Wang, but also University High School in Carmel, Indiana, and Derek Thomas, who has been recognized as an outstanding educator.

As a member of the Education and the Workforce Committee, I know how important it is to our nation's future to encourage academic excellence in high schools across the country. We must do everything we can to support our great educators and train a generation of students ready to succeed in a dynamic 21st century economy.

The winners of this unique competition are an inspiration to their peers, educators, and parents throughout Indiana's 5th District and across the nation. Once again, congratulations to Mr. Wang, Mr. Thomas, and University High School. I am very proud of you.

EXPRESSING THE SENSE OF THE
HOUSE THAT CONGRESS AND
THE STATES SHOULD INVESTIGATE
AND CORRECT ABUSIVE,
UNSANITARY, AND ILLEGAL
ABORTION PRACTICES

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. FINCHER. Mr. Speaker, I'm heartbroken as I've heard more and more about Dr. Kermit Gosnell's Philadelphia medical practice during the past few weeks. The brutal method Dr. Gosnell used to ensure death from a botched abortion, severing the spinal cord of a baby born alive, is disgusting. I pray we are all shocked and disturbed by what has been revealed about abortion during this trial.

While Dr. Gosnell stands trial, there are still over a million babies who die from abortion each year in the United States. That's almost 2 times more deaths than caused by cancer in the U.S. every year and 2 times more than heart disease. Abortion is taking an innocent life and we have to stand against it.

That's why I am introducing this House resolution to review public policies that led to the illegal abortion practices of Dr. Kermit Gosnell and others. The resolution resolves that Congress and States should gather information about and correct abusive, unsanitary, and illegal abortion practices and the interstate referral of women and girls to facilities engaged in dangerous or illegal second- and third-trimester procedures.

The resolution also recognizes that there is substantial medical evidence that an unborn child is capable of experiencing pain at 20 weeks after fertilization, or earlier, and resolves that there is a compelling governmental interest in protecting the lives of unborn children beginning at least from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

Life is precious, children are precious. People talk about choice when we talk about abortion, and we should encourage more Americans to choose life and protect the most innocent in our nation.

HONORING CHIEF JOHN STEVENS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the leadership of John Stevens, former Chief of the Passamaquoddy and Commissioner of Indian Affairs for the State of Maine.

Chief Stevens is known throughout Maine as a man of great wisdom and compassion. His distinguished career in public service has led him to serve the state's native peoples in a variety of capacities. As a Tribal Councilor, John worked to strengthen Passamaquoddy cultural values and promote economic progress. During his terms as Chief, John worked effectively to combat unemployment and crippling debt. He also played an enormous role in the legal battle that would eventually result in Congressional Legislation to grant federal recognition to the Passamaquoddy, Penobscot, and Maliseet. Chief Stevens would also go on to serve as the first Commissioner of Indian Affairs for the State of Maine.

In addition to his devotion for the native peoples of Maine, John is also a proud veteran of the Korean War. He has often cited the war-devastated villages he encountered overseas as an inspiration behind his efforts to improve conditions for his own people. Today, the Passamaquoddy Tribe owns more than 200,000 acres of land in the State.

I consider myself privileged to have had the opportunity to work with John as a fellow public servant and as a friend. On May 9, 2013, Chief Joseph Socobasin, Vice Chief Clayton Sockabasin and the Indian Township Tribal

Council will dedicate the Tribal Government Office Building in Chief Stevens' honor. I can think of no one more deserving of this tremendous honor.

Mr. Speaker, please join me again in honoring Chief John Stevens for his long and remarkable career of public service.

NATIONAL NURSES WEEK

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. CONYERS. Mr. Speaker, today I rise in support of National Nurses Week. Nurses form the backbone of our nation's healthcare system. Patients depend upon nurses when they are at their most vulnerable, families entrust the care and comfort of their loved ones to their capable hands, and a happy and healthy nursing workforce means a happy and healthy American people.

This week is an opportunity for us to thank the roughly 3 million registered nurses in the United States, who provide the front-line patient contact that is critical to medical treatment that is effective and efficient—and they do so with a humanity that is refreshing. They provide understanding care to victims of domestic violence, a compassionate touch for family members who have lost a loved one, and the support and strength our wounded veterans need to recover.

As our nation looks towards implementing the Affordable Care Act, nurses will play a leading role in providing cost-effective, high-quality care to millions of new patients. One of the most important things we can do to control costs and improve patient outcomes is encourage and support both current and future members of the nursing profession. The current nursing shortage is a major hurdle that we must confront if we want to lead the world in health care quality and efficiency. By recruiting, training, and retaining the best nursing workforce that we possibly can, our nation will be investing in itself.

The acknowledged relationship between increased nurse staffing levels and decreased patient complications and reduced hospital stay lengths is too important to ignore. Shorter hospital stays means smaller premiums for all Americans. It also means fewer tax dollars being spent. But in more important terms, it means husbands and wives, fathers and mothers, sons and daughters who are around longer, with better quality of life. That is what nurses provide, and it is that for which I rise to say thank you.

IN CELEBRATION OF ASIAN
PACIFIC AMERICAN HERITAGE
MONTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. RANGEL. Mr. Speaker, I rise today, to recognize the 21st anniversary of Asian Pacific American Heritage Month during the

month of May. It is with great honor that I stand to commemorate the many accomplishments and contributions from Asian Americans and Pacific Islanders. As leaders in business, education, STEM, military, medicine or the arts, Asian Americans have contributed to our nation's prosperity and culture. The story of the APA community is a testament to what is possible in America.

This year's theme is Building Leadership: Embracing Cultural Values and Inclusion which is definitely portrayed throughout this country and New York. The Asian Pacific American population is 18.2 million and expected to reach 20.9 million in the next five years. New York is home to 1.7 million Asian Pacific Americans and 10.1 percent of APA-owned businesses. Organizations in my congressional district in New York City, such as The Coalition of Asian Pacific Americans improve our communities with advocacy efforts for APAs, and cultural contributions. In addition, the Asian Pacific American Chamber of Commerce in New York has dedicated itself to the economic empowerment of APAs, and building the relationship between Asian and U.S. companies.

My colleagues in the Congressional Asian Pacific American Caucus and I are committed to fulfilling the various economic needs and civic engagement of the APA community as we work to secure comprehensive immigration reform and business empowerment opportunities for small business owners. Through strength and determination, the APA community has overcome prejudice, oppression and countless barriers to achieve enormous heights in America. I join Asian Pacific Americans in celebrating their heritage and their well-deserved successes.

COMMEMORATING THE SEVENTH
ANNIVERSARY OF THE SULLY
DISTRICT POLICE STATION
SHOOTING

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. CONNOLLY. Mr. Speaker, it was seven years ago today that two Fairfax County police officers were killed outside the Sully District Police Station in a tragedy that galvanized our community. I was Chairman of the Fairfax County Board of Supervisors at the time. Master Police Officer Michael Garbarino and Detective Vicki Armel showed tremendous courage, heroism, and self-sacrifice in protecting their fellow officers when a troubled young man launched an assault on the station with an arsenal of high-powered weapons. They were the first officers to be killed in the line of duty in the Fairfax County Police Department's 72-year history.

MPO Garbarino, 53, had just returned to the station and was sitting in his cruiser, preparing to go off duty, when he was shot. Detective Armel, 40, was at her car nearby, preparing to respond to a report of a carjacking. We later discovered that the shooter, 18-year-old Michael Kennedy, had a history of mental illness. The assailant stole a van and drove to the sta-

tion armed with two rifles and five handguns. Detective Armel immediately returned fire, but she was fatally wounded when a high-powered round pierced her protective vest. She died on scene. Despite his injuries, MPO Garbarino was able to use his police radio to call for assistance and provide tactical information to responding officers that led to the killing of the shooter and prevented further casualties at the Sully Police Station. In standing their posts, they saved other lives.

MPO Garbarino was transported to the hospital in critical condition and succumbed to his injuries nine days later. He was a 23-year veteran of the Fairfax County Police Department. He was a mentor to many young people in our community and regularly volunteered at one of the local alternative high schools. He is survived by his wife, Susan, their two children, his parents, and a sister.

Detective Armel was a 17-year law enforcement veteran. A graduate of Fairfax High School, she spent eight years with the Fairfax Sheriff's Department before transferring to the Police Department. She was active in the Mountain View Community Church in Culpeper, and she is survived by her husband, Tyler, who also serves as a detective in Fairfax, and their two children.

This tragedy was a grim reminder that we can never take for granted the outstanding work of our men and women in blue who put themselves in harm's way every day to keep our families and neighborhoods safe. The remarkable heroism and bravery displayed by MPO Garbarino and Detective Armel exemplifies the valor of all our public safety personnel and first responders and reflects their commitment to our community.

Mr. Speaker, I ask my colleagues to join me in commemorating the memory of these outstanding police officers and extending our condolences to their families. They and their brothers and sisters in the public safety community are deserving of our highest praise and appreciation.

THE ARMENIAN GENOCIDE

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mr. GARRETT. Mr. Speaker, today, we remember the Armenian people who lost their lives almost a century ago in the Armenian Genocide. In the first genocide of the 20th century, Ottoman officials arrested more than 200 Armenian leaders. Subsequently, 1.5 million Armenians were arrested and forced to march hundreds of miles to the present-day Syrian Desert. Men, women, and children were starved and tortured solely because of their faith and ethnicity.

Yet, there are some today who still choose not to recognize the atrocities that occurred between 1915 and 1923. But we know the truth. We know there were men, women, children, and families who were detained and ordered to march into the desert. We know there were those who were forced to escape their homes in search of safety. And we know there were those who never made it out.

Scripture says before you make comment about the speck in someone else's eye, remove the plank from your eye. Well, we certainly have a plank in our eye from the Administration and from the State Department, who is just refusing to do what is right in this area. So, we must first address and remove that plank in our eye and make the admission in this country and then we can call even more strongly on other countries, specifically Turkey.

We must continue to remember the injustice and acts of hatred that occurred almost a century ago. By doing so, we work to prevent a repetition of atrocities. And by continuing to hold events such as the annual commemoration, we make our voices heard. I can only hope that our acknowledgement and recognition of the crimes against humanity will set an example, paving the way for a peaceful resolution between the Turkey and Armenia. Thank you.

WELCOMING THE NINTH HONOR
FLIGHT SOUTH ALABAMA TO
WASHINGTON, DC

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 2013

Mrs. ROBY. Mr. Speaker, it is with great pride that I recognize Honor Flight South Alabama and the World War II veterans. This very special organization is bringing its ninth flight to Washington, DC on May 8, 2013. I am honored to insert this tribute in the RECORD on the anniversary of the unconditional surrender of Germany to the allies.

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from Alabama to see their national memorial.

Nearly seven decades have passed since the end of World War II and, regrettably, it took nearly this long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. Armed Forces and the more than 400,000 who died. Sadly, many veterans did not live long enough to see this memorial, yet for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

During their time in their nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

Mr. Speaker, the May 8, 2013, journey of heroes from South Alabama is an appropriate time for us to pause and thank them—and all of the soldiers who fought in World War II. They collectively—and literally—saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedoms we enjoy.

I salute Sid Hamilton and L.C. Malone, veterans from Alabama's Second Congressional District who made the trip to Washington. May we never forget their valiant deeds and tremendous sacrifices.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 9, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 13

3 p.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget. SD-342

MAY 14

9:30 a.m.
Committee on Appropriations
Subcommittee on Legislative Branch
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Secretary of the Senate, the Sergeant at Arms and the U.S. Capitol Police. SD-138

Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Marine Corps modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program. SR-222

10 a.m.
Committee on Agriculture, Nutrition, and Forestry
Business meeting to consider an original bill entitled, "Agriculture Reform, Food, and Jobs Act of 2013". SR-328A

Committee on Finance
To hold hearings to examine Medicare physicians payments, focusing on advancing reform. SD-215

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Department of Homeland Security. SD-342

10:30 a.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of video. SR-253

2:15 p.m.
Committee on Foreign Relations
Business meeting to consider S. 793, to support revitalization and reform of the Organization of American States, and S. 579, to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly. S-116

2:30 p.m.
Committee on Appropriations
Subcommittee on Department of Homeland Security
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Coast Guard. SD-138

Committee on Armed Services
To receive a closed briefing on the situation in Syria. SVC-217

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine the ADA and entertainment technologies, focusing on improving accessibility from the movie screen to your mobile device. SD-430

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters. SH-219

3:15 p.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Securities, Insurance, and Investment
To hold hearings to examine returning private capital to mortgage markets, focusing on housing finance reform. SD-538

MAY 15

9:30 a.m.
Committee on Foreign Relations
To hold hearings to examine United States Policy toward Iran; to be immediately followed by a closed briefing in SVC-217. SD-419

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine performance management and congressional oversight, focusing on 380 recommendations to reduce overlap and duplication. SD-342

10 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold closed hearings to examine proposed budget estimates for fiscal year 2014 for National and Military Intelligence programs. SVC-217

Committee on Veterans' Affairs
To hold hearings to examine pending benefits legislation. SR-418

2:30 p.m.
Committee on Appropriations
Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Institutes of Health. SD-138

Committee on Appropriations
Subcommittee on Energy and Water Development
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Energy. SD-192

Committee on Banking, Housing, and Urban Affairs
Subcommittee on National Security and International Trade and Finance
To hold hearings to examine improving cross border resolution to better protect taxpayers and the economy. SD-538

Committee on Commerce, Science, and Transportation
To hold hearings to examine advanced vehicle technology and its implications. SR-253

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Robert D. Okun, and Michael Kenny O'Keefe, both to be an Associate Judge of the Superior Court of the District of Columbia. SD-342

Committee on Indian Affairs
To hold an oversight hearing to examine the views and priorities of Interior Secretary Jewell with regard to matters of Indian affairs. SD-628

MAY 16

9:15 a.m.
Committee on Health, Education, Labor, and Pensions
Business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations. SD-430

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the law of armed conflict, the use of military force, and the 2001 Authorization for Use of Military Force. SD-106

10 a.m.
Committee on Energy and Natural Resources
Business meeting to consider pending calendar business. SD-366

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine certain nominations. SD-430

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters. SH-219

MAY 22

10 a.m.
Joint Economic Committee
To hold hearings to examine the current economic outlook. SH-216

2 p.m.
Special Committee on Aging
To hold hearings to examine the Medicare prescription drug program, focusing on 10 years later.
SD-366

JUNE 4

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of wireless communications.
SR-253

JUNE 11

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD-G50

11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD-G50

2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD-G50

3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR-232A

6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR-232A

JUNE 12

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR-222

2:30 p.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR-222

JUNE 13

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR-222

JUNE 14

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR-222

HOUSE OF REPRESENTATIVES—Thursday, May 9, 2013

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Sister Jacquelyn Gusdane, SND, Notre Dame-Cathedral Latin School, Chardon, Ohio, offered the following prayer:

Creating God, this day we are surrounded by the immensity of Your universe as spring unfolds before us. You continually bestow hints of Your beauty, creative power, abundance, goodness, and provident care. You say to us, "Look around and rejoice as new life bursts forth."

With this perspective, we embrace our work this day. We come before You as men and women committed to the trust given to us by our Nation. Led by Your Spirit, we beg You to open our minds and hearts to our responsibilities; teach us how to exercise wisdom, courage, and our gifts for the common good by arriving at workable and reasonable solutions.

May our actions result in greater charity, justice, and the transformation of our world.

With Your guidance, this is our hope and prayer as we accept our call to serve as restorers of new life and give glory to You.

Amen.

THE JOURNAL

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

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

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

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

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. BRIDENSTINE led the Pledge of Allegiance as follows:

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

WELCOMING SISTER JACQUELYN GUSDANE

The SPEAKER. Without objection, the gentleman from Ohio (Mr. JOYCE) is recognized for 1 minute.

There was no objection.

Mr. JOYCE. Mr. Speaker, I'd like to thank Sister Jacquelyn Gusdane for leading the House in prayer and for making this trip from Chardon, Ohio. It was a beautiful prayer, and it's an absolute honor to have her here today.

I first met Sister Jacquelyn at Notre Dame-Cathedral Latin School in Chardon, where she is the president and all three of my children attended high school. Sister Jacquelyn is a model of grace, compassion, and humility, and I feel very lucky to have had my three kids under her watch.

Sister Jacquelyn leads a life of service, volunteering at WomenSafe in Geauga County, at the Hospice of the Western Reserve, and countless other schools, organizations, and churches in northeast Ohio.

She's also taken her service beyond our borders, making a trip to the Holy Land, to Israel and Jordan, and traveling to China, Brazil, El Salvador, Germany, and many other nations.

At NDCL, under her leadership, this small parochial school has allowed many children of middle class families such as ours to enjoy their college preparatory education while becoming leaders in the community, all the while keeping true to the mission of living the truth through love.

Sister Jacquelyn, it's an honor and a privilege to have you here this morning, and thank you very much for leading the House of Representatives in prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WEBER of Texas). The Chair will entertain five further requests for 1-minute speeches on each side of the aisle.

THE PAST CAME ALIVE YESTERDAY

(Mr. COBLE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, yesterday our House Speaker indicated that it was our high honor to host Her Excellency, the President of the Republic of Korea. She expressed profound gratitude to us for our friendship with Korea and shared with us improvements realized by her country since the guns fell silent in 1953.

Many refer to the Korean war as the "Forgotten War," but, Mr. Speaker, there was no evidence on Capitol Hill yesterday to suggest that this war has been forgotten.

The Korean President referred to this Chamber as "this hallowed ground of freedom and democracy." The past came alive yesterday as our Congress hosted this very distinguished leader from Korea.

ENHANCING EMPLOYMENT AND TRAINING THROUGH EDUCATION ACT

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

Ms. DELBENE. Mr. Speaker, today I'm proud to introduce the bipartisan Enhancing Employment and Training through Education Act.

This bill will help improve access to opportunity for struggling families by helping people get jobs and an education while reducing the need for government assistance. It will spur pilot projects across the country, modeled after my home State of Washington's Supplemental Nutrition Assistance Program's employment and training program.

Washington's program is an extraordinary example because it provides targeted education services leading to economic self-sufficiency. This focused strategy helps participants gain the necessary skills to succeed in their careers.

Even at the height of the recession, when jobs were scarce, 60 percent of those enrolled in Washington's programs found employment. In one study, less than half of the participants remained on government assistance 2 years after starting the program.

This jobs bill is a prime example of how the government can spend a little money now and save a lot in the future. I urge my colleagues to support this critical legislation.

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

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

MARKETPLACE FAIRNESS ACT

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

Mr. BRIDENSTINE. Mr. Speaker, I rise today to oppose H.R. 684, the Marketplace Fairness Act.

Imagine if a State had the authority to reach beyond its borders into another State and compel a business in the other State to collect and remit taxes.

Imagine a business being forced to collect and remit taxes for over 9,600 different local tax jurisdictions, and being open to audit by 50 different States, yet only having representation in one of those tax jurisdictions.

This law would overturn a foundational American principle of no taxation without representation.

Imagine the same business losing market share to offshore businesses that cannot be compelled by Congress to collect taxes for local jurisdictions in the U.S. Now, imagine that business either closing its doors or leaving the country in order to compete.

The unintended consequences of the Marketplace Fairness Act have not been considered. I understand why some people support it, but this bill is not the right solution.

CELEBRATING NATIONAL NURSES WEEK

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

Mr. BERA of California. Mr. Speaker, this week we're celebrating National Nurses Week. As a doctor, and on behalf of physicians all across this Nation, I want to salute the over 3 million registered nurses for their service to our patients. The partnership between physicians and nurses is critical to ensuring America's health, and this partnership will become even more important as we move to contain the cost of health care.

America's nurses will be key to making sure that every patient in America has access to affordable health care. So on this National Nurses Week, this doctor chooses to salute nurses everywhere for their service to America's patients. Thank you.

□ 0910

WHISTLEBLOWER PROTECTIONS FOR MILITARY SEXUAL ASSAULT VICTIMS

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

Mrs. WALORSKI. Mr. Speaker, according to the Department of Defense, in 2011, there were an estimated 19,000 victims of sexual violence in the mili-

tary; however, only 2,700 servicemembers actually filed a sexual assault report. These numbers are daunting and completely inexcusable.

Earlier this week, I was proud to introduce bipartisan legislation with Congresswoman LORETTA SANCHEZ. This bill strengthens whistleblower protections for military sexual assault victims. These protections ensure victims of sexual crimes have the same rights as other military whistleblowers.

Today, we have the opportunity to provide servicemen and -women with the peace of mind that they can report sexual violence without fear of retaliation. I encourage all my colleagues to support H.R. 1864 and help eradicate sexual violence from the Armed Forces.

KEEPING ALL STUDENTS SAFE ACT

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

Mr. GEORGE MILLER of California. Madam Speaker, I rise today to introduce the Keeping All Students Safe Act to protect schoolchildren from abusive seclusion and restraint practices. These practices are at best cruel and at worst deadly, and they continue to be used in schools on children across the country.

In Indiana, an 8-year-old girl with Down syndrome had her shoes duct-taped painfully to her ankles because she refused to put her shoes on. In North Carolina, a 14-year-old boy with a traumatic brain injury was confined inside a cardboard box as a form of time-out.

In Minnesota, a 10-year-old boy with autism was pinned face down on the floor for 57 minutes by three staff members at his school after a tantrum he had while working on a puzzle. And in Virginia, a 13-year-old boy was placed in solitary confinement for 3 hours after he threw his lunch.

In some cases, children have even died with these improper restraints. My bill would stop these abusive practices. Congress needs to act. There's no room for torture in America's schools.

AFFORDABLE CARE ACCOUNTABILITY ACT

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

Mr. COFFMAN. Madam Speaker, we need to amend a fundamentally unfair provision within the Patient Protection and Affordable Care Act, better known as ObamaCare. That is, many of the very people who have been responsible for writing, advocating for, passing, signing into law, and promulgating

rules governing the implementation of ObamaCare are exempt from the coverage requirements mandated by this law.

That is why I am introducing the Affordable Care Accountability Act. This legislation will require the President, the Vice President, all of the Cabinet Secretaries, all political appointees, all Members of Congress, and all congressional staff, including those from committees and leadership, to receive their health care insurance coverage through the insurance exchanges required under ObamaCare.

Americans deserve to know that their government officials will never seek to pass legislation only to exempt themselves from all of its provisions.

HONORING BILL JENNINGS, GUARDIAN OF THE SAN JOAQUIN DELTA

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

Mr. MCNERNEY. Madam Speaker, I rise today to honor the work of one of my constituents, Bill Jennings. Mr. Jennings has a long and storied resume. Currently, he is the executive director and chairman of the California Sportfishing Protection Alliance, a board member of the California Water Impact Network, and an executive committee member of Restore the Delta, a group that educates the public about the importance of the San Joaquin Delta.

Mr. Jennings has been recognized numerous times for his work on behalf of our environment and has received many awards, including the International Conservation Award from the Federation of Fly Fishers and the Director's Achievement Award from the California Department of Fish and Game.

Mr. Jennings is an outspoken guardian of the San Joaquin Delta, and I admire his tireless dedication to protecting water quality in our environment. Bill Jennings reminds us of the importance of taking action to safeguard our treasured natural resources for generations to come.

It's been an honor to know Mr. Jennings, and it's encouraging to know that people like Mr. Jennings are out there working on our behalf.

IMMIGRATION

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

Mr. BROOKS of Alabama. Madam Speaker, while America has the world's most generous immigration policy, we simply lack the resources to accept all the world's immigrants into America. The President and Senate Gang of Eight push an amnesty bill that, per

The Heritage Foundation, costs American taxpayers a 50-year net tax loss of \$6.3 trillion. That's a net tax loss of \$126 billion per year—enough to eliminate sequestration.

In April 2013, a Pew Center poll revealed that 20 percent of all Mexicans—that's 22 million Mexicans—say they want to illegally immigrate to America if they can get away with it.

America cannot afford to open these massive floodgates anymore than we can afford an amnesty plan that rewards illegal conduct while adding \$6.3 trillion to America's already dangerous and exploding national debt—a debt, I might add, that is already doing significant damage to America's economy and national security.

HONORING THE MEMORY OF WALTER "FINCH" KWIECINSKI OF DULUTH, MINNESOTA

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

Mr. WALZ. Madam Speaker, I rise today to honor the memory and sacrifice of Walter "Finch" Kwiecinski of Duluth, Minnesota.

Walter's story is the story of his generation and should make each of us reflect on the sacrifices that were made to allow us the precious gift of democracy and self-government.

Born in 1914 on a farm near Duluth, Minnesota, to Polish immigrants, Walter enlisted in the Army at Fort Snelling, Minnesota, on February 6, 1941. After basic training, he was sent to Fort Mills on Corregidor Island in the Philippines.

Walter manned a 12-inch mortar on Battery Way and fought valiantly to repel the Japanese invasion of Bataan and Corregidor. Standing until the very end with his unit sustaining 77 percent casualty rates, Walter fought on until May 6, 1941, when Corregidor fell and General Wainwright cabled these words to President Roosevelt:

There is a limit of human endurance, and that point has long passed.

Walter was taken prisoner by the Japanese and survived hellish conditions in POW camps and transport on the "hell ships" to be slave labor in Japan. His family presumed him dead. He was liberated in August 1945 and returned home December 5, 1945.

He then humbly set about going back to work as a mechanic. Marrying Mary Anne Krebs, he raised a beautiful family and lived a life of dignity. Yesterday, May 8, marked the 25th anniversary of Walter Kwiecinski's death. We should all be thankful for his life.

□ 0920

FULL FAITH AND CREDIT ACT

Mr. CAMP. Madam Speaker, pursuant to House Resolution 202, I call up

the bill (H.R. 807) to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. FOX). Pursuant to House Resolution 202, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 807

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Full Faith and Credit Act".

SEC. 2. PAYMENT OF PRINCIPAL AND INTEREST ON PUBLIC DEBT AND SOCIAL SECURITY TRUST FUNDS.

(a) *IN GENERAL.*—In the event that the debt of the United States Government, as defined in section 3101 of title 31, United States Code, reaches the statutory limit, the Secretary of the Treasury shall, in addition to any other authority provided by law, issue obligations under chapter 31 of title 31, United States Code, to pay with legal tender, and solely for the purpose of paying, the principal and interest on obligations of the United States described in subsection (b) after the date of the enactment of this Act.

(b) *OBLIGATIONS DESCRIBED.*—For purposes of this subsection, obligations described in this subsection are obligations which are—

- (1) held by the public, or
- (2) held by the Old-Age and Survivors Insurance Trust Fund and Disability Insurance Trust Fund.

(c) *OBLIGATIONS EXEMPT FROM PUBLIC DEBT LIMIT.*—Obligations issued under subsection (a) shall not be taken into account in applying the limitation in section 3101(b) of title 31, United States Code, to the extent that such obligation would otherwise cause the limitation in section 3101(b) of title 31, United States Code, to be exceeded.

(d) *REPORT ON CERTAIN ACTIONS.*—

(1) *IN GENERAL.*—If, after the date of the enactment of this Act, the Secretary of the Treasury exercises his authority under subsection (a), the Secretary shall thereafter submit a report each week providing an accounting relating to—

- (A) the principal on mature obligations and interest that is due or accrued of the United States, and
- (B) any obligations issued pursuant to subsection (a).

(2) *SUBMISSION.*—The report required by paragraph (1) shall be submitted to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(3) *TERMINATION.*—The report requirement under paragraph (1) shall cease to apply after the date of the enactment of the first increase in the limitation in section 3101(b), United States Code, after the date of the enactment of this Act.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 113-52, if offered by the gentleman from Michigan (Mr. CAMP) or his designee, which shall be considered read

and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 807.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 807, the Full Faith and Credit Act. This legislation credibly and permanently removes the threat of default on a U.S. debt payment and ensures that Social Security benefits are paid in full and on time.

The bill is really quite simple: it requires the Treasury Department to issue debt not subject to the statutory limit to make principal and interest payments. And here are the facts about who holds that debt: American families and businesses hold the overwhelming majority of U.S. debt—teacher pension funds, individual Americans, our military retirement fund, and the list goes on and on. So by ensuring that Treasury has the ability to honor our debt obligations, we are in fact ensuring Americans will be paid.

This legislation is the first step in protecting our credit rating. Two major credit rating agencies—Standard and Poor's and Moody's—have indicated that they differentiate between debt and other payments when determining whether or not to review our credit rating. To that end, this bill specifically addresses the default on U.S. debt obligations that these agencies have identified.

Additionally, Standard & Poor's was crystal clear as to why it downgraded the U.S. credit rating following the debt negotiations in the summer of 2011, and I quote:

The downgrade reflects our opinion that the fiscal consolidation plan that Congress and the administration recently agreed to falls short of what, in our view, would be necessary to stabilize the government's medium-term debt dynamics.

In plain English, they downgraded the U.S. credit rating because we have not addressed the primary drivers of our debts and deficits.

It's nearly 2 years later, and neither the President nor congressional Democrats have offered a serious plan that would address the problems that caused the downgrade in the first place. This legislation places that responsibility on the Obama administration and encourages the President to

be more involved with taming our debt, something Republicans have long called for.

Some critics of this legislation have claimed that it opens the door for Treasury to issue new debt for new spending or that it is simply raising the debt limit by another means. This is categorically false. This bill does not increase the debt limit. Instead, under this legislation, Treasury loses the authority to issue debt above the limit if doing so creates any room under the existing old debt limit.

Treasury may not issue new debt above the statutory limit again until the limit is reached. Additionally, any new debt issued to pay principal and interest is not exempt from the statutory limit unless issuing the new debt would cause Treasury to exceed the statutory limit.

The American people agree, and that support transcends party lines. A majority, 55 percent, support requiring the government to pay the principal and interest on the debt before it pays for other government expenses. Support for the proposal is strong among Republicans, 65 percent; Independents, 53 percent; while Democrat voters are split evenly between favor, 46, and opposed, 47.

Clearly, we cannot default on our debt. The consequences of doing so could be very serious. A default would at the very least hinder an already stagnant economic recovery, and, in a worst-case scenario, lead the country back into a recession.

□ 0930

Failure to make a debt payment will increase our borrowing costs and threaten our ability to make any of the other payments we owe. If signed into law, this legislation would prevent such an unacceptable situation.

The President and Congress must work to reduce the growing burden of our debt and deficits, but we must do so without imposing more tax increases on hardworking families and job creators. There are bipartisan policies we can enact to reduce wasteful Washington spending and preserve Social Security and Medicare for future generations.

The Ways and Means Committee has already begun to examine those policies and will continue to do so over the coming months. In the meantime, we must act to make it clear to the American people and the world economy that the U.S. will not default on a debt payment. The legislation before us accomplishes that important goal, and I would urge my colleagues to join me in voting for its passage today.

Madam Speaker, I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield myself such time as I may consume.

I wanted to state the facts here so everybody understands them. We have

called this—as the Speaker has, in essence—Paying China First, and so many others, except for Social Security beneficiaries, come last, come next, if at all. And here's the reason: of the prioritized debt covered by this bill, 47 percent is foreign owned, and China bondholders are the largest ones of that foreign ownership.

So, essentially, what this bill says is, okay, let's pay China and the other foreign bondholders first, not American troops, not disabled veterans, not physicians, providers who treat Medicare patients, not small businesses holding contract obligations from the United States, school lunch programs secondary, medical research, Pell grants, taxpayers due refunds, and, interestingly, other Federal trust funds holding Treasury bonds, Medicare, deposit insurance, et cetera, et cetera. That's the fact. That's the fact.

So why do this? Well, it is said let's do this because of the importance of paying the bonds in terms of our economy and in terms of our bond rating.

Let me just say a word about bond rating. Here's what Fitch has said:

It is not assured that the Treasury would or legally could prioritize debt service over its myriad of other obligations, including social security payments, tax rebates, and payments to contractors and employees. Arrears on such obligations would not constitute a default event from a sovereign rating perspective, but very likely prompt a downgrade even as debt obligations continued to be met.

It was interesting that S&P, who already downgraded us, said this:

Still, sudden cuts that shave off, say, 6 percent of the GDP-to-spending ratio would cause economic panic and could affect ratings.

So, why is this being done when a former Bush administration economist said the result is "a bloody mess," or another Bush administration official said "prioritization is impossible." Is the government really going to be in the position of withholding benefits, salaries, and rent contract payments in order to pay off Treasury bondholders?

So why is this being done? It's not going anywhere in the Senate. The President opposes it. I think the reason, apparently, it's being done is to satisfy some within the Republican caucus or maybe to try to provide some leverage in terms of bargaining with the Democrats.

This is playing with fire, though, with the economy of this country. Those who vote for playing with this fire are going to burn themselves. But I think most significantly, they're going to burn the economy of the United States of America.

I've tried to figure out who the Pied Piper is of this proposition. It's hard to figure it out. But those who followed that Pied Piper in the Republican ranks, those who vote for it essentially are moving towards the cliff following that Pied Piper; but, worse off, it places this country once again and its

economy in danger of going over the cliff. This is not only a mistaken idea, it's really a rotten one. Let's vote "no."

I reserve the balance of my time.

Mr. CAMP. Madam Speaker, I yield myself 15 seconds.

Since the gentleman raised the question of who holds our debt, this chart shows that the vast majority of our debt is held by Americans. That's a fact. Thirty percent of the debt is held by citizens, pension funds, and you go down the list. Two-thirds of our debt is held by Americans. We need to make sure that Americans are paid first.

With that, I would yield 3 minutes to the distinguished gentleman from Texas, the chairman of the Social Security Subcommittee, Mr. JOHNSON.

Mr. SAM JOHNSON of Texas. Madam Speaker, as I meet with my constituents back home, they tell me loud and clear their concerns about our record debt and deficits. We are nearly \$17 trillion in debt. That comes out to about \$53,000 per person.

My constituents back home get it. They've had to make tough choices to live within their means and they expect Washington to do the same.

My Republican colleagues and I have been committed to getting our fiscal house in order, growing our economy, and getting America back to work. In fact, we passed a budget that balances in 10 years. On the other hand, the President's and the Senate Democrats' budgets never balance—ever.

Hardworking taxpayers and their children and grandchildren deserve better. We need to leave them a stronger and more secure America, not a mountain of debt.

Madam Speaker, the bill we are considering today, the Full Faith and Credit Act, would require Treasury to make good on debt payments. The bill also enables Treasury to pay Social Security benefits to seniors, survivors, and those with disabilities and their families. Madam Speaker, let me say that again. Under this bill, seniors will get their checks, and those on disability will get their checks.

Back in 1996, we passed similar legislation to H.R. 807. Then Social Security was getting more in revenues than it was paying out in benefits, so full Social Security benefits could be paid without hitting the debt limit.

Today, there aren't enough revenues to pay Social Security benefits. To make up the difference, Treasury has to redeem the debt it owes Social Security by borrowing from the public. This may cause a small increase in the debt, because when Treasury redeems Social Security IOUs, it must pay any interest accrued on that debt. Our bill exempts this interest from counting against the debt limit.

Madam Speaker, according to CBO, Social Security's cash shortfall is projected to reach \$77 billion this year.

Over 10 years, Social Security's shortfall will total \$1.3 trillion. These cash shortfalls are permanent and are growing each and every year.

Madam Speaker, in closing, we owe it to the American people. In fact, we must come together to preserve and protect Social Security.

□ 0940

Mr. LEVIN. It is now my pleasure to yield 3 minutes to our distinguished whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank my friend, the ranking member.

I rise partly in sadness, wholly in disappointment, that we are playing this game. How sad. I tell my other friend from Michigan, his amendment is sad, too, I want to say. It's a device to try to get people to vote for a bill that has no merit by making Members' pay somehow present in this bill. We ought to consider things on their merit, not on this political gamesmanship.

Madam Speaker, for the second time, House Republicans have decided to put our country at risk by defaulting on its obligations. They know this bill is not going anywhere. They know the President would veto it, and they know Republican economists think this bill makes no sense. I won't ask the gentleman who chairs the Ways and Means Committee his real view on this bill.

This so-called "debt prioritization" bill mandates that, in the event we hit the debt limit, we will pay China first, not our contractors doing business with us, not our Federal employees, not veterans—yes, Social Security is taken care of—not our military. We'll pay China first. That's what this bill says. No major creditor in this country would have a debt prioritization. Now, the secondary lenders and tertiary lenders, yes, have prioritization, but no major lender, no big corporation. They say, if we incur a debt, we'll pay it—not we'll pay this one first and you second or third or fourth. We'll pay China first and other creditors before we pay our troops, seniors, health care and veterans benefits. Yes, you've made an exemption for Social Security, not in the original bill, but politically that was too hot to handle, so you added Social Security.

Just yesterday, Speaker BOEHNER admitted that this bill means the United States of America will voluntarily act like a bankrupt corporation and pay China before we pay our troops. How sad. How patently political. How transparent that we are trying to give a fig leaf so that we can play around with the national debt. Ronald Reagan would be deeply disappointed, and he expressed that.

Speaker BOEHNER said:

Those who have loaned us money, like in any other proceeding . . . the bondholders usually get paid first. The same thing here—pay China first.

This partisan bill is not a feasible solution to our debt problem, and even Republicans recognize this won't work.

Tony Fratto, a former Bush administration spokesman on economic policy—this is a Republican spokesman—said:

Prioritization is impossible. Is the government really going to be in the position of withholding benefits, salaries, rent, contract payments, et cetera, in order to pay off Treasury bondholders? That would be a political catastrophe.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. HOYER. Former Bush chief economic adviser Keith Hennessey—this is an economic adviser, not a spokesperson—said this:

If the U.S. Government legally commits to paying someone a benefit or agrees to pay a firm for a good or a service, the U.S. Government should fulfill that agreement in a timely fashion. To do otherwise is taking the first step to becoming a banana republic.

That's Hennessey, not HOYER, not a Democrat. That's a Bush economic adviser.

Madam Speaker, we should not be admitting defeat and ranking the losers as this bill would do. Instead of choosing to pay China or any other holder of our debt before we pay our troops—and we ought to pay them, and we ought to pay them on time, but that's not the issue. The issue is the United States of America, the most creditworthy Nation on Earth, ought to pay all its debt in a timely fashion—all—not prioritize—all—across the board. For our wounded veterans and for the seniors who have worked hard to build this country, we should be working to fix the problem by coming to a consensus on a big and balanced deal to reduce our deficit, including tax reform, which the chairman is so assiduously seeking.

Playing politically motivated games with the creditworthiness of the United States will only risk another downgrade.

Mr. CAMP. Madam Speaker, at this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Madam Speaker, I rise in support of the Full Faith and Credit Act.

Now, much has been said about how ridiculous it is that we find ourselves going through this debt limit routine so darned often, but this limit exists in order to induce this body to reflect on the folly of our mindless borrow-and-spend practices. Such reflection ought to lead us to serious debate and even to cooperation. It presents an opportunity for public servants to engage in thoughtful, respectful dialogue and to craft long-term solutions.

As we approach the limit for the third time in my 2½ years here, we

have an opportunity to work together and finally make our largest programs of government sustainable. We have an opportunity to work together and finally tackle long-neglected issues like tax reform so that jobs and personal incomes can grow more quickly.

The Full Faith and Credit Act protects and advances such opportunities for Congress to accomplish big things, and it does this simply by removing the specter of default from the table altogether. No one is contemplating default over our Nation's obligations. America will always and forever pay its bills, and the Full Faith and Credit Act makes this crystal clear—by making default impossible.

Our support for this act simply cannot and should not be regarded as ideological or partisan, so I respectfully call on every one of my good colleagues, Republican and Democrat, to support this commonsense bill, to take default off the table, and to put the focus squarely on dealing with our real challenges. Let's harness this opportunity of an approaching borrowing limit to come together as problem solvers.

Mr. LEVIN. I yield myself 10 seconds.

Now, this bill not only contemplates default—it plans for it. Default is default.

I yield 1½ minutes to the distinguished former chairman of our committee, the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. I heard the last speaker, but there is no question in my mind that when a person from the other side said that the Republican Party's first priority is not the salvation of our country but to stop Barack Obama, I didn't take him too seriously after the election; but I see the campaign continues. As a political veteran, I understand that; but let me make it clear what we are doing today.

I had a friend who was deeply in debt. He owed so much money that he just knew he couldn't pay all of his creditors. Now, it was nowhere near \$14 trillion, but it was a lot. The creditors harassed him day in and day out, telling him he had to make these payments. Finally, he got annoyed, he got angry, and he called his creditors and told them, If you keep harassing me, I will not put your name in the hat, because every month I put all of my creditors' bills into a hat; but the way you are treating me—calling the job, harassing me at home—your name will not go into the hat.

Now, that's pretty poor policy, I would think, but if I understand this correctly, we are telling our creditors that certain names will be in that hat and that other people will not be in that hat.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. RANGEL. So what names go into the hat?

Communist China goes into the hat. Iran and Venezuela go into the hat. Saudi Arabia goes into the hat. Russia goes into the hat.

Who's outside the hat?

Disabled veterans are out of the hat, and health providers are out of the hat. A lot of people who deserve to be considered as creditors to protect full faith and credit are out of the hat.

This is bad for my friend—it's worse for our country—and this is not the way those people to whom we owe money should be treated. America is greater than that.

□ 0950

Mr. CAMP. Madam Speaker, I yield to the gentleman from Tennessee (Mr. DUNCAN) for the purpose of a unanimous consent request.

Mr. DUNCAN of Tennessee. Madam Speaker, I rise in support of this legislation and commend Chairman CAMP and Mr. McCLINTOCK.

The Full Faith and Credit Act authorizes the Treasury Secretary to make only the principal and interest payments on our national debt if the United States reaches its current national debt limit of more than \$16.4 trillion. The legislation also holds harmless Social Security benefits and requires a weekly report from the Treasury Department regarding the interest and principal payments it has made due to our ever-growing national debt.

As almost everyone knows, our national debt is more than \$16.4 trillion, a number that is mind boggling and almost unimaginable. Our Federal Government has grown so large that trying to save a nickel for every dollar we spend is difficult.

To put \$16.4 trillion in perspective, this equates to more than \$111,500 in debt per taxpayer. If you stacked \$16.4 trillion in one dollar bills, it would stack to the moon 4 times.

If we fail to get our spending under control, it will not just be our children and grandchildren who will suffer but everyone hoping to retire in five to ten years as well. If we continue on this path, we will soon be printing so much money that pensions will be worth very little.

In fact, the non-partisan Congressional Budget Office released a report on February 5th of this year projecting the United States will be making a total of more than \$224 billion in interest payments on our national debt. By 2023 it is estimated we will be making \$857 billion in interest payments on our national debt, almost quadrupling our yearly interest payment.

This legislation is a thoughtful, creative way to not dig ourselves further into this hole. We cannot continue our reckless spending ways and expect our creditors to continue funding a Nation that borrows money just to make its own interest payments.

Mr. CAMP. At this time, I yield 5 minutes to the sponsor of the bill, the distinguished gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Madam Speaker, I thank the gentleman for yielding.

I had hoped that amidst all the controversies that grip Congress, certainly we should at least be able to agree that the full faith and credit of the United States should not hang in the balance every time there's a fiscal controversy in Washington. I also want to thank Chairman CAMP and his Ways and Means Committee for revisions that make this solution much simpler and more practical than the original draft.

Madam Speaker, this bill simply guarantees that the sovereign debt of the United States Government will be paid in full and on time under any circumstances.

Most States have had similar provisions to guarantee their debt in their laws or constitutions for generations. Last year, in testimony to the Senate, Ben Bernanke praised these State provisions for maintaining confidence in their bonds. He told our House Budget Committee that a similar measure at the Federal level would help to protect us against a sovereign default, which he called a "very high priority."

And yet, this President and his followers in Congress, who have taken our Nation on the biggest borrowing binge in its history—who've run up more debt than almost all of his predecessors put together—oppose this commonsense measure to strengthen the credit upon which that debt depends.

This bill tells credit markets that even in the event of an impasse on the debt limit, their loans to this government are absolutely safe.

The Democrats have raised three arguments in opposition. First, the whip just said that guaranteeing the Nation's sovereign debt is just an excuse for not paying our other bills. What utter nonsense. I challenge him to name one Member of Congress who has ever suggested that this measure is an acceptable substitute for not paying our other bills. Do they actually suggest that all these other States that have guaranteed their sovereign debts for generations have ever used these guarantees as an excuse not to pay their other bills?

On the contrary, by providing clear and unambiguous mandates to protect their credit first, they actually support and maintain their ability to pay for all of their other obligations.

The second argument that we have heard ad nauseam is that this bill will pay China before it pays our troops. Well, I would remind them, as the chairman said, that more than half of our debt is actually held by Americans, often by American pension funds. China holds just 11 percent. So this measure actually protects Americans far more than the Chinese.

But whether our loans come from China or from grandma's pension fund, without the Nation's credit, we cannot pay our troops or any of our other obligations.

We are borrowing a quarter of every dollar that we spend, and under this

administration we have amassed a debt that is now larger than our Nation's entire economy. Our Nation's credit now carries a greater strain and burden than it ever has before. This measure strengthens our credit by guaranteeing that our sovereign debt will be paid in full and on time.

Perhaps the most bizarre argument that we've heard is that by guaranteeing the Nation's credit, we actually undermine it and risk another downgrade in our credit rating. After all, as the ranking member said, a downgrade followed the last debt debate in Congress.

Here are the facts: Standard & Poor's officials had warned for months that Congress had to reduce the projected 10-year deficit by \$4 trillion in order to maintain its AAA credit rating. Because of Democratic intransigence, this Congress could only reduce it by \$1.2 trillion. So we lost the rating. Facts are indeed stubborn things.

But the opponents are correct in one point—that several officials did express a concern that the impasse could have caused a default in the Nation's sovereign debt. That is precisely what this measure would protect us from in the future.

No one advocates that the government delay paying any of our bills, and this legislation does no such thing. Indeed, this legislation protects our ability to pay all of our other bills because paying those bills depends on maintaining the Nation's credit.

Given the precarious state of our Nation's finances, principled disputes over how the debt limit is addressed are going to happen from time to time. Just a few years ago, then-Senator Barack Obama vigorously opposed an increase in the debt limit that was sought by the Bush administration.

When these controversies erupt, as they inevitably do in a free society, it is imperative that credit markets are supremely confident that their loans to the United States are secure. That's what this bill does.

For once, let us set aside all this partisan posturing and act in the Nation's interest.

Mr. LEVIN. Madam Speaker, I yield myself 15 seconds.

I want the record to be clear: of the public debt prioritized by this bill, foreign holders own 47 percent and China holds 22 percent of that.

I now yield 1½ minutes to another distinguished member of the Ways and Means Committee, Mr. McDERMOTT.

Mr. McDERMOTT. Madam Speaker, we haven't done anything in this House all week, and here we are working on a plan on how the government can default on its debts. That's what this is really all about.

It reminds me of the derivation of the word "bedlam."

Bedlam was a large mental hospital in the middle of London. It was really

called “Bethlehem,” but people locally called it “Bedlam.” This is a policy that came out of bedlam and will create bedlam.

If we don’t pay our debts, we are going to create problems in our own country, as well as in the world economic system.

If you want to lose the United States dollar as the currency that is used by the world, start by not paying your debts. Everybody will say, Why do we want a dollar? Those folks don’t pay. That’s what you’re creating—bedlam—here today.

I urge everyone to vote ‘no.’

Mr. CAMP. At this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, Dr. BOUSTANY.

Mr. BOUSTANY. Madam Speaker, from the very origins of this country, the very beginnings, this country has always made good on its sovereign debt.

Let me be clear what this bill does. It ensures that the United States shall never default on its sovereign debt.

What does it not do? It’s not a solution to the debt problem. We have a serious long-term liability problem in this country and a failure by our colleagues on the other side to recognize that we have to deal with this. Simply raising taxes ad nauseam is not a solution. We need to come to a real solution so that seniors are not left behind on their Medicare benefits and Social Security is taken care of.

What does it not do? It’s not a pay China first bill. China’s holdings are less than 8 percent, and the ranking member’s figures were wrong because he failed to account for the Social Security trust fund in that calculation. What we have used are the accurate figures from the U.S. Department of the Treasury.

What does it not do? It does not authorize new spending and new debt. This bill just simply says the United States shall always make good on its sovereign debt. It doesn’t provide a solution to the long-term problem. We’ve got to solve those problems. We need to come together and come up with solutions for the longer-term liability with Medicare and all the other spending programs that are bankrupting this country.

It’s been said that the national debt of the United States is a threat to our national security in the long run. We need real long-term solutions and not demagoguery and not disingenuous arguments.

The language is very clear. We have seen what the language is in these credit rating agencies as they did this downgrade. It was basically a failure of Congress to come together and work with the administration to come up with a real long-term plan. That is the issue.

The United States will not default on its debt, and this provides an extra tool for Treasury.

□ 1000

Mr. LEVIN. I now yield 1½ minutes to the gentleman from Georgia (Mr. LEWIS), another very distinguished member of our committee.

Mr. LEWIS. Madam Speaker, I want to thank my friend, Mr. LEVIN, for yielding.

Madam Speaker, I rise in strong opposition to the Pay China First Act. We are the United States of America, and we pay our bills. Madam Speaker, I cannot believe that this body would even entertain or consider a bill that puts the Social Security check of 56 million seniors and people after China. How can we justify putting 2 million American military personnel, many of whom are in harm’s way, after China? That is not right. That is not fair. As a Congress, we can do better, much better.

Let me be crystal clear. Default is not an option. The United States of America pays all of its bills as they come due. This is the American way.

Let’s stop playing games and do what is right; do what is just; do what is fair. Let’s do what every American citizen has to do, pay our debts. I urge each and every one of my colleagues to vote “no” on the Pay China First Act. We have a moral obligation to do what is right.

Mr. CAMP. Madam Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. GRIFFIN), a distinguish member of the Ways and Means Committee.

Mr. GRIFFIN of Arkansas. Madam Speaker, I thank the chairman.

I think it is important to say first and foremost that no matter how passionate you are, no matter how loud you scream, it doesn’t convert nonsense to facts. The point is China’s debt holdings are less than 8 percent. It makes for a great talking point. I understand that.

Madam Speaker, nobody wants to hit the debt ceiling. In fact, no one wants to get anywhere near it. On the contrary, we are the ones that are trying to get Washington’s spending under control so it will live within its means. That’s why we talk about budgets and spending and living within our means, because House Republicans fight that fight. If we weren’t doing it, we wouldn’t even know that there are limits to our spending. The House budget does just that, balancing the Federal budget in 10 years.

We understand that we must take precautions to protect the creditworthiness of the United States. We can hope for the best, but we must prepare for the worst. And the worst that can happen with the debt ceiling is a government default. The bill before us today takes default off the table, period. No more, no less.

We’ve been told by the credit-rating agencies that the greatest factor affecting our national credit rating is the government’s ability to pay its debt-

holders. This bill makes sure that it will. This bill requires—not allows—requires Treasury to continue to pay principal and interest on existing debt if, and only if, we hit the debt ceiling before a deal is reached. This is a backstop that takes default off the table.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield an additional 30 seconds to the gentleman.

Mr. GRIFFIN of Arkansas. With it we can focus on the other issues of debt and spending that created the problem in the first place. We can have an honest debate about what is driving government debt and how to deal with it. I hope we don’t get anywhere near the debt ceiling limit. I hope we use the next few months to negotiate and reach an agreement that avoids any risk of hitting the debt ceiling; but until then, we should agree that it’s our duty to protect America’s credit rating.

I look forward to voting for this measure, and I urge my colleagues to join me in supporting it.

Mr. LEVIN. I now yield 1½ minutes to the gentleman from Massachusetts (Mr. NEAL), another very distinguished member of our committee.

Mr. NEAL. Madam Speaker, I stand in opposition to the Republican proposal today to pay China first.

Now, I think that there is another way that we might describe this legislation from our Republican friends, and it would go like this: let’s balance the budget when Bill Clinton is President, and let’s balance the budget when Barack Obama is President. But in the intervening 8 years, let’s go on a reckless spending spree and cut taxes by \$2.3 trillion, engage two wars internationally, embrace a prescription drug bill, spend the country into oblivion, and cut taxes for the wealthiest people.

Recall: balance the budget when Bill Clinton is President, and balance the budget when Barack Obama is President. Worry about the debt not when George Bush is President, but only when you have Democratic Presidents.

This is a reckless proposal today, and everybody knows it.

Speaker BOEHNER is quoted in one of the dailies this morning as saying of course we pay the bondholders first. That’s a fact. The previous speaker didn’t mention that. He said, let’s deal with the facts. So who are the bondholders? They emphasize, they suggest that it’s the American people. Foreign debt is held by the Chinese and the Japanese second, and everybody knows it.

So it’s austerity for the American people, but make sure that the bondholders are paid. It’s cut back on everything for the American people, but make sure the bondholders are paid. Cut taxes by \$2.3 trillion, and not to worry about the austerity of the American people.

Recall: balance the budget when Bill Clinton is President; balance the budget when Barack Obama is President.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Madam Speaker, I thank the gentleman from Michigan for yielding and for bringing this bill forward, Congressman MCCLINTOCK's Full Faith and Credit Act. I'm proud to be a cosponsor of the bill because what the bill does is clearly take default off the table as an option when we're having negotiations over the debt ceiling.

Now, people would say why is this even an issue. Unfortunately, it's an issue because the only people in town who have been threatening default are President Obama and liberals in Congress. And you've heard some of the speakers against this bill today talking about the threat of default. What's so good about this bill is it takes default off the table. It takes away their ability to default on our Nation's debt.

In fact, President Obama in the last debt ceiling negotiation almost 2 years ago was the one running around the country threatening to default on our credit, so much so that it scared the markets and hurt our economy. And, in fact, it is one of the things that led to a downgrade, the first time in our Nation's history that our credit rating was downgraded because the problem that gets us to the debt ceiling is that Washington has a spending problem. It's spending that continues to force us to hit the debt ceiling.

And so when we're negotiating on the debt ceiling, we shouldn't be worried about the President running around threatening default; we should be focused on fixing the spending problem. Americans sent us here to tackle the tough issues, not to be clouded and confused by the President's threats of default. Unfortunately, the GAO has even said the President can prioritize. He should. It would be responsible to pay your debts, but the President himself has said he would consider defaulting if we hit the debt ceiling.

And so what this bill says is you pay Americans first. As the chairman of Ways and Means pointed out, it is American citizens who own the bulk of our debt. They would be paid. Social Security would be paid. But then we could focus on the spending problem, and the negotiations on debt ceiling would be about solving the spending problem in Washington that continues to force us to hit the debt ceiling so that we can stop living from crisis to crisis and finally get our economy moving again. I urge passage.

Mr. LEVIN. I now yield 1½ minutes to the gentleman from Connecticut (Mr. LARSON), another distinguished member of our committee.

Mr. LARSON of Connecticut. I thank the gentleman. I rise today to oppose the Pay China First Act, and I do this

with a heavy heart because I know the number of talented individuals that we have on this committee and the process that we've been through where we're working together. It astounds me that somehow the ideological tail of the Tea Party wags the whole Republican effort in this area, and the ideological reach of the Tea Party exceeds the certainty that we should be bringing to the American people.

□ 1010

Instead, we're playing hostage politics again, holding up the American people, creating all the uncertainty that we don't need in this kind of climate instead of demonstrating that we can sit down and work together.

I get the politics. I understand how you have to accede to a group that continues to take us to the precipice and then pull back. The American people are through with it.

Let's sit down, deal with this, and then move on; create the certainty that will create the jobs here. Let's not find ourselves in a situation that becomes almost oxymoron, where we're paying China first, at the expense of Americans when there is no good reason why we should be dealing with this issue whatsoever, other than the hostage politics that it creates to deal with an ideological minority that drives the other side.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. I appreciate my colleague from Michigan allowing me to speak here today. My colleague from California, I'm glad to be a cosponsor of this very important measure.

"Full faith and credit," what does that mean? What does it mean to the American people? When we ask for them to send us to Washington, to send us to this august place, we're asking for their faith in what we do with their money, with their tax dollars.

And so when we report back to them, what does that look like to them? Have we upheld their faith? Have we done everything we can in this Nation to keep the credit rating of America on line?

This measure is a giant step towards keeping that faith, to paying our bills on time, to paying the types of things that keep our credit rating in a best possible fashion for our country.

We default on that, we put our whole economic system in peril. We drive up the cost of doing business for our government, and more tax dollars it costs to run our government when we do that.

We hear talk about pay China first. Well, that's kind of funny, because if we wouldn't do that kind of business with China, if we'd pay attention to our own level of spending and growing the economy of this country instead of having to do things that cause debt to go up higher, we wouldn't be having to contract with them for more debt.

So that comes back to this place here, reforming the way we do business. We don't need to run up more debt. We don't need to put ourselves in a position where we can't get together on getting the budget done, on getting the debt ceiling adjusted whatever it takes so we don't fall into this default position.

So I think this is a giant step in the right direction. I commend my colleagues for making this happen. And let's uphold the faith that we've asked of the people of this country by paying our bills on time, by paying the debt, the interest that it takes to keep our credit in line as best possible as we can in this country.

So this is a measure that deserves support and puts the priorities first. I ask for support for it.

Mr. LEVIN. I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), another distinguished member of our committee.

Mr. BLUMENAUER. I rise in opposition to the Pay China First Act. Simply by putting this legislation on the floor, it does real damage in terms of putting questions in the minds of people around the world who to this point have been giving billions of dollars to the United States Government to be able to pay for past spending at record low rates.

I listened to the last speaker opine that we need to do everything to justify the faith in the American people. Well, the reckless threats that we saw 2 years ago, where, for the first time, we really were staring into the face of the abyss and it was a real possibility that they would withhold the votes, deny increase in the debt ceiling and, for the first time in our history, not pay for spending already incurred, in fact, ironically, the Ryan budget would have required a massive increase in the debt ceiling. The American people know this, and no amount of subterfuge here is going to eliminate that doubt, that concern, that apprehension. It may give the illusion of a few more days' breathing room with the debt ceiling.

What we need to do is set this aside and get to business. I would note, with no small amount of irony, that my friends on the other side of the aisle who have been so interested in a budget now refuse to appoint members for a conference committee so that the House and the Senate can come together and do that. That would be a lot more productive than this charade.

Mr. CAMP. I reserve the balance of my time, Madam Speaker.

Mr. LEVIN. I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND), another distinguished member of our committee.

Mr. KIND. Madam Speaker, I thank the gentleman for yielding me this time, and I, too, rise in opposition to the Pay China First Act.

Madam Speaker, I, for the life of me, do not understand why we are even seriously considering this legislation which would call for the default on our Nation's financial obligations for the very first time in our Nation's history, completely jeopardize the full faith and credit of the United States of America, jeopardize the economic recovery, which still needs help right now, and it would be the greatest unforced, self-inflicted wound that this body can commit against the U.S. economy in our Nation's history.

But let's be clear. This has very little to do about true fiscal responsibility. This issue, this legislation is being driven by a very narrow bunch on the other side with a radical governing philosophy which basically says, I hate my government so much that I'm willing to jeopardize the full faith and credit of the United States and bring this economy down until we get our way. That's what's driving this legislation right now. That's the jeopardy that we face with it.

And I doubt that this has a serious chance of passing. But what the answer to this is is for us to go to conference on the budget resolutions that have now passed the House and Senate and start talking and listening to each other to find the common ground we need to reach a long-term deficit reduction agreement.

But defaulting on some of our obligations will mean putting great doubt in the rest of the investors in the United States in regards to who will be next. And that's what this legislation is promising: a default with some, a payment of China and others at the expense of the U.S. economy.

I encourage my colleagues to vote "no" on this ill-conceived legislation.

Mr. CAMP. Madam Speaker, I reserve the balance of my time.

Mr. LEVIN. I yield 1½ minutes to the gentleman from the great State of New Jersey (Mr. PASCRELL), another distinguished member of our committee.

Mr. PASCRELL. I rise, Madam Speaker, in strong opposition to the Pay China First Act. This is a Pyrrhic proposal if I ever saw one.

By the way, the firefighters are in town today and tomorrow, and I'm going to go to every firefighter I see in Washington, D.C., and tell them how foolish—you know, the sponsors of this legislation believe that the Federal Government has no responsibility to firefighters or police officers anyway. It's strictly a local thing. So they're not trying to balance a budget.

If this bill becomes law, the government will still be borrowing money and our deficit will increase. It's what this bill allows us to borrow money for that is so shameful.

Is the government allowed to pay our Active Duty military? No.

Can we add to our deficit to fund veterans' benefits? No.

What about Medicare? Sorry, we're not going to pay those bills.

However, the government is allowed to borrow to pay back foreign bondholders. The majority apparently believes it's okay to borrow money and add to our deficit to pay China, but not to honor the obligations we have to our troops, our veterans, our seniors, et cetera. Shameful. There is simply no other word.

The United States of America pays its bills, period, end of sentence, case closed. We've done it for 200 years, whether it's obligations that we have to our troops or seniors, we have to those who have bought our bonds.

We all saw what happened in the summer of 2011. We don't need a repeat.

□ 1020

Mr. LEVIN. I now yield 1½ minutes to another member of our committee, the distinguished gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I rise in strong opposition to the Pay China First Act. This is a very dangerous debate that we are conducting today because I think it has ramifications beyond simple debate. It calls into question whether or not America will pay its bills. You could also call this bill the Put America Last Act because that's exactly what this bill does. It's a bill that will actually make the Tea Party policies a reality, turning us into a deadbeat nation, a nation that does not pay its bills.

This Republican bill will codify into law a new law for America. It will ensure U.S. taxpayers always pay China and other regimes and foreign banks before our veterans, before our seniors on Medicare, and even before our enlisted troops bravely serving overseas. That's right. We'll pay these folks before we pay these folks. We pay these folks under this bill if it were to become law before we pay these folks. That simply is wrong and unacceptable to the American people.

Even the sponsors of this bill admit that in addition to putting China first and America last, their bill will also increase the deficit. Let me say that again. This bill will also increase the deficit and will pay China first. What the Republican majority is doing with this bill is announcing to the world—everyone from small businesses who sell services to the government to grandmothers buying savings bonds for their grandchildren—that this Congress is not serious about paying our Nation's bill.

My colleagues, please, put Americans first, put our troops first and China last. Do not pass the Pay China First Act.

Mr. CAMP. I would like to include for the RECORD a letter from the Congressional Budget Office that says this bill has no budget impact, and I reserve the balance of my time.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 26, 2013

Hon. DAVE CAMP

Chairman, Committee on Ways and Means
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 807, the Full Faith and Credit Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jared Brewster.

Sincerely,

ROBERT A. SUNSHINE
(For Douglas W. Elmendorf, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST
ESTIMATE

H.R. 807—Full Faith and Credit Act

H.R. 807 would allow the Department of the Treasury to issue debt to pay principal and interest on debt held by the public and debt held by the Old-Age and Survivors Insurance Trust Fund and Disability Insurance Trust Fund, if the statutory limit on debt is reached. The bill would require the Treasury to provide a weekly report to the House Committee on Ways and Means and Senate Committee on Finance outlining the exempted transactions until a new debt limit is enacted.

CBO estimates that enacting H.R. 807, by itself, would result in no costs or savings to the federal government because it would not change any of the government's tax or spending policies. Therefore, pay-as-you-go procedures do not apply. In addition, CBO estimates that the bill would not significantly add to the Treasury's administrative costs.

H.R. 807 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Jared Brewster. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

Mr. LEVIN. It is now my real pleasure to yield 2 minutes to the ranking member on the Budget Committee, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Madam Speaker, I thank my friend and colleague from Michigan. I strongly oppose this bill which, as our colleagues have said, says we should pay the government of China before we pay our troops, before we pay our veterans, and before we pay other bills here in the United States.

Of all the bad ideas that have come to the floor of this House, this one is one of the worst. It's a reckless, irresponsible proposal that says the United States of America is not going to pay all the bills that are due and owing. That will have a terrible impact on our creditworthiness, it will undermine the full faith and credit of the United States, and it would wreak havoc in the economy.

Look, Madam Speaker, our constituents don't have the luxury of waking up one morning and saying: Do you know what? I'm only going to make my mortgage payment. I'm not going to make my car payment, and I'm not going to make my credit card payments.

If they did that, what would happen? They would lose their creditworthiness. For the United States of America to say we're going to pay some bills but not all would have hugely damaging impacts on the economy.

And it gets worse, because when they say, We've got to pay some, but not all, you've got to decide whom you're going to pay first. And what they decide here is they're going to pay China first, and they have to decide who is not a priority. In this bill, our veterans are not a priority, and our troops risking their lives in Afghanistan are not a priority. China is a priority; they're not.

Now, Madam Speaker, what will happen here is that people will lose faith in whether or not the country pays its bills. People need to understand very clearly that this is not about expanding the debt ceiling in order to take on new obligations. This is about paying our existing obligations. And if we announce to the world that we're planning on not paying our obligations, whether they're to bondholders or to our troops, guess what happens? People will lose faith in the United States Government, and the economy will get hit hard.

Let's vote against this bill that says China comes before our troops and our veterans.

Mr. CAMP. In August of 2010, Chairman Admiral Mullen said that the most significant threat to our national security was our debt. And since that time, we have added hundreds of billions of dollars to our national debt.

I reserve the balance of my time.

Mr. LEVIN. I now yield 1½ minutes to a distinguished Member, the gentleman from Pennsylvania, ALLYSON SCHWARTZ.

Ms. SCHWARTZ. I rise in strong opposition to this Republican pay China first bill, which would jeopardize the full faith and credit of the United States. This legislation dictates which of our Nation's bills we will pay and which we will not, and poses a serious, dangerous threat to our economy. The Republicans put foreign creditors ahead of our veterans, Active Duty military, Medicare recipients, and small businesses.

The Republicans' refusal to pay our Nation's bills inflicts another round of unnecessary wounds that weakened our economy in 2011. American families, American workers, and American small businesses have battled economic uncertainty for far too long, and this deeply irresponsible legislation will only exacerbate the challenges we face.

Instead of moving us closer to common ground on a balanced, responsible path for economic growth, Republicans' brinkmanship threatens to undermine consumer and investor confidence and slows economic growth.

I urge opposition to this legislation and instead that we do what we have always done as Americans: pay our

bills, pay them on time, pay them in full and protect America's economy and our financial standing in the global economy.

Mr. LEVIN. Can I ask our distinguished Speaker how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 3½ minutes remaining. The gentleman from Michigan (Mr. CAMP) has 6½ minutes remaining.

Mr. CAMP. I have no further speakers.

Mr. LEVIN. I now yield 1½ minutes to the distinguished gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Madam Speaker, I rise in strong opposition to the Pay China First Act. Once again, the Republican majority has chosen to play politics with the credit of our Nation. Instead of coming to the table with solutions, they are ensuring that we will come to a default on our Nation's debt.

This bill accomplishes one simple goal: pay China first. If the Republicans cause a default on our debt, H.R. 807 would guarantee that bondholders in China and other foreign nations will get paid before our men and women in uniform. Honorable veterans and the doctors and the hospitals that take care of our senior citizens on Medicare will all lose out. Are these truly the right priorities for our country, Madam Speaker?

Democrats are focused on job recovery, job growth, and securing a future for our hardworking taxpayers and the middle class. We are ready to act now on commonsense budget proposals that are balanced and fair. I ask the majority now to stop playing political games and let's work together on commonsense solutions to strengthen our country.

Mr. LEVIN. So, Mr. CAMP, are you ready to close this part of our debate?

How much time remains?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 2½ minutes remaining.

Mr. LEVIN. I just want to read the facts why this bill essentially says "China first." I want everybody to understand this isn't rhetoric; this is reality.

The Republicans, under this bill, prioritize \$14.3 trillion in debt, of that, \$2.7 trillion in Social Security and \$11.6 trillion in public debt. Of that public debt, \$5.6 trillion is foreign. So when you come up and talk about all of the American public, you are not talking about what is in this bill. And of that foreign debt, the largest creditor is China, with over \$1 trillion.

□ 1030

So it's absolutely true that essentially what you're saying is pay the largest of the foreign creditors instead of American troops, veterans, physicians, school lunch programs, univer-

sities doing medical research, taxpayers getting refunds, and other Federal trust funds holding Treasury bonds, Medicare—these are Americans—deposited insurance, highway trust funds, et cetera, et cetera. That's the fact.

Now, there's some effort here to say, oh, we're not defaulting. Yes, you are. You're not defaulting on sovereign debt, but you're defaulting, except for Social Security, on everything else. Republicans are becoming lead defaulters in terms of paying our debt.

As I said earlier, the credit agencies have said, and I'll close with this:

It is not assured that the Treasury would or legally could prioritize debt service over its myriad of other obligations . . . but very likely prompt downgrade, even as our debt obligations continued to be met.

This is a drastic, serious mistake. Vote "no."

I yield back the balance of my time.

Mr. CAMP. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I think it's helpful in a debate like this to start with the facts. And I would just say it's illustrative of just how out of touch and irresponsible the other side is when they assert that our debt is \$14 trillion. Our debt is over \$16 trillion. They've just lost \$2 trillion? No wonder they don't think this is an urgent problem. They don't even know what our debt is.

This legislation is very similar to 1996, legislation that was passed in a bipartisan vote and was signed by then-Democrat President Bill Clinton.

Many States guarantee their government debt, or what is often called their sovereign debt, and they have done that for decades. If we default on our government or sovereign debt, the consequences are so severe that no one gets paid—our military, our seniors, our veterans, our farmers. All Americans deserve a strong economy, and that means getting our debt under control.

And let's just clear up another fact. The top two-thirds of our debt is held by Americans and their retirement funds, including the U.S. military retirement fund.

Now, one reason we're in this position is that this administration has racked up more than \$5 trillion in debt, more than the previous four Presidents added together. That's why we're in this situation. We have a debt problem. This legislation ensures that the debt of the United States will be paid.

So I urge support for H.R. 807, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT OFFERED BY MR. CAMP

Mr. CAMP. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 17, insert the following (and redesignate succeeding subsections accordingly):

(C) PROHIBITION ON COMPENSATION FOR MEMBERS OF CONGRESS.—None of the obligations issued under subsection (a) may be used to pay compensation for Members of Congress.

Page 7, line 2, insert “the authority is in use” after “week”.

Page 7, strike line 13 and all that follows through line 17.

The SPEAKER pro tempore. Pursuant to House Resolution 202, the gentleman from Michigan (Mr. CAMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CAMP. Madam Speaker, H.R. 807, the Full Faith and Credit Act, permanently takes default off the table, as we've been debating, but this amendment makes a couple of simple changes. It clarifies that any debt issued pursuant to this bill may not be used to pay salaries of Members of Congress—of the House and of the Senate.

It also makes clear that each and every time the Secretary of the Treasury uses the authority provided in the bill, that the Secretary must report weekly on the amount of debt issued and the reason for the issuance to ensure transparency so that Congress is fully informed.

So I urge support for my straightforward amendment and support for the underlying bill and reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. LEVIN. I yield myself such time as I may consume. I'm just going to speak for a short time and then yield.

I respect the chairman of the committee; we've been friends for a long time. It's really sad this amendment is here. There can't be money used under the bill for salaries. There's no lack of clarity here. Essentially, this is an effort to give some kind of fig leaf, or whatever it is, for a terrible, terrible bill.

I reserve the balance of my time.

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

I have already spoken about this amendment. I think this amendment is as sad as the bill.

We continue to play games because we think that, in a way, we will compel people to vote for something they don't want to vote for—and, in my view, are not going to vote for. I think it's sad. I think we continue to demagogue this institution and its Members. That's sad. We leaders should not do that. This is a serious bill.

Now, I want to tell the gentleman from Michigan, the chairman of the

Ways and Means Committee, I know what the debt is. And I know that debt has been incurred because we bought a lot of things we didn't pay for, including over \$1 trillion of Afghanistan and Iraq, including a prescription drug bill that projects over \$2 trillion, including tax cuts that were \$2.3 trillion that not a penny were paid for. I understand, and I think it's serious.

The sad thing is that this is not a serious response. This is an irresponsible response. This is a response that, as I said earlier, says that we will pay some people first, but we won't pay all our debts. The richest country on the face of the Earth, the most creditworthy nation on the face of the Earth, we won't pay all our debts.

There is a simple way to do this: stop demagoguing one another. And I want to say to the gentleman, as he knows, Democrats have demagogued this issue when we've had Republican Presidents and Republicans have demagogued it when we've had Democratic Presidents.

We all know that we've incurred debts and we're going to pay them. That's all this is. It's very simple: we're either going to pay our debts or we're not.

Now, I want to tell my friend, the gentleman from Michigan, I know about the debt. The gentleman refers to \$5 trillion. I'm sure the gentleman knows these statistics:

Under Ronald Reagan, the debt was increased 189 percent; under George Bush, 55 percent—the first George Bush, 55 percent; under this President so far, a little over 40 percent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman 1 minute.

Mr. HOYER. Every Republican President with whom I've served, Madam Speaker, every Republican President has increased the debt as a percentage of GDP higher than either Bill Clinton or Barack Obama. Bill Clinton was the lowest, 37 percent. This President is a little over 40 percent of GDP. It's just like saying the minimum wage now is \$7.25, which is so much higher than it was in 1970—which is not the case. Now, as a dollar, a nominal figure, it's higher, and the gentleman knows that very well. He is my friend and I have great respect for him. But this bill is unfortunate. This amendment is—I won't characterize it as harshly as I feel about it.

We have to stop playing games. We have to be serious. We need to come together and adopt a big plan that's balanced, that can pass and will put this country on a fiscally sustainable path; and, in the process, we ought to pay our bills because we incurred them. We incurred them honestly for objectives that this House, this Senate, and the President of the United States signed for.

□ 1040

Mr. CAMP. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 1½ minutes remaining.

Mr. LEVIN. I yield that minute and a half to the vice chair of our caucus, the gentleman from New York (Mr. CROWLEY), a member of our committee.

Mr. CROWLEY. I have reservations about the constitutionality of this amendment. What I will say is I would gladly give my pay if it meant that these guys don't get paid. I will give my salaries to the defenders of this country, the men and women who are the front line, if their pay was in question. If all the money in the Congress in our pay could do that, I would gladly do that.

But I say we should definitely pay these guys before we pay these guys. That's what your bill does. The overriding bill would have these guys get paid before these guys. Forget about us guys.

This amendment is a farce. It's to divert attention from the fact that you want to pay these guys before you pay these guys. At the end of the day, that's what the overriding bill is about—putting China first, paying China first, putting our troops last, putting the American people last. It's about putting them first and us last.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 15 seconds remaining.

Mr. LEVIN. I will use it by saying, a default is a default is a default. This bill is a serious mistake, as is the amendment. People can do what they want on the amendment. Vote “no” on the basic bill.

I yield back the balance of my time.

Mr. CAMP. Madam Speaker, I yield myself the balance of my time.

I just wanted to say I also have great respect for the gentleman from Maryland who spoke a couple of speakers ago, who is the distinguished minority whip. We have worked closely together on other issues as well.

I would just say that this legislation is very similar to legislation that was passed in a bipartisan way in 1996 and signed by then-President Bill Clinton. So, this is not something that is brand-new in terms of an approach for this Congress to take when dealing and struggling with debt and our debt issues.

I think it is also important to remember as we go through this debate that now our debt is larger than our entire economy and that the debt that has been incurred under this administration is larger than the debt of the previous four Presidents. We have a path that is unsustainable that has gotten worse, and this has gone on for far too long.

I think it is important, though, that we make these clarifying points in this

amount. Clearly, we've heard a lot about demagoguery about who gets paid first. The vast majority of our debt is held by Americans. Americans and the U.S. military retirees will be paid first under this bill; and their retirement funds, their pensions, their savings, that's very important.

This is about making sure that the debt of the United States—that the United States has incurred, not the ongoing payments, but the debt of the United States—is paid. That takes default off the table. That allows us then to move forward to get the larger bipartisan solutions on this growing and difficult problem with our debt that we need to address.

The amendment makes it clear that Members of Congress' salaries won't be paid, that any debt issued will not pay that. It also makes clear that the Secretary of the Treasury must report weekly on the amount of debt. We need transparency. We often don't get the latest information. We need that, both House and Senate. So, this is a straightforward amendment. It's clarifying.

I urge support for the amendment, I urge support for the underlying bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong opposition to speak on H.R. 807, which would result in the Congress refusing to pay obligations it has already agreed to. American families do not get to choose which bills to pay and which ones not to pay, and the United States Congress cannot either without putting the Nation into default for the first time in its history.

I oppose this bill because not only will it be bad for America, but devastating for Houston. Just as our nation's economy has begun to show signs of sustained improvement, along comes H.R. 807 to further depress the economy of the parts of Houston which have not been fortunate enough to benefit from the economic recovery. The city of Houston has a half-trillion dollar economy which is threatened if the United States economy begins to falter because of the sequester already in place, and misguided legislation like this bill.

This bill would threaten the full faith and credit of the United States, cost American jobs, hurt businesses of all sizes, and do irreparable damage to the economy. It is important to note that the Dow Jones Industrial Average closed above 15,000 for the first time ever, and jobless claims fell to a five-year low this week.

Why would we want to jeopardize this progress with a bill like H.R. 807, which is a step in the wrong direction.

This legislation would cause the Nation to default on payments for Medicare, veterans, national security, and many other critical priorities. This legislation is unwise, unworkable, and unacceptably risky. Earlier this year, the Congress took a sensible approach to paying the bills it had already incurred by raising the debt limit. By contrast, the proposal in H.R. 807, which chooses which bills to pay, is a deeply irresponsible approach that is simply default by another name.

Americans want a clean debt limit increase, which has been done numerous times but the normal process by which the Treasury Secretary consults with the President and Congress, seems to have hit a major roadblock. This obstructionist governing is based on a practice that seems to put ideology over pragmatism and politics over common-sense legislation.

Madam Speaker, another reason I cannot support H.R. 807 is because it gives preference to making payments to foreign bond holders such as China, Iran, and the Cayman Islands over the payments needed for critical services for our veterans, and those payments required under Chapter 31, United States Code, which insures the savings of Americans.

I would hope that my colleagues on the other side realize that these are trying times for the American people and brinkmanship is not the answer. This body must come up with a sensible solution to the pressing financial problems which plague our economy. We cannot continue to hold our Nation hostage, keeping the benefits of recipients of Social Security, Medicaid, and Medicare who must have sleepless nights because they are worried about the disappearance of their monthly checks.

I support a long-term increase in the debt limit that would increase certainty and economic stability. The bill before us this morning, H.R. 807, is a short-term measure with unnecessary complications, needlessly perpetuating uncertainty in the Nation's fiscal system, and I would note that the Obama Administration is also in opposition to this woeful piece of legislation that allows China to be paid first.

My colleagues want to buy time so that they can figure out how to squeeze the American taxpayer even more by devising bone-crunching cuts and slashes to entitlement programs—all of which is driven by rabid ideology—as opposed to sitting down and working with Democrats to come up with reasonable budget reforms which do not hurt Seniors and the disadvantaged.

Madam Speaker, Social Security is currently the only source of income for nearly two-thirds of older American households receiving benefits, and roughly one-third of those households depend on Social Security for nearly all of their income. Half of those 65 and older have annual incomes below \$18,500, and many older Americans have experienced recent and significant losses in retirement savings, pensions, and home values. Today, every dollar of the average Social Security retirement benefit of about \$14,800 is absolutely critical to the typical beneficiary.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem. Not only does the program operate independently, but it is prohibited from borrowing. Social Security must pay all benefits from its own trust fund. If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues.

I would add that instead of short-term management of self-inflicted fiscal crises, I truly believe we have an opportunity to strengthen the economy by putting the Nation on a sounder fiscal path. Progress has already

been made towards that goal. In 2011, the President signed into law \$1.4 trillion in spending reductions, not counting additional savings from winding down the wars in Iraq and Afghanistan. We need to seize this template and move forward—not backwards, in the direction of H.R. 807.

The fiscal agreement the President signed at the beginning of January increased revenue from high-income households by over \$600 billion. Together with interest savings, these two steps will cut the deficit by more than \$2.5 trillion over the next decade. We should have done more to address our revenue problem.

The President has made clear that he remains willing to work with both parties in the Congress to budget responsibly and to achieve additional deficit reduction consistent with the principles of balance, shared growth, and shared opportunity. By adding Chained CPI to the discussion it is clear that President Obama is willing to go more than halfway to meet the House Majority; but they have not reciprocated.

The President has also made clear that he will not have another debate with the Congress over whether or not they should pay the bills that they have already racked up through the laws that they passed. The President has made clear that the Congress has only two options—pay their bills, or fail to do so and put the Nation into default. And I am in complete agreement.

According to the Bipartisan Policy Center, spending for Medicare and Medicaid is projected to increase from 21 percent of non-interest federal spending in 2010 to 31 percent by 2020. The numbers are workish sounding but in terms of real dollars, the increase is mammoth. That is why we must address the spending issue in earnest but not using the paltry monthly income of Seniors to pay for yachts for millionaires.

National spending on health care has grown about 2 percentage points per year faster than GDP over time. Federal revenues, however, have not kept pace, growing at roughly the same rate as GDP.

As a result, federal deficits will be driven upward by federal health programs unless their rate of growth is tamed. This discrepancy must be dealt with sooner rather than later, but no matter how you couch it, there is no better translation than the word: b-r-o-k-e.

I hasten to add that Community Health Centers provide much needed, high-quality healthcare to over 20 million Americans. These centers are able to serve vulnerable portions of the American population, including racial and ethnic minorities, as well as rural and low-income Americans.

I want to give some pertinent facts about my district and why the uncertainty provided by H.R. 807 is a step in the wrong direction.

The Houston-Sugar Land-Baytown Metropolitan Area consists of 10 counties: Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, San Jacinto and Waller.

The Houston metro area:

It ranks sixth among U.S. metropolitan statistical areas with a population of 5,867,489 as of mid-2009, and it covers more than 10,000 square miles, and has a gross product of \$403.8 billion, according to The Perryman

Group. This area recorded 2.54 million payroll jobs in November 2010, more than the job counts of 31 U.S. states, including Arizona, Colorado and Alabama.

The Houston economy has experienced a resurgence but let's remember the economic history:

The recession hit Houston in September '08. Our region lost 152,800 jobs through January '10. We began to recoup jobs starting in February that year and by October '11, the region had gained 153,000 jobs, or 101.1 percent of what we lost in the recession.

And though Houston faces some challenges in the near term, the long-term outlook is bright. The challenges are those of managing growth rather than economic stagnation. The long-term outlook for the Houston metro area is positive, and steady growth will be the norm for Houston for the foreseeable future. What Houston cannot afford right now is continued uncertainty from Washington, DC.

Moreover, given the uncertainty of final funding decisions and the possibility that across-the-board spending cuts will drag us back into a recession unless Congress and the President can reach agreement to prevent the currently scheduled "sequester," it is critical that we work towards bipartisan solutions to our nation's financial woes. Given the U.S. economy is showing signs of progress, it is crucial that we continue to fund government programs without interruption.

Lastly, as a Senior Member of the Homeland Security and Judiciary Committees I understand the importance of the U.S. Customs and Border Protection mission to enforce drug, trade and travel laws in efforts to keep our borders safe; and the importance of ensuring that our nation remains safe from terrorists and others who would do harm to our nation.

In summation, I urge my colleagues to reject this poll-driven exercise in futility and give a clean debt ceiling vote so that the American people can carry-on with the business of achieving prosperity.

Doing a clean debt limit bill is not a new law, new outlay, or some random, esoteric exercise in the fulfillment of the Obama Doctrine. In fact, according to the Congressional Research Service, since March 1962, Congress has enacted 76 separate measures that have altered the limit on federal debt. Typically, the Treasury Secretary consults with the President and Congress, and the limit has been subsequently raised to accommodate our fiscal needs.

And I close with the sacred words from our Constitution. Section 4 of the 14th Amendment states clearly that: "the validity of the public debt of the United States . . . shall not be questioned." And a great nation pays its debts. That is why I oppose H.R. 807.

I urge my colleagues to resoundingly reject H.R. 807.

Ms. CLARKE. Madam Speaker, today we find ourselves debating a bill that could result in the United States of America defaulting on our debts. It seems that the Republican majority of the 113th Congress has decided to continue the practice of governing from one manufactured crisis to another.

H.R. 807, the Pay China First Act, is a part of this majority's campaign of playing politics with our national economy at a time when the

number one priority of this Congress should be putting Americans back to work.

Madam Speaker, we raise our nation's debt ceiling to pay the bills that our nation has already accrued. The Republican majority's insistence on using the debt ceiling in their crusade against a short-term deficit crisis that doesn't exist, has already harmed our nation's recovery.

This bill, which the Republican majority knows full well has no chance in the Senate, is nothing more than political posturing at its worst. It is nothing more, Madam Speaker, than an attempt by the Republican majority to wash their hands of the calamitous effects their economic policies are having on the American people who want nothing more than their Congress to stop playing politics and get about the work they were elected to do.

Instead, the Republican majority has continued their crusade of irresponsible spending and tax cuts which disproportionately affect those who need it the most.

The number one priority of the 113th Congress should be putting Americans back to work and supporting policies that promote growth.

Madam Speaker, the people of Brooklyn's 9th Congressional district, whom I have the honor of representing in this body, are tired of the 113th Congress undermining the recovery our nation needs. This bill is not worthy of the American people.

Madam Speaker, I submit an article in today's New York Times that, using analysis from leading public and private-sector economists, lays out the harm that the majority's focus on irresponsible spending cuts is having on our struggling economy.

[From the New York Times, May 8, 2013]

ECONOMISTS SEE DEFICIT EMPHASIS AS IMPEDING RECOVERY

(By Jackie Calmes and Jonathan Weisman)

WASHINGTON—The nation's unemployment rate would probably be nearly a point lower, roughly 6.5 percent, and economic growth almost two points higher this year if Washington had not cut spending and raised taxes as it has since 2011, according to private-sector and government economists.

After two years in which President Obama and Republicans in Congress have fought to a draw over their clashing approaches to job creation and budget deficits, the consensus about the result is clear: Immediate deficit reduction is a drag on full economic recovery.

Hardly a day goes by when either government analysts or the macroeconomists and financial forecasters who advise investors and businesses do not report on the latest signs of economic growth—in housing, consumer spending, business investment. And then they add that things would be better but for the fiscal policy out of Washington. Tax increases and especially spending cuts, these critics say, take money from an economy that still needs some stimulus now, and is getting it only through the expansionary monetary policy of the Federal Reserve.

"Fiscal tightening is hurting," Ian Shepherdson, chief economist of Pantheon Macroeconomic Advisors, wrote to clients recently. The investment bank Jefferies wrote of "ongoing fiscal mismanagement" in its midyear report on Tuesday, and noted that while the recovery and expansion would be four years old next month, reduced government spending "has detracted from growth in five of past seven quarters."

That period roughly coincides with the time that Mr. Obama and Congressional Republicans have shared governance since Republicans took control of the House in 2011, promising an immediate \$100 billion in spending cuts. Republicans did not get that much then, but the series of budget compromises with the president since—while not so great as they wanted—will soon reduce annual discretionary spending for domestic and military programs to the lowest level in half a century.

As for revenues, Mr. Obama forced Republicans to acquiesce in January to higher taxes from wealthy Americans. But worse, in the macroeconomists' view, both parties agreed not to extend a two-year-old cut in Americans' payroll taxes for Social Security, reducing their spending money.

In all this time, the president has fought unsuccessfully to combine deficit reduction, including spending cuts and tax increases, with spending increases and targeted tax cuts for job-creation initiatives in areas like infrastructure, manufacturing, research and education. That is a formula closer to what the economists propose. But Republicans have insisted on spending cuts alone and smaller government as the key to economic growth.

The results, Mr. Obama has taken to saying, despite his complicity, are "self-inflicted wounds."

"The only way the problem does get fixed is if both parties sit down and they say, 'How are we going to make sure that we're reducing our deficit sensibly?'" he said last week at a news conference. "How are we making sure that we're investing in things like rebuilding our airports and our roads and our bridges, and investing in early childhood education, basic research—all the things that are going to help us grow?"

Mr. Obama added, "I cannot force Republicans to embrace those common-sense solutions."

Speaker John A. Boehner stood by the Republicans' policies during a session Tuesday with reporters. "After four years of mediocre job creation, it's obvious that we don't need more tax hikes and more government spending," he said. "We need smarter policies to make America more competitive and expand opportunities for everyone in our country."

"We're the ones pushing this town to do the right thing when it comes to the economy and jobs," Mr. Boehner added.

The Federal Open Market Committee, which sets policy for the central bank, noted signs of improvement in the private sector last week in a statement. "But fiscal policy is restraining economic growth," it added, echoing public comments that Ben S. Bernanke, the Fed chairman, has made for months. In April, the International Monetary Fund said the United States would achieve further growth "in the face of a very strong, indeed overly strong, fiscal consolidation."

Thursday will capture as plainly as any day lately the differing approaches of Mr. Obama and Republicans toward the economy and government's role.

Mr. Obama plans to travel to Austin, Tex., to visit technology students, workers and entrepreneurs and promote his ideas to support efforts like theirs—the kind of initiatives that Republicans have blocked.

House Republicans expect to pass a measure that would allow the Treasury to "prioritize" debt payments if Congress and Mr. Obama cannot agree this year to increase the nation's debt ceiling so the Treasury can keep borrowing money to pay all

creditors. Under the bill, as tax receipts came in, the first priority would be paying creditors—like China, Democratic opponents argue—and second would be Social Security checks. But the measure would likely die in the Democratic-controlled Senate.

The “prioritization” proposal first arose in 2011 from among the most conservative House Republicans, those who were driving hardest against the White House on raising the debt ceiling and expressing unconcern about default, but it has now become mainstream in the House ranks.

Economists and financial analysts generally dismiss the idea as unworkable if not dangerous, and count on Democrats to block it. Gregory Daco, a senior principal economist at IHS Global Insight, said the Republicans’ proposal was the kind that caused his clients to ignore the fiscal policy out of Washington, and rely instead on the Fed to buttress the recovery.

“Whenever I talk to our customers or clients, they sort of brush off everything that’s related to fiscal policy,” Mr. Daco said. “The view is, ‘Oh, it doesn’t matter.’ That’s what I hear a lot.”

“What we try to convey is that it does matter,” he said. “It is important in terms of growth. It’s also important in terms of confidence.”

He noted that the economy was much stronger than Europe’s largely because the United States initially opted for stimulus measures and allowed deficits to increase when the recession and financial crisis hit five years ago. European governments pursued austerity policies to cut their debts, further stalling economic activity and in turn inflating deficits.

The more recent austerity policies here are helping to bring annual deficits down, as a new report of the Congressional Budget Office shows, after four years of trillion-dollar shortfalls. Yet many analysts would prefer that the measures had been timed for when the economy is strong and unemployment below 7 percent.

“While I agree that the U.S. must get its fiscal house in order,” Jerry Webman, chief economist at OppenheimerFunds, wrote, “I join the likes of the I.M.F. in cautioning that too much austerity, too soon, is likely counterproductive.”

Mr. CONYERS. Madam Speaker, I rise today in opposition to H.R. 807, the Full Faith and Credit Act, which is simply a plan to default on the full faith and credit of the United States.

Under this measure, the Treasury could not borrow above the federal debt limit for any other purpose than to pay selected holders of our debt, many of whom are outside the United States.

While supposedly prioritizing this debt, all other already-incurred debt would still be paid by general revenues on a cash-flow basis. Forcing Treasury to default on many of our fundamental obligations, such as paying our active-duty troops, paying doctors and hospitals that care for our seniors on Medicare, paying veterans’ benefits, and before American small businesses are paid.

Raising the debt ceiling to pay bills already incurred should not be negotiable, and certainly should not be held hostage for cuts to programs that serve everyday Americans.

The pursuit of this bill is not in the best interest of Americans. It rebuts economists who say that debt prioritization is an awful, if not impossible policy, especially in light of the fact

that the Treasury makes 80 to 100 million payments per month. The Bipartisan Policy Center and the Council of Inspectors General on Financial Oversight, as well as the Treasury itself, all agree on the conclusion that it would be simply impossible for them to pick and choose which bills are paid and which are not.

By virtually ensuring a state of daily defaults on legal obligations of the federal government, this misguided proposal is more likely to create chaos in credit markets than ease investors’ fears.

We should not forget the lessons of 2011, when we last neared default over disagreements to raise the debt ceiling. Political brinkmanship with the debt ceiling caused uncertainty on Wall Street, the U.S. government’s credit rating was downgraded for the first time in history, and we saw increases in borrowing costs to the tune of \$1.3 billion according to a report from the Government Accountability Office, which will add up to \$19 billion in unnecessary additional debt over the next decade.

The consequences of a default would be much worse and reverberate across our economy, affecting every American through higher interest rates, investors fleeing the U.S. market and broad economic uncertainty.

This legislation has a very clear purpose—forcing the United States government to default on its obligations during forthcoming debt ceiling negotiations.

America is not a delinquent nation, and we cannot risk becoming one. I urge my colleagues to oppose this dangerous bill, H.R. 807, the Full Faith and Credit Act.

Mr. MARCHANT. Madam Speaker, I rise today in support of the Full Faith and Credit Act. As a conservative, ensuring that our nation pays its bills on time is a top priority.

The Full Faith and Credit Act would protect America’s credit rating by ensuring that we do not default on our nation’s debt. It requires the Treasury to continue to make timely payments on our principal and interest in the event that our nation’s debt limit is reached.

Furthermore, what this does is take the politicization of the debt limit debate off of the table. Without a chance for default, we can negotiate in good faith with the President and Congressional Democrats on a plan that addresses our real problem—out of control spending.

I look forward to having this debate, and I urge my colleagues to support this legislation.

Mr. DINGELL. Madam Speaker, I rise in strong opposition to H.R. 807, the Full Faith and Credit Act. Instead of working productively with Democrats, my Republican colleagues seem content to continue dabbling in debt limit chicanery that threatens the economic security of this country.

Let me be clear: H.R. 807 offers no comprehensive solution to the debt limit. It is a legislative blueprint for how the United States should pay its bills after it defaults. More baffling is the fact that the bill prioritizes debt payments to Chinese bondholders over paying our troops, supporting our veterans, and making Medicare payments to seniors.

That Republicans continue to push bills like this indicates they have no real interest in fixing the sequester or putting in place the kinds of policies that will contribute to stable eco-

nomie growth. This will have a seriously debilitating effect on financial markets at a time when we can ill afford it. In addition, H.R. 807 could lead to another downgrade of our country’s credit rating because the bill indicates to markets that it assumes a default will actually occur.

Madam Speaker, this is irresponsible policymaking at its finest. H.R. 807 threatens to undo the full faith and credit of the United States, a promise that has stood for over 200 years and is the foundation of global capital markets. I urge my colleagues to put aside partisan differences and act in the country’s best interests by voting this bill down.

Mr. RYAN of Wisconsin. Madam Speaker, the purpose of the Full Faith and Credit Act (H.R. 807) is to protect the full faith and credit of the United States by requiring the Treasury Secretary to issue such debt as may be necessary to prevent a sovereign default. During the consideration of this bill in the Ways and Means Committee, I offered an amendment to clarify the relationship between debt issued under the authority in this bill and the statutory debt limit. This amendment was adopted by voice vote and is part of the bill as ordered reported by the Ways and Means Committee.

This bill provides additional and limited authority to the Secretary of the Treasury to issue new debt obligations on behalf of the United States solely for the purpose of paying the principal and interest on specified debt obligations of the United States once the statutory debt limit has been reached. The intent of this bill is that debt obligations issued under the authority provided by the bill will count against the debt limit with one exception. This exception provides that if counting the full amount of these newly issued obligations against the debt limit would cause the debt limit to be exceeded, then the amount of the newly issued obligation that is in excess of the debt limit shall not count toward the limit.

The following is a hypothetical example to explain the intended operation of this bill. Assume the debt limit has been reached and the payment of principal and interest on an existing debt obligation amounting to \$100 requires the Treasury Secretary to issue \$101 of new debt obligations using the authority provided in this Act. In this example, \$100 of that new obligation would count against the debt limit while \$1 would not. Importantly, applying this provision is a continual responsibility. If at some future date the stock of debt subject to the limit were reduced by \$1, then the \$1 that originally did not count against the debt limit would now count toward the debt limit. Under no circumstance can there be both room to issue new debt obligations without exceeding the statutory debt ceiling and an outstanding stock of debt obligations issued under the authority in this bill that is not subject to the debt limit.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentleman from Michigan (Mr. CAMP).

The question is on the amendment offered by the gentleman from Michigan (Mr. CAMP).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEVIN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on adoption of the amendment will be followed by 5-minute votes on a motion to recommit, if ordered; passage of H.R. 807, if ordered; and approval of the Journal.

The vote was taken by electronic device, and there were—yeas 340, nays 84, not voting 8, as follows:

[Roll No. 140]

YEAS—340

Aderholt	DesJarlais	Jones
Alexander	Diaz-Balart	Jordan
Amash	Duckworth	Joyce
Amodei	Duffy	Keating
Andrews	Duncan (SC)	Kelly (IL)
Bachmann	Duncan (TN)	Kelly (PA)
Bachus	Ellmers	Klimer
Barber	Enyart	Kind
Barletta	Eshoo	King (IA)
Barr	Esty	King (NY)
Barrow (GA)	Farenthold	Kingston
Barton	Farr	Kinzinger (IL)
Benishke	Fincher	Kirkpatrick
Bentivolio	Fitzpatrick	Kline
Bera (CA)	Fleischmann	Kuster
Bilirakis	Fleming	Labrador
Bishop (GA)	Forbes	LaMalfa
Bishop (NY)	Fortenberry	Lamborn
Bishop (UT)	Foster	Lance
Black	Fox	Langevin
Blackburn	Frankel (FL)	Lankford
Bonamici	Franks (AZ)	Larson (CT)
Bonner	Frelinghuysen	Latham
Boustany	Gabbard	Latta
Brady (TX)	Gallego	Lipinski
Bralley (IA)	Garamendi	LoBiondo
Bridenstine	Garcia	Loebsack
Brooks (AL)	Gardner	Lofgren
Brooks (IN)	Garrett	Long
Broun (GA)	Gerlach	Lowenthal
Brownley (CA)	Gibbs	Lowey
Buchanan	Gibson	Lucas
Bucshon	Gingrey (GA)	Luetkemeyer
Burgess	Gohmert	Lujan Grisham
Bustos	Goodlatte	(NM)
Calvert	Gosar	Lujan, Ben Ray
Camp	Gowdy	(NM)
Campbell	Granger	Lummis
Cantor	Graves (GA)	Lynch
Capito	Graves (MO)	Maffei
Capps	Green, Al	Maloney, Sean
Carney	Green, Gene	Marchant
Carter	Griffin (AR)	Marino
Cartwright	Griffith (VA)	Markey
Cassidy	Grimm	Massie
Castro (TX)	Guthrie	Matheson
Chabot	Hahn	McCarthy (CA)
Chaffetz	Hall	McCaul
Chu	Hanabusa	McClintock
Cicilline	Hanna	McCollum
Coble	Harper	McHenry
Coffman	Harris	McIntyre
Cole	Hartzler	McKeon
Collins (GA)	Hastings (WA)	McKinley
Collins (NY)	Heck (NV)	McMorris
Conaway	Heck (WA)	Rodgers
Cannolly	Hensarling	McNerney
Cook	Herrera Beutler	Meadows
Cooper	Higgins	Meehan
Costa	Himes	Meng
Cotton	Hinojosa	Messer
Courtney	Holding	Mica
Cramer	Honda	Michaud
Crawford	Horsford	Miller (FL)
Crenshaw	Hudson	Miller (MI)
Crowley	Huelskamp	Miller, Gary
Cuellar	Huizenga (MI)	Mullin
Culberson	Hultgren	Mulvaney
Daines	Hunter	Murphy (FL)
Davis, Rodney	Hurt	Murphy (PA)
DeFazio	Israel	Napolitano
DeLauro	Issa	Negrete McLeod
DelBene	Jackson Lee	Neugebauer
Denham	Jenkins	Noem
Dent	Johnson (OH)	Nolan
DeSantis	Johnson, Sam	Nugent

Nunes	Ros-Lehtinen	Thompson (CA)
Nunnelee	Roskam	Thompson (PA)
O'Rourke	Ross	Thornberry
Olson	Rothfus	Tiberi
Owens	Royce	Tierney
Palazzo	Ruiz	Tipton
Pastor (AZ)	Runyan	Titus
Paulsen	Ruppersberger	Tonko
Perry	Ryan (WI)	Turner
Peters (CA)	Salmon	Upton
Peters (MI)	Sanchez, Loretta	Valadao
Peterson	Scalise	Van Hollen
Petri	Schiff	Vargas
Pittenger	Schneider	Veasey
Pitts	Schock	Vela
Poe (TX)	Schrader	Wagner
Polis	Schwartz	Walberg
Pompeo	Schweikert	Walden
Posey	Scott, Austin	Walorski
Price (GA)	Sensenbrenner	Walz
Price (NC)	Sessions	Waxman
Quigley	Sewell (AL)	Weber (TX)
Radel	Sherman	Weber (FL)
Rahall	Shimkus	Westerman
Rangel	Shuster	Westmoreland
Reed	Simpson	Whitfield
Reichert	Sinema	Williams
Renacci	Slaughter	Wilson (SC)
Ribble	Smith (NE)	Wittman
Rice (SC)	Smith (NJ)	Wolf
Rigell	Smith (TX)	Womack
Roby	Southerland	Woodall
Roe (TN)	Stewart	Yoder
Rogers (AL)	Stivers	Yoho
Rogers (KY)	Stockman	Young (AK)
Rogers (MI)	Stutzman	Young (FL)
Rohrabacher	Swalwell (CA)	Young (IN)
Rokita	Takano	
Rooney	Terry	

NAYS—84

Bass	Grijalva	Payne
Beatty	Gutierrez	Pelosi
Becerra	Hastings (FL)	Perlmutter
Blumenauer	Holt	Pocan
Brady (PA)	Hoyer	Richmond
Brown (FL)	Huffman	Roybal-Allard
Butterfield	Jeffries	Rush
Capuano	Johnson (GA)	Sánchez, Linda
Cardenas	Johnson, E. B.	T.
Cárson (IN)	Kaptur	Sarbanes
Castor (FL)	Kennedy	Schakowsky
Clarke	Kildee	Scott (VA)
Clay	Larsen (WA)	Scott, David
Cleaver	Lee (CA)	Serrano
Clyburn	Levin	Shea-Porter
Cohen	Lewis	Sires
Conyers	Maloney,	Smith (WA)
Cummings	Carolyn	Thompson (MS)
Davis, Danny	Matsui	Velázquez
DeGette	McCarthy (NY)	Visclosky
Delaney	McDermott	Wasserman
Decher	McGovern	Schultz
Dingell	Meeks	Waters
Doyle	Miller, George	Watt
Edwards	Moore	Welch
Ellison	Moran	Wilson (FL)
Engel	Nadler	Yarmuth
Fattah	Neal	
Fudge	Pallone	
Grayson	Pascrell	

NOT VOTING—8

Davis (CA)	Pearce	Speier
Doggett	Pingree (ME)	Tsongas
Flores	Ryan (OH)	

□ 1111

Mr. GUTIERREZ and Mrs. BEATTY changed their vote from "yea" to "nay."

Mrs. NEGRETE McLEOD, Mr. ISRAEL, Ms. LOFGREN, Mrs. CAPITO, Messrs. VELA, COURTNEY, BEN RAY LUJAN of New Mexico, POLIS, HINOJOSA, HIGGINS, Ms. BONAMICI, Messrs. HONDA, and TIERNEY changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Madam Speaker, on rollcall No. 140, had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. MAFFEI. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MAFFEI. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Maffei moves to recommit the bill H.R. 807 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 3. PROHIBITION ON DEFAULT THAT PAYS CHINA FIRST INSTEAD OF PROTECTING AMERICA'S SENIORS, VETERANS, AND THOSE HARMED BY NATURAL DISASTERS.

This Act shall not take effect if it would result in the United States Government defaulting on its legal obligations for the first time in its history, as evidenced by the Secretary of the Treasury taking any of the following actions:

(1) Making payments of debt obligations to foreign bond holders, including those in China, Iran, and the Cayman Islands, before making payments of debt obligations required under chapter 31 of title 31, United States Code, for the Deposit Insurance Fund and the National Credit Union Share Insurance Fund, which insure savings for Americans.

(2) Failing to make a payment of a debt obligation to the Social Security and Medicare trust funds or redeem a debt obligation held by those trust funds.

(3) Failing to redeem a debt obligation held by a trust fund providing veterans benefits, including the Veterans Special Life Insurance Fund, the Veterans Reopened Insurance Fund, the Armed Forces Retirement Home Fund, and the Court of Veteran Appeals Retirement Fund.

(4) Failing to redeem a debt obligation held by an intragovernmental fund with the purpose of assisting Americans during a natural disaster, including reserves for the National Flood Insurance Program and other disaster relief funds appropriated to the President.

Mr. CAMP. Madam Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from New York is recognized for 5 minutes in support of his motion.

Mr. MAFFEI. Madam Speaker, I am offering this amendment today as the final amendment, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Madam Speaker, the American people want us to work together—Republicans and Democrats—to reduce our

debt, pay our bills, and avoid an economic catastrophe, which would result from default. But how can Democrats work with the Republican leaders of this House when their plan for America is to default?

Madam Speaker, Republicans today proved this by bringing forth this legislation, which presumes it will happen and maps out not if but what happens when the United States defaults.

Their plan ensures that foreign creditors such as China, Japan, and OPEC countries Iran and Saudi Arabia would continue to get paid while we halt other payments to groups of Americans who have earned those benefits. This bill prioritizes Chinese lenders ahead of American seniors and veterans and college students. That's why it's called the Pay China First Act.

The House Republican bill would stop pay for 1.4 million Active Duty troops and almost 800,000 activated Reserves and National Guards. It would end benefits for 3.4 million disabled Americans; eliminate education benefits and home purchasing assistance for 1.3 million veterans; put American small businesses that sell goods and services to the government on the hook for major losses; and stop payment to doctors and hospitals who take care of the 50 million Medicare patients around this country.

□ 1120

Madam Speaker, the Republican plan that we debate here today ignores the needs and priorities of the American people; and it does so, Madam Speaker, so that the Republican leadership can sidestep the political problem that, after being fully complicit in running up our Nation's credit card debt, their side doesn't want to pay the bill.

It strains the bounds of cynicism to think that any elected leaders would prioritize a policy of political convenience over the well-being of those injured from fighting for America's freedom; but that is what's happening today.

We need to come together as a Nation to fix our debt, and we need to do it in the right way, not on the backs of our middle class families and seniors, and certainly not by defaulting on the debt we owe our veterans.

Instead of finding ways to pay China first, we should be using this time to find a way to balance our budget and avoid defaulting on any of our obligations.

We should be working together to come up with a plan that addresses the very serious fiscal challenges facing this country. And these are not easy choices, but they are why our constituents sent us here, Democrats and Republicans, to answer the challenges of our time as our forebears did in theirs.

The brinksmanship that Congress has put us in time and time again has created uncertainty in the economy. It

prevents economic growth. It stifles job creation.

This Republican plan will plunge our recovering economy back into a recession. It will raise unemployment. It might even freeze credit worldwide. It is a reckless plan to default for the first time in our Nation's history, and economists agree it will be devastating.

What this side is proposing is nothing but a plan to fail.

Madam Speaker, I didn't come here to plan to fail. I came here to focus on jobs and growth and a stronger middle class and promote a commonsense budget that's balanced and fair, that expands our economy and responsibly reduces deficit.

Instead of prioritizing China and foreign sovereign funds, we should be protecting our American troops who are in harm's way as we speak, our veterans; our seniors who rely on Medicare and Social Security; American small businesses; and college students who earned Pell Grants.

That's what this amendment does. It would stop the horrible consequences of default. It is a simple choice: plan to default on our debts or reject this plan and work together to avert catastrophe.

Which one will my Republican colleagues choose today?

Madam Speaker, above your august chair, and even above our great American Flag, the symbol of freedom, are the words: In God We Trust. And through good times and bad, that trust has been rewarded.

Madam Speaker, the American people, our seniors who depend on Medicare, our students who have worked hard to earn a Pell Grant to pay for college, our small businesses who have sold their wares to the Federal Government at a fair price, and our veterans who have sacrificed for our freedom, they have put their trust in us.

For 237 years, this Nation has paid its debts, not just some of them, like the ones to foreign creditors. Our forebears have always kept faith with the American people. They didn't pick and choose. They did their duty, and so must we.

Madam Speaker, I yield back the balance of my time.

Mr. CAMP. Madam Speaker, I withdraw my point of order and seek time in opposition to the motion.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CAMP. Madam Speaker, you know, this body just spent the last hour listening to the other side saying how we can't default. But the irony of this motion to recommit is it actually mandates default. The irony of this motion is that it mandates default that would send our economy into a tailspin. It would ensure that nobody gets paid.

Vote "no" on this motion to recommit.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MAFFEI. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 227, not voting 5, as follows:

[Roll No. 141]

AYES—200

Andrews	Garcia	Moore
Barber	Grayson	Moran
Barrow (GA)	Green, Al	Murphy (FL)
Bass	Green, Gene	Nadler
Beatty	Grijalva	Napolitano
Becerra	Gutierrez	Neal
Bera (CA)	Hahn	Negrete McLeod
Bishop (GA)	Hanabusa	Nolan
Bishop (NY)	Hastings (FL)	O'Rourke
Blumenauer	Heck (WA)	Owens
Bonamici	Higgins	Pallone
Brady (PA)	Himes	Pascarell
Brown (FL)	Hinojosa	Pastor (AZ)
Brownley (CA)	Holt	Payne
Bustos	Honda	Pelosi
Butterfield	Horsford	Perlmutter
Capps	Hoyer	Peters (CA)
Capuano	Huffman	Peters (MI)
Cárdenas	Israel	Peterson
Carney	Jackson Lee	Pingree (ME)
Carson (IN)	Jeffries	Pocan
Cartwright	Johnson (GA)	Polis
Castor (FL)	Johnson, E. B.	Price (NC)
Castro (TX)	Jones	Quigley
Chu	Kaptur	Rahall
Ciçilline	Keating	Rangel
Clarke	Kennedy	Richmond
Clay	Kildee	Roybal-Allard
Cleaver	Kilmer	Ruiz
Clyburn	Kind	Ruppersberger
Cohen	Kirkpatrick	Rush
Connolly	Kuster	Ryan (OH)
Conyers	Langevin	Sánchez, Linda
Cooper	Larsen (WA)	T.
Costa	Larson (CT)	Sanchez, Loretta
Courtney	Lee (CA)	Sarbanes
Crowley	Levin	Schakowsky
Cuellar	Lewis	Schiff
Cummings	Lipinski	Schneider
Davis (CA)	Loeb sack	Schrader
Davis, Danny	Lofgren	Schwartz
DeFazio	Lowenthal	Scott (VA)
DeGette	Lowe y	Scott, David
Delaney	Lujan Grisham	Serrano
DeLauro	(NM)	Sewell (AL)
DelBene	Luján, Ben Ray	Shea-Porter
Deutch	(NM)	Sherman
Dingell	Lynch	Sinema
Doyle	Maffei	Sires
Duckworth	Maloney,	Slaughter
Duncan (TN)	Carolyn	Smith (WA)
Edwards	Maloney, Sean	Speier
Ellison	Markey	Swalwell (CA)
Engel	Matheson	Takano
Enyart	Matsui	Thompson (CA)
Eshoo	McCarthy (NY)	Thompson (MS)
Esty	McCollum	Tierney
Farr	McDermott	Titus
Fattah	McGovern	Tonko
Foster	McIntyre	Tsongas
Frankel (FL)	McNerney	Van Hollen
Fudge	Meeks	Vargas
Gabbard	Meng	Veasey
Gallego	Michaud	Vela
Garamendi	Miller, George	Velázquez

Visclosky
Walz
Wasserman
Schultz

Waters
Watt
Waxman
Welch

Wilson (FL)
Yarmuth

Mr. BRALEY of Iowa. Madam Speaker, on rollcall No. 141 had I been present, I would have voted "aye."

Ms. KELLY of Illinois. Madam Speaker, on rollcall No. 141 I was unavoidably detained. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CROWLEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 207, not voting 4, as follows:

[Roll No. 142]

YEAS—221

NOES—227
Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
DeSantis
DesJarlais
Luetkemeyer
Lummis
Marchant
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
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Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
DeSantis
DesJarlais
Luetkemeyer
Lummis
Marchant
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen

Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson (TX)
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kinston
Klingman
Kline
Labrador
Latta
Latham
Lujan
Lujan (NM)
Lujan (NV)
Lujan (TX)
Lujan (NM)
Lynch
Maffei
Maloney
Dingell
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Garcia
Gibson
Grayson
Green, Al

Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner

Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Amash
Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Dingell
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Garcia
Gibson
Grayson
Green, Al
Doggett
Flores

Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maffei
Maloney
Dingell
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Garcia
Gibson
Grayson
Green, Al
Doggett
Flores

NAYS—207

Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Maffei
Maloney
Dingell
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Garcia
Gibson
Grayson
Green, Al
Doggett
Flores
Pearce
Peterson

NOT VOTING—4

NOT VOTING—5

Braley (IA)
Doggett

Flores
Kelly (IL)

Pearce

□ 1132

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

□ 1139

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 264, nays 140, answered "present" 1, not voting 27, as follows:

[Roll No. 143]

YEAS—264

Aderholt	Esty	McCollum
Alexander	Farenthold	McHenry
Amodi	Farr	McKeon
Bachmann	Fattah	McKinley
Bachus	Fincher	McNerney
Barber	Fleischmann	Meadows
Barletta	Fortenberry	Meeks
Barr	Foster	Messer
Barrow (GA)	Frankel (FL)	Mica
Barton	Frelinghuysen	Michaud
Becerra	Gabbard	Miller (FL)
Bentivolio	Gallego	Miller (MI)
Bera (CA)	Garrett	Miller, Gary
Bilirakis	Gibbs	Moran
Bishop (UT)	Goodlatte	Mullin
Black	Gosar	Mulvaney
Blackburn	Gowdy	Murphy (FL)
Blumenauer	Granger	Murphy (PA)
Bonamici	Grayson	Nadler
Bonner	Grimm	Napolitano
Boustany	Guthrie	Neugebauer
Brady (TX)	Gutierrez	Noem
Braley (IA)	Hahn	Nugent
Bridenstine	Hall	Nunes
Brooks (AL)	Hanabusa	Nunnelee
Brooks (IN)	Harper	O'Rourke
Brown (FL)	Harris	Olson
Brownley (CA)	Hastings (WA)	Payne
Buchanan	Heck (WA)	Pelosi
Bucshon	Higgins	Perlmutter
Bustos	Himes	Perry
Calvert	Hinojosa	Peters (CA)
Camp	Holt	Petri
Campbell	Horsford	Pingree (ME)
Cantor	Huelskamp	Pocan
Capito	Huffman	Polis
Capps	Hurt	Pompeo
Cardenas	Issa	Posey
Carney	Johnson (GA)	Price (NC)
Carter	Johnson, Sam	Rangel
Cartwright	Kaptur	Reichert
Cassidy	Keating	Ribble
Castro (TX)	Kelly (PA)	Rice (SC)
Chabot	Kennedy	Richmond
Cicilline	Kildee	Roby
Clay	King (NY)	Roe (TN)
Coble	Kingston	Rogers (AL)
Cole	Klaine	Rogers (KY)
Collins (NY)	Kuster	Rogers (MI)
Cook	Labrador	Rokita
Cooper	LaMalfa	Ros-Lehtinen
Cramer	Lamborn	Roskam
Crenshaw	Langevin	Ross
Cuellar	Lankford	Rothfus
Culberson	Larsen (WA)	Roybal-Allard
Cummings	Latta	Royce
Daines	Lipinski	Ruiz
Davis (CA)	Loeb	Runyan
Davis, Danny	Lofgren	Ruppersberger
DeGette	Long	Ryan (WI)
Delaney	Lowe	Scalise
DeLauro	Lucas	Schiff
DelBene	Luetkemeyer	Schneider
DesJarlais	Lujan Grisham	Schrader
Deutch	(NM)	Schwartz
Diaz-Balart	Lujan, Ben Ray	Schweikert
Doyle	(NM)	Scott (VA)
Duncan (SC)	Lummis	Scott, Austin
Duncan (TN)	Marchant	Scott, David
Edwards	Marino	Sensenbrenner
Ellison	Massie	Serrano
Ellmers	McCarthy (CA)	Sessions
Engel	McCarthy (NY)	Sewell (AL)
Enyart	McCaul	Shea-Porter
Eshoo	McClintock	Sherman

Shuster
Simpson
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stewart
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thornberry

Titus
Tonko
Tsongas
Upton
Van Hollen
Vargas
Vela
Wagner
Walden
Walorski
Walz
Wasserman
Schultz
Waters

Watt
Weber (TX)
Webster (FL)
Welch
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Witman
Wolf
Womack
Yarmuth
Young (FL)
Young (IN)

NAYS—140

Amash
Andrews
Bass
Beatty
Benishak
Bishop (NY)
Brady (PA)
Broun (GA)
Burgess
Carson (IN)
Castor (FL)
Chaffetz
Chu
Clarke
Cleaver
Clyburn
Coffman
Collins (GA)
Conaway
Connolly
Conyers
Costa
Cotton
Courtney
Crawford
Crowley
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
Dingell
Duckworth
Duffy
Fitzpatrick
Fleming
Foxy
Fudge
Garamendi
Garcia
Gardner
Gerlach
Gibson
Gingrey (GA)
Graves (GA)
Graves (MO)
Green, Al
Green, Gene

Griffin (AR)
Griffith (VA)
Hartzler
Hastings (FL)
Heck (NV)
Herrera Beutler
Honda
Hoyer
Hudson
Huizenga (MI)
Hunter
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce
Kelly (IL)
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Lance
Latham
Lee (CA)
Levin
Lewis
LoBiondo
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McDermott
McIntyre
Meehan
Meng
Miller, George
Moore
Neal
Negrete McLeod
Nolan

Palazzo
Pallone
Pastor (AZ)
Paulsen
Peters (MI)
Peterson
Pittenger
Poe (TX)
Price (GA)
Radel
Rahall
Reed
Renacci
Rigell
Rohrabacher
Rooney
Rush
Ryan (OH)
Salmon
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schock
Sires
Slaughter
Southerland
Stivers
Stockman
Terry
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Turner
Valadao
Veasey
Velázquez
Visclosky
Walberg
Wenstrup
Woodall
Yoder
Yoho
Young (AK)

ANSWERED "PRESENT"—1

Owens

NOT VOTING—27

Bishop (GA)
Butterfield
Capuano
Cohen
Doggett
Flores
Forbes
Franks (AZ)
Gohmert
Grijalva

Hanna
Hensarling
Holding
Hultgren
King (IA)
Larson (CT)
Lowenthal
McGovern
McMorris
Rodgers

Pascrell
Pearce
Pitts
Quigley
Shimkus
Tierney
Waxman
Whitfield

□ 1147

Mrs. BEATTY changed her vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. FLORES. Mr. Speaker, I missed rollcall vote 142 to H.R. 807 taken on May 9, 2013. Had I been present for this vote, I would have voted "aye."

I was not present for this vote due to a speaking engagement at Texas A&M University.

Mr. PEARCE. Mr. Speaker, on rollcall No. 142, I am not recorded because I was absent from the House of Representatives for personal reasons. Had I been present, I would have voted "yea."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 32. Concurrent resolution authorizing the use of the Capitol Grounds for the National Honor Guard and Pipe Band Exhibition.

The message also announced that the Senate has a passed bill of the following title in which the concurrence of the House is requested:

S. 622. An act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

□ 1150

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Texas (Mr. BRADY) for the purposes of inquiring of the schedule for the week to come. Mr. BRADY, as I understand, is the designee of the majority leader, and I welcome and appreciate his participation.

Mr. BRADY of Texas. First, I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at 2 p.m. in pro forma session. On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and at noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a few suspensions on Tuesday and Wednesday, a complete list of which will be announced by the close of business tomorrow.

In addition, Mr. Speaker, I expect the House to consider H.R. 45, a bill sponsored by Representative MICHELE BACHMANN, to fully repeal ObamaCare.

We will also consider H.R. 1062, the SEC Regulatory Accountability Act, authored by Representative SCOTT GARRETT. This bill requires the SEC to conduct cost benefit analysis on any rulemaking to ensure that the benefits outweigh the costs.

Mr. HOYER. I thank the gentleman for that information and, again, I want

to thank him. I know that the majority leader could not be here and he's filling in, and I appreciate the fact that he is doing so.

Mr. BRADY, I notice that there is not on the notice for the schedule for next week any reference about a motion to go to conference on the budget. As you know, the Senate has now passed a budget, which it had not done for some years. Your side, in particular, but all of us wanted the Senate to pass a budget. They have now passed a budget. We passed a budget. We would hope on this side of the aisle that we would now go to conference.

I'm wondering whether the gentleman can—in light of the fact that it is regular order that two sides pass, now try to compromise the differences that exist between the two Houses—can the gentleman tell me whether or not there is a plan to go to conference and, if so, what that schedule might be? And I yield to my friend.

Mr. BRADY of Texas. Thank you. As you know, Chairman RYAN and Chairman MURRAY are in discussions about the budget. It is I think encouraging that for the first time in 4 years this is actually occurring, the Senate has finally passed a budget.

But we know both sides take a considerably different view toward our financial budget future. These talks are aimed at sort of narrowing those differences. We certainly don't want to short-circuit those discussions because we're all encouraged.

Mr. HOYER. I appreciate the fact that you're encouraged. Frankly, our side has not heard an encouraging word. In fact, we continue to hear discouraging words, as the song says.

I'm very hopeful we can bridge the gap that exists, which is about \$100 billion, as the gentleman knows. The Senate marked \$1.058 trillion, which of course was consistent with the Budget Control Act that we agreed upon, we voted on, and passed. The President signed the Budget Control Act, including that figure for the fiscal year '14 budget. The Ryan budget, as you know reflects a \$966 billion 302 allocation; that is, general discretionary spending levels.

I'm wondering when you say you're encouraged, do you know whether there's been any progress toward trying to bridge that gap? Obviously, as a former appropriator, many times it's 50/50 you come to the middle, which would be about \$1 trillion or a little more than that. I'm wondering whether or not the gentleman knows whether any progress has been made on that? And I yield to my friend.

Mr. BRADY of Texas. Thank you for yielding. As you know, there are significant differences. The Senate budget includes over \$1 trillion in new tax hikes on small businesses and families, which would be very damaging for the economy. The Senate Democrat bill

adds I think about \$8 trillion to the deficit and doesn't take what we think are critical steps to saving Social Security and Medicare over the long haul. That's why these discussions, I think, are so critical.

Again, I'm encouraged that both sides are discussing them, trying to find a way to narrow them, and we ought to give them time to be able to continue those discussions.

Mr. HOYER. I thank the gentleman.

Just let me observe that on our side we think it would be useful if the American public had the opportunity to, in effect, see the discussions in a conference. I've been here long enough to remember when we had conferences on the Appropriations Committee. They were open to the public. They were reported on. We had discussions about the differences that existed, as one would expect, from people elected from different parts of the country and with different views. But we think it would be very helpful if those discussions were held, because the differences are pretty profound and pretty significant, that it would help the public to have a better understanding of the process.

In addition, as the gentleman knows, of course, there was some discussion about the President's coming down late with his budget. We should have been through the budget process by now so that the Appropriations Committee could proceed with its allocations to its 12 subcommittees.

In that context, I would ask the gentleman, does the gentleman have any idea when the appropriations bills might be marked up and brought to the floor? As you know, under regular order, for the most part, we have brought appropriations bills to the floor starting in mid-May or the last week in May so that we could get through that process in June and July and send those bills to the Senate so that we might have conferences and complete our work by October 1.

And I yield to my friend.

Mr. BRADY of Texas. Thank you for yielding. I agree with you about the importance of moving our appropriations bill.

The majority leader has announced we will begin the process of funding our government in June through an open appropriation, and through those appropriation seasons will work with the Appropriations Committee to determine which bills will come to the floor in June, as we have continued to do for the last number of years.

Mr. HOYER. Well, I appreciate that and I look forward to the consideration of the appropriations bills on the floor.

I want to say that for the most part you have followed open rules, which we did as well in 2007 until we just couldn't get the bills done in a timely fashion. Hopefully, we can do that, because I think that, again, it gives the

public the opportunity to see the priorities of not only each Member but both sides moving forward. I think that's appropriate in a democracy. I appreciate the fact that the majority leader intends to bring those bills to the floor starting in June. I'm not sure whether we can finish all 12 in June, but perhaps finish those in July.

We did not bring, as the gentleman knows, the Labor and Health bill to the full committee in the last cycle, much less to the floor. That bill will be tough.

Chairman ROGERS—I know the gentleman is on a committee that he believes is more important. He and I may differ in that perception. He's a member of the Ways and Means Committee, I was a former member of the Appropriations Committee. But, nonetheless, Mr. ROGERS has made the observation, in terms of the dollars allocated in the Ryan budget for discretionary spending, both on the defense side and non-defense side:

I suspect there will be some who will be shocked. I don't think people yet understand how severe the numbers will be.

Those numbers refer to the \$966 billion in discretionary spending, which will require deep cuts in almost every program on the national defense side and on the discretionary side.

So, the sooner we get to that, because I think it's going to be a difficult process, the better. And I appreciate your information with reference to the majority leader's intent to bring them to the floor.

Now, I also did not see on the schedule, Mr. BRADY, anything that deals with the sequester. I do see the Affordable Care Act repeal on the floor next week, which has been, of course, on this floor some 33, 34, 35 times before, to repeal it. We're having another repeal vote coming up. I think honestly you believe, as I believe, that that bill is not going to go anywhere, other than perhaps through the House of Representatives, but, beyond that, it won't go anywhere.

However, the sequester continues to be an ongoing challenge to our country, to our government, and to our people. We dealt with it in a sort of surgical fashion dealing with the FAA, but we have not dealt with any of the other concerns. As the gentleman knows, I have concerns about the fact the sequester may result in 70,000 children not being on Head Start. They are only 3 or 4 years of age once.

□ 1200

The Social Security Administration may have to furlough payments, which will slow down payments of Social Security. There are 4 million fewer Meals on Wheels for seniors. There are 600,000 people who have been dropped off the Women, Infants, and Children program. There are 125,000 fewer HUD rental assistance vouchers for people who are

homeless or who are struggling to keep a home. Unemployment insurance has been cut 11 percent for 2 million out-of-work Americans. We now have no safety net for them. The FDA will have 2,100 fewer food safety inspectors—that's down 18 percent—obviously, putting at risk our food safety; and we will furlough an equivalent to 1,000 fewer Federal agents, FBI—we know from the Boston Marathon bombings how critical the FBI was—and border security. One-third of combat air units have been grounded.

I mention all of those simply in the context of those consequences of the sequester. I see it's not on next week, and we have a week after that that we'll be in session. Does the gentleman have any information with reference to whether or not we will deal with trying to ameliorate these adverse consequences of sequester before we leave here for the Memorial Day break?

And I yield to my friend.

Mr. BRADY of Texas. Thank you for yielding. As you may remember, the President proposed this sequester originally in discussions about the budget and has threatened to veto any legislative efforts to turn off that sequester. Perhaps that's why Republicans, Democrats, and the President recently signed legislation that locks in those lower spending levels for the remainder of the budget year, and Congress has provided the administration the flexibility to cut funding from the nonpriority provisions, areas, of the budget so we can prioritize those important areas that you discussed.

As we all remember, what the sequester did was take, in effect, a 500-pound government and insisted that it lose 10 pounds. That's what the sequester does—a minor amount but important because this Nation is running such dangerously high deficits.

So, clearly, there is bipartisan agreement on the spending levels for the budget for the rest of the year. I think that's the regular appropriations process that Chairman ROGERS is bringing forward in which we'll have a chance, Republicans and Democrats, to amend it, to get our ideas to the floor. I think that adds extra importance to that process.

Mr. HOYER. I thank the gentleman for his comments; but I do want to observe that the President of the United States has offered a budget which eliminates the sequester and gets to a budget deficit reduction and fiscal sustainability in an alternative way which we think is much more positive.

I would also remind the gentleman that CHRIS VAN HOLLEN, the ranking member of the Budget Committee, offered an alternative which gets rid of the sequester, which all sides agree is an irrational process in that it cuts the highest priority and lowest priority the same. The sequester, as the gentleman knows, was put in a bill to force action

with the specific belief and premise that the sequester was so bad, so irrational, so lacking in common sense, so negative in its impact that it would never be adopted. Sadly, it was adopted.

I want to say also that the gentleman and a lot of his colleagues like to mention that this is the President's suggestion. With all due respect, Jack Lew brought it up with Mr. REID, and everybody has read about that in Mr. Woodward's book. He brought it up, however—and the gentleman probably recalls this—days after sequester, as a policy, was included in the Cut, Cap, and Balance bill for which 229 Republicans voted for as a policy. I want to tell the gentleman just for his future information, on our side, we are opposed to the sequester. We want to see the sequester changed.

Mr. VAN HOLLEN not only offered a budget, but he offered four amendments. Each time we considered the CR and other legislation, four times he offered an amendment to substitute the same savings so we would get to those budget deficit reductions to which the gentleman spoke, but would not do so in the irrational, across-the-board fashion that sequester requires.

So I want to make it clear, if there was any confusion on your side of the aisle, we are not for the sequester. I voted for the CR to keep the government open, but I voted against the CR, when it left this House, which had sequester in there. I, frankly, thought shutting down the government was even worse than the sequester, but I think the sequester is having a harmful effect, not only on government, but a harmful effect on our economy. I think it's a drip, drip, drip. It wasn't a "shut the door." It wasn't black and white. It wasn't overnight, but it is a drip, drip, drip that is harming our economy.

I understand what the gentleman has told us, but I would hope that we would seriously consider trying to see if we could reach agreement either outside the context of the budget conference or inside the context of the budget conference that would give us an alternative which would be more rational, more positive, and more helpful to our economy.

The next subject is simply the debt ceiling. We just passed a bill on the prioritization. We unanimously opposed that on our side. We think that is not a good policy. Obviously, there is a disagreement on that. May 19 is the date that the debt ceiling extension expires.

Can the gentleman tell me whether there is any proposal to act in the near future other than on debt prioritization, which will have no chance in the Senate and is roundly opposed by many Republican economists, as the gentleman knows, and by the former economic adviser to the Bush administration, who said that it would

not work, should not work? Can the gentleman tell me whether there is any alternative plan, before we leave here for the Memorial Day break, to give confidence to the economy and to creditors and to the American people that we will deal responsibly with the debt limit extension?

And I yield to my friend.

Mr. BRADY of Texas. Well, thank you for yielding. I was disappointed in today's action in the sense that I think it is dangerous to flirt with default. America ought to pay its debt, and we ought to reassure investors here at home—our local retirement funds that have bought U.S. Treasury, the Social Security trust fund, itself, that gets paid back interest, as well as other investors—that America will not default. I was disappointed this was made a partisan issue when, in fact, I think flirting with it and getting to the brink has really been damaging to our economy, and I think choosing for default was a mistake by your colleagues.

I am hopeful that the Senate will take it up and that there will be a more bipartisan effort to assure that we are going to actually pay our bills and then focus on the real problem, which is dangerously high deficits, the fact that we're not acting now to save Social Security and Medicare—such critical programs.

In the House, we've begun the discussions to identify what those priorities are to move us back toward a balanced budget without raising taxes on local families and businesses. We've begun the process of identifying good, positive ideas that would restore confidence in America's financial future, and we think it is important these moves along in a very deliberate, timely manner so that we don't end up with an 11th-hour issue.

I think this is a reasonable, appropriate way to deal with a huge, dramatically larger debt borrowing amount than America has ever seen—so many trillions piled up in the last few years and more piling up for the future. We don't think the answer is taking more of what people earn; it is Congress coming together, Republicans and Democrats, and finding a way to get our financial house in order, move back toward a balanced budget and act to save Social Security and Medicare.

Mr. HOYER. I thank the gentleman. Of course, we did have a balanced budget, as you'll remember, for the last 4 years of the Clinton administration. Now, there was a Republican-controlled Congress; but in the next 4 years, there was a Republican-controlled Congress, a Republican-controlled Senate, and a Republican President, and we went deeply into debt.

□ 1210

We escalated the debt during the Bush administration by 87 percent of GDP more than this President has escalated the deficit. In nominal terms,

as Mr. CAMP observed before, the dollars are higher. That's true. It's because we are bigger, spending more money, making more money as a country. GDP is up.

During the Reagan administration, we increased the debt as a percentage of the national GDP by 186 percent; 55 percent under George Bush; 37 percent under Mr. Clinton; and some 40-plus percent under this President today.

So I think the gentleman and I agree that we need to get a handle on the debt and the deficit, but we disagree on how this happened. It happened because we didn't pay our bills, and we jettisoned PAYGO in 2003. As a practical matter, we jettisoned it in 2001.

Not paying for things is what creates debt, not buying. If I buy things and I pay for them, I don't have a debt. If I buy things and don't pay for them, I have a debt.

So it's not a question of what I buy, although clearly we need to restrain buying and we need to constrain spending, as I've said, all across the board—the gentleman has heard me—including entitlements, including discretionary defense and nondefense spending. But what we ought to do is manage our finances in a way that does not give pause to the American people or to the economy.

I want to just read for you a quote. Keith Hennessy was George Bush's National Economic Council director who disagrees with your proposition that this prioritization will in any way stabilize—I don't think the gentleman disagrees with me that that bill is not going to pass the Senate. Here's what Keith Hennessy said:

Payment prioritization doesn't stop payments; it just delays them. Then the aggrieved party sues the government and probably wins, and it turns into a bloody mess.

Tony Fratto, who was the spokesman on economic policy in the Bush administration said this:

Prioritization is impossible. Is the government really going to be in the position of withholding benefits, salaries, rent, contract payments, et cetera, in order to pay off Treasury bondholders?

We refer to this, of course, as the Pay China First bill. And China ought to be paid. We borrowed money from them; we ought to pay them.

Here's what he concludes of the prioritization bill:

That would be a political catastrophe.

I suggest it would be an economic catastrophe, as well, to say to our armed services personnel, We're not going to pay you, but we are going to pay China for our debts.

The fact of the matter is the United States is the most creditworthy Nation on Earth. We ought to pay all of our debts and not on a priority status. If we owe you as the United States of America, we're going to pay you. That's our proposition. We should not prioritize paying simply bondholders,

but paying smaller contractors we are doing business with who offer us services and products and we don't pay them until after we pay our bondholders. We ought to pay everybody. That's what America is about.

So I would hope that we could revisit this because your debt prioritization is not going to pass. You know it's not going to pass. We need to get to a responsible way of dealing with the debt-limit extension.

Both parties, I will tell my friend, have demagogued on this issue. We demagogued on it when we had a Republican President; you've demagogued on it—not you personally. I cast no aspersions. But both sides have demagogued on it when the President was of the other party. It's a shame. It's not been good for our country.

Ronald Reagan said that Congress continues to run us up. And we ran us up so close last time that for the first time in history, the United States of America was downgraded by one of our rating agencies. I would hope the gentleman who serves on the Ways and Means Committee and I and others could work together so this doesn't happen again, that we make sure that the American people and that all of our creditors and people around the world know that the United States of America can and will handle its finances in a responsible fashion.

If the gentleman wants to say anything further, I'll yield back to him; if not, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, MAY 9, 2013, TO MONDAY, MAY 13, 2013

Mr. BRADY of Texas. I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and that the order of the House of January 3, 2013, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore (Mr. VALADAO). Is there objection to the request of the gentleman from Texas?

There was no objection.

HONORING DR. SHIRLEY TILGHMAN

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Mr. Speaker, I rise today to honor Dr. Shirley Tilghman for her distinguished service as the 19th president of Princeton University.

Dr. Tilghman will step down this spring following 12 years of exceptional leadership. As the first woman to serve as president of Princeton, she is a role model for the campus community and young women and men across the country and throughout the world.

During her tenure, Dr. Tilghman, a molecular biologist, set in motion a

number of significant initiatives. Princeton increased its financial aid offerings significantly, raising the percentage of students who receive aid and making Princeton's program one of the most generous in the country.

Dr. Tilghman has also worked diligently to bolster the university's academic offerings, overseeing the creation of the Lewis Center for the Arts, the Center for African American Studies, the Princeton Neuroscience Institute, and the Andlinger Center for Energy and the Environment.

As a proud Princeton alumnus, it is an honor to recognize Dr. Tilghman today. May the university continue to be guided by Woodrow Wilson's 1896 words, true also of President Tilghman's labors: "Princeton in the Nation's service," and now expanded to include in the service of all nations.

Our congratulations to Dr. Shirley Tilghman.

NURSES WEEK AND POLIO ERADICATION

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, I rise today in recognition of Nurses Week and to thank the millions of nurses who are on the front lines of our health care system.

Although a doctor is usually considered to be the primary health care provider for a patient, nurses are expert clinicians who provide high-quality and cost-effective care in every community throughout our country.

Around the world, nurses are the first and often the only link to health care for millions living in developing countries and are true warriors against diseases like malaria, HIV/AIDS, and polio.

Thanks to the work of nurses and community health workers, we are close to a polio-free world and could not have come so far without the leadership of the United States, the Gates Foundation, and, of course, partners like the United Nations and Rotary International.

As we thank and salute nurses around the world, we must also recognize the severe shortages of health workers and recommit ourselves to supporting programs and policies that have the greatest impact and farthest reach.

Once again, we must end polio now.

TRIBUTE TO MEGAN BEL

(Mr. SCALISE asked and was given permission to address the House for 1 minute.)

Mr. SCALISE. Mr. Speaker, I rise today to pay tribute and give thanks to the very first person that came to work for me when I came to Congress 5 years ago, my legislative director, Megan Bel.

Unfortunately, she is going to be leaving our office as she goes on to bigger and better things. But Megan has been a tremendous and tireless public servant for the people of southeast Louisiana and has provided great leadership to our Nation. She's been a huge help to me on energy issues, on health care issues, on coastal restoration issues, and so many things. When the Deepwater Horizon disaster occurred 3 years ago, Megan was right there helping not only to get people back to work, but also to help draft and lead through the legislative process the RESTORE Act, which provided incredible support to the people back home. She also provided great help to constituents.

On a Friday afternoon, when we got a call from a father whose son needed lifesaving treatment, she worked through the whole weekend to get FDA approval for a lifesaving clinical trial.

She's just a great public servant, somebody that I think we can all aspire and look up to. We will miss her here at the Capitol, and I surely will miss her at the office. But she will be going on to bigger and better things, and I wish her all the best.

□ 1220

SAFE CLIMATE CAUCUS

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, the Safe Climate Caucus is composed of 25 Members of the House who have made a commitment to talk every single legislative day on the House floor about the urgent need to address climate change.

Mr. Speaker, on Tuesday, we reached record levels of carbon in the atmosphere. Since 1956, a U.S. observatory has been recording data on the amount of carbon dioxide in the atmosphere; and over the last few decades, carbon dioxide levels have been higher than at any point in the last 800,000 years. So there's more carbon dioxide in the atmosphere today than since the dawn of civilization.

This month, the amount of carbon is close to reaching 400 parts per million, a new record. And as a result, extreme weather events are going to be evermore frequent and more damaging.

We must act before it's too late. Our window to address the threat of climate change is closing. It's time to stop the denials and to start acting proactively.

SERVICEMEMBERS' TELEMEDICINE AND E-HEALTH PORTABILITY ACT IMPLEMENTATION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, 2 years ago, I worked with the Congressional Armed Services Committee to include the Servicemembers' Telemedicine and E-Health Portability Act, or STEP Act, as part of the 2012 National Defense Authorization Act.

The law expands telemedicine at the Department of Defense by allowing credentialed care professionals to perform telehealth consultations across State lines, which is great news for our servicemembers, especially those facing mental illness. Instead of waiting weeks for consultation, these men and women can now access care without delay while avoiding the stigma that is oftentimes associated with seeking treatment.

Last year, the DOD issued a waiver to expand telemedicine and begin implementation. In 2012, the Army was able to perform nearly 36,000 teleconsultations.

Despite progress, TRICARE providers were not included in the waiver, limiting thousands of professionals from providing services. Second, the waiver does not allow servicemembers to use telemedicine from their homes, but what better way to avoid the stigma of seeking treatment than to access care from the privacy of one's home.

For our servicemembers to reap the STEP Act's full intended benefit, the Pentagon must fully implement this law.

HONORING FALLEN SERVICEMEMBERS

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'ROURKE. Mr. Speaker, I rise today to recognize five servicemembers who died last Saturday in Afghanistan. First Lieutenant Brandon Landrum; Staff Sergeant Francis Phillips; Specialist Kevin Cardoza; Specialist Brandon Prescott; and Specialist Thomas Murach were killed by an IED while on patrol in Kandahar province. All five had been awarded both a Bronze Star and a Purple Heart, and all five were stationed at Fort Bliss in the district I represent.

Since 2011, Fort Bliss has lost 83 soldiers in the wars in Afghanistan and Iraq. This incredible loss of life has deeply impacted the families, friends, and fellow soldiers of the fallen, as well as the Fort Bliss and El Paso communities.

Each casualty reminds us of the ongoing human toll of the Afghanistan war, now going into its 12th year, and increasingly out of sight for many Americans. The terrible loss of these five soldiers reminds us of our solemn responsibility to our servicemembers, not only to be cautious when sending them into harm's way, but also know-

ing when it is time to bring them home.

SENATE IMMIGRATION BILL THREATENS NATIONAL SECURITY

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the Center for Immigration Studies has analyzed the Senate immigration bill and found that it threatens our national security.

For example, it allows examiners to grant asylum on the spot to arriving claimants without giving them background checks. It prohibits the prosecution of claimants for any criminal passport or visa fraud violation if they have a pending claim for asylum, whether or not it is frivolous. The bill fails to create an entry and exit tracking system at land ports where most foreigners enter. It waives existing grounds of ineligibility for illegal immigrants seeking amnesty, including bars for terrorism risks. So it appears that even the 9/11 terrorists could qualify for legalization under the Senate immigration bill. Incredibly, it even allows the reentry and legalization of those from terrorist-sponsoring countries who have been deported.

How bad does it have to get before there is a popular uprising to oppose this bill?

DECENT PAY AND BENEFITS FOR CONTRACT WORKERS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, yesterday low-income workers in Federal buildings held an impressive rally and press conference at Union Station. They serve the public and the Federal Government under contracts in Federal buildings nationwide, like the Ronald Reagan Building, often without benefits and a living wage. Despite their hard work, their employers, who are Federal contractors, off-load the cost of benefits they should provide, such as health care, onto the taxpayers. It is a zero-sum game.

These working poor do not earn enough to live on, and taxpayers often pick up the tab with food stamps and health care that employers who pay a decent wage shoulder themselves.

This is why we need administrative action to ensure that retail and commercial vendors who enjoy the prestige of contracts with the Federal Government at sites like the Smithsonian offer decent pay with benefits, putting everybody ahead—yes, the workers, but also the taxpayers and the economy alike.

LEFT BEHIND

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the Benghazi whistleblowers have spoken publicly: the administration failed before, during, and after the terrorist attack in Benghazi.

Head of diplomatic security in Libya, Eric Nordstrom, testified his calls for more security before the attack were dismissed by a negligent State Department.

During the attack, counterterrorism official Mark Thompson said that the rescue team was told to stand down instead of trying to save Americans under attack.

Deputy chief of missions in Libya, Greg Hicks, said in his chilling testimony that when Ambassador Stephens frantically called him, they both knew this was a terrorist attack.

The information was reported to Washington; but back on the ranch, the administration ignored the obvious terror attack and blamed the situation on a video. What a yarn. The Libyan President even told our government that this was a terrorist attack, and he was ignored.

The result: four Americans murdered; an administration missing in action that didn't attempt to rescue Americans; a bungling State Department that misled us; and a Secretary of State testifying, What difference does it make?

The difference it makes, Mr. Speaker, is four Americans were left behind. Shameful.

And that's just the way it is.

TEACHER APPRECIATION WEEK

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, this week is Teacher Appreciation Week. I rise to appreciate teachers, especially my wife, who is a high school math teacher; and my sister, who teaches gifted and talented students and English as a second language.

But mostly, I arise to really appreciate our teachers. I have three daughters. They have all received great educations, and it's thanks to the teachers who spend so much time, who care about our kids. And the investment we are making in our children through our teachers is the best investment America can make. We have to continue to build our education system and make it the best in the world and keep it that way.

Mr. Speaker, I just want to thank all of the teachers out there for the hard work that they do every day on behalf of our country, but especially our kids.

□ 1230

THE APPS ACT

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise in support of consumer protection and privacy on mobile devices.

Every day, millions of Americans use mobile applications to help us get through the day, but many consumers do not know that their data is being collected. This privacy breach is just not ones and zeros. It's personal information, including our location at any given moment, our photos, messages, and many of the things meant only for our friends and loved ones; yet we lack basic rights to control how and how much of our data is collected on our phones, iPads, and tablets.

Data has become the oil of the 21st century and, like any other resource, there must be commonsense rules of the road for this emerging challenge. Today I'm introducing the APPS Act, a commonsense approach to this urgent challenge. The APPS Act will protect consumers without disrupting functionality or innovation.

Privacy is an issue that should unite us, not drive us apart. I ask that my colleagues come together and support this bill, creating transparency and trust in the mobile marketplace.

OUR EDUCATION SYSTEM NEEDS HELP

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, the education system in our country needs help. But instead of helping education through additional funding, the sequester, which I voted against as a bad idea, cuts education services to the children in our country who are most at risk.

\$740 million will be cut from Title I education programs that provide financial assistance to improve academic achievement of disadvantaged students. Tennessee would receive \$14.5 million less and, in Memphis, almost every single school relies on those funds. Head Start would be stripped of \$406 million.

These programs are relied upon by low-income families, families that need more assistance to assure that their children have a safe place to learn while their parents work to pay their bills.

Nationwide, nearly 1.2 million students are affected by Head Start cuts. Tennessee will lose at least \$7 million and, in Memphis, it means 31,000 children will lose access to affordable early education.

As a result of this reduction in Federal funding and the needs to

reprioritize our allocation of Title I funding, Memphis City Schools will be forced to eliminate approximately 80 of their pre-K classrooms for the next year. Eighty-two classrooms are being closed, affecting 1,640 children, more than a third of the students. The sequester needs to go.

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it's my privilege to be recognized to address you here on the floor of the United States of House of Representatives. And I know that there's issue after issue that comes before this Congress; some calculate those issues in the thousands. But I'm also aware that, across America, we talk about the things that we see in the news. The things that are in the news are the large topics that are emerging here in Congress.

We've heard the gentleman from Texas speak about the Benghazi incident and how that is unfolding here, and another gentleman talked about the immigration issue, which is unfolding within the Senate and the Judiciary Committee as recently as today.

I come to the floor, Mr. Speaker, to raise the issue of immigration and seek to, I think, more broadly inform yourself and those that are listening in, Members of the Congress, as well. And it strikes me that we have been through some intense debates here in this Congress on the immigration issue, and primarily that debate that took place starting in 2005, throughout the duration of 2006 and into 2007, when we saw tens of thousands of people come to the Capitol grounds and fill up the west lawn and call for amnesty.

I recall in those days it was President George W. Bush that was promoting this policy. And I remember a discussion with his political director, I believe, the senior political adviser at the time, and he said to me, Well, if we didn't give them amnesty, would it be okay with you?

And I said, Well, first let's define "amnesty."

And he said, Well, it wouldn't be amnesty, for example, if we required people to pay a fine, or if we required them to learn English, or if we required them to get a job, or if we required them to pay their back taxes. And that was the language that emerged here in the middle part of the previous decade.

It happens to also be reflective of the 1986 Amnesty Act, which Ronald Reagan signed. It was one of only two times that that great man let me down in 8 years of the Presidency. Once a term's not too bad. Ronald Reagan intended to follow through on the enforcement of the law and the securing of our border.

I was an employer at the time. I remember the new rules that emerged from the 1986 Amnesty Act. President Reagan was honest enough and direct enough with the American people that he called it amnesty, and we understood that that's what it was.

And we understood the purpose for it, and that was to get an agreement so that we could enforce the law and put away the immigration debate for all time by allowing the people that were illegally in the United States a path to citizenship of full residency status and the path to citizenship, and the trade-off was that would be the last amnesty. The promise that there would never be another one was the 1986 Amnesty Act.

There was something like 800,000 people originally that were to be the beneficiaries of this plan, and it turned out to be not a million—3 million people. There was a substantial amount of document fraud, and there was a larger universe of people than was anticipated.

Does anybody think today, Mr. Speaker, that this universe of people is not larger than that that's anticipated by the Senate version of the comprehensive immigration reform bill?

Of course, honest people, objective people, they're not going to write into the bill that there's only going to be 11 million people that can be beneficiaries of this bill. Any kind of an amendment like that would put a hard cap on, would be a deal breaker in the United States Senate because they know that number's larger. History shows that number is larger. Data shows the number is larger. That's just the lowest number that they can, with a straight face, talk about, and it's in a calculated way to try to minimize the amount because it minimizes the opposition to this idea that has emerged.

And I understand why it's there for Democrats, Mr. Speaker. I recall this debate. And as likely the year was 2006, I saw it live. I saw it on C-SPAN, but it took place right out here on the west lawn when then-Senator Teddy Kennedy went before throngs of people, speaking through an interpreter, speaking Spanish through an interpreter, he said: Some say report to be deported. I say, report to become an American citizen.

When I heard that, Mr. Speaker, I understood why he said that. This was his clarion call to say to all of them out there: We want to give you citizenship; and the deal is, you need to come and vote. Vote for those who advocate for handing citizenship over in exchange for the implied or implicit.

And we know what has happened with the way that people have been divided, divided from Americanism into special interest groups by using the political science of victimology manufactured in the brain of Antonio Gramsci back in the earlier part of the 20th century, a contemporary of Lenin's who

studied in Moscow and went to Italy and sat down and was jailed by Mussolini and wrote his prison notebooks. I've read nearly every word that he has published, Mr. Speaker.

Antonio Gramsci was a brilliant man if you can accept the flawed premise that he started with; and the flawed premise was to accept Karl Marx's theory that they needed to defeat Western civilization and defeat the bourgeoisie and empower the proletariat. That was Marx's.

Gramsci was critical of Marx's theory because he said Marx only isolated himself and focused on just economics, and he didn't believe that the Communist movement could succeed against free enterprise and Western civilization because the proletariat, the common people, the working people, needed the bourgeoisie for jobs, so there was an interdependency there.

So he argued instead, if we're going to defeat them, we have to do the long march through the culture. We have to take on all of these principles that interconnect, that hold Western civilization, Western Christendom, as Winston Churchill described it, or Western Judeo-Christendom, as I would describe it, those values that hold us together completely under assault, strategized by Antonio Gramsci, who was the President of the Communist Party in Italy from 1919 until 1926.

And he was brilliant in his perception. He is the father of multiculturalism. He didn't use the word, that I could find, but he's the father of it.

□ 1240

He created the idea that if you could get people to identify themselves as victims and be in victims groups, then there will be more energy in a group with a common grievance than there would be in a group of just proletariat that needed a job and wanted a better way of life. So if you could get the focus of the grievance group intensified, then you could bundle the grievance groups up into a movement. Throughout all of that, you could break down Western Civilization, and you could empower the socialist state or the Marxist state. That was Gramsci's writings, Gramsci's teachings.

Some of the people in this Congress actually do know about this man. I think I'm the only one that's actually attempted to read all of his works. But I see it emerge here in the immigration debate. It's part of the effort to divide people—Americans, the giant melting pot, the greatest success story of assimilation the world has ever conceived of.

Why do people come to the United States of America? Because they are inspired by the image of the Statue of Liberty. And within that Statue of Liberty are the basic pillars of American

exceptionalism in the minds of the people that see it. They're written into the Bill of Rights, most of them.

Can you imagine being in a foreign country where you're suppressed, where you don't have the rule of law, where you don't have right to property and the right to keep the earnings from the sweat of your brow? In a country like that where you can't trust the press and there's not an open press, can you imagine getting that message from Radio Free Europe, for example, and realizing that in the United States of America you can have—if you can come here, come here legally—you can have freedom of speech, freedom of religion, freedom to peaceably assemble and petition the government for redress of grievances. What a wonderful thing to be looking at from someplace in the world where they don't have those kinds of rights.

That's just part of the First Amendment. And then you get to the Second Amendment, the right to keep and bear arms. Why? So that we can defend ourselves from tyranny. That was the one thing that guarantees the balance of the rights.

And looking on down through: the property rights in the Fifth Amendment, the protection against double jeopardy, you get to face a jury of your peers, and then on top of that, these rights that are not specified, the authority of the Federal Government that's not enumerated, devolve to the States or the people respectively.

This means we are an even freer country than we can imagine from reading the Constitution because some States are freer than others. And we compete with each other to offer that level of freedom: economic freedom, social freedom and the freedom to be free from a 16.1-ounce limitation on the size of your Coke, for example. You can move to another State if you don't like that rule—another city—if you don't like that rule that flows out of New York. That's an example of how this great laboratory of America inspired millions of people all over the world.

So we didn't just get a random cross-section of people that came from Scotland or Germany or Italy or name your country around the world, not a random cross-section. We got the people that were inspired. These are the people that saw the Statue of Liberty.

They had enough access to the real truth because we put the message out because maybe they were interactive with Americans that travel, maybe they interacted with American troops that went to liberate some people. We've always left a positive message wherever we have gone as Americans.

An example of that, Mr. Speaker, was one that caught me by surprise, a very pleasant surprise. Several years ago, I went to a hotel in downtown Washington, D.C., to listen to a speech by

then-President of the Philippines, Gloria Arroyo. In that speech, as I listened, here is how it unfolded: She said, thank you, America. Thank you for sending the United States Marine Corps to our islands in 1898. Mr. Speaker, I know you must be thinking, what about the Army? She forgot about the Army, but the Army was there, too.

She said, Thank you, also, for sending your priests and pastors to our islands to help restore and establish our faith. Thank you for sending 10,000 American teachers—if I remember right, she called them Thomasites—who taught the students in the Philippines the English language, the free-enterprise system, a sense of honesty and a work ethic, the American way of life and of being proud of being a worker and a producer and contributing to the GDP.

She said that today there are 1.3 million Filipinos that because they have these skills of language, a work ethic and an understanding of free enterprise, they can travel anywhere in the world to get a job, and they send a lot of that money back to the Philippines. She told us where the percentage of their GDP came from. It came from foreign Filipino workers that contribute to the GDP of the Philippines and to the wealth of the Philippines because more than 100 years ago Americans went there, and we transferred American culture and civilization. It had a significant influence on the Philippines. And they are more successful today. That was her speech to us more than 100 years later to say thank you.

So there is an image of what America was and an image of what I pray America still is. That's an image that is under assault by this philosophy of victimology that was created in the minds and in the writings of Antonio Gramsci. Think about how this thing flowed through. Marx wrote his "Communist Manifesto," Gramsci created his multiculturalism and victimology, and he wrote and taught how you would use that to undermine our culture and civilization. And he talked about the long march through the culture: break down marriage, break down religious values, and break down truth. That's only three of about 25 on the list.

They have been doing that systematically. I see it come out of this side of the aisle every single day in this Congress. Most of them don't know they're doing that. They're just caught up and swept up in the movement of their political party.

I hear the President reducing and lowering American values by his comments that take place in the public and in the press. Think about the things that he has chosen sides on. For example, when it was Professor Gates and Officer Crowley, Mr. Speaker, we know that, first of all, no President would engage in an incident like that, but he

did. And he drove a wedge down between the issues of race.

When Arizona passed their immigration law, S.B. 1070, the President had to do a profile of the type of person that he alleged might be impacted negatively by that bill when the bill itself specifically said that couldn't happen—down the lines of race and ethnicity again.

Then we've got Tim Tebow who will kneel and pray to God on the football field. Meanwhile, we have a professional athlete that decides that he's going to announce his sexuality, and he gets a personal call from the President of the United States to highlight the sexuality of a professional ballplayer.

These are ways that the culture gets undermined, where it gets divided. The people over on this side take their followership from that kind of leadership; and one notch at a time, one click at a time, American civilization, American culture, Western Civilization, Western Judeo-Christendom are eroded. They're carrying out a plan that has been put in place and thought out and advocated for almost now 90-some years ago. They don't know that they're doing it. They think somehow they're providing freedom.

They always want change. They want to change everything that's in place, but there is no goal. If you would grant a wish list to the left and say if I had the power and the magic wand, and I would say, here's the magic wand, I will give you this: you've got all the rest of 2013 to put together the list of all the things that you want to do to fix society, fix America, all the things that possibly could be done from the United States Congress, from the White House, from the judicial branch of government and throughout all of our States down to the lowest municipal judge in this country, or legislative body, city council, for example, give them their entire wish list, you've got all the rest of the year to put that wish list together, and come the stroke of midnight when the ball drops in Times Square, December 31 at midnight, I'm going to stroke the magic wand and you can have everything your political heart wishes for. But the deal is that now you've got to clam up forever and live underneath the rules that you spent the rest of this year writing.

Mr. Speaker, we know how that would turn out. They would work day and night because they are hard-working people. They are smart people. They start with a flawed premise, but they are smart beyond that. They would work day and night to produce the longest, most complete, expansive list of all the things that the left would want. And it would be the destruction of Western Civilization in the end. But come midnight, if I gave them the stroke of the magic wand, then they would stay up the rest of the night try-

ing to figure out how to argue that somehow they were cheated, that they really needed something else, that they left something out of the list.

They're never going to live with the values they call for because there is no constant of truth for them. They undermine it. There is no constant of faith or values because it always has to be moving. It's got to be transformative to satisfy the people on the left.

Those of us who come from the other side of the aisle, we believe there are eternal truths, that, for example, a sin 2,000 years ago is a sin today. We believe that there is such a thing as truth, there's such a thing as objective truth, and there's such a thing as sound science.

□ 1250

We should adhere to those things that are black and white and live by them, and we should debate the things that are gray. That's the difference between the right and the left.

I believe that if you would grant that power that I've discussed, Mr. Speaker, to those on our side of the aisle, I could probably write you up a set of rules in the next 24 hours that I'd be willing to live with for the rest of the my life. And I think that society would gradually move itself back into an ordered forum that would allow human nature and the best of human nature to manifest itself in our families, in our faith, in our communities, in our work, and our rule of law. But what I'm watching here is the undermining of the rule of law with the immigration bill.

This bill that is emerging now that's being debated in the Senate—apparently there's one that's still hidden here in the House somewhere by a hidden committee—this is what the bill does, the Gang of Eight's bill: It grants instantaneous amnesty to everyone who's here in America, and it sends an invitation to everyone who has been deported in the past to apply to come back to America. And it makes an implicit promise that if you came into America after the deadline or if you can get into America—sneak into America—any time in the future, you will be legalized in the next wave of amnesty. It's only a matter of time. And we will never deport you as long as you don't commit a felony—or if you can mysteriously figure out which of the three misdemeanors would be so offensive that the Gang of Eight would want to send you back home again. That's the bill.

So what do they do to get people to agree, to embrace this huge amnesty bill that is breathtaking in its scope and beyond the imagination of even the people in the Senate a year ago—it's what they wanted, but they wouldn't say it publicly. They never imagined they could actually talk about this broad and expansive an amnesty bill even a year ago.

And the tradeoff is this: we have to legalize people because they're saying that we have de facto amnesty. No. We have real amnesty, executive branch-created amnesty in America today. The President has refused to enforce immigration laws. He took an oath to take care that the laws be faithfully executed. That's his constitutional responsibility. Whether he agrees with the laws or not, it is his constitutional responsibility to take care that they are faithfully executed.

When he was speaking to a high school here in Washington, D.C., a couple of years ago—the date was March 28, I'm not certain of the year—and they asked him, why don't you, by executive order, pass the DREAM Act that would grant legal status and an in-State tuition discount for those younger people that came into the United States and they're here illegally. His answer was, well, I don't have the authority to do that. Constitutionally, Congress has to pass a law like that. Because, as he explained to them, as a former adjunct constitutional law professor at the University of Chicago—I agreed with the explanation that he gave, which was: Congress passes the laws. It's up to the President to carry out or enforce those laws, and it's up to the courts to rule on what the laws mean. Now, that's a pretty compact synopsis, but I don't disagree with that. I think the President described it right. He said he did not have the power. His power was limited by the Constitution. Congress is empowered to pass immigration laws—that's what Congress has done from the beginning—and the executive branch's job is to enforce it.

Shortly thereafter—that being roughly a year or so later—the President reversed his position and, I believe by his direction, the Department of Homeland Security spit out a memorandum that created four classes of people. These four classes of people were then summarily exempted from the enforcement of immigration law. And seven times in that memorandum they wrote the words “on an individual basis.” “On an individual basis,” because they know that by—I'll just say by consent and agreement, the executive branch can't prosecute every Federal violation. That's why they have prosecutorial discretion. It's also a matter of case law out there, if you want to accept that term, and I generally don't.

But that directive, I'd grant, the executive branch has to have prosecutorial discretion to determine how best to apply the enforcement and prosecution resources of the executive branch. They can't prosecute every single violation. But prosecutorial discretion only is on an individual basis; it's not on classes of people.

But the President, Janet Napolitano and John Morton created four classes

of people and waived the enforcement of the law against those four classes of people. And now, to add insult to injury, these four classes of people that they decided they're not going to enforce the law against, the President created out of thin air a work permit so that they could work in the United States, presumably legally. It's an unconstitutional, lawless work permit that he has created out of thin air, but they are getting those work permits now to work in the United States because the President has crossed the constitutional line, that line between the executive and the legislative branch, article II—and has gone to article I and claimed authority.

Now, when the Founding Fathers constructed this Constitution and they set up these three branches of government—often we're taught they are three equal branches; I would argue that, no, the judicial branch was designed to be the weakest of the three. But that point is not so important here, Mr. Speaker, but it's this: that this Congress passes the laws. The executive branch's job is to enforce the laws. The President has decided he can manufacture laws out of thin air and refused to enforce the laws on classes of people that he's created by memorandum. That, as far as I know, has not happened with another President. There are about five places where he has crossed the line into the legislative branch.

Our Founding Fathers envisioned this: that if you set up—and they did; they set up three branches of government, each with its own constitutional power and authority, each with its own domain. They knew that there were gray areas in between. You can never write something precisely so that it is a very thin bright line. They did as good as could be done with the language that we have—I can applaud them for it, of course. But they envisioned that that grayer line that couldn't quite be bright enough between the legislative and the executive or the legislative and the judicial, that line and that triangle, for example, would always be defended by each side. They never imagined that the judicial branch would be able to claim so much authority over the executive or the legislative. They thought that the legislative branch would push back against the judicial branch of government, for example.

In this Congress, I think it is not well enough informed on its constitutional article I prerogatives. So when the Supreme Court grasps legislative authority out of that that's granted in article I to Congress, seldom do we stand up and claim it back again. And we're so numb to this that when the President of the United States, the executive branch, reaches into article I and claims legislative authority, we can't get our back up in this Congress to put

up a fight and tell the President that's an unconstitutional act, you crossed a line, and we're going to pull this thing back and put you back in line and make you keep your oath of office. Now, that's the structure that we have today. And we have some tools that we can use, but we have to have the will.

Mr. Speaker, to bring this around to—I'll call it a sub-conclusion of this discussion—when you look through a constitutional analysis and you look at the maximum authority that could be grabbed by the judicial branch or the executive branch or the legislative branch, what's the restraint on that? Article I is really the strongest branch of government.

The House of Representatives is reactive to the people. It's set up to be an election every 2 years so we can be reactive to the people. An example would be when people lost their good political judgment here in Congress and passed ObamaCare in 2010, we saw a wave election and 87 new freshman Republicans came in. Every single one of them ran on the full repeal of ObamaCare. Every single one of them voted—as did every Republican after that—to repeal ObamaCare. That's just the House reaction.

The Senate didn't transform itself to that extent in the last election. Part of that was also the vision of the Founding Fathers. But they always thought that there would be a tension between the branches of government, that each branch of government would jealously protect its power, and that as that little tug of war went on, those lines would be defined over time and by history by people defending their authority within their respective branch of government. They did not imagine that the United States Congress would capitulate lawmaking to the President of the United States and not draw a bright line and not have a fight. I am troubled by that, Mr. Speaker.

Now we have a President who has manufactured his own immigration law. And now we have people in the United States Senate who are advocating this to this Congress because they declare that we have virtual amnesty in America today. It's not virtual; it's literal. The President created it. And I'm not suggesting that the previous Presidents did a very good job of enforcing the law, but they didn't manufacture immigration law out of thin air. This one did.

□ 1300

He created it. Now, the Senators and Members in this House also are advocating that there is de facto amnesty, and the only thing that we can do is conform the laws to the amnesty that the President has manufactured out of thin air. That's the same thing as conforming this Congress to an order by the Supreme Court.

This Congress is the final answer on this. Whether it's a disagreement with

the Supreme Court, whether it's a disagreement with the executive branch, the House and the Senate operating together envisioned by our Founding Fathers would be: we'll sort this out if we have to in the end.

When there's a constitutional clash and a tug of war, that's sorted out by the people expressing their judgment in the ballot box. That's how you eventually resolve serious constitutional crises. So, we have a constitutional serious concern. I'm not to the point where I say it's a crisis at this point.

But, Mr. Speaker, the President has conferred de facto amnesty? No, he's conferred literal, actual factual amnesty. And now we have people that can't think through this constitutionally, so they declare we have to conform with the President's will, wish, or whim. I suggest, no, we have a lot of ways to restrain the President, and I will not go into that today.

I do want to talk about how poor a decision it is to declare that all people in the United States illegally can stay here unless they commit a felony, or those three mysterious misdemeanors that can't be identified at this point, or those that have been deported apply to come back in. If you're not guilty of a felony of some kind, we'll bring you back to America. That's the "we really didn't mean it" clause. And the third one is all of those who are here after the deadline and who can get here after the deadline, never fear, because there is no one who has not committed a felony, nor not committed those three serious mysterious misdemeanors, who is going to be subject to removal from the United States under this President or under the Gang of Eight's bill. That's what we're dealing with.

So, the rule of law, which is the core issue here, it is an essential pillar of American exceptionalism, is under assault by people in the Senate and in the House, and the President of the United States, obviously, who has blown a great big hole in it by his own executive actions. The rule of law.

Now, all those people that are sitting around in the countries of the world that are inspired by the Statue of Liberty that want to come here, many of them are subject to an arbitrary "no rule of law" where they can be stopped and frisked in the streets and where the police can squeeze some dollars out of you just under the threat that you've got a speeding ticket, whether you were or whether you weren't, not a place to defend yourself. They don't think they get justice in a lot of the courts in the world, they don't get justice in the streets, they don't have freedom of speech, they don't have freedom of religion. And they want to come here because everyone is equal under the law.

Do you remember the statue, Mr. Speaker, of—and it's tricky to say statue here as a Member of Congress.

Usually, we say statute. But I'm talking about, actually, a statue of Lady Justice. She's holding the scales of justice and these scales are balanced, they're even. You see the pots hanging from the chains on either side. Generally, when you see her, she's wearing a blindfold, because we have equal justice under the law in the United States.

The image of Lady Justice also attracts good people to come to America because they understand the image of the Statue of Liberty says, freedom, the lamp of liberty shining bright, for all who will come here legally. And Lady Justice blindfolded, equal justice under the law for everybody under the law here in the United States.

To waive the law and to give people a pass and to grant them a path to citizenship for—what is their one virtue that they have? They have access under this thing to all of the welfare systems and benefits that we have in the United States of America today.

Now, I can do this little quiz test, and, if it were fill in the blank, most Members of Congress wouldn't get this right. There are more than 80 different means-tested Federal welfare programs in the United States, more than 80.

One hundred years ago—let's just say at the turn of the previous century—we were not a welfare State. When people came here to America and shuffled across the great hall at Ellis Island where my grandmother did—and I know the exact date that she did that; I believe I've stood in the same spot where she did—when they came here, they had to show that they had a means to support themselves, that they were physically healthy enough to work and able to. They were checked physically to see if they happened to be transmitters of contagious diseases at the time.

Even though they were filtered and checked and sorted before they boarded the ship on the European side of this generally, when they arrived at Ellis Island there still were 2 percent that didn't meet the evaluation, and they were sent back to their home country. Still, after the filter was put in place and they arrived here, 2 percent got put back on the boat and sent back again.

We wanted to have a country then—we were a rational country then—that had an immigration policy that was designed to enhance the economic, social, and cultural well-being of the United States of America. What's wrong with that, Mr. Speaker? Every other country that I know of has a policy like that.

I met with the Canadians yesterday, and I asked them, could I emigrate to Canada, could I meet the standard? They were diplomats, so they didn't exactly say no. But I asked them a whole series of ways and they absolutely could not say yes, unless I married a Canadian.

Now, I'm not likely to do that. I've been married for 40 years, and I'm real happy with the wife I have. By the way, I love living in the United States and having an opportunity to try to turn this country into an even better place.

But here's the standard that they have. They give you points up there. They want you to be young, they want you to have language skills—that means speak English—they want you to have some capital, some education, and some jobs skills, some earning capacity. Those are the criteria that they use in Canada. These are also similar to the criteria in the United Kingdom and in Australia.

No one has the massive immigration, even as a percentage of their population, that we have here. I've sat on the Immigration Committee for more than 10 years. I've gone to hearing after hearing. I've gone through reams of documents and reports and studies.

Here is some of the under oath testimony from just a few years ago:

Under our legal immigration policy, if you're going to measure the merit of the applicants to legal immigration into the United States and you score it according to the merits of the individual applicant, only between 7 and 11 percent of our legal immigrants are even scored on their ability to contribute to America. All of the rest of them are coming through on something that doesn't have anything to do with their ability to contribute to this society. Seven to 11 percent is all. So 89 to 93 percent of legal immigrants are going to come on something other than merit: family reunification, asylum, visa lottery program, to give you a few. And that's legal, not counting the illegal, which is 40 percent visa overstays and 60 percent illegal border crossings.

What kind of a country would turn its borders over to anybody that could cross them and turn over its legal immigration system to 89 to 93 percent, something other than some way of measuring how they contribute to this country?

So the evaluation is this: that they must conclude—people on that side, people in the Senate, too many people on this side—that every individual has an equal ability to contribute to our society. Well, that's not true.

Robert Rector of The Heritage Foundation gave a presentation of his study yesterday morning for an hour. It was riveting. I have the executive summary of that here, Mr. Speaker, and I have gone through it carefully before his presentation so I was up to speed.

Here's a point that he made—and I've made this point into The CONGRESSIONAL RECORD as recently as this week—that the libertarian approach to this is just let labor decide how it's going to move across borders, that goods and services and capital should all flow the same way, that we should have an open borders policy so that if

business needed labor they could attract it from anywhere and put it to work wherever they wanted to, the free flow of labor, just like the free flow of capital or the free flow of materials or finished goods.

Now, Milton Friedman made it very clear that an open borders policy cannot coexist with a welfare State. And that State that we had back at the turn of the previous century that my grandmother arrived here within, we were not a welfare State, we were a meritocracy. The Statue of Liberty meant something then, and it meant that you have an access to God-given liberties, constitutionally defined liberties, and that you had the chance to achieve all you could achieve, succeed all you could succeed, and be able to keep a reasonable share of the fruits of your labor.

□ 1310

By the way, that took place also before we had an income tax, Mr. Speaker—no welfare state, no income tax, a meritocracy, and 2 percent got sent back because they didn't meet the standards of being able to sustain themselves in this society. I would also think there would be a few who made their way through who didn't.

In 1900, there was no welfare state; there was no income tax; and we had an immigration policy that was large, and it was so large and the numbers were so great that even then we needed low-skilled and unskilled labor back before we had, let me say, the technical development that we have in our economy today. We did need those laborers then. We needed people to work on farms. We needed people to build railroads and to construct our roads and our highways.

Today, in the United States of America, the highest unemployment rates that we have are in the lowest skilled jobs. So when you see double-digit unemployment, go find the job that requires the least amount of skill, and I can point to you the highest amount of unemployment.

What kind of a nation in its right mind would want to then increase the numbers of the people who are more likely to be unemployed and further suppress the wages of people in those job categories, those low- and unskilled job categories, when we're living in a welfare state that has to sustain these families that cannot possibly earn their own way in this society?

Culture has changed, the economy has changed, and because it has changed, we should be keeping up with what has taken place and understand that it's different today than it was in 1900.

For the most part, this Congress acts like, well, everybody who came here was a contributor to our economy and our society, so there is no limit to the number of people who should come here. I ask them sometimes: How many

people should be coming into the United States legally and illegally altogether? What would your annual limit be? Would you cap that somewhere along the line? What should the population of the United States be in the next decade? in the next generation? in the next half a century? They cannot answer that question. They will not answer that question.

In fact, in a hearing on Ellis Island in that year that I mentioned—I believe that was 2007, April 15 if I'm not mistaken—they had a demographer come testify as an expert witness to explain to us how it works, that because baby boomers are getting older and they will be accessing the retirement benefits of Social Security and Medicare that we needed to import a lot of people into America to pay that Social Security. So that was the argument of the demographer, and it was also the argument of the economist. If I remember right, he was one of the lead economists out of Stanford University.

I asked both of them: What is the optimum demographic by decade or by generation? What should the size of the population be? Is that a perfect column when you stack them each decade of population up? Is it perfect?

The demographer hadn't thought about what was optimum. He just came to tell us what we needed to do, which was to import a lot of people to pay into our Social Security and Medicare because, at some point, it would go the other direction. We know that. It will go bankrupt. The economist, as I remember, from Stanford made the argument also that we can't sustain Social Security and Medicare unless we import a whole lot of people because our birth rate has been going down.

So I asked him the obvious question that, Mr. Speaker, I'm confident you'd be asking yourself right now, and that is: Who is going to pay for the Social Security and Medicare of those people who we would bring in to pay for ours? What's the solution for the next generation?

The answer that I got was essentially that there wasn't an answer for that. That's a problem for the next generation to deal with. This is a generational issue, Mr. Speaker, and it has a lot more to do with what America looks like in the next generation and the next generation than it does about what happens here in the next decade.

Now, it's curious the Senate bill scored as it might be. I've heard the report of Doug Holtz-Eakin that it's going to be an economic boost to our society. You've heard that from the Gang of Eight. It's curious. Why do they kick this out 13 years? Why do those who would be legalized under amnesty in the 13th year then become citizens? It's because they will have access to the welfare state at that period of time. It gets us past the budget window of 10 years so they don't have to

account for what it really does. Robert Rector accounts for what it really does. His numbers are appalling, and he has the most refined and careful study that has ever been done on this.

I would take issue with anybody in the Gang of Eight or with anyone who has advocated there is an economic equation that shows this as a plus and tell you that you have to calculate this for the lifetimes of the people who are affected by it because, if it's a net cost, it's a net cost. I believe I wrote that number down. I know the net number, but the net number is this: they will draw down a little over \$9 trillion in benefits; they will pay something like \$3 trillion in taxes; and there is a net cost to legalizing here in America of \$6.3 trillion over their lifetimes.

These numbers are broken down, and I have looked at the Rector studies in the past. I know this man. He would not leave himself exposed to an illegitimate mathematical calculation or criticism, and I haven't found people who have been able to level one against his numbers, but that's the general number. Here is a statement that is in here that is worthy of putting into the CONGRESSIONAL RECORD, Mr. Speaker. He is speaking of the universe of the 11 million, which I believe more than doubles if this bill becomes law.

He says: "At every stage of the life cycle—" and he means that of this universe of 11 million—"unlawful immigrants, on average, generate fiscal deficits." That would be benefits that exceed taxes. "Unlawful immigrants, on average, are always tax consumers; they never once generate a 'fiscal surplus' that can be used to pay for government benefits elsewhere in society. This situation obviously will get much worse after amnesty."

That statement stands. It stands clear and it stands strong, and it stands true in every single year of their presence in this country.

So with regard to the argument that this is an economic thing that we must do, I hear Republicans say it's because there's work Americans won't do. Well, I've done a lot of work that some Americans won't do, but I've never found work that I won't do. I've never found work that my sons won't do or work that our construction crews won't do. We are there taking care of some of the things that some have to do, and it's legal people who are doing the work for our company, which I sold to my oldest son several years ago.

I've had them out working in temperatures that were 126 degrees heat index. I've worked out there. I've worked 2 days in a row when it was 60 below windchill, driving sheet piling across a swamp because it was freezing, and we didn't have to mat the dragline. We worked in 186 degrees temperature range and heat index and cold index, windchill index.

We've done all of this work, and it grates on me to hear anybody say

there's work Americans won't do. As Americans, we are not too good to do any kind of work that's necessary to do. We might be a little too smart to do some of that kind of work for too little money and too little in benefits; and when we flood the labor supply into the no- and low-skilled jobs, that lowers the wages; it lowers the benefits; and it reduces the numbers of Americans and pushes them out on to our welfare state.

For example, there is a study that I read several years ago that was done in a residential area of Milwaukee. They went in and surveyed a 36-square block residential area, six blocks by six blocks. They went into every home and interviewed them and measured the type of family that was there—the ages, the jobs they did, et cetera. In 36 square blocks, this was a neighborhood of Milwaukee where African Americans had moved up from the gulf in the thirties, at the end of prohibition, to take the jobs in the breweries and in those things that were economically developing in Milwaukee area at the time.

They were good jobs. They moved up there for good jobs. They bought homes in the neighborhoods, and they raised their families there. Three generations later, from, say, the 1930s until the late nineties when I read this report, they had gone from a good work ethic and a mobile family that had moved for a good job and had set up their homes there to where there wasn't a single employed male head of household in the entire 36-block residential area.

□ 1320

And the article that I read lamented that we couldn't bring jobs to them. What kind of a free market society—don't they believe in the free flow of labor and capital? Can't people at least within the United States go to find a job? Now they believe we should move jobs to people rather than let people move to jobs. Why don't people move to jobs? Because we're a welfare state, because we've had 80 different means-tested welfare programs here in this country.

Steve Moore wrote these words years ago when he was with Cato, and I cut it out and laminated it. It isn't an exact quote, but I'll get the theme down, Mr. Speaker. He said:

If you pay people not to work, they won't work. If you pay women to have babies, they'll have babies. If you pay them more if there's not a man in the house, there won't be a man in the house. He might come back and visit, but he won't be registered as living there.

Whatever you pay people to do, they will do. If you pay them not to work, they're not going to work.

There are 80 different means-tested Federal welfare programs. I can go through some of the list, but there isn't anybody in this Congress—and I would charge that no one in America can give you that list from memory,

which I think proves that there's no one that understands how all of these 80 programs interrelate with each other or how people act or react because of those programs. It's just that one bleeding heart decided this was a good idea and got it put into law, and another one manufactured that one.

Now we have a jigsaw puzzle of welfare programs and a welfare state, and we have advocates for the welfare state who also advocate for open borders. Why do they do that? I'll take this back to Teddy Kennedy's statement:

Some say report to be deported. I say report to become an American citizen.

It's a political equation for many of the people on the left. They understand that they get votes out of this deal. The people that get to vote out of this deal will know who they need to vote for.

I've talked to those who saw their citizenship process accelerated in 1996. A million people got moved into an early naturalization process in that period of time.

I've talked to people that were beneficiaries of the 1986 amnesty act. They all understood where the political leverage was on this. The people in the 1986 amnesty act say, It was a good idea; it was good for me; it was good for my family, and I think we ought to give it to everybody. And the people in 1996 who had their citizenship accelerated, they knew that it was implied who they were to vote for in the reelection in 1996.

We've seen African Americans moved into a monolithic voting block. Part of that is—let's see. I just suggest, Mr. Speaker, that the people on the other side of the aisle understand how to divide people down their lines of race, ethnicity, national origin. It's the grungiest type of victimology: convince people that they're victims, that somehow the man is oppressing them, and the only way you get even with that is income redistribution.

So they push for higher tax rates and more wealth distribution, which discourages the entrepreneur. It discourages the worker. And now it's a public discussion about whether it's smarter to work or smarter to collect welfare, because the welfare dollars go up higher and the reward for moderate skills, let alone the low-skilled and no-skilled jobs, gets lower. And the competition for those jobs gets greater by the people that are in the United States illegally who are living on less than it takes to sustain them, and they are also accessing benefits. That's all in this report, Mr. Speaker.

From my perspective, I'd like to have a network, a support system that keeps people from falling through the cracks. I'd like to have a welfare system, a food stamp program, a way to help people out so that we can bridge them over through the hard times. I'd like to have them do Welfare to Work again.

There was only one of those 80 means-tested welfare programs that was actually Welfare to Work. That was TANF, Temporary Assistance for Needy Families. What happened? The President of the United States waived the work requirement arbitrarily, unconstitutionally, where it is specifically written into the bill that it couldn't be waived. He waived it anyway and decided that we're not going to enforce the work requirement in the one single welfare program of the 80 that actually required work.

A lot of people think that welfare was transformed and people on it are required to move towards work. No, unless the States have a way they're doing that in a more effective way than I'm hearing about. In the Federal Government, there is no longer a work requirement. There is an incentive not to work, and we're watching more and more families become the second and the third and maybe even the fourth generation who have lived on these programs.

Where do they learn their work ethic? Where do their children learn their work ethic? Who's pushing them? Who's showing them the rewards and pride of being industrious and productive and creative and the responsibility that we have to the broader society?

Each one of us has a little cell in a giant spreadsheet. That giant spreadsheet has over 300 million cells in it, people, Americans living here. We have skills that are God-given and gifts. And, yes, we are a product of our genes and our environment, and the product of that together makes us who we are. But we have a responsibility to contribute to the broader society and understand where we fit in that giant spreadsheet, and we have a responsibility to work, earn, save, invest, and leave this world a better place than it was when we came, and hopefully raise our children with those values to be even stronger and even better than the values we were raised with.

This huge hammock that used to be a safety net that we call the "welfare system" is eroding that. The contempt for the rule of law that spills out of the debate in the United States Senate and here in the House of Representatives erodes our American way of life. How do we think that we can move America beyond the shining city on the hill to another level of our destiny at an altitude higher and better and clearer and more pure and more industrious and more productive with more freedom and a better example for Western Judeo-Christianity if we're going to continue to reward people for not contributing to that value in their single cell in that spreadsheet of over 300 million Americans?

We've got a responsibility to use these gifts that we have. Let's go to work. Let's strengthen our values. Let's strengthen our families. Let's

protect the rule of law. Let's not tell ourselves that there's a goal here of political expediency, that somehow because a couple of talking heads woke up the morning after the election and concluded that if Mitt Romney had just not said the words "self-deport" he would be the President of the United States today and so now we have to pass a comprehensive immigration reform bill in order to send a message to start a conversation so that in the next election or some subsequent election a Republican can win a national election again.

Who comes to that conclusion? There's no data out there that supports that. That's just simply a belief that has been created and it's self-perpetuating, but it cannot sustain itself when you look at exit polls, when you look at public survey polls.

Yes, I know a good number of people that they're talking about. I know people who are here legally and illegally who have got a good work ethic. They're good entrepreneurs. They're good family people. They've got values that are a credit to the United States of America, although they broke the law to get here. They've got values that are a credit to our country. I know some of them, and I see those faces. I can see them in my mind's eye, and I can see it in the children that come to our schools.

There's a school in my district that's 85 percent minority, and 65 percent of them came to school on their first day not speaking English. It's never the kids' fault. It's never their fault. It's our fault. It's the fault of the adults that are supposed to be running this country, protecting and restoring the rule of law. That's the responsibility.

But this is not going to be fixed by the legislature. It's not going to be fixed by the United States Congress. We can't pass a promise to enforce the borders and trade it off for perpetual amnesty and think somehow we've got a deal that's going to make this a better country and now we can restore the rule of law. We cannot. The only way you can restore the rule of law is to enforce the law.

The President has decided that he will refuse to enforce the law, and it makes it clear to me—and it should be clear to everybody in this country that is watching this issue—that this is not a legislative problem. The legislature cannot fix the problem that is of the President of the United States making his refusal to abide by his own oath of office and take care that the laws are faithfully enforced. It is an executive branch problem. We can do some things to rein him in, but it's very difficult with the majority and the Senate being run by HARRY REID.

So, practically speaking, Mr. Speaker, it's up to the American people. The American people have to be well-informed. They will draw good judgments

when they're well-informed. The American people need to speak up. I hope the American people don't need to rise up to answer this and say: Our ancestors came here. We came here. We followed the law. We got in line according to the law. We didn't ask for amnesty. We went forward and received our naturalization papers after we had met those qualifications.

I've spoken at a good number of naturalization ceremonies. It's a very rewarding experience to do so.

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The people that came here the right way that followed our laws are the ones that respect our laws today. The people that had disrespect for our laws, if they're rewarded for breaking them, how much respect will they have for any of our other laws? Will they be like the President to pick and choose the law that he likes? I suggest, no. Lady Justice is blind. Not only blind, it doesn't matter what economic status or what cultural status you might have or how much influence you might have in your community, justice is blind before the law.

Also, we need to make sure that all laws are applied to all of us equally, that we don't exempt people from them, reward them for breaking them. In fact, Robert Rector put it this way. He said everyone who would be given amnesty under this—this 11 million that I think is 20 or more million—their only claim to all of these welfare benefits and the benefits of living in American society and civilization, their only claim, is that they broke our laws.

So the definition of "amnesty," Mr. Speaker, is this: to grant someone amnesty is to pardon immigration law breakers and reward them with the objective of their crime. That's what amnesty is.

The proponents of the 844-page bill, the Gang of Eight in the Senate and the secret committee in the House, they understand that. They understand it; that's why they keep denying their bill is amnesty. There's no rational analysis that says otherwise, Mr. Speaker.

And so I urge the American people, through my counsel with you in this speech, to take a good look at the Rector study. The Heritage Foundation released it this past Monday at 11 a.m., and it's titled, "The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer," dated May 6, 2013. That good study will inform a lot of Americans.

We're going to have another immigration debate, and I'm going to suggest that the American people in their sound judgment will come down on the side of the rule of law, the Constitution, and what's good for the best long-term interest of America, the best economic, social, and cultural benefit of

the United States of America, with passion and with compassion for all people who should live with God-given dignity.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FLORES (at the request of Mr. CANTOR) for today on account of speaking at graduation ceremonies at Texas A&M University.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until Monday, May 13, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1429. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0307; Directorate Identifier 2012-SW-079-AD; Amendment 39-17410; AD 2013-07-06] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1430. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2013-0306; Directorate Identifier 2013-NM-049-AD; Amendment 39-17417; AD 2013-07-13] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1431. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Self Reporting of Out-of-State Convictions [Docket No.: FMCSA-2012-0172] (RIN: 2126-AB43) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1432. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Area R-6601; Fort A.P. Hill, VA [Docket No.: FAA-2012-0561; Airspace Docket No. 12-AEA-7] (RIN: 2120-AA66) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1433. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Portland-Hillsboro, OR [Docket No.: FAA-2012-1142; Airspace Docket No. 12-ANM-25] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1434. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification of Area Navigation (RNAV) Route T-

266; AK [Docket No.: FAA-2012-1295; Airspace Docket No. 12-AAL-10] (RIN: 2120-AA66) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1435. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; St. Helena, CA [Docket FAA No.: FAA-2013-0283; Airspace Docket No. 13-AWP-3] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1436. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Astoria, OR [Docket No.: FAA-2012-0853; Airspace Docket No. 12-ANM-23] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1437. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Omak, WA [Docket No.: FAA-2012-1247; Airspace Docket No. 12-ANM-27] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1438. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Lakeview, OR [Docket No.: FAA-2012-1254; Airspace Docket No. 12-ANM-28] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1439. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Reno, NV [Docket No.: FAA-2012-1195; Airspace Docket No. 12-AWP-7] received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1440. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turbohaft Engines [Docket No.: FAA-2012-1131; Directorate Identifier 2012-NE-34-AD; Amendment 39-17440; AD 2013-08-22] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1441. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0810; Directorate Identifier 2011-NM-195-AD; Amendment 39-17420; AD 2013-08-03] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1442. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2012-0004; Directorate Identifier 2012-NE-01-AD; Amendment 39-17390; AD 2013-05-18] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1443. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1036; Directorate Identifier 2011-NM-122-AD; Amendment 39-17408; AD 2013-07-04] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A);

to the Committee on Transportation and Infrastructure.

1444. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-Powertrain GmbH & Co. KG Rotax Reciprocating Engines [Docket No.: FAA-2013-0263; Directorate Identifier 2013-NE-12-AD; Amendment 39-17416; AD 2013-07-12] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1445. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes [Docket No.: FAA-2012-1148; Directorate Identifier 2012-CE-039-AD; Amendment 39-17405; AD 2013-07-01] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1446. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines AG Turbofan Engines [Docket No.: FAA-2012-1217; Directorate Identifier 2012-NE-39-AD; Amendment 39-17414; AD 2013-07-10] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1447. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1042; Directorate Identifier 2010-NM-094-AD; Amendment 39-17413; AD 2013-07-09] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1448. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2013-0196; Directorate Identifier 2013-NE-03-AD; Amendment 39-17376; AD 2013-05-04] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1449. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1094; Directorate Identifier 2011-NM-070-AD; Amendment 39-17412; AD 2013-07-08] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1450. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0497; Directorate Identifier 2011-NM-140-AD; Amendment 39-17415; AD 2013-07-11] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1451. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0933; Directorate Identifier 2012-NM-107-AD; Amendment 39-17411; AD 2013-07-07] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1452. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-1297; Directorate Identifier 2012-SW-100-AD; Amendment 39-17285; AD 2012-25-04] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POMPEO (for himself, Mr. MATHESON, Mr. OLSON, Mr. GARDNER, and Mr. JOHNSON of Ohio):

H.R. 1900. A bill to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself and Mr. GOWDY):

H.R. 1901. A bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes; to the Committee on the Judiciary.

By Mr. FITZPATRICK (for himself and Ms. MOORE):

H.R. 1902. A bill to amend title XVIII of the Social Security Act to provide for timely access to post-mastectomy items under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. ENYART):

H.R. 1903. A bill to direct that certain coal mine safety grant funds be directed to study the prevention and treatment of Black Lung Disease; to the Committee on Education and the Workforce.

By Mr. THORNBERRY (for himself, Mr. CONAWAY, Mr. KLINE, Mrs. HARTZLER, Mr. FRANKS of Arizona, Mr. TURNER, Mr. MCKEON, Mr. MILLER of Florida, Mr. RIGELL, Mr. ROGERS of Alabama, Mr. WENSTRUP, Mr. WILSON of South Carolina, Mr. HECK of Nevada, Mr. NUGENT, Mr. BRIDGESTINE, Mr. LAMBORN, Mr. WITTMAN, Mr. SMITH of Washington, Mr. BISHOP of Utah, Mr. LANGEVIN, Mr. SHUSTER, Mr. COFFMAN, Mr. FORBES, Ms. HANABUSA, Mr. LOBIONDO, Mr. HUNTER, Mr. AUSTIN SCOTT of Georgia, Mrs. ROBY, Mrs. NOEM, and Mr. GIBSON):

H.R. 1904. A bill to amend title 10, United States Code, to require the Secretary of Defense to notify the congressional defense committees of certain sensitive military operations, and for other purposes; to the Committee on Armed Services.

By Mr. MCKINLEY (for himself, Mr. RAHALL, Mrs. CAPITO, Mr. GENE GREEN of Texas, and Mr. KELLY of Pennsylvania):

H.R. 1905. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Financial Services.

By Mr. MCGOVERN (for himself, Mr. CAPUANO, Mr. NADLER, and Mr. WOLF):

H.R. 1906. A bill to amend titles 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SCHAKOWSKY (for herself, Ms. LOFGREN, Ms. NORTON, Ms. SCHWARTZ, Ms. MOORE, Mr. SHERMAN, Ms. LEE of California, Mr. ELLISON, Ms. CHU, and Mr. LYNCH):

H.R. 1907. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON (for himself, Mr. LAMALFA, Mr. HUELSKAMP, Mr. JONES, Mr. FRANKS of Arizona, Mr. RADEL, Mr. SCHWEIKERT, Mr. MEADOWS, Mr. YOHO, Mr. GOSAR, and Mr. DUNCAN of South Carolina):

H.R. 1908. A bill to repeal certain provisions of the Patient Protection and Affordable Care Act relating to the premium tax credits and cost-sharing subsidies; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri (for himself, Mr. CHABOT, Mr. LUETKEMEYER, Mr. TIPTON, Mr. MULVANEY, Mrs. HARTZLER, Mr. HANNA, Mr. COLLINS of New York, and Ms. CHU):

H.R. 1909. A bill to amend the Export Enhancement Act of 1988 to make improvements to the trade promotion policies and programs of the United States Government; to the Committee on Foreign Affairs.

By Mr. CARTWRIGHT (for himself, Mr. TURNER, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. CONYERS, Mr. COURTNEY, Mr. DOGGETT, Mr. ELLISON, Mr. ENYART, Mr. GENE GREEN of Texas, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. JONES, Mrs. MCCARTHY of New York, Ms. NORTON, Mr. PETERS of Michigan, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SHEA-PORTER, Mr. TIERNEY, Mr. VELA, Mr. YARMUTH, Mr. MICHAUD, Mr. GRAYSON, Mr. JOYCE, Mr. KEATING, Mr. PERLMUTTER, Mr. COHEN, Mr. ANDREWS, Ms. BONAMICI, Ms. KUSTER, Ms. EDWARDS, and Mr. POCAN):

H.R. 1910. A bill to require foreign manufacturers of products imported into the United States who are authorized to accept service of process against such manufacturers; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLINE (for himself and Ms. FOXX):

H.R. 1911. A bill to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013; to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN:

H.R. 1912. A bill to amend the Patient Protection and Affordable Care Act to provide for participation in the Exchange of the President, Vice President, Members of Congress, political appointees, and Congressional staff; to the Committee on Oversight and Government Reform, and in addition to the Committees on House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Ms. JACKSON LEE, Mr. ENGEL, Mr. CONYERS, and Mr. CHABOT):

H.R. 1913. A bill to provide for greater transparency in and user control over the treatment of data collected by mobile applications and to enhance the security of such data; to the Committee on Energy and Commerce.

By Ms. HAHN:

H.R. 1914. A bill to ban guns for persons who have been convicted of stalking or who are subject to a court order restraining the person from stalking; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. BURGESS, Mr. KING of New York, Ms. MCCOLLUM, and Ms. PINGREE of Maine):

H.R. 1915. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TIPTON (for himself, Mr. GRAVES of Missouri, Mr. MULVANEY, Mr. CHABOT, Mr. HANNA, Mr. COLLINS of New York, Mr. COFFMAN, Mr. HINOJOSA, and Ms. CHU):

H.R. 1916. A bill to require the collection of up-to-date information on tariff and non-tariff laws, regulations, and practices of foreign countries affecting exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RUSH:

H.R. 1917. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself, Mr. KIND, Mr. YOUNG of Alaska, Mr. MARINO, Mr. HINOJOSA, Mr. DENT, Mr. HOLT, Mr. LOEBSACK, Mrs. CAPITO, Mr. BISHOP of Georgia, Mr. CLAY, Mr. BONNER, Ms. LINDA T. SÁNCHEZ of California, Mr. HASTINGS of Florida, Mr. KING of New York, Mr. ROSKAM, Mr. SCHRADER, Mr. GENE GREEN of Texas, Mr. JOHNSON of Ohio, Mr. GARDNER, Mrs. NAPOLITANO, Mr. DAVID SCOTT of Georgia, Mr. ALEXANDER, Mr. GRAVES of Missouri, Mr. LOBIONDO, Mr. GRIFFIN of Arkansas,

Ms. MOORE, Mr. POLIS, Mr. SIMPSON, Mr. BISHOP of New York, Ms. DEGETTE, Mr. LONG, Mr. LANCE, and Mr. MASSIE):

H.R. 1918. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes; to the Committee on Ways and Means.

By Mr. LATTA (for himself, Mr. MATHESON, Mr. UPTON, Mr. DINGELL, Mr. CASSIDY, Mrs. BLACKBURN, Mr. MCKINLEY, Mr. ROGERS of Michigan, Mr. BURGESS, Mr. SHIMKUS, Mr. GUTHRIE, Mr. JOHNSON of Ohio, and Mr. SCHNEIDER):

H.R. 1919. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS:

H.R. 1920. A bill to amend titles XVIII and XIX of the Social Security Act to provide for a delay in the implementation schedule of the reductions in disproportionate share hospital payments, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE (for herself and Mr. GIBSON):

H.R. 1921. A bill to repeal the exemption for hydraulic fracturing in the Safe Drinking Water Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOSAR (for himself and Mr. SENSENBRENNER):

H.R. 1922. A bill to limit assistance to Iran, North Korea, Syria, Egypt, and Pakistan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI (for himself, Ms. CHU, Ms. TITUS, Mr. HECK of Nevada, Mr. HORSFORD, Mr. GRIMM, Ms. GABBARD, Mr. SCHOCK, and Mrs. NAPOLITANO):

H.R. 1923. A bill to amend the Immigration and Nationality Act to provide for the eligibility of the Hong Kong Special Administrative Region for designation for participation in the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

By Mrs. BUSTOS (for herself and Mr. LOEBSACK):

H.R. 1924. A bill to reinstate year-round Federal Pell Grants under the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. CARSON of Indiana (for himself, Ms. NORTON, Ms. WILSON of Florida, Mr. RANGEL, Mr. PAYNE, Ms. MOORE, and Ms. BROWN of Florida):

H.R. 1925. A bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks, inspections, and training of child care providers; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself, Mr. GRAVES of Missouri, Ms. CHU, and Mr. TIPTON):

H.R. 1926. A bill to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. COSTA:

H.R. 1927. A bill to provide congressional direction for implementation of the Endangered Species Act as it relates to operation of the Central Valley Project and the California State Water Project and for water relief in the State of California; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. GRIJALVA, Ms. SCHWARTZ, and Mr. TAKANO):

H.R. 1928. A bill to clarify the calculation of cohort default rates for proprietary institutions of higher education under the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Ms. DELBENE:

H.R. 1929. A bill to amend the Food and Nutrition Act of 2008 to carry out pilot projects to reduce dependency and increase work effort in the supplemental nutrition assistance program; to the Committee on Agriculture.

By Mr. ENGEL (for himself and Mr. TERRY):

H.R. 1930. A bill to prohibit the manufacture, marketing, sale, or shipment in interstate commerce of products designed to assist in defrauding a drug test; to the Committee on Energy and Commerce.

By Mr. FLEISCHMANN (for himself, Ms. NORTON, Mrs. BLACKBURN, Mrs. BROOKS of Indiana, Mr. RODNEY DAVIS of Illinois, Mr. JONES, and Mr. BENISHEK):

H.R. 1931. A bill to amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FORTENBERRY:

H.R. 1932. A bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits; to the Committee on Agriculture.

By Ms. FUDGE (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of Mississippi, Mr. RANGEL, Ms. KAPTUR, Ms. PINGREE of Maine, Mr. CONYERS, and Ms. CHU):

H.R. 1933. A bill to provide assistance and opportunity for the creation and support of sustainable agriculture activities in America's cities and to improve access to nutrition in America's cities; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. BARBER, and Mrs. KIRKPATRICK):

H.R. 1934. A bill to expand the boundary of Saguaro National Park, to study additional land for future adjustments to the boundary of the Park, and for other purposes; to the Committee on Natural Resources.

By Ms. HAHN:

H.R. 1935. A bill for the relief of John Castellano; to the Committee on the Judiciary.

By Ms. HAHN:

H.R. 1936. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II; to the Committee on Veterans' Affairs.

By Mr. HUNTER (for himself and Mr. ANDREWS):

H.R. 1937. A bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment; to the Committee on Education and the Workforce.

By Mr. JONES:

H.R. 1938. A bill to amend title 10, United States Code, to ensure that members of the Armed Forces serving on active duty who are diagnosed with post-traumatic stress disorder or traumatic brain injury have access to hyperbaric oxygen therapy, and for other purposes; to the Committee on Armed Services.

By Mr. KILMER (for himself and Mr. POLIS):

H.R. 1939. A bill to amend the Workforce Investment Act of 1998 to establish lifelong learning accounts programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBBACH (for himself, Mr. MICHAUD, Mr. PAYNE, Ms. MCCOLLUM, and Mr. PRICE of North Carolina):

H.R. 1940. A bill to establish an Office of Specialized Instructional Support in the Department of Education and to provide grants to State educational agencies to reduce barriers to learning; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. MOORE, Mr. LEVIN, Mr. RANGEL, Mr. GRIJALVA, Mr. CICILLINE, Ms. LEE of California, and Mr. CONYERS):

H.R. 1941. A bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1942. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Oversight and Government Reform.

By Mr. PETERS of California (for himself and Mr. HUFFMAN):

H.R. 1943. A bill to establish a task force to review policies and measures to promote, and to develop best practices for, reduction of short-lived climate pollutants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER:

H.R. 1944. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi (for himself and Ms. JACKSON LEE):

H.R. 1945. A bill to extend the Terrorism Risk Insurance Program of the Department of the Treasury for 10 years, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself, Mr. COURTNEY, and Mr. GEORGE MILLER of California):

H.R. 1946. A bill to amend the Federal Direct Loan Program under the Higher Edu-

cation Act of 1965 to provide for student loan affordability, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself, Mr. GRIJALVA, Ms. SPEIER, Ms. CHU, Mr. LOWENTHAL, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mr. GUTIERREZ, Ms. SCHA-KOWSKY, Mr. RICHMOND, Ms. PINGREE of Maine, Mr. MICHAUD, Mr. RUPPERSBERGER, Mr. SARBANES, Ms. EDWARDS, Mr. HOYER, Mr. CUMMINGS, Mr. VAN HOLLEN, Ms. TSONGAS, Mr. LEVIN, Mr. DINGELL, Mr. CONYERS, Ms. MCCOLLUM, Mr. ELLISON, Mr. CLAY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Ms. KAPTUR, Mr. MORAN, Mr. SMITH of Washington, and Ms. MOORE):

H.J. Res. 43. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

By Mr. JONES:

H. Res. 210. A resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued in remembrance of the victims and in honor of the veterans of the peacekeeping mission in Beirut, Lebanon, from 1982 to 1984; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H. Res. 211. A resolution expressing support for designation of the week of October 7 through October 13, 2013, as "Naturopathic Medicine Week" to recognize the value of naturopathic medicine in providing safe, effective, and affordable health care; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POMPEO:

H.R. 1900.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SMITH of Texas:

H.R. 1901.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the United States Constitution

By Mr. FITZPATRICK:

H.R. 1902.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

The Congress shall have power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MCKINLEY:

H.R. 1903.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate

commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. THORNBERRY:

H.R. 1904.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. MCKINLEY:

H.R. 1905.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. MCGOVERN:

H.R. 1906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18

By Ms. SCHAKOWSKY:

H.R. 1907.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SALMON:

H.R. 1908.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mr. GRAVES of Missouri:

H.R. 1909.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 1910.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. KLINE:

H.R. 1911.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. COFFMAN:

H.R. 1912.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1, of the United States Constitution

This states that "Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States." The power to lay and collect taxes is the power to establish taxes to be placed on the American public, to foster the common good. The Supreme Court in deliberating the constitutionality of the Patient Protection and Affordable Care Act, Public Law No: 111-148; ruled that the individual mandate requiring the purchase of health insurance was a tax. There-

fore, establishing criteria for the purchase falls under the jurisdiction of Article 1.

By Mr. JOHNSON of Georgia:

H.R. 1913.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Ms. HAHN:

H.R. 1914.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3.

By Mr. ENGEL:

H.R. 1915.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1;
Article I, Section 8, Clause 1; and
Article I, Section 8, Clause 18.

By Mr. TIPTON:

H.R. 1916.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. RUSH:

H.R. 1917.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate commerce with foreign nations . . ."

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. LATHAM:

H.R. 1918.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the United States Constitution—"The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises."

By Mr. LATTA:

H.R. 1919.

Congress has the power to enact this legislation pursuant to the following:

Taxation: Article 1, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LEWIS:

H.R. 1920.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. DEGETTE:

H.R. 1921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GOSAR:

H.R. 1922.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 18 of Article, Section 8 of the Constitution of the United States, which read, respectively, "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;" and "To

make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. AMODEI:

H.R. 1923.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States).

By Mrs. BUSTOS:

H.R. 1924.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARSON of Indiana:

H.R. 1925.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I of the Constitution.

By Mr. CHABOT:

H.R. 1926.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. COSTA:

H.R. 1927.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. DELAURO:

H.R. 1928.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. DELBENE:

H.R. 1929.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (the necessary and proper clause)

By Mr. ENGEL:

H.R. 1930.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the Constitution.

By Mr. FLEISCHMANN:

H.R. 1931.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 1 & 18.

By Mr. FORTENBERRY:

H.R. 1932.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. FUDGE:

H.R. 1933.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, clause 3, the Commerce Clause.

By Mr. GRIJALVA:

H.R. 1934.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Ms. HAHN:

H.R. 1935.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. HAHN:

H.R. 1936.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. HUNTER:

H.R. 1937.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority for the Act is derived from Article 1, Section 8, Clauses 1 and 18.

By Mr. JONES:

H.R. 1938.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8 of the United States Constitution (clause 14), which grants Congress the power to make rules for the government and regulation of the land and naval forces.

By Mr. KILMER:

H.R. 1939.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. LOEBSACK:

H.R. 1940.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1941.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5, which reads: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article; and Article I, Section 8, Clause 3, which reads: The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1942.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. PETERS of California:

H.R. 1943.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. SENSENBRENNER:

H.R. 1944.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 1.

By Mr. THOMPSON of Mississippi:

H.R. 1945.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article I, Section 8.

By Mr. TIERNEY:

H.R. 1946.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ANDREWS:

H.J. Res. 43.

Congress has the power to enact this legislation pursuant to the following:

Its power to propose Amendments to the United States Constitution for ratification by the several states, in accordance with its powers under Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. WEBSTER of Florida and Mr. WILLIAMS.

H.R. 24: Mr. SCHWEIKERT, Mr. MCCLINTOCK, Mr. COTTON, and Mr. OWENS.

H.R. 164: Ms. KUSTER.

H.R. 207: Mr. NUNES.

H.R. 258: Ms. KUSTER.

H.R. 288: Ms. KUSTER.

H.R. 309: Mr. SALMON, Mr. FLEMING, and Mr. YOHO.

H.R. 312: Mr. DEFAZIO, Mr. RANGEL, and Mr. ELLISON.

H.R. 324: Ms. TSONGAS.

H.R. 362: Ms. LEE of California.

H.R. 363: Ms. LEE of California.

H.R. 395: Mr. ELLISON.

H.R. 416: Mr. WESTMORELAND.

H.R. 419: Mr. DENHAM.

H.R. 481: Mr. MCKEON.

H.R. 498: Mr. MCNERNEY, Mr. SWALWELL of California, Ms. BROWNLEY of California, Ms. WILSON of Florida, and Mr. HUFFMAN.

H.R. 506: Ms. JACKSON LEE, Ms. MATSUI, and Mr. TONKO.

H.R. 509: Mr. JOHNSON of Georgia.

H.R. 510: Mr. JOHNSON of Georgia.

H.R. 511: Mr. JOHNSON of Georgia.

H.R. 519: Mr. O'ROURKE.

H.R. 525: Mr. STIVERS.

H.R. 532: Mr. SWALWELL of California and Ms. SCHAKOWSKY.

H.R. 597: Ms. CLARKE.

H.R. 610: Mr. MICHAUD.

H.R. 611: Mr. TONKO and Mr. MICHAUD.

H.R. 615: Mr. GARAMENDI.

H.R. 630: Mr. GIBSON and Ms. BROWN of Florida.

H.R. 640: Mr. WESTMORELAND.

H.R. 644: Mr. LANCE, Mr. NADLER, Mr. ENGEL, Mr. BRADY of Pennsylvania, and Mr. RANGEL.

H.R. 645: Ms. ESHOO.

H.R. 647: Ms. DELBENE and Mr. PETERS of Michigan.

H.R. 654: Mr. STEWART.

H.R. 669: Ms. KUSTER.

H.R. 671: Ms. BONAMICI.

H.R. 679: Mr. JOHNSON of Ohio, Mr. WELCH, and Ms. LOFGREN.

H.R. 684: Ms. DELAURO.

H.R. 718: Mr. BOUSTANY and Mr. LAMALFA.

H.R. 755: Mr. DELANEY and Mr. DANNY K. DAVIS of Illinois.

H.R. 764: Mr. RANGEL and Ms. LOFGREN.

H.R. 765: Mr. MORAN, Ms. NORTON, Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Mr. TONKO, Mr. HUFFMAN, Mr. PETERS of California, Mr. POCAN, Mr. VEASEY, and Mr. TAKANO.

H.R. 769: Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Mr. CLAY, Mr. SIRES, Mr. AL GREEN of Texas, Ms. ESTY, Mr. DINGELL, Mr. RUSH, and Mr. HINOJOSA.

H.R. 794: Ms. WILSON of Florida, Mr. BARBER, and Mr. LANGEVIN.

H.R. 800: Mr. GERLACH.

H.R. 831: Mr. THOMPSON of Pennsylvania.

H.R. 858: Mrs. BUSTOS, Ms. SHEA-PORTER, and Mr. COLLINS of New York.

H.R. 863: Ms. HAHN and Mr. LOWENTHAL.

H.R. 889: Mr. GARAMENDI.

H.R. 915: Ms. KUSTER.

H.R. 919: Mr. GARAMENDI.

H.R. 938: Mr. MAFFEI, Mr. RIBBLE, Mr. BUCSHON, Mr. COHEN, Mr. CHABOT, Mr. MESSER, Mr. HASTINGS of Washington, Mr. GRIFFIN of Arkansas, Mr. LOEBSACK, Mr. CASSIDY, Mr. JORDAN, Mr. YODER, Mr. ROGERS of Alabama, Mr. NADLER, Mr. GRIFFITH of Virginia, Mr. KIND, Mr. PRICE of Georgia, Mr. MEEKS, Mrs. WALORSKI, Mr. POLIS, Mr. CUELLAR, and Mr. MULLIN.

H.R. 942: Mr. BARROW of Georgia, Ms. ESHOO, Mr. YOUNG of Florida, Mr. RUPPERSBERGER, Mr. SESSIONS, Mr. RANGEL, Mr. HASTINGS of Florida, Mr. LOEBSACK, and Ms. PINGREE of Maine.

H.R. 975: Mr. BARBER, Mr. PETERSON, Mrs. KIRKPATRICK, Ms. SHEA-PORTER, Mr. Neal, Mr. DEFAZIO, Mr. CARTWRIGHT, and Mr. JOHNSON of Ohio.

H.R. 984: Mr. RODNEY DAVIS of Illinois.

H.R. 1000: Mr. SERRANO, Mr. BISHOP of Georgia, Ms. SLAUGHTER, Mr. GRIJALVA, Ms. HAHN, Ms. SCHAKOWSKY, and Mr. FATTAH.

H.R. 1009: Ms. WILSON of Florida.

H.R. 1020: Mr. ROGERS of Alabama, Mr. HUIZENGA of Michigan, Mr. MARCHANT, Mr. BUTTERFIELD, and Mr. PAULSEN.

H.R. 1026: Mr. FORTENBERRY.

H.R. 1027: Mr. GARAMENDI.

H.R. 1078: Mr. COLLINS of Georgia.

H.R. 1106: Mr. JOHNSON of Georgia.

H.R. 1129: Mr. FRANKS of Arizona.

H.R. 1130: Mr. DELANEY.

H.R. 1141: Mr. SCHNEIDER.

H.R. 1146: Mr. TIBERI and Mr. CONNOLLY.

H.R. 1150: Mr. WELCH, Ms. SPIER, Mr. HASTINGS of Florida, Ms. SHEA-PORTER, Ms. BORDALLO, Mr. FARR, Mr. TIERNEY, Mr. PAYNE, Ms. CHU, Ms. ESHOO, Ms. HAHN, and Mr. CARTWRIGHT.

H.R. 1154: Mr. GRAYSON.

H.R. 1155: Mr. MCGOVERN and Mr. KLINE.

H.R. 1180: Ms. BROWN of Florida, Mrs. BUSTOS, Ms. NORTON, Mrs. LOWEY, Mr. LOEBSACK, Ms. GABBARD, Mr. RYAN of Ohio, Ms. WILSON of Florida, Mr. POLIS, and Mr. GIBSON.

H.R. 1186: Mrs. DAVIS of California and Mr. MCGOVERN.

H.R. 1187: Mr. CROWLEY and Mr. PRICE of North Carolina.

H.R. 1229: Mr. TAKANO.

H.R. 1247: Mr. WELCH and Ms. DELBENE.

H.R. 1250: Mr. RUIZ and Mr. GIBSON.

H.R. 1271: Mr. HOLT, Mr. ENYART, and Mr. GARAMENDI.

H.R. 1282: Mr. TAKANO.

H.R. 1289: Mr. PETERS of California, Mr. RYAN of Ohio, Mr. HASTINGS of Florida, Mr. HONDA, and Mr. OWENS.

H.R. 1332: Mr. GARAMENDI.

H.R. 1389: Mrs. MCCARTHY of New York, Mr. TONKO, Ms. ESHOO, Ms. MCCOLLUM, and Mr. LOWENTHAL.

H.R. 1414: Ms. ESTY, Mr. BERA of California, and Mr. DOGGETT.

H.R. 1440: Mr. GARAMENDI.

H.R. 1452: Mr. LIPINSKI and Mr. LOWENTHAL.

H.R. 1464: Mr. YOUNG of Indiana.

H.R. 1518: Mr. CARTWRIGHT, Mrs. BEATTY, Ms. SHEA-PORTER, Mr. TIERNEY, Mr. LIPINSKI, Mr. FARR, Ms. TITUS, Ms. NORTON, Mr. GRIMM, Mrs. NAPOLITANO, and Mr. KLINE.

H.R. 1528: Mr. GIBBS, Ms. SCHAKOWSKY, Mr. FINCHER, and Mr. ENYART.

H.R. 1563: Mr. JONES, Mr. BACHUS, Mr. OLSON, Mr. LIPINSKI, and Mr. HARPER.

H.R. 1565: Mr. THOMPSON of Mississippi, Mr. PAYNE, Mr. PALLONE, and Mr. ELLISON.
 H.R. 1572: Mr. ROGERS of Alabama.
 H.R. 1573: Mr. GRIJALVA.
 H.R. 1593: Mr. COSTA, Mr. NADLER, Mr. NEAL, Mr. O'ROURKE, Mrs. KIRKPATRICK, Mr. MORAN, Ms. FUDGE, Ms. LOFGREN, Mr. SARBANES, Ms. VELÁZQUEZ, Ms. SHEA-PORTER, Mr. VARGAS, Mr. GRAYSON, and Mr. LIPINSKI.
 H.R. 1595: Mr. GEORGE MILLER of California.
 H.R. 1627: Mr. CAPUANO and Mr. ELLISON.
 H.R. 1632: Mr. GIBBS.
 H.R. 1635: Ms. LEE of California.
 H.R. 1648: Mr. TAKANO.
 H.R. 1652: Mr. VELA.
 H.R. 1661: Mrs. CAPPS.
 H.R. 1690: Mr. VELA, Ms. NORTON, Mr. CHABOT, Ms. HAHN, Mr. PIERLUISI, and Ms. MENG.
 H.R. 1692: Mr. HOLT and Mr. COHEN.
 H.R. 1699: Mr. SCHIFF.
 H.R. 1706: Mr. CICILLINE, Mr. TAKANO, Ms. MATSUI, and Ms. LEE of California.
 H.R. 1724: Mr. RODNEY DAVIS of Illinois and Mr. COFFMAN.
 H.R. 1727: Mr. SABLAN.
 H.R. 1729: Mrs. MCCARTHY of New York, Mrs. MILLER of Michigan, and Ms. SCHWARTZ.
 H.R. 1755: Mr. BERA of California and Mr. VELA.
 H.R. 1759: Ms. BROWNLEY of California and Ms. LEE of California.
 H.R. 1761: Mr. POCAN, Mr. BUTTERFIELD, Mr. HASTINGS of Florida, Mr. GUTHRIE, Mr. DAVID SCOTT of Georgia, and Mr. KING of New York.

H.R. 1772: Mr. HECK of Nevada.
 H.R. 1779: Mr. LUETKEMEYER.
 H.R. 1781: Mr. KEATING and Mr. CRAMER.
 H.R. 1805: Mr. O'ROURKE, Ms. BROWNLEY of California, Mrs. NEGRETE MCLEOD, Mr. NOLAN, Mr. TAKANO, Mr. CARTWRIGHT, Ms. GABBARD, Mrs. BUSTOS, and Mrs. MCCARTHY of New York.
 H.R. 1807: Mr. PETERS of California.
 H.R. 1814: Mr. BARTON, Mr. CAPUANO, Mr. CARTER, Mr. CONAWAY, Mr. LAMALFA, Mr. LANKFORD, Mr. MULLIN, Mr. NEAL, and Ms. WILSON of Florida.
 H.R. 1823: Mr. THOMPSON of California.
 H.R. 1824: Ms. HANABUSA, Mr. MCGOVERN, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, and Ms. LOFGREN.
 H.R. 1825: Mr. WESTMORELAND.
 H.R. 1826: Mr. GOHMERT.
 H.R. 1828: Mr. BRADY of Pennsylvania.
 H.R. 1829: Mr. ROKITA, Mr. ROGERS of Kentucky, and Mr. NUNNELEE.
 H.R. 1830: Ms. LINDA T. SÁNCHEZ of California, Mr. PRICE of North Carolina, Mr. WAXMAN, Ms. SLAUGHTER, Mr. GARAMENDI, Mr. PASCRELL, Mr. RUIZ, and Mr. TAKANO.
 H.R. 1833: Mr. TAKANO.
 H.R. 1837: Mr. MARKEY, Mr. LEVIN, Mr. CARTWRIGHT, Mr. HUFFMAN, Mr. PASCRELL, Mr. SIRES, and Mr. MCGOVERN.
 H.R. 1848: Mr. HANNA, Mr. YOUNG of Alaska, and Mr. WESTMORELAND.
 H.R. 1857: Mrs. CAPPS.
 H.R. 1864: Mr. RYAN of Ohio, Ms. KUSTER, Mr. KENNEDY, Mrs. NOEM, Mr. RIGELL, Mrs. BLACKBURN, Mr. YOHO, Mrs. CAPITO, Ms. GABBARD, Mr. RODNEY DAVIS of Illinois, Mr. DAINES, and Mrs. BROOKS of Indiana.

H.R. 1870: Mr. ROKITA.
 H.R. 1874: Mr. NUGENT and Mr. PAULSEN.
 H.R. 1896: Mr. DANNY K. DAVIS of Illinois.
 H. Con. Res. 10: Mr. ELLISON.
 H. Res. 90: Mr. HECK of Washington, Ms. BROWNLEY of California, Mr. GUTIERREZ, Ms. VELÁZQUEZ, Mr. CROWLEY, Mr. KILDEE, Mr. BERA of California, Ms. SINEMA, and Mr. MICHAUD.
 H. Res. 94: Mr. CICILLINE.
 H. Res. 102: Mr. GRIJALVA and Mr. MORAN.
 H. Res. 112: Mr. BISHOP of New York and Mrs. CAPPS.
 H. Res. 147: Mr. KILMER.
 H. Res. 179: Ms. JACKSON LEE.
 H. Res. 182: Mr. BISHOP of New York.
 H. Res. 187: Mr. COSTA.
 H. Res. 190: Mr. ENYART, Mr. WESTMORELAND, Mr. JONES, Mr. TONKO, and Mr. PETERS of Michigan.
 H. Res. 197: Mr. ELLISON.
 H. Res. 200: Mr. REED, Mr. LOWENTHAL, Mr. WOLF, Mr. RANGEL, Mr. COOK, Mr. MESSER, Mr. LARSEN of Washington, Mr. HONDA, Ms. SCHWARTZ, and Mr. CRAMER.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 1 by Ms. DELAURO on H.R. 377: DANIEL LIPINSKI AND EDWARD J. MARKEY.

SENATE—Thursday, May 9, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Miniard Culpepper, pastor of Pleasant Hill Baptist Church in Dorchester, MA.

The guest Chaplain offered the following prayer:

Let us pray.

Our God and our Lord, our help from ages past and our help for the years to come, we thank You, Lord, for this day, for this is a day that You have made. Let us be glad and delight in it.

We thank You, Lord, for watching over our Senators all night long and waking them up clothed in their right mind. We pray, Lord, that You would bless them this day. Let them be the voice for all that is good and just. Let them be the voice of all that is peaceful and prosperous, loving and lifting.

Bless the Senators, Lord, as they deliberate, that they would be mindful of the homeless and the hungry, the rich and the poor, the helpful, the hopeful, and the hopeless.

Lord, we realize and acknowledge that You are a God of our weary years, that You are a God of our silent tears. Lord, You are the one who brought us thus far on the way. Lord, Thou are this God who has by thy might led us into the light. Lord, we pray, God, that You would keep us forever in the path, we pray.

These and all other prayers we ask in Your Name. Amen and amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 9, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. I yield to the Senator from Massachusetts, Ms. WARREN.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

WELCOMING THE GUEST CHAPLAIN

Ms. WARREN. Thank you, Mr. President.

Mr. President, a warm thank-you to the Reverend Miniard Culpepper. His words of faith and community are greatly appreciated here today.

For a long time now, Reverend Culpepper has been praying over me. Last winter, before I was sworn into office, Reverend Culpepper held a special Sunday prayer service for me in his church, Pleasant Hill Baptist, in Dorchester. That December evening the pews were packed with local preachers and churchgoers representing a dozen or so churches in the area.

At the conclusion of the service, the ministers circled around me, wrapped their arms together and prayed to God to give me the strength to work for the poor and powerless among us.

I feel blessed to have received their prayers, and I have tried my best to keep them in my heart in my work here. But I am just one of many who appreciates the hard work Reverend Culpepper and Pleasant Hill Baptist have put into strengthening and protecting their community.

You see, Reverend Culpepper and his congregation understand that their community extends well beyond the walls of their church. When Jahmol Norfleet, a former gang leader from Roxbury, left prison and showed a desire to turn his life around as a peacemaker between rival gangs, it was Reverend Culpepper who reached out to him. Pleasant Hill Baptist welcomed him into their family. After Jahmol was tragically shot to death outside of his grandmother's home, Reverend Culpepper worked hard to implement antiviolence program methods that were based on his conversations with Jahmol.

When in January of this year 13-year-old Gabriel Clarke suffered grievous

gunshot wounds just blocks from Pleasant Hill Baptist Church, Reverend Culpepper and his congregation resolved to start their annual neighborhood patrols just a little earlier. After all, as Reverend Culpepper remarked, this is not somebody's problem down the street or on the other side of town, this is my problem.

Pleasant Hill Baptist Church was founded more than 70 years ago by Reverend Culpepper's grandfather, Rev. Samuel H. Bullock. Reverend Bullock was deeply involved in his community working to educate children and to reduce juvenile delinquency. Reverend Culpepper and the congregation at Pleasant Hill Baptist Church have carried on that legacy of community involvement with spirit and determination.

We thank Reverend Culpepper for his blessing. We thank him for gracing us with the same spirit that drives him and the Pleasant Hill Baptist Church family back home. We thank him and his church for reminding us that the problems that affect our neighborhoods, our cities, our Commonwealth, and our country aren't someone else's problems, they are all of our problems.

I am honored to have Reverend Culpepper here today.

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Following leader remarks the Senate will be in morning business for 1 hour, with the majority controlling the first half and the Republicans controlling the final half.

Following morning business the Senate will resume consideration of S. 601, the Water Resources Development Act.

We will continue to work through amendments to the bill today. We may also consider two district court judges sometime today, the Dick nomination from Louisiana and the Roman nomination from New York. Senators will be notified when those votes are scheduled.

OBSTRUCTION AND DELAY

Mr. REID. Mr. President, by now the minority's tactics, the Republican tactics of obstruction and delay are well known, but they are also well worn. Those methods were once again on display yesterday when Republicans delayed for the second time in 2 weeks a Senate HELP Committee vote on the nomination of Tom Perez to lead the Department of Labor.

The able and considerate chairman TOM HARKIN had already postponed the

vote 2 weeks at the request of one of the Republicans. They requested more time to review documents related to Tom Perez's nomination. It was terribly disappointing that, after they were granted additional time as a matter of courtesy, an anonymous Republican would employ an arcane procedural tactic to prevent the committee from even meeting, and, of course, voting on that nomination.

Republicans had 7 weeks, 49 days to consider this nomination. He was nominated on March 21. Since his confirmation hearing in April, he has responded in writing to more than 200 questions.

He is an extremely qualified candidate for this job. The President was smart in nominating him. He is what the American dream is all about. He is the son of immigrants. He paid his way through college by working as a garbage collector and at a warehouse. He went on to become the first lawyer in his family.

Mr. Perez was appointed by Governor O'Malley of Maryland to be the secretary of the Department Labor, where he helped implement the country's first statewide living wage law. In his current role as the head of the Civil Rights Division of the U.S. Department of Justice, Mr. Perez helped settle cases on behalf of families targeted by unfair mortgage lending.

As anyone can see, he is an extremely qualified nominee. His knowledge and experience will make him an outstanding Secretary.

Unfortunately, impressive qualifications and exceptional character are no longer enough to satisfy Senate Republicans. Instead of a fair and constructive confirmation process, Republicans have chosen to play partisan political games with dozens—scores—of President Obama's appointees.

They have also slow-walked the nomination of dedicated public servant Gina McCarthy to lead the EPA, the Environmental Protection Agency. This morning, just a few minutes ago, Republican members of the Senate Environment and Public Works Committee sent a letter to Chairman BOXER indicating they will boycott committee markup of Ms. McCarthy's nomination.

This type of blanket partisan obstruction used to be unheard of. Now it has become the pattern Republicans have adopted. They will use any procedural roadblock or stalling tactic to deny President Obama qualified nominees.

My Republican colleagues can try every trick in the book—and they have and they probably will—but I assure you he will have his day in the Senate. I assure everyone Ms. McCarthy will have her day in the Senate, and I will do all I can to ensure these highly qualified are confirmed, as the President has requested.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

UNEMPLOYMENT

Mr. MCCONNELL. Today the President plans to travel to Austin, TX. I understand his trip includes a visit to a technical high school and a chat with workers. The idea, I presume, is to show folks that the White House has once again pivoted to jobs. If you are someone who is all about the visual, then, of course, putting on a pair of goggles or showing up at a factory is a great way to at least look as though you are doing something about the situation.

Whether that means you are actually getting the job done is a different story. Unfortunately, robust job creation has been talked about a lot in this administration, even as millions remain out of work or stuck in part-time jobs.

Take a look at last month's jobs report. It was touted by the White House as proof of an economy on the mend, and surely we on this side hope that will soon be the case. We are not there yet. We only have to drill down below the top line to find a lot to be concerned about. For instance, the unemployment rate technically edged down to 7.5 percent, but it actually moved up to 8 percent in my home State of Kentucky. While the Federal rate is still pretty high, even those numbers don't tell the full story. Because so many Americans have stopped looking for work altogether, we now have the lowest labor force participation rate since Jimmy Carter.

Our actual Federal unemployment rate is nearly 11 percent. That is quite a ways off from the 5 percent or so the administration boldly predicted we would have by now if only Congress would pass the stimulus.

Consider this. If all we did was match the average of recoveries since World War II, we would have about 4 million more private sector jobs than we do today. That is how much worse this recovery is than other recoveries since the war.

Unfortunately, that is the Obama economy. I hope the President is traveling to Austin today because he is finally serious about turning that around, about changing course and implementing policies that might actually work to get the economy moving again. Given that he will be in Texas, he might want to think about developing more jobs in the energy sector. It is a huge industry—huge—not just in Texas but all across our country. His administration has the power, if it chooses, to spur more job-creating energy resource exploration and development.

There is a lot more Texas is doing right too. That is why it has been touted as a national leader in job creation. One study showed Texas, with less than 10 percent of the population, accounted for almost one-third of private sector jobs created in high-paying sectors in recent years. If the President is interested in duplicating that success at the Federal level, he might take note of the fact that policymakers in Austin have taken a very different approach from Washington when it comes to how they tax and spend.

Basically, they do less of it with no income tax, for instance, and a low ratio of spending per capita. They don't ram through laws such as ObamaCare.

I hear the President plans to hold another event tomorrow where he will claim that ObamaCare is helping women. Let me tell a story of how ObamaCare is affecting one woman, and I am sure there are many more just like her.

The Wall Street Journal recently profiled a businesswoman named Elizabeth. She is in the clothing business, and she had been hoping to hire more employees. But thanks to ObamaCare, Elizabeth is now being forced to turn to independent contractors because if she brings on just a few more people and exceeds 50 employees, the government could punish her business.

There are many other small businesswomen who will see their dreams crushed under the weight of ObamaCare's nearly 20,000 pages of regulations. There are many women in their twenties and thirties who will be unable to afford the law's massive premium increases. There are many mothers who will not be able to get by if their employers cut their hours due to ObamaCare or if they lose their jobs because of it.

Here is something else to consider. This morning, Speaker BOEHNER and I informed the President we will not be recommending individuals to serve on the Independent Payment Advisory Board. The IPAB, as some call it, is a commission set up by ObamaCare that is charged with reducing Medicare payments to health care providers and determining what services should be available to seniors. Of course, we know that will lead to access problems, waiting lists, and denied care for seniors—what most people would call rationing. It threatens to disproportionately affect women too.

According to the Department of Labor, women make approximately 80 percent of health care decisions for their families and are more likely to be the caregivers when a family member falls ill. That family member could be a child, could be a spouse, or, more often these days, a parent who relies on Medicare. We want to know Medicare will be there to take care of them, and we want to know those decisions will

be made between patients, their families, and their physicians, not an unaccountable board of bureaucrats such as the IPAB—one that even has the power to overrule payment decisions made by Congress and signed into law by the President. That is how powerful IPAB is.

So the President should rethink the purpose of this event. I hope he will use it instead as a platform to prepare women for the actual consequences many of them will soon face under ObamaCare.

More broadly, the President needs to get out in front of this train wreck before Americans—men and women alike—are completely blindsided by it. Polling suggests that almost half of Americans are unsure how ObamaCare will affect their families. So he really needs to get out there and prepare them for what is coming.

If the President is truly concerned about jobs, then it is time for him to admit ObamaCare was a mistake and work with Congress to repeal it because we need reforms that lower the cost of care. What we don't need is a 2,700-page law and a resulting tower of redtape that will continue to kill jobs and hurt our economy.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COATS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

HEALTH CARE

Mr. COATS. Mr. President, back home in Indiana last week, I heard from many Hoosiers who are concerned about the impact of ObamaCare. I went back to listen to the people, and almost invariably, no matter what subject was on the table, the impact of ObamaCare was what was brought up first and discussed the most.

I particularly focused on those businesses which are in a position to expand and hire but are simply not doing so, and the question is, Why? The answer was that they are deeply concerned about the implementation of the so-called Affordable Care Act, basically saying that it is an unaffordable care act.

They also said they were confused about what it means and what it doesn't mean. These regulations are continuing to come out, but many of them are delayed, so there is a huge cloud of uncertainty over their future. As a consequence, Hoosier employers have to make decisions about hiring or not hiring, about expanding or not expanding, about buying new equipment or not buying new equipment, about building new factories or not building new factories.

In Indiana, we have positioned ourselves to be a very business-friendly State. In fact, a major survey came out a couple of days ago that said Indiana is among the top five States in the Nation in terms of being business-friendly. As a result, we have a lot of inquiries from businesses in other States, and essentially what they are saying is that they would like to come to our State.

We have a lot of people in our State who are operating businesses and would like to hire more employees, but they are frozen because of this health care bill, and all of the regulations, penalties, taxes, and uncertainty that surround what is going to play out is leaving them in limbo. We are treading water. We can't make decisions. The word of the year is "uncertainty"—uncertainty about what Washington is going to do, uncertainty about the impact of what Washington has already decided to do. The No. 1 topic that beats all the rest is the impact of the Affordable Care Act—the ObamaCare act—which is now starting to impact various businesses across the State.

These concerns have been expressed both by business owners and by employees working in a wide range of occupations. Their concern has been confirmed by data released by the Labor Department last week. The recent report revealed retailers appear to be cutting working hours at a rate unheard of over the last 30 years.

We saw some positive news come out of the jobs report last week. Unemployment is coming down slightly. Of course, it doesn't begin to address the issue or consider those who have literally dropped out of the workplace or have literally given up trying to find a job because they simply aren't there. But now we face another problem. More and more Americans are being pushed into part-time work, which isn't enough to provide for a family. Last month, nearly 280,000 Americans involuntarily entered part-time employment. Weekly take-home pay con-

tinues to decline and, of course, the number of hours employees are working continues to shrink.

Why is this change occurring? Investor's Business Daily reported that "all evidence points to the coming launch of ObamaCare as the reason for this decline in the average retail workweek."

Beginning next year, as we know, job creators will face fines of \$2,000 and, in some instances, up to \$3,000 for every full-time worker who receives subsidized coverage in the exchanges created by ObamaCare if qualifying coverage isn't available in the employee's workplace, or if that employer is no longer able to afford the cost of government-mandated health plans. These are small businesses. We are not talking about Fortune 500 companies. We are not talking about those firms that can hire a back room full of lawyers and accountants to figure out how this health care plan is going to impact them and what it is going to cost. We are talking about the service industry, we are talking about the retail shops—those that employ anywhere from 30 to 40 to 60 to 70 to 90 or whatever. A lot of them are trying to stay under the 50 level—the exclusion for small businesses—50 and under. So a lot of them are stuck at 45, 48, and they are not going to hire to go above that and they are looking for ways to move employees to part-time employment so they are not burdened with these fines.

Many Hoosier employers have told me they would like to expand and hire more full-time workers, but they simply cannot afford to do so given the fines, taxes, and regulations that will hit when the ObamaCare act is implemented starting in 2014.

The U.S. Chamber of Commerce has said 71 percent of small businesses say this health care plan makes it harder to hire more employees. I heard from a small business owner in Indiana who runs an employment management service. He told me small businesses such as his have decided to use a combination of cuts to keep many of their employees under 30 hours a week to avoid penalties, while pushing full-time workers well over 45 hours a week. Well, that is fine for the full-time workers who are getting some overtime pay, but it is denying job opportunities for new hires because employers are put in this position by the mandates of the health care act. It is not just limited to the private sector. I recently heard from a State representative in Indiana who is concerned about how this law is going to affect school districts in his area. He says some schools are being forced to move nonteacher personnel to part-time status, affecting food service providers, teacher's aides, bus drivers, substitute teachers, maintenance personnel, as well as nonteacher coaches. People from all walks of life have a dark cloud of uncertainty over their future plans to run a business, to hire employees, and to do what

is necessary to expand their business, and that is so desperately needed, given we are now entering the fifth year of underemployment in this country. So that incentive to employ part-time workers means fewer hours, lower wages, less economic growth, less production, and it means middle-class Americans will continue to pay the price of Washington's ineptness.

One of our colleagues here said it best about the implementation of the health care law: "I just see a huge train wreck coming down." I think it is becoming clear that we all see a huge train wreck coming down. If both sides of the aisle here understand this is a train wreck, then let's do something about it now before it hits. Let's stop the train from crashing before its full impact on the economy takes effect.

Americans want health care reform that is an improvement but not a burden. We need to replace ObamaCare with commonsense health care reforms that will lower costs without penalizing American workers and job creators. If we don't act—if we don't stop this train wreck from happening—we will continue to see a struggling economy with anemic growth and the American people will continue to pay the high price.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

ORDER OF PROCEDURE

Mr. MCCAIN. Mr. President, I ask unanimous consent that myself, Senator LEVIN, Senator MENENDEZ, and Senator GRAHAM be permitted to participate in a colloquy for up to 40 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. If it is agreeable to Senator LEVIN, I say to my friend from South Carolina, we could each make a brief opening statement, maybe a 6-, 7-minute opening statement, and then maybe have a colloquy amongst us. Is that agreeable to the Senator from Michigan?

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. It is agreeable to me. My statement will probably be about 7 or 8 minutes. I don't know how long Senator MENENDEZ—because he is the fourth Senator who will participate—how long his statement will be, but if 40 minutes is what the Senator from Arizona sought, I think that ought to be enough.

Mr. MCCAIN. I thank my colleagues. I wish to thank my dear friend from South Carolina whose efforts on another issue in Benghazi have brought the attention of the American people to a tragic situation that happened there. We need to place responsibility for it, and if it had not been for his tenacity and effort on this issue, I do not

believe it would have been brought to the attention of the American people yesterday. So I wish to thank him for his usual and unusual continuation of efforts on behalf of the families who were killed.

SYRIA

Mr. MCCAIN. Mr. President, today I and my colleagues are here to speak about Syria. The strategic and humanitarian costs of this conflict continue to be devastating, not just for the people of Syria but for vital American interests. As today's Washington Post editorial makes clear, nearly all of the terrible consequences that those opposed to intervention predicted would happen if we intervened in Syria have happened because we have not.

There is mounting evidence that chemical weapons have been used by the Asad regime. As many of our colleagues have noted—including Senator FEINSTEIN, the chairman of the Intelligence Committee—President Obama's redline on Syria has been crossed. But instead of acting, the Obama administration has called for additional evidence to be collected by U.N. investigators who have not yet set foot in Syria and probably never will. In the absence of more robust action, I fear it will not be long before Asad takes this delay as an invitation to use chemical weapons again on an even larger scale.

Moreover, as I have said before, by drawing a redline on chemical weapons, the President actually gave the Asad regime a green light to use every other weapon in his arsenal with impunity. More than 70,000 Syrians have been killed indiscriminately with snipers, artillery, helicopter gunships, fighter jets, and even ballistic missiles. Indeed, according to a recent Human Rights Watch report, more than 4,300 civilians have been killed by Syria's airstrikes alone since July 2012.

At the same time, Iran and its proxy Hezbollah are building a network of militias inside Syria and the al-Qaida-aligned al-Nusra Front has gained unprecedented strength on the ground. According to estimates published in the media, some believe there were no more than a few hundred al-Nusra fighters in Syria last year, but today it is widely believed there could be thousands of extremist fighters inside Syria. They are gaining strength by the day because they are the best, most experienced fighters. They are well-funded and are providing humanitarian assistance in the parts of Syria where people need it most.

At the same time, this conflict is having increasingly devastating consequences to the security and stability of our allies and partners in Israel, Jordan, Turkey, Iraq, and Lebanon. The U.N. High Commissioner for Refugees has characterized the situation in Syria as an "existential threat" for

Lebanon, where the government estimates that 1 million Syrians have entered the country—1 million Syrians have entered the country of Lebanon—which has a population of just over 4 million. Similarly, over the past 2 years, more than 500,000 Syrians have flooded into Jordan, a country of only 6 million people. Consider for a moment that in proportional terms this would be equivalent to 26 million refugees, or the entire population of Texas, suddenly crossing our own borders.

In short, Syria is becoming a failed state in the heart of the Middle East overrun by thousands of al-Qaida-affiliated fighters, with possibly tons of chemical weapons, and poised to ignite a wider sectarian conflict that could profoundly destabilize the region.

Yesterday brought news that the administration plans to organize, together with Russia, an international peace conference later this month to seek a negotiated settlement to the war in Syria. All of us—all of us—are in favor of such a political resolution to this conflict. No one wants to see this conflict turn into a fight to the death and total victory for one side or the other. We all want to work toward a political settlement that forms a new governing structure in Syria reflective of the democratic aspirations of the Syrian people.

But let's be realistic. One of the lessons of the past 2 years is that such a negotiated settlement will not be possible in Syria until the balance of power shifts more decisively against Asad and those around him. Until Asad, as well as his Iranian, Hezbollah, and Russian backers no longer believe they are winning, what incentive do they have to come to the table and make a deal? This is what two well-meaning United Nations senior envoys have already learned.

Yes, Syrian opposition forces are gaining strength and territory on the ground. But Asad still has air power—a decisive factor in that climate, in that terrain—ballistic missiles, chemical weapons, and a host of other advanced weaponry, and he is using all of it. Furthermore, today's news reports that Russia has agreed to sell an advanced air defense system to the Asad regime should lead us once again to ask ourselves whether the path to peace in Syria runs through Moscow.

I know Americans are war-weary and eager to focus on our domestic and economic problems and not foreign affairs. I also know the situation in Syria is complex and there are no ideal options. But the basic choice we face is not complicated: Do the costs of inaction outweigh the costs of action? I believe they do.

No one should think the United States has to act alone, put boots on the ground, or destroy every Syrian air defense system to make a difference for the better in Syria. We have more limited options at our disposal, including

limited military options, that can make a positive impact on this crisis.

We could, for example, organize an overt and large-scale operation to train and arm well-vetted Syrian opposition forces—a course of action that was recommended last year by President Obama's entire national security team. I am encouraged that Senator MENENDEZ, the chairman of the Foreign Relations Committee, has introduced legislation this week on this very issue and that he is speaking out about the need for more robust action in Syria, including addressing Assad's air power.

As several key leaders in our own military have pointed out in testimony to the Senate Armed Services Committee over the past several months—from Gen. James Mattis to ADM James Stavridis—we have the capacity—we have the capacity—to significantly weaken both the Assad regime's air power and its increasing use of ballistic missiles, which pose significant risks as delivery vehicles for chemical weapons.

To address this threat, we could use our precision strike capabilities to target Assad's aircraft and Scud missile launchers on the ground without our pilots having to fly into the teeth of Syria's air defenses. Similar weapons could be used to selectively destroy artillery pieces and make Assad's forces think twice about remaining at their posts. We could use the Patriot missile batteries outside of Syria to help protect safe zones inside Syria from Assad's aerial bombing and missile attacks.

Would any of these options immediately end the conflict? Probably not. But they could save innocent lives in Syria. They could give the moderate opposition a better chance to succeed in marginalizing radical actors and eventually provide security and responsible governance in Syria after Assad falls. However, the longer we wait, the worse the situation gets and the tougher it will be to confront, as we will inevitably be forced to do sooner or later.

I am encouraged that a consensus is emerging and many of our colleagues—Democrats and Republicans alike—share this view. I note the leadership of Senator LEVIN, the chairman of our Armed Services Committee, whom I joined in writing a letter to President Obama urging him to take more active steps in Syria. I also note the important voice Senator BOB CASEY has lent to this debate and ask unanimous consent that his op-ed printed last week in the Huffington Post, "Time to Act in Syria"—which calls for consideration of more options, including cruise missile strikes to neutralize the Syrian Air Force—be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Huffington Post, May 9, 2013]

TIME TO ACT IN SYRIA

(By Bob Casey)

Last week, I joined a bipartisan group of senators to ask the President whether the Assad regime has used chemical weapons. The administration's response suggests mounting evidence of chemical weapons underscores the imperative that the United States stand with the people of Syria during this critical period.

The fall of Assad is not only good for Syria, but will deal a significant blow to Iran and Hezbollah. Degrading the destructive power of Iran and Hezbollah is in the national security interests of the United States—Bashar al-Assad is a key link between them.

In March, Senator Rubio and I offered legislation that could offer a path forward. Since that time, several senators have co-sponsored the measure including Senators Kirk, Coons, Klobuchar, Levin, Cardin, Boxer and Shaheen. This legislation would provide support to the armed and political opposition, increase humanitarian aid to Syrians inside the country and to refugees in neighboring states. This bill also lays the groundwork to address the immense humanitarian and political challenges in the post-Assad era.

A political transition to a government that reflects the will of the Syrian people is in the core interests of the United States in the region. I have made the case consistently that the U.S. should lead efforts to support the moderate Syrian armed and political opposition. I have also said that the U.S. should consider measures that would hamper the ability of the Syrian Air Force to conduct aerial attacks on civilians, including cruise missile strikes on Syrian Air Force planes as they sit on the tarmac [Foreign Policy 2/27/13]. In addition, the U.S., working with Turkey and NATO, should use Patriot missile batteries to provide cover for Syrians living in the northern part of the country who are subjected to SCUD missile attacks.

Any U.S. action should not result in U.S. boots on the ground.

It is time to act in the interests of our security in the region. Decisive action by the U.S. and our allies could help to tip the balance so that Syria can begin a transition process. Absent constructive engagement by the U.S., I am very concerned that the killing in Syria will continue and extremists will play an increasingly influential role in determining that country's future, resulting in very negative implications for the region.

Mr. MCCAIN. Let me conclude with one final thought. For America, our interests are our values and our values are our interests. The moral dimension cannot be lost from our foreign policy. If ever a case should remind us of this, it is Syria.

Leon Wieseltier captured this point powerfully in the New Republic this week:

Seventy thousand people have died in the Syrian war, most of them at the hands of their ruler. Since this number has appeared in the papers for many months, the actual number must be much higher. The slaughter is unceasing. But the debate about American intervention is increasingly conducted in "realist" terms: the threat to American interests posed by jihadism in Syria, the intrigues of Iran and Hezbollah, the rattling of Israel, the ruination of Jordan and Lebanon and Iraq. They are all good reasons for the

president of the United States to act like the president of the United States. But wouldn't the prevention of ethnic cleansing and genocidal war be reason enough? Is the death of scores and even hundreds of thousands, and the displacement of millions, less significant for American policy, and less quickening? The moral dimension must be restored to our deliberations, the moral sting, or else Obama, for all his talk about conscience, will have presided over a terrible mutilation of American discourse: the severance of conscience from action.

Nearly two decades ago, I worked with Democratic and Republican colleagues in Congress to support President Clinton as he led America to do the right thing in stopping mass atrocities in Bosnia. The question for another President today, and for all Americans, is whether we will again answer the desperate pleas for rescue that are made uniquely to us, as the United States of America.

I, first, would ask both of my colleagues one question, if it would be all right. There is news today that the Secretary of State wants to convene a conference, including the Russians, in order to try to bring about a resolution at the same time we read reports that the Russians are selling Syria the most advanced weapons. I guess I would ask my colleague from South Carolina and then Senator LEVIN because I know he has a statement.

Mr. GRAHAM. That would be a big contradiction.

I will just yield to Senator LEVIN to answer the question and make his opening statement.

Mr. LEVIN. Mr. President, I thank, first of all, the Senator from Arizona for the leadership he has taken on the question of Syria. In answer to the question, to the best of my ability, at least, it would not be the first time Russia has taken an inconsistent position. What I am hoping is that the additional military pressure on Assad, which we are all calling for this morning, would help put pressure on Russia to understand, if that military pressure is forthcoming, that they should participate in the political solution. I do not know that we can stop them, as much as we would all wish to, from taking the inconsistent position that they have, but I believe—and I think the Senator from Arizona would probably agree, but he can speak for himself, obviously—that if President Obama does as we are urging him to do, which is find a way to put additional military pressure on Assad, that would be an important sign to Russia that: OK, join in a solution. You participated enough in the problem already. Join in the solution.

They are inconsistent. But I think our goal of trying to get more military pressure on Assad is very consistent with the idea that maybe there will be a political solution, but if there is, it will be promoted by military pressure on Assad and his understanding of that fact.

The worsening situation in Syria and the snowballing plight of millions in the region requires a response.

Since nonviolent demonstrations demanding democratic change began in Syria in March of 2011, Bashar Asad and his clique of supporters have unleashed a massacre that has claimed the lives of at least 70,000 Syrians, displaced more than 4 million people across a region that already suffers from a massive refugee population, sparked a civil war with a multitude of divergent ethnic groups and religious sects, and placed the security of Syria's chemical weapons stockpile—which is one of the world's largest—at risk of falling into the hands of terrorist groups.

Despite the impact of this horrific campaign, Asad's commitment to continuing the fight appears unwavering. One must look no further than the increasingly indiscriminate tactics with which he conducts his campaign. In recent months, in addition to Asad's possible use of chemical weapons, he has increased his reliance on airstrikes, Scud missiles, rockets, mortar shells, and artillery to terrorize and to kill civilians.

Asad's ability to conduct this campaign is enabled by two actors—Iran and Russia. Iran's financial, personnel, and materiel support have been critical to ensuring Asad's military remains operable and that the impact of defections is mitigated with reinforcements. Russia's support to Syria's more advanced military weaponry, most notably air defense systems, is critical to Asad's continued ability to project power into areas of the country he no longer controls.

To add further complexity to the situation, al-Nusra Front, an al-Qaida offshoot, continues to spread its influence in some areas of Syria. Its presence is of concern and countering its spread needs to be a priority. It is also critical that we ensure that countries in the region that are seeking to force an end to the Asad regime are not enabling and enhancing the capabilities of violent extremists who will ultimately turn their weapons on moderate Syrians and on religious minorities in Syria, such as the Syrian Christians.

The combination of these circumstances in Syria demonstrates that the status quo is unacceptable and that time is not on our side. Many officials in Washington share this sentiment but in the same breath remind us that the situation in Syria is complex, volatile, and asymmetric; Syria's Government institutions are crumbling, which could create a dangerous vacuum; any action by the United States or the West, even if it is with our Arab partners, risks significant escalation; and that any security vacuum could be filled by Islamist extremists.

I have supported, and I will continue to support, the President's contribu-

tions to provide humanitarian relief to the Syrian people throughout the region, as well as the additional assistance he has pledged to Jordan to help with the devastating impact of this conflict on that country.

But it is essential that the United States, working with our allies in the region, step up the military pressure on the Asad regime—of course, doing so in a carefully thought out and regionally supported way.

Certainly, there are significant challenges to any plan of action in Syria. But we not only have to figure out the consequences of any action, we also have to figure out the consequences of not taking additional actions. In my view, the facts on the ground make the consequences of inaction too great, and it is time for the United States and our allies to use ways to alter the course of events in Syria by increasing the military pressure on Asad until he can see that his current course is not sustainable.

Taking steps to add military pressure on Asad will also provide backing to Secretary Kerry's efforts to bring the Russians into the dialog politically, which is aimed at leading to Asad's departure. I commend Secretary Kerry for his efforts to bring Russia into that dialog.

At the same time, of course, we condemn Russia's support for the Asad regime. I happen to feel very strongly that even though we are condemning, and should condemn, Russia's support for the Asad regime, it is still in our interest that Russia participate in putting pressure on Asad politically to depart, if Secretary Kerry can possibly do so.

I have joined Senator MCCAIN recently in writing to President Obama, urging the President to consider supporting a number of efforts, including the creation by Turkey of a safe zone inside Syria along its border, the deployment of our Patriot batteries closer to that border in order to protect populations in that safe zone and to neutralize any Syrian planes that threaten it and also to provide weapons to vetted elements of the opposition in Syria. These actions—raising the military pressure on Asad—will send the critical message to Asad that he is going to go one way or the other.

The Armed Services Committee, which I chair, recently held an open hearing on the situation in Syria and the Defense Department's efforts to plan for a full range of possible options to respond to the contingencies in Syria. Our committee is set to receive a classified briefing on Syria next week. I intend to raise these issues with our witnesses at that briefing. I know Senator MCCAIN and Senator GRAHAM and others are also going to forcefully raise these issues with those witnesses at that briefing and to urge them to carry the message back to the

administration that it is time to up the military pressure on Asad.

I thank Senator MCCAIN and others who are participating in this discussion.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I wish to join with my distinguished colleagues in our collective call for a greater engagement. I start off, as I always do in many years in Congress between the House and the Senate, with two questions: What is in the national interests of the United States? What is in the national security interests of the United States? The answer to those two questions is, in essence, how I determine my views, my advocacy, my votes, and the policies I want to pursue.

There are vital U.S. interests engaged in Syria. First, of course, there is a humanitarian crisis, probably the most significant humanitarian crisis at this moment—70,000 dead and climbing, 4 million displaced. That is, of course, an urgent call. Beyond that we have large chemical weapon stockpiles that potentially can fall into the wrong hands. Some have, by a whole host of public reports, already been used against the Syrian people. Unless you believe that somehow the rebels have in their possession chemical weapons, then this largely has to be from Asad. He has used them. I think once you use them, you are willing to use them even in greater quantities. That is a real concern.

The Syrian State could collapse. That would leave a safe haven for terrorists, constituting a new threat to the region. You already have al-Qaida affiliated al-Nusra, you have Hezbollah, you have the Iranian Guard. You have the opportunity for a safe haven for terrorists constituting a new threat to the region with broader implications for our own security.

The refugee crisis and sectarian violence spread instability throughout the region. The King of Jordan was here 2 weeks ago and sat with our committee. He made it very clear, his population has already increased by 20 percent. At the rate it is going, the population of Jordan could double. That is not sustainable for the kingdom. This is one of the countries that has been one of our most significant and faithful allies, and a constructive ally in the region. We cannot afford for that ally to ultimately find itself in a position in which it could very well collapse. We look at all of that.

Finally, there could be no more strategic setback to Iran—which this body has spoken collectively and in a bipartisan united fashion to stop its march toward nuclear weapons—than to have the Asad regime collapse. That would be a tremendous setback to Iran and would cause a disruption in the terror

pipeline between Iran and Hezbollah in Lebanon.

These are just some of the vital national security interests of the United States in changing the tide. Under the present set of circumstances, Asad believes he is winning. For so long, as he believes he is winning, he will continue the course he is on. There has to be a change in the tipping point.

After 2 years I believe there are those in the opposition—rebels we can and have thoroughly vetted—we can assist in trying to change that tipping point. If you have a monopoly on air power and on artillery, then the reality is you will not see a change on the ground.

So the legislation I have introduced and am working with colleagues on begins to move us in a different direction. It is to seek to arm thoroughly vetted elements of the Syrian opposition so we can change the tipping point. It is to, of course, continue to provide humanitarian assistance and at the same time work for the assistance of a transition fund to help those rebels that are already controlling parts of the civilian population to help them administer there and prepare for the future.

The key point is unless we change the dynamics on the ground, we will not have a change in the regime. So long as the regime can continue to bomb its citizens indiscriminately—and if the reports, as we have seen from various countries, including our own, suggest that Asad has used chemical weapons against his own citizens—that is only an invitation to allow him to continue to do it unless we act.

I am willing to consider other options. I know my colleague, Senator MCCAIN, very distinguished in this field, has suggested others. I am willing to consider those as well. But I think, finally, we strengthen the hand of the administration and Secretary Kerry. We all want to see a politically, diplomatically achieved solution. But in the absence of changing the calculus not only of Asad but of his supporters who have propped him up, unless they believe he will fall, I am not sure we have changed the calculus for the political opportunity to take place and the diplomacy to be effective.

I think these efforts strengthen the hand of the administration, create a parallel track that if diplomacy fails, we will have an opportunity to pursue our vital national interests and security interests, end the humanitarian tragedy, and create the type of stability we want to see in the region. I appreciate my colleague bringing us together on the floor of the Senate. I look forward to continuing to work with him.

I yield the floor.

Mr. MCCAIN. I thank the distinguished chairman. May I say, it has been a great pleasure for me to have the opportunity to serve on the For-

eign Relations Committee, of which Senator MENENDEZ is the chairman. I think his stewardship of that committee has been outstanding. I appreciate the very articulate argument the chairman just presented, including the strategic dimension of this whole issue which sometimes in our—particularly, when you focus so much on the humanitarian side, the strategic interest of the fall of Bashar Al-Asad is something which I think adds another dimension. I thank the Senator and chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I would just like to echo what Senator MCCAIN said about Senator MENENDEZ. I would like to, for the record, note that the tide of war in Syria changed today because of what is happening on the floor of the Senate. That may be hard for people to understand, but I really do not think so.

How do you change the tide of battle? You make it certain to the world that Asad will go, and you provide hope to those who are fighting him that they will prevail. I would suggest that a bipartisan consensus is forming in the Senate that now is the time to do more, not less, when it comes to Syria, including arming the rebels—the right rebels, the right opposition, with the right weapons, which will eventually change the tide of battle.

So to those who have been following this debate about Syria, to those who have been in the fight trying to topple this regime, I cannot stress to you how important today is in your cause. When you get Senator LEVIN and Senator MENENDEZ, two institutional, important figures because of their chairmanships, but beyond that, important because of who they are and what they bring to every debate around national security, combined with Senator MCCAIN and others, you have turned the tide in Washington.

As to Senator MCCAIN, he has been talking in the most eloquent terms for at least a couple of years about stopping this war in Syria, ending the Asad regime and replacing it with something better. He has been right, as he usually is. But now is not the time to look backward, it is to look forward.

I think an effort by the Senate and the House to acknowledge that the tide of war needs to change and we should be bolder in our support for the opposition is going to increase the likelihood of a peaceful solution through diplomacy.

The Russians have to know, after today, if they know anything about American politics, the game has changed when it comes to Asad, and this is a monumental sea change in terms of the war in Syria by having four Senators who care about such matters of foreign policy to speak out and say we will support arming the

rebels and being more involved militarily.

To the opposition, this is a great day for you. To Asad, this seals your fate.

Now, what do we do and how do we do it? It will not all end tomorrow because of this colloquy today, but we are well on the way to ending this war. Here is the choice: The current regime, which is evil to the core, and the imperfect opposition, which has been infected by radical Islam—you can fix the second one; you cannot fix the first. It is that simple to me.

The sooner the war ends the better, not only for saving people in Syria from further slaughter, but preventing what I think would be an erosion of our national security interests in four areas. If this war goes 6 more months, a failed state will emerge in Syria. It will be so fractured you cannot put it back together.

The 6,000 al-Qaida associated fighters will grow in number, and there will be a safe haven in Syria like there was in Afghanistan. That is not good for us. Unlike Afghanistan, there is enough chemical weapons in Syria to kill thousands if not millions of Americans and people who are our allies. I worry greatly not only that chemical weapons have been used in Syria on the opposition by the regime, but those same chemical weapons will be used in the future by radical Islamists against us.

The next bomb that goes off in America may have more than nails and glass in it. The only reason millions of Americans or thousands of Americans, hundreds of thousands have not been killed by radical Islamists is they cannot get the weapons to kill that many of us. They would if they could.

I have never seen a better opportunity for radical Islamists to get ahold of weapons of mass destruction than I see in Syria today. Every day that goes by their opportunity to acquire some of these weapons grows dramatically. If you ask me what I worry the most about with Syria and why we should get involved, it is for that very reason. If these weapons get compromised, they are going to fall into the hands of the people who will use them against us, and to believe otherwise would be incredibly naive.

Jordan. Probably the most stabilizing figure in the Mideast in these dangerous times is the King of Jordan. His country is being overrun by refugees. If this war goes on 6 more months, that is probably the end of his kingdom because it will create economic chaos and political instability. He will be a victim of the civil war in Syria, and it will have monumental consequences for our national security.

As we talk about Syria and chemical weapons falling into radical Islamists' hands, we are dealing with a radical regime in Iran that is marching toward building a nuclear weapon. If you think the ayatollahs in Iran are trying to

build a nuclear powerplant at the bottom of a mountain, you are wrong. They are trying to build a nuclear weapon to ensure their survivability. God only knows what they would do with nuclear technology. But if you believe what they say, they would wipe Israel off the map, and we would be next. I tend to believe what they say.

If you allow Syria to continue to deteriorate and have a hands-off policy toward Assad, then I think you are sending the worst possible signal to Iran. As Senator LEVIN said, really the only ally Iran has today is Assad in Syria. How can we convince the Iranians we are serious about their nuclear problem when we do not seem to be very serious about Assad using chemical weapons against his own people? What a terrible signal to send at one of the most important times.

I would end with this thought: This bipartisan consensus that is emerging today is going to pay great dividends. It is going to be helpful to the President. We can end this war sooner rather than later. But no matter what happens, there is going to be a second war in Syria, unfortunately.

That second war is going to be between radical Islamists who want to turn Syria into some kind of al-Qaida-inspired state, and the overwhelming majority of Syrians who want to live a better life and be our friends, not our enemies.

This war will occur after the fall of Assad. But it will end the right way. The sooner we get the first war over, the shorter the second war will be. I think we can bring this war to a close without boots on the ground. The sooner we act the better.

One last thought. To the opposition, you would be helping your cause if you would let the world know that you do not want Assad's chemical weapons; that the new Syria will not be a state that wants weapons of mass destruction; that you would agree these weapons should be controlled by the international community and destroyed; that you would agree to an international force coming on the ground with your blessing the day after Assad falls to secure these weapons and destroy them for all time. I think you would be helping your cause.

So I say to Senator MCCAIN, I really appreciate his leadership for a couple of years. But persistence does matter in politics and all things that are important. I think the Senator's persistence is paying off.

I say to Senator MENENDEZ and Senator LEVIN, what they have done today joining up in a bipartisan fashion is going to pay great dividends for our own national security interests. The way forward is pretty clear.

I say to President Obama, we want to be your ally. We want to be your supporter. We want you to get more involved, not less. We realize it is hard.

We realize there are risks no matter what we do. But as Senator MCCAIN said before, the risk of doing nothing by continuing on the current track is far greater than getting involved in ending the war sooner.

Mr. MCCAIN. Can I just ask one question of my colleague? I understand recently he made a trip to the Middle East. There is nothing like seeing the terrible consequences of war. I understand the Senator visited a refugee camp.

Maybe for the benefit of our colleagues the Senator could take a minute to describe the horrible conditions people who have now been made refugees have been subjected to and their failure to understand why we won't be able to be of more assistance to them.

Mr. GRAHAM. I thank the Senator for his question. It was one of the most compelling trips I have ever made to the Middle East. We went to Turkey, Jordan, and we went to a refugee camp in Jordan. Some 40,000 Syrian children are now in Jordanian schools. The burden on Jordan is immense, but when you talk to the people in the camps, what they have gone through and what their loved ones have gone through is heartbreaking.

From a national point of view, once you visit the camps, you understand what is at stake. They tell you about radical Islamists moving in. They want no part of them but at the end of the day they are having more influence because we are not in the fight. You can do this without boots on the ground.

The most chilling thing they tell us, which Senator MCCAIN, has been echoing for a long time, is their children are watching the United States. Like it or not, we have the reputation in the world that we can do almost anything.

Well, we can't do almost anything, but we are seen as a force for good. The people in Syria are beside themselves wondering where is America. America, to them, is an idea. They want to be like us because it means freedom, and it means economic opportunity. It means having a say about your children's future. They are dumbfounded that we are not more involved, given the stakes that exist in Syria. They tell us without any hesitation that the young people of Syria will remember this moment. They will hold this against us. I think I know what the Senator is telling us.

Here is the good news: There is still time to act. It doesn't have to end that way. The conditions in Syria are horrible. The refugee camps were beyond imagination. The U.N. is doing a great job, but they are running out of money. Jordan is about to fall if we don't stop this war.

From a human point of view, we have got to get this war over and America needs to be seen as part of the solution, not part of the problem. From a na-

tional security point of view, Syria is going to become a nightmare for the whole world, including the United States.

Mr. MCCAIN. Mr. President, I ask unanimous consent to have printed in the RECORD a Washington Post editorial entitled "Repercussions Of Inaction," a Wall Street Journal article, "U.S. Is Warned Russia Plans Syria Arms Sale," and, finally, a piece by Leon Wieseltier that is in the Washington Diarist.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 9, 2013]

THE REPERCUSSIONS OF INACTION

(Editorial)

There are grave risks in continuing the current U.S. policy toward Syria.

Opponents of U.S. intervention in Syria are adept at citing the risks of a more aggressive U.S. effort to bring down the regime of Bashar al-Assad. Weapons given to rebel fighters might end up in the hands of extremists, the skeptics say. U.S. air attacks or the creation of a no-fly zone would be challenged by formidable air defenses. U.S. intervention might increase the risk that the regime would resort to chemical weapons.

Above all, say the anti-interventionists, direct or even indirect U.S. engagement in the fighting would make Syria an American problem, saddling a war-weary country with another difficult, expensive and possibly unworkable nation-building mission.

These are serious objections, though we believe that some of the risks, such as the spread of weapons to jihadists, can be mitigated, while others, such as the strength of Syrian air defenses, have been exaggerated. Our greater concern is about the side of the discussion critics of intervention usually leave out—which is the risks that are incurred by failing to intervene.

What will unfold in Syria if the Obama administration persists with its policy of providing humanitarian and other non-lethal aid while standing back from the fighting? The most likely scenario is that Syria fractures along sectarian lines. An al-Qaeda affiliate, Jabhat al-Nusra, is already consolidating control over a swath of northeastern Syria; remnants of the regime, backed by Shiite fighters from Lebanon's Hezbollah movement, could take over a strip of the western coastline.

Such a splintering would almost certainly spread the sectarian warfare to Iraq and Lebanon, as it has to some extent already. That could cause the collapse of the Iraqi political system that was the legacy of the U.S. mission there. Chemical weapons stocks now controlled by the Assad regime would be up for grabs, probably forcing further interventions by Israel in order to prevent their acquisition by Hezbollah or al-Qaeda. Jordan, the most fragile U.S. ally in the Middle East, could collapse under the weight of Syrian refugees. Turkey and Saudi Arabia, which have been imploring the Obama administration to take steps to end the war, could conclude that the United States is no longer a reliable ally.

Of course, some of these consequences may come about whatever the United States does. But the best way of preventing them is to quickly tip the military balance against the Assad regime—something that would probably require an air campaign as well as arms

for the moderate opposition. If the regime's fighting strength is decisively broken it might still be possible to force out the Assads and negotiate a political transition, as Secretary of State John F. Kerry aspires to do. For now, with the regime convinced it is winning, there is no such chance—and with each passing month Syria's breakup comes closer to reality.

In short, there are substantial risks for the United States if it intervenes in Syria but also grave dangers in its present policy. On Tuesday President Obama said his job was to "constantly measure" what actions were in the best U.S. interest. It's not an easy calculus, to be sure. But for two years, as Mr. Obama has heeded the warnings about U.S. engagement, the situation in Syria has grown more dangerous to U.S. interests. There are no good options, as everyone likes to say. But it's becoming increasingly clear that the greatest risk to the United States lies in failing to take decisive action to end the Assad regime.

[From the Wall Street Journal, May 9, 2013]
U.S. IS WARNED RUSSIA PLANS SYRIA ARMS SALE

(By Jay Solomon, Adam Entous and Julian E. Barnes)

WASHINGTON.—Israel has warned the U.S. that a Russian deal is imminent to sell advanced ground-to-air missile systems to Syria, weapons that would significantly boost the regime's ability to stave off intervention in its civil war.

U.S. officials said on Wednesday that they are analyzing the information Israel provided about the suspected sale of S-300 missile batteries to Syria, but wouldn't comment on whether they believed such a transfer was near.

Russian officials didn't immediately return requests to comment. The Russian Embassy in Washington has said its policy is not to comment on arms sales or transfers between Russia and other countries.

The government of President Bashar al-Assad has been seeking to purchase S-300 missile batteries—which can intercept both manned aircraft and guided missiles—from Moscow going back to the George W. Bush administration, U.S. officials said. Western nations have lobbied President Vladimir Putin's government not to go ahead with the sale. If Syria were to acquire and deploy the systems, it would make any international intervention in Syria far more complicated, according to U.S. and Middle East-based officials.

According to the information the Israelis provided in recent days, Syria has been making payments on a 2010 agreement with Moscow to buy four batteries for \$900 million. They cite financial transactions from the Syrian government, including one made this year through Russia's foreign-development bank, known as the VEB.

The package includes six launchers and 144 operational missiles, each with a range of 125 miles, according to the information the Israelis provided. The first shipment could come over the next three months, according to the Israelis' information, and be concluded by the end of the year. Russia is also expected to send two instruction teams to train Syria's military in operating the missile system, the Israelis say.

Russia has been Mr. Assad's most important international backer, outside of Iran, since the conflict in Syria started in March 2011, and supplies Syria with arms, funding and fuel. Russia maintains a naval port in Syria, its only outlet to the Mediterranean.

Moscow also has publicly voiced worries that a collapsed Syria could fuel Islamist activities in its restive Caucasus regions.

Secretary of State John Kerry met with Mr. Putin on Tuesday in Moscow. The leaders said they would stage an international conference this month aimed at ending the civil war. U.S. officials couldn't say whether Messrs. Kerry and Putin or their teams discussed the arms sale.

British Prime Minister David Cameron is scheduled to visit Mr. Putin in Russia on Friday. The White House on Wednesday said Mr. Cameron would visit Washington on Monday to discuss issues including Syria's civil war and counterterrorism, plus trade and economic issues, with President Barack Obama.

The Obama administration has argued that Mr. Assad has to leave office as part of a political transition in Damascus. The Kremlin has maintained that he retains a large base of support and should be included in negotiations over a future Syrian government.

Should Mr. Putin's government go ahead with the sale, it would mark a significant escalation in the battle between Moscow and Washington over Syria. U.S. officials said they believe Russian technicians are already helping maintain the existing Syrian air-defense units.

The first air-defense deals between Russia and Syria date back decades. Russia in recent years has stepped up shipments to modernize Syria's targeting systems and make the air defenses mobile, and therefore much more difficult for Israel—and the U.S.—to overcome.

According to a U.S. intelligence assessment, Russia began shipping SA-22 Pantsir-S1 units to Syria in 2008. The system, a combination of surface-to-air missiles and 30mm anti-aircraft guns, has a digital targeting system and is mounted on a combat vehicle, making it easy to move. Syria has 36 of the vehicles, according to the assessment.

In 2009, the Russians started upgrading Syria's outdated analog SA-3 surface-to-air missile systems, turning them into the SA-26 Pechora-2M system, which is mobile and digital, equipped with missiles with an operational range of 17 miles, according to the assessment.

The U.S. is particularly worried about another modernized system Moscow provides—the SA-5. With an operational range of 175 miles, SA-5 missiles could take out U.S. planes flying from Cyprus, a key North Atlantic Treaty Organization base that was used during Libya operations and would likely be vital in any Syrian operation.

The U.S. has stealth aircraft and ship-based, precision-guided missiles that could take out key air-defense sites. Gen. Martin Dempsey, chairman of the Joint Chiefs of Staff, has privately told the White House that shutting down the system could require weeks of bombing, putting U.S. fighter pilots in peril and diverting military resources from other priorities.

According to an analysis by the U.S. military's Joint Staff, Syrian air defenses are nearly five times more sophisticated than what existed in Libya before the NATO launched its air campaign there in 2011. Syrian air defenses are about 10 times more sophisticated than the system the U.S. and its allies faced in Serbia.

[From the Washington Diarist, May 7, 2013]
STUNG!

(By Leon Wieseltier)

A reporter who visited the White House last week brought back the news that the

criticism of President Obama's immobility about the Syrian disaster has "begun to sting." Good. Something got through. The president's sophistries about his "red line" helped, of course: he spoke his way into a predicament that he cannot speak his way out of, thereby damaging the article of faith about the magical powers of his speech. The press is full of reports that our policy may be changing, that we may finally supply weapons to rebels we can ideologically support, that we have identified such rebels under the leadership of General Salim Idris, and so on. "We are on an upward trajectory," a White House official told another reporter about these second thoughts, which only a short while ago it would have considered a downward trajectory. Obama, somewhat embarrassed by the implication that for two years he may have been in error about one of the most consequential crises of his presidency, is having the White House rehearse its old admonition about caution (its chin-stroking Kissingerian term for a doctrinaire timidity), but still something may be stirring. The Syrian use of sarin and the Israeli airstrikes (which were miraculously unimpeded by the mythical power of Assad's air defenses) seem to have concentrated the West Wing mind. Is Obama being stung into action? I do not really believe it—his interventionism runs deep, philosophically and temperamentally; but in any event it is not too early to record a few lessons that can be extracted from this fiasco.

The bitterness of belatedness. There is nothing we know about Assad now that we did not know a year ago and longer. Not even his use of chemical weapons changes our understanding of him. His strategy in this crisis has always been to transform a democratic rebellion into a sectarian war, and his method for doing so has been to commit crimes against humanity. In the two years of American quiescence the Syrian situation has become only more dire, so that those who now plead that there are no perfect options are right. But there are imperfect options, which is often all that the Hobbesian life of nations anyway allows: we can still create pro-Western elements in the struggle for Syria after Assad, and deny Al Qaeda a government in Damascus, and stem the tide of the refugees that is shaking the entire region. But the road to a democratic Syria is now much longer and more twisted than it had to be. I say this not only in recrimination, but also because Obama's failure to act swiftly in the Syrian crisis reiterates one of the regular mistakes of American presidents after the cold war, which is to refuse to treat an emergency like an emergency. In many problems of statecraft, patience is a virtue and judiciousness the beginning of wisdom; but not in all. There are gross outrages against justice, such as the butchery of civilians, that must be acted against without delay or they have not been properly understood. Confronted by this degree of urgency, the difference between success and failure is time. Why do we have to keep rediscovering this? Must the learning curve of presidents always cost many thousands of lives? Has anyone at the White House read Samantha Power's book?

The cult of the exit strategy. A "senior American official who is involved in Syria policy" plaintively said this to Dexter Filkins of The New Yorker: "People on the Hill ask me, 'Why can't we do a no-fly zone? Why can't we do military strikes?' Of course we can do these things. The issue is, where will it stop?" The answer is, we don't know. But is the gift of prophecy really a requirement for historical action? Must we know

the ending at the beginning? If so, then nobody would start a business, or a book, or a medical treatment, or a love affair, let alone an invasion of Normandy Beach. We can have certainty about our objectives but not about our circumstances. The most serious action is often improvisatory, though its purposes should always be clear. The prestige of "the exit strategy" in our culture is another American attempt to deny the contingency of experience and assert mastery over what cannot be mastered—in this instance, it is American control-freakishness applied to the use of American force. But we often engage with what we cannot master. No outcomes are assured, except perhaps when we do nothing. We do not need to control the realm in which we need to take action; we need only to have strong and defensible reasons and strong and defensible means, and to keep our wits, our analytical abilities, about us. After all, there are many ways, good and bad, to end a military commitment, as Obama himself has shown. All this talk of exiting is designed only to inhibit us from entering. Like its cousin "the slippery slope," "the exit strategy" is demagoguery masquerading as prudence.

The eclipse of humanitarianism. Seventy thousand people have died in the Syrian war, most of them at the hands of their ruler. Since this number has appeared in the papers for many months, the actual number must be much higher. The slaughter is unceasing. But the debate about American intervention is increasingly conducted in "realist" terms: the threat to American interests posed by jihadism in Syria, the intrigues of Iran and Hezbollah, the rattling of Israel, the ruination of Jordan and Lebanon and Iraq. Those are all good reasons for the president of the United States to act like the president of the United States. But wouldn't the prevention of ethnic cleansing and genocidal war be reason enough? Is the death of scores and even hundreds of thousands, and the displacement of millions, less significant for American policy, and less quickening? The moral dimension must be restored to our deliberations, the moral sting, or else Obama, for all his talk about conscience, will have presided over a terrible mutilation of American discourse: the severance of conscience from action.

Mr. MCCAIN. I thank my colleagues. I yield.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 601, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, for the interest of all Senators, I wanted to

thank everyone for cooperating with us. We have handled a number of amendments, one quite controversial and nongermane, but we dealt with it. It is not on this bill, I am happy to say. We are trying to keep this bill a water infrastructure bill. There may be a few exceptions, but, for the most part, that is what we want because it will increase the chances of passage all the way through to get it to the President's desk.

The bill we are dealing with, the Water Resources Development Act, was last authorized in 2007. It is high time we did a follow-on bill. What we are talking about here is flood protection, projects we need all over the country to protect our people from the ravages of floods.

We need to make sure our ports are operational. I know my friend in the chair certainly deals with all these matters in his great and beautiful State of Hawaii. We need to make sure our ports are deep enough, they have enough funding to stay modernized, and can move that cargo in and out with ease. We have environmental restoration. We have to take care of all of our water infrastructure.

I know Senator MERKLEY is here to say something about the bill, which I am very pleased about, so I am going to be very brief. I will talk for about 2 more minutes and say we have a great committee, the Environment and Public Works Committee, when it comes to infrastructure. We see eye to eye. We work together. Yes, we have our differences, but we can breach those differences.

This bill is a product of working together. It is a product of collaboration—not only in the committee where we work together, but even here when it got to the Senate. We have worked, Senator VITTER and I, with individual Members to meet all of their needs. There are no earmarks in this bill. Whatever we do is setting policy.

It is an exciting bill. It includes reforms I think are important. Most of all, I think the people at home are going to like it because it puts them in the driver's seat and protects them from delays and other problems as they move forward with projects their people need.

We have some terrific supporters of this legislation—I will close these early remarks—with organizations such as AFL-CIO, the Chamber of Commerce, the American Society of Civil Engineers, we have the Association of Equipment Manufacturers. We have many. I will show you the next chart and name a couple: The Transportation Construction Coalition, the United Brotherhood of Carpenters, storm management agency, surveyors, engineers. I think what you see here is mainstream America is behind this bill.

The bad news is our infrastructure has been rated at a D-plus. You can't

be the greatest Nation in the world and have an infrastructure that is rated D-plus.

While we have major problems on other fronts in our committee—and I have to admit today was not a good day for me, the committee, or the American people, when the Republicans boycotted the markup of Gina McCarthy to be the head of the Environmental Protection Agency after she answered more than 1,000 questions. She is the most qualified ever to be nominated, having served, how about this, four Republican Governors.

What more do they want? The fact is 70 percent of the American people want clean air, want clean water, want safety reform. Gina McCarthy deserves a vote, not a boycott. They say they don't like her answers. Well, I am not surprised. She is not Mitt Romney's nominee for the EPA, she is not Rick Perry's nominee for the EPA, she is Barack Obama's nominee for the EPA. It is her position, as it is the President's, that we should enforce the Clean Water Act, the Safe Drinking Water Act, and so on.

When your Republican Presidents put up nominees for the EPA I didn't agree with, I didn't filibuster them. I said, okay, I will vote no; let them go. It is a sad day for me on the environment side of our committee.

On the public works side of my committee, it is a good day, because we are making progress. We have now about a half dozen amendments that have been cleared on both sides. We are trying to make them pending. We cleared them. We are asking all Senators, please get your amendments in because this can't go on forever. We need to pass this bill, as 550,000 jobs are supported by this legislation. Hundreds and hundreds of businesses are looking forward to our doing this. That is why we have this amazing array of support.

With that, I would say to Senator MERKLEY, the floor is his.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise today to talk about one particular aspect of this bill, which is WIFIA. Before I explain what WIFIA is, I want to thank the Chair for managing this bill in a very bipartisan discussion of the committee. It has come to the floor with full committee examination, thorough debate, and amendment process. Here we are having a very thorough, visible, accountable process for considering this bill on the floor of the Senate. That is a very good example of the Senate working well. Thank you, Madam Chair.

Mrs. BOXER. I thank the Senator.

Mr. MERKLEY. The heart of the WIFIA program is about jobs. It is about infrastructure. Five years after the greatest economic crisis in 80 years, we still face a serious jobs crisis.

Too many are out of work and too many are unemployed. A good, living-wage job is the most important pillar of the American dream. There is no public program that can compare to the importance of a living-wage job for the stability and success of a family. We have to do more to create those jobs, a lot more. Wouldn't it be great if we could both create jobs and fill a desperate national need at the same time?

Well, that is exactly what WIFIA—which is short for Water Infrastructure Finance and Innovation Act—does. Low-cost loans for water infrastructure projects create good jobs now while protecting our communities from devastating costs or public health crises in the future. WIFIA does all of this while making taxpayers money over time.

The need for water infrastructure is great. Across Oregon and across America, our infrastructure is aging. That aging infrastructure needs to be replaced. Our communities are growing. The demand for water infrastructure increases, whether it is water treatment on the front end or water treatment on the back end—sending water out to our homes and businesses and then treating it after it comes back. Much of our infrastructure is approaching the end of its lifespan and needs to be replaced.

We should recognize that America is behind much of the world in terms of investing in infrastructure. That is not only not good for our future economy, it is certainly not good for creating jobs. China is investing 10 percent of its gross domestic product in infrastructure. Europe is investing 5 percent. Here in America, which had a phenomenal infrastructure buildup after World War II, we are investing only 2 percent. That is barely enough to repair the aging infrastructure that previous generations so thoughtfully funded, let alone prepare the infrastructure to meet the expanding needs of the Nation.

Infrastructure can be thought of as the bread and butter of success of our Nation. Building and maintaining infrastructure is one of the most effective ways also to create jobs in the short term. Having infrastructure in place is absolutely critical to strong, private sector economic growth over the long term.

It is time to take water infrastructure seriously as a public policy challenge. For too long, we have been putting water infrastructure on the back burner. We are not investing enough in water infrastructure to keep clean, affordable water accessible to all Americans. In fact, we are not even coming close. There is a gap, a significant gap, a growing gap in the area of water infrastructure needs versus actual funding. If we do nothing and stay on the same course, that gap will be \$90 billion per year by 2040. That is a disaster for our communities. That gap would

leave municipalities with a terrible decision—allow the infrastructure to continue to degrade, which is obviously not a good idea, or have to raise utility rates astronomically to pay for long-neglected improvements.

Already, we are seeing this kind of lose-lose proposition play out in my State in Oregon. Some communities have to set aside their plans because they can't afford them: to expand their infrastructure, to improve their infrastructure, to replace their infrastructure that is aging. Other communities are proceeding to upgrade their infrastructure but at costs that are doubling or even quadrupling the cost of water to the citizens.

We need a new way to finance critical water projects. That is why the Water Infrastructure Finance and Innovation Act, or WIFIA, that is contained in this bill, fills a key missing link in our system. Currently Federal funding for water infrastructure and sewage through the Environmental Protection Agency Clean Water and Safe Drinking Water State Revolving Funds Program is helpful, but many projects do not qualify, and we need to expand the amount of funding available.

Into that gap comes WIFIA, modeled after the very successful Transportation Infrastructure Finance and Innovation Act, or TIFIA, so we have a proven finance model for infrastructure in transportation. Let's take that proven model and apply it to the challenge of our communities on water.

I hold a meeting with our local officials—our city officials and our county officials—before each of my townhalls, and I hold a townhall in every county every year. There is hardly a meeting with multiple officials that goes by that there aren't two or three or four critical water project needs discussed. And that was the motivation for having this WIFIA Program before us today.

I applaud my colleague from Oklahoma Senator INHOFE, who has come forward and said: Let's not only make this work, but let's lower the minimum threshold for projects so we make sure we can get smaller communities, more rural communities involved. That was previously addressed in the bill by saying that smaller communities could aggregate their projects and submit their application, but this was a very helpful addition to the conversation, and I appreciate that type of bipartisan problem-solving which is evidenced in this bill as it is and as in the amendment proposed by my colleague from Oklahoma and passed yesterday.

The reason that funding in this pilot project—and we are talking about \$50 million a year for 5 years—is effective is because it has a huge leverage it can fund because it is guaranteeing loans that rarely go bad. The historical default on water and sewer bonds is less than 1 percent. In fact, it is less than

one-tenth of 1 percent. So that \$50 million to cover defaults can be extraordinarily leveraging. The communities get the funds they need to complete their projects at the lowest interest rates possible, and the American public can sleep soundly at night knowing that the treasury funds being invested are being invested in a manner that is both prudent and productive.

This source of financing will allow communities to take on three types of projects necessary for safe and reliable water systems: repairing the aging infrastructure, upgrading the old systems to modern standards, and expanding the projects to meet growth needs.

Another advantage of this structure of financing is that under WIFIA, projects would be selected by a competitive process rather than by State-by-State allocations, so we get funds to the greatest need across this Nation. We have communities all across Oregon, in every corner of our State, that are facing these infrastructure challenges. I know from talking with my colleagues that the same is true in States across our Nation. And communities that are in good shape now in 5 or 10 years may see the challenge of meeting new standards or meeting the growth in their communities.

I would like to talk about another key aspect of our recovery; that is, manufacturing. If we don't make things in America, we will not have a middle class in America. Our manufacturing sector lost 5 million jobs over the last 14 to 15 years. It is starting to make a comeback, but we should do more to help create good manufacturing jobs.

One very simple thing we can do is support "Buy American" provisions in legislation such as this. We recognize the principle. We are using taxpayer dollars to complete a public infrastructure project in America, so it only makes sense for American businesses and workers to do as much of the work as possible. For that reason I will be filing an amendment to this bill to expand the "Buy American" provisions for our water infrastructure. These two are very much connected. Yes, we need to be building infrastructure, but we need to make sure those tax dollars build our American economy when the work is being done.

In closing, let's pass this bill, which has a tremendous amount of good in it, and one of those very good points is this water infrastructure act—WIFIA—which does support good jobs and good infrastructure across America.

I also wish to mention the great work my science associate Mirvat Abdelhaq has done on this bill. We are fortunate as Senators to have folks come to work for us for a year or so, bringing their tremendous expertise in trying to develop a very important piece of legislation. She has been very involved, and I thank her, and I thank

the program for making this kind of expertise available to our offices.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to call up as pending amendment No. 802.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. If there is objection, I can talk about the amendment now. I will talk about the amendment now and then attempt to call up the amendment later in the day. I thank the Chair.

Mr. President, the amendment I am trying to get pending for the WRDA bill would delay the increase in flood insurance rates for people in this country who are going to be suffering in unbelievable ways. And I am not just speaking of homeowners or business owners but communities across America. This isn't a Louisiana issue. It is not a Louisiana-Texas issue. It is a national issue, as this chart will show.

These are all the States in the country that have flood insurance policies. Starting with Florida, which has the most, there are over 2 million flood insurance policies in the State of Florida. Texas is second with 645,000. Louisiana has 486,000 policies. California, the fourth State, has 256,000. New Jersey has 240,000. South Carolina has 205,000. New York has 178,000. North Carolina has 138,000. Virginia has over 100,000. Georgia has close to 100,000. Mississippi has 75,000.

Time and time again, I have been on this floor, warning about affordability problems in the National Flood Insurance Program and offering proposals to address this. Despite my advice and objections, last summer Congress made a mistake and passed the Biggert-Waters bill which contained huge rate flood insurance rate increases for many homeowners and businesses.

Our families and entrepreneurs across the Nation are beginning to see the disastrous consequences of that vote now. Some already see their premiums rising by 25 percent a year and many more will see these changes over the next 2 years. These rates must be stopped until an affordability study can be conducted and Congress can react to those results.

FEMA has never done an affordability study—it cannot even quantify how strong an impact these exorbitant rates will have on our citizens. In the bill last summer, Congress required FEMA to conduct an affordability study. Don't you think we should wait

for that and know if these rate increases are affordable before we start such rapid increases? Congress can't possibly have asked FEMA to conduct this study and not want to use those results to make an informed decision on how best to structure rate changes.

I can tell you that the 480,000 policy holders in Louisiana are already telling me the rates are not affordable. Families and businesses in Louisiana are already paying exorbitant rates for flood insurance and some could see those rates go up dramatically under these proposals. Eliminating grandfathered rates, as the Biggert-Waters bill did, means their property values will plummet.

If people cannot afford flood insurance policies, they will drop out of the program. When future disasters hit, they will be entirely dependent on federal aid to help them rebuild.

I agree that the National Flood Insurance Program needs to be self-sustaining, but not on the backs of Louisiana families and businesses and not on the backs of all 5.5 million policies holders in the National Flood Insurance Program. This is not the right way.

Flood insurance is not just about business and commerce; it is about culture; it is about a way of life; it is about preserving coastal communities; it is about being resilient in storms. We must make the flood insurance program resilient without endangering the financial future of our coastal residents.

This is a very serious issue, and I thank the chair, Senator BOXER, who has worked so hard on the underlying WRDA bill, which is so important. I also thank those Members who came to the floor last night. I understand Senator MENENDEZ gave a very fiery and passionate speech about the problem he faces in New Jersey. I thank Senators SCHUMER, GILLIBRAND, and LAUTENBERG for cosponsoring this important amendment.

We want to work with the chairman and the ranking member to pass a WRDA bill. There is no State that benefits more from the WRDA bill than Louisiana, and I am extremely grateful for her leadership not just on this bill but on the RESTORE Act, which she helped shepherd through, which has helped the gulf coast in immeasurable ways, and her support of the FAIR Act on revenue-sharing, which will help the gulf coast get the revenues we need—just as interior States have—to build our own levees and not have to be such a drain on the Federal Treasury.

We can and are willing to do our own work. But the flood insurance bill, known as Biggert-Waters, never passed the Senate, and I wish to call that fact to Senators' attention. The bill was never brought to the Senate floor. The flood insurance bill that is called Biggert-Waters came out of the Bank-

ing Committee with a bipartisan vote—a similar bill. That was a House bill, and so a similar bill came out of the Senate, but it never came to the Senate floor for a vote. None of us ever got to debate it on the floor.

If you are not on the Banking Committee, wake up because this bill is going to affect your State, and if you are not on the Banking Committee, please listen to what I am about to say.

The bill never came to the Senate floor although some of us protested that at the time. There are statements in the RECORD that show the protests any number of us made at the time. The bill then sort of went dark. The next time it appeared, it was tucked into the Transportation bill, which had the RESTORE Act in it and the Biggert-Waters flood insurance, which might have passed the House of Representatives—I am not sure. Maybe it just came out of the House committee. I am trying to get clarification on whether this bill ever was passed by either body, and I will get that clarification in a few minutes. But it most certainly never came to the Senate floor, so no one here, except members of the Banking Committee—which Senator VITTER is a member of, and so he knows this issue very well—voted on this.

So while it is not a surprise to me, it may be a surprise to others to find out that flood insurance rates based on the reform bill that was tucked into the Transportation bill and into the RESTORE Act bill are now going to raise rates by 25, 50, or 100 percent on homeowners. And when the grandfather clause expires—which was put in the bill to grandfather many property owners—my constituents tell me their properties will become worthless.

One can understand that a property worth even \$1 million or \$½ million or \$250,000 has a flood insurance premium attached to it of a reasonable amount of money—\$500, \$600, \$700. And that is still a lot of money, but people who live along the coast understand that we have to pay a little higher flood insurance rates and we have to build smarter and better, which we are doing as fast as we possibly can with the monies we have. There is not a coastal community in America that is not fully awake after Katrina, Rita, Gustav, Ike, and Sandy. Trust me, from the east coast, to North Carolina, to the entire gulf coast region, we are awake. We are understanding what is happening, and we are trying as hard as we can to make our communities as resilient as possible.

We are not completely to blame for the increased frequency of the storms or the rising sea levels. We all have a share of that, and it is happening, and we are on the frontline. Our communities have been devastated. Our people are literally drowning. We lost 1,800 people in Katrina—2,400 between Louisiana and Mississippi—from drowning

and literally dying through these storms. We lost several hundred people in Sandy. So we understand what is happening, and we are doing everything we can.

This flood insurance bill that never passed this Senate—and I am not sure it passed the House, but it did come out of both committees, different versions of it—is now known as Biggert-Waters. I understand Mrs. Biggert is no longer a Member of Congress, but Congresswoman WATERS is here. So the bill was pushed as a way of getting the Flood Insurance Program on a financially sound footing. I understand that.

We most certainly don't expect all the people of America to subsidize coastal communities, some of which may be second homes, et cetera. But in my communities, we are not talking about second homes; we are not talking about vacation properties, in large measure. We are talking about primary homes of fishermen, of dock workers, of people who work on the river, of boat captains, of industries such as the oil and gas industry, the roughnecks, the engineers who have to work, by the nature of their work, near the coast, which is where the trade and commerce of this Nation comes from.

If we could operate our trade and commerce only on railroads and highways, maybe we could all go live in Oklahoma or in Nevada. But, Mr. President, you are from Hawaii. You understand we have coastal communities all the way from Oregon to California to Texas to Louisiana to Mississippi; and, yes, there are some lovely vacation spots along the coasts. But there are also communities like those I represent, such as in Terrebonne Parish and Lafourche Parish and Jefferson Parish, where people wake up before the Sun and do not come home until it is dark. They are working at coastal businesses that are very important to the entire economic strength of this Nation.

This bill, Biggert-Waters, puts the entire burden of supporting coastal communities on the people who live on the coast, while some people who have a lot of money and can afford a mountaintop view go on the top of the mountains in other States. I am not picking on Colorado and Utah, but those come to mind—multimillion-dollar homes with beautiful views that look out across lots of land. Maybe they are not mindful of the work that is done on our coasts.

This is an issue that is important for the whole Nation. To have this bill pass—and I knew it when it happened. MARK PRYOR, I understand, put something in the RECORD at the time, but now we are on the water resources bill, a very important bill for coastal communities. It is an opportunity for us to fix this bill or to get a reprieve for a short period of time until we can find a

better approach for thousands of properties along the coast—whether it is in Texas or California or Florida or New York or New Jersey that was battered badly by Sandy—rather than to put additional stress on these communities.

While I do not have the specific answer as to how to fix it in the long term, my amendment would simply hold off these rate increases for a year. It does not repeal the bill. It will just hold off these rate increases for a year, giving these Members in Congress time and an opportunity to fix what is terribly broken and to try to find a better, more affordable way to do so.

There are 480,000 policy holders in Louisiana who are already complaining about the flood insurance rates as they are today. When I go home now—and I go home often, very frequently—this is all people are talking about. There are other important issues that are going on, but I do not blame them, and I certainly understand it as a homeowner in Louisiana. Our delegation understands this. People are saying they are getting notices from their company that their insurance is going to go up hundreds if not thousands of dollars. What happens with respect to the grandfather clause, which is about to happen in October of 2014?

This flood insurance issue is a very important issue for the people in Louisiana, as I said, in Texas, in Mississippi, and in Florida, and that is what my amendment will address. My amendment is not pending, but I filed an amendment. We are waiting for a CBO score. We most certainly want to offset this if we can find the revenue it will take to offset this temporary reprieve.

I ask both the Republican and Democratic leaders to work with me and work with the other Senators who are interested in finding a solution to send a signal to these coastal areas that Congress understands the pressures of flood insurance in our low-lying areas—that would be in Maryland or Virginia or New York or New Jersey—that we hear them. We understand what is about to happen, and we would like a chance to try to adjust it, to fix it, et cetera, et cetera.

I am going to be working with the leadership. I know there are other Members who have amendments important to the WRDA bill. It is not my intention to stop this WRDA bill. It is a bill I certainly support. Louisiana can be greatly benefited. I thank Senator VITTER for his strong work as the ranking member of the EPW Committee on WRDA. We have some very important authorizations.

Let me also say something about this WRDA bill in relation to actual dollars. I sit on the Appropriations Committee for energy and water. I appreciate serving on that committee. Our job is to actually find money and direct funding to build some of these water resource projects.

Just yesterday, Senator FEINSTEIN held a hearing—she chairs our committee; Senator LAMAR ALEXANDER is our ranking member—on the budget for the Corps of Engineers. I see my good friend BEN CARDIN here and others who are very interested in projects on the WRDA bill, but they will be shocked to know when we asked—I asked—Jo-Ellen Darcy, the leader of the Corps of Engineers, the civilian leader of the corps, what was the number of backlogged projects, new construction projects that were backlogged and how much money was in the bill to build them this year, the first number was \$1.6 billion. That is how much is in the appropriations bill roughly to build new water projects in the country, \$1.6 billion. It sounds like a lot of money until you hear the second answer.

Then I asked her how many projects are in the queue for funding, ready to go, meritorious projects, urgently needed new construction. She said \$60 billion worth. We have \$1.6 billion in the budget to spend, and we have \$60 billion worth of projects. We follow these numbers pretty closely because many of those projects are in Louisiana. So while it is important to get the WRDA bill passed, which is authorizing not only new projects, but it is also putting in some very important corps reforms to expedite the way some of these projects are built, the real problem and the real dilemma is closing the gap between what we have authorized and what we can actually afford to build.

Again, there is only \$1.6 billion in the corps budget for new construction, and pending, even without this WRDA bill, is \$60 billion worth in backlogged, authorized, important programs in all of our districts. With this WRDA bill there are an additional \$23 billion in authorizations. So, yes, I support new authorizations. Yes, I support the WRDA bill. Yes, I most certainly support the reforms to the Corps of Engineers that are embedded in the language of this WRDA bill, but I cannot allow this to move forward, at least without raising a red flag and asking for some reprieve on the flood insurance issue.

I want to be flexible. I want to be open. I want to be a team player. This is not the time for my way or the highway. I have tried as much as I can to avoid that kind of politics because it is very difficult for all of us to move forward together. I have so much respect for Senator BOXER and a good bit of respect for Senator VITTER who is the ranking member. But this is the only way I know right now to raise this issue and to say we cannot, in Louisiana, with 480,000 flood insurance policies, manage to build our communities, to recover. We are doing beautifully. We would like to go faster, but you have not heard a lot of complaints coming from us. Our people are working hard, rolling up our sleeves. Our

communities are coming back. We are using the insurance money. We are using the community development block grant money to build as smart and quickly as we can.

We have created the Water Institute. Every single one of our parishes has gone through what we call charrettes and community meetings to see how we can elevate our homes and build them more resiliently.

This is a huge and very tough burden to lay on the shoulders of the people in our coastal communities, not just in Louisiana but in Terrebonne and Lafourche, in Cameron, Calcasieu, Saint Mary Parish, and the river parishes, Saint John, Saint James, Saint Charles and Jefferson Parish. It is hurting north Louisiana as well.

We have flood insurance policies all the way up in our State. We would have flood insurance. Why would we have flooding? Because we have the Mississippi River. We are happy to have the Mississippi River, but the Mississippi River does not belong only to us. May I remind everyone that the Mississippi River, the Missouri River, the Ohio River are the spine, the backbone of our commerce for the whole Nation? Why should the people of Louisiana, who drain the entire continent—the mouth of the river runs right through New Orleans—why is it the people who live in south Louisiana have to pick up 100 percent of that risk? That is the way this bill is structured, to put on us the burden, 100 percent, instead of spreading it to everyone, to the whole country, in a reasonable and responsible way.

The way this bill is structured is to say we have to be self-sustaining in our flood insurance policies. We are sorry, but the people who live at the mouth of the Mississippi River, which provides commerce and wealth and creates huge amounts of wealth and jobs for all of us, have to take the water and pay for it ourselves. That is not going to work for us. It is not working for us. That is why I am standing on this floor. I want to work this out.

I am open to a number of suggestions. I hope the Senators who have lots of flood insurance issues, such as the Senators in Missouri and Illinois and the Senators in other States, will give us some suggestions about how to move forward.

If this bill had passed the Senate and it was the will of the Senate and I had been on the losing side of that, I would not be standing here today. This bill never came before the Senate. It never came before the Senate. It was tucked into a bill that we had no chance to amend—none. You cannot amend a bill coming out of conference. There was no chance to amend this, no chance to fix it, which is why I hope my colleagues will understand and be patient with me. This is not about losing an issue last year and coming back and crying

about it. This is about we never got a chance to even talk about this on the Senate floor.

This is a water bill. It has everything to do with the subject matter. It is not “not germane” to the subject matter of this bill. I would like to have a vote on my amendment or a vote in some way to declare that we are acknowledging this problem; that we might not have a solution today, but we most certainly are willing to work on it because this is devastating for coastal communities all over the country.

It is not fair for our working coast—whether it is fisheries or oil and gas or wind or manufacturing—for our coastal communities, our commerce and trade, to pick up the entire burden of this Flood Insurance Program. Let’s try to be reasonable. I am going to be as patient as I can. I understand how important this bill is to everyone. I am most mindful of how important it is to my State. We have been trying to get a WRDA bill out here on the floor for several years, and we finally have one.

I am going to leave my amendment as it is. It is not pending. It has been filed. I am going to ask for this vote to be worked out, and until then I will object to any other amendments coming up for a vote until we get some way forward.

Again, I want to be flexible, I want to be open, and I would like eventually to see the WRDA bill passed.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Maryland.

Mr. CARDIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Reserving the right to object for just a moment, and I, of course, will not object, I just want to make it clear that at noon the two leaders are coming to do a back-and-forth. So up until the time they arrive—I just wanted to let my friend know. Then after the leaders, Senator VITTER should be recognized to speak about the issue Senator LANDRIEU just raised, to be followed by me, if that is OK, if I can do that in the UC? It would be Senator CARDIN, the two leaders, Senator VITTER, and myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maryland.

(The remarks of Mr. CARDIN pertaining to the introduction of S.J. Res. 15 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. CARDIN. Madam President, I ask unanimous consent that I be allowed to continue to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CARDIN are printed in today’s RECORD under “Morning Business.”)

The PRESIDING OFFICER. The majority leader is recognized.

THE BUDGET

Mr. REID. Madam President, it has been 47 days since the Senate passed its sensible progrowth budget. As my friend the minority leader has said many times, after the Senate passed a budget, the next logical step would be to go to conference and try to find common ground. This is what Senator MCCONNELL said earlier this year:

We ought not to ignore the law any longer. And I think it’s a good step in the direction of getting back to regular order, which we ought to follow.

After years of calling for regular order, Republicans ought to be eager to go to conference. Senator MCCONNELL and the Republican caucus pulled a 180—a flip-flop. They were for regular order before they were against regular order.

For weeks Republicans have refused to go to conference, and they have refused to explain why. The only excuse Republicans offered came not from the minority leader but from the junior Senator from Texas. Senator CRUZ objected to the budget conference on the grounds that Democrats must concede basically everything before Republicans will negotiate anything.

As one news reporter put it, the Republicans’ offer is: “First surrender, then we will fight.” Republicans know as well as Democrats that is not any way to negotiate. Unilateral disarmament in the legislative process is not the same thing as compromise.

Democrats—along with the media and the American people—are left to wonder and guess the real reason the Republicans are so determined to avoid a budget conference. Are Republicans afraid to defend or debate their extreme budget in full public view? Probably. It cannot be easy to defend a budget that will end Medicare as we know it. It cannot be easy to stand strong for a plan that asks the middle class to foot the bill for more tax breaks for the rich—a politically unsustainable position already rejected by the voters. It cannot be easy to stick up for the arbitrary meat-ax cuts of the sequester, which guts the safety net protecting the elderly, the poor, the middle class, veterans, and sometimes the helpless.

Is it possible that Republicans are simply hoping to delay compromise long enough to create another manufactured crisis as the Nation once again approaches a default on its bills? Americans are tired of the type of knockdown, drag-out debt ceiling battles that caused our credit downgrade and cost our economy billions of dollars last year. Middle-class families have been through enough economic turmoil. It is unbelievable that Republicans would once again hold the full faith and credit of our government hostage.

I hope my Republican colleagues will come to their senses. The way to put our Nation on sound fiscal footing is to set aside this obstruction and set sensible policy through regular order in the legislative process, not to extort concessions through dangerous hostage taking.

Passing the budget in each Chamber was a first good step toward restoring regular order. The next move is to go to conference and set our minds on reaching a reasonable compromise that reverses the painful cuts of sequestration.

Right now the Republicans are the only thing standing between the Congress and compromise. I am optimistic that they will not continue to put American families through more financial pain for their own short-term political gain.

I yield to my friend from Washington for a unanimous consent request.

The PRESIDING OFFICER. The Senator from Washington.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment, which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees of the Senate, all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, I ask consent that the Senator modify her request so it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt limit.

The PRESIDING OFFICER. Is there objection to the modified request?

Mrs. MURRAY. Madam President, reserving the right to object, what the Senator is asking is that we go back to what we had votes on throughout the entire budget debate way into the morning hours on the issues of reconciliation, on the issues of revenue that were all debated and voted on—some passed, some were defeated. We are not going to take those up again. We are going to go to conference with the budget that was passed by the majority in the Senate and by the majority in the House, and those views will be represented in conference. We cannot get to that debate and that discussion without moving to conference, so I object to his unanimous consent and ask for consent on my request again.

The PRESIDING OFFICER. Objection is heard to the modified request.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Madam President, this is so challenging. It has now been 47 days since we passed our budget. Senate Democrats have now requested unanimous consent to move to conference—the next step—five times. We want to take the next step in this process. We want to move forward under regular order and continue this debate in an open and public way, but every time we try to take it to the next step, Senate Republicans stand and they say: No. I think this comes as a surprise to the American people. I think they are disappointed. I know I am. I think a lot of people, myself included, expected that after calling for regular order so consistently for so long, Republicans would be eager now to take the next step in the process. Some Republicans say they want to negotiate a framework behind closed doors before they agree on going to conference, but that is what a budget is. It is a framework that lays out our values and our priorities and helps us plan for our country's future. Why can't we discuss that framework in a formal, public conference, which is what we call regular order?

I am sure Republicans are not excited about the prospect of defending their extreme budget all over again in a public conference committee. We all know Americans are not interested in more tax breaks for the wealthiest, they are not interested in Medicare vouchers, but Republicans wrote that budget, they voted for it, they passed it, and they ought to be happy to defend it. I know Senate Democrats are happy to stand and talk about ours.

The American people now deserve to see those two visions. They need to see our visions side by side, contrasted with each other, and they need to see who is willing to compromise and who is not.

We have heard the House Republican leadership doesn't want the Senate to appoint conferees because they don't want to go to conference because they might have to take a lot of difficult votes in the House. I am sure my colleagues remember the vote-arama we had before we passed our budget. We considered over 100 amendments. We were here until 5 in the morning, the entire time voting on amendments, until every Senator who wanted to be heard to offer an amendment did and we had a very thorough and open debate and we voted a lot. So I don't think the American people are going to be very sympathetic to the argument that the Republicans don't want to go to conference because they are afraid the House has to take a few votes.

This is deeply disappointing to me. The Republicans are now running away from regular order. In fact, they are running right toward another crisis, and they are willing to take our American families and our economy along for the ride.

It should be noted the House Republicans have announced a new conference, but it is not a conference on a budget deal; it is a conference of their Republican Members to decide what they are going to demand in exchange for taking our economy over the debt ceiling. It is absurd, and it is not going to happen. We know because we went through this same thing the last time we approached the debt limit. Just a few months ago, Republicans realized how dangerous it would be to play games with the debt limit and how politically damaging it would be to play politics with potential economic calamity for our country, and they finally dropped their demands. The so-called Boehner rule died, and no amount of wishing by the tea party is going to bring that back.

The Republican strategy now of holding our economy hostage and trying to push us to another crisis is absolutely the wrong approach, and holding our budget conference hostage so they can get to that point is not going to be considered well by the American people.

Getting a deal is not going to be easy. Any one of us knows that. It is going to take compromise. But this constant lurching from crisis to crisis that the House is demanding and is strategizing around is not what the American public wants or deserves.

I am here to say Democrats are ready to take the next step. We need a negotiating party on the other side. They can bring all of their bills to conference and we can talk about it. We can come to a compromise. Compromise is not a dirty word. Oftentimes we don't hear it a lot around here. But I believe many of our colleagues on both sides of the aisle, frankly, want to return to regular order. They want to move away from these constant crises. I know that is what the American public wants. They want to see we can govern.

I urge those who are coming here time and time again, blocking us from getting to a point to debate our two different budgets and from getting to a compromise, to allow us to get the work of the American people done and allow us to go to conference.

I thank the Chair. I yield the floor.

Mr. REID. Madam President, before my friend leaves the floor, I want the record spread with this. The admiration the Democratic caucus has for the Senator from Washington is significant. She is an elected leader. She was the person chosen to be the chair of the supercommittee to come up with a plan to solve the Nation's crisis we have economically, and she did yeoman's

work. It was all done until a letter was received from virtually every Republican Senator saying, fine, great deal that Chairman MURRAY has done, but we are not going to agree to any revenue. To work through the contentious problems we have had on the floor and come up with a budget is remarkable, and it is a budget we are very proud of.

I would say to my friend, I think we are making some progress because just within the past hour the Speaker has said this: "We can't cut our way to prosperity." That is a significant step forward. The Speaker of the House of Representatives, for the first time in some time, has spoken reality, the truth, the facts. I quote directly: "We can't cut our way to prosperity." That is right.

That is why we have to get to regular order. We have to do what this body has been doing for 200 years or more: go to conference when there is a difference between what the House wants and what the Senate wants. That is all the chairman of the Budget Committee Senator MURRAY is asking—that we get together with our Republican colleagues and work out our differences.

I think our budget—and we were led by Chairman MURRAY—is a very good budget. Is it perfect? Of course not. We would be willing to sit down and talk to our Republican colleagues in conference the way we have done for centuries and try to work out our differences. For them just to stonewall us and say, as the junior Senator from Texas said, fine, we will go to conference, but you have to agree to what we want before we go, what in the world is that all about?

I admire Senator MURRAY, as does the entire Democratic caucus, and I am confident the people of Washington are very proud of this stalwart Senator who has done so much for this country. I want to make sure the Republicans understand she will be the chair. She is going to represent us. I am not going to be negotiating this. Senator MCCONNELL is not going to be negotiating this. It is going to be done by the senior Senator from the State of Washington, and she is willing to deal with whomever the Republicans decide she should deal with.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I wonder if the Senator from Washington would enter into a colloquy with me at this time, through the Chair.

I wish to join with Senator REID in thanking Senator MURRAY for her amazing leadership. I was on the Budget Committee for several years, and I know that as a result of the Senator from Washington becoming chairman and, of course, being the most senior member next to Kent Conrad for so long, she knows this budget inside and out. It is filled with complexities—the mandatories, the discretionaries, the

defense and nondefense—all the things she knows in her head. She knows how to get us to balance not only in terms of the numbers she will move toward balance in her budget but also in terms of our priorities.

I wish to make sure my people at home understand this. What the Senator from Washington is telling us is that for several years now—2 or 3—the Republicans have been chastising the Democrats for not passing a budget in the Senate; am I right on that?

Mrs. MURRAY. That is correct.

Mrs. BOXER. The reason we didn't do it is we had another law that actually set our caps; am I right on that? So we didn't go through the budget.

Mrs. MURRAY. The Senator is correct.

Mrs. BOXER. All right. So the Senator from Washington decided, with Senator REID and the leadership team, to bring a budget to the floor. Then—I will never forget it—we stayed here until 5 o'clock in the morning handling over 100 amendments; is that right?

Mrs. MURRAY. The Senator is correct.

Mrs. BOXER. We passed a budget; the Senate passed its version of a budget. The regular order, as I understand it, having asked the Historian to go back and look, is that we then take the House budget and the Senate budget and we go to conference and the conferees resolve the differences. All my friend is asking—and she has asked it or someone has asked it in her stead five times—we are asking our Republican colleagues to allow our leader to name the conferees—of course Senator MCCONNELL will name his—and walk into that conference committee to finish the budget. The budget is unfinished; am I right? We have two versions. We need one version. What the Senator from Washington is telling us, in no uncertain terms, is that the Republicans are stopping this country from having a budget; am I stating it correctly?

Mrs. MURRAY. The Senator is stating it correctly.

Mrs. BOXER. Let me say to my friend, I hope she plans to be here as often as she can, and those of us who can help her will be here to continue to ask for conferees so we can get to the next stage.

When Senator MCCONNELL said he would amend the request of the Senator from Washington, was he not prejudging what would happen in the conference? He said no reconciliation, and he said something else. I don't remember the other condition.

Mrs. MURRAY. And no revenue.

Mrs. BOXER. And no revenue. That is akin to the Senator from Washington saying, I will go to conference except I don't want to see any more cuts in afterschool programs or senior citizen programs or veterans programs. In other words, we don't take our prior-

ities as individual Senators into the conference. It is a team approach where we will have to compromise.

So isn't Senator MCCONNELL, by laying out his conditions, completely sidestepping regular order?

Mrs. MURRAY. The Senator would be correct, and I would add one other thought. What he is now asking us to do is to go back and vote on votes we already took when we went through the budget process and amendments did not pass. So he is saying, my amendments didn't pass, but I am not going to let a conference happen unless I get my way.

We have a majority. We have a minority. We went through hundreds of amendments. Some of them passed and some of them did not. It is the process we go through.

Then we take what we passed—the House, by the way, passed a very different budget—we go to conference and resolve the differences. That is what a conference is. But if every Senator came out here and said on every bill we ever did we are not going to go to conference unless I get the amendment I lost on the floor, we would never do anything in this country. That is not how a democracy works.

Mrs. BOXER. I thank my friend. I got into this a little bit with Senator CRUZ the other day. He doesn't want to go to conference because he is afraid of the Buffett rule. We could come out of there with the Buffett rule, which says the billionaire executive should have to pay the same effective tax rate as a secretary. God forbid. He is afraid of that. So I just say, they are afraid of the process. What are they afraid of? They control the House. We control the Senate. Obviously, in conference we are going to have to meet somewhere in the middle.

It seems to me they have a fear of democracy, and it seems to me—and I don't like to use this word but I will; it rhymes with democracy and it is called hypocrisy. They said they want to do a budget and now they are stopping the budget.

I thank my friend. I want to make sure America understands this. They ran around the country running against our candidates saying our candidates wouldn't do a budget and now they will not allow us to do a budget. It seems to me ridiculous. I am so happy our leader and the Senator from Washington are here to bring this issue the attention it deserves.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at 1:30 today, the Senate proceed to executive session to consider Calendar Nos. 39 and 41 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. With this consent, there will be up to two rollcall votes at about 2 p.m. today—there may be only one but up to two—on the nominations of Shelly Deckert Dick to be a district judge for the Middle District of Louisiana and Nelson Stephen Roman to be a district judge for the Southern District of New York.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Madam President, I rise today to speak about the bill we are considering, but also to speak, in particular, about one aspect of the bill. We know the legislation as the so-called WRDA bill, the Water Resources Development Act, and I want to express strong support for the legislation.

This bill is, in fact, bipartisan, which is something we need more of around here. It provides for, among other things, flood protection, safe drinking water, wastewater infrastructure, and protects the flow of commerce along our Nation's rivers and waterways.

I am grateful for Chairman BOXER's efforts, Ranking Member VITTER, and all the Members and staff of the Environment and Public Works Committee for their dedication to writing a bill that addresses the challenges facing our country's water systems.

I want to speak in particular about inland waterways.

Our Nation has—for many years now, many generations—a system of locks and dams that play a vital role in creating and sustaining jobs and supporting economic growth throughout the country.

I know in my home State of Pennsylvania, even though I had been a State official for a number of years, I did not have a full appreciation of what this meant until about July of—I guess it was the first week of July 2007, when I was able to tour and actually see these major barges up close out in southwestern Pennsylvania and to be able to see the movement of coal or other commodities or energy resources across our waterways and what that meant to the economy of southwestern Pennsylvania but, indeed, the economy of our Commonwealth and our country.

So when we hear the phrase “locks and dams” in Pennsylvania, especially in southwestern Pennsylvania, we do not think of some far off concept; we think of commerce and the movement of commerce and the jobs and the economic growth that comes from that.

Unfortunately, this system, this inland waterways system, is facing major challenges—challenges that threaten in ways that some of us could not imagine even a few years ago.

The inland waterways system offers the most cost-competitive way to transport our commodities. It moves some 20 percent of the coal that is used to power our Nation's electricity, much of it from Pennsylvania; also 22 percent of our petroleum products; and more than 60 percent of export grain, which is moved because of this system.

The shippers who produce or manufacture these commodities are in danger of losing their competitive edge unless we focus on proper funding for the lock-and-dam infrastructure.

Unfortunately, the locks and dams of our Nation have far outlived their design life. There has not been sufficient investment to make headway in replacing these locks and dams. But I am hopeful provisions I and others have worked on in the Water Resources Development Act, which we are considering now, will address the challenges facing this system.

Provisions from my bill—which, by the way, goes by the acronym RIVER; the RIVER Act—that are included in the bill we are considering will institute a number of project management reforms that will make sure future lock-and-dam projects are built in the most cost-effective way possible.

We cannot ask for a greater commitment to the system or a greater investment without making sure we are also providing reforms.

These reforms include risk-based cost estimates and an external peer review process for Army Corps projects across the Nation. This will help ensure that locks and dams in the projects that are undertaken are constructed in the way that is most efficient. We also want to make sure we have cost estimates that are realistic and, of course, avoid cost overruns.

One of the provisions of the bill will also adjust the current cost-sharing system by increasing the threshold for the industry to contribute to major rehabilitation projects to \$20 million. This will allow for more funding for lock-and-dam projects, which is badly needed right now.

These provisions in the overall water resources bill are common sense. They also happen to be fiscally responsible proposals that will significantly improve our Nation's inland waterways system and help to ensure our Nation's waterways can continue to be an effective method to ship commodities.

Well, how do we pay for that? Well, a rather interesting development for Washington, which I am about to describe for you: I am grateful so many of the provisions in my bill have been included, but we also need to have an important conversation about how to finance this system and to keep the inland trust fund sustainable in the long term.

I filed an amendment, amendment No. 854, that will raise the barge user fee from 20 cents per gallon to 29 cents

per gallon. This fee has not been raised since 1986 and, as a result, is not keeping up with inflation and project costs.

We have great bipartisan support for this amendment. Senator ALEXANDER is leading this effort with me, and the amendment is cosponsored by the following Senators: Mr. BLUNT, Mrs. MCCASKILL, Mr. DURBIN, Ms. STABENOW, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. FRANKEN, and Mr. HARKIN—indicating the wide reach of the inland waterways system and its impact on so many industries in so many States across the country.

The current rate—the barge user fee of 20 cents per gallon—right now is not raising sufficient funding to keep up with operations and maintenance needs along the reach of the system. If we do not make this investment now, it could have dire consequences to multibillion-dollar industries that rely on the use of locks and dams to move their goods. Just consider coal being one of those examples.

All 300 users of the inland waterways system support this increase. Let me say that again because this does not happen very much in Washington: All 300 users of the inland waterways system support this barge user fee increase from 20 cents per gallon to 29 cents per gallon.

Here we have an example of an industry that is forward looking in asking Congress to allow them to pay more in order to make critical investments in their own infrastructure.

In addition to the support of industry, the user fee increase is backed by a diverse array of organizations across the country, including the U.S. Chamber of Commerce, the National Farmers Union, the National Association of Manufacturers, the American Farm Bureau, the AFL-CIO, and over 250 national and local organizations, including barge operators, agriculture, energy and civics and conservation groups.

In southwestern Pennsylvania alone over 200,000 jobs rely on the proper functioning of locks and dams on the lower Monongahela River. For those who do not know, it is a river on the western end of our State that flows into the city of Pittsburgh—one of the three rivers we describe as part of our landscape in Pittsburgh.

If one of these locks were to fail, it would endanger all 200,000 jobs and have a negative impact of over \$1 billion just in that region, not to mention the adverse impact beyond the region. Raising the user fee now will help prevent a catastrophe in the near future.

I understand there are objections to addressing important concerns about including a funding fix for locks and dams in this bill due to the so-called blue-slip concerns that involve the House of Representatives.

I will work to look for other vehicles so we do not continue to kick this can

down the road, and I will talk to Members of the House to include this fix in their version.

If we cannot raise revenue on an industry that is asking to pay more so they can invest in their infrastructure, I am afraid the future of our waterways system is in great jeopardy.

Many of my colleagues in the Senate on both sides of the aisle recognize the importance of providing a way to pay for investments we need in our locks-and-dams system, and I urge the House to follow suit. I have no doubt they want to do the same.

We cannot squander critical foundations that have made America what it is. Reinvesting in our Nation's waterways will allow us to seize economic opportunities to remain competitive in the world and protect and create jobs for generations to come.

I will note one citation of history, from a major volume in Pennsylvania history. This goes back to the 1800s when we developed a canal system to move commodities and commerce across our waterways. I will read one sentence from page 180 of a book entitled "Pennsylvania: A History of the Commonwealth." Here is what they said all those years ago in the 1800s, talking about coal:

Through those routes, anthracite coal left Pennsylvania for England, Russia, Central Europe and Asia.

But the reason that coal was able to get to those places is because we had a system in place to move it.

What we do not want to have today in our time is a system that breaks down because we are not willing to make the investment. As I said before, this investment is supported by all of those organizations but especially the 300 users who are willing to invest more so that tomorrow will be bright and we can move commerce across the Commonwealth of Pennsylvania and across our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Madam President, before the Senator from Pennsylvania leaves the floor, I would like to thank him for his forthright and courageous statement on the situation in Syria. I thank him for his involvement and his commitment to the freedom of the people of Syria.

(The remarks of Mr. McCAIN pertaining to the introduction of S. 912 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I rise today to speak in favor of amendment No. 802 to the WRDA bill offered by my friend, great legislator, chairman of the Subcommittee on Homeland Security, Senator MARY LANDRIEU. I am proud to cosponsor this amendment.

The amendment would delay flood insurance premium increases until FEMA has completed a study on the impacts on the affordability of planned premium increases. Nobody in this body knows better than Senator LANDRIEU the challenges faced by communities in the wake of natural disasters, and she has been beyond generous in sharing her time and expertise and lending her vocal support to the States, such as mine, so greatly impacted by Superstorm Sandy.

Last year Congress passed a flood insurance reauthorization and reform bill, the Biggert-Waters Act. We passed the Biggert-Waters Act because if the program expired, flood insurance would become unavailable or unaffordable for people who needed it.

Congress also needed to reform the program going forward because it is billions of dollars in debt and needs to be put on a better financial footing.

In my home State, one of the counties received a very poor and unfair map, which was undone in the bill.

In the aftermath of Superstorm Sandy, many middle-class families in New York are struggling to get back on their feet. Many lost everything. They have had to drain their savings to rebuild. They have been out of their homes for months. The kids get on a schoolbus and have to go 20, 30 miles to school.

Imagine losing everything in your home as so many have. It is an awful feeling, not just the chair you were comfortable sitting in, all of your appliances and all of that, but that picture of great-grandma and great-grandpa which was priceless is gone. It is a horrible thing.

Adding another layer of difficulty to this situation, the flood insurance reforms enacted by Congress last summer result, in many cases, in huge insurance premiums. Our families in New York are caught in limbo.

Families in Breezy Point, the Rockaways, Broad Channel, Staten Island, Brooklyn, on the south shore of Long Island, from Long Beach all the way out to Mastic and Shirley, are still trying to make decisions, are repairing their homes and investing tens of thousands of dollars to do so. Many of these homes are very middle-class homes. These are not rich people. They have worked hard. Some of them are teachers, policemen, firemen, construction workers or small business owners. Many of them are being told their insurance rates could be \$10,000 a year or more. What kind of insurance is flood insurance if it is \$10,000 a year? It puts homeowners in the worst possible position. They either have to come up with an additional \$10,000—worse in Sandy because they have already paid money to redo their homes, but even for a normal homeowner \$10,000 a year and you don't get a mortgage. Ten thousand dollars a year, this is absurd.

I don't know what is wrong with the flood insurance program, but any program that has to charge an average homeowner on Long Island, Brooklyn, Queens or Staten Island \$10,000 ought to be reexamined by this Congress. It is confounding. People are upset and they should be.

Recognizing the burden these changes could put on families, FEMA was required to conduct a study on the affordability of flood insurance, the effects of increased premiums on low-income homeowners and middle-income homeowners, and ways to increase affordability. The study was originally supposed to be completed within 270 days. That was 9 months after the bill was passed.

That deadline has come and gone. FEMA hasn't even begun to collect the necessary data. We know FEMA has been busy responding to Sandy and other natural disasters.

At the same time it is unfair to hit homeowners with massive new flood insurance premiums without any plan of how to address the needs for those who can't afford these skyrocketing, out-of-control, and out-of-reach premiums. The amendment is a recognition of that fundamental fairness.

Large parts of New York City are having their flood maps revised. As a result, New Yorkers, many, could face the prospect of crushing increases in premiums. Right now, far too many Sandy victims are still in the process of rebuilding their homes. They simply cannot afford a whopping increase in flood insurance premiums.

Common sense and a sense of fairness dictate that we should delay any unnecessary increases until we know exactly how hard they hit our communities and until we can come up with a solution that makes flood insurance reasonable and affordable—particularly if it is mandated, as it often is—in effect or by law.

That is what the amendment does. I urge my colleagues to vote in favor of the amendment.

I also wish to mention an amendment offered by my good friend from across the Hudson River, Senator MENENDEZ of New Jersey, a State also suffering from Superstorm Sandy, that seems to address many of the same concerns.

His amendment would delay flood insurance premium increases until FEMA's Hazard Mitigation Grant Program funds have been expended. This commonsense amendment would give homeowners a chance to use the Hazard Mitigation Grant Program for its intended purpose, to rebuild stronger and safer, resulting in lower flood risks.

This amendment simply says: Let's wait until people have taken this opportunity to reduce their future flood risks before we increase their flood premiums. It makes abundant sense. I hope my colleagues would pass both

Senator LANDRIEU's and Senator MENENDEZ's fine amendments.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Maine.

Ms. COLLINS. I ask unanimous consent that I be permitted to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Ms. COLLINS. Mr. President, all over America concern has been growing that the implementation of ObamaCare will cause serious damage to our economy and to our health care system. Lost wages, soaring insurance rates, more bureaucracy, and less access to care are just some of the adverse consequences we are beginning to see. There are as many reasons for concern as there are flaws in this ill-advised law.

Today, I wish to focus on just one of these flaws; that is, the Affordable Care Act's definition of a full-time employee. I also will comment on legislation I have introduced to fix this one flaw.

My preference, of course, would be for us to repeal ObamaCare and start all over, taking some good features of the law, such as the feature that allows young people to stay on their parents' health care policy until age 26, some of the provisions having to do with preventive care, and some of the provisions having to do with preexisting conditions.

We should have crafted a bill that focused on lowering health care costs because it is the high cost of health care that is the reason we have millions of Americans who are uninsured. Here we are with a deeply flawed law that is having very serious adverse consequences for the people of our country.

Let me talk further about the issue of the definition of a full-time employee. Under ObamaCare, an employee working just 30 hours a week is defined as full time. That is a definition that is completely out of step with standard employment practices in the United States today.

According to a survey published by the Bureau of Labor Statistics, the average American works 8.8 hours per day, which equates to 44 hours per week. The ObamaCare definition is nearly one-third lower than actual practice; likewise, the ObamaCare definition of full-time employee is one-quarter lower than the 40 hours per week used by the GAO in its study of the budget and staffing required by the IRS to implement this new law.

In that report the GAO described a full-time equivalent employee as the measure of staff hours equal to those of an employee who works the equivalent of 40 hours per week for 52 weeks.

We also know, generally speaking, that employers are required to pay

overtime to workers after 40 hours a week. That is another indication that 40 hours a week is the standard definition of a full-time employee. Yet, inconceivably, ObamaCare defines a full-time worker as one who works only 30 hours a week.

The effect of using such a low hourly threshold is to artificially drive up the number of full-time workers for purposes of calculating the Draconian penalties to which employers can be exposed by ObamaCare. These penalties begin at \$40,000 for businesses with 50 employees, plus \$2,000 for each additional full-time equivalent employee.

Needless to say, these penalties will discourage businesses from growing or adding jobs, particularly for employers who are close to that 50-job trigger. In addition, these penalties create a powerful incentive for employers to cut the hours their employees are allowed to work so they are no longer considered full-time for the purposes of this law.

This is not some hypothetical concern. I have heard from employers in Maine who feel they are going to be forced to stay under the 50-employee threshold, and they are even considering, very reluctantly, cutting the number of hours per week their employees are working. Similar accounts have appeared in the media. For example, last week the Los Angeles Times reported that the city of Long Beach, CA, is limiting most of its 1,600 part-time workers to just 27 hours a week to make sure they do not work over the 30-hour threshold. This is a municipality that is cutting the hours and thus the wages of its workers simply because of the requirements of ObamaCare.

According to this news story, the parent company for the Red Lobster and Olive Garden restaurant chains is limiting the hours of some of their employees for the same reason.

I would ask unanimous consent that the Los Angeles Times article entitled "Part-timers to lose pay amid health act's new math" be printed in the RECORD immediately following my remarks.

Bringing it closer to home, one Maine business I know has 47 employees. It is doing pretty well and would like to create more jobs and hire more employees, but it simply will not because of the onerous penalties it would incur once it gets to 50 employees. If more businesses follow suit, millions of American workers could find their hours and their earnings cut back, with jobs lost to them at a time when our country is still struggling with an unacceptably high rate of unemployment.

A study just published by the Labor Center at the University of California, Berkeley, underscores the danger. That study, which examined the hours worked in businesses with 100 or more employees, found that 6.4 million workers in these firms worked between 30

and 36 hours per week and another 3.6 million workers have variable work schedules that make them vulnerable to having their hours cut as a direct result of ObamaCare.

The study identified 2.3 million workers as being at the greatest risk. Not surprisingly, these are workers who are employed in the retail trade, nursing homes, restaurants, and hotels. These are some of the most vulnerable workers.

Mr. President, I ask unanimous consent to have printed in the RECORD the study I just referred to immediately following my remarks.

Let me cite an actual example from my State of Maine.

Peter Daigle, who runs Lafayette Hotels, the largest hotel chain in the State of Maine, has told me that many of his 800 employees work between 30 and 40 hours a week, and that, from a financial standpoint, it would make sense for his company to limit their hours to ensure they do not go over the 30-hour threshold. This is an artificial limit that is driven solely by ObamaCare. As Peter puts it:

It concerns us that employers are being put in a position that they would have to cut associates' hours just to meet a Federal regulation.

Believe me, the owners of the Lafayette chain of hotels are civic-minded, good employers, who care deeply about the well-being of their employees.

During the consideration of the budget resolution, the Senate adopted my amendment calling for legislation setting a more sensible definition of "full-time" employee for purposes of ObamaCare penalties. Last month, I introduced a bill to protect Americans who may otherwise find their hours are curtailed and their earnings cut as a result of the unrealistic definition of a full-time employee that is included in ObamaCare. Under my bill, a full-time employee would be an individual who works a 40-hour workweek. That only makes sense. This is a sensible, commonsense definition in keeping with actual practice.

I urge my colleagues to support my legislation, S. 701. It will not solve all of the problems—the many problems—of ObamaCare, but it will help to ensure millions of American workers do not have their hours reduced because of an artificially low, unrealistic definition in the law that is completely inconsistent with actual practice in this country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the UC Berkeley Labor Center]

WHICH WORKERS ARE MOST AT RISK OF REDUCED WORK HOURS UNDER THE AFFORDABLE CARE ACT?

The Affordable Care Act (ACA) requires employers to provide coverage or pay a penalty based on the number of employees working 30 or more hours per week. This data

brief looks at which industries have a high percentage of employees working fewer than or slightly above 30 hours, placing them at risk for reduced hours by an employer wishing to avoid penalties. We also look at the distribution of hours worked by type of health coverage. While the penalty only applies to firms with more than 50 full-time equivalent employees, due to data limitations we show all results for workers in firms with more than 100 total employees. Thus, the tables may slightly understate the number of potentially affected workers.

Table 1 below shows the distribution of hours worked by industry in the United

States. From this we see that 6.4 million U.S. workers, 8.9 percent of the workers in firms of 100 or more, work 30 to 36 hours a week. An additional 3.6 million workers report that their “work hours vary” and may also be vulnerable to a reduction in work hours. The industries with the highest percentage of employees working slightly over 30 hours are Restaurants, Nursing Homes, Accommodation, Healthcare, Retail Trade, Education and Building Services. The right most columns show the number of workers who are most vulnerable to work reduction, namely, those working 30 to 36 hours, with

incomes below 400% of the Federal Poverty Level and not covered by their own employer. The industries with the highest concentration of such workers are Restaurants, Accommodation, Building Services, Nursing Homes and Retail Trade. Retail and Restaurants account for 47 percent of the most vulnerable group. While Healthcare has a higher than average share of employees working between 30 and 36 hours, most in that hours category are in higher income families and/or receive health coverage through their employer.

TABLE 1—HOURS WORKED BY INDUSTRY, WORKERS IN FIRMS OF 100 OR MORE EMPLOYEES, U.S.

	Number of workers (thousands)					Percent of workers				
	Hours vary	Below 30 hrs	30 to 36 hrs	37 + hrs	Most vulnerable to work reduction*	Hours vary (percent)	Below 30 hrs (percent)	30 to 36 hrs (percent)	37+ hrs (percent)	Most vulnerable to work reduction* (percent)
Agriculture, Forestry, Mining	53	15	19	661	10	6.0	5.0	3.4	85.5	1.5
Construction	103	41	63	1,801	20	6.8	2.3	4.8	86.0	1.0
Manufacturing	361	157	276	8,227	88	2.9	2.4	4.2	90.5	1.0
Utilities, Transp, Communication	353	298	242	4,478	77	8.3	5.0	4.9	81.8	1.4
Wholesale	81	51	46	1,652	19	3.4	3.7	7.7	85.2	1.0
Retail Trade	572	1,589	1,217	5,319	570	3.8	13.0	10.6	72.5	6.5
Financial	170	215	213	4,850	59	3.5	5.1	4.4	86.9	1.1
Education	438	1,495	1,040	7,331	237	4.3	14.5	10.1	71.1	2.3
Accommodation	55	72	119	574	68	6.7	8.8	14.5	70.0	8.3
Other Services	723	1,092	966	13,912	324	4.3	6.5	5.8	83.3	1.9
Restaurants	314	815	719	1,328	515	11.3	23.8	20.7	44.2	16.2
Bldg. Services	11	48	38	232	25	6.4	14.9	9.9	68.8	7.6
Healthcare	359	872	1,280	6,094	194	5.5	12.0	13.7	68.7	2.3
Nursing Homes	53	118	194	723	82	5.0	9.6	18.8	66.6	7.6
Total	3,647	6,876	6,431	57,182	2,288	5.3	9.2	8.9	76.6	3.1

Source: Current Population Survey month of March for 2010–2012; ages 19–64, hours worked at main job.
* Those in the industry working 30–36 hours, below 400% FPL and do not have insurance through their own employer.

Table 2 shows the distribution of worker health coverage by the number of hours worked. While 68.8 percent have insurance through their employer, this only holds for 23.5 percent of employees working fewer than 30 hours a week. For this part-time group,

33.5 percent have insurance through a family member, 10.7 percent have public coverage, 10.3 percent purchase coverage through the individual market and 21.9 percent are uninsured. Slightly more than 50 percent of those working between 30 and 36 hours do not have

coverage through their own employer, though only slightly more than one quarter are uninsured or purchase coverage in the individual market. These workers are the most likely to receive subsidized coverage through the Exchanges.

TABLE 2—HOURS WORKED BY HEALTH COVERAGE, WORKERS IN FIRMS OF 100 OR MORE EMPLOYEES, U.S.

	Hours vary (percent)	Below 30 hrs (percent)	30 to 36 hrs (percent)	37+ hrs (percent)	Total (percent)
Coverage type:					
Employer-sponsored insurance thru employer	52.1	23.5	49.4	77.5	68.8
Employer-sponsored insurance thru family member	17.1	33.5	17.4	9.8	13.0
Public	6.5	10.7	7.4	2.3	3.7
Individual Market/Other	5.3	10.3	4.8	2.0	3.2
Uninsured	19.1	21.9	20.9	8.5	11.3
Total	100.0	100.0	100.0	100.0	100.0

Source: Current Population Survey month of March for 2010–2012; ages 19–64, hours worked at main job.

The 2.3 million workers identified as at greatest risk for work hour reduction represent 1.8 percent of the United States workforce. This is consistent with the research on the impact of Hawaii’s health care law on work hours. Hawaii requires firms to provide health insurance to employees working 20 hours a week or more, so the cost to employers for full-time workers are much greater in Hawaii than under the ACA, while the hour threshold is lower. Buchmueller, DiNardo and Valetta (2011) found a 1.4 percentage point increase in the share of employees working less than 20 hours a week as a result of the law. In Massachusetts, where the employer penalty is smaller than in the ACA (\$295 per year), there was no evidence of a disproportionate shift towards part-time work compared to the rest of the nation.

[From the Los Angeles Times, May 2, 2013]
PART-TIMERS TO LOSE PAY AMID HEALTH ACT’S NEW MATH
(By Chad Terhune)

Some workers are having their hours cut so employers won’t have to cover them under Obamacare. But many will benefit from the healthcare law’s premium subsidies and Medicaid expansion.

Many part-timers are facing a double whammy from President Obama’s Affordable Care Act. The law requires large employers offering health insurance to include part-time employees working 30 hours a week or more. But rather than provide healthcare to more workers, a growing number of employers are cutting back employee hours instead.

The result: Not only will these workers earn less money, but they’ll also miss out on health insurance at work.

Consider the city of Long Beach. It is limiting most of its 1,600 part-time employees to fewer than 27 hours a week, on average. City officials say that without cutting payroll hours, new health benefits would cost up to

\$2 million more next year, and that extra expense would trigger layoffs and cutbacks in city services.

Part-timer Tara Sievers, 43, understands why, but she still thinks it’s wrong.

“I understand there are costs to healthcare reform, but it is surely not the intent of the law for employees to lose hours,” said the outreach coordinator at the El Dorado Nature Center in Long Beach. “It’s ridiculous the city is skirting the law.”

Across the nation, hundreds of thousands of other hourly workers may also see smaller paychecks in the coming year because of this response to the federal healthcare law. The law exempts businesses with fewer than 50 full-time workers from this requirement to provide benefits.

But big restaurant chains, retailers and movie theaters are starting to trim employee hours. Even colleges are reducing courses for part-time professors to keep their hours down and avoid paying for their health premiums.

Overall, an estimated 2.3 million workers nationwide, including 240,000 in California,

are at risk of losing hours as employers adjust to the new math of workplace benefits, according to research by UC Berkeley. All this comes at a time when part-timers are being hired in greater numbers as U.S. employers look to keep payrolls lean.

One consolation for part-timers is that many of them stand to benefit the most from the healthcare law's federal premium subsidies or an expansion of Medicaid, both starting in January.

The law will require most Americans to buy health insurance or pay a penalty. Yet many lower-income people will qualify for government insurance or be eligible for discounted premiums on private policies.

QUIZ: TEST YOUR HEALTHCARE KNOWLEDGE

"For people losing a few hours each week, that's lost income and it has a real impact," said Ken Jacobs, chairman of the UC Berkeley Center for Labor Research and Education. "But many low-wage, part-time workers will also have some affordable options under the federal law."

Employers say these cutbacks are necessary given the high cost of providing benefits. The average annual premium for employee-only coverage was \$6,540 in California last year. Family coverage topped \$16,000 a year. Those premiums have shot up 170% in the past decade, more than five times the rate of inflation in the state.

Bill Dombrowski, chief executive of the California Retailers Assn., said employers are reducing hours because "it's the only way to survive economically."

The full effect of these changes in the workplace isn't known yet because many employers are still considering what to do. Many companies waited to see whether the landmark legislation would survive a Supreme Court challenge and the outcome of last fall's presidential election.

Now many employers are scrambling to understand the latest federal rules on implementation and are analyzing what makes the most sense for their workforce and for running their business.

There has been widespread speculation that many businesses would drop health coverage entirely in favor of paying a federal penalty of \$2,000 per worker. Benefit consultants and insurance brokers say many companies examined that scenario. But they say most rejected it because of the disruption it would cause for employees and the potential for putting an employer at a competitive disadvantage in luring talented workers.

Instead, pruning the hours of part-timers has attracted far more interest.

"That will be a widespread strategy," said Dede Kennedy-Simington, vice president at Polenzani Benefits in Pasadena. "Employers will be making sure their payroll system can flag when part-time workers are getting close to the cap they set."

Long Beach officials said they studied the various budget options and opted for a plan that should affect only a small portion of its workforce. The city estimates about 200 part-time workers will be among the most affected by a reduction in hours, representing about 13% of its overall part-time staff. The city calculated that the federal penalty for dropping coverage completely for its 4,100 full-time employees would have been about \$8 million.

"We're in the same boat as many employers," said Tom Modica, the city's director of government affairs. "We need to maintain the programs and service levels we have now."

Sievers, the outreach coordinator, has worked on and off for the city since 1994. She

agreed that the city has experienced tough fiscal times as many municipalities have since the recession. But the city expects a budget surplus of \$3.6 million for the coming year.

"Many part-timers are already struggling to get by in these jobs," Sievers said.

Virginia's Republican governor, Bob McDonnell, announced this year that all part-time state employees should work 29 hours or less to avert the 30-hour threshold. Darden Restaurants Inc., which owns the Olive Garden and Red Lobster chains, began shifting to more part-time workers last fall in a much-publicized test to keep a lid on healthcare costs. Then Darden dropped the plan after being roundly criticized.

Some California lawmakers worry that the federal penalties for not providing health coverage aren't enough of a deterrent. They have proposed additional state fines to prevent major retailers, restaurant chains and other employers from restricting hours and dumping more of their workers onto public programs such as Medi-Cal. Opponents say the proposal is unnecessary and could deter companies from adding workers.

Some supporters of the Affordable Care Act say they welcome a gradual shift away from employer-sponsored coverage if new government-run exchanges give consumers a choice of competitively priced health plans. Some low- and middle-income workers who qualify for federal subsidies may end up paying less by buying their own policy next year compared with their contribution toward employer coverage.

"If the exchanges work," said Nelson Lichtenstein, a professor of history at UC Santa Barbara and a labor expert, "then I'd be in favor of more people getting covered that way rather than through employers."

Ms. COLLINS. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF SHELLY DECKERT DICK TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA

NOMINATION OF NELSON STEPHEN ROMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Shelly Deckert Dick, of Louisiana, to be United States District Judge for the Middle District of Louisiana, and Nelson Stephen

Roman, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided in the usual form.

Mr. LEAHY. Mr. President, over the last month, Senate Republicans have failed to refute the facts of what they have done to President Obama's judicial nominations. The Senate's work on judicial nominations should not be about partisan point-scoring; it should be about ensuring the American people have access to justice. I rejected that partisan tit-for-tat approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002.

The question for the Senate is, Are we doing enough to ensure that hard working Americans have access to justice so that they can have their rights protected? At a time when 10 percent of the Federal bench remains vacant, I do not think that we are. The standard we set during the Bush administration for quickly moving to confirm non-controversial nominees is not being met.

Senate Republicans who take such pride in the number of nominees being confirmed this year ignore how many were needlessly delayed from confirmation last year and what they have done during the last 4 years. That is why after the 14 confirmations this year, we remain more than 20 confirmations behind the pace we set for President Bush's circuit and district nominees, and vacancies remain nearly twice as high as they were at this point during President Bush's second term. For all their self-congratulatory statements, they cannot refute the following: We are not even keeping up with attrition. Vacancies have increased, not decreased, since the start of this year. President Obama's judicial nominees have faced unprecedented delays and obstruction by Senate Republicans. We have yet to finish the work that could and should have been completed last year. There are still a dozen judicial nominees with bipartisan support being denied confirmation.

A recent report by the nonpartisan Congressional Research Service compares the whole of President Obama's first term to the whole of President Bush's first term, and the contrast could not be more clear. The median Senate floor wait time for President Obama's district nominees was five times longer than for President Bush's. President Obama's circuit nominees faced even longer delays, and their median wait time was 7.3 times longer than for President Bush's circuit nominees. The comparison is even worse if we look just at nominees who were reported and confirmed unanimously. President Bush's unanimously confirmed circuit nominees had a median

wait time of just 14 days. Compare that to the 130.5 days for President Obama's unanimous nominees. That is more than nine times longer. Even the non-partisan CRS calls this a "notable change." There is no good reason for such unprecedented delays, but those are the facts.

The confirmations in the last few months does not change the reality of what has happened over the last 4 years. If a baseball player goes 0-for-9, and then gets a hit, we do not say he is an all-star because he is batting 1.000 in his last at bat. We recognize that he is just 1-for-10 and not a very good hitter.

So while I welcome the confirmations this year, I note both that 10 of the 14 could and should have been confirmed last year and that there are another dozen nominees pending before the Senate, including four who also could have been confirmed last year. We can and must do more for Americans who look to our courts for justice. They deserve better than long delays and empty courtrooms. With 10 percent of our Federal bench vacant and a backlog of nominees on the Senate Executive Calendar, it is clear that the Senate is not working up to its full capacity on nominations.

It is true that some vacancies do not have nominees. I wish Republican home State Senators would work with President Obama to fill these vacancies. Nor do those vacancies excuse their unwillingness to complete action on the consensus judicial nominees who are ready to be confirmed but whose confirmations are being delayed. Mark Barnett, Claire Kelly, Shelly Dick, William Orrick, Nelson Román, Sheri Chappell, Michael McShane, Nitzza Quinones Alejandro, Luis Restrepo, Jeffrey Schmehl, Kenneth Gonzales, and Gregory Phillips are awaiting confirmation and Sri Srinivasan, Ray Chen, and Jennifer Dorsey can be reported to the Senate today, without further delay. So long as there is a backlog of nominees before the Senate, the fault for failing to confirm these nominees lies solely with Senate Republicans.

The Judicial Conference recently released their judgeship recommendations. Based upon the caseloads of our Federal courts, the conference recommended the creation of 91 new judgeships. That is in addition to the 86 judgeships that are currently vacant. This means that the effective vacancy rate on the Federal bench is over 18 percent. A vacancy rate this high is harmful to the individuals and businesses that depend on our courts for speedy justice. The damage is even more acute in the busiest district courts, such as those in border States that have heavy immigration-related caseloads. In a Washington Post article about the CRS report, Jonathan Bernstein wrote: "Ordinary people who just

want to get their legal matters taken care of promptly have suffered because of all the vacancies on federal courts." I ask unanimous consent to have the article entitled "New report confirms GOP obstructionism is unprecedented" printed in the RECORD at the conclusion of my statement.

Unnecessarily prolonged vacancies are not the only way that partisanship in Washington is hurting our courts. Sequestration continues to affect our justice system. The chief judge of the Fourth Circuit, William B. Traxler, Jr., has written: "The impact of sequestration on the Judiciary is particularly harsh because the courts have no control over their workload. They must respond to all cases that are filed" He went on to say:

[A] significant problem arises when budget cuts impact our responsibilities under the Constitution. This happens when we cannot afford to fulfill the Sixth Amendment right to representation for indigents charged with crimes. The predictable result is that criminal prosecutions will slow and our legal system will not operate as efficiently. This will cost us all in many different ways.

I share Chief Judge Traxler's concern, and I ask unanimous consent to have his statement printed in the RECORD at the conclusion of my remarks.

Our Federal judiciary provides justice to 310 million Americans and gives full effect to the laws that we pass here in the Senate. We have a constitutional responsibility to those 310 million Americans to make sure that they can count on our Federal courts to provide justice. Federal courts should not be held hostage to partisan obstruction, and we need to keep our courts fully funded so that they can continue to meet the promise of timely justice that is embedded in our Constitution.

Shelly Dick is nominated to fill a vacancy on the U.S. District Court for the Middle District of Louisiana. Since 1994, she has been in private practice at the Law Offices of Shelly D. Dick, LLC, in Baton Rouge and was previously an associate with the law firm of Gary Field Landry and Dornier. Additionally, since 2008, she has served as an ad hoc hearing officer for the Louisiana Workforce Commission. Shelly Dick has the bipartisan support of her home State Senators, Ms. LANDRIEU and Mr. VITTER, and was reported unanimously by the Judiciary Committee over 2 months ago. She is one of the pending nominees who could have been expedited and confirmed last year. When confirmed, Shelly Dick will be the first woman to serve on the U.S. District Court for the Middle District of Louisiana.

Nelson Román is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Southern District of New York. He currently serves as an associate justice for the New York State Supreme Court, Appellate Division, First Department. He pre-

viously served as a justice of the New York State Supreme Court, Civil Term, Bronx County, as a judge for the New York City Civil Court, Bronx County, and as a judge of the housing part of the New York City Civil Court, Bronx County. Prior to becoming a judge, he was an assistant district attorney in Kings County, NY, as well as a special narcotics assistant district attorney in New York City. From 1995 to 1998, Justice Román served as a law clerk to the Honorable Jose A. Padilla, Jr. of the New York County Civil Court. He has the support of his home State Senators, Mr. SCHUMER and Mrs. GILLIBRAND, and was reported unanimously by the Judiciary Committee over 2 months ago.

Senate Republicans have a long way to go to match the record of cooperation on consensus nominees that Senate Democrats established during the Bush administration, but I hope that the confirmations so far this year indicate that they are finally reconsidering their wholesale obstruction of President Obama's nominees. After today's votes, 10 more judicial nominees remain pending, and all were reported with bipartisan support. All Senate Democrats are ready to vote on each of them to allow them to get to work for the American people. We can make real progress if Senate Republicans are willing to join us.

I ask unanimous consent that the article and statement to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 3, 2013]
NEW REPORT CONFIRMS GOP OBSTRUCTIONISM IS UNPRECEDENTED

(By Jonathan Bernstein)

The nonpartisan Congressional Research Service has released an important new report that details Barack Obama's record on nominating judges during his first term. It's no surprise: Republican obstruction against his selections was unprecedented. For example:

"President Obama is the only one of the five most recent Presidents for whom, during his first term, both the average and median waiting time from nomination to confirmation for circuit and district court nominees was greater than half a calendar year (i.e., more than 182 days)."

A quick look at the report's summary confirms that Obama's nominees have been treated more roughly than those of Presidents Reagan, Bush, Clinton, and the other Bush.

That's only half the story. George H.W. Bush had to deal with an opposition party Senate for his entire first term, and Bill Clinton and George W. Bush had that during about half of their first terms. It's at least plausibly legitimate for opposite party Senators, when they have the majority, to argue that they should have a larger role in filling judicial vacancies, and to act accordingly. At the very least, if they simply oppose some of those nominees, they will defeat them in "up or down" votes.

But Obama, like Ronald Reagan, had a same-party Senate majority during his first

term. He should have had among the best results over any recent president, all things being equal.

What changed when Obama took office, however, was the extension of the filibuster to cover every single nominee. Republicans didn't always vote against cloture (or even demand cloture votes), but they did demand 60 votes for every nominee. That's brand new. It's true that Democrats filibustered selected judicial nominations during the George W. Bush presidency, but only at the circuit court level, and not every single one.

That meant that despite solid Democratic majorities and solid support from those Democrats, Obama's judicial approval statistics are basically the worse of any of the recent presidents. He doesn't show up last on every measure—for example, George H.W. Bush had a lower percentage of district court nominees confirmed—but he's fourth or fifth out of five of these presidents on almost every way that CRS slices the numbers, and it adds up to by far the most obstruction faced by any recent president.

And remember: the losers here aren't just the president and liberals who want to see his judges on the bench. Ordinary people who just want to get their legal matters taken care of promptly have suffered because of all the vacancies on federal courts.

It's really a disgrace. Especially those picks that were delayed for months, only to wind up getting confirmed by unanimous votes. Especially the foot-dragging on district court nominees. Just a disgrace.

STATEMENT OF CHIEF JUDGE WILLIAM B. TRAXLER, JR., CHAIRMAN OF THE EXECUTIVE COMMITTEE OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, APRIL 19, 2013

1. The Executive Committee of the Judicial Conference is responsible for developing a spending plan for the federal Judiciary's annual Congressional appropriation. This process involves significant input from Conference committees, and under the best of circumstances, is a difficult and complex task.

The current fiscal year presents unparalleled challenges. Budget sequestration has reduced the Judiciary's overall funding by nearly \$350 million from the level provided in Fiscal Year 2012. The impact of sequestration on the Judiciary is particularly harsh because the courts have no control over their workload. They must respond to all cases that are filed, whether they are by individuals, businesses, or the government.

In February 2013, the Executive Committee implemented a series of emergency measures that were intended to mitigate the impact of sequestration to the best extent possible. Nevertheless, significant shortfalls remain.

Funds have been reduced for probation and pretrial staffing, which means less deterrence, detection, and supervision of released felons from prison. Related funding for drug testing, drug treatment and mental health treatment were cut by 20 percent. Money for security systems and equipment has been cut 25 percent and court security officer hours have been reduced. Cuts in court staffing and hours threaten to impact public access and slow case processing. National information technology upgrades to improve infrastructure and financial management have been delayed. Sequestration is impacting federal court operations and programs throughout the country, including a \$51 million shortfall in the FY 2013 funds in the Defender Services account.

The Judiciary is committed to doing its part to reduce the fiscal deficit our country

faces. However, a significant problem arises when budget cuts impact our responsibilities under the Constitution. This happens when we cannot afford to fulfill the Sixth Amendment right to representation for indigents charged with crimes. The predictable result is that criminal prosecutions will slow and our legal system will not operate as efficiently. This will cost us all in many different ways.

With regard to the Defender account shortfall, at its April 16, 2013, meeting the Executive Committee examined all aspects of this account, scrubbed expenses where possible, and approved a final spending plan. After lengthy discussion, the Committee determined to allocate the available funds in a manner that, without further impacting payments to private attorneys, will at least limit the number of days that any defender organization staff must be furloughed. The result is that some federal defender offices will still be forced to furlough their employees up to 15 days. The Committee also approved deferral of payments to private panel attorneys for the last 15 business days of the fiscal year.

The defender program has no flexibility to absorb cuts of this magnitude without impacting payments to private counsel appointed under the Criminal Justice Act and Federal Defender Organizations, which pay for government lawyers to provide counsel to eligible defendants. Federal defender offices already have fired and furloughed staff, as well as drastically cut essential services. Criminal prosecutions have been delayed because defender organizations do not have the staff necessary to continue their representation of the defendant or the funds to pay for experts or other cases costs.

The Executive Committee's allocation of funds is not a solution to the \$51 million shortfall. It represents a conscientious effort to mitigate the adverse impact on both personnel and services. It also means that millions of dollars in expenses in this account will be shifted to FY 2014, even though they were not part of the Judicial Branch budget submission to Congress. This level of funding is unsustainable without relief from Congress.

The Judiciary will soon ask the Office of Management and Budget to transmit an FY 2013 emergency supplemental funding request to Congress to help ameliorate the impact of the sequestration cuts to defender services, probation and pretrial services, court staffing, and court security.

In his 2012 Year-End Report on the Federal Judiciary, the Chief Justice said:

"A significant and prolonged shortfall in judicial funding would inevitably result in the delay or denial of justice for the people the courts serve."

I share this grave concern.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I rise today to present to this Chamber the nomination of Shelly Deckert Dick as a nominee for article III judge on the U.S. Middle District Court of Louisiana. I was pleased to recommend Ms. Dick to President Obama, and I am happy that he sent her name to the Senate and that the committee has unanimously recommended her for confirmation.

She is equipped with decades of Federal court litigation experience. She brings with her a thorough under-

standing of the Federal court system, having practiced for years before the court. From all indications from her peers and colleagues, she is fair and evenhanded. I think her temperament is appropriate for the bench.

She is a current resident of Baton Rouge but was born in El Paso, TX. She earned her bachelor's degree in business administration from the University of Texas at Austin and graduated on the dean's list with honors.

She brings with her years of experience, not just in the private sector. She has worked as a lawyer before the Federal bench. She has also been extremely active in community affairs.

She graduated from Louisiana State University law school, where she was a member of the Law Review. Demonstrating her commitment to public service early in her legal career, she served as a law clerk to a woman who went on—and was actually mentored by the first woman of our Supreme Court—Kitty Kimble, who went on, of course, to become chief justice of the Louisiana Supreme Court.

Following law school, at an early age, she became an associate attorney at the firm of Gary, Field, Landry & Bradford before going on to become a full partner in one of our strongest and best law firms in Baton Rouge, LA.

She has extensive experience, as I said, in Federal court representing both plaintiffs and defendants as well as government and nongovernment clients. She has a well-rounded legal career and is very active in the community, in her church, and has done missionary work for many years throughout the world. She is also very active in the American Bar Association, the Louisiana State Bar Association, the Louisiana Association of Defense Counsel, and the Baton Rouge bar. She was admitted to practice in the district courts of the Western, Middle, and Eastern Districts, the Fifth U.S. Circuit Court of Appeals, and the U.S. Supreme Court. She has written numerous articles for legal publications and presented at legal seminars on a wide range of topics.

I have known Ms. Dick for a few years. She is a friend now. She was not a close friend when my search committee went out and looked for the most qualified individuals to step up and serve on our bench. She and her credentials were brought to my attention by many members of the community, and I am very happy to nominate Ms. Dick.

Ms. Dick will be the first woman to serve in the Middle District of Louisiana. I think it is high time, after a couple of hundred years, that we have women now qualified and stepping up to assume these leadership positions. I have been very proud to help bring diversity and excellence to our bench both at the prosecutor level and as judges in the courts in Louisiana.

As I said, Shelly has also volunteered for international missions overseas, particularly in Cambodia, South Africa, and Kenya. She has worked with her church and other nonprofit organizations.

I think she is perfectly suited to be a judge with all the prerequisite experience and legal degrees and academic degrees required. Most importantly, she is enthusiastic and excited about serving.

I am sorry it has taken us so long to get her to this point where the Senate will hopefully confirm her—if not acclamation—by a strong and overwhelming vote. I know of no opposition to her nomination.

These days it seems that these nominations seem to be going a lot slower than they should. I thank her and her family for their patience as they have waited and waited for this day to come. Hopefully she will be able to put on that robe and get to that bench in the Middle District and do a fine job for us both in Louisiana and around the country.

I yield the floor.

The junior Senator from Louisiana may want to add a word.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise for two reasons. First of all, I look forward to supporting the confirmation of Shelly Dick to become a judge in the Middle District of Louisiana, and I look forward to that vote in 5 minutes. As I have said before, I believe she will serve well.

Secondly, I also wanted to come to the floor to add my support to the Landrieu flood insurance amendment. I am a cosponsor, and we are working very hard on clearing a path for an important, substantive version of that amendment.

Senator LANDRIEU and I have talked, and we have talked to others, including Senator BOXER and many other supporters. We are working very hard not to get into the weeds but to take care of some technical issues, some budget points of order, and some other issues so we can clear the path for a strong, substantive version of this amendment.

This is a big deal. It is a big deal for the country. It is a big deal for any coastal area and certainly a big deal for South Louisiana. We need to ensure that as the new Flood Insurance Program is administered, it is done in a fair and reasonable way and that we don't price anybody who has been following the rules out of their home because their flood insurance rates increased so astronomically. That is the fear, but that has not played out. The new rates are not out, but that is the legitimate fear. Senator LANDRIEU and I are working with our entire delegation to make sure we avoid that.

Right after this vote, I am going to travel to northern Virginia to meet

with a Louisiana group at the FEMA offices to talk about this very issue. I am convinced FEMA has some authority under law already to mitigate these issues in many ways but including by making sure they get their LAMP process right and take into account all flood barriers and protections in a given area as new areas are mapped. I am going directly from this judge vote to that important meeting, and we will all be following up in important ways to make sure we get it right, make sure FEMA gets it right, hopefully including a good, workable amendment that can be passed on this bill. We are all working toward that goal.

I thank my colleague from Louisiana for that joint effort.

I yield back to the Chair.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I wish to follow up on the comments made by my colleague from Louisiana, Senator VITTER. I am pleased he will accompany many of our elected officials to the FEMA office this afternoon. I had a chance to meet with the FEMA officials yesterday. At my request, they came to the Capitol to meet with me.

We are both very hopeful that there are some things within the new mandates and new authorizations that FEMA can do to mitigate against the projected 25-percent increases annually for some of our policyholders—not the majority but for some of them. I am anticipating that some of these issues are not going to be addressed administratively and that it is going to take a change of law.

Again, the reason I am pushing this issue and pushing this bill is because this new law that we are talking about, expressing frustration about, and questioning never came to this floor for a vote. I am still not clear at this point whether this bill was ever voted on by the full House.

This bill, the flood insurance reform bill of last year, was tucked into a larger bill, the national transportation bill, at the last minute. The national transportation bill was widely supported. It funds billions of dollars' worth of projects for everyone's district. It is a very popular bill.

This relatively small but significant flood insurance bill was tucked into a conference report, which is really not that usual, particularly if the bill itself had not passed one body. There are lots of times when things are put into a conference committee that have not passed the Senate, but it passed the House, or it passed the House but not the Senate, and there is an indication of broad support. We have to move legislation, and sometimes we have to use an expedited means.

I am still waiting to get clear from the staff whether this bill ever got a

vote in the House of Representatives. I know it didn't get a vote here, and it would probably, in its current form, not pass because the delegations from Louisiana, Texas, Mississippi, California, and any numbers, would have insisted on some amendments and some procedures to help our people who are going to be affected by these very significant increases in flood insurance, to give them more time to meet their obligations.

I know we are on a judgeship so I am going to yield the floor, but I am hoping we can continue to work on this issue.

I thank Senator VITTER for his support, as well as Senator BOXER, as we are continuing to work on the language of this amendment.

I yield back all time on the nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Shelly Deckert Dick, of Louisiana, to be United States District Judge for the Middle District of Louisiana?

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Nelson Stephen Roman, of New York, to be United States District Judge for the Southern District of New York?

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 118 Ex.]

YEAS—97

Alexander	Coburn	Grassley
Ayotte	Cochran	Hagan
Baldwin	Collins	Harkin
Baucus	Cooms	Hatch
Begich	Corker	Heinrich
Bennet	Cornyn	Heitkamp
Blumenthal	Cowan	Heller
Blunt	Crapo	Hirono
Boozman	Cruz	Hoeben
Boxer	Donnelly	Inhofe
Brown	Durbin	Isakson
Burr	Enzi	Johanns
Cantwell	Feinstein	Johnson (SD)
Cardin	Fischer	Johnson (WI)
Carper	Flake	Kaine
Casey	Franken	King
Chambliss	Gillibrand	Kirk
Coats	Graham	Klobuchar

Landrieu	Paul	Shelby
Leahy	Portman	Stabenow
Lee	Pryor	Tester
Levin	Reed	Thune
Manchin	Reid	Toomey
McCain	Risch	Udall (CO)
McCaskill	Roberts	Udall (NM)
McConnell	Rockefeller	Vitter
Menendez	Rubio	Warner
Merkley	Sanders	Warren
Mikulski	Schatz	Whitehouse
Moran	Schumer	Wicker
Murphy	Scott	Wyden
Murray	Sessions	
Nelson	Shaheen	

NOT VOTING—3

Barrasso	Lautenberg	Murkowski
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

WATER RESOURCES DEVELOPMENT ACT OF 2013—Continued

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I rise to urge my colleagues to support a bipartisan amendment I worked on with Senator WICKER to make our communities more resilient in an era of extreme weather that we live in. No corner of America is being spared: blazing wildfires in the West, massive tornadoes in the South, crippling droughts in the Midwest, routine hurricanes battering the gulf coast and the northeast coast.

We cannot accept the status quo. I think we must do more, because as we have seen in New York, the storm of the century has literally become the storm of the year. In 2011, we saw widespread and devastating damage from Hurricane Irene and Tropical Storm Lee. One year later, Superstorm Sandy hit us harder than we could have ever imagined.

The Federal Government must step in. It must step up to do the hard work, to lead the way in preparing for and protecting against these extreme weather events. This does not mean just building a higher flood wall or moving public infrastructure out of the flood zone; it means taking a smarter, longer term regional approach to disaster planning.

Along with saving lives, this makes smart economic sense. For every \$1 we spend to reduce disaster risk, we save \$4 in recovery costs. Our bipartisan amendment can help achieve this goal. It is called Strengthening the Resiliency of Our Nation on the Ground—the STRONG Act—to give the Federal Government a real plan to strengthen our resiliency.

First, the bill would investigate effective resiliency policies, identify the gaps, and identify the conflicting policies. Knowing what resources we have, what works, what does not, we can write and implement a national resiliency strategy to support the local efforts.

This would include a one-stop shop to gather and share data to develop smarter resiliency policies, incorporating existing databases and ongoing efforts across a range of sectors, from weather and climate to transportation and energy. It also eliminates redundancies, ensuring all levels of government are coordinating effectively and efficiently, sharing their expertise, their data, and information.

This national resource will work hand in glove with local efforts, providing the most recent scientific information and best practices to help our communities plan for and survive the worst. As we learn the lessons of Superstorm Sandy and other natural disasters, we need to ensure that our communities are thinking broadly about resiliency across all sectors of society. The STRONG Act is the foundation to build smarter and stronger cities, States and a nation. Only with communities built for the 21st century can we withstand the extreme weather of our time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. BLUNT. Madam President, I wish to talk a bit about the health care bill. Every time I am home, I hear more and more concerns from more and more families and more and more individuals and more and more employers. In 2009, the President repeatedly said that if you like your health care plan, you can keep it. Notice nobody is saying that anymore.

Maybe that is not what the measure should be because that is certainly not going to happen. I think the question is, are you going to have health care and can you afford it. During the Presidential campaign, the President said he liked the term "ObamaCare." So I feel a little more free to use that than I did previously. I do not mean it to be disparaging in any way. I just happen to think it is a plan that will not work.

In the 3 years since the Affordable Care Act became law, it has become increasingly clear that this plan will only deliver more broken promises and bad news. Opponents have long warned this overhaul is bad for the economy. There are now over 20,000 pages of new regulations. In talking to the people I work for, they say they were concerned when people did not read the 2,000-page

bill. Since the election, there have been 20,000 pages of regulations. There will be at least 159 new bureaucracies, boards, and programs.

A number of recent reports have reinforced everybody's concerns, noting that the health care bill will burden Americans with \$1 trillion of new taxes over 10 years and penalties. It will stifle job creation.

Investors Business Daily noted that retailers are cutting worker hours at a rate not seen in more than three decades, a sudden shift, according to them, that can only be explained by the onset of ObamaCare's employer mandates—only explained by the onset of ObamaCare's employer mandates. In the April job figures, 288,000 people moved from full-time work to part-time work.

Almost all of us in the Senate, as we talk to people in the States we represent, have talked to somebody who is figuring out how they can replace full-time employees—when they leave or maybe earlier than they wanted to leave—with part-time employees. The Congressional Budget Office warned that the President's health care plan will slash approximately 800,000 jobs, increase government spending by \$1.2 trillion, and force 7 million Americans to lose their employer-sponsored coverage.

On that last one, I think that is optimistic. I think it will be more than 7 million people who 2 years from now do not have health insurance, who had some kind of health insurance 2 years ago or even up until today. I think setting the standard that they have to meet that, and if they cannot meet that standard, just pay the penalty and do not provide anything is going to put people in a position they are going to find themselves very troubled to be in.

A leading health care advocacy group recently noted that millions of people will be priced out of the health insurance market under ObamaCare thanks to a glitch in the law that hurts people with modest incomes who cannot afford family coverage offered by their employers. Of course, the only thing the employer gets any credit for offering in the new world we are about to move into is individual coverage.

In fact, if someone has a family member who is covered in their family policy, the person they work for appears to get no credit for that coverage. An independent study by the Society of Actuaries—these are people who try to calculate benefits and life expectancy and all of that—estimates that insurance companies will have to pay out an average of 32 percent more for medical claims on individual health policies by 2017.

Why would that be? Remember, these are health policies that there is a small penalty for not having but the insurance company has to issue to you whenever you decide you want it.

I have talked to more than one hospital group that said we will just put the insurance forms in the ambulance.

Under the law, as I have read the law, you can fill out the insurance form on the way to the hospital in the ambulance, and the insurance company still has to give the so-called guaranteed issue no matter what your health is.

For Missourians, this study shows that medical claims costs could increase by almost 60 percent—the exact amount is 58.8 percent—per person. This actuarial study in my State says insurance claims costs could increase by 58.8 percent, making my State's projected cost increase the eighth highest in the country.

At a time when millions of Americans are still searching for jobs, the last thing we should be doing is discouraging job growth, but every single person here has heard somebody that they work for in the State they represent say: We are not going to grow above 50 people or we are not going to hire full-time employees.

Next year job creators will be forced to start complying with the law or pay a penalty. This will lead employers to reduce hours for full-time employees to avoid paying those penalties or providing health care—either one.

State governments, such as the State of Virginia right across the river from where we are working in the Nation's Capital, said that after July 1 none of their part-time employees will be allowed to work—that is the beginning of their spending year—that after July 1 none of their part-time employees will be able to work more than 29 hours. Why would the entire State of Virginia be saying that? Because the Federal Government says 30 hours is the time when you have to provide a benefit.

Once we start saying something as a government that you have to do something, suddenly it seems to be OK to meet the exceptions. Companies that for five decades after World War II have done everything they could to provide benefits for health care at whatever level they thought they could because they thought it was either the competitive thing to do or the right thing to do or both, those same companies are now saying: Well, the exception in the law says I don't really have an obligation to provide you health care, and so I am not going to.

As we see people move toward the part-time workforce, I believe we are going to see people having more than one job, but none of those jobs will have benefits. The person who served your breakfast or sells you your coffee in the morning may be the same person you see at a meal later that same day at another place because they are working two jobs, not one, and neither of those has benefits.

For those employers who decide it is cost-effective to pay the penalty rather than comply with the law, those people

who worked for them obviously will see their plans change or lose their plans altogether. Maybe that is why my friends across the aisle are beginning to say the things they have said about this.

Everybody has heard the Senator BAUCUS comment that warned that implementing this bill will be a "huge train wreck coming down."

Senator WYDEN said:

There is reason to be very concerned about what's going to happen with young people. If their premiums shoot up, I can tell you, that is going to wash up on the Senate in a hurry.

The New York Times reported that Senator Ben Cardin told White House officials that he was concerned about big rate increases being sought by insurers in his State, one of the first States to report what the new rates would be.

Senator JEANNE SHAHEEN noted that she is "hearing from a lot of small businesses in New Hampshire that do not know how to comply with the law."

Senator JAY ROCKEFELLER said that he is of the belief that the health care act "is probably the most complex piece of legislation ever passed by the United States Congress." He noted, "It worries me, because it is so complicated. And if it isn't done right the first time, it'll just simply get worse."

The Secretary of HHS said, "There may be a higher cost associated with getting into that market."

As I said, even the top health care official in the country, the Secretary of Health and Human Services, Kathleen Sebelius, said that there might be a higher cost associated with getting into this market where folks will be moving into a really fully insured product for the first time—or not. What she did say was that this insurance may cost more than what your employer used to think they could afford to provide to you, and now maybe they are not providing anything at all. Maybe they are providing something that meets new standards—not what the person paying the bill thought they could afford but what was the only option available.

This isn't like, if you can do some of this, fine, you will just pay part of the penalty. It is not like that at all. In fact, what this really is, if you don't meet the standards that the Federal Government has decided should be the standards for employees of yours whom they have never seen, whom you pay \$100 a day if you try to offer insurance that doesn't meet the insurance, per employee—that is, \$36,500 a year is the penalty if you don't offer the insurance exactly as the government says it has to be offered at a minimum. If you decide not to offer any insurance at all, it is \$2,000 a year.

So now we have gotten to the point where the government is so right that it is a \$36,500 penalty if you don't offer exactly the insurance they say you have to offer and it is a \$2,000 penalty if you don't offer any insurance at all.

What kind of parallel universe is this that this has taken us into that we have that kind of ridiculous situation develop?

Last week President Obama said there may be "glitches and bumps" in the rollout of his massive government overhaul. The Chicago Tribune, one of his hometown newspapers, after he said that, said in an editorial: Give us the choice of "train wreck" or "glitches and bumps," we are betting on train wreck.

This is his hometown paper that is saying that. This is certainly not what the President and congressional leaders promised us when this became the law.

We can all agree that we must fix our health care system. I think the path we are on is the wrong path to take. There are a number of things we could do: medical liability reform, more vigorous competition, buying across State lines, more individual ownership of policies set up, high-risk pools that work. The choice should never have been "you can do this or we can do nothing at all." There were things in the great health care system we had that could have been improved and still had the benefits of that great system. It appears that none of these are being allowed to happen until we see for sure that the new system either will work or won't work.

I recently voted for the amendment to defund the program. Let's go back to the drawing board and see what we can do to get started again. I think this is a flawed concept. I think we have to replace this concept with commonsense reforms that put patients and doctors in control of health care, not new bureaucracies in Washington.

I thank the Chair.

Mrs. BOXER. Madam President, I would like to lay out what we are going to do, and it will take me about 6 minutes maximum.

The good news for the Senate—I am glad you don't object to good news because it is not always good news. What we have seen on this WRDA bill is that we have handled a number of amendments both through the managers' package that we substituted for the original text and in individual amendments. What we have seen is that the Boxer-Vitter substitute strengthened participation of environmental agencies in project delivery. We have addressed challenges in every part of the country. We reached agreement with appropriators on future harbor maintenance trust fund expenditures. We authorized additional regional programs. We accelerate investment in the Inland Waterways Trust Fund.

Here on the floor, we adapted amendments to set up an oceans trust fund and a new program to address Asian carp. We have made sure that agencies are treated fairly in the WIFIA Program. We require performance measures for levee safety grants. These are

good amendments offered by both sides of the aisle.

We are about to, as soon as we do this little technical change to an amendment number—and it looks as though it has been done—we are about to adopt Senator BLUNT's very important amendment that has so much support on both sides of the aisle for resilient construction, meaning we are going to make sure that as we enter a phase of extreme weather situations, we use the best materials on these projects. That is the Blunt amendment.

Then we go to the Sessions amendment, which is land transfer to help his local communities—uncontroversial.

There is a Coburn amendment to de-authorize projects that have been inactive for a very long time. This saves us money.

Also, there is a Warner amendment that makes technical corrections for Four Mile Run.

We will set aside the Inhofe amendment and that number, amendment No. 797, that would be pending.

I ask unanimous consent that in addition to the Blunt amendment No. 800 in the previous order, the following amendments be the next amendments in order to the bill: Sessions No. 811, as modified with the changes that are at the desk, Coburn No. 823, Warner No. 873, and Inhofe No. 797; further, that no second-degree amendments be in order to any of these amendments or the Blunt amendment prior to the votes in relation to the amendments.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENTS NOS. 800, 811, AS MODIFIED, 823, AND 873, EN BLOC

Mrs. BOXER. I ask unanimous consent that the following amendments, which have been cleared by both sides, be considered and agreed to en bloc: Blunt amendment No. 800; Sessions amendment No. 811, as modified; Coburn amendment No. 823; and Warner amendment No. 873.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 800

(Purpose: To provide for the consideration of resilient construction techniques in certain studies relating to extreme weather events)

Redesignate sections 11001, 11002, and 11003 as sections 11002, 11003, and 11004, respectively.

At the beginning of title XI, insert the following:

SEC. 11001. DEFINITION OF RESILIENT CONSTRUCTION TECHNIQUE.

In this title, the term "resilient construction technique" means a construction method that—

- (1) allows a property—
 - (A) to resist hazards brought on by a major disaster; and
 - (B) to continue to provide the primary functions of the property after a major disaster;

(2) reduces the magnitude or duration of a disruptive event to a property; and

(3) has the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event.

In section 11002(b) (as redesignated), strike paragraph (2) and insert the following:

- (2) an analysis of—
 - (A) historical extreme weather events;
 - (B) the ability of existing infrastructure to mitigate risks associated with extreme weather events; and
 - (C) the reduction in long-term costs and vulnerability to infrastructure through the use of resilient construction techniques.

In section 11003(b)(5) (as redesignated), strike the "and" at the end.

In section 11003(b) (as redesignated) redesignate paragraph (6) as paragraph (7).

In section 1003(b) (as redesignated), insert after paragraph (5) the following:

- (6) any recommendations on the use of resilient construction techniques to reduce future vulnerability from flood, storm, and drought conditions; and

AMENDMENT NO. 811, AS MODIFIED

(Purpose: To require the Tennessee Valley Authority to grant certain use restrictions)

At the end of title V, add the following:

SEC. 5011. RELEASE OF USE RESTRICTIONS.

Notwithstanding any other provision of law, the Tennessee Valley Authority shall, without monetary consideration, grant releases from real estate restrictions established pursuant to section 4(k)(b) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)(b)) with respect to tracts of land identified in section 4(k)(b) of that Act, provided that such releases shall be granted in a manner consistent with applicable TVA policies.

AMENDMENT NO. 823

(Purpose: To ensure environmental infrastructure activities are not exempt from review by the Infrastructure Deauthorization Commission)

Section 2049(b) is amended by adding at the end the following:

- (6) APPLICATION.—For purposes of this subsection, water resources projects shall include environmental infrastructure assistance projects and programs of the Corps of Engineers.

AMENDMENT NO. 873

(Purpose: To include a provision relating to Four Mile Run, city of Alexandria and Arlington County, Virginia)

On page 216, between lines 3 and 4, insert the following:

SEC. 3019. FOUR MILE RUN, CITY OF ALEXANDRIA AND ARLINGTON COUNTY, VIRGINIA.

Section 84(a)(1) of the Water Resources Development Act of 1974 (Public Law 93-251; 88 Stat. 35) is amended by striking "twenty-seven thousand cubic feet per second" and inserting "18,000 cubic feet per second".

Mrs. BOXER. I move to reconsider and lay those motions on the table.

The motions to lay on the table were agreed to.

Mrs. BOXER. I wish to thank everybody. We have made great progress on this bill. We will still be working very hard tomorrow, Saturday, Sunday, and Monday. We urge you, if you have amendments, we are just saying let them be relevant and not controversial. We can't solve every problem in America on this water bill, but we are trying our best to get a really good bill through the Senate.

I understand from the House that they intend to look at our bill, work off our bill, and make their changes. Then we will go to conference and hopefully have a very good result.

It is 3 o'clock on a Thursday, and we have disposed of numerous amendments. We are still looking at more. We are trying to resolve all of those. One way or the other, it is our plan to finish this bill next week. It is very rare to have a bill that is so bipartisan, that will, in fact, support over 500,000 jobs, and that has the support of business, labor, and all kinds of community groups. With that, I thank my colleagues for working with us.

I have talked to the majority leader. There will be no further votes today. Next week we will finish this bill. I thank you very much.

I thank my friend from Missouri. It has been a pleasure working with him and staff on his excellent amendment with Senator NELSON. We are very pleased we were able to clear this.

I also thank Senator LANDRIEU and Senator DURBIN. They had some issues, but they stepped back and let us move forward with these amendments.

People are working together, and they are working very hard, and I am very pleased about where we are. I thank my colleague from Missouri.

I yield the floor.
Mr. BLUNT. I thank the chairwoman for her work.

As this bill progresses, I will remind my friends on the floor that one of the major bills we passed last year was the highway bill in the last Congress that she and Senator INHOFE worked on. Now she and Senator VITTER are bringing another important bill to the floor that is significant.

I yield the floor.
The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to address the Senate as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. MORAN. Madam President, I recently had a great conversation with an individual, August Busch, III, the longtime president and CEO of Anheuser-Busch. We talked about the state of the economy. We talked about the desire to get jobs created and the country back on solid fiscal footing.

That conversation reminded me of the opportunities we have here in the Senate and the Congress to work together to see that we enact policies here in the Nation's Capital that would make a real difference in the everyday lives of Americans by creating jobs, by making certain our business climate is beneficial to large and small businesses. In that climate, they then would have the opportunity to add additional employment opportunities for all Americans.

In this overly partisan climate of Washington, DC, it is easy to lose sight of the fact that we should all be working toward that same goal of getting our economy back on track.

I think the No. 1 issue standing in the way of robust economic growth is the uncertainty that continues to be there—as described, in part, by my colleague from Missouri in regard to the Affordable Care Act—with Americans in general and people making family as well as business and investment decisions about where we are headed with our national debt and our deficit spending.

As elected officials, Americans expect us to confront our Nation's fiscal challenges and not push them off into the future. But last year's budget shortfall—just to remind us of the facts—reached \$1.1 trillion, the fourth straight year of trillion-dollar deficits. This out-of-control too much spending we have in our government has increased our national debt to a record \$16 trillion, which is more than the entire U.S. economy produced in goods and services in 2012.

The fact is our current fiscal state is the responsibility of many Congresses and several Presidents from both political parties. It is not always the opportunity we sometimes take to point fingers, but it is that over a long period of time we have allowed ourselves to live way beyond our means, and it has gone on far too long.

When I was elected to the Senate, just about 3 years ago, I was invited to the White House to have a conversation with my colleagues and President Obama. The conversation was all about deficit spending, the national debt, and the upcoming vote to raise the debt ceiling. Unfortunately, since that time, it has been pretty much business as usual in Washington, DC, and almost no progress has been made. It is time for us to get beyond the conversations and the rhetoric that too often is pretty empty around here and get down to the business of making real changes in the way we conduct our business.

First and foremost, we must reduce the government drag on the private sector. Startups in small businesses—the real job creators in this country—are being held down under the weight of a 74,000-page convoluted Tax Code and \$1.75 trillion worth of redtape.

Every single job creator I meet, whether it is at a townhall meeting back home in Kansas or here in Washington, DC, tells me their story and asks for our help. What they tell me is we have to reduce the massive regulatory burden. The overwhelming cost of compliance prevents many small business owners and entrepreneurs from hiring new employees, expanding their facilities, and growing the economy.

Second, in addition to the regulatory environment, we have to say no to

spending and yes to projob measures. This will help reduce the uncertainty in the marketplace, encourage business investment, help us become more competitive in the global economy and, most important, create jobs.

The President's solution is to raise revenues to balance the budget. But the President's tax increase proposals would only cover the deficit for just a few weeks. I would be pleased to be convinced that if we increase taxes, the money would be used to pay down the debt. I don't think I am overly cynical, but my view of history, my review of the facts suggests that every time there is more revenue—more money sent to Washington, DC—more money is spent. History shows money raised in Washington, DC, only results in more spending in Washington, DC.

The revenues we need to balance our books are not from increasing taxes but revenues that come from a strong and growing economy. We are not immune from the laws of economics that face every nation. The Congressional Budget Office estimates that government spending on health care entitlements, Social Security, and interest on the national debt will consume 100 percent of the total revenues by 2025. What that means is that money the government spends on national defense, transportation, veterans, health care, and other government programs will have to be borrowed money. That drives us further and further into debt.

So regulations, getting the deficit under control and on the right path toward a more balanced budget, and then, third, we must take serious action to address the \$48 trillion in unfunded obligations found in Social Security and Medicare.

These programs represent promises that were made to Americans and, in my view, are promises that must be kept. Because of my family's circumstance—my parents—I pretty much know what life is like for people who utilize Social Security and Medicare and the benefits they provide for their lives at that stage in life we all aspire to reach. When Social Security was signed into law by President Franklin Roosevelt, the average life expectancy was 64 years of age and the earliest retirement age to collect the benefits was 65. Today, Americans live 14 years longer, retire 3 years earlier, and spend two decades in retirement.

So we have gone from a time in which Social Security was envisioned to be used for a short period of one's remaining life expectancy to a Social Security System that now is a source of income and support for people through a couple decades of retirement. That means we have to change the way we support Social Security in order to fit today's demographics: more people retiring, more people living longer with insufficient revenues to meet those programmed needs.

When this year's kindergarten class enters college, spending on Social Security and Medicare, plus Medicaid and interest on the debt will devour all tax revenues. Congress can and should begin today—and should have started a long time ago—to address these questions concerning the sustainability of these very important programs.

Lastly, to get our country's fiscal house back in order, Congress should consider adopting many of the bipartisan recommendations put forth by the President's own deficit reduction commission. The cochairs of the Commission have warned—this is the Simpson-Bowles Commission—if we fail to take swift action and serious action, the United States faces “the most predictable economic crisis in history.”

In other words, we know it is coming. One would expect that people who know something bad is on its way—an economic crisis is coming—would take evasive action to avoid the consequences. Yet the President and Senate leadership have ignored the recommendations contained in the Simpson-Bowles report and generally continue to spend borrowed money without regard for those consequences—without regard for what we know is coming.

I don't want Americans to experience the day when our creditors decide we are no longer creditworthy and we have to suffer the same consequences as those countries that ignored their financial crisis. One needs to look no further than places in Europe—Greece, Italy, Spain—to see what high levels of national debt will do to a country's economy. Out-of-control spending is slowing America's economic growth and threatening the prosperity of future generations that will have to pay for our irresponsibility.

Thousands and thousands of young Americans will be graduating this month. Typically, I would guess many of my colleagues will be giving graduation addresses and encouraging our graduates to go forth and pursue a great life. We ought to also be telling ourselves that for our college graduates to go forth and pursue that wonderful life, we need to make changes in the way we do business and get our country's economic condition and fiscal state to a place where the American dream can be expected to be pursued and, in many cases, achieved.

I am fearful that while my parents' generation handed off a country where the expectations were high—we all felt we could live the American dream—my generation is failing to do the same for the generation that follows ours. We must not fail to take action now and leave it for another Congress, another year, another session, another election. If we fail to take the action we need to take today because we believe it is too difficult; that we can't afford the political consequences of making what

some people describe as very difficult decisions, we clearly will reduce the opportunity of the next generation to experience the country we know and love, and we will diminish the chances they can pursue and achieve the American dream.

I had someone in my office recently who travels the globe, and he indicated to me that every place he goes, people around the world know what the phrase “the American dream” means, and they all want to pursue the American dream. But the reminder was that more and more the American dream is pursued outside of America because of the inability of this Congress, the failure of past Congresses and Presidents to come together and do the things that are responsible for today but, more important, responsible for the well-being of Americans in the future.

Not one of us was elected to ignore problems. People tell us, each one of us, all the time of some circumstance or condition that is a challenge to them. I have no doubt that each one of us in the Senate tries to figure out how we can help. The American people are experiencing a problem. Our country faces a challenge, and we ought to respond in the same way we respond individually to our own constituents when we say: How can we help? What can we do? We know the answer to those questions. We just need to have the will, the courage, and the desire to work together to address the issues and make certain America is a place we are proud to pass on to the next generation and that no American, because of our inability to act, is unable to pursue that beautiful American dream.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Madam President, may I be recognized.

The PRESIDING OFFICER. The Senator is recognized.

Mr. NELSON. Madam President, I rise to speak in support of the Water Resources Development Act. I congratulate Senator BOXER and Senator VITTER for showing how two Senators of opposite parties can work together, which is something that is sorely needed around here. I thank them for clearing the amendment Senator BLUNT and I offered on resilient construction, to study the need to improve our infrastructure in order to withstand extreme weather conditions and events such as hurricanes.

The last time we passed a water bill was back in 2007. The gridlock the American people are seeing so much of

now is part of what has delayed us passing a new water bill—and the controversy over earmarks. But all of this inaction since 2007 puts our ports, beaches, and environmental restoration projects such as the Everglades restoration in jeopardy.

This water bill is going to authorize new flood protection, navigation, and specific restoration projects which are so important to our State of Florida, such as Everglades restoration. Also this bill is going to authorize important updates to our Nation’s ports. Our ports obviously are a main part of the economic engine of this country. All of these projects are now in this bill and will be able to proceed.

This Senate water bill means good news for Florida’s beaches, waterways, ports, and the Everglades. Rather than talk about the specific projects, I want to say Congress made a promise 13 years ago to restore the Everglades and this bill puts us on the path to finally fulfilling that promise and restoring as much of that extraordinary ecosystem known as the Everglades as it could be in the way Mother Nature designed it.

I also want to talk about another part of this bill that is extremely important to the State of Florida. People think California has the biggest coastline. Not so; Florida’s coastline is much larger. Actually, Alaska’s coastline is the longest, but when it comes to a coastline with beaches, almost all of Florida’s coastline is beaches. So beach renourishment is exceptionally important to us. It is important to our economy, with all of our tourism that comes to Florida. It is important to our environment. Beach restoration saves lives, mitigates property damage, and it keeps the recovery costs down.

Beach renourishment is one of the reasons I support the bill. I come from a State that has more beaches than any other State, so naturally our beaches are of critical importance to us. It is important not only from an environmental standpoint but also from an economic and tourism standpoint.

There is something known as the lateral drift, which is from north to south. It takes sand off the beach and pushes it south. When we have a cut in the beach—such as an inlet—that goes into a port, it all the more aggravates beach erosion. When the storm comes, watch out, because the beach can completely disappear.

So I strongly oppose any efforts to cut the funding of beach renourishment. This is about protecting our communities from natural disasters. These investments save lives, mitigate property damage, and keep recovery costs down.

For every \$1 that is spent on shoreline protection, we see a return of \$4. In Florida, we have several coastal communities anxiously waiting for the reauthorization of beach renourishment programs because they are so

vulnerable to erosion caused by hurricanes and the rise of the sea level. This is pretty simple for us. We have to protect coastal communities from flooding and storms by adding sand to the beach.

I will continue to try to prevent any kind of cut that we seek. As a matter of fact, we are going to see a Coburn amendment that is going to try to take money out of the beach renourishment. I will urge my colleagues to vote no on that Coburn amendment.

SUSPICIOUS ARRESTS

Before I conclude, I wish to talk about a very disturbing circumstance which occurred about a week ago in the Turks and Caicos.

There was an arrest and jailing of two older American tourists on ammunition charges at the Turks and Caicos Islands Airport. These two Americans were arrested on back-to-back days.

The first person arrested was a 60-year-old businesswoman from Texas, and that was on April 25. The second person arrested was an 80-year-old retired neurosurgeon from Florida, and that was the next day. Both were on vacation in the Turks and Caicos and arrested at the airport. The reason they spent days in jail is because after their luggage was checked—and supposedly examined by the authorities—they found a single bullet in the luggage.

Does that sound suspicious? I found it to be even more suspicious when I heard that both of the American tourists—who were on vacation—have said adamantly that they had no ammunition and, therefore, had no way of putting a bullet in their luggage.

It sounded even more suspicious when I was told that after they were arrested and hauled off to jail, they had to pay \$4,000 cash for bail in order to get out of jail and to return home.

The Senator from Texas, Mr. CRUZ, and I sent a letter to the Charge d’Affaires of the U.S. Embassy in the Bahamas—which includes the Turks and Caicos—to ask them to investigate this matter. We want to know if there have been similar cases this year to make American tourists a target under a similar kind of scheme. We are asking him to examine this so he knows we are very concerned on behalf of our constituents.

In essence, we want to know whether this was a shakedown operation or legitimate. The fact that this happened on two successive days with a single bullet found in the luggage of American tourists gets to be awfully suspicious.

I ask unanimous consent that our letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 9, 2013.

JOHN DINKELMAN, *Chargé d'Affaires*,
American Embassy
Nassau, The Bahamas.

DEAR MR. DINKELMAN: We are very concerned over the recent arrests of two older U.S. tourists at Providenciales International Airport in the Turks and Caicos Islands, both on charges of carrying ammunition a single bullet.

These two Americans are our constituents. One of them is 80-year-old Horace Norrell of Sarasota, Florida, a retired neurosurgeon who was forced to spend three nights in jail, and then pay \$4,000 cash bail to return home.

The other is a Texas businesswoman, Cathy Sulledge Davis, who also had to post \$4,000 cash bail.

We understand appropriate local officials have begun an investigation stemming from these arrests.

While we do not seek to interfere in the judicial matter, we ask that you convey to the proper authorities that the investigation needs to be expeditious, thorough, transparent and independent.

We also want to know whether any other Americans have been arrested there on similar charges since January.

Your immediate attention to this matter is greatly appreciated, as is keeping our offices fully apprised of any developments as they occur.

UNANIMOUS CONSENT REQUEST—EXECUTIVE
SESSION

Mr. REID. Madam President, this is important. I have a unanimous consent request that we have been working on for a long time.

I ask unanimous consent that at a time to be determined by me, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider Calendar No. 92; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. UDALL of New Mexico. Madam President, I am reserving my right to object.

I say to the leader, through the Chair, I am on the floor, as is Senator NELSON, to speak to the WRDA bill and to offer two amendments. I ask that I be allowed to do that before we move to executive session so the amendments can be offered.

Mr. REID. Madam President, through the Chair to my friend from New Mexico, I am not managing the bill. However, it is my understanding that there have been objections raised to offering more amendments.

We could get the chair back here or somebody to manage this bill, but that is where we are.

Mr. UDALL of New Mexico. Madam President, I totally respect the leader and the discussion he has had with the chairman. I have tried today to contact the chairman. I have called her. I wanted to talk to her about this issue, and I want to get these amendments in.

I know Leader REID has been encouraging us throughout this debate to wrap this up and try to get amendments in. So I am here to offer my amendments, and I would like to do that.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection to the UC? Without objection, it is so ordered.

The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, as you may have noticed a minute or so ago, I had a discussion with the leader, and he was moving to executive session. I have been down here—along with Senator NELSON and other Senators—to try to move the WRDA bill forward. Leader REID said that was the business of the day. We are trying to move this forward, and we are trying to get our amendments in. I hope we can do that and do it in an efficient order.

I am going to speak to both of my amendments. Senator BENNET is here, and I know he has a statement he wants to make on immigration. I ask that the Presiding Officer give me notice when I am in the 5-minute range so I can wrap up and get everything in at that point.

My message is simple on the NEPA and WRDA process. Despite what we hear, environmental reviews protect people, taxpayers, and the environment.

On average, it takes the corps just 2 to 3 years to complete a feasibility study once funding is available. Studies of complex and highly controversial projects may take longer, but these are exactly the projects that require more in-depth review.

The administration has warned that the streamlining provisions in S. 601 “may actually slow project development and do not adequately protect communities, taxpayers, or the environment.”

The real causes of project delays are, No. 1, limited funding; No. 2, poor project planning that does not focus on national priorities or identifying the least possible damaging solution to a water resource problem.

Project studies take the longest when the project developers insist on pushing outdated, damaging, and extremely costly projects instead of

adopting low-impact modern solutions that could quickly gain broad-based support.

I have two amendments that go to the heart of making sure we have a good WRDA bill. The first is Udall amendment No. 581. Streamlining is an empty promise if the backlog is not addressed. The corps currently has an estimated backlog of more than 1,000 authorized activities, costing an estimated \$60 billion to construct. WRDA 2013 will add to this backlog. It authorizes more than 20 new projects and increases costs by \$3.4 billion over the next 5 years.

The plate is full. Cutting corners on environmental reviews will not change that. It will just hurt communities. The plate has been full for over 25 years. Project authorizations far exceed the money to pay for them.

According to the Congressional Research Service, between 1986 and 2010 Congress authorized new corps projects at a rate that significantly exceeded appropriations. In 2010 dollars, the annual rate of authorizations was roughly \$3.0 billion and the rate of appropriations for new construction was roughly \$1.8 billion.

Completing project studies is not the problem. A newly authorized project will still have to wait. It has to compete for funding with 1,000 other projects already on the books.

This amendment would go directly to that process and solve it.

Udall amendment No. 853 talks about the value of a pilot project. The current environmental review process has been used successfully for decades resulting in better and less damaging projects. It saves taxpayers hundreds of millions of dollars.

There is no evidence that the process proposed in S. 601 would actually speed up project planning, there is no evidence that the process will speed up project construction, and there is absolutely no evidence that the process would produce better projects. It is quite the opposite.

The evidence shows that the streamlining provision will lead to more damaging and more costly projects and will hurt communities, taxpayers, and the environment. The corps does not want Congress to enact these changes. The resource agencies don't want these changes, the environmental community does not want these changes, the legal community does not want these changes, and the public does not want these changes.

Once again, I wish the floor managers were here on this bill. I am here, as Leader REID has requested us to be, to put in amendments. As soon as we get back, I want to bring up these amendments, make them pending, and continue with this procession. I am very discouraged that we can't move forward as our leader has said. This is a bill that is on the floor. The managers

need to be here to manage this process. I am here to meet with the leaders and try to move this along.

Thank you.

I will yield to the Senator from Colorado, Mr. BENNET, but I want to say one thing. He has done such great work on immigration. He has been a marvelous Senator ever since he has been here. This Gang of 8 has contributed something that is very important to this country. So I hope everybody listens very carefully to his words because he is giving us very wise advice as to how to proceed.

I yield for the Senator from Colorado, Mr. BENNET.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. I wish to thank, through the Chair, the Senator from New Mexico for his kind remarks and for keeping it brief today. I know it is an issue of great importance to him and to his State.

This morning the Senate Judiciary Committee began working on the Border Security Economic Opportunity and Modernization Act, otherwise known as a bill to fix our broken immigration system. As we are here today, they are continuing to work on that bill and I think will work into the night.

Working with this group of 8—I call it a group of 8, not a gang, because Senator MCCAIN doesn't like the term "Gang of 8," so in deference to him I call it the group of 8—has been one of the most rewarding experiences during my time in the Senate. My Senate colleagues in this group include Senators SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ, RUBIO, and FLAKE. I come to the floor today first to thank them for their leadership and courage to move past the talking points on this issue and to produce this bipartisan product the committee is now considering today.

This is a bill that has been applauded by editorial boards from the Wall Street Journal to the New York Times—two editorial pages that seldom agree on anything. In Colorado, editorial boards from across the State, including the Denver Post, the Colorado Springs Gazette, and Durango Herald, have all praised this bill. It has the support of a wide-ranging and extremely diverse coalition from the left and the right, from business and from labor, rural and urban all across the United States.

All of this is to say the pieces are in place today to actually get something done in this town, in Washington, DC, and in Congress. That is not a small feat for a place where stalemate has become standard operating procedure. I would say we have a golden oppor-

tunity to rise above politics as usual, to do something big and something real—something that lasts and endures. We have the chance to pass commonsense, bipartisan legislation that will strengthen our economy and our families, better protect our borders and our communities, and offer a tough but fair path to citizenship for those currently here without any legal status at all. In this way we have the chance to act together to do something great for our Nation and for its future.

It is a cliché—uttered many times in this Chamber, including by me—that America is a Nation of immigrants, and, of course, that is true. But we are so used to saying and hearing that phrase we rarely take the time to act or to think: What does that even mean? There is literally no other country in the world, on this planet, for which immigration is so central to its history and to its identity as the United States of America. All of us in this Chamber—and, more importantly, every family back home we are privileged to represent—can tell us when and how their family came to this country. Did they come in a boat in the 17th century? Did they come by plane in the 20th century? Did they come by foot or by bus, with papers or without? Every one of us has a story.

My family has one of its own that won't surprise my colleagues to know I find pretty interesting. It is also utterly ordinary for this country. When I was in the second grade, my class was given an assignment. We were asked to research whose family had been in America the shortest time and the longest time. So we interviewed our parents and grandparents, we traced our genealogies, and we came up with our answer as a class. The answer was me. My family was the answer to both of these questions—the longest time and the shortest time.

My father's family came over on one of those 17th century boats. For nearly 400 years, the Bennets, in nearly one form or another, have lived in this country. Then there is my mother. She was born in Poland in 1928, while Nazi tanks were massing on the border. She and her parents endured that war in and around Warsaw. They and an aunt were the only members of their family to survive. Everybody else in their family perished at the hands of the Nazis.

They lived in Poland for a couple of years after that, but then by way of Stockholm and Mexico City, my mother and her grandparents arrived in New York City in 1950. She was 12 years old in 1950. As is the case with so many children of immigrants, she was the only one in the family who could speak any English at all. But the three of them were alive, they were free, and they had made it to America.

My mother and grandparents were able to rebuild their lives and succeed

here because America welcomed them. It greeted them not with prejudice but with opportunity. They worked hard—extremely hard—to be worthy of that great gift. It was a gift my grandmother, Halina Klejman, who loved this country as deeply as anyone I have ever known, taught me and my brother and my sister never to take for granted.

So my family's history happens to run through both Plymouth and Poland, but it is not so different from the ones millions of Americans tell. Stories such as the town of San Luis, CO. San Luis is Colorado's oldest town, founded in 1851. The town was established by Latino settlers from New Mexico who migrated under a land grant issued by the Mexican Governor in Santa Fe. These immigrants were the pioneers of the Colorado settlement 25 years—25 years—before Colorado officially became a State.

The narratives of how we come here matter because they tell us who we are and where we have been. But they matter just as much for where we are going as a Nation. The future of this country will be determined not just by those of us who are in this Chamber or in this city, or even in this country today. It is going to be written by people who have yet to step foot in the United States of America. Because over our history, it is the refugees fleeing persecution—the parents seeking opportunity for their children—who make America the America we love. They are the ones who keep us fresh and free-thinking and free. They are all of us. They are every single one of us—a nation of immigrants.

Unfortunately, today's immigration policies do not reflect the history or the values that shaped it. Neither do they reflect our 21st century economic needs. Instead, our system is a hodgepodge of outdated, impractical, and convoluted laws. It is a mess of unintended consequences that hurts our businesses and families and keeps America at a competitive disadvantage in an ever-shrinking world.

There is an old Visa slogan—I mean capital V, Visa slogan—that says something like "Life Takes Visa." Well, in the United States, work takes a visa—and our visa system is working against us today. It is stifling growth and making us less competitive. Travel around my home State of Colorado, as I do, and people will see what that looks like. People will meet vegetable growers in Brighton and peach farmers such as Bruce Talbott from Palisade who fear they will not have enough labor to harvest their crops season after season. They are part of Colorado's \$40 billion agricultural industry—the lifeblood of our State and so vital to our Nation—yet they have no confidence—and for good reason—that a legal, reliable, and competent workforce will be available for their farms and ranches.

Fifty-seven million tourists visited Colorado in 2011. I don't know whether the Presiding Officer was among them, but we would love to have her back. If people were to talk to our ski resort operators and restaurant owners, they will hear loudly and clearly that we need a program for low-skill workers to come into this country and fill jobs Americans don't want. In cities such as Denver and Boulder a person will find high-skilled immigrants with graduate degrees in science and engineering—the kind who are 3 times more likely to file patents and 30 percent more likely to create new businesses.

In fact, more than 40 percent of the 2010 Fortune 500 companies were founded by immigrants and their children. Forty percent of the largest companies in the United States of America, which once were small companies and grew to become large companies, were created by immigrants. These companies employ more than 3.6 million people in this country and generate more than \$4.2 trillion in revenue every single year.

You will also see thousands of foreign students with these highly technical advanced degrees who are being turned away. You will hear them say they have no choice but to go back to India, go back to China, and use whatever they have learned at American universities to compete down the line with American workers.

Students such as Wolfgang Pauli, a German psychology and neuroscience Ph.D. student who had attended the University of Colorado-Boulder—Wolfgang was studying under a temporary visa sponsored by his adviser at the University of Colorado, but because of the inflexible nature of our visa system, his adviser wasn't able to keep him for an advanced research project despite his advanced skills and unique experience. The position went unfilled. It is a loss for the project, for innovation, and for Wolfgang.

I have been to India. I have been to Hyderabad. I have seen people sitting in front of computer screens in a room with a clock on the wall that said underneath it "East Hartford, CT." I said to the guy who ran the show there: Why does that clock say East Hartford, CT, on it? He said: Because they are redesigning the engines for Pratt & Whitney in East Hartford. Two shifts a day, by the way, 24 hours a day. They are up when people in East Hartford, CT, are up. I asked: Where were the people sitting at those computers educated? He said: Half were educated in my country, in India, and half were educated in your country. What we know is if they were given the opportunity to stay here and contribute, to build their business, to apply their intellect here, many of them would, but today we are sending them away. This is crazy.

It doesn't end there. Go into our schools all across America, as I did

when I was superintendent of the Denver public schools, and you will see kids, meet kids—great kids, hard-working students—enter their junior and senior years, their peers making college visits and considering careers, and you will see what it looks like when those students fully realize, in the starkest and most heart-breaking terms imaginable, what it means to live in a country without legal status; what it means to live in a place they got to through no fault of their own, without legal status.

Many of these young people—inspiring young people such as Octavio Morgan, who graduated third in his class from Bruce Randolph High School in 2011—managed to carve out a future against all odds. But I don't know how we as a Nation can continue to look them in the eye and preach opportunity and social mobility without dealing with their legal status.

You will hear about dangerous border crossings. You will hear about separated families and disrupted dreams. Yes, if we are being honest, you will also hear about jobs that went to new neighbors, and gang violence, and overcrowded schools. You will see, as we study this, and hear and feel a system that hardly qualifies as one. But that is the system we are living in unless we do something about it.

For years, even though Congress has done nothing, immigration has become a poster child for the kind of dysfunctional politics the American people have rejected, but we keep on practicing it. We keep on practicing this dysfunctional set of policies. That is the way it has been in Congress. I hope it is now changing. But thankfully, for a lot of us who are here, that is not what we see back home—not even close.

(Mr. COONS assumed the chair.)

A few years ago, a small group of us in Colorado began working on a set of principles to begin a more pragmatic and productive immigration discussion. Utah launched a similar effort in 2010, so I would like to recognize the leadership of our friends to the west for paving the way.

I was very pleased to take part in my State's effort, along with former Senator Hank Brown—no stranger to some of the people in this Chamber. Senator Brown, a Republican, is one of Colorado's greatest statesmen, with a long record of working across the aisle to get things done.

Over the course of 18 months, we traveled over 6,300 miles in Colorado—which is, by the way, not a hardship; a lot of people fly over oceans to get there to have their vacations, but still, 6,300 miles—and held about 230 meetings in the State. We talked to farmers and business owners, law enforcement officials and educators, faith leaders and Latino leaders, and all are struggling with different broken pieces of

our immigration system. But we found far more agreement on what immigration reform should mean and what it ought to look like than you would ever think was possible if you listened to the politicians here in Washington or the pundits on TV.

Together, we developed a common-sense blueprint called the Colorado Compact. It puts its emphasis on a strong economy and strong national security; it cares for families while keeping our citizens safe. I am glad we developed these principles, and I am glad it was done in such a bipartisan way, in rural parts of the State as well as urban and suburban parts of the State, and that we had such a broad coalition of people, including my former opponent for this very seat, whom we assembled in support of it.

One of the things we all agreed on was that, as promising as efforts like this are—the effort in Colorado, the effort in Utah—this issue needs more than piecemeal reforms. No State's effort can be a substitute for a smart, sensible, national strategy to overhaul our immigration system, and with this new Senate proposal, that is exactly what we have.

The bipartisan Senate bill we have introduced addresses each of the issues we mentioned in the compact, and it does so in a way that is reasonable, that is compassionate and respects the rule of law. It recognizes that we must take concrete steps to further secure our borders.

We are building on steps already taken. Since 2004, the United States has doubled the border patrol. We have tripled the number of intelligence analysts working at the border. We are seizing a higher volume of contraband weapons, currency, and drugs, and net migration from Mexico is at its lowest level in decades.

Our bill would make substantial further investments at the border, including new fencing and technologies—motion sensors, virtual monitoring systems, inexpensive surveillance, and other innovative approaches—that enable us to secure the border more cheaply, more effectively, and with a smaller footprint.

However, there is still more we can do. With 40 percent of illegal immigration due to visa overstays, we need to ensure a better system for tracking people who come to our shores, who enter and exit our borders, which is why our bill provides for a stronger and more comprehensive entry/exit system.

This is a very interesting point that a lot of people do not know. Forty percent of the 11 million people who are here who are undocumented entered the country lawfully on a visa. We have a system to check them on the way in, but we do not have a system today to check whether they ever left. This is one of the ways, by the way, that the bill will prevent our finding ourselves back where we are today to begin with.

We need to secure opportunity, also, for those who are already in this country. Our bill provides a fair but tough pathway for many of the Nation's 11 million undocumented immigrants, especially young people whose parents brought them here as children, just like my mother was, in search of a better life. Those here without status today would be required to undergo a background check, pay a \$2,000 fine, pay all of their back taxes. They would have to go to the back of the line, which is what both parties have said for years, behind those who have gone through the proper process to immigrate. That is only fair and it is only right.

This is not just a humane thing to do, but it is sound economic policy. Conservative economist Doug Holtz-Eakin estimates that immigration reform will generate \$2.7 trillion in deficit reduction and help grow the economy. Some estimates have said this bill would grow the economy by more than a percentage point of GDP. It is \$1 trillion or so over a 10-year period. A path to citizenship would lead to higher wages in this country, more consumption of goods, and increased revenue.

Our bill proposes a more coordinated effort across Federal, State, and local governments, in partnership with private organizations, to help new immigrants and refugees integrate into their communities. Our immigration title, which was influenced by cities such as Littleton and Greeley, CO, would help provide immigrants with greater access to English language classes and civics education and help us cultivate stronger citizens with a greater appreciation for our Nation and her history.

With a broken immigration system hurting our businesses and workers as well, we propose an efficient, sensible, and flexible visa system that would be more aligned with our changing 21st-century economy.

As I mentioned earlier, roughly 40 percent of Fortune 500 companies were founded by immigrants. We want an immigration system that harnesses the world's innovation and talent here in the United States of America.

There is no place where this is truer than the State of Colorado, where 1 in 10 entrepreneurs is an immigrant. Colorado has a high-tech sector that includes more than 10,000 companies and 150,000 workers who produce almost \$3 billion worth of exports each year—\$3 billion worth of exports each year—as well as a new patent office opening soon.

We want the next Facebook or iPhone or clean energy technology and breakthrough medical device to be built in our State or at least in America. That is why we create a new INVEST visa for foreign entrepreneurs who want to start new businesses here

in the United States. A new category of visas proposed in our bill provides this investment opportunity. Immigrant entrepreneurs who have launched successful startups could stay or come and continue to create jobs and fuel our economy if they can show they have been backed financially.

We make it easier for foreign students who graduate with advanced degrees in STEM fields to get a green card—I know this has been of great interest to the Presiding Officer—and increase the number of H-1B visas. This will help us attract and retain highly skilled and educated talent to fill labor shortages in some of our fastest growing industries, including bioscience and computer engineering.

Our bill also creates a new—this is a lot to take in, I know, Mr. President, and I hope people will have the chance to study this. This is why I am so glad we took the time we did to negotiate this bill with the eight of us, but now it is going through the committee on which the Presiding Officer serves, the Judiciary Committee, to have hearings, to have a markup, to have everybody have their chance to offer—I think when I last heard, there were more than 300 amendments to the bill—to offer those amendments and then to get it to the floor where we can debate it. There is going to be time to do all this work, and this requires time to understand it.

Our bill creates a new W visa, a program for lesser skilled workers to come into the country. This, in addition to several other reforms that are made throughout our bill, will ensure that we can continue to fill our labor needs in sectors such as hospitality and our vibrant ski industry, which hosts 56.5 million visitors every year.

There was complete agreement among Democrats and Republicans who were meeting in this group that our visa system must protect American workers and prevent exploitation, such as requiring efforts, first, to recruit American workers. It also must be paired with a reliable, cost-effective employment verification system that prevents identity fraud, protects our civil liberties, and is critical to stopping future illegal immigration.

That is one of the key objectives of this legislation. We do not want to end up right where we are today, with 11 million undocumented people, and we have put the systems in place—including, very importantly, this employment verification system—to deal with that. We have had broad bipartisan support on this part for many years in this Congress, and it is now part of our legislation.

This all has to come with a determination to crack down on employers who knowingly hire illegal workers. Simply put, if we want to reduce illegal immigration, we need to make legal immigration a much more straight-

forward process in this country. That is one of the reasons I was glad to take part in the agriculture negotiations around this bill under the leadership of Senator FEINSTEIN and with Senator RUBIO and Senator HATCH. This bill alone is going to stabilize our agricultural workforce for years to come and is critical to protecting and growing our agricultural economy, which has a \$40 billion economic impact in Colorado.

This bill provides a faster path to citizenship for agricultural workers to be able to do the important work of producing our Nation's food and fiber and, increasingly, our energy. It also creates a new streamlined program for agricultural guest workers that is more usable for employers while maintaining critical worker protections.

It is the first time we have had an ag jobs title of this bill that is endorsed by both the farm workers and the Farm Bureau. I thank them for taking part in these negotiations and for the willingness of both sides to give a little up for the greater good. Their example is one we should embrace as we go forward on this bill.

As I said earlier, I feel the same way about the bipartisan colleagues who worked on this bill. In crafting this bill, we all had to give a little—just a little—to get a lot. Each of us had to come to the table with our diverse perspective, representing different constituencies. We each would have written certain pieces differently were we left to our own devices, but this type of compromise needs to happen if you are crafting a bipartisan and complex bill to fix the immigration system in a country of 300 million people.

Every single member of the group was committed to working together to accomplish that goal. In particular, I wish to again thank Senators SCHUMER and MCCAIN especially for driving this process forward. As the committee begins its important work, I would like to acknowledge the work and leadership of Chairman LEAHY to see it through.

In the spirit of our partnership, I think it is important to remind ourselves, on an issue where emotions can run so high and so hot, that all of us are trying to do right by the American people, as each one of us sees it.

Every proposed path to citizenship is not amnesty, and this proposed path to citizenship is not amnesty. And every opponent of these reforms is not anti-immigrant. We need to do more to secure our borders, but we do not need to treat people trapped in a failed system as criminals.

These changes will be difficult. It is understandable that people worry about what this is going to mean for their jobs, their schools, their businesses. But if we just apply a very basic test—is it smart and it is right—then I am confident we can find common ground and move forward.

I would like to close with one last reflection on my own grandparents' experience. On my first birthday, which was November 28, 1965, my grandparents gave me a birthday card and sent me a gift. In that card, they wrote:

The ancient Greeks gave the world the high ideals of democracy in search of which your dear Mother and we came—

They wrote this in English, by the way. Remember, when they came to this country, they spoke none.

The ancient Greeks gave the world the high ideals of democracy in search of which your dear Mother and we came to the hospitable shores of beautiful America in 1950. We have been happy here ever since, beyond our greatest dreams and expectations, with Democracy, Freedom and Love and humanity's greatest treasures.

They continued:

We hope that when you grow up, you will [have a chance to] help to develop in other parts of the world a greater understanding of these American values.

Democracy and freedom and love, in my grandparents' view: humanity's greatest treasures, and they called them American values.

This is a lesson my wife Susan and I are now trying to teach our three little girls. Opportunity is indeed a precious gift this country will give each generation, asking only that they in turn not squander that inheritance but increase it and pass it along to the next. That is our responsibility as we consider this piece of legislation, and for that matter any other.

If history is any guide, someone waiting in line for a visa at this moment or someone waiting to enter what my grandparents called "beautiful America" will go on to become a brilliant artist or a talented surgeon or a path-breaking businessperson. Someone whose father picked grapes will grow up to found the next Apple. Someone operating a ski lift at Vail is going to be the parent or grandparent of a President or, God help us, of a Senator. That person will stand in our shoes a generation from now, and they will know whether we had the courage to do what was smart and what was right and what was hard.

Now is not the time to pat each other on the back. We have a long way to go, as the Presiding Officer knows. But what we do have is some momentum—I think a lot of momentum—and a balanced reasonable piece of legislation. There are going to be some difficult discussions and challenges ahead. There is no doubt about that. But what I know is if we use the efforts and insights of the Colorado Compact as a guide, we will arrive at that shared, sensible middle ground. We will pass legislation that is worthy of the great hope of my grandparents and the future generations in this country.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTAL REFORM

Mr. SANDERS. Mr. President, I rise today to say a few words about an issue I think does not get enough discussion in the Senate but is of great concern to the American people in general; that is, the need for Congress to pass comprehensive Postal Service reform as soon as possible.

The Postal Service is of enormous importance to tens of millions of people, people in rural States like Maine or Vermont, to businesses all over this country, not to mention the hundreds of thousands of employees who serve us so well in the Postal Service.

About 2 years ago, the Postmaster General of the United States came up with a plan for the Postal Service that would have—let me just tell you and the American people what it would have done. It would have eliminated about 220,000 Postal Service jobs, including the jobs of many American veterans. It would have closed about 15,000 post offices throughout the country, many of them in rural areas like the State of Vermont. It would have eliminated half of the mail processing plants in this country. It would have substantially slowed down the delivery of mail by eliminating overnight delivery for first class mail. It would have ended Saturday mail delivery.

Many of us in the Senate and in the House thought that plan was a disaster for our country, for our economy, and for American workers. We all organized and fought back against that plan. The goal was to convince the Postmaster General to substantially revise the ideas that he had brought forth.

Instead of closing down 15,000 post offices, the Postal Service, in fact, came up with a plan to reduce the hours of service at about 13,000 post offices throughout the country, and many in the State of Vermont. Was I happy with that? No, to be frank with you. Was it better to see a reduction of 2 hours or 4 hours than seeing the entire rural post office shut down? It was.

Instead of closing down half of the mail processing plants in this country, the Postal Service decided they would keep about 100 of the mail sorting centers that were originally on the chopping block open. In other words, they did shut down some but not nearly as many as they had intended to shut down.

Instead of ending overnight delivery standards, the Postal Service has adopted a plan to keep overnight delivery going, although not as strong as it previously was. Although it took an act of Congress through the appropriations process, the Postal Service, for

the time being at least, has decided to obey the law of the land and not eliminate Saturday mail delivery.

Last year, the Senate passed a comprehensive postal reform bill. That did not go as far as I would have liked, but it was certainly a substantial improvement over what the Postmaster General had proposed. We won that vote with 62 or 63 votes. There was bipartisan support for it.

Unfortunately, the House of Representatives failed to even schedule a vote on the floor of the House for any postal reform bill. As a result nothing was signed into law last Congress, forcing us to start this process all over again.

What I fear the most is that all of the work the Senate did last Congress—and the committee of jurisdiction worked hard on it. Some of us put together an ad hoc committee of 15, 16 Members of the Senate who worked hard on that issue. But I fear very much that all of that work to save the Postal Service will go for naught if Congress does not get its act together and pass a comprehensive postal reform bill as soon as possible.

In my view the time has come to send a very loud and clear message to the leadership of the House, the leadership of the Senate, the Postmaster General of the United States, and the President of the United States; that is, in the midst of this terrible recession which has significantly impacted the middle class and working families of our country, it is imperative that we do not destroy thousands and thousands of decent-paying, middle-class jobs, including the jobs of many veterans. That is what happens when you make the kinds of cuts the Postmaster General has been talking about. In the midst of this terrible recession, it is important that we do not harm small businesses that depend upon the Postal Service to sell their products.

Just yesterday I met with some businesses in the State of Vermont for whom it is enormously important that they know there is a strong Postal Service that can provide rapid delivery of the packages they produce. It is terribly important that as we talk about postal reform, we understand many senior citizens depend upon the post office for their prescription drugs.

It is also important, again, for the economy, that we not slow down the delivery of mail, that we do not close half of the mail processing plants in this country.

Here is the important point: There is no question that the Postal Service has financial problems. Nobody disagrees with that. I think many people do not understand the basic causes of the Postal Service's financial problems; that is, the Postal Service today is in terrible financial shape because of a congressional mandate signed into law by President Bush in December 2006,

forcing the Postal Service to prefund 75 years of future retiree health benefits over a 10-year period.

Let me repeat that. The Postal Service, as a result of a decision in 2006, is forced to prefund 75 years—75 years—of future retiree health benefits over a 10-year period. Clearly, no other government agency at the Federal level, State level, or local level comes anywhere close to that kind of onerous burden. In fact, to the best of my knowledge, no private sector corporation in this country is burdened with a mandate anywhere near that extreme.

This prefunding mandate is responsible for about 80 percent of the Postal Service's financial losses since 2007. Let me repeat that. You are going to read often, and we read often, the Postal Service is facing severe financial problems. Let me repeat: This prefunding mandate is responsible for about 80 percent of the Postal Service's financial losses since 2007.

Before this prefunding mandate was signed into law, the Postal Service was making a profit. In fact, from 2003 to 2006, the Postal Service made a combined profit of more than \$9 billion. That is a significant profit.

I should also note that despite what we read in the media, the Postal Service actually made a profit of \$100 million during the last quarter sorting, processing, and delivering the mail. If we are serious about dealing with the financial problems facing the Postal Service, the first thing we have to do is end this prefunding mandate once and for all and allow the Postal Service to use the \$48 billion sitting in that future retiree health fund to keep the Postal Service healthy and thriving for years to come.

When we talk about the financial problems facing the Postal Service, we have to understand that to a very significant degree some 80 percent of the problem was caused by the Congress as a result of a decision made in 2006. It is clear to me, and I think to all Americans, that we live in the year 2013. The world is changing. We are becoming more and more a digital economy, but it is also clear to me that the Postal Service does not survive by cutting back on its services to the American people and to the business community.

In order to save and strengthen the Postal Service, I have introduced the Postal Service Protection Act, S. 316. I am very proud to say that bill now has 23 cosponsors.

Let me thank all of the Senators who are cosponsoring this bill: Senators BAUCUS, BLUMENTHAL, BROWN, CASEY, COWAN, FRANKEN, GILLIBRAND, HARKIN, HEINRICH, LAUTENBERG, LEAHY, LEVIN, MANCHIN, MENENDEZ, MERKLEY, SCHATZ, STABENOW, TESTER, TOM UDALL, WARREN, and WYDEN.

Mr. President, I would ask that Senator CARDIN be added as a cosponsor to S. 316.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. I am delighted that we are making progress on real postal reform not only in the Senate but in the House as well. I thank Congressman PETER DEFAZIO from Oregon for his leadership efforts in cosponsoring the exact same bill in the House as we have in the Senate, and that now has 139 cosponsors.

We have 24 cosponsors now in the Senate, and in the House that bill has 139 cosponsors, which tells me the American people and their representatives in Washington understand how terribly important it is that we pass serious postal reform.

Let me very briefly talk about what is in that legislation, what the legislation, if passed, would accomplish. That bill would reestablish strong overnight delivery standards to ensure the timely delivery of mail. When people put a letter or a package in a mailbox or go to the post office, they want to know that letter or package is going to be delivered in a timely manner, and we do that.

In order to make sure we do have timely mail delivery, this legislation would prevent the closure of hundreds of mail processing plants throughout this country and save the jobs of tens of thousands of workers. This legislation would end, once and for all, as I just mentioned, the disastrous prefunding mandate that is the major problem facing the Postal Service.

This legislation would allow the Postal Service to recoup over \$50 billion it has overpaid into the Civil Service Retirement System. This legislation would prevent the Postal Service from ending Saturday mail delivery. Further, and significantly, our bill would give the Postal Service the tools it needs to compete in the 21st century.

I understand, we all understand, the world has changed. It is not simply a question of finances, it is a question of giving the Postal Service the ability to compete in today's market and to allow it to sell innovative new products, new services, and, as a result, raise more revenue. We need a new vision for the Postal Service. This legislation would provide that vision.

Many Americans don't notice, but right now Federal law is tying the hands of the Postal Service in terms of the products and services it can provide. We say to the Postal Service that we are upset they are not making enough revenue, and yet we tie their hands and prevent them from going forth in producing new products and services to raise the revenue that would help their bottom line.

This legislation unties the hands of the Postal Service and would develop a process to allow the Postal Service to explore offering the best products and services that would raise the most revenue.

Let me just give an example of some of the absurdities under which the Postal Service is now operating.

If you were to go into a post office in Maine with a document and say to the clerk who is waiting on you: Listen, I need you to notarize this letter, the clerk would tell you: Sorry, it is against the law for me to notarize that letter. Now, that is pretty absurd.

If you were to walk into a post office, as I am sure everyday people do, and say: Listen, I need you to give me 10 copies of this document because I have to send it out to 10 different people, they would say: Sorry, it is against the law of the United States of America for me to make 10 copies, 3 copies, or 1 copy of your document.

Furthermore, it is against the law for post offices to sell fishing or hunting licenses. Well, in my State, we are a rural State. People might, in certain parts of the State or other parts of America, like to be able to walk into a post office and say: Hey, how do I get a fishing license? How do I pick up a hunting license?

It is against the law right now. If somebody has a check that needs to be cashed, it is very difficult to cash that check in a post office.

What you see, by the way, all over America are payday lenders who are charging outrageous rates to low-income people to cash a check, a service I suspect the Postal Service could do to make some money and also save people a whole lot of money by not having to pay these outrageous rates.

If you were to pick up a case of beer or a case of wine and you wanted to send it to a relative in California, it is against the law for the Postal Service to deliver wine or beer. Currently, it is against the law for the United States Postal Service to engage in e-commerce activities.

We say to the Postal Service: We want you to go out and we want you to be competitive. By the way, you can't do this and you can't do that. On top of that, we are going to cause a massive financial problem for you demanding that you prefund 75 years of retiree health care in a 10-year period. Good luck. Well, that has a lot to do with why the Postal Service is facing the serious financial problems it is today.

We have to give the Postal Service a lot more flexibility, and we have to give them the opportunity and the ability to develop a very different business model than it currently has. In my view, we need to give the Postal Service the authority to do what other countries throughout the world are doing to respond to the shift toward electronic mail and away from hard copy mail. Fewer and fewer people are using first class mail. We understand that. They are using e-mail. That is the reality and we have to respond to that.

Let me give a few of them, really just a few, of what other postal services around the world are doing.

In Sweden, the post office will physically deliver e-mail correspondence to people who are not online or don't have access to a computer. Could that work here? I don't know. It is an interesting idea.

In Switzerland, people can have their physical mail received, scanned, and delivered into their e-mail boxes by the postal service.

In Germany, the post office will allow customers to communicate through secure service.

I think people are increasingly and legitimately concerned about who is going to get into their e-mail. In Germany they provide secure services. Could that work here in the United States? I don't know. Is it worth exploring, worth looking into? I think it is.

The point is that the Postal Service must be given the opportunity to innovate and implement an expanded business strategy for a changing world. We can't keep doing the same old-same old in a world that is changing.

For over 230 years, and enshrined in our Constitution, the Postal Service has played an enormously important role for the people of our country and, in fact, for our entire economy. A strong Postal Service, a Postal Service that delivers mail and packages in a timely manner, is extremely important for our economy.

That mission remains as important as it has ever been. Let's stand together and fight to save the Postal Service, not destroy it. Let's stand together in the midst of this recession to fight and save hundreds of thousands of jobs.

I again want to thank the 23 cosponsors on my legislation. I look forward to having more, but let's go forward together to save the Postal Service.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceed to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, this afternoon we have been trying to move forward on the WRDA bill—the Water Resources Development Act—and significant progress has been made. One of the issues we are trying to work out is an issue dealing with Senator LANDRIEU. She has been, more than anyone else in the Senate, concerned about what happens when places flood, and she has every reason to feel this way because of what happens in Louisiana with flooding. She is concerned about flood insurance.

I have worked with Senator BOXER, Senator BOXER's staff, I have worked with the Republicans, and it appears to me this is something that has made great progress today. The staff is going to work on this over the weekend. We will be here on Monday. I will file cloture in a few minutes, but if, in fact, cloture doesn't need to be voted on, we can always move forward without doing that. We can vitiate the cloture vote.

So I hope the good work done by Senator LANDRIEU, her staff, and other staff members here—and Senator LANDRIEU has been here, as she is now. I don't mean this in a negative sense, but she is like a bulldog. Whenever she gets hold of something, it is hard to get her to loosen that jaw. She has been here all afternoon working on this, so I hope something can be worked out during the next 48 hours on this matter.

CLOTURE MOTION

I have a cloture motion at the desk. The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Harry Reid, Barbara Boxer, Tom Udall, Richard Blumenthal, Max Baucus, Bill Nelson, Jeanne Shaheen, Tom Harkin, Al Franken, Kirsten E. Gillibrand, Brian Schatz, Thomas R. Carper, Jeff Merkley, Jon Tester, Patty Murray, Sherrod Brown, Robert P. Casey, Jr., Ron Wyden.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived and that the vote on the motion to invoke cloture on S. 601 occur at 12 noon on Tuesday, May 14.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMEMBERING FALLEN FIREFIGHTER GENE M. KIRCHNER

Mr. CARDIN. Mr. President, I rise today with sadness in my heart to pay

tribute to a very special individual, Gene M. Kirchner, a Baltimore County volunteer firefighter who died in the line of duty. Gene was just 25 and a volunteer firefighter for the Reisterstown Volunteer Fire Department. He rushed to the second floor of a house fire on April 24 in a vain attempt to save the resident. Gene was found unconscious and was rushed to Maryland's Shock Trauma Center, but succumbed to his injuries on May 2.

Gene joined the company's ranks when he was just 14 and served as a junior firefighter for 2 years before becoming a volunteer firefighter. He came from a family of firefighters. His twin brother Will is also a firefighter and so is his sister Shelly Brezicki. Craig Hewitt, assistant chief of the fire company, said that Gene "was selfless, well-liked, funny; got along with everybody. He liked helping people."

Gene was laid to rest this past Sunday and the entire Baltimore community is mourning the death of this kind, gentle young man who laid down his life in an attempt to save another's life. His brother and sister firefighters came from as far away as New York and North Carolina to pay special tribute to this young man who understood the risks he faced, but dedicated himself to helping ensure the safety of others. Gene was posthumously awarded the Fire Department's Medal of Honor because he embodied what we, as a Nation, come to look for in our first responders—courage, selflessness, and dedication to duty.

I know my U.S. Senate colleagues will want to join me in thanking Gene's family for giving our community such a special young man and in sending condolences to his family, friends, and fellow firefighters on the tragic loss of such a hero.

TRIBUTE TO MAYOR JOHN A. SPRING

Mr. DURBIN. Mr. President, I want to take a moment today to thank a friend and a remarkable public servant. John Spring ended his second term as mayor of Quincy, IL, earlier this week.

Mayor Spring led Quincy through some of its most difficult times in recent memory. Under his leadership, Quincy weathered record floods and the Great Recession. Not only did Quincy survive these crises, the city actually came out stronger than before.

Any elected official would be proud of that record. It is even more impressive in Mayor Spring's case because he was a political rookie. He had never won public office before the people of Quincy elected him mayor in 2005. His only previous public service experience was a stint as the appointed chairman of Quincy's Police and Fire Commission.

For many of us, it takes a few tries before we actually win a race. But

John is a natural. He won his first election.

Quincy, IL, is a river town. It sits right on the banks of the Mississippi River. At one point this past winter the river was so low that barge traffic was in danger of being halted.

During Mayor Spring's final weeks in office, however, heavy rains swelled the river to flood stage. When flooding threatened the city's water and wastewater treatment facilities, Mayor Spring and his team immediately put into place emergency procedures they had honed during previous floods. With leadership, hard work and a lot of sandbags, Quincy weathered the storm.

In 2008, during an earlier flood, then-Senator Barack Obama and I visited Quincy to lend support. We were inspired to see how the entire city came together to protect their homes and their neighbors' homes and businesses.

In 2010, Mayor Spring was able to welcome President Obama back to Quincy and show him how Quincy had weathered not only rainstorms, but the economic storm caused by the Great Recession.

Mr. President, the unemployment rate today in Quincy and Adams County is 6.6 percent. That rate is among the lowest in the State of Illinois, and that is no accident. Under Mayor John Spring's leadership, Quincy has continued to be the economic engine of the Tri-State area.

John Spring led the effort to lay a solid foundation for economic growth. He balanced the city's budget every year and didn't raise taxes—not even once. In fact, Quincy reduced its property tax rate in 7 out of Mayor Spring's 8 years in office.

He made tough, smart decisions that enabled Quincy to maintain adequate funding for basic services such as police, fire, and streets. He downsized city government, reducing the workforce by more than 12 percent, implemented an early retirement program that is estimated will save the City more than \$5 million, and built up the City's reserve funds.

He worked aggressively to retain and attract businesses and good jobs, and he made transportation a top priority. Amtrak expanded service between Quincy and Chicago after Mayor Spring and others advocated for more downstate Illinois passenger rail. Cape Air, a partner of American Airlines/American Eagle, expanded its Quincy-St. Louis service, recently crossing the 10,000-passenger mark. Mayor Spring also worked with Cape Air CEO Dan Wolf and regional economic development leaders to open a maintenance facility at the airport, creating a number of good-paying local jobs.

John Spring had big shoes to fill in 2005. His predecessor, Mayor Chuck Scholz, served as Quincy's mayor for 12 years and left a record of success. John Spring built on that record. Chuck

Scholz helped bring Quincy into the 21st century, and John Spring positioned Quincy even more firmly to compete and win in this century's global economy.

I mentioned that Mayor Spring was a political rookie. He spent most of his career—nearly 30 years—as a teacher, counselor and coach at Quincy Notre Dame High School. In his final post at the school, as director of the Quincy Notre Dame Foundation, he was instrumental in the survival of this Catholic high school which is so important to Quincy.

Mayor Spring has been active in many other community organizations and efforts, from the Salvation Army to the Abraham Lincoln Bicentennial and exchanges with Quincy's Sister City, Herford, Germany.

In January 2010, John Spring called a press conference at which he announced with his typical honesty and humility that he had prostate cancer. He recalled that when he ran for mayor he had pledged that serving the city of Quincy was his highest priority and he said that nothing, not even cancer, would keep him from serving the city he loved. He began a 9-week course of radiation treatments—about 15 minutes every weekday morning—and reported to City Hall for work after every session.

I am happy to report that John's health is good and that he more than lived up to his pledge of putting the people of Quincy first.

Quincy's nickname is Gem City. In John Spring, they have had a gem of a mayor. I will miss working with Mayor Spring, but I know that he has earned a break from public service. I wish John and his wife Karen and their children and grandchildren all the best. And I would simply say to them: Thank you for lending the city of Quincy your husband, father, and grandfather. He has made Quincy's future much brighter. His energy, dedication, and effective leadership will be missed at City Hall and by all of us who worked with him.

KOREA'S REGIONAL PEACE AND SECURITY

Mr. CARDIN. I thank Republic of Korea, ROK, President Park Geun-hye for her thought-provoking and heartfelt address on May 8 to a joint meeting of Congress. President Park is a testament to her nation's resilience. Like her country, she has courageously weathered difficulties and emerged as a strong leader on the global stage—her nation's first woman President.

Her momentous visit to the United States came at an opportune time to underscore the solidarity and cooperation between our two countries. Our deep ties with the Korean people stretch back to Korea's Chosun Dynasty, when we established diplomatic

relations in 1882. One hundred and thirty-one years later, we are expanding our relationship in new ways.

This year we celebrate 60 years of the U.S.-ROK alliance, established in 1953 by our Mutual Defense Treaty. In Korean culture, which greatly respects its elders, the 60th birthday of a person's life, called a "hwan-gap," holds great significance. It acknowledges the wisdom and maturity that a person attains by the peak of a productive life.

And so, too, has the U.S.-Korea relationship proven fruitful and productive. Our relationship is more than a military alliance; it is a comprehensive partnership. Our people-to-people ties are strong; per capita, South Korea sends more students to the United States to study than any other industrialized country. We cooperate on counterterrorism efforts and on development assistance. One year ago, we demonstrated our commitment to strengthen our economies with the signing of our free trade agreement.

South Koreans have created an economic "Miracle on the Han River" out of a country once leveled by war. The country has risen from being an aid recipient to becoming a world economic power, which now lends a hand to help other nations flourish.

The Republic of Korea had a GDP per capita of \$79 in 1960; today its GDP per capita is over \$30,000. It is one of the fastest growing developed countries in the world. And we are proud to have played a role in helping our friend climb from poverty to prosperity, in contrast to its northern neighbor, whose people continue to suffer greatly from poverty.

So there is much to celebrate during this 60th year of our alliance. And President Park has attested to the strength of the enduring global alliance between the Republic of Korea and the United States. This is an historic anniversary, not only of our friendship, but of the end of the Korean war.

Since the end of the war, the Republic of Korea has practiced restraint and mature diplomacy in the face of tremendous threats, continued bellicose rhetoric, and provocative actions from North Korea. This is in no small part due to the strength of the U.S.-ROK alliance and our close cooperation.

As President Park has demonstrated in her determined but flexible approach, we need to preserve stability on the Korean peninsula and in the region by acting decisively together to address both North Korea's provocations and the dire humanitarian situation there.

North Korea continues to threaten U.S. interests and the security of our friends and allies. As chairman of the Foreign Relations Subcommittee on East Asian and Pacific Affairs, I have been closely watching the alarming developments following North Korea's

February 12 nuclear test, including its declaration that it nullified the 1953 armistice, and its decision to shut down the Kaesong industrial complex, and its repeated threats to strike the United States and our allies. And I am deeply concerned about American citizen Kenneth Bae, who last week was sentenced to 15 years of hard labor in a North Korea gulag for “hostile acts” against the country and Kim Jong-Un’s regime.

We must do more to reach an international solution on bringing North Korea back into the denuclearization process. It is essential to ensure the continued safety of Americans and our allies in the Asia-Pacific region and to prevent a nuclear arms race in the strategically critical Korean peninsula.

And we must not forget the humanitarian crisis that is besieging the North Korean people, as they are often imprisoned, starved, and deprived of civil liberties and freedoms at the hands of a ruthless authoritarian state.

So what more can we do? This March, the Senate Foreign Relations Committee held a hearing on North Korea which underscored the importance of working with the United Nations Security Council to strengthen sanctions on North Korea. The United States has intensified coordination on addressing the North Korean threat with Japan and developed a new counter-provocation plan with the Republic of Korea. In April, I chaired a Subcommittee on East Asian and Pacific Affairs hearing during which we discussed ways to work with China to help change North Korea’s dangerous path.

I was pleased to see Secretary Kerry, Chairman of the Joint Chiefs, General Dempsey, and Deputy Secretary Burns travel to China to seek China’s help to rein in North Korea. And I welcomed the recent visit of the Chinese chairman of the six-party talks, Wu Dawei, to Washington.

It was encouraging to see China strongly support UN Security Council Resolution 2094. This resolution imposes tough new financial sanctions which will block North Korea from moving money to pay for its nuclear and ballistic missile programs and makes arms smuggling and proliferation more difficult. The sanctions will only be successful if all countries rigorously implement and enforce them.

The international community, including the U.S., must sustain sanctions and continue systematic pressure. We hope that China will be sincere in implementing these sanctions and reduce its economic support of North Korea.

New sanctions alone, however, cannot halt the pattern of North Korean provocations and broken promises. The United States will not reward bad behavior. We must use all of the diplomatic, military, financial, and multi-lateral tools at our disposal in a newly

coordinated effort to move beyond the current stalemate.

Along with Senators MENENDEZ, CORKER, and others, I have cosponsored the North Korea Nonproliferation and Accountability Act of 2013, which would direct the Department of State to undertake a comprehensive review of our North Korea policy to look for creative ways to re-engage. If North Korea shows a serious intent to denuclearize, halt its proliferation activities and improve human rights, we should be open to bilateral talks, as Secretary Kerry stated on his April trip to the region. We must continue to prepare for the worst while hoping for the best. We stand by Japan, South Korea, and other allies in providing extended nuclear deterrence under our “nuclear umbrella.” And the international community stands with us in condemning North Korean aggression and belligerent actions.

At the same time, we should separate humanitarian concerns from politics. New ROK President Park Geun-hye has launched a policy of de-linking humanitarian aid to North Korea from diplomatic developments. Previously, the U.S. has done the same, funding food aid to North Korea from 2008 to 2009. We should consider reinstating such food aid to North Korea based on demonstrated need and our ability to verify that the food will reach the intended recipients. Congress and the administration must track the delivery of aid to make sure it reaches the people who so desperately need it.

American development workers now provide humanitarian assistance in North Korea without U.S. Government assistance, giving North Koreans an opportunity to encounter the goodwill of the American people. In June 2012, a United Nations evaluation team confirmed that over 60 percent of the population continues to suffer from chronic food insecurity. Hungry people can focus only on survival and have no additional energy to direct toward bettering their lives or changing the environment or regime around them. So we must extend our hand to the North Korean people by supporting the NGO community’s basic humanitarian efforts to provide lifesaving services such as supplemental school feeding, increased agricultural production, clean water, and medical assistance programs.

The humanitarian crisis is further compounded by gross human rights violations. People are trying to cross the border in search of food and then being imprisoned in forced labor camps when they are caught leaving the country. Reports indicate that approximately 138,000 people were being held in detention centers in 2011, where they are beaten, tortured, and starved. These human rights violations merit international condemnation and accountability. I urge UN High Commis-

sioner for Human Rights Pillay and Special Rapporteur Darusman to establish a mechanism of inquiry through the UN Human Rights Council to document these egregious human rights violations expeditiously.

I have great concerns about North Korea’s political trajectory, but I believe that a broader humanitarian engagement holds a long-term promise of enhancing regional peace and security. President Park Geun-hye has taken a similar approach. I applaud her tremendous courage and welcome her visit on this historic occasion.

MENTAL HEALTH AWARENESS MONTH

Mr. CARDIN. Mr. President, May is Mental Health Awareness Month. The Mental Health America organization began this campaign in 1949 in an effort to raise awareness of mental health conditions and mental wellness. Even after more than 60 years, however, we are still fighting against the stigma of mental illness and for greater access to mental health services for all Americans.

I would like to call particular attention to mental health issues affecting our Active-Duty service men and women, our veterans, and the impact of these issues on thousands of military families.

The protracted military operations in Afghanistan and Iraq have made mental health disorders some of the “signature” wounds our military members experience upon returning from these conflicts. A comprehensive study by RAND found that approximately 18.5 percent of those returning from deployment reported symptoms consistent with a diagnosis of post-traumatic stress disorder, PTSD, or depression. And up to 30 percent of troops returning home from combat develop serious mental health problems within 3 to 4 months. Unfortunately, due to the stigma associated with seeking help and the fear of risking their careers, our service men and women often do not seek the care they desperately need and are entitled to receive.

In fact, according to a recent Department of Defense, DoD, report, mental health disorders are the leading cause of disability among U.S. military members. Recent studies illustrate that out of the 1.4 million Active-Duty service-members, mental health disorders are the leading cause of hospitalization among men and the second leading cause for women, only after pregnancy-related conditions.

The five most common mental disorders our military members face are post-traumatic stress disorder, PTSD, major depression, bipolar disorder, alcohol dependence, and substance dependence. These disorders are likely to be chronic in nature or long-lasting in duration.

Since mental health issues often aren't immediately addressed on Active Duty, we see even higher numbers of mental illness diagnoses among our veterans. According to the Department of Veteran Affairs, VA, the number of veterans receiving specialized mental health treatment from the VA has risen each year, from 927,052 in fiscal year 2006 to more than 1.3 million in fiscal year 2012.

One major reason for this increase is the VA's proactive screening of all veterans to identify those who may have symptoms of depression, PTSD, or problem use of alcohol or drugs. As we anticipate a growing number of incoming veterans with this need for care, increasing availability of qualified mental health professionals is absolutely imperative.

I commend VA Secretary Shinseki's recent decision to hire an additional 1,600 mental health staff at the VA. We know our veterans need these services and we must do everything we can to provide them with the care they need.

The invisible wounds of war are not new—they were called "shell shock" or "combat fatigue" after World War I and World War II, or "post-Vietnam syndrome" after Vietnam. But there are unique features stemming from our prolonged engagement in Iraq and Afghanistan.

First, our troops have experienced more frequent deployments of longer duration while having shorter "dwell time," creating a more stressful environment.

Second, we have the highest rate of survivability in history for serious injuries such as amputations, severe burns, and spinal cord damage, leading to greater need for mental health care.

Third, the prevalence of traumatic brain injury, TBI, from improvised explosive devices, IEDs, and other blasts have increased the number of combat veterans with mild to severe diagnoses, which are linked to other psychological comorbidities.

It took the DoD and the VA too long, unfortunately, to realize that their medical care system must provide the same level of expertise, resources, and dedication to address the psychological wounds of war as they do for physical ones.

Although the DoD and the VA have made progress in the past 5 years, there is still a great gap between the mental health needs of our military members and their access to quality care.

This is an epidemic that needs to be resolved. Recent reports indicate that nearly 22 veterans commit suicide every day. In 2012, more than 349 Active-Duty service men and women across the four branches took their own lives. That is an average of 1 every 25 hours, the highest suicide rate ever in the DoD.

It is not just about resources. In fact, having an adequate number of mental

health professionals is just one component of ensuring access to care.

Former Secretary of Defense Leon Panetta testified in a hearing the Senate Appropriations Subcommittee on Defense held last year that he was unsatisfied with the Pentagon's current approach to combating military suicides and admitted that the DoD needs to review its procedures for handling mental health cases. Secretary Panetta said that there are still huge gaps in the way a mental health diagnosis is determined. Furthermore, Secretary Panetta acknowledged that the greatest obstacle to service men and women receiving necessary mental health treatment is the stigma that continues to be associated with seeking help for psychological injuries.

Throughout Maryland, I hear from service men and women who believe that seeking mental health services will hurt their military careers. We must overcome these real and perceived barriers to care by changing the policies that govern how we provide mental health care to our military members. Those who are hurting in silence will seek treatment only when they can truly speak freely and off the record. As more and more of these individuals go untreated, we will continue to see a rise in suicides and other tragic incidents among our military members and veterans.

Even as we wind down our combat operations in Afghanistan over the next year, I fear that we will continue to see an increasing number of our military members and veterans needing mental health care in the near future.

Yet the DoD now is facing looming furloughs and unnecessary funding cuts, which could force the DoD to lose many of the highly valued mental health and behavioral professionals who were hired to help treat soaring rates of PTSD. Recently, Dr. Jonathan Woodson, the Assistant Secretary of Defense for Health Affairs, stated his concerns over the DoD's long-term capability to provide mental health care to the force, to counter the effects of PTSD. More than one-half of the mental health specialists serving the military are civilians, and they have options to seek employment elsewhere. I worry about sustaining this valuable workforce under constant threat from sequesters.

Mr. President, we need to ensure that we have the personnel, resources, and policies in place to guarantee access to quality mental health care for our men and women in uniform, our veterans, and their families. Active-Duty service men and women especially need access to such care without fear of being stigmatized of suffering career-damaging consequences. Providing such care isn't just a good idea to maintain the well-being and readiness of our troops; it is our solemn moral obligation to those

who have sacrificed so much for our great Nation. It is important for us to remember that—especially during Mental Health Awareness Month and as we approach Memorial Day.

REMEMBERING CHIEF MASTER SERGEANT ARDEN HASSENGER

Mr. MERKLEY. Mr. President, I rise today to remember an Oregon hero. CMSgt Arden Hassenger was a 29-year-old from Lebanon, OR, when he and five other airmen set out on Christmas Eve 1965 on a reconnaissance trip over the Ho Chi Minh Trail. Tragically, they never returned. What was even more tragic for Hassenger's friends and family, though, was that the plane could not be found. His wife and children lived in uncertainty for decades, not knowing whether Arden had been killed that day or whether he was alive in Laos.

Finally, the crash site was located, and in 2010 and 2011, remains of the missing men were at last recovered. Last year, they were buried with full honors in Arlington National Cemetery. This Sunday, Arden's ultimate sacrifice for our Nation will be honored once again at the Vietnam Memorial. The cross next to his name, which signified his status as missing in action, will be changed to a diamond, representing that he has returned home to rest after these many years. I hope that this final act of remembrance will help to bring closure to his family and all who loved him.

We honor Chief Master Sergeant Hassenger, and we thank him and his family for the tremendous sacrifice and service they have given to our Nation.

REMEMBERING LIEUTENANT COLONEL ROBERT M. BROWN

Mr. KAINE. Mr. President, I rise today to honor a fallen airman who died in military service to this country. U.S. Air Force Lt. Col. Robert M. Brown, of Portsmouth, VA, was lost on Nov. 7, 1972 in his F-111 near Quang Binh Province, North Vietnam. The remains of Lieutenant Colonel Brown were located in North Vietnam and returned June 7, 1995. He was finally identified on December 14, 2011 and accounted for on February 25, 2012.

Robert Brown graduated from the U.S. Naval Academy in the top 30 percent of his class and was given his choice of branch of service. He chose the U.S. Air Force and trained as a pilot while adding to his bachelor of military science degree with an electrical engineering degree from the University of Michigan. Before his first deployment he was assigned to NASA and worked on the Mercury and Gemini Space programs. During his first tour of duty in Southeast Asia in 1966, Major Brown compiled an impressive record of 299 combat missions while

flying the F100 Super Sabre. Upon returning to the United States, he went to work in Research and Development for America's Anti-Ballistic Missile Systems program as a project scientist. In 1972 he returned to Vietnam for his second tour as a highly decorated fighter pilot to fly the most advanced combat aircraft of its time—the F111A Aardvark.

On November 7, 1972, the F111A crew, call sign "Whaler 57" departed Taklii Airbase, Thailand on a single aircraft strike mission. Its target was the Luat Son Highway ferry and ford nestled in a populated and forested area where the highway crossed over the river approximately 24 miles south of the major port city of Dong Hoi. After reporting that its mission was proceeding normally, radio contact was lost after 0400 and by 0500 a 2 week long search and rescue effort was commenced.

Efforts to recover "Whaler 57" were unsuccessful, but the remains of Lieutenant Colonel Brown have finally been found and identified. Lieutenant Colonel Brown is survived by his sister Gail and his children Beverly, Margie, and Bruce. Today, I ask all Members of the Senate to join me as we honor the life and legacy Lt. Col. Robert M. Brown, and the other Americans in our Armed Forces who have made the ultimate sacrifice for their country. There are no words fitting enough to fully express our thanks.

WINSTON-SALEM, NORTH CAROLINA

Mr. BURR. Mr. President, today I wish to pay tribute to Winston-Salem, NC, which I proudly call home. This year marks the 100th anniversary of the consolidation of the towns Winston and Salem. Before their consolidation, each town had a long and prosperous history. Salem was established in 1766 by members the Moravian Church. Today, Old Salem Museum and Garden still shows life as it was 200 years ago. It features the iconic 12-foot tall coffee pot first erected by Julius E. Mickey to attract customers to his tin shop in 1858 and the Moravian Easter Sunrise Service in God's Acres cemetery has been a yearly tradition since its inception in 1773. The town steadily increased in influence and commerce activity and was incorporated by the North Carolina General Assembly in 1857.

In 1849, Salem sold the land to its north to Forsyth County to serve as the county seat. The land was named Winston, in honor of local Revolutionary War hero, Joseph Winston. Ten years later the town was incorporated. In the 1870s the town was connected to the North Carolina Railroad. This gave way to many factories; Reynolds and Hanes being the largest. Their healthy competition helped Winston grow remarkably over the next three decades.

The two towns worked closely together on many issues, and began to have a unified identity. Winston and Salem's citizens then voted to consolidate the two towns into the city of Winston-Salem. This officially took effect May 9, 1913, and Oscar B. Eaton was elected the first mayor of the newly formed city. After consolidation, Winston-Salem was one of North Carolina's foremost cities throughout the 1920s due to vastly successful R. J. Reynolds Tobacco Co., Wachovia Bank and Trust Co., Hanes Knitting, Hanes Dye and Finishing, and Piedmont Airlines.

The Winston-Salem Arts Council was founded in 1949, and was the first of its kind in the Nation. It has led to the rich arts culture that Winston-Salem enjoys today. The University of North Carolina School of the Arts was established as the first of its kind State-supported arts college in the United States. Through the years the university has equipped thousands of men and women developing the arts in the program to incorporate dance, design and production, drama, film making, and music. Today, Winston-Salem is known as "The City of the Arts and Innovation."

As the economy changed in the 1900s, the leaders of the city successfully worked to make Winston-Salem prosperous in the new age by establishing the Piedmont Triad Research Park, which recently became the Wake Forest Innovation Quarter. This equipped the city with technological and medical jobs that has grown to be the leading of industry in Winston-Salem today.

Winston-Salem has received many accolades for its friendly business environment, low cost of living, lively downtown district, and many other aspects. In Winston-Salem, May 9–12 has been set aside to celebrate the 100th anniversary of their consolidation. So I join my fellow Winston-Salem citizens and leaders in celebration of this historic anniversary.

ADDITIONAL STATEMENTS

RECOGNIZING STEPTOE & JOHNSON

• Mr. MANCHIN. Mr. President, today I wish to highlight a West Virginia business on its 100th year in the Mountain State—Steptoe & Johnson, a renowned and nationally respected energy law firm.

From yesterday's humble beginnings, Steptoe & Johnson now has more than 270 attorneys and a staff of 570 people, including more than 220 real estate professionals, working in 14 offices in 6 states—my home State of West Virginia, Kentucky, Pennsylvania, Texas, Ohio and Colorado.

Over the past century of American history—through war and peace,

through recessions and abundance, through tragedy and triumph—Steptoe & Johnson has persevered and prospered.

I wonder if Philip P. Steptoe and Colonel Louis A. Johnson looked 100 years into the future when they hung out their shingle and established their law firm in Clarksburg, WV, in 1913. I wonder if they ever dreamed Steptoe & Johnson would grow so large or be so influential.

They probably did, because they began their practice in Clarksburg, a perfectly centralized location with a diverse economy. That decision alone helped introduce their company to various service-related industries and public utilities.

Over the next century, Steptoe & Johnson would grow and expand numerous times, opening six offices across West Virginia, including Bridgeport, Charleston, Huntington, Martinsburg, Morgantown, and Wheeling. That solid foundation helped propel them into five other States.

Steptoe & Johnson's success story is similar to that of many of our Nation's great entrepreneurs: two men with one vision began this American-made story of service and perseverance. Today, more than 800 individuals join together on a daily basis to carry out the company's vision and mission, by offering strong representation and quality service to its clientele.

But for Steptoe & Johnson, there is no end in mind—only the future.●

REMEMBERING EVAN DUBE

• Mrs. SHAHEEN. Mr. President, Senator AYOTTE and I wish to commemorate the life of Evan Dube, a young man from Plaistow, NH, whose life was tragically cut short on May 19, 2012. Evan's spirit touched the lives of many in his community, and his legacy as a kind and loving friend will not be forgotten.

Ms. AYOTTE. Mr. President, Evan, a graduate of Timberlane Regional High School in Plaistow, NH, was a beloved member of both the school's community and the greater Plaistow community. Evan was involved in the school's theatre program, competed on the Model United Nations team, and was a member of the National Honor Society. Upon graduating from Timberlane, Evan began his freshman year at Bates College in Lewiston, ME, where he was studying classical and medieval studies. At the time of his passing, Evan was participating in an archaeological research project in Scotland.

Mrs. SHAHEEN. While Evan earned great success in his academic pursuits, his most profound impact was on the lives of those with whom he interacted. Evan's thoughtful compassion touched the lives of hundreds of acquaintances, friends, and family members. This was evidenced in part by a ceremony held

to honor Evan's life at the Timberlane Regional High School Performing Arts Center where nearly 900 individuals honored his memory and celebrated the life that he lived with extraordinary attention to the thoughts and feelings of those around him.

Ms. AYOTTE. In the wake of Evan's passing, students and faculty of Timberlane Regional High School gave great thought to the true meaning of compassion. To honor Evan's life and the many lessons he shared, members of the community have worked to incorporate Evan's values of compassion and kindness into their daily lives. We would all be well served by emulating such behavior.

Mrs. SHAHEEN. We express our true sorrow at the loss of such an admirable, accomplished, and compassionate young man. We would also like to recognize and offer our sympathies to Evan's family, including his mother Eileen, his father John, and his twin brother Conor. We are confident that Evan's friends and family have great pride when they remember the impact that his short life had on so many individuals.

Ms. AYOTTE. We recognize Evan Dube for his well-lived life that was full of compassion, kindness and care. Those who knew Evan are fortunate to have had the opportunity to grow with and learn from him, and are certainly better off by having had their lives touched by such an inspirational person.●

TRIBUTE TO FATHER JONATHAN

● Mrs. SHAHEEN. Mr. President, today I wish to honor a remarkable leader, Father Jonathan DeFelice, who will retire as the President of Saint Anselm College in Manchester, NH, this June.

Father Jonathan, as he is known to his beloved students and college community, has devoted his adult personal and professional life to Saint Anselm College. He lives and works at Saint Anselm in community with his fellow monks of the Order of Saint Benedict, who founded the college in 1889. Under his leadership, Saint Anselm College has become a nationally ranked liberal arts college and model for other institutions of higher education on ways to expand civic engagement and community service among all members of the campus community.

Originally a native of Bristol, RI, Father Jonathan attended Portsmouth Abbey School for high school and completed his undergraduate career at Saint Anselm in 1969. He joined the Order of Saint Benedict in 1973, and 1 year later was ordained a Roman Catholic priest. Shortly thereafter, Father Jonathan returned to Saint Anselm, where he served in the administration, holding a variety of positions, including dean of freshman students, assistant to the academic dean and dean of stu-

dents. The capstone of his years of work for his alma mater was his appointment as its president 24 years ago.

Father Jonathan believes that student development requires pursuing both academics and extracurricular activities. Building on that philosophy, he helped oversee the creation of the New Hampshire Institute of Politics, established at Saint Anselm College to educate citizens and encourage political and civic participation in the United States and abroad. Since its creation, the Institute has hosted hundreds of State and local leaders and international visitors and helped many new American citizens celebrate at five naturalization ceremonies. Every 4 years, Saint Anselm College becomes a main setting for national politics when it hosts numerous activities surrounding the presidential primaries.

Father Jonathan has also made service a priority for his students. Today, the college's student-led Meelia Center for Student Engagement manages more than 40 partnerships with New Hampshire non-profits, such as the Big Brother/Big Sister program. Father Jonathan built on that work by founding the State version of Campus Compact, a national initiative that works in cooperation with private sector partners to incorporate community service into college curriculum. Campus Compact New Hampshire is made up of 23 college and university member institutions in the state.

Father Jonathan has given back to the State by serving as chair of both the New Hampshire Colleges and University Council and the New Hampshire Higher Education Commission. He was a founding member of New Hampshire's Forum on Higher Education and, most recently, was appointed by Governor John Lynch to serve as director of the New England Board of Higher Education.

Throughout his tenure, Father Jonathan's commitment to higher learning has been a valuable asset to New Hampshire. With community service and civic engagement as cornerstones of his presidency, Father Jonathan has created a lasting and significant connection between the State of New Hampshire and the Saint Anselm College community.

I thank Father Jonathan for his service and his commitment to improving higher education in New Hampshire.●

TRIBUTE TO CAMERON LYLE

● Mrs. SHAHEEN. Mr. President, today I wish to honor the tremendous selflessness and compassion demonstrated by Cameron Lyle of Plaistow, NH. Cameron is completing his senior year at the University of New Hampshire, UNH, and is a 4-year member of the school's track and field team. He elected to forgo his final two meets in order to donate bone marrow to a complete

stranger who is battling acute lymphoblastic leukemia.

Cameron Lyle is a graduate of Timberlane Regional High School and a standout thrower on UNH's track and field squad. He is a member of the National Marrow Donor Program's Be The Match Registry, which he joined as a sophomore along with many of his fellow UNH athletes by completing the mouth swabbing process that is the initial step in registering to serve as a potential bone marrow donor. Nearly 2 years later, Cameron received a call informing him that he was identified as a potential match for a 28-year-old man diagnosed with blood cancer. After additional testing, it was confirmed that despite incredibly small odds, Cameron's marrow was a match. Without hesitation, Cameron decided that he would give up participating in the final track and field meets of his senior year to potentially save another man's life.

The story of Cameron and the anonymous recipient of his bone marrow demonstrate the importance of bone marrow registries such as the National Marrow Donor Program's Be The Match Registry. These organizations can provide a critical lifeline for those individuals suffering from immune system, genetic or blood disorders. In addition, bone marrow donor registries serve as a place where patients afflicted with these terrible diseases can turn in hopes of receiving a transplant. While these disorders can be fatal, bone marrow registries give patients the hope of finding a lifesaving donor.

Cameron's decision truly demonstrates the strength of his character, but perhaps most importantly, his selfless act will undoubtedly never be forgotten by the man who received another chance at life. I know that residents of New Hampshire are extremely proud of Cameron and admire him for making such an important choice.

Once again, I would like to recognize and thank Cameron Lyle for making such a powerful and life changing decision for both himself and the recipient of his bone marrow. I commend Cameron's family, friends and the UNH and Plaistow communities for the support they have shown him in the weeks before and since his surgery. His story is truly memorable.●

20TH ANNIVERSARY TRIBUTE TO THE COLORADO STATE VETERANS NURSING HOME

● Mr. UDALL of Colorado. Mr. President, today I wish to celebrate the 20th anniversary of the Colorado State Veterans Home in Walsenburg. For 20 years, this home has provided exceptional care to veterans and their spouses from all over the United States.

Built in 1993, the Colorado State Veterans Home is southern Colorado's newest nursing home for veterans and

the only nursing home physically connected to a community hospital. Residents in Walsenburg have access to a Special Care Unit, which provides services for residents with dementia, Alzheimer's, Huntington's and/or Parkinson's diseases, and a family outpatient clinic, all on the health center's grounds. Furthermore, following a major renovation funded by the Department of Veterans Affairs in 2011, the veterans home now boasts expanded kitchen areas, outdoor gardens and recreational space, as well as views of nearby mountains and lakes in every resident's room. These improvements have created modern and bright living accommodations that take full advantage of Colorado's natural beauty and ensure the comfort of our veterans.

With 115 residents, everyday life at the Colorado State Veterans Home is filled with the stories from our Nation's heroes. Rich, a veteran who, with his wife, has resided at Walsenburg for 3 years, was a B-17 commander flying 34 successful sorties over Germany and France during WWII. On his 35th sortie he and his crew went down as the result of enemy fire. His story makes Rich a favorite among visiting airmen, and it is only one among many.

While we will never be able to repay our heroic servicemembers for the sacrifices they have made in the line of duty, it should be our top priority to make their lives back home as pleasant and comfortable as possible. The services, staff, and stunning location of the Colorado State Veterans Home in Walsenburg uphold our commitment to keep that promise to these individuals and their loved ones.

On behalf of a grateful nation, I thank the staff at Spanish Peaks Regional Health Center, the Colorado State Veterans Home, and the Federal employees at the VA for their commitment to serving our Nation's heroes, and I offer them congratulations on the occasion of the Colorado State Veterans Home's 20th anniversary. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:29 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1406. An act to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 1071. An act to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1406. An act to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1416. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards"; to the Committee on Health, Education, Labor, and Pensions.

EC-1417. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity Issues" (RIN1840-AD02) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1418. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Project" (CFDA No. 84.133A-8) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1419. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Re-

search Projects and Centers Program—Rehabilitation Engineering Research Centers" (CFDA No. 84.133E-1) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1420. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1421. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program, Part 2" (RIN1615-AC02) received in the Office of the President of the Senate on April 24, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1422. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities; Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)—College Savings Account Research Demonstration Project" (CFDA No. 84.334D) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1423. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Ensuring a Safe Food Supply"; to the Committee on Health, Education, Labor, and Pensions.

EC-1424. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-1425. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Community Programs Guaranteed Loans" (RIN0575-AC92) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1426. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Controlled Import Permits" ((RIN0579-AD53) (Docket No. APHIS-2008-0055)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1427. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sulfoxafloz; Pesticide Tolerances" (FRL No. 9371-4) received in the Office of the President of the Senate on May 7, 2013; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-1428. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spirotetramat; Pesticide Tolerances" (FRL No. 9382-8) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1429. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Returns and Return Information to Designee of Taxpayer" ((RIN1545-BJ19) (TD 9618)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Finance.

EC-1430. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Updating of Employer Identification Numbers" ((RIN1545-BK02) (TD 9617)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Finance.

EC-1431. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual Price Inflation Adjustments for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223 of the Internal Revenue Code" (Rev. Proc. 2013-25) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Finance.

EC-1432. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "IIR—Electric Generation Assets Units of Property" (Rev. Proc. 2013-24) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Finance.

EC-1433. A communication from the Secretary of the Interior, transmitting, pursuant to law, the 2010-2011 Annual Report for the Department of the Interior's Office of Surface Mining Reclamation and Enforcement; to the Committee on Energy and Natural Resources.

EC-1434. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC-1435. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0003)) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1436. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0003)) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1437. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0003)) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1438. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z)" ((RIN3170-AA28) (Docket No. CFPB-2012-0039)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1439. A communication from the Executive Director of the Office of Minority and Women Inclusion, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of Minority and Women Inclusion of the Office of the Comptroller of the Currency fiscal year 2012 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1440. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, the Financial Stability Oversight Council 2013 annual report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PAUL:

S. 911. A bill to establish an emergency transportation safety fund, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN:

S. 912. A bill to allow multichannel video programming distributors to provide video programming to subscribers on an a la carte basis, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. REED, Mr. WHITEHOUSE, Mr. COWAN, Mr. COONS, Mr. MURPHY, Mrs. GILLIBRAND, and Mr. SANDERS):

S. 913. A bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 914. A bill to amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. RUBIO, and Mr. WARNER):

S. 915. A bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment; to the Committee on Health, Education, Labor, and Pensions.

By Mr. Kaine (for himself, Mr. COCHRAN, and Mr. HEINRICH):

S. 916. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. BALDWIN, Mr. BEGICH, Mr. COCHRAN, Mr. COONS, Mr. COWAN, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. SANDERS, Mr. SCHUMER, Mr. TESTER, Mr. WICKER, Mr. WYDEN, Mr. CARPER, Mr. PORTMAN, and Mr. KING):

S. 917. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers; to the Committee on Finance.

By Mr. COONS (for himself and Mr. RUBIO):

S. 918. A bill to award grants in order to establish longitudinal personal college readiness and savings online platforms for low-income students; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mr. BARRASSO, Mrs. MURRAY, Mr. BAUCUS, Mr. TESTER, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. SCHATZ, Mr. WYDEN, and Mr. CRAPO):

S. 919. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. FRANKEN (for himself and Ms. KLOBUCHAR):

S. 920. A bill to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land; to the Committee on Indian Affairs.

By Mr. SCHUMER (for himself, Ms. MURKOWSKI, Mrs. BOXER, Mrs. MCCASKILL, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, and Mr. CASEY):

S. 921. A bill to amend chapter 301 of title 49, United States Code, to prohibit the rental of motor vehicles that contain a defect related to motor vehicle safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANDERS:

S. 922. A bill to require the Secretary of Labor to carry out a pilot program on providing wage subsidies to employers who employ certain veterans and members of the Armed Forces and require the Secretary of Veterans Affairs to carry out a pilot program on providing career transition services to young veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL of New Mexico:

S. 923. A bill to modernize the conservation title of the Food Security Act of 1985, protect long term taxpayer investment, increase small and midsize farmer's access to programs, and prioritize modern-day conservation needs through management practices, local engagement, and stewardship; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, and Mr. SCHUMER):

S. 924. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance existing programs providing mitigation assistance by encouraging States to adopt and actively enforce State building codes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 925. A bill to improve the Lower East Side Tenement National Historic Site, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BEGICH:

S. 926. A bill to amend title 32, United States Code, to include the National Guard Educational Foundation among the youth and charitable organizations eligible for National Guard assistance, and for other purposes; to the Committee on Armed Services.

By Mr. SANDERS:

S. 927. A bill to require the Secretary of Veterans Affairs to carry out a demonstration project to assess the feasibility and advisability of using State and local government agencies and nonprofit organizations to increase awareness of benefits and services for veterans and to improve coordination of outreach activities relating to such benefits and services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 928. A bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORNYN:

S. 929. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. KIRK, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. HARKIN, Mr. SANDERS, Mr. LEVIN, Mr. MENENDEZ, Ms. STABENOW, Mr. HEINRICH, Mrs. BOXER, Mrs. GILLIBRAND, Mr. DURBIN, Mr. LAUTENBERG, Mr. MURPHY, Ms. BALDWIN, Ms. LANDRIEU, Mr. BROWN, Mr. BEGICH, and Ms. HIRONO):

S.J. Res. 15. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI:

S. Res. 135. A resolution designating the week of October 7 through October 13, 2013, as "Naturopathic Medicine Week" to recognize the value of naturopathic medicine in providing safe, effective, and affordable health care; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. MENENDEZ, Mr. WICKER, Mr. BEGICH, Ms. HIRONO, Mr. ISAKSON, and Mr. MURPHY):

S. Res. 136. A resolution recognizing the 60th Anniversary of the Korean War Armistice and the Mutual Defense Treaty of 1953, and congratulating Park Geun-Hye on her election to the Presidency of the Republic of Korea; considered and agreed to.

By Mr. NELSON (for himself, Ms. COLLINS, Mr. SANDERS, and Mr. COONS):

S. Res. 137. A resolution designating May 2013 as "Older Americans Month"; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER,

Mr. KIRK, Mr. DURBIN, Mr. ISAKSON, Mr. RUBIO, Mr. CORNYN, Mr. CRUZ, Mrs. FEINSTEIN, and Mr. MCCONNELL):

S. Res. 138. A resolution congratulating the students, parents, teachers, and administrators of charter schools across the United States for their ongoing contributions to education, and supporting the ideals and goals of the 14th annual National Charter Schools Week, to be celebrated the week of May 5 through May 11, 2013; considered and agreed to.

ADDITIONAL COSPONSORS

S. 141

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 186

At the request of Mr. SHELBY, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from South Dakota (Mr. THUNE), the Senator from Oklahoma (Mr. INHOFE), the Senator from North Dakota (Mr. HOEVEN), the Senator from Idaho (Mr. CRAPO), the Senator from Louisiana (Mr. VITTER), the Senator from West Virginia (Mr. MANCHIN), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. SCOTT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nebraska (Mr. JOHANNIS), the Senator from North Carolina (Mr. BURR), the Senator from Missouri (Mr. BLUNT), the Senator from Mississippi (Mr. COCHRAN), the Senator from Utah (Mr. HATCH), the Senator from New Mexico (Mr. HEINRICH), the Senator from California (Mrs. FEINSTEIN), the Senator from Montana (Mr. TESTER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Arkansas (Mr. PRYOR), the Senator from Maine (Mr. KING), the Senator from Nebraska (Mrs. FISCHER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Indiana (Mr. COATS), the Senator from Arizona (Mr. FLAKE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Mr. GRASSLEY), the Senator from Idaho (Mr. RISCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS), the Senator from Massachusetts (Ms. WARREN), the Senator from Iowa (Mr. HARKIN), the Senator from Michigan (Ms. STABENOW), the Senator from Kansas (Mr. MORAN), the Senator from Mississippi (Mr. WICKER), the Senator from Nevada (Mr. HELLER), the Senator from Tennessee (Mr. CORKER), the Senator from Rhode Island (Mr. REED), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Ohio (Mr. BROWN), the Senator from Illinois

(Mr. KIRK), the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Mr. BEGICH), the Senator from South Dakota (Mr. JOHNSON), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Florida (Mr. NELSON), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Maine (Ms. COLLINS), the Senator from California (Mrs. BOXER), the Senator from Virginia (Mr. KAINE), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Hawaii (Mr. SCHATZ), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. WYDEN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. MERKLEY), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Connecticut (Mr. MURPHY) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 186, a bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

At the request of Mr. COBURN, his name was added as a cosponsor of S. 186, supra.

S. 309

At the request of Mr. HARKIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 323

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr.

SCHATZ) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 369

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 370

At the request of Mr. COCHRAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 403

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 407

At the request of Mr. CASEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 407, a bill to provide funding for construction and major rehabilitation for projects located on inland and intra-coastal waterways of the United States, and for other purposes.

S. 422

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 422, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 448

At the request of Mr. RUBIO, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 448, a bill to allow seniors to file their Federal income tax on a new Form 1040SR.

S. 462

At the request of Mrs. BOXER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 538

At the request of Mrs. MCCASKILL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 538, a bill to amend title 10, United States Code, to modify the authorities and responsibilities of convening authorities in taking actions on the findings and sentences of courts-martial.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 674

At the request of Mr. HELLER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 707

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a co-

sponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 831

At the request of Mr. COATS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 831, a bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2017, under the Surface Mining Control and Reclamation Act of 1977.

S. 837

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 837, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 850

At the request of Mr. ALEXANDER, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 850, a bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress.

S. 865

At the request of Mr. WHITEHOUSE, the names of the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 870

At the request of Mr. UDALL of New Mexico, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 870, a bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Montana (Mr. TESTER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 888

At the request of Mr. JOHANNIS, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 888, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

S. 890

At the request of Mr. PAUL, the names of the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 890, a bill to clarify the definition of navigable waters, and for other purposes.

S. 892

At the request of Mr. KIRK, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Texas (Mr. CRUZ) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. CON. RES. 15

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 78

At the request of Ms. STABENOW, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 78, a resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day.

S. RES. 133

At the request of Mr. LEE, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), the Senator from Wyoming (Mr. BARASSO), the Senator from Kansas (Mr.

MORAN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 133, a resolution expressing the sense of the Senate that Congress and the States should investigate and correct abusive, unsanitary, and illegal abortion practices.

AMENDMENT NO. 802

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of amendment No. 802 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 809

At the request of Mr. PAUL, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 809 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 837

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 837 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 839

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of amendment No. 839 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 848

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 848 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 854

At the request of Mr. CASEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 854 intended to be proposed to S. 601, a bill to

provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 856

At the request of Mr. BROWN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 856 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 857

At the request of Mr. LEVIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 857 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN:

S. 912. A bill to allow multichannel video programming distributors to provide video programming to subscribers on an a la carte basis, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Today I am introducing the Television Consumer Freedom Act of 2013. The legislation has three principal objectives:

One, encourage the wholesale and retail unbundling of programming by distributors and programmers. Allow the consumer, the television viewer who subscribes to cable, to have a la carte capability—in other words, not be required to buy a whole bunch of channels that consumer may not wish to subscribe to—in order words, a la carte. If you want to watch one television program, you can watch it. If you do not, you do not have to. The situation today obviously is far different from that.

It would also establish consequences if broadcasters choose to downgrade their over-the-air service.

Three, it eliminates the sports blackout rule for events that are held in publicly financed stadiums.

For over 15 years, I have supported giving consumers the ability to buy cable channels individually, which is known as a la carte, to provide consumers more control over viewing options in their homes and, as a result, their monthly cable bills. The video industry—principally cable companies

and satellite companies and the programmers that sell channels, such as NBC and Disney-ABC—continues to give consumers two options when buying TV programming: first, to purchase a package of channels whether they watch them all or not or, second, not purchase any cable programming at all.

There are two choices: You can either buy one of their packages or not watch it at all. That is unfair and wrong, especially when you consider how the regulatory deck is stacked in favor of industry against the American consumer. It is clear when one looks at how cable prices have gone up over the last 15 years, which was brought to the light by the most recent Federal Communications Commission pricing survey. In the FCC survey, the average monthly price of expanded basic service—basic service—for all communities surveyed increased 5.4 percent over the 12 months ending January 1, 2011, or to \$54.46, compared to an increase of 1.6 percent in the Consumer Price Index. In other words, the cost of cable went up nearly four times the consumer prices people pay for everything else. You can only do that when you have a monopoly.

Over the last 15 years, this rise in cost has become even more evident. According to the FCC, the price of expanded basic cable has gone up at a compound average annual growth rate of 6.1 percent during the period from 1995 to 2011. This means that the average annual cable price has gone up about \$25 a month from 1995, to over \$54 today. That is a 100-percent price increase. People are on fixed incomes. People are hurting. Why in the world should they have a 100-percent cost increase? The only way it can be done is through monopolies.

Those that provide video directly to consumers, such as cable and satellite companies, are not solely to blame for the high prices consumers face today. Many articles have been written about the packages of channels—commonly called bundles—that are sold to cable and satellite companies by video programmers such as Comcast, NBC, Time Warner, Viacom, and the Walt Disney Company, which owns 80 percent of ESPN.

The worldwide leader in sports, as ESPN calls itself, thrives because of the advertising revenue it is able to generate and large subscriber fees. According to a January 2012 Newsweek article, ESPN charges \$4.69 per household per month, citing a research company. By comparison, the next costliest national network, TNT, costs \$1.16. Again, \$4.69 for ESPN and the next most expensive one is \$1.16 for TNT. Whether or not you watch ESPN—and I do all the time—all cable subscribers are forced to absorb this cost. Not every American watches ESPN. Not every American should be

forced to watch ESPN and pay \$4.69 per household per month in order to have it carried into their homes when they do not view it. Because these channels are bundled into packages, all cable consumers, whether they watch sports or not, are paying for them anyway.

Cable and satellite carriers that consider dropping ESPN must also contemplate losing other channels in the bundle, such as the Disney Channel. Some have described this as “a tax on every American household.”

Others, like the CEO of the American Cable Association, have said:

My next-door neighbor is 74, a widow. She says to me, “Why do I have to get all that sports programming?” She has no idea that in the course of a year, for just ESPN and ESPN2, she is sending a check to Disney for about \$70. She would be apoplectic if she knew . . . Ultimately there is going to be a revolt over the cost. Or policymakers will get involved because the cost of these things are so out of line with the cost of living that someone’s going to put up a stop sign.

Today we are putting up a stop sign. We are going to find out how powerful these companies are, as opposed to clearly correcting an injustice that is being inflicted on the American people. This legislation would eliminate regulatory barriers to a la carte by freeing up multichannel video programming distributors, such as cable, satellite, and others offering video services, to offer any video programming service on an a la carte basis. But if they want to keep bundling, they can do that too. They can make both offers to the American subscriber.

In order to give these companies an incentive to offer programming on an a la carte basis, the legislation links the availability of the compulsory copyright license to the voluntary offering of a la carte service by the MVPD. In other words, if these companies do not offer a broadcast station and any other channels owned by the broadcaster on an a la carte basis, then that company cannot rely on the compulsory license to carry those broadcast stations. The compulsory license is a benefit conferred on these corporations, so it is reasonable to ask the recipients of that benefit to provide consumers with an a la carte option. I emphasize “an option.”

To address the notion that a la carte options are being denied distributors, the legislation conditions important regulatory benefits such as network nonduplication, syndicated exclusivity, blackout rights, and retransmission consent option on the programmers, allowing MVPDs to sell their channels on an a la carte basis.

It is time that the consumers got something in return, other than a higher bill at the end of the month.

Furthermore, because not all programmers also own broadcast stations, the bill contains a provision that would create a wholesale a la carte market by allowing programmers to bundle their

services in a package only if they also offer these services for the MVPDs to purchase on an individual channel basis. If a cable operator does not want to carry channels like MTV, it would have the option of not doing so and only buying and carrying the channels it thinks its consumers want to watch.

Finally, the bill provides that if the parties cannot agree to the terms of a carriage agreement, the final offer made by each side must be disclosed to the FCC.

The second section of the bill responds to statements by broadcast executives that they may downgrade the content of their over-the-air signals or pull them altogether so that the program received by MVPD customers is preferable to that available over the air. Our country is facing a spectrum crunch. If broadcasters that are using the public airwaves in return for meeting certain public interest obligations are going to deviate from those obligations, it is my view that we should consider whether that is the most efficient use of our country’s spectrum. It would be a distortion of this basic social compact if over-the-air viewers were treated as second-class citizens.

This bill provides a legislative response if broadcasters either downgrade their signal or pull it altogether. The bill provides that a broadcaster will lose its spectrum allocation and that spectrum will be auctioned by the FCC if the broadcaster does not provide the same content over the air as it provides through MVPDs.

Finally, my bill touches on sports blackout rules that can limit the ability of subscribers to see sporting events when they take place in their local community but are not broadcast on a local station. When the venues in which these sporting events take place have been the beneficiary of taxpayer funding, it is unconscionable to deny those taxpayers who paid for it the ability to watch the games on television when they would otherwise be available. Therefore, the bill proposes to repeal the sports blackout rules so far as they apply to events taking place in publicly financed venues and/or involve a publicly financed local sports team.

In the end, this Television Consumer Freedom Act is about giving the consumer more choices when watching television. It is time for us to help shift the landscape to benefit television consumers. I know the broadcasters and cable companies are likely to suggest that the government should not micromanage how they offer their product to customers and that bundling can promote diverse offerings. What those interests fail to mention is that the government has already entered the marketplace and conferred certain rights and privileges, such as a compulsory license, network nonduplication, syndicated exclusivity, and retransmission

consent, which stack the deck in favor of everyone but the American consumer.

I hope the introduction of this act furthers the debate on issues such as a la carte channel selection. I look forward to the Chamber's consideration of the bill.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 914. A bill to amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump; to the Committee on Finance.

Mr. COCHRAN. Mr. President, on January 1, 2013, the Centers for Medicare and Medicaid Services began implementing a final rule to prohibit compounding pharmacies that prepare medications used in implanted infusion pumps from billing Medicare directly for these services. This reverses a policy that has been permissible in several States for over 20 years. Since the proposed change in May 2011, I have worked with Senator WICKER and other Members of Congress to delay this change until its effects have been fully considered.

During the public comment period for this rule, pharmacies, physicians, and patients overwhelmingly opposed this policy change. In Mississippi, the State board of pharmacy prohibits pharmacies from selling compounded pain medications to physicians, resulting in decreased access to effective treatments for chronic pain disorders. States across the nation are coming to realize the negative implications of this policy change.

With this final rule, the Centers for Medicare and Medicaid Services has not fully taken into account patient impact or State regulations. In addition, pharmacies that bill Medicare must comply with Federal accreditation rules, further enhancing patient safety. We should protect patient access to effective treatments rather than hinder it. This bill would allow compounding pharmacies to continue to bill Medicare directly for their services in the interest of helping patients receive the quality care they deserve.

By Mr. WYDEN (for himself, Mr. RUBIO, and Mr. WARNER):

S. 915. A bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, when my colleagues and I went to college, things were a lot different. We took out loans,

but those loans were manageable, and there were jobs waiting after graduation. Today, too often, that's simply not the case. In fact, the majority of students today will leave school weighed down with more than \$26,000 in debt and will attempt to enter a labor market in an environment where there are more unemployed Americans than there are jobs available.

For the first time in our Nation's history, student loan debt exceeds credit card debt and now totals over \$1 trillion.

James Garfield once said, "Next in importance to freedom and justice is popular education, without which neither freedom nor justice can be permanently maintained." He was right. Investment in higher education is an economic imperative. Education is the great equalizer. It enables upward economic mobility and breaks down class structures. A highly skilled and educated workforce is the basis for any healthy economy. It is the foundation of our country's future.

In nearly every financial decision Americans make, individuals and families try to evaluate the economic value of that decision. Like prospective homebuyers who inspect and assess the potential value of their future home, students should be able to compare colleges and programs based on what the likely return on their investment will be.

Our capital markets work best when there is transparency so we can accurately measure the value of what we choose to invest in. We saw what happens when this is not the case with the burst of the housing bubble. Our economy is still struggling to recover from the mortgage crisis. Misinformed consumers bought a product based on misleading information and, often times, fell victim to bad loans offered by predatory lenders.

Consumers must know what they can expect from their investments. Similarly, students are entitled to know the value of their education before they borrow tens of thousands of dollars from banks and the government to finance their future.

Right now, consumers don't have this information. It is unavailable to students and families who are making critical decisions that will impact not only their future, both their financial future and career path, but also the collective future of our country. That is why today, Senator RUBIO, Senator WARNER and I are introducing an updated version of the Student Right to Know Before You Go Act which will help inform consumers and prevent market failures.

This proposal would ensure future students and their families can make well-informed decisions by creating a market in which specific schools and specific programs can be evaluated based on the average annual earnings

and employment outcomes of graduates; rates of remedial enrollment and success of students that participate in remedial education; the percent of students that receive Federal, State, and institutional grant aid or loans; the average amount of total Federal loan debt of students upon graduation; the average amount of total Federal loan debt for students that do not complete a program; transfer success rates; and rates at which students continue on to higher levels of education.

The Department of Education has created a College Scorecard which is a step in the right direction. The Scorecard, however, does not fully capture any of the metrics outlined above and includes no information to prospective students to evaluate the economic returns of their program of study. The Wyden-Rubio-Warner bill generates this critical information.

Markets fail when there is too little information and until now, it has been impossible to "Collect this data in a cost-effective way while ensuring student privacy."

This proposal makes it possible to secure a return on investment for students, parents, policymakers, and taxpayers while creating a workforce that meets the demands of today's businesses and ensures that American workers can successfully compete in the global economy.

By Mr. KAINE (for himself, Mr. COCHRAN, and Mr. HEINRICH):

S. 916. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Energy and Natural Resources.

Mr. KAINE. Mr. President, the battlefields on American soil contain our national history and commemorate the events that made our nation what it is today. Too many of these sites are open to urban development that could leave no trace of the sacrifices made there.

That is why I am pleased to introduce the American Battlefield Protection Program Amendments Act, which reauthorizes Federal competitive matching grants to protect these historic lands. I was proud to have supported this program at the State level when I was Governor of Virginia, and I am proud to be joined on this bipartisan legislation by my colleague, Senator THAD COCHRAN from Mississippi. Our States hosted key battles of the Civil War, and we have led the Nation in preserving the land on which these defining battles were fought.

This bill extends the authorization for the American Battlefield Protection Program for 5 years at the current funding level and adds sites of the Revolutionary War and the War of 1812 to

the program's eligibility. These grants have a 1/1 federal/non-federal match, which is often exceeded on the non-federal side by private contributions from people interested in American history.

This program is strictly voluntary. The bill specifies that land will be acquired only from willing sellers and only at fair market value. It also authorizes funding solely for land acquisition and does not incur development or maintenance costs for the National Park Service.

It would be worth protecting these battlefields for the historic value alone, but these activities also have economic value. Battlefield tourists do not simply pass through a region. They pay for guided tours. They stay in hotels and bed and breakfasts. They dine at local restaurants. They browse the shops on town streets. According to a study by the Virginia Tourism Corporation, Civil War tourists in Virginia stay twice as long and spend double the money of the average tourist. Of out-of-town visitors interviewed at 20 battlefields, two-thirds were visiting the area specifically to see the battlefield, and three-quarters said they would visit other Civil War sites while in the area.

Virginia is a state where history is all around us, and to understand this history is to understand ourselves as Americans. This effort brings together federal, state, and private sector supporters to ensure that future generations will be able to visit these sites and appreciate the historic deeds that transpired on this hallowed ground.

Mr. COCHRAN. Mr. President, I am pleased to join the junior Senator from Virginia in introducing the American Battlefield Protection Program Amendments Act. I doubt there has been a more defining period in this country's history than the Civil War. The scars left by that conflict were deep and slow to heal. This year marks the 150th anniversary of the first major Civil War battle in the western theater and with Memorial Day approaching, the preservation of historic battlefields reminds Americans of those who have fought and died for freedom. Stressing preservation, commemoration, and education, the Civil War Battlefield Preservation Program, for almost 15 years, has partnered with neighboring communities to promote resource protection and heritage tourism. By bringing together local, State, and national stakeholders to preserve America's most historically significant Civil War battlefields, the program has built a consensus to protect 19,000 acres of hallowed ground in 16 states. In my state, more than 3,300 acres of related Civil War battles have been protected. Among the many other battlefields that have benefited from this program are: Antietam, Maryland; Aversboro, North Carolina; Chancellorsville, Virginia; Chattanooga, Tennessee; Gettys-

burg, Pennsylvania; Harpers Ferry, West Virginia; Mill Springs, Kentucky; and Prairie Grove, Arkansas. I am pleased that this legislation will extend program eligibility to Revolutionary War and War of 1812 battlefields. This is an appropriate time for the Congress to embrace this legislation and to preserve and discover our history, our culture and our individual stories. By highlighting the history and cultural significance of these battle sites, we can help maintain our sense of place as Americans. With it, we can be more aware of our history and reflect upon how we have become who we are as individuals and who we are collectively as Americans. It is an investment in the preservation of our history and culture, which is well spent.

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. BALDWIN, Mr. BEGICH, Mr. COCHRAN, Mr. COONS, Mr. COWAN, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. SANDERS, Mr. SCHUMER, Mr. TESTER, Mr. WICKER, Mr. WYDEN, Mr. CARPER, Mr. PORTMAN, and Mr. KING):

S. 917. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers; to the Committee on Finance.

Mr. CARDIN. Mr. President, next week is American Craft Beer Week so I am pleased to rise today with my friend and colleague, the senior Senator from Maine, Senator COLLINS, to introduce the Small Brewer Reinvestment & Expanding Workforce Act of 2013, otherwise known as the Small BREW Act. Our esteemed former colleague, Senator Kerry, now Secretary of State, introduced this bill in the 112th Congress. I am honored to take up the mantle.

The Small BREW Act of 2013 would reduce the excise tax on America's craft brewers. Under current federal law, brewers producing fewer than 2 million barrels annually pay \$7 per barrel on the first 60,000 barrels they brew, and \$18 per barrel on every barrel thereafter, one barrel = 31 gallons. The Small BREW Act would create a new excise tax rate structure that helps start-up and small breweries and reflects the evolution of the craft brewing industry. The rate for the smallest packaging breweries and brewpubs would be \$3.50 per barrel on the first 60,000 barrels. For production between 60,001 and 2 million barrels, the rate would be \$16.00 per barrel. Thereafter, the rate would be \$18.00 per barrel. Breweries with an annual production of 6 million barrels or less would qualify for these recalibrated tax rates.

The small brewer threshold and tax rate were established in 1976 and have never been updated. Since then, the an-

nual production of the largest U.S. brewery has increased from 45 million barrels to 105 million barrels. Raising the ceiling that defines small breweries from 2 million barrels to 6 million barrels more accurately reflects the intent of the original differentiation between large and small brewers in the U.S. Because of differences in economies of scale, small brewers have higher costs for raw materials, production, packaging, and market entry compared to larger, well-established multi-national competitors. Adjusting the excise tax rate would provide small brewers with an additional \$67 million each year they could use to start or expand their businesses on a regional or national scale.

Three years ago, the Joint Committee on Taxation, JCT, scored the bill at roughly \$33 million annually and \$324 million over 10 years. A more recent, March 2013, study on the costs and benefits of the House companion bill that Harvard University economist John Friedman prepared on behalf of the Brewers Association indicates that the bill would directly reduce the excise tax revenue collected by the Federal Government by \$67.0 million in 2013. But Professor Friedman notes that such a loss would be offset in large part by \$49.1 million in new payroll and income taxes collected on the increased economic activity. As craft beer prices decline, demand would rise and the Federal Government would collect an additional \$1.1 million in excise taxes from the increased sales. The net yearly revenue loss, therefore, would be \$16.9 million in 2013. The total net revenue loss over 5 years would be \$95.9 million. The bill would lead to the creation of 5,230 new jobs in the first 12-18 months after passage and the cost of each new job in foregone revenue would be just \$3,300.

While some people may think this is a bill about beer, it is really about jobs. Small brewers are small business owners in communities in each and every State across the country. Nationally, small and independent brewers employ over 108,000 full and part-time employees, generate more than \$3 billion in wages and benefits, and pay more than \$2.3 billion in business, personal and consumption taxes, according to the Brewers Association. As the craft beer industry grows so, too, does the demand for American-grown barley and hops and American-made brewing, bottling, canning, and other equipment.

Maryland is home to 29 craft brewers, with at least 24 more in the planning stages. According to the Brewers Association of Maryland, there were 342 people employed full-time who were directly involved in producing craft beer in the State last year, and another 1,420 people employed full or part-time who were indirectly involved, including brew-pub restaurant staff and associated employees. The brewing industry

accounted for \$8.9 million in State excise taxes and \$56.7 million in Federal excise taxes, paid some \$13 million in wages, and generated nearly \$95 million in economic activity.

Small brewers have been anchors of local communities and America's economy since the start of our history. Indeed, there is a Mayflower document published in 1622 that explains why the Pilgrims landed at Plymouth Rock which states, "For we could not now take time for further search or consideration: our victuals being much spent, especially our beer." Presidents from George Washington to Barack Obama have been homebrewers. Going back much further, the oldest extant recipe is for beer. And many people would argue that our thirst for beer is what drove man from being a hunter-gatherer to a crop cultivator since the earliest domesticated cereal grains were various types of barley better suited for beer production than making bread. Saint Arnulf of Metz, also known as St. Arnold, who lived from roughly 582 to 640 AD, is known as the "Patron Saint of Brewers" because he recognized that beer, which is boiled first, contains alcohol and is slightly acidic, was much safer to consume than water. French chemist and microbiologist Louis Pasteur, who discovered yeast and propounded the germ theory that is the basis of so much of modern medicine, worked for breweries for much of his career. The pH scale, the standard measurement of acidity, was developed by the head of Carlsberg Laboratory's Chemical Department in 1909. Dr. Søren Sørensen developed the pH scale during his pioneering research into proteins, amino acids and enzymes—the basis of today's protein chemistry. So it is fair to say that civilization and beer go hand-in-hand.

In addition to making high-quality beers, craft brewers such as Maryland's Flying Dog, Clipper City, Union Craft, Ruddy Duck, and Baying Hound create jobs and reinvest their profits back into their local economies. The Federal Government needs to be investing in industries that invest in America and create real jobs here at home. With more than 2,400 small and independent breweries and brew-pubs currently operating in the United States, and many more being planned, now is the time to take meaningful action to help them and our economy grow.

I am proud to announce that Senators BALDWIN, BEGICH, CARPER, COCHRAN, COONS, COWAN, KING, MENENDEZ, MERKLEY, MIKULSKI, PORTMAN, SANDERS, SCHUMER, TESTER, WICKER, and WYDEN have all signed on as original co-sponsors of the Small BREW Act, and I encourage the rest of my Senate colleagues to consider joining us in this worthwhile legislative endeavor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 917

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Brewer Reinvestment and Expanding Workforce Act of 2013".

SEC. 2. REDUCED RATE OF EXCISE TAX ON BEER PRODUCED DOMESTICALLY BY CERTAIN QUALIFYING PRODUCERS.

(a) IN GENERAL.—Paragraph (2) of section 5051(a) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and

(2) by striking subparagraph (A) and inserting the following new subparagraphs:

"(A) IN GENERAL.—In the case of a brewer who produces not more than 6,000,000 barrels of beer during the calendar year, the per barrel rate of tax imposed by this section shall be—

"(i) \$3.50 on the first 60,000 qualified barrels of production, and

"(ii) \$16 on the first 1,940,000 qualified barrels of production to which clause (i) does not apply.

"(B) QUALIFIED BARRELS OF PRODUCTION.—For purposes of this paragraph, the term 'qualified barrels of production' means, with respect to any brewer for any calendar year, the number of barrels of beer which are removed in such year for consumption or sale and which have been brewed or produced by such brewer at qualified breweries in the United States."

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (C) of section 5051(a)(2) of the Internal Revenue Code of 1986, as redesignated by this section, is amended—

(A) by striking "2,000,000 barrel quantity" and inserting "6,000,000 barrel quantity", and

(B) by striking "60,000 barrel quantity" and inserting "60,000 and 1,940,000 barrel quantities".

(2) Subparagraph (D) of such section, as so redesignated, is amended by striking "2,000,000 barrels" and inserting "6,000,000 barrels".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to beer removed during calendar years beginning after the date of the enactment of this Act.

By Mr. SANDERS:

S. 922. A bill to require the Secretary of Labor to carry out a pilot program on providing wage subsidies to employers who employ certain veterans and members of the Armed Forces and require the Secretary of Veterans Affairs to carry out a pilot program on providing career transition services to young veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, as the Chairman of the Veterans' Affairs Committee, I have pledged to improve and expand employment training and development programs for our Nation's servicemembers and veterans.

While our country continues with its economic recovery, we must ensure that veterans are not left behind. Veterans possess the skills, the discipline, and the leadership necessary to succeed

in a 21st century workforce. Coupled with an array of practical skills, it would seem that transitioning to civilian employment after separation from service would be effortless. Yet we continue to find high unemployment rates among veterans, especially the youngest generation. Through their service and sacrifice, each of our Nation's veterans have earned a fair shot at a job, a fair shot at supporting their families, and a fair shot to prosper and resume their lives back home.

Although unemployment numbers are getting better for everyone, there is still reason for concern and work to be done. The unemployment rate for our youngest veterans, ages 18-24, transitioning from the military, averaged 20 percent in 2012, compared to 15 percent for non-veterans between the ages 18-24. Furthermore, in 2012, the unemployment rate among post-9/11 veterans was nearly 10 percent, while the unemployment rate for all veterans and non-veterans was less than 8 percent. This trend continues into this year, with our younger post-9/11 veterans encountering the most difficulty finding employment.

Businesses in the private sector have shown an interest in hiring veterans, but often find that veterans who apply lack industry specific experience to compete with non-veteran candidates. While it is important to ensure we provide programs to help veterans translate their military skills into the civilian sector, there remains a need to: equip veterans with civilian skills and experience necessary to meet the challenges of competing with those who have years of experience in the civilian workforce; find employers who understand military skills; and assist in helping them to readjust back to their local communities.

The Department of Defense reports that approximately one in five enlisted servicemembers separating from active duty have a military-learned skill that is not easily transferable to a civilian occupation. Many of these servicemembers will need to transition into a civilian career field that is different than their military occupation.

We have a responsibility to those who served in the military, and that includes providing practical solutions. I am proud to introduce legislation, The Veterans Equipped for Success Act of 2013, that would provide our veterans the tools necessary to transition to the civilian workforce.

First, the legislation, establishes a three-year pilot program that will partner certain unemployed veterans with employers in the private-sector. In general, the program will provide employers a wage subsidy, up to 75 percent of the wages paid, capped at \$14,000 a year, and incentives to hire these veterans. Not only does the program stimulate job creation, but will provide potentially more than 150,000

veterans with the valuable work experience and civilian skills they need to obtain long-term employment.

Second, The Veterans Equipped for Success Act of 2013 focuses on providing employment opportunities and civilian work experience to our younger veterans ages 18–30. Under another three-year pilot program, up to 50,000 participating veterans, at a time, would be paired with private-sector employers for one year and provided a salary from the Department of Veterans Affairs. Employers would provide veterans mentorship, job shadowing, and valuable civilian work experience, while having the opportunity to learn about the work veterans performed in the military and the skills they acquired. The legislation also helps veterans reintegrate into their communities and give back to other veterans.

We have made a solemn commitment to aid veterans by creating job opportunities and providing them with the necessary skills to succeed. There is clearly a need for improved employment opportunities for veterans, particularly our younger transitioning veterans. This legislation would help veterans meet the challenges of competing in the civilian workforce by filling gaps not addressed by current programs. We owe it to our veterans to ensure they have the opportunity to gain valuable skills and work experience to assist them in successfully transitioning into the civilian workforce.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Equipped for Success Act of 2013”.

SEC. 2. PILOT PROGRAM ON PROVISION OF SUBSIDIES TO EMPLOYERS FOR EMPLOYMENT OF CERTAIN VETERANS AND MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Commencing not later than January 1, 2014, the Secretary of Labor shall, acting through the Assistant Secretary of Labor for Veterans’ Employment and Training and in collaboration with the Secretary of Veterans Affairs, carry out a pilot program to assess the feasibility and advisability of providing subsidies to eligible employers to employ eligible individuals—

- (1) to provide eligible individuals with valuable work experience;
- (2) to increase the skills of eligible individuals; and
- (3) to assist eligible individuals in obtaining long-term employment.

(b) ELIGIBLE INDIVIDUAL.—For purposes of the pilot program, an eligible individual is an individual who—

- (1) is—
 - (A) a veteran of the Armed Forces who was discharged or released from service therein under conditions other than dishonorable; or

(B) a member of a reserve component of the Armed Forces (including the National Guard) who—

(i) served on active duty in the Armed Forces (other than active duty for training) for more than 180 consecutive days during the two-year period ending on the date of commencement of the participation in the pilot program; and

(ii) is not serving on active duty on the date of commencement of participation in the pilot program;

(2) is, at the time at which the individual applies for participation in the pilot program—

(A) 18 years of age or more but not more than 34 years of age; or

(B) 55 years of age or more but not more than 64 years of age;

(3) is not in receipt of compensation under chapter 11 of title 38, United States Code, by reason of unemployability;

(4) is not enrolled on the date of commencement of participation in the pilot program in a Federal or State job training program; and

(5) is considered by the Secretary to be unemployed or underemployed.

(c) ELIGIBLE EMPLOYER.—

(1) IN GENERAL.—For purposes of the pilot program, an eligible employer is an employer determined by the Secretary to meet such criteria for participation in the pilot program as the Secretary shall establish for purposes of the pilot program, except that an employer may not be determined to be an eligible employer for that purpose if the employer—

(A) has been investigated or subject to a case or action by the Federal Trade Commission during the 180-day period ending on the date the employer would otherwise commence participation in the pilot program;

(B) has not been in good standing with a State business bureau during the period described in subparagraph (A);

(C) is an agency of the Federal Government or a State or local government;

(D) is delinquent with respect to payment of any taxes or employer contributions described under sections 3301 and 3302(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 3301 and 3302(a)(1)) or with respect to any related reporting requirement;

(E) has previously participated in the pilot program and, as determined by the Secretary, failed to abide by a requirement of the pilot program;

(F) does not provide assurances to the Secretary at the time the employer would otherwise commence participation in the pilot program that the employer will comply under the pilot program with the requirements for non-displacement of current employees specified in paragraph (2); or

(G) receives more than 75 percent of its revenue from the Federal Government or a State or local government.

(2) NON-DISPLACEMENT OF CURRENT EMPLOYEES.—The requirements specified in this paragraph are the following:

(A) That an employer shall not use an individual participating in the pilot program to displace any employee of the employer at the time of commencement of participation in the pilot program from employment or any employment benefits, including a partial displacement (such as a reduction in the hours of non-overtime work, wages, or employment benefits).

(B) That an employer shall not permit an individual participating in the pilot program to perform work activities related to any job for which—

(i) any other individual is on layoff from the same or any substantially-equivalent position; or

(ii) the employer has terminated the employment of any employee or otherwise reduced the workforce of the employer with the intention of filling or partially filling the vacancy so created with the work activities to be performed by the individual participating in the pilot program.

(C) That an employer shall not create a job for an individual participating in the pilot program in a manner that will infringe in any way upon the opportunities for promotion of individuals employed by the employer on the date of the employer’s commencement of participation in the pilot program.

(D) That—

(i) an employer shall not, by means of assigning work activities under the pilot program, impair an existing contract for services or a collective bargaining agreement; and

(ii) work activities that would be inconsistent with the terms of a collective bargaining agreement shall not be undertaken by an individual participating in the pilot program without the written concurrence of the labor organization that is signatory to the collective bargaining agreement.

(d) DURATION AND NUMBER OF PARTICIPANTS.—

(1) DURATION.—The Secretary shall carry out the pilot program during the three-year period beginning on the date of the commencement of the pilot program.

(2) NUMBER OF PARTICIPANTS.—Not more than 50,000 eligible individuals may concurrently participate in the pilot program.

(e) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program in four locations selected by the Secretary for purposes of the pilot program from among areas with populations the Secretary determines have high concentrations of veterans.

(2) CONSULTATION WITH SECRETARY OF VETERANS AFFAIRS.—In selecting locations under paragraph (1), the Secretary of Labor may consult with the Secretary of Veterans Affairs, particularly with respect to determining which areas have populations with high concentrations of veterans.

(f) SUBSIDIES.—

(1) IN GENERAL.—For each eligible employer approved by the Secretary to participate in the pilot program who employs on a full-time basis an eligible individual approved by the Secretary to participate in the pilot program, the Secretary shall provide a subsidy for the employment of such eligible individual by such eligible employer during such period as—

(A) the eligible individual is employed by the eligible employer;

(B) the eligible individual is participating in the pilot program; and

(C) the eligible employer is participating in the pilot program.

(2) AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a subsidy provided by the Secretary under the pilot program to an eligible employer for the employment of an eligible individual shall be an amount equal to—

(i) except as provided in clause (ii), 60 percent of the basic pay provided by the eligible employer under the pilot program to the eligible individual; and

(ii) in the case in which the eligible employer provides employment that includes an apprenticeship (which must be approved for

purposes of the pilot program not later than two years after the date of the commencement of the pilot program), 75 percent of the basic pay provided by the eligible employer under the pilot program to the eligible individual.

(B) MAXIMUM AMOUNT.—Except as provided in subparagraph (D), the aggregate amount of subsidy provided under the pilot program to an eligible employer for the employment of an eligible individual may not exceed—

(i) except as provided in clause (ii), \$11,000; or

(ii) in the case described in subparagraph (A)(ii), \$14,000.

(C) DISBURSEMENT OF PAYMENTS.—

(i) PAYMENTS ON QUARTERLY BASIS.—Except as provided in clause (ii), subsidies paid to an eligible employer under subparagraph (A) shall be paid to the eligible employer on a quarterly basis.

(ii) PAYMENTS ON MONTHLY BASIS.—In order to relieve financial burden on an eligible employer participating in the pilot program whom the Secretary determines has few employees, the Secretary may pay subsidies under subparagraph (A) to such employer on a monthly basis as the Secretary considers appropriate.

(D) ADDITIONAL HIRING INCENTIVE.—If an eligible employer who received a subsidy under the pilot program for the employment of an eligible individual hires such eligible individual on a full-time basis following the completion of the participation of such eligible individual in the pilot program, the Secretary shall pay such eligible employer an additional amount equal to 10 percent of the aggregate amount of subsidy paid to the eligible employer under subparagraph (A) during the last six months of such eligible individual's employment with such eligible employer while participating in the pilot program. Any amount paid under this subparagraph shall not apply against the aggregate maximum amount specified in subparagraph (B).

(E) APPRENTICESHIPS.—The Secretary may establish guidelines or criteria for the approval or disapproval of apprenticeships for purposes of the pilot program.

(3) DURATION.—A subsidy provided to an eligible employer to employ an eligible individual under the pilot program shall be for the lesser of—

(A) a period of one year; and

(B) the duration of such eligible individual's employment with the eligible employer.

(4) CONSIDERATION CONCERNING RECEIPT OF CONCURRENT SUBSIDIES.—In the case of an eligible employer who is already receiving one or more subsidies under the pilot program for the employment of one or more eligible individuals, when determining whether to provide an additional subsidy to such employer to employ an additional eligible individual, the Secretary may take into consideration, if after hiring such additional eligible individual, the number of eligible individuals for whom the employer is receiving a subsidy under the pilot program would constitute more than 10 percent of the workforce of the eligible employer.

(5) MINIMUM WAGE.—No eligible employer may receive a subsidy under the pilot program for the employment of an eligible individual if the rate of pay for such employment is less than the greater of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State minimum wage law.

(6) SENSE OF CONGRESS ON EXCLUSION OF CERTAIN EMPLOYMENT.—It is the sense of Con-

gress that an employer should not be provided a subsidy under the pilot program for employment of an eligible individual in a position under a contract, grant, or cooperative agreement with the Federal Government or a State or local government that involves functions that are so inherently governmental that the position would not provide the eligible individual with experience, training, or skills necessary for employment in the private sector in a position not involving such functions.

(g) PARTICIPATION.—

(1) APPLICATION.—

(A) IN GENERAL.—An eligible employer or an eligible individual seeking to participate in the pilot program shall submit to the Secretary an application therefor at such time and in such manner as the Secretary shall specify.

(B) ELEMENTS.—Except as provided in subparagraph (C), each application submitted under subparagraph (A) shall contain such information as the Secretary may specify.

(C) REQUIREMENTS OF ELIGIBLE EMPLOYERS.—An application submitted by an eligible employer under subparagraph (A) shall include assurance that the eligible employer will comply with the requirements for non-displacement of current employees specified in subsection (c)(2) under the pilot program.

(2) SELECTION.—

(A) IN GENERAL.—The Secretary shall review each application submitted by an applicant under paragraph (1) and approve or disapprove the applicant for participation in the pilot program.

(B) EMPLOYER SELECTION CONSIDERATIONS.—In approving or disapproving an eligible employer for participation in the pilot program, the Secretary may consider past performance of the eligible employer with respect to the following:

(i) Job training, basic skills training, and related activities.

(ii) Fiscal accountability.

(iii) Demonstration of a high potential for growth and long-term job creation.

(C) CONSIDERATIONS CONCERNING SELECTION OF FOR-PROFIT AND NOT-FOR-PROFIT EMPLOYERS.—The Secretary may consider approving both for-profit and not-for-profit employers who are eligible employers for participation in the pilot program.

(D) CONSIDERATIONS CONCERNING PARTICIPATION OF SMALL BUSINESS CONCERNS.—In selecting eligible employers for participation in the pilot program, the Secretary may consider the extent to which small business concerns are afforded opportunities to participate in the pilot program.

(3) EARLY TERMINATION OR SEPARATION OF ELIGIBLE INDIVIDUAL PARTICIPANTS BY SECRETARY.—If the Secretary determines that an eligible individual participating in the pilot program is not making satisfactory attendance in employment, or has been removed from placement for misconduct, the Secretary may terminate such eligible individual's status as a participant in the pilot program and bar such eligible individual from further participation in the pilot program.

(4) EMPLOYMENT STATUS.—

(A) COMPENSATION FOR WORK INJURIES.—An eligible individual employed by an eligible employer who receives a subsidy for such employment under the pilot program shall be deemed, during the period of such subsidy, an employee of the United States for the purposes of the benefits of chapter 81 of title 5, United States Code, but not for the purposes of laws administered by the Office of Personnel Management.

(B) HEALTH BENEFITS.—For purposes of the Patient Protection and Affordable Care Act (Public Law 111-148), an eligible individual employed by an eligible employer shall be considered an employee of the Department of Labor and not the eligible employer during such period as the eligible employer receives a subsidy under the pilot program for the employment of such eligible individual.

(h) TRANSPORTATION SUPPORT FOR PARTICIPATING ELIGIBLE INDIVIDUALS.—In accordance with criteria established by the Secretary for purposes of the pilot program, the Secretary may pay an allowance based upon mileage, of any eligible individual whose employment is subsidized under the pilot program not in excess of 75 miles to or from a facility of the eligible employer or other place in connection with such employment.

(i) GRANTS TO ELIGIBLE ENTITIES.—

(1) IN GENERAL.—The Secretary may award grants to not more than four eligible entities to assist the Secretary in carrying out the pilot program.

(2) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is a non-profit organization.

(3) CONSIDERATIONS.—In awarding grants under this subsection, the Secretary may consider whether an eligible entity—

(A) has an understanding of the unemployment problems of eligible individuals and members of the Armed Forces transitioning from service in the Armed Forces to civilian life;

(B) is familiar with a location selected under subsection (e) and has an understanding of employment in such location and employment assistance available to eligible individuals in such location; and

(C) has the capability to assist the Secretary in administering effectively the pilot program and provide employment assistance to eligible individuals.

(4) USE OF FUNDS.—Amounts received by a recipient of a grant under this subsection may be used as follows:

(A) To assist the Secretary in carrying out the pilot program.

(B) To recruit eligible employers and eligible individuals to participate in the pilot program.

(C) To coordinate and implement job placement and other employer outreach activities in connection with the pilot program.

(D) To carry out such other activities as the Secretary considers appropriate for purposes of the pilot program.

(j) ADDITIONAL PILOT PROGRAM REQUIREMENTS.—Under the pilot program, the Secretary shall—

(1) develop an objective assessment process that will identify the work experience, skill levels, and interests of eligible individuals participating in the pilot program;

(2) ensure that employment and counseling services are available to eligible individuals participating in the pilot program, including by connecting eligible individuals with services available to the eligible individuals through State or local employment service or other public agencies;

(3) develop and implement procedures for evaluating job placement and employment of eligible individuals participating in the pilot program; and

(4) carry out such other activities as the Secretary considers appropriate for purposes of the pilot program.

(k) OUTREACH.—The Secretary of Labor and the Secretary of Veterans Affairs shall jointly conduct a program of outreach to inform eligible employers and eligible individuals about the pilot program and the benefits of participating in the pilot program.

(1) MINIMIZATION OF ADMINISTRATIVE BURDEN ON PARTICIPATING EMPLOYERS.—The Secretary of Labor shall take such measures as may be necessary to minimize administrative burdens incurred by eligible employers in participating in the pilot program.

(m) REPORTS.—

(1) IN GENERAL.—Not later than 45 days after the completion of the first year of the pilot program and not later than 180 days after the completion of the second and third years of the pilot program, the Secretary shall submit to Congress a report on the pilot program.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) An evaluation of the pilot program.

(B) The number and characteristics of individuals participating in the pilot program.

(C) The number and characteristics of employers participating in the pilot program.

(D) The number and types of positions of employment in which eligible individuals were placed under the pilot program.

(E) The number of individuals who obtained long-term full-time employment positions as a result of the pilot program, the hourly wage and nature of such employment, and if available, whether such individuals were still employed in such positions three months after obtaining such positions.

(F) A description of the outreach activities undertaken to raise awareness of the pilot program by potential eligible individuals and eligible employers, and an assessment of the effectiveness of such activities.

(G) An assessment of the feasibility and advisability of providing subsidies to eligible employers to employ eligible individuals.

(H) An assessment of the effect of the pilot program on earnings of eligible individuals and the employment of eligible individuals.

(I) Such recommendations for legislative and administrative action as the Secretary considers appropriate to improve the pilot program, to expand the pilot program, or to improve the employment of eligible individuals.

(n) RELATION TO OTHER FEDERAL ASSISTANCE.—Notwithstanding any other provision of law, wages received by an individual that are subsidized under the pilot program may not be used in any calculation to determine the eligibility of such individual for any Federal program for the purpose of obtaining child care assistance.

(o) FUNDING LIMITATIONS.—

(1) WAGE SUBSIDIES.—Not less than 95 percent of amounts appropriated or otherwise made available for the pilot program shall be used to provide subsidies under subsection (f).

(2) ADMINISTRATION.—Not more than 5 percent of amounts appropriated or otherwise made available for the pilot program may be used to administer the pilot program.

(p) COORDINATION WITH WORK OPPORTUNITY TAX CREDIT.—Section 51 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) COORDINATION WITH PILOT PROGRAM ON PROVISION OF SUBSIDIES TO EMPLOYERS FOR EMPLOYMENT OF CERTAIN VETERANS AND MEMBERS OF ARMED FORCES.—No credit shall be allowed under subsection (a) with respect to any wages paid to a qualified veteran if the taxpayer has received a subsidy under section 2(f) of the Veterans Equipped for Success Act of 2013 with respect to such qualified veteran.”

(q) DEFINITIONS.—In this section:

(1) APPRENTICESHIP.—The term “apprenticeship” means a program of apprenticeship

approved by the Office of Apprenticeship of the Department of Labor or a State apprenticeship as meeting the standards of apprenticeship published by the Secretary of Labor pursuant to section 2 of the Act of August 16, 1937 (popularly known as the “National Apprenticeship Act”) (29 U.S.C. 50a).

(2) FULL-TIME BASIS.—The term “full-time basis”, with respect to employment, means employment of a minimum of 30 hours a week.

(3) SMALL BUSINESS CONCERN.—The term “small business concern” has the meaning given that term under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

SEC. 3. PILOT PROGRAM ON PROVISION OF CAREER TRANSITION SERVICES TO YOUNG VETERANS.

(a) IN GENERAL.—Commencing not later than January 1, 2014, the Secretary of Veterans Affairs shall, in collaboration with the Secretary of Labor, carry out a pilot program to assess the feasibility and advisability of establishing a program to provide career transition services to eligible individuals—

(1) to provide eligible individuals with work experience in the civilian sector;

(2) to increase the marketable skills of eligible individuals;

(3) to assist eligible individuals in obtaining long-term employment; and

(4) to assist in integrating eligible individuals into their local communities.

(b) ELIGIBLE INDIVIDUALS.—For purposes of the pilot program, an eligible individual is an individual who—

(1) is—

(A) a veteran of the Armed Forces who was discharged or released from service therein under conditions other than dishonorable; or

(B) a member of a reserve component of the Armed Forces (including the National Guard) who—

(i) served on active duty in the Armed Forces (other than active duty for training) for more than 180 consecutive days during the two-year period ending on the date of the commencement of the individual’s participation in the pilot program; and

(ii) is not serving on active duty on the date of the commencement of the individual’s participation in the pilot program;

(2) is unemployed or underemployed, as determined by the Secretary; and

(3) is, at the time at which the individual applies for participation in the pilot program, 18 years of age or older, but not more than 30 years of age.

(c) DURATION AND NUMBER OF PARTICIPANTS.—

(1) DURATION.—The Secretary shall carry out the pilot program during the three-year period beginning on the date of the commencement of the pilot program.

(2) NUMBER OF PARTICIPANTS.—Not more than 50,000 eligible individuals may concurrently participate in the pilot program.

(d) LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out in four locations selected by the Secretary for purposes of the pilot program and in accordance with the provisions of this subsection.

(2) CONSIDERATION OF AREAS OF HIGH CONCENTRATIONS OF YOUNG ELIGIBLE INDIVIDUALS.—In selecting locations under paragraph (1), the Secretary shall consider areas with populations the Secretary determines have high concentrations of eligible individuals, particularly those with high concentrations of eligible individuals who are age 25 or younger.

(e) CAREER TRANSITION SERVICES.—For purposes of the pilot program, career transition services are the following:

(1) Internships under subsection (f).

(2) Mentorship and job-shadowing under subsection (g).

(3) Volunteer opportunities under subsection (h).

(4) Professional skill workshops under subsection (i).

(5) Skills assessment under subsection (j).

(6) Additional services under subsection (k).

(f) INTERNSHIPS.—

(1) IN GENERAL.—For each eligible individual whom the Secretary approves for participation in the pilot program, the Secretary shall attempt to place such eligible individual in an internship on a full-time basis with an eligible employer whom the Secretary has approved for participation in the pilot program.

(2) ELIGIBLE EMPLOYER.—For purposes of the pilot program, an eligible employer is an employer determined by the Secretary to meet such criteria for participation in the pilot program as the Secretary shall establish for purposes of the pilot program, except that an employer may not be determined to be an eligible employer for that purpose if the employer—

(A) has been investigated or subject to a case or action by the Federal Trade Commission during the 180-day period ending on the date the employer would otherwise commence participation in the pilot program;

(B) has not been in good standing with a State business bureau during the period described in subparagraph (A);

(C) is an agency of the Federal Government or a State or local government;

(D) is delinquent with respect to payment of any taxes or employer contributions described under sections 3301 and 3302(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 3301 and 3302(a)(1)) or with respect to any related reporting requirement;

(E) has previously participated in the pilot program and, as determined by the Secretary, failed to abide by a requirement of the pilot program; or

(F) receives more than 75 percent of its revenue from the Federal Government or a State or local government.

(3) DURATION.—Each internship under the pilot program shall be for a period of one year.

(4) WAGES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall furnish pay to each eligible individual participating in an internship under the pilot program for the duration of such participation at a rate equal to the greater of—

(i) the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State minimum wage law; and

(ii) if the eligible individual was receiving unemployment compensation before being placed in the internship, the rate of such unemployment compensation.

(B) MAXIMUM AMOUNT.—An eligible individual may not receive an aggregate amount of more than \$30,000 in pay from the Secretary under this paragraph.

(5) EMPLOYMENT STATUS.—

(A) COMPENSATION FOR WORK INJURIES.—An eligible individual placed in an internship with an eligible employer under the pilot program shall be deemed, during the period of such internship under the pilot program, an employee of the United States for the purposes of the benefits of chapter 81 of title

5, United States Code, but not for the purposes of laws administered by the Office of Personnel Management.

(B) HEALTH BENEFITS.—For purposes of the Patient Protection and Affordable Care Act (Public Law 111-148), an eligible individual placed in an internship with an eligible employer under the pilot program shall be considered an employee of the Department of Veterans Affairs and not the eligible employer during the period of such internship under the pilot program.

(6) RELATION TO OTHER FEDERAL ASSISTANCE.—Notwithstanding any other provision of law, pay received by an individual under this subsection may not be used in any calculation to determine the eligibility of such individual for any Federal program for the purpose of obtaining child care assistance.

(7) LIMIT ON NUMBER OF INTERN PLACEMENTS.—In the case of an eligible employer at which one or more eligible individuals have been placed for an internship under the pilot program, the Secretary may consider, in determining whether to place an additional eligible individual at such employer for an internship under the pilot program, whether if after such additional placement, the number of eligible individuals placed in internships at such employer under the pilot program would constitute more than 10 percent of the eligible employer's workforce. For purposes of the previous sentence, being an intern under the pilot program placed at the eligible employer shall be considered part of the employer's workforce.

(g) MENTORSHIP AND JOB-SHADOWING.—

(1) IN GENERAL.—As a condition of an eligible employer's participation in the pilot program and the placement of an eligible individual in an internship at the eligible employer, the eligible employer shall provide each eligible individual placed in an internship at the eligible employer under the pilot program with at least one mentor who is an employee of the eligible employer.

(2) JOB-SHADOWING AND CAREER COUNSELING.—To the extent practicable, a mentor assigned to an eligible individual participating in the pilot program shall provide such eligible individual with job shadowing and career counseling.

(h) VOLUNTEER OPPORTUNITIES.—

(1) IN GENERAL.—As a condition on participation in the pilot program, each eligible individual who participates in the pilot program shall, not less frequently than once each month in which the eligible individual participates in the pilot program, engage in a qualifying volunteer activity in accordance with guidelines the Secretary shall establish.

(2) QUALIFYING VOLUNTEER ACTIVITIES.—For purposes of this subsection, a qualifying volunteer activity is any activity the Secretary considers related to providing assistance to, or for the benefit of, a veteran. Such activities may include the following:

(A) Outreach.

(B) Assisting an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code, on a volunteer basis.

(C) Service benefitting a veteran in a State home or a Department of Veterans Affairs medical facility.

(D) Service benefitting a veteran at an institution of higher education.

(i) PROFESSIONAL SKILLS WORKSHOPS.—

(1) IN GENERAL.—The Secretary shall provide eligible individuals participating in the pilot program with workshops for the development and improvement of the professional skills of such eligible individuals.

(2) TAILORED.—The workshops provided by the Secretary shall be tailored to meet the

particular needs of eligible individuals participating in the pilot program as determined under subsection (j).

(3) TOPICS.—The workshops provided to eligible individuals participating in the pilot program may include workshops for the development of such professional skills as the Secretary considers appropriate, which may include the following:

(A) Written and oral communication skills.

(B) Basic word processing and other computer skills.

(C) Interpersonal skills.

(4) MANNER OF PRESENTATION.—Workshops on particular topics shall be provided through such means as may be appropriate, effective, and approved of by the Secretary for purposes of the pilot program. Such means may include use of electronic communication.

(5) ASSESSMENTS.—The Secretary shall conduct an assessment of a participant in a workshop conducted under this subsection to assess the participant's knowledge acquired as a result of participating in the workshop.

(j) SKILLS ASSESSMENT.—

(1) IN GENERAL.—Under the pilot program, the Secretary shall develop and implement an objective assessment of eligible individuals participating in the pilot program to assist in the placement of such individuals in internships under subsection (f) and to assist in the tailoring of workshops under subsection (i).

(2) ELEMENTS.—The assessment may include an assessment of the skill levels and service needs of each participant, which may include a review of basic professional entry-level skills, prior work experience, employability, and the individual's interests.

(k) ADDITIONAL SERVICES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall, under the pilot program, furnish the following services to an eligible individual participating in the pilot program when assessment under subsection (j) indicates such services are appropriate:

(A) Counseling, such as job counseling and career counseling.

(B) Job search assistance.

(C) Follow-up services with participants that are offered unsubsidized employment by the employer with whom they were assigned.

(D) Transportation, as described in paragraph (2).

(2) REFERRALS.—In lieu of furnishing a service to an eligible individual under paragraph (1), the Secretary may refer such eligible individual to another Federal, State, or local government program that provides such service.

(3) TRANSPORTATION.—In accordance with criteria established by the Secretary for purposes of the pilot program, the Secretary may pay an allowance based upon mileage, of any eligible individual placed in an internship under the pilot program not in excess of 75 miles to or from a facility of the eligible employer or other place in connection with such internship.

(l) PARTICIPATION.—

(1) APPLICATION.—

(A) IN GENERAL.—An eligible employer, eligible individual, or member of the Armed Forces described in subparagraph (B) seeking to participate in the pilot program shall submit to the Secretary of Veterans Affairs an application therefor at such time, in such manner, and containing such information as the Secretary shall specify.

(B) MEMBERS OF ARMED FORCES.—A member of the Armed Forces described in this subparagraph is a member of the Armed Forces who—

(i) is expected, within 180 days, to be discharged or released from service in the active military, naval, or air service under conditions other than dishonorable; and

(ii) has not accepted an offer of employment that would begin after such discharge or release.

(2) SELECTION.—

(A) IN GENERAL.—The Secretary shall review each application submitted by an applicant under paragraph (1) and approve or disapprove the applicant for participation in the pilot program.

(B) CONSIDERATION OF EMPLOYER PERFORMANCE.—In approving or disapproving an eligible employer for participation in the pilot program, the Secretary may consider past performance of the eligible employer with respect to the following:

(i) Job training, basic skills training, and related activities.

(ii) Fiscal accountability.

(iii) Demonstration of a high potential for growth and long-term job creation.

(C) CONSIDERATIONS CONCERNING SELECTION OF FOR-PROFIT AND NOT-FOR-PROFIT EMPLOYERS.—The Secretary may consider approving both for-profit and not-for-profit employers who are eligible employers for placement of interns under the pilot program.

(D) CONSIDERATIONS CONCERNING PARTICIPATION OF SMALL BUSINESS CONCERNS.—In selecting eligible employers for participation in the pilot program, the Secretary may consider the extent to which small business concerns are afforded opportunities to participate in the pilot program.

(m) GRANTS.—

(1) IN GENERAL.—The Secretary may award grants to not more than four eligible entities to assist the Secretary in carrying out the pilot program.

(2) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is a non-profit organization.

(3) CONSIDERATIONS.—In awarding grants under this subsection, the Secretary may consider whether an eligible entity—

(A) has an understanding of the unemployment problems of eligible individuals and members of the Armed Forces transitioning from service in the Armed Forces to civilian life;

(B) is familiar with one or more locations selected under subsection (d); and

(C) have the capability to assist the Secretary in administering effectively the pilot program and providing career transition services to eligible individuals.

(4) USE OF FUNDS.—Amounts received by a recipient of a grant under this subsection may be used as the Secretary considers appropriate for purposes of the pilot program, including as follows:

(A) To assist the Secretary in carrying out the pilot program.

(B) To recruit eligible employers and eligible individuals to participate in the pilot program.

(C) To match eligible individuals participating in the pilot program with internship opportunities at eligible employers participating in the pilot program.

(D) To coordinate and carry out job placement and other employer outreach activities.

(n) OUTREACH.—The Secretary of Veterans Affairs and the Secretary of Labor shall jointly carry out a program of outreach to inform eligible employers and eligible individuals about the pilot program and the benefits of participating in the pilot program.

(o) AWARDS FOR OUTSTANDING CONTRIBUTIONS TO PILOT PROGRAM.—

(1) IN GENERAL.—Each year of the pilot program, the Secretary of Veterans Affairs may recognize one or more eligible employers or one or more eligible individuals participating in the pilot program for demonstrating outstanding achievement in carrying out or in contributing to the success of the pilot program.

(2) CRITERIA.—The Secretary shall establish such selection procedures and criteria as the Secretary considers appropriate for the award of recognition under this subsection.

(p) MINIMIZATION OF ADMINISTRATIVE BURDEN ON PARTICIPATING EMPLOYERS.—The Secretary shall take such measures as may be necessary to minimize administrative burdens incurred by eligible employers due to participation in the pilot program.

(q) REPORTS.—

(1) IN GENERAL.—Not later than 45 days after the completion of the first year of the pilot program and not later than 180 days after the completion of the second and third years of the pilot program, the Secretary shall submit to Congress a report on the pilot program.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) An evaluation of the pilot program.

(B) The number and characteristics of participants in the pilot program.

(C) The number and types of internships in which eligible individuals were placed under the pilot program.

(D) The number of individuals who obtained long-term full-time unsubsidized employment positions as a result of the pilot program, the hourly wage and nature of such employment, and if available, whether such individuals were still employed in such positions three months after obtaining such positions.

(E) An assessment of the feasibility and advisability of providing career transition services to eligible individuals.

(F) An assessment of the effect of the pilot program on earnings of eligible individuals and the employment of eligible individuals.

(G) Such recommendations for legislative and administrative action as the Secretary may have to improve the pilot program, to expand the pilot program, or to improve the employment of eligible individuals.

(r) FUNDING LIMITATIONS.—

(1) WAGES FOR INTERNSHIPS.—Not less than 95 percent of amounts appropriated or otherwise made available for the pilot program shall be used to provide pay under subsection (f)(4).

(2) ADMINISTRATION.—Not more than 5 percent of amounts appropriated or otherwise made available for the pilot program may be used to administer the pilot program.

(s) DEFINITIONS.—In this section:

(1) ACTIVE DUTY, ACTIVE MILITARY, NAVAL, OR AIR SERVICE, RESERVE COMPONENT, AND VETERAN.—The terms “active duty”, “active military, naval, or air service”, “reserve component”, and “veteran” have the meanings given such terms in section 101 of title 38, United States Code.

(2) FULL-TIME BASIS.—The term “full-time basis”, with respect to an internship, means participation in the internship of not fewer than 30 hours per week and not more than 40 hours per week.

(3) SMALL BUSINESS CONCERN.—The term “small business concern” has the meaning given that term under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(4) UNEMPLOYMENT COMPENSATION.—The term “unemployment compensation” means regular compensation (as defined in section

205 of the Federal-State Extended Unemployment Compensation Act of 1970), compensation under the Federal-State Extended Compensation Act of 1970, and compensation under the emergency unemployment compensation program under title IV of the Supplemental Appropriations Act, 2008.

By Mr. SANDERS:

S. 928. A bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, it is my belief that the inability to provide compensation benefits in a timely manner tarnishes the reputation of the Department of Veterans Affairs and overshadows much of the good work done there. As I have said before, I never want a veteran's negative experience with the claims system to prevent him or her from seeking mental health care or help in battling homelessness. That is why, today, I am introducing the Claims Processing Improvement Act of 2013, a bill that would help to provide veterans and their family members with the timely and accurate claims decisions they deserve.

The fact that nearly 70 percent of claims are pending longer than the Department's goal of 125 days is completely unacceptable. VA knows this, and the Department has set ambitious goals, put forward a plan, and has been working hard to transform the compensation claims system. Despite these efforts, it is clear that much work remains to be done. That is why we must continue to work together to find innovative solutions until the claims system is transformed into one fit for the 21st century.

Now is the time to truly apply all of the latest technological advances, the insight and experience of veterans service organizations, the lessons learned from the wealth of studies that have already looked at the claims system, and the resources of the Federal Government to tackle this problem from all angles and to finally make real progress.

The Claims Processing Improvement Act of 2013 is a critical part of the solution. This bill is a holistic approach to addressing the challenges of the claims system and would provide long-term reforms that will improve VA's claims process from start to finish—from the regional offices located across the nation to the Board of Veterans' Appeals. I would like to highlight just a few of the important provisions in this legislation.

VA must do a better job of showing not only Congress, but also veterans and their survivors about how VA plans to accomplish the ambitious goal of eliminating the claims backlog by 2015. That is why this bill, for the first time, would require VA to publicly report on

a quarterly basis information on both VA's quarterly goals and actual production. This would allow Congress and the public to see both the successes and failures of VA's transformation efforts, measure VA's progress, and allow for quicker course corrections when necessary.

At VA regional offices across this country, employees are trying to adapt to a changing work environment as VA continues its transition to a paperless claims processing system. These employees are given credit for work in a manner that does not accurately reflect the realities of an electronic claims processing system. VA's work credit system also focuses almost exclusively on speed, often to the detriment of quality.

During a hearing held by the Senate Committee on Veterans' Affairs earlier this year, Mr. Bart Stichman, Joint Executive Director of the National Veterans Legal Services Program, commented that “VA regional office adjudicators prematurely decide claims—without taking the time to obtain and assemble the evidence necessary to properly decide a claim—in an effort to ensure that the average time for deciding an initial claim that is reported to VA managers and Congress is a low number of days.” I have heard from other veterans service organizations about the need for a cultural change at VA. In order for this change to occur, employees must operate within an environment that accurately reflects the important tasks they are asked to accomplish and an environment that focuses equally on speed and quality.

This bill would facilitate that cultural change through the establishment of a work group designed to reassess the way employees are credited for their work. The work group, tasked with providing solutions, would include the very employees and organizations with the necessary expertise to finally establish a work credit system based on a data driven methodology and one that is updated on a consistent and predictable basis. VA employees, many of whom are veterans themselves, deserve nothing less.

This bill would also address the workforce needs of VA and other Federal agencies with claims adjudication responsibilities. In fiscal year 2012, VA lost approximately 6 percent of its claims staff. This legislation would address employee attrition by establishing a task force to develop a strategic plan and initiate training to support the hiring of veterans in claims processing and adjudication positions throughout the Federal Government. This task force would simultaneously prepare servicemembers for the jobs that consistently need to be filled and create a generation of adjudicators throughout VA who can identify with the experiences of the population they serve.

This bill would address concerns raised by the Disabled American Veterans by ensuring appropriate oversight of the disability examination system and encouraging the use of private medical evidence when appropriate. As Mr. Violante, the National Legislative Director of Disabled American Veterans, pointed out at a Veterans' Affairs hearing on the disability claims system in March, disability benefits questionnaires were "designed to allow private physicians to submit medical evidence on behalf of veterans they treat in a format that aids rating specialists." Making better use of private medical evidence, and awarding appropriate work credit for doing so, would save VA adjudicators precious time, taxpayers the added expense, and would relieve veterans from the stress of excessive medical exams.

While providing veterans with timely and accurate initial claims decisions has been the focus of much attention, I remain very concerned about the staggering number of appeals pending at the Board of Veterans' Appeals. According to the Report of the Chairman of the Board of Veterans' Appeals, there were 45,959 cases pending before the Board at the end of fiscal year 2012. The Chairman's Report also provided the average length of time between the filing of an appeal and the Board's disposition, which was 1,040 days in fiscal year 2012. It is unconscionable that a veteran or a family member had to wait, on average, nearly three years for a decision on an appeal. This bill contains a number of provisions that would improve efficiency at the Board of Veterans' Appeals.

This legislation would expand the use of video hearings in order to serve more veterans, reduce an appellant's wait time for a hearing, and increase efficiency in issuing final decisions on appeals by reducing the number of travel days for employees issuing decisions. However, the right to an in-person hearing would be preserved should the veteran desire such a hearing. This bill would also streamline the appellate process by requiring veterans to more quickly file a notice of disagreement. Many veterans already take quick action but to ensure veterans are protected this legislation would provide a good cause exception in the event a notice of disagreement is not filed in a timely manner, such as in cases where a physical, mental, educational, or linguistic limitation prevented timely filing.

These are just a few of the provisions of this bill, which would positively impact the claims system. This legislation is the result of a collective body of information and insight gathered from Congressional hearings, meetings with veterans service organizations and VA staff, correspondence from veterans, and aggressive oversight by the Senate Committee on Veterans' Affairs.

The challenges of the claims system are enormously complex and there is no single silver bullet that will magically solve every problem. The Claims Processing Improvement Act of 2013 would, however, provide a number of the solutions necessary to ensure veterans and their family members receive timely and accurate benefit decisions.

Clearly there is much work yet to be done. I ask my colleagues to join with me in working together to find innovative solutions until we have truly created a claims system fit for the 21st century. As a nation we have asked more of these individuals than most of us can comprehend. We must now honor the promise we made as a nation—to take care of those who have taken care of us.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 928

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Claims Processing Improvement Act of 2013".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AGENCY OF ORIGINAL JURISDICTION

Sec. 101. Establishment of working group to improve employee work credit and work management systems of Veterans Benefits Administration.

Sec. 102. Establishment of task force on retention and training of Department of Veterans Affairs claims processors and adjudicators.

Sec. 103. Streamlining non-Department of Veterans Affairs Federal records requests.

Sec. 104. Recognition of representatives of Indian tribes in the preparation, presentation, and prosecution of claims under laws administered by the Secretary of Veterans Affairs.

Sec. 105. Pilot program on participation of local and tribal governments in improving quality of claims for disability compensation submitted to Department of Veterans Affairs.

Sec. 106. Quarterly reports on progress of Department of Veterans Affairs in eliminating backlog of claims for compensation that have not been adjudicated.

TITLE II—BOARD OF VETERANS' APPEALS AND COURT OF APPEALS FOR VETERANS CLAIMS

Sec. 201. Modification of filing period for notice of disagreement to initiate appellate review of decisions of Department of Veterans Affairs.

Sec. 202. Determination of manner of appearance for hearings before Board of Veterans' Appeals.

Sec. 203. Disclosure of certain medical records in appellate proceedings in certain courts.

TITLE III—OTHER MATTERS

Sec. 301. Extension of authority for operations of Manila Department of Veterans Affairs Regional Office.

Sec. 302. Extended period for scheduling of medical exams for veterans receiving temporary disability ratings for severe mental disorder.

Sec. 303. Extension of marriage delimiting date for surviving spouses of Persian Gulf War veterans to qualify for death pension.

Sec. 304. Making effective date provision consistent with provision for benefits eligibility of a veteran's child based upon termination of remarriage by annulment.

Sec. 305. Extension of temporary authority for performance of medical disabilities examinations by contract physicians.

TITLE I—AGENCY OF ORIGINAL JURISDICTION

SEC. 101. ESTABLISHMENT OF WORKING GROUP TO IMPROVE EMPLOYEE WORK CREDIT AND WORK MANAGEMENT SYSTEMS OF VETERANS BENEFITS ADMINISTRATION.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a working group to assess and develop recommendations for the improvement of the employee work credit and work management systems of the Veterans Benefits Administration.

(b) **COMPOSITION.**—The working group shall be composed of the following:

(1) The Secretary or the Secretary's designee.

(2) Individuals selected by the Secretary from among employees of the Department of Veterans Affairs who—

(A) handle claims for compensation and pension benefits; and

(B) are recommended to the Secretary by a labor organization for purposes of this section.

(3) Not fewer than three individuals selected by the Secretary to represent different organizations recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(c) **DUTIES.**—The duties of the working group are as follows:

(1) To assess and develop recommendations for the improvement of the employee work credit and work management systems of the Veterans Benefits Administration.

(2) To develop a data based methodology to be used in revising the employee work credit system of the Department and a schedule by which revisions to such system should be made.

(3) To assess and develop recommendations for improvement of the resource allocation model of the Veterans Benefits Administration.

(d) **REVIEW AND INCORPORATION OF FINDINGS FROM PRIOR STUDY.**—In carrying out its duties under subsection (c), the working group shall review the findings and conclusions of the Secretary regarding previous studies of the employee work credit and work management systems of the Veterans Benefits Administration.

(e) **REPORTS.**—

(1) INTERIM REPORT.—Not later than 180 days after the date of the establishment of the working group, the working group shall submit to Congress a report on the progress of the working group.

(2) FINAL REPORT.—Not later than one year after the date of the establishment of the working group, the working group shall submit to Congress the methodology and schedule developed under subsection (c)(2).

(f) IMPLEMENTATION OF METHODOLOGY AND SCHEDULE.—After submitting the report under subsection (e), the Secretary shall take such actions as may be necessary to apply the methodology developed under subsection (c)(2) and apply such methodology according to the schedule developed under such subsection.

SEC. 102. ESTABLISHMENT OF TASK FORCE ON RETENTION AND TRAINING OF DEPARTMENT OF VETERANS AFFAIRS CLAIMS PROCESSORS AND ADJUDICATORS.

(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a task force to assess retention and training of claims processors and adjudicators that are employed by the Department of Veterans Affairs and other Federal agencies and departments.

(b) COMPOSITION.—The task force shall be composed of the following:

- (1) The Secretary of Veterans Affairs.
- (2) The Director of the Office of Personnel Management.
- (3) The Commissioner of Social Security.
- (4) An individual selected by the Secretary of Veterans Affairs who represents an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.
- (5) Such other individuals selected by the Secretary who represent such other organizations and institutions as the Secretary considers appropriate.

(c) DURATION.—The task force established under subsection (a) shall terminate not later than two years after the date on which the task force is established under such subsection.

(d) DUTIES.—The duties of the task force are as follows:

- (1) To identify key skills required by claims processors and adjudicators to perform the duties of claims processors and adjudicators in the various claims processing and adjudication positions throughout the Federal Government.
- (2) To identify reasons for employee attrition from claims processing positions.
- (3) Not later than one year after the date of the establishment of the task force, to develop a Government-wide strategic and operational plan for promoting employment of veterans in claims processing positions in the Federal Government.
- (4) To coordinate with educational institutions to develop training and programs of education for members of the Armed Forces to prepare such members for employment in claims processing and adjudication positions in the Federal Government.
- (5) To identify and coordinate offices of the Department of Defense and the Department of Veterans Affairs located throughout the United States to provide information about, and promotion of, available claims processing positions to members of the Armed Forces transitioning to civilian life and to veterans with disabilities.
- (6) To establish performance measures to assess the plan developed under paragraph (3), to assess the implementation of such plan, and revise such plan as the task force considers appropriate.
- (7) To establish performance measures to evaluate the effectiveness of the task force.

(e) REPORTS.—

(1) SUBMITTAL OF PLAN.—Not later than one year after the date of the establishment of the task force, the Secretary of Veterans Affairs shall submit to Congress a report on the plan developed by the task force under subsection (d)(3).

(2) ASSESSMENT OF IMPLEMENTATION.—Not later than 120 days after the termination of the task force, the Secretary shall submit to Congress a report that assesses the implementation of the plan developed by the task force under subsection (d)(3).

SEC. 103. STREAMLINING NON-DEPARTMENT OF VETERANS AFFAIRS FEDERAL RECORDS REQUESTS.

(a) IN GENERAL.—Paragraph (2) of section 5103A(c) of title 38, United States Code, is amended to read as follows:

“(2)(A) Whenever the Secretary attempts to obtain records from a Federal department or agency, other than the Department, under this subsection, the Secretary shall make not fewer than two attempts to obtain the records, unless the records are obtained or the response to the first request makes evident that a second request for such records would be futile.

“(B) The notification requirements under subsection (b)(2) of this section shall apply if the Secretary is unable to obtain all of the records sought from a Federal department or agency other than the Department.”.

(b) SUBSEQUENT ATTAINMENT OF RECORDS.—Such section is further amended by adding at the end the following new paragraph:

“(3) If, after adjudicating a claim for a benefit under a law administered by the Secretary, the Secretary receives a record relevant to such claim (or associates with the file for such claim a record) that the Secretary requested from a Federal department or agency before the adjudication, the record received (or associated) shall be deemed to have been in the file for such claim as of the date of the original filing of the claim for such benefit.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to any claim that—

- (1) is filed on or after the date that is 180 days after the date of the enactment of this Act; or
- (2) was filed before the date of the enactment of this Act and was not final as of such date.

SEC. 104. RECOGNITION OF REPRESENTATIVES OF INDIAN TRIBES IN THE PREPARATION, PRESENTATION, AND PROSECUTION OF CLAIMS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

Section 5902(a)(1) of title 38, United States Code, is amended by inserting “Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b))” after “Foreign Wars,”.

SEC. 105. PILOT PROGRAM ON PARTICIPATION OF LOCAL AND TRIBAL GOVERNMENTS IN IMPROVING QUALITY OF CLAIMS FOR DISABILITY COMPENSATION SUBMITTED TO DEPARTMENT OF VETERANS AFFAIRS.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of entering into memorandums of understanding with local governments and tribal organizations—

- (1) to improve the quality of claims submitted to the Secretary for compensation under chapter 11 and pension under chapter 15 of title 38, United States Code; and

(2) to provide assistance to veterans who may be eligible for such compensation or pension in submitting such claims.

(b) MINIMUM NUMBER OF PARTICIPATING TRIBAL ORGANIZATIONS.—In carrying out the pilot program required by subsection (a), the Secretary shall enter into memorandums of understanding with at least—

- (1) two tribal organizations; and
- (2) 10 State or local governments.

(c) TRIBAL ORGANIZATION DEFINED.—In this section, the term “tribal organization” has the meaning given that term in section 3765 of title 38, United States Code.

SEC. 106. QUARTERLY REPORTS ON PROGRESS OF DEPARTMENT OF VETERANS AFFAIRS IN ELIMINATING BACKLOG OF CLAIMS FOR COMPENSATION THAT HAVE NOT BEEN ADJUDICATED.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and not less frequently than quarterly thereafter through calendar year 2015, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the backlog of claims filed with the Department of Veterans Affairs for compensation that have not been adjudicated by the Department.

(b) CONTENTS.—Each report submitted under subsection (a) shall include the following:

- (1) For each month through calendar year 2015, a projection of the following:
 - (A) The number of claims completed.
 - (B) The number of claims received.
 - (C) The number of claims backlogged at the end of the month.
 - (D) The number of claims pending at the end of the month.
 - (E) A description of the status of the implementation of initiatives carried out by the Secretary to address the backlog.

(2) For each quarter through calendar year 2015, a projection of the average accuracy of disability determinations for compensation claims that require a disability rating (or disability decision).

- (3) For each month during the most recently completed quarter, the following:
 - (A) The number of claims completed.
 - (B) The number of claims received.
 - (C) The number of claims backlogged at the end of the month.
 - (D) The number of claims pending at the end of the month.
 - (E) A description of the status of the implementation of initiatives carried out by the Secretary to address the backlog.

(4) For the most recently completed quarter, an assessment of the accuracy of disability determinations for compensation claims that require a disability rating (or disability decision).

(c) AVAILABILITY TO PUBLIC.—The Secretary shall make each report submitted under subsection (a) available to the public.

(d) DEFINITIONS.—In this section:

- (1) BACKLOGGED.—The term “backlogged”, with respect to a claim for compensation received by the Secretary, means a claim that has been pending for more than 125 days.
- (2) PENDING.—The term “pending”, with respect to a claim for compensation received by the Secretary, means a claim that has not been adjudicated by the Secretary.

**TITLE II—BOARD OF VETERANS' APPEALS
AND COURT OF APPEALS FOR VET-
ERANS CLAIMS**

**SEC. 201. MODIFICATION OF FILING PERIOD FOR
NOTICE OF DISAGREEMENT TO INI-
Tiate APPELLATE REVIEW OF DECIS-
IONS OF DEPARTMENT OF VET-
ERANS AFFAIRS.**

(a) FILING OF NOTICE OF DISAGREEMENT BY CLAIMANTS.—

(1) IN GENERAL.—Paragraph (1) of section 7105(b) of title 38, United States Code, is amended—

(A) by striking “one year” and inserting “180 days” in the first sentence; and

(B) by striking “one-year” and inserting “180-day” in the third sentence.

(2) ELECTRONIC FILING.—Such paragraph is further amended by inserting “or transmitted by electronic means” after “post-marked”.

(3) GOOD CAUSE EXCEPTION FOR UNTIMELY FILING OF NOTICES OF DISAGREEMENT.—Such section 7105(b) is amended by adding at the end the following new paragraph:

“(3)(A) A notice of disagreement not filed within the time prescribed by paragraph (1) shall be treated by the Secretary as timely filed if—

“(i) the Secretary determines that the claimant, legal guardian, or other accredited representative, attorney, or authorized agent filing the notice had good cause for the lack of filing within such time; and

“(ii) the notice of disagreement is filed not later than 186 days after the period prescribed by paragraph (1).

“(B) For purposes of this paragraph, good cause shall include the following:

“(i) Circumstances relating to any physical, mental, educational, or linguistic limitation of the claimant, legal guardian, representative, attorney, or authorized agent concerned (including lack of facility with the English language).

“(ii) Circumstances relating to significant delay in the delivery of the initial decision or of the notice of disagreement because of natural disaster or factors relating to geographic location.

“(iii) A change in financial circumstances, including the payment of medical expenses or other changes in income or net worth that are considered in determining eligibility for benefits and services on an annualized basis for purposes of needs-based benefits under chapters 13, 15, and 17 of this title.”.

(b) APPLICATION BY DEPARTMENT FOR REVIEW ON APPEAL.—Section 7106 of such title is amended in the first sentence by striking “one-year period described in section 7105” and inserting “period described in section 7105(b)(1)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to claims for compensation and benefits under laws administered by the Secretary of Veterans Affairs filed with the Secretary after the date of the enactment of this Act.

**SEC. 202. DETERMINATION OF MANNER OF AP-
PEARANCE FOR HEARINGS BEFORE
BOARD OF VETERANS' APPEALS.**

(a) IN GENERAL.—Section 7107 of title 38, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) in subsection (a)(1), by striking “in subsection (f)” and inserting “in subsection (g)”; and

(3) by striking subsections (d) and (e) and inserting the following new subsections:

“(d)(1) Except as provided in paragraph (2), a hearing before the Board shall be conducted through picture and voice transmission, by electronic or other means, in

such a manner that the appellant is not present in the same location as the members of the Board during the hearing.

“(2)(A) A hearing before the Board shall be conducted in person upon the request of an appellant.

“(B) In the absence of a request under subparagraph (A), a hearing before the Board may also be conducted in person as the Board considers appropriate.

“(e)(1) In a case in which a hearing before the Board is to be held as described in subsection (d)(1), the Secretary shall provide suitable facilities and equipment to the Board or other components of the Department to enable an appellant located at an appropriate facility within the area served by a regional office to participate as so described.

“(2) Any hearing conducted as described in subsection (d)(1) shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing.

“(f)(1) In a case in which a hearing before the Board is to be held as described in subsection (d)(2), the appellant may request that the hearing be held at the principal location of the Board or at a facility of the Department located within the area served by a regional office of the Department.

“(2) A hearing to be held within an area served by a regional office of the Department shall (except as provided in paragraph (3)) be scheduled to be held in accordance with the place of the case on the docket under subsection (a) relative to other cases on the docket for which hearings are scheduled to be held within that area.

“(3) A hearing to be held within an area served by a regional office of the Department may, for cause shown, be advanced on motion for an earlier hearing. Any such motion shall set forth succinctly the grounds upon which the motion is based. Such a motion may be granted only—

“(A) if the case involves interpretation of law of general application affecting other claims;

“(B) if the appellant is seriously ill or is under severe financial hardship; or

“(C) for other sufficient cause shown.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to cases received by the Board of Veterans' Appeals pursuant to notices of disagreement submitted on or after the date of the enactment of this Act.

**SEC. 203. DISCLOSURE OF CERTAIN MEDICAL
RECORDS IN APPELLATE PRO-
CEEDINGS IN CERTAIN COURTS.**

Section 7332(b)(2) of title 38, United States Code, is amended—

(1) by redesignating subparagraphs (E) through (G) as subparagraphs (F) through (H), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) To the Supreme Court of the United States, the United States Court of Appeals for the Federal Circuit, or the United States Court of Appeals for Veterans Claims, and all parties of record, in a case that is appealed to such court and such records are included in the record on appeal. Upon disclosure of such records, the court concerned shall impose appropriate safeguards against unauthorized disclosure that are consistent with the provisions of section 7268 of this title.”.

TITLE III—OTHER MATTERS

**SEC. 301. EXTENSION OF AUTHORITY FOR OPER-
ATIONS OF MANILA DEPARTMENT
OF VETERANS AFFAIRS REGIONAL
OFFICE.**

Section 315(b) of title 38, United States Code, is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

**SEC. 302. EXTENDED PERIOD FOR SCHEDULING
OF MEDICAL EXAMS FOR VETERANS
RECEIVING TEMPORARY DISABILITY
RATINGS FOR SEVERE MENTAL DIS-
ORDER.**

Section 1156(a)(3) of title 38, United States Code, is amended by striking “six months” and inserting “540 days”.

**SEC. 303. EXTENSION OF MARRIAGE DELIMITING
DATE FOR SURVIVING SPOUSES OF
PERSIAN GULF WAR VETERANS TO
QUALIFY FOR DEATH PENSION.**

Section 1541(f)(1)(E) of title 38, United States Code, is amended by striking “January 1, 2011” and inserting “the date that is 10 years and one day after the date on which the Persian Gulf War was terminated, as prescribed by Presidential proclamation or by law”.

**SEC. 304. MAKING EFFECTIVE DATE PROVISION
CONSISTENT WITH PROVISION FOR
BENEFITS ELIGIBILITY OF A VET-
ERAN'S CHILD BASED UPON TERMI-
NATION OF REMARRIAGE BY ANNUL-
MENT.**

Section 5110(1) of title 38, United States Code, is amended by striking “, or of an award or increase of benefits based on recognition of a child upon termination of the child's marriage by death or divorce.”.

**SEC. 305. EXTENSION OF TEMPORARY AUTHOR-
ITY FOR PERFORMANCE OF MED-
ICAL DISABILITIES EXAMINATIONS
BY CONTRACT PHYSICIANS.**

(a) IN GENERAL.—Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 38 U.S.C. 5101 note) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) REPORT ON DISABILITY MEDICAL EXAMINATIONS FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of general medical and specialty medical examinations by the Department of Veterans Affairs for purposes of adjudicating claims for benefits under laws administered by the Secretary.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) The number of general medical examinations furnished by the Department during the period of fiscal years 2009 through 2012 for purposes of adjudicating claims for benefits under laws administered by the Secretary.

(B) The number of general medical examinations furnished by the Department during the period of fiscal years 2009 through 2012 for purposes of adjudicating a claim in which a comprehensive joint examination was conducted, but for which no disability relating to a joint, bone, or muscle had been asserted as an issue in the claim.

(C) The number of specialty medical examinations furnished by the Department during the period of fiscal years 2009 through 2012 for purposes of adjudicating a claim.

(D) The number of specialty medical examinations furnished by the Department during the period of fiscal years 2009 through 2012 for purposes of adjudicating a claim in which one or more joint examinations were conducted.

(E) A summary (including citations of) any medical and scientific studies which provide a scientific basis for determining that three repetitions is adequate to determine the effect of repetitive use on functional impairments.

(F) The names of all examination reports, including general medical examinations and

Disability Benefits Questionnaires, used for evaluation of compensation and pension disability claims which require measurement of repeated ranges of motion testing and the number of examinations requiring such measurements which were conducted in fiscal year 2012.

(G) The average amount of time taken by an individual conducting a medical examination to perform the three repetitions.

(H) A discussion of whether there are more efficient and effective scientifically reliable methods of testing for functional loss on repetitive use of an extremity other than the three time repetition currently used by the Department.

(I) Recommendations as to the continuation of the practice of measuring functional impairment by using three repetitions during the examination as a criteria for evaluating the effect of repetitive motion on functional impairment with supporting rationale.

(c) REPORT ON PROGRESS OF ACCEPTABLE CLINICAL EVIDENCE INITIATIVE.—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the progress of the Acceptable Clinical Evidence initiative of the Department of Veterans Affairs in reducing the necessity for in-person disability examinations and other efforts to comply with the provisions of section 5125 of title 38, United States Code.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) The number of claims eligible for the Acceptable Clinical Evidence initiative during the period beginning on the date of the initiation of the initiative and ending on the date of the enactment of this Act, disaggregated by fiscal year.

(B) The total number of claims eligible for the Acceptable Clinical Evidence initiative that required a medical examiner of the Department to supplement the evidence with information obtained during a telephone interview with a claimant.

(C) Information on any other initiatives or efforts of the Department to further encourage the use of private medical evidence and reliance upon reports of a medical examination administered by a private physician if the report is sufficiently complete to be adequate for the purposes of adjudicating a claim.

By Mr. CORNYN:

S. 929. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 929

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vietnam Human Rights Sanctions Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the countries reaching more than \$24,800,000,000 in 2012.

(2) However, the transition by the Government of Vietnam toward greater economic activity and trade, which has led to increased bilateral engagement between the United States and Vietnam, has not been matched by greater political freedom or substantial improvements in basic human rights for the people of Vietnam.

(3) Vietnam remains an authoritarian state ruled by the Communist Party of Vietnam, which continues to deny the right of the people of Vietnam to participate in free and fair elections.

(4) According to the Department of State's 2012 Country Reports on Human Rights Practices, Vietnam's "most significant human rights problems . . . continued to be severe government restrictions on citizens' political rights, particularly their right to change their government; increased measures to limit citizens' civil liberties; and corruption in the judicial system and police".

(5) The Country Reports also state that the Government of Vietnam "increasingly limited freedoms of speech and press and suppressed dissent; further restricted Internet freedom; reportedly continued to be involved in attacks against Web sites containing criticism; maintained spying on dissident bloggers; and continued to limit privacy rights and freedoms of assembly, association, and movement".

(6) Furthermore, the Department of State documents that "arbitrary arrest and detention, particularly for political activists, remained a problem", with the Government of Vietnam sentencing "at least 35 arrested activists during [2012] to a total of 131 years in jail and 27 years of probation for exercising their rights".

(7) At the end of 2012, the Government of Vietnam reportedly held more than 120 political prisoners, and diplomatic sources maintained that 4 reeducation centers in Vietnam held approximately 4,000 prisoners.

(8) On September 24, 2012, 3 prominent Vietnamese bloggers—Nguyen Van Hai (also known as Dieu Cay), Ta Phong Tan, and Phan Thanh Hai (also known as Anh Ba Saigon)—were sentenced to prison based on 3-year-old blog postings criticizing the Government and leaders of Vietnam and the Communist Party of Vietnam.

(9) United Nations High Commissioner for Human Rights Navi Pillay responded to the sentencing of the bloggers on September 25, 2012, stating that "[t]he harsh prison terms handed down to bloggers exemplify the severe restrictions on freedom of expression in Vietnam" and calling the sentences an "unfortunate development that undermines the commitments Vietnam has made internationally . . . to protect and promote the right to freedom of expression".

(10) On March 21, 2013, Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Daniel B. Baer testified before the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations of the Senate that "in Vietnam we've been disappointed in recent years to see backsliding, particularly on . . . freedom of expression issues . . . people are being prosecuted for what they say online under really draconian national security laws . . . that is an issue that we continue to raise, both in our human rights dialogue with the Vietnamese as well as in other bilateral engagements".

(11) Although the Constitution of Vietnam provides for freedom of religion, the Department of State's 2012 Country Reports on Human Rights Practices maintains that "Vietnamese who exercise their right to freedom of religion continued to be subject to harassment, differing interpretations and applications of the law, and inconsistent legal protection, especially at provincial and village levels".

(12) Likewise, the United States Commission on International Religious Freedom 2013 Annual Report states that "[r]eligious freedom conditions remain very poor" in Vietnam and the "Vietnamese government continues to imprison individuals for religious activity or religious freedom advocacy" using a "specialized religious police force . . . and vague national security laws to suppress independent Buddhist, Protestant, Hoa Hao, and Cao Dai activities, and seeks to stop the growth of ethnic minority Protestantism and Catholicism via discrimination, violence and forced renunciations of their faith".

(13) The 2013 Annual Report notes that in 2004 the United States designated Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), and that Vietnam responded at that time by releasing prisoners, prohibiting the policy of forced renunciations of faith, and expanding protections for religious groups, and that "[m]ost religious leaders in Vietnam attributed these positive changes to the [country of particular concern] designation and the priority placed on religious freedom concerns in U.S.-Vietnamese bilateral relations".

(14) However, the 2013 Annual Report concludes that since the designation as a country of particular concern was lifted from Vietnam in 2006, "religious freedom conditions in Vietnam remain mixed", and therefore recommends to the Department of State that Vietnam should be redesignated as a country of particular concern.

(15) Deputy Assistant Secretary of State Baer likewise testified that "[i]n Vietnam the right to religious freedom, which seemed to be improving several years ago, has been stagnant for several years".

SEC. 3. IMPOSITION OF SANCTIONS ON CERTAIN INDIVIDUALS WHO ARE COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST NATIONALS OF VIETNAM OR THEIR FAMILY MEMBERS.

(a) **DEFINITIONS.**—In this section:

(1) **ADMITTED; ALIEN; IMMIGRATION LAWS; NATIONAL; SPOUSE.**—The terms "admitted", "alien", "immigration laws", "national", and "spouse" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means—

(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Ways and Means, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(3) **CONVENTION AGAINST TORTURE.**—The term "Convention against Torture" means the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on December 10, 1984.

(4) **UNITED STATES PERSON.**—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(b) IMPOSITION OF SANCTIONS.—Except as provided in subsections (e) and (f), the President shall impose the sanctions described in subsection (d) with respect to each individual on the list required by subsection (c)(1).

(c) LIST OF INDIVIDUALS WHO ARE COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of individuals who are nationals of Vietnam that the President determines are complicit in human rights abuses committed against nationals of Vietnam or their family members, regardless of whether such abuses occurred in Vietnam.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1) as new information becomes available and not less frequently than annually.

(3) PUBLIC AVAILABILITY.—The list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

(4) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required by paragraph (1), the President shall consider data already obtained by other countries and nongovernmental organizations, including organizations in Vietnam, that monitor the human rights abuses of the Government of Vietnam.

(d) SANCTIONS.—

(1) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—An individual on the list required by subsection (c)(1) may not—

(A) be admitted to, enter, or transit through the United States;

(B) receive any lawful immigration status in the United States under the immigration laws, including any relief under the Convention Against Torture; or

(C) file any application or petition to obtain such admission, entry, or status.

(2) FINANCIAL SANCTIONS.—The President shall freeze and prohibit all transactions in all property and interests in property of an individual on the list required by subsection (c)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(e) EXCEPTIONS TO COMPLY WITH INTERNATIONAL AGREEMENTS.—The President may, by regulation, authorize exceptions to the imposition of sanctions under this section to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international agreements.

(f) WAIVER.—The President may waive the requirement to impose or maintain sanctions with respect to an individual under subsection (b) or the requirement to include an individual on the list required by subsection (c)(1) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(g) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Vietnam has—

(1) unconditionally released all political prisoners;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of nationals of Vietnam while those nationals are engaging in peaceful political activity; and

(3) conducted a transparent investigation into the killings, arrest, and abuse of peaceful political activists in Vietnam and prosecuted those responsible.

SEC. 4. SENSE OF CONGRESS ON DESIGNATION OF VIETNAM AS A COUNTRY OF PARTICULAR CONCERN WITH RESPECT TO RELIGIOUS FREEDOM.

It is the sense of Congress that—

(1) the relationship between the United States and Vietnam cannot progress while the record of the Government of Vietnam with respect to human rights and the rule of law continues to deteriorate;

(2) the designation of Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) would be a powerful and effective tool in highlighting abuses of religious freedom in Vietnam and in encouraging improvement in the respect for human rights in Vietnam; and

(3) the Secretary of State should, in accordance with the recommendation of the United States Commission on International Religious Freedom, designate Vietnam as a country of particular concern for religious freedom.

By Mr. CARDIN (for himself, Mr. KIRK, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. HARKIN, Mr. SANDERS, Mr. LEVIN, Mr. MENENDEZ, Ms. STABENOW, Mr. HEINRICH, Mrs. BOXER, Mrs. GILLIBRAND, Mr. DURBIN, Mr. LAUTENBERG, Mr. MURPHY, Ms. BALDWIN, Ms. LANDRIEU, Mr. BROWN, Mr. BEGICH, and Ms. HIRONO):

S.J. Res. 15. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

Mr. CARDIN. Mr. President, as we prepare to celebrate Mother's Day this Sunday, I am today introducing a joint resolution which would remove the deadline for the ratification by the States of the equal rights amendment, the ERA.

I thank my cosponsors. As of this morning my cosponsors included Senator KIRK, Senator MIKULSKI, Senator MURKOWSKI, Senator HARKIN, Senator SANDERS, Senator LEVIN, Senator MENENDEZ, Senator STABENOW, Senator HEINRICH, Senator BOXER, Senator GILLIBRAND, Senator DURBIN, Senator LAUTENBERG, Senator MURPHY, Senator BALDWIN, Senator LANDRIEU, Senator BROWN, and Senator BEGICH.

When Congress passed the ERA in 1972, it provided that the measure had to be ratified by three-fourths of the

States, or 38 States, within 7 years. This deadline was later extended to 10 years by a joint resolution enacted by Congress, but ultimately only 35 of the 38 States required ratified the ERA when the deadline expired in 1982. Congress has the authority to give the States another chance, and should do so. I want to point out to my colleagues that in 1992, the 27th Amendment to the Constitution prohibiting immediate Congressional pay raises was ratified after 203 years. So this additional delay is certainly in keeping with our prior precedent.

Article 5 of the Constitution contains no time limit for the ratification of constitutional changes, and the ERA time limit was contained in a joint resolution, not the actual text of the amendment.

The 14th Amendment of the Constitution requires equal protection of the laws, and so far the Supreme Court has held most sex and gender classifications are subject only to intermediate scrutiny when analyzing the laws that have a discriminatory impact. In other words, right now gender discrimination does not have the strict interpretation standard; it is not subject to the higher standard which it should be.

In 2011, Supreme Court Justice Scalia gave an interview in which he stated:

Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't.

In other words, we don't have that protection in the Constitution today. Ratification of the ERA by State legislatures would provide the courts with a clearer guidance in holding gender or sex clarification to the strict scrutiny standard.

The ERA is a simple and straightforward constitutional amendment. It reads:

Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

The amendment gives power to Congress to enforce its provisions by appropriate legislation, and the amendment would take effect 2 years after ratification.

Today nearly half the States have a version of ERA written into their State constitutions. The constitution of my own State of Maryland reads that "Equality of rights under the law shall not be abridged or denied because of sex."

I am therefore pleased to introduce this joint resolution today, and I thank Representative ANDREWS for introducing a companion version in the House today as well. This legislation is endorsed by a wide variety of groups, including United 4 Equality, the National Council of Women's Organizations, the American Association of University Women, Business & Professional Women's Foundation, Federally Employed Women, and the U.S. Women's Chamber of Commerce.

I urge my colleagues to support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 135—DESIGNATING THE WEEK OF OCTOBER 7 THROUGH OCTOBER 13, 2013, AS “NATUROPATHIC MEDICINE WEEK” TO RECOGNIZE THE VALUE OF NATUROPATHIC MEDICINE IN PROVIDING SAFE, EFFECTIVE, AND AFFORDABLE HEALTH CARE

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 135

Whereas, in the United States, 75 percent of all health care spending is for the treatment of preventable chronic illnesses, including high blood pressure, which affects 68,000,000 people in the United States, and diabetes, which affects 26,000,000 people in the United States;

Whereas nearly two-thirds of adults in the United States are overweight or obese and, consequently, at risk for serious health conditions, such as high blood pressure, diabetes, cardiovascular disease, arthritis, and depression;

Whereas 70 percent of people in the United States experience physical or nonphysical symptoms of stress, which can contribute to chronic health conditions, such as high blood pressure, obesity, and diabetes;

Whereas the aforementioned health conditions are among the most preventable health conditions and are especially responsive to the preventive, whole-person approach favored by naturopathic medicine;

Whereas naturopathic medicine provides noninvasive, holistic treatments that support the inherent self-healing capacity of the human body and encourage self-responsibility in health care;

Whereas naturopathic medicine reduces health care costs because of its focus on patient-centered care, the prevention of chronic illnesses, and early intervention in the treatment of chronic illnesses;

Whereas naturopathic physicians attend 4-year, graduate level programs with rigorous admission requirements at institutions that are recognized by the Department of Education;

Whereas naturopathic physicians are especially skilled in treating chronic illnesses, such as diabetes, asthma, autoimmune disorders, and gastrointestinal disorders, because of their focus on whole-body medicine rather than symptom management;

Whereas naturopathic physicians are trained to serve as primary care physicians and can help redress the shortage of primary care providers in the United States;

Whereas naturopathic physicians are trained to refer patients to conventional physicians and specialists when necessary;

Whereas patients of naturopathic physicians report higher patient satisfaction and health improvement than patients of conventional medicine;

Whereas the profession of naturopathic medicine is dedicated to providing health care to underserved populations;

Whereas naturopathic medicine provides consumers in the United States with more choice in health care, in line with the in-

creased use of a variety of integrative medical treatments; and

Whereas the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) requires that insurers include and reimburse licensed health care providers, including naturopathic physicians, in health insurance plans: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 7 through October 13, 2013, as “Naturopathic Medicine Week”;

(2) recognizes the value of naturopathic medicine in providing safe, effective, and affordable health care; and

(3) encourages the people of the United States to learn about naturopathic medicine and the role that naturopathic physicians play in preventing chronic and debilitating illnesses and conditions.

SENATE RESOLUTION 136—RECOGNIZING THE 60TH ANNIVERSARY OF THE KOREAN WAR ARMISTICE AND THE MUTUAL DEFENSE TREATY OF 1953, AND CONGRATULATING PARK GEUN-HYE ON HER ELECTION TO THE PRESIDENCY OF THE REPUBLIC OF KOREA

Mr. CARDIN (for himself, Mr. RUBIO, Mr. MENENDEZ, Mr. WICKER, Mr. BEGICH, Ms. HIRONO, Mr. ISAKSON, and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

S. RES. 136

Whereas the Governments and people of the United States and the Republic of Korea share a comprehensive alliance, a dynamic partnership, and a personal friendship rooted in the common values of freedom, democracy, and a free market economy;

Whereas the relationship between the people of the United States and the Republic of Korea stretches back to Korea’s Chosun Dynasty, when the United States and Korea established diplomatic relations under the 1882 Treaty of Peace, Amity, Commerce, and Navigation.

Whereas July 27, 2013, will mark the 60th anniversary of the cessation of hostilities and the armistice of the Korean War, signed at Panmunjom, and 60 years in which the peninsula has seen no major hostilities, despite tensions and provocations from the Government of North Korea;

Whereas the United States-Republic of Korea alliance was forged in blood, with casualties of the United States during the Korean War of 54,246 dead (of whom 33,739 were battle deaths) and more than 103,284 wounded, and casualties of the Republic of Korea of over 50,000 soldiers dead and over 10,000 wounded;

Whereas the Korean War Veterans Recognition Act (Public Law 111-41) was enacted on July 27, 2009, and President Barack Obama issued a proclamation to designate the date as the National Korean War Veterans Armistice Day and called upon Americans to display flags at half-staff in memory of the Korean War veterans;

Whereas October 1, 2013, will mark the 60th anniversary of the Mutual Defense Treaty of 1953, to which the Senate gave its advice and consent to ratification on January 26, 1954;

Whereas the Republic of Korea has stood shoulder-to-shoulder alongside the United States in all 4 major engagements the United States has faced since World War II—the

Vietnam War, the Persian Gulf War, in Afghanistan, and in Iraq;

Whereas the Republic of Korea has shown global leadership in humanitarian and peace-keeping missions in Lebanon, the Gulf of Aden, and other nations around the world, such as Haiti;

Whereas the Governments and people of the United States and the Republic of Korea are working closely together to promote international peace and security, economic prosperity, human rights, and the rule of law;

Whereas the Government of the Republic of Korea is consistently a top-10 purchaser of United States defense articles and equipment, and is a member of the NATO+4 group for United States foreign military sales through the enactment on October 15, 2008, of the Naval Vessel Transfer Act of 2008 (Public Law 110-429);

Whereas, in the 60 years since the Korean War armistice and the founding of the alliance, the Republic of Korea emerged from war-torn poverty into a \$1,000,000,000,000 economy with a \$30,000 per capita GDP, a success of the post-World War II era built by South Koreans’ perseverance and supported by the strength of the United States-Republic of Korea partnership;

Whereas the Republic of Korea is a member of the Organization for Economic Co-operation and Development (OECD) and a non-permanent member of the United Nations Security Council and has hosted global forums, such as the G-20 Summit and the 2012 Nuclear Security Summit;

Whereas the Republic of Korea is a major economic and trade partner of the United States and cemented a Free Trade Agreement (Public Law 112-41) on October 21, 2011, which entered into force on March 15, 2012;

Whereas there are deep cultural and personal ties between the peoples of the United States and the Republic of Korea, as exemplified by the large flow of visitors and exchanges each year between the two countries, including Korean students studying in United States colleges and universities, and nearly 2,000,000 Korean-Americans that reside in the United States;

Whereas the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) set the criteria for Korea’s successful entry into the United States visa waiver program on November 17, 2008;

Whereas the election on December 19, 2012, and the inauguration on February 17, 2013, of Park Geun-Hye to the presidency of the Republic of Korea marks an historic milestone as the first female head of state ever democratically elected in the Northeast Asia region;

Whereas the United States looks forward to the next 60 years and beyond of an increasingly solid and enduring partnership with the Republic of Korea with expanded cooperation on security, economic, environmental, and cultural issues bilaterally and in the region; and

Whereas, on May 8, 2013, President Park will address a Joint Meeting of Congress at the invitation of the Speaker of the House: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 60th anniversary of the Korean War Armistice and the Mutual Defense Treaty of 1953;

(2) reaffirms the importance and resiliency of the United States-Korea alliance as a linchpin in maintaining peace and stability on the Korean Peninsula and in the greater East Asia region; and

(3) congratulates Park Geun-Hye on her historic election to the presidency of the Republic of Korea and wishes her well during her tenure of leadership.

SENATE RESOLUTION 137—DESIGNATING MAY 2013 AS “OLDER AMERICANS MONTH”

Mr. NELSON (for himself, Ms. COLLINS, Mr. SANDERS, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 137

Whereas President John F. Kennedy first designated May as “Senior Citizens Month” in 1963;

Whereas, in 1963, only 17,000,000 living people in the United States had reached their 65th birthday, approximately 1/3 of older people in the United States lived in poverty, and there were few programs to meet the needs of older people in the United States;

Whereas, as of 2013, there are more than 41,000,000 people in the United States who are 65 years of age or older;

Whereas, as of 2013, there are more than 9,000,000 veterans of the Armed Forces who are 65 years of age or older;

Whereas older people in the United States rely on Federal programs such as Social Security, Medicare, Medicaid, and, in the case of veterans, TRICARE and the health care system of the Department of Veterans Affairs, for financial security and high-quality, affordable health care;

Whereas the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) provides federally funded community-based social services and nutritional support programs to nearly 2,600,000 older people in the United States each year;

Whereas many people in the United States are living longer, working longer, and enjoying healthier, more active lifestyles than in past generations;

Whereas older people play an important role by continuing to contribute experience, knowledge, wisdom, and accomplishments;

Whereas older people are active community members involved in volunteering, mentorship, arts and culture, and civic engagement; and

Whereas recognizing the successes of older people in the community encourages ongoing participation and further accomplishments: Now therefore be it

Resolved, That the Senate—

(1) designates May 2013 as “Older Americans Month”;

(2) recognizes May 2013 as the 50th anniversary of “Older Americans Month”; and

(3) encourages the people of the United States to provide opportunities for older people to continue to flourish by—

(A) emphasizing the importance of older people and their leadership by publicly recognizing their continued achievements;

(B) presenting opportunities for older people to share their wisdom, experience, and skills; and

(C) recognizing older people as a valuable asset in strengthening the communities of the United States.

SENATE RESOLUTION 138—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 14TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK, TO BE CELEBRATED THE WEEK OF MAY 5 THROUGH MAY 11, 2013

Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. KIRK, Mr. DURBIN, Mr. ISAKSON, Mr. RUBIO, Mr. CORNYN, Mr. CRUZ, Mrs. FEINSTEIN, and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 138

Whereas charter schools are public schools that do not charge tuition and that enroll any student who wants to attend, often through a random lottery when too many students want to attend a single charter school;

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are authorized by a designated public entity and—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas, in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher expectations for students in addition to the requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and are truly accountable to the public;

Whereas 42 States and the District of Columbia have enacted laws authorizing charter schools;

Whereas more than 6,000 charter schools are serving more than 2,300,000 children;

Whereas, in the United States—

(1) in 110 school districts, more than 10 percent of public school students are enrolled in charter schools;

(2) in 25 school districts, more than 20 percent of public school students are enrolled in charter schools; and

(3) in 7 districts, at least 30 percent of public school students are enrolled in charter schools;

Whereas charter schools improve the achievement of students they enroll and stimulate improvement in traditional public schools;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities they serve;

Whereas an estimated 610,000 students were on waiting lists to attend charter schools before the beginning of the 2011–2012 academic year; and

Whereas the 14th annual National Charter Schools Week is scheduled to be celebrated the week of May 5 through May 11, 2013: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) their ongoing contributions to education;

(B) impressive strides made in closing the academic achievement gap in schools in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 14th annual National Charter Schools Week, a weeklong celebration to be held the week of May 5 through May 11, 2013, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

AMENDMENTS SUBMITTED AND PROPOSED

SA 858. Mr. COBURN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 859. Mr. DURBIN (for himself, Mr. BLUNT, Mr. PRYOR, Mrs. MCCASKILL, Mr. BOOZMAN, Mr. KIRK, Mr. COCHRAN, Mr. HARKIN, Ms. LANDRIEU, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 860. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 861. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 862. Mr. HOEVEN (for himself, Mr. THUNE, Ms. HEITKAMP, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 863. Mr. HOEVEN (for himself, Mr. THUNE, Ms. HEITKAMP, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 864. Mrs. SHAHEEN (for herself and Mr. FLAKE) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 865. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 866. Mr. MERKLEY (for himself and Mr. BROWN) submitted an amendment intended

to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 867. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 868. Mr. BARRASSO (for himself, Mr. SESSIONS, Mr. VITTER, Mr. CRAPO, Mrs. FISCHER, Mr. WICKER, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 869. Mr. MERKLEY (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 870. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 871. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 872. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 873. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 874. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 875. Ms. COLLINS (for herself, Mr. KING, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 876. Mr. THUNE (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 877. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 878. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 879. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 880. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 881. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 882. Mr. CARPER (for himself, Mr. CASEY, Mr. COONS, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 883. Mr. REID (for Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. SCHUMER)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 601, supra; which was ordered to lie on the table.

SA 884. Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 885. Mr. COONS submitted an amendment intended to be proposed by him to the

bill S. 601, supra; which was ordered to lie on the table.

SA 886. Mr. COONS (for himself, Mr. CARPER, Mr. LAUTENBERG, Mr. SCHUMER, Mr. MENENDEZ, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 887. Ms. LANDRIEU (for herself, Mr. VITTER, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 888. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. SCHUMER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 889. Mr. SANDERS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 858. Mr. COBURN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:
SEC. 5. LAND CONVEYANCE AT OPTIMA LAKE, TEXAS COUNTY, OKLAHOMA.

(a) DEFINITIONS.—In this section:

(1) FAIR MARKET VALUE.—The term “fair market value” means the amount for which a willing buyer would purchase and a willing seller would sell a parcel of land, as determined by a qualified, independent land appraiser.

(2) PREVIOUS OWNER OF LAND.—The term “previous owner of land” means a person (including a corporation) that conveyed, or a direct descendant of an individual who conveyed, land to the Corps of Engineers for use in the Optima Lake project in Texas County, Oklahoma.

(b) DEAUTHORIZATION OF PROJECT.—The Corps of Engineers project relating to Optima Lake in Texas County, Oklahoma is deauthorized, including any operation, maintenance, or other activities relating to the project that are ongoing as of the date of enactment of this Act.

(c) CONVEYANCES.—

(1) IN GENERAL.—The Secretary shall convey all right, title, and interest of the United States in and to the land acquired by the United States for the Optima Lake project in Texas County, Oklahoma in accordance with this subsection.

(2) FIRST PURCHASE OPTIONS.—

(A) STATE OF OKLAHOMA.—The Secretary shall give the State of Oklahoma through an Act passed by the legislature of that State and signed by the Governor of that State the first option to purchase the land described in paragraph (1).

(B) PREVIOUS OWNERS OF LAND.—

(i) IN GENERAL.—If the State of Oklahoma has not acted to purchase the land by the date that is 1 year after the date of enactment of this Act, the Secretary shall give a previous owner of land the option to purchase the land described in paragraph (1).

(ii) APPLICATION.—

(I) IN GENERAL.—Not later than 180 days after the official date of notice to the previous owner of land under paragraph (5), a previous owner of land who desires to purchase the land described in paragraph (1) that was owned by that previous owner of land, or by the individual from whom the previous owner of land is descended, shall file an application to purchase the land with the Secretary.

(II) FIRST TO FILE HAS FIRST OPTION.—If more than 1 application is filed to purchase a parcel of land described in paragraph (1), the first option to purchase the parcel of land shall be determined based on the order in which applications for the parcel of land were filed.

(iii) IDENTIFICATION OF PREVIOUS OWNERS OF LAND.—If the State of Oklahoma has failed to purchase the land within the period described in clause (i), the Secretary shall, not later than 90 days after that date, identify each previous owner of the land described in paragraph (1).

(iv) CONSIDERATION.—Consideration for land conveyed under this section shall be an amount equal to the fair market value of the land.

(3) DISPOSAL.—Any land described in paragraph (1) that is not purchased under paragraph (2) within the applicable time period shall be disposed of in accordance with applicable Federal law.

(4) EXTINGUISHMENT OF EASEMENTS.—All flowage easements acquired by the United States for use in the Optima Lake project in Texas County, Oklahoma, are extinguished.

(5) NOTICE.—

(A) IN GENERAL.—If the State of Oklahoma has failed to purchase the land within the period described in paragraph (2)(B)(i), the Secretary shall notify of the conveyance under this section—

(i) by United States mail, each person identified as a previous owner of land under paragraph (2)(B)(iii) by not later than 90 days after the date of identification; and

(ii) by publication in the Federal Register, the general public by not later than 90 days after the date that is 1 year after the date of enactment of this Act.

(B) CONTENTS OF NOTICE.—Notice under this subsection shall include—

(i) a copy of this section;

(ii) information sufficient to separately identify each parcel of land subject to this section; and

(iii) specification of the fair market value of each parcel of land subject to this section.

(C) OFFICIAL DATE OF NOTICE.—The official date of notice under this section shall be the later of—

(i) the date on which actual notice is mailed; or

(ii) the date of publication of the notice in the Federal Register.

(d) FLOOD CONTROL GATES.—Prior to the conveyance of any land under this section, the Secretary shall disable or remove, whichever option is most cost-effective, any flood control gate on the dam constructed by the Corps of Engineers in carrying out the Optima Lake project.

(e) RESTRICTION.—The Secretary shall carry out this section, including all land conveyances under this section, not later than 3 years after the date of enactment of this Act.

(f) EFFECT OF ACT.—Nothing in this section affects the jurisdiction of the State of Oklahoma (including localities) over any existing road or rights-of-way on the land described in subsection (c)(1).

(g) OFFSET.—An amount that equals the amount necessary to offset, in the aggregate, any net increase in spending and foregone revenues resulting from the implementation of this section shall be derived from the proceeds of the sale of the land described in subsection (c)(1).

SA 859. Mr. DURBIN (for himself, Mr. BLUNT, Mr. PRYOR, Mrs. MCCASKILL, Mr. BOOZMAN, Mr. KIRK, Mr. COCHRAN, Mr. HARKIN, Ms. LANDRIEU, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. GREATER MISSISSIPPI RIVER BASIN SEVERE FLOODING AND DROUGHT MANAGEMENT STUDY.

(a) DEFINITIONS.—In this section:

(1) GREATER MISSISSIPPI RIVER BASIN.—The term “greater Mississippi River Basin” means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(2) LOWER MISSISSIPPI RIVER.—The term “lower Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico.

(3) MIDDLE MISSISSIPPI RIVER.—The term “middle Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Missouri River and flows to the lower Mississippi River.

(4) SEVERE FLOODING AND DROUGHT.—The term “severe flooding and drought” means severe weather events that threaten personal safety, property, and navigation on the inland waterways of the United States.

(b) IN GENERAL.—The Secretary shall carry out a study of the greater Mississippi River Basin—

(1) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to severe flooding and drought conditions; and

(2) to evaluate the feasibility of any modifications to those water resource projects and develop new water resource projects to improve the reliability of navigation and more effectively reduce flood risk.

(c) CONTENTS.—The study shall—

(1) identify any Federal actions necessary to prevent and mitigate the impacts of severe flooding and drought, including changes to authorized channel dimensions, operational procedures of locks and dams, and reservoir management within the Mississippi River Basin;

(2) evaluate the effect on navigation and flood risk management to the Mississippi River of all upstream rivers and tributaries, especially the confluence of the Illinois River, Missouri River, Arkansas River, White River, and Ohio River;

(3) identify and make recommendations to remedy challenges to the Corps of Engineers presented by severe flooding and drought, including river access, in carrying out its mission to maintain safe, reliable navigation; and

(4) identify and locate natural or other potential impediments to maintaining naviga-

tion on the middle and lower Mississippi River during periods of low water.

(d) CONSULTATION AND USE OF EXISTING DATA.—In carrying out the study, the Secretary shall—

(1) consult with appropriate committees of Congress, Federal, State, tribal, and local agencies, environmental interests, river navigation industry representatives, other shipping and business interests, organized labor, and nongovernmental organizations;

(2) to the maximum extent practicable, use data in existence as of the date of enactment of this Act; and

(3) incorporate lessons learned and best practices developed as a result of past severe flooding and drought events, including major floods and the successful effort to maintain navigation during the near historic low water levels on the Mississippi River during the winter of 2012–2013.

(e) COST-SHARING.—The Federal share of the cost of carrying out the study under this section shall be 100 percent.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under this section.

SA 860. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 149, strike lines 13 through 16 and insert the following:

Section 214 of the Water Resources Development Act of 2000 (Public Law 106–541; 33 U.S.C. 2201 note) is amended—

(1) in subsection (a)—

(A) by inserting “or public utility” after “public entity”; and

(B) by inserting “or utility” after “that entity”; and

(2) by striking subsections (d) and (e) and inserting the following:

SA 861. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 121, strike lines 1 through 3, and insert the following:

“(II) conflict with the ability of a cooperating agency to carry out applicable Federal laws (including regulations).

SA 862. Mr. HOEVEN (for himself, Mr. THUNE, Ms. HEITKAMP, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the

United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, after line 23, add the following:

SEC. 2060. RESTRICTION ON CHARGES FOR CERTAIN WATER STORAGE.

Notwithstanding section 6 of the Act of December 22, 1944 (33 U.S.C. 708) and section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), no fee for water storage shall be charged under a contract for water storage if the contract is for water storage stored on the Missouri River.

SA 863. Mr. HOEVEN (for himself, Mr. THUNE, Ms. HEITKAMP, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, after line 23, add the following:

SEC. 2060. RESTRICTION ON CHARGES FOR CERTAIN SURPLUS WATER.

Notwithstanding section 6 of the Act of December 22, 1944 (33 U.S.C. 708) and section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), no fee for surplus water shall be charged under a contract for surplus water if the contract is for surplus water stored on the Missouri River.

SA 864. Mrs. SHAHEEN (for herself and Mr. FLAKE) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 167, strike line 19, and insert the following:

element of the project during that period.

“(D) AVAILABILITY OF FUNDS.—For each fiscal year, 5 percent of the funds appropriated to the Chief of Engineers for general expenses shall not be obligated until the date on which the list under paragraph (1) is submitted.”; and

SA 865. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 301, strike lines 19 through 22 and insert the following:

(33 U.S.C. 2211(b)) is amended by adding at the end the following:

SA 866. Mr. MERKLEY (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 100. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) IN GENERAL.—Except as provided in subsection (b), none of the amounts made available under this Act may be used for the construction, alteration, maintenance, or repair of a project eligible for assistance under this title unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) EXCEPTION.—Subsection (a) shall not apply in any case or category of cases in which the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) PUBLIC NOTICE.—If the Secretary determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the Secretary shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

SA 867. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 11004. AUTHORITY TO ACCEPT AND EXPEND NON-FEDERAL AMOUNTS.

The Secretary is authorized to accept and expend amounts provided by non-Federal interests for the purpose of repairing, restoring, or replacing water resources projects that have been damaged or destroyed as a result of a major disaster or other emergency if the Secretary determines that the acceptance and expenditure of those amounts is in the public interest.

SA 868. Mr. BARRASSO (for himself, Mr. SESSIONS, Mr. VITTER, Mr. CRAPO, Mrs. FISCHER, Mr. WICKER, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Sec-

retary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 452, between lines 14 and 15, insert the following:

SEC. 2055. IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.

(a) IN GENERAL.—Neither the Secretary of the Army nor the Administrator of the Environmental Protection Agency shall—

(1) finalize the proposed guidance described in the notice of availability and request for comments entitled “EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act” (EPA-HQ-OW-2011-0409) (76 Fed. Reg. 24479 (May 2, 2011)); or

(2) use the guidance described in paragraph (1), or any substantially similar guidance, as the basis for any decision regarding the scope of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any rulemaking.

(b) RULES.—The use of the guidance described in subsection (a)(1), or any substantially similar guidance, as the basis for any rule shall be grounds for vacation of the rule.

SA 869. Mr. MERKLEY (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 100. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) IN GENERAL.—Except as provided in subsection (b), none of the amounts made available under this Act may be used for the construction, alteration, maintenance, or repair of a project eligible for assistance under this title unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) EXCEPTION.—Subsection (a) shall not apply in any case or category of cases in which the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) PUBLIC NOTICE.—If the Secretary determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the Secretary shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

SA 870. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him

to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 299, strike line 9 and all that follows through page 301, line 16, and insert the following:

“(D) LOW-USE PORT.—The term ‘low-use port’ means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

“(E) MODERATE-USE PORT.—The term ‘moderate-use port’ means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

“(2) PRIORITY.—Of the amounts made available under this section to carry out projects described in subsection (a)(2) that are in excess of the amounts made available to carry out those projects in fiscal year 2012, the Secretary of the Army, acting through the Chief of Engineers, shall give priority to those projects in the following order:

“(A)(i) In any fiscal year in which all projects subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation) are not maintained to their constructed width and depth, the Secretary shall prioritize amounts made available under this section for those projects that are high-use deep draft and are a priority for navigation in the Great Lakes Navigation System.

“(ii) Of the amounts made available under clause (i)—

“(I) 80 percent shall be used for projects that are high-use deep draft; and

“(II) 20 percent shall be used for projects that are a priority for navigation in the Great Lakes Navigation System.

“(B) In any fiscal year in which all projects identified as high-use deep draft are maintained to their constructed width and depth, the Secretary shall—

“(i) equally divide among each of the districts of the Corps of Engineers in which eligible projects are located 10 percent of remaining amounts made available under this section for moderate-use and low-use port projects—

“(I) that have been maintained at less than their constructed width and depth during the preceding 8 fiscal years; and

“(II) for which significant State and local investments in infrastructure have been made at those projects during the preceding 8 fiscal years; and

“(ii) prioritize any remaining amounts made available under this section for those projects that are not maintained to the minimum width and depth necessary to provide sufficient clearance for fully loaded commercial vessels using those projects to maneuver safely.

“(3) ADMINISTRATION.—For purposes of this subsection, State and local investments in infrastructure shall include infrastructure investments made using amounts made available for activities under section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)).

“(4) EXCEPTIONS.—The Secretary may prioritize a project not identified in paragraph (2) if the Secretary determines that funding for the project is necessary to address—

“(A) hazardous navigation conditions; or

“(B) impacts of natural disasters, including storms and droughts.

“(5) REPORTS TO CONGRESS.—Not later than September 30, 2013, and annually thereafter, the Secretary shall submit to Congress a report that describes, with respect to the preceding fiscal year—

“(A) the amount of funds used to maintain high-use deep draft projects and projects at moderate-use ports and low-use ports to the constructed depth and width of the projects;

“(B) the respective percentage of total funds provided under this section used for high use deep draft projects and projects at moderate-use ports and low-use ports;

“(C) the remaining amount of funds made available to carry out this section, if any; and

“(D) any additional amounts needed to maintain the high-use deep draft projects and projects at moderate-use ports and low-use ports to the constructed depth and width of the projects.”

SA 871. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 316, line 20, strike “drinking water” and insert “water supply”.

On page 322, line 18, after “flood control” insert “, water supply,”.

On page 322, lines 23 and 24, strike “or protect natural resources” and insert “protect natural resources, or accomplish other water resource purposes”.

SA 872. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 _____ . **IMPROVING PLANNING AND ADMINISTRATION OF WATER SUPPLY STORAGE.**

(a) IN GENERAL.—The Secretary shall carry out activities to enable non-Federal interests to anticipate and accurately budget for annual operations and maintenance costs and, as applicable, repair, rehabilitation, and replacements costs, including through—

(1) the formulation by the Secretary of a uniform billing statement format for those storage agreements relating to operations and maintenance costs, and as applicable, repair, rehabilitation, and replacement costs, incurred by the Secretary, which, at a minimum, shall include—

(A) a detailed description of the activities carried out relating to the water supply aspects of the project;

(B) a clear explanation of why and how those activities relate to the water supply aspects of the project; and

(C) a detailed accounting of the cost of carrying out those activities; and

(2) a review by the Secretary of the regulations and guidance of the Corps of Engineers

relating to criteria and methods for the equitable distribution of joint project costs across project purposes in order to ensure consistency in the calculation of the appropriate share of joint project costs allocable to the water supply purpose.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the findings of the reviews carried out under subsection (a)(2) and any subsequent actions taken by the Secretary relating to those reviews.

(2) INCLUSIONS.—The report under paragraph (1) shall include an analysis of the feasibility and costs associated with the provision by the Secretary to each non-Federal interest of not less than 1 statement each year that details for each water storage agreement with non-Federal interests at Corps of Engineers projects the estimated amount of the operations and maintenance costs and, as applicable, the estimated amount of the repair, rehabilitation, and replacement costs, for which the non-Federal interest will be responsible in that fiscal year.

(3) EXTENSION.—The Secretary may delay the submission of the report under paragraph (1) for a period not to exceed 180 days after the deadline described in paragraph (1), subject to the condition that the Secretary submits a preliminary progress report to Congress not later than 1 year after the date of enactment of this Act.

SA 873. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

On page 216, between lines 3 and 4, insert the following:

SEC. 3019. FOUR MILE RUN, CITY OF ALEXANDRIA AND ARLINGTON COUNTY, VIRGINIA.

Section 84(a)(1) of the Water Resources Development Act of 1974 (Public Law 93-251; 88 Stat. 35) is amended by striking “twenty-seven thousand cubic feet per second” and inserting “18,000 cubic feet per second”.

SA 874. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 309, strike line 21 and all that follows through page 310, line 4, and insert the following:

the amount that is equal to 10 percent of the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012.

SA 875. Ms. COLLINS (for herself, Mr. KING, and Mrs. SHAHEEN) submitted an

amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 50 _____ . **CAPE ARUNDEL DISPOSAL SITE, MAINE.**

(a) IN GENERAL.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) (referred to in this section as the “Site”) is reopened, in concurrence with the Administrator of the Environmental Protection Agency, and shall remain open and available until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SA 876. Mr. THUNE (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 234, between lines 16 and 17, insert the following:

SEC. 5009. UPPER MISSOURI BASIN SHORELINE EROSION PREVENTION.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to not more than 3 federally-recognized Indian tribes in the Upper Missouri River Basin to undertake measures to address shoreline erosion that is jeopardizing existing infrastructure resulting from operation of a reservoir constructed under the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665)).

(b) FEDERAL COST SHARE.—The Federal share of the costs of carrying out this section shall be not less than 80 percent.

(c) CONDITIONS.—The Secretary may provide the assistance described in subsection (a) only after—

(1) consultation with the Department of the Interior; and

(2) execution by the Indian tribe of a memorandum of agreement with the Secretary that specifies that the tribe shall—

(A) be responsible for—
 (i) all operation and maintenance activities required to ensure the integrity of the measures taken; and
 (ii) providing any required real estate interests in and to the property on which such measures are to be taken; and
 (B) hold and save the United States free from damages arising from planning, design, or construction assistance provided under this section, except for damages due to the fault or negligence of the United States or its contractors.
 (d) AUTHORIZATION OF APPROPRIATIONS.—For each Indian tribe eligible under this section, there is authorized to be appropriated to carry out this section not more than \$30,000,000.

SA 877. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. _____ . APALACHICOLA, CHATTAHOOCHEE, AND FLINT RIVER PROJECTS.

(a) DEFINITIONS.—In this section:
 (1) APALACHICOLA-CHATTAHOOCHEE-FLINT PROJECTS.—The term “Apalachicola-Chattahoochee-Flint projects” means the Federal water resources projects on the Apalachicola, Chattahoochee, and Flint Rivers in the States of Alabama, Florida, and Georgia authorized by section 2 of the Act of March 2, 1945 (59 Stat. 17, chapter 19; 60 Stat. 635, chapter 595) and section 203 of the Flood Control Act of 1962 (76 Stat. 1182), including—

- (A) Buford Dam and Reservoir;
 - (B) West Point Dam and Reservoir;
 - (C) George W. Andrews Dam and Reservoir;
 - (D) Walter F. George Dam and Reservoir;
- and
 (E) Jim Woodruff Dam and Reservoir.

(2) FRESHWATER FLOWS.—The term “freshwater flows” means the quality, quantity, timing, and variability of freshwater flows required—

- (A) to support and reestablish—
 - (i) the physical, chemical, biological, and overall ecological integrity of the components, functions, and natural processes required for a thriving and resilient Apalachicola River, Apalachicola River floodplain, and Apalachicola Bay;
 - (ii) commercial and recreational fisheries dependent on freshwater flows into Apalachicola Bay and adjacent waters, including the Gulf of Mexico; and
 - (iii) thriving and diverse fish, wildlife, and plant populations having species composition, diversity, adaptability, and functional organization similar to those found in the Apalachicola River ecosystem prior to construction of the Apalachicola-Chattahoochee-Flint projects;
- (B) to restore and recover species that are endangered, threatened, or at risk; and
- (C) to prevent significantly harmful adverse impacts to the Apalachicola River ecosystem.

(b) PROJECT MODIFICATION.—Notwithstanding any authorized purpose of the Apalachicola-Chattahoochee-Flint projects, the Secretary shall operate the Apalachicola-Chattahoochee-Flint projects in a manner that ensures the maintenance of freshwater flows.

(c) REVISION OF WATER CONTROL MANUALS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall complete the ongoing revision of the water control manuals for the Apalachicola-Chattahoochee-Flint projects and issue revised water control manuals for those projects that ensure the maintenance of freshwater flows.

(2) INDEPENDENT PEER REVIEW OF WATER CONTROL MANUALS.—

(A) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences under which the National Academy of Sciences shall carry out an independent peer review of each revised water control manual, as required under section 2034 of the Water Resources Development Act of 2007 (33 U.S.C. 2343).

(B) COMPLIANCE.—Each independent peer review under this paragraph shall comply with section 2034 of the Water Resources Development Act of 2007 (33 U.S.C. 2343).

(3) FINAL APPROVAL.—Before a final water control manual may be issued, the Secretary shall obtain written approval of each water control manual developed under this subsection from—

- (A) the Administrator of the Environmental Protection Agency;
- (B) the Director of the United States Fish and Wildlife Service;
- (C) the Director of the National Oceanic and Atmospheric Administration; and
- (D) the Director of the United States Geological Survey.

(d) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Except as provided in subsection (b), nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to the Apalachicola-Chattahoochee-Flint projects.

SA 878. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 227, after line 25, insert the following:

SEC. 5005. RIO GRANDE DROUGHT MANAGEMENT PROGRAM.

(a) IN GENERAL.—The Secretary, in conjunction with the Secretary of the Interior and the United States Section of the International Boundary and Water Commission, shall evaluate alternatives for operational changes and technically feasible structural modifications to completed water resources projects of the Corps of Engineers, the Bureau of Reclamation, and the United States Section of the International Boundary and Water Commission along the Rio Grande River—

- (1) to minimize evaporation, seepage, and other losses; and
 - (2) to maximize the amount of water available to water users and the environment, including the support of recovery efforts for threatened and endangered species, during periods of drought disaster in significant areas of the Rio Grande Basin, as designated by the Secretary of Agriculture.
- (b) AUTHORIZATION.—The Secretary, the Secretary of the Interior, and the United

States Section of the International Boundary and Water Commission may, after notification to Congress and obtaining written consent from the appropriate State water resource agencies and tribal governments in which those completed projects are located, implement any operational changes or structural modifications identified under subsection (a).

(c) APPLICABILITY.—
 (1) IN GENERAL.—Nothing in this section alters, amends, repeals, interprets, or modifies—

(A) the Act entitled “Giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, New Mexico, on March 18, 1938”, approved May 31, 1939; or

(B) the Treaty relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, and supplementary protocol signed at Washington February 3, 1944 (59 Stat. 1219).

(2) EFFECT ON STATE LAWS.—Nothing in this section supersedes any State law.

SA 879. Mr. KAINÉ (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 306, line 11, strike “2,000,000” and insert “1,850,000”.

SA 880. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3 ____ . EAST FORK OF TRINITY RIVER, TEXAS.

The portion of the project for flood protection on the East Fork of the Trinity River, Texas, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1185), that consists of the 2 levees identified as “Kaufman County Levees K5E and K5W” shall no longer be authorized as a part of the Federal project as of the date of enactment of this Act.

SA 881. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2014, add at the end the following:

(h) EXEMPTION OF CERTAIN FEDERAL FACILITIES.—This section shall not apply to a Federal facility located in a State or shared with a State if—

- (1) the State has enacted laws governing and is implementing—

(A) environmental flows standards; and
 (B) an environmental flow regime; and
 (2) the Governor of the State certifies to the Secretary that it has met the requirements described in paragraph (1) and identifies the facilities to be exempted from this section.

SA 882. Mr. CARPER (for himself, Mr. CASEY, Mr. COONS, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, after line 23, add the following:

SEC. 20 . RIVER BASIN COMMISSIONS.

Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201) is amended by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION TO ALLOCATE.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall allocate funds from the General Expenses account of the civil works program of the Army Corps of Engineers to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill the equitable funding requirements of the respective interstate compacts on an annual basis and in amounts equal to the amount determined by Commission in accordance with the respective interstate compact.

“(2) LIMITATION.—Not more than 1.5 percent of funds from the General Expenses account of the civil works program of the Army Corps of Engineers may be allocated in carrying out paragraph (1) for any fiscal year.

“(3) REPORT.—For any fiscal year in which funds are not allocated in accordance with paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

“(A) the reasons why the Corps of Engineers chose not to allocate funds in accordance with that paragraph; and

“(B) the impact of the decision not to allocate funds on water supply allocation, water quality protection, regulatory review and permitting, water conservation, watershed planning, drought management, flood loss reduction, and recreation in each area of jurisdiction of the respective Commission.”.

SA 883. Mr. REID (for Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. SCHUMER)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 . USE OF FUNDS TO INCREASE FEDERAL SHARE FOR CERTAIN PROJECTS.

Notwithstanding any other provision of law, the Secretary may use funds made available under Public Law 113–2 (127 Stat. 4) to increase the Federal share up to 100 percent of the costs required for construction projects carried out by the Secretary under Public Law 113–2 that are not considered ongoing construction.

SA 884. Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . UPPER MISSISSIPPI RIVER PROTECTION.

(a) DEFINITION OF UPPER ST. ANTHONY FALLS LOCK AND DAM.—In this section, the term “Upper St. Anthony Falls Lock and Dam” means the lock and dam located on Mississippi River mile 853.9 in Minneapolis, Minnesota.

(b) ECONOMIC IMPACT STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report regarding the impact of closing the Upper St. Anthony Falls Lock and Dam on the economic and environmental well-being of the State of Minnesota.

(c) MANDATORY CLOSURE.—Notwithstanding subsection (b) and not later than 1 year after the date of enactment of this Act, the Secretary shall close the Upper St. Anthony Falls Lock and Dam if the Secretary determines that the annual average tonnage moving through the Upper St. Anthony Falls Lock and Dam for the preceding 5 years is not more than 1,500,000 tons.

(d) EMERGENCY OPERATIONS.—Nothing in this section prevents the Secretary from carrying out emergency lock operations necessary to mitigate flood damage.

SA 885. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 303, strike lines 13 through 16, and insert the following:

“(i) STATE PRIORITY.—For each fiscal year, the operation and maintenance activities described in subparagraph (A) may be carried out in any State, with priority given to those States—

SA 886. Mr. COONS (for himself, Mr. CARPER, Mr. LAUTENBERG, Mr. SCHUMER, Mr. MENENDEZ, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and devel-

opment of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:
SEC. 50 . SENSE OF THE SENATE REGARDING THE IMPORTANCE OF THE DELAWARE RIVER BASIN COMMISSION.

(a) FINDINGS.—The Senate finds that—
 (1) the Delaware River Basin is the longest undammed river in the eastern United States, draining into portions of Delaware, New York, and Pennsylvania (in this section referred to as the “4 basin States”) and providing drinking water to 15 million people, including the populations of New York City and Philadelphia;

(2) over 8,500,000,000 gallons of water are withdrawn from the Delaware River Basin each day;

(3) in 1961, the Delaware River Basin Commission (in this section referred to as the “DRBC”) was formed to address problems of drought, floods, and pollution by bringing the Governors of the 4 basin States and the Federal Government together to manage the water resources of the Delaware River Basin by using the watershed boundary, not political boundaries;

(4) the formation of the DRBC was approved by Congress and signed into law by President John F. Kennedy and the 4 basin States, marking the first time that the Federal Government and a group of States joined together as equal partners in a river basin planning, development, and regulatory agency;

(5) the DRBC serves Federal, State, and local interests by providing comprehensive and proactive water resources management for the 13,539 square mile Delaware River Basin through programs that address water quality protection, water supply allocation, flood loss reduction, drought management, water conservation, permitting, watershed planning, and recreation;

(6) the DRBC has proven to be invaluable in preventing water conflict and finding effective solutions to complicated and critical water resource challenges;

(7) after the multi year drought in the 1960s, the DRBC facilitated a series of negotiations that resulted in an agreement in the early 1980s to reduce water diversions to upstream and downstream users, create a water conservation program, and establish minimum flows to prevent saltwater from reaching further up the Delaware river and degrading freshwater supplies and ecosystem function;

(8) this agreement assisted the 4 basin States through numerous droughts without major water use changes or restrictions, and has conserved billions of gallons of water;

(9) the DRBC model of watershed management has proven to be so successful that other countries are interested learning from and replicating the DRBC model, and DRBC representatives have been invited to share knowledge with and offer technical assistance to Australia, Slovakia, Bulgaria, Sri Lanka, the People’s Republic of China, Indonesia, the United Kingdom, South Korea, the Czech Republic, Hungary, Jordan, Portugal, Sweden, Turkey, Uganda, Uruguay, India, and Japan;

(10) the DRBC is funded by the 5 signatory parties to the Delaware River Basin Compact (Public Law 87–328; 75 Stat. 688), project review fees, water use charges, and fines, as well as Federal, State, and private grants;

(11) the 100-year Delaware River Basin Compact stipulates that the 5 signatory parties agree to support the annual expense budget of the DRBC;

(12) in 1988, the 5 members of the DRBC reached a tacit agreement to apportion signatory party contributions to the annual expense budget of the DRBC as follows: 12.5 percent for Delaware, 17.5 percent for New York, 25 percent for New Jersey, 25 percent for Pennsylvania, and 20 percent for the Federal Government;

(13) the Federal Government has provided funding to support the 20 percent contribution to the annual expense budget of the DRBC only 1 Federal fiscal year since 1996;

(14) the Federal Government is responsible for contributing \$715,000 to the annual expense budget of the DRBC; and

(15) the cumulative shortfall of the Federal Government contribution to the annual expense budget of the DRBC from October 1996 through the DRBC fiscal year ending on June 30, 2013, is \$10,709,250.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that—

(1) it is the responsibility of the Federal Government to pay a 20 percent contribution to the annual expense budget of the DRBC;

(2) the mission of the DRBC, as established in the Delaware River Basin Compact, is critical for local communities, business, and industry, States, and the region surrounding the Delaware River Basin, and for Federal interests such as emergency response, interstate commerce, and ecosystem management; and

(3) the President and Congress should provide Federal funding to the DRBC.

SA 887. Ms. LANDRIEU (for herself, Mr. VITTER, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 . DELAY IN IMPLEMENTATION OF SECTION 100207 OF THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012.

Notwithstanding any other provision of law, section 1308(h) of the National Flood Insurance Act of 1968, as added by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 919), shall have no force or effect until the date that is 5 years after the date of enactment of this Act.

SA 888. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. SCHUMER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 . DELAY IN IMPLEMENTATION OF SECTION 100207 OF THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012.

Notwithstanding any other provision of law, section 1308(h) of the National Flood Insurance Act of 1968, as added by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 919), shall have no force or effect until the date that is 5 years after the date of enactment of this Act.

SA 889. Mr. SANDERS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . RESTORATION OF CERTAIN PROPERTIES IMPACTED BY NATURAL DISASTERS.

For all major disasters declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after August 27, 2011, the Corps of Engineers and the Federal Emergency Management Agency shall consider eligible the costs necessary to comply with any State stream or river alteration permit required for the repair or replacement of otherwise eligible damaged infrastructure, such as culverts and bridges, including any design standards required to be met as a condition of permit issuance.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a meeting of the Senate Committee on Energy and Natural Resources has been scheduled to discuss natural gas issues. The meeting will be held on Tuesday, May 14, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The purpose of this meeting is to provide a forum to explore what the next applications are for natural gas and how this new demand will be met. Pipeline infrastructure and increased use of natural gas in the transportation sector will be specific points of interest.

Because of the limited time available for the forum, witnesses may testify by invitation only. However, those wishing to submit written testimony for the record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224-4971 or Lauren Goldschmidt at (202) 224-5488.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of

the Senate and the public that a business meeting has been scheduled before the Senate Committee on Energy and Natural Resources. The business meeting will be held on Thursday, May 16, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending calendar business.

Because of the limited time available for the business meeting, witnesses may testify by invitation only. However, those wishing to submit written testimony for the business meeting record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Abigail_campbell@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Pharmaceutical Compounding: Proposed Legislative Solution” on May 9, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 9, 2013, at 9:30 a.m., in SH-216 of the Hart Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on May 9, 2013, at 10 a.m. in room SR-418 of the Russell Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 9, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the

Committee on Armed Services be authorized to meet during the session of the Senate on May 9, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLOOD INSURANCE

Ms. LANDRIEU. Mr. President, I wish to speak for a few minutes in morning business to thank the leader for the remarks he has made and thank him and his staff for working with us throughout today, this afternoon, to try to mitigate against some of the difficulties that are being imposed not only on people in Louisiana but in many coastal States as these insurance rates rise because of new requirements in a bill this body never got to vote on because it never came to the Senate.

I wish to correct something I said in the RECORD earlier.

I am sorry. If the leader needs to finish his business, I will yield.

Mr. REID. Mr. President, if the Senator would be kind enough, we can move through this in about 2 or 3 minutes and then we will put it on automatic pilot for as long as the Senator cares to speak.

Ms. LANDRIEU. Of course. I thank the leader.

Mr. REID. I appreciate the courtesy of my friend.

UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider Calendar No. 40; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote, without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I now ask unanimous consent that at a time to be determined by me, in consultation with Senator MCCONNELL, the Senate proceed to Calendar No. 91; that there be 3 hours of debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no inter-

vening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AWARDING OF THE CONGRESSIONAL GOLD MEDAL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 360.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 360) to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 360) was ordered to a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 136, S. Res. 137, and S. Res. 138.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 137

Mr. NELSON. Mr. President, today I rise in recognition of May as Older Americans Month. I am pleased to be submitting a resolution commemorating the month with my colleagues, Senator COLLINS and Senator SANDERS. The 2010 Census estimated that 40 million adults in the United States are over the age of 65. By 2030, there may be as many as 72 million seniors, or almost 20 percent of the entire U.S. population.

President John Kennedy recognized the first Older Americans Month 50 years ago. By continuing to observe the month of May as Older Americans

Month, we are not only reminding ourselves of our duty to provide for the needs of this population, we are showing our respect for the numerous valuable contributions and lessons these individuals give to us every day.

Let me give one motivating example out of many from my home State of Florida. Cecil Daniels, a 70-year-old Miami resident, was recently recognized in a nationwide competition as the 2012 Richard L. Swanson Inspiration Award from the Healthways SilverSneakers Fitness Program. Mr. Daniels has successfully changed his lifestyle to better manage his diabetes and high blood pressure. Thanks to changing his diet and joining friends in fitness classes, he now receives encouraging reports from his physicians about his health.

Mr. President, in honor of Cecil Daniels and all older Americans, I am pleased to recognize May as Older Americans Month and celebrate the contributions and achievements of seniors nationwide.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to. (The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Republican leader, pursuant to Public Law 112-275, appoints the following individual to be a member of the Commission to Eliminate Child Abuse and Neglect Fatalities: Dr. Wade F. Horn of Maryland.

ORDERS FOR MONDAY, MAY 13, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 13, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak for up to 10 minutes each; further, that the filing deadline for all first-degree amendments to S. 601, the Water Resources Development Act, be 4 p.m. on Monday.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, as previously announced, there will be no rollcall votes on Monday. The next rollcall vote will be on Tuesday prior to the caucus meetings.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn following the remarks of the Senator from Louisiana, Ms. LANDRIEU.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Louisiana.

WATER RESOURCES DEVELOPMENT ACT

Ms. LANDRIEU. Mr. President, I wish to continue and again thank the majority leader for his kind comments and assure him I am working with the Republican leadership as well to try to find a way forward to minimize the impact on many businesses and homeowners who will be negatively affected by the new requirements of the Federal flood insurance program.

I have an amendment which has been filed. It is amendment No. 888. I will be offering it for myself and Senator VITTER. Senator SCHUMER and Senator LAUTENBERG are also cosponsors of this amendment. Hopefully we can get a vote. I do not mind trying to meet the 60-vote threshold. I understand that would be a requirement should we be able to move to a vote next week on this amendment.

We will be working very hard over the weekend to get additional cosponsors on the first amendment I filed, which had a multimillion-dollar cost to it. We had 62 people who had committed to vote. So we have a strong network of Senators, Republicans and Democrats, who are very supportive of the effort Senator VITTER and I are leading to try to mitigate some of the harshest provisions of this bill that passed last year. The bill never was voted on in this Chamber. It came out of the Banking Committee. A separate bill came out of the House with a strong bipartisan vote. Then what happened was both bills never went to a formal conference. It got pushed inside of a larger bill. A few things did not get

pushed in the correct way, at least from the perspective of those of us who believe that, yes, our flood insurance program should be cost-effective, should be affordable, and should not run at deficit levels any longer. But there are certain ways to do that that are more equitable and fair than others. So my amendment now—we have worked all throughout the day. I thank Senator CRAPO. Senator JOHNSON's staff has been helpful as well. We are not quite there yet, but we are working on a fix to delay the implementation of some of these rate increases to give our communities—this is not just for Louisiana. Texas is affected, Florida is affected, the east coast is affected. California is No. 3 in terms of policies that are related to flood insurance.

It will give us some time to give our people a little bit more breathing room until we can get our levees constructed, until this new mapping can be put into place, as not to shock homeowners and owners of commercial real estate with these very high premiums we hope to be able to avoid.

Again, it is amendment No. 888. There is no score attached to it. We will accept a 60-vote threshold. I hope my colleagues will look at this. I thank Senator VITTER for his leadership. It is a Landrieu-Vitter amendment, again with Senator SCHUMER and Senator LAUTENBERG and their staffs giving us plenty of help and assistance throughout the day.

We will work on it over the weekend. Hopefully, we can come to a final resolution early next week, and then get to the passage of the WRDA bill which is so extremely important to people in Louisiana. I am very grateful for Senator BOXER's leadership. Senator VITTER is the ranking member. This bill came out of the EPW Committee with a fairly strong bipartisan and overwhelming vote.

We have millions of dollars of projects that are authorized in this bill. We have corps reform. It is important for us to be able to build our levees more quickly, more efficiently, to avoid some of the terrible devastation that has happened.

It is very important to get the WRDA bill passed. I am going to ask any colleagues, if you can join in helping on this flood insurance bill, please do. I look forward to working with people over the weekend on it.

I yield the floor.

ADJOURNMENT UNTIL MONDAY, MAY 13, 2013, AT 2 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, May 13, 2013.

Thereupon, the Senate, at 6:50 p.m., adjourned until Monday, May 13, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

MADELINE HUGHES HAIKALA, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA, VICE INGE PRYTZ JOHNSON, RETIRED.

GREGORY HOWARD WOODS, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE BARBARA S. JONES, RETIRED.

FEDERAL COMMUNICATIONS COMMISSION

THOMAS EDGAR WHEELER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2013, VICE JULIUS GENACHOWSKI.

THOMAS EDGAR WHEELER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2013. (REAPPOINTMENT)

DEPARTMENT OF COMMERCE

PENNY PRITZKER, OF ILLINOIS, TO BE SECRETARY OF COMMERCE, VICE JOHN EDGAR BRYSON, RESIGNED.

UNITED STATES TAX COURT

JOSEPH W. NEGA, OF ILLINOIS, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE THOMAS B. WELLS, RETIRED.

MICHAEL B. THORNTON, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

ROSE EILENE GOTTEMOLLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY, VICE ELLEN O. TAUSCHER, RESIGNED.

GOVERNMENT PRINTING OFFICE

DAVITA VANCE-COOKS, OF VIRGINIA, TO BE PUBLIC PRINTER, VICE WILLIAM J. BOARMAN.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARK D. GEARAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2015. (REAPPOINTMENT)

CONFIRMATIONS

Executive nominations confirmed by the Senate May 9, 2013:

THE JUDICIARY

SHELLY DECKERT DICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

EXTENSIONS OF REMARKS

RECOGNIZING THE SERVICE OF COLONEL GRAHAM W. FOUNTAIN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Colonel Graham W. Fountain upon his retirement after a highly decorated and distinguished twenty-eight-year career in local and state law enforcement. Colonel Fountain's dedicated service to protecting and serving the people of Florida has been exemplary.

After graduating from Crestview High School in Crestview, Florida, Colonel Fountain attended Troy University, where he received a Bachelor's of Science degree in Criminal Justice. After completing his studies at Troy University, Colonel Fountain returned to his native Okaloosa County to become a Deputy Sheriff in the Okaloosa County Sheriff's Office. Colonel Fountain quickly established himself as a first-class law enforcement officer, and in 1991 he began his service in state law enforcement as a Law Enforcement Investigator with the Florida Office of the State Treasurer, where he served as an undercover operative, conducted interrogations, provided training to local law enforcement agencies, and drafted bill language for the agency to present to the Florida Legislature.

In 1995, Colonel Fountain returned to the Okaloosa County Sheriff's office, where he served as Undersheriff. In this important position, Colonel Fountain provided unparalleled leadership and administrative excellence overseeing over 250 law enforcement officers and support personnel.

Colonel Fountain's excellent record and demonstrated success led Florida Governor Jeb Bush to appoint Colonel Fountain as the Director of the Florida Department of Transportation's Office of Motor Carrier Compliance and Law Enforcement Operations. During his eight-year tenure at the department, Colonel Fountain spearheaded efforts to bring stakeholders in the trucking industry together with the Florida Legislature and Department of Transportation to dramatically improve the safety of Florida's highways without compromising the trucking industry's ability to transport freight. Colonel Fountain then brought his vast knowledge of the transportation sector to help develop Florida's "Pre-Pass" credentialing system, which has boosted efficiency and saved millions of hours of downtime. Colonel Fountain is an exceptional law enforcement officer and leader, and his sedulous work on behalf of the State of Florida was recognized by the Florida Department of Transportation when he was awarded their top honor, the "Leader of the Year" award.

Colonel Fountain has also used his vast experience in law enforcement to help improve

local, state, and national efforts in homeland security, disaster preparedness, transportation, and law enforcement development. He has served in numerous important capacities outside of his law enforcement career, including as the Commissioner and Chairman of the Florida Commission on Law Enforcement Agency Accreditation, President of the State Law Enforcement Chiefs Association, Vice-Chair of Florida's Joint Task Force of Law Enforcement Communications for the Department of Justice's Homeland Security Advisory Council, and as a member of the Florida Seaports Security Standards Council. Colonel Fountain continues his outstanding service to Florida today as the Commissioner of the Florida Historical Commission.

Outside of his service to Florida, Colonel Fountain is a loving and devoted husband to his wife Felicia and a man of great faith. He is an active member of First Baptist Church in Crestview, where he serves in the church leadership. Colonel Fountain has also served in numerous capacities in state, local, and national political campaigns, including county chair and member of the National Public Safety Advisory Council and as Florida Co-Chair for Public Safety/First Responders.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Colonel Graham W. Fountain for his twenty-eight years of outstanding leadership and service to Florida. My wife Vicki and I wish Colonel Fountain and his family all the best.

IN RECOGNITION OF MONMOUTH COLLEGE AND THE COMPLETION OF THEIR NEW CENTER FOR SCIENCE AND BUSINESS

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Monmouth College and the college's president, Mauri Ditzler, on the completion of the Center for Science and Business, which will have its dedication ceremony tomorrow, May 10. This is their first new academic building in over twenty years. It is a testament to Monmouth's commitment to its students by creating a learning environment conducive to motivating students to maximize their potential.

I visited Monmouth College on April 29, and was greatly impressed with this new facility as well as with the dedication President Ditzler and his staff have to the institution and its students. The idea of this building has now become a building of ideas.

The innovative combination of business and science within a single facility will promote interaction between what have traditionally been independent departments and will prove

to be important for the academic and economic growth in the region. This new \$40 million complex will house the departments of biology, chemistry, physics, mathematics and computer science, psychology, political economy and commerce, and accounting.

Mr. Speaker, I want to congratulate Monmouth College for this giant step forward and I look forward to working with the College, its faculty, and graduates as they make their dreams a reality.

IN MEMORIAM OF JACK GOSCH

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. COOK. Mr. Speaker, I rise today with my colleagues KEN CALVERT and RAUL RUIZ to honor the memory of a friend of mine, Jack Gosch, who passed away late last month. As an active member of the Hemet, California, community, Jack was a natural salesman who lived a long, enthusiastic, and vibrant life. He contributed greatly over his lifetime to the economic success and vitality of the city, and will long be remembered.

Jack was born on June 26, 1928, in Norwich, Kansas. He attended Wilson High School in Long Beach and the University of California Los Angeles. He graduated from the university in 1951 with a business degree and served two years in the U.S. Air Force. Following his service managing a Post Exchange, he joined Ford Motor Company, where he worked his way up from an entry-level data position to general field manager for the Los Angeles region. In 1964, he established his first dealership in Hemet, California. In the following years he added to the Gosch Auto Group with new dealerships in Temecula and other cities throughout Riverside County.

During the 1970s, Jack was president of the Hemet Chamber of Commerce and the Hemet-San Jacinto Exchange Club. In 1974, Jack co-founded The Bank of Hemet, and through his retirement in 2001, Jack served as chairman of the board. He was also a founding board member of Valley-Wide Parks & Recreation District, which was established in 1972 and has since grown from one park to over 75 throughout San Jacinto, Menifee, and French Valley. He was a partner in many local businesses, such as Hemet Valley RV, Hemet Insurance, and the Valley Chronicle Newspaper, among others.

Jack is survived by his wife Gwenyth; sons Eric (Gisela) and Marc (Marie); grandchildren Courtney, Patrick, Kurt and Matthew; great-granddaughter Lily Mae, and sister Betty Davidson.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING KANEKO BISHOP

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise to honor and congratulate Kaneko Oshima Bishop, whose work and contributions have made her a well-known figure in San Diego and, most recently, recognized by the government of Japan.

On May 15, Ms. Bishop will receive the country's most prestigious decoration, the Order of the Rising Sun, with Gold and Silver Rays, for her contributions to promoting the regional relationship between Japan and the United States. Established in 1875, the Order of the Rising Sun is the Japanese government's oldest decoration.

Born in Nagoya, Japan, Kaneko Bishop moved to San Diego in 1972 and has since then made countless contributions to the Japanese-American community. She is the President of the San Diego-Yokohama Sister City Society. After the earthquake and tsunami in Japan, she led a fundraising effort that resulted in more than \$10,000 for relief efforts. Our friends in Yokohama have also noted her tireless work. In 2003, when the wildfires ravaged in San Diego, it is no doubt that because of the good will and relationship she fostered, the Mayor of Yokohama led a campaign that raised \$17,000 for relief efforts here at home.

Her life's work exemplifies what it means to promote mutual understanding and friendship between countries. As someone who has spent some time in Japan, it gives me tremendous pride to see such unwavering dedication to fostering cross-cultural understanding. Our communities are all the more better because of it, and it gives me great pleasure to congratulate Kaneko Oshima Bishop on receiving this prestigious honor.

HONORING OUR NATION'S TEACHERS

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mrs. WALORSKI. Mr. Speaker, May 6-10 is Teacher Appreciation Week, and I rise today to honor teachers all across America.

My husband, Dean, is a teacher, and I see firsthand every day the love and dedication that go into teaching. By investing in the lives of our children and educating the next generation, our educators are ensuring a bright future for our nation.

Behind every successful adult is an even more successful teacher. Each Member of Congress would not be here today if we did not have teachers who invested in us, and I am sure each of us remembers a favorite teacher who made learning fun and empowered us to chase our dreams. As the first person in my family to attend college, I know firsthand the value of hard work and a quality education.

I am proud of the excellent, dedicated teachers we have in the State of Indiana, and

I am grateful for their commitment to our children. To all the teachers in Indiana and across America, thank you for all you do for this nation and for the next generation. You are an inspiration to us all.

HONORING DIAGÉT MILLER

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise in honor Diagét Miller, a Sprayberry High School student from Kennesaw, Georgia, and founder of Diagét Design Studio. Diagét was recently recognized as one of the National Federation of Independent Business' (NFIB) 2013 Young Entrepreneur Award winners.

It is a great source of pride to see one of the young people in Georgia's 11th District being nationally recognized for such focused ambition and willingness to take risk. It is this kind of initiative that truly embodies the American dream.

Diagét founded her design studio at the young age of 14 after realizing her talent for digital art when helping her mother design brochures. Since then, her company has grown, attracting business state-wide.

The yearly NFIB Young Entrepreneur Award is selected by an independent committee comprised of educators and small business leaders who not only evaluate applicants based on the quality of their businesses, but on their academic records, leadership qualities, and overall character.

As one of this year's deserving winners, Diagét's prize will include a \$1,000 scholarship from the National Federation of Independent Business Young Entrepreneur Foundation, which she will put toward her education and goal of someday becoming an anesthesiologist.

Mr. Speaker, on behalf of Georgia's 11th District, I congratulate Diagét Miller on her tremendous success as an entrepreneur and wish her luck in all of her endeavors.

HONORING NANCI VANDERWEEL

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. ROSKAM. Mr. Speaker, I rise today to honor a distinguished public servant from the 6th District of Illinois. Nanci Vanderweel has dedicated her life to her community and has worked tirelessly to help the less fortunate. She serves as a role model for us all and as proof that one dedicated person can change the lives of many.

In 1971 Nanci was elected as the first female Trustee for Elk Grove Village. A position that many would view as an impressive career finale, Nanci saw as a good starting point. She went on to become a Trustee for the Elk Grove Township where she currently serves as the Supervisor, after again becoming the

first woman selected for the position. In addition she serves as the President of the Supervisor's Division of the Township Officials of Cook County.

While working full time for her community, Nanci found the time to be the Chairman of the Cook County Public Aid Committee; Chairman of the Judiciary, Planning and Zoning Committee for Elk Grove Village; she started the Elk Grove Village Community Blood Drive Program; is a Charter Member of the Friends of Harper College; served as the President of the Board of Directors for the Northwest Community Services; became a member of the United Way Needs Assessment Committee; a Unit Chair for the Salvation Army; and she chaired the referendum to assist ambulance accessibility on the I-290 interchange at Biesterfield Road.

As if that was not enough, Nanci published a book on the History of Elk Grove Township and even started the first free library in the township, for which she received the Governor's Hometown Award. Through hard work and no small amount of perseverance, Nanci Vanderweel has helped countless people and tremendously improved her community. Distinguished Members, please join me in congratulating Nanci Vanderweel on an accomplished life, and wishing her happiness and peace in her well-earned retirement.

HONORING HELEN LUCILE FISTONICH DIMAGGIO

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Ms. HAHN. Mr. Speaker, I rise today to honor the memory of my friend and lifelong San Pedro resident, Helen Lucile Fistonich DiMaggio, who passed away on April 25, 2013.

Born on June 1, 1919 to Andrew and Mary Fistonich, Helen was the eldest daughter of three siblings. An independent and fearless spirit, Helen's greatest legacy lives in her dedication to others.

As a young woman, Helen excelled at school while working in the family business, Star Fisheries. A 1937 graduate of San Pedro High School, Helen earned a full scholarship to the University of California in Los Angeles, but chose instead, like so many women of her time, to remain in the workforce. In 1938, Helen met and married the love of her life, Neno DiMaggio, second-cousin to Joe DiMaggio, one of the greatest baseball players in history. Helen became the business director of Star Fisheries, and with Neno at her side, they managed the company for more than 60 years.

Helen was an avid supporter of many local charitable organizations such as the San Pedro Peninsula Cancer Guild, Little Sisters of the Poor, Mary Star of the Sea Church, Holy Trinity Church and the Assistance League of San Pedro. In the 1990's she was recognized among the "Who's Who" in America. Recently, she was named one of San Pedro's "Living Treasures" at a ceremony commemorating the 125th anniversary of our town and

the individuals who were instrumental to its history.

She will be remembered as a woman of elegance and a pillar in our community. I was privileged to have called her my friend and she will be missed by her family, friends and loved ones.

Mr. Speaker, I ask all Members of the House to join me in a moment of silence to commemorate the memory of the late Helen Lucile Fistonich DiMaggio.

IN RECOGNITION OF RICHARD J.
CLAYTON

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Richard J. Clayton on his selection as the Greater Spring Lake Chamber of Commerce 2013 Citizen of the Year. Mr. Clayton's contributions to his community are truly deserving of this body's recognition.

Richard Clayton grew up in Spring Lake, New Jersey, graduating from St. Catharine's School in Spring Lake and Manasquan High School. He lived in Spring Lake with his wife Linda until 1980, when they moved to nearby Manasquan where they remain today. Mr. Clayton currently serves as President and co-owner of Clayton Livery Service in Spring Lake, which his family founded in 1917.

He began working at Clayton Livery Service after completing two years of higher education at Ocean County College and began a full-time career there in 1977. In addition to his employment at the Livery Service, Mr. Clayton also spent time working at a local funeral home, which has been an asset in the advancement of the Livery Service.

Mr. Clayton is a member of the Greater Spring Lake Chamber of Commerce, a member of the Chamber's Board of Directors, a member of the Spring Lake Downtown Steering Committee and Chairman of the Board of the Spring Lake Business Improvement District (BID). In addition to his role of Chairman of BID, he also serves on its Land Use Committee, Management Committee and Design Committee.

Not only is Mr. Clayton an active member of the Spring Lake business district, he is also active in the community. Together with his family, he began a LGB train display to raise money for the Ronald McDonald House in Long Branch and the Spring Lake Community House. Since beginning the display in their office, they have raised over \$65,000 for the charities.

Mr. Speaker, please join me once again in honoring Richard Clayton as the Greater Spring Lake Chamber of Commerce 2013 Citizen of the Year. His dedication and service to the Spring Lake community is truly deserving of this body's recognition.

HONORING THE LIFE OF CAPTAIN
BRANDON CYR

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. FOSTER. Mr. Speaker, I rise today to honor the life and sacrifice of Captain Brandon Cyr of the United States Air Force. Captain Cyr died in the Zabul province of Afghanistan when the MC-12 Liberty aircraft he was commanding crashed on April 27, 2013. He was a member of the 906th Air Refueling Squadron within the 375th Air Mobility Wing.

Captain Cyr, a former Oswego, Illinois resident, grew up in a military family. From a young age, he knew he wanted to serve his country, and in 2009 he was assigned to Scott Air Force Base in St. Clair County, Illinois. Over the course of his four deployments, Captain Cyr accumulated more than 1,700 hours of flight time, 900 of which were in combat. Commander Colonel David Almand, of the 375th Air Mobility Wing, called him "an outstanding pilot, and a dedicated airman."

Captain Cyr's patriotism, commitment and service are an example to us all. He made the ultimate sacrifice for his country, and his legacy will live on in the hearts and minds of his friends and family.

Mr. Speaker, I ask my colleagues to join me in remembering Captain Brandon Cyr. Our thoughts are with his loved ones, especially his parents, Phillip and Debbie Cyr. He will be deeply missed.

CONGRATULATIONS TO THE ERIE
TIMES-NEWS ON THEIR 125TH AN-
NIVERSARY

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. KELLY of Pennsylvania. Mr. Speaker, the Erie Times-News is celebrating its 125th anniversary of providing its readers with keen and extensive coverage of all relevant news and events.

The very first Erie Times-News newspaper was published on April 12, 1888, with the headline, "Erie's Opportunity," at the price of 2 cents per issue. Having begun in a basement with only nine employees, the paper has flourished into a well-respected company that is a staple among the Erie community.

Within the past decade, the Erie Times-News was named Pennsylvania's "Newspaper of the Year" twice. In 2012, it was honored as one of "10 Newspapers That Do It Right" by Editor & Publisher. These accomplishments attest to the outstanding reputation the Erie Times-News has achieved in outputting valuable information.

I congratulate the Erie Times-News on the 9th day of May in the year 2013. I praise the paper for its devotion to covering all major events and breaking news stories throughout the Erie region over the past 125 years. The Erie Times-News continues to be an iconic media operation and is justly valued by the communities it serves.

HONORING ROCHESTER AREA HIGH
SCHOOLS FOR BEING NAMED
AMONG AMERICA'S BEST HIGH
SCHOOLS

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Ms. SLAUGHTER. Mr. Speaker, I rise today to congratulate 14 distinguished high schools in Monroe County, New York for being included in Newsweek and The Daily Beast's 2013 list of America's Best High Schools. I am honored to represent this community, which values the enrichment of a quality education and demands the best of its students, and in turn, its future workforce.

America's Best High Schools are schools that have proven to be the most effective in turning out college-ready graduates. An astounding 14 schools from my congressional district were chosen, including: Brighton High School, Brockport High School, Churchville-Chili Central School, East Rochester Jr./Sr. High School, Eastridge High School, Fairport High School, Irondequoit High School, Penfield High School, Pittsford Sutherland High School, Pittsford Mendon High School, Rush-Henrietta Senior High School, School of the Arts, Webster Thomas High School, and Webster Schroeder High School.

These remarkable schools scored at the top of the country in graduation rates, college acceptance rates, and enrollment and success in Advanced Placement (AP) courses, among several other criteria. Rochester's commitment to education is truly remarkable; thanks to the dedication of the many school administrators, teachers, parents, and students who understand that a quality high school education provides a critical foundation for future opportunities and endeavors, both personal and professional.

Please join me in congratulating these 14 outstanding Rochester area high schools and let us strive to provide all children with an education of the caliber offered by these schools.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. ELLISON. Mr. Speaker, on May 6, 2013, I missed rollcall votes No. 129-131 due to illness. Had I been present I would have voted "yes."

THE OCCASION OF STAFF SER-
GEANT CHARLES L. AARON III'S
TRANSFER FROM THE UNITED
STATES MARINE CORPS LIAISON
OFFICE

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. JONES. Mr. Speaker, today I rise to recognize and pay tribute to Staff Sergeant

Charles L. Aaron III, U.S. Marine Corps, on the occasion of his transfer from the Marine Corps liaison office. I, and many other members of this chamber, have had the pleasure of working with him over the past three years that he has served as part of Headquarters U.S. Marine Corps, Office of Legislative Affairs and as the Congressional Liaison Staff Non-Commissioned Officer of the U.S.M.C. Liaison Office in the U.S. House of Representatives.

Everyday he served in direct support of not only the Marine Corps, Office of Legislative Affairs, but in support of every member of Congress. His keen abilities in organization, interpersonal relationships, and communication were extremely critical to the successful accomplishment of the Marine Corps, Office of Legislative Affairs' mission of serving the U.S. Congress.

While serving in the Liaison office, Staff Sergeant Aaron was able to develop and execute the legislative strategy for the U.S. Marine Corps that was instrumental in creating a fiscal and policy landscape conducive to training and equipping the nation's most elite fighting force, which has helped to ensure our Marines success on the battlefield.

He routinely turned broad guidance into action which energized the Office of Legislative Affairs and members of Congress alike. His actions allowed the Marine Corps to engage members of Congress and their staffs, directly facilitating the increased emphasis on improving congressional relationships—a cornerstone of the Commandant of the Marine Corps' strategic vision.

The Marine Corps House of Representatives Liaison Office that Staff Sergeant Aaron leaves behind is responsive, highly integrated, and favors a proactive legislative strategy. While helping to lead the House Liaison Office through the extraordinary challenges associated with two ongoing wars he concurrently ensured that a myriad of daily congressional communications, taskings and events were executed flawlessly.

During Staff Sergeant Aaron's tour as the Staff Non-Commissioned Officer, he accomplished the full spectrum of the Marine Corps' legislative mission. He exemplified the candor and knowledge that we have come to expect from the Marine Corps and he played a key role in maintaining superb relationships between the Marine Corps and the House of Representatives.

Throughout his tour, Staff Sergeant Aaron effectively responded to several thousand congressional inquiries, many of which gained national level attention. During his time on Capitol Hill, Staff Sergeant Aaron successfully planned, coordinated and escorted over 50 international and domestic congressional and staff delegations. His detailed coordination with foreign government officials, U.S. State Department, and senior military officials ensured that each delegation was conducted professionally and flawlessly. His attention to detail and anticipation of requirements allowed representatives to focus on fact-finding and glean new insights to make informed critical decisions to support the interests of the people of the United States. He has made lasting contributions to the House of Representatives and for that I am eternally grateful.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. WEBSTER of Florida. Mr. Speaker, on rollcall No. 135, I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote on Amendment No. 1 to H.R. 1406, requiring the GAO to report to Congress on the use of and complaints related to compensatory time allowed under the FLSA. Had I been present, I would have voted "yes."

I was also unable to cast my vote on the Motion to Recommit with Instructions for H.R. 1406, the Working Families Flexibility Act of 2013, rollcall No. 136. Had I been present, I would have voted "no."

I was also unable to cast my vote on H.R. 1406, the Working Families Flexibility Act of 2013, rollcall No. 137. Had I been present, I would have voted "yes."

I was also unable to cast my vote On Ordering the Previous Question, rollcall no 138. Had I been present, I would have voted "yes."

I was also unable to cast my vote On Agreeing to the Resolution, H. Res. 202, rollcall No. 139. Had I been present, I would have voted "yes."

INTRODUCTION OF SUPPORTING WORKING MOMS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am introducing an important piece of legislation, the Breastfeeding Promotion Act with my colleagues Ms. MOORE, Mr. LEVIN, Mr. RANGEL, Mr. GRIJALVA, Mr. CICILLINE, Ms. LEE, Mr. CONYERS.

The health benefits of breastfeeding, to both mother and child, are significant. Scientific studies show babies who are breastfed the first six months of life have a greatly reduced risk for acute and chronic disease, yet only ten percent of all infants in the U.S. are breastfed.

A 2001 USDA study found that if just half of the babies in the U.S. were exclusively breastfed for six months (as recommended by the United States Surgeon General), our nation would realize a savings of \$3.6 billion in health care costs for the three leading childhood illnesses alone. According to the United States Breastfeeding Committee, if we replicate that study based on current breastfeeding statistics, the savings could reach nearly \$11 billion in health care costs for all childhood illnesses in a single year.

I was so proud to partner with Senator JEFF MERKLEY (D-OR) to pass into law a provision of our bill, the Breastfeeding Promotion Act of 2009 (H.R. 2819, S. 1744), in comprehensive health care reform legislation signed by President Obama on March 23, 2010. The provision requires that employers provide breastfeeding employees, who are hourly workers, with "reasonable break time" and a private, non-bathroom place to express breast

milk during the workday, up until the child's first birthday.

This was a great success but more work needs to be done. Our bill will further encourage and promote breastfeeding by removing common obstacles to breastfeeding and expressing milk in the workplace that many women face. This bill expands the requirement under current law for employers to provide break time to express breast milk, as well as make reasonable efforts to provide a private place for them to do so, to salaried workers in traditional work or office environments.

Public opinion and awareness of the benefits of breastfeeding continue to grow, and the momentum we've recently gained presents the perfect opportunity to build on that progress in achieving our goals.

We urge all of our colleagues to support this important legislation. The health and economic benefits of breastfeeding are overwhelming and public opinion and awareness of these benefits continue to grow. We must ensure that working moms who choose to breastfeed have the support they need to do so.

We urge all of our colleagues to support this important legislation.

REMEMBERING VINCENT ROPER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. HOYER. Mr. Speaker, I rise to remember Vincent Roper, who passed away on April 4 of natural causes at the age of 79.

For decades, Vince and his wife Roberta worked tirelessly to advance victims' rights in Prince George's County and throughout Maryland, advocating for rights and support services for crime victims and their families as they heal and seek justice.

Vince and Roberta suffered an unimaginable tragedy in 1982 when their daughter, Stephanie, was murdered. Following this tragic crime, the Roper family wasn't permitted to observe the trial and was denied the right to address the court at the sentencing. Their frustration led them to establish the Stephanie Roper Committee and Foundation, Inc., which is now known as the Maryland Crime Victims' Resource Center. The Center actively lobbies legislators in Annapolis and played a significant role in the passage of the Federal Crime Victims Rights Act, the Maryland Crime Victims Rights Act of 1997, and other legislation that is making a substantial difference in the lives of crime victims and their families in Maryland.

Born in Hazleton, Pennsylvania, in 1933, Vince later enlisted in the U.S. Navy at the age of 17 and was selected to attend the U.S. Naval Academy. A graduate of the class of 1956, he served our nation for thirty years as a naval officer and retired as a Captain. In addition to serving as the Treasurer of the Stephanie Roper Committee and Foundation, he served our community as a member of the Knights of Columbus, the Most Holy Rosary Council No. 11511, and the Naval Weather Service Association.

Prince George's County and the State of Maryland owe a great deal to Vince for his

hard work and dedication to ensuring that every crime victim in Maryland is treated with the dignity and respect they deserve. I join our community in mourning his passing, and my thoughts and prayers are with Roberta and their family.

TRIBUTE TO JANET M. JOHNSON

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Janet M. Johnson. Janet passed away on Wednesday, April 24, 2013. A resident of Corona since 1968, she was a pillar of the community and will be deeply missed.

Beverly was born in Huntingdon, Pennsylvania, the daughter of Samuel N. and Elsie C. Miller. She attended a one-room schoolhouse until the eighth grade and graduated from Huntingdon High School. In the early 1950s, she and her sister Rachel moved west to Santa Monica, California, where Janet worked as a secretary at General Electric and the University of California, Los Angeles. At a dance at the Avalon Ballroom, she met her future husband, Glenn E. Johnson and on November 7, 1953, they were married at the Trinity Baptist Church in Santa Monica. After living in Santa Monica, Janet and Glenn relocated to La Mirada before settling in Corona in 1968.

Janet and Glenn contributed generously to many civic causes, and she always found time for her community. She was active in several organizations, including the Buena Park Lionesses, Women's Improvement Club, Red Hats Society, Republican Women, California Republican Association (CRA), Navy League, Corona Heritage Park, Croquet Club, Model A Club, Packard Club, Ford Retractable Club, Bible Study Fellowship and Joy Bible Study. Janet's faith was important to her and she attended many churches throughout southern California: First Baptist in Buena Park, Riverside Baptist Temple, Faith Baptist in Corona, Pacific Coast Church in San Clemente and finally Crossroads Church in Corona.

Janet is survived by her husband Glenn; four children: Sandra Rowe (Rick), Linda Rither (Ross), Kirk Johnson (Dolly) and Eric Johnson; four grandchildren: Jessica Scautling (Kevin), Becky Cass (Drew), Cody Johnson and Morgan Rither; three great-grandchildren: Kassie Scautling, Kolten Scautling and Derik Cass; and one sister-in-law Louise Miller. She was preceded in death by her parents and four siblings: Dallas Miller, Dorothy Miller, Beulah Rose and Rachel Nagel.

On Thursday, May 9, 2013, a memorial honoring Janet's extraordinary life will be held. Janet will always be remembered for her incredible work ethic, generosity, contributions to the community and love of family. Her dedication to her family, work, and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to Janet's family and friends; although Janet may be gone, the light and goodness she brought to the world remain and will never be forgotten.

HONORING GUNNERY SERGEANT
LYNDON RAY SMITH'S RETIRE-
MENT

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Gunnery Sergeant Lyndon Ray Smith, who will retire after 34 years of service to our country.

While he currently serves as the first Naval Science Instructor in Kennesaw Mountain High School Navy Junior Reserve Officer Corps, he has worked in many different military capacities. After joining the Marines in 1974, Smith was first assigned to the 4th Marine Aircraft Wing in New Orleans. He served in Operations Desert Shield and Desert Storm, and has been assigned to military installations across the country.

Throughout his service, Smith has been awarded a Marine Aircraft Wing Marine of the Year Award, two National Recruiter of the Year awards, and several meritorious promotions.

Since becoming the first Naval Science Instructor at Kennesaw Mountain High School, Gunnery Sergeant Smith has been an invaluable leader and role model for the young people in his community. Under his leadership, his unit has been recognized nationally as a distinguished unit 11 consecutive times, and went to the U.S. Navy National Drill Championships in 2005. More importantly, Smith has directly helped develop over 2000 young adults into responsible citizens who value patriotism, community, and service to our great nation.

Mr. Speaker, on behalf of the 11th District of Georgia and my staff, my deepest thanks to Gunnery Sergeant Smith for devoting his life to upholding the Constitution of the United States and to the protection of its citizens. I wish him a happy—and well deserved—retirement.

COMMEMORATING COLONEL
CHARLES E. MCGEE FOR HIS
OUTSTANDING SERVICE TO OUR
COUNTRY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. CLEAVER. Mr. Speaker, I rise today to join the Columbia College Alumni Association in my home state of Missouri in recognizing one of the College's most prestigious alumni. Colonel Charles McGee is among the most decorated and accomplished Air Force aviators, holding an Air Force record of 409 fighter combat missions flown in World War II, Korea and Vietnam. He has also served as a former public servant to the Kansas City area. I am proud to know Colonel McGee and applaud him for his invaluable service and contributions to the Air Force, Kansas City, and to our country.

Charles E. McGee was one of the renowned Tuskegee Airmen of World War II and contin-

ued as a career officer in the United States Air Force for 30 years. He was born in Cleveland, Ohio on December 7, 1919, and as a youth, Charles was a member of the Boy Scouts of America and earned the Eagle Scout award on August 9, 1940. He later served in district and regional positions in the Boy Scouts. At the 2010 National Scout Jamboree, he was recognized with the Distinguished Eagle Scout Award.

During the Vietnam war, as a Lt. Colonel, McGee flew 172 combat missions in a McDonnell RF-4 photo-reconnaissance aircraft. After a series of other appointments both in the United States as well as in Italy and Germany, and promotion to Colonel, McGee retired on January 31, 1973. He ended his military career with an impressive 6,308 flying hours. Following his military service, Col. McGee has held many prestigious functional and honorary positions within the field of aviation.

In 1978, at the age of 58, he completed his college degree at Columbia College in Kansas City, over thirty years after his initial enrollment at the University of Illinois. Though interrupted by World War II, attaining a college degree had been a lifelong goal. I am honored to have the opportunity to congratulate Colonel McGee for this great achievement and am proud that he chose to complete his studies and continue his impressive career in the great State of Missouri.

In his civilian life, Charles served as the Director of the Kansas City downtown airport and as a member of the Aviation Advisory Commission. For 30 years, he has been an ambassador of the Tuskegee Airmen, Inc., serving three times as national President and giving numerous public addresses and has received accolades including the National Aeronautical Associations "Elder Statesman of Aviation."

In 2005, Col. McGee was part of a group of former Tuskegee Airmen, who flew to Balad, Iraq, to speak to active duty airmen serving in the 332nd Air Expeditionary Wing, the current incarnation of the 332nd Fighter Group.

Colonel McGee has been recognized for his combat and military service with a number of awards including: Distinguished Flying Cross with two Oak Leaf Clusters, Legion of Merit with one Oak Leaf Cluster, Bronze Star, Air Medal with 25 Oak Leaf Clusters, Army Commendation Medal, Presidential Unit Citation, Korean Presidential Unit Citation, Hellenic Republic World War II Commemorative Medal along with related campaign and service ribbons.

In 2007, President George Bush awarded him and the surviving Tuskegee Airmen the Congressional Gold Medal of Honor, the nation's highest civilian award, and in 2011, he was inducted into the National Aviation Hall of Fame in Dayton, Ohio.

I am honored to join Columbia College in celebrating Colonel Charles McGee's accomplishments and service, from which we have all greatly benefited. I want to thank Colonel McGee for the lives he has touched and his leadership in the field of aviation, in our military, and in his community.

RECOGNIZING THE CHARTER CLASS GRADUATION OF THE UNIVERSITY OF CENTRAL FLORIDA COLLEGE OF MEDICINE

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize the charter class of medical students at the University of Central Florida College of Medicine. The commencement ceremony and graduation of the charter class will take place on May 17, 2013, and will be an historic and celebratory moment for the UCF College of Medicine.

The planning and development of the University of Central Florida College of Medicine was brought about as one way to address the shortage of physicians in the state of Florida. In 2005, the proposal for a College of Medicine was unanimously supported by the UCF Faculty Senate, and on May 30, 2006, the UCF College of Medicine was approved and established by Governor Jeb Bush. After receiving preliminary accreditation from the Liaison Committee on Medical Education (LCME), in February 2008, the College of Medicine began recruiting students for the fall 2009 term. Less than four years ago, these same students donned their white coats to symbolize the beginning of their medical training. Now, after thousands of hours of rigorous study and practice, they will embark on the next phase of this journey—residency—before hopefully returning to the state of Florida to serve their local communities.

The UCF Health Sciences Campus for the College of Medicine is located at Lake Nona's Medical City in southeast Orlando. As a new medical school, the college plays a vital part in the foundation and the growth of the Medical City at Lake Nona and is strongly supported by the entire Central Florida community. UCF College of Medicine has a vision to become the nation's premier 21st century college of medicine and a national leader in medical education and research. UCF's College of Medicine empowers its students to discover their healthcare specialty of choice for their upcoming residencies and, in doing so, further prepares them to enter the healthcare profession.

I trust that the charter class of 2013 commencement will be an exciting day for the UCF community to celebrate their many exceptional accomplishments. On behalf of the citizens of Central Florida, it is my pleasure to congratulate President of UCF Dr. John Hitt, Dean of UCF College of Medicine Dr. Deborah German, the charter medical school graduates, and the faculty and staff of the University of Central Florida College of Medicine on this outstanding accomplishment. I wish them all great success in their future pursuits.

HONORING THE SACRIFICE OF MARINE CORPORAL KYLE R. SCHNEIDER

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. MAFFEI. Mr. Speaker, it is with great pride that I rise today to honor fallen Marine Corporal Kyle R. Schneider, who made the ultimate sacrifice to protect his fellow Marines and the freedoms of the United States of America.

On December 28, 2012, President Obama signed into law H.R. 5837, legislation renaming the post office at 26 East Genesee Street in Baldwinsville, New York, in honor of Corporal Schneider.

Kyle Schneider embodied the same values that make this country extraordinary: Dedication, Honor and Pride. I am moved that the Village of Baldwinsville will have this opportunity to pay a lasting tribute to Kyle's Legacy.

Corporal Schneider was born in Syracuse and grew up in Baldwinsville, New York. Kyle was an avid athlete, playing baseball, football, and track, before graduating from C.W. Baker High School in 2006. While at Onondaga Community College, Kyle realized that he wanted to do more for his country. As a result, in March 2008, Kyle fulfilled a lifelong dream and joined the United States Marine Corps.

In January of 2011, Kyle was deployed to Afghanistan in support of Operation Enduring Freedom with the II Marine Expeditionary Force. Kyle earned many distinguished military awards while in Afghanistan including the Purple Heart, Combat Action Ribbon, Good Conduct Medal, National Defense Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, Sea Service Deployment Ribbon, and the NATO Medal. On June 30, 2011, Corporal Kyle R. Schneider died as a result of enemy action in Helmand Province, Afghanistan. He was 23.

Kyle is survived by his parents, Richard and Lorie Schneider; a brother, Kevin Schneider of Phoenix; his fiancée, Theresa Lynn Dodge of W. Columbia, TX; his maternal grandparents, Richard and Dianne Vrotny of Baldwinsville and maternal grandfather Gary E. (Helen A.) Younis; and his paternal grandparents, Carol Schneider and John Rouselle of Central Square.

Mr. Speaker, in appreciation of this young man's love for country who gave his life protecting this great nation, I ask this Honorable Body to join me in honoring the legacy of Marine Corporal Kyle R. Schneider.

PREVENTING VICTIMS OF STALKING ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Ms. HAHN. Mr. Speaker, under current federal law, individuals convicted of "misdemeanor crimes of domestic violence" are disqualified from possessing firearms. This

policy has proven crucial to protecting victims of domestic violence from serious injury or death.

However, many states do not define stalking as a type of domestic violence crime, allowing convicted stalkers to own and purchase firearms and leaving victims of stalking unprotected. Moreover, while federal law prohibits the sale of firearms to someone "subject to a court order restraining them from harassing, stalking or threatening an intimate partner," not all stalkers have a romantic relationship with their victims and thus don't fall into this category. However their lack of a romantic relationship does not preclude the fact that they still pose a considerable threat to their victims.

The Protecting Victims of Stalking Act of 2013 works to remedy these gaps in federal law. All victims, whether or not they have had a romantic relationship with their stalker, should be afforded these critical protections. The Protecting Victims of Stalking Act of 2013 closes these dangerous loopholes by prohibiting the sale of firearms to any person subject to a restraining order for stalking as well as prohibiting any individual convicted of stalking from buying or possessing a firearm. Only by addressing these glaring vulnerabilities can we begin to reduce the many injuries and deaths often associated with domestic violence.

IN HONOR OF BISHOP SIMON P. RAWLINGS

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. BARR. Mr. Speaker, I rise to recognize the accomplishments of a Kentucky native, Bishop Simon P. Rawlings. Bishop Rawlings was the Second Chief Apostle of the House of God, International, whose National Cathedral and World Headquarters are located in Lexington, my hometown and the center of the sixth Congressional District which I represent.

The House of God, International has churches in Africa, Australia, Canada, and Jamaica, but I am proud to state that the church was founded in the United States of America. Bishop R.A.R. Johnson initially founded the "Commandment Keepers" in 1910. The doctrine evolved and the church was firmly established in 1918 as the House of God, International. The Hebrew-Pentecostal denomination is based on Old Testament law and doctrine and is enthused by the joy, fervor and zeal of Christ's New Testament of spiritual revivalism.

Bishop Rawlings was born August 2, 1914 in Stamping Ground, Kentucky. He joined the House of God at the age of 16. He later exclaimed that God sent him to Lexington to build Him a church, also giving him a higher calling as detailed in Psalms 50:5 "gather my saints together unto me, those that have made covenant with me by sacrifice."

For 11 years he preached over the airways each Sunday night; a program that was enjoyed by many in the Christian community. With his lovely wife, Elect Lady Mary Scott Rawlings of Charlottesville, Virginia, whom he married on July 3, 1935, and other dedicated

church members, Bishop Rawlings set up churches throughout the country and overseas. They built their first little church on Black Street in Lexington in 1937 and the following year they built the second church on Ash Street. In 1959, the church purchased the Chandler Arms School, a landmark of Kentucky Black history. They renovated the property. So, the next year in 1960, a host of members and friends marched from the Ash Street church to the new church at 548 Georgetown Street.

In 1947, he was ordained as a bishop. In 1950, Bishop Simon Rawlings was installed as the second Chief Apostle of the House of God, International—a position in which he humbly served for 40 years until his death on January 1, 1991. He received his Bachelor of Sacred Theology and Master's Degree from the Cooper Institute of Jacksonville, FL and a Doctor of Divinity degree from the Kentucky College of Contemporary Religion. He was very instrumental in the formation of the college and later served as its president until his death.

One of his greatest achievements was in 1987 when the church purchased the Julius Mark property, another one of Lexington's Black historical landmarks. In February 1990, Bishop Rawlings shared his vision with his wife, church and city officials, church members, and the general public at the groundbreaking ceremony of the present National Temple and World Headquarters, which is situated on that site located at 866 Georgetown Street.

During his 40 years of service as Chief Apostle and General Superintendent, and 56 years as pastor of the Lexington congregation, he held the following positions:

1. National Y.P.U. President
2. State Superintendent of Georgia
3. State Superintendent of South Carolina
4. Southern Division Superintendent
5. President of the Black Church Coalition of the Bluegrass
6. Honorary Citizen of Lexington Award (1991)
7. Kentucky Colonel

Though he was in failing health, Bishop Rawlings was able to attend the pre-dedication service of the National Temple he envisioned and built. He gave his farewell sermon during the Feast of Tabernacles in October of 1990.

Sadly, Bishop Rawlings did not live to see the visionary temple, but his legacy lives on in his building, its congregation, and their commitment to our community.

HONORING THE LIFE OF KEVIN SANDERS

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. FOSTER. Mr. Speaker, I rise today to honor the courageous actions of Kevin Sanders, a native resident of Plainfield, Illinois, who passed away earlier last month. Kevin was one of the first responders who gave their lives in the evacuation efforts when a fire

broke out at a fertilizer plant in West, Texas on April 17, 2013.

Kevin was an extraordinary individual who made the ultimate sacrifice while protecting others. From a young age, he looked to heroes like Superman for inspiration. He was an individual who truly lived to serve others, as exemplified by his participation in the Plainfield Emergency Management Agency in Illinois and the Bruceville-Eddy Volunteer Fire Department in Texas.

His heroism lives on through his wife, Sarah, and his 3-month-old son, Reeve. Mr. Speaker, I ask my colleagues to join me in remembering a true hero—Kevin Sanders, a real life man of steel.

HONORING THE AROOSTOOK MEDICAL CENTER

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor The Aroostook Medical Center (TAMC) on becoming the first facility in Maine, and second in the Nation, to use compressed natural gas for both heat and cooling.

For over 100 years, TAMC has played a vital role in providing health services to Maine's northern communities. TAMC is one of the area's largest economic drivers, employing over 1000 staff members and 60 physicians. On May 13, 2013, this Maine institution will cement its role as an environmental leader as well, kicking-off National Hospital Week by officially transitioning from oil fuel to compressed natural gas (CNG).

According to TAMC's Vice President of Diagnostic and Support Services James McKenney, CNG produces about 45 percent less carbon dioxide than coal, 30 percent less than oil, and 15 percent less than wood. In addition to dramatically reducing its environmental footprint, the conversion is expected to save the hospital between \$400,000 and \$500,000 each year.

TAMC's "valve turning" ceremony on the 13th is just part of the hospital's broader efforts to improve its environmental impact. The Food Service Department has eliminated foam cups and trays, while incentivizing staff to purchase coffee with mugs rather than paper cups. The hospital is also revamping its recycling processes, expanding composting activities, and switching to environmentally friendly chemicals wherever possible. These efforts have brought TAMC closer to local producers, the University of Maine at Presque Isle, and the City of Presque Isle itself.

I am pleased to join countless families across northern Maine in helping TAMC celebrate this exciting new chapter.

Mr. Speaker, please join me again in congratulating TAMC for taking this important next step forward.

NATIONAL NURSES WEEK

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. LEWIS. Mr. Speaker, I rise today to recognize National Nurses Week. I am proud to honor the tireless work of the more than three million men and women who form the core of the American healthcare system.

Nurses are at the forefront of patient care in our hospitals and clinics, our schools and workplaces, in the military, and throughout our communities. They handle the daunting responsibility of caring for millions of unique patients with unparalleled grace. From bedside care to university classrooms, nurses are the leaders in promoting and maintaining our Nation's health. As equal parts caretakers, advocates, researchers, and educators, nurses work selflessly to protect the safety and well-being of all Americans. They are truly some of our Nation's most devoted professionals.

As our population ages, and our healthcare industry focuses increasingly on preventative care, the demand for nursing services will be greater than ever. We must do everything we can to support nursing students, and ensure that our healthcare system is able to meet growing patient needs for years to come.

Today, I ask my colleagues to join me in honoring nurses across the country. We should all be tremendously grateful for their invaluable work, not just this week, but every day of the year.

NATIONAL NURSES WEEK

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Ms. LEE of California. Mr. Speaker, thank you Congresswoman EDDIE BERNICE JOHNSON for hosting this special order and for your ongoing and unwavering leadership.

I rise today in recognition of National Nurses Week, and to thank the millions of nurses who are on the front lines of our health care system.

Although a doctor is usually considered to be the primary health care provider for a patient, Nurses are expert clinicians who provide high-quality and cost-effective care in every care community and in every setting throughout the world.

Let me just say that I have witnessed firsthand the dedication and commitment nurses have to their patients' health and well-being. Their crucial role delivering health care cannot be understated.

Around the world, nurses are the first and often the only link to health care for millions of people living in resource limited settings, particularly in Africa and parts of Asia.

So this week I urge my colleagues to join me in thanking the nurses who continue to serve us, and to renew our commitment to supporting this profession.

ACADEMIC COMPETITION
RESOLUTION, 2013

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. FOSTER. Mr. Speaker, I rise today to welcome and congratulate students from the Oswego East High School Rocket Team and the Nequa Valley High School Rocket Team.

The Oswego East and Nequa Valley Rocket Teams are coming to Washington, D.C. to compete in the Team America Rocketry Challenge National Fly-Off competition on May 11th. They qualified for the National Fly-Off by finishing in the top 100 out of 725 teams that competed nationwide to build a rocket that could carry a raw egg 750 feet in the air, and then use a parachute to return the egg uncracked.

These students have spent many hours designing, building, testing and launching model rockets in order to create the entries that qualified for the National Fly-Off. I am proud of their hard work, perseverance, and creativity, and I commend them on this achievement.

I am also thrilled to see students embracing a project that involves elements of science, technology, engineering, and mathematics. As a scientist and manufacturer, I know how rewarding it can be to research and explore, and to discover what you can accomplish when you design and build things from scratch.

This country needs more young people who are excited about studying and working in the STEM fields. STEM graduates are critical to a thriving national economy, but at present, our education system is not producing nearly enough STEM graduates to meet the private sector's need for highly skilled employees. I'm pleased to see that there are contests like the Team America Rocketry Challenge that are encouraging students to explore STEM fields through fun, hands-on projects, and I'm proud of the students from my district who took on this challenge. I hope that this will be only the first of their accomplishments in the fields of science, technology, engineering and math.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Ms. KUSTER. Mr. Speaker, on May 6, 2013, I was unavoidably detained and missed the following rollcall votes: number 129 for H.R. 588, number 130 for H.R. 291, and number 131 for H.R. 507. Had I been present, I would have voted "aye" on all three rollcall votes.

CELEBRATING THE CENTENNIAL
ANNIVERSARY OF BOY SCOUT
TROOP 7

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. MARCHANT. Mr. Speaker, I am proud to recognize the 100th Anniversary of Boy Scout Troop 7 of Grapevine, Texas. This troop has a rich history of developing boys into responsible young men.

Boy Scout Troop 7 was founded in 1913, only three years after William D. Boyce founded scouting in the United States. The origin of Troop 7 began when the Mayor of Grapevine, Benjamin Richard Wall, traveled to New York to learn about scouting. He returned home to Grapevine with the number 7 Boy Scout Unit Charter, one of the first charters west of the Mississippi River. Mayor Wall was actively involved with the troop from its founding until 1954.

In 1923, Troop 7 was chartered in Arlington, Texas, but it moved back to Grapevine in 1931 whereupon it was chartered to the Grapevine Business Men's League. In 1932, the group's charter transferred to the Grapevine City Council under Mayor Ernest E. Lowe as the Scoutmaster. In 1939, the Grapevine Lions club assumed the troop's charter. The Lions Club till this day continues to support Troop 7 by collaborating with the scouts at Grapevine festival events. The St. Lawrence Episcopal Church hosted the troop charter from 1976-1978. The charter lapsed in 1979 which broke the long tenure for Troop 7. St Francis Catholic Church in Grapevine became the chartering organization in 1980 and continues as such today.

As of today, Troop 7 is led by Scoutmaster Don Blan, who is an Eagle Scout. Troop 7 has over 50 scouts who actively assist community organizations such as Bluebonnet Hills during its Memorial Day service, schools, municipalities, and other organizations that benefit from Eagle Scout projects.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Boy Scout Troop 7 on its 100th Anniversary.

HONORING OUR NATION'S TEACHERS FOR THEIR COMMITMENT TO EXCELLENCE

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. ROSKAM. Mr. Speaker, today I rise for National Teacher Appreciation Day. I would like to thank Ms. Lillian Anderson who gave me my first exposure to government with a 4th grade class history project on the State of Illinois at Ben Franklin School in Glen Ellyn. I still have the folder with the assignment featured in my district office to remind me of why I entered public service. Unfortunately, Ms. Anderson passed away a few years ago but I

am reminded of her invaluable contributions to the community every time I am back home.

We often take our teachers for granted. We drop our children off at school or send them to the bus stop and pick them up at the end of the day, but the job of our nation's teachers is hardly 9-5. It starts well before the children arrive and continues long after they leave.

We forget that the job involves countless hours of preparation; weekends spent shopping for supplies, and most importantly working with our students to help them become the next generation of authors, doctors, young professionals, and yes, even teachers.

I encourage everyone to take time at their next parent teacher conference or other interaction with your children's teacher to take a moment and thank them for all the hard work they are doing to prepare the next generation.

THE 100TH ANNIVERSARY OF THE
CONSOLIDATION OF WINSTON-
SALEM, NC

HON. MELVIN L. WATT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. WATT. Mr. Speaker, I rise today to honor the residents of Winston-Salem, North Carolina, part of which is located in my congressional district, as they celebrate the 100th anniversary of the consolidation of the Town of Salem and the City of Winston. Winston and Salem consolidated on May 9, 1913 and the city is now hosting a four day celebration (May 9-13, 2013) to celebrate this historic consolidation.

Today, Winston-Salem has approximately 229,000 residents, is the fourth largest city in North Carolina and is the county seat of Forsyth County. Winston-Salem is a city with a focus on education and healthcare. It is the home of Winston-Salem State University, Salem College, Wake Forest University, the North Carolina School of the Arts, Forsyth Technical Community College, Wake Forest Baptist Medical Center and Forsyth County Hospital. Winston-Salem is also a city with a focus on the arts. Along with the University of North Carolina School of the Arts, it is home to the Reynolda House Museum of American Art, the Southeastern Center for Contemporary Art and the National Black Theatre Festival.

I wish all the best to Mayor Allen Joines and to the residents of Winston-Salem as they celebrate "Winston-Salem Centennial 1913-2013."

THE STORY OF OUR TIME

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. McDERMOTT. Mr. Speaker, in light of ongoing budget discussions and damaging sequestration cuts to programs that help our most vulnerable populations, it is time to end the austerity debate. I urge all of my colleagues to read and consider Paul Krugman's

New York Times Opinion piece, "The Story of Our Time."

Those of us who have spent years arguing against premature fiscal austerity have just had a good two weeks. Academic studies that supposedly justified austerity have lost credibility; hard-liners in the European Commission and elsewhere have softened their rhetoric. The tone of the conversation has definitely changed.

My sense, however, is that many people still don't understand what this is all about. So this seems like a good time to offer a sort of refresher on the nature of our economic woes, and why this remains a very bad time for spending cuts.

Let's start with what may be the most crucial thing to understand: the economy is not like an individual family.

Families earn what they can, and spend as much as they think prudent; spending and earning opportunities are two different things. In the economy as a whole, however, income and spending are interdependent: my spending is your income, and your spending is my income. If both of us slash spending at the same time, both of our incomes will fall too.

And that's what happened after the financial crisis of 2008. Many people suddenly cut spending, either because they chose to or because their creditors forced them to; meanwhile, not many people were able or willing to spend more. The result was a plunge in incomes that also caused a plunge in employment, creating the depression that persists to this day.

Why did spending plunge? Mainly because of a burst housing bubble and an overhang of private-sector debt—but if you ask me, people talk too much about what went wrong during the boom years and not enough about what we should be doing now. For no matter how lurid the excesses of the past, there's no good reason that we should pay for them with year after year of mass unemployment.

So what could we do to reduce unemployment? The answer is, this is a time for above-normal government spending, to sustain the economy until the private sector is willing to spend again. The crucial point is that under current conditions, the government is not, repeat not, in competition with the private sector. Government spending doesn't divert resources away from private uses; it puts unemployed resources to work. Government borrowing doesn't crowd out private investment; it mobilizes funds that would otherwise go unused.

Now, just to be clear, this is not a case for more government spending and larger budget deficits under all circumstances—and the claim that people like me always want bigger deficits is just false. For the economy isn't always like this—in fact, situations like the one we're in are fairly rare. By all means let's try to reduce deficits and bring down government indebtedness once normal conditions return and the economy is no longer depressed. But right now we're still dealing with the aftermath of a once-in-three-generations financial crisis. This is no time for austerity.

O.K., I've just given you a story, but why should you believe it? There are, after all, people who insist that the real problem is on the economy's supply side: that workers lack the skills they need, or that unemployment insurance has destroyed the incentive to work, or that the looming menace of universal health care is preventing hiring, or whatever. How do we know that they're wrong?

Well, I could go on at length on this topic, but just look at the predictions the two sides

in this debate have made. People like me predicted right from the start that large budget deficits would have little effect on interest rates, that large-scale "money printing" by the Fed (not a good description of actual Fed policy, but never mind) wouldn't be inflationary, that austerity policies would lead to terrible economic downturns. The other side jeered, insisting that interest rates would skyrocket and that austerity would actually lead to economic expansion. Ask bond traders, or the suffering populations of Spain, Portugal and so on, how it actually turned out.

Is the story really that simple, and would it really be that easy to end the scourge of unemployment? Yes—but powerful people don't want to believe it. Some of them have a visceral sense that suffering is good, that we must pay a price for past sins (even if the sinners then and the sufferers now are very different groups of people). Some of them see the crisis as an opportunity to dismantle the social safety net. And just about everyone in the policy elite takes cues from a wealthy minority that isn't actually feeling much pain.

What has happened now, however, is that the drive for austerity has lost its intellectual fig leaf, and stands exposed as the expression of prejudice, opportunism and class interest it always was. And maybe, just maybe, that sudden exposure will give us a chance to start doing something about the depression we're in.

CELEBRATING NATIONAL TRAVEL AND TOURISM WEEK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. FARR. Mr. Speaker, I rise along with my colleague Rep. JO BONNER to celebrate National Travel and Tourism Week.

From California's Central Coast to Alabama's Gulf Coast and every single Congressional district in between, travel and tourism plays an important economic role in all of our local communities. This week is National Travel and Tourism Week, a celebration of the \$2 trillion economic engine that helps drive our nation's economy. As the co-chairs of the bipartisan Congressional Travel and Tourism caucus, we would like to take this moment to raise awareness for America's number one export and to explain how the "Travel Effect" benefits everyone.

The Travel Effect is simple: It is the economic benefit that every single community feels thanks to travel. Supporting over 14.6 million American jobs, the travel industry is a top 10 employer in 48 states and the District of Columbia. Today, one in every eight jobs depends upon travel.

Contributing more than \$129 billion to the federal, state and local tax base, the Travel Effect means that Americans pay fewer taxes. Without those added revenues, the average household would pay over \$1,000 in additional taxes. At 2.8% of our nation's GDP and growing at a rate faster than all other industries, travel will play an important role in driving down deficits for years to come.

Thanks to our efforts here in Washington, the United States is now promoting the entire

country as a premier travel destination to the world. Brand USA, the nation's Destination Marketing Organization created by Congress, will help bring in 81 million visitors to the United States by 2016, a 36 percent increase equivalent to 21 million more travelers as compared with 2010. This influx of new visitors will help create over a half a million new jobs in communities all across the country.

And you do not have to live in a coastal district or near a major tourist destination to feel the Travel Effect. Historic sites, museums in your community and other local destinations all play a role in building our travel economy. In other words, travel is right in your own backyard!

During this year's National Travel and Tourism Week, we call on all members to support the travel industry. While the Travel Effect is great now, its potential is even greater. If we recognize that potential in all of our communities, then the Travel Effect will continue to benefit every town across the United States.

RECOGNIZING THE 90TH BIRTHDAY OF MR. BERT BERKLEY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the 90th birthday of Mr. Bert Berkley, Chairman of the Board, and former President of the Tension Envelope Corporation. Tension is a prestigious family-owned business in Missouri's Fifth Congressional District, which I am honored to represent. Bert and his late wife, Joan, have three children and seven grandchildren.

Mr. Berkley was born May 8, 1923, son of E.B. Berkowitz and grandson of William Berkowitz, who founded the forerunner of Tension Envelope in Kansas City, Missouri in 1886, Berkowitz and Company. The company specialized in popular advertising novelties and business stationery. In 1894, the company put into operation the first envelope machine west of the Mississippi River.

In 1937, the company acquired another pioneer in the U.S. envelope industry, the Tension Envelope Company of Brooklyn, New York, with all sales operations consolidated under the widely recognized name of Tension Envelope Corporation. In 1962, Bert Berkley, took over his grandfather's company as President and CEO of Tension. In 1967, Bert was named Chairman of the Board.

During his time as President and CEO, the Tension Envelope Company opened a plant and established a sales organization in Los Angeles, California. In addition, a satellite of their Kansas City plant was opened in Marysville, Kansas, furthering their production and manufacturing capabilities. In 1981, Bill Berkley, Bert's son, joined the company and helped his father open yet another manufacturing facility in St. Clair, Pennsylvania, creating a satellite location for the already established South Hackensack plant and a nationwide presence for the Tension Envelope Company. In 1988, Bill Berkley went on to become President and CEO of the company, while

Bert remained in his role as Chairman of the Board, overseeing international expansion of the company to Australia, Taiwan, and China.

Today, Tension Envelope Corporation is one of the nation's leading manufacturers of envelope products, selling directly to companies and organizations across the United States. With its headquarters in Kansas City, Missouri, the heart of Missouri's Fifth Congressional District, Tension produces over eleven billion envelopes a year with plants, distribution, and service offices stretching from coast to coast.

Not only has Mr. Berkley revolutionized an industry with his ingenuity, he is also a dedicated philanthropist. He has a long history of participation in local, regional, and national civic and advisory councils. He even co-authored a book, *Giving Back*, on the subject of volunteering, sharing with the community, and involvement with charitable endeavors.

Considering the tremendous contributions of Tension Envelope Corporation to Missouri's Fifth Congressional District and surrounding areas, it is an honor and a privilege to recognize Mr. Bert Berkley in celebration of his ninetieth birthday. My wife, Dianne, and I have had the pleasure of knowing the Berkley family for many years and we are better people for it. Mr. Speaker, please join me in celebrating Mr. Bert Berkley and expressing our gratitude to his incredible dedication to both the industry and our community.

RECOGNIZING THE PIERCE COUNTY LIBRARY SYSTEM'S COMMITMENT AND SERVICE TO THE SOUTH PUGET SOUND REGION OF WASHINGTON STATE

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. KILMER. Mr. Speaker, I rise today to recognize the employees and leadership of the Pierce County Library System, recipients of the 2013 National Medal for Museum and Library Science. This is the highest honor that our nation bestows upon libraries and museums. The library system has served Pierce County with steadfast dedication for over 60 years. This award is well-deserved.

The Pierce County Library System operates 18 libraries, and serves the county's diverse readership of over 555,000 residents. The library system has seen a continuous rise in the number of residents that rely on the accessibility of the library and its ancillary services.

For five consecutive years the Pierce County Library System has faced major budget reductions. Despite this, the Pierce County Library System has found innovative solutions to continue providing excellent services to the community.

Mr. Speaker, the library system's pioneering research informed their decision to implement one of Washington State's first non-Dewey Decimal systems. It was an immediate success—in the first four hours, 780 visitors checked out 1,566 items.

The library system's flagship Early Literacy Program has produced outstanding results in

the community. Library staff continue to work with many partners, including the Pierce County Health Department and Child Care Aware of Tacoma/Pierce County, in developing successful curriculum and services to provide caregivers and parents with tools and training to help children prepare for school. Early learning is vital to eliminating the preparation gap and ensuring that every child has the building blocks and resources they need to achieve in school and in life.

As I close, I can say with confidence that our community is a better place thanks to the careful thought, innovation, and dedication of the Pierce County Library System. I am pleased to recognize the service of the dedicated employees and leadership of the Pierce County Library System today in the United States Congress.

HONORING ANGELA KREPS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize a special member of my staff. After more than six years of service, Angela Kreps will be leaving her post in my Kansas City District Office.

Angela began working in my campaign office, then joined the District staff in 2005. She has filled many roles in the office including caseworker, staff assistant, and field representative.

Most recently serving as a caseworker, Angela is known for her patience and kindness in dealing with constituents. Whether it is listening to a veteran's retelling of war stories, helping a bride-to-be get her passport renewed, or assisting a single-mother in dealing with the IRS, Angela's experience and listening ear can put constituents at ease.

I have received many letters of thanks for the outstanding constituent service Angela has provided. Her professionalism and dedication to serving my constituents was a great example of how government should work. While I am losing a valuable member of my team, I am excited for Angela to begin the next chapter of her career.

Mr. Speaker, I proudly ask you to join me in thanking Angela Kreps for her many years of service to the people of the Sixth Congressional District. I know Angela's colleagues, family and friends join with me in thanking her for her commitment to others and wishing her best of luck in all her endeavors and many years of success to come.

COMMEMORATING THE 80TH BIRTHDAY OF LONG-TIME PUBLIC SERVANT, CONGRESSMAN SID MORRISON

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. HASTINGS of Washington. Mr. Speaker, I rise today, May 13, to commemorate the

80th birthday of Congressman Sid Morrison, who for more than 50 years and counting has served our nation and the great state of Washington as a public servant. Sid's career has represented results-oriented government, bipartisanship and service to all with integrity and honor.

His service began in 1966 when he was elected as a Washington state legislator, serving in the House until 1974, when he was elected to the Washington State Senate and served until 1980. During his time as a Washington legislator, he developed a reputation for taking on tough issues and reaching past politics to find bipartisan answers.

In 1980, at the age of 47, he was elected to this great body and served in the U.S. Congress for 12 years, from 1981 to 1993. As a Member of the House, Sid worked on many issues including energy, water, forestry, agricultural markets and immigration. As a leader in Congress, he worked to ensure reliable energy supplies to support the energy needs of the nation, science and space research, advanced technology and providing the nation with a strong defense. Sid's congressional service also saw him as an advocate for civil rights, small businesses, people in need of organ donations, and the wide variety of needs of every citizen seeking help with the federal bureaucracy.

Throughout his many endeavors since serving in Congress, Sid has been actively involved in federal policies to make Washington and our nation better for all citizens.

He was appointed as Washington State Secretary of Transportation in 1993 and served until 2001. In that post, Sid spearheaded work for safer roads, new ferries to make Washington the nation's largest fleet, the rebirth of freight and passenger rail, transit expansion and airport improvements.

During the last 10 years, Sid has worked on special projects for Washington governors and continues to serve on many public boards. He has been a leading voice on behalf of public power and consumer-owned utility service in Washington state through his work as the chair of the Energy Northwest Executive Board. He also serves in the water, agriculture and education arenas including: on the Yakima Basin Storage Alliance, Board Chair; on the State Fair Park Board; and the Central Washington University Board of Trustees Chair.

Despite all the above, he is officially retired, but don't tell Sid that, as many of us seem to be moving in slow motion next to him.

I have personal and professional respect and admiration for Sid. As he celebrates his 80th birthday, I wish him happiness and good health and my best wishes.

IN TRIBUTE TO DR. MARTHA McLEOD

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to recognize Dr. Martha McLeod and to celebrate her distinguished career in advance of

her upcoming retirement as president of Asnuntuck Community College in Enfield, Connecticut.

Under Dr. McLeod's leadership, Asnuntuck Community College has maintained a strong commitment to eastern Connecticut's students. Through the school's professional programs such as manufacturing technology and allied health, students have developed skills that have matched the needs of local employers. Asnuntuck's transfer programs have prepared students to continue their education at Connecticut's world class four year universities and colleges. Dr. McLeod's administrative and leadership expertise have guided many students to rewarding careers in growing fields throughout the state.

Throughout her career, Dr. McLeod has advanced opportunities and the quality of education in Native American communities across the country. She was the founding president of Bay Mills Community College, a tribal college, in the upper peninsula of Michigan. Dr. McLeod has also applied her expertise at the national level, by serving as an evaluator for tribal programs for the Department of Education and the Department of Labor. Dr. McLeod has also served on the President's advisory board for the White House Initiative on Tribal Colleges and Universities.

Highly engaged in the local business community and committed to economic growth, Dr. McLeod is an active member of Rotary International and serves on the Board of the North Central Connecticut Chamber of Commerce (NCCCC). She also serves on the Economic Development Commission for the city of Enfield and has previously served on as Chairperson for Enfield's 10 Year Plan of Conservation and Economic Development. She has worked with the Connecticut Department of Labor and the Connecticut Director of Economic Development, to work with incoming European businesses to identify needed workforce skills and provide appropriate preparation and training to potential employees.

During her long career, Dr. McLeod has empowered students across Connecticut and the nation through her many contributions to education and economic development. I ask my colleagues to join me in honoring the career of Dr. Martha McLeod.

THE BENEFITS OF TRAVEL AND
TOURISM CELEBRATING NA-
TIONAL TRAVEL AND TOURISM
WEEK

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. BONNER. Mr. Speaker, from California's Central Coast to Alabama's Gulf Coast and every single Congressional district in between, travel and tourism plays an important economic role in all of our local communities. This week is National Travel and Tourism Week, a celebration of the \$2 trillion economic engine that helps drive our nation's economy. As the co-chairs of the bipartisan Congressional Travel and Tourism caucus, we would like to take this moment to raise awareness

for America's number one export and to explain how the "Travel Effect" benefits everyone.

The Travel Effect is simple: It is the economic benefit that every single community feels thanks to travel. Supporting over 14.6 million American jobs, the travel industry is a top 10 employer in 48 states and the District of Columbia. Today, one in every eight jobs depends upon travel.

Contributing more than \$129 billion to the federal, state and local tax base, the Travel Effect means that Americans pay fewer taxes. Without those added revenues, the average household would pay over \$1,000 in additional taxes. At 2.8% of our nation's GDP and growing at a rate faster than all other industries, travel will play an important role in driving down deficits for years to come.

Thanks to our efforts here in Washington, the United States is now promoting the entire country as a premier travel destination to the world. Brand USA, the nation's Destination Marketing Organization created by Congress, will help bring in 81 million visitors to the United States by 2016, a 36 percent increase equivalent to 21 million more travelers as compared with 2010. This influx of new visitors will help create over a half a million new jobs in communities all across the country.

And you do not have to live in a coastal district or near a major tourist destination to feel the Travel Effect. Historic sites, museums in your community and other local destinations all play a role in building our travel economy. In other words, travel is right in your own backyard!

During this year's National Travel and Tourism Week, we call on all members to support the travel industry. While the Travel Effect is great now, its potential is even greater. If we recognize that potential in all of our communities, then the Travel Effect will continue to benefit every town across the United States.

CONGRATULATIONS TO SANDRA
KELLER HAAS

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today to recognize Sandra Keller Haas, who has been a member of the National Society Daughters of the American Revolution for 27 years, giving back to her community and to our veterans across the world.

As a member of the Kuskushkee Trail Chapter of the Pennsylvania State Society Daughters of the American Revolution (PSSDAR), she has served as a chapter officer and as the Chairman of the Daughters of the American Revolution Service to Veterans Committee. This committee has a long and proud history of serving our country's veterans and making sure they are never forgotten.

Mrs. Haas is a precious constant in so many veterans' lives as she volunteers her time at the Pittsburgh Veterans Hospital. She organizes toiletry and clothing drives, delivering goods and spending hours with the veterans, thanking them for their service to America.

Mrs. Haas also supports the troops currently serving in our military, including her work spearheading a coupon-clipping initiative for an Army base in Okinawa, Japan. Under Mrs. Haas' leadership, the ladies of the Kuskushkee Trail Chapter clip coupons and send them to the base where they are placed in the commissary and can be used past their expiration date. She has collected and sent almost 150 pounds of coupons for our troops and their families to use. What one might see as a small gesture of clipping coupons, it tells our troops and families immensely that they are not forgotten back home.

Mrs. Haas is a Pennsylvania native, born in Eastern, PA. She has been married for 54 years to Jim Haas, a retired U.S. Army officer, and is the mother of two and grandmother of four. She worked as a Home Economics teacher and dietician for years, working with students around every community to where her family was deployed. Outside of her work with veterans and troops, she has volunteered at the local food bank and loves spending time with her family.

I applaud Mrs. Haas for her extraordinary dedication to our troops and to our veterans. Her work with the Kuskushkee Trail Chapter of the PSSDAR demonstrates an outstanding dedication and love of country. I thank her for her extraordinary contributions to the community and thank her for the positive impact she has had on one of our most treasured national assets, our veterans.

A TRIBUTE TO BURBANK FIRE DE-
PARTMENT'S 100TH ANNIVER-
SARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor the Burbank Fire Department upon its 100th Anniversary. For a century, the Burbank Fire Department has been an integral part of the community, keeping the residents of Burbank safe and well informed about fire prevention.

The Burbank Fire Department started as a small group of volunteers defending the population of 500 from the devastating effects of fire in the community. After multiple fires caused damage to the area, the Burbank Board of Trustees established the Burbank Fire Department in 1913.

Over the years, the Burbank Fire Department has expanded their services to fit the various needs of the community. In 1974 the department started a paramedic program and has been an Emergency Medical Services (EMS) provider ever since. Burbank Fire Paramedics established field treatment protocols in 1993 and these protocols are now used across Los Angeles County as the EMS standard for clinically effective and safe field care. The department's EMS program has been recognized as one of the best in the State of California.

As a part of the Verdugo Fire Communications Center, established in 1979 by the cities of Burbank, Glendale, and Pasadena, the Burbank Fire Department makes optimum use of

fire services available in the area and increases the effectiveness of the cities' fire defense system. The Verdugo Fire Communications Center is still owned by the three original cities, but it also provides services as needed to the Bob Hope Airport, Alhambra, Arcadia, Monrovia, Montebello, Monterey Park, San Gabriel, San Marino, Sierra Madre, and South Pasadena.

Today, the Burbank Fire Department is a full service fire agency with six fire stations, a training center, and seven divisions: Fire Prevention Bureau, Fire Suppression, Emergency Medical Services, Emergency Management, Fire Apparatus & Equipment, Training & Safety, and Administration. The department responds to 9200 incidents a year and serves approximately 108,000 people over a 17.14 square mile area. I am honored to recognize the men and women of the Burbank Fire Department for their commitment to keeping our community safe and ask all Members to join me in congratulating the Burbank Fire Department upon its 100th Anniversary.

HONORING OUR NATION'S NURSES
FOR THEIR TIRELESS EFFORTS
IN DELIVERING QUALITY CARE

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. ROSKAM. Mr. Speaker, today I rise to highlight the crucial work of nurses in America.

Few individuals touch the lives of others in the manner in which nurses commit to aiding their patients. This is one of the many reasons that we honor and celebrate our nation's nurses during this week of National Nurses Week.

Unique from almost any other profession, nurses join us in some of life's most exciting milestones as well as some of its most challenging seasons. Nurses share in the joyous moment of a newborn's cries to assisting our grandparents as they transition into their golden years. Nurses help clean up our children's first schoolyard scrapes and tumbles just as they help our Nation's homeless when they fall off their feet.

This commitment to patient care dates back to Florence Nightingale. The archetype of modern nursing, Nightingale demonstrated both commitment and compassion to the fallen soldiers of the British Crimean War. It was this paradigm that helped reduce the death rate of the Crimean War by two-thirds.

As a result of this patient-centric model of aid, patient advocacy and hospital administration have both adapted into what we are familiar with and thankful for today. That is why Nursing Appreciation Week is celebrated during the week of May 12, Nightingale's birthday.

There are more nurses than any other workers in the health profession. However, when nursing staffs decrease, individual patient attention decreases as well. This can lead to medical complications and increased hospital stay increase. It is not only a single nurse that encourages patient recovery; it is a team of nurses that play a pivotal role in patient wellness.

In the upcoming years while the American healthcare system undergoes substantial changes, we will depend on nurses more than ever when seeking healthcare. Nurses will serve alongside their colleagues in discovering the next steps in innovative care models as we transition to the next chapter in patient care.

I would encourage all of my fellow members to remember this week next time they visit a hospital or take their child to the doctor; remember to thank your nurse as well.

HONORING OUR WWII MERCHANT
MARINERS ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Ms. HAHN. Mr. Speaker, during World War II, millions of Americans in uniform fought bravely to secure freedom and peace throughout the world. We made sure to honor their sacrifices by ensuring we took care of them at home, through initiatives such as the G.I. Bill and other services meant to support our veterans. However, many of those who made the ultimate sacrifice during the war were not actually part of the U.S. military.

During the war, U.S. Merchant Mariners were responsible for transporting troops and delivering supplies for the military. Even though they were mainly used as an auxiliary fleet, hundreds of ships and thousands of men were lost to enemy submarines and aircraft, including dangerous missions ferrying supplies to western Europe and even Russia. Though the role of non-uniformed merchant sailors in World War II may have faded, it was one of the most critical roles played during the early part of the war.

Unfortunately, those who served this nation so valiantly during that time, have never been eligible for the tuition subsidies, home loan guarantees or other provisions of the G.I. Bill that helped millions of veterans go to college, secure a home and transition seamlessly into civilian life. The fact that we are not providing similar benefits to those who have risked their lives for this country is simply unfathomable.

That's why I am introducing the "Honoring Our WWII Merchant Marine Act for 2013." This bill would provide a \$1,000 monthly benefit to the nearly 10,000 surviving World War II Mariners. By providing this modest benefit, we will finally be giving our brave merchant mariners the recognition they rightfully deserve.

TRIBUTE TO MIKE RAAHAUGE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Mike Raahauge. Mike passed away on May 6, 2013 after a long battle with esophageal cancer. He was a pillar of the community in Corona and will be deeply missed.

The story of Mike's shooting range, Raahauge's Shooting Enterprises, began with his father, Linc, who had operated a pheasant hunting facility in Dixon, California in the 1950s. While on a family trip to Disneyland, Linc got lost and ended up on Highway 71. He believed the area would be ideal for pheasant farming, and in 1971 Mike helped his father move the facility to southern California after signing a lease with the Orange County Water District.

Mike's father had always wanted to move south because the region had a larger population. The family's first hunting facility, which hunted pheasants and ducks, opened on Bluff Street in Norco, California. Target traps were set on the balcony of the clubhouse and alongside a dirt road which overlooked the basin below with views of the Santa Ana River. The range was eventually moved to River Road in Corona. Throughout the years, the Raahauges offered chukar, quail and other upland game hunting. After his father's death in 1989, Mike, his wife Elaine, and their son Pat continued to operate the range as a family business.

Today, about 2,000 men, women and children annually come to Raahauge's to take the hunter safety course required to obtain a hunting license. Mike said of the program, "Of everything I do here, that's the most important . . . It makes it a safer world. There are guns in our society. People need to know how to handle them safely. We're giving them a safe way to deal with guns."

About 1.5 million rounds are fired by shotguns in sporting clays at the property in a year, and ten police agencies including Anaheim, Fullerton and Buena Park practice at the pistol range. It is also home to many shooting groups such as Shooting Sports Alliance, The Cowboys, LUHT Steel Challenge, Gen X and Running Gun, The Appleseed Project, SoCal Top Guns Youth Shooting, NRA Shooting Programs and Firearms Training Associates. The ranch also hosts events for local wildlife and conservation organizations such as the Cowboys, who turn the ranch into the Old West twice each year to compete with old cowboy guns. In 1982, Mike worked together with gun manufacturers to create the Hands On Shooting Sports Fair, which began that year and still occurs every first weekend in June in Corona.

Carolyn Morse, the office manager for Raahauge's, said that Mike's success came from his desire to get boys and girls and women involved in what was traditionally seen as a male-dominated sport. In fact, the most prominent girl to pick up the sport at the range was Mike's daughter, Cindy, who competed as part of the 2000 U.S. Olympic team in Sydney. Mike said his time spent in Australia watching his daughter take fifth place in women's skeet shooting was the "highlight of my life." Cindy was trained by 1984 Olympic Bronze Medalist Dan Carlisle, who lives in Houston but still makes frequent appearances at the range to give private lessons. Michael Reagan, son of President Ronald Reagan, also took shooting lessons at the range.

Mike is survived by Elaine, his wife and partner of 48 years; his son, Pat, who has three sons and two daughters; and his daughter, Cindy Shenberger, who lives in North Carolina with her husband, Kevin, and their two daughters.

Mike was a great American patriot who will always be remembered for his incredible work ethic, generosity, contributions to the community and love of family. His dedication to her family, work, and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to Mike's family and friends; although Mike may be gone, the light and goodness he brought to the world remain and will never be forgotten.

INTRODUCTION OF THE CONSTRUCTION QUALITY ASSURANCE ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 2013

Mrs. CAROLYN B. MALONEY of New York.
Mr. Speaker, as we look for ways to ensure

government dollars are used efficiently, Congress should reform the procurement process to limit bid shopping on federal construction contracts. Restoring equitable safeguards in the low bid system will assure that agency practice will conform to the highest standards adhered to by industry professionals and contractor associations, and will reflect best practices followed by a great many other public procurement systems nationally and internationally.

That is why I am introducing the Construction Quality Assurance Act, legislation that would require prime bidders on low-bid projects valued at \$1 million or more to list each subcontractor on work categories of \$100,000 or more with their bid submissions. Substitutions of listed subcontractors after contracts are awarded would be allowed only in exceptional circumstances and only with the consent of the contracting officer.

The bill would impose financial penalties for improper substitution of listed subcontractors. It would also apply to subcontractors. Both prime contractors and subcontractors would be subject to debarment or ineligibility determinations in cases where there are two infractions of the prohibitions over any three-year period.

I urge my colleagues to pass this bill and ensure integrity in the federal procurement system.

HOUSE OF REPRESENTATIVES—Monday, May 13, 2013

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. WOLF).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 13, 2013.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

You look upon our world: men and women being born and being laid to rest, some getting married and others getting divorced, the old and the young, the rich and the poor, the happy and the sad, so many people aimless, despairing, hateful, and killing, so many undernourished, sick, and dying, so many struggling with life and blind to any meaning.

Send us Your Spirit, that the issues of our day might be met with compassion by the Members of this House, and all who serve to improve the conditions of our shared humanity.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 13, 2013.

Hon. JOHN A. BOEHNER, *The Speaker,*
U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 13, 2013 at 10:34 a.m.:

That the Senate passed without amendment H.R. 360.

Appointments:
Commission to Eliminate Child Abuse and Neglect Fatalities.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 9, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 1071. To specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday, May 14, 2013, for morning-hour debate.

There was no objection.

Thereupon (at 2 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 14, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1453. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the Financial Stability Oversight Council 2013 Annual Report; to the Committee on Financial Services.

1454. A letter from the Secretary, Department of Health and Human Services, transmitting Report to Congress on Building Domestic Capacity to Implement the FDA Food Safety and Moderation Act (FSMA); to the Committee on Energy and Commerce.

1455. A communication from the President of the United States, transmitting notification that an executive order has been issued

declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of certain members of the Government of Yemen and others to threaten Yemen's peace, security, and stability; (H. Doc. No. 113-23); to the Committee on Foreign Affairs and ordered to be printed.

1456. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-124, "Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

1457. A letter from the Chief, Washington Field Office, Office of Special Counsel, transmitting the Office's annual report for FY 2012 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1458. A letter from the Secretary, Department of the Interior, transmitting the 2010-2011 Annual Report for the Office of Surface Mining Reclamation and Enforcement, pursuant to 30 U.S.C. 1211(f), 1267(g), and 1295; to the Committee on Natural Resources.

1459. A letter from the Secretary, Department of the Interior, transmitting the Department's 2012 Report to Congress for the North Slope Science Initiative; to the Committee on Natural Resources.

1460. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Pasquotank River; Elizabeth City, NC [Docket Number: USCG-2013-0259] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1461. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2012-0817; Directorate Identifier 99-NE-24-AD; Amendment 39-17438; AD 2013-08-20] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1462. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0935; Directorate Identifier 2011-NM-256-AD; Amendment 39-17428; AD 2013-08-11] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1463. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Kelowna Flightcraft R&D Ltd. Airplanes [Docket No.: FAA-2013-0330; Directorate Identifier 2013-NM-051-AD; Amendment 39-17427; AD 2013-08-10] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1464. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2012-0880; Directorate Identifier 2012-CE-004-AD; Amendment 39-17422; AD 2013-08-05] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 1062. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders (Rept. 113-53). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LUCAS (for himself and Mr. PETERSON):

H.R. 1947. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; to the Committee on Agriculture.

By Mr. MICA (for himself, Mr. RAHALL, and Mr. GIBBS):

H.R. 1948. A bill to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MESSER (for himself, Mr. KLINE, Mr. PETRI, Ms. FOXX, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, and Mr. BUCHSHON):

H.R. 1949. A bill to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level; to the Committee on Education and the Workforce.

By Mr. TURNER (for himself, Mr. MICA, Mr. RODNEY DAVIS of Illinois, Mr. BONNER, Mr. LANKFORD, Mr. BRIDENSTINE, Mr. JOHNSON of Ohio, Mr. SCHWEIKERT, Mr. BILIRAKIS, Mr. MCKINLEY, Mr. WILLIAMS, Mr. FITZPATRICK, Mr. RICE of South Carolina, Mr. CRAMER, Mr. LANCE, Mr. BROOKS of Alabama, Mr. CHABOT, Mr. FINCHER, Mr. FARENTHOLD, Mr. ROSS, Mr. SALMON, and Mr. MEEHAN):

H.R. 1950. A bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself and Mr. MORAN):

H.R. 1951. A bill to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT:

H.R. 1952. A bill to amend the Securities Exchange Act of 1934 to require the Securities and Exchange Commission to allow publicly traded companies with a certain sized public float to change their stocks' tick sizes to increase liquidity by incentivizing capital commitment, research coverage, and brokerage support, thereby increasing the stocks' liquidity and investor interest, and for other purposes; to the Committee on Financial Services.

By Mr. DEUTCH (for himself, Mr. BUCHANAN, and Mr. WELCH):

H.R. 1953. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUDSON:

H.R. 1954. A bill to amend chapter 7 of title 31, United States Code, to require the Comptroller General to assist Congress and the President in eliminating agencies and programs in Executive departments that no longer serve a public need, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York (for herself, Mr. ISRAEL, Mr. KING of New York, and Mr. MEEKS):

H.R. 1955. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating Long Island's aviation history, including a determination of the suitability and feasibility of designating parts of the study area as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. OWENS:

H.R. 1956. A bill to amend title 31, United States Code, to provide for the issuance of War on Debt Bonds; to the Committee on Ways and Means.

By Mr. PERRY:

H.R. 1957. A bill to amend titles 10 and 38, United States Code, to authorize the Secretary of Defense and the Secretary of Veterans Affairs to accept voluntary services from veterans and veterans service organizations at national cemeteries; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Pennsylvania (for himself, Mr. THOMPSON of Pennsylvania, Mr. LANCE, Mr. CASSIDY, Mrs. ELLMERS, Mr. BARBER, Ms. BORDALLO, Ms. BROWN of Florida, Ms.

BROWNLEY of California, Mr. BUTTERFIELD, Mr. CARDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CONNOLLY, Mr. CONYERS, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GRJALVA, Mr. HASTINGS of Florida, Mr. HONDA, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KUSTER, Ms. LEE of California, Mr. LEVIN, Mr. LOEBSACK, Mr. BEN RAY LUJAN of New Mexico, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERS of California, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of California, Mr. TONKO, Mr. VARGAS, Ms. WILSON of Florida, Ms. ESTY, Mr. VAN HOLLEN, Mrs. KIRKPATRICK, Mrs. BEATTY, Ms. BONAMICI, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. VELA, Mr. GARY G. MILLER of California, Ms. HAHN, Mr. PETERS of Michigan, Mr. DUFFY, Mr. GERLACH, Mr. GRIFFIN of Arkansas, Mr. YOHO, Mrs. BLACKBURN, Mr. ROGERS of Michigan, Mrs. ROBY, Mr. MCKINLEY, Mr. FITZPATRICK, Mr. BUCHANAN, and Mr. HECK of Nevada):

H. Res. 212. A resolution expressing support for designation of May 2013 as Mental Health Month; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LUCAS:

H.R. 1947.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce and with foreign Nations pursuant to Article 1, Section 8, Clause 3 includes the power to regulate commodity prices, practices affecting them and the trading or donation of the commodities to impoverished nations. In addition, the Congress has the power to provide for the general Welfare of the United States under Article 1, Section 8, Clause 1 which includes the power to promote the development of Rural America through research and extension of credit.

By Mr. MICA:

H.R. 1948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the several States).

By Mr. MESSER:

H.R. 1949.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. TURNER:
H.R. 1950.
Congress has the power to enact this legislation pursuant to the following:
The 14th Amendment, Section 5; Article I, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Mr. SMITH of New Jersey:
H.R. 1951.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mr. SCHWEIKERT:
H.R. 1952.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 of the Constitution

By Mr. DEUTCH:
H.R. 1953.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. HUDSON:
H.R. 1954.
Congress has the power to enact this legislation pursuant to the following:
Article One, section 8, clause 1:
The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article One, section 8, clause 18:
The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. MCCARTHY of New York:
H.R. 1955.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. OWENS:
H.R. 1956.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Sections 7 and 8, of the United States Constitution.

By Mr. PERRY:
H.R. 1957.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mrs. BLACKBURN, Mr. MCGOVERN, Mr. POLIS, Mr. KLINE, and Ms. SEWELL of Alabama.

H.R. 45: Mr. FLEISCHMANN, Mrs. LUMMIS, Mrs. WAGNER, Mr. FINCHER, Mr. PEARCE, Mr. GIBBS, Mr. RODNEY DAVIS of Illinois, Mr. FARENTHOLD, Mr. BENTIVOLIO, Mr. BILIRAKIS, Mr. KINZINGER of Illinois, Mr. DUNCAN of Tennessee, Mr. KLINE, Mr. COBLE, Mr. MEADOWS, Mr. DESJARLAIS, Mrs. BLACKBURN, Mr. TERRY, Mr. JOYCE, Mr. PALAZZO, Mr. MCCAUL, Mr. ROTHFUS, Mr. JOHNSON of Ohio, and Mr. NUNNELEE.

H.R. 97: Ms. BORDALLO.
H.R. 111: Mr. LOWENTHAL.
H.R. 129: Ms. WILSON of Florida and Mr. RYAN of Ohio.

H.R. 182: Mrs. LOWEY.
H.R. 184: Mr. WELCH.
H.R. 194: Mr. GARAMENDI.
H.R. 262: Mr. ELLISON.
H.R. 292: Ms. SCHAKOWSKY and Mr. LEVIN.
H.R. 362: Ms. SCHAKOWSKY and Mr. LEVIN.
H.R. 363: Ms. SCHAKOWSKY and Mr. LEVIN.
H.R. 485: Ms. MENG.
H.R. 503: Mr. ROSS and Mr. MURPHY of Pennsylvania.

H.R. 508: Mr. RENACCI.
H.R. 685: Mr. WESTMORELAND and Mr. AUSTIN SCOTT of Georgia.
H.R. 701: Mr. FITZPATRICK.
H.R. 755: Mr. KILMER and Ms. KELLY of Illinois.

H.R. 778: Mr. ENGEL.
H.R. 792: Mr. KINGSTON.
H.R. 808: Ms. EDWARDS.
H.R. 822: Mr. BRALEY of Iowa and Ms. ESTY.
H.R. 850: Mr. BENISHEK, Mr. BARTON, Mr. KIND, Mr. PAYNE, Mr. BUCSHON, Ms. SEWELL of Alabama, Mrs. BEATTY, Mr. CRAMER, Mr. LEVIN, and Mr. HUELSKAMP.

H.R. 851: Mr. GARAMENDI.
H.R. 924: Mr. RYAN of Ohio, Mr. SWALWELL of California, Mr. SCHIFF, and Mr. DELANEY.
H.R. 961: Mr. SCHNEIDER and Ms. NORTON.
H.R. 1015: Mr. LIPINSKI and Ms. HERRERA BEUTLER.

H.R. 1062: Mr. COTTON, Mr. BARR, Mr. SESSIONS, Mr. KLINE, Mr. KING of New York, Mr. STUTZMAN, Mr. PEARCE, and Mr. BACHUS.
H.R. 1094: Mr. BEN RAY LUJÁN of New Mexico, Ms. MCCOLLUM, Ms. MENG, Mr. JOHNSON of Georgia, Mrs. NAPOLITANO, Mr. HORSFORD, and Mr. NEAL.

H.R. 1151: Mr. ENYART, Mr. HARPER, Mr. BACHUS, Mr. LONG, and Mr. SHERMAN.
H.R. 1240: Mr. DOGGETT.
H.R. 1340: Mr. CAPUANO.
H.R. 1366: Ms. SCHAKOWSKY.
H.R. 1384: Ms. MCCOLLUM.
H.R. 1413: Mr. SWALWELL of California.
H.R. 1416: Mr. BARLETTA, Mr. JOHNSON of Ohio, Ms. SEWELL of Alabama, and Mr. FITZPATRICK.

H.R. 1461: Mrs. CAPITO, Mr. COTTON, and Mr. GINGREY of Georgia.

H.R. 1462: Mrs. CAPITO, Mr. STOCKMAN, and Mr. AMODEI.

H.R. 1609: Ms. WILSON of Florida.
H.R. 1693: Mrs. LUMMIS.
H.R. 1727: Ms. KUSTER and Mr. MCGOVERN.
H.R. 1762: Mr. MCCAUL.

H.R. 1768: Mr. MARINO and Mr. STOCKMAN.
H.R. 1771: Mr. RADEL, Mr. MEADOWS, Mr. COTTON, Mr. WEBER of Texas, Mr. STOCKMAN, Mr. MESSER, Mr. WOLF, Mr. KINZINGER of Illinois, Mr. MCCAUL, Mr. HOLDING, and Ms. GABBARD.

H.R. 1797: Mr. KLINE and Mr. CAMP.
H.R. 1825: Mr. ROSS.

H.R. 1845: Mr. HINOJOSA, Ms. NORTON, Ms. MOORE, Ms. DELAURO, and Ms. PINGREE of Maine.

H.R. 1855: Ms. TITUS, Mr. ENYART, and Mr. FARR.

H.R. 1864: Mr. CARTWRIGHT, Mrs. BUSTOS, Mr. STOCKMAN, and Mr. NUGENT.

H.R. 1871: Mr. ROKITA.
H.R. 1874: Mr. BUCSHON.
H.R. 1886: Mr. MAFFEI.
H.R. 1897: Mr. CONNOLLY.
H.R. 1916: Mr. GARDNER.

H. Con. Res. 29: Mr. VEASEY.
H. Res. 36: Mr. MARINO, Mr. CRENSHAW, Mr. SENSENBRENNER, Mr. COLE, Mr. DUFFY, Ms. ROS-LEHTINEN, and Mr. GUTHRIE.

H. Res. 102: Mr. RUPPERSBERGER.
H. Res. 131: Mr. ENGEL and Ms. BONAMICI.
H. Res. 171: Mr. BISHOP of New York.
H. Res. 182: Mr. CARSON of Indiana.
H. Res. 196: Mr. MORAN.

H. Res. 200: Mr. ROSKAM, Mr. SABLAN, and Mr. SCHOCK.
H. Res. 201: Mr. LEVIN and Mr. DOGGETT.

H. Res. 203: Mr. COHEN, Ms. KUSTER, Mrs. HARTZLER, Mr. PRICE of North Carolina, Mr. DANNY K. DAVIS of Illinois, Ms. LOFGREN, Mr. RANGEL, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, Mr. WATT, Mr. RICHMOND, Mr. THOMPSON of Mississippi, Mr. JEFFRIES, Mr. CLYBURN, Mr. CLAY, Mr. CLEAVER, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. BEATTY, Ms. WILSON of Florida, Ms. SEWELL of Alabama, Mr. DAVID SCOTT of Georgia, Mr. VEASEY, Mr. LEWIS, Ms. BROWN of Florida, Mrs. NEGRETE MCLEOD, Ms. DELAURO, Mr. CRAMER, Ms. BONAMICI, Mr. PALLONE, Mrs. CAPPS, Mr. HOLT, Mr. DEFazio, Mrs. DAVIS of California, Ms. KELLY of Illinois, Mr. VARGAS, Mr. GENE GREEN of Texas, Mr. HECK of Washington, Ms. DELBENE, Ms. ROYBAL-ALLARD, Mr. BISHOP of New York, Mr. ELLISON, Mr. FOSTER, Mr. KILDEE, Mr. POCAN, Mr. NADLER, Mr. THOMPSON of California, Ms. MATSUI, Mrs. CAROLYN B. MALONEY of New York, Mr. WALZ, Ms. SINEMA, Mr. TIERNEY, Mr. BUCHANAN, Mr. KILMER, and Mr. MCGOVERN.

SENATE—Monday, May 13, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You have been our Nation's defense and we look to You for shelter and refuge. You have spoken in Your holiness and we rejoice at Your words that provide light in darkness.

Bless our Senators. May they seek to serve and honor You. May their words and deeds reflect an earnest desire for justice and righteousness in our Nation and world. Crown their years with Your goodness as they trust You to do what is best for all.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, we are not in a quorum call?

The PRESIDENT pro tempore. We are not.

Mr. REID. I apologize to the Chair for being a little tardy. I try not to be, especially when the President pro tempore is presiding.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business and Senators during that period of time will be allowed to speak for up to 10 minutes each.

The filing deadline for all first-degree amendments to S. 601, the Water Resources Development Act, is 4 p.m. today.

I had a conversation with Senator VITTER on Friday and Senator BOXER today, and I think we are very close to a universal agreement on that legislation to wrap it up as early as tomorrow. I hope that, in fact, is true.

As previously announced, there will be no rollcall votes today. The first vote of the week will be on cloture at noon tomorrow unless we work out an agreement.

INTERNAL REVENUE SERVICE IRREGULARITIES

Mr. REID. Mr. President, I have been following very closely reports on irregularities in the Internal Revenue Service's scrutiny of applications for non-profit status. These allegations, of course, are very troubling, and I intend to take a close look at the inspector general's report when it is released.

Concerns such as these are why we have inspectors general. They are tasked with finding and preventing waste, fraud, and abuse, identifying breaches of law and protocol, and promoting efficiency in government. Our inspectors general have an excellent record of responsibility, and specifically Russell George, the Treasury Inspector General for Tax Administration, has an exceptionally strong reputation as a watchdog at the IRS. Of course, watching the IRS is also watching the IRS for the American people. I am confident he is examining this issue and doing it very well, as he has done in the past. I look forward to his report.

The alleged actions of IRS employees in the Cincinnati field office would be a terrible breach of the public's trust. Whether they are investigating conservative groups or liberal groups, they should not be involved. Targeting any group based on its political status is completely inappropriate. We need to get to the bottom of what happened, and the inspector general will get to the bottom of this. In the meantime no one should jump to conclusions, but we should all rest assured as soon as we have the inspector general's report the Senate will quickly take appropriate action.

I have spoken today to the senior Senator from Montana, the chairman of the Finance Committee, MAX BAUCUS, and he is looking into this matter in his role as chairman of the Finance Committee. If the inspector general's report indicates further investigation is needed, I have full confidence in the ability of Senator BAUCUS and the Finance Committee to get to the bottom of this matter and recommend appropriate action.

THE BUDGET

Mr. REID. Mr. President, as indicated in this chart, 51 days ago the Senate passed its budget. It has now been 51 days. So why are Republicans standing in the way? A picture is worth a thousand words, and that is the picture.

Common sense and more than two centuries of history dictate the next

step would be to go to conference and try to find common ground between our budget and the budget passed by the House of Representatives. The conference committee is one of the oldest traditions of the entire American Government. In fact, during the first session of Congress—No. 1—on April 7, 1789, the day after a quorum had been secured and the first meeting of Congress was held, the Senate charged a committee with setting out the rules for such conferences. During that first Congress, the two Houses convened many times on conference committees to consider many different issues they disagreed on, including differences of opinion over amendments to the Constitution, differences of opinion over legislating as to what the courts should do, and looking at bills that created a post office and the Treasury Department. All those were bills, one passed by the House and one passed by the Senate, and they got together to work out the differences.

In this esteemed tradition, Democrats now wish to resolve our differences over the budget in a conference committee subject to the disinfectant of public scrutiny, instead of behind closed doors, as we have done for more than two centuries. A number of Republican Senators have joined Democrats in calling for such a conference. It has now been 51 days since the Senate passed its budget. Even Republicans are asking why can't we go to conference?

This is what the senior Senator from Arizona, a Republican, said last week:

I'm very much in favor of it, and I think we ought to do it right away. . . . After 4 years of complaining about Harry Reid's failure to bring up a budget and then we do one and block conference . . . is incomprehensible.

That was a quote from JOHN MCCAIN.

After 3 years of Republican yearning for such regular order, Democrats assumed every Republican Senator would be enthusiastic to go to conference. But although a few Republicans, such as Senator MCCAIN, have called for a conference committee, Republican leaders have refused for weeks to name conferees, flouting more than 200 years of tradition.

Republican leaders have also refused to explain why they won't go to conference. But the longer the Republicans delay, the more transparent this partisan political tactic is becoming. It is transparent they oppose transparency. They do not want openness in government.

Republicans continue to put off a fiscal compromise until our backs are up

against yet another manufactured crisis—a catastrophic default on the financial obligations we have as a country. Republicans hope to use the threat of default as a bargaining chip to extract concessions for tax breaks for the wealthy, extract concessions for drastic cuts to Medicare, extract concessions for more Draconian cuts to programs that keep the elderly, the sick, the disabled, and the most vulnerable Americans from slipping further into poverty.

Even though Republicans caused themselves and the country immense political harm by pursuing this wrong-headed strategy last summer, they are at it again, and this time Republicans aren't even hiding their desire to cause a first-of-its-kind default on our Nation's financial obligations.

Last week, the House of Representatives passed a bill called the "Full Faith and Credit Act." If there were ever an Orwellian name, this is it. In their lexicon, up is down, down is up; east is west, north is south. A bill called the Full Faith and Credit Act? Come on.

This legislation ranks the Nation's debts in order of priority—their priority, a Republican-dominated, tea party-driven House of Representatives. Listen to this. Here is what the legislation says:

In the event of a Republican-forced default, the Nation would stop payments to Medicare, veterans, active-duty military servicemembers, national security personnel, and you name it—everything except paying the debt to China.

In addition to threatening the full faith and credit of the United States, this legislation would cost American jobs, hurt businesses, and tank the economy. And it wouldn't prevent default. If an American family has a mortgage payment, a car payment, and credit card payment, but pays only three of those bills, the family is still in default. The Federal Government lives by the same rules. If we pay China but default on obligations to our veterans, we are still in default. If we pay China but not our Border Patrol, not our FBI, not our law enforcement officers, including drug enforcement, we are in default. If we pay China but not our troops overseas, we are in default.

The Republican approach to default is totally irresponsible. The Republicans know this risky measure is a nonstarter in the Senate. Even if it could pass the Senate—which it won't—President Obama would veto it.

Americans are tired of these protracted fights over the budget caused by the tea party-driven Republicans in Congress. It is through compromise, not through hostage taking or political blackmail, that we can set the Nation on the road to fiscal responsibility. That compromise begins by going to conference on the budget. Americans

agree the path to economic prosperity runs through the regular order of this legislative body—a process that honors more than two centuries of work.

Finally, I had hoped we would have an opportunity for the Republican leader to explain why he objects to going to conference on the budget. We informed the Republican side we would ask this consent today, tomorrow, the next day, and every day. Let us hope we don't get to day 62, 63, 64, 65, 75, but the way they are going, I guess they are never going to go to conference.

We informed the Republican side we would ask consent today and every day we are in session. While the Republican cloakroom informed us there was an objection, no Republican was available to explain that objection in person. I did this last week, and again they had no one here. I did the same thing I am going to do here. I am asking for consent, but I will withdraw my request out of respect for the long tradition of comity. This is not comedy but comity.

It is outrageous, first of all, that they block this and then don't have the courage for somebody to stand and object. It speaks volumes that no Republican Senator was available or willing to explain the bizarre objection to a perfectly reasonable request to go to conference and work out the differences. The only explanation we have had so far came from the junior Senator from Texas where he said: We will go to conference, but you have to agree to what we want before we go to conference. How is that for a deal?

The junior Senator from Texas was not available today, and no other Republican Senator appears willing to stand and explain why Senate Republicans are now standing in the way of a budget. So I will ask this and then I will withdraw it.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

I would elaborate. This is a process that started being developed in the first Congress that was ever held in this country—1789. My Republican colleagues for years complained about not following regular order. They said we didn't have a budget. We didn't need one, but they said we didn't have one. We didn't do one by resolution, we did one by passing a law. But regardless of that, they came and talked about that.

This is out of line. It is ridiculous. It is unfair to the American people, but it is very obvious what is going on.

I withdraw my request, Mr. President.

The PRESIDING OFFICER (Mr. MURPHY). The request is withdrawn.

SANDY HOOK

Mr. REID. Mr. President, the Presiding Officer is from the State of Connecticut, and I want the record spread with how much I admire what he and Senator BLUMENTHAL have done in not letting the American people forget about Sandy Hook—not forget about those little tiny boys and girls.

My little grandchildren do not live here. I have three grandchildren, but they are teenagers. My little grandchildren are in Nevada, so I don't have a chance to see them. But I was in church yesterday and saw all these little kids, little beautiful children. To think these little boys and girls, just like the ones I saw yesterday, would be gunned down—shot multiple times, most of them; teachers trying to save these little children just cut down with an automatic weapon.

I admire the two Senators from Connecticut. They are not going to let this fade from our minds. Keep in mind, I met with the Sandy Hook people on several occasions. They are not asking for anything that is outrageous. Their first step is to say that someone who is crazy—I am sorry, that is not a good term of art—someone who has extreme mental problems should not be able to buy a gun. Someone who is a criminal should not be able to buy a gun. That is all we want. We will settle for that. The people of Sandy Hook will settle for that.

I admire what the Presiding Officer has done and what Senator BLUMENTHAL has done. We cannot let these terrible things that happened in Aurora, CO—someone walks in with a weapon that has a magazine of 100 bullets. He would have killed a lot more, but the gun jammed.

RESERVATION OF LEADER TIME

Mr. REID. I ask the Chair to announce the business of the day.

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 o'clock p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Mr. President, tomorrow we will continue the markup on the Gang of 8 immigration bill. They have been meeting with businesspeople and special interest groups trying to craft a piece of legislation they can agree to, that they think is good. They didn't have anybody representing mainstream America. They didn't have anyone representing the law enforcement community who would explain how this system ought to work. As a result, their bill doesn't have any kind of improvements in our law enforcement that would be effective.

I wanted to talk today, because we will be going into it tomorrow, about the fundamental question on the nature of our immigration; how much this country would be able to sustain in a healthy way for immigrants, as well as American workers.

I have been concerned for some time that the numbers are just too large. We are not able to effectively assimilate people in these large numbers. Significantly, we don't have sufficient jobs to allow us to employ them. As the bill stands now, it would have only a negative impact on American workers.

People say: You need to be positive, Sessions. We are growth oriented. We are just going to grow this economy, and there will be plenty of jobs out there. Be like Ronald Reagan, would you? Be sunny all the time. Don't talk negatively. Don't worry about this.

I am looking at some numbers, and I think it is wise for America to be prudent, smart, and careful, before we establish policies we can't sustain, before we establish policies that create more unemployment in America and damage our economy. That could happen.

I asked one of the sponsors of the bill, Senator SCHUMER, how many people would be admitted under the bill. Well, he wouldn't say.

I said: It looks like it might be 30 million; is that correct?

He said: No.

I said: Well, how many is it, Senator SCHUMER?

He didn't say. They have yet to say how many people would be admitted under the biggest change in immigration we have had since at least 1986, and really it is larger in its impact than 1986.

This is an odd thing. Frankly, we ought not to proceed another day in the Judiciary Committee until the sponsors of the bill—and their great advisers who have been meeting for months, aided by the administration and all the staffs they have in Homeland Security and the Department of Justice—can tell us how many people would be admitted. They don't do that, I think, fundamentally because they don't want us to know. They really don't want to acknowledge what a huge alteration in our policies this will have in terms of economics and so forth.

Let's think about it. Here are some of the things we know: We know 11 million people are here illegally—some say 12 million—and they would all be given a legal status. Virtually all would be given a legal status immediately.

They would then immediately be allowed to pursue any job they would like to take. They could go down and apply for the county government, the city government, trucking firms, coal mining companies, oil companies, any good job out there they would like to apply for. That is not happening now because many of them have no identification and aren't able to take anything other than jobs off the books. Some have estimated—supporters of the bill—that at least half of the people here illegally are working off the books in some form or fashion. These numbers are big. We have those numbers.

In addition, there is a plan over the next years to legalize 4.5 million additional individuals in the so-called backlog. They are really not backlogged in the sense the immigration service isn't processing their papers fast enough, they are backlogged because we had caps on how many in these categories could come in and people apply until they reach the number. Well, they would remove the caps on those. That would be another 4.5 million that would come in.

Then they have a future flow that we are working hard on to analyze with my staff. I don't have the entire immigration service. I don't have the immigration lawyers association. I don't have the chamber of commerce or Richard Trumka to come in and do all the work for me, but we think there will be quite a number of immigrants coming in the future.

The Los Angeles Times—and I will use their number; it seems to be the number others have come up with and may be in the ballpark—they have increased the annual flow by 50 percent. That would be a 50-percent increase. We are supposed to be at about 1 million a year now, and this would increase the legal flow by 50 percent. It could be considerably more. So we estimate that something like 30 million people will be given legal status in the next 10 years, when, if the law were faithfully applied, there would be about 10 or 11 million over the next 10 years

given legal status. Yes, of that 30 million, about 10 or so—10-plus—will be those who are already here, but many of those are really not effectively competing for jobs with the American worker, who by a large degree is out of work and needing a job.

First and foremost we are a nation of immigrants. We have always had a generous immigration policy. A million immigrants a year exceeds that of any other country in the world ever, and we are about to absorb a huge number of new people—15 million—and then we are going to increase the flow by 50 percent. So I am asking, can we handle this? That is all I am asking at this point on this subject, and we really should think about that. Don't we owe it to our workers to ask those questions?

Professor Borjas, at Harvard—himself an immigrant and the most serious student of immigration and wages and jobs in America, and he wrote a book on it a number of years ago and still writes papers in contributing to the debate—has demonstrated absolutely, through intense, high-level economic studies, that increases in workers produces reduced wages. Surprise—more workers reduces wages. It allows a business to find a worker without having to pay more money. They would be able to get more people to work for less, and they like that. That is great—for them.

My Democratic colleagues have been pointing out for a long time—and, sadly, there is too much truth in their complaints—that the average wage of the American worker since at least 2000—and some say as far back as 1970—has not kept up with inflation.

Profit is going pretty well for a lot of companies, but workers' salaries haven't even kept up with inflation, and our unemployment rate is exceedingly high today. That is a fact. Professor Borjas attributes a good bit of that to the immigration we have had over these years, which is at a level that, he said some years ago—and I remember when he wrote this—was higher than the country really ought to have then.

What is our current situation? Well, we looked at the analysis of the Congressional Budget Office in the budget study they present to Congress every year. And they work hard at this. Nobody knows the answers to all of these questions, but CBO's is as good and objective a number as one normally gets, and this is what they predict. They are predicting that what experts are saying is correct; that is, the economic growth in mature economies, such as the United States, Europe, and Japan, is not going to reach the peaks of growth we have had in some of the go-go eras of the past. Bill Gross, head of one of the biggest bond firms in the world—PIMCO—has called it a new normal. We are going to have lower growth. It will

be steady, hopefully, but it is going to be lower and it will create fewer jobs. That is what the projections are for the future.

In February of this year, the CBO projected that job growth per month—the number of jobs employers expect to add to their workforce—in the second 5 years of their 10-year budget analysis, years 2019 through 2023, would average only 75,000 a month. Isn't that something? Hopefully we can do something better than that. This is a 10-year-plus plan of immigration policy from this Gang of 8. Have they talked to Mr. Elmdorf? Have they talked to anybody about how many jobs we are actually going to need, other than some of the Silicon Valley gurus, the chamber of commerce, some of the big agricultural industries, and some of those folks? Is that all the people they are talking to?

What about the Blue Chip forecast? This is a forecast that is watched very closely. They make forecasts on a lot of different issues. It is the average of 55 private economic forecasters. So what do the Blue Chippers say the growth will be? They say that there will be 2.8 percent growth between 2016 and 2019 and that will drop to only 2.5 percent between 2020 and 2024. In short, they agree with CBO that economic growth will slow down over the next 10 years and not really pick up from the slow growth we are in now to any significant degree.

A number of academic economists—Robert Gordon at Northwestern University and Tyler Cowen at George Mason—argue that the U.S. economy has entered a long period of slower economic growth that is not likely to improve dramatically anytime soon.

Today the Wall Street Journal published its latest survey of 52 economists, who predict steady but slow economic growth in the near term. Slow growth means slow job creation. It means job caution.

Here is what the Brookings Institution says:

Adjust for population growth, and it will take 9 more years to return to the prerecession level of unemployment at the current rate of growth.

That is a liberal think tank, and they are saying it is going to take 9 more years just to get the unemployment we have now down to a more normal historic level in the United States. At the same time, job participation, labor force participation is at a record low. Not since the 1970s, when not many women were working, have we gone that low. People are giving up on looking for work.

It was 2 months ago that we had 88,000 jobs created in this country in 1 month—88,000 people got employment—while 486,000 left the workforce. Imagine that. In 1 month we only created 88,000 jobs, while 486,000 left the workforce. We checked those numbers, and about one-fifth of those were retire-

ments—I am sure some early, or at least earlier than they wanted, and they started drawing Social Security earlier than they intended to draw it because they couldn't find work—but a little less than 400,000, one-fifth, dropped out, gave up, couldn't find work. So that is troubling, and it is pulling down wages of American citizens who have lost their jobs and can't find good work.

The Labor Department reported earlier this month that 4.4 million Americans have been out of work for more than 27 weeks and that the broadest measure of unemployment—that includes part-time employment and other things—stands at 13.9 percent, which is very high.

So first, I would say, do we want to tell somebody to come to America, but we don't have a job for them or it will only be temporary, and then they will be laid off? We can't expect to be able to maintain a workforce.

There is no doubt that those who want large and ready supplies of labor and who don't want to have to pay more money or provide more benefits to get that labor are happy with the steady, large flow coming into the country. It might even make them have a little better profit. But Professor Borjas at Harvard makes clear that by maybe \$1,600 a year—low-income people making \$20,000 or so a year will have their wages brought down that much as a result of an influx of large amounts of low-skilled labor.

So it is not helpful to immigrants who came lawfully and who are looking for work and having their wages pulled down, and it is not helpful for our native born who are looking for work and can't get on that ladder of success where someone starts working as a carpenter's helper and one day ends up as a carpenter and then a foreman, and they have saved a little money and have a retirement plan and health care for their family. That is what we would like to see happen in America. So I am worried about those numbers.

Mr. President, we had a hearing—kind of hard to keep up with this, but I believe this was the hearing on high-tech workers—and I would like to highlight the testimony of Professor Ron Hira. He has written for the Economic Policy Institute, which is a liberal think tank. He has done an op-ed at BusinessWeek and has presented at the Brookings Institution and printed academic papers on this subject. He testified before our committee that he has been studying our high-skilled immigration policy for more than a decade.

Most of the people entering the country under the Gang of 8 bill will not be highly skilled. Most of them will not enter through the more merit-based point system we have heard about. It looks pretty clear that those entering on the point-based system, where there is some sort of competitive process—al-

though an individual gets extra points if they have family connections—represent less than 10 percent of those who would be admitted under the legislation.

So this is what Mr. Hira says about the way our high-skilled immigration policy is being operated. He says the U.S. policy, as currently designed and administered, does more harm than good. To meet the needs of the U.S. economy and U.S. workers, our guest worker and permanent resident programs need immediate and substantial overhaul, and we don't have that kind of reform in this legislation. The principal goal of these programs is to bring in foreign workers who are supposed to complement American workers, making American workers more effective. But loopholes have made it too easy to bring in cheaper, foreign workers with ordinary skills who directly substitute rather than complement workers already in America.

We have all heard of this complementary idea—that we bring in foreign labor, and that helps American workers be more efficient and it will make everybody better. But according to Mr. Hira, the workers who are being brought in under the H-1B and similar programs—J-1, L-1—are not doing that. They are bringing in people through a loophole where they actually compete with Americans for jobs. He says many of these individuals have ordinary skills, and they substitute for American workers.

He also said that loopholes in these programs provide an unfair competitive advantage to companies that are specializing in offshore outsourcing, speeding up the process of shipping high-wage, high-tech American jobs overseas, which has disadvantaged companies in the United States that hire mainly American workers.

Essentially, as I understood his testimony, people would come from a foreign country. They live here and train and work here. Then they go back to their foreign country and set up a plant or business and the company, U.S. company, outsources the work, costing American jobs. He has done studies on this. This is not just a theory he came up with.

He further testified that the actual H-1B and L-1 visa use has become antithetical to policymakers' goals due to four fundamental flaws: The work permits are held by the employer, so basically these individuals come as indentured servants and are able to be controlled in a way that gives the employer the advantage over an American worker. No. 2, he says that the visa period is far too long for them to come and, in addition to the inherent design flaws, there is little oversight or enforcement on these programs. Nobody is watching them. According to Professor Hira, by closing H-1B and L-1 loopholes, Congress would create and

retain tens of thousands of high-wage American jobs and ensure our labor market works fairly for American and foreign workers alike.

I am summarizing now. In his opinion, the following needs to be done: institute an effective labor market test—make sure we actually need these workers, pay workers true market wages—he asserts they are not being paid true market wages; limit the visa to a maximum of 3 years—for a lot of reasons I suggest that is very important—with no renewal. If they come for longer periods of time and they can renew and renew, then we end up with somebody who is married here, their children are in junior high school, maybe they are American citizens by now—and we are going to ask them to leave even though the law says for them to leave? It is not likely.

That is how 40 percent of the people here illegally have come to America. They have come legally but overstayed the visa they had.

We should eliminate access to additional H-1B and L-1 visas for any dependent firm. Those that are dependent on these programs to maintain their basic workforce, those are the ones who should get their numbers reduced, rather than getting more visas. We should shine a light on the process, institute sensible oversight, establish a clear single objective for the programs. Also other programs, he notes, are badly in need of an overhaul and are being used to circumvent the annual numerical limit on H-1Bs and the regulatory controls on the L-1 program.

Given the widespread use of H-1B and L-1 visas by offshore outsourcing firms—people who are truly moving jobs out of the United States—Congress should take affirmative steps to make clear that most guest worker programs and permanent residents are immigration issues, not trade and policy issues.

Finally, we heard over and over again from our good friends in Silicon Valley all the great things they have done. We are proud of them and they have been great for America. He talks about some of that. He contested the assertion by Mr. Brad Smith of Microsoft. Microsoft has been aggressive in pushing this program. He pushes back and contests the assertion that the United States does not have enough high-skilled workers. We have heard we don't have enough high-skilled workers. He says no. He studied it. According to Professor Hira, the unemployment rate for STEM graduates—science, technology, engineering, and mathematics—is higher than that of regular college graduates.

Goodness. He noted that in the petroleum engineering field things have gone better. Wages have increased prompting an increase in the enrollment in such programs by American college students who almost exclusively have filled the petroleum engi-

neering jobs. That is the way the system is supposed to work. Wages start going up, there is a shortage of petroleum engineers and workers, people start majoring in that, and they go out and find jobs. That is the way the system is supposed to work. This example, he says, shows that markets do work when they are allowed to work. But he said H-1B and L-1 programs are intervening in labor markets. With that privilege should come accountability.

I will conclude by saying I urge my colleagues, before we rush out and sign on to an immigration proposal that has all kinds of special interests and political interests, somebody has to question what it is doing to recent college graduates as well as low-skilled workers. The actual statistical data from experts indicate these workers are struggling today and many are unemployed and in much need of work.

The Civil Rights Commissioner, Abigail Thernstrom, also wrote a letter to the Commission and the Congress that said we don't have a shortage of low-skilled workers in America. We have a glut of them. We have more low-skilled workers looking for jobs than we have jobs. But to read the papers, one would think just the opposite; that we have this crisis with high unemployment, high numbers of people dropped out of the labor force, and we have to bring in more workers to do basic American work.

All I am saying is that immigration policy needs to allow the right flow to come into America. It needs to be faithfully enforced. It needs to serve the national interest, not the special interest. It needs to remember the dutiful workers out there who lawfully entered the country through immigration or native born, and their interests need to be protected in this process. I do not believe they are being protected properly.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to address the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRS TARGETING INVESTIGATIONS

Mr. MORAN. Mr. President, late last week we learned of the apology by the Internal Revenue Service official about the targeting of certain information and applications for 501(c)(4) organizations in this country. Certainly the indication is that because of certain words generally considered to suggest that organization has conservative leanings, those organizations were targeted for different or additional treatment at the Internal Revenue Service. It was indicated there was an apology offered. This became a significant topic of conversation over the weekend by certain elected officials, certainly by

my colleagues in the Senate but by the American people as well.

Last Wednesday, May 8, before this revelation was known, the Appropriations Subcommittee for Financial Services was holding its hearing—usually an annual affair—in which we were discussing the appropriations request in the President's budget for the Treasury Department. That gave me the opportunity to visit with Secretary Lew. Of course, the Internal Revenue Service is a component of the Treasury Department. My conversation with Secretary Lew during that hearing dealt with a related topic.

While I have great objection to targeting any group—liberal, conservative, Republican, Democratic-leaning—certainly the ability for us to examine an application is important. But none of us would expect or consider it to be appropriate that the Internal Revenue Service would treat one application different from another based upon its apparent political leanings.

While that is terrible enough, I also want to point out the topic I raised with the Secretary, Treasury Secretary Jack Lew, last Wednesday. This comes from media reports and from complaints by organizations. The reason this seems so important is the admission that conservative groups were treated differently or one group was treated differently from another within the Internal Revenue Service lends credibility to press reports and to complaints by organizations across the country about their treatment by the IRS.

My questions to Secretary Lew, some of them that day but also submitted in writing since then, deal with a number of instances in which it was reported by an organization or a press report that the Internal Revenue Service improperly disclosed information about donors to 501(c)(4) organizations. Last April, the IRS apparently improperly disclosed schedule B donor lists on the form 990 of an organization called National Organizations for Marriage. It is an a 501(c)(4) group. While the form 990 is publicly available, tax laws and IRS regulations make clear that the schedule B—that is the donor list on the 990 is not to be released for 501(c)(3)s or (c)(4)s.

The issue was raised. The organization complained. It was reported in the press. Part of my inquiry to Secretary Lew is what has transpired since that point in time. Have the employees at the Internal Revenue Service who released this information been challenged for their actions? Have they been admonished? Have they been treated appropriately for what clearly seems to be an inappropriate release of private taxpayer information?

The second example was the IRS turned over several applications for nonprofit status, including the pending applications for tax-exempt status, for

several groups. They were released and ended up in the hands of an organization called ProPublica. Again, while the applications for nonprofit status are available to the public after an exemption is granted, they are protected as tax return information while that application is pending. This organization then published that information, despite that that is what I understand to be a felony. Publishing unauthorized tax returns or return information is a felony punishable by up to 5 years in prison or a fine up to \$5,000 or both. Again, my question of the Treasury Secretary is that I have not been able to confirm any action has been taken, any recommendation from the Treasury Department, the Justice Department, that anybody be prosecuted for publishing private taxpayer information.

Finally, we learned earlier this year, again, of something described as an inadvertent IRS disclosure related to releasing one page of the schedule B showing donors to the Republican Governors Association. These are alarming in and of themselves and become more significant to me, having learned that there is a bias, a treatment different of one taxpayer over another at the IRS. While it is important for us to determine, and I am anxious to read the inspector general's report as to the findings about what occurred with the singling out of certain organizations for a different kind of treatment at the IRS, I also think it is important for us to pursue the issue of the release of information that comes from one organization's filing that is inappropriate to release and ultimately its being used by an organization that apparently has a different political perspective than the one whose application is pending.

Again, I would raise this issue that now we know something is wrong at the IRS, there is more to be discovered as we look at how this information was released. Were people who released it punished? Is there any pending criminal action against the individuals who published this information?

I am surprised by the circumstance we find ourselves in. I never would have expected this from the Internal Revenue Service, which must be, needs to be, and has to be above the political fray.

The IRS can never be an instrument of any political party, of any administration, or of any political philosophy. All Americans have the right to assume that the IRS, which has great powers and consequences upon the taxpayers of this country, is operating in a neutral, fair, and appropriate manner.

The circumstances now present themselves in a way that we have to wonder about more than just these three examples. These three examples are ones now worthy of additional concern by Members of the Senate, and,

even more importantly, by the IRS and individuals within the administration who are responsible for the management and governance of the Internal Revenue Service and the Treasury Department.

I have submitted a series of questions to Secretary Lew. As a member of the Appropriations Committee responsible for the Internal Revenue Service's appropriations, I look forward to seeing what those answers are and to make certain appropriate action is taken in regard to individuals who apparently have violated the public trust, with the understanding that all of us expect the privacy the Internal Revenue Service is to provide.

Once again I want to outline that while we learned something over the weekend that is very troublesome, there may be much more to this story that has yet to be told, and I am anxious to see the answers that come from the Treasury Department in regard to the Internal Revenue Service.

In fact, I encourage all Members of the Senate to reach the same conclusion—no matter their political leaning or philosophical bent, whether Republican or Democrat—that the Internal Revenue Service with its tremendous enforcement capabilities and the tremendous consequences it has to the American people in the decisions it makes always be above the political fray.

I thank the Presiding Officer for the opportunity to be on the Senate floor today to outline an extended concern I have about actions at the Internal Revenue Service. I anxiously wait for the Treasury Department to respond and provide answers to our subcommittee, committee, and the full Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE

Mr. MURPHY. Mr. President, on December 14 of last year the world watched in horror as we received news that in Sandy Hook, CT, 20 6- and 7-year-olds as well as 6 of their teachers and professionals who were charged with caring for them were killed at the hands of a gunman wielding a semi-automatic rifle armed with multiple 30-round clips. Twenty-six people died in that school that day, and the world has not been the same since.

The State of Connecticut, as well as many other States, including New York and Colorado, passed some of the strongest gun laws in trying to bring some common sense to our gun laws in a generation. However, this body, in the days since Sandy Hook, has done nothing.

We debated a bill which was supported by 90 percent of Americans that would extend background checks to most all gun sales in this country so we could make sure criminals and people with serious mental illness didn't have their hands on guns. Even though the measure received 55 votes here in the Senate, it didn't become a law because of a strange rule we have requiring 60 votes for most everything that comes through this place.

While everything we have done here has been driven by the memory of what happened to those 20 beautiful little first-graders in our State, the fact is 28 people died that day—including the gunman and his mother—but that is still less than those who die every day in this country at the hands of gun violence.

The everyday deaths that occur in our cities and suburbs throughout our country have become like raindrops in this Nation. We have become callously used to the fact that people die due to guns in our country at a greater rate than almost anywhere else in the world.

I intend to come down to this floor week after week until we get our act together and do what the American public wants us to do, which is to keep guns out of the hands of criminals and try to get the most dangerous weapons back into the hands of law enforcement and the military. I am going to come down here week after week and tell the simple stories of the dozens of people who lose their lives every day due to gun violence.

Since December 14—that awful, terrible day—3,966 people have died at the hands of a gun. By the end of today—depending on how tonight goes across this country—that number could be 4,000. We are averaging about 30 a day all across this country.

While people have gotten to know the people in Sandy Hook due to some amazing reporting that has taken place, people don't know the stories of the people who die every day. So I am going to come down here every week and tell the stories of those people to give voice to these victims.

First I will focus on Hartford, CT, where a few days ago—May 8—Felix Jesus III was killed when he was simply going to sell a Samsung electric tablet to someone who agreed to buy it over craigslist. His father said this guy kept calling and calling. The guy arranged for my son to meet him, and he said he would be right back.

At around 8 p.m. on May 8, police received a 911 call, and they found him dead in his car suffering from a single gunshot wound.

His father said:

They took my son, my only son. Now his kids are left alone with nobody except for us, that's just not right.

Felix had two sons, a 1-year-old and a 2-year-old. He was going to sell a tablet

computer, and he was shot in the head and died, leaving a 1-year-old and 2-year-old behind. He was doing everything he was supposed to do. He graduated from high school, and he worked at a local hotel. He was engaged to be married and left behind two children.

The day before, on May 7, out in northern California, a 45-year-old man fatally shot his wife and their two young daughters in their home, and he got away. His wife Sandy and their two daughters, Shelby, who was 8, and Shasta, who was 4, had been shot multiple times.

There had been calls out to the home for domestic disturbances in the recent weeks. The kids were pulled out of school. Something was clearly going on in that house. This guy was a dangerous guy. In 2002 he had been charged with distribution of drugs, felony possession of a firearm, and possessing a machine gun, and he pleaded guilty. He had been in prison for 10 months.

We are still trying to figure out, only about a week later, if this guy was supposed to have weapons in the first place. We know, even if he was banned from buying weapons, it would not have been that hard for him to get them. We cannot say for certain how he came across the weapons that killed his wife and two kids. Even if he was, as a criminal, on one of these lists, it would not have been that hard for him to simply go to a local gun show or go on the Internet and buy a weapon. If he went either of those routes, according to current law, it is likely he never would have been checked to see if he was a criminal.

Sandy, 34, Shelby, 8, and Shasta, 4, were killed on May 7.

Steven Jones was killed that same day. He was a lifelong resident of Charlestown, MA. He was 21 years old. His friends said everybody loved him. No one would ever expect something like this to happen to him. He wasn't in the streets. He was into sports and partying. This was a shock. Steven Jones was breaking up a fight when a gun went off, and he was killed. His uncle said he was the definition of a good kid. He was there trying to break up a fight, and he ended up getting shot. He was 21 years old.

By now everybody knows what happened over the weekend in New Orleans. A gunman opened fire on people who were marching in a neighborhood Mother's Day parade. The FBI described it as a flare-up of street violence which resulted in 19 people being wounded, 10 men, 7 women, a boy, and a girl. The children were both 10 years old. Luckily they were just grazed by the bullets, and they were reported to be in good condition.

There are so many weapons on our streets today, and most of them are illegal. These shootings happen day in and day out. Mostly it is not the same situation as what happened in New Or-

leans. Mostly it is not 19 people being shot at a parade. Mostly it is just one-on-one gun violence, but we refuse to do anything about it.

Since the tragedy in Newtown, CT, 3,966 have died from guns, and our response is nothing. It was awful enough to read about the violence at that Mother's Day parade, but I want everybody to know what kind of Mother's Day Nicole Hockley, the mother of Dylan, had on Sunday, what kind of Mother's Day it was for Nelba Marquez-Greene, the mother of Ana, what kind of Mother's Day Francine Wheeler had without her son Ben or Jackie Barden had without her son Daniel.

As awful as it was to think of 19 people being shot in New Orleans at a Mother's Day parade, it was just as horrifying to read an op-ed these four mothers submitted yesterday on Mother's Day. They wrote:

The gravity of the moment that comes with holding your child for the first time—looking into their eyes, rocking them to sleep, allowing their breath to fill your heart, marveling at how nature has taken a part of you and a part of your husband to create someone uniquely beautiful—the seriousness of that moment is only eclipsed by the moment you discover that your little boy or little girl is forever gone, just a few hours after watching them wave at you from the school bus window.

These mothers said:

We are constantly asked, "How do you go on?" The answer lies in the promise we made to our children when they were born, and perhaps more important, the promise we made when they were so senselessly taken from us.

That promise for those four mothers is to do something and try to make sure that never ever happens again. The promise they made was bigger than that. They are trying to do something for the 4,000 families who have lost sons, daughters, mothers, fathers, husbands, and wives since Sandy Hook happened.

Nicole, Nelba, Francine, and Jackie came to Washington, DC, day after day, week after week, and pleaded with this place to do something. They were joined over that period of time by hundreds of other family members also representing the 3,966 families who have been grieving since then.

There has been some level of optimism that we have the capacity here to revisit this legislation; that sometime later this year we can take another shot at trying to make sure another Sandy Hook doesn't happen. We can take another moment to reflect on whether it is OK that thousands of criminals can go onto the Internet or walk into a gun show and get a gun without ever having to show they have the legal capacity to do that. I hope that is the case.

As a means to getting people to that moment where we can try to have some coming together on behalf of all of

these families, I encourage everybody to read this op-ed written by Nicole and Nelba and Francine and Jackie. It is called "Keeping A Mother's Promise." Because if, after reading this, people in this Chamber can look these mothers in the eye and say that in the wake of Sandy Hook and in the wake of 4,000 other deaths since then, our answer in the Senate is to do nothing, then what on Earth are we here for?

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE FUNDRAISING

Mr. ALEXANDER. Mr. President, Friday's Washington Post reported that Secretary Sebelius of the Department of Health and Human Services "has gone, hat in hand, to health industry [executives], asking them to make large financial donations to help with the effort to implement President Obama's landmark health care law.

I ask unanimous consent to have printed in the RECORD the Washington Post article following my remarks.

The article further said that the "unusual fundraising push" comes after Congress has repeatedly rejected the administration's requests for additional funds to set up the Affordable Health Care Act. The article said many of the Secretary's calls have recruited support for Enroll America, described as the most prominent nonprofit working on the health care law's implementation. Its president, Anne Filipic—the article goes on to say—joined the group in January after serving as White House deputy director for public engagement.

Today, the New York Times included an article by Robert Pear: "Cabinet Secretary Solicits Large Donations to Publicize Health Care Law." I ask unanimous consent to have that article printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. In the article, it said:

... Ms. Sebelius had made calls soliciting support from the health care industry, including insurance and pharmaceutical executives.

... a spokesman for Ms. Sebelius, said she had suggested that health care executives and others support the work of Enroll America, a private nonprofit group that shares the president's goal of securing coverage for people without insurance.

An insurance executive said that some insurers had been asked for \$1 million [in] donations, and that "bigger companies have been asked for a lot more."

Administration officials said private donations were needed because Congress had provided much less money than Mr. Obama requested to publicize the new law and get people enrolled in health plans subsidized by the government.

The article further talks about Ms. Filipic. She worked on Mr. Obama's 2008 campaign. She was deputy executive director of the Democratic National Committee. She worked in the Obama White House as deputy director of the Office of Public Engagement. She said her time is not political in her work for Enroll America.

She says:

We are thrilled to be working with Secretary Sebelius and to have her support.

Several executives who received these calls for money said "they were uncomfortable with the discussions because the federal government has the power to approve or reject the health plans they want to sell in insurance markets that will be run by federal officials in more than 30 states."

Secretary Sebelius's fundraising for and coordinating with private entities helping to implement the new health care law may be illegal, should cease immediately, and should be fully investigated by Congress.

Later this week, I will be sending a letter, with several of my colleagues, to the Government Accountability Office asking them to examine the issue. We will be asking the GAO to examine the amount of coordination between the Department of Health and Human Services and Enroll America and whether Secretary Sebelius is trying to do through a private entity activities that Congress has refused to allow the Department to do.

Such private fundraising, as these articles describe, circumvents the constitutional requirement that only Congress may appropriate funds. If the Secretary and others in her Department are closely coordinating with the activities of Enroll America, which is headed by the former White House aide, then those actions may be in violation of the Anti-Deficiency Act.

The limits of the Anti-Deficiency Act were fully explored by Congress during the Iran-Contra incident, when Reagan administration official Oliver North raised funds and directed their spending through private entities in support of Nicaraguan rebels even though Congress had refused to appropriate such funds.

This produced a select joint committee of the Congress, including many of its most distinguished Members—the Iran-Contra joint select committee. The Senate ranking members were Senator Inouye and Senator Warren Rudman of New Hampshire. The House leaders were Lee Hamilton and Dick Cheney, who was the ranking Republican.

The report of the Iran-Contra Joint Select Committee—Senate Report No. 100-216—at page 413 said:

The constitutional plan—

Referring to the U.S. Constitution—did not prohibit the President from urging other countries to give money directly to the Contras.

The rebel group in Nicaragua.

But the Constitution does prohibit receipt and expenditure of such funds by this government absent an appropriation. This prohibition may not lawfully be evaded by use of a nominally private entity, if the entity is in reality an arm of the government and the government is able to direct how the money is spent.

The report also said:

Congress's exclusive control over the expenditure of funds cannot legally be evaded through the use of gifts or donations to the executive branch. Were it otherwise, a president whose appropriation requests were rejected by Congress could raise money through private sources or third countries for armies, military actions, arms systems or even domestic programs.

Let me read this again. This is the joint committee:

Were it otherwise, a president whose appropriation requests were rejected by Congress could raise money through private sources or from third countries for armies, military actions, arms systems or even domestic programs.

That is page 412, page 413 of the Iran-Contra joint select committee report.

Friday's Washington Post reported that the Secretary's spokesman said Sebelius is working with private entities on "our mission" of implementing health care law activities, although Congress has refused to appropriate more funds. If the Department of Health and Human Services closely coordinates with Enroll America and with other such entities, then the analogy with Iran-Contra is strong.

It is hard for me to see the difference. There is a difference in where Oliver North got his money in 1985, 1986, and 1987 with Iran-Contra. Some of it came from the hostages-for-arms sale. But the question is not as much where the money comes from—although in this case the Secretary may be raising it from people she regulates, which could also be illegal—the question is where the money is going. In the case of Iran-Contra, the money was going to a private entity, supporting a rebel army in Nicaragua, in contravention of the Boland amendment passed by Congress. In other words, Congress had said no, and the administration did it anyway.

That is precisely, it seems to me, what is happening here. Congress has said: No, we are not going to appropriate any more money—or as much as you want—to implement the health care law. And the Secretary appears to be raising money from people she regulates, to give it to private entities with whom she coordinates, to do what Congress has refused to do.

The problem with that, first, is the Constitution of the United States gives the power of the purse to the U.S. Congress, in Article I. No. 2, there is a Fed-

eral law that says you cannot do through private entities what Congress has refused to do. That is called the Anti-Deficiency law. And, No. 3, there are some Federal laws about raising money from people you regulate for whatever purpose.

The Secretary's activities may violate those Federal laws prohibiting raising private funds from those she regulates. Federal law permits a narrow band of private fundraising activities, but this has always been interpreted very narrowly.

This would not be the first violation of the Anti-Deficiency Act by the Secretary's HHS. The General Accountability Office found HHS in violation of the Anti-Deficiency Act three times last year.

I am most concerned that the Secretary's actions reflect a deep disregard, running throughout the administration, for the constitutional role of the elected representatives in the legislative branch.

We saw it in the President's decision in January of 2012 to bypass the Senate's role of advice and consent and make appointments—recess appointments, which are authorized by the Constitution—at a time when the Senate said it was not in recess. A Federal court quickly ruled these appointments were unconstitutional, because the Senate was not in recess, but the individuals continue to show up at the National Labor Relations Board and pretend they have the authority to issue decisions.

We see this in a number of executive orders the President has used to circumvent Congress on issues as important as immigration enforcement and in the number of czars whose responsibilities are intended for roles that need the Senate's advice and consent.

We see it at the Department of Education, where the Secretary is turning a simple waiver authority in No Child Left Behind into a conditional waiver with the Secretary using his authority to make decisions that should be made by Congress or should be made locally by State and local governments.

The HHS Secretary's actions may follow an administration pattern, but in this case it is in a pattern that appears it may be illegal and it demands investigation.

So I will be, as I said, with other Members of Congress, later this week, sending a letter to the Government Accountability Office, asking them to look at these facts.

Mr. President, I wish to read a few paragraphs from the Iran-Contra report that was issued by the Joint Select Committee in the late 1980s:

The Constitution contemplates that the Government will conduct its affairs only with funds appropriated by Congress. By resorting to funds not appropriated by Congress—indeed funds denied the executive branch by Congress—Administration officials committed a transgression far more

basic than a violation of the Boland Amendment.

That was the amendment that said you cannot use Federal dollars to support rebels in Nicaragua.

The power of the purse—

Continued the joint select committee. This was written at a time when we had a Democratic Congress.

The power of the purse, which the Framers vested in Congress, has long been recognized as “the most important simple curb in the Constitution on Presidential Power.” The Framers were determined not to combine the power of the purse and the power of the sword in the same branch of government. . . . The constitutional process that lodges control of government expenditures exclusively in Congress is the Anti-Deficiency Act, which prohibits an officer of the United States from authorizing an expenditure that has not been the subject of a Congressional appropriation or that exceeds the amount of any applicable appropriation.

Thus, the Anti-Deficiency Act provides:

An officer or employee of the United States Government may not make or authorize an expenditure or authorization exceeding an amount available in an appropriation or fund for the expenditure or obligation; or involve [the] government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law.

I ask unanimous consent to have printed in the RECORD following my remarks these excerpts from the joint committee’s report; and I refer the RECORD to Article I, Section 8 and Article 1, Section 9 of the Constitution, which says:

No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . .

Then two other things. One is the purported authority that the Secretary’s spokesman is citing for her actions in raising money. I have not seen the authority for raising money from people she regulates. But 42 U.S.C. section 300u-1(a) talks about grants and contracts for research programs, and says:

The Secretary is authorized to conduct and support by grant or contract (and encourage others to support) research in health information and health promotion, preventive health services, and education in the appropriate use of health care. Applications for grants and contracts under this section shall be subject to appropriate peer review.

This small section relates to support for contracts for research and information programs in the form of grants or contracts. The parenthetical, “encourage others to support” has to be read as encouraging others to support such programs. It is far-fetched to say it gives the Secretary authority to encourage third parties to give money to nonprofits providing ObamaCare information that the Department of Health and Human Services cannot fund directly because Congress has refused to appropriate.

This small section and the words in parenthesis cannot amend the Con-

stitution of the United States and invalidate Article I. This section cannot supersede the Anti-Deficiency Act, according to the language of the Joint Committee. There is obviously a way to have appropriate public-private contracts. We have them all throughout government, public-private associations to try to improve our country. We do that with HIV/AIDS, we do it with a whole variety of things.

When I was Education Secretary, I worked with the first President Bush to set up the New American Schools Development Corporation, which encouraged a private corporation headed by former New Jersey Governor Tom Kean, which would raise money to create models for private schools.

Then later on President Bush 1 asked Congress to do some things in support of those schools. All of us encouraged that, but that was quite different. That was an effort that would be typical of many public-private partnerships in which the Federal Government is involved, where in this case we said we want to encourage the support of model schools. Here is a private corporation that is doing that. We encourage that. Congress was not objecting to that. Congress has not said: You cannot do that. Congress has not been asked to vote on an appropriation for the New American Schools Development Corporation. Congress had not said: You cannot do that.

So that would be true with dozens, may be hundreds of public-private partnerships between the Federal Government and private organizations for the same goal. But what we are talking about, and why the analogy between what Secretary Sebelius is doing and what Oliver North was doing in the Reagan administration in the late 1980s is so strong, is because in each case the money seems to be raised privately and spent through private entities for a function for which Congress has refused to appropriate money.

It is not so much where the money came from, it is more where the money is going. The Constitution itself, in Article I, makes it absolutely clear no one can appropriate dollars for a Federal program other than the Congress of the United States. A subterfuge that goes around that, seeks to go around that by raising private money, putting it in private entities for the same purpose that Congress has either refused to appropriate money for or said that you cannot do, that is outside the Constitution. It is not allowed by the Constitution of the United States, and it is against the Anti-Deficiency Act.

Then there is the separate question of whether it is appropriate to raise money from people the Secretary regulates. I am deeply concerned about this. I hope the Secretary will stop this action. I hope the public-private partnerships we have throughout government will continue where they are ap-

propriate, but we need for the executive branch of government to show proper respect to the people of this country who elect their Members of Congress.

We are Article I. They are Article II. The purpose of the power of appropriations is to put a curb on the executive branch. If the Congress says no, then the executive cannot spend money, nor can the executive go through a subterfuge of private organizations and private fundraising in support of the very same objective that Congress has refused to approve.

In this case, the Secretary seems to say the reason they are doing that is because Congress has refused to appropriate more money to implement the health care law. That seems to me to be just admitting a violation of the Anti-Deficiency Act, admitting a violation of the proper division of responsibilities in the Constitution.

Yes, Congress has refused to do that, but that is the Congress’s privilege to do that. When the Congress does that, the administration may not proceed to spend the money the Congress has not authorized, whether directly through the government or indirectly through private entities.

Later this week we will be asking the Government Accountability Office to look into these facts. I am sure we will be hearing more about it. I would hope in the meantime the Secretary will stop making the phone calls, stop coordinating with private entities to do things that Congress has specifically refused to do.

I ask unanimous consent to have printed in the RECORD at the end of my remarks an article published July 8, 1991, “Bush Sets Up Foundation to Start Model Schools” as an example of an appropriate way to have a public-private partnership or a private enterprise that is encouraged by the government but not in a way that seeks to do something Congress has refused to do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALEXANDER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent to also have printed in the RECORD the names of the members of the Iran-Contra select committee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Washington Post, May 10, 2013]

BUDGET REQUEST DENIED, SEBELIUS TURNS TO HEALTH EXECUTIVES TO FINANCE OBAMACARE

(By Sarah Kliff)

Health and Human Services Secretary Kathleen Sebelius has gone, hat in hand, to health industry officials, asking them to

make large financial donations to help with the effort to implement President Obama's landmark health-care law, two people familiar with the outreach said.

Her unusual fundraising push comes after Congress repeatedly rejected the Obama administration's requests for additional funds to set up the Affordable Care Act, leaving HHS to implement the president's signature legislative accomplishment on what officials have described as a shoestring budget.

Over the past three months, Sebelius has made multiple phone calls to health industry executives, community organizations and church groups and asked that they contribute whatever they can to nonprofit groups that are working to enroll uninsured Americans and increase awareness of the law, according to an HHS official and an industry person familiar with the secretary's activities. Both spoke on the condition of anonymity to talk openly about private discussions.

An HHS spokesperson said Sebelius was within the bounds of her authority in asking for help.

But Republicans charged that Sebelius's outreach was improper because it pressured private companies and other groups to support the Affordable Care Act. The latest controversy has emerged as the law faces a string of challenges from GOP lawmakers in Washington and skepticism from many state officials across the country.

"To solicit funds from health-care executives to help pay for the implementation of the President's \$2.6 trillion health spending law is absurd," Sen. Orrin G. Hatch (R-Utah) said in a statement. "I will be seeking more information from the Administration about these actions to help better understand whether there are conflicts of interest and if it violated federal law."

Federal regulations do not allow department officials to fundraise in their professional capacity. They do, however, allow Cabinet members to solicit donations as private citizens "if you do not solicit funds from a subordinate or from someone who has or seeks business with the Department, and you do not use your official title," according to Justice Department regulations.

HHS spokesman Jason Young added that a special section in the Public Health Service Act allows the secretary to support and encourage others to support nonprofit groups working to provide health information and conduct other public-health activities.

Sebelius is working "with a full range of stakeholders who share in the mission of getting Americans the help they need and deserve," Young said. "Part of our mission is to help uninsured Americans take advantage of new, quality affordable insurance options that are coming thanks to the health law."

Young said that Sebelius did not solicit for funds directly from industries that HHS regulates, such as insurance companies and hospitals, but rather asked them to contribute in whatever way they can.

But the industry official who had knowledge of the calls but did not participate directly in them said there was a clear insinuation by the administration that the insurers should give financially to the nonprofits.

Meredith McGehee, policy director for the nonpartisan Campaign Legal Center, which researches government ethics issues, said she was troubled by Sebelius's activities because the secretary seemed to be "using the power of government to compel giving or insinuate that giving is going to be looked at favorably by the government."

The success of the Affordable Care Act largely hinges on whether enough people

sign up for insurance coverage. If only a small number of sick people participate, premiums would spike.

But spreading information about the law to the 30 million uninsured Americans has been a struggle, partly because there isn't enough money to fund the effort, HHS officials have argued.

The Affordable Care Act included \$1 billion to be used in overall implementation of the law. Congressional Budget Office projections, however, estimated that federal agencies will need between \$5 billion and \$10 billion to get the law up and running over the next decade. And because many states have refused to partner with the federal government in setting up the law, the burden on HHS has grown.

HHS has repeatedly requested additional funds from Congress to assist in the implementing but has been turned down.

After Congress rejected a request in March for nearly \$1 billion in additional spending for fiscal 2013, the White House asked for \$1.5 billion for fiscal 2015 to set up and run dozens of exchanges that will provide Americans options for health insurance. The new marketplaces will launch in October for open enrollment.

"We requested additional money . . . but we didn't receive any additional funding for the exchanges," Ellen Murray, HHS's assistant secretary for financial resources, said last month at a budget briefing. "So we've had to come up with a Plan B. We've been working very hard to develop that."

In 2012, budget documents show that HHS pulled hundreds of millions of dollars from programs not specifically earmarked for the Affordable Care Act's implementation.

On top of that, the agency announced Thursday that it would use \$150 million in Affordable Care Act funds meant to build additional community health centers to train thousands of health-care outreach workers at facilities that already exist.

"Investing in health centers for outreach and enrollment assistance provides one more way the Obama administration is helping consumers understand their options and enroll in affordable coverage," Secretary Sebelius said in a statement.

Many of Sebelius's calls have gone to current supporters of Enroll America, the most prominent nonprofit group working on the health care law's implementation, an HHS official said. Its president, Anne Filipic, joined the group in January after serving as the White House's deputy director for public engagement.

"We all have a lot of work to do between now and the Marketplace opening in October," Filipic said in a statement. "That's why it's so important that the public, private and non-profit sectors are coming together to educate consumers about the opportunities that will be available to them later this year. Secretary Sebelius recognizes how important the work Enroll America is doing and we're thrilled to be working with her."

Health insurers plan to run their own outreach campaigns alongside the work of the Obama administration. They have a vested interest in recruiting Americans to enroll in their specific products rather than those of their competitors.

"As open enrollment gets closer, health plans will be engaged in a variety of innovative outreach activities," spokesman Robert Zirkelbach, spokesman for the trade association America's Health Insurance Plans, said.

[From The New York Times, May 12, 2013]

CABINET SECRETARY SOLICITS LARGE DONATIONS TO PUBLICIZE HEALTH CARE LAW

(By Robert Pear)

WASHINGTON—Kathleen Sebelius, the secretary of health and human services, has solicited sizable donations from the Robert Wood Johnson Foundation and H&R Block, the tax preparation service, as part of a multimillion-dollar campaign to ensure the success of President Obama's health care law, administration officials said Sunday, even as a leading Senate Republican raised questions about the legality of her efforts.

The foundation is expected to contribute as much as \$10 million, while H&R Block is expected to make a smaller donation of about \$500,000, the officials said.

The senior Republican on the Senate health committee, Senator Lamar Alexander of Tennessee, said the fund-raising "may be illegal." He likened it to efforts by the Reagan administration to raise money for rebels fighting the leftist government of Nicaragua in the 1980s, after Congress had restricted the use of federal money. Aides to Mr. Alexander said Sunday that he would ask the Government Accountability Office, an investigative arm of Congress, to examine the propriety of the Obama administration's fund-raising efforts.

The Department of Health and Human Services said that Ms. Sebelius's actions to supplement money appropriated by Congress were proper and would continue, despite criticism from Republicans. After first denying that administration officials had engaged in fund-raising, the department confirmed Friday that Ms. Sebelius had made calls soliciting support from the health care industry, including insurance and pharmaceutical executives.

Jason Young, a spokesman for Ms. Sebelius, said she had suggested that health care executives and others support the work of Enroll America, a private nonprofit group that shares the president's goal of securing coverage for people without insurance. Several people who received solicitations said that current and former administration officials had suggested seven-figure donations.

An insurance executive said that some insurers had been asked for \$1 million donations, and that "bigger companies have been asked for a lot more."

Administration officials said private donations were needed because Congress had provided much less money than Mr. Obama requested to publicize the new law and get people enrolled in health plans subsidized by the government.

The Johnson Foundation describes itself as the largest philanthropy devoted exclusively to public health. H&R Block sees a large role for itself in helping low- and middle-income people apply for tax credits that can be used to buy private health insurance.

While Ms. Sebelius asked for support from health care executives, she did not make "a direct fund-raising appeal" to entities regulated by the government, Mr. Young said. In any event, he said, under a decades-old federal law, the secretary can encourage support for private nonprofit entities promoting public health.

The president of Enroll America, Anne Filipic, worked on Mr. Obama's 2008 campaign, became an aide to Ms. Sebelius, was later deputy executive director of the Democratic National Committee and then worked in the Obama White House as deputy director of the Office of Public Engagement. But a former Obama administration official, who spends time raising money or Enroll America, said its work was "not political."

In an interview, Ms. Filipic said, "We are thrilled to be working with Secretary Sebelius and to have her support." Ms. Filipic refused to say how much money had been raised through the efforts of Ms. Sebelius, refused to disclose the budget of Enroll America, and refused to say if the group had been requesting million-dollar donations. Mr. Young, the spokesman for Ms. Sebelius, said that her fund-raising efforts began in March, around the third anniversary of the signing of the health care law.

Insurance executives said they supported the president's goal of maximizing enrollment in the new health care program and encouraging healthy people under 40 to sign up, so insurers would not be stuck with a pool of older, less healthy subscribers. But several executives said they were uncomfortable with the discussions because the federal government has the power to approve or reject the health plans they want to sell in insurance markets that will be run by federal officials in more than 30 states.

Ronald F. Pollack, the executive director of Families USA, a liberal-leaning consumer group, is the founder and chairman of Enroll America. He said that he raised \$7 million for the organization in the last two years, and that the group had collected substantially more than \$7 million in more donations this year. He confirmed that "there have been solicitations in excess of \$1 million."

Health care executives said they were reluctant to make big contributions for several reasons, including the fact that insurers are required to pay more than \$100 billion in new taxes over the next 10 years to help defray the cost of expanded coverage. Drug companies must pay new fees totaling \$34 billion over the same period.

Excerpts of report of the Congressional Committees Investigating the Iran-Contra Affair, Chapter 27, pp 411-413

"The Constitution contemplates that the Government will conduct its affairs only with funds appropriated by Congress. By resorting to funds not appropriated by Congress—indeed funds denied the executive branch by Congress—Administration officials committed a transgression far more basic than a violation of the Boland Amendment.

The power of the purse, which the Framers vested in Congress, has long been recognized as "the most important simple curb in the Constitution on Presidential Power." The Framers were determined not to combine the power of the purse and the power of the sword in the same branch of government.

When members of the executive branch raised money from third countries and private citizens, took control over that money through the Enterprise, and used it to support the Contras' war in Nicaragua, they bypassed this crucial safeguard in the Constitution. . . .

The appropriations clause was intended to give Congress exclusive control of funds spent by the Government, and to give the democratically elected representatives of the people an absolute check on Executive action requiring the expenditure of funds. . . .

Congress' exclusive control over the expenditure of funds cannot legally be evaded through the use of gifts or donations made to the executive branch. Were it otherwise, a President whose appropriation requests were rejected by Congress could raise money from private sources or third countries for armies, military actions, arms systems, and even domestic programs. . . .

The Constitutional process that lodges control of Government expenditures exclusively in Congress is the Anti-Deficiency Act (31 USC Section 1341) which prohibits an officer of the United States from authorizing an expenditure that has not been the subject of a Congressional appropriation, or that exceeds the amount of any applicable appropriation. Thus it provides:

"An officer or employee of the United States Government may not make or authorize an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation; or involve [the] government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law."

. . . The Constitutional plan did not prohibit the President from urging other countries to give money directly to the Contras. But the Constitution does prohibit receipt and expenditure of such funds by this Government absent an appropriation. This prohibition may not lawfully be evaded by use of a nominally private entity, if the private entity is in reality an arm of the Government and the Government is able to direct how the money is spent.

BUSH SETS UP FOUNDATION TO START MODEL SCHOOLS

(By Karen De Witt, July 9, 1991)

In a move he described as a milestone in the "educational revolution" he outlined in April, President Bush today announced the establishment of a foundation to foster the creation of model schools.

In a Rose Garden ceremony, Mr. Bush, who was accompanied by Education Secretary Lamar Alexander, introduced 18 business, education and political leaders as members of the board of the New American Schools Development Corporation, saying they would help "set aside stale preconceptions" about how schools should work and "seek nothing less than a new generation of schools."

Mr. Bush has said he hopes the private, nonprofit corporation will persuade businesses to donate as much as \$200 million for the creation of 535 experimental schools intended to be models of reform for the nation. The schools, one in each Congressional district and two more for each state, are part of Mr. Bush's education legislation now being considered by Congress.

"We want to encourage and experiment," Mr. Bush said. "No one will conduct our educational revolution for us. We've got to do it ourselves. We've done enough hand-wringing about the state of our schools and now let's act."

The Rand Corporation's Institute on Education and Training will serve as the research arm for the new corporation. An advisory panel of educators is to assist the corporation.

Thomas H. Kean, the former New Jersey Governor and chairman of the corporation, said the group had already received \$30 million in donations. Walter H. Annenberg, the publisher and former diplomat, is a member of the board and donated a \$10 million "challenge" grant to encourage other corporations to help.

But with a recession, some companies that plan to contribute to the new program are cutting back on financial commitments to existing education projects.

The Exxon Corporation, for example, told Theodore R. Sizer, a professor of education at Brown University, that it would give him one year's worth of financial aid instead of the five years he had requested for his Coalition of Essential Schools, a nationwide group

of schools that have been promoting innovative teaching and learning techniques.

Edward F. Ahnert, executive director of the Exxon Education Foundation, said, "We have not made a decision to cut back our longer-term funding but rather to review our long-term commitments to his program in the light of the New American School Program."

Here is complete list of members of the board of the New American Schools Development Corporation. Thomas H. Kean, president of Drew University and former Governor of New Jersey, chairman. W. Frank Blount, president of the Communications Products Group of the American Telegraph and Telephone Company, president. Louis V. Gerstner Jr., chairman of R. J. R. Nabisco, vice president. James K. Baker, chairman of Arvin Industries, vice president. Frank Shrontz, chairman of the Boeing Company, vice president. Walter H. Annenberg, philanthropist, former diplomat and publisher. Norman R. Augustine, chief executive of the Martin Marietta Corporation. Gerald L. Baliles, former Governor of Virginia. John L. Clendenin, chairman and chief executive of BellSouth. James R. Jones, chairman and chief executive of the American Stock Exchange. Lee R. Raymond, president of the Exxon Corporation. Paul Tagliabue, commissioner of the National Football League. Earl Graves, publisher of Black Enterprise magazine. Joan Ganz Cooney, chairman of the executive committee of Children's Television Workshop. Kay Whitmore, chairman, chief executive and president of Eastman Kodak. James J. Renier, chairman and chief executive of Honeywell. John Ong, chairman of B. F. Goodrich. Stanley A. Weiss, board chairman of Business Executives for National Security and the BENS Education Fund.

MEMBERS OF THE IRAN-CONTRA SELECT COMMITTEE

SENATE

Daniel K. Inouye, Chairman (Hawaii); George Mitchell (Maine); Sam Nunn (Georgia); Paul Sarbanes (Maryland); Howell Heflin (Alabama); David Boren (Oklahoma).

Warren Rudman, Vice Chairman (New Hampshire); James McClure (Idaho); Orrin Hatch (Utah); William Cohen (Maine); Paul S. Trible, Jr. (Virginia).

HOUSE

Lee H. Hamilton, Chairman (Indiana); Dante Fascell, Vice Chairman (Florida); Thomas Foley (Washington); Peter Rodino (New Jersey); Jack Brooks (Texas); Louis Stokes (Ohio); Les Aspin (Wisconsin); Edward Boland (Massachusetts); Ed Jenkins (Georgia).

Dick Cheney, Ranking Republican (Wyoming); Wm. S. Brookfield (Michigan); Henry Hyde (Illinois); Jim Courter (New Jersey); Bill McCollum (Florida); Michael DeWine (Ohio).

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

VERMONT'S MATAYKA FAMILY

Mr. LEAHY. Mr. President, Vermonters are fiercely proud of those who serve in our National Guard. For decades—and never more so than in the last decade—when the Nation sounded the call to service, the Vermont National Guard has answered. Today, I would like to pay tribute to Ed and Karen Matayka, two Vermont National Guard soldiers whose perseverance in the face of huge odds is an inspiration to all.

The Army brought Ed and Karen together—they met at combat medic training in Texas—and they have been an Army family ever since. The Mataykas deployed twice together, once to Kuwait immediately following their wedding, and a second time to Afghanistan with Vermont's 86th Infantry Brigade Combat Team in 2010. It was during that second deployment when tragedy struck.

While running a convoy mission in Afghanistan, Ed's vehicle was hit by an improvised explosive device, leaving him with multiple injuries, including the amputation of his legs. Some doctors questioned whether Ed would survive.

Yet he never gave up. With Karen's support and the assistance of skilled Army doctors, Ed is well on the road to recovery. Not only is Ed making great strides in his personal health, with newly authorized assistance for in vitro fertilization for service members, Ed and Karen recently welcomed the arrival of twins: Ryan David and Alana Marie. They are the first Army family to have used the technique after Congress passed a law authorizing TRICARE coverage of reproductive therapies for military families dealing with the consequences of catastrophic injury.

As a Vermonter, I am proud of Ed and Karen. Ryan and Alana are surely lucky to have them as parents.

I ask unanimous consent that a copy of the recent U.S. Army article entitled "Double Amputee Gets Another Chance of Starting Family" be printed in the RECORD.

There being no objection, the material was printed in the RECORD, as follows:

[From the United States Army, April 24, 2013]

DOUBLE AMPUTEE GETS ANOTHER CHANCE OF STARTING FAMILY

(By Maria Gallegos, Brooke Army Medical Center)

SAN ANTONIO.—The only thing he remembered was waking up five weeks later in Landstuhl Regional Medical Center in Germany—from a tragedy that nearly cost him his life and the chance of starting a family.

THE BEGINNING

Thirteen years ago, Ed and Karen Matayka, both combat medics with the Vermont National Guard, met and fell in love during their advanced training course at what is now Joint Base San Antonio-Fort Sam Houston, Texas.

Soon after, they married in 2004 and deployed together six months later to Kuwait in 2005.

"We honeymooned in Kuwait," said Karen. They returned to Vermont a year later and were activated again in 2010 to go to Afghanistan, but this time they promised each other they would start a family after their deployment. Just after four months in theater, those plans looked to be lost.

In July 2010, Ed was on a convoy mission in Afghanistan when his vehicle was struck by an improvised explosive device that caused multiple injuries to his body, including the loss of his legs, fractures to his spinal cord, a traumatic brain injury, and two strokes that caused nerve damage to his left side of the body. The blast also killed his driver, Spc. Ryan Grady, and wounded four other Vermont Soldiers.

"The doctors told me he probably won't survive," Karen recalled.

Because of the severity of his multiple injuries, he was treated and transferred to several military medical centers across the country before he was transferred to Brooke Army Medical Center, or BAMC. At BAMC, he receives inpatient care at the San Antonio Military Medical Center, or SAMMC and specialty rehabilitation care at the Center for the Intrepid.

"BAMC is the best place for amputee rehab, (so) we needed to get Ed here," Karen said.

Ed has been rehabilitating at the CFI, BAMC's outpatient rehab center, since August 2011. He is now learning to walk again.

IN VITRO FERTILIZATION

Even though their plans of starting a family were temporarily on hold, their desire to start a family was never in question.

"We really wanted to have a family long before this happened, and we are not going to let his injuries change our plans," said Karen.

"We had decided together that we wanted kids—we just wanted to share some love, help guide the next generation," Ed added.

They turned to in vitro fertilization in hopes of making their dreams of a family a reality. The IVF process is a procedure in which eggs are removed and joined with a sperm outside of the body to fertilize and the resulting embryo is then placed back into the uterus.

They first started the IVF process, at the Boston's veteran hospital where Ed was receiving his spinal cord rehab—but because of the complexity of the injuries, the procedure was not successful.

After eight months of rehab at BAMC, and with Ed gaining more strength and independence, they decided to try again.

"We were initially told we had to pay for it ourselves, which we were fine with, and we didn't care. We wanted to do it, and then we were told that TRICARE was working on a policy that would change its IVF coverage for service members with severe injuries," Karen said.

A week before their IVF transfer, a bill was passed to cover reproductive services to active service members who have suffered from catastrophic injuries resulting in infertility. Since 2003, more than 1,800 U.S. military members have suffered injuries in Iraq or Afghanistan that impact their reproductive tract.

"TRICARE rules changed and we were 100 percent covered," said Karen.

After their first attempt of the IVF transfer process, Karen became pregnant.

Their twins, Ryan David and Alana Marie, were born March 21, at 28 weeks.

"The babies were born ahead of time but are doing very well here (SAMMC neonatal intensive care unit)," Karen said.

Ed is the first wounded warrior, nationwide, who has successfully had the IVF transfer procedure since the new TRICARE policy was implemented.

"It was an honor to help the Mataykas achieve their dream of having a family. They are true American heroes and having the opportunity to directly help our wounded warriors represents the most rewarding aspect of our profession," said Maj. (Dr.) Jeremy King, director of IVF, who performed their transfer.

Although their desire of starting a family was finally complete, they will never forget the tragedy that happened almost two years ago.

"We named our boy after Ryan, the driver who passed away from the blast and David who saved Ed's life by applying tourniquets to his legs," Karen said. "They are our true heroes."

Both praised the care they received throughout the procedure.

"The care here is great. The reproductive and endocrinology staff is phenomenal," Karen added, as Ed also agreed. "The entire staff is extremely caring and we all bonded throughout the whole process. We greatly appreciate everyone's care."

"We have already referred two other warriors of the services here at SAMMC," Ed said.

"The Mataykas were a pleasure to work with," said King. "IVF process is physically and emotionally challenging, but their attitude was always upbeat, positive and optimistic. That, I believe, helped them get through the obstacles and also lifted up our spirits whenever we saw them."

THE SERVICE

The In Vitro Fertilization and Reproductive Endocrinology services had been offered at Wilford Hall Ambulatory Surgical Center since 1996. The program relocated to SAMMC in June 2011 due to the Base Realignment and Closure law.

SAMMC's IVF program offers the full gamut of diagnostic testing and infertility therapy treatments in the same location.

"We have over 1,000 babies as a result of our IVF program and it is the only onsite full service IVF center staffed solely by active duty physicians in Department of Defense," said Col. (Dr.) Matthew Retzlaff, Reproductive Endocrinology chief. "We offer this service to active duty members and their dependents, on site at SAMMC, from start to finish."

Reproductive endocrinologists provide full evaluation and treatment of all forms of infertility, polycystic ovarian disease, premature ovarian failure, hirsutism, recurrent pregnancy loss, reproductive tract anatomic abnormalities, endometriosis, premenstrual syndrome and complicated menopausal problems.

HONORING OUR ARMED FORECES

ARMY STAFF SERGEANT REX SCHAD, AIR FORCE STAFF SERGEANT DANIEL FANNIN, ARMY PRIVATE FIRST CLASS CHARLES P. MCCLURE, ARMY FIRST LIEUTENANT BRANDON LANDRUM

Mr. INHOFE. Mr. President, today I wish to pay tribute to three American heroes who recently lost their lives while defending the United States overseas in support of the war on terror.

Army SSG Rex Schad, of Edmond, OK, died on March 11, 2013. The 26-

year-old squad leader was assigned to 3rd Battalion, 69th Armor Regiment, 1st Armor Brigade Combat Team, 3rd Infantry Division, out of Fort Stewart, GA. Rex was killed in Jalrez District, Afghanistan, after a member of the Afghan security forces opened fire on Rex and his fellow soldiers. Also killed was Army CPT Andrew Pedersen-Keel. Family and friends of Rex said that he took the idea of serving seriously and understood that it could require him to make the ultimate sacrifice for his country. He also had many family members serve in various branches of the military including his mother, brother, an uncle, and his grandfather. Rex is survived by his mother, Ms. Colleen Whipple, of Edmond, OK.

Air Force SSGT Daniel Fannin, of Morehead, KY, died on April 28, 2013, in the crash of an MC-12 aircraft near Kandahar Airfield, Afghanistan. Also killed in the incident were Capt. Brandon L. Cyr, Capt. Reid K. Nishizuka, and SSGT Richard A. Dickson. Daniel, who had just turned 30 three weeks prior, was assigned to the Air Force's 552nd Operations Support Squadron at Tinker Air Force Base in Oklahoma City. In addition to being a 12-year veteran of the Air Force, Daniel also lived for several years in Oklahoma with his wife Sonya of Oklahoma City. As his family recently said, Daniel died just as he lived—serving God and others. He died honorably serving his country so that we may continue to enjoy the freedoms that many of us take for granted.

Army PFC Charles P. McClure, of Stratford, OK, died on May 2, 2013, serving our Nation at Camp Buehring, Kuwait. Private First Class McClure was assigned to 4th Battalion, 42nd Field Artillery Regiment, 1st Brigade Combat Team, 4th Infantry Division out of Fort Carson, CO. Charles was killed in a vehicular accident. He was 21 years old and was on his first tour overseas. Also killed in the accident was his battle buddy, 25-year-old SPC Trinidad Santiago, Jr.

Army 1LT Brandon Landrum of Lawton, OK, was a 26-year-old husband, father of two children, Army officer, and graduate of Cameron University. He was among five soldiers who died on May 4, 2013, after they were attacked by an enemy IED in Maiwand, Afghanistan. Brandon and his soldiers were assigned to the 1st Battalion, 36th Infantry, 1st Brigade Combat Team, 1st Armored Division, at Fort Bliss, TX. Brandon enlisted in the Army in 2005 and deployed to Iraq 3 years later. Upon receiving his commission in May 2011, he graduated the Infantry Basic Officer Leaders Course and Airborne School. First Lieutenant Landrum is survived by his wife, one son, and one daughter.

Our soldiers and airmen demonstrated courage and honor by volunteering for service in the Army and Air

Force. While the deaths of these brave men are tragic, their lives encourage all of us to demonstrate courage and honor commensurate with their sacrifice. The fact that these men died alongside their fellow warriors is a reminder for us to stick by our men and women in uniform who continue to fight the enemies of our country. God bless them, and God bless their families.

NATIONAL POLICE WEEK

Ms. MURKOWSKI. Mr. President, it has been my practice over the past decade to honor the men and women of law enforcement during National Police Week.

This week is National Police Week. The annual candlelight vigil at the National Law Enforcement Officers Memorial will take place this evening. I should mention that 2013 marks the 25th anniversary of the candlelight vigil. This year, the names of 320 officers killed in the line of duty are being added to the memorial. These 320 names include 119 officers who were killed during 2012, plus 201 officers who died in previous years but whose stories of sacrifice had been lost to history until now.

Alaska did not suffer a law enforcement casualty in 2012. However, we have suffered three since the beginning of 2013, and I would like to take this opportunity to remember the three Alaskans who have paid the ultimate sacrifice for the heroes they are.

Today I recognize three men, each of different backgrounds but all united in their bravery and willingness to go the extra step. John 15:13 says: "There is no greater love than this, that a man lay down his life for his friend." In Alaska, where we treat strangers in need of a helping hand as friends, these three individuals demonstrated a spirit not only worthy of their profession but that of a State and a people forever grateful for their sacrifice.

THOMAS MADOLE

In law enforcement there is spirited debate over who walks the toughest beat in America. The men and women of corrections think they have won that debate hands down, but I would suggest that Alaska's village public safety officers, or VPSOs, our first responders in the last frontier, are formidable contenders.

Alaska's VPSOs wear all four hats of first response. They are at the same time police officers, firefighters, emergency medical technicians, and search-and-rescue coordinators. They are the sole first responders in the bush villages of Alaska—villages with populations that might number 400 to 600 people—and carry out their dangerous work with no backup in the immediate community. The closest backup is often an Alaska State trooper in a rural hub, who must fly in to the vil-

lage by air—assuming weather conditions allow the troopers to fly. I would submit to you that our village public safety officers, who patrol unarmed, in fact walk the toughest beat in America.

Thomas Madole, age 54, was the village public safety officer in Manakotak, AK. Manakotak has a population of about 400. It is in Alaska's Bristol Bay region. Ninety-four percent of its residents are Alaska Native descendants of the original people to occupy the area. Officer Madole was killed on March 19, 2013 while responding to a report of a possibly suicidal person. He was unarmed. His assailant was not.

There is much to say for how Officer Madole lived his life. He will be remembered as a man of peace. An ordained minister of the Assemblies of God Church, he preached and mentored in the Yupik hub community of Bethel Alaska for 6 years before moving to Manakotak.

Patricia Zulkosky, a board member of the Bethel Assemblies of God Church, referred to Madole in this way: "He was a man of God, he walked his talk." And in the community of Manakotak, Madole is remembered as a friend and a role model for the youth as much as a cop.

MEL NADING AND TAGE TOLL

Alaska is remarkable for many reasons, among which that the wilderness begins literally beyond the backyards of our homes. The Alaska State troopers rely extensively on aviation resources to get where they need to go and their pilots are some of the best in the world.

Mel Nading, originally a Hawkeye from Manchester, IA, was hired in December 2000 to be the primary pilot for the Alaska Department of Public Safety's Helo-1. Helo-1 bore the tail number "N911AA."

During Mel's 13 year career, he was the primary search-and-rescue pilot for the department and interacted with other agencies to coordinate search and rescue efforts, going on almost-weekly missions. Mel also provided air support for law enforcement missions. In 2012 alone, Mel flew over 200 hours logging 73 rescues and 13 medical evacuations. He recovered eight bodies and assisted with two arrests.

In 2008, Mel and trooper Sergeant Bryan Barlow shared the Governors Denali Award Peak Performance for saving the life of a kayaker caught in a bore tide. During that daring rescue, Mel was able to hold the helicopter steady and close to the waters as Barlow leaned out and pulled the kayaker from Turnagain Arm, saving the man's life. This act was but one of many saves he made in his career.

These remarkable numbers, however, are just a small part of what made Mel a valued member of the team. He was well known and well respected among

the search and rescue community and was known for his attention to safety.

Trooper Tage Toll, of Talkeetna, joined the Alaska State troopers in 2003 after spending 2 years with the Kansas Highway Patrol. He served in Fairbanks, Glennallen, and Northway. Then in September of 2009, he transferred to Talkeetna at the gateway to Denali National Park. He was an expert marksman and a member of the regional SWAT team what we in Alaska refer to as the SERT. Like Mel, Tage was also a pilot and loved to fly his Super Cub.

On March 30, the Alaska State troopers dispatched Helo-1 to rescue a snowmachiner who crashed near Larson Lake, 7 miles east of Talkeetna. Mel flew from Anchorage to Talkeetna, picked up Tage and began a search. The pair found the snowmachiner around 10 p.m. They intended to fly to a nearby gas station to rendezvous with EMS personnel. The helicopter crashed a little over an hour later, and there were no survivors.

This National Police Week, as America focuses on the daily sacrifices of what those in law enforcement refer to as the "Thin Blue Line," I am honored to share the stories of these three outstanding Alaskans, who paid the ultimate sacrifice, with the Senate. In valor, there is hope.

WWII VETERANS VISIT

Mr. TESTER. Mr. President, on May 19, 89 World War II veterans from Montana will be visiting our Nation's Capital.

With a great deal of honor and respect, I extend a hearty Montana welcome to each and every one of them.

Together, they will visit the World War II Memorial and share stories about their service. This journey will no doubt bring about a lot of memories. I hope it will give them a deep sense of pride as well.

What they achieved together almost 70 years ago was remarkable. That memorial is a testament to the fact that a grateful nation will never forget what they did or what they sacrificed. To us, they were our greatest generation. They left the comforts of their family and their communities to confront evil from Iwo Jima to Bastogne. Together, they won the war in the Pacific by defeating an empire and liberated a continent by destroying Hitler and the Nazis.

To them they were simply doing their jobs. They enlisted in unprecedented numbers to defend our freedoms and our values. They represented the very best of us and made us proud.

From a young age I remember playing the bugle at the memorial services of veterans of the first two World Wars. It instilled in me a profound sense of respect that I will never forget.

Honoring the service of every generation of American veterans is a Mon-

tana value. I deeply appreciate the work of the Big Sky Honor Flight, the nonprofit organization that made this trip possible.

I say to the World War II veterans making the trip, I salute you. We will always be grateful, and we will never forget your service or your sacrifice.

RECOGNIZING STEPPING STONES CENTER

Mr. PORTMAN. Mr. President, today I wish to recognize the 50th anniversary of Stepping Stones Center, which serves the needs of people with disabilities in Greater Cincinnati and inspires independence and pathways to helping people achieve their potential. I have visited Stepping Stones on several occasions and have always been impressed by their work.

Stepping Stones Center was founded in 1963 when a handful of parents and friends of children with disabilities established Cincinnati's first day camp for children with disabilities. These passionate and loving parents wanted their children to have opportunities like those of their siblings, friends and neighbors.

Over the years, Stepping Stones has continued to expand, broadening the scope of services and the ability to reach more families. In the early years, Stepping Stones' services focused on traditional day camp opportunities, which were enhanced to provide therapeutic benefits including outdoor activities, arts and crafts, swimming and games.

In 1971, the region's first on-site infant stimulation program was developed and Stepping Stones helped launch Cincinnati Mothers of Special Children in 1974.

Partnering with the Rotary Club of Cincinnati, programming for a second campus was developed for Camp Allyn in Batavia, augmenting summer programs with year-round educational programs, overnight camps and initiating services for adults.

In response to the growing needs of children with autism, Stepping Stones launched its innovative Step-Up program as Greater Cincinnati's first alternative education program for students with severe autism and extreme behaviors in 2004. Today, Step-Up serves students from 14 school districts in the region. In 2013, Stepping Stones launched the region's first sensory needs respite and support program for children with autism and other sensory needs and extreme behaviors, filling a critical need for ongoing overnight recreational respites.

Since its founding, thousands of high school students in Greater Cincinnati have been trained and have served as volunteer camp counselors, learning the benefits of giving back to their communities and gaining an understanding of occupations that serve

those with special needs. Many special education teachers, therapists and disabilities professionals in Greater Cincinnati can trace their vocations to summers volunteering at Stepping Stones.

On this occasion I would like to recognize Stepping Stones Center and honor the founders, Margaret—Peggy—Geier, Minor LeBlond and Mary T. Schloss, the trailblazers who identified a need, envisioned a solution, and then worked tirelessly to make Stepping Stones happen. I salute the volunteers, staff members, donors and parents who carry on their spirit every day, continuing to build pathways to independence for people with disabilities. It is a privilege to recognize this 50 year anniversary, and I wish Stepping Stones all the best for the future.

HONORING OUR ARMED FORCES

SERGEANT TRISTAN MYKAL WADE

Mr. DONNELLY. Mr. President, today I rise to recognize and honor the extraordinary service and ultimate sacrifice of SGT Tristan Mykal Wade, of Indianapolis, IN. Sergeant Wade was serving in the U.S. Army, assigned to the 573rd Clearance Company at White Sands Missile Range in Afghanistan. He was serving a 9-month deployment and his unit was scheduled to return to White Sands in April.

On Friday, March 22, while serving in Qarah Bagh District, Ghazni Province, Afghanistan, enemy forces attacked Sergeant Wade's unit with an improvised explosive device and he was killed. Command Sgt. Major Joe Medlin of Rock Hill, the ranking enlisted man for the task force, stated Sergeant Wade was:

An outstanding soldier and a true hero. He will certainly be missed by his unit and all of us in Task Force Prowler.

White Sands Missile Range Commander BG Gen. Gwen Bingham said:

We thank him for his outstanding service and sacrifice. We will never forget him. Our brave men and women perform a multitude of missions in a magnanimous way in Afghanistan and all places around the globe. They do so selflessly without any expectation of anything in return.

Certainly, Sergeant Wade is a shining example of this selflessness and patriotism.

An Indianapolis native, Sergeant Wade attended three different high schools while a freshman. He enrolled at Southport High School at the beginning of his sophomore year and joined the football program, which had endured a 10-year plus stretch of losing seasons. Head football coach Bill Peebles remembered Tristan as a cocky young kid who wanted to catch touchdown passes and become a Friday-night star. Although Coach Peebles didn't expect much from Wade, Tristan represented the epitome of the program's goal—excelling in the classroom, in

training and on the field. Over the following 3 years, Coach Peebles watched Tristan grow into a leader who helped turn the football program into a winning program. "He went from wanting to be a Friday-night hero as a skinny sophomore, to being a Friday-night hero." Peebles said. Sergeant Wade graduated from Southport High School in 2009.

He carried into the Army his enthusiasm for sports where he was a member of the Army volleyball team. Friends and family remember how he enjoyed practical jokes and dancing. But most important to Sergeant Wade was his precious daughter Skylynn of whom he wrote, "She is my world and I'll truly miss her while in Afghanistan."

While still in high school, Tristan volunteered for the U.S. Army, following in the footsteps of his father SGT Daniel L. Wade who had been to Afghanistan in 2004, and his uncles. He knew he would likely be deployed to active combat zones, but as he was known to do all his life, he demonstrated courage and conviction. "No matter how scared he was, he never showed it," his mother Tisa Wade said.

Sergeant Wade was respected and appreciated by his fellow soldiers for his professionalism as well as his personal qualities. As LTC Andre Balyoz pointed out in his eulogy, Sergeant Wade was:

A natural leader, the type who took charge and made things happen. He always took care of and protected his Soldiers.

And although the gravity of his mission was always with him, Lieutenant Colonel Balyoz said that:

Tristan was someone who was always happy, always in a good mood and he could very quickly cheer up those around him. His positive attitude was certainly contagious.

Prior to his service in Operation Enduring Freedom in Afghanistan, Sergeant Wade served in Iraq. During those deployments he earned the Army Commendation Medal, the Afghanistan Campaign Medal, the Iraqi Army Good Conduct Medal and the Combat Action Badge. On April 6, 2013, Sergeant Wade's family was presented the Bronze Star and Purple Heart in honor of the supreme sacrifice he made for his fellow Americans and the United States.

Sergeant Wade is survived and mourned by his wife, Alisha Morales of Las Cruces, NM, his mother Tisa Wade and father Daniel Wade, Jr., both of Indianapolis, and his daughter Skylynn Marie Wade. In addition, he is survived by his brothers Cory Alan Lee, Zachary Daniel Wade and his fiancée Victoria Lloyd; his niece Molly Diane Wade; maternal grandmother Denise Webb; maternal grandfather, Gerald Lee, Sr.; paternal grandmother Betsy Brown and her husband Tommy Brown; paternal grandfather, Daniel Lee Wade, Sr., and his wife Linda as well as several aunts, uncles, cousins and close friends. He

was preceded in death by his brother Adrian David Wade.

Sergeant Tristan Mykal Wade is a quintessential Hoosier, and true American hero. Let us always remember and treasure the memory of this stalwart, brave man and honor him for protecting our treasured country. May God welcome him home and give comfort to his family and friends. Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO COLONEL CHARLES MCGEE

• Mr. BLUNT. Mr. President, today I wish to join the Columbia College Alumni Association in recognizing one of the college's most prestigious alumni. Colonel Charles McGee is among the most decorated and accomplished Air Force aviators, holding an Air Force record of 409 fighter combat missions flown in World War II, Korea and Vietnam. I am proud to applaud him for his invaluable service and contributions to the Air Force, Kansas City, and to our country.

Charles E. McGee was one of the renowned Tuskegee Airmen of World War II and continued his service as a career officer in the U.S. Air Force for 30 years. He was born in Cleveland, OH on December 7, 1919, and as a young man, McGee was a member of the Boy Scouts of America, BSA, achieving the rank of Eagle Scout on August 9, 1940. He later served in district and regional positions in the BSA. At the 2010 National Scout Jamboree, he was recognized with the Distinguished Eagle Scout Award.

During the Vietnam War, as a Lieutenant Colonel, McGee flew 172 combat missions in a McDonnell RF-4 photo-reconnaissance aircraft. After a series of other appointments in the United States, Italy and Germany and promotion to Colonel, McGee retired on January 31, 1973. He ended his military career with an impressive 6,308 flying hours. Following his military service, McGee has held many prestigious functional and honorary positions within the field of aviation.

In 1978, at the age of 58, he completed his college degree at Columbia College in Kansas City, over 30 years after his initial enrollment at the University of Illinois. Though interrupted by World War II, attaining a college degree had been a lifelong goal. I am honored to have the opportunity to congratulate Colonel McGee for this great achievement and am proud that he chose to complete his studies and continue his impressive career in the great State of Missouri.

In his civilian life, McGee served as the director of the Kansas City downtown airport and as a member of the Aviation Advisory Commission. For 30

years, he has been an ambassador of the Tuskegee Airmen, Inc., serving three times as national president. He has shared his story in numerous public addresses and has received many accolades, including the National Aeronautical Association's Elder Statesman of Aviation.

In 2005, McGee was part of a group of former Tuskegee Airmen who flew to Balad, Iraq to speak to active duty airmen serving in the 332nd Air Expeditionary Wing, the current incarnation of the 332nd Fighter Group.

McGee has been recognized for his combat and military service with a number of awards including: Distinguished Flying Cross with two Oak Leaf Clusters, Legion of Merit with one Oak Leaf Cluster, Bronze Star, Air Medal with 25 Oak Leaf Clusters, Army Commendation Medal, Presidential Unit Citation, Korean Presidential Unit Citation, Hellenic Republic World War II Commemorative Medal, along with related campaign and service ribbons.

In 2007, President George W. Bush awarded him and the surviving Tuskegee Airmen the Congressional Gold Medal of Honor, the Nation's highest civilian award, and in 2011, he was inducted into the National Aviation Hall of Fame in Dayton, OH.

I am honored to join Columbia College in celebrating Colonel Charles McGee's accomplishments and service, from which we have all greatly benefited. I want to thank Colonel McGee for his leadership in the field of aviation, in our military, and in his community.●

TRIBUTE TO LIEUTENANT COLONEL NORBERT CZECH

• Mr. HELLER. Mr. President, today I wish to congratulate Nevada educator and veteran, Lieutenant Colonel Norbert Czech, for his retirement as the District Army Instructor, DAI. His selfless work for the District JROTC Program and with the veterans of Northern Nevada make him truly deserving of our appreciation.

LTC Czech received his commission through the U.S. Army Officer Candidate School in 1970. He served honorably with the 11th Armored Cavalry Regiment along the East/West German border as the Regimental Adjutant and Executive Officer. His final assignment was as the Professor of Military Science at the University of Nevada, Reno, UNR, where he was responsible for the recruitment, training, and commissioning of more than 100 Army Second Lieutenants.

Following his retirement from the U.S. Army, LTC Czech established the Army JROTC Program at Galena High School. He went on to serve as the Director of the Washoe County JROTC Programs for 5 years. Last year he was honored as the Nation's best District Army Instructor.

Not only has LTC Czech had a lasting impact on the young students of Nevada through the JROTC program, but he has helped his fellow military veterans in Northern Nevada. He is an active member of the 82nd Association, the Westmoreland Chapter of Association of the United States Army—AUSA—and the Veterans Guest House, which was created as a place for military veterans and their families to stay when they are receiving treatments at area hospitals.

I am continually humbled by the sacrifices made by the brave men and women in the Armed Forces who fight to preserve freedom in the United States. They faced dangerous situations in order to protect Americans from harm and deserve our utmost respect. As a member of the Senate Veterans' Affairs Committee, I will continue fighting for veterans' benefits and supporting all of our men and women in uniform.

Today, I ask my colleagues to join me in congratulating LTC Norbert Czech for his accomplishments and expressing my sincere gratitude to him for his service and contributions to Nevada's students and military veterans. He is a true American hero.●

TRIBUTE TO KATY SIMON

● Mr. HELLER. Mr. President, today I wish to congratulate Katy Simon as she retires from the position of Washoe County Manager, a title which she proudly held for 15 years. Ms. Simon's diligence and determination has made her an extraordinary leader to the people of Washoe County.

Ms. Simon was appointed Washoe County Manager in 1998 after serving 2 years as assistant county manager for Finance and 1 year as deputy county manager. Prior to her appointments, she was the owner and principal consultant for Simon and Associates Management Consulting, providing services both here in the United States and overseas. She also served executive positions with Washoe Health System.

Ms. Simon's dedication to the people of Northern Nevada has not gone without notice. During her implementation of the employee classification and compensation system, she was recognized twice by the State legislature for objectivity and fairness. Additionally, she was accountable for the successful startup of the Truckee Meadows Fire Protection District. These are just a few examples of Ms. Simon's efforts to promote the growth and development within her community and the State.

Resilience and persistence aided Ms. Simon as she helped Washoe County through 5 years of the toughest economic times this great county had ever seen. She took Washoe County from a strong, well-managed county to being one of the very best local governments in the Nation. I applaud Ms. Simon's

commitment to the people of Washoe County and all of Northern Nevada. She serves as a shining example for all Nevadans, and I ask my colleagues to join me in congratulating her on her retirement.●

REMEMBERING GEORGE AMES

● Mr. TESTER. Mr. President, today I wish to honor CPL George Ames, a hero from the Korean War.

George was born in Pennsylvania and at age 16, he talked his mother into signing a form so he could enlist in the Army Cavalry. In 1951, George was deployed to Korea where he fought for 2 years. He was wounded three times and eventually was flown to a military hospital in Japan. George did not talk much about his time in Korea but did show his daughter a flag he had made when he was in the hospital in Japan. The flag had a map on it which showed all of the places in Korea where he had fought.

When he returned home, George spent 16 years as a military police officer in El Paso, TX.

In 1971, he moved to Montana and served as the sheriff of Sweet Grass County in Big Timber for 20 years.

George was one of the first sheriffs in Montana to bring the Drug Abuse Resistance Education—DARE—program to his county schools. He also was one of the first sheriffs to bring the FBI's Child Find program to help schools put kids' fingerprints and pictures into a booklet for parents.

George passed away in 2011, but it was my honor to present the honors he earned to his widow Clara and his granddaughter Meggin. On behalf of a grateful nation, I presented CPL George Ames' Army of Occupation Medal with Japan Clasp, National Defense Service Medal, and Korean Service Medal with three Bronze Service Stars.

I also had the honor of presenting George's widow Clara and his granddaughter Meggin the Combat Infantryman Badge 1st Award and the United National Service Medal.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service. They are presented on behalf of a nation that will never forget George Ames' heroism.●

TRIBUTE TO NORMAN LEONARD

● Mr. TESTER. Mr. President, today I wish to honor TSgt Norman Leonard, a hero from World War II and the Korean War.

Norman was born in 1925 in North Jackson, OH.

In 1943, Norman enlisted in the Marine Corps. He served on the aircraft carrier USS *Bunker Hill*. During his 2 years in the South China Sea, Norman was involved in 11 major battles.

Two days after he left the *Bunker Hill*, the carrier was hit by two kamikazes and over 400 servicemen were killed.

Private First Class Leonard returned to the United States and joined the Air Force. He deployed to Germany where he served with the Allied Forces from 1948 until 1951. From Germany, Norman was deployed to Taegu, Korea, from 1953 to 1954. In Korea, Staff Sergeant Leonard worked on the F86 fighter bombers.

Twenty years after he enlisted in the Air Force, Norman retired.

He went to Bible school and worked as a pastor in Nebraska, Colorado, and Minnesota.

Norman and his wife moved to Billings 15 years ago to be close to their son and grandchildren.

Earlier this month, it was my honor to present Norman his Korean War Service Medal and his Official Citation from the Republic of South Korea on the 50th Anniversary of the War.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service. They are presented on behalf of a nation that will never forget Norman Leonard's heroism.●

REMEMBERING MICHAEL MERRILL

● Mr. TESTER. Mr. President, today I wish to honor PO1 Michael Merrill, a sailor who fought in Vietnam.

Michael grew up in Outlook, MT, and went to Butte in 1961 to enlist in the U.S. Navy. He was sent to Millington, TN, for training at the Naval Support Activity Mid-South base. In Tennessee, he met his future bride, Barbara, whom he married in 1964. Barbara said she always wanted to be in the service, and for her, helping take care of Michael was her way of contributing to our country.

Michael traveled back and forth between San Diego and Millington until 1969 when he received orders to deploy to the aircraft carrier USS *Shangri-La* as a jet mechanic. The *Shangri-La* was posted in the South China Sea during the Vietnam war.

For his service during the war, Michael earned the Vietnam Service Medal with four Bronze Service Stars.

After Vietnam, Michael and Barbara headed back to Miramar Naval Air Station before a tour on the USS *Midway* in Japan. Michael's last posting was to Whidbey Island in Washington where he worked with a helicopter squadron.

In 1981, after 20 years in the Navy, Michael retired and moved home. In Billings, he worked various jobs, including working at a tire supply company.

Michael passed away in 2009, but it was my honor to present the honors he earned to his widow Barbara. On behalf of a grateful nation, I presented PO1 Michael Merrill's Navy Good Conduct

Medal, National Defense Service Medal, and Vietnam Service Medal with four Bronze Service Stars.

I also had the honor of presenting to Michael's widow Barbara, the Meritorious Unit Commendation Ribbon, the Navy "E" Ribbon, and the Vietnam Campaign Medal with the 1960 device.

These decorations are small tokens, but they are powerful symbols of true heroism. Sacrifice. And dedication to service.

They are presented on behalf of a nation that will never forget Michael Merrill's heroism.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 807. An act to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 807. An act to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1441. A communication from the President of the United States of America, transmitting, pursuant to law, the fiscal year 2012 Annual Nuclear Weapons Stockpile Assessments from the Secretaries of Defense and Energy, the three national security laboratory directors, and the Commander, U.S. Strategic Command (DCN OSS No. 2013-0648); to the Committee on Armed Services.

EC-1442. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Keith M. Huber, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1443. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General John W. Morgan III, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1444. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1445. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled, "Report to Congress on Fiscal Year 2014 Staff Years of Technical Effort and Estimated Funding for Department of Defense Federally Funded Research and Development Centers"; to the Committee on Armed Services.

EC-1446. A communication from the Secretary of Defense, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation for 2012"; to the Committee on Armed Services.

EC-1447. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Wall Thinning Due to Erosion Mechanisms" (LR-ISG-2012-01) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Environment and Public Works.

EC-1448. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Content Specification and Shielding Evaluations for Type B Transportation Packages" (RIS 2013-04) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Environment and Public Works.

EC-1449. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nonpoint Source Program and Grants Guidelines for States and Territories" received in the Office of the President of the Senate on May 6, 2013; to the Committee on Environment and Public Works.

EC-1450. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9834-8) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Environment and Public Works.

EC-1451. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Alaska: Mendenhall Valley Nonattainment Area PM10 Limited Maintenance Plan and Redesignation Request" (FRL No. 9794-2) received

in the Office of the President of the Senate on May 7, 2013; to the Committee on Environment and Public Works.

EC-1452. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina; Control Techniques Guidelines and Reasonably Available Control Technology" (FRL No. 9810-8) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Environment and Public Works.

EC-1453. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Approval of Section 110(a) (1) Maintenance Plan for the 1997 8-Hour Ozone Standard for the Parish of Pointe Coupee" (FRL No. 9809-4) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Environment and Public Works.

EC-1454. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Prevention of Significant Deterioration" (FRL No. 9810-7) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Environment and Public Works.

EC-1455. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2012 through March 31, 2013, received in the Office of the President of the Senate on May 13, 2013; ordered to lie on the table.

EC-1456. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-058, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1457. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, a notice of an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2013-0652); to the Committee on Foreign Relations.

EC-1458. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0065-2013-0073); to the Committee on Foreign Relations.

EC-1459. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Payment for Home Health Services and Hospice Care to Non-VA Providers" (RIN2900-AN98) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Veterans' Affairs.

EC-1460. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Grants for Transportation of Veterans in Highly Rural Areas" (RIN2900-A001) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WYDEN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 267. A bill to improve hydropower, and for other purposes.

By Mr. WYDEN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 678. A bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

By Mr. WYDEN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 306. A bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

S. 545. A bill to improve hydropower, and for other purposes.

By Mr. WYDEN, from the Committee on Energy and Natural Resources, with amendments:

S. 761. A bill to promote energy savings in residential and commercial buildings and industry, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET:

S. 930. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs, in cases of overpayments of educational assistance under Post-9/11 Educational Assistance, to deduct amounts for repayment from the last months of educational assistance entitlement, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUNT (for himself, Mr. BROWN, Mr. TESTER, and Mrs. FEINSTEIN):

S. 931. A bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself and Mr. BOOZMAN):

S. 932. A bill to amend title 38, United States Code, to provide for advance appropriations for certain discretionary accounts of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. COONS, Mr. BLUMENTHAL, Mr. DURBIN, Mr.

WHITEHOUSE, Mrs. FEINSTEIN, and Ms. KLOBUCHAR):

S. 933. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. HARKIN, and Ms. WARREN):

S. 934. A bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN:

S. 935. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from requesting additional medical examinations of veterans who have submitted sufficient medical evidence provided by non-Department medical professionals and to improve the efficiency of processing certain claims for disability compensation by veterans, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MURPHY, Ms. WARREN, Mr. BAUCUS, Mr. LEVIN, Mrs. BOXER, Mr. DURBIN, Mr. REED, Mr. SCHUMER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mr. BROWN, Mr. TESTER, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. COONS, Mr. BLUMENTHAL, and Ms. HEITKAMP):

S. Res. 139. A resolution celebrating the 20th anniversary of the Family and Medical Leave Act of 1993; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 169

At the request of Mr. HATCH, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 186

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 186, a bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 289, a bill to extend the low-interest re-

financing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 345

At the request of Mrs. SHAHEEN, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 381

At the request of Mr. BROWN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 403

At the request of Mr. CASEY, the names of the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 538

At the request of Mrs. MCCASKILL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 538, a bill to amend title 10, United States Code, to modify the authorities and responsibilities of convening authorities in taking actions on the findings and sentences of courts-martial.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 617

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 617, supra.

S. 631

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 631

At the request of Mr. HARKIN, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 631, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 643

At the request of Mr. PAUL, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 643, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 674

At the request of Mr. HELLER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 675

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 675, a bill to prohibit contracting with the enemy.

S. 679

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 734

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 741

At the request of Mr. VITTER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 741, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 777, a bill to restore the

previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 783

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Kansas (Mr. MORAN), the Senator from Georgia (Mr. ISAKSON), the Senator from Washington (Ms. CANTWELL) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 801

At the request of Mr. THUNE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 801, a bill to amend the Federal Crop Insurance Act to provide for crop production on native sod.

S. 806

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 806, a bill to amend part B of title XVIII of the Social Security Act to exclude customary prompt pay discounts from manufacturers to wholesalers from the average sales price for drugs and biologicals under Medicare.

S. 813

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 862

At the request of Ms. AYOTTE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 865

At the request of Mr. WHITEHOUSE, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Mrs. BOXER) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Washington (Ms. CANTWELL) and the Senator

from Maryland (Mr. CARDIN) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 907

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 907, a bill to provide grants to better understand and reduce gestational diabetes, and for other purposes.

S. 917

At the request of Mr. CARDIN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 859

At the request of Mr. DURBIN, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 859 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 870

At the request of Mr. WYDEN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 870 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 874

At the request of Mr. LEVIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 874 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 883

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of amendment No. 883 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 888

At the request of Ms. LANDRIEU, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 888 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. COONS, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WHITEHOUSE, Mrs. FEINSTEIN, and Ms. KLOBUCHAR):

S. 933. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, each and every day, thousands of men and women in law enforcement put their lives on the line to protect our cities and towns, enforce our laws, and keep us safe. Just last month, we witnessed the superb investigative efforts of the Federal, State, and local law enforcement officers who helped bring the Boston Marathon bombing suspect to face justice. Yet the senseless murder of MIT police officer Sean Collier was a reminder of the danger that our law enforcement professionals routinely face. This week, which has come to be known as National Police Week, provides us with the opportunity not only to remember those law enforcement officers who lost their lives in the line of duty, but also to honor their memories by better equipping those officers who continue to serve our communities. Today I am proud to introduce two measures that will do just that.

More than 50 years ago, President Kennedy designated May 15 as National Peace Officers Memorial Day, to recognize the sacrifices of law enforcement officers who had died in the course of their duties. Despite the progress that has been made in improving officer safety, there is still much work to be done. Last year, 120 local, State, and Federal law enforcement officers trag-

ically lost their lives in the line of duty.

As they do every year, law enforcement officers and their families from across the United States will come to Washington this week to pay tribute to their fallen colleagues. And as I do each year, I will stand with them. Once again I am proud to submit a resolution officially recognizing the designation of May 15 as National Peace Officers Memorial Day, and I am pleased to be joined in sponsoring this resolution by Senator GRASSLEY, the Ranking Member of the Judiciary Committee.

We can also honor the memories of the officers who lost their lives by taking concrete action to help protect and equip those officers who continue to serve. That is why I am pleased that Senator COONS, Senator DURBIN, Senator BLUMENTHAL, Senator WHITEHOUSE, Senator FEINSTEIN and Senator KLOBUCHAR have joined me in introducing today the Bulletproof Vest Partnership Grant Act Reauthorization of 2013. Once enacted, this legislation will continue for another five years the lifesaving grant program that Senator Ben Nighthorse Campbell and I authored in 1998. This measure will continue Congress' strong commitment to the safety and security of our Nation's law enforcement officers, by helping to provide them with vital bulletproof vests and body armor.

The Bulletproof Vest Partnership Program has had a tremendous impact on the ability of States and localities to give our law enforcement officers the protection they deserve while serving the needs of our communities. Since 1999, the program has assisted state and local jurisdictions with the purchase of over one million bulletproof vests, and since 1987 body armor has saved the lives of 3,000 law enforcement officers. That is 3,000 men and women who may not otherwise have made it home to their families and loved ones.

As a Nation, we ask much of our law enforcement officers. The men and women who serve face constant and unknown risks, and too often make the ultimate sacrifice. These are the men and women who we ask to keep our streets safe and to protect our communities. These are the men and women who approach a car at 3 a.m. during a traffic stop, not knowing who is behind the wheel or what might happen next. And these are the men and women who are the first ones to respond when there is a shooting at a school, or an attack in our community. As citizens and as Senators, the least we can do is to equip these officers with the protection they need to give them a better sense of security—a better chance of survival. Reauthorizing and funding this program is the right thing to do, and it is something I hope all Senators will support.

Every additional officer who is able to put on a vest today as a result of

this program is one more officer who has a far better chance of surviving a violent attack. Protecting the men and women who protect all Americans should be a priority for Congress and we have a chance to advance that priority with the continuation of this program.

I hope all Senators will join me. The safety of law enforcement officers across the United States should be something on which we can all agree.

I look forward to the enactment of these two important measures.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013".

SEC. 2. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking "part Y," and all that follows and inserting the following: "part Y—

"(A) \$15,000,000 for each of fiscal years 2014 and 2015; and

"(B) \$30,000,000 for each of fiscal years 2016, 2017, and 2018."

SEC. 3. EXPIRATION OF PREVIOUSLY APPROPRIATED FUNDS.

Section 2501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 37961l) is amended by adding at the end the following:

"(h) EXPIRATION OF PREVIOUSLY APPROPRIATED FUNDS.—

"(1) DEFINITION.—In this subsection, the term 'previously appropriated funds' means any amounts that—

"(A) were appropriated for any of fiscal years 1999 through 2012 to carry out this part; and

"(B) on the date of enactment of the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013, are available to be expended and have not been expended, including funds that were previously obligated but undisbursed.

"(2) EXPIRATION.—All previously appropriated funds that are not expended by September 30, 2015 shall be transferred to the General Fund of the Treasury not later than January 15, 2016."

SEC. 4. SENSE OF CONGRESS ON 2-YEAR LIMITATION ON FUNDS.

It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 37961l et seq.) should be made available through the end of the first fiscal year following the fiscal year for which the amounts are appropriated and should not be made available until expended.

SEC. 5. MATCHING FUNDS LIMITATION.

Section 2501(f) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 37961l(f)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) LIMITATION ON STATE MATCHING FUNDS.—A State, unit of local government, or Indian tribe may not use funding received under any other Federal grant program to pay or defer the cost, in whole or in part, of the matching requirement under paragraph (1).”.

SEC. 6. APPLICATION OF BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM REQUIREMENTS TO ANY ARMOR VEST OR BODY ARMOR PURCHASED WITH FEDERAL GRANT FUNDS.

Section 521 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3766a) is amended by adding at the end the following:

“(c)(1) Notwithstanding any other provision of law, a grantee that uses funds made available under this part to purchase an armor vest or body armor shall—

“(A) comply with any requirements established for the use of grants made under part Y;

“(B) have a written policy requiring uniformed patrol officers to wear an armor vest or body armor; and

“(C) use the funds to purchase armor vests or body armor that meet any performance standards established by the Director of the Bureau of Justice Assistance.

“(2) In this subsection, the terms ‘armor vest’ and ‘body armor’ have the same meanings given the terms in section 2503.”.

SEC. 7. UNIQUELY FITTED ARMOR VESTS.

Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking “; or” and inserting “; and”;

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following:

“(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including vests uniquely fitted to individual female law enforcement officers; or”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 139—CELEBRATING THE 20TH ANNIVERSARY OF THE FAMILY AND MEDICAL LEAVE ACT OF 1993

Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MURPHY, Ms. WARREN, Mr. BAUCUS, Mr. LEVIN, Mrs. BOXER, Mr. DURBIN, Mr. REED, Mr. SCHUMER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mr. BROWN, Mr. TESTER, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. COONS, Mr. BLUMENTHAL, and Ms. HEITKAMP) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 139

Whereas February 5, 2013, marks the 20th anniversary of the enactment of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.), which was signed by President Bill Clinton;

Whereas the Family and Medical Leave Act is a landmark law, and the first significant law to address the need of families to balance work with family and health responsibilities;

Whereas prior to the passage of the Family and Medical Leave Act, employees often did not have access to leave from work, or feared losing their jobs if they took leave, when the employee or an immediate family member faced a serious health condition, or when recovering from giving birth or bonding with a new child;

Whereas prior to the passage of the Family and Medical Leave Act, women often faced employment discrimination based on caregiving responsibilities and men often faced discrimination in accessing family leave;

Whereas the responsibility to care for seriously ill family members and to bond with a newborn or newly adopted child is recognized, respected, and expected throughout the United States;

Whereas Congress worked in a bipartisan manner to craft the Family and Medical Leave Act;

Whereas the Family and Medical Leave Act was the culmination of years of hard work and is a lasting legacy for Senators Chris Dodd and Kit Bond and Representatives Pat Schroeder and Marge Roukema, among many others;

Whereas the purposes of the Family and Medical Leave Act are—

(1) to balance the demands of the workplace with the needs of families;

(2) to promote the stability and economic security of families;

(3) to promote national interests in preserving family integrity;

(4) to entitle employees to take reasonable leave for medical reasons, the birth or adoption of a child, and the care of a child, spouse, or parent with a serious health condition;

(5) to accomplish the purposes described in paragraphs (1) through (4) in a manner that accommodates the legitimate interests of employers and minimizes the potential for employment discrimination on the basis of sex; and

(6) to promote the goal of equal employment opportunity for women and men;

Whereas the Family and Medical Leave Act allows an employee to take up to 12 weeks of unpaid leave to bond with a newborn or newly adopted child, to care for a child, spouse, or parent with a serious health condition, and to tend to a serious health condition of the employee;

Whereas the Family and Medical Leave Act benefits newborn or newly adopted children by creating strong family bonds, allowing families time to make arrangements for future caregiving, and promoting the establishment of healthy practices such as breastfeeding;

Whereas the Family and Medical Leave Act provides job security and peace of mind for individuals and families struggling with a difficult diagnosis or other serious health condition;

Whereas the Family and Medical Leave Act allows individuals to provide care for family members directly, strengthening families and benefitting society by reducing costs to taxpayer-funded programs;

Whereas Congress recognized the unique family needs of military families and acted with bipartisan support in enacting the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 3) and the National Defense Authorization Act for

Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2190) to expand the protections of the Family and Medical Leave Act to meet the needs of military families;

Whereas the Family and Medical Leave Act allows leave to deal with qualifying exigencies arising from the deployment of a family member to covered active duty in the United States Armed Forces;

Whereas the Family and Medical Leave Act provides up to 26 weeks of leave to care for a member of the Armed Forces or recent veteran who was seriously injured or became seriously ill because of active duty in the United States Armed Forces;

Whereas the Family and Medical Leave Act helps the United States to fulfill the responsibility to support military families and care for wounded warriors; and

Whereas the Family and Medical Leave Act has been invoked more than 100,000,000 times, allowing millions of families to attend to both work and family responsibilities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the 20th anniversary of the enactment of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.);

(2) salutes all of the individuals who contributed to the enactment of the Family and Medical Leave Act;

(3) encourages all individuals in the United States to celebrate the advance of workplace protections and opportunities made possible by the enactment of the Family and Medical Leave Act; and

(4) pledges to continue to work on a bipartisan basis to ensure that all individuals in the United States are able to balance work and family responsibilities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 890. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 891. Mr. JOHNSON of South Dakota (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 892. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 893. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 894. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 895. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 896. Mr. WYDEN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 897. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 898. Ms. COLLINS (for herself, Mr. KING, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 899. Mrs. BOXER (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 900. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 901. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 903. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 904. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 905. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 906. Mr. DURBIN (for himself, Mr. BLUNT, Mrs. MCCASKILL, Mr. ALEXANDER, Mr. KIRK, Mr. HARKIN, Mr. FRANKEN, Mr. COCHRAN, Mr. WICKER, Mr. BOOZMAN, Mr. PRYOR, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 907. Mr. BROWN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 908. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 909. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 910. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 911. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 912. Mr. THUNE (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 913. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 914. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 915. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 890. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3018, add the following:

(c) EFFECT OF SECTION.—

(1) IN GENERAL.—Nothing in this section or an amendment made by this section constitutes an authorization to construct a project or program associated with a storm surge barrier across the Lake Pontchartrain land bridge (including Chef Menteur Pass and the Rigolets) that would result in unmitigated induced flooding in coastal communities within the State of Mississippi.

(2) REQUIRED CONSULTATION.—Any study to advance a project described in paragraph (1) that is conducted under the General Investigations Account of the Corps of Engineers shall include consultation and approval of the Governors of the States of Louisiana and Mississippi.

SA 891. Mr. JOHNSON of South Dakota (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—NATIONAL FLOOD INSURANCE PROGRAM

SEC. 12001. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency (referred to in this section as the “Administrator”) shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Ad-

ministrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

SEC. 12002. AMENDMENTS TO NATIONAL FLOOD INSURANCE ACT OF 1968.

(a) ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.—Section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended by inserting after the second sentence the following: “Notwithstanding any other provision of law, in determining whether a community has made adequate progress on the construction, reconstruction, or improvement of a flood protection system, the Administrator shall not consider the level of Federal funding of or participation in the construction, reconstruction, or improvement.”

(b) COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.—Section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended in the first sentence by striking “no longer does so.” and inserting the following: “no longer does so, and shall apply without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement of the flood protection system.”

SEC. 12003. AFFORDABILITY STUDY.

Section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957) is amended—

(1) in subsection (c), by striking “Not” and inserting the following: “Subject to subsection (e), not”;

(2) in subsection (d)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) NATIONAL FLOOD INSURANCE FUND.—Notwithstanding”; and

(B) by adding at the end the following:

“(2) OTHER FUNDING SOURCES.—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.”; and

(3) by adding at the end the following:

“(e) ALTERNATIVE.—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

“(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

“(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

“(3) upon the submission of information required under paragraph (2), the requirement under subsection (c) shall be deemed satisfied.”.

SA 892. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TAXPAYER NONDISCRIMINATION & PROTECTION ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the “Taxpayer Nondiscrimination & Protection Act of 2013”.

(b) MISCONDUCT AGAINST TAXPAYERS BY INTERNAL REVENUE SERVICE EMPLOYEES.—

(1) CRIMINAL LIABILITY.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Misconduct against taxpayers by Internal Revenue Service employees

“Whoever being an employee of the Internal Revenue Service, engages, during the performance of that employee’s official duties, in an act or omission described in section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall be fined under this title or imprisoned not more than 5 years, or both.”.

(2) CLARIFICATION OF ACTS AND OMISSION CONSTITUTING MISCONDUCT.—For purposes of section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 and section 250 of title 18, United States Code (as added by this section) the protections and guarantees afforded under the First Amendment of the Constitution of the United States to political speech and political expression shall not fail to be treated as rights under the Constitution of the United States referred to in section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998.

(3) CLERICAL AMENDMENT.—The table of sections for chapter 13 of title 18, United

States Code, is amended by adding after the item relating to section 249 the following:

“250. Discriminatory misconduct against taxpayers by Federal officers and employees.”.

SA 893. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 297, between lines 19 and 20, insert the following:

(a) POLICY.—It is the policy of the United States that the primary use of the Harbor Maintenance Trust Fund is for maintaining the constructed widths and depths of the commercial ports and harbors of the United States, and those functions should be given first consideration in the budgeting of Harbor Maintenance Trust Fund allocations.

SA 894. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:
SEC. 2 ____ . DONALD G. WALDON LOCK AND DAM.

(a) FINDINGS.—Congress finds that—

(1) the Tennessee-Tombigbee Waterway Development Authority is a 4-State compact comprised of the States of Alabama, Kentucky, Mississippi, and Tennessee;

(2) the Tennessee-Tombigbee Authority is the regional non-Federal sponsor of the Tennessee-Tombigbee Waterway;

(3) the Tennessee-Tombigbee Waterway, completed in 1984, has fueled growth in the United States economy by reducing transportation costs and encouraging economic development; and

(4) the selfless determination and tireless work of Donald G. Waldon, while serving as administrator of the waterway compact for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, at an appropriate time and in accordance with the rules of the House of Representatives and the Senate, the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the “Donald G. Waldon Lock and Dam”.

SA 895. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which

was ordered to lie on the table; as follows:

At the end of title V, add the following:
SEC. 50 ____ . RIGHTS AND RESPONSIBILITIES OF CHEROKEE NATION OF OKLAHOMA REGARDING W.D. MAYO LOCK AND DAM, OKLAHOMA.

Section 1117 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4236) is amended to read as follows:

“SEC. 1117. W.D. MAYO LOCK AND DAM, OKLAHOMA.

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Cherokee Nation of Oklahoma has authorization—

“(1) to design and construct 1 or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River in the State of Oklahoma, subject to the requirements of subsection (b) and in accordance with the conditions specified in this section; and

“(2) to market the electricity generated from any such hydroelectric generating facility.

“(b) PRECONSTRUCTION REQUIREMENTS.—

“(1) IN GENERAL.—The Cherokee Nation shall obtain any permit required by Federal or State law before the date on which construction begins on any hydroelectric generating facility under subsection (a).

“(2) REVIEW BY SECRETARY.—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

“(c) PAYMENT OF DESIGN AND CONSTRUCTION COSTS.—

“(1) IN GENERAL.—The Cherokee Nation shall—

“(A) bear all costs associated with the design and construction of any hydroelectric generating facility under subsection (a); and

“(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities relating to the design and construction of the hydroelectric generating facility.

“(2) USE BY SECRETARY.—The Secretary may—

“(A) accept funds offered by the Cherokee Nation under paragraph (1); and

“(B) use the funds to carry out the design and construction of any hydroelectric generating facility under subsection (a).

“(d) ASSUMPTION OF LIABILITY.—The Cherokee Nation—

“(1) shall hold all title to any hydroelectric generating facility constructed under this section;

“(2) may, subject to the approval of the Secretary, assign that title to a third party;

“(3) shall be solely responsible for—

“(A) the operation, maintenance, repair, replacement, and rehabilitation of any such facility; and

“(B) the marketing of the electricity generated by any such facility; and

“(4) shall release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

“(e) ASSISTANCE AVAILABLE.—Notwithstanding any other provision of law, the Secretary may provide any technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of any hydroelectric generating facility under subsection (a).

“(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines to be necessary to carry out this section.”.

SA 896. Mr. WYDEN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8 _____ HARBOR MAINTENANCE TRUST FUND STUDY.

(a) DEFINITIONS.—In this section:
 (1) LOW-USE PORT.—The term “low-use port” means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

(2) MODERATE-USE PORT.—The term “moderate-use port” means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

(b) STUDY.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out a study and submit to Congress a report that—

- (1) evaluates the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and
- (2) includes recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports.

SA 897. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 165, strike line 10 and all that follows through page 166, line 8, and insert the following:

SEC. 2048. CORROSION PREVENTION.

(a) GUIDANCE AND PROCEDURES.—The Secretary shall develop guidance and procedures for the certification of qualified contractors and personnel for—

- (1) the application and inspection of protective coatings;
- (2) the removal of hazardous protective coatings; and
- (3) the installation, testing, and inspection of cathodic protection systems.

(b) REQUIREMENTS.—Except as provided in subsection (c), the Secretary shall use certified contractors and personnel for—

- (1) the application and inspection of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;
- (2) the removal of hazardous coatings or other hazardous materials that are present in sufficient concentrations to create an occupational or environmental hazard;
- (3) the installation, testing, and inspection of cathodic protection systems; and
- (4) any other activities the Secretary determines to be appropriate.

(c) EXCEPTION.—The Secretary may approve exceptions to the use of certified contractors and personnel under subsection (b) only after public notice, with the opportunity for comment, of any such proposal.

SA 898. Ms. COLLINS (for herself, Mr. KING, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:
SEC. 50 _____ CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) IN GENERAL.—The Secretary, in concurrence with the Administrator of the Environmental Protection Agency, is authorized to reopen the Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) (referred to in this section as the “Site”).

(b) DEADLINE.—The Site may remain open under subsection (a) until the earlier of—

- (1) the date on which the Site does not have any remaining disposal capacity;
- (2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or
- (3) the date that is 5 years after the date of enactment of this Act.

(c) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

- (1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and
- (2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SA 899. Mrs. BOXER (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 214, strike lines 15 through 20 and insert the following:

“(d) INTERIM ADOPTION OF COMPREHENSIVE MASTER PLAN.—Prior to completion of the comprehensive plan described under subsection (a), the Secretary shall adopt the plan of the State of Louisiana entitled ‘Louisiana’s Comprehensive Master Plan for a Sustainable Coast’ in effect on the

On page 216, between lines 3 and 4, insert the following:

(c) EFFECT.—

(1) IN GENERAL.—Nothing in this section or an amendment made by this section authorizes the construction of a project or program associated with a storm surge barrier across the Lake Pontchartrain land bridge (including Chef Menteur Pass and the Rigolets) that

would result in unmitigated induced flooding in coastal communities within the State of Mississippi.

(2) REQUIRED CONSULTATION.—Any study to advance a project described in paragraph (1) that is conducted using funds from the General Investigations Account of the Corps of Engineers shall include consultation and approval of the Governors of the States of Louisiana and Mississippi.

On page 222, line 14, strike “2018” and insert “2023”.

On page 239, strike lines 14 through 19 and insert the following:

for the period beginning with fiscal year 2001 \$450,000,000, which shall—

“(1) be made available to the States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities; and

“(2) remain available until expended.”.

On page 293, line 2, strike “amount” and insert “amounts remaining after the date of enactment of this Act”.

On page 347, line 12, strike “or ecosystem restoration” and insert “ecosystem restoration, or navigation”.

SA 900. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 310, between lines 16 and 17, insert the following:

(d) HARBOR MAINTENANCE TRUST FUND STUDY.—

(1) IN GENERAL.—Subject to the availability of funds, the Comptroller General of the United States shall carry out a study and submit to Congress a report that evaluates the economic impact of carrying out the amendments made by this section, including any impacts on—

(A) the stability and long-term financial health of the Harbor Maintenance Trust Fund;

- (B) reimbursements made to shippers;
- (C) port security; and
- (D) infrastructure.

(2) ADMINISTRATION.—Notwithstanding any other provision of law, the amendments made by this section shall not take effect until the date on which the report under paragraph (1) is submitted to Congress.

SA 901. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 24 and all that follows through page 7, line 3, and insert the following:

(B)(i) after November 8, 2007, but prior to the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works

has submitted to Congress a recommendation to authorization construction of the project; or

(ii) during the period beginning on November 9, 2007, and ending on December 31, 2015, the Secretary has received the full amount of the applicable non-Federal share of the cost of the project.

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. REPORTS ON WATER SHARING.

(a) IN GENERAL.—The Secretary of State shall submit to Congress a report—

(1) not later than 45 days after the date of enactment of this Act, and quarterly thereafter, describing efforts by Mexico to meet the treaty obligations of Mexico to deliver water to the Rio Grande, in accordance with the treaty between the United States and Mexico entitled “Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande” (done at Washington, February 3, 1944); and

(2) not later than 1 year after the date of enactment of this Act, and annually thereafter, describing the benefits to the United States of the “Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja California” (done at Coronado, California, November 20, 2012 (commonly referred to as “Minute Number 319”)).

(b) ACTION BY SECRETARY OF STATE.—The Secretary of State shall not extend Minute Number 319 if the Secretary fails to comply with the requirements of this section.

SA 903. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 243, between lines 18 and 19, insert the following:

SEC. 5017. DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.

(a) IN GENERAL.—The Secretary may provide technical assistance, including planning, design, and construction assistance, to non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), for the development, construction, operation, and maintenance of channels, harbors, and related infrastructure associated with deep draft ports.

(b) ACCEPTANCE OF FUNDS.—The Secretary is authorized to accept and expend funds provided by non-Federal public entities, including Indian tribes (as defined in section 4 of

the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), to carry out the activities described in subsection (a).

(c) LIMITATION.—No assistance may be provided under this section until after the date on which the entity to which that assistance is to be provided enters into a written agreement with the Secretary that includes such terms and conditions as the Secretary determines to be appropriate and in the public interest.

SA 904. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3010. SEWARD WATERFRONT, SEWARD, ALASKA.

(a) IN GENERAL.—The parcel of land included in the Seward Harbor, Alaska navigation project identified as Tract H, Seward Original Townsite, Waterfront Park Replat, Plat No 2012-4, Seward Recording District, shall not be subject to the navigation servitude (as of the date of enactment of this Act).

(b) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter upon any portion of the land referred to in subsection (a) to carry out any required operation and maintenance of the general navigation features of the project.

SA 905. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3010. PROJECT FOR NAVIGATION, HAINES, ALASKA.

The Secretary shall modify the project for navigation, Haines, Alaska, authorized by section 1001(1) of the Water Resources Development Act of 2007 (121 Stat. 1049), to redirect the breakwater and other navigation features to the southern portion of the Haines harbor.

SA 906. Mr. DURBIN (for himself, Mr. BLUNT, Mrs. MCCASKILL, Mr. ALEXANDER, Mr. KIRK, Mr. HARKIN, Mr. FRANKEN, Mr. COCHRAN, Mr. WICKER, Mr. BOOZMAN, Mr. PRYOR, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States,

and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. GREATER MISSISSIPPI RIVER BASIN SEVERE FLOODING AND DROUGHT MANAGEMENT STUDY.

(a) DEFINITIONS.—In this section:

(1) GREATER MISSISSIPPI RIVER BASIN.—The term “greater Mississippi River Basin” means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(2) LOWER MISSISSIPPI RIVER.—The term “lower Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico.

(3) MIDDLE MISSISSIPPI RIVER.—The term “middle Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Missouri River and flows to the lower Mississippi River.

(4) SEVERE FLOODING AND DROUGHT.—The term “severe flooding and drought” means severe weather events that threaten personal safety, property, and navigation on the inland waterways of the United States.

(b) IN GENERAL.—The Secretary shall carry out a study of the greater Mississippi River Basin—

(1) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to severe flooding and drought conditions; and

(2) to evaluate the feasibility of any modifications to those water resource projects, consistent with the authorized purposes of those projects, and develop new water resource projects to improve the reliability of navigation and more effectively reduce flood risk.

(c) CONTENTS.—The study shall—

(1) identify any Federal actions that are likely to prevent and mitigate the impacts of severe flooding and drought, including changes to authorized channel dimensions, operational procedures of locks and dams, and reservoir management within the greater Mississippi River Basin, consistent with the authorized purposes of the water resource projects;

(2) identify and make recommendations to remedy challenges to the Corps of Engineers presented by severe flooding and drought, including river access, in carrying out its mission to maintain safe, reliable navigation; and

(3) identify and locate natural or other physical impediments along the middle and lower Mississippi River to maintaining navigation on the middle and lower Mississippi River during periods of low water.

(d) CONSULTATION AND USE OF EXISTING DATA.—In carrying out the study, the Secretary shall—

(1) consult with appropriate committees of Congress, Federal, State, tribal, and local agencies, environmental interests, agricultural interests, recreational interests, river navigation industry representatives, other shipping and business interests, organized labor, and nongovernmental organizations;

(2) to the maximum extent practicable, use data in existence as of the date of enactment of this Act; and

(3) incorporate lessons learned and best practices developed as a result of past severe flooding and drought events, including major floods and the successful effort to maintain navigation during the near historic low water levels on the Mississippi River during the winter of 2012-2013.

(e) COST-SHARING.—The Federal share of the cost of carrying out the study under this section shall be 100 percent.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under this section.

(g) SAVINGS CLAUSE.—Nothing in this section impacts the operations and maintenance of the Missouri River Mainstem System, as authorized by the Act of December 22, 1944 (58 Stat. 897, chapter 665).

SA 907. Mr. BROWN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, insert the following:
SEC. 2. FUTURE PROJECT AUTHORIZATIONS.

(a) POLICY.—The benefits of water resource projects designed and carried out in an economically justifiable, environmentally acceptable, and technically sound manner are important to the economy and environment of the United States and recommendations to Congress regarding those projects should be expedited for approval in a timely manner.

(b) APPLICABILITY.—The procedures under this section apply to projects for water resources development, conservation, and other purposes, subject to the conditions that—

(1) each project is carried out—

(A) substantially in accordance with the plan identified in the report of the Chief of Engineers for the project; and

(B) subject to any conditions described in the report for the project; and

(2)(A) a report of the Chief of Engineers has been completed; and

(B) after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works has submitted to Congress a recommendation to authorize construction of the project.

(c) EXPEDITED CONSIDERATION.—

(1) IN GENERAL.—A bill shall be eligible for expedited consideration in accordance with this subsection if the bill—

(A) authorizes a project that meets the requirements described in subsection (b); and

(B) is referred to the Committee on Environment and Public Works of the Senate.

(2) COMMITTEE CONSIDERATION.—

(A) IN GENERAL.—Not later than January 31st of the second session of each Congress, the Committee on Environment and Public Works of the Senate shall—

(i) report all bills that meet the requirements of paragraph (1); or

(ii) introduce and report a measure to authorize any project that meets the requirements described in subsection (b).

(B) FAILURE TO ACT.—Subject to subparagraph (C), if the Committee fails to act on a bill that meets the requirements of paragraph (1) by the date specified in subparagraph (A), the bill shall be discharged from the Committee and placed on the calendar of the Senate.

(C) EXCEPTIONS.—Subparagraph (B) shall not apply if—

(i) in the 180-day period immediately preceding the date specified in subparagraph

(A), the full Committee holds a legislative hearing on a bill to authorize all projects that meet the requirements described in subsection (b);

(ii)(I) the Committee favorably reports a bill to authorize all projects that meet the requirements described in subsection (b); and

(II) the bill described in subclause (I) is placed on the calendar of the Senate; or

(iii) a bill that meets the requirements of paragraph (1) is referred to the Committee not earlier than 30 days before the date specified in subparagraph (A).

(d) TERMINATION.—The procedures for expedited consideration under this section terminate on December 31, 2018.

SA 908. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 243, between lines 18 and 19, insert the following:

SEC. 5017. INTERNATIONAL BOUNDARY AND WATER COMMISSION JURISDICTION.

The International Boundary and Water Commission shall have sole responsibility for the rehabilitation of the international outfall interceptor and wash of the Nogales International Wastewater Treatment Plant.

SA 909. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, after line 23, add the following:

SEC. 2060. RESTRICTION ON CHARGES FOR CERTAIN SURPLUS WATER.

(a) IN GENERAL. [Notwithstanding section 6 of the Act of December 22, 1944 (33 U.S.C. 708) and section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), n]No fee for surplus water shall be charged under a contract for surplus water if the contract is for surplus water stored on the Missouri River.

(b) OFFSET.—Of the amounts made available under Public Law 113-6 (127 Stat. 198) for operations and maintenance under the heading “Corps of Engineers—Civil”, \$5,000,000 is rescinded.

SA 910. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 9, strike “and”.

On page 44, line 9, strike the “,” and insert “; and”.

On page 44, between lines 9 and 10, insert the following:

(7) by adding at the end the following:

“(I) CREDITING AUTHORITY.—A non-Federal interest for a navigation project that carries out operation and maintenance activities for the navigation project may receive credit for the costs incurred by the non-Federal interest in carrying out the activities towards the share of construction costs of the non-Federal interest for another federally authorized navigation project, except that the credit shall not exceed 10 percent of the costs associated with construction of the general navigation features of the project for which the credit may be received under this paragraph.”.

SA 911. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

Crediting Authority for Federally Authorized Navigation Projects

SEC. ____ . A non-Federal interest for a navigation project that carries out operation and maintenance activities for that project may receive credit for the costs incurred by the non-Federal interest in carrying out such activities towards that non-Federal interest's share of construction costs for a federally authorized element of the same project or another Federally authorized navigation project, except that in no instance may such credit exceed 10 percent of the costs associated with construction of the general navigation features of the project for which such credit may be received pursuant to this section.

SA 912. Mr. THUNE (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 234, between lines 16 and 17, insert the following:

SEC. 5009. UPPER MISSOURI BASIN SHORELINE EROSION PREVENTION.

(a) IN GENERAL.—

(1) AUTHORIZATION OF ASSISTANCE.—The Secretary may provide planning, design, and construction assistance to not more than 3 federally-recognized Indian tribes in the Upper Missouri River Basin to undertake measures to address shoreline erosion that is jeopardizing existing infrastructure resulting from operation of a reservoir constructed under the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665)).

(2) LIMITATION.—The projects described in paragraph (1) shall be economically justified, technically feasible, and environmentally acceptable.

(b) FEDERAL AND NON-FEDERAL COST SHARE.—

(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the costs of carrying out this section shall be not less than 75 percent.

(2) ABILITY TO PAY.—The Secretary may adjust the Federal and non-Federal shares of the costs of carrying out this section in accordance with the terms and conditions of section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(c) CONDITIONS.—The Secretary may provide the assistance described in subsection (a) only after—

(1) consultation with the Department of the Interior; and

(2) execution by the Indian tribe of a memorandum of agreement with the Secretary that specifies that the tribe shall—

(A) be responsible for—

(i) all operation and maintenance activities required to ensure the integrity of the measures taken; and

(ii) providing any required real estate interests in and to the property on which such measures are to be taken; and

(B) hold and save the United States free from damages arising from planning, design, or construction assistance provided under this section, except for damages due to the fault or negligence of the United States or its contractors.

(d) AUTHORIZATION OF APPROPRIATIONS.—For each Indian tribe eligible under this section, there is authorized to be appropriated to carry out this section not more than \$30,000,000.

SA 913. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 343, line 4, insert “, and from the short- and long-term impacts of multi-year droughts, sea level rise, and ocean acidification” after “inland flooding”.

On page 343, line 12, insert “and the short- and long-term impacts of multi-year droughts, sea level rise and ocean acidification” after “events”.

On page 343, line 14, insert “and the short- and long-term impacts of multi-year droughts, sea level rise, and ocean acidification” after “events”.

On page 343, line 15, insert “and trends” after “events”.

On page 344, line 3, insert “and short- and long-term impacts of multi-year droughts, sea level rise, and ocean acidification” after “events”.

On page 345, line 10, strike “and droughts” and insert “droughts, sea level rise, and

long-term trends in extreme weather events”.

On page 345, line 19, insert “including sea-level rise and long-term trends in extreme weather events,” after “risks,”.

On page 346, line 15, insert “sea level rise,” before “flood”.

On page 346, line 20, insert “sea level rise,” before “flood”.

On page 347, lines 2 and 3, strike “flood and drought” and insert “flood, drought, and sea level rise”.

SA 914. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 300, strike lines 1 through 7 and insert the following:

“(i) Of the amounts made available under clause (i)—

“(I) 90 percent shall be used for projects that are high-use deep draft; and

“(II) 10 percent shall be used for projects that are a priority for navigation in the Great Lakes Navigation System.

SA 915. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 71, strike lines 4 through 22, and insert the following:

SEC. 2023. OPERATION AND MAINTENANCE OF CERTAIN PROJECTS.

The Secretary may assume operation and maintenance activities for a navigation channel or an area contiguous to a navigation channel that is deepened or improved by a non-Federal interest prior to December 31, 2012, if—

(1) the Secretary determines that the requirements under paragraphs (2) and (3) of section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)) are met;

(2) the Secretary determines that the activities carried out by the non-Federal interest in deepening or improving the navigation channel are economically justified and environmentally acceptable; and

(3) the deepening or improving activities have been carried out on or contiguous to a Federal navigation channel that—

(A) exists as of the date of enactment of this Act; and

(B) has been authorized by Congress.

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, the Committee on Small Business and Entrepreneurship will meet on May 16, 2013, at 10:30 a.m. in room 428A Russell Senate Office building to hold a roundtable entitled “The Impact of Mandatory E-Verify on America’s Small Businesses.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Thursday, May 16, 2013, at 9:15 a.m. in room 430 of the Dirksen Senate Office Building to mark-up the nomination of Thomas E. Perez, to be Secretary of Labor.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, May 14, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “The ADA and Entertainment Technologies: Improving Accessibility from the Movie Screen to Your Mobile Device.”

For further information regarding this meeting, please contact Alyssa Mowitz of the committee staff on (202) 228-3453.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 13, 2013, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Delegation Expenses—cancelled: *									
Switzerland	Franc						1,066.54		1,066.54
Delegation Expenses: *									
Cuba	Peso						1,134.00		1,134.00
Delegation Expenses: *									
Haiti	Gourde						5,968.89		5,968.89
Joseph Shultz:									
Cuba	Peso		450.00						450.00
Haiti	Gourde		333.00						333.00
Senator Debbie Stabenow:									
Cuba	Peso		400.00						400.00
Haiti	Gourde		333.00						333.00
Mark Powden:									
Cuba	Peso		383.56						383.56
Haiti	Gourde		232.57						232.57
Senator Sherrod Brown:									
Cuba	Peso		383.56						383.56
Haiti	Gourde		222.57						222.57
Total			2,738.26				8,169.43		10,907.69

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR DEBBIE STABENOW,
Chairman, Committee on Agriculture, Nutrition and Forestry, Apr. 25, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jean Toal Eisen:									
New Zealand	Dollar		455.26						455.26
United States	Dollar		150.00		14,377.70				14,527.70
Allen Cutler:									
New Zealand	Dollar		627.00						627.00
United States	Dollar		400.00		14,034.10				14,434.10
Alycia Farrell:									
New Zealand	Dollar		627.00						627.00
United States	Dollar		400.00		14,033.80				14,433.80
Elisabeth Whiteback:									
South Korea	Won		700.00						700.00
Vietnam	Dong		556.00						556.00
Cambodia	Riel		369.00						369.00
United States	Dollar				13,633.40				13,633.40
Senator Mary Landrieu:									
South Korea	Won		700.00						700.00
Vietnam	Dong		556.00						556.00
Cambodia	Riel		369.00						369.00
United States	Dollar				13,844.00				13,844.00
Gary Myrick:									
Colombia	Peso		766.56						766.56
Argentina	Peso		1,705.99						1,705.99
Chile	Peso		998.00						998.00
Brazil	Real		382.85						382.85
David Schiappa:									
Colombia	Peso		766.56						766.56
Argentina	Peso		1,705.99						1,705.99
Chile	Peso		998.00						998.00
Brazil	Real		382.85						382.85
Heideh Shahmoradi:									
Colombia	Peso		734.56						734.56
Argentina	Peso		1,675.00						1,675.00
Chile	Peso		967.00						967.00
Brazil	Real		354.85						354.85
Steward Holmes:									
Colombia	Peso		731.06						731.06
Argentina	Peso		1,671.50						1,671.50
Chile	Peso		963.50						963.50
Brazil	Real		347.50						347.50
Anne Caldwell:									
Colombia	Peso		766.56						766.56
Argentina	Peso		1,705.99						1,705.99
Chile	Peso		998.00						998.00
Brazil	Real		382.85						382.85
Kay Webber:									
Colombia	Peso		765.56						765.56
Argentina	Peso		1,706.00						1,706.00
Chile	Peso		998.00						998.00
Brazil	Real		382.85						382.85
Senator Susan Collins:									
Colombia	Peso		745.56						745.56
Argentina	Peso		1,786.00						1,786.00
Brazil	Peso		454.25						454.25
United States	Dollar				4,035.70				4,035.70
Senator Richard Shelby:									
Colombia	Peso		765.56						765.56
Argentina	Peso		1,805.99						1,805.99
Chile	Peso		998.00						998.00
Brazil	Real		382.85						382.85
Senator Thad Cochran:									
Colombia	Peso		765.56						765.56
Argentina	Peso		1,806.00						1,806.00
Chile	Peso		998.00						998.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Brazil	Real		382.85						382.85
Elizabeth Schmid:									
Uganda	Shilling		525.30						525.30
Djibouti	Franc		316.15						316.15
Bahrain	Dinar		634.12						634.12
United States	Dollar				12,387.71				12,387.71
Senator Richard Durbin:									
Uganda	Shilling		486.00						486.00
Djibouti	Franc		286.00						286.00
Bahrain	Dinar		554.84						554.84
United States	Dollar				13,329.90				13,329.90
Nikole Manatt:									
Cuba	Peso		460.00						460.00
Haiti	Gourde		283.00						283.00
Timothy Rieser:									
Cuba	Peso		500.00						500.00
Haiti	Gourde		283.00						283.00
Senator Patrick Leahy:									
Cuba	Peso		500.00						500.00
Haiti	Gourde		283.00						283.00
Kevin McDonald:									
Cuba	Peso		460.00						460.00
Haiti	Gourde		283.00						283.00
Delegation Expenses:*									
Argentina	Peso				23,118.60		31,057.41		54,176.01
Bahrain	Dinar						1,240.86		1,240.86
Brazil	Real						3,127.00		3,127.00
Cambodia	Riel						3,465.07		3,465.07
Chile	Peso						6,567.66		6,567.66
Colombia	Peso				1,103.00		3,073.00		4,176.00
Cuba	Peso						1,000.80		1,000.80
Djibouti	Franc						1,688.59		1,688.59
Haiti	Gourde				231.60		3,109.75		3,341.35
South Korea	Won						4,816.33		4,816.33
Uganda	Shilling						491.00		491.00
Vietnam	Dong						1,196.08		1,196.08
Total			45,511.87		124,129.51		60,833.55		230,474.93

*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR BARBARA A. MIKULSKI,
Chairman, Committee on Appropriations, May 6, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Carl Levin:									
United Arab Emirates	Dirham		427.00						427.00
Afghanistan	Afghani		26.00				8.00		34.00
Pakistan	Rupee		20.00						20.00
United States	Dollar				10,714.10				10,714.10
William G.P. Monahan:									
United Arab Emirates	Dirham		427.00						427.00
Afghanistan	Afghani		26.00				18.00		44.00
Pakistan	Rupee		40.00						40.00
United States	Dollar				2,403.80				2,403.80
Richard D. DeBobes:									
United Arab Emirates	Dirham		427.00						427.00
Afghanistan	Afghani		26.00				15.00		41.00
Pakistan	Rupee		20.00						20.00
United States	Dollar				2,403.80				2,403.80
Senator Jack Reed:									
United Arab Emirates	Dirham		61.00						61.00
Afghanistan	Afghani		26.00						26.00
Pakistan	Rupee		30.00						30.00
United States	Dollar				2,403.80				2,403.80
Carolyn Chuhta:									
United Arab Emirates	Dirham		61.00						61.00
Afghanistan	Afghani		26.00						26.00
Pakistan	Rupee		30.00						30.00
United States	Dollar				2,403.80				2,403.80
Senator James M. Inhofe:									
Taiwan	Dollar		99.91						99.91
Thailand	Baht		45.38						45.38
Ethiopia	Birr		202.38						202.38
Rwanda	Franc		59.43						59.43
Burkina Faso	Franc		33.56						33.56
Anthony Lazarski:									
Republic of Korea	Won		115.92						115.92
Taiwan	Dollar		53.87						53.87
Thailand	Baht		75.68						75.68
Ethiopia	Birr		205.06						205.06
Rwanda	Franc		59.93						59.93
Burkina Faso	Franc		35.54						35.54
Mark Powers:									
Republic of Korea	Won		6.77						6.77
Taiwan	Dollar		16.30						16.30
Thailand	Baht		25.68						25.68
Ethiopia	Birr		225.52						225.52
Rwanda	Franc		54.02						54.02
Burkina Faso	Franc		35.56						35.56

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Luke Holland:									
Taiwan	Dollar		40.09						40.09
Thailand	Baht		77.20						77.20
Ethiopia	Birr		270.00						270.00
Rwanda	Franc		57.20						57.20
Burkina Faso	Franc		39.55						39.55
Senator Lindsey Graham:									
Egypt	Pound		94.67						94.67
Afghanistan	Afghani		29.46						29.46
Jordan	Dinar		78.00						78.00
United States	Dollar				4,571.70				4,571.70
Senator Kelly Ayotte:									
Egypt	Pound		189.34				16.64		205.98
Afghanistan	Afghani		94.67						94.67
Jordan	Dinar		78.00						78.00
Israel	Shekel		189.00				47.32		236.32
Senator Kirsten E. Gillibrand:									
Egypt	Pound		246.87				37.14		284.01
Senator John McCain:									
Egypt	Pound		300.17						300.17
Afghanistan	Afghani		19.80						19.80
Jordan	Dinar		36.80						36.80
Israel	Shekel		39.26						39.26
Christian D. Brose:									
Egypt	Pound		284.01						284.01
Afghanistan	Afghani		78.00				20.00		98.00
Jordan	Dinar		189.00						189.00
Senator Richard Blumenthal:									
Egypt	Pound		250.17						250.17
Afghanistan	Afghani		75.91						75.91
Jordan	Dinar		36.80						36.80
Israel	Shekel		82.12						82.12
Senator Saxby Chambliss:									
Germany	Euro		176.00						176.00
Senator Kelly Ayotte:									
Germany	Euro		376.00				29.46		405.46
Senator Lindsey Graham:									
Germany	Euro		115.58						115.58
United States	Dollar		40.00						40.00
Michael J. Kuiken:									
United States	Dollar				11,941.97				11,941.97
Israel	Shekel		1,544.00						1,544.00
Jordan	Dinar		936.00						936.00
Richard W. Fieldhouse:									
United States	Dollar				11,941.97				11,941.97
Israel	Shekel		1,475.00						1,475.00
Jordan	Dinar		807.00						807.00
Thomas W. Goffus:									
United States	Dollar				11,941.97				11,941.97
Israel	Shekel		1,415.00						1,415.00
Jordan	Dinar		915.00						915.00
Adam J. Barker:									
United States	Dollar				11,941.97				11,941.97
Israel	Shekel		1,480.00						1,480.00
Jordan	Dinar		812.00						812.00
Senator John McCain:									
Germany	Euro		828.44						828.44
Christian D. Brose:									
Germany	Euro		1,054.44				312.00		1,366.44
Margaret Goodlander:									
Germany	Euro		1,030.35						1,030.35
Senator John McCain:									
Mexico	Peso		365.76						365.76
United States	Dollar				2,836.33				2,836.33
Christian D. Brose:									
Mexico	Peso		145.00						145.00
United States	Dollar				3,138.75				3,138.75
Margaret Goodlander:									
Mexico	Peso		514.11						514.11
United States	Dollar				3,075.25				3,075.25
Total									
			19,929.28		81,719.21		503.56		102,152.05

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Apr. 22, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
William D. Duhnke:									
Colombia	Peso		210.00						210.00
Argentina	Peso		541.00						541.00
Chile	Peso		348.00						348.00
Brazil	Real		195.00						195.00
Senator Mike Crapo:									
Colombia	Peso		210.00						210.00
Argentina	Peso		541.00						541.00
Chile	Peso		348.00						348.00
Brazil	Real		195.00						195.00
Karen P. Brown:									
Colombia	Peso		210.00						210.00
Argentina	Peso		541.00						541.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Chile	Peso		348.00						348.00
Brazil	Real		195.00						195.00
Total			3,882.00						3,882.00

SENATOR TIM JOHNSON,
Chairman, Committee on Banking, Housing, and Urban Affairs, May 7, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ann Zulkosky:									
United States	Dollar				13,308.60		78.09		13,386.69
New Zealand	Dollar		947.22						947.22
Total			947.22		13,308.60		78.09		14,333.91

SENATOR JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation,
Apr. 29, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Lisa Murkowski:									
Taiwan	New Dollar		369.87						369.87
Japan	Yen		486.09						486.09
United States	Dollar				14,166.40				14,166.40
Isaac Edwards:									
Taiwan	New Dollar		496.86						496.86
Japan	Yen		763.09						763.09
United States	Dollar				7,916.40				7,916.40
Delegation Expenses:*									
Taiwan	New Dollar						788.26		788.26
Japan	Yen						3,174.37		3,174.37
Total			2,115.91		22,082.80		3,962.63		28,161.34

* Delegation Expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR RON WYDEN,
Chairman, Committee on Energy and Natural Resources, Mar. 20, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Germany	Euro		880.76						880.76
Delegation Expenses:*									
Germany	Dollar						2,455.94		2,455.94
Senator Christopher Coons:									
Egypt	Pound		802.01						802.01
Afghanistan	Dollar		31.23						31.23
Jordan	Dinar		297.72						297.72
Israel	Shekel		82.12						82.12
Delegation Expenses:*									
Egypt	Pound						185.12		185.12
Jordan	Dinar						139.58		139.58
Israel	Shekel						270.82		270.82
Senator Christopher Coons:									
Senegal	CFA		161.00						161.00
South Africa	Rand		1,302.07						1,302.07
Democratic Republic of the Congo	CDF		269.00						269.00
Morocco	Dirham		170.03						170.03
Brian Monahan:									
Senegal	CFA		220.50						220.50
South Africa	Rand		1,300.59						1,300.59
Democratic Republic of the Congo	CDF		269.00						269.00
Morocco	Dirham		318.16						318.16
Haile Soifer:									
Senegal	CFA		161.00						161.00
South Africa	Rand		1,512.07						1,512.07
Democratic Republic of the Congo	CDF		411.00						411.00
Morocco	Dirham		170.03						170.03
Delegation Expenses:*									
Senegal	CFA						533.31		533.31

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
South Africa	Rand						2,988.75		2,988.75
Democratic Republic of the Congo	CDF						2,372.50		2,372.50
Morocco	Dirham						406.23		406.23
Senator Bob Corker:									
Germany	Euro		906.55						906.55
Delegation Expenses:*									
Germany	Euro						2,455.94		2,455.94
Senator Bob Corker:									
Senegal	CFA		265.39						265.39
Algeria	Dinar		572.97						572.97
Germany	Euro		292.81						292.81
United States	Dollar				12,248.10				12,248.10
Jamil Jaffer:									
Senegal	CFA		309.39						309.39
Algeria	Dinar		628.97						628.97
Germany	Euro		292.81						292.81
United States	Dollar				11,650.20				11,650.20
Stacie Oliver:									
Senegal	CFA		268.39						268.39
Algeria	Dinar		628.97						628.97
Germany	Euro		298.81						298.81
United States	Dollar				11,650.20				11,650.20
Delegation Expenses:*									
Senegal	CFA						1,134.00		1,134.00
Algeria	Dinar						1,963.96		1,963.96
Tunisia	Dinar						252.24		252.24
Senator Bob Corker:									
Japan	Yen		659.28						659.28
China	Renminbi		634.64						634.64
Korea	Won		583.96						583.96
United States	Dollar				16,668.10				16,668.10
Michael Bright:									
Japan	Yen		837.83						837.83
China	Renminbi		799.64						799.64
Korea	Won		712.76						712.76
United States	Dollar				16,477.10				16,477.10
Carolyn Leddy:									
Japan	Yen		659.28						659.28
China	Renminbi		584.64						584.64
Korea	Won		571.09						571.09
United States	Dollar				16,477.10				16,477.10
Lester Munson:									
Japan	Yen		698.41						698.41
China	Renminbi		589.64						589.64
Korea	Won		662.05						662.05
United States	Dollar				16,477.10				16,477.10
Delegation Expenses:*									
Japan	Yen						4,180.25		4,180.25
China	Renminbi						1,980.04		1,980.04
Korea	Won						900.91		900.91
Senator Jeff Flake:									
Cuba	Dollar		440.00						440.00
United States	Dollar				690.30				690.30
Delegation Expenses:*									
Cuba	Dollar						208.50		208.50
Senator Robert Menendez:									
Afghanistan	Dollar		14.00						14.00
Pakistan	Dollar		67.00						67.00
United Arab Emirates	Dirham		260.00						260.00
United States	Dollar				11,386.73				11,386.73
Daniel O'Brien:									
Afghanistan	Dollar		14.00						14.00
Pakistan	Dollar		167.00						167.00
United Arab Emirates	Dirham		309.00						309.00
United States	Dollar				10,864.22				10,864.22
Jodi Herman:									
Afghanistan	Dollar		14.00						14.00
Pakistan	Dollar		150.88						150.88
United Arab Emirates	Dirham		541.35						541.35
United States	Dollar				12,773.70				12,773.70
Fatema Sumar:									
Afghanistan	Dollar		14.00						14.00
Pakistan	Dollar		150.88						150.88
United Arab Emirates	Dirham		297.63						297.63
United States	Dollar				12,808.70				12,808.70
Delegation Expenses:*									
Pakistan	Dollar						1,518.33		1,518.33
United Arab Emirates	Dirham						2,210.91		2,210.91
Senator Christopher Murphy:									
Belgium	Euro		1,137.40						1,137.40
United States	Dollar				11,085.10				11,085.10
Jessica Elledge:									
Belgium	Euro		1,473.49						1,473.49
United States	Dollar				7,498.10				7,498.10
Jamie Fly:									
Jordan	Dinar		637.88						637.88
Israel	Shekel		1,563.93						1,563.93
United States	Dollar				9,509.97				9,509.97
Delegation Expenses:*									
Israel	Shekel						5,017.92		5,017.92
Chris Homan:									
Uganda	Dollar		508.80						508.80
Djibouti	Franc		296.00						296.00
Bahrain	Dinar		601.56						601.56
United States	Dollar				12,327.40				12,327.40
Delegation Expenses:*									
Uganda	Shilling						220.66		220.66
Djibouti	Dollar						562.86		562.86
Bahrain	Dinar						563.08		563.08
Joel Starr:									
Republic of Korea	Won		290.06						290.06

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Taiwan	Taiwan dollar		224.62						224.62
Thailand	Baht		263.04						263.04
Ethiopia	Birr		669.96						669.96
Rwanda	Rwanda Franc		260.20						260.20
Burkina Faso	CFA Franc		233.54						233.54
Delegation Expenses:*									
Republic of Korea	Won					262.97			262.97
Taiwan	Taiwan dollar					333.00			333.00
Thailand	Baht					172.23			172.23
Ethiopia	Birr					796.87			796.87
Rwanda	Rwanda Franc					517.19			517.19
Burkina Faso	CFA Franc					206.33			206.33
Debbie Yamada:									
Israel	Shekel		899.00						899.00
Turkey	Lira		999.31						999.31
Austria	Euro		1,098.70						1,098.70
Delegation Expenses:*									
Israel	Shekel					3,531.09			3,531.09
Turkey	Lira					1,516.89			1,516.89
Austria	Euro					3,104.17			3,104.17
Total			34,413.80		190,592.12		42,962.59		267,968.51

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, Apr. 26, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom A. Coburn, M.D.:									
Germany	Euro		1,358.39						1,358.39
Total			1,358.39						1,358.39

SENATOR THOMAS R. CARPER,
Chairman, Committee on Homeland Security and Governmental Affairs,
May 7, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Sheldon Whitehouse:									
Germany	Euro		880.90						880.90
Senator Amy Klobuchar:									
Germany	Euro		885.56						885.56
Delegation Expenses:*									
Germany	Euro					4,911.90			4,911.90
Senator Sheldon Whitehouse:									
Haiti	Gourde		222.00						222.00
Cuba	Peso		550.00						550.00
Delegation Expenses:*									
Haiti	Gourde					1,105.88			1,105.88
Cuba	Peso					283.50			283.50
Delegation Expenses (cancelled) *									
Switzerland	Franc					2,133.08			2,133.08
Senator Sheldon Whitehouse:									
Egypt	Pound		923.21						923.21
Jordan	Dinar		404.16						404.16
Afghanistan	Afghani		94.67						94.67
Delegation Expenses:*									
Egypt	Pound					185.13			185.13
Jordan	Dinar					139.58			139.58
Israel	Shekel					361.10			361.10
Christy Gleason:									
South Africa	Rand		1,042.02						1,042.02
Morocco	Dirham		266.53						266.53
Senegal	Franc		207.90						207.90
Democratic Republic of the Congo	Franc		350.16						350.16
Delegation Expenses:*									
South Africa	Rand					996.25			996.25
Morocco	Dirham					135.41			135.41
Delegation Expenses:*									
Senegal	Franc					175.44			175.44
Democratic Republic of the Congo	Franc					790.83			790.83
Total			5,830.11			11,218.10			17,048.21

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR PATRICK LEAHY,
Chairman, Committee on the Judiciary, Apr. 26, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bernard Sanders:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,152.18						1,152.18
Austria	Euro		1,177.18						1,177.18
Senator Johnny Isakson:									
Senegal	CFA Franc		274.53						274.53
South Africa	South Africa Rand		1,259.10						1,259.10
Democratic Republic of the Congo	Congolese Franc		301.00						301.00
Morocco	Moroccan Dirham		309.52						309.52
Christopher Sullivan:									
Senegal	CFA Franc		274.53						274.53
South Africa	South Africa Rand		1,319.85						1,319.85
Democratic Republic of the Congo	Congolese Franc		297.00						297.00
Morocco	Moroccan Dirham		263.35						263.35
Jenelle Krishnamoorthy:									
United States	Dollar				14,078.30				14,078.30
Malawi	Kwacha		1,474.36						1,474.36
Andrea Fristedt:									
United States	Dollar				14,337.30				14,337.30
Malawi	Kwacha		1,474.36						1,474.36
Mary Sumpter Lapinski:									
United States	Dollar				14,078.30				14,078.30
Malawi	Kwacha		1,474.36						1,474.36
Melissa Pfaff:									
United States	Dollar				14,078.30				14,078.30
Malawi	Kwacha		1,474.36						1,474.36
Delegation Expenses:*									
Senegal	CFA Franc					355.54			355.54
South Africa	South African Rand					1,992.50			1,992.50
Democratic Republic of the Congo	Congolese Franc					1,581.66			1,581.66
Morocco	Moroccan Dirham					270.82			270.82
Israel	Shekel					3,531.09			3,531.09
Turkey	Lira					1,516.89			1,516.89
Austria	Euro					3,104.17			3,104.17
Total			13,521.58		56,572.20		12,352.67		82,446.45

*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR TOM HARKIN,
Chairman, Committee on Health, Education, Labor and Pensions,
Apr. 25, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Boozman:									
Korea	Won		367.87						367.87
Taiwan	Dollar		326.76						326.76
Thailand	Baht		290.36						290.36
Ethiopia	Birr		888.28						888.28
Rwanda	Franc		272.00						272.00
Burkina Faso	Franc		340.00						340.00
Delegation Expenses:*									
Korea	Won					262.99			262.99
Taiwan	Dollar					176.93			176.93
Thailand	Baht					172.24			172.24
Ethiopia	Birr					796.88			796.88
Rwanda	Franc					567.20			567.20
Burkina Faso	Franc					206.34			206.34
Total			2,485.27			2,182.58			4,667.85

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR BERNARD SANDERS,
Chairman, Committee Veterans' Affairs, Apr. 26, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bill Nelson			1,710.00						1,710.00
Neal Higgins	Dollar				26,188.57				26,188.57
			1,710.00						1,710.00
	Dollar				26,188.57				26,188.57
Senator Marco Rubio			624.00						624.00
	Dollar				9,189.70				9,189.70
Brian Walsh			790.00						790.00
	Dollar				9,509.97				9,509.97
Total			4,834.00		71,076.81				75,910.81

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Apr. 15, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Benjamin Cardin:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		965.70						965.70
Hon. Alcee Hastings:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		1,170.70						1,170.70
Hon. Robert Aderholt:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		1,170.70						1,170.70
Hon. Mike McIntyre:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		1,170.70						1,170.70
Fred Turner:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		1,132.70						1,132.70
Australia	Dollar		2,423.00						2,423.00
United States	Dollar				15,093.40				15,093.40
Marlene Kaufmann:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		813.86						813.86
Alex Johnson:									
Israel	Shekel		996.00						996.00
Turkey	Lira		1,158.31						1,158.31
Austria	Euro		1,170.70						1,170.70
Belgium	Euro		2,672.62						2,672.62
United States	Dollar				1,951.70				1,951.70
Robert Hand:									
Austria	Euro		1,470.05						1,470.05
United States	Dollar				851.20				851.20
Shelly Han:									
Austria	Euro		1,147.00						1,147.00
United States	Dollar				1,828.10				1,828.10
Canada	Dollar		355.17						355.17
United States	Dollar				815.31				815.31
Winsome Packer:									
Austria	Euro		2,701.66						2,701.66
United States	Dollar				3,997.50				3,997.50
Mischa Thompson:									
Belgium	Euro		2,265.54						2,265.54
United States	Dollar				2,248.90				2,248.90
Total			35,710.27		26,786.11				62,496.38

SENATOR BENJAMIN L. CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Apr. 11, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), CODEL MCCONNELL, REPUBLICAN LEADER FOR TRAVEL FROM JAN. 10 TO JAN. 15, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mitch McConnell:									
Israel	Shekel		430.00						430.00
Afghanistan	Dollar		63.00						63.00
Italy	Euro		109.00						109.00
Senator John Barrasso:									
Israel	Shekel		526.00						526.00
Afghanistan	Dollar		156.00						156.00
Italy	Euro		232.00						232.00
Senator Jeff Flake:									
Israel	Shekel		413.01						413.01
Afghanistan	Dollar		44.00						44.00
Italy	Euro		162.00						162.00
Senator Ted Cruz:									
Israel	Shekel		429.82						429.82
Afghanistan	Dollar		39.50						39.50
Italy	Euro		115.50						115.50
Senator Deb Fischer:									
Israel	Shekel		361.82						361.82
Afghanistan	Dollar		73.00						73.00
Italy	Euro		150.00						150.00
Dr. Brian Monahan:									
Israel	Shekel		388.82						388.82
Afghanistan	Dollar		87.50						87.50
Italy	Euro		163.50						163.50
Thomas Hawkins:									
Israel	Shekel		482.32						482.32
Afghanistan	Dollar		113.00						113.00
Italy	Euro		189.00						189.00
Roy Brownell:									
Israel	Shekel		411.32						411.32
Afghanistan	Dollar		42.00						42.00
Italy	Euro		118.00						118.00
Delegation Expenses:*									
Israel	Shekel					8,835.42			8,835.42

Total 5,300.11 8,835.42 14,135.53

*Delegation expenses include payments and reimbursements to the Department of State and under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR MITCH McCONNELL,
Republican Leader, Apr. 22, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Hawkins:									
Germany	Euro		891.51						891.51
United States	Dollar				11,941.97				11,941.97
Israel	New Shekel		1,530.00						1,530.00
Jordan	Dinar		1,364.58						1,364.58
Total			3,786.09		11,941.97				15,728.06

SENATOR MITCH McCONNELL,
Republican Leader, Apr. 22, 2013.

PROGRAM

Mr. REID. Mr. President, I have been working with Senator VITTER today. I talked to him a short time ago; Senator BOXER a couple of times today. We hope that by noon tomorrow we can have a unanimous consent agreement finalized to do away with the cloture vote. If we can't, we will have a cloture vote tomorrow at noon.

Senator VITTER and Senator BOXER worked hard to come up with a universal agreement to include, I understand, about a dozen amendments. Some of those could be accepted by voice, and we would have other rollcall votes. I hope we can do that. If that is the case, we hope to finish the bill tomorrow or, at the latest, maybe Wednesday morning.

ORDERS FOR TUESDAY, MAY 14, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 10 a.m. Tuesday, May 14; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; further, that following morning business, the Senate resume consideration of S. 601, the Water Resources Development Act, with the time until noon equally divided in the usual form, and that the filing deadline for all second degree amendments to that act be 11:15 on Tuesday. Finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 tomorrow for our weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:17 p.m., adjourned until Tuesday, May 14, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

BROADCASTING BOARD OF GOVERNORS

RYAN CLARK CROCKER, OF WASHINGTON, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2013, VICE VICTOR H. ASHE, TERM EXPIRED.

RYAN CLARK CROCKER, OF WASHINGTON, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2016. (REAPPOINTMENT)

EXTENSIONS OF REMARKS

NATIONAL STAMP OUT HUNGER DAY

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Ms. DELBENE. Mr. Speaker, on May 11, 2013, I was honored to join the National Association of Letter Carriers for national "Stamp Out Hunger Day", the 21st annual food drive held by this great organization. I joined with a number of letter carriers to unload trucks packed with food at the Kirkland Post Office in my home district. It is no surprise that the letter carriers have one of the most successful food drives in the Nation. Last year alone, the event collected over 70.7 million pounds of food, an incredible achievement which undoubtedly made a profound impact for countless families in need.

Since 1991, on the second Saturday in May, letter carriers from across the country have collected non-perishable food, and have distributed the donations to local food banks. This effort is by far the Nation's largest single-day food drive. Since its inception, the effort has collected over a billion pounds of food. This is another example of the letter carriers' steadfast commitment to the communities they work in every day, and their effort should be commended.

I am extremely proud of the work the letter carriers are doing to combat hunger and food insecurity, and I would like to thank them for inviting me to take part in their food drive. I look forward to working with them on future national "Stamp Out Hunger Days", and am grateful to know that these important efforts will help families in need across the country.

IN RECOGNITION OF NATIONAL NURSES WEEK

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Mrs. CAPPS. Mr. Speaker, I rise in recognition of National Nurses Week. Nurses are the largest group of health care providers in the U.S., with over 3.1 million professionals serving individuals and families in a range of settings. We work in hospitals, schools, nursing homes, research labs, correctional facilities, health systems, social service agencies and even right here in Congress.

This annual tribute begins on the birthday of Florence Nightingale, the founder of modern nursing, and continues all week to honor the important contributions nurses make each and every day. In addition to setting aside time to recognize the work of nurses, each year a theme is chosen to highlight a different aspect

of nursing practice. And this year's is incredibly timely: "Delivering Quality and Innovation in Patient Care."

Whether it is helping one patient heal or working towards population level solutions to some of our most costly ailments, nurses are continuously innovating to improve quality of care. Nurses are patients' first advocate in improving their health; educating them about treatments and helping them navigate a sometimes daunting system. Using knowledge, compassion and skills, nurses not only improve quality of care for their patients, but can do so while holding down costs.

For example, using nurse-managed care coordination reduces emergency room visits and readmissions, ultimately lowering Medicare costs. And as nursing staffing levels increase, patient risks of complications and length of hospital stays decrease, helping individuals heal faster, improving quality of life and reducing long and costly hospital stays.

I hope you will join me this week in honoring and supporting this dedicated group of professionals who consistently go above and beyond the call of duty to provide better quality health care for all. As co-House Nursing Caucus, and as a nurse myself, I want to say to all nurses who care for our families and communities day in and day out without recognition—thank you.

FAREWELL TO VISIONARY,
GROWTH-MINDED LEADER OF
NORTHAMPTON COMMUNITY
COLLEGE, DR. ROBERT J.
KOPECEK

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Mr. DENT. Mr. Speaker, I rise today to honor Dr. Robert J. Kopecek, president of Northampton Community College from 1977–2003, who passed away in North Carolina on April 25.

Dr. Kopecek's vision was to expand access to education, foster economic development and make Northampton a world-class community college. Dr. Kopecek achieved these goals and much more, establishing a legacy as one of Pennsylvania's pre-eminent educational leaders. Under his leadership, enrollment at Northampton grew from 7,900 students a year to nearly 25,000, and the academic offerings expanded to include programs in more than 100 fields of study.

To allow more people access to an education, Dr. Kopecek led successful efforts to offer classes in downtown Bethlehem, in the Lehigh Valley, and in Monroe County.

As enrollment grew, so did the campus with the addition of Communications Hall and a child care center, the expansion of the College Center and Commonwealth Hall, and growing

use of educational technology. In 1986, with private donations, Northampton became the first community college in Pennsylvania to build residence halls, enabling the student body, over time, to become more diverse, including international students.

While leading the college, Dr. Kopecek also played an active role in the community. During his tenure, outreach to the community came to include adult literacy and English-as-a-second language programs, Horizons for Youth, and the Art as a Way of Learning program that became a national model in early childhood education.

He also worked closely with business and industry, leading local manufacturers to rate Northampton as the "most visible" and "most helpful" organization involved in economic development in Northampton County. Dr. Kopecek led the movement to establish what was then the Northampton County Development Corporation, and served on the boards or advisory committees of the Bethlehem Chamber of Commerce, the Lehigh Valley Partnership, the Northampton County Industrial Development Authority, the Ben Franklin Partnership, and the Private Industry Council. He twice served as president of the Pennsylvania Commission for Community Colleges, and once as chair of the Pennsylvania Association of Colleges and Universities whose membership includes almost all of the public and private colleges and universities in the Commonwealth.

Dr. Mark Erickson, current NCC president, noted "Bob was a true visionary and his impact on this college, our students, faculty and staff will be felt for generations to come."

An editorial in The Express-Times at the time of his retirement described him as "a miracle worker." Another in The Morning Call credited him with making Northampton and the community better places, noting that one of his gifts was recognizing "the importance of community colleges to provide near-universal access to education beyond high school" and "how vital the community college is to economic development in its supporting region."

It is truly an honor to recognize Dr. Kopecek and his dedicated service and lasting contributions to the Northampton community.

TRIBUTE TO STEPTOE AND JOHNSON PLLC

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to celebrate the 100th anniversary of Steptoe and Johnson PLLC, a law firm founded in Clarksburg, West Virginia by Phillip P. Steptoe and Louis A. Johnson. Steptoe and Johnson quickly gained a reputation as one of central

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

West Virginia's most prominent law firms, specializing in the fields of banking, insurance, litigation, mineral, and public utility law.

Since opening its first office, Steptoe and Johnson has expanded across West Virginia, with locations in Bridgeport, Charleston, Huntington, Wheeling, Morgantown, and Martinsburg. The firm increased their regional presence, opening offices in neighboring states, with operations in Canton and Columbus, Ohio; Meadville and Southpointe, Pennsylvania; and Lexington, Kentucky. Recently, Steptoe and Johnson established offices in Denver, Colorado and Houston, Texas.

In total, Steptoe and Johnson employs an impressive 275 attorneys and approximately 570 staff members, working in fourteen offices in six states. As Steptoe and Johnson's practice has grown throughout the years, so has their reputation, gaining national recognition as an energy firm with strengths in corporate transactions, labor and employment law and litigation.

In addition to Steptoe and Johnson's legal work, the firm also contributes substantially to the communities they serve. In December 2012, Steptoe and Johnson donated more than 100 cell phones to benefit United Way organizations, such as Big Brothers Big Sisters of North Central West Virginia and Hope, Inc., a support group for victims of sexual abuse and domestic violence. Further building on the firm's reputation as a socially responsible community member, in the past year Steptoe and Johnson increased their pro bono work by 77%, earning them a fifth straight Kaufman Pro Bono Award from the West Virginia Bar Association.

Mr. Speaker, celebrating a 100th anniversary is quite an accomplishment, and I commend Steptoe and Johnson for their many years of exemplary work and dedication to community service.

Thank you, Steptoe and Johnson. The State of West Virginia is proud of your service and looks forward to sharing another 100 years with you as an outstanding corporate citizen.

RECOGNIZING THE UNIVERSITY OF MINNESOTA'S WOMEN'S ICE HOCKEY TEAM ON WINNING THE NCAA ICE HOCKEY CHAMPIONSHIP

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Ms. McCOLLUM. Mr. Speaker, I rise today to congratulate the University of Minnesota's women's ice hockey team for winning the 2013 NCAA Women's Ice Hockey Championship. This victory marks their second consecutive NCAA championship title.

The Lady Gophers finished the 2012–13 season with a perfect, unprecedented record—41 wins, 0 losses, and 0 ties. They are the first team in the 13-year history of NCAA women's ice hockey to finish the season with a perfect record.

Head Coach Brad Frost, Assistant Coach Joel Johnson, Assistant Coach Nadine Muzerall, Volunteer Goalie Coach Andy Kent,

and Director of Hockey Operations Eric Bakke also deserve recognition for their hard work in helping to lead the Gophers to a winning season.

Mr. Speaker, on behalf of Minnesota's Fourth Congressional District, I congratulate the University of Minnesota's women's ice hockey team on their exceptional performance. Good luck next year.

NATIONAL NURSES WEEK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, we recognize this week as National Nurses Week, and celebrate the life-saving work that nurses do every single day of the year. As the first registered nurse in Congress, I know from experience that nurses play a critical role in patient care, health promotion, and disease prevention. Nurses are the most trusted professionals in the country, and it is no wonder why. Nurses have the privilege and responsibility of caring for people at their most vulnerable, and they do it with grace and commitment.

Just as nurses care for us when we are sick, we must ensure that our health system supports nurses by enabling them to do their jobs safely and effectively. Research has shown us that when nurse staffing levels increase, patient risk of complications and hospital lengths of stay decrease. This, in turn, leads to cost savings.

As our health system changes to meet our future needs, nurses are leading the way. The Affordable Care Act and the Institute of Medicine's Future of Nursing report both call for nurses to optimize their contribution to patient care.

Increased federal and state engagement is needed to ensure that America's nursing workforce remains strong in years to come. I believe we must expand nurse training programs and increase the number of nursing faculty available to teach the next generation. Only then will we begin to be able to address the national nursing shortage that could potentially jeopardize future patient access to care.

Mr. Speaker, National Nurses Week has been celebrated annually since 1991, beginning on May 6th, which is National Recognition Day for nurses, and ending on May 12th, the birthday of the founder of modern nursing, Florence Nightingale. I am honored to have the opportunity to recognize all the dedicated nurses who came before me, and all those who have come after. Supporting the nurses who care for us is simply the right thing to do, and I look forward to working with my colleagues to do just that.

IN HONOR OF ELOMBE BRATH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Mr. RANGEL. Mr. Speaker, today I rise to honor a living hero of Harlem and an inter-

national warrior for the African People, the great Elombe Brath. For more than a generation, Elombe, as the chairman of Patrice Lumumba Coalition (PLC), helped to coordinate hundreds of forums with the purpose of educating the masses, not only about the struggle in Africa but also about the conditions oppressed people faced all over the world.

Born in Brooklyn, NY on September 30th 1936, to parents who had immigrated to the United States from Barbados, the Caribbean Island geographically closest to the African continent, his early training of a political character was hearing his mother speak of her first cousin, Clennell Wickham who was the editor of the renowned Herald newspaper.

Brath's political commitment evolved in 1956 simultaneously with the struggle to eliminate "Negro" as the nomenclature of African American people. From this moment of Black consciousness it was an easy and logical step for him to create the "Black is Beautiful" campaign in 1961 following the creation of AJASS (African Jazz-Arts Society and Studios) with his brother Kwame and a cadre of other local activists in 1956.

Removing "Negro" from the lexicon, insisting on the beauty of Blackness, and refusing to accept the Eurocentric worldview, Elombe and his cohorts were in the vanguard of change as they launched the Grandassa Models and "Naturally Shows," beginning in 1961, featuring Black women in all their natural-born beauty.

All of these activities were the foundation for his total involvement in African affairs, including his association with FOPANO (Federation of Pan-African Nationalist Organizations), which eventually set the stage for African Liberation Day and the development of the African Liberation Support Committee (ALSC) that played such a critical role in educating and organizing thousands in the fight against imperialism, colonialism, and neo-colonialism on the African continent.

One of the pivotal moments in Elombe's constantly evolving political philosophy, an outlook grounded in the ideas and actions promoted by Marcus Garvey and Carlos Cooks, was the formation of the PLC in 1975. The PLC came at a most propitious time when there was much confusion about which liberation movement to support in the war against colonial domination in Africa. It was a matter of separating the truly progressive organizations from the reactionary ones, and Elombe and members of the PLC were indispensable in providing the correct guidance and understanding of the often fractious and contentious forces vying for hegemony.

Despite his total immersion on the international front as well as countless battles against racism at home, Elombe was employed at WABC-TV where as a graphic artist—skills he had acquired in high school and at the School of Visual Arts—he was a vital consultant, particularly on African affairs, to Gil Noble, the esteemed host of "Like It Is." "Elombe was instrumental in facilitating the presence of many of the African leaders on the show," said Robert Van Lierop, an attorney and filmmaker formerly affiliated with the show.

None of these activities, however, detracted Elombe from taking care of his family, and

along with his wife, Nomsa, they raised six very successful young men, and a daughter all of whom are endowed with their parents' spirit for freedom and justice.

Mr. Speaker, I ask that you and my distinguished colleagues join me and the New York Congressional Delegation in paying tribute to Elombe Brath. Elombe's legacy remains as significant today as it did when his voice was a clarion call advising us along the right path to total liberation and independence.

REDUCING FLIGHT DELAYS ACT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 2013

Ms. McCOLLUM. Mr. Speaker, I rise in support of the Reducing Flight Delays Act (H.R. 1765). This legislation will allow the Federal Aviation Administration (FAA) to end furloughs for air traffic controllers created by sequestration and keep our air traffic moving. However, I am frustrated by this bill's narrow, cost-shifting fix that fails to address the underlying problem of sequestration.

In the first three days of this week, over three thousand flights were delayed because of staff furloughs. These delays could increase to several thousand per day and tens of thousands per week without action. While this bill does give the FAA the ability to stop the furloughs, it does not address sequestration's overall cuts to the Agency. Instead, this bill gives the FAA the ability to shift money between accounts, allowing staff furloughs to be prevented only by accepting even deeper cuts in other programs. This cost-shifting will cost us money in the long run, as maintenance and construction costs grow.

Since taking effect in March, sequestration's impact has become clearer. The Department of Education's budget has been cut to FY2004 levels, despite an additional six million children in school. Young children are being forced out of Headstart. Special education funding and assistance to impoverished schools has been cut. Schools serving Native American and military families are facing even greater deficits, because they rely heavily on federal funding. Where is the Congressional outrage for these cuts? Where is the quick legislative action to avert these crises? We should be taking just as decisive action to ensure our children can continue to attend Headstart as we are to keep the planes flying on time.

I opposed the Budget Control Act because of sequestration's deep and indiscriminate cuts. This bill is not enough to address those cuts which are creating harm every single day. While I support this legislation to keep air traffic moving, I urge my Republican colleagues to take immediate action to reverse all of sequestration.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate com-

mittees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 14, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 15

9:30 a.m.

Committee on Foreign Relations

To hold hearings to examine United States Policy toward Iran; to be immediately followed by a closed briefing on an intelligence update on Iran in SH-219.

SD-419

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine performance management and congressional oversight, focusing on 380 recommendations to reduce overlap and duplication.

SD-342

10 a.m.

Committee on Appropriations

Subcommittee on Department of Defense
To hold closed hearings to examine proposed budget estimates for fiscal year 2014 for National and Military Intelligence programs.

SVC-217

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Departments of the Air Force and Army.

SD-124

Committee on Veterans' Affairs

To hold hearings to examine pending benefits legislation.

SR-418

Joint Economic Committee

To hold hearings to examine women in manufacturing.

SH-216

2 p.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on National Security and International Trade and Finance

To hold hearings to examine improving cross border resolution to better protect taxpayers and the economy.

SD-538

2:30 p.m.

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Institutes of Health.

SD-138

Committee on Appropriations
Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Energy.

SD-192

Committee on Commerce, Science, and Transportation

To hold hearings to examine advanced vehicle technology and its implications.

SR-253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Robert D. Okun, and Michael Kenny O'Keefe, both to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342

Committee on Indian Affairs

To hold an oversight hearing to examine the views and priorities of Interior Secretary Jewell with regard to matters of Indian affairs.

SD-628

MAY 16

9:15 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations.

SD-430

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the law of armed conflict, the use of military force, and the 2001 Authorization for Use of Military Force.

SD-106

10 a.m.

Committee on Appropriations

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for various agencies within the Department of Agriculture.

SD-124

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Federal Bureau of Investigation; to be immediately followed by a closed session in SVC-217.

SD-192

Committee on the Budget

To hold hearings to examine effective strategies for government reorganization, focusing on silo busting.

SD-608

Committee on Commerce, Science, and Transportation

Subcommittee on Science and Space

To hold hearings to examine partnerships to advance the business of space.

SR-253

Committee on Energy and Natural Resources

Business meeting to consider S. 27, to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah", S. 28, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-

Wasatch-Cache National Forest in Utah to Brigham Young University, S. 59, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 155, to designate a mountain in the State of Alaska as Denali, S. 156, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 211, to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, S. 225, to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, S. 241, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 256, to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa, S. 284, to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico, S. 305, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 312, to adjust the boundary of the Carson National Forest, New Mexico, S. 342, to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada, S. 349, to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, S. 363, to expand geothermal production, S. 368, to reauthorize the Federal Land Transaction Facilitation Act, S. 371, to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, S. 447, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, S. 507, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, S. 609, to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico, S. 659, to reauthorize the Reclamation States Emergency Drought Relief Act of 1991, S. 684, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, S. 693, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, S. 736, to establish a maximum amount for special use permit fees applicable to certain cabins on National Forest System land in the State of

Alaska, S. 757, to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land, S. 783, to amend the Helium Act to improve helium stewardship, S.J. Res. 12, to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission, Act, 1920, and H.R. 316, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nominations of Mark Gaston Pearce, of New York, to be Chairman, and Richard F. Griffin, Jr., of the District of Columbia, Sharon Block, of the District of Columbia, Harry I. Johnson III, of Virginia, and Philip Andrew Miscimarra, of Illinois, all to be a Member, all of the National Labor Relations Board.

SD-430

10:30 a.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine the effects of mandatory e-verify on American's small businesses.

SR-428A

12 noon

Committee on Environment and Public Works

Business meeting to consider the nomination of Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency.

SD-406

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 21

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine offshore profit shifting and the United States tax code, part 2.

SD-106

MAY 22

10 a.m.

Joint Economic Committee

To hold hearings to examine the current economic outlook.

SH-216

2 p.m.

Special Committee on Aging

To hold hearings to examine the Medicare prescription drug program, focusing on 10 years later.

SD-366

JUNE 4

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Communications, Technology, and the Internet

To hold hearings to examine the state of wireless communications.

SR-253

JUNE 11

9:30 a.m.

Committee on Armed Services
Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

11 a.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services

Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

JUNE 12

9:30 a.m.

Committee on Armed Services

Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 14

POSTPONEMENTS

quest for fiscal year 2014 for the Environmental Protection Agency.

SD-406

9:30 a.m.

Committee on Armed Services

MAY 15

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

10 a.m.

Committee on Environment and Public Works

To hold an oversight hearing to examine the President's proposed budget re-

SENATE—Tuesday, May 14, 2013

The Senate met at 10 a.m. and was called to order by the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God Almighty, we sing praises to You, for You bless all those who depend on You for strength. You are the shield that protects our Nation. You treat us with kindness and honor.

Lord, pour Your spirit upon our Senators so that they will feel Your transforming presence. May they use the abilities You have given them to make the world a better place. Help them to take seriously their opportunity to be instruments of Your grace.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ELIZABETH WARREN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. WARREN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

BASEBALL FANS

Mr. REID. Madam President, the Republican leader and I follow very closely the Washington Nationals, and we talk often about how they fare on any given day. We just spent a minute com-

miserating about a young man from Las Vegas, Bryce Harper. We talk about him often because he is a phenomenon in baseball. Yesterday, while playing in Los Angeles—a late game—he got two walks, a hit, and, as he does all the time—well, not like this—he was chasing a ball full speed and he ran into the wall full speed. I told the Republican leader I am going to talk to his family later. It is too early in the West, but I told him I will talk to his mom or dad and find out how he is doing. But he crashed into that wall, and he has 11 stitches in his chin, he was knocked out, and he hurt one of his shoulders. So we will see how he is.

Mr. MCCONNELL. Will my friend the majority leader yield?

Mr. REID. I would be glad to yield.

Mr. MCCONNELL. As my friend indicated, we were talking about this before the session opened. This kid is one of the most incredible competitors I have ever seen.

The game was on the west coast, and I don't know whether my friend stayed up that late, but I didn't stay up late enough to see the crash into the wall. So when my friend speaks to his mother, remind her that this is one thing on which leaders on both sides fully agree: We are hoping Harper has a speedy recovery and is back in the lineup.

Mr. REID. And the manager said, when asked afterwards about him, I don't want him to change anything because he is such a competitor.

But I think he will maybe have to watch those walls in the future.

Mrs. BOXER. Plus, both Senators are wearing the same suit today. It is a good day for it.

Mr. REID. Yes, we are wearing the same suit. We try to match wardrobes.

SCHEDULE

Mr. REID. Madam President, following leader remarks the Senate will be in a period of morning business until 11 a.m. this morning. The majority will control the first half, the Republicans the final half.

Following morning business the Senate will resume consideration of S. 601, the Water Resources Development Act.

ORDER OF PROCEDURE

I ask unanimous consent that the full time, the full 1 hour, be given to the Democrats, their half-hour, and the Republicans, their half-hour, and if the vote has to come a little later, we just need to get that out of the way before our caucuses. And we could probably terminate that at noon. That will be fine. So I ask unanimous consent that the Democrats have their full half-hour

and the Republicans their full half-hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Following morning business, as I indicated, the Senate will resume consideration of the Water Resources Development Act.

Madam President, I was in a meeting a few minutes ago. This is an important bill, and it shows that one of the most liberal Members of the Senate and one of the most conservative Members of the Senate—BOXER and VITTER—can work extremely well together, as they have on this bill. I hope we can have a finite list of amendments and not have to invoke cloture because we would invoke cloture and I would rather not do that. The filing deadline for all second-degree amendments to the bill is 11:15 a.m. today. The managers continue to work to complete action on the bill. If no agreement is reached, there will be a cloture vote at noon today.

THE BUDGET

Mr. REID. Madam President, on Thursday Speaker BOEHNER said a remarkable thing. He said: We can't cut our way to prosperity. It was good to hear him speaking candidly, for that is what Democrats have been saying for years—we cannot cut our way to prosperity. It is important that we have done some cutting. That is very important. And we are proud of the work we have done. To this point, we have cut more than \$2½ trillion.

But it will take more than meat-ax budget cuts to keep our economy on the path to full recovery. To protect our economic growth, it will take a balanced approach, one that couples smart spending cuts with investments in our future and some new revenue from closing these wasteful loopholes I have spoken about to members of the Finance Committee in my caucus on many occasions. Nothing could be further from that balanced policy than the so-called sequester. As long as the sequester's harmful across-the-board cuts remain in effect, our economy is in jeopardy. And as long as Republicans refuse to go to conference on the budget and work out our differences, the sequester will remain in effect.

It has now been 52 days since the Senate passed its budget. Why are Republicans standing in the way? We have talked about that for weeks. We need to move forward and pass a budget that encourages economic expansion by investing in what makes America strong while cutting the deficit.

After years—years—of calling for regular order, after years of demanding the Senate pass a budget, I expected Republicans to embrace this process, but I couldn't have been more wrong. Republicans have objected to a conference half a dozen times and counting. It is obvious they are delaying for one nakedly partisan reason: They hope to delay compromise long enough to create another manufactured crisis, as the Nation once again approaches the debt limit.

The debt ceiling is something we used to just move past. The elephant never forgets, but Republicans obviously don't follow their mascot—the elephant—as they have a very short memory. Elephants don't, but the Republican Party does. They should remember the political pain they inflicted upon themselves—the Republicans—and our country over the last 2 years, in part by driving the country from one manufactured crisis to the next.

It is astonishing that Republicans would once again—as they did in the House last week—pass a bill to hold the full faith and credit of the U.S. Government hostage, if only because it is so bad for their political brand. But it is also bad for our country. The last time Republicans drove us to the brink of default, it cost the United States its pristine credit rating, and it cost the economy billions of dollars.

When I talk about Republicans, I am not speaking about Republicans generically—that is, Republicans around the country—because many Republicans, if not most, agree these manufactured crises are a waste of time and not good for our country. I am talking about and directing my attention to the Republicans in the Congress because they do not, obviously, agree with the Republicans around the country.

I hope my Republican colleagues will not take their partisan ploy as far as they did in the past. It is time to embrace regular order. It is time to get away from last-minute negotiations and short-term fixes. It is time to engage in a responsible budget process. The budget process is the only way to work through our differences without bringing the country to the verge of another artificial crisis.

Americans are tired of bitter battles over whether the Federal Government should pay the bills it has incurred. That is what we have done. We have incurred these bills, and we have to pay them. We have made purchases on credit. Americans know, as Democrats do, that Congress won't set sound fiscal policy during last-minute negotiations and Congress won't set sound fiscal policy through extortion or hostage-taking.

The Secretary of Defense is going to announce later today that 800,000 civilian employees at the Defense Department are going to get furloughs. The

decision is how long it is going to be. He hopes he can make it 11 days, but probably it will be 2 weeks. That may not sound like much, but for somebody who is on a budget, a personal budget, depending on their wages, to suddenly hear that during the time until September 1 they are going to be furloughed, that they are not going to get paid for 14 days, that is a significant amount of money and can wreak havoc with their personal budget.

What this sequestration is doing is setting bad fiscal policy. It can't happen. We have to compromise. We won't set sound fiscal policy without sitting down and finding common ground between the Republican priorities and the Democratic priorities in this Congress. Passing the budget would clarify each side's values. We did that. We had a vote-athon here determining what Republicans wanted to do and what Democrats wanted to do. We finished at 5 o'clock in the morning. We thought that was a good step toward compromise, but we were wrong.

Republicans will not move forward. We have waited 52 days. The next step is to name conferees, and that will only be a first step. After conferees are named, we have to make sure they meet and work things out. Right now, Republicans are the only party standing in the way of progress in getting rid of this sequestration. If my Republican colleagues are serious about reducing the deficit and charting a course for economic growth, they should stop waiting around for another crisis and start working with Democrats today.

Finally, again, it has been 52 days since the Senate passed this bill. We need Republicans to follow regular order and move to a conference.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

IRS ACTIVITIES

Mr. McCONNELL. Madam President, over the past few days we have heard many in the media talk about how this has been a "rough week" for the administration. That is because it has been a worse week for the First Amendment.

On Friday we learned that—just as we had been told by our constituents—the IRS deliberately targeted conservative groups across the country in the midst of a heated national election. Over the weekend we learned that the extent of it was even broader—even broader—than we originally thought. Then this morning we all learned the targeting wasn't limited to an IRS office out of Cincinnati, as the administration suggested last week, but that it

reached all the way to the IRS headquarters right here in Washington.

What we don't know at this point is whether it jumped the fence from the IRS to the White House. But we do know this: We can't count on the administration to be forthcoming about the details of this scandal because so far they have been anything but. So this morning I am calling on the President to make available completely and without restriction everyone—everyone—who can answer the questions we have as to what has been going on at the IRS, who knew about it, and how high it went—no stonewalling, no more incomplete answers, no more misleading responses, no holding back witnesses no matter how senior their current or former positions. We need full transparency and we need full cooperation.

The American people deserve answers. The answers the IRS has now owned up to and that were uncovered by their own inspector general are an outrage—an absolute outrage. We now know the IRS targeted groups for using such terminology as—get this—"we the people" and for educating folks about the U.S. Constitution and the Bill of Rights.

I mean, you can't make this stuff up.

What is also clear is that government officials repeatedly failed to own up to what they knew was going on—when it turns out they'd known about it since at least the middle of 2011.

So the IRS knew what was happening—yet they continued to give us assurances that they were applying the tax rules in a fair and impartial way.

Despite repeated assurances from the Obama administration that it was not targeting its political enemies through the IRS during the last election cycle, we have now learned that the IRS was in fact singling out conservative groups—groups who dared to speak up and express their First Amendment rights.

Let's recap what happened.

Last March, after receiving multiple claims of unusual harassment by the IRS from constituents who wanted to form tax-exempt political organizations, I and several of my colleagues sent a letter to then-IRS Commissioner Shulman questioning selective enforcement on tax exempt organizations.

Now, we learn, according to the IRS' own Inspector General, that the IRS was well aware that this selective treatment was happening at the time our letter was sent, and in fact had already acted to correct what they later called "inappropriate" behavior.

But there was no mention of that in the IRS initial response.

Nor was there any mention of this behavior, which was by that time well-known within the agency, in a second letter sent back to us in September 2012.

We had to wait several more months—to wait for a special investigator's report that Republicans demanded—in order to find out the truth of what was actually happening at the IRS.

In the coming days we'll learn more, and we'll start getting answers to questions like: Was the IRS deliberately misleading Republican Senators, or was it betraying profound incompetence? But, as I said, the fact is, none of this would have come out if we'd relied on the administration's own word and Republicans had not demanded the truth.

Clearly, we've only started to scratch the surface of this scandal.

The American people are looking for answers, and I am determined to help them get to the bottom of this.

Last June, I gave a very public speech in which I called out the Obama administration for serial abuses of government power in going after its political enemies in the middle of a heated national election. The left scoffed at the suggestion. The Washington Post said my speech was full of "red herrings." The New York Times called my argument "bogus". Robert Reich called it "bonkers."

Well, you know what we learned last week: these abuses were even more widespread than we knew.

So it is good to see even some of my Democrat colleagues now criticizing the IRS for such blatant and thuggish abuse of power. It is preferable to the silence—or, worse, encouragement—they have demonstrated in the past.

The Chairman of the Finance Committee was correct in referring to the IRS' actions as an "outrageous abuse of power and a breach of the public's trust." He's vowed to "get to the bottom" of what happened, and he's promised that his committee will hold hearings on all this. Those hearings should be tough, and they should aim to bring the truth to light. But our Democrat friends should also acknowledge their role in inculcating this culture of intimidation, due to repeated calls for increased IRS scrutiny of groups like the very ones that were targeted.

We owe it to all Americans to get to the bottom of this scandal, hold those responsible accountable, and put the proper safeguards in place for moving forward. Because, as the President was correct in noting yesterday, one day a Republican will inhabit the Oval Office. And when he or she does, the left will want to know that they will not be harassed for having the audacity to disagree. That an agency like the IRS will return to its proper role as a completely non-partisan and apolitical institution—not a tool for an administration of one stripe to bully and intimidate those who adhere to another.

But in order for Congress to effectively perform the oversight it needs to do, the administration will have to

make everyone who can answer these questions available expeditiously.

We have even more questions today than we did last year, and we are not going to accept more half-baked responses. We want the full truth this time. And we intend to get it. I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from California is recognized.

WATER RESOURCES DEVELOPMENT ACT

Mrs. BOXER. Madam President, pretty soon we are going to go back to the Water Resources Development Act, otherwise known as the WRDA bill. I will comment on that soon. We are making terrific progress. I hope Senators who may hear my voice would understand we would prefer to deal with a number of amendments rather than vote cloture. We have been working with almost—I can't tell you—20 different Senators to try to accommodate them, to either take their amendments, if they are noncontroversial, by voice or to make sure we can vote on their amendments or have side-by-sides.

The bottom line is it is time now—it is past time—that Senators decide if they want to move this bill forward in an open way with regular order or if they want to avoid these very important amendments that we could vote on and go straight to cloture. I hope we can continue to work through the morning.

THE IRS

Mrs. BOXER. Madam President, there is no room for politics at the IRS. Senator MCCONNELL is right. Senator REID is right. They have both addressed it. The issue is the IRS has to be completely neutral in politics, but they do have to go after organizations and individuals who are not abiding by the rules, whether they are right, left, center or no ideology at all.

I remember during the Bush years we saw the IRS targeting liberal churches. It was awful. They were harassing

them and forcing them to show that they were nonprofits. Now we see the IRS has been targeting tea party groups. Whether they are targeting right or left, that is wrong, and anyone doing it, frankly, needs to get another job because that is against the law. We cannot have politically motivated audits or harassing people, whatever their politics may be.

Here is what we do need. We do need a fair IRS that definitely looks at whether organizations, be they left or right, are truly deserving of tax-exempt status—that is important—but not targeting one group or another. We also know the targeting of the tea party groups took place while a Bush appointee was the head of the IRS, probably—perhaps was quite unaware.

The bottom line is people at the top have to be held accountable. I agree with that. He should have known what was going on. But there is no room for this. I do believe there has to be serious action taken at the personnel level; otherwise, people will just go ho-hum.

No, not ho-hum; you cannot use a position to harass people because of their politics, regardless of where their politics may lie.

BENGHAZI

Mrs. BOXER. Madam President, I wish to be heard on the issue of Benghazi. I wrote an op-ed piece on this because I absolutely cannot believe what is happening with our Republican friends on this issue.

As a senior member of the Foreign Relations Committee, I can say I sat through the entire testimony of then-Secretary of State Hillary Clinton. Not only did she sit for hours, not only was she straight from the heart and straight from the shoulder, she took full responsibility for what went on, and she ordered an independent investigation which was launched by Admiral Mullen and Ambassador Pickering. They did an exhaustive study. What they found is that, unfortunately, we did not have enough security at that outpost. It was not an embassy, but it was definitely an outpost.

There is a lot of talk going on about how could this happen—e-mails and all the rest. Let me focus on something very important. It takes funding to protect an embassy. It takes funding to protect a consulate. It takes funding to protect an outpost. Yes, it takes funding. Who cut the funds from embassy security? The Republicans in the House, that is who—hundreds of millions of dollars. If it were not for the Democrats, it would have been cut more, because when it came here, we stood our ground. We had to accommodate their cuts. That is how the process works. So I think the Benghazi "scandal" starts with the Republicans looking in the mirror. Mirror mirror, who is the fairest of them all? They ought

to ask: Mirror, mirror, who cut the funding for diplomatic security across this world for America? The answer: Republicans.

They cannot stand the heat so they turn it on Secretary Clinton, and that is completely wrong. I believe if we want to know what happened in Benghazi, it starts with the fact that there was not enough security. There was not enough security because the budget was cut. Secretary Clinton said that she, in hindsight, should have definitely fought against it even harder than she did. But let the record show she predicted problems. When she saw the cuts—I don't have the exact quote in front of me but to paraphrase—she said there are going to be problems here. This budget is cut too much. And she was right.

What about these talking points? I do not know if the Presiding Officer sits down with her staff to discuss how she is going to phrase something. I don't know whether the Presiding Officer does that or whether she just does it by herself. What I do or what most people do is they have a collaborative process. When we are trying to put out a press release with a whole number of agencies having to sign off on it, it is a collaborative process. At the end of the day, one statement was approved. The statement that was made by Susan Rice, her paraphrasing of the statement was: It looks like this started because of this protest, but we don't know for sure. We don't know and as soon as we know we will say.

The day or the day after what happened in Benghazi, the President of these United States, President Obama, stood and said this was a terror attack.

Why are the Republicans playing politics with this? It is pretty clear. Their attack coincides with the Karl Rove ad against Secretary of State Hillary Clinton. They are going after her. Why? Because they are looking to the 2016 Presidential election.

I have to say, keep politics out of the IRS, keep politics out of Benghazi. Don't take four beautiful Americans who died in a tragic fashion and play politics, 2016 politics, with it. It is an outrage.

So I say they should start off by looking in the mirror, stepping to the plate, admitting that they cut too much from embassy security. If they want to hold a hearing on it, fine. If they want a hearing, they need to call the people to the table who can help us make sure this never happens again.

I will continue to speak out on Benghazi, and I will continue to speak out on whatever issues my Republican friends are pounding on. At the end of the day, the bottom line is, Who cut the money for embassy security?

If they want to divert attention from that, be my guest, but I will bring it home. Everyone knows if we had adequate security there, it could have well been a different outcome.

WRDA

If there are any Senators who have amendments, please come down to the Senate floor. Let's get this done. We hope to get this agreed to in a timely manner. Let's get to the amendments. There is a whole list of bipartisan amendments we believe have been cleared. Let's get this bill done.

The rating we have been given from the engineers is a D-plus for our infrastructure. We need to deepen our ports and there needs to be more flex control. We need to invest in water infrastructure as well as restore our wetlands. We have a lot of work to do.

We are entering into a period of time now where there is more and more extreme weather—weather we have never seen before. We need to make those investments to prevent the worst from happening. We saw what Superstorm Sandy, that one event cost: \$60 billion. How does it make sense to pay after the fact? We need to invest.

This bill has a lot of important reforms. People know we need to fix our infrastructure. We need to fix our roads, bridges, and water infrastructure. It has to be done. This bill will support 550,000 jobs, and Lord knows, people need that as well.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ABUSES OF POWER

Mrs. FISCHER. Madam President, I rise to speak out against the alarming reports that have recently surfaced by the IRS and the Department of Justice.

As the Federal agency tasked with administering the U.S. Tax Code, the IRS has an extraordinary influence on the lives of all Americans, from all walks of life and all points of view. As citizens we have the absolute right to expect the IRS to be free from political influence, with taxpayers treated fairly and enforcement carried out in an unbiased manner. Unfortunately, in recent days we have learned our expectations are far adrift from reality.

Last week the Internal Revenue Service acknowledged a history of targeting conservative politically active groups during their process of seeking tax-exempt status. This practice first involved flagging groups concerned about government spending and debt. Ironically, such targeting comes at a time when poll after poll indicates the Federal Government's out-of-control spending and our \$17 trillion debt are top concerns for all Americans. I can

tell my colleagues from my experience it is the top concern for Nebraskans.

Despite these legitimate concerns and the patriotic desire of Americans to effect change in government, the IRS worked to impede these organizations with one of the bluntest instruments of government: regulatory abuse. The IRS demanded inordinate amounts of documents from these groups, including donor lists, which served to unfairly delay the tax-exempt certification of these well-intentioned groups.

This news is alarming on multiple fronts. First and foremost, it is unacceptable that the IRS would blatantly target any of our fellow citizens, let alone groups of Americans whose views are at odds with their own. As the Washington Post noted in today's lead editorial: "Any unequal application of the law based on ideological viewpoint is unpardonable—toxic to the legitimacy of the government's vast law enforcement authority." I couldn't agree more.

These activist groups were simply trying to exercise their First Amendment rights of peaceable assembly and free speech—the cornerstone of our democracy. Yet their reward for expressing concern about the direction our country is going was to be singled out in an attempt to prevent them from fully engaging in the democratic process.

It has been reported that the targeting of these Americans—and muffling of their voices on the pressing issues facing our country—began in 2010. What has happened since then? The passage of very consequential pieces of legislation, including ObamaCare and the Dodd-Frank Financial Reform Act, multiple debates on how to address our Nation's dire fiscal situation, two national elections, including last fall's Presidential election.

As alarming as the actions of the IRS are, I am even more troubled by the IRS trying to hide these actions. When an IRS official last week finally acknowledged and apologized for the targeting of conservative groups, it was more than 3 years after the practice is said to have begun. It was more than 1 year after the current Acting IRS Commissioner, Steven Miller, is reported to have become aware of the targeting, but it doesn't stop with Mr. Miller.

As the Washington Post noted: "Lois Lerner, the head of the IRS's tax-exempt organization office, knew about the targeting in 2011; she seemed to say Friday that she learned about it from news reports last year."

These were not the malicious actions of a rogue agent or simply another example of government incompetence; instead, this was a clear, methodical abuse of government power to discriminate against whole groups of Americans simply because of their political beliefs.

Despite their awareness of abuse, officials from the IRS failed time after time to disclose this targeting and little effort was made to end the practice. Even as recently as their admissions on Friday, the IRS continued to engage in coverups and half-truths. In fact, IRS officials seem to go out of their way to deny wrongdoing.

In testimony last year before the House of Representatives, then-IRS Commissioner Douglas Shulman said there was “absolutely no targeting.”

After years of neglecting to inform Congress of this practice, the long overdue admission was the result of diligent lawmakers exercising oversight along with a soon-to-be released report from the Treasury Inspector General for Tax Administration.

The time for muted outrage and limp apologies has passed. The American people deserve nothing less than absolute assurance that this practice will not happen again. Those who are responsible must be held accountable and removed from their positions. The policies that enabled this gross abuse of power must be changed immediately.

It is also worth noting the IRS is one of the lead Federal agencies in charge of implementing ObamaCare. It does not appear the IRS is in any condition to implement this highly controversial law, particularly as public trust in this agency continues to plummet.

Just yesterday we learned of another breach of public trust and another potential violation of our First Amendment freedom—the freedom of the press. Press reports indicate the Department of Justice secretly obtained extensive telephone records of reporters and editors for the Associated Press in what the head of the news organization called a “massive and unprecedented intrusion” into how news organizations gather the news. According to the Associated Press’s legal counsel, the records obtained included those from reporters working out of the House of Representatives press gallery.

While it is unclear at this point how many reporters were targeted and why, the effect of this data gathering is clear: intimidation of the press and suppression of free speech.

This is unacceptable. A free and unfettered press is vital to any democracy. Moreover, the scope of this information gathering is simply beyond the pale—and likely beyond precedent.

The Attorney General and the President owe the American people answers, and they owe them now. These recent abuses of power by both the IRS and the Department of Justice are just the latest episodes of this executive branch’s disturbing pattern of overstepping its lawful powers.

We have seen this in the President’s unconstitutional recess appointments. We have seen this in the EPA’s disclosure of classified information of cattlemen to activist environmental groups.

We have seen this in a lack of forthrightness with our government’s response to the attacks on the U.S. consulate in Benghazi.

The result of this methodical government overreach has a powerful chilling effect on citizens. There is no place for that in a democracy. There is no place for that in the United States. The American people deserve a government that jealously guards the liberties of its citizens, not a government that tramples on our basic constitutional rights.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATER RESOURCES DEVELOPMENT ACT

Mrs. BOXER. Mr. President, in the interest of all Senators, and frankly in the interest of the people of this country, we are moving forward on the Water Resources Development Act. The question is, will we be able to clear a list of amendments, some by voice vote, and a further list of more controversial amendments by recorded vote. I am hoping that is the case. Senator VITTER and I hope that is the case, that we can get clearance on these packages of amendments. If we do not, we have to decide whether to invoke cloture, which will bring debate to a close. If we have to go that way, we have to go that way. But I am very optimistic that we can get these amendments cleared because, frankly, almost every Senator here has a stake in this very important legislation.

We have ports that are sometimes on the coast, sometimes they are inland. We have waterways. We have floods in our States. Not all of us but most of us. We have environmental restorations in our States with wetland conservation. We have work to do on our water infrastructure. Our infrastructure in this country has been rated a D-plus. That is not very heartening for the greatest country in the world. We have a weak infrastructure. Frankly, that is not good enough.

I want to read a list of supporters for our legislation. I think what people will notice is how broad-based the list is. They are either representing workers or businesses, or they are businesses themselves. They are businesses that need to ship products. So let me read this. There are environmental organizations.

The AFL-CIO supports us; the American Association of Port Authorities; the American Concrete Pressure Pipe

Association; the American Council of Engineering Companies; the American Farm Bureau Federation; the American Foundry Society; the American Public Works Association; the American Road and Transportation Builders; the American Society of Civil Engineers; the American Soybean Association; Associated Equipment Distributors; Associated General Contractors; Association of Equipment Manufacturers; the Clean Water Construction Coalition; the Concrete Reinforced Steel Institute.

I can’t even go through it all, it is such a very long list. There is the National Association of Flood and Storm Management Agencies, the National Governors Association, the National Stone, Sand and Gravel Association, the National Waterways Conference, Inc, the American Institute of Architects, the National Association of Manufacturers, The Nature Conservancy, the U.S. Chamber of Commerce, and the United Brotherhood of Carpenters and Joiners of America. There are more. It is such a long list.

I ask unanimous consent to place this list into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ORGANIZATIONS SUPPORTING S. 601

AFL-CIO, American Association of Port Authorities, American Concrete Pressure Pipe Association, American Council of Engineering Companies, American Farm Bureau Federation, American Foundry Society, American Public Works Association, American Road and Transportation Builders Association, American Society of Civil Engineers, American Soybean Association, Associated Equipment Distributors, Associated General Contractors of America, Association of Equipment Manufacturers, Clean Water Construction Coalition, Concrete Reinforcing Steel Institute.

Construction Management Association of America, International Federation of Professional and Technical Engineers, International Liquid Terminals Association, International Propeller Club of the United States, International Union of Operating Engineers, Laborers International Union of North America, Management Association for Private Photogrammetric Surveyors (MAPPS), NAIOP, The Commercial Real Estate Development Association, National Association of Flood and Storm Management Agencies, National Governors Association, National Grain and Feed Association, National Ready Mixed Concrete Association, National Retail Federation, National Society of Professional Surveyors (NSPS), National Stone, Sand and Gravel Association, National Waterways Conference, Inc.

Plumbing Manufacturers International, Portland Cement Association, The American Institute of Architects, The Fertilizer Institute, The Nature Conservancy, Transportation Construction Coalition, U.S. Chamber of Commerce, United Brotherhood of Carpenters and Joiners of America Waterways Council, Inc., National Association of Manufacturers; AASHTO.

Letter signed by 160 organizations to Members of the United States Senate (April 29, 2013)

Mrs. BOXER. The point is this legislation represents jobs. This legislation

represents moving products. This legislation represents flood control. This legislation represents fixing our ports, making sure we have some reforms that work well. This makes sure that when the Army Corps sets a project timeline, the resources agencies are in the room. It is very important. I have to say, as this country sees, there is a lot of partisanship going on; this is a bipartisan bill.

The bill made it through the Environment Committee without a single "no" vote. Since then, Senator VITTER and I have been working with all Senators, whether they are on the committee or off the committee, to meet the needs of their States to work with them. I think we have done everything in our power to help every State.

We know the last WRDA bill was 2007. We used to have a WRDA bill every couple years, but everything has gotten so controversial. What happened between then and now is a ban on earmarks. This bill used to be a bill that listed projects. We can't do that anymore. What we have to do is figure out a way to fund the needed projects while averting earmarks.

We did it by saying if there is a completed Corps report then, in fact, the project can go forward. We set up a way for future projects to be handled with the local communities coming forward.

I think we handled that issue well. We focused on flood control, ports, and environmental restoration. We have a piece that deals with the Everglades. If you have never been to the Everglades, it is a national treasure, River of Grass. That is what it is called. It is a magnificent, amazing, fabulous, environment, but it needs to be preserved and protected.

When my spouse and I went there with Senator NELSON, we went down through the Everglades. All of a sudden we see a deer jump up. The deer is actually living on the water on these little berms. It is the most remarkable thing I have ever seen.

We put WIFIA in here based on a program we call TIFIA, which will allow us to help local areas leverage their funds and build these projects more quickly. It goes on and on. We have terrible threats from flooding in places such as Sacramento, for example. We are looking at tens of thousands of Californians at risk and \$7 billion in property. We say, OK, it is time to get that done.

We look at flood protection for the 200,000 residents of Fargo, ND, and Moorhead, MN. They have been fighting rising floodwaters in recent weeks. We will restore the reliability of levees that protect places such as Topeka, KS. It goes on to Texas. I could name literally every State in the Union that has something at stake.

Mr. SANDERS. Will the Senator yield for a moment?

Mrs. BOXER. I yield to the Senator.

Mr. SANDERS. I thank the Senator from California and the chair of the Environment and Public Works Committee for her work on this important project. I do wish to mention we have in Vermont one small concern that I hope will be addressed in this bill. In Vermont we have suffered through Irene, and it was a devastating experience for many communities in the State and for businesses.

The problem we are having now is that we have State regulations which correctly require that culverts be built which can, in fact, deal with the real problems of flooding. Unfortunately, what FEMA is prepared to pay for is inadequate infrastructure—culverts, among other things, that will not address the problem if we have to deal with another problem such as Irene.

This is a very modest proposal. Senator LEAHY and I feel strongly about this issue. I know the chairperson is sympathetic. There appears to be some problems on the other side, and I very much hope we can resolve this.

Mrs. BOXER. Yes. There is an amendment, I would say to my friend through the Chair, on our list that we have agreed to, Senator VITTER and I. There will probably be a vote on this proposal. I will ask my staff is that correct, on the Leahy-Sanders amendment on the culverts if it is on the list.

Mr. SANDERS. I had heard there was some objection on the other side.

Mrs. BOXER. We are trying to work out the objections, but we will have a vote on it if we cannot. We are working on it.

Mr. SANDERS. It is very important to Senator LEAHY and me that be addressed.

Mrs. BOXER. I thank the Senator. We are doing everything in our power. This shows the American people right on the floor of the Senate the way Senators have been working with us. I wish to say to my friend I am so proud he is on the Environment and Public Works Committee and how he has looked after his State. He has some very important things in this bill.

As a matter of fact, his work on the extreme weather title is very important and would allow us to prevent these terrible floods before they start. Yes, we are looking at things such as this in every State. We are trying to do everything in our power to meet every Senator's needs.

Sometimes what happens is it is kind of like that pop-up game. Something pops up over here, and it is OK, but then something else pops up over here. It is the legislative fix we are trying to meet and get to here, the legislative fix so every State feels comfortable.

This is an important bill. There is no other bill that deals with the Everglades. There is no other bill that will deal with the Chesapeake Bay. There is no other bill that is possible that

would allow us to move forward with these important flood control issues, because when we ended earmarks, we had no way to authorize any programs.

This Boxer-Vitter bill is not just an important bill, it is an essential bill. We need to move forward.

The extreme weather title I talked about that Senator SANDERS helped us write will require the corps and the National Academy of Science to jointly evaluate options for reducing risks related to future extreme weather events. Let me say that again. Right now the corps is not authorized to look ahead and say, given the extreme weather we are having, what is it we can do across this country to prepare. This study will give us a roadmap to that.

Without this bill, we don't have it. Without this bill, we have no reforms in the Harbor Maintenance Trust Fund. People are paying good money into the Harbor Maintenance Trust Fund for dredging our ports. Yet the full amount of the Harbor Maintenance Trust Fund is not going for those uses.

We make moves toward capturing more of those funds. The smaller ports have a good title, the Great Lakes, the seaports that are large donors such as Los Angeles and Long Beach make progress. I think it is a win-win. Our bill is certainly not perfect. Every one of us could write it in ways that benefit our States even more, I think there is no question, starting with the chairman of the committee. But we have to deal with everybody's issues, everybody's concerns, everybody's problems.

We support 500,000 jobs in this bill. There are very few bills that come before us that could make that claim.

I think we can show the American people we can work together. We have this one last stage, and we are working so hard.

I wish to say to my staff—who are still working. My staff and Senator VITTER's staff have worked nonstop. I am talking about Saturday, Sunday, last night. They were still in the office at 11 o'clock. I just want to praise them. People don't see that. People don't understand these bills don't magically appear.

Dealing with every Senator, I think everyone knows every one of us has a very strong personality. They truly care about their States and fight for their States. It is tough to try to preserve everyone's rights and everybody's wishes. We have to work with Senator MIKULSKI in a very good way and Senator SHELBY. Senator LANDRIEU has worked hard on this bill, and now she has an amendment we are trying to dispose of. I hope we will get the approval to do that.

Once we finish our work, Congressman SHUSTER, Chairman SHUSTER over in the House, needs to pass a bill or could take up our bill and pass it.

When I read this list to you, I didn't even get to all of the names. This is one of the broadest coalitions I have ever seen behind any piece of legislation. It is a huge and important coalition. It represents America. It is people who work every day at building the infrastructure, utilizing the infrastructure, and making sure our homes are safe from flooding. The list includes the National Governors Association. It is a rarity to have that kind of a list.

At this point, we are supposed to vote at noon, and we will be back to you with some further comments.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 601, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be divided and controlled in the usual form.

Mrs. BOXER. While we discuss how we are going to proceed, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I ask unanimous consent that the time during quorum calls be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I note the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant legislative clerk proceeded to call the roll.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY SEXUAL ASSAULT

Mrs. HAGAN. Mr. President, I rise today to discuss the sexual assault crisis that is facing our military and the need to act immediately to address this problem.

Last week, the Department of Defense released a report estimating that over 26,000 servicemembers—and this includes men and women—were sexually assaulted in 2012, and this is up from approximately 19,000 in 2010. This is astounding and totally unacceptable.

Even more alarming is the fact the number of cases actually reported remains just a fraction of the total. Only 13 percent of these cases are actually reported. Let me repeat that: Only 13 percent of assaults were actually reported in 2012.

As a member of the Armed Services Committee and a Senator from North Carolina, home to the third largest military population in the country, I find these statistics appalling. The brave servicemembers who put their lives on the line should not have to worry about their personal safety on bases in the United States and around the world. The men and women who are already tasked with so much, who have vowed to serve and protect our country, should feel they are afforded the same protection in return, but they are not.

The stories I hear from our female servicemembers are astounding. One woman marine was raped by an acquaintance, her fellow marine, in her barracks one night. No one heard her cries for help. The next day she did report the assault to her chain of command. An investigation was launched from there. While that investigation was underway, from June to January, she was heavily alienated by her peers. She was called derogatory names, and her sergeant major even told her the assault was her fault because she must have given her rapist a reason to think it was OK. In the end the official investigation found her claim was "unfounded" because there were no witnesses, and she did not know at the time she should have gone to the hospital and had a rape kit analysis done.

Other servicemembers—women who have served on forward operating bases in Afghanistan—have told me they limit their water intake throughout the day so they do not have to use the latrines in the middle of the night and by doing so put themselves at further risk of being assaulted. No one should ever have to deal with those kinds of concerns, especially when they are already putting their lives on the line to protect our Nation.

The Department of Defense has reported that half of all servicemembers who were victims of sexual assault say they are actually afraid to report out of fear of retaliation or that their confidentiality will not be maintained. Others believe reporting the crime will jeopardize their military career. They fear they would not receive opportunities for advancement—opportunities they have earned through service to our country.

This is just totally unacceptable. The men and women of our Armed Forces

deserve far more. We have to deal with this problem once and for all, and I am encouraged the National Defense Authorization Act of 2013 includes specific directives to reduce the alarming number of assaults that take place and often go unreported.

Specifically, these provisions include independent review boards to examine how sexual assault cases are handled, the creation of a special victims unit, ensuring convicted offenders are permanently barred from the military, improving how the military collects data on this topic, and several other needed provisions.

During his confirmation process, Secretary of Defense Chuck Hagel said he was committed to fully implementing these directives, and I urge Secretary Hagel to report to Congress on the progress made as swiftly as possible. I still believe Congress should and must do more. The steps I believe we should consider are, first, the creation of a special victims counsel that would include advocates who can support victims and help them report incidents of sexual assault.

As I mentioned, too many victims do not come forward because they are either afraid of retaliation, they do not believe their confidentiality will be maintained, or they do not have faith in the military justice system. As in the case of the woman I described who had been raped, she did not know she should have had an analysis of rape actually done. These victims advocates would have given her that advice.

Second, we are fortunate in the Senate to have a number of former prosecutors engaged on this issue. Over the last 20 years, they and their colleagues have made great strides in handling sexual assault cases in the civilian world, and I believe we should take the lessons learned from that process to improve the military's response—lessons including proper training for tackling evidentiary issues and addressing victims' needs.

Third, commanding officers can overturn verdicts of jury trials, as happened in the Air Force earlier this year. These are commanding officers, they are not appellate judges; they are not legally trained. They should not have the authority to overturn a verdict. I believe we should review that authority as it applies to sexual assault cases, something Defense Secretary Hagel has indicated should be a priority.

Finally, we need to explore whether the present Uniform Code of Military Justice is up to the task of addressing the problem of sexual assault. I believe both the Armed Forces and the cause of justice would be well served by a vigorous debate in Congress on whether sexual assault cases can be effectively handled within the chain of command or whether this process needs to occur independently. Significant overhauls of

the Uniform Code of Military Justice should not be approached lightly, but we owe it to our servicemembers to think outside the box and consider all possibilities.

These men and women of our military cannot wait another day, and they should not have to wait another day for this problem to be addressed. I urge my colleagues to join me in taking concrete steps to address this issue and to protect the men and women who sacrifice so much for us each and every day.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, Senators BOXER and VITTER have worked hard for days now to come up with a finite list of amendments to complete work on this very important bill, the Water Resources Development Act. In just a minute I am going to ask consent that we postpone the vote scheduled for 12 today until 2:30. We will come back in session, I hope, at 2:15 today. When we come back in session I want Chairman BOXER to report to the Senate if they have been able to work out an agreement between the two of them. If they have, I want her to ask the consent and when she asks that consent, if there is an agreement, we will work through a number of amendments they have come up with to complete work on this bill.

If there is no agreement at 2:15 when she comes in, then we will vote at 2:30 on cloture. I hope that is not necessary. But I am not going to have any "I'm objecting on behalf of somebody else." If it is not done, I don't care who objects, we are going to move to cloture. That is what I believe should be done.

It is a lot of work to get this agreement. I think tentatively it has been done. We know how things work; one Senator can block all this. I hope that is not the case. I know the block will not come from our side. Senator BOXER has the complete confidence of all members of our conference. They recognize that she has worked hard on this and has done the right thing—as she always does.

I ask unanimous consent that the vote on the motion to invoke cloture on S. 601 be moved to 2:30 p.m.

I will ask, while she is on the floor, the Senator from California, the chairman of the committee, is there anything I have missed in my statement?

Mrs. BOXER. If my friend will yield, through the Chair, I think he has covered it. Basically what I want to make sure people know as they go to their

various conference meetings this afternoon is that we have a very fair list. I think it probably has more Republican amendments than Democratic amendments. We have done everything to reach an agreement.

But I also want to support my leader. If there is objection to this important list of amendments, we will go straight to cloture. I want everyone to understand, without this bill there will be no more water infrastructure projects because there is no path forward. Since we ended earmarks, this is the one bill that will make sure there is a path forward. Without water infrastructure earmarks you cannot keep commerce moving at the ports, you can't do flood control, you can't restore the Everglades or the Chesapeake. I strongly support what my leader is doing but I also hope colleagues will please allow us to move forward, make the cloture vote unnecessary. But we are going to have that cloture vote, if necessary, at 2:30.

Mr. REID. I ask unanimous consent the vote on the motion to invoke cloture on S. 601 be moved to 2:30 p.m. this afternoon; that if cloture is invoked, it will be considered as having been invoked at 12 noon.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Virginia.

THE BUDGET

Mr. KAINE. Madam President, I rise today to talk about the continuing efforts by a minority of this body to block a Federal budget by blocking a conference with the House to find compromise. I spoke about this one week ago, but the stalemate continues.

Today there was an announcement that in my Commonwealth, 90,000 civilian Department of Defense employees and hundreds of thousands of DOD civilians nationally will be furloughed for 11 days between now and the end of the year. This furlough announcement—along with ample other evidence we have discussed in this body in the last few weeks—demonstrates that budgetary gridlock, budgetary indecision, and budgetary stalling has real-life consequences.

I rise to implore my Senate colleagues to do what is right and to do the job the American public has sent us here to do. This is not only about budgets, it is also about something even bigger than budgets. It is about something fundamental to the entire system of government we have; that is, the willingness to work together to find common ground and find solutions.

I truly view this budgetary stalemate as an attack on compromise. We cannot survive as a Senate or as a Congress or as a nation without finding common ground.

I know the Presiding Officer, like me, was out on the campaign trail a lot in

2012. I heard a repeated critique of this body during the campaign. I heard that this body was unable to produce a budget since 2009. There were some arguments back and forth about whether that was technically accurate. As I looked at it as a candidate, it was at least clear that a normal budgetary order in accordance with the Budget Act of 1974 had not been followed for a number of years.

As a candidate and citizen of the Commonwealth and country, I said: If I have the opportunity to serve in this body, I am going to work with my colleagues to make sure we do the public's business in the way that was contemplated in that statute.

Although I didn't ask, I was assigned to be on the Senate Budget Committee as soon as I got to this body. I immediately made clear—along with many other Members, both newcomers and Members who had been on the committee for a while, including the new committee chair, Senator MURRAY—that this body needed to return to normal budgetary procedures.

It seemed as though over the past few years, Congress tried a lot of other things—supercommittees, sequesters, and continuing resolutions—none of which were working to do the Nation's fiscal business. Along with many Senators of both parties, I said the right strategy for us is to return to normal budgetary procedure. We can make it work just as Congresses in the past have made it work.

I entered the body on January 3—more than 4 months ago—with the profound belief that we needed to embrace the normal procedures about doing a budget. Those normal procedures are known to all. People read in textbooks about how bills become laws. Essentially, in the spring the Senate and House, under normal procedure, would each pass a budget. Those budget bills would likely be significantly different.

Even when the parties controlling the two Houses are the same, the two House budgets are different. There is then some effort to find a compromise between the two differing versions often through use of a conference committee. Once that compromise is found, then that compromise is sent back to each House for a vote, and it then becomes the guidance that is used by the Appropriations Committee to write the bill's appropriating dollars for the next fiscal year. That is the normal process, and it is the way Congress has operated under both parties, under split Houses for many years.

Here is the good news: The Senate Budget Committee embraced this challenge. Chairman MURRAY worked with staff and members of the committee to create a draft budget, and then early in mid-March we had robust committee hearings, a full debate, and a full amendment process about a Senate budget.

In March the committee ultimately considered the chairman's mark for 13 hours, and we had a full amendment process. We voted on over 30 amendments, the majority of which were made by Republican members of the committee. We debated and voted on those amendments. I sat there and voted for a number of the Republican amendments to the budget that then became part of the ultimate committee product.

Republican members offered numerous amendments. In response to an amendment offered by a Republican member, I remember my colleague from Maine, Senator KING, asking: If I vote for your amendment, are you going to vote for this committee budget? The answer was given in public.

The answer was: No. I want you to vote for my amendment, but I am still going to vote against the budget. I am going to vote against it because the House will produce a Republican budget, the Senate will produce a Democratic budget, and then we can get those two budgets together and find compromise going forward.

That was what was said when we met as a Budget Committee. At the end of the day, the Senate Budget Committee passed that budget in mid-March, and passed it without a single Republican vote. The budget was passed and forwarded to the Senate floor.

I know the Presiding Officer remembers this, as it is emblazoned upon all of our memories. We took the budget to the Senate floor in late March. The budget was the subject of floor activity in this body for 39½ hours. We don't do a lot around here for 39½ hours, but the budget was subject to floor activity and numerous speeches by Senators, just like me, over the course of that week.

The entire body then considered, debated, and voted on nearly 110 amendments to the budget. We passed 77 of the amendments. The amendments that were passed were offered by both Democrats and Republicans. I remember voting for many of the Republican amendments that then became part of the ultimate budget bill. This amendment activity—110 amendments, 77 passing—is significantly greater than has been the norm in earlier Senate deliberations.

At 5 a.m. on the morning of Saturday, March 23, the Senate passed its first budget in 4 years. Not a single Republican voted to support that budget even though many of their amendments had been included either in the committee or in the floor amendment process we had during those hours in late March.

I have done a lot of budgets as a mayor and as a Governor. Along with my colleagues on the Budget Committee, I worked hard in the committee and on the floor. My staff—as well as the Senate Budget Committee

staff and the staffers of all the members on that committee—also worked hard on this bill. I am proud we passed a budget on March 23, and I believe firmly if that budget were implemented today, without changing one apostrophe, comma, or punctuation mark, it would do a number of things: It would help create jobs, it would help the economy, and it would deal with our debt and deficit in a fiscally responsible way.

I also understood this: that the Senate budget we passed was not the final product. It was the Senate's best effort to find a budget that would move our economy and our country forward. We knew that budget would be placed in a conference with the House budget. The House passed their budget the same week. We knew there would have to be discussion and compromise in an effort to find common ground, but we did our best version and the House, I assume, feels as though they did their very best version.

The two budgets are very different. I deeply believe the Senate budget is superior and the American people, watching the discussions between the two Houses and comparing them, would reach the same conclusion. But at the very least I know this: The American public are entitled to see that debate and discussion. They are entitled to look at the House budget and look at the Senate budget and compare them, just as the conferees would be comparing. They are entitled to watch that process of dialog and debate and, hopefully, compromise. That is, in fact, what they have sent us here to do, and that is what Congresses have done for many years and decades.

The process of a budget conference would not be an easy one because the two budgets are quite different, but there is no substitute for dialog and compromise. In fact, I think all of us in this body know dialog and compromise at its core are what we are about here.

When the Framers of our Constitution, in article I, set up a legislative branch with two Houses—a bicameral branch—and required that most items to pass through Congress would have to go through both branches, they understood very well what they were doing. They were creating a system of checks and balances that required dialog and listening and compromise in order to do good for the benefit of the Nation. At our very root, a bicameral legislature, existing in a system of checks and balances, with a judiciary and an executive branch, depends upon public servants who are willing to find common ground.

Well, since March 23—nearly 7 weeks—a small minority of Senators, often one at a time, has done all it can to block a budget conference from even beginning and, therefore, to block compromise. As we have taken steps to begin a budget conference with the

House leadership to put these two budgets together and find compromise, again and again individual Senators have stood on the floor of this body and, in my view, abused the UC rules to block a conference from even beginning. Even as budgetary indecision and sequester are leading to furloughs, they have blocked a conference from even beginning. Even as we are seeing reductions in the number of people who are able to receive Meals On Wheels or children in Head Start, they have abused Senate rules to block a budget conference from even beginning.

I serve on the Armed Services Committee. We are working on the Defense authorization bill now, and we have the service chiefs come in and talk to us every day about the challenges they are facing, about the degraded readiness. One-third of our air combat command units are standing down because of these budgetary challenges. We hear the steady drumbeat, day in and day out, about degradation in readiness and challenges to our modernization programs. We had a hearing about the Marine Corps this morning. Yet even as we are hearing this testimony in hearings in the morning and in the afternoon, Members come to this floor and stand and try to block a budget conference from even beginning.

This is very serious. When we are talking about the readiness of our military who are facing challenges—just pick up today's paper and read headlines about Syria or North Korea or Iran—as we are facing continuing challenges in Afghanistan, to have Members in this body block efforts to find compromise is very chilling.

Let's be clear about what this is. This is not just an attack on the budget itself, because those who want to attack the budget voted against it in committee. Those who didn't like the budget had a chance and voted against it on the floor. Even in the event a conference committee would produce a budget compromise, that compromise would come back and those who didn't like that budget would have a chance to vote against it again. That is how we attack a budget. That is how we express disagreement with a budget. A Member stands on the floor of this body and votes against it. The Members have had a chance to do that in committee and on the floor and they will have a chance to do it again at the end of the conference process.

The effort that has been underway in this body since March 23 is not fundamentally an attack on budgets, it is an attack on the whole notion of compromise. To block a conference committee from beginning so House and Senate conferees can sit down and listen to each other and try to iron out their differences is fundamentally an attack on compromise. We have seen that too much in this body. Anyone in this room knows that, if a person is not

a hermit, if a person is a member of a family or a member of a parish council or a member of the PTA or part of an organizing group of a Little League, if a person has a business or if a person is elected to a school board or to the Senate—everybody knows if we participate in life, it has to be about compromise. Our Founders knew it and they created a system that relies upon compromise.

What we have seen in this body since March 23, after people had a full opportunity to amend and vote on a budget, is not about a budget, it is an attack on compromise.

I conclude by saying that just as no family can succeed without compromise, just as no community, just as no business, just as no school board, just as no group of people can succeed without compromise, Congress, the Senate, and our Nation cannot succeed without a spirit of compromise.

So I implore and I ask my colleagues to rethink the path they are on, to stand down in this attack upon compromise, to allow the budget to go to conference so we can do the tough work of listening to each other and finding common ground for the good of the American people.

Thank you, Madam President. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

WATER RESOURCES DEVELOPMENT ACT OF 2013—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. What is the order?

The PRESIDING OFFICER. The Senate is considering S. 601.

Mrs. BOXER. We are working on our finite list, and we expect to make our unanimous consent shortly.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. While we have some down time on the floor to wait for the 2:30 hour—I believe we are going to have some action on the WRDA bill, which is very important—I thought I would take this time to talk about an amendment I have pending on the WRDA bill. It is an amendment that I offered for myself, Senator VITTER, Senator SCHUMER, and Senator MENENDEZ. Several other Senators have expressed their strong support over the weekend on both sides, Republicans and Democrats.

There are many States in the Union, and Louisiana is only one—the State of Florida, the State of California, the State of Mississippi, the State of Alabama, other coastal States and, yes, some inland States—that are going to be terribly disadvantaged if the Landrieu-Vitter amendment does not pass on the WRDA bill. What is going to happen because of a reform bill—parts of it were necessary, but there were some parts that, in my view and in the view of many Senators, should never have passed as part of the flood insurance reform bill.

The reason some of us are fairly exercised about this is the bill itself, the reform bill to reform the Flood Insurance Program of the United States, never came to this floor for debate. It came out of the Banking Committee, and then it was basically tucked into a larger omnibus bill, which happens sometimes. This is not the only or the first time it has happened. It is very unfortunate that it happened with this bill.

In our haste and in our good intentions to try to put national flood insurance on a more even financial keel, we have put the ability, unfortunately, in this bill for flood insurance rates to go up 20 percent a year on hundreds of thousands of first homes in this country—not second homes, not vacation homes, but first homes. The Landrieu-Vitter amendment doesn't try to solve this whole problem on the WRDA bill. It is going to take a little bit of work, which we can do, working together in good faith on behalf of our constituents.

This is big government at its worst—passing a reform bill and making the cure worse than the disease. In this case, for my constituents and for constituents in Florida, Mississippi, California, and New Jersey, we would have taken the disease as opposed to the cure. The cure is going to kill us. We weren't sure about the disease, but the cure is going to kill us.

Our papers have been editorializing for days since this issue has come to the surface on the WRDA bill. Our largest newspaper or second largest newspaper editorialized this morning and spoke about a quite senior woman—in her eighties—who lives with her daughter, who is in her sixties, in Plaquemines Parish. It is very typical

to have families of different generations living together. They were in Plaquemines Parish before the flood insurance measure was ever passed.

We were living in Louisiana before this Nation was a nation. Our people have been down there a long time living on this water. They built their houses centuries—not this couple, but we had houses built centuries before this bill was ever passed. Now, what the law—the cure that is going to kill us—says is that this is their choice: They can elevate their home 18 feet, which probably would cost \$50,000, which they don't have, or their flood insurance will go up to something on the order of \$15,000 or \$20,000 a year, which they can't pay.

One may say: That is too bad. Let them sell the house.

Their house has no value.

This is a dilemma not just for the people of Louisiana but for people from Mississippi, Alabama, California, and New York. We have a solution. The solution I have offered is temporary until we can be smart and think about how to fix this, and it doesn't cost anything.

I am begging Members to allow us this short period of time to get this cure corrected. We can find a way to make this program balance. We don't have to do that today, at this moment. Give us a little breathing room to figure this out. I believe this program could be self-sustaining. I am not an expert on insurance, but I am very fortunate to serve with colleagues who are. I am sure we can put our heads together and come up with something better than what is coming down like a firehose out there on lots of people in communities in Florida, Louisiana, Mississippi, and Alabama.

My understanding is—the managers are not on the floor—that there are about eight or nine amendments that have been worked out, hopefully, on both sides of the aisle. One of them is the Landrieu-Vitter fix, the flood insurance amendment that has zero cost to the taxpayer—zero. It is a temporary reprieve of rates going up for grandfathered homes, which affects many people in Florida, Louisiana, and in other States as well. It has a zero score. The CBO has testified. We have letters from CBO.

Please give our people this breathing room. I promise that I will work in good faith.

There are probably a few other things that need to be fixed in this flood insurance bill as we find a better way to lower costs to the taxpayer and to provide opportunities for people to live on a mountaintop if they choose, in a valley or on the coast, but to be safely sustainable. We all need to work together as a country. We can find an affordable way for our people—and not just millionaires—to be able to live on the coast. We have to make room for

our fishermen, our agriculture, our farmers, and our aquaculture folks who have invested a good amount of money in helping to build more sustainable fisheries for our Nation. We have people who have to live near the water for commerce and trade. Not everybody lives by the water to vacation. Some people live by the water to work, which is an essential part of the work to keep this country moving forward. We have to figure out a way to allow them to do that in an affordable manner without completely undermining the coastal counties of our country.

Senator SCHUMER is on the floor now with some others who also have been working. I thank them for working over the weekend. Let's help them get this list of amendments cleared. One of those amendments will be the Landrieu-Vitter amendment on fixing temporarily—giving some reprieve to thousands of homeowners who are desperate for a signal from us that we get it, we understand. We didn't correct this appropriately. We are going to respond, as a democracy should, and give them a little signal today that as the WRDA bill moves forward, we can fine-tune and modify this flood insurance reform.

I understand we are ready for action on WRDA.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 847, 899 AS MODIFIED, 895, 894, 867, 872, 912, 880, 904, 884, 870 AS MODIFIED, 911 AS MODIFIED, 882, 903 AS MODIFIED, 906 AS MODIFIED, 893, 898, 861 AS MODIFIED, 907, AND 896 EN BLOC

Mrs. BOXER. For the interest of Senators, we are going to very shortly propound a consent agreement that has been cleared by Senator VITTER and myself and we will see where that takes us. If it needs to be modified, we may well do that, but I want Senators to know it is our hope we can avert a cloture vote at this time.

I ask unanimous consent the following amendments be considered and agreed to en bloc: Baucus No. 847, Boxer-Vitter No. 899 as modified, Inhofe No. 895, Wicker No. 894, Inhofe No. 867, Boozman No. 872, Thune No. 912, Cornyn No. 880, Murkowski No. 904, Klobuchar No. 884, Wyden No. 870 as modified, Cochran No. 911 as modified, Carper No. 882, Murkowski No. 903 as modified, Durbin No. 906 as modified, Levin No. 893, Collins No. 898, Cardin No. 861 as modified, Brown-Graham No. 907, and Wyden No. 896; further, that the only remaining amendments in order to the bill be the following: Inhofe No. 797, Barrasso No. 868, Sand-

ers No. 889, Johnson and Landrieu—Johnson No. 891, Landrieu No. 888, Coburn No. 815, Coburn No. 816, Boozman No. 822, Merkley No. 866, Udall of New Mexico No. 853, and Hoeven No. 909; further, that no second-degree amendments be in order to any of the amendments prior to votes in relation to the amendment; that the time until 5 p.m. be equally divided between the two leaders or their designees for debate on all of the amendments; that at 5 p.m. the Senate proceed to vote in relation to the amendments in the order I have listed; that all after the first vote be 10-minute votes; that there be 2 minutes equally divided prior to each vote; that the following amendments be subjected to a 60-affirmative-vote threshold: Sanders No. 899, Johnson No. 891, Landrieu No. 888, and Barrasso No. 868; finally, that upon disposition of the Hoeven amendment No. 909, the cloture motion be withdrawn, the Senate proceed to vote on the passage of S. 601, as amended.

The PRESIDING OFFICER. Is there objection? The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, reserving the right to object, I want to point out there is one amendment in this package that is very troubling to me. Under the current flood insurance law we passed just 10 months ago, we put in place a mechanism to diminish the subsidization that occurs now where homeowners in low-risk areas are made to subsidize homeowners in high-risk areas by the nature of the way premiums are set. The existing law is designed to diminish significantly that unfair subsidy that occurs, and I think that is why the chairman and the ranking member of the Banking Committee and many others of our colleagues oppose this amendment.

If this amendment goes through, the Landrieu amendment No. 888, then for 5 years this reform cannot take place and that means not only do people in low-risk areas continue subsidizing people in high-risk areas, but because people in high-risk areas are paying lower premiums than what they ought to pay to reflect the risk they are taking, it creates the moral hazard of a risk to continue building in high-risk areas with the expectation this will continue and therefore jeopardizes taxpayer funds.

This is already a program that is \$24 billion in debt and that is the reason I object.

The PRESIDING OFFICER. Objection is heard. The Senator from California.

Mrs. BOXER. Madam President, it is my understanding, listening to my friend from Pennsylvania, that he objects to the Landrieu amendment. It is also my understanding that Senator LANDRIEU would like to be heard on this matter. Then I will propound a new consent request. I ask she get the floor and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I wish to clarify through the Chair that the Senator from Pennsylvania is not objecting to the long list of amendments as described by the chairman of the committee, he is only objecting to amendment No. 888 and objecting to a vote on amendment No. 888 by myself, Senator VITTER, Senator SCHUMER, Senator MENENDEZ, Senator LAUTENBERG, and others; is that correct? Is the Senator objecting to a vote or to the amendment?

Mr. TOOMEY. Madam President, my understanding is there is a unanimous consent request for a series of amendments on this bill, and I am objecting to that consent request because it contains the Landrieu amendment No. 888.

Ms. LANDRIEU. So it is my understanding, Madam President, through the Chair, that the Senator is objecting to a vote on the amendment. He is certainly entitled, in my view, to vote against the amendment. That is what debate on the floor is all about. But he is not expressing his objection to that. He is objecting to having a vote on the amendment; is that correct?

Mr. TOOMEY. Madam President, as I said earlier, this is a matter that has been litigated and adjudicated in this body. We have had a vote on this. This has not come back through committee. This would cause considerable risk to taxpayers. If the Senator from Louisiana believes this is something that needs to be addressed yet again, despite the fact that 10 months ago we had a vote on this—and we did vote, then I would be happy to work with the Senator on how we might address that. But my objection still remains.

Ms. LANDRIEU. Madam President, I am just trying to get clarification through the Chair from the Senator from Pennsylvania. I understand he objects to my amendment. That is not what I am asking him. I would just like a yes or no answer; is he objecting to a vote on the amendment?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I think I answered the question.

Ms. LANDRIEU. He did not answer the question clearly, but since he will not answer the question, which is unfortunate, I wish to make it clear for the record that the Senator from Pennsylvania is objecting to a vote on the Landrieu-Vitter amendment. He most certainly is entitled to vote no on our amendment. Other Senators may vote no. But I want the record to show he is saying, no, we cannot even have a vote.

If I could have 5 more minutes. I will take 3 more minutes. I want to say how disappointing it is to me because the Senator is unfortunately wrong on several counts.

No. 1, this floor never voted on the Biggert-Waters bill. As I said a dozen

times, the bill came out of the Banking Committee with broad bipartisan support. A different bill was passed by the House. Then these two bills that were very different and tried to “reform the flood insurance program” were tucked into a conference committee report. I want the RECORD to show this floor never voted on the reform, and the cure that came out of the conference committee is worse than the disease.

Second, I want to tell the Senator from Pennsylvania I think this is going to come back to haunt him because the people of his own State are going to be negatively affected by his actions today.

There are 74,000 people in Pennsylvania—4,000 in Philadelphia alone but 74,000 people in Pennsylvania who pay flood insurance rates. Under the proposal that never came to this Senate floor, those rates in some cases can go up 20 or 30 percent in 1 year.

For the RECORD, I want to put in: In Florida, 2 million people are affected; Texas, 645,000; Louisiana, 486,000; California, 256,000; New Jersey, 240,000; South Carolina, 205,000; New York, 178,000; North Carolina, 138,000—I am not going to read all of this—Virginia, 116,000; and in Pennsylvania, 74,000. I could go on. I ask unanimous consent this list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NFIP POLICIES BY STATE
(County/City Examples)

State/County/City	Policies in Force
1 Florida	2,060,245
City of Fort Lauderdale	42,126
2 Texas	645,615
City of Houston	132,529
3 Louisiana	486,580
Jefferson Parish	121,501
4 California	256,095
City of Sacramento	46,758
5 New Jersey	240,857
Ocean City	17,370
6 South Carolina	205,146
Beaufort County	54,201
7 New York	178,863
New York City	44,415
8 North Carolina	138,605
Dare County	22,157
9 Virginia	116,275
City of Virginia Beach	25,530
10 Georgia	96,906
Chatam County	31,870
11 Mississippi	75,186
Harrison County	20,271
12 Pennsylvania	74,006
Philadelphia	4,330
13 Maryland	73,696
Ocean City	27,232
14 Massachusetts	59,420
Plymouth County	10,748
15 Hawaii	59,290
Honolulu	37,398
16 Alabama	58,048
Baldwin County	26,985
17 Puerto Rico	55,964
Puerto Rico	50,935
18 Illinois	48,498
Cook County	17,777
19 Washington	45,200
Skagit County	5,728
20 Ohio	41,920
Ottawa County	1,962
21 Connecticut	41,710
Fairfield County	17,140
22 Arizona	35,000
Scottsdale	8,672
23 Oregon	34,764
Portland	2,148
24 Tennessee	33,745
Davidson County	7,377
25 Indiana	30,933

NFIP POLICIES BY STATE—Continued
(County/City Examples)

State/County/City	Policies in Force
Indianapolis	5,852
26 Missouri	26,640
St. Louis County	1,229
27 Michigan	26,247
City of Dearborn Heights	1,232
28 Delaware	26,011
Sussex County	21,250
29 Kentucky	25,179
Louisville-Jefferson County	5,503
30 Arkansas	2,459
Little Rock	1,487

Ms. LANDRIEU. Second, I have a letter from the National Association of Home Builders—not a liberal-leaning organization and most certainly not a group that just works in Louisiana. People build homes all over America including in Pennsylvania. They sent a strong letter urging us to adopt the Landrieu-Vitter amendment which will just temporarily put a hold on raising rates 20 to 40 to 60 to 80 percent on grandfathered homes that were around before the flood insurance program was ever invented by Members of this body, well before I was even a Senator.

What this says is the program should be widely available, it should be affordable, so people can live in many different places of America. This is one big great country with lots of different kinds of neighborhoods. That is what the National Association of Home Builders said, and I am going to submit their letter.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, DC, May 14, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: On behalf of the more than 140,000 members of the National Association of Home Builders (NAHB), I am writing to express strong support for amendment #888 (sponsored by Senators Mary Landrieu and David Vitter) to S. 601, the Water Resources and Development Act of 2013. This amendment would delay flood insurance premium increases on certain properties for 5 years. NAHB believes a financially-stable National Flood Insurance Program is in all of our interests, yet we must ensure that overall affordability is not adversely affected.

The Biggert-Waters Flood Insurance Reform Act of 2012 (BW12) reauthorized the NFIP for five years and included a phase-in to actuarial rates to help return the program to sound financial footing. Also included in the law was the requirement for a study and a report on the affordability of NFIP premiums and the effects of increased premiums on low-income homeowners.

The BW12 phase-in to actuarial rates is separated into two different segments of policy-holders. Some homeowners will start to see premium increases in October, while the others will start in 2014, once the new scientific rate maps have been drawn and approved. Over the next year and a half, many

hard working homeowners in flood-prone areas (and newly-drawn flood prone areas) could see large flood insurance premium increases. The Landrieu-Vitter amendment ensures that the later changes are delayed to help Congress re-examine consumer affordability and answer other questions about implementing BW12. NAHB believes this amendment is a first step in balancing consumer affordability and re-establishing the solvency of the program.

The homebuilding industry depends on the NFIP to be annually predictable, universally available, affordable and fiscally viable. This program enables the home building industry to deliver safe, decent, affordable housing to consumers in all areas of the country. We urge you to support this important amendment that balances the fiscal solvency of the NFIP and consumer affordability.

Sincerely,

JAMES W. TOBIN III,
Senior Vice President &
Chief Lobbyist.

Ms. LANDRIEU. Evidently, the Senator from Pennsylvania doesn't understand this. That is fine. We have disagreements and I respect him. He should vote no. But to stop a vote?

The third and final argument I am going to make in my 30 seconds left, we worked so hard on this amendment that it doesn't even cost anything.

We have a zero score—zero. It does not cost one dime, not one dollar, and still the Senator from Pennsylvania, with 74,000 people in his State who could be affected, is objecting to even voting on giving people a chance. We are going to be on this issue again; it is going to come back.

I praise Senators BOXER and VITTER for their work on WRDA. It is a shame that we cannot even get a vote to postpone this issue to try to see if we could make it more affordable. It doesn't cost anything.

I say to the Senator from California that I am sorry for holding this up. I thought this was important. We worked on it all week. Everybody is cleared except for one Senator from Pennsylvania.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Louisiana.

Mr. VITTER. Madam President, I rise to very briefly agree with two key points made by my colleague from Louisiana. First of all, as far as the substance of this amendment goes, I wholeheartedly agree with her, and that is why I am a sponsor of this amendment as well.

We will visit this issue again because it is vitally important that we get it right—not just for the tens of thousands of folks from Louisiana but for millions of Americans across the country. We need to get this right, and we don't yet have it right.

Secondly and also very importantly, I absolutely agree that we should have debate and votes on the Senate floor. I don't think any Member should object to just having a vote on a matter.

My colleague, the Senator from Pennsylvania, has been a leading advocate to have an open amendment process on the Senate floor, to allow votes, and I agreed with that. I fought with the chair of the committee to have an open amendment process in the context of this bill, and we got it. Now, at the end of the day, he objects to even having a vote on a particular amendment he doesn't like. The Senator cannot have it both ways. If the Senator wants an open amendment process on the floor, as I do, then he will have to accept that he may have to take votes on amendments he doesn't agree with. I accept that; I wish he would accept that. I hope it will continue and grow from here.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I think everybody who is listening to this understands that there has been a disagreement here—a pretty tough one.

I have to praise Senator LANDRIEU for saying: Look, I am going to bring this fight back another day. She has told me she would be willing to support a new, modified request—the same one I made about 10 minutes ago—and take out Johnson amendment No. 891 and Landrieu amendment No. 888. I believe the new request will be acceptable to all in the Senate.

I renew my request with that change—the deletion of Johnson amendment No. 891 and Landrieu amendment No. 888. I ask unanimous consent that we move forward with this agreement at this time.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. RUBIO. Mr. President, reserving the right to object, we realized over the last 72 hours that we were all scandalized when we learned that the Internal Revenue Service of the United States and employees within the Internal Revenue Service were targeting fellow Americans and political organizations because of their political views. The feelings we have are bipartisan—I hope they are. I don't think any of us want to see an agency of government being used to target our fellow Americans because of their points of view on a political issue. This is a very serious issue.

Yesterday I called for the President to ask for the resignation of the acting chief of the IRS. I asked that there be a criminal investigation launched in this matter, which Attorney General Holder has announced today.

I have prepared an amendment that I think is timely and that I hope we will consider in this body that makes it a crime for an employee of the IRS to target individual taxpayers or organizations because of their political views. I stand today to ask if the chairwoman would consider consenting to allow my Rubio amendment No. 892 to be included in the unanimous consent agreement.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. If I might respond to my friend's request, the American people need to know that we are dealing on this Senate floor with a bill that is the Water Resources Development Act. This bill is about improvements in flood control so we don't have anymore Hurricane Sandys. This is also about port-deepening and about 500,000 jobs. This is about restoring the Chesapeake Bay and the Everglades in my friend's home State. What a beautiful spot that is, I say to my friend. It is not about the IRS scandal, although I could not agree more with my friend. Anyone who would play politics at the IRS is doing a disservice to this Nation. I am happy to look at this law. They ought to be canned.

Mr. President, I ask unanimous consent that an inquiry which took place by the IRS into a church in my State—the All Saints Church—in the district of ADAM SCHIFF be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Dec. 9, 2005]

INQUIRY INTO IRS INVESTIGATIONS OF CHURCHES IS SOUGHT

(By Patricia Ward Biederman)

Expressing concern about the 1st Amendment rights of clergy, Rep. Adam B. Schiff (D-Burbank) and two Republican colleagues called Thursday for an investigation by the U.S. Government Accountability Office into the IRS' recent probes of alleged "campaign intervention" by churches, including Pasadena's liberal All Saints Church.

Schiff, whose district includes Pasadena, said he asked for information from the IRS on its church inquiries soon after learning in November that the local Episcopal church could lose its tax-exempt status because of an antiwar sermon preached by former Rector George Regas just before the 2004 presidential election.

Because the IRS has yet to respond to his request, Schiff said, "I've gone to the next level."

On Thursday, Reps. Walter B. Jones (R-N.C.) and Joe Pitts (R-Pa.) joined with Schiff in sending a letter to GAO Comptroller General David M. Walker. They asked the office to look into reports that the IRS is investigating places of worship "based on the content of sermons or other discourse delivered as part of a religious service or gathering."

Although the tax code prohibits tax-exempt organizations from "intervening in political campaigns and elections," the congressmen said, "We believe that the faith community has every right to express itself in the political process."

Spokesman Eric Smith said IRS policy precludes commenting on requests such as the congressmen's. But Smith cited a report released by the Treasury Department in February that found the IRS had "not . . .

All Saints Rector Edwin Bacon announced Nov. 6 that the church's tax-exempt status was threatened.

The congregation has received wide support, from evangelicals as well as liberal groups. All Saints expects an IRS decision soon, a church spokesman said.

Mrs. BOXER. Republicans and Democrats at that time asked for investigations into this, and this is from 2005.

I ask unanimous consent that an article that talks about the investigation of the NAACP that involved the IRS in 2006 be printed in the RECORD.

This is a continuing scandal. It is outrageous, and I think anyone who goes after a liberal group should be canned. Anyone who goes after a conservative group should be canned unless there is reason to do so. But it appears they are not following the rules of nonprofits, which is they cannot be political.

I ask that those items be placed in the RECORD only to remind people that this is a bad and terrible thing that has happened, and it has been a while.

I object to the request that we place such an urgently important matter on this long-term bill. It is going to take a while for us to get it through the House. We don't know when the conference will come back.

I object to the unanimous consent request to turn a bill like this into a bill about the IRS scandal.

The PRESIDING OFFICER. First of all, on the second request of the Senator from California, is there any objection?

The Chair hears none.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 1, 2006]

IRS ENDS 2-YEAR PROBE OF NAACP'S TAX STATUS; LEADER'S CRITICISM OF BUSH IN 2004 DID NOT VIOLATE LAW, AGENCY DECIDES

(By Darryl Fears)

Nearly two years after a controversial decision to investigate the NAACP for criticizing President Bush during the 2004 presidential campaign, the Internal Revenue Service has ruled that the remarks did not violate the group's tax-exempt status.

In a letter released yesterday by the NAACP, the IRS said the group, the nation's oldest and largest civil rights organization, "continued to qualify" as tax-exempt.

If the NAACP were stripped of the status, donors would not be allowed to claim contributions to the group on income tax returns.

Federal law requires tax-exempt nonprofit organizations to be politically nonpartisan.

"It was an enormous threat," NAACP Chairman Julian Bond said of the investigation. The opposite outcome, he said, "would have reduced our income remarkably."

Bond reiterated his belief that the investigation was politically motivated. He said the decision, received by the NAACP on Aug. 9, "meant that they thought they had harassed us enough and they could stop."

In a response to lawmakers who expressed outrage over the investigation in 2004, IRS Commissioner Mark W. Everson said the agency's examinations are based on tax law, not partisanship.

The commissioner said the investigation of the NAACP was undertaken because two congressional leaders, whom he declined to name, requested it. They were unhappy because Bond criticized Bush in a speech in July 2004, saying his administration

preached racial neutrality and practiced racial division.

"They write a new constitution of Iraq and they ignore the Constitution at home," Bond said.

After filing four freedom-of-information requests, NAACP lawyers discovered that far more than two members of Congress called for an investigation and that all were Republicans.

Republican Sens. Lamar Alexander (Tenn.) and Susan Collins (Maine) called for the investigation.

Others included Rep. Jo Ann S. Davis (R-Va.) and then-Rep. Larry Combest (R-Tex.). Former GOP representatives Joe Scarborough of Florida, who now hosts a talk show, and Robert L. Ehrlich Jr., currently governor of Maryland, also requested a probe.

The investigation started Oct. 8, 2004, a month before the election. As the investigation dragged on into the following February, the NAACP announced that it would not continue to cooperate.

Angela Ciccolo, an NAACP lawyer, noted that although Bond's remarks were made in July 2004, the investigation did not begin until October, just when the NAACP was attempting to register voters. "The timing of the investigation is critical," she said.

When the investigation started, Bush and the NAACP were locked in a long-running feud that started shortly before the president's first election victory in 2000.

During that campaign, the NAACP ran television spots featuring the daughter of James Byrd Jr., a black man who was dragged to death behind a pickup truck in Texas in 1998. She criticized Bush, then governor of Texas, for not signing hate-crime legislation.

The rift grew when the NAACP charged that Republicans in Florida stole the 2000 election by turning black voters away from the polls.

Recently, however, the relationship between the group and Bush has begun to warm. Bush addressed the NAACP convention in July for the first time in his six years in office, avoiding becoming the first president since Warren G. Harding to snub the group for an entire presidency.

"It's disappointing that the IRS took nearly two years to conclude what we knew from the beginning: The NAACP did not violate tax laws and continues to be politically non-partisan," said its president, Bruce S. Gordon.

CORRECTION-DATE: September 12, 2006; September 21, 2006

CORRECTION:

A Sept. 1 article incorrectly said that the Internal Revenue Service had named the NAACP as a group whose tax-exempt status was being investigated in response to questions from congressmen. Though the NAACP's status was investigated, the IRS did not name the group.

A Sept. 1 article incorrectly listed several Republicans as having called for an Internal Revenue Service investigation into the tax-exempt status of the NAACP. Named were Sens. Lamar Alexander (Tenn.) and Susan Collins (Maine); Rep. Jo Ann S. Davis (Va.); and former representatives Larry Combest (Tex.), Joe Scarborough (Fla.) and Robert L. Ehrlich Jr. (Md.). The lawmakers forwarded complaints and requests for an investigation from constituents to the IRS.

LOAD-DATE: September 1, 2006.

The **PRESIDING OFFICER**. The Senator from Florida.

Mr. RUBIO. Mr. President, reserving the right to object, and I will not ob-

ject to the unanimous consent request because of the importance of this issue to many States in the country, let me close by saying that we need to understand what happened here over the last 72 hours and what we found out. Employees of the Internal Revenue Service made a decision that they were going to specifically target groups who had things like "tea party" and the word "patriot" in their organization, groups who looked to do things like protect the Constitution of the United States. This is outrageous.

There is growing evidence that higher-ups—significant people in the IRS—knew about this and were not disclosing that to Members of Congress. Members of this body were asking the IRS directly: Are you involved in this? Is this happening? They were not giving us information we now know they had.

I will not object to the unanimous consent request because of the importance of this issue, but this issue will not and cannot go away because of the importance of it.

The **PRESIDING OFFICER**. Is there objection to the request?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 847

(Purpose: To modify a provision relating to Northern Rockies headwaters extreme weather mitigation)

On page 236, strike line 13 and insert the following:

(f) **EFFECT OF SECTION.**—

(1) **IN GENERAL.**—Nothing in this section replaces or provides a substitute for the authority to carry out projects under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(2) **FUNDING.**—The amounts made available to carry out this section shall be used to carry out projects that are not otherwise carried out under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is

AMENDMENT NO. 899, AS MODIFIED

(Purpose: To improve the bill)

On page 214, strike lines 15 through 20 and insert the following:

"(d) **INTERIM ADOPTION OF COMPREHENSIVE MASTER PLAN.**—Prior to completion of the comprehensive plan described under subsection (a), the Secretary shall adopt the plan of the State of Louisiana entitled 'Louisiana's Comprehensive Master Plan for a Sustainable Coast' in effect on the

On page 216, between lines 3 and 4, insert the following:

(c) **EFFECT.**—

(1) **IN GENERAL.**—Nothing in this section or an amendment made by this section authorizes the construction of a project or program associated with a storm surge barrier across the Lake Pontchartrain land bridge (including Chef Menteur Pass and the Rigolets) that would result in unmitigated induced flooding in coastal communities within the State of Mississippi.

(2) **REQUIRED CONSULTATION.**—Any study to advance a project described in paragraph (1) that is conducted using funds from the Gen-

eral Investigations Account of the Corps of Engineers shall include consultation and approval of the Governors of the States of Louisiana and Mississippi.

On page 222, line 14, strike "2018" and insert "2023".

On page 239, strike lines 14 through 19 and insert the following:

for the period beginning with fiscal year 2001 \$450,000,000, which shall—

"(1) be made available to the States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities; and

"(2) remain available until expended."

On page 293, line 2, strike "amount" and insert "amounts remaining after the date of enactment of this Act".

On page 347, line 12, strike "or ecosystem restoration" and insert "ecosystem restoration, or navigation".

Beginning on page 47, strike line 3 and all that follows through page 53, line 13, and insert the following:

SEC. 2014. DAM OPTIMIZATION.

(a) **DEFINITION OF OTHER RELATED PROJECT BENEFITS.**—In this section, the term "other related project benefits" includes—

(1) environmental protection and restoration, including restoration of water quality and water flows, improving movement of fish and other aquatic species, and restoration of floodplains, wetlands, and estuaries;

(2) increased water supply storage (except for any project in the Apalachicola-Chat-tahoochee-Flint River system and the Alabama-Coosa-Tallapoosa River system);

(3) increased hydropower generation;

(4) reduced flood risk;

(5) additional navigation; and

(6) improved recreation.

(b) **PROGRAM.**—

(1) **IN GENERAL.**—The Secretary may carry out activities—

(A) to improve the efficiency of the operations and maintenance of dams and related infrastructure operated by the Corps of Engineers; and

(B) to maximize, to the extent practicable—

(i) authorized project purposes; and

(ii) other related project benefits.

(2) **ELIGIBLE ACTIVITIES.**—An eligible activity under this section is any activity that the Secretary would otherwise be authorized to carry out that is designed to provide other related project benefits in a manner that does not adversely impact the authorized purposes of the project.

(3) **IMPACT ON AUTHORIZED PURPOSES.**—An activity carried out under this section shall not adversely impact any of the authorized purposes of the project.

(4) **EFFECT.**—

(A) **EXISTING AGREEMENTS.**—Nothing in this section—

(i) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act; or

(ii) supersedes or authorizes any amendment to a multistate water-control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act).

(B) **WATER RIGHTS.**—Nothing in this section—

(i) affects any water right in existence on the date of enactment of this Act;

(ii) preempts or affects any State water law or interstate compact governing water; or

(iii) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

(5) OTHER LAWS.—

(A) IN GENERAL.—An activity carried out under this section shall comply with all other applicable laws (including regulations).

(B) WATER SUPPLY.—Any activity carried out under this section that results in any modification to water supply storage allocations at a reservoir operated by the Secretary shall comply with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) POLICIES, REGULATIONS, AND GUIDANCE.—The Secretary shall carry out a review of, and as necessary modify, the policies, regulations, and guidance of the Secretary to carry out the activities described in subsection (b).

(D) COORDINATION.—

(1) IN GENERAL.—The Secretary shall—

(A) coordinate all planning and activities carried out under this section with appropriate Federal, State, and local agencies and those public and private entities that the Secretary determines may be affected by those plans or activities; and

(B) give priority to planning and activities under this section if the Secretary determines that—

(i) the greatest opportunities exist for achieving the objectives of the program, as specified in subsection (b)(1), and

(ii) the coordination activities under this subsection indicate that there is support for carrying out those planning and activities.

(2) NON-FEDERAL INTERESTS.—Prior to carrying out an activity under this section, the Secretary shall consult with any applicable non-Federal interest of the affected dam or related infrastructure.

(E) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to Congress a report describing the actions carried out under this section.

(2) INCLUSIONS.—Each report under paragraph (1) shall include—

(A) a schedule for reviewing the operations of individual projects; and

(B) any recommendations of the Secretary on changes that the Secretary determines to be necessary—

(i) to carry out existing project authorizations, including the deauthorization of any water resource project that the Secretary determines could more effectively be achieved through other means;

(ii) to improve the efficiency of water resource project operations; and

(iii) to maximize authorized project purposes and other related project benefits.

(3) UPDATED REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update the report entitled “Authorized and Operating Purposes of Corps of Engineers Reservoirs” and dated July 1992, which was produced pursuant to section 311 of the Water Resources Development Act of 1990 (104 Stat. 4639).

(B) INCLUSIONS.—The updated report described in subparagraph (A) shall include—

(i) the date on which the most recent review of project operations was conducted and any recommendations of the Secretary relating to that review the Secretary determines to be significant; and

(ii) the dates on which the recommendations described in clause (i) were carried out.

(F) FUNDING.—

(1) IN GENERAL.—The Secretary may use to carry out this section amounts made available to the Secretary from—

(A) the general purposes and expenses account;

(B) the operations and maintenance account; and

(C) any other amounts that are appropriated to carry out this section.

(2) FUNDING FROM OTHER SOURCES.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to carry out this section.

(G) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with other Federal agencies and non-Federal entities to carry out this section.

AMENDMENT NO. 895

(Purpose: To clarify the role of the Cherokee Nation of Oklahoma regarding the maintenance of the W.D. Mayo Lock and Dam in the State of Oklahoma)

At the end of title V, add the following:

SEC. 50. RIGHTS AND RESPONSIBILITIES OF CHEROKEE NATION OF OKLAHOMA REGARDING W.D. MAYO LOCK AND DAM, OKLAHOMA.

Section 1117 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4236) is amended to read as follows:

“SEC. 1117. W.D. MAYO LOCK AND DAM, OKLAHOMA.

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Cherokee Nation of Oklahoma has authorization—

“(1) to design and construct 1 or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River in the State of Oklahoma, subject to the requirements of subsection (b) and in accordance with the conditions specified in this section; and

“(2) to market the electricity generated from any such hydroelectric generating facility.

“(b) PRECONSTRUCTION REQUIREMENTS.—

“(1) IN GENERAL.—The Cherokee Nation shall obtain any permit required by Federal or State law before the date on which construction begins on any hydroelectric generating facility under subsection (a).

“(2) REVIEW BY SECRETARY.—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

“(c) PAYMENT OF DESIGN AND CONSTRUCTION COSTS.—

“(1) IN GENERAL.—The Cherokee Nation shall—

“(A) bear all costs associated with the design and construction of any hydroelectric generating facility under subsection (a); and

“(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities relating to the design and construction of the hydroelectric generating facility.

“(2) USE BY SECRETARY.—The Secretary may—

“(A) accept funds offered by the Cherokee Nation under paragraph (1); and

“(B) use the funds to carry out the design and construction of any hydroelectric generating facility under subsection (a).

“(d) ASSUMPTION OF LIABILITY.—The Cherokee Nation—

“(1) shall hold all title to any hydroelectric generating facility constructed under this section;

“(2) may, subject to the approval of the Secretary, assign that title to a third party;

“(3) shall be solely responsible for—

“(A) the operation, maintenance, repair, replacement, and rehabilitation of any such facility; and

“(B) the marketing of the electricity generated by any such facility; and

“(4) shall release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

“(e) ASSISTANCE AVAILABLE.—Notwithstanding any other provision of law, the Secretary may provide any technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of any hydroelectric generating facility under subsection (a).

“(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines to be necessary to carry out this section.”

AMENDMENT NO. 894

(Purpose: To express the sense of Congress that, in recognition of the contributions of Donald G. Waldon to the Tennessee-Tombigbee Waterway, a lock and dam on that waterway should be designated as the “Donald G. Waldon Lock and Dam”)

At the end of title II, insert the following:

SEC. 2. DONALD G. WALDON LOCK AND DAM.

(a) FINDINGS.—Congress finds that—

(1) the Tennessee-Tombigbee Waterway Development Authority is a 4-State compact comprised of the States of Alabama, Kentucky, Mississippi, and Tennessee;

(2) the Tennessee-Tombigbee Authority is the regional non-Federal sponsor of the Tennessee-Tombigbee Waterway;

(3) the Tennessee-Tombigbee Waterway, completed in 1984, has fueled growth in the United States economy by reducing transportation costs and encouraging economic development; and

(4) the selfless determination and tireless work of Donald G. Waldon, while serving as administrator of the waterway compact for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, at an appropriate time and in accordance with the rules of the House of Representatives and the Senate, the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the “Donald G. Waldon Lock and Dam”.

AMENDMENT NO. 867

(Purpose: To allow the Secretary to accept and expend non-Federal amounts for repair, restoration, or replacement of certain water resources projects)

At the end of title XI, add the following:

SEC. 11004. AUTHORITY TO ACCEPT AND EXPEND NON-FEDERAL AMOUNTS.

The Secretary is authorized to accept and expend amounts provided by non-Federal interests for the purpose of repairing, restoring, or replacing water resources projects that have been damaged or destroyed as a result of a major disaster or other emergency if the Secretary determines that the acceptance and expenditure of those amounts is in the public interest.

AMENDMENT NO. 872

(Purpose: To improve planning and administration relating to water supply storage activities)

At the end of title II, add the following:

SEC. 2. IMPROVING PLANNING AND ADMINISTRATION OF WATER SUPPLY STORAGE.

(a) IN GENERAL.—The Secretary shall carry out activities to enable non-Federal interests to anticipate and accurately budget for annual operations and maintenance costs and, as applicable, repair, rehabilitation, and replacements costs, including through—

(1) the formulation by the Secretary of a uniform billing statement format for those storage agreements relating to operations and maintenance costs, and as applicable, repair, rehabilitation, and replacement costs, incurred by the Secretary, which, at a minimum, shall include—

(A) a detailed description of the activities carried out relating to the water supply aspects of the project;

(B) a clear explanation of why and how those activities relate to the water supply aspects of the project; and

(C) a detailed accounting of the cost of carrying out those activities; and

(2) a review by the Secretary of the regulations and guidance of the Corps of Engineers relating to criteria and methods for the equitable distribution of joint project costs across project purposes in order to ensure consistency in the calculation of the appropriate share of joint project costs allocable to the water supply purpose.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the findings of the reviews carried out under subsection (a)(2) and any subsequent actions taken by the Secretary relating to those reviews.

(2) INCLUSIONS.—The report under paragraph (1) shall include an analysis of the feasibility and costs associated with the provision by the Secretary to each non-Federal interest of not less than 1 statement each year that details for each water storage agreement with non-Federal interests at Corps of Engineers projects the estimated amount of the operations and maintenance costs and, as applicable, the estimated amount of the repair, rehabilitation, and replacement costs, for which the non-Federal interest will be responsible in that fiscal year.

(3) EXTENSION.—The Secretary may delay the submission of the report under paragraph (1) for a period not to exceed 180 days after the deadline described in paragraph (1), subject to the condition that the Secretary submits a preliminary progress report to Congress not later than 1 year after the date of enactment of this Act.

AMENDMENT NO. 912

(Purpose: To authorize the Secretary to assist Indian tribes in addressing shoreline erosion in the Upper Missouri River Basin)

On page 234, between lines 16 and 17, insert the following:

SEC. 5009. UPPER MISSOURI BASIN SHORELINE EROSION PREVENTION.

(a) IN GENERAL.—

(1) AUTHORIZATION OF ASSISTANCE.—The Secretary may provide planning, design, and construction assistance to not more than 3 federally-recognized Indian tribes in the Upper Missouri River Basin to undertake measures to address shoreline erosion that is jeopardizing existing infrastructure resulting from operation of a reservoir constructed under the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665)).

(2) LIMITATION.—The projects described in paragraph (1) shall be economically justified, technically feasible, and environmentally acceptable.

(b) FEDERAL AND NON-FEDERAL COST SHARE.—

(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the costs of carrying out this section shall be not less than 75 percent.

(2) ABILITY TO PAY.—The Secretary may adjust the Federal and non-Federal shares of the costs of carrying out this section in accordance with the terms and conditions of section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(c) CONDITIONS.—The Secretary may provide the assistance described in subsection (a) only after—

(1) consultation with the Department of the Interior; and

(2) execution by the Indian tribe of a memorandum of agreement with the Secretary that specifies that the tribe shall—

(A) be responsible for—

(i) all operation and maintenance activities required to ensure the integrity of the measures taken; and

(ii) providing any required real estate interests in and to the property on which such measures are to be taken; and

(B) hold and save the United States free from damages arising from planning, design, or construction assistance provided under this section, except for damages due to the fault or negligence of the United States or its contractors.

(d) AUTHORIZATION OF APPROPRIATIONS.—For each Indian tribe eligible under this section, there is authorized to be appropriated to carry out this section not more than \$30,000,000.

AMENDMENT NO. 880

(Purpose: To deauthorize portions of the project for East Fork of Trinity River, Texas)

At the end of title III, add the following:

SEC. 3. EAST FORK OF TRINITY RIVER, TEXAS.

The portion of the project for flood protection on the East Fork of the Trinity River, Texas, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1185), that consists of the 2 levees identified as “Kaufman County Levees K5E and K5W” shall no longer be authorized as a part of the Federal project as of the date of enactment of this Act.

AMENDMENT NO. 904

(Purpose: To declare certain areas in Seward, Alaska, as nonnavigable waters of the United States for purposes of navigational servitude)

At the end of title III, add the following:

SEC. 3010. SEWARD WATERFRONT, SEWARD, ALASKA.

(a) IN GENERAL.—The parcel of land included in the Seward Harbor, Alaska navigation project identified as Tract H, Seward Original Townsite, Waterfront Park Replat, Plat No 2012-4, Seward Recording District, shall not be subject to the navigation servitude (as of the date of enactment of this Act).

(b) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter upon any portion of the land referred to in subsection (a) to carry out any required operation and maintenance of the general navigation features of the project.

AMENDMENT NO. 884

(Purpose: To require the closure of the Upper St. Anthony Falls Lock and Dam if certain conditions are met)

At the appropriate place, insert the following:

SEC. . UPPER MISSISSIPPI RIVER PROTECTION.

(a) DEFINITION OF UPPER ST. ANTHONY FALLS LOCK AND DAM.—In this section, the term “Upper St. Anthony Falls Lock and Dam” means the lock and dam located on Mississippi River mile 853.9 in Minneapolis, Minnesota.

(b) ECONOMIC IMPACT STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report regarding the impact of closing the Upper St. Anthony Falls Lock and Dam on the economic and environmental well-being of the State of Minnesota.

(c) MANDATORY CLOSURE.—Notwithstanding subsection (b) and not later than 1 year after the date of enactment of this Act, the Secretary shall close the Upper St. Anthony Falls Lock and Dam if the Secretary determines that the annual average tonnage moving through the Upper St. Anthony Falls Lock and Dam for the preceding 5 years is not more than 1,500,000 tons.

(d) EMERGENCY OPERATIONS.—Nothing in this section prevents the Secretary from carrying out emergency lock operations necessary to mitigate flood damage.

AMENDMENT NO. 870, AS MODIFIED

(Purpose: To modify a provision relating to Harbor Maintenance Trust Fund prioritization)

Beginning on page 299, strike line 9 and all that follows through page 301, line 16, and insert the following:

“(D) LOW-USE PORT.—The term ‘low-use port’ means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

“(E) MODERATE-USE PORT.—The term ‘moderate-use port’ means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

“(2) PRIORITY.—Of the amounts made available under this section to carry out projects described in subsection (a)(2) that are in excess of the amounts made available to carry out those projects in fiscal year 2012, the Secretary of the Army, acting through the Chief of Engineers, shall give priority to those projects in the following order:

“(A)(i) In any fiscal year in which all projects subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation) are not maintained to their constructed width and depth, the Secretary shall prioritize amounts made available under this section for those projects that are high-use deep draft and are a priority for navigation in the Great Lakes Navigation System.

“(ii) Of the amounts made available under clause (i)—

“(I) 80 percent shall be used for projects that are high-use deep draft; and

“(II) 20 percent shall be used for projects that are a priority for navigation in the Great Lakes Navigation System.

“(B) In any fiscal year in which all projects identified as high-use deep draft are maintained to their constructed width and depth, the Secretary shall—

“(i) equally divide among each of the districts of the Corps of Engineers in which eligible projects are located 10 percent of remaining amounts made available under this section for moderate-use and low-use port projects—

“(I) that have been maintained at less than their constructed width and depth due to insufficient federal funding during the preceding 6 fiscal years; and

“(II) for which significant State and local investments in infrastructure have been

made at those projects during the preceding 6 fiscal years; and

“(ii) prioritize any remaining amounts made available under this section for those projects that are not maintained to the minimum width and depth necessary to provide sufficient clearance for fully loaded commercial vessels using those projects to maneuver safely.

“(3) ADMINISTRATION.—For purposes of this subsection, State and local investments in infrastructure shall include infrastructure investments made using amounts made available for activities under section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)).

“(4) EXCEPTIONS.—The Secretary may prioritize a project not identified in paragraph (2) if the Secretary determines that funding for the project is necessary to address—

“(A) hazardous navigation conditions; or

“(B) impacts of natural disasters, including storms and droughts.

“(5) REPORTS TO CONGRESS.—Not later than September 30, 2013, and annually thereafter, the Secretary shall submit to Congress a report that describes, with respect to the preceding fiscal year—

“(A) the amount of funds used to maintain high-use deep draft projects and projects at moderate-use ports and low-use ports to the constructed depth and width of the projects;

“(B) the respective percentage of total funds provided under this section used for high use deep draft projects and projects at moderate-use ports and low-use ports;

“(C) the remaining amount of funds made available to carry out this section, if any; and

“(D) any additional amounts needed to maintain the high-use deep draft projects and projects at moderate-use ports and low-use ports to the constructed depth and width of the projects.”

AMENDMENT NO. 911, AS MODIFIED

(Purpose: To provide Crediting Authority for Federally Authorized Navigation Projects)

At the appropriate place, insert:

Crediting Authority for Federally Authorized Navigation Projects

SEC. ____ . A non-Federal interest for a navigation project may carry out operation maintenance activities for that project subject to all applicable requirements that would apply to the Secretary carrying out such operations and maintenance, and may receive credit for the costs incurred by the non-Federal interest in carrying out such activities towards that non-Federal interest's share of construction costs for a federally authorized element of the same project or another federally authorized navigation project, except that in no instance may such credit exceed 20 percent of the costs associated with construction of the general navigation features of the project for which such credit may be received pursuant to this section.

AMENDMENT NO. 882

(Purpose: To modify the allocation of funds to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill equitable funding requirements of the respective interstate compacts of the Commissions)

On page 190, after line 23, add the following:

SEC. 20 . RIVER BASIN COMMISSIONS.

Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201) is amended by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION TO ALLOCATE.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall allocate funds from the General Expenses account of the civil works program of the Army Corps of Engineers to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill the equitable funding requirements of the respective interstate compacts on an annual basis and in amounts equal to the amount determined by Commission in accordance with the respective interstate compact.

“(2) LIMITATION.—Not more than 1.5 percent of funds from the General Expenses account of the civil works program of the Army Corps of Engineers may be allocated in carrying out paragraph (1) for any fiscal year.

“(3) REPORT.—For any fiscal year in which funds are not allocated in accordance with paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

“(A) the reasons why the Corps of Engineers chose not to allocate funds in accordance with that paragraph; and

“(B) the impact of the decision not to allocate funds on water supply allocation, water quality protection, regulatory review and permitting, water conservation, watershed planning, drought management, flood loss reduction, and recreation in each area of jurisdiction of the respective Commission.”

AMENDMENT NO. 903, AS MODIFIED

(Purpose: To authorize the Secretary to enter into deep draft port development partnerships)

On page 243, between lines 18 and 19, insert the following:

SEC. 5017. ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.

(a) IN GENERAL.—The Secretary may provide technical assistance, including planning, design, and construction assistance, to non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), for the development, construction, operation, and maintenance of channels, harbors, and related infrastructure associated with deep draft ports for purposes of dealing with Arctic development and security needs.

(b) ACCEPTANCE OF FUNDS.—The Secretary is authorized to accept and expend funds provided by non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), to carry out the activities described in subsection (a).

(c) LIMITATION.—No assistance may be provided under this section until after the date on which the entity to which that assistance is to be provided enters into a written agreement with the Secretary that includes such terms and conditions as the Secretary determines to be appropriate and in the public interest.

(d) PRIORITIZATION.—The Secretary shall prioritize Arctic deep draft ports identified by the Army Corps, The Department of Homeland Security and the Department of Defense.

AMENDMENT NO. 906, AS MODIFIED

(Purpose: To provide for a severe flooding and drought management study of the greater Mississippi River Basin)

At the end of title V, add the following:

SEC. 5 . . . GREATER MISSISSIPPI RIVER BASIN SEVERE FLOODING AND DROUGHT MANAGEMENT STUDY.

(a) DEFINITIONS.—In this section:

(1) GREATER MISSISSIPPI RIVER BASIN.—The term “greater Mississippi River Basin” means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(2) LOWER MISSISSIPPI RIVER.—The term “lower Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico.

(3) MIDDLE MISSISSIPPI RIVER.—The term “middle Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Missouri River and flows to the lower Mississippi River.

(4) SEVERE FLOODING AND DROUGHT.—The term “severe flooding and drought” means severe weather events that threaten personal safety, property, and navigation on the inland waterways of the United States.

(b) IN GENERAL.—The Secretary shall carry out a study of the greater Mississippi River Basin—

(1) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to severe flooding and drought conditions; and

(2) to evaluate the feasibility of any modifications to those water resource projects, consistent with the authorized purposes of those projects, and develop new water resource projects to improve the reliability of navigation and more effectively reduce flood risk.

(c) CONTENTS.—The study shall—

(1) identify any Federal actions that are likely to prevent and mitigate the impacts of severe flooding and drought, including changes to authorized channel dimensions, operational procedures of locks and dams, and reservoir management within the greater Mississippi River Basin, consistent with the authorized purposes of the water resource projects;

(2) identify and make recommendations to remedy challenges to the Corps of Engineers presented by severe flooding and drought, including river access, in carrying out its mission to maintain safe, reliable navigation, consistent with the authorized purposes of the water resource projects in the greater Mississippi River Basin; and

(3) identify and locate natural or other physical impediments along the middle and lower Mississippi River to maintaining navigation on the middle and lower Mississippi River during periods of low water.

(d) CONSULTATION AND USE OF EXISTING DATA.—In carrying out the study, the Secretary shall—

(1) consult with appropriate committees of Congress, Federal, State, tribal, and local agencies, environmental interests, agricultural interests, recreational interests, river navigation industry representatives, other shipping and business interests, organized labor, and nongovernmental organizations;

(2) to the maximum extent practicable, use data in existence as of the date of enactment of this Act; and

(3) incorporate lessons learned and best practices developed as a result of past severe flooding and drought events, including major floods and the successful effort to maintain navigation during the near historic low water levels on the Mississippi River during the winter of 2012–2013.

(e) **COST-SHARING.**—The Federal share of the cost of carrying out the study under this section shall be 100 percent.

(f) **REPORT.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under this section.

(g) **SAVINGS CLAUSE.**—Nothing in this section impacts the operations and maintenance of the Missouri River Mainstem System, as authorized by the Act of December 22, 1944 (58 Stat. 897, chapter 665).

AMENDMENT NO. 893

(Purpose: To provide for the policy relating to the Harbor Maintenance Trust Fund prioritization)

On page 297, between lines 19 and 20, insert the following:

(a) **POLICY.**—It is the policy of the United States that the primary use of the Harbor Maintenance Trust Fund is for maintaining the constructed widths and depths of the commercial ports and harbors of the United States, and those functions should be given first consideration in the budgeting of Harbor Maintenance Trust Fund allocations.

AMENDMENT NO. 898

(Purpose: To provide for the reopening of the Cape Arundel Disposal Site as a dredged material disposal site)

At the end of title V, add the following:

SEC. 50 _____ **CAPE ARUNDEL DISPOSAL SITE, MAINE.**

(a) **IN GENERAL.**—The Secretary, in concurrence with the Administrator of the Environmental Protection Agency, is authorized to reopen the Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) (referred to in this section as the “Site”).

(b) **DEADLINE.**—The Site may remain open under subsection (a) until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(c) **LIMITATIONS.**—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

AMENDMENT NO. 861 AS MODIFIED

(Purpose: To improve a provision relating to project acceleration)

On page 121, strike lines 1 through 3, and insert the following:

“(II) conflict with the ability of a cooperating agency to carry out applicable Federal laws (including regulations).

On page 138, between lines 3 and 4, insert the following:

“(q) **AUTHORIZATION.**—The authority provided by this section expires on the date that is 10 years after the date of enactment of this Act.

AMENDMENT NO. 907

(Purpose: To provide for future project authorizations)

At the end of title I insert the following:

SEC. 2 _____ **FUTURE PROJECT AUTHORIZATIONS.**

(a) **POLICY.**—The benefits of water resource projects designed and carried out in an economically justifiable, environmentally acceptable, and technically sound manner are important to the economy and environment of the United States and recommendations to Congress regarding those projects should be expedited for approval in a timely manner.

(b) **APPLICABILITY.**—The procedures under this section apply to projects for water resources development, conservation, and other purposes, subject to the conditions that—

(1) each project is carried out—

(A) substantially in accordance with the plan identified in the report of the Chief of Engineers for the project; and

(B) subject to any conditions described in the report for the project; and

(2)(A) a report of the Chief of Engineers has been completed; and

(B) after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works has submitted to Congress a recommendation to authorize construction of the project.

(c) **EXPEDITED CONSIDERATION.**—

(1) **IN GENERAL.**—A bill shall be eligible for expedited consideration in accordance with this subsection if the bill—

(A) authorizes a project that meets the requirements described in subsection (b); and

(B) is referred to the Committee on Environment and Public Works of the Senate.

(2) **COMMITTEE CONSIDERATION.**—

(A) **IN GENERAL.**—Not later than January 31st of the second session of each Congress, the Committee on Environment and Public Works of the Senate shall—

(i) report all bills that meet the requirements of paragraph (1); or

(ii) introduce and report a measure to authorize any project that meets the requirements described in subsection (b).

(B) **FAILURE TO ACT.**—Subject to subparagraph (C), if the Committee fails to act on a bill that meets the requirements of paragraph (1) by the date specified in subparagraph (A), the bill shall be discharged from the Committee and placed on the calendar of the Senate.

(C) **EXCEPTIONS.**—Subparagraph (B) shall not apply if—

(i) in the 180-day period immediately preceding the date specified in subparagraph (A), the full Committee holds a legislative hearing on a bill to authorize all projects that meet the requirements described in subsection (b);

(ii)(I) the Committee favorably reports a bill to authorize all projects that meet the requirements described in subsection (b); and (II) the bill described in subclause (I) is placed on the calendar of the Senate; or

(iii) a bill that meets the requirements of paragraph (1) is referred to the Committee not earlier than 30 days before the date specified in subparagraph (A).

(d) **TERMINATION.**—The procedures for expedited consideration under this section terminate on December 31, 2018.

AMENDMENT NO. 896

(Purpose: To require the Government Accountability Office to carry out a study evaluating the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in port communities)

At the end of title VIII, add the following:

SEC. 8 _____ **HARBOR MAINTENANCE TRUST FUND STUDY.**

(a) **DEFINITIONS.**—In this section:

(1) **LOW-USE PORT.**—The term “low-use port” means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

(2) **MODERATE-USE PORT.**—The term “moderate-use port” means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

(b) **STUDY.**—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out a study and submit to Congress a report that—

(1) evaluates the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and

(2) includes recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports.

Mrs. BOXER. Mr. President, it is my understanding—and I ask the floor staff to correct me—is it so that we just now passed the first number of amendments that don’t require votes? Was that just done in the unanimous consent? Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. I am very pleased with that. We had about 15 of these amendments—quite bipartisan. Half of the amendments were Democratic and half Republican, so that is good.

Now what we are going to do is take up the amendments that require votes. It is my understanding that Senator VITTER wants to speak on the Barrasso amendment, which is fine.

I say to my colleagues through the Chair that they now have approximately 2 hours to come down and make the case on their votes. Senators INHOFE, BARRASSO, SANDERS, COBURN, BOOZMAN, MERKLEY, UDALL, and HOEVEN is where we are. If they wish to be heard, then it is time to come over and be heard.

At this time, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, first of all, let me thank my colleague from California, the chair, and all of my colleagues for allowing us to move forward with a very open amendment process. It is not quite as open a process as I would have wanted—namely on the Landrieu amendment because of the objection from my colleague from Pennsylvania. By any Senate standard, this has been a very open amendment process, and that is very healthy.

I join the chair in urging all of our colleagues who would like to debate upcoming votes to come to the floor now. The time is between now and 5 p.m. Please come to the floor. I am doing that right now. I want to talk about one of those amendments on which we will vote, the Barrasso amendment, which is about waters of the United States. This is an important issue.

JOHN BARRASSO and I and many others believe the EPA should not be able to define and expand its regulatory jurisdiction—in this case, we are talking about the Clean Water Act—without undertaking a formal rulemaking process that provides individuals, businesses, and other stakeholders the opportunity to give meaningful input.

The Clean Water Act authorizes the EPA to regulate the discharge of pollutants into “navigable waters.” Again, that is a very clear term—“navigable waters.” The act defines “navigable waters” as “the waters of the United States, including the territorial seas.” The trouble is clearly understanding what constitutes the waters of the United States. For decades, courts have considered the meaning of “the waters of the United States,” and yet uncertainty still remains.

Recently, in 2006—about 7 years ago—in the Rapanos decision, the Supreme Court considered whether the Army Corps of Engineers properly determined the wetlands in Michigan as being waters of the United States. Although the Court determined that the corps viewed its regulatory authority under the Clean Water Act too broadly, a majority of the Justices still could not come to a precise agreement into exactly what “waters of the United States” means. So they agreed about what it didn’t mean in the context of that case—that the corps had gone too far afield—but they didn’t clearly agree on exactly what it meant.

More recently, Justice Alito, in the Sackett case, observed that the reach of the Clean Water Act remains “notoriously unclear.” Justice Alito and others have called on Congress to examine the Clean Water Act statutory language to make it precise and clear up the confusion. He also noted that EPA “has not seen fit to promulgate a rule providing a clear and sufficiently limited definition of the phrase”—that phrase being “the waters of the United States.”

Instead, the EPA has done something different. Unfortunately, this is a trend at the EPA. The EPA issued what it calls guidance on this issue. Now, according to the EPA, the guidance “clarifies how the EPA and Corps understand existing requirements of the Clean Water Act and the agencies’ implementing regulations” in light of relevant decisions.

The problem is this: Guidance is short of what the EPA should do, which is to promulgate rules and regs. It is short of that for a very particular reason—because there is no clear-cut, nailed-down process for guidance. The EPA can just make up what it wants without having to take input from affected parties. Under the law, there are clear-cut guidelines and rules for promulgating rules and regulations, and that is what the EPA should do.

In this instance, there are two problems. First of all, the guidance is sim-

ply mistaken. It is way too expansive, in the view of many folks, including myself and the author of this amendment, Senator BARRASSO. Also, very importantly, guidance doesn’t have to go through a process. Guidance doesn’t illicit input from citizens, impacted parties, and stakeholders. That is another crucial issue involved.

This Barrasso amendment would clear up that point on two fronts. It would go to the substance of the guidance—and we think EPA is getting it wrong with regard to that substance—but it would also help underscore that there is a process for the EPA to issue rules and regulations, and that is what the EPA should be doing on important matters such as this—not shortcutting, circumventing that process by simply issuing guidance.

So if the EPA wishes to examine the meaning of “waters of the United States” in the Clean Water Act, it needs to do so in a fair and transparent manner, and in a way that provides all Americans the chance to offer meaningful regulatory input. Guidance doesn’t do that. This guidance gets it wrong. But, just as importantly, guidance doesn’t fulfill the need for transparency and openness and the ability to accept input. This Barrasso amendment would provide EPA with precisely that opportunity: Make them accept input and make them get it right. That is why I strongly support the Barrasso amendment.

Again, I invite all of our colleagues to come down to the floor to debate any part of this bill, any aspect of pending amendments. We are open for business now until 5 p.m. I think that is going to be a lot of time. We will have a series of votes starting today and going into tomorrow, and I very much appreciate the chair of the committee and others who have allowed this very open amendment process on the floor of the Senate.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 868

Mr. BARRASSO. Mr. President, I wish to call up amendment No. 868.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO], for himself, Mr. SESSIONS, Mr. VITTER, Mr. CRAPO, Mrs. FISCHER, and Mr. WICKER, proposes an amendment numbered 868.

Mr. BARRASSO. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To preserve existing rights and responsibilities with respect to waters of the United States)

On page 452, between lines 14 and 15, insert the following:

SEC. 2055. IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.

(a) IN GENERAL.—Neither the Secretary of the Army nor the Administrator of the Environmental Protection Agency shall—

(1) finalize the proposed guidance described in the notice of availability and request for comments entitled “EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act” (EPA-HQ-OW-2011-0409) (76 Fed. Reg. 24479 (May 2, 2011)); or

(2) use the guidance described in paragraph (1), or any substantially similar guidance, as the basis for any decision regarding the scope of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any rulemaking.

(b) RULES.—The use of the guidance described in subsection (a)(1), or any substantially similar guidance, as the basis for any rule shall be grounds for vacation of the rule.

Mr. BARRASSO. Mr. President, this amendment restricts expansion of Federal authority, and it is a Federal authority attempting to encompass all the wet areas of farms, ranches, and suburban homes all across America, so this amendment is designed to restrict that expansion of Federal authority.

Specifically, the amendment eliminates this administration’s guidance to implement this expansion of Federal authority. Through proposed guidance—that is the key phrase here, “guidance”—Federal agencies are preparing to expand the definition of “waters of the United States.” I think it would make sense that people would inherently understand what waters of the United States would be. But the Federal Government is preparing to expand the definition to include ditches, including dry areas—other dry areas where water happens to flow and when it only flows even for a short duration after a rainfall. The American people know that should not be considered waters of the United States. Federal regulations have never defined ditches and other upland drainage features as “waters of the United States.” But this draft guidance coming out of Washington does do that, and it will have a huge impact on farmers, ranchers, and small businesses that need to put a shovel in the ground to make a living. The EPA and the Army Corps of Engineers’ guidance amounts to a Federal user fee for farmers and ranchers to farm the land they own.

Just as troubling as ignoring congressional intent, the guidance absolutely disregards the fundamental tenet embodied in two decisions of the U.S. Supreme Court. One is the SWANCC decision and the other is the Rapanos decision. Those are decisions that say there are actual limits to Federal jurisdiction. It is particularly

troubling to me and to others around the country—and certainly at home in Wyoming it is particularly troubling—that the guidance allows the Army Corps of Engineers and the EPA to regulate waters now considered entirely under State jurisdiction. As somebody who has served in the State legislature, talking to the Presiding Officer as someone who has served as a Governor of his State, we know the key importance of State jurisdiction in making local decisions.

This guidance would grant the Environmental Protection Agency and the U.S. Corps of Engineers virtually unlimited—virtually unlimited—regulatory control over all wet areas within a State.

In addition, if this guidance is allowed to go forward—the guidance I am attempting to prevent to protect Americans from today—enormous resources are going to be needed to expand the Clean Water Act Federal regulatory program, which could lead to longer delays, and the delays today are significant. Increased delays in securing permits are going to impede a host of economic activities in Wyoming as well as in all of our other States. Commercial and residential real estate development, agriculture, electric transmission, transportation, and mining will all be affected. These are not sectors of our economy we ever want to deliberately hurt, but we certainly would not want to vote for guidance that would harm these sectors while we are in economic times such as these.

That is why I come to the floor with this amendment. I will be urging a “yes” vote on this amendment No. 868 at the appropriate time, to continue with the rights and responsibilities of the States and the private landowners impacting this significant water which is the lifeblood of our States.

Thank you very much. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I rise now to speak in opposition to the Barrasso amendment No. 868 and to explain why.

Before I talk about why I hope the Senate will defeat this amendment, I wish to thank my colleagues on both sides of the aisle for working so closely with me and with Senator VITTER.

The underlying bill is a very good bill and it protects every State. We look at every State's needs. Whether it is flooding, whether it is preserving fishing, whether it is about ports, whether the ports are inland or coastal, me-

dium, small, or large, we have gone out of our way on both sides of the aisle to accommodate Senators.

I wish to speak about Barrasso amendment No. 868, which will be the first amendment to come before us.

It is an anti-environmental rider. Now, here we go again, again and again and again. There is no reason to bring these anti-environmental riders onto every single piece of legislation that goes through here, but yet that is what we face. So I agreed that we would have a vote on this in the spirit of good faith because it certainly is not germane to this bill. It is not.

It has to do with the Clean Water Act. It does not have to do with the Water Resources Development Act. This Barrasso amendment says the guidance that has been developed by the Army Corps of Engineers and by the Environmental Protection Agency as they get ready for a rulemaking after a Court decision is null and void—without a hearing, without giving the corps a chance to explain their guidance, without giving the EPA a chance to explain their guidance. Without looking at the Court's decision his amendment would say the guidance is blocked because he does not like the guidance.

Well, trust me. I am sure I do not like everything in the guidance either. But let the process go forward. The guidance is necessary so there can be a rulemaking, which is essential. Right now there is nothing but chaos after the Court's ruling. People do not know what the Clean Water Act covers.

So the Army Corps, working with the EPA, has issued some guidance. It is not the final rule, it is guidance. The Barrasso amendment throws the guidance out, throws it into the garbage can, says it cannot be used. If anything like it is ever used, there can be no rulemaking. The Barrasso amendment stops, therefore, the rulemaking. He may not say it explicitly, but if you cannot use any of the guidance, any of the work that has been done, then you cannot have a rule.

Let me tell you who opposes not having a rule: the business community. The business community opposes it. Everyone opposes it. Everybody wants a rule. The vague restriction will make it impossible to initiate a rulemaking, to define what waters are protected under the Clean Water Act. The Barrasso amendment locks into place the current confusion created in the wake of two Supreme Court decisions. He does it by prohibiting any future update of the Clean Water Act regulations or related guidance.

Industry associations and 30 Republican Senators who are opposed to the guidance developed by the Obama administration have called for a rulemaking. They have called for a rulemaking. The letters were just sent to the EPA last month. What we believe

to be absolutely accurate is if you throw out the guidance, if you vote for this Barrasso amendment and you say no guidance that looks anything like this will ever be used, there can be no rulemaking.

For decades the Clean Water Act has provided broad protections for the Nation's waters. The Barrasso amendment stops the corps from restoring these longstanding protections, leaving many waters at risk. Let me tell you what that means. Streams that provide drinking water for up to 117 million Americans may not be covered by the Clean Water Act. That is dangerous for the people because there is all kinds of pollution that gets dumped into these streams. There are 20 million acres of wetlands that provide flood protection and serve as wildlife habitat. There will be no rules governing them because of the way the Barrasso amendment is written.

Any effort to clear up uncertainty that has resulted in delays and confusion and slowed efforts to hold polluters accountable will be null and void, can have no effect. You cannot use the guidance. You have to throw it away. If anything comes forward that remotely resembles it, you have to throw it away. Then you cannot make a rule. This is harmful.

In closing, I want to talk about from what harm we want to protect the people. We know some of the dangerous pollution that gets dumped into our Nation's waters sometimes on purpose, sometimes on accident. But we have chemical pollution and all kinds of industrial pollution. It includes such chemicals as arsenic—very dangerous for people. I will have more to say on the specifics, but we know there is waterborne disease. People get very ill if the drinking water is not good, if the swimming water is not good. The warmer our waters are getting, the more dangerous it is. Certain organisms that live in these warmer waters never existed before.

We had a case in Ohio where a child got deathly ill because the water was so warm it attracted these different kinds of bacteria and organisms. So when I stand here, I speak from the heart. All of us do. But I know we should not vote on something that precludes us from protecting the health and safety and the lives of our people who are the most vulnerable, the children—the children, the pregnant women, the elderly. My goodness, if we are here for any reason, it would certainly be to do no harm to them.

The Barrasso amendment does a lot of harm. It does not belong on the Water Resources Development Act, which is about building projects to protect people using flood control. It is about dredging our waters. It is making sure commerce can move. This is an anti-environmental rider. It does not belong on this bill. It is dangerous for the people.

I urge my colleagues to vote no when the vote comes before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

INTERNAL REVENUE SERVICE ACTIVITIES

Mr. CORNYN. Mr. President, I see the Senator from Vermont here. I will not be long. I did have a few comments to offer about the unusual developments of the last few days in Washington, DC. Back in 2011 and 2012 my office was contacted by some constituents who were active politically with organizers such as the King Street Patriots, True the Vote, the tea party, particularly in Waco and San Antonio. They were concerned that they were being targeted by the Federal Government, specifically the Internal Revenue Service, for their political activity. They were concerned that the activities of the Internal Revenue Service seemed excessive, unreasonable, and improper. They feared the government officials were targeting them for doing nothing more than exercising their constitutional rights under the First Amendment of the Constitution.

So I did what I think any Senator would do, any Member of Congress: I wrote a letter to the Internal Revenue Service and asked them, first of all, about any indication they had that this was the case. Douglas Shulman, the Commissioner of the Internal Revenue Service, testified later before Congress and categorically denied any type of targeting was, in fact, taking place.

Well, last Friday we learned that my constituents were correct and the Internal Revenue Service was wrong. It turns out the Internal Revenue Service really was targeting American citizens for exercising their most fundamental rights. Even though the Internal Revenue Service did not acknowledge this until last Friday, the Associated Press has reported that senior agency officials learned about the abuses as early as June 2011, nearly 2 years ago.

Let me be clear. These abuses are not simply inappropriate, they are a breach of faith with the American people. They are potentially violations of our criminal law.

Now, as my friend from Vermont knows, if the IRS, if the government can target conservative groups such as the King Street Patriots and the tea party, they can target anybody anywhere across the political spectrum. That is why you are seeing such bipartisan outrage over this news. But not only was the IRS targeting tea party groups, they targeted other people based on their advocacy of restoring the Federal Government to its basic constitutional framework, people concerned about government spending. Meanwhile, there is evidence that the IRS also in some cases targeted Jewish organizations as well. I would hope we would all on a bipartisan basis rise and say this is unacceptable and it is im-

moral. It is the kind of behavior we associate not with the greatest democracy in the world but with corrupt tin-pot dictators.

President Obama has said, to his credit, that all guilty parties will be held fully accountable. Well, I wish I could take some comfort from the President's comments. Unfortunately, the administration has repeatedly stonewalled and misled U.S. officials investigating programs like the Fast and Furious gunwalking scandal and the 2012 attacks in Benghazi, Libya.

The President of the United States got four Pinocchios today from the Fact Checker in the Washington Post. That has to be a first. So why should we expect the Internal Revenue Service investigation to be any different? Unfortunately, this administration has shown a tendency to put politics ahead of the rule of law too many times.

For example, during the government-run Chrysler bankruptcy process, the company-secured bondholders received much less for their loans than did the United Auto Workers Pension Fund, a favorite of the Obama administration. As Solyndra was going bankrupt, the administration violated the law by making taxpayers subordinate to private lenders. So the taxpayers got gored first before private lenders were at risk.

Last year the administration made unconstitutional recess appointments to the National Labor Relations Board and to the Consumer Financial Protection Bureau. Last year the administration illegally waived key requirements of the 1996 welfare reform law.

Finally, to help implement ObamaCare, the IRS has announced that it will violate the text of the law and issue health insurance subsidies through Federal exchanges, something Congress did not authorize. The law clearly states that these subsidies are not available to the Federal exchange but to the State-based exchanges. Indeed, it is the case that the President's health care law will dramatically expand the power of the Internal Revenue Service because the agency is responsible for implementing so much of ObamaCare's most important provisions.

Well, given what we have learned about IRS malfeasance, does it really sound like a good idea to give them more responsibility, to hire more agents? Before we get to the bottom of the present scandal, do we really want the IRS to administer a law that will affect one-sixth of our economy, as ObamaCare will?

Do we really want the Internal Revenue Service agents collecting so much personal information about millions of American citizens? Remember, even before ObamaCare became the law, the IRS had more than enough power to destroy the lives of individual Americans. Chief Justice John Marshall, at the

very beginning of our country, the Chief Justice of the Supreme Court of the United States said the power to tax involves the power to destroy, and those words are still true today. With trust in the Federal Government already at an all-time low, the IRS scandal will further diminish public confidence in public institutions and in Washington, DC.

As a result, this scandal will make it much harder for us to work together to adopt a fiscal policy and economic reforms that our country so desperately needs. When the IRS starts behaving as a rogue agent that considers itself above the law, we have entered truly dangerous territory. Today I am going to join others of my colleagues to call on the Acting IRS Commissioner Steven Miller to resign. If it is true what currently appears to be true, that Mr. Miller willfully misled Congress when inquiries were made earlier about this political activity, he should resign today.

Furthermore, I am encouraged actually by Chairman MAX BAUCUS of the Senate Finance Committee and Senator ORRIN HATCH who said they believe it is important for the Finance Committee as the appropriate standing committee of the Senate with jurisdiction over the Internal Revenue Service to conduct an investigation.

I hope the first witness they will call is Treasury Secretary Jack Lew, who is the boss of the IRS, or overseer of the IRS, Mr. Miller's direct reporting boss. I look forward to a thorough bipartisan investigation that will deliver justice to these government officials who betrayed the American people in such a shameful and egregious manner.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 889

Mr. SANDERS. Mr. President, I call up amendment No. 889.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself and Mr. LEAHY, proposes an amendment numbered 889.

Mr. SANDERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To address restoration of certain properties impacted by natural disasters, and for other purposes)

At the appropriate place, insert the following:

SEC. ____ . RESTORATION OF CERTAIN PROPERTIES IMPACTED BY NATURAL DISASTERS.

For all major disasters declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after August 27, 2011, the Corps of Engineers and the Federal Emergency Management Agency shall consider eligible the costs necessary to comply

with any State stream or river alteration permit required for the repair or replacement of otherwise eligible damaged infrastructure, such as culverts and bridges, including any design standards required to be met as a condition of permit issuance.

Mr. SANDERS. Mr. President, this amendment is cosponsored by my colleague from Vermont, Mr. LEAHY. What it does is it addresses a very serious problem facing the State of Vermont and I think potentially States all over the country.

Mr. President, as you well know, Tropical Storm Irene impacted some 225 Vermont communities with 90 bridges and 963 culverts damaged or destroyed statewide. In a small State, that is a lot of damage.

Long before Irene, the Vermont State legislature enacted stream alteration standards that prevented flood hazards, damage to fish and wildlife, and damage to adjacent property owners. These standards result in resilient infrastructure and are looked to as a model by other States. In other words, what the State legislature did appropriately is pass standards that would do the job, that would protect communities in times of floods and natural disasters.

As we all know, FEMA compensates communities for the rebuilding of bridges and culverts damaged during large storms such as Irene, but FEMA—and here is the main point—in many cases is insisting on overriding Vermont's stronger standards, requiring communities to build inferior projects that are unlikely to withstand the next major storm to hit the State. In other words, communities are standing there wanting to do the right thing. The State has promulgated regulations as to what these culverts and bridges should look like. What FEMA is saying is we are not going to compensate you for doing the right thing. In other words, FEMA is insisting that local communities, in order to get reimbursed for these expenses of replacing damaged infrastructure, must build culverts and bridges to standards that have already failed and are likely to fail again. This is Vermont's problem today. It could be your State's problem tomorrow. The point here is we should not be rebuilding culverts and bridges in a way that will result in them failing once again when another flood or extreme weather disturbance takes place. That makes no sense at all.

In Vermont, at least 39 bridge and culvert projects would benefit from this amendment, and half of these projects have not yet gone forward because of this dispute with FEMA. In other words, we have many communities in the State of Vermont that are not going forward rebuilding the damaged culverts and bridges but waiting because of this ongoing dispute with FEMA.

Again, today this is Vermont's problem. Tomorrow it could be West Virginia's or California's. It makes no

sense to rebuild bridges and culverts in a way that has failed. We want to rebuild them in a way that will enable them to remain strong during the next flood or extreme weather disturbance. If another Hurricane Irene were to hit, those towns would be vulnerable to severe damage yet again. In other words, they are sitting in limbo. They don't have the money to do the job they want to see done, and they are not getting help from FEMA. In fact, communities in States across the country that adopt more resilient standards for infrastructure replacement would benefit from this amendment.

Today it impacts Vermont. Tomorrow it could impact any State in this country. Local communities and States have a better sense of the kinds of standards that are required for bridges and culverts than FEMA, and they should be allowed to go forward with those standards and be compensated by FEMA.

FEMA's current practice throws good money at bad by preventing States and local communities from rebuilding with more resilient, better-defined infrastructure after devastating storms. The amendment Senator LEAHY and I are offering will save taxpayers money, will save lives, and better protect communities from future natural disasters and extreme weather disturbances.

In short, the Sanders-Leahy flood resilience amendment requires FEMA to recognize State standards when providing Federal reimbursements for bridge and culvert replacements after natural disasters, supports communities that want to rebuild more resilient infrastructure after natural disasters, harmonizes the approaches of the Army Corps of Engineers and FEMA, and stops throwing good money after bad, saves taxpayers at the local, State, and Federal level by making smarter investments in more durable infrastructure.

With that, I would ask my colleagues to support this amendment.

I ask unanimous consent that the time during all quorum calls be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 868

Mr. CARDIN. Mr. President, first let me thank Senator BOXER and Senator VITTER for the incredible work they have done in bringing forward the Water Resources Development Act, the WRDA legislation. This truly has been

a bipartisan effort to bring forward an extremely important bill for our economy, for jobs, for infrastructure, and for competitiveness. I can speak for the citizens of Maryland as to how important this legislation is to the economic life of our State in maintaining the shipping channels that are critical to the ports in our State, the Port of Baltimore. This legislation will provide the wherewithal for Maryland and our Nation to remain competitive.

In this environment, it is not easy to get a major bill to the finish line. It looks as though as a result of the work done by the chairman and the ranking Republican member, we are on the verge of being able to move this bill forward.

I know we are going to have a few votes in a few moments, and I wanted to take this time to urge my colleagues to reject the Barrasso amendment that would deny the regulation of a lot of the waterways in our country. For 40 years the Clean Water Act dramatically improved the health of a generation of Americans. Without this law, which for decades had protected rivers, streams, wetlands, lakes, and coastal waterways from toxic pollution, all of our Nation's waters would be less safe to swim in, to fish in, and, especially, to drink.

Mr. President, we are talking about the health of the people of this country—the Clean Water Act. We are talking about the health of our streams which people live next to. We are talking about families depending upon clean safe water when they turn their taps on so they can have water to give their families. We are talking about our environment.

I am pretty aggressive on this because I have the honor of representing one of the States that is part of the Chesapeake Bay watershed. The Presiding Officer also represents a State—West Virginia—that is part of the Chesapeake Bay, as is Pennsylvania and Delaware and Virginia and the District of Columbia. My point is there are over 100,000 streams and rivers that feed into the Chesapeake Bay. The Chesapeake Bay is the largest estuary in North America and has thousands of species. The life of the Chesapeake Bay depends upon the waters that flow into it, and the Barrasso amendment would deny the effectiveness of regulating the health of the waters leading into the bay. It would inject into the Clean Water Act a way in which we would be denying the protection of the Clean Water Act to the public.

I urge my colleagues to reject this amendment. It is anti-environment. There is no question about that. But let me cite another reason. I hear my colleagues on both sides of the aisle talk about predictability and we need to know what the rules are. We thought we knew what the rules were on the Clean Water Act, but then the

Supreme Court came through with some cases that are, quite frankly, baffling to us because they change the long-standing tradition of the regulations on the Clean Water Act. We thought we understood what it was all about. So there is a great deal of uncertainty today, and the Barrasso amendment takes us back to that uncertainty.

The Obama administration, through its regulatory process, has given us the predictability we need so everyone can plan their activities, knowing full well what the responsibilities are for clean water. I don't think we want to return to that time of uncertainty, and the Barrasso amendment would lead us back down that path.

There are many other reasons why this is wrong to do. When we take a look at how many wetlands and how many streams and brooks we have lost across this country, do we want to turn back the clock on the regulation of clean water on the streams, the brooks, and the wetlands that are involved in our water supply? It is literally because of the protections of the Clean Water Act that we know we are going to have a safe supply of drinking water. It is because of the Clean Water Act we know we can go to our beaches this summer and enjoy the recreational activities along the water. The Barrasso amendment would take us to a point where we could lose the effectiveness of the Clean Water Act in protecting the public health of the people of this Nation.

We have a good bill before us. It is well balanced. I do again applaud the chairman and ranking member. There are provisions in this bill, quite frankly, I would like to see written in a different way, but it was done with full bipartisan cooperation, and so the Barrasso amendment should be rejected by this body, and I urge my colleagues to reject the amendment.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I rise to speak on legislation in regard to surplus water fees. I call it the States Water Rights Act, the States water rights legislation, and I introduced this legislation as an amendment to the Water Resources Development Act. Essentially what it does is it would prevent the Corps of Engineers from unlawfully and unfairly imposing water usage fees on the Missouri River States. Joining me in this bipartisan legislation is Senator JOHN THUNE of South Dakota, Senator HEIDI HEITKAMP

of North Dakota, Senator MAX BAUCUS of Montana, and also Senator TIM JOHNSON of South Dakota. It is bipartisan legislation. In fact, I expect Senator THUNE will be joining me here on the floor very shortly, and also Senator HEITKAMP, so we can engage in a colloquy in regard to the legislation.

The Missouri River, of course, flows through the State of North Dakota and the other Missouri River States. We have seven States the Missouri River flows through. In 1944, through the Pick-Sloan Act, waters in those States were dammed to create large-scale reservoirs. There are six mainstream reservoirs. Of course the primary purpose for the dams and reservoirs was to provide flood protection downstream, which we have been doing now for more than 50 years—actually, over 60 years.

At the same time, just as we are providing that flood protection with these reservoirs, at the same time the upper basin States, States throughout the basin, have withdrawn water from those reservoirs for a whole variety of uses—municipalities, tribes, business and industrial—the whole gamut of uses. In all that time, more than 60 years, the Corps of Engineers has never charged the respective States—Montana, North Dakota, South Dakota, Nebraska—any of them—has not charged them for using the water. That makes sense because if they draw the water out of the river—I mean every one of the States has water rights. Tribes have water rights. If they draw the water out of the river, of course, there is no charge.

Likewise, because the States gave up the land for flood protection in order to create those reservoirs, the corps has never charged for drawing water out of the reservoirs either.

That has changed now. Now the corps is saying we are undertaking a study and in our study we are going to look and decide whether we are going to charge a fee if you take water out of the reservoir; even though we never have, now we think maybe we are going to charge a fee.

This amendment blocks that. It says you can't do that. The States have water rights. Just as if you take it out of the river you can't charge us for that water, you certainly can't flood our land and then charge us for it. It doesn't make any sense.

Furthermore, because States have water rights, they would never be able to do it. If in fact the corps were to proceed and impose those fees, we would sue them and we would win under the law because the respective States are entitled to those water rights. That makes this kind of an unusual situation.

We have put this legislation forward, frankly, to avoid the cost of litigation, the cost to the respective States and the cost to the Federal Government. So the reality is without this legislation

we are offering, it would actually cost the Federal Government money because they would have to undertake litigation against the States to impose fees on the States in violation of their water rights which are well established at law. This amendment, in fact, in actuality saves the Federal Government money.

But the CBO, under their scoring regime, says no, wait a minute. Somehow we are going to look beyond that. I guess they would pretend that wouldn't really happen. So we are going to assign a cost to this legislation because the corps might get some fees down the road somewhere; in spite of all these things, they might get a fee. So they have assigned a \$5 million cost to the legislation over the 10-year scoring window; \$5 million over the 10-year scoring window.

We have managed to address that by saying no, we have also added—in addition to the fact that under this legislation the corps can't impose the fees, we have also said you have to find \$5 million in savings over the next 10 years out of your operating budget. Since just their operations alone are \$2 billion a year, obviously that would be a very simple matter. The fact is it is, frankly, a technicality anyway because they are offsetting money they are never going to get so there is no cost to it. But from an accounting standpoint we do that so the CBO does not assign any score to this legislation.

That is kind of some of the nuts and bolts of the legislation. But the key is this: This is about States that have given up fertile farmland, hundreds of thousands of acres, in order to provide flood protection for other States farther downstream. They were able to not only use the land but they were able to draw water from the river as they wanted to without being charged. So here comes the corps and says now that we have flooded your land, now that you have provided that flood protection, oh, golly, we are going to charge you for flooding your land. We are going to charge small towns, we are going to charge tribes, we are going to charge business and industries, farmers—whomever.

It absolutely makes no sense. That is what this act does. It addresses that and makes sure they do not impose those fees in clear violation of States' water rights. In fact, the legislation, even though scored by CBO as having no cost, will save not only the Federal Government money but the respective States money as well.

I am very pleased to note that my distinguished colleague from South Dakota, Senator JOHN THUNE, is here. I wish to ask if he, as cosponsor of this legislation, would express some of his thoughts as well.

Mr. THUNE. I ask the Senator from North Dakota if he will yield for a question?

Mr. HOEVEN. Yes.

Mr. THUNE. This is an issue that is important to both his State and my State for many reasons, not the least of which is we have basically flooded 1.6 million acres of prime bottom land, some of the richest agricultural land in our States, in order to prevent flooding downstream. Then of course there were also stated other various uses of the water that would be allowed for the States that were impacted when this occurred.

But I wonder if my colleague from North Dakota—he has already touched upon many of the reasons why this should not happen, but he is a former Governor of his State. I know our Governor and our attorney general have made it abundantly clear that if the corps moves forward, they intend to file a lawsuit and they will litigate this. As a former Governor, if the now-Senator from North Dakota could respond to how his State of North Dakota might act in the event this actually were implemented by the corps?

It strikes me at least that this is without precedent. This is something that—the Flood Control Act was passed in 1944 and the dams were built subsequent to that. For the past 50 years our States have had access to this water and it is something that is a State right. There is no legal or statutory—there is no historical precedent for doing this. I am wondering how the former Governor of North Dakota might view this as a Governor, as to what his action might be in the event the Corps of Engineers were to move forward with this. Because it certainly would impact a lot of the industrial users, water users in the State, businesses, tribes—a lot of folks are going to be impacted if the corps moves forward with this proposal. If the Senator from North Dakota might tell me as former Governor how he might view this and what he would intend to do and what our Governor and attorney general would intend to do in the event the corps moves forward.

Mr. HOEVEN. I thank the distinguished Senator from South Dakota for joining me, and for his question. Of course, he is anticipating exactly what would happen. The States will initiate litigation against the corps if in fact the corps decides to impose a fee. They are undertaking a year-long study and at the end they are going to come back and say: Oh, they are not going to charge a fee. Or they are not going to impose a fee. If they do impose a fee, here is what it would be. At that point they would be sued by the States. In fact, in the case of North Dakota, the legislature has already set aside moneys to fund the lawsuit.

As when I was the Governor, the current Governor and the attorney general have already said very clearly they will commence litigation. It would be multistate litigation. As I said, they have already set aside funds.

That is the point I am making. We can talk about the CBO score—which we have now squared away so it doesn't score—the reality is we are saving both the Federal Government and the States money with this legislation because there will absolutely be litigation.

Mr. THUNE. Will the Senator yield for another question, if I might?

Mr. HOEVEN. I will.

Mr. THUNE. Our attorney general wrote a letter and said:

This proposal, whether disguised as a reallocation or surplus water, exceeds the Corps' regulatory authority and violates basic principles of federalism.

It went on to lay out the reasons why they, our State, would obviously enter into litigation if it comes to that, if it is necessary in order to protect the rights of South Dakotans to the water that is rightfully theirs.

I would be interested in knowing as well from the Senator from North Dakota if in fact, during the course of the last many years, his amendment would change anything, if his amendment would change anything that is happening today? In other words, today what happens if the State wants to use water in one of the mainstream dams—and there are six mainstream dams, one in Montana, a big one in North Dakota, and then we have four in South Dakota, all of which were created by the Flood Control Act or authorized. These were dams built to protect from flooding downstream and then also authorized various uses of that water.

I might point out what some of those uses are. They were to be for enhanced navigation, cheap hydro power, irrigation, programs to increase public recreation facilities, municipal-industrial water supplies, and fish and wildlife populations. Those are some of the things that are stated that the water is to be used for.

The Senator's amendment, which would prevent the corps from charging for this water, as I understand it, doesn't change anything, the practice as it exists today, because a water user would request an easement from the corps, and then essentially the State would have to issue the water. That is my understanding of how it works today.

Does any of that change—if it is passed—as far as the amendment of the Senator from North Dakota?

Mr. HOEVEN. Mr. President, in response to the Senator's question, absolutely not. It doesn't change any of the authorized purposes for the reservoirs and for the system. This does not impact in any way any of the authorized uses for the mainstem dams, the mainstem breviaries or the Missouri River system.

I want to emphasize that because we have the seven Missouri River States, and sometimes we get the upstream and downstream interests. This does not change any of those authorized

purposes or how they are utilized or how the respective States interact with them—or even the amount of water usage.

So to try to bring in any of the other issues which have typically been concerns for the Missouri River does not apply here. This is about whether the respective States—this is one where we can come together. This is upstream or downstream and whether any States will be charged for water that is rightfully theirs. That makes this very much a States rights issue about which all of the States should be concerned.

How can we allow Federal agencies to come in and simply impose a fee because they want to and then impose whatever fee they want? We will do a study and we will impose a fee of whatever size we determine we believe is appropriate.

It is a clear violation of States rights, and on a very important issue, water rights.

If I could, I want to also invite the good Senator from North Dakota, Ms. HETKAMP, to join us as well in this colloquy. She also brings expertise as the former attorney general in North Dakota and can certainly comment on the legal issues as well.

Before I do that, I will turn it over, Mr. President, to the Senator from South Dakota, who I think had another question and/or comment.

Mr. THUNE. Mr. President, I want to welcome our other colleague from North Dakota who also has experience as a litigator in protecting the interests of her State. Perhaps she could also comment on what actions the States might take if the corps moves forward.

I want to point out to my colleagues, and perhaps the Senator is already aware of this, but I am looking at some things that are proposed charges that the corps would make under this proposal, although I don't think they have stated explicitly what that might be. But it ends up being a significant amount.

In fact, over the Lewis and Clark leg, which is Gavins Point—or I should say, Lewis and Clark Dam—they are talking about \$174 per acre foot of yield from Lewis and Clark Lake. We are talking about businesses, individuals, tribes, and industrial users having access to water they believe—and I think we all believe—is something that was promised to them when this legislation was passed way back in the 1940s.

We have essentially 70 years of precedent where it has been the case that the States have access and can rightfully use that water for those various purposes as authorized under the legislation. This would move away from that and start to impose these fees, which I think over time get to be quite excessive.

I appreciate the work that has been done by the Senator from North Dakota Mr. HOEVEN in terms of trying to

get the CBO to evaluate this in the proper context. For a while they were talking about the scoring impact that was much larger than many of us believed it would be. Again, it is a hypothetical situation. It is not happening today.

All the Senator is simply doing is saying we want to keep in place the rules of the game as they have applied to the mainstem dams for the past 50 years—70 years since the authorization in the legislation that created it, but also since the dams were built.

I guess I would say to my colleagues from North Dakota, I appreciate their good work, and I would simply reiterate—as a South Dakotan, downstream from North Dakota—that our States, and all the States in the upper basin, would be dramatically impacted by this because it would be a precedent that would be entirely new.

Literally, this is something we have not dealt with since we had the dams and the lakes in our States. Again, this would be at a tremendous sacrifice in terms of the amount of prime bottom land that was given up when the dams were built and the land was taken.

I now defer to the former attorney general of North Dakota, Senator HEITKAMP, for some observations she might have with respect to that issue.

Mr. HOEVEN. I thank the Senator from South Dakota for joining, and he is absolutely right. The cost to the States is significant. In actuality, the scoring number is reduced because the probability of them getting it is so remote. As I mentioned earlier, they are flying in the face of well-established water rights the States have. So once they assign the probability they would lend to it, obviously that reduces the amount that gets scored.

Once again, it shows they are trying to impose a fee where they have no right to do it, so it did create some scoring issue that it really never should. The fact is the litigation would far outweigh the score that CBO has put on it, both to the Federal Government and to the respective States. In the end there would be no fees because there is no right to assess those fees.

I think we have someone who as a former attorney general dealt, in fact, with this very type of issue during her tenure as attorney general. I turn to my colleague from North Dakota and ask that she comment on the legality of the issue as well as her thoughts in terms of the fairness and the States rights aspect, which truly makes this an issue our colleagues should join and support. This is exactly what could happen to them, and it could happen to their States.

I turn to Senator HEITKAMP for her thoughts in that regard.

The PRESIDING OFFICER. The junior Senator from North Dakota.

Ms. HEITKAMP. I say thank you to my colleagues from North Dakota and

South Dakota. Mr. President, this is not a new issue. This is an issue—even back in the 1990s—I dealt with as the State's attorney general. Why do I mention that? I mention it because we were able to persuade the corps at the time that the intake pipe they were attempting to charge for surplus water was actually in the original river bed. I—just tongue-in-cheek—suggested I would charge them for putting their water on top of our water, and maybe they should pay a fee to us for the storage we were going to allow them.

In all seriousness, this is not an issue that is going to go away. If any of our colleagues think this is an issue where we can just let it go and ride it out, this is an issue that has percolated for a lot of years. It has culminated right now to this effort to be proactive in this body to prevent litigation, prevent excess expense, and prevent a deterioration of a relationship that is essential to making sure we have flood protection and all of the other good that came out of the Flood Control Act.

So the time is now to take an immediate step to prevent this issue from going any further and to address the concerns that upstream States have.

I want to spend just a few moments talking about this from a legal perspective and what could happen if, in fact, the Federal Government engaged in litigation with the States.

We have heard today from both South Dakota and North Dakota Senators. I am reasonably sure Montana would not allow this precedent to stand without some pushback and an absolute commitment from a bipartisan standpoint from all the upstream States for a pushback.

Let's talk about why there are legal problems with the corps approach. Charging fees for surplus waters, I believe, would violate a State's right to the water that naturally flows through the boundaries as historically recognized by the Federal Government and as recognized by the 10th Amendment.

Charging fees would violate statutory law. Section 1 of the 1944 Flood Control Act provides protection for water resources in Western States. We have a common law water rights argument, a historic argument, and we have a statutory argument.

I think charging fees would reverse decades of corps policy on surplus water and create a precedent which should not be established, not only in the upper Missouri basin but should not be established anywhere in this country. That is why this is an issue that is not just about the Dakotas, it is not just about Montana and the upstream States, it is an issue that every one of our colleagues has an interest in reviewing. If they can do it in this case, why can't they do it in any other reservoir.

Charging fees would penalize Montana, North Dakota, and South Dakota

by charging for water that is freely available in the absence of the corps reservoir. If there were no reservoir, there would be no issue. In fact, if they tried to charge, most of our colleagues would find that absolutely atrocious. This is in the face of what we know we have sacrificed for flood control in that basin.

I want to mention the unique interest that the Mandan, Hidatsa, Arikara Nation, along with the Standing Rock Nation have and what they have sacrificed for flood control, what they have sacrificed in terms of loss of their land, division of their reservation boundaries, and division of their property. Now, the corps is saying: Yes, we took your land. Yes, we disrupted your natural boundaries and your natural way of life, and now we are going to charge you for the water that sits on your historic homeland.

Mrs. BOXER. Will the Senator yield for a unanimous consent request?

Mr. HOEVEN. Mr. President, I ask unanimous consent for another 5 minutes.

Mrs. BOXER. We have a vote locked in at 5 p.m., so the Senator can speak up until 5 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California.

Mrs. BOXER. I ask unanimous consent that at 5 p.m., the Senate vote in relation to the Inhofe, Barrasso, and Sanders amendments as provided under the previous order; that following the vote in relation to the Sanders amendment, the Senate proceed to a period of morning business with Senators permitted to speak up to 10 minutes; further, that when the Senate resumes consideration on S. 601 on Wednesday, May 15, it resume the voting sequence in the previous order with all after the first vote being 10 minutes and all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mrs. BOXER. For the information of all Senators, it is our expectation that the Inhofe amendment will be the subject of a voice vote. If that occurs there will be two rollcall votes this evening, and the remainder of the votes will occur tomorrow.

I yield the floor.

Ms. HEITKAMP. So when we look at water surplus fees and we think about the fact that we have given our land, we have given our opportunity to have free access to our water, we have done all of this with the idea that it is for the better good of this country, to now charge our citizens and people who have always had historic access to that water—this fee looks a whole lot like a tax—it is adding insult to injury.

I can guarantee that this issue will not go away. If we don't prevail, what we are buying is a lawsuit because the

Corps of Engineers is not going to give up. The Corps of Engineers will continue to advance and promote this idea until they implement this idea, and then we are going to be in litigation.

This issue will not go away. The easiest way to resolve this issue in an amicable way and in a way that is going to maintain the kind of historic relationship we have with our tribes is to deal with it today. We need to deal with it within the Water Resources Development Act we are enacting. We need to support amendment No. 909, the amendment of my good friend and colleague JOHN HOEVEN, the Senator from North Dakota, and put this idea to bed once and for all that the corps cannot charge us for water that historically and legally belongs to the States where that water is located.

I yield the floor.

Mr. HOEVEN. I wish to thank again my colleague for her comments in regard to the legal aspect; again, she brings a lot of direct experience working with this issue. So I thank her for her comments with regard to the legal aspect, but she makes another very important point. This isn't just about States rights; this would be a taking of tribal rights too.

I am going to turn to my colleague from South Dakota and ask him a question on this very same subject. But, in fact, in North Dakota, it is going to be one of our tribes that is most disenfranchised by this action of the corps. Because, again, we have made the point we can take water out of the river. We can continue to do that. They can't charge us for water coming from the river.

The other place they are trying to charge for water is out of the reservoir. But most of the reservoir in North Dakota is inside the tribe reservation, so the people who would be most dramatically impacted, in fact, would be Native Americans in our State.

I am going to turn to our colleague from South Dakota. I am guessing that is true in South Dakota as well.

Mr. THUNE. I would just say to both of my colleagues from North Dakota, that is an absolutely accurate observation.

If we look at who is impacted—and we have the Standing Rock Tribe that is partly in North Dakota and partly in South Dakota so it crosses the State border. We have the Cheyenne River Sioux Tribe, the Coal Creek Sioux Tribe, the Yankton Tribe. We have a whole bunch of reservations as we go right down that corridor of the Missouri River that would be profoundly impacted. As we mentioned earlier, when this land was given up, when the dams were built, this was a lot of not only private land but tribal-held land which they gave up. This would directly impact the access they would have to water that is rightfully theirs.

So in addition to the concerns our States have and our attorneys general

have, we also have a lot of tribes that have a very vested interest in making sure this doesn't happen. That is why it is so important that our colleagues support the amendment of the Senator from North Dakota, because as was pointed out by Senator HEITKAMP, this is precedent setting. If they can do this here, they may try and do it someplace else.

I also think—and the point was made by both of my colleagues—this is a very practical consideration. It will cost the Federal Government and our States a lot more than what they are saying this is going to achieve in terms of revenues when this goes to court. Both the States and the Federal Government will be locked up, I would suspect, in litigation for some time. The amount of revenues that would be raised by the fees that would be imposed under the various proposals that are being advanced by the corps simply would pale in comparison to the litigation costs that would be involved.

So that is a very practical consideration. I concur. I am not a lawyer, and I certainly am not a former attorney general or former Governor. I know both of my colleagues have experience with these issues. But I can tell my colleagues from talking with our Governor and our attorney general they are highly confident that legally this is a very open-and-shut situation and a case in which our State would prevail. So it seems sort of crazy in a way that we would even have to go down that trail, and I hope we can prevent it from happening by having our colleagues join us in support of this amendment.

Mr. HOEVEN. Mr. President, I wish to thank my colleague from South Dakota and turn to my colleague from North Dakota for any final thoughts before we yield the floor.

Ms. HEITKAMP. Mr. President, my colleagues from North and South Dakota and I come from practical States. We come from States where we try to anticipate problems and we solve problems before they turn into big, expensive pieces of litigation, and that is what that amendment does. This amendment addresses, in a proactive way, a policy we know will not be put to bed until this body speaks. Let's do it now. Let's do it kind of in the way we do it in our States. Let's be proactive. Let's make sure we aren't wasting money and wasting relationships on litigation and that we are moving forward to manage the Upper Basin as best we can and that we do what is right by the people of our State and the people in our tribal governments and our Native American neighbors.

AMENDMENT NO. 909

Mr. HOEVEN. Mr. President, with that, I wish to set aside the pending amendment and call up the Hoeven amendment No. 909.

I wish to close with a couple other thoughts. Senator BAUCUS from Mon-

tana wanted to join with us in the colloquy, but the timeline didn't work out. So I wished to express my appreciation for his support and sponsorship of this legislation as well.

I wish to again make the point that this isn't about using the water. Our respective States will still use the water. The issue is about being charged for it. That is a very important point, so that nobody tries to confuse this issue in order to try to get opposition to the issue. We will still use the water; it is just that we will be charged for it unfairly, except for the fact—as we said, this would be tied up in litigation creating a bunch of costs for the State and the Federal Government, so that wouldn't really happen. So what we are doing is solving a very important problem. It is one that all of the States need to be cognizant of, because if a Federal agency can come in and try to do it to one State, it can do it to any one of the States. This is a fundamental issue regarding States rights.

If any of our colleagues have questions or concerns about the amendment, I encourage them to come to us. We want to talk to them about it. We truly believe, if they understand the facts, they will be strongly supportive.

Again, I wish to turn to my colleague from South Dakota.

Mr. THUNE. One final point of clarification and perhaps the Senator from North Dakota can react and comment on this as well.

My understanding is, of course, that this doesn't have any impact on the master manual, the way in which the corps manages the reservoir. So the degree to which there might be concern about whether this is our water versus their water, which historically has plagued a lot of the discussions about the Missouri River—upstream-downstream interests. As the Senator from North Dakota pointed out, the water is going to get used. It is water that is either stored or used. I think it is a question of whether we are going to be charged, the users of that water are going to be charged, and that does, of course, create precedent. If that is something they can do here, the question is, What is the next State? Because this violates a principle of federalism, as pointed out by the attorney general of South Dakota in his letter to the Corps of Engineers.

But I wanted to say for the record, perhaps to those who are viewing this as an upstream-downstream battle, that is not the case. This does not affect the master manual, to my knowledge, and I ask the Senator from South Dakota to react to that as well.

Mr. HOEVEN. Mr. President, the Senator is absolutely right. I wish to thank him for emphasizing that point. It is very important. Again, that is why I encourage any of our colleagues to discuss this issue with us if they have any concerns whatsoever. It is

just a fundamental fairness issue, and we ask for an affirmative vote from our colleagues.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the clerk will report the Hoeven amendment.

The assistant bill clerk read as follows:

The Senator from North Dakota [Mr. HOEVEN] proposes an amendment numbered 909.

Mr. HOEVEN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 909

(Purpose: To restrict charges for certain surplus water)

On page 190, after line 23, add the following:

SEC. 2060. RESTRICTION ON CHARGES FOR CERTAIN SURPLUS WATER.

(a) IN GENERAL.—No fee for surplus water shall be charged under a contract for surplus water if the contract is for surplus water stored on the Missouri River.

(b) OFFSET.—Of the amounts made available under Public Law 113-6 (127 Stat. 198) for operations and maintenance under the heading “Corps of Engineers—Civil”, \$5,000,000 is rescinded.

Mr. HOEVEN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 868

Mrs. BOXER. Mr. President, shortly we are going to vote; I believe it will be a voice vote on the Inhofe amendment. It is not a controversial amendment; everybody agrees to it. Then we will proceed to the Barrasso amendment which I have spoken about before.

I wish to urge my colleagues to be very careful on this one because it has unintended consequences. The way the Barrasso amendment is drafted, it tries to say, in advance of a rulemaking, that if the rulemaking includes any infrastructure from the guidance that has been put forward by the corps and the EPA—if it even contains anything like it—“the rule will be considered as having been vacated.” That is a quote.

So the bottom line is, the Barrasso amendment is such an overreach that we will keep the whole issue of waters of the United States in chaos—and it is in chaos. We received letters from business people begging us to allow the rulemaking to go forward, but because of the way the Barrasso amendment is drafted, essentially we are not going to ever have a rule.

So why is it important to have a rule that is very clear and explains what waters are covered under the Clean Water Act? Let me tell my colleagues why. Without protections of a rule, dangerous pollutants could be put into our waterways. This isn’t just hyperbole. We are talking about toxic heavy metals such as arsenic and lead. We are talking about toxins that cause cancer and harm the health of infants and children in particular. Who are the vulnerables? The infants, the children and the elderly and those who are disabled. They are the ones who are the victims of filthy, dirty water.

I am not saying my friend Senator BARRASSO wants to get people sick. I am not saying that. But I am saying there is an unintended consequence of the overreach in this amendment which is pretty clear to all who read it. It says if the draft guidance that has already been looked at is included in any way, shape or form into a final rule, then the whole rule is thrown out on its face and that leaves the situation in chaos.

Say I come to the Presiding Officer and say: I am going to write a book about mathematics. The Presiding Officer says: That is very exciting, but there is only one thing. I am your publisher and you can’t put one single number in the book—not a 1 to a 2 to a 3. You can write a book on mathematics, but it can’t contain any numbers. That is the most ridiculous situation. But this is the essence of the Barrasso amendment. It is telling people who are going to write a rule that they can’t take anything that was put in the draft guidance and put it into that rule. It makes absolutely no sense.

I want to protect people from toxics such as lead and arsenic. Without these safeguards of the rule, our drinking water supplies would be more at risk and the laws of these protections would increase the risks of dangerous floods in downstream communities because it would eliminate wetlands protections.

One of the things I learned when I was a county supervisor a very long time ago is that wetlands kept in their natural state and enhanced are the best way to have flood protection. When I went to Louisiana after Katrina, I was struck by the fact that the whole community understood the importance of the wetlands, because they absorb the floodwaters.

So now, because we are not going to be able to define what is a body of water that falls under the Clean Water Act, we are going to have a major problem with our wetlands. We are going to have a major problem with our rivers. We are going to have a major problem with our streams. We are talking about enormous bodies of water that are unprotected now because there is no rule. Under the Barrasso amendment, my opinion is—and it isn’t just my opinion—there will not be any rule because

if the rule picks up anything in the guidance at all—anything substantially similar to the guidance at all—it will be automatically overturned.

I wish to say to my friend, if he doesn’t like a rule, he has the CRA, the Congressional Review Act. He can wait until he gets the rule. Don’t prejudice it. Don’t say the rule is vacated. That is pretty dictatorial to people who are in charge of protecting our water supply.

Nobody wants our kids to get more cancer. Nobody wants this to happen. We have to protect streams that provide drinking water for up to 117 million Americans. We have 20 million acres of wetlands that provide flood protection, improve water quality, and serve as wildlife habitat.

So the hour of 5 o’clock is upon us. We are going to vote on the Inhofe amendment first. Then we will turn to Senator BARRASSO for a moment to make his case, and then I will have 1 minute after that. So at this time we return to regular order. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 797

Mrs. BOXER. Madam President, I call up Inhofe amendment No. 797.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for Mr. INHOFE, proposes an amendment numbered 797.

Mrs. BOXER. I ask unanimous consent to yield back all time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 797) was agreed to, as follows:

(Purpose: To authorize a land exchange)

At the end of title XII, add the following:
SEC. 12. TULSA PORT OF CATOOSA, ROGERS COUNTY, OKLAHOMA LAND EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term “Federal land” means the approximately 87 acres of land situated in Rogers County, Oklahoma, contained within United States Tracts 413 and 427, and acquired for the McClellan-Kerr Arkansas Navigation System.

(2) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 34 acres of land situated in Rogers County, Oklahoma and owned by the Tulsa Port of Catoosa that lie immediately south and east of the Federal land.

(b) LAND EXCHANGE.—Subject to subsection (c), on conveyance by the Tulsa Port of Catoosa to the United States of all right,

title, and interest in and to the non-Federal land, the Secretary shall convey to the Tulsa Port of Catoosa, all right, title, and interest of the United States in and to the Federal land.

(c) CONDITIONS.—

(1) DEEDS.—

(A) DEED TO NON-FEDERAL LAND.—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(B) DEED TO FEDERAL LAND.—The Secretary shall convey the Federal land to the Tulsa Port of Catoosa by quitclaim deed and subject to any reservations, terms, and conditions that the Secretary determines necessary to—

(i) allow the United States to operate and maintain the McClellan-Kerr Arkansas River Navigation System; and

(ii) protect the interests of the United States.

(2) LEGAL DESCRIPTIONS.—The exact acreage and legal descriptions of the Federal land and the non-Federal land shall be determined by surveys acceptable to the Secretary.

(3) PAYMENT OF COSTS.—The Tulsa Port of Catoosa shall be responsible for all costs associated with the land exchange authorized by this section, including any costs that the Secretary determines necessary and reasonable in the interest of the United States, including surveys, appraisals, real estate transaction fees, administrative costs, and environmental documentation.

(4) CASH PAYMENT.—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, the Tulsa Port of Catoosa shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(5) LIABILITY.—The Tulsa Port of Catoosa shall hold and save the United States free from damages arising from activities carried out under this section, except for damages due to the fault or negligence of the United States or a contractor of the United States.

Mrs. BOXER. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER. Madam President, what is the order at this time?

AMENDMENT NO. 868

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on amendment No. 868 offered by the Senator from Wyoming, Mr. BARRASSO.

The Senator from Wyoming.

Mr. BARRASSO. Madam President, this amendment restricts the expansion of Federal authority to encompass all wet areas of farms, ranches, and suburban homes across the United States. They want to do it through guidance, this proposed guidance that is used by Federal agencies. It seems that they are preparing to expand the definition of waters of the United States to include ditches and other dry areas where water flows only for a short duration after a rainfall.

This guidance is going to have a huge impact on farmers, ranchers, and small

businesses that need to put a shovel in the ground to make a living. This guidance will, in fact, trump States rights by preempting State and local governments from making local land and water use decisions.

I have always believed the State and local governments, not Washington, know best how to protect their communities from environmental harm. The guidance does exactly the opposite and puts the power of these decisions in the hands of bureaucrats in Washington.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, the way my colleague and friend has drafted his amendment is very dangerous to the process because he wants to say if, in the rulemaking where we will define the waters of the United States, if they even so much as refer to the guidance that has been put forward, the draft guidance, there will be no rule.

The problem of not having a rule is we leave in place chaos. States cannot go ahead and handle this themselves. Local governments cannot. Under the law, according to all the rules of the Court and everybody else, we have to have a definition. No one I know wants to classify a ditch or a puddle as a water of the United States. That is always brought up, but that is just a red herring.

We need to make sure we have a Clean Water Act that protects the people, protects their drinking water, and makes sure they are safe when they swim in a lake. If we do not move forward with a rule, at the end of the day this amendment will not allow that to happen, and we are in chaos. It does not protect our people from arsenic, from lead, from whatever objects there may be in a body of water. So I hope we will reject this. I thank my friend for offering it, but I think it is misguided.

I yield the floor.

Mr. BARRASSO. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington (Mrs. MURRAY), and the Senator from Florida (Mr. NELSON) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 44, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—52

Alexander	Fischer	McCaskill
Ayotte	Flake	McConnell
Barrasso	Graham	Moran
Begich	Grassley	Paul
Blunt	Hagan	Portman
Boozman	Hatch	Pryor
Burr	Heitkamp	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Landrieu	Vitter
Cruz	Lee	Wicker
Donnelly	Manchin	
Enzi	McCain	

NAYS—44

Baldwin	Gillibrand	Reid
Baucus	Harkin	Rockefeller
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Boxer	Johnson (SD)	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Stabenow
Cardin	Klobuchar	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Coons	Menendez	Warner
Cowan	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Reed	

NOT VOTING—4

Lautenberg	Murray
Murkowski	Nelson

The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mrs. BOXER. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. I want to tell my colleagues what the plan is for tonight and tomorrow on the WRDA bill and thank everyone so much on both sides of the aisle for their cooperation. Senator VITTER and I are so happy we are able to have this open process, and we will finish this bill tomorrow. This will be the last vote this evening. We will continue late morning and complete our work. Right now we are going to have the Sanders amendment, with 2 minutes equally divided, and both Senators from Vermont would like to be heard.

AMENDMENT NO. 889

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 889, offered by the Senator from Vermont, Mr. SANDERS.

The Senator from Vermont.

Mr. SANDERS. This amendment impacts Vermont today, but it can impact any and every State in this country if it experiences a major flood or a natural disaster.

We all know FEMA compensates communities for rebuilding bridges and

culverts damaged during storms such as Irene, but what is not widely known is that FEMA insists that local communities, in order to get reimbursed, must build culverts and bridges to the same standards that already failed and are likely to fail again. It is not terribly sensible. That is what this amendment deals with.

I yield to my colleague from Vermont, Senator LEAHY.

The ACTING PRESIDENT pro tempore. The Senator from Vermont, Mr. LEAHY.

Mr. LEAHY. Madam President, all we are saying is that if you are going to be getting relief from the Federal Government but you have a better way to rebuild your culverts, you can do it that way rather than to have the ones that failed before.

I am sure there are a whole lot of States here that will be affected by this amendment, and I hope it will be approved.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, as ranking member on the Homeland Security and Governmental Affairs Committee, I know there are a lot of problems with FEMA and the Stafford grant, but this is essentially an earmark for an improvement before FEMA has even determined whether it is going to give mitigation grant money to the State of Vermont.

We need to do a lot in the way of changes with FEMA and grants and the Stafford grant monies. We know that, and we are working on that in Homeland Security. But this starts a process that sets a precedent that will be terrible. This is nothing right now but an earmark for one area, to benefit one State, when we need to make improvements in the whole process.

I hope my colleagues will look at the big picture rather than the small picture, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington (Mrs. MURRAY), and the Senator from Florida (Mr. NELSON) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 120 Leg.]

YEAS—56

Baldwin	Gillibrand	Pryor
Baucus	Hagan	Reed
Begich	Harkin	Reid
Bennet	Heinrich	Rockefeller
Blumenthal	Heitkamp	Sanders
Boxer	Hirono	Schatz
Brown	Johnson (SD)	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Stabenow
Carper	Klobuchar	Tester
Casey	Landrieu	Udall (CO)
Cochran	Leahy	Udall (NM)
Collins	Levin	Vitter
Coons	Manchin	Warner
Cowan	McCaskill	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wicker
Feinstein	Mikulski	Wyden
Franken	Murphy	

NAYS—40

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	
Enzi	McCain	

NOT VOTING—4

Lautenberg	Murray
Murkowski	Nelson

The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mrs. FISCHER. Madam President, I rise today to speak on S. 601, the Water Resources Development Act, WRDA. I would like to focus on Senate Amendment No. 801, a bipartisan provision to provide regulatory relief to our country's farmers and ranchers. Senate Amendment No. 801 is based on S. 496, the Farmers Undertake Environmental Stewardship Act, FUELS Act.

The FUELS Act was introduced by Senator MARK PRYOR and has 10 cosponsors from both sides of the aisle including Senators JOHN BOOZMAN, SAXBY CHAMBLISS, THAD COCHRAN, JOHN CORNYN, HEIDI HEITKAMP, JAMES INHOFE, JOHNNY ISAKSON, MIKE JOHANNIS, MARY LANDRIEU, and myself. It was referred to the Senate Environment & Public Works Committee, of which I am a member.

I filed the FUELS Act as an amendment to WRDA when it was considered earlier this year by the Senate Environment & Public Works Committee. The amendment was not considered at that time.

The House version of the FUELS Act, H.R. 311, was introduced by Congressman RICK CRAWFORD and has 69 cosponsors. In the 112th Congress, the FUELS Act, H.R. 3158, was reported by the House Transportation and Infrastructure Committee and passed the House by voice vote. The House Committee Report for H.R. 3158 (Report 112-643) provides background and discusses the need for legislation:

The EPA mandated Oil Spill Prevention, Control and Countermeasures program, or SPCC, requires that oil storage facilities with a capacity of over 1,320 gallons must make infrastructure improvements to reduce the possibility of oil spills. The regulations require farmers to construct a containment facility, like a dike or a basin, which must retain 110 percent of the fuel in the container. These mandated infrastructure improvements—along with the necessary inspection and certification by a specially licensed Professional Engineer will cost many farmers tens of thousands of dollars. Sometimes compliance costs reach higher than \$60,000.

The SPCC program dates back to 1973, shortly after the Clean Water Act was signed into law. In the last decade, it has been rigorously applied to agriculture lands, and has been amended, delayed, and extended dozens of times. The Obama administration updated the rule in 2009 to expand regulation under the SPCC program—applying it to nearly all farms, and lifting a 2006 rule that suspended compliance requirements for small farms with oil storage of 10,000 gallons or less. It applied to crop oil, vegetable oil, animal fat, and even milk. Further revisions came during April of 2011 when the EPA decided to exempt milk.

The 2009 rule—minus regulating milk spills was scheduled to go into effect in November 2011. A few weeks before the November deadline, EPA issued a statement saying they would not begin enforcement until May of 2013. While enforcement has been delayed until 2013, the underlying regulation has not been fixed.

The FUELS Act requires that EPA revise the SPCC regulations to be reflective of a producer's spill risk and financial resources. The exemption level would be adjusted upward from 1,320 gallons of oil storage to an amount that would protect small farms: 10,000 gallons. The proposal would also place a greater degree of responsibility on farmers and ranchers to self-certify compliance if their oil storage facilities exceed the exemption level. If the amount exceeds 42,000 gallons, a professional engineer must certify the SPCC plans for a farm. The bill provides another layer of protection by requiring the producer to be able to demonstrate that he or she has no history of oil spills, or to fully comply with the SPCC regulations.

The University of Arkansas, Division of Agriculture did a study that concluded that, for the entire country, H.R. 3158 would save farmers and ranchers up to \$3.36 billion.

Agricultural production is an energy-intensive endeavor. Farmers need fuel to power machinery, equipment, and irrigation pumps. Because these operations are in rural areas where regular access to fuel supplies is limited, producers rely upon on-farm fuel storage capacity to provide the supply we need at the times we need it.

My family operates a cattle ranch in the Nebraska Sandhills, so I can tell you firsthand that farmers and ranchers take great pride in the work we do. Our success is the direct result of careful stewardship of our natural resources, which we depend upon for our livelihoods. In agriculture, we know the value of clean water, and we work hard to protect the quality of our streams and aquifers. When it comes to preventing spills from our on-farm fuel

storage, farmers already have every incentive to do so—not the least of which is the high cost of diesel and gasoline.

I receive calls and letters every day from Nebraska farmers concerned about the compliance challenges associated with the SPCC rule for on-farm fuel storage, a regulation originally designed for oil refineries. Allow me to share a portion of one such constituent email I recently received on this issue:

We just became aware of this regulation yesterday through an email from Farm Bureau. Since we have a large quantity of on-farm storage capacity, we are not able to self-certify and must hire a professional engineer to create a plan. In order to find a qualified engineer, I first called the EPA, who then told me to call the Region 7 office out of Kansas City, who then told me to call the Nebraska Board of Engineers, who then told me to call the Nebraska Society of Professional Engineers, but the number on their website is no longer in service. When I asked the gentleman from the Nebraska Board of Engineers how much it would cost, he said anywhere from \$1500-\$4800, depending on the complexity and the engineer's ability to charge more due to high demand due to the approaching deadline. When I asked the gentleman from the EPA Region 7 office why we hadn't heard about it before now, he said the ruling was in place for a long time but they haven't done a good job of getting the word out.

When I shared these frustrations with Gina McCarthy, the nominee for EPA Administrator, she acknowledged at her nomination hearing on April 11, 2013, that "the agency has bridges to build with the agriculture community." The fact is that good stewardship on farms and ranches and environmental improvements are achieved because of producers' application of new technology, best practices, and conservation measures.

Centralized management and mandates are all too often arbitrary, ineffectual, or even counterproductive, lacking the insight of local stakeholders. I ask unanimous consent to have printed in the RECORD a letter from the stakeholder groups on this issue that illustrates this point, July 25, 2012 letter to the House Committee on Transportation and Infrastructure. This letter from national agriculture groups—including the American Farm Bureau Federation, American Soybean Association, National Association of Wheat Growers, National Cattlemen's Beef Association, National Chicken Council, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Milk Producers Federation, and USA Rice Federation explains the arbitrary nature of the current regulation: "EPA's unusual threshold number of 1,320 gallons has no basis in science or in normal tank sizes for agriculture."

WRDA will require EPA, in consultation with the U.S. Department of Agriculture, USDA, to conduct a study to determine the appropriate exemption

level "to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant risk of discharge to water." The intent of this provision is to ensure that EPA is not unnecessarily regulating on-farm fuel storage at capacities that do not pose a significant risk to harming water quality. If there is not a significant risk, then regulation is not justified. Compliance costs should not be imposed where there is not a significant risk.

A March 2005 USDA report, Fuel/Oil Storage for Farmers and Cooperatives, states, "The SPCC rule will have a substantial cost of compliance for the nation's farmers. A total compliance cost of almost \$4.5 billion is projected. There is very little evidence of fuel/oil spill by farms." The report goes on to state that "the 1,320 gallons aggregated storage trigger is not supported by the survey data. Compliance at this level not only ignores the physical layouts of farm fuel storage but it also imposes a broad and extreme impact on the majority of farms. Nearly 70 percent of all farms would have to comply, at an average aggregated tank cost of \$9,215 and a total compliance cost of \$4.5 billion."

I also ask unanimous consent to have printed in the RECORD other letters of support for the FUELS Act from agricultural stakeholders, including letters from the American Farm Bureau Federation, USA Rice, National Corn Growers Association, American Soybean Association, National Cotton Council, National Association of Wheat Growers, National Cattlemen's Beef Association, and National Council of Farmer Cooperatives, NCFC.

This quote from the NCFC letter illustrates the points I have made, further explains the need for the legislation, and emphasizes the importance of the EPA-USDA study in ensuring that we are not unnecessarily regulating capacity levels at which no significant risk of oil spills has been demonstrated.

Without question the members of the agricultural sector who grow the nation's food and rely on surface and well water to meet their families' and agricultural operations' needs are highly motivated to ensure that their environmental practices are sound. These producers work daily to ensure a safe environment for their children and the communities in which they live. As such, they can and do take very seriously their responsibility, consistent with the intent and spirit of the SPCC provisions, to properly manage the oil resources used on their operations.

Row crop farms, ranches, livestock operations, farmer cooperatives and other agribusinesses pose low risks for spills and are often seasonal in nature. In fact, data on oil spill on farms, cooperatives, and other agribusinesses is almost nonexistent. The Agency has failed to provide data or even anecdotal evidence of agricultural spills to justify such a resource-intensive rulemaking for America's farmers and ranchers. The risk of such spills from agriculture is extremely low and there is little to no evidence that providing greater flexibility through S. 496 will harm the environment.

The Senate's approval of WRDA will be a huge victory for farmers throughout Nebraska and across America, who should not face unnecessary regulations. The bipartisan provision regarding on-farm fuel storage raises the exemption levels for fuel storage capacity to better reflect the spill risk and financial resources of farms. I appreciate my colleagues' support and cooperation on this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 25, 2012.

Hon. JOHN MICA,
Chairman, House Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

Hon. NICK RAHALL,
Ranking Member, House Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA AND RANKING MEMBER RAHALL: The undersigned organizations would like to express our strong support for H.R. 3158, the Farmers Undertake Environmental Land Stewardship (FUELS) Act. H.R. 3158 would bring some much needed clarity to agriculture on the confusing requirements of the EPA's Spill Prevention, Control, and Countermeasure (SPCC) rule.

As you are aware, farming is an energy-intensive profession. Producers need fuels stored on-farm for everything from fueling mobile equipment to running irrigation pumps. Many of these tanks are seasonal use and stay empty much of the year due to the high cost of fuel and the possibility of theft. Furthermore, EPA's unusual threshold number of 1,320 gallons has no basis in science or in normal tank sizes for agriculture.

In addition, EPA's bifurcation of the rule date (before and after August 16, 2002) has brought immense, unneeded confusion to the farming community as they try to determine whether their current business model is the same that was in operation prior to the 2002 date. The requirement to have Professional Engineers (PEs) sign off on many SPCC plans adds significant costs to the producer as well as the time spent trying to find the limited number of PE's willing to work on this rule in agricultural areas. It has already led to PE's telling producers many things that aren't in the rule as they try to oversell their product.

While the undersigned organizations welcome EPA's extension of the deadline to May 10, 2013, that extension only applies to farms in operation after August 16, 2002, further confusing the industry. Furthermore, farms are still under the costly requirements of providing secondary containment to many seasonal-use tanks and developing complicated 'spill plans'. Despite pleas to the agency for compliance assistance, they have been slow to respond, and despite invitations to grower meetings, they have little funding for travel.

Thankfully, this Congress has the opportunity to ease this burden on rural America. H.R. 3158 would provide realistic threshold sizes for tank regulation at the farm level and allow more farms to self-certify thus saving time and money that would otherwise be spent in hiring PE's to sign the SPCC plans.

H.R. 3158 is common sense legislation that the undersigned strongly support. We urge the Committee and Congress to pass the bill

to help relieve undue regulation on farmers and rural America.

Sincerely,

American Farm Bureau Federation, American Soybean Association, Arkansas Farm Bureau Federation, Montana Grain Growers Association, National Association of Wheat Growers, National Cattlemen's Beef Association, National Chicken Council, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Milk Producers Federation, National Turkey Federation, Pennsylvania Farm Bureau Federation, USA Rice Federation.

NATIONAL COTTON
COUNCIL OF AMERICA,
Washington, DC, May 1, 2013.

Hon. MARK PRYOR,
U.S. Senate,
Washington, DC.

Hon. JAMES INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATORS PRYOR AND INHOFE. The National Cotton Council (NCC) supports your efforts to advance S. 496, the FUELS Act.

Your bill will alleviate the costly regulatory burden on farmers resulting from EPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule. EPA's unusual threshold number of 1,320 gallons has no basis in science or in normal tank sizes for agriculture. S. 496 will raise that threshold to a more realistic and practical level. Your bill will also allow more farms to self-certify rather than hiring a qualified professional engineer.

NCC is the central organization of the U.S. cotton industry representing producers, ginners, merchants, cooperatives, textile manufacturers, and cottonseed processors and merchandisers in 17 states stretching from California to the Carolinas. NCC represents producers who historically cultivate between 10 and 14 million acres of cotton. Annual cotton production, averaging approximately 20 million 480-lb bales, is valued at more than \$5 billion at the farm gate. While a majority of the industry is concentrated in the 17 cotton-producing states, the down-stream manufacturers of cotton apparel and home-furnishings are located in virtually every state. The industry and its suppliers, together with the cotton product manufacturers, account for more than 230,000 jobs in the U.S. In addition to the cotton fiber, cottonseed products are used for livestock feed and cottonseed oil is used for food products ranging from margarine to salad dressing. Taken collectively, the annual economic activity generated by cotton and its products in the U.S. economy is estimated to be in excess of \$120 billion.

Again, the Council supports and appreciates your efforts on this issue.

Sincerely,

E. KEITH MENCHEY,
Manager, Science & Environmental Issues.

MAY 6, 2013.

Hon. MARK PRYOR,
U.S. Senate,
Washington, DC.

Hon. JAMES INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATORS PRYOR AND INHOFE, On behalf of the National Association of Wheat Growers (NAWG), we appreciate your efforts to advance S. 496, the Farmers Undertake Environmental Land Stewardship (FUELS) Act, and would urge its inclusion in the

Water Resources Development Act (WRDA) in the Senate. NAWG and its 22 affiliated state associations work together to help protect and advance wheat growers' interests.

As you are aware, farming is an energy-intensive profession. Producers need fuels stored on-farm for everything from fueling tractors to running irrigation pumps. EPA's unusual 1,320 gallon regulatory threshold under the Spill Prevention, Control, and Countermeasure (SPCC) rule has no basis in science or in normal tank sizes for agriculture. S. 496 would raise the exemption threshold to 10,000 gallons, which is a more reasonable level. It would also allow more farms with aggregate storage capacity between 10,000—42,000 gallons to self-certify rather than hiring a professional engineer.

This common sense amendment to WRDA would ease the burden on smaller producers, and we strongly encourage its adoption. Thank you for your support on this important issue.

Sincerely,

BING VON BERGEN,
President,
National Association of Wheat Growers.

AMERICAN SOYBEAN ASSOCIATION,
St. Louis, MO, May 2, 2013.

Hon. JAMES INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATOR INHOFE: I am writing on behalf of the American Soybean Association in support of your efforts to include S. 496, the FUELS Act, during Senate consideration of the Water Resources Development Act (WRDA). ASA represents all U.S. soybean farmers on domestic and international issues of importance to the soybean industry. ASA's advocacy efforts are made possible through the voluntary membership in ASA by over 21,000 farmers in 31 states where soybeans are grown.

New rules will take effect at the end of this fiscal year that will require that oil storage facilities with a capacity of over 1,320 gallons make structural improvements to reduce the possibility of oil spills. The plan requires farmers to construct a containment facility, like a dike or a basin, which must retain 110 percent of the fuel in the container.

Most soybean farmers find these threshold levels to be unacceptably low. Your amendment would raise the exemption level to a more reasonable 10,000 gallons for a single container, with farmers able to self-certify compliance if aggregate storage capacity is between 10,000 to 42,000 gallons.

ASA supports this amendment, and urges the Senate to adopt it.

Thank you for your leadership.

Sincerely,

DANNY MURPHY,
ASA President.

MAY 2, 2013.

U.S. Senator MARK PRYOR,
Dirksen Senate Building,
Washington, DC.

U.S. Senator JAMES INHOFE,
Russell Senate Building,
Washington, DC.

U.S. Senator DEB FISCHER,
Hart Building,
Washington, DC.

DEAR SENATORS, The National Cattlemen's Beef Association (NCBA) thanks you for your support of the Farmers Undertake Environmental Land Stewardship (FUELS) Act (S. 496). The FUELS Act eases the burden on farmers and ranchers in implementing the Spill Prevention, Control and Counter-

measure (SPCC) rule for farms. NCBA represents over 100,000 cattle producers across the country as the nation's oldest and largest trade association representing cattle ranchers. Our members believe the FUELS Act is a common-sense measure that balances environmental concerns with the burden and cost of the regulation.

U.S. cattle ranchers are proud of their tradition as stewards of our country's natural resources. Our members take very seriously their commitment to protecting water quality from events like fuel spills. They also believe however that the economic burdens of developing spill plans certified by a professional engineer outweigh the marginal benefit that would come with requiring these plans on all farms. Compliance with the rule will cost producers thousands of dollars at a time when their budgets are very limited due to historic drought and other economic factors. In addition, in the rural areas there is an inadequate number of Professional Engineers (P.E.S) to do the engineering work required. The FUELS Act takes into account these considerations. It raises the threshold for fuel storage capacity from a mere 1,320 gallons to 10,000 gallons, which eases the burden on many smaller operations. It also allows more operations to self-certify their plans, eliminating the need for more P.E.s and the increased cost.

The SPCC rule for farms will take effect October 1, 2013 and therefore it is imperative that Congress act to prevent this regulation from creating unnecessary financial burdens on many farmers and ranchers. Thank you for your leadership on this important issue.

Sincerely,

SCOTT GEORGE,
President,
National Cattlemen's Beef Association.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC.

SENATOR,
U.S. Senate,
Washington, DC.

DEAR SENATOR: On behalf of the American Farm Bureau Federation, I would like to commend you for introducing S.496, the Farmers Undertake Environmental Land Stewardship Act. This legislation will help clarify the uncertainty created by existing regulations and the Environmental Protection Agency's (EPA) confusing and potentially costly compliance assistance efforts. AFBF supports the legislation and hopes it will receive strong bipartisan support.

Modern agricultural equipment requires a lot of energy. EPA's current regulatory requirements for farms appear to have little basis in science nor alignment with tank sizes currently in use in agriculture. Equally confusing is EPA's inability to provide clarity with regard to language that asks farmers and ranchers to comply with Spill Prevention, Control and Countermeasure (SPCC) regulations if the operation could reasonably be expected to discharge oil to waters of the U.S. As it stands, this ambiguous term might apply to features that farmers and ranchers would more likely associate with dry land than water. It is therefore not reasonable for EPA to include such an expectation if it has done nothing to clarify a reasonable understanding of jurisdiction waters that is consistent with congressional intent and judicial case law.

S. 496 is common-sense legislation that the Farm Bureau strongly supports. We urge the Senate to pass this amendment to help relieve undue regulation on farmers and rural America.

Sincerely yours,

DALE MOORE.

Senator MARK PRYOR,
Dirksen Senate Office Building,
Washington, DC.

Senator JIM INHOFE,
Russell Senate Office Building,
Washington, DC.

DEAR SENATORS PRYOR AND INHOFE: The USA Rice Federation would like to express our strong support for S. 496, the Farmers Undertake Environmental Land Stewardship Act (FUELS Act), as an amendment to WRDA, the Water Resources Development Act. This bill would bring some much needed clarity to agriculture on the confusing requirements of the EPA's Spill Prevention, Control, and Countermeasure (SPCC) rule.

As you are aware, farming is an energy-intensive profession. Producers need fuels stored on-farm for everything from fueling mobile equipment to running irrigation pumps. Many of these tanks are in use seasonally and stay empty much of the year due to the high cost of fuel and the possibility of theft. Furthermore, EPA's threshold number of 1,320 gallons has no basis in science or in normal tank sizes for agriculture.

In addition, EPA's bifurcation of the rule date (before and after August 16, 2002) has brought immense, unneeded confusion to the farming community as they try to determine whether their current business model is the same that was in operation prior to the 2002 date. The requirement to have Professional Engineers (PEs) sign off on many SPCC plans adds significant costs to the producer as well as the time spent trying to find the limited number of PE's willing to work on this rule in agricultural areas.

The USA Rice Federation has joined other groups in our support of EPA's extension of the deadline to May 10, 2013, but that quickly approaching extension only applies to farms in operation after August 16, 2002, further confusing the industry. Furthermore, farms are still under the costly requirements of providing secondary containment to many seasonal-use tanks and developing complicated and expensive 'spill plans'. Despite pleas to the agency for compliance assistance, they have been slow to respond, and despite invitations to grower meetings, they have little funding for travel.

Thankfully, the Senate has the opportunity to ease this burden on rural America. S. 496 would provide realistic threshold sizes for tank regulation at the farm level and allow more farms to self-certify thus saving time and money that would otherwise be spent in hiring PE's to sign the SPCC plans. S. 496 is a piece of common sense legislation that we strongly support. We urge the Senate to pass the bill to help relieve undue regulation on farmers and rural America as a part of the Water Resources Development Act.

Sincerely,

LINDA C. RAUN,
Chairwoman,
USA Rice Producers' Group.

MAY 3, 2013.

Hon. MARK PRYOR,
U.S. Senate,
Washington, DC.

Hon. JAMES INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATORS PRYOR AND INHOFE: On behalf of the National Corn Growers Association (NCGA), we appreciate your efforts to advance S. 496, the Farmers Undertake Environmental Land Stewardship (FUELS) Act, and would urge its inclusion in the Water Resources Development Act (WRDA) in the

Senate. Founded in 1957, NCGA represents approximately 38,000 dues-paying corn growers and the interests of more than 300,000 farmers who contribute through corn check-off programs in their states. NCGA and its 48 affiliated state associations and checkoff organizations work together to help protect and advance corn growers' interests.

As you are aware, farming is an energy-intensive profession. Producers need fuels stored on-farm for everything from fueling tractors to running irrigation pumps. EPA's unusual 1,320 gallon regulatory threshold under the Spill Prevention, Control, and Countermeasure (SPCC) rule has no basis in science or in normal tank sizes for agriculture. S. 496 would raise the threshold the exemption threshold to 10,000 gallons, which is a more reasonable level. It would also allow more farms with aggregate storage capacity between 10,000-42,000 gallons to self-certify rather than hiring a professional engineer.

This common sense amendment to WRDA would ease the burden on smaller producers, and we strongly encourage its adoption. Thank you for your support on this important issue.

Sincerely,

PAM JOHNSON,
President,
National Corn Growers Association.

NATIONAL COUNCIL OF
FARMER COOPERATIVES,
Washington, DC, May 6, 2013.

Hon. MARK PRYOR,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

Hon. JAMES INHOFE,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATORS PRYOR AND INHOFE: On behalf of the more than two million farmers and ranchers who belong to farmer cooperatives, the National Council of Farmer Cooperatives (NCFC) applauds your outstanding work to create sound policies that maintain the economic and environmental health of farms, ranches, and the rural communities where they operate. This commitment is evident in S. 496, the Farmers Undertake Environmental Land Stewardship Act (FUELS Act).

The SPCC rule was originally promulgated on December 11, 1973. In 1991, a proposed rule was initiated but floundered for more than 11 years. In a move that caught many off guard, the Agency published a final rule on July 17, 2002, amending the SPCC regulations. This new rule became effective on August 16, 2002, and applied to any facility—including farms—with an aggregate of 1,320 gallons of oil on their property in aboveground tanks of 55 gallons or greater, where the spill might eventually reach navigable waters. That rulemaking showed a lack of understanding of production agriculture and as a result, required multiple revisions and compliance deadline extensions that spanned over decade.

While we welcomed the extension of the compliance deadline to May 10, 2013, that extension only applied to those agricultural operations that currently have an SPCC plan or new facilities that came into operation after the rule was effective. Specifically, if a farm was in existence prior to August 16, 2002, the compliance extension was not applicable as these farms were supposed to be in compliance with the SPCC rule and have a plan in place. EPA's bifurcation of the rule date (before and after August 16, 2002) has brought immense, unneeded confusion to the

farming community as they try to determine whether their current business structure was in place prior to the 2002 date.

At the same time, the Agency has unfortunately struggled with efforts to prepare guidance and mobilize specific outreach activities in a timely manner in order to provide the farming community with the understanding and necessary tools to comply with the final rule.

Throughout the history and evolution of the SPCC rule, NCFC has strived to maintain a constructive dialogue with EPA to ensure that any agency action regulating oil spill prevention and response take into account the uniqueness of the agricultural industry; be based on sound science, need, and identified risk; and that final regulations be clear and allow time for education and implementation. While the Agency has shown good faith in working to improve the SPCC rule for agriculture, these efforts have proceeded in fits and starts.

Without question the members of the agricultural sector who grow the nation's food and rely on surface and well water to meet their families' and agricultural operations' needs are highly motivated to ensure that their environmental practices are sound. These producers work daily to ensure a safe environment for their children and the communities in which they live. As such, they can and do take very seriously their responsibility, consistent with the intent and spirit of the SPCC provisions, to properly manage the oil resources used on their operations.

Row crop farms, ranches, livestock operations, farmer cooperatives and other agribusinesses pose low risks for spills and are often seasonal in nature. In fact, data on oil spill on farms, cooperatives, and other agribusinesses is almost nonexistent. The Agency has failed to provide data or even anecdotal evidence of agricultural spills to justify such a resource-intensive rulemaking for America's farmers and ranchers. The risk of such spills from agriculture is extremely low and there is little to no evidence that providing greater flexibility through S. 496 will harm the environment.

We strongly believe S. 496 will bring much needed clarity to agriculture on the confusing requirements of the SPCC rule. Specifically, it would provide realistic threshold sizes for tank regulation at the farm level and allow more farms to self-certify thus saving time and money that would otherwise be spent in hiring Professional Engineers to develop and sign the SPCC plans.

The FUELS Act is common-sense legislation and we strongly encourage the Senate to support its passage as part of the Water Resources Development Act.

Sincerely,

CHARLES F. CONNER,
President & CEO.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Virginia.

UNANIMOUS CONSENT REQUEST— H. CON. RES. 25

Mr. WARNER. Madam President, I rise to make a few brief remarks. I will

leave most of those remarks until after I make another request for unanimous consent. I think I know where this unanimous consent request is headed. I am disappointed. I think we are on, I believe, day 51 at this point as to the request that many of us have made in this Chamber to go back to regular order. Part of that regular order is after a budget has passed for budget conferees to be appointed so we can resolve what I believe is the most important issue facing our Nation, the question of our debt and deficit, so we can try to take the actions needed to get this economy jump-started again. I will reserve most of my time for the remarks afterward.

In the meantime, let me make this request:

Madam President, I ask unanimous consent the Senate proceed to consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Madam President, reserving the right to object, I ask consent the Senator modify his request so that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt limit.

The ACTING PRESIDENT pro tempore. Does the Senator so modify?

Mr. WARNER. Reserving the right to object, simply as someone who has spent an awful lot of time on this issue, both sides need to be willing to compromise. We need to deal with both the revenue side of this challenge as well as the entitlement reforms that are needed to make sure we can get our close-to-\$17-trillion debt back under control. Recognizing the Senator's request would take part of the opportunity to reach that common ground off the table, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. WARNER. Madam President, I simply want to again take a moment here, 52 days after we spent until 5 o'clock in the morning debating a budget—the budget that had over 100 amendments offered, a budget that had amendments from both sides offered

and rejected but also accepted. Amendments from both sides were accepted into this budget. It passed with a majority.

I know there are some of my colleagues on the other side who say we should go into the next step of this debate with certain things taken off the table. I do not understand how we are ever going to get to the point which every economist from left to right has all agreed upon, that we have to put this issue of lurching from one budget crisis to another behind us.

The fact is there is an awful lot of consensus about what we need to do. Starting back with the Simpson-Bowles report, then followed up by the Gang of Six and the Domenici-Rivlin report, everyone agrees we need to do at least \$4 trillion over the next 10 years. We don't have to solve the whole problem, we just have to take a good step forward.

The remarkable thing is even lurching from crisis to crisis we are over half the way there. Depending on how you want to count, we have done between \$2.2 trillion and \$2.5 trillion of deficit reduction. That means we need about \$2 trillion more to be done for us to again not only provide the boost to the American economy, not only to no longer make Congress the object of more than late-night jokes about our inability to get things done, not only to be able to ensure we have driven our debt-to-GDP ratio back down, headed in the right direction, but, perhaps most important, demonstrate to the American people that when we have an issue of this importance we can actually find that common ground.

To do that is going to require, candidly, everyone in this body and our friends down the hall in the House to be willing to give a little bit. That means we are going to have to find ways to generate additional revenues. I believe, for one—I know sometimes many on my side disagree with me—we are going to have to find ways to reform our entitlement programs so the promise of Medicare and Social Security and Medicaid, some of the best initiatives ever put forward, are going to be here 30 years from now.

But if we are going to reach that kind of compromise, it means the regular order has to proceed. It means we have to have these two very different budgets, one passed by the House, one passed by the Senate, resolved through the regular order of a conference committee. If we do not do this—if we do not do this—my fear is we are going to continue to do the kind of actions we have been on over the last number of months where we continue to cut back on that relatively small piece of Federal spending which is discretionary spending.

We are already seeing, in States such as Massachusetts and Minnesota and Virginia, the effects of sequestration

where we have put forward a policy that was viewed by everyone when it was originally thought up as so stupid, so beyond the pale, that no rational group of folks would ever allow it to come to pass. We are now 3 or 4 months into allowing that to come to pass. While we have taken action on certain items such as relieving the challenge of our air traffic controllers, we have not taken action on making sure the funds have been replaced for the 70,000 to 80,000-plus kids who have lost their Head Start funding. We have not taken action to ensure the NIH cancer grants that are being cut, where we have done multigrant years—where the preceding years of research are now going to be flushed because we cannot do the final year of the grant, we cannot take action on that.

We have not taken action on the fact that now, as announced by the Secretary of Defense, while we have made some progress, where no longer are there 22 days of furloughs, we are now seeing 11 days of furloughs to our defense civilian employees. This is at a time that makes enormous challenges to their budgets but beyond that to the readiness of the men and women who defend our Nation.

We can continue this path on sequestration, frankly, retarding our ability to keep our military ready, holding back our ability to have the kind of economic recovery we would all like to see or we can allow the regular order, a regular order that my colleagues on the other side of the aisle called for, for the last couple of years, for us in this Senate to pass the budget.

We passed that budget. Now we need to take the next step in the process and appoint conferees and let us try to find that common ground between the House and Senate budget so we can address this issue of debt and deficit, so we can demonstrate to the American people that we can do our most basic responsibility, which is to make sure we pay our bills and operate the basic functions of government, and that we can do our job to restore the faith that this institution can work in a way the Founders set up.

Unfortunately, we are not going to take that step today because now, for the fifty-second day in a row, our Republican colleagues have objected to the next step in regular order. I am greatly disappointed, but I know I and other colleagues will come down on a regular basis and continue to make this request. My hope is that at some point in the not too distant future we can let the process continue, and we can get to the hard work of resolving the differences of the House and Senate so we can put this issue of lurching from budget crisis to budget crisis in the rearview mirror.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I thank the former Governor of Virginia. He knows how to balance a budget and how to have a strong budget for the good people of this country. I share his frustration that we are not able to bring this long-awaited budget that we finally passed in the Senate to conference with the House. I hope minds will change and we will be able to get this done.

Again, I thank the Senator for his leadership and for a balanced approach on reducing the debt.

WATER RESOURCES DEVELOPMENT ACT

Ms. KLOBUCHAR. I come to the floor today to speak on the importance of passing the Water Resources Development Act or, as we know it around Washington, the WRDA bill.

In my State they know it as a bill that is good for our harbors, rivers, and the flood protection we need in the Fargo-Moorhead area or, as I like to call it in Minnesota, the Moorhead-Fargo area.

The bill advances a critical front to protect the Red River of the north to Moorhead, MN, and Fargo, ND. I visited this region twice over the last year, and I have been back literally every year I have been in the Senate because of flood threats—these years more than ever.

This is literally an every-year occurrence now to the point where people have major sandbag operations filled with volunteers, seniors, and people from the prisons. Everyone is working together, but there must be a better way to do this. Just because we do it so well in North Dakota and Minnesota and have such an incredible spirit of voluntarism doesn't mean there is going to be one year where the flood is too great or that we should continue on this path when, in fact, we have the opportunity to have long-term flood protection.

The river has been above major flood stage 6 out of the last 8 years. In 2009, the year of the record flood, the river rose to more than 40 feet.

I will remind the Presiding Officer of the Grand Forks flood and what happened there. It was literally just about an hour away from Fargo. So we were that close to that happening in Fargo and Moorhead.

In Minnesota and North Dakota, the Red River doesn't divide us, it unites us. It is in that spirit of solidarity that we drive our efforts to help the Red River Basin. This year we were fortunate that the flooding was not nearly as severe as it had been projected. A week before the crest went down, it was projected to be the second biggest flood in history with the late snow.

In 2009 and 2010 homes and farms with ring dikes around them looked like small islands floating in the flood-

waters. If anyone thinks this lasts for a day or week, it literally lasts for months. Entire towns create ring dikes, and they can only get out of them with boats. That is what is happening near the Canadian border in Minnesota and North Dakota. The town of Georgetown, MN, is threatened every time the Red River rises and the Buffalo River overflows.

The volunteer who was working at the emergency center—I went up to him and said: It is so nice that you are making lunches for people. He said he lost his entire home.

I said: And you are here?

He said: Yes, this is the only thing I could think of to do to help other people who had the same bad experience as me. That is the spirit of voluntarism in our States.

I think we can do better. The annual threat of flooding in the Fargo-Moorhead area underscores the need for permanent flood protection. We know about the devastating impact of floods. The flood diversion project, which is authorized in the WRDA bill, is critical to safety and economic development.

I have enjoyed working with Congressman PETERSON on flood diversion efforts, including retention, which he cares a lot about, and we did get some funding for that. I was able to get funding in the farm bill today to help with that. I have also worked with Senator HOEVEN, Senator HEITKAMP, and Senator FRANKEN on this long-term project to have actual permanent solutions to our flooding project in Fargo and Moorhead.

We have a problem, and the WRDA bill is the beginning of a solution. Also included in this bill is a Roseau River project, which is at a critical point. The WRDA bill helps address flood protection for Roseau, MN. Roseau has recovered from a flood in 2002 that caused widespread damage, but the area needs flood protection to reduce the flood stages in the city. The next phase of the plan will include a diversion channel, a restriction structure, and two storage areas designed to remove the city from the regular 100-year regulatory floodplain and reduce future flood damages by nearly 86 percent.

The WRDA bill also advances our Nation's water infrastructure, which is something the Presiding Officer knows a little bit about in Massachusetts. It is clear that our 21st-century economy demands 21st-century infrastructure, and we cannot afford to sit back any longer and allow it to crumble. No place knows this better than Minnesota.

I lived six blocks from that 35W bridge, which is an eight-lane highway. One day, in the middle of a summer day, the bridge fell down in the middle of the Mississippi River. As I said that day, a bridge just shouldn't fall down in the middle of America, but it did.

We are seeing the same crumbling infrastructure and problems with many

of our ports across the country. Failure to take action will have consequences no one likes. According to the American Society of Civil Engineers, inefficiencies in infrastructure are estimated to drive up the cost of doing business by an estimated \$430 billion, and that is just in this decade.

The civil engineers' 2013 report card gives our Nation's infrastructure an overall D-plus grade. As someone who has taught students before, I think the Presiding Officer knows that is not a good grade. Our inland waterways infrastructure, which includes our locks and dams on the Mississippi River, gets a D-minus, and our ports received a C grade. We cannot be satisfied with those grades.

When people hear "ports" they think of places such as Massachusetts, South Carolina, Florida, and California. But, in fact, the Great Lakes—including Lake Superior, which we are so proud of in Minnesota—have very significant ports.

In fact, when I first came to the Senate, I was assigned to the Commerce Committee and somehow found myself on the oceans subcommittee. I remember sitting at my first meeting thinking: What am I doing here? I am on the oceans subcommittee. I wrote a note to the Senator from New Jersey, FRANK LAUTENBERG, that said: I am the only Senator on the subcommittee who doesn't have an ocean. I kept the note he wrote back to me. The note said: It is easy, next year just come back and ask for one.

Well, in fact, I found out since then that the oceans subcommittee included the Great Lakes so it gave me a platform to advocate for our Great Lakes. The Harbor Maintenance Trust Fund, which is so important to our ocean-bordering States, also includes the Great Lakes. The Harbor Maintenance Trust Fund collects \$700 million each year more than it spends on dredging. In other words, it collects \$700 million more each year than it spends on dredging and maintenance.

Meanwhile, our ports and navigation channels wait for basic maintenance. We need to correct this disparity and ensure the funds are spent to address the needs of the shippers and ensure that the Great Lakes system does not fall into further disrepair.

I was just up at the Port of Duluth-Superior to highlight the need for dredging and maintenance on the Great Lakes. The Port of Duluth-Superior is ranked among the top 20 ports in the U.S. by cargo tonnage. It sees 40 million short tons of cargo and nearly 1,000 vessel visits every year. I think people would be surprised by that since Minnesota has lakes. In fact, we have 1 of the top 20 ports in the country.

We have 11,500 jobs that are dependent on cargo shipments in and out of the port. The port is critical to the economy of northeastern Minnesota

where my dad was born and my grandpa worked as an iron ore miner. Guess what. That is how they got the iron ore out of Minnesota and out to the world.

It is critical that high-use ports like Duluth and Two Harbors get dredged so they can support the ships. It is vital that their trading partners throughout the Great Lakes system receive maintenance as well. Both Duluth and Two Harbors, MN, ports are considered deep-water ports, so they come into a classification which has tended to get the funding, but, in fact, the entire Great Lakes navigation system is in trouble.

The backlog of sediment due to insufficient dredging is more than 18 million cubic yards and estimated at \$200 million. When ships on the Great Lakes have to “light load”—having to reduce the amount of cargo they carry because channels are not deep enough—our economy suffers.

At first some people might think: What does light loading mean? At the end of 2012, the light loading to navigate the Soo Locks on the St. Mary's River between Lake Superior and Lake Huron meant 10,000 tons of cargo could not be transported on the final voyage. Think of it. These are American goods that our workers produced, and we want them to make more of it. Yet we literally cannot put them on the ships because we have not maintained our ports the way we are supposed to.

The ships that are coming in cannot take the goods. They have to wait until the winter is done. That is what happened this year and has been happening many years.

We are an export economy. America's way forward is to make goods again, invent, and export to the world. Well, that is not going to happen if we cannot get our goods to market. That is why I have been working so closely with Senators from across the Great Lakes to address this backlog. We have been able to make some progress.

I cosponsored an amendment with Senator LEVIN to direct the Secretary of the Army Corps to manage the Great Lakes navigation system as an interconnected system. This would ensure that maintenance and dredging is done throughout the system. There is much more to do. I will continue to work with Senator LEVIN, Senator STABENOW, and other Great Lakes Senators on this bill.

The WRDA bill will go a long way toward increasing the efficiency of the shipping across the Great Lakes system, thereby strengthening the economic standing of our agriculture, mining, manufacturing, and other industries.

The bill also makes critical reforms to our Nation's rivers and waterways. The inland waterway system in this country spans 38 States and handles approximately one-half of the inland wa-

terway freight. Farmers and businesses in my State transport soybeans, corn, and other commodities from Minnesota to other terminals in the South. From there, ships are loaded and the commodities are eventually delivered to trading partners.

Again, if we want to produce and export to the world, we have to have the transportation system that supports it. With many maintenance and construction projects years overdue, the inland waterways are in dire need of major rehabilitation. The Inland Waterways Trust Fund, which funds these projects, is in steady decline. If we don't make the Inland Waterways Trust Fund sustainable, the industries that are so heavily dependent on the inland waterways will suffer, and this means jobs suffer.

I cosponsored the RIVER Act with Senator CASEY and Senator LANDRIEU to help move forward major construction projects on the inland waterway system. That bill is also supported by Senator LAMAR ALEXANDER. It is a bipartisan bill, and it includes much needed rehabilitation of the locks and dams along the Mississippi River.

This bill includes a number of reforms to the project management process that will ensure that waterway projects are completed on time and minimize cost overruns.

I also, by the way, support the amendment to increase the inland waterways user fee. I am a cosponsor of that amendment. Let me emphasize that the users who pay this fee have asked for it. We have a situation where the industries are willing to pay more so we can improve the locks and dams so they can get their goods to market. That is what is going on here. They understand we are having budget issues, and they are willing to pay a higher fee to pay for the changes.

Industry partners from farmers to shippers to companies, such as cargo companies in my State, strongly support this user fee increase. The increase was, in fact, their idea. They realized that the government wasn't going to fund these and that they were having trouble doing business, and they have agreed to pay for this increased fee. To me, it is the perennial no-brainer that we get this done. They know this modest change would go a long way to making our Nation's rivers and waterways viable for years to come.

While the fee increase will not advance, sadly, in the WRDA bill because it is considered a tax provision, it sends an important message that industry and shippers are at the table and volunteering more to help build the infrastructure our economic future requires. We plan on advancing this part of the river act in another bill—in tax reform or standing on its own—because we think it is so important to be able to fund these improvements to the locks.

Finally, in Minnesota, the fishing and boating industries contribute around \$4 billion to our State's economy each year. Sometimes I like to tease people and ask them how much money do they think we spend on worms in Minnesota every year. Well, it is literally tens of millions of dollars. People come to our State and buy worms and bait and other forms of fishing tackle because of their importance to our economy. In fact, for last weekend's Minnesota fishing opener, sadly, cold and ice covered many lakes, but people were still out there looking for that empty hole where there wasn't ice so they could put their line into the water.

In Minnesota, we also know how important it is to address invasive species problems, especially when they threaten our lakes and rivers. In our State the problem of Asian carp is literally swimming and jumping into our lives. Anyone who hasn't seen the YouTube video should look at it. You can see Asian carp literally jumping out of the water and hitting fishermen in the head. We are very concerned because we have seen problems with them downriver in southern Minnesota. They are coming our way, and we do not want them to ruin our way of life in Minnesota, nor do we want them to hurt our jobs and our \$4 billion fishing and gaming industry.

I believe we need an “all-of-the-above” solution to this challenge that includes research, carp barriers, as well as authority to close the Upper St. Anthony Falls Lock. I am very glad the provision was included to allow for greater coordination between Federal agencies when it comes to Asian carp, and this also includes rivers and not just the Great Lakes.

So we are continuing to work on this bill when it comes to Asian carp and other invasive species, but I think there are some other good provisions in this bill as well.

I wish to commend Senators BOXER and VITTER for their great work to put together this bipartisan legislation. I support its passage, from fighting to protect towns from flooding to critical waterway infrastructure. This legislation is vital to our economy, to our environment, to our cities, and to our towns. I am excited to be a part of it. I hope my colleagues support it and we can get this done.

Thank you, Madam President. I yield the floor.

25TH ANNIVERSARY OF KENTUCKY BUS CRASH TRAGEDY

Mr. MCCONNELL. Madam President, I rise today to commemorate a sad and tragic event in Kentucky history that happened 25 years ago today: on May 14, 1988, a horrific bus crash occurred on I-71 near Carrollton, KY. Twenty-seven people were killed, 24 of them

children, and 34 were injured when a drunk driver traveling in the wrong direction hit the bus. It remains the worst drunk-driving crash in American history.

On this day 25 years ago, the Radcliff First Assembly of God Church in Radcliff, KY, organized a youth trip to a nearby amusement park, and drove 170 miles to Cincinnati in the church bus. The bus was full with 67 passengers. After a fun day of roller coasters and ice cream, at 10:55 that night, on the return trip, a drunk driver in a pickup truck traveling north in the southbound lane of I-71 struck the church bus directly head-on.

The impact ruptured the bus's 60-gallon gasoline tank, starting a fire which reached 2,500 degrees Fahrenheit and filled the bus with smoke. With the front door blocked by collision damage, and no emergency exits in the windows or roof, most of the survivors exited through a single emergency exit at the rear of the bus. Of the 40 survivors, only 6 escaped uninjured. Many others suffered severe burns and other injuries. And 27 lives were lost in that crash.

I want to extend my gratitude to the Kentucky State Police, who not only provided rescue efforts at the scene and crash reconstruction analysis afterwards, but were also the lead investigative agency for this tragedy, following the case through to the prosecution phase. Current Kentucky State Police Commissioner Rodney Brewer was one of the investigators who worked on the challenging case.

Remembrances and observances in honor of the victims are happening in Kentucky today, where dozens of families remain grief stricken by the senseless loss of their beloved child. Those who survived the crash are still haunted by what happened. I wish to express my deepest sympathies for the victims' families, the survivors, first responders, and all those who were touched by this tragedy. The people of Kentucky stand with you today and share your sorrow.

If any good can be said to have come from this awful event, it is that it directed national attention on driving safety, the dangers of drunk driving, and safety requirements in buses. Kentucky took the lead in responding to this tragedy by requiring school buses to have more emergency exits than the Federal standard and instituting stricter drunken driving laws.

Madam President, I know my colleagues in the Senate join me today in paying tribute to the 27 people who were killed in this bus crash, to their families who grieve today, to the surviving passengers who must still live with the nightmare of what happened, to their families, to the law enforcement officers and first responders who assisted in rescuing the passengers, and to every Kentuckian whose life was altered by the events of that fateful day.

Even today, 27 people are killed every day in America as a result of drunken driving. In 2011, drunk driving killed 9,878 on America's roads and injured over 300,000. I believe one way we can honor the memories of the victims of this terrible accident is to continue to speak out against the dangers of drunk driving and work towards its elimination. No family should have to endure the suffering that so many Kentucky families did on this day 25 years ago.

Madam President, I ask unanimous consent that the names of the 27 crash victims be included in the RECORD following my remarks. I yield the floor.

There being no objection, the names of the 27 victims of the tragedy of May 14, 1988, were entered into the RECORD as follows:

Jennifer Ann Arnett, Cynthia Anne Atherton, Sandy Brewer, Joshua Conyers, Mary Catheryn Daniels, Julie Ann Earnest, Kashawn Etheredge, Shannon Rae Fair, Dwailla Fischel, Richard Keith Gohn, Lori Kathleen Holzer, Charles "Chuck" Kytta, Anthony Marks.

April Mills, Phillip Lee Morgan, Tina Michelle Mustain, William J. Nichols, Jr., Patricia Susan Nunnallee, John R. Pearman, Emillie S. Thompson, Crystal Erin Uhey, Denise Ellen Voglund, Amy Christine Wheelock, Joy Williams, Kristen Williams, Robin Williams, Chad Anthony Witt.

PLIGHT OF THE BAHÁ'Í COMMUNITY

• Mr. KIRK. Madam President I wish to call attention to the plight of the Bahá'í community and the atrocious human rights situation in the Islamic Republic of Iran. Today marks the fifth year Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naemi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm have been behind bars in Iran due to their faith. These six individuals, along with Mahvash Sabet, imprisoned 2 months earlier, make up the "Yaran-I-Iran," or Friends of Iran, which is the former leadership group of the Bahá'í community of Iran. We must not let up on our efforts to defend the Bahá'í community until the Iranian Government's intensifying persecution comes to an end.

Iran outlawed Bahá'í institutions in 1983, leading to the establishment of an ad hoc leadership group to meet the basic spiritual and social needs of the Bahá'í community of Iran. In August 2010, the Government of Iran sentenced the Yaran to 20-year prison terms on the absurd charges of "spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth."

The Bahá'í faith is an independent world religion that began in 19th-century Persia. Its central tenets include unity, peace, and understanding. The Bahá'ís are currently the largest non-Muslim minority in Iran, numbering some 300,000 members, and the Bahá'í

faith is one of the world's fastest growing religions with more than 5 million followers worldwide. Since the Iranian Revolution in 1979, the Bahá'ís have been a target of systematic government-sponsored persecution. Roughly 200 Bahá'ís in Iran have been killed by government authorities since 1978 and more than 650 Bahá'ís have been arrested since 2005 alone.

In May 2011, the government conducted raids on the Bahá'í Institute of Higher Education, an informal learning system created by the Bahá'í community in response to the exclusion of Bahá'ís from universities. Several educators were arrested and detained. Seven of them—Mahmoud Badavam, Noushin Khadem, Vahid Mahmoudi, Kamran Mortezaie, Farhad Sedghi, Riaz Sobhani, and Ramin Zibaie—were sentenced to 4 and 5-year prison terms, although Vahid Mahmoudi has since been released. Since October 2011, four more BIHE instructors were imprisoned.

The 2013 U.S. Commission on International Religious Freedom Report stated that "during the past year, the already poor religious freedom conditions continued to deteriorate, especially for religious minorities, in particular for Bahá'ís." On February 28, 2013, the U.N. Special Rapporteur on the situation of human rights in the Islamic Republic of Iran reported that there were 110 Bahá'ís currently imprisoned in Iran solely for practicing their faith. Bahá'ís in Iran are restricted from filling public and private jobs, denied business licenses, and excluded from university. In recent years, the state-sponsored media in Iran embarked on a systematic campaign to demonize and incite hatred against Bahá'ís through the use of false and offensive propaganda pieces. An increasing amount of personal property has been confiscated, an increasing number of Bahá'í-owned businesses have been vandalized and attacked, and an increasing number of Bahá'í cemeteries have been desecrated over the past year across the country.

Despite being bound to numerous international treaties, the Iranian Government continues to persecute those who seek to exercise their freedom of expression, thought, conscience, and religion. As Americans, we honor our fundamental rights and freedoms by speaking out for the rights and freedoms of the Bahá'ís and all others who are oppressed in Iran. And it is incumbent on the Senate to reveal the truth about the situation of the Bahá'í community in Iran and take steps to eradicate the violence and injustice.

Illinois is home to the world-renowned Bahá'í Temple, so the plight of Bahá'ís in Iran holds special significance for our citizens. I am proud to have joined with my Illinois colleague, Senator DURBIN, in introducing S. Res. 75, a resolution that condemns the

Government of Iran for its state-sponsored persecution of its Bahá'í minority and its continued violation of the International Covenants on Human Rights. Today, we reaffirm our solidarity with the faithful Bahá'ís in Iran who are subject to discrimination, detention, or worse solely for their beliefs and views. It is my hope that S. Res. 75 will bring the persecution of Bahá'ís and the issue of human rights in Iran to the forefront of the international agenda.●

Mr. WYDEN. Madam President, it has been 5 years since the Iranian regime arrested and imprisoned seven members of the Bahá'í community's ad hoc leadership group. Today I rise to mark this sad anniversary and to remind folks of the persecution that religious minorities continue to face in Iran.

The Bahá'í faith was founded in Iran during the 19th century. It is an independent religion not a sect of Islam and it rejects violence. The Bahá'í faith is practiced today by more than 5 million people around the world, roughly 300,000 of whom still live in Iran.

But rather than celebrate its own religious history, the Iranian regime considers the Bahá'í faith to be a heresy and brutally represses its practitioners. The regime routinely seizes personal property from members of the Bahá'í community, denies them access to education and employment opportunities, and detains them based solely on their religious beliefs. According to some reports, more than 600 Bahá'ís have been arrested since 2004. The American Bahá'í community counts 115 Bahá'ís currently in Iranian prisons and another 437 awaiting trial, appeal, sentencing, or for their sentence to begin.

Five years ago, the Iranian regime arrested seven leaders of the Bahá'í community—Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm—and detained them in Iran's notorious Evin prison. Iranian leaders accused the seven of espionage for Israel, insulting religious sanctities, and propaganda against the Islamic Republic.

These seven have since faced sham trials in kangaroo courts. One of their lawyers, Nobel Peace Prize laureate Shirin Ebadi, reported difficultly establishing basic, meaningful access to counsel. She also stated that the regime had no evidence against the accused and that their trial was riddled with irregularities. Despite these concerns the regime sentenced all seven to 20 years in prison in 2010.

I and many others found these sentences unconscionable and said so at the time. Imagine being sentenced to prison because your faith recognized the divine origin of the world's great religions, the oneness of the human

race, and the equality of men and women. Imagine losing 20 years of your life because somebody objected to your personal beliefs.

For the Iranian regime, I am sorry to say, this is more business as usual. This religious persecution is hardly limited to the Bahá'ís either. In fact, since 1999 the State Department has designated Iran as a "country of particular concern" for its human rights record. The U.S. Commission on International Religious Freedom's 2012 annual report cited the regime for engaging in "systematic, ongoing, and egregious violations of religious freedom, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused." The report goes on to state that "even the recognized non-Muslim religious minorities protected under Iran's constitution—Jews, Armenian and Assyrian Christians, and Zoroastrians—faced increasing discrimination, arrests, and imprisonment."

The Iranian regime must stop its assault on religious expression and freedom of conscience, and there is no better day to do so than this sad and dubious anniversary. I call upon Iran's rulers to immediately release the seven Bahá'í leaders and all other prisoners held on account of their beliefs. I also want to urge my colleagues to join me in cosponsoring S. Res. 75, introduced by Senators KIRK and DURBIN. This resolution condemns the Iranian regime for its state-sponsored persecution of its Bahá'í minority and for its continued violation of the International Covenants on Human Rights, to which Iran is a party.

ADDITIONAL STATEMENTS

RECOGNIZING THE MAINE TROOP GREETERS

● Ms. COLLINS. Madam President, on May 18, Americans will join together in observance of Armed Forces Day to thank the men and women of our military for their courageous and dedicated service to our Nation. This occasion has a special significance in my home State, as it marks the 10th anniversary of a remarkable group of patriots called the Maine Troop Greeters.

The story of the Maine Troop Greeters is that of hundreds of patriotic citizens who, since May of 2003, have gathered at Bangor International Airport to greet every single flight carrying our military personnel across the Atlantic to Iraq, Afghanistan, Kuwait, or other overseas assignments or bringing them home. Whether these flights land at Bangor in the light of day or the dark of night, in fair weather or foul, the Troop Greeters are there with cookies and coffee, cheers and songs, and handshakes and hugs.

It is the story of more than 1.3 million servicemembers and nearly 350 military dogs who have landed in Bangor on some 6,700 flights. Without exception, our troops have been astonished, overwhelmed, encouraged, and most of all, welcomed and thanked by this spontaneous outpouring of gratitude and respect.

Bangor's tradition of greeting troop flights began long before 2003. On a frigid March morning in 1991, a large group of grateful Mainers came to the airport to welcome home returning troops from Operation Desert Storm. One of those soldiers, MSG Kevin Tillman of Kentucky, borrowed a saxophone from a high school musician and performed a spine-tingling rendition of our national anthem. It was a moment that electrified America.

To underscore the powerful and lasting impact of the Maine Troop Greeters, Master Sergeant Tillman returned to Bangor in 2011, 20 years after that unforgettable moment, to perform in concert with our high school band.

I am often asked by my Senate colleagues why this Troop Greeter phenomenon is so powerful in Bangor. It is not just that the city I am proud to call home is the location of the easternmost airport in the United States, a former Air Force base that can accommodate transatlantic flights. For many of our troops, Bangor is either the last American soil they touch upon deployment or the first they touch upon their return.

That simple answer only scratches the surface. The phenomenon of the Maine Troop Greeters is not merely a matter of geography and facilities but the manifestation of a caring community and of the American spirit. Throughout our Nation's history, young Americans have left the comfort and security of home to defend our freedom and to extend the blessing of freedom to others. And behind patriots in uniform have stood patriots at home to honor their service.

The Maine Troop Greeters are individuals acting out of personal conviction, but their efforts are magnified by the support of local businesses, civic organizations, and the Bangor International Airport. Their generosity strengthens the spirit of volunteerism that is a core American value.

One of the principles of true service is that it is not something that is done only when convenient but a commitment sincerely made and faithfully kept. That is the principle that guides our men and women in uniform and that guides those who honor and support them.

It has been said that it is easy to take for granted that which has never been taken away. Thanks to the veterans who served in the past, America has never lost its freedom. Thanks to those who serve today, we never will. Armed Forces Day reminds us of the

high price some pay for what we all cherish, and the Maine Troop Greeters exemplify the gratitude all Americans share.●

RECOGNIZING THE MAINE SCHOOL OF SCIENCE AND MATHEMATICS

● Ms. COLLINS. Madam President, I am delighted to commend the Maine School of Science and Mathematics, MSSM, of Limestone, ME, on being recognized among the best high schools in our country. MSSM was recently awarded an outstanding 13th-place ranking among more than 21,000 public high schools included in the 2013 U.S. News and World Report national rankings on school achievement. I would like to engage my fellow Senator from Maine in saluting this accomplishment, which makes us both proud.

This award recognizes that MSSM students achieve at the highest level academically. MSSM is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction. The school's faculty works closely with students to forge a strong school community where students are encouraged to pursue their interests.

I applaud the students who are working hard to excel and in doing so, making their families, communities, and State proud. I also want to commend the administrators, teachers, and staff of MSSM who are succeeding in their mission to generate confidence and momentum for learning. They are making a difference in the lives of their students and are helping them reach their full potential as independent, responsible learners and engaged citizens.

I am pleased that the U.S. News and World Report has recognized the achievements of the Maine School of Science and Mathematics, and I congratulate the entire community for this outstanding achievement. Having grown up in Northern Maine, I could not be more proud of what these students and this faculty have achieved.

Mr. KING. Mr. President, I wish to associate myself with the comments of the senior senator from Maine. I too am proud to congratulate the Maine School of Science and Mathematics, MSSM, for its 13th-place showing in this year's U.S. News and World Report on high school rankings. In addition, U.S. News ranked MSSM first in New England and third in the United States among magnet schools. This impressive achievement is a testament to the exceptional caliber of the school's students, faculty, and staff.

Founded by the Maine State Legislature in 1995, MSSM is a residential magnet school that specializes in science and mathematics education. It is the only school of its kind in New England. MSSM serves a diverse stu-

dent body made up of young people from across the State of Maine and around the world. Graduates of MSSM are prepared for rigorous postsecondary programs and have gone on to notable success in fields as diverse as academia, engineering, public service, and the military.

It bears mentioning that when the school was proposed during my first year as governor, I was opposed to funding it for budgetary reasons. During a time of fiscal restraint, I was uncertain of the wisdom in devoting funds to a new school. Boy, was I wrong—MSSM has become a real gem, and I have never been so glad to have been wrong.

The U.S. News ranking reflects the school's ongoing commitment to excellence. Just last year, MSSM entered into a learning partnership with the University of Maine at Presque Isle that affords MSSM students the opportunity to earn college credit for select coursework. This collaborative approach is precisely the kind of innovative thinking that forges connections between high schools and postsecondary institutions and ensures that students are able to envision clear educational pathways for themselves.

The world-class education offered in Limestone would not be possible without the talented teachers, administrators, and staff who have fostered a genuine community of learning and exploration and who have dedicated themselves to educating the next generation of innovative and well-rounded scholars. The foundation of any successful school lies in the dedication of its staff, and I commend the many individuals who lead and support this outstanding institution.

In its 18 years of existence, MSSM has become a point of pride for the residents of Limestone and for the whole State of Maine. I am delighted to offer my hearty congratulations to all members of the MSSM community, and I look forward to hearing of the school's continued success in the years to come.●

COMMENDING UTAH'S ACADEMY NOMINEES

● Mr. LEE. Madam President, today I wish to recognize eight exemplary Utahns and future officers in the U.S. military. Each of them will begin their education at a military academy this fall.

Jonson Henry, graduating from Park City High School, will be attending the Naval Academy. An accomplished runner, he was captain of his cross-country team and participated in track and field. He is an avid outdoorsman and an accomplished musician. He was also an AP Scholar with Distinction.

Phillip Lowry, a Weber High School graduate, will be attending the Naval Academy. Phillip was an Eagle Scout,

captain of his rugby team, and accomplished in Jujitsu and mixed martial arts. He was also an accomplished musician and an AP Distinguished Scholar. His Father is currently Active Duty with the Army and is serving in Afghanistan.

Amanda Ley, from Viewmont High School and Northwestern Preparatory School, will be attending the Air Force Academy. Amanda was a member of the National Honor Society and earned her Academic Letter. She was captain of the swim team and actively volunteered with South Davis Community Hospital. Her father is an Air Force veteran.

McKenna Cox graduated from Mountain View High School and will be attending the Air Force Academy. McKenna was a student body officer and a member of the National Honor Society. A great example of a student athlete, she was Academic All-State in soccer and was the captain of the basketball team, the softball team, and the cross-country team. She organized food drives for the Utah Food Bank and care packages for the military.

William Estes, from Dugway High School and attending the U.S. Military Academy at West Point, was a National Honor Society and participated in ice hockey, baseball, track and field, and was Academic All-State in basketball. He was also band president and participated in the JROTC. His father is currently serving in the Army.

Russell Landes will be attending the U.S. Military Academy at West Point. Russell attended the American Leadership Academy, where he was student body president. He was captain of the wrestling team and also participated on the football and track teams. He also earned his Eagle Scout award.

Benjamin Lemon, from Bountiful High School and the University of Utah, will be attending the U.S. Military Academy at West Point. Benjamin was a member of the National Honor Society and earned his Eagle Scout. He was captain of the football team and participated in wrestling and the track and field team. His brother also served honorably in the armed services, where he was wounded in the service of his country.

Thomas Maddox, a graduate of Juan Diego Catholic High School, will be attending the U.S. Military Academy at West Point. He was an outstanding scholar and captain of the lacrosse and ice hockey teams. He has over 75 hours of community service. He was student government class officer and founder and president of the Patriots Club.

One of my greatest honors as a Senator has been to get to know and nominate each of these young men and women. I know that our Nation's future is bright in the hands of these exemplary individuals who have distinguished themselves amongst their peers.●

TRIBUTE TO MAJOR NATHAN
KLINE

• Mr. TOOMEY. Madam President, I wish to honor the remarkable service of a great Pennsylvanian to our Nation's defense and its veterans. Maj. Nathan Kline, U.S. Air Force, Retired, served for nearly half a century in our country's Armed Forces. After enlisting in the U.S. Army Air Forces in 1942, he served in highly hazardous positions as a bombardier and navigator on a B-26 Marauder. His 65 air combat missions included the D-day invasion and the Battle of the Bulge. Incredibly, he survived after his aircraft was shot down twice during the campaign in Europe. For his actions, he earned the Distinguished Flying Cross and 10 Air Medals. After the war, the French Ambassador welcomed Major Kline into the coveted Legion d'Honneur for his service in the liberation of France.

Major Kline did not seek a quiet postwar civilian life. He continued his military service in the Reserves while working in support of the veterans' community. His advocacy on behalf of veterans and their families became a lifelong endeavor. Major Kline was a founding member of the Lehigh Valley Military Affairs Council. In this capacity, he raised funds to provide scholarships to deployed servicemembers' children, managed assembly and shipment of care packages and helped veterans to find employment.

In honoring Major Kline, we recognize his commitment to service during times of war and peace.

As Congress confronts the dual challenges of ensuring our national security and putting our fiscal house in order, it must remember its profound responsibility to keep our Nation safe and care for its veterans. For well over 200 years, our servicemembers and veterans, like Maj. Nathan Kline, have steadfastly served our Nation and have set a stellar example for those who will follow in the generations to come.●

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 953. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1461. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department

of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Horses Protection Act; Requiring Horse Industry Organizations To Assess and Enforce Minimum Penalties for Violations; Correction" ((RIN0579-AD43) (Docket No. APHIS-2011-0030)) received in the Office of the President of the Senate on May 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1462. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Record-keeping for Approved Livestock Facilities and Slaughtering and Rendering Establishments" ((RIN0579-AC61) (Docket No. APHIS-2007-0039)) received in the Office of the President of the Senate on May 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1463. A communication from the Management Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Standards for Wheat" (RIN0580-AB12) received in the Office of the President of the Senate on May 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1464. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation" (RIN3052-AC87) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1465. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to three violations of the Antideficiency Act occurring with the Federal Highway Administration's Highway Infrastructure Investment and TIGER Grants accounts within the American Recovery and Reinvestment Act of 2009 appropriation; to the Committee on Appropriations.

EC-1466. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to several violations of the Antideficiency Act occurring with the Federal Motor Carrier Safety Administration's Administrative account, Motor Carrier Safety Grant account, and the Motor Carrier Safety Operations and Programs account; to the Committee on Appropriations.

EC-1467. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1468. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of twelve (12) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1469. A communication from the Under Secretary of Defense (Policy), Department of Defense, transmitting, pursuant to law, a report relative to the training of the U.S. Special Operations Forces with friendly foreign forces during fiscal year 2012; to the Committee on Armed Services.

EC-1470. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, a report of proposed legislation entitled "National Defense Authorization Act for Fiscal Year 2014"; to the Committee on Armed Services.

EC-1471. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-1472. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency declared in Executive Order 13413 with respect to blocking the property of persons contributing to the conflict taking place in the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC-1473. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-1474. A communication from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Consumer Financial Civil Penalty Fund" ((RIN3170-AA38) (Docket No. CFPB-2013-0011)) received in the Office of the President of the Senate on May 9, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1475. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program—Strengthening Accountability and Regulatory Revisions Update Final Rule Amendment—Revision of Date of Applicability" (RIN2502-AJ05) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1476. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Contractor Legal Management Requirements; Acquisition Regulations" (RIN1990-AA37) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Energy and Natural Resources.

EC-1477. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Native American Graves Protection and Repatriation Act Regulations" (RIN1024-AD99) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Energy and Natural Resources.

EC-1478. A communication from the Acting Secretary of Energy, transmitting, pursuant to law, a report concerning operations at the Naval Petroleum Reserves for fiscal year 2012; to the Committee on Energy and Natural Resources.

EC-1479. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled "U.S. Department of

Education Fiscal Year 2012 Annual Performance Report and Fiscal Year 2014 Annual Performance Plan"; to the Committee on Health, Education, Labor, and Pensions.

EC-1480. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Wood River Levee System Reconstruction project, Madison, County, Illinois; to the Committee on Environment and Public Works.

EC-1481. A communication from the Chairman of the Administrative Conference of the United States, transmitting, pursuant to law, the 2012 Performance and Accountability Report of the Administrative Conference of the United States; to the Committee on Homeland Security and Governmental Affairs.

EC-1482. A communication from the Chief, Washington Field Office, U.S. Office of Special Counsel, transmitting, pursuant to law, the Office's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1483. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the Quarterly Report for April 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1484. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1485. A communication from the Acting Director, Office of Civil Rights, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1486. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-54, "Permanent Supportive Housing Application Streamlining Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1487. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-59, "Temporary Assistance for Needy Families Time Extension Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1488. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-60, "Egregious First-Time Sale to Minor Clarification Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1489. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-63, "Captive Earthquake Property Insurance Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1490. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 19-632, "Local Budget Autonomy Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-1491. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report entitled "Report to Congress on the Activities of the National Guard Counterdrug Schools for Fiscal Year 2012"; to the Committee on the Judiciary.

EC-1492. A communication from the Chairman of the United States Commission on Civil Rights, transmitting, pursuant to law, the Commission's Strategic Plan for fiscal years 2014-2018; to the Committee on the Judiciary.

EC-1493. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2012-2013 amendment cycle; to the Committee on the Judiciary.

EC-1494. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Bureau of Prisons' compliance with the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

EC-1495. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on applications made by the Government for authority to conduct electronic surveillance for foreign intelligence during calendar year 2012 relative to the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

EC-1496. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Lorcaserin Into Schedule IV" (Docket No. DEA-369) received in the Office of the President of the Senate on May 8, 2013; to the Committee on the Judiciary.

EC-1497. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled "Hart-Scott-Rodino Annual Report: Fiscal Year 2012"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. STABENOW, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 954. An original bill to reauthorize agricultural programs through 2018.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Deborah Kay Jones, of New Mexico, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Libya.

Nominee: Deborah Kay Jones.

Post: Libya.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None
2. Spouse: None
3. Children and Spouses: None
4. Parents: None
5. Grandparents: None
6. Brothers and Spouses: None
7. Sisters and Spouses: None

*James Knight, of Alabama, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

Nominee: James Knight.

Post: N'Djamena, Republic of Chad.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: James Knight, \$200, Mar 2008, Barack Obama; \$200, Mar 2008, Hillary Clinton; \$200, Mar 2008, John McCain; \$200, Sep 2008, Barack Obama; \$200, Sep 2008, John McCain.

2. Spouse: Amelia Bell Knight; 0.

3. Children and Spouses: Mary Amelia Walker; 0; Christopher P. Alvarez; 0; Richard Adrian Walker III—unmarried, (deceased); James Davis Knight, \$50, 2008, John Edwards; \$200, 2008, Barack Obama; Cheryl Knight, 0; James Lee Knight—unmarried, 0.

4. Parents: Father Kimo C. V. Courtenay—deceased; Mother Perry Nell Jones—deceased; Stepfather Roy Arthur Knight—deceased.

5. Grandparents: Maternal grandfather Perry W. Caraway—deceased; Paternal grandfather James Crosby Little—deceased; Maternal grandmother Bessie Mae Caraway—deceased; Paternal grandmother Marjorie Elder Little—deceased.

6. Brothers and Spouses: Brooke Courtenay, 0; Spouse name unknown, 0; Paul K. Lindo, 0; Spouse name unknown, 0.

7. Sisters and Spouses: Kathryn Marie Harris, 0; Hugh G. Harris, 0.

Tamsen N. F. Courtenay no response to query for contributions since 2008 unmarried

Note: Brooke Courtenay, Paul K. Lindo, and Tamsen N. F. Courtenay are half-siblings with whom I had no contact prior to father's terminal illness in 2011, hence not reported earlier.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER (for himself, Mr. ENZI, and Mr. RUBIO):

S. 936. A bill to increase oversight of small business assistance programs provided by the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. FLAKE (for himself, Mr. ISAKSON, Mr. RISCH, and Mr. CORNYN):

S. 937. A bill to prohibit the Internal Revenue Service from applying disproportionate scrutiny to applicants for tax-exempt status based on ideology, and for other purposes; to the Committee on Finance.

By Mr. MORAN:

S. 938. A bill to amend title 38, United States Code, to allow certain veterans to use educational assistance provided by the Department of Veterans Affairs for franchise training, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for himself and Mr. BEGICH):

S. 939. A bill to amend title 38, United States Code, to treat certain misfiled documents as motions for reconsideration of decisions by the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL of New Mexico:

S. 940. A bill to provide grants to States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. HELLER, Mr. VITTER, Mr. INHOFE, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mrs. FISCHER, Mr. RISCH, Mr. COATS, Mr. KIRK, Mr. ISAKSON, and Mr. SESSIONS):

S. 941. A bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mrs. SHAHEEN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. HARKIN, Mrs. MURRAY, Mr. LAUTENBERG, Mrs. GILLIBRAND, Mr. FRANKEN, and Mr. MURPHY):

S. 942. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 943. A bill to establish an alternative accountability model; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself and Mr. BURR):

S. 944. A bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance to charge veterans tuition and fees at the in-State tuition rate, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BEGICH, Mrs. HAGAN, and Mr. FRANKEN):

S. 945. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by author-

izing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program; to the Committee on Finance.

By Mr. WICKER (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Mr. CORNYN, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. JOHANNES, Mr. MORAN, Mr. PAUL, Mr. PORTMAN, Mr. ROBERTS, Mr. THUNE, Mr. VITTER, Mr. LEE, and Mr. RUBIO):

S. 946. A bill to prohibit taxpayer funded abortions, and for other purposes; to the Committee on Finance.

By Mrs. HAGAN (for herself, Mr. TOOMEY, Mr. MANCHIN, and Mr. JOHANNES):

S. 947. A bill to ensure access to certain information for financial services industry regulators, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself and Mr. COCHRAN):

S. 948. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; to the Committee on Finance.

By Mr. MANCHIN (for himself and Mr. JOHANNES):

S. 949. A bill to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself and Mr. KING):

S. 950. A bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Mr. UDALL of New Mexico, Mr. BARRASSO, Ms. HEITKAMP, Mr. HATCH, Mr. HOEVEN, and Mr. RISCH):

S. 951. A bill to amend the Mineral Leasing Act to require the Secretary of the Interior to convey to a State all right, title, and interest in and to a percentage of the amount of royalties and other amounts required to be paid to the State under that Act with respect to public land and deposits in the State, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. PORTMAN):

S. 952. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. HARKIN, Mr. REID, Mrs. MURRAY, Mr. ROCKEFELLER, Ms. BALDWIN, Mr. SCHUMER, Mr. FRANKEN, Mr. BROWN, Mr. MURPHY, Mr. DURBIN, and Mrs. GILLIBRAND):

S. 953. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes; read the first time.

By Ms. STABENOW:

S. 954. An original bill to reauthorize agricultural programs through 2018; from the

Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. CARDIN, and Mr. TOOMEY):

S. Res. 140. A resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty; considered and agreed to.

By Mr. BEGICH (for himself, Ms. KLOBUCHAR, Mr. WARNER, Mr. HELLER, Mrs. SHAHEEN, Mr. REID, Mr. KIRK, Mr. SCOTT, Mr. SCHATZ, and Mr. BLUNT):

S. Res. 141. A resolution recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 214

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 214, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 294

At the request of Mr. TESTER, the names of the Senator from Virginia (Mr. Kaine) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 309

At the request of Mr. HARKIN, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Colorado (Mr. BENNET), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from Ohio (Mr. PORTMAN), the Senator from Virginia (Mr. Kaine), the Senator from Florida

(Mr. RUBIO), the Senator from Alabama (Mr. SHELBY), the Senator from Massachusetts (Mr. COWAN), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. NELSON), the Senator from Oregon (Mr. MERKLEY), the Senator from Maine (Mr. KING), the Senator from Kansas (Mr. ROBERTS) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 316

At the request of Mr. SANDERS, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 351

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 382

At the request of Mr. SCHUMER, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 425

At the request of Ms. STABENOW, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 425, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 466

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.

466, a bill to assist low-income individuals in obtaining recommended dental care.

S. 506

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 506, a bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers.

S. 538

At the request of Mrs. MCCASKILL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 538, a bill to amend title 10, United States Code, to modify the authorities and responsibilities of convening authorities in taking actions on the findings and sentences of courts-martial.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 579

At the request of Mr. MENENDEZ, the names of the Senator from California (Mrs. BOXER), the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 635

At the request of Mr. BROWN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Georgia (Mr. ISAKSON) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 669

At the request of Mr. PRYOR, the names of the Senator from Idaho (Mr. CRAPO), the Senator from South Dakota (Mr. THUNE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 674

At the request of Mr. HELLER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor

of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 700

At the request of Mr. KAINE, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 755

At the request of Ms. KLOBUCHAR, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 755, a bill to amend title XIX of the Social Security Act to apply the Medicaid primary care payment rate to additional physician providers of primary care services.

S. 764

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 764, a bill to amend title XXVII of the Public Health Service Act to require the disclosure of information regarding how certain taxes and fees impact the amount of premiums, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Nebraska (Mr. JOHANNIS), the Senator from Iowa (Mr. HARKIN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 862

At the request of Ms. AYOTTE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mr. BENNET, his name was added as a cosponsor of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 871, *supra*.

S. 892

At the request of Mr. KIRK, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Alaska (Mr. BEGICH), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 897

At the request of Ms. WARREN, the names of the Senator from California (Mrs. BOXER), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013-2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 901

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 901, a bill to protect State and local witnesses from tampering and retaliation, and for other purposes.

S. RES. 133

At the request of Mr. LEE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. Res. 133, a resolution expressing the sense of the Senate that Congress and the States should investigate and correct abusive, unsanitary, and illegal abortion practices.

AMENDMENT NO. 856

At the request of Mr. BROWN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 856 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 857

At the request of Mr. LEVIN, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 857 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 868

At the request of Mr. BARRASSO, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of amendment No. 868 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 874

At the request of Mr. LEVIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 874 intended to be proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 893

At the request of Mr. LEVIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 893 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 907

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 907 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 909

At the request of Mr. HOEVEN, the names of the Senator from South Dakota (Mr. THUNE), the Senator from North Dakota (Ms. HEITKAMP), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of amendment No. 909 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANDERS (for himself and Mr. BURR):

S. 944. A bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance to charge veterans tuition and fees at the in-State tuition rate, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I am proud to introduce the Veterans' Educational Transition Act of 2013.

My colleague and ranking member of the Senate Committee on Veterans' Affairs, Senator BURR, joins me in introducing this important legislation.

The Department of Defense estimates that approximately 250,000 to 300,000 servicemembers will separate annually for the next 4 years. That is more than one million brave men and women who will face the harsh reality of transitioning back to civilian life. Many of them will elect to further their education by using the most lucrative benefit afforded to them since WWII—the Post-9/11 GI Bill. Since 2009, the Department of Veterans Affairs, VA, has paid nearly 1 million Post-9/11 GI Bill beneficiaries more than \$28 billion.

The Post-9/11 GI Bill stands as a testament of our willingness to invest in our newest generation of veterans. Unfortunately, this investment often falls short of what they need to complete a post-secondary education and successfully transition back to civilian life. They deserve better.

Given the nature of our Armed Forces, servicemembers have little to no say as to where they serve and where they reside during their military service. Thus, when transitioning servicemembers consider what educational institution they want to attend, many of them choose a school in their home State or a State where they previously served.

I have heard from too many veterans that many of these public educational institutions consider them out-of-State students. Given that the Post-9/11 GI Bill only covers in-State tuition and fees for public educational institutions, these veterans are left to cover the difference in cost between the in-State tuition rate and the out-of-State tuition rate. In some States, this difference can be more than \$20,000 per year. As a result, many of our Nation's veterans must use loans to cover this difference and in the process become indebted with large school loans that will take years to pay off.

I applaud the States that have taken initiative to assist our veterans by recognizing them as in-State students for

purposes of attending a public educational institution. Yet, there are too many States that still require transitioning veterans to meet stringent residency requirements before they can be considered in-State students. Recently separated veterans may not be able to meet such requirements because of their military service, and once enrolled, they cannot legally establish residency because of their status as full-time students.

The Veterans Educational Transition Act of 2013 would require States, as a condition for course approval under the Post-9/11 GI Bill or Montgomery GI Bill, to recognize certain veterans and their dependents using these education benefits as in-State students for purposes of attending a public institution. The veteran must be within 2 years from the date of discharge, and the individual using the benefit must live in the State while attending the school.

This legislation would help our brave men and women who have sacrificed so much in defense of our country transition to the civilian workforce by giving them a fair shot at attaining their educational goals without incurring an additional financial burden simply because they chose to serve their country.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans’ Educational Transition Act of 2013”.

SEC. 2. APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION FOR PURPOSES OF ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAM AND POST-9/11 EDUCATIONAL ASSISTANCE CONDITIONAL ON IN-STATE TUITION RATE FOR VETERANS.

(a) IN GENERAL.—Section 3679 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) Notwithstanding any other provision of this chapter and subject to paragraphs (3) through (5), the Secretary shall disapprove a course of education provided by a public institution of higher education to a covered individual pursuing a course of education with educational assistance under chapter 30 or 33 of this title while living in the State in which the public institution of higher education is located if the institution charges tuition and fees for that course for the covered individual at a rate that is higher than the rate the institution charges for tuition and fees for that course for residents of the State in which the institution is located, regardless of the covered individual’s State of residence.

“(2) For purposes of this subsection, a covered individual is any individual as follows:

“(A) A veteran who was discharged or released from a period of not fewer than 180 days of service in the active military, naval,

or air service less than two years before the date of enrollment in the course concerned.

“(B) An individual who is entitled to assistance under section 3311(b)(9) or 3319 of this title by virtue such individual’s relationship to a veteran described in subparagraph (A).

“(3) It shall not be grounds to disapprove a course of education under paragraph (1) if a public institution of higher education requires a covered individual pursuing a course of education at the institution to demonstrate an intent to establish residency in the State in which the institution is located in order to be charged tuition and fees for that course at a rate that is equal to or less than the rate the institution charges for tuition and fees for that course for residents of the State.

“(4) The Secretary may waive such requirements of paragraph (1) as the Secretary considers appropriate.

“(5) Disapproval under paragraph (1) shall apply only with respect to educational assistance under chapters 30 and 33 of this title.”.

(b) EFFECTIVE DATE.—Subsection (c) of section 3679 of title 38, United States Code (as added by subsection (a) of this section) shall apply with respect to educational assistance provided for pursuit of programs of education during academic terms that begin after July 1, 2015.

By Mr. CARDIN (for himself and Mr. PORTMAN):

S. 952. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Finance.

Mr. CARDIN. Mr. President, today my colleague Senator PORTMAN and I are introducing this legislation, which refines the language included in a previous bill, S. 3532, introduced in the 112th Congress by Senator Hutchison and myself.

Our goal is to ensure the retirement security of our Nation’s clergy, church lay workers, and their families by resolving an unfortunate application of our current pension rules on church pension beneficiaries.

Churches and synagogues established some of the first pension plans in the country, some dating back to the 18th century, and they are designed to ensure that our pastors and lay staff have adequate resources during their retirement years.

Church pensions are critically important compensation plans that help support over one million clergy members across the country in their retirement—particularly those who dedicated their careers to serving in economically disadvantaged congregations.

Church plans developed structures and mechanisms that reflect the differing church polities they serve and their unique status has been recognized in law. However, recent IRS regulations governing 403(b) pension programs and legislative changes have resulted in uncertainty and compliance issues for church pension plans.

The Church Plan Clarification Act is straightforward, non-controversial, and

has bipartisan support. I hope we can work quickly to provide clarity for these distinctive plans by enacting this legislation and thereby ensuring that those who dedicate their lives to religious service are not inappropriately and unfairly disadvantaged.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 952

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Church Plan Clarification Act of 2013”.

SEC. 2. CHURCH PLAN CLARIFICATION.

(a) APPLICATION OF CONTROLLED GROUP RULES TO CHURCH PLANS.—

(1) IN GENERAL.—Section 414(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking “For purposes” and inserting the following:

“(1) IN GENERAL.—For purposes”, and

(B) by adding at the end the following new paragraph:

“(2) CHURCH PLANS.—

“(A) GENERAL RULE.—Except as provided in subparagraphs (B) and (C), for purposes of this subsection and subsection (m), an organization that is otherwise eligible to participate in a church plan as defined in subsection (e) shall not be aggregated with another such organization and treated as a single employer with such other organization unless—

“(i) one such organization provides directly or indirectly at least 80 percent of the operating funds for the other organization during the preceding tax year of the recipient organization, and

“(ii) there is a degree of common management or supervision between the organizations.

For purposes of this subparagraph, a degree of common management or supervision exists only if the organization providing the operating funds is directly involved in the day-to-day operations of the other organization.

“(B) NONQUALIFIED CHURCH-CONTROLLED ORGANIZATIONS.—Notwithstanding the provisions of subparagraph (A), for purposes of this subsection and subsection (m), an organization that is a nonqualified church-controlled organization shall be aggregated with one or more other nonqualified church-controlled organizations, or with an organization that is not exempt from tax under section 501, and treated as a single employer with such other organizations, if at least 80 percent of the directors or trustees of such organizations are either representatives of, or directly or indirectly controlled by, the first organization. For purposes of this subparagraph, a ‘nonqualified church controlled organization’ shall mean a church-controlled organization described in section 501(c)(3) that is not a qualified church-controlled organization described in section 3121(w)(3)(B).

“(C) PERMISSIVE AGGREGATION AMONG CHURCH-RELATED ORGANIZATIONS.—Organizations described in subparagraph (A) may elect to be treated as under common control for purposes of this subsection. Such election shall be made by the church or convention or

association of churches with which such organizations are associated within the meaning of subsection (e)(3)(D), or by an organization determined by such church or convention or association of churches to be the appropriate organization for making such election.

“(D) PERMISSIVE DISAGGREGATION OF CHURCH-RELATED ORGANIZATIONS.—For purposes of subparagraph (A), in the case of a church plan (as defined in subsection (e)), any employer may permissively disaggregate those entities that are not churches (as defined in section 403(b)(12)(B)) separately from those entities that are churches, even if such entities maintain separate church plans.

“(E) ANTI-ABUSE RULE.—For purposes of subparagraphs (A) and (B), the anti-abuse rule in Treasury Regulation section 1.414(c)-5(f) shall apply.”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning before, on, or after the date of the enactment of this Act.

(b) APPLICATION OF CONTRIBUTION AND FUNDING LIMITATIONS TO 403(b) GRANDFATHERED DEFINED BENEFIT PLANS.—

(1) IN GENERAL.—Section 251(e)(5) of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97-248), is amended—

(A) by striking “403(b)(2)” and inserting “403(b)”, and

(B) by inserting before the period at the end the following: “, and shall be subject to the applicable limitations of section 415(b) of such Code as if it were a defined benefit plan under section 401(a) of such Code and not the limitations of section 415(c) of such Code (relating to limitation for defined contribution plans).”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply as if included in the enactment of the Tax Equity and Fiscal Responsibility Act of 1982.

(c) AUTOMATIC ENROLLMENT BY CHURCH PLANS.—

(1) IN GENERAL.—This subsection shall supersede any law of a State that relates to wage, salary, or payroll payment, collection, deduction, garnishment, assignment, or withholding which would directly or indirectly prohibit or restrict the inclusion in any church plan (as defined in this subsection) of an automatic contribution arrangement.

(2) DEFINITION OF AUTOMATIC CONTRIBUTION ARRANGEMENT.—For purposes of this subsection, the term “automatic contribution arrangement” means an arrangement—

(A) under which a participant may elect to have the plan sponsor make payments as contributions under the plan on behalf of the participant, or to the participant directly in cash, and

(B) under which a participant is treated as having elected to have the plan sponsor make such contributions in an amount equal to a uniform percentage of compensation provided under the plan until the participant specifically elects not to have such contributions made (or specifically elects to have such contributions made at a different percentage).

(3) NOTICE REQUIREMENTS.—

(A) IN GENERAL.—The plan administrator of an automatic contribution arrangement shall, within a reasonable period before such plan year, provide to each participant to whom the arrangement applies for such plan year notice of the participant’s rights and obligations under the arrangement which—

(i) is sufficiently accurate and comprehensive to apprise the participant of such rights and obligations, and

(ii) is written in a manner calculated to be understood by the average participant to whom the arrangement applies.

(B) ELECTION REQUIREMENTS.—A notice shall not be treated as meeting the requirements of subparagraph (A) with respect to a participant unless—

(i) the notice includes an explanation of the participant’s right under the arrangement not to have elective contributions made on the participant’s behalf (or to elect to have such contributions made at a different percentage),

(ii) the participant has a reasonable period of time, after receipt of the notice described in clause (i) and before the first elective contribution is made, to make such election, and

(iii) the notice explains how contributions made under the arrangement will be invested in the absence of any investment election by the participant.

(4) EFFECTIVE DATE.—This subsection shall take effect on the date of the enactment of this Act.

(d) ALLOW CERTAIN PLAN TRANSFERS AND MERGERS.—

(1) IN GENERAL.—Section 414 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(y) CERTAIN PLAN TRANSFERS AND MERGERS.—

“(1) IN GENERAL.—Under rules prescribed by the Secretary, except as provided in paragraph (2), no amount shall be includible in gross income by reason of—

“(A) a transfer of all or a portion of the account balance of a participant or beneficiary, whether or not vested, from a plan described in section 401(a) or an annuity contract described in section 403(b), which is a church plan described in subsection (e) to an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches,

“(B) a transfer of all or a portion of the account balance of a participant or beneficiary, whether or not vested, from an annuity contract described in section 403(b) to a plan described in section 401(a) or an annuity contract described in section 403(b), which is a church plan described in subsection (e), if such plan and annuity contract are both maintained by the same church or convention or association of churches, or

“(C) a merger of a plan described in section 401(a), or an annuity contract described in section 403(b), which is a church plan described in subsection (e) with an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches.

“(2) LIMITATION.—Paragraph (1) shall not apply to a transfer or merger unless the participant’s or beneficiary’s benefit immediately after the transfer or merger is equal to or greater than the participant’s or beneficiary’s benefit immediately before the transfer or merger.

“(3) QUALIFICATION.—A plan or annuity contract shall not fail to be considered to be described in sections 401(a) or 403(b) merely because such plan or account engages in a transfer or merger described in this subsection.

“(4) DEFINITIONS.—For purposes of this subsection:

“(A) CHURCH.—The term ‘church’ includes an organization described in subparagraph (A) or (B)(ii) of subsection (e)(3).

“(B) ANNUITY CONTRACT.—The term ‘annuity contract’ includes a custodial account de-

scribed in section 403(b)(7) and a retirement income account described in section 403(b)(9).”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to transfers or mergers occurring after the date of the enactment of this Act.

(e) INVESTMENTS BY CHURCH PLANS IN COLLECTIVE TRUSTS.—

(1) IN GENERAL.—In the case of—

(A) a church plan (as defined in section 414(e) of the Internal Revenue Code of 1986), including a plan described in section 401(a) of such Code and a retirement income account described in section 403(b)(9) of such Code, and

(B) an organization described in section 414(e)(3)(A) of such Code the principal purpose or function of which is the administration of such a plan or account,

the assets of such plan, account, or organization (including any assets otherwise permitted to be commingled for investment purposes with the assets of such a plan, account, or organization) may be invested in a group trust otherwise described in Internal Revenue Service Revenue Ruling 81-100 (as modified by Internal Revenue Service Revenue Rulings 2004-67 and 2011-1), or any subsequent revenue ruling that supersedes or modifies such revenue ruling, without adversely affecting the tax status of the group trust, such plan, account, or organization, or any other plan or trust that invests in the group trust.

(2) EFFECTIVE DATE.—This subsection shall apply to investments made after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 140—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICES MADE BY THE FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICERS WHO HAVE BEEN KILLED OR INJURED IN THE LINE OF DUTY

Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. CARDIN, and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 140

Whereas the well-being of all people in the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement officers;

Whereas more than 900,000 men and women, at great risk to their personal safety, serve the people of the United States as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas, in 2012, 120 peace officers across the United States were killed in the line of duty;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers;

Whereas more than 19,000 Federal, State, and local law enforcement officers whose names are engraved upon the National Law Enforcement Officers Memorial in Washington, District of Columbia, lost their lives in the line of duty while protecting the people of the United States;

Whereas, in 1962, President John F. Kennedy designated May 15 as "National Peace Officers Memorial Day"; and

Whereas, on May 15, 2013, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join the families of their recently-fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and acknowledges the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty;

(2) recognizes May 15, 2013, as "National Peace Officers Memorial Day"; and

(3) calls on the people of the United States to observe National Peace Officers Memorial Day with appropriate ceremony, solemnity, appreciation, and respect.

SENATE RESOLUTION 141—RECOGNIZING THE GOALS OF NATIONAL TRAVEL AND TOURISM WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF TRAVEL AND TOURISM TO THE UNITED STATES

Mr. BEGICH (for himself, Ms. KLOBUCHAR, Mr. WARNER, Mr. HELLER, Mrs. SHAHEEN, Mr. REID, Mr. KIRK, Mr. SCOTT, Mr. SCHATZ, and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 141

Whereas National Travel and Tourism Week was established in 1983 through the enactment of the Joint Resolution entitled "Joint Resolution to designate the week beginning May 27, 1984, as 'National Tourism Week'", approved November 29, 1983 (Public Law 98-178; 97 Stat. 1126), which recognized the value of travel and tourism;

Whereas National Travel and Tourism Week is celebrated across the United States from May 4 through May 12, 2013;

Whereas more than 120 travel destinations throughout the United States are holding events in honor of National Travel and Tourism Week;

Whereas one out of every 8 jobs in the United States depends on travel and tourism and the industry supports more than 14,600,000 jobs in the United States;

Whereas the travel and tourism industry employs individuals in all 50 States and all the territories of the United States;

Whereas international travel to the United States is the single largest export industry in the country, generating a trade surplus balance of approximately \$45,000,000,000;

Whereas the travel and tourism industry, Congress, and the President have worked to streamline the visa process and make the United States welcoming to visitors from other countries;

Whereas travel and tourism provide significant economic benefits to the United States by generating nearly \$2,000,000,000,000 in annual economic output;

Whereas leisure travel allows individuals to experience the rich cultural heritage and educational opportunities of the United States and its communities; and

Whereas the immense value of travel and tourism cannot be overstated: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 4 through May 12, 2013, as National Travel and Tourism Week;

(2) commends the travel and tourism industry for its important contributions to the United States; and

(3) commends the employees of the travel and tourism industry for their important contributions to the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 916. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 917. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 906 proposed by Mr. DURBIN (for himself, Mr. BLUNT, Mrs. MCCASKILL, Mr. ALEXANDER, Mr. KIRK, Mr. HARKIN, Mr. FRANKEN, Mr. COCHRAN, Mr. WICKER, Mr. BOOZMAN, Mr. PRYOR, and Ms. LANDRIEU) to the bill S. 601, supra; which was ordered to lie on the table.

SA 918. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 797 proposed by Mr. INHOFE to the bill S. 601, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 916. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 917. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 906 proposed by Mr. DURBIN (for himself, Mr. BLUNT, Mrs. MCCASKILL, Mr. ALEXANDER, Mr. KIRK, Mr. HARKIN, Mr. FRANKEN, Mr. COCHRAN, Mr. WICKER, Mr. BOOZMAN, Mr. PRYOR, and Ms. LANDRIEU) to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 15, insert ", consistent with the authorized purposes of the water resource projects in the greater Mississippi River Basin" after "navigation".

SA 918. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 797 proposed by Mr. INHOFE to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to con-

struct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, strike line 2 and insert the following:

SEC. 12. **GREATER MISSISSIPPI RIVER BASIN SEVERE FLOODING AND DROUGHT MANAGEMENT STUDY.**

(a) **DEFINITIONS.**—In this section:

(1) **GREATER MISSISSIPPI RIVER BASIN.**—The term "greater Mississippi River Basin" means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(2) **LOWER MISSISSIPPI RIVER.**—The term "lower Mississippi River" means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico.

(3) **MIDDLE MISSISSIPPI RIVER.**—The term "middle Mississippi River" means the portion of the Mississippi River that begins at the confluence of the Missouri River and flows to the lower Mississippi River.

(4) **SEVERE FLOODING AND DROUGHT.**—The term "severe flooding and drought" means severe weather events that threaten personal safety, property, and navigation on the inland waterways of the United States.

(b) **IN GENERAL.**—The Secretary shall carry out a study of the greater Mississippi River Basin—

(1) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to severe flooding and drought conditions; and

(2) to evaluate the feasibility of any modifications to those water resource projects, consistent with the authorized purposes of those projects, and develop new water resource projects to improve the reliability of navigation and more effectively reduce flood risk.

(c) **CONTENTS.**—The study shall—

(1) identify any Federal actions that are likely to prevent and mitigate the impacts of severe flooding and drought, including changes to authorized channel dimensions, operational procedures of locks and dams, and reservoir management within the greater Mississippi River Basin, consistent with the authorized purposes of the water resource projects;

(2) identify and make recommendations to remedy challenges to the Corps of Engineers presented by severe flooding and drought, including river access, in carrying out its mission to maintain safe, reliable navigation, consistent with the authorized purposes of the water resource projects in the greater Mississippi River Basin; and

(3) identify and locate natural or other physical impediments along the middle and lower Mississippi River to maintaining navigation on the middle and lower Mississippi River during periods of low water.

(d) **CONSULTATION AND USE OF EXISTING DATA.**—In carrying out the study, the Secretary shall—

(1) consult with appropriate committees of Congress, Federal, State, tribal, and local agencies, environmental interests, agricultural interests, recreational interests, river navigation industry representatives, other shipping and business interests, organized labor, and nongovernmental organizations;

(2) to the maximum extent practicable, use data in existence as of the date of enactment of this Act; and

(3) incorporate lessons learned and best practices developed as a result of past severe flooding and drought events, including major floods and the successful effort to maintain navigation during the near historic low water levels on the Mississippi River during the winter of 2012–2013.

(e) COST-SHARING.—The Federal share of the cost of carrying out the study under this section shall be 100 percent.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under this section.

(g) SAVINGS CLAUSE.—Nothing in this section impacts the operations and maintenance of the Missouri River Mainstem System, as authorized by the Act of December 22, 1944 (58 Stat. 897, chapter 665).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a meeting of the Senate Committee on Energy and Natural Resources has been scheduled to discuss natural gas issues. The meeting will be held on Tuesday, May 21, 2013, at 10:00 a.m., in room 216 of the Hart Senate Office Building.

The purpose of this meeting is to provide a forum to explore what the next applications are for natural gas and how this new demand will be met. Domestic supply and the potential benefits or unintended consequences caused by expansion of natural gas exports will be specific points of interest.

Because of the limited time available for the forum, witnesses may testify by invitation only. However, those wishing to submit written testimony for the record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224–4971 or Lauren Goldschmidt at (202) 224–5488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 14, 2013, at 10 a.m. in room SR–328A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 14, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 14, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 14, 2013, at 10 a.m. in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Advancing Reform: Medicare Physicians Payments.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 14, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “The ADA and Entertainment Technologies: Improving Accessibility from the Movie Screen to Your Mobile Device” on May 14, 2013, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 14, 2013, at 10 a.m., in SD–G50 of the Dirksen Senate Office Building, continue its executive business meeting from May 9, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 14, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Sen-

ate on May 14, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “State of Video.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Senate Armed Services Committee be authorized to meet during the session of the Senate on May 14, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE AND, INVESTMENT

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on May 14, 2013, at 3:15 p.m., to conduct a hearing entitled “Returning Private Capital To Mortgage Markets: A Fundamental for Housing Finance Reform.”

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL TRAVEL AND TOURISM WEEK

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. Res. 141.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 141) recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that there be no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 141) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ACKNOWLEDGING THE DEDICATION AND SACRIFICES OF LAW ENFORCEMENT OFFICERS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. Res. 140.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 140) commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 140) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST
TIME—S. 953

Mr. REID. I understand S. 953 introduced earlier today by Senator REED is at the desk, and I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 953) to amend the Higher Education Act of 1965 to extend the reduced interest rates for Federal Direct Stafford loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

Mr. REID. I now ask for its second reading and object to my own request.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, MAY 15,
2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, May 15, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes

each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business the Senate resume consideration of S. 601, the Water Resources Development Act, under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be a series of up to seven rollcall votes beginning around 10:30 a.m. tomorrow in order to complete action on WRDA.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:39 p.m., adjourned until Wednesday, May 15, 2013, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, May 14, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. WEBSTER of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 14, 2013.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, this is farm bill week. Today, the Senate Agriculture Committee is marking up their version of the farm bill, and tomorrow the House Agriculture Committee will do the same. Although one bill is written by a Republican and the other is written by a Democrat, these two bills have one thing in common: they make hunger worse in America.

There are 50 million hungry Americans; 17 million are kids. Yet the Senate is going to mark up a bill that cuts over \$4 billion from SNAP, our Nation's main antihunger program. But that cut pales in comparison to the cuts included in H.R. 1947, the House farm bill.

Mr. Speaker, tomorrow we are going to mark up a farm bill that includes a \$20 billion cut in SNAP—\$20 billion. Mr. Speaker, at a time when we have 50 million hungry Americans, at a time when we have 17 million hungry kids, a Republican-led Congress is going to mark up a farm bill with \$20 billion cuts in SNAP.

Mr. Speaker, we were elected to solve problems and help people, not make things worse. We were elected to help make lives better. We were elected to do the right thing. Cutting SNAP, making it harder for hungry Americans to put food on their tables, is the wrong thing. Taking \$20 billion out of this program will do real harm to Americans who simply are trying to make ends meet.

Now, there are some in this House, some on the Agriculture Committee, who say this is about reducing error rates in the program, that this is good getting at fraud. Well, let me remind them that SNAP has one of the lowest error rates, if not the lowest error rates, in the Federal Government. That is something that we should be proud of, and it is something that we should celebrate.

Mr. Speaker, these cuts do not get at fraud. These cuts do not make the program more efficient. These cuts don't help reduce or end hunger in America. These cuts in this bill will make things worse. That's because the cuts in this bill will kick 2 million people off of SNAP. That's 2 million hungry Americans who currently rely on SNAP to help feed themselves and their families, and that's 2 million low-income Americans who are having trouble making ends meet.

These cuts will cause 850,000 households to see their SNAP benefit reduced by \$90 a month—\$90 a month. That's a big cut for poor families struggling to get by.

The cuts in this bill will cause 210,000 children to lose access to their free school meals. These 210,000 poor children currently receive free school meals because their parents can't afford to pay for their meals. But the cuts in this bill will result in 210,000 losing access to free school meals.

This bill even cuts the nutrition education program, a program that is designed to help educate SNAP beneficiaries about how to buy and prepare more nutritious foods. Imagine cutting this critical education program while obesity and access to unhealthy food is on the rise.

To put this in proper context, these cuts would come on top of an across-the-board cut in SNAP that every recipient will experience starting on November 1, 2013. Because SNAP has been used as an ATM to offset other worthy programs, a family of four will already be seeing their SNAP benefit cut by an average of \$25.

So, to recap, not only will we see automatic cuts in SNAP this Novem-

ber, the House farm bill will make things worse by cutting \$20 billion additionally from the program. This simply cannot stand.

Tomorrow, during the farm bill markup, I will offer an amendment that will restore these cuts. I hope that all my colleagues on the Agriculture Committee will vote for my amendment, and, if it fails, I hope they'll vote against the farm bill.

Mr. Speaker, we cannot just indiscriminately make hunger worse in the name of fiscal austerity. No, Mr. Speaker, we should look at these programs and ask ourselves: Are these programs working? Are they doing the job that they were designed to do? Are they succeeding or failing? And how can we make them work better? But that's not what we're doing.

Do you know how many hearings we've had on SNAP in this Congress? Do you know how many the Agriculture Committee has held? None. That's right, the Agriculture Committee is about to cut \$20 billion from SNAP, and we haven't had one single hearing. Yet there are 20 new members of the Agriculture Committee in this Congress, 20 new members who deserve the right to learn about these issues, including the details of SNAP and the impact of these cuts.

Mr. Speaker, this is not how we should be approaching this program. We should be holding hearings; we should ask questions; we should be thoughtful; and we should look at the program in an honest way, and our goal should be to end hunger now. Unfortunately, this bill, as written, is more about protecting big agribusiness and corporate welfare than it is about protecting hungry Americans who need help today.

Mr. Speaker, we need to do something about hunger in America. I've urged the administration to host a White House conference on food and nutrition to come up with a plan to end hunger now. Hopefully, they will act on that soon. But for today and tomorrow, we must protect SNAP from needless, unnecessary, and harmful cuts. We must stand for the most vulnerable in our country, and we must end hunger now and not make it worse.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEWART) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities, enlightened by Your eternal spirit.

We gather after celebrating Mother's Day. We thank You for the gift of self modeled by our mothers, who chose to place each of us before themselves in giving birth to us and nurturing us as we grew. May we all earn the pride of our mothers in the service we provide to the benefit of this Nation.

There are many serious issues confronting our Nation these days. May the truth be served and the Nation's interests be met in the proceedings of this day.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Alabama (Mr. BROOKS) come forward and lead the House in the Pledge of Allegiance.

Mr. BROOKS of Alabama led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

OVERSIGHT IS A PRINCIPAL RESPONSIBILITY OF CONGRESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week was very revealing about misstatements of truth from the White House. On Wednesday, the administration was heavily criticized as the House Committee on Oversight and Government Reform held a hearing, led by Chairman DARRELL ISSA, to investigate the Benghazi terrorist attack. Additionally, on Friday, the IRS secret operation to target conservative

groups was admitted after 3 years of denial.

Thomas Jefferson once said, "The whole art of government consists in the art of being honest."

As a congressional body, the Members of the United States House and Congress have an obligation to carry out oversight responsibilities. When situations arise where there is administration misconduct, we must pursue investigations to protect the American people. I look forward to working with my colleagues by demanding answers to the countless questions of intentional misrepresentations.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SCOTTSBORO BOYS

(Mr. BROOKS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. BROOKS of Alabama. Mr. Speaker, today I applaud the Alabama Legislature's Scottsboro Boys Act, which granted posthumous pardons to eight African American young men wrongfully accused in Alabama in 1931. The Scottsboro Boys case profoundly impacted America's civil rights movement and American law.

In two different landmark decisions, the United States Supreme Court ruled that the Constitution requires legal counsel for criminal defendants and held that arbitrarily excluding African Americans from jury pools was unconstitutional.

It is never too late to call wrong by its name. As Dr. Martin Luther King, Jr., wrote in his "Letter from Birmingham Jail":

Injustice anywhere is a threat to justice everywhere.

I pray that the families of Olen Montgomery, Haywood Patterson, Ozie Powell, Willie Roberson, Charlie Weems, Eugene Williams, and Andy and Roy Wright may take comfort in Alabama's full acknowledgement of the innocence of these wrongfully accused young men.

OBAMACARE'S THREAT

(Mr. MULLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MULLIN. Mr. Speaker, I stand before you today not only as a Member of Congress, but as a concerned business owner angered by the fact that ObamaCare may be putting my companies at financial risk. Currently, those businesses employ over 120 people in the State of Oklahoma. Because of the size of these companies, when ObamaCare is fully implemented, it will mean an immediate cost of over \$200,000 to that business.

I ran for Congress because I got fed up with the Federal Government becoming my biggest threat.

The President says he wants to grow the economy and encourage job creation, but in reality he is punishing those who are trying to thrive. As a business owner, you are penalized \$100,000 for hiring that 50th employee.

ObamaCare is the number one threat to businesses in Oklahoma and across this country. This week we'll vote to repeal this law, along with its harmful new mandates and tax hikes.

For the sake of this country's job creators, we must repeal ObamaCare. I urge my colleagues to join me and America in putting America back in business.

SECRETARY SEBELIUS CONTINUES TO VIOLATE CONGRESSIONAL AUTHORITY

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, the Constitution allows the Congress, specifically the House of Representatives, to hold the purse strings of the Federal Government—not the executive branch, not the Federal agencies.

This week, we've heard reports that the Secretary of Health and Human Services has been calling executives from the industries that she regulates asking them to donate money to a group called "Enroll America," a private organization that makes the President's health care law a success by signing individuals up for coverage through exchanges.

The Antideficiency Act prohibits the Federal Government departments from making greater expenditures in a fiscal year than those provided by the Congress. So it begs the question: What is the Secretary promising to corporate executives in exchange for their funding of this ACA implementation? This continues the line of questionably ethical conduct by the Secretary all to further the administration's controversial agenda.

Let's review: in 2012, the U.S. Office of Special Counsel concluded that Secretary Sebelius violated the Hatch Act by campaigning for President Obama while traveling on official business; then they raided the ACA's Prevention and Public Health Fund; and now she is seeking money from businesses that she regulates to prop up the President's takeover of American health care.

ARE YOU KIDDING ME?

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. What a week, Mr. Speaker. A Benghazi coverup, the IRS

targeting conservative groups, and now the Department of Justice found spying on the Associated Press. The scandals from this administration are coming so fast that the American people can barely keep up, and this pattern of arrogance, lies, and outright lawlessness should be disturbing to every American.

Mr. Speaker, the American people demand the truth, and this Congress is duty bound to make sure they get it. Congress must act now and investigate each of these scandals.

Some may call it political, but there is nothing political about keeping the oath of every Member of this Chamber to protect and defend the United States Constitution. And there is nothing political about working to ensure that none of these scandals gets swept under the rug.

□ 1410

IRS ACTIONS VIOLATE PUBLIC TRUST

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, I rise today to express my outrage at the behavior of the IRS.

Last week, the IRS admitted that it targeted organizations based on group names and political ideologies. Based on their conservative leanings, these organizations were often forced to divulge their donor lists and answer invasive questions about their affiliations, requirements the IRS did not extend to other groups seeking similar treatment under the Tax Code.

These actions are unacceptable. IRS officials cannot infringe on any person or organization's constitutional rights simply because of a difference in political ideology.

We expect our government to be a guardian of rights. Those responsible for this violation of the public's trust must be held accountable. IRS employees and officials are public servants, and those involved with this scandal have violated a fundamental precept of public service.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1703

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 5 o'clock and 3 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NATIONAL BLUE ALERT ACT OF 2013

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 180) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Blue Alert Act of 2013".

SEC. 2. DEFINITIONS.

In this Act:

(1) **COORDINATOR.**—The term "Coordinator" means the Blue Alert Coordinator of the Department of Justice designated under section 4(a).

(2) **BLUE ALERT.**—The term "Blue Alert" means information relating to the serious injury or death of a law enforcement officer in the line of duty sent through the network.

(3) **BLUE ALERT PLAN.**—The term "Blue Alert plan" means the plan of a State, unit of local government, or Federal agency participating in the network for the dissemination of information received as a Blue Alert.

(4) **LAW ENFORCEMENT OFFICER.**—The term "law enforcement officer" shall have the same meaning as in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b).

(5) **NETWORK.**—The term "network" means the Blue Alert communications network established by the Attorney General under section 3.

(6) **STATE.**—The term "State" means each of the 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 3. BLUE ALERT COMMUNICATIONS NETWORK.

The Attorney General shall establish a national Blue Alert communications network within the Department of Justice to issue Blue Alerts through the initiation, facilitation, and promotion of Blue Alert plans, in coordination with States, units of local government, law enforcement agencies, and other appropriate entities.

SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.

(a) **COORDINATION WITHIN DEPARTMENT OF JUSTICE.**—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

(b) **DUTIES OF THE COORDINATOR.**—The Coordinator shall—

(1) provide assistance to States and units of local government that are using Blue Alert plans;

(2) establish voluntary guidelines for States and units of local government to use in developing Blue Alert plans that will promote compatible and integrated Blue Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Blue Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Blue Alert;

(C) guidelines to protect the privacy, dignity, independence, and autonomy of any law enforcement officer who may be the subject of a Blue Alert and the family of the law enforcement officer;

(D) guidelines that a Blue Alert should only be issued with respect to a law enforcement officer if—

(i) the law enforcement agency involved—

(I) confirms—

(aa) the death or serious injury of the law enforcement officer; or

(bb) the attack on the law enforcement officer and that there is an indication of the death or serious injury of the officer; or

(II) concludes that the law enforcement officer is missing in the line of duty;

(ii) there is an indication of serious injury to or death of the law enforcement officer;

(iii) the suspect involved has not been apprehended; and

(iv) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(E) guidelines—

(i) that information relating to a law enforcement officer who is seriously injured or killed in the line of duty should be provided to the National Crime Information Center database operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and any relevant crime information repository of the State involved;

(ii) that a Blue Alert should, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local governments), be limited to the geographic areas most likely to facilitate the apprehension of the suspect involved or which the suspect could reasonably reach, which should not be limited to State lines;

(iii) for law enforcement agencies of States or units of local government to develop plans to communicate information to neighboring States to provide for seamless communication of a Blue Alert; and

(iv) providing that a Blue Alert should be suspended when the suspect involved is apprehended or when the law enforcement agency involved determines that the Blue Alert is no longer effective; and

(F) guidelines for—

(i) the issuance of Blue Alerts through the network; and

(ii) the extent of the dissemination of alerts issued through the network;

(3) develop protocols for efforts to apprehend suspects that address activities during the period beginning at the time of the initial notification of a law enforcement agency that a suspect has not been apprehended and ending at the time of apprehension of a suspect or when the law enforcement agency involved determines that the Blue Alert is no longer effective, including protocols regulating—

(A) the use of public safety communications;

(B) command center operations; and
(C) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the network with initiating, facilitating, and promoting Blue Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of a law enforcement organization representing rank-and-file officers;

(ii) representatives of other law enforcement agencies and public safety communications;

(iii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iv) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the network;

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of Blue Alerts through the network; and

(7) determine—

(A) what procedures and practices are in use for notifying law enforcement and the public when a law enforcement officer is killed or seriously injured in the line of duty; and

(B) which of the procedures and practices are effective and that do not require the expenditure of additional resources to implement.

(c) LIMITATIONS.—

(1) VOLUNTARY PARTICIPATION.—The guidelines established under subsection (b)(2), protocols developed under subsection (b)(3), and other programs established under subsection (b), shall not be mandatory.

(2) DISSEMINATION OF INFORMATION.—The guidelines established under subsection (b)(2) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(3) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The guidelines established under subsection (b) shall—

(A) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty and the families of the officers.

(d) COOPERATION WITH OTHER AGENCIES.—The Coordinator shall cooperate with the Secretary of Homeland Security, the Secretary of Transportation, the Chairman of the Federal Communications Commission, and appropriate offices of the Department of Justice in carrying out activities under this Act.

(e) RESTRICTIONS ON COORDINATOR.—The Coordinator may not—

(1) perform any official travel for the sole purpose of carrying out the duties of the Coordinator;

(2) lobby any officer of a State regarding the funding or implementation of a Blue Alert plan; or

(3) host a conference focused solely on the Blue Alert program that requires the expenditure of Federal funds.

(f) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Blue Alert plans that are in effect or being developed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 180, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Tomorrow, on the west front of the Capitol, we will honor those law enforcement officers killed last year in the line of duty. In 2012, 127 officers gave their lives while protecting America's public safety, including three officers in my home State of Virginia.

Although officer fatalities nationwide decreased by 23 percent from the previous year, 66 of those officers were killed in violent or deliberate attacks. Ambush attacks on police officers were the leading cause in fatal shootings, followed by traffic stops or pursuits, drug-related crimes, and robberies.

H.R. 180, the National Blue Alert Act of 2013, encourages an enhanced nationwide system for distribution of time-sensitive information to help identify a violent suspect when a law enforcement officer is injured or killed in the line of duty.

A Blue Alert broadcasts information and speeds apprehension. Blue Alerts use the same principle as Amber Alerts for missing children and Silver Alerts for missing seniors. The Blue Alert system is a cooperative effort among local, State, and Federal authorities, law enforcement agencies, and the general public.

A Blue Alert provides a description of an offender who is still at large and may include a description of the offender's vehicle and license plate information. Like Amber Alerts, Blue Alerts will help hinder the offender's ability to escape and will facilitate their capture.

This bill directs the Department of Justice to designate an existing officer

as the Blue Alert national coordinator who will encourage those States that have not already done so to develop Blue Alert plans and establish voluntary guidelines. As of today, 18 States have Blue Alert networks in place. However, there are many examples where an integrated, nationwide Blue Alert system would save lives and help bring fugitive suspects to justice.

Following the tragic Boston Marathon bombing last month, one of the suspects shot and killed Patrol Officer Sean Collier of the Massachusetts Institute of Technology Police Department. One of the subjects approached Officer Collier as he sat in his patrol car and opened fire on him without warning, striking him several times. The subjects then attempted to steal his service weapon but were thwarted by his secured holster.

The suspects then carjacked a vehicle and led police on a pursuit while throwing explosive devices at pursuing units. The pursuit ended in Watertown, Massachusetts, where one suspect was killed and a Massachusetts Bay Transportation Authority police officer was shot and seriously wounded in a gun battle. The second suspect was captured in Watertown the following evening after another tense standoff.

The immediate aftermath of the Boston Marathon bombing demonstrates how criminals are becoming even more violent, and their contempt for law enforcement and the rule of law is more evident than ever. This year is already shaping up to be a devastating year for law enforcement fatalities. As compared with this time last year, line-of-duty deaths this year are up 21 percent. Law enforcement deaths by gunfire are up 7 percent compared with May 2012.

This bill encourages expansion of an integrated Blue Alert communications network throughout the United States, which would ensure that when tragedy strikes, the public is on notice and suspects can be more quickly apprehended and brought to justice. A nationwide Blue Alert network will be particularly effective when a suspect flees across State lines.

I thank Mr. GRIMM of New York and Mr. REICHERT of Washington for their work on this bipartisan, bicameral legislation. An identical Senate measure is pending before the Senate Judiciary Committee.

Supporters of this legislation include the National Fraternal Order of Police, the National Sheriffs' Association, the Federal Law Enforcement Officers Association, the Sergeants Benevolent Association, and the National Association of Police Organizations.

This bill reaffirms our commitment to ensure the safety of our law enforcement men and women and the communities they serve to protect every day.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 180, the National Blue Alert Act. H.R. 180 will establish a coordinator within the Department of Justice to facilitate the issuance of Blue Alerts to help apprehend individuals suspected of killing or seriously injuring police officers. I support the bill because it provides critical support for a system that protects police officers and the public.

It's particularly timely that we consider this measure during National Police Week. National Police Week is a special occasion during which we recognize law enforcement officers and honor those who have lost their lives in the line of duty.

Since the first known line-of-duty death in 1791, more than 1,900 U.S. law enforcement officers have made the ultimate sacrifice. Today, there are more than 900,000 sworn law enforcement officers serving in the United States and, regrettably, on average one is killed in the line of duty every 57 hours.

Currently, 15 States, including my home State of Virginia, have Blue Alert systems that use media broadcasts and roadside message signs to disseminate, within their respective borders, time-sensitive information about those suspected of killing or seriously injuring Federal, State, or local law enforcement officers. In addition to those States, two more States are establishing Blue Alert systems this year.

The information disseminated by these systems—which can include descriptions of the suspect, the vehicle, and the license plate number—enables the public to assist the police in locating these perpetrators. H.R. 180 will enable more States to institute these valuable programs and require the Department of Justice to facilitate the dissemination of Blue Alerts across State lines and throughout specific geographic areas.

□ 1710

The Blue Alert program is similar to the Amber Alert program that helps us find missing children, and it makes sense that we would encourage similar expansion for the Blue Alert programs.

Accordingly, I urge my colleagues to support this important public safety measure.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 5 minutes to the gentleman from New York (Mr. GRIMM) and thank him for his authorship and sponsorship of this legislation.

Mr. GRIMM. Thank you very much, Mr. Chairman.

Mr. Speaker, I very much appreciate the opportunity to speak in support of my bill, H.R. 180, the National Blue Alert Act of 2013. As a former FBI spe-

cial agent, it is a very unique honor for me to have the House consider this important legislation during National Police Week, where thousands of law enforcement officers from around the world converge on our Nation's Capitol to honor those that have paid the ultimate sacrifice to protect our citizens here at home.

On a personal note, I would like to extend my sincere gratitude to New York Police Commissioner Ray Kelly and to all the brave men and women of the NYPD for their service to our great city. I encourage all my colleagues to treat every week as if it were National Police Week.

Truly, it is the sacrifices made by these great individuals that inspired me to introduce this important legislation. During my career as a special agent in the FBI, I witnessed firsthand the danger posed by criminals who attack law enforcement officers, and the particular danger they pose on our communities. Time and time again, we have seen that if criminals are willing to attack a police officer to avoid apprehension, then there is absolutely no limit to the lengths they will go or the victims they will target to avoid justice.

According to the National Law Enforcement Officers Memorial Fund, 127 officers have been killed in the line of duty during 2012. We can take a look at States that had officers killed in the line of duty from Texas to Pennsylvania.

While it is impossible to completely transform the hazardous nature of the work our law enforcement officers do day in and day out, there are steps that we can take to enhance their safety and quickly apprehend those who put them at risk. The National Blue Alert Act does this by creating a national Blue Alert communications network within the United States Department of Justice. This will disseminate information on suspects who are being sought in connection with the death or injury of law enforcement officers.

I have had the distinct pleasure of working with some of the bravest men and women this country has to offer. I really believe that, similar to Amber Alert, Blue Alert would rapidly notify our law enforcement agencies. It will notify the media and the public so that we can have the help that we need to aid in the apprehension of some of the most violent criminals.

Additionally, this legislation would further encourage the expansion of the Blue Alert program beyond the handful of States where it is currently existing by helping the development of Blue Alert plans, regional coordination, and the development and implementation of new technologies to improve Blue Alert technologies.

This legislation is supported by many. It's supported by a number of law enforcement organizations, includ-

ing the Sergeants Benevolent Association, the National Sheriffs' Association, the National Association of Police Officers, the Federal Law Enforcement Officers Association, as well as the Fraternal Order of Police.

I am certain that the National Blue Alert Act will enhance the safety of our communities as well as the law enforcement officers who protect them, and I encourage its swift passage today in the full House of Representatives.

Mr. SCOTT of Virginia. Does my colleague from Virginia have further speakers?

Mr. GOODLATTE. I do not have any further speakers at this time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from New York (Mr. GRIMM), my colleague from Virginia, Chairman GOODLATTE, and the ranking member of the full committee, Mr. CONYERS, for their cooperation in bringing this bill to the floor during National Police Week.

As we join together on this bill, it is my hope that we can continue to work in a bipartisan fashion on other measures that will assist law enforcement officers and find sensible solutions to the problems of crime that face our communities.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend and colleague from Virginia, the ranking member of the House Judiciary Committee, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, for his leadership on this bipartisan effort, as well as Ranking Member CONYERS, Mr. GRIMM, and Chairman SENSENBRENNER of the subcommittee as well for their efforts.

I can't think of a more appropriate time to honor police, during National Police Week, or in a more appropriate way than by passage of this legislation, which will not only allow law enforcement to more effectively communicate in these situations where police officers are in jeopardy or have been harmed, but also in circumstances that will allow everyone in this country to become involved.

With the availability of smartphones and other devices and social media like Twitter and Facebook and YouTube and other means that people now have of communicating that they didn't have just a few years ago, the word can get out to everyone to be on the lookout for people who are committing crimes. This will help us to apprehend criminals and prevent crimes, and we very much urge our colleagues to support it.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Judiciary Committee and the representative from Houston, which lays

claim to one of the most effective police departments in the nation, and a co-sponsor of the legislation, I rise today in strong support of H.R. 180, the "National Blue Alert Act of 2013." I support this bill as a good and necessary measure. Everyday, more than 900,000 officers protect and serve the people of the United States. Every 57 hours, one of these men and women die in the line of duty. These officers deserve nothing less than a system that ensures an efficient method to support and protect them, and to bring justice to those who would harm them. It is for this reason that I support the legislation before us.

The National Blue Alert Act directs the Attorney General to establish a national communications network within the Department of Justice to disseminate information when an officer is seriously injured or killed in the line of duty, and assign a Department of Justice officer to act as the national coordinator of the Blue Alert Network. The Blue Alert system is modeled after the Amber Alert and the Silver Alert programs, which have been very successful in finding abducted children and missing seniors. Currently 18 states, including my home state of Texas, have local Blue Alert programs in operation.

The National Blue Alert Coordinator will provide assistance to states and local governments using Blue Alert plans; establish voluntary guidelines for states and local governments for developing these plans; develop protocols for efforts to apprehend suspects; work with states to ensure regional coordination of various elements of the network; and establish advisory groups, to assist states, local governments, law enforcement agencies and other entities in initiating, facilitating, and promoting Blue Alerts through the network.

The National Blue Alert Coordinator will determine what procedures and practices to use in notifying law enforcement and the public when a law enforcement officer is killed or seriously injured in the line of duty and which procedures and practices are the most cost effective to implement.

Mr. Speaker, I am pleased to announce that this legislation enjoys the strong support of the Fraternal Order of Police, and the National Sheriffs Association. As I stated, 18 states currently have a Blue Alert program in place, and it is time to expand this excellent program nationwide.

This bill will enhance officer safety, which should always be one of our major concerns. Since the first recorded line-of-duty death in 1791, more than 19,000 men and women have died in the line of duty. It saddens me that 1,665 of the names on the National Law Enforcement Memorial in Washington D.C. come from Texas. That is more than any other state. My city of Houston has lost 112 officers in the line of duty.

It should be clear to everyone that the regular dangers our officers face have only increased. The 40 deaths that have occurred in 2013 represent a 21% increase over the comparable period in 2012; and gun related deaths are up 7 percent.

Mr. Speaker, passage of H.R. 180, the Blue Alert Notice Act of 2013, will not prevent brave law enforcement officials from falling in the line of duty in the future, but it will help. If it saves the life of at least one policeman and

enables him or her to return safely home to his loved ones, this legislation will have proven its value.

I urge all members of the House to join me in supporting H.R. 180, the National Blue Alert Notification Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 180, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SCOTT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

POLICY REGARDING INTERNET GOVERNANCE

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1580) to affirm the policy of the United States regarding Internet governance.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds the following:

(1) Given the importance of the Internet to the global economy, it is essential that the Internet remain stable, secure, and free from government control.

(2) The world deserves the access to knowledge, services, commerce, and communication, the accompanying benefits to economic development, education, and health care, and the informed discussion that is the bedrock of democratic self-government that the Internet provides.

(3) The structure of Internet governance has profound implications for competition and trade, democratization, free expression, and access to information.

(4) Countries have obligations to protect human rights, whether exercised online or offline.

(5) The ability to innovate, develop technical capacity, grasp economic opportunities, and promote freedom of expression online is best realized in cooperation with all stakeholders.

(6) Proposals have been, and will likely continue to be, put forward at international regulatory bodies that would fundamentally alter the governance and operation of the Internet.

(7) The proposals would attempt to justify increased government control over the Internet and could undermine the current multi-stakeholder model that has enabled the Internet to flourish and under which the private sector, civil society, academia, and individual users play an important role in charting its direction.

(8) The proposals would diminish the freedom of expression on the Internet in favor of government control over content.

(9) The position of the United States Government has been and is to advocate for the flow of information free from government control.

(10) This Administration and past Administrations have made a strong commitment to the multistakeholder model of Internet governance and the promotion of the global benefits of the Internet.

SEC. 2. POLICY REGARDING INTERNET GOVERNANCE.

It is the policy of the United States to preserve and advance the successful multistakeholder model that governs the Internet.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Vermont (Mr. WELCH) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1580, sometimes called the Internet Freedom Bill.

The Internet is possibly the most important technological advancement since the printing press. Governments' hands-off approach has enabled the Internet's rapid growth and made it a powerful engine of social and economic freedom. This bipartisan bill is designed to combat recent efforts by some in the international community to regulate the Internet, which could jeopardize not only its vibrancy, but also the benefits that it brings to the entire world.

Nations from across the globe met at the December 2012 World Conference on International Telecommunications in Dubai. They considered changes to the international telecommunications regulations. The treaty negotiations were billed as a routine review of rules governing ordinary international telephone service. A number of countries, such as Russia, China, and Iran, sought to use the negotiations, however, to pursue regulation of the Internet through the International Telecommunication Union, a United Nations agency. None other than Russian President Vladimir Putin has been clear in his objective of "establishing international control over the Internet using the monitoring and supervisory capabilities of the International Telecommunication Union."

The developments in Dubai were not unanticipated. That is why leading up to the conference last year, the House and Senate unanimously passed Senate Concurrent Resolution 50. That resolution expressed the sense of Congress

that the Secretary of State and the Secretary of Commerce should advocate “the consistent and unequivocal policy of the United States to promote a global Internet free from government control and preserve and advance the successful multi-stakeholder model that governs the Internet today.”

□ 1720

Now, under that multi-stakeholder model, non-regulatory institutions seek input from the public and private sectors to develop best practices for managing the content, applications, and networks that make up the Internet. The Internet is organized from the ground up and not from the government handed down. This is not to say that government has no role in policing unlawful behavior. Illegal activity is no less illegal simply because someone has used digital tools to perpetrate the act. Child pornography, for example, is no less illegal if it is disseminated over the Internet rather than in photographs or magazines. There is a big difference, however, between punishing illegal acts committed over the Internet and government control of its management and operation. Refraining from regulating the underpinning of the Internet has allowed it to evolve quickly to meet the diverse needs of users around the world and to keep governmental or non-governmental actors from controlling the design of the network or the content it carries.

Buttressed by the unanimous passage of Senate Concurrent Resolution 50, the United States and 54 other countries left Dubai without signing the treaty. Unfortunately, 89 nations did sign. The revised ITRs will be implemented by those nations, and that begins in January of 2015. Now, a number of upcoming conferences will present additional opportunities for countries to pursue international regulation of the Internet, including the World Telecommunication/ICT Policy Forum in Geneva, which starts today, and the ITU Plenipotentiary Conference in Busan, South Korea, in 2014.

The growing threat of such regulation prompted the subcommittee of which I chair, the House Energy and Commerce Subcommittee on Communications and Technology, to hold a joint hearing earlier this year with the House Committee on Foreign Affairs. Just as international opponents of an unregulated Internet are redoubling their efforts, so must we. That is why the hearing we held focused on draft legislation elevating the language of last year’s resolution from a mere sense of Congress aimed at particular treaty negotiations to a generalized statement of U.S. law.

I want to thank Foreign Affairs Chairman ED ROYCE; Africa, Global Health, Global Human Rights, and International Organizations Subcommittee Chairman CHRIS SMITH; and

Terrorism, Nonproliferation, and Trade Subcommittee Chairman TED POE for their leadership and their help in calling attention to this important legislation and the issue broadly.

I also want to address the elephant in the room, if you will: the FCC’s network neutrality regulations. As the legislation we consider today was moving through the subcommittee and then the full committee, some of my colleagues expressed concern that transforming the exact language of last year’s unanimous resolution into law would somehow interfere with the FCC’s network neutrality rules. In particular, they saw a conflict with the language in making it U.S. policy “to promote a global Internet free from government control.”

Let me be clear: while I oppose the FCC’s rules regulating the Internet, this legislation does not address those regulations. While statements of policy can help delineate the contours of statutory authority, they don’t create statutorily mandated responsibilities. Nonetheless, in the interest of reaching bipartisan consensus and moving this important legislation forward, I agreed to drop the “government control” language. The result is the language you see today in H.R. 1580, which I introduced with Ranking Member ESHOO. This bill would make it U.S. policy “to preserve and advance the successful multi-stakeholder model that governs the Internet.”

Passing H.R. 1580 will show we are united against efforts by authoritarian nations to exert their grip on the Internet. For the sake of the Internet and the social and economic freedoms that it brings, I urge my colleagues to vote for the bill.

I reserve the balance of my time.

Mr. WELCH. Mr. Speaker, I yield myself such time as I may consume.

To my colleague and my chair on the subcommittee, thank you for your fine leadership and for your leadership on this legislation as well.

Mr. Speaker, I am pleased to support H.R. 1580. As my colleague mentioned, it is a bill to affirm the policy of the United States to preserve and advance the successful multi-stakeholder model that governs the Internet. It has worked. If it ain’t broke, don’t fix it. The Internet has been a unique and powerful driver of social and economic progress, and it is changing nearly every part of the American economy and society, everything from education to health care delivery to agriculture.

This is especially true for rural communities, where communications technology can have an even greater impact in areas where populations are small and distances are vast. The Internet enables connections from even the most far-flung corners of our country to people, goods, and services around the globe, allowing rural America to compete just as effectively in the 21st century digital economy.

A critical element of the Internet’s success story has been the open manner in which the Internet is governed. Rather than relying on centralized control by governments, the Internet instead adopts a multi-stakeholder model in which all who have an interest can have a voice in the Internet’s operation. Lately, however, the multi-stakeholder model towards Internet governance has been under assault on the global stage.

At the World Conference on International Telecommunications in Dubai last December, as my colleague mentioned, the International Telecommunication Union adopted several proposals that could fundamentally alter the way the Internet operates. These proposals undermine the successful decentralized approach to Internet governance and impose a government-controlled management regime, thereby threatening citizens’ access to content and information via the Internet as well as the global free flow of information online.

I am pleased that Congress unanimously passed a resolution last year urging the administration to preserve and advance the successful multi-stakeholder model. That’s what governs the Internet today. That’s what we want to govern the Internet tomorrow. I applaud the decision by the U.S. delegation not to sign that final treaty, but efforts to bring the Internet under the control of international regulatory bodies continues. This week, member-states of the International Telecommunication Union will meet again in Geneva to debate issues surrounding global Internet governance. The passage of H.R. 1580 will be timely in, once again, demonstrating the unwavering support of our Congress of the multi-stakeholder Internet governance model.

I want to thank Chairman UPTON, and I want to thank Chairman WALDEN, and their staff, for working with us on the Democratic side to address the concerns. Ranking Member WAXMAN and Ranking Member ESHOO raised these concerns during the bill’s markup in the Energy and Commerce Committee. We worked it out.

Mr. WALDEN, thank you.

I appreciate the modifications made to the bill, which make it clear that this policy statement will not implicate the legitimate activities of the U.S. Government online or the authorities of Federal agencies. Because of these changes, Democrats and Republicans in Congress once again stand united with the administration in its efforts to resist proposals that would undermine the existing multi-stakeholder approach.

I join my colleague Mr. WALDEN in urging my colleagues on the Democratic side to vote for this bill so we can once again demonstrate that there is support across the entire political

spectrum for continuing the multi-stakeholder model that allows the Internet to thrive, which is for the benefit of every American and citizens around the world.

I yield back the balance of my time.

Mr. WALDEN. In closing, Mr. Speaker, freedom of the Internet is as essential as America's long held constitutional belief in freedom of the press, and we don't need governments—ours or others—infringing on how the Internet is managed and governed, nor in terms of maintaining the freedom of the press.

So, with that, I encourage my colleagues to support this legislation, and I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I rise in strong support of H.R. 1580, which reaffirms current policy to preserve and advance the successful multi-stakeholder model that governs the Internet, which is so very critical to our economic and social well-being.

In June 2011, the thirty-four member countries of the Organization for Economic Cooperation and Development, business representatives, and technical experts agreed on principles that included a commitment to promote the open, distributed and interconnected nature of the Internet. The thirty-four OECD members range from the United States to France to South Korea to Mexico.

This landmark OECD communiqué recognized the importance of the multi-stakeholder approach, stating that "The Internet's openness to new devices, applications and services has played an important role in its success in fostering innovation, creativity and economic growth." That's right.

Yet somehow the United Nations missed the memo. In December 2012, the U.N.'s International Telecommunications Union—a government-only membership body—took a vote on a binding global treaty that would establish the ITU as the forum for Internet standard setting. Despite U.S. opposition, 89 of 144 countries voted for the revised International Telecommunications Regulations. They included China, Cuba, Russia and other countries hostile to political freedom.

In a U.N. system where each country has one vote—no matter how undemocratic—this U.N. overreach could shift the idea of Internet governance from what is best for netizens to what is best for a group of governments. There is no need for a U.N. Internet treaty. The Internet is flourishing in the current multi-stakeholder framework just fine.

In addition, there are serious concerns around the lack of transparency and inclusivity of the U.N.'s ITU process. The Internet has transformed our ability to access and share information—surely Internet policy should not be developed behind the closed doors of the U.N.

The U.S. State Department, Commerce Department, business community and civil society leaders must step up their outreach. We must clearly explain the huge economic and social benefits that are derived from the Internet and the policy framework that is needed to maximize those benefits. Going forward, a concerted effort must be made to turn around as many as possible of the 89 votes for the International Telecommunications Regulations.

Congress is unified in our support of an open Internet—we recognize the importance of the Internet to our economy and society. We recognize the threat of proposed international control of the Internet. It is now time to rally the international community against this dangerous policy.

I want to thank Chairman WALDEN for his work on H.R. 1580 and want to recognize the excellent cooperation between the Energy and Commerce Committee and the Foreign Affairs committee on Internet governance. Our committees held a joint hearing in February entitled "Fighting for Internet Freedom: Dubai and Beyond." We will continue to coordinate. And we will certainly continue to fight for Internet Freedom.

Ms. ESHOO. Mr. Speaker, as the World Telecommunication/ICT Policy Forum (WTPF) begins in Geneva, Switzerland today, it's fitting that the House is considering legislation that affirms the support of the United States for the multi-stakeholder process of global Internet governance.

As we've debated before the Communications and Technology Subcommittee time and time again, H.R. 1580 is not about our views on domestic Internet policy. The legality of the FCC's 2010 Open Internet Order will be decided by the Courts. H.R. 1580 is about ensuring that this week and at future conferences, the International community knows that the U.S. Congress stands behind the multi-stakeholder process and the importance of a free and open Internet.

The Internet continues to advance rapidly and with this growth, billions around the world will experience the innovation, openness and transparency that have enabled the Internet to flourish. I thank Chairman WALDEN for bringing this legislation to the floor in a bipartisan manner and urge my colleagues to support H.R. 1580.

Mr. WAXMAN. Mr. Speaker, I am pleased to be able to support H.R. 1580, a bill to affirm the policy of the United States to preserve and advance the successful multistakeholder model that governs the Internet.

Democrats and Republicans in Congress and the Administration have been united in our support for a global open Internet governed from the bottom up. We worked together last Congress on a bipartisan, bicameral basis to express our support for that successful approach to Internet governance.

On some domestic issues, I have strong differences with the majority over Internet policy. One example is my support for a domestic Internet policy that prevents Internet service providers from acting as "gatekeepers" that control what American citizens can do online. But those differences appropriately stop at the water's edge.

I want to thank Chairman UPTON and Chairman WALDEN for listening to the concerns we had about the initial draft of this bill. They worked with me and other Committee Democrats to address those issues by removing certain language from the draft and assuring us that the legislation is in no way intended to direct domestic Internet policy. With these changes and the assurances of my colleagues, I am pleased that we stand together on a bipartisan basis in support of our diplomats and the multistakeholder model for global Internet governance.

I urge my colleagues to support this measure so we can send a strong, united signal to the global community.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 1580.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1730

AUTHORIZING USE OF EMANCIPATION HALL TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 10) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 10

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 9, 2013, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I rise in support, Mr. Speaker, of Senate Concurrent Resolution 10, authorizing the use of Emancipation Hall on

June 9 to celebrate the birthday of King Kamehameha, a legendary figure in Hawaiian history and culture.

On June 11, the people of Hawaii will celebrate the 97th annual Kamehameha Day commemorating the life of Kamehameha the Great, who between 1795 and 1810 unified the islands into the Kingdom of Hawaii.

Known for being a fierce warrior who fought for unity and independence, King Kamehameha was highly regarded for ruling with fairness and compassion. He's remembered for his law known as the "law of the splintered paddle," which specifically protects civilians in wartime. It is a model for human rights throughout the world today.

The statue of King Kamehameha, prominently displayed in Emancipation Hall in the Capitol Visitor Center, was added to the National Statuary Hall collection by Hawaii in 1969.

Every year, as part of the King Kamehameha celebration, the statue is draped in long beautiful strands of lei. In adopting the resolution, Mr. Speaker, we will authorize the use of this space for the celebration of his life and great accomplishments.

I certainly want to thank the gentlewoman from Hawaii, Ms. HIRONO, for introducing this concurrent resolution; and I certainly would urge my colleagues to support it, as well.

With that, I reserve the balance of my time.

Ms. HANABUSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I would like to thank Chairman MILLER and Ranking Member BRADY for allowing this bill to be heard on the floor today.

As was stated, the Senate Concurrent Resolution 10 would permit use of Emancipation Hall to allow us to celebrate King Kamehameha and the lei-draping ceremony.

King Kamehameha has a unique history; and, as you know, Hawaii is the only kingdom that is part of the United States. This is going to be the 44th time such a celebration has taken place in the United States Capitol.

June 11 is a State holiday in Hawaii, a day of celebration honoring King Kamehameha. He was believed to have been born around 1758 and is credited with unifying the major islands by the year 1810. By uniting the Hawaiian Islands, King Kamehameha secured Hawaii's future as a viable and recognized political entity.

King Kamehameha was the first in a long line of Hawaiian—what we call "ali'i," which is our royalty—who held the needs and well-being of their people as their foremost priority. Kamehameha's legacy and commitment to Hawaii's people is evident today through organizations created by his prodigy, like Kamehameha Schools, the Queen Lili'uokalani Children's Trust, Lunalilo Home, and the Queen's

Hospital. These organizations are the bedrock foundations in Hawaii and provide crucial services to native Hawaiians while ensuring the maintenance of our State's uniquely Hawaiian identity.

The Hawaiian lei that we'll be draping is a special bond, or relationship, between two people that is figuratively represented by the stringing of flowers together in a circle. The Kamehameha lei-draping ceremony emphasizes the strong bond Hawaii's people have with each other and our State's rich history.

Honoring King Kamehameha in this lei-draping ceremony acknowledges our deep appreciation for his sacrifice and success in unifying our island home and reaffirms our connections with one another and the responsibility we all share to care for one another.

The significance of holding this ceremony in the Capitol of the United States cannot be overemphasized as it demonstrates to the Nation and the world that the rights and needs of the people should always be at the heart of the work that we do here. This is the legacy of King Kamehameha and his prodigy, and we should honor that by approving this event.

The celebration of King Kamehameha has been honored for over 140 years in Hawaii. It was first recognized in 1871, when Hawaii was still a kingdom, by Kamehameha V, his great-grandson. It was the first holiday proclaimed by the Governor and legislature when Hawaii became a State in 1959.

The statue of King Kamehameha and the traditional lei draping is over 100 years old itself. In Hawaii, the lei-draping ceremony is celebrated as a 2-day festivity in tribute to the great King. We celebrate it with parades, hula, music, chanting, storytelling, and arts. It is the way for Hawaiians to celebrate our history.

The American sculptor, Thomas Gould, was commissioned by the Kingdom of Hawaii to create the statue. It was sculpted in 1879 from his studio in Rome. It was completed in 1880, but the ship that was transporting the original from Germany sank. In 1883, the second statue made its way to Hawaii. The first statue was ultimately recovered and erected on North Kohala on the Big Island, and that is where King Kamehameha's birthplace is.

The statue stands 8½ feet tall with the King in his royal clothing. In it, King Kamehameha wears a mahiole, which is the helmet, and the 'ahu 'ula, which is the cloak. They are finished with gold leaf, reminiscent of the rare yellow feathers from the mamo bird the King wore. The spear in his left hand is the symbol of his kingdom and the fact that he is willing to defend it himself, and his right hand is extended towards the direction of the Hawaiian Islands.

The statue in Emancipation Hall in the Capitol Visitor Center is a mold of

the second statue which stands in front of our Ali'iolani Hale, the home of the Hawaii Supreme Court. This was dedicated as a gift to the National Statuary Hall from Hawaii in the year 1969.

As everyone knows, President Obama was born in Hawaii. And on June 20, 2010, President Obama issued Proclamation 8534 in honor of the bicentennial of the unification of Hawaii.

President Obama said:

On this bicentennial King Kamehameha Day, we celebrate the history and the heritage of the Aloha State, which has immeasurably enriched our national life and culture. The Hawaiian narrative is one of both profound triumph and, sadly, deep injustice. It is the story of native Hawaiians oppressed by crippling disease, aborted treaties and the eventual conquest of their sovereign kingdom. These grim milestones remind us of an unjust time in our history, as well as the many pitfalls in our Nation's long and difficult journey to perfect itself. Yet through the peaks and valleys of our American story, Hawaii's steadfast sense of community and mutual support shows the progress that results when we are united in the spirit of limitless possibility.

Mr. Speaker, that is what this celebration means to us. It is a symbol of how the Hawaiian people have the spirit of limitless possibility.

With that, Mr. Speaker, I yield 5 minutes to the gentlelady from Hawaii (Ms. GABBARD).

□ 1740

Ms. GABBARD. Mr. Speaker, I thank my colleague from Hawaii for yielding me the time.

Mr. Speaker, I rise today in support of Senate Concurrent Resolution 10, which authorizes the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

On June 11 of every year, the State of Hawaii celebrates King Kamehameha Day. It's a beautiful State holiday, filled with parades and lei draping at the statues that exist in his honor. One of these statues stands proudly here in Washington, D.C., in the Capitol Visitor Center; and for the last 43 years, we have celebrated King Kamehameha's birthday in our Nation's capital.

Kamehameha I, sometimes called Kamehameha the Great, was a skilled and fierce warrior and an intelligent leader. He established his dynasty and reputation by uniting the eight major islands of the Hawaiian chain under his rule in 1910. By uniting the Hawaiian Islands into a viable and recognized political entity, Kamehameha helped protect his people during a time of great cultural change.

King Kamehameha I is known for his prowess in war, but he is also remembered for his humanity.

We honor King Kamehameha on his birthday, and we welcome visitors both to Hawaii and here to our Nation's Capitol, and appreciate the opportunity to tell a little bit about one of our great heroes.

His Kānawāi Māmalahoe, or Law of the Splintered Paddle, lives on in the Hawaii State Constitution and is a model for human rights policies on civilians and other non-combatants today. When attacked by fishermen trying to protect their land and family, rather than punishing them, King Kamehameha declared, “Let every elderly person, woman and child lie by the roadside in safety.” This decree lives on in Hawaii and is a living symbol of this ruler’s concern for public safety.

After uniting the islands, Kamehameha also focused on governing his kingdom. He appointed governors for each island, made laws for the protection of all, built houses and irrigation ditches, managed natural resources such as sandalwood, and traded shrewdly with foreigners. Otto Von Kotzebue, a Russian explorer, said, “The king is a man of great wisdom and tries to give his people anything he considers useful. He wishes to increase the happiness and not the wants of his people.”

I ask my colleagues for their support of Senate Concurrent Resolution 10 so that we can honor one of Hawaii’s great leaders.

Ms. HANABUSA. Mr. Speaker, we have no more speakers, and I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I would certainly urge all of my colleagues to support this very bipartisan legislation.

I yield back the balance of my time.

Mr. FALOMAVAEGA. Mr. Speaker, I rise today in strong support of Senate Concurrent Resolution 10, a resolution that would authorize the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha in the annual Kamehameha Day Lei Draping Ceremony. I thank Senator MAZIE HIRONO for sponsoring this resolution, and I thank my fellow members of Congress who join me in support of this important resolution.

Kamehameha the Great was one of the greatest Polynesian warrior-kings who ever lived. As a young man, Kamehameha was trained by one of the greatest warrior chiefs of his time, Kekuhaupio. He was knowledgeable of military tactics and was fearless in armed combat, and he was determined to bring all of the Hawaiian Islands under his rule, a monumental task that took him about ten years to achieve.

Kamehameha, also seen as a great leader by his Pacific neighbors—including the Samoan islands—developed political alliances to maintain Hawaiian independence under his rule.

Along with being a bold leader and skilled warrior, Kamehameha was a humanitarian with a heart for the people of Hawaii. He is also remembered for the Kanawai Mamalahoe, the “Law of Splintered Paddle”, which ensured that during times of battle, every man, woman, and child would be able to travel freely and in peace, with the right “to lie down to sleep by the roadside without fear of harm. . .” This law, which was later preserved in Hawaii’s State Constitution, has become a model of human rights law.

Since 1872, every June 11th in Hawaii is honored as Kamehameha Day. It is tradition that the three statues of King Kamehameha placed at Ali’iolani Hale in downtown Honolulu,

at King Kamehameha’s home island, the Big Island of Hawaii, and lastly at the United States Capitol in the Capitol Visitor Center, are draped with long strands of flower garlands, or leis, every Kamehameha Day in his honor.

This year, the Capitol Visitor Center will welcome guests from across the nation as we gather once again to celebrate the life and accomplishments of a revered leader and today I urge my colleagues to support this resolution to honor Kamehameha the Great.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 10.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o’clock and 42 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o’clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 180, by the yeas and nays;

H.R. 1580, by the yeas and nays;

S. Con. Res. 10, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL BLUE ALERT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 180) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order

to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 406, nays 2, not voting 24, as follows:

[Roll No. 144]

YEAS—406

Aderholt	Crenshaw	Hanna
Alexander	Crowley	Harper
Amodei	Cuellar	Harris
Andrews	Cummings	Hartzler
Bachmann	Daines	Hastings (FL)
Bachus	Davis (CA)	Hastings (WA)
Barber	Davis, Danny	Heck (NV)
Barr	Davis, Rodney	Heck (WA)
Barrow (GA)	DeFazio	Hensarling
Barton	DeGette	Herrera Beutler
Bass	Delaney	Higgins
Beatty	DeLauro	Himes
Becerra	DelBene	Holding
Benishek	Denham	Holt
Bentivolio	Dent	Honda
Bera (CA)	DeSantis	Horsford
Billirakis	DesJarlais	Hoyer
Bishop (GA)	Deutch	Hudson
Bishop (NY)	Diaz-Balart	Huelskamp
Bishop (UT)	Dingell	Huffman
Black	Doggett	Hulzenga (MI)
Blackburn	Doyle	Hultgren
Blumenauer	Duckworth	Hunter
Bonamici	Duffy	Hurt
Bonner	Duncan (SC)	Israel
Boustany	Duncan (TN)	Issa
Brady (PA)	Edwards	Jackson Lee
Brady (TX)	Ellison	Jenkins
Braley (IA)	Engel	Johnson (GA)
Bridenstine	Enyart	Johnson (OH)
Brooks (AL)	Eshoo	Johnson, E. B.
Brooks (IN)	Esty	Johnson, Sam
Broun (GA)	Farenthold	Jones
Brown (FL)	Farr	Jordan
Brownley (CA)	Fattah	Joyce
Buchanan	Fincher	Kaptur
Bucshon	Fitzpatrick	Keating
Burgess	Fleischmann	Kelly (IL)
Bustos	Fleming	Kelly (PA)
Calvert	Flores	Kennedy
Camp	Forbes	Kildee
Cantor	Fortenberry	Kilmer
Capito	Foster	Kind
Capps	Fox	King (IA)
Capuano	Frankel (FL)	King (NY)
Cárdenas	Franks (AZ)	Kinzinger (IL)
Carney	Frelinghuysen	Kirkpatrick
Carson (IN)	Fudge	Kline
Carter	Gabbard	Kuster
Cartwright	Gallego	Labrador
Cassidy	Garamendi	LaMalfa
Castor (FL)	Gardner	Lamborn
Castro (TX)	Garrett	Lance
Chabot	Gerlach	Langevin
Chaffetz	Gibbs	Lankford
Chu	Gibson	Larsen (WA)
Ciilline	Gingrey (GA)	Larson (CT)
Clay	Gohmert	Latham
Cleaver	Goodlatte	Latta
Coble	Gowdy	Lee (CA)
Coffman	Granger	Levin
Cohen	Graves (GA)	Lewis
Cole	Graves (MO)	Lipinski
Collins (GA)	Grayson	LoBiondo
Collins (NY)	Green, Al	Loebsack
Conaway	Green, Gene	Lofgren
Connolly	Griffin (AR)	Long
Conyers	Griffith (VA)	Lowenthal
Cook	Grimm	Lowey
Costa	Guthrie	Lucas
Cotton	Gutierrez	Luetkemeyer
Courtney	Hahn	Lujan Grisham
Cramer	Hall	(NM)
Crawford	Hanabusa	

Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rogers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perry
Peters (CA)

Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
Ranell
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster

Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Amash

Massie
NOT VOTING—24

Barletta
Butterfield
Campbell
Clarke
Clyburn
Cooper
Culberson
Ellmers

Garcia
Gosar
Grijalva
Hinojosa
Jeffries
Kingston
Lynch
Markey

Moran
Perlmutter
Quigley
Rohrabacher
Rush
Sewell (AL)
Tonko
Waters

□ 1852

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GARCIA. Mr. Speaker, on rollcall No. 144. Had I been present, I would have voted "yea."

Mr. TONKO. Mr. Speaker, on rollcall No. 144, I was absent because of travel delays. Had I been present, I would have voted "aye."

Mr. BARLETTA. Mr. Speaker, on rollcall vote No. 144 for the National Blue Alert Act, I was unavoidably detained. I would have voted "aye."

POLICY REGARDING INTERNET GOVERNANCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1580) to affirm the policy of the United States regarding Internet governance, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 145]
YEAS—413

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Bralei (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz

Chu
Cicilline
Clarke
Clay
Cleave
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher

Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Holding
Holt
Honda
Horsford
Hoyer

Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larsen (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeback
Lofgren
Long
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rogers
McNerney
Meadows
Meehan
Meeks

Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perry
Peters (CA)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster

Schakowsky
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster

NOT VOTING—19

Bentivolio
Butterfield
Campbell
Clyburn
Cooper
Culberson
Ellmers

Gosar
Grijalva
Hinojosa
Jeffries
Kingston
Lynch
Markey

McHenry
Moran
Perlmutter
Quigley
Rohrabacher

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BENTIVOLIO. Mr. Speaker, on rollcall No. 145 I was unavoidably detained. Had I been present, I would have voted "yes."

AUTHORIZING USE OF EMANCIPATION HALL TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the concurrent resolution (S. Con. Res. 10) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and concur in the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 21, as follows:

[Roll No. 146]

YEAS—411

Aderholt	Camp	Davis, Danny
Alexander	Cantor	Davis, Rodney
Amash	Capito	DeFazio
Amodei	Capps	DeGette
Andrews	Capuano	Delaney
Bachmann	Cardenas	DeLauro
Bachus	Carney	DelBene
Barber	Carson (IN)	Denham
Barletta	Carter	Dent
Barr	Cartwright	DeSantis
Barrow (GA)	Cassidy	DesJarlais
Barton	Castor (FL)	Deutch
Bass	Castro (TX)	Diaz-Balart
Beatty	Chabot	Dingell
Benishek	Chaffetz	Doggett
Bentivolio	Chu	Doyle
Bera (CA)	Cicilline	Duckworth
Bilirakis	Clarke	Duffy
Bishop (GA)	Clay	Duncan (SC)
Bishop (NY)	Cleaver	Duncan (TN)
Bishop (UT)	Coble	Edwards
Black	Coffman	Engel
Blackburn	Cohen	Enyart
Blumenauer	Cole	Eshoo
Bonamici	Collins (GA)	Esty
Bonner	Collins (NY)	Farenthold
Boustany	Conaway	Farr
Brady (PA)	Connolly	Fattah
Brady (TX)	Conyers	Fincher
Braley (IA)	Cook	Fitzpatrick
Bridenstine	Costa	Fleischmann
Brooks (AL)	Cotton	Fleming
Brooks (IN)	Courtney	Flores
Broun (GA)	Cramer	Forbes
Brown (FL)	Crawford	Fortenberry
Brownley (CA)	Crenshaw	Foster
Buchanan	Crowley	Foxx
Bueshon	Cuellar	Frankel (FL)
Burgess	Cummings	Franks (AZ)
Bustos	Daines	Frelinghuysen
Calvert	Davis (CA)	Fudge

Gabbard	Lowey
Gallego	Lucas
Garamendi	Luetkemeyer
Garcia	Lujan Grisham
Gardner	(NM)
Garrett	Lujan, Ben Ray
Gerlach	(NM)
Gibbs	Lummis
Gibson	Maffei
Gingrey (GA)	Maloney,
Gohmert	Carolyn
Goodlatte	Maloney, Sean
Gowdy	Marchant
Granger	Marino
Graves (GA)	Massie
Graves (MO)	Matheson
Grayson	Matsui
Green, Al	McCarthy (CA)
Green, Gene	McCarthy (NY)
Griffin (AR)	McCaul
Griffith (VA)	McClintock
Grimm	McCollum
Guthrie	McDermott
Gutierrez	McGovern
Hahn	McHenry
Hall	McIntyre
Hanabusa	McKeon
Hanna	McKinley
Harper	McMorris
Harris	Rodgers
Hartzler	McNerney
Hastings (FL)	Meadows
Hastings (WA)	Meehan
Heck (NV)	Meeke
Heck (WA)	Meng
Hensarling	Messer
Herrera Beutler	Mica
Higgins	Michaud
Himes	Miller (FL)
Holding	Miller (MI)
Holt	Miller, Gary
Honda	Miller, George
Horsford	Moore
Hoyer	Mullin
Hudson	Mulvaney
Huelskamp	Murphy (FL)
Huffman	Murphy (PA)
Huizenga (MI)	Nadler
Hultgren	Napolitano
Hunter	Neal
Hurt	Negrete McLeod
Israel	Neugebauer
Issa	Noem
Jackson Lee	Nolan
Jeffries	Nugent
Jenkins	Nunes
Johnson (GA)	Nunnelee
Johnson (OH)	O'Rourke
Johnson, E. B.	Olson
Johnson, Sam	Owens
Jones	Palazzo
Jordan	Pallone
Joyce	Pascrell
Kaptur	Pastor (AZ)
Keating	Paulsen
Kelly (IL)	Payne
Kelly (PA)	Pearce
Kennedy	Perry
Kildee	Peters (CA)
Kilmer	Peters (MI)
Kind	Peterson
King (IA)	Petri
King (NY)	Pingree (ME)
Kinzinger (IL)	Pittenger
Kirkpatrick	Pitts
Kline	Pocan
Kuster	Poe (TX)
Labrador	Polis
LaMalfa	Pompeo
Lamborn	Posey
Lance	Price (GA)
Langevin	Price (NC)
Lankford	Radel
Larsen (WA)	Rahall
Larson (CT)	Rangel
Latham	Reed
Latta	Reichert
Lee (CA)	Renacci
Levin	Ribble
Lewis	Rice (SC)
Lipinski	Richmond
LoBiondo	Rigell
Loebsock	Roby
Lofgren	Roe (TN)
Long	Rogers (AL)
Lowenthal	Rogers (KY)

Rogers (MI)	Yarmuth
Rokita	Yoder
Rooney	
Ros-Lehtinen	
(NM)	
Roskam	Becerra
Ross	Butterfield
Rothfus	Campbell
Roybal-Allard	Clyburn
Royce	Cooper
Ruiz	Culberson
Runyan	Ellison
Ruppersberger	
Rush	
Ryan (OH)	
Ryan (WI)	
Salmon	
Sanchez, Linda	
T.	
Sanchez, Loretta	
Sarbanes	
Scalise	
McCollum	
Schakowsky	
Schiff	
Schneider	
Schock	
Schrader	
Schwartz	
Schweikert	
Scott (VA)	
Scott, Austin	
Sensenbrenner	
Serrano	
Sessions	
Sewell (AL)	
Shea-Porter	
Sherman	
Shimkus	
Shuster	
Simpson	
Sinema	
Sires	
Slaughter	
Smith (NE)	
Smith (NJ)	
Smith (TX)	
Smith (WA)	
Southerland	
Speier	
Stewart	
Stivers	
Stockman	
Stutzman	
Noem	
Swalwell (CA)	
Takano	
Terry	
Thompson (CA)	
Thompson (MS)	
Thompson (PA)	
Thornberry	
Tiberi	
Tierney	
Tipton	
Titus	
Tonko	
Tsongas	
Turner	
Upton	
Valadao	
Van Hollen	
Vargas	
Veasey	
Vela	
Velázquez	
Visclosky	
Wagner	
Walberg	
Walden	
Walorski	
Walz	
Wasserman	
Schultz	
Waters	
Watt	
Waxman	
Weber (TX)	
Webster (FL)	
Wenstrup	
Westmoreland	
Whitfield	
Williams	
Wilson (FL)	
Wilson (SC)	
Witman	
Wolf	
Womack	
Woodall	

NOT VOTING—21

□ 1907

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 676

Mr. GRAYSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 676.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

REPEALING THE AFFORDABLE CARE ACT

(Mr. JOYCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOYCE. I rise in support of repealing the Affordable Care Act and preventing Ohioans from having to deal with higher health costs, \$1.1 trillion in tax hikes, and more government intrusion in their health care. As we near the full implementation of the health care law, it seems as though every day we receive more evidence that this law will increase health costs for ordinary Ohioans, place an enormous burden on Ohio small businesses—making it harder for those businesses to hire new workers—and insert more big government in between Ohioans and their doctors.

My district in northeastern Ohio is home to several medical device manufacturing companies which will be especially hurt by the health care law's onerous medical device tax. It's crucial we repeal this law and replace it with commonsense health care legislation. Jobs and affordable health care are at stake.

HONORING "BREAKAWAY FOR CANCER" CHAMPION VIRGINIA "DEE" WILLIAMS OF LIVERMORE

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Today, I rise to honor the amazing Virginia "Dee" Williams of Livermore,

California, a 12-year survivor of breast cancer who will be honored this Saturday as part of Amgen's "Breakaway From Cancer" initiative at the Amgen Tour of California.

Dee was chosen as a "Breakaway From Cancer" champion because of the profound difference that she has made in the lives of cancer patients within our community. Dee is a "call back" volunteer who talks to cancer patients to determine if their needs are being met while undergoing chemotherapy or radiation. She also spends time talking with recently diagnosed breast cancer patients to help relieve their concerns as they're going through this journey.

As one of the Walnut Creek American Cancer Society "Look Good, Feel Better" coordinators for Livermore and Pleasanton, Dee teaches women who are undergoing chemotherapy or radiation how to pick out, take care of, and wear wigs, as well as teaching make-up techniques.

Dee has survived cancer and is still dealing with fibromyalgia and arthritis and battling a neurological disorder, but she has not let any of that slow her down one bit. She is truly an inspiration, and Livermore is lucky to have her, and I am lucky to represent her in the United States Congress. I look forward to seeing her this weekend on the Amgen Tour.

IRS, DOJ, BENGHAZI—AMERICANS DESERVE ANSWERS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, at a 2009 college commencement address, President Obama joked he could use the Internal Revenue Service to target political enemies, but, of course, he never would. Well, today, it appears that officials at the Internal Revenue Service had the last laugh. On Friday, the IRS admitted to the political profiling of conservative groups and that senior-level officials were aware of these actions as far back as 2011.

This, on top of new revelations in the ongoing Benghazi terrorist attack investigation, one could say it's been a bad week for the White House. But it doesn't stop there. Yesterday, it was reported the Justice Department used a secret subpoena to obtain 2 months of phone records for Associated Press reporters and editors without notifying the news organization.

It has been a bad week for the White House, Mr. Speaker, but an even worse week for the Constitution, which is no laughing matter. The American people deserve answers from the White House concerning these abuses. The constitutional protections of free Americans and a free press—the foundations of our democracy—are at stake.

BENGHAZI

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, Republicans are trying to tar anyone in sight with Benghazi. Next they're going for the former Joint Chief of Staff and a former Ambassador who did the investigation. But their investigation mandate was not talking points. It was:

Whether the attacks were security related; whether security systems and procedures were adequate and implemented properly.

They have found that they most definitely were not, resulting in four tragic deaths. Talking points say a lot about bureaucratic in-fighting. We have yet to get to the real investigation of the causes and most especially how to prevent another Benghazi. That is our mission. Let's get to it this week.

STATE SECRETS VS. FREEDOM OF THE PRESS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, when I went to the Soviet Union in the 1980s, the Communist leaders told me that they believed in and had a free press and they also had free speech. However, I also learned that Soviet law prohibited these freedoms when they jeopardized state secrets—or national security, as we call it in America. The state-secret provision was so broad the Soviet press and speech were gagged and shackled. They certainly were not free.

Now we learn that our Department of Justice improperly seized without notice phone records of over 100 Associated Press journalists—all in the name of national security concerns.

To me, this is a clear violation of the spirit and letter of the First Amendment. These actions border on the Soviet method of legalizing these freedoms but never allowing them. So it's time to revisit U.S. law and require in all cases judicial review where these types of records are seized.

We cannot allow our government to arbitrarily abolish the First Amendment in the name of "state secrets."

And that's just the way it is.

STUDENT LOAN INTEREST RATES

(Mr. PETERS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERS of California. Mr. Speaker, I rise today to bring further attention to the fact that unless Congress takes definitive action, student loan interest rates will double on July 1. With that in mind, I proudly support

H.R. 1595, introduced by Congressman JOE COURTNEY, and other bills that would keep student interest rates frozen at their reasonable rates for the next 2 years.

Right now, college tuition is spiraling beyond what many students and their families can afford. In many instances, students are being forced to leave school because they are accruing so much debt. At UC-San Diego or the University of San Diego or Point Loma Nazarene, all of which are in my district, students are relying on us to keep loan rates low.

My own education was made possible by student loans and work-study, and we must ensure that today's generation of students has the same opportunity to attend college that I and so many of us had. I ask my colleagues to support H.R. 1595.

THE BUCK STOPS HERE

(Mr. GRIFFITH of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRIFFITH of Virginia. Well, we once had a political party known as the Know-Nothings. We now have a President who wants us to believe that he knows nothing. He wants us to believe that he knows nothing about who decided to blame the terrorist attacks in Benghazi on a video. He wants us to believe that he knew nothing about the IRS scandal until he read the same press reports that you and I have read. He wants us to believe that he knows nothing about the Department of Justice subpoenaing 2 months of the Associated Press' phone records.

What has happened to the days in America when Democratic President Harry Truman proudly placed a placard on his desk that said: "The buck stops here"? Perhaps, sadly, we have returned to the days where the question to the President of the United States ought to be: What did you know and when did you know it?

□ 1920

LIMITING CONGRESSIONAL TERMS

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Today I joined JIM BRIDENSTINE in filing a bipartisan constitutional amendment that would allow Congress to decide whether and how to limit the terms of its Members. Our measure would not prescribe the number of terms a Member would serve; but by giving Congress the power to ultimately decide, I believe it will foster a productive conversation about how to make Congress more responsive to the needs of the American public.

Many in our country feel that Congress is focused on reelection to the exclusion of solving our country's problems. They are rightly concerned about

the enormous powers of incumbency and the corrupting influence of money as well as the uncompetitive, gerrymandered districts where the Representative chooses his constituency and not the other way around.

We owe our constituents institutional reforms that address these concerns. Enacting comprehensive campaign finance reform, fixing the congressional redistricting process, and moving forward with sensible term limits can improve how Congress works.

I urge all my colleagues to join in this reform agenda.

CELEBRATING NATIONAL POLICE WEEK

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to pay special tribute to those men and women who have answered the call of duty to serve their community, to those who place their lives on the line each and every day for their neighbors. This week we celebrate National Police Week, and I want to thank the police officers in my community who exemplify what it means to "serve and protect."

Minnesota is proud to be home to some of the most dedicated and professional police departments in the country. I have the distinct honor to meet regularly with local police officers and leaders during my law enforcement roundtables, and I can tell you we are privileged to have such committed officers patrolling our streets.

I want to especially recognize the officers that are currently aiding in the search for Mandy Matula, an Eden Prairie woman who has been missing. I pray for her swift return. And thank you to the law enforcement, also, for whose perseverance recently brought closure to the families of Danielle Jelinek and Kira Steger Trevino, who were victims of domestic violence.

Mr. Speaker, as we go about our busy lives, let's take time this week to thank the police officers in our communities and keep the memory of those who've lost their lives in our thoughts and prayers.

YOUNG PEOPLE IN MEMPHIS CHOOSING OCCUPATIONS THAT HELP OTHERS

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, there was a recent survey of about 9,000 outstanding high school and college students and graduates asking them where they would like to work. They had 200 companies that were all in the Fortune magazine list of top companies. I'm

proud of that group of students from ages 15 to 27. Their number one choice was St. Jude Children's Hospital in Memphis, Tennessee. It speaks well of that group of young people that they want to work to help others and to find a cure for cancer—and to work at St. Jude, which is such a wonderful institution in my home city of Memphis.

Eight of the 25 sites that were selected by these young people were in the health care field. I think it's admirable and commendable that so many young people want to help others and do it through efforts in the health care industry, not necessarily in ways to enrich themselves.

I'm proud that they chose St. Jude, and it wasn't just because of the Grizzlies.

IRS TALKERS

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, it is humbling for me every single day to walk onto this House floor knowing that I represent the former district held by Abraham Lincoln in central Illinois. In 1863, during his Gettysburg Address, President Lincoln spoke of our democracy by saying that it is "a government of the people, by the people, for the people." Yet what we have seen over the last 48 hours is nothing close to a government for the people.

Does a government of the people target specific groups of individuals, especially groups that oppose the President's viewpoints? Does a government by the people obtain the phone records of reporters in what appears to be a violation of First Amendment rights? And does a government for the people refuse to accept responsibility and instead place blame wherever they can? The answer, of course, is no.

Public trust in government is at an all-time low, and partisan actions by this administration will continue the deterioration of that trust. We have been called to Washington by our constituents to work together in a bipartisan fashion for the best interests of our country. So I ask that we put politics aside, Mr. Speaker, lead by example, and work together to keep the trust of the American public.

AFFORDABLE CARE ACT FIXES

(Mr. BARBER asked and was given permission to address the House for 1 minute.)

Mr. BARBER. Mr. Speaker, I rise today to talk about commonsense actions we must take to fix the health care law. I wasn't in Congress in March of 2010 and I didn't vote for the Affordable Care Act, but I'm here today to ensure that it meets the needs of small businesses and middle class families.

That's why I've spent a lot of time listening to small business owners and staff, to seniors, and to hospital employees and physicians in Arizona about their concerns. That is why I have cosponsored legislation to repeal the medical device tax, the annual tax on health insurance, and the Independent Payment Advisory Board. These actions will protect families and small businesses from premium hikes, and protect access to health care for seniors and all Americans. This is why I'm working with the citizens of Green Valley in my district to keep health care affordable by protecting the tax deduction for medical expenses.

These are but a few examples of how we can come together to fix this law. I will continue to work with my colleagues on both sides of the aisle to find additional ways to do so.

MILITARY SEXUAL ASSAULT

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, sexual assault in the military has reached a crisis point. A recent report from the Department of Defense found that the number of servicemembers who have experienced unwanted sexual contact has increased by more than 30 percent over the past 2 years, from 19,000 to 26,000 people.

These numbers are staggering, but they're more than just statistics. Behind every number is the story of a member of our armed services who stepped forward to serve our country. They're people like my constituent, Judy Atwood-Bell, a Hudson, New Hampshire resident who enlisted in the Army at age 17 to further her education and live the American Dream. At 19, Judy was raped by a fellow soldier and suffered sexual harassment in silence throughout her career. After 20 years of service, she sought help and was eventually diagnosed with PTSD related to military sexual trauma.

Our military leadership, the chain of command, and the Veterans Administration failed to protect Judy and thousands of victims like her who suffered from sexual assault. We owe it to Judy and every other survivor to come together in a bipartisan manner to confront this epidemic head on.

REPUBLICAN FRESHMAN CLASS ON THE NEED TO REPEAL OBAMACARE

The SPEAKER pro tempore (Mr. JOYCE). Under the Speaker's announced policy of January 3, 2013, the gentleman from Indiana (Mr. MESSER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I rise for another in a series of Republican freshman class Special Orders, this time to focus on the need to repeal ObamaCare in a vote in this Chamber later this week.

The President and many of our colleagues on the other side of the aisle proudly refer to this health care law as "ObamaCare," but we should neither be proud of the process that led us to this point nor the resulting policy mess.

The 2,800-page bill was crafted behind closed doors and rushed through Congress in 2010 with limited debate and without amendments. The predictable result is a flawed product that expands the Federal Government's role in health care, raises taxes on employers, and mandates benefits that will increase health care costs for most. Remarkably, there already have been more than 20,000 pages of regulations issued regarding this bill's implementation.

□ 1930

I would like to start by recognizing my distinguished colleague, the gentlelady from Missouri, for her remarks on this important issue.

Mrs. WAGNER. I thank the gentleman from Indiana for yielding and for organizing these Special Orders this evening.

Mr. Speaker, I rise today in support of H.R. 45, a bill that will repeal the President's devastating health care reform law, commonly referred to as ObamaCare. When promoting the health care reform legislation to the American public, the President and members of his party told people that if you liked your health insurance then you could keep it, that the penalty Americans have to pay under the individual mandate was not a tax, and that those with preexisting conditions would have access to health care. Well, as many of us suspected then, these claims were nothing more than blatant lies.

In fact, the Congressional Budget Office recently said that 7 million people will lose their job-based health insurance due to ObamaCare. The Supreme Court has affirmed what we already knew: that ObamaCare penalties are, indeed, taxes, and on February 15 the Obama administration announced they would not cover over 40,000 patients suffering from preexisting conditions.

Mr. Speaker, friends, this should not happen in America. We need to repeal this law, and we need to do it now. Today, though not fully implemented,

ObamaCare has already had many destructive effects on the American people—real people with bills to pay, mouths to feed, and jobs to do.

Since ObamaCare was signed into law, many of the new taxes in the President's \$1 trillion tax hike have gone into effect, most of which target the middle class, increase the cost of health care, and stifle job creation.

The law continues to take its toll on small business. I hear from mom and pop operations throughout the St. Louis region that are not hiring needed workers or reducing full-time employees to part-time workers, for the sole purpose of being able to keep their doors open as a consequence of the new ObamaCare regulations.

The impact on jobs already is unmistakable. ObamaCare promised 4 million jobs, including 400,000 almost immediately. Yet we know the truth: that ObamaCare is destroying jobs and costing the American Dream for millions of Americans.

Just today, a Missouri hospital announced that it was eliminating 129 good-paying jobs. The reason? ObamaCare.

These are facts, these are real jobs, and this law is hurting real people.

It continues.

Premium costs continue to rise on hardworking families across the country. Premiums for the average family have already grown by \$3,000 since 2008, despite promises by the Obama administration that ObamaCare would decrease premiums \$2,500.

Premium costs are expected to double, triple, and even quadruple for millions of Americans when many of the provisions of the law go into effect next year. The greatest effect will be on young people in this country, who are already struggling to find jobs, pay off student loans, and grow healthy, prosperous families. These young people will be stuck between paying for insurance they cannot afford and being subject to a burdensome tax.

Mr. Speaker, I will close by addressing the shameful raiding of Medicare by this irresponsible law called ObamaCare. Despite promises to the contrary, ObamaCare has gutted Medicare to the tune of \$716 billion—nearly three-quarters of a trillion dollars—stolen from our Greatest Generation to pay for this devastating law.

Every day, more and more doctors are refusing to see Medicare patients because they simply cannot afford to do so. Is this how we pay back our seniors—with reduced benefits, reduced access to health care, and reduced respect for their quality of life? We owe them more. We owe the American people more.

Mr. Speaker, the facts are clear: this law is wrong for America and needs to be repealed immediately before any more of its harmful provisions are implemented.

Mr. MESSER. Mr. Speaker, I thank the gentlelady for her remarks.

Many of the promises that were made to justify ObamaCare's enactment have been broken. The results of these broken promises are hurting hardworking American families, workers, and businesses today, and will hurt them even more in the future, which is why House Republicans will be voting to repeal this government takeover of health care later this week. Through the course of the Special Order, we will look at some of those broken promises.

I would next like to recognize my good friend, my colleague from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. Mr. Speaker, I rise today to join a chorus of individuals who are calling for the repeal of the Affordable Care Act.

Mr. Speaker, it's not even affordable. The CBO says it will cost \$1.8 trillion just to employ. Blue Cross/Blue Shield in North Carolina says the premiums are going to go up 284 percent. We can't afford this. Seven million people won't be able to keep their own policies. There's no risk pool now, no funding for it, no provision. Even Democrat Senator MAX BAUCUS, Finance Committee chairman, says this is a train wreck getting ready to happen.

Mr. Speaker, last January, I sponsored a seminar in my district that brought together 400 business leaders. The purpose of this seminar was to explain ObamaCare. We had the Cato Institute and the AARP there. Mr. Speaker, what they heard was a resounding, "What in the world have we done? They were so concerned about what ObamaCare was going to do to their own businesses, they were afraid to hire people, and they thought they would let people go."

Do you know what they saw, Mr. Speaker? This chart right here. This chart—what a quagmire to process through to try to get real health care. It can't be done. We can do better.

That's why with Congressman HUDSON I've introduced a bill called Auto Enroll. This is a little provision put in the health care law, one of those provisions that I believe Speaker PELOSI said we are going to read it after we vote on it, we are going to learn about it then.

Well, we've learned about it. What did we learn? That the companies have to automatically put people on their health care plan. And this bill says, no, you can opt out, you don't have to comply.

Students who are already on their parents' health care, they shouldn't have to do this. You have temporary people who are working during seasonal work time in major retail or in restaurants. They shouldn't have to be on this, yet they're required to. This bill will allow some flexibility for employers.

The American people were told, We are going to provide you a champion

thoroughbred horse who is going to go win the Kentucky Derby. Do you know what they got, Mr. Speaker? They got a maimed, blind, deaf, crippled horse that can't even make its way around the track. That's what we have with ObamaCare.

We are going to do better. We are going to provide for the American people at the right time, and we can do this in competitive markets. They can cross State lines, hundreds of companies competing, drawing down the cost of health care. This needs to be done now.

We can get rid of the frivolous lawsuits that are driving the cost of health care up. The American workers, responsible people, hardworking taxpayer Americans, they deserve better, and we are going to do it.

Thank you, and God bless you.

Mr. MESSER. I thank the gentleman for his remarks.

I would next like to recognize my good friend, the distinguished gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank my good friend, Mr. MESSER.

I've been blessed to do a lot of fun things in my life, to do a lot of interesting jobs. I was an Air Force pilot for 14 years. That was maybe the funnest thing I've ever done. I was a writer. I've written 15 books. That was very satisfying. But the hardest job, without question the hardest job I've ever done was to be a small business owner.

As a small business owner, you fight every day to make ends meet. You care about your employees. Your employees become your family.

One of the funnest things to do is to hire new people, but one of the hardest things to do, and one of the most, frankly, discouraging things you have to do is when you have to lay people off. But that is exactly what has happened in the business that I owned, that is exactly what is happening now, and that is what is going to continue to happen.

Jobs are being killed by the implementation of ObamaCare. And that's not a statistic. That isn't some government projection. It isn't some estimation from CBO. That is a fact. It is a reality. ObamaCare is killing economic activity. ObamaCare is killing jobs. And it's only going to get worse.

□ 1940

There is a reason that the Democrats—and I'm not talking about the Republicans; I'm talking about Democratic leaders—are calling ObamaCare a train wreck. There is a reason why NANCY PELOSI said, We have to pass this bill before we can find out what's in it.

This is like taking the lid off a garbage can that has been sitting out in the sun too long. The longer it's out there and the more we know about this legislation, the worse it is. 400 per-

cent—that's how much some people's premiums are going to go up because of the implementation of ObamaCare. The President promised and, in fact, the entire purpose of the Affordable Care Act was to drive premiums down. Instead, we see exactly the opposite—30 percent, 80 percent, 400 percent increases in health care premiums.

All of us Americans have become familiar with new words over the last year or two. We've learned about sequester, and we've heard a lot about the fiscal cliff. The new government phrase of the year is going to be "rate shock." You're going to hear about that all the time beginning this fall because people will be shocked and businesses will be shocked and jobs will be lost and people will be hurt because of the implementation of ObamaCare.

Please, let's take the opportunity to repeal it now. We can do better. We can write something and design something that is better. Let's take the opportunity to do that.

Mr. MESSER. I thank the gentleman for his remarks.

I would quote for you broken promise No. 1 of ObamaCare: "If you like your current health care plan, you will be able to keep it."

Not true. The Congressional Budget Office estimates that nearly 7 million people will lose their employer-sponsored health care coverage under ObamaCare.

I would next like to yield to my good friend, the gentleman from New York, Representative COLLINS.

Mr. COLLINS of New York. I want to thank the gentleman for holding this special session tonight.

Mr. Speaker, the American public is often concerned there is not enough agreement in the Halls of Congress. Well, I am pleased to report there is growing agreement among both parties and in both Houses of this Congress that ObamaCare is truly a train wreck, as recently described by Democrat Senator MAX BAUCUS. As this massive piece of legislation is being implemented, the negative impact it is and will have on our economy is becoming clear:

ObamaCare guts the funding for Medicare Advantage to help cover its growing price tag. So, for all those seniors out there, like my 86-year-old mom, who are happy with the coverage they receive through Medicare Advantage, I have news for you: you can't keep your existing plan, as promised, because ObamaCare effectively ends it.

What the administration could not raid from other sources to pay for ObamaCare it makes up in new taxes. Just last week, as chairman of the Small Business Subcommittee on Health and Technology, I heard from small business owners and advocates about the impact the health insurance tax will have on the bottom line of America's small businesses. The

amount of that tax will be \$8 billion in 2014, increasing to \$14.3 billion in 2018, and will increase based on premium trends thereafter.

Supporters of ObamaCare will say these fees are supposed to be paid by the health insurance companies; but common sense, substantiated by independent studies, tells you the insurance companies are passing these costs directly on to consumers in the form of higher premiums. To avoid the taxes and fees, companies are cutting jobs, not hiring, and are reducing employee hours to stay under ObamaCare thresholds, all this at a time when national unemployment remains embarrassingly high.

ObamaCare is built on the premise that the young and the healthy will pay to insure the old and the sick. Well, guess what? The young and the healthy are too smart to have their pockets picked. Knowing they can't be denied coverage down the road, the young and the healthy are going to drop out of the insurance market and instead pay the \$95 penalty and their out-of-pocket medical expenses. They know this approach will be far, far cheaper in the end than paying thousands of dollars for an individual or a family plan under ObamaCare. It's like not buying collision insurance on your new car because you know you can get it after you've been in a wreck.

When attempting to defend ObamaCare, its supporters like to tout all those "free" things that ObamaCare offers the American people. That sales pitch crystallizes what is wrong with ObamaCare and the tax-and-spend policies this town is famous for. Nothing is free in this world. For every free service ObamaCare offers, someone out there in America is paying for it with his hard-earned money; or, worse yet, we'll just add a few more bucks onto our staggering debt to cover this so-called "free" service.

This country can't afford ObamaCare figuratively or literally. ObamaCare must be repealed. It needs to be replaced with commonsense, cost-effective ways to improve health care in this country.

Mr. MESSER. I thank the gentleman for his remarks.

I would next like to yield to my good friend, the gentlelady from my home State of Indiana, for her insights as to this important Special Order.

Mrs. BROOKS of Indiana. Thank you to the gentleman from Indiana for organizing this.

Mr. Speaker, I rise today in strong support of H.R. 45, the repeal of the Affordable Care Act.

ObamaCare is bad for the young and for the elderly.

I recently received a letter from a high school senior in my district. She noted that her family's out-of-pocket premium costs have risen \$7,000 in recent years while their deductible has

increased tenfold. She said she is worried about how she is going to pay for health care on her own in the future.

She is right to worry. According to a study published by the American Academy of Actuaries' magazine, 80 percent of Americans under the age of 30 will face premium increases because of ObamaCare.

The costs of ObamaCare are more than monetary. Americans will also have fewer health care choices because of it. Specifically, the Independent Payment Advisory Board will threaten the options available today to Medicare recipients. This board of 15 officials will get to choose which treatments and which procedures Medicare will reimburse and which it will not. What a doctor prescribes or what a patient needs will come second, if at all. The IPAB is unelected and won't report to Members of Congress or to any elected official. The budget for this board is given directly by the executive branch. IPAB doesn't even have to justify its finances to the public.

My friends on the other side of the aisle like to say Republicans want to change Medicare as we know it; but, in fact, it is ObamaCare that is changing Medicare, putting bureaucrats in charge of decisions that should be between senior citizens and their doctors.

Repealing ObamaCare will right this wrong for the young and for our seniors. I urge the adoption of this important bill.

Mr. MESSER. I thank the gentlelady for her remarks.

I would next like to yield to my good friend from the State of Florida, Representative YOHO.

Mr. YOHO. I would like to thank my colleague from Indiana.

Mr. Speaker, I stand here today in support of H.R. 45, the repeal of the Affordable Care Act.

It's not just the House Republicans who want this or House freshmen who want to repeal this law; it's the American people. The American people don't like this. The people of my district overwhelmingly desire the repeal of this legislative debacle.

Let's face it: in March of 2009, with a Democratic Congress, this bill was passed through in the twilight hours. The Speaker said—and I think we all remember those infamous words—that we have to pass it to see what's in it, that we have to pass it to see how it's going to work.

America deserves better. Americans deserve better, and they demand better.

The Affordable Care Act is the number one job-killing bill in America. When the President speaks of job creation and of stimulating the economy, the 800-pound gorilla in the room that nobody talks about is the Affordable Care Act. It's the number one job-killing bill—bar none. Here are a couple of examples:

I had a person call in today. A young lady, one of my constituents, said that even though she doesn't have insurance, it's because she doesn't have a job; and the reason she doesn't have a job is due to this bill. It's getting in the way of job creation.

□ 1950

Another business owner I know, he's got 350 employees. I asked him how the effects of this bill were going to affect his business. He said, Let me tell you about this bill. I could expand my business right now and I could add 100 new employees, but I'm not doing anything because of the estimated cost of this bill.

Think about that. That's one man's business in one town in America. How many businesses in America, throughout this country, are not expanding because of this bill and the uncertainty? It's got to stop.

There's a county in our district, Clay County. I was talking to one of the municipal people there that was in charge of the health care. He said that the estimated costs coming up because of the Affordable Care Act were going to cost \$15 million. Then they figured out if they didn't comply with the Affordable Care Act what that cost would be. It would be \$5 million. What choice do you think they're going to make? They're either going to lay off people or they're not going to cover people. They'll pay the fine.

In my own town in Alachua County, there's a contractor, and he's got 51 employees. He's bidding on a job against another contractor that has 49 employees. The estimated cost to him is \$2,000 per employee. So this contractor with the 51 employees is starting at the same line with this guy who has 49 employees, and he's going to owe \$102,000 more in his opening bid. I asked him what he was going to do. He said, The most commonsense thing to do is lay off some people so I don't have to pay for that. Again, I hear this story over and over and over again.

Mr. Speaker, it seems the President himself doesn't really like his plan that much either. In spite of all the glowing speeches he gives, the President himself has signed into law repeals of certain ObamaCare provisions on seven different occasions. When the President claimed that his plan would lower the cost of health care for Americans, he left out the fact that about 7 million Americans would just lose their health care altogether.

Estimated insurance costs for the younger generation: they can expect their insurance premiums to increase from what they are today 150 percent to 175 percent. When the President claimed that under his plan no family making less than \$250,000 a year would see taxes increase, he completely left out the fact that there are 21 new taxes in this bill; and these are taxes that

are on not just the wealthy, but all Americans at all income levels. It's a bad bill, and this is not what America wants.

The whole point of the Affordable Care Act was to create health reform, which implies not just health care, but health prevention. After 3½ years of this bill being out there, the Supreme Court said in reviewing it that it's not health care; it's a health tax. The bottom line is it's going to create people who have less insurance.

Then we have to think about who will collect these taxes: the IRS. That's the very same IRS we found out that's under a criminal investigation today. Americans don't want this.

Americans are a caring, generous, and a charitable people. We will always make sure that the least fortunate among us are cared for. The President's plan doesn't care for the less fortunate. In fact, it makes us all less fortunate. Our vote this week is not about politics; it's about being responsive to the people and adhering to the Constitution.

We represent the people who are being hurt the most by the ObamaCare bill, and we owe it to them to relieve them of this burden. If we truly want to create jobs, the full repeal of ObamaCare is the first step in jump-starting our economy, and I'm proud and thankful to be able to be a part of the process of repealing this legislative disaster and replacing it with a commonsense health care reform.

Mr. MESSER. I thank the gentleman for his comments, and I thank my colleagues for their stamina and patience.

I would next like to recognize my good friend, the straight-talking Member from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. I'd like to thank the gentleman from Indiana for allowing me to speak on this issue on behalf of my constituents. I can say very clearly that I support H.R. 45, ObamaCare repeal, and I can tell you why.

Under ObamaCare, we're looking at a minimum of about \$500 billion in new taxes. We're talking about taxes on pharmaceuticals and taxes on medical devices. We're also talking about taxes on payroll, things that have nothing to do with medicine; taxes on the sale of real estate; taxes on other capital gains. There will be 21 new taxes, and \$500 billion is the conservative estimate. Some people say it's going to be \$1.1 trillion in new tax revenue.

Guess what? It's not enough. There's also going to be \$500 billion in new borrowing over the first 10 years of ObamaCare. And it's still not enough. So we're going to rob \$716 billion from Medicare at a time when seniors are finding it hard to find providers who are willing to accept Medicare as it is. This is hugely problematic for the people in my district.

Let's talk about the employers. Employers are seeking ways to reduce

their staffs below 50 people. They're laying people off. No kidding. I talked to an employer just a few weeks ago in my district. He's got 57 employees. He's now trying to get down to 49. He's also trying to figure out ways to make his staff part-time. He's trying to get his staff under 29 hours so he has less than 50 full-time equivalents, as they refer to them now. This is going to be a disaster for the employment prospects of the people in my district.

Let's talk about how this is administered. It's going to be administered by the IRS. So everyone has to have the health insurance that perfectly conforms to what the President wants them to have. It used to be that there was a time when my wife and I had insurance, where we had a high deductible and a low premium. We had a little bit of savings. We wanted to save money on our premium, and so we were willing to accept the high deductible. We were willing to accept a little bit of risk upon ourselves to save money. That's not available anymore under ObamaCare. All that will be enforced by the IRS.

So if you have that high-deductible, low-premium policy, or if you have a policy that they call a "Cadillac plan," you're going to be penalized. These penalties have been ruled by the Supreme Court to be taxes, but let's be clear that they are penalties for not conforming to what the President wants you to have in insurance.

That penalty, if you don't have the right health insurance, is going to be 2½ percent of your income, eventually. So if you make \$50,000 a year, your penalty is \$1,250, assessed by the IRS when you do your taxes. Or you could pay the premium. If you want the comprehensive health care that ObamaCare requires you to have, that premium is likely to be around \$7,000, or you can pay the penalty of \$1,250. What are most people going to pay? They're going to pay the penalty. Why? Because under ObamaCare, they can't exempt you for a preexisting condition. So you can pay the penalty, and then when you get sick you can go to the doctor and get the health insurance you need and then get healthy; and then when you're healthy, you can drop your health insurance again.

This creates an adverse selection. This is a big problem. If you want to see health insurance premiums skyrocket, let's only insure the people who are sick; and that's exactly what this bill does.

Let's talk for a second about the expansion of Medicaid under ObamaCare. I'm very proud of the State of Oklahoma for not expanding Medicaid under ObamaCare. This is a teaser rate. This is a time when the Federal Government comes in and they say, "We're going to fully expand your Medicaid expansion up to 138 percent of the poverty line for the first 3 years, then we're going to pull the rug out from under you.

The State of Oklahoma is going to be faced with challenges. What are we going to cut? Maybe we'll cut education, maybe we'll cut the Department of Transportation in the State of Oklahoma, or maybe we'll raise taxes. This is just another way for the Federal Government to addict States to a program that ultimately they're going to pull the rug out from under the program and the State of Oklahoma is going to be forced to carry this load. I'm very proud of Governor Mary Fallin for not expanding Medicaid under ObamaCare.

I'd like to thank the gentleman from Indiana for allowing me to express my views. I fully support H.R. 45, the repeal of ObamaCare.

Mr. MESSER. I thank the gentleman for his remarks.

Mr. Speaker, I'd like to inquire as to the amount of time we have left.

The SPEAKER pro tempore. The gentleman has approximately 30 minutes remaining.

Mr. MESSER. Great. We're right on pace.

I would next like to recognize my good friend, the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. I thank the gentleman for yielding and for organizing this important discussion with our freshman colleagues.

President Obama made big promises while pushing his health care law through the House and Senate. He promised the American people that it could create jobs, that it could increase access to health care, that it would promote economic growth, that it wouldn't add to the deficit, that it would not raise taxes on the middle class. He promised that if you like your health care plan, you could keep it. He said that it would lower the cost of premiums. He said that it would strengthen Medicare.

□ 2000

Three years later, President Obama's health care law has proven to be a string of empty and broken promises. We are seeing premiums rise. One business in my district that employs 13 workers expects a 26 percent increase in its premiums, totaling more than \$30,000. That's \$30,000 that cannot go to increasing wages for workers. Another company in my district with 17 employees expects a 19 percent premium increase with an annual cost of more than \$20,000. Companies are being forced to change their health plans and pay more for them. Some companies may even drop their plans and put their employees in the ObamaCare exchanges. That means they're not keeping their plans. That's a broken promise.

ObamaCare is also raising taxes on the middle class. The Supreme Court made that clear.

One little known tax in ObamaCare is a medical device tax. This is a tax on

the middle class because it is going to be passed directly to the consumers. Pennsylvania has the fourth largest medical device industry in the Nation. The medical device tax threatens health care businesses and innovators, like ZOLL Medical Corporation in my district, that supports 600 good-paying jobs.

ObamaCare does not strengthen Medicare. It cuts \$716 billion from the program and creates the Independent Payment Advisory Board, also known as IPAB, which puts unelected bureaucrats in between seniors and their doctors.

President Obama's health care law is causing folks to lose their health plans; it's raising taxes; it's hurting Medicare; it's increasing the deficit; and it won't bring universal coverage. More than 30 million people will still be uninsured in 10 years. The fact remains that 3 years later, President Obama's health care law is a trillion-dollar string of broken promises. It's damaging our families, seniors, hard-working Americans and their health care. It's killing jobs, and it's violating the First Amendment rights of people of faith.

It's a small wonder that even some of the authors of this misguided health care law are now calling it a train wreck. The American people deserve better. This law should be repealed. Then all Members of Congress should sit down and do their jobs to craft commonsense, patient-centered reforms that reduce costs, preserve Medicare, and increase access to all Americans.

Mr. MESSER. I thank the gentleman for his comments.

I would like to talk right now about ObamaCare broken promise number two. The President promised:

I will not sign a plan that adds one dime to our deficits, either now or in the future.

The truth: ObamaCare will end up adding, according to a GAO report, more than \$6.2 trillion to the debt over the long run.

I would next like to yield to my good friend, the gentleman from Michigan (Mr. BENTIVOLIO).

Mr. BENTIVOLIO. I thank the gentleman from Indiana very much.

Mr. Speaker, I rise today to talk about the unaffordable health care act. I'll admit it: I'm standing here because of it. The unaffordable health care act is what made me realize that Washington was out of control and run amuck. It made me realize that the people of this great country needed a voice. Whenever I think of the proceedings that gave us this massive health care law, the words "we must pass the bill to find out what's in the bill" ring in my ear. It makes me cringe.

My friends on the other side of the aisle are good people. They passed the bill because their leadership assured them that it was good law. I don't

think they purposely wanted to harm the country. We now know what's in the bill, and it's not good. I'm confident that my friends wouldn't have voted in favor of ObamaCare had they known that the bill empowered the IRS to bully people about their health insurance or that the new law created a rationing board to decide who gets treatment and who doesn't. Had the bill been read, I don't think it would have passed.

On top of repealing this law, we must reform how business gets done in the Capitol. That's why I've introduced the Read the Bills Act. The law is easy to understand: before we pass laws which will impact millions of hardworking Americans, Congress must read the bill. This is the kind of bill that will help restore the faith in Congress of those who send us here to represent them. Let's get rid of the notion that we have to pass bills to find out what's in them. Please join me in repealing ObamaCare and supporting the Read the Bills Act.

Mr. MESSER. I thank the good gentleman for his comments.

Next I yield to my very good friend from the great State of Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. I appreciate the gentleman yielding to me.

This has been a great time tonight. It is a great time in the sense that we get to stand here and explain to the American people what they were not explained to a few years ago. It's a good time to explain to them what they were sold as being something good and something that was going to help in health care, and remember this bill says "health care" in its title. But the truth of the matter is it's not about health care, Mr. Speaker; it's about control. It's about who's going to control health care, who's going to control what our government is getting into and what our government should stay out of.

I fully support voting this week to repeal ObamaCare and moving forward with an agenda that promotes jobs, that creates better opportunities, because you see what is happening tonight, as my good colleagues have stood here: they've talked about the problems with business; they've talked about the problems with taxes; they've talked about the broken promises. My colleague has spoken of the broken promise of keeping your own health care, of it not adding to the debt, all of which are lies, things that are not true that were not talked about on this House floor just a few years ago.

So my problem is let's be honest. Let's talk about what it does do. It begins to make a regulatory framework that is amazing. It wasn't a matter if you read the bill. It didn't matter if you read the bill in 2009 because you wouldn't have known what's in it because at the end of almost every para-

graph it would say, oh, by the way, we're going to let this agency promulgate the rules and regulations. You could have read every page and you'd have just known that more bureaucrats were going to tell you what health care was going to be like. Twenty thousand pages of regulations are already on the books, 828 pages in one day. We're paying a lot of folks to do a lot of regulation writing. We're paying a lot of folks to take away the basic rights that we're looking at.

You see, you can make an argument this is not about health care, this is about broadening regulatory authority at HHS and at IRS. Oh, wait, IRS. Any thoughts this week about letting them be the regulators of who's paying and who's not paying in our health care system? Excuse me, we're having trouble dealing with what their job is. We don't need them in health care. We've got bigger problems here.

But when broken promises come about, we have to remember—what has disturbed me the most about this whole debate tonight is we've heard about businesses; we've heard about taxes; we've heard about some broken promises; but what we've not heard about is health care. We've not really heard about health care in a doctor and patient. As a doctor told me the other day, he said, Just let me practice medicine, which is all I want to do.

You see, it's time we talked about health care because this law, instead of helping those who need help, it kicks them off insurance and makes people pay more and does all of the things that it was promised not to do.

Doctors are getting out, and new doctors are not going in. And you know who's lost? I can see it right now. The picture I have in my mind is those waiting in the waiting room waiting to see a doctor who need health care, and this law simply leaves them waiting.

Let's don't do that. Let's repeal this law. Let's get on with the real business of this House.

I appreciate the gentleman yielding me this time.

Mr. MESSER. I appreciate the gentleman's remarks.

I yield to my good friend from Montana (Mr. DAINES).

Mr. DAINES. I thank my good friend from Indiana, Congressman LUKE MESSER, for organizing this Special Order in preparation for Thursday's vote to repeal the President's health care law.

Earlier today I emailed my constituents a quick survey back home in Montana with one simple question: Do you support efforts to repeal President Obama's health care law?

We've seen already overwhelming response to our office here tonight from Montanans across our State, combined with letters, emails, the phone calls we've received, by three to one, Montanans want to repeal ObamaCare.

□ 2010

Last week I had a tele-townhall meeting so I could hear from the people of Montana about the issues that matter most to them. The last question I was asked at the very end of this hour-long tele-townhall was from a woman from Florence, Montana, a small town on the western side of our State.

She shared her heartfelt concerns about the health care law and how it was going to affect her small business. Between the costly new rules and regulations and rising health insurance premiums, she didn't know how she would be able to follow the law and keep her business afloat.

And these challenges aren't unique to this one small business owner from Montana. Families and small businesses across America are struggling under President Obama's health care overhaul.

Rather than providing real solutions to increase access to affordable care, ObamaCare is driving costs up, it's hurting small businesses, it's raising taxes on Americans by more than \$1 trillion over the next decade and, ultimately, puts the government directly between patients and their doctors.

This law also hurts our seniors and their access to health care. The President's health care law took more than \$700 billion out of Medicare to pay for new ObamaCare spending, and establishes IPAB, this unaccountable, unelected board of bureaucrats empowered to further undermine seniors' access to medical care.

And following this week's troubling news from the IRS, it makes it very clear that the IRS should not be in charge of enforcing ObamaCare's core provisions. We need to repeal ObamaCare to strip them of this authority.

Furthermore, the President's health care overhaul sets in motion serious violations of America's religious freedoms. Under ObamaCare, the Department of Health and Human Services has mandated health care coverage of products and services to which some Americans are morally opposed. Under this mandate, religious institutions and employers, as well as health care providers who hold religious and moral convictions, are stripped of their religious freedoms.

This is a clear violation of Americans' First Amendment rights, and it is of critical importance that the religious and moral convictions held by many Americans are protected.

That's why I recently joined more than 90 of my colleagues here in the House in calling for the upcoming House appropriations proposals to contain full protections for Americans' religious liberties and conscience rights by including provisions found in the Health Care Conscience Rights Act, which I helped introduce in March.

But we must continue fighting to repeal this failed law in its entirety. We

know that our health care system is complex; it has major problems that need to be addressed. But ObamaCare only makes the matters worse.

The President's health care law takes us in the wrong direction. At the end of the day, it will result in higher costs, higher premiums, and force millions of Americans to lose the coverage they currently have.

And let's just remember something from 3 years ago. Remember in March of 2010, when ObamaCare passed the House, there was nothing bipartisan about ObamaCare. There was bipartisan opposition. In fact, 34 Democrats joined 178 Republicans in opposing ObamaCare, but not one single Republican voted for this. There's nothing bipartisan about it, other than bipartisan opposition.

I will vote to repeal this law on Thursday. I will continue to work with my colleagues in support of better, more effective solutions that give Americans the quality, affordable care they deserve.

Mr. MESSER. I thank the gentleman for his remarks.

I'll talk to you briefly about broken promise number three. The President promised that "coupled with comprehensive reform, our bill could save families \$2,500 in the coming years."

The truth? Just the opposite has happened. The average family premium has grown by more than \$3,000 since 2008. In Indiana, residents are expected to face some of the highest health care insurance cost increases in the Nation, amounting to more than 60 percent for many and as high as 100 percent for some.

I next would like to recognize my good colleague, a man who's shown the patience of Job this evening as he's waited with great stamina, the gentleman from North Carolina (Mr. HOLDING).

Mr. HOLDING. Thank you to my friend from Evansville, Indiana (Mr. MESSER) for the time.

Mr. Speaker, few things in life are more personal than health care, the care we receive as individuals, the treatment our children receive, the treatment our friends and our loved ones receive.

And beginning next year, Mr. Speaker, the government will dominate this personal arena. Dismantling this failed attempt at health care reform needs to be a priority of this Congress.

Mr. Speaker, time and time again I hear from the medical professionals in my district, those who have dedicated their lives to serving others, about the uncertainty ObamaCare is causing them. What regulations and rules are going to come down from HHS and step in between the care that these medical professionals provide their patients?

What treatments will they be able to provide?

How many hoops are they going to have to jump through to get the proce-

dures and tests that their patients need?

How many hoops will they have to go through to get approved?

Mr. Speaker, ObamaCare has also harmed small business in all sorts of unimaginable ways. Small businesses are what drive this Nation's economy, through innovation and good old-fashioned sweat equity. They are a testament to what built this country and made it great.

But this law, Mr. Speaker, is causing many of them to make tough decisions, tough decisions about whether they can go out and hire that additional worker or employee; tough decisions on if they can invest in growth as they try to grow their company, and what other long-term impacts ObamaCare is going to have on their business.

Many small businesses are struggling, and this law will only make things worse. We have heard here tonight about employers considering dropping coverage altogether because of the uncertainty.

Providing health care benefits has served as a sense of pride for small business owners, and has always been a means by which small business owners have been able to recruit and retain the best talent. This talent is what helps them be successful but, unfortunately, under ObamaCare, providing health care is not going to be something that many small businesses do.

Two years ago, Mr. Speaker, the Congress repealed the misguided 1099 reporting requirement that was included in ObamaCare. It was there to gin up revenue. In this Congress I'm hopeful we can repeal the medical device tax, and I've cosponsored a bill to do just that, one that enjoys overwhelming bipartisan support, bipartisan support that is similar to the support shared for many of the misguided provisions of ObamaCare and the wish to get in there and repeal them and rein them back in.

Anyone who reads or watches the news knows that the Affordable Care Act, which, Mr. Speaker, probably should have been named the Unaffordable Care Act, as Mr. BENTIVOLIO said earlier this evening, is costing more and more money just to get it up and running. Costs have ballooned, and the law hasn't even been fully implemented yet or nearly implemented yet.

State exchanges are requesting more and more Federal dollars, which has sent the administration scrambling to pull dollars out of the so-called Prevention Fund.

Mr. Speaker, the CBO estimates that ObamaCare may now cost twice as much as originally promised, at a pricetag of \$1.88 trillion through 2022.

Mr. Speaker, we haven't even touched on what will, without a doubt, impact individuals and families the most: the cost of their premiums. This

is what American families are the most concerned about. Since 2008, families have seen their premiums grow by over \$3,000, and the new report by the House Energy and Commerce Committee, based upon actual industry numbers, suggests that rates may go up anywhere from 47 percent to 400 percent.

Mr. Speaker, this law needs to be repealed immediately so patient-oriented reforms can be enacted that protect American jobs and actually deliver on the promise of affordable health care to individuals and families.

Mr. MESSER. I thank the gentleman for his remarks.

I would like to speak briefly about broken ObamaCare promise number four. The President promised "Under my plan, no family making less than \$250,000 a year will see their taxes increase." The truth? Taxes have gone up for many, and not just the well-off.

The Joint Committee on Taxation has issued a report detailing 21 new or higher taxes that will cost taxpayers more than \$1 trillion. Indiana, which has a medical device industry that employs 20,000 Hoosiers, with a payroll exceeding \$1 billion, would be devastated by ObamaCare's \$20 billion tax on medical devices.

I would next like to recognize my good friend from Indiana—I appreciate her leadership on this topic—Mrs. WALORSKI.

Mrs. WALORSKI. Thank you to my good friend and my colleague from Indiana, Representative MESSER, for organizing this Special Order tonight.

It has been, Representative MESSER, over 3 years since ObamaCare was signed into law. In a recent Senate Finance Committee hearing, Senator MAX BAUCUS told Health and Human Services Secretary Kathleen Sebelius that he now sees this bill as "a huge train wreck." I couldn't agree more. ObamaCare is a huge train wreck.

A few weeks ago I held roundtable discussions in many of the Chambers of Commerce in my area, in each county in my district. I sat down with a wide spectrum of industries, ranging from agriculture to manufacturing.

□ 2020

The prominent topic of each discussion was ObamaCare and the uncertainty it creates for Hoosier businesses that cannot afford the overwhelming taxes and employer mandates. From longtime small businessowners to aspiring start-up companies, employers agree that ObamaCare is largely responsible for smothering economic development. If the President and Members of Congress were truly listening to the American people's opinion of this law, they would see the writing on the wall: we must repeal ObamaCare.

The State of Indiana is proud to be a global leader in the medical device industry that my colleague just spoke of. However, ObamaCare is forcing a 2.3

percent tax on medical device manufacturing. This tax affects the orthopedic industry, causing rises in costs for seniors, veterans, and patients in need.

On the 3-year anniversary of ObamaCare, I met with Complexus Medical in Mishawaka, an emerging leader in orthopedic instrument manufacturing in the Second District. I was told that this tax will stifle innovation and could force companies to consider overseas supply chains.

The medical device tax is of great concern also for our veterans. That's why I sent a letter, along with my colleagues from Indiana, to the Secretary of Veterans Affairs asking how this tax will impact veterans care. After the sacrifice and fearless bravery demonstrated by our troops and our veterans, it is unacceptable for them to worry about their access to quality care.

And it gets worse. Just this week, we learned more shocking news when the IRS admitted they're targeting certain groups of people, a practice that is completely unlawful, unethical, and downright shameful. Their willful actions to defy transparency have already qualified the IRS for a comprehensive congressional investigation, with at least two hearings scheduled in the House in the coming weeks.

But let's not forget, the IRS is set to play a major role in ObamaCare from enforcing the individual mandate to distributing tax credits. If the IRS cannot operate under the light of transparency today with their current duties, I am deeply concerned that further responsibilities with sensitive information and controversial policies are a recipe for disaster.

This bill, ladies and gentlemen, is spiraling out of control. It's time for Washington to heed the overwhelming evidence and wipe the slate clean to show the American people that we are listening. Now, more than ever, the President and the Congress must restore transparency at the Federal level. I support the full repeal of ObamaCare and urge my colleagues to do the same.

Mr. MESSER. I thank the gentlelady for her remarks. As many other speakers have said tonight, ObamaCare is Big Government at its worst.

Federal agencies have recently reported that it will take them almost 190 million additional man hours per year for employers, families, and health care providers to comply with its onerous implementation regulations. That's nearly 95,000 new, full-time employees just to do ObamaCare paperwork.

Now I'd like to recognize our final speaker of the night, one of the hardest working Members I know in this Chamber. I appreciate your stamina and persistence for being here, the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Well, I want to thank the gentleman, my friend from Indiana, for his courtesy and for his leadership on this very important issue. I join my colleague in supporting H.R. 45, the full repeal of ObamaCare.

Mr. Speaker, it is true, you've heard from the other Members here this evening, you've heard about the importance of repealing ObamaCare because it is legislation that is full of broken promises. We know that the signature promise of this legislation was that if you like your current health insurance, you can keep it. We know now that 7 million people will lose their employer-sponsored health insurance at least, which is nearly double the previous estimate of 4 million.

We heard about savings. Remember, this was titled the "Affordable Care Act," but in 2013, the Congressional Budget Office projection tags the total cost at \$1.88 trillion. Premiums—premiums are not decreasing; premiums are going up. The average family premium has grown over \$3,000 since the passage of ObamaCare. Individuals earning as little as \$25,000 will pay more for insurance because of ObamaCare. And 1.1 trillion in new taxes and jobs. This legislation was supposed to create 400,000 jobs immediately. Speaker PELOSI promised that ObamaCare would create 4 million jobs. Well, Mr. Speaker, small employers in Kentucky and central Kentucky tell me that ObamaCare is the principal reason that they're not hiring.

According to a study by the National Federation of Independent Business, the employer mandate like the one included in ObamaCare could eliminate an additional 1.6 million jobs by 2014. ObamaCare is creating an environment in which employers are incentivized to reduce hours for their employees to go to part-time work. The supporters of ObamaCare are supporting a part-time work economy. We need a full-time work economy, and that's why we need to repeal ObamaCare.

It increases the Federal deficit. According to a January GAO report, ObamaCare will add 6.2 trillion to the deficit over the next 75 years. But, Mr. Speaker, I want to conclude with the story that illustrates why this really matters.

There's a lot of statistics about jobs and the economy and increased premiums and costs, but the real signature failure of this legislation is that it hurts patients, that it deprives the American people of the benefits of medical innovation. A hospital administrator told me in central Kentucky that we used to take care of patients, but we now take care of paper. Medical innovation is central to America's future economic growth and to delivering new lifesaving medical devices to patients. But the new medical device tax included in ObamaCare, which imposes a 2.3 percent tax on medical device

manufacturers, punishes medical innovation and prevents quality health care.

Families around the country know this all too well. In my own family, we saw this up close. Christmas Day 2012 could have been one of the worst days of our lives. Fortunately, it was the best day of our lives.

It happened when my mother called me that morning on Christmas morning and said, Andy, your father has had a fainting spell. I said, can I talk to him? So she got him on the phone. I said, Dad, how are you doing? He said, I need to drink a glass of water. I said, Well, stop drinking any more coffee. Calm down and give me a call if anything happens.

I got another call an hour later. This time, it was from my mother again. She said they were in the emergency room. My father had passed out a second time. So I rushed to the emergency room. I was greeted by the ER doctor. I said, What's going on, Doctor? He said, Well, we did an EKG, and here are the results. He showed me a flat line. He said, your father's heart is slowing down. I said, Doctor, what are we going to do about that? He said, Well, fortunately, we can put a pacemaker in your father.

An electrophysiologist came down to the ER, and he reassured us. He said, We can put a pacemaker in your father, and we can make him better. So he went in to get that pacemaker surgery. When he came out, he was recovering, and his life was saved because of that pacemaker technology.

Mr. Speaker, the American people, American families depend on the innovative, unbelievable technology that American entrepreneurship has created. But ObamaCare punishes that. And if it wasn't for that kind of medical innovation and technology, my father wouldn't be here today.

So I stand opposed to ObamaCare for all the reasons we've talked about here tonight, but, most importantly, because I credit the American free enterprise system for saving lives, and ObamaCare rolls that back. I certainly appreciate the leadership of the gentleman from Indiana for discussing the importance of this issue and the future of high-quality, innovative health care in America in the future.

Mr. MESSER. I thank the gentleman for his moving remarks. I thank all my colleagues for their remarks today. We're going to vote this week on repealing ObamaCare. That vote is more than symbolism. ObamaCare is wrecking this economy. ObamaCare is terrible for patient outcomes, and it needs to be repealed.

I yield back the balance of my time.

□ 2030

MAKE IT IN AMERICA

The SPEAKER pro tempore (Mr. PERRY). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I had intended to talk about this subject, rebuilding the American manufacturing sector, and I will. But I just heard the most remarkable 1-hour debate in my life—not a debate, but a whole slew of accusations and incorrect facts. I guess a fact shouldn't be incorrect. But I've never heard such gobbledygook and misstatements in my entire life.

The last one—I'm absolutely delighted the gentleman's father is healthy, but to think that a 2 percent tax on medical devices is somehow going to stop medical technology when those devices are extraordinarily profitable to these companies is just lunacy. I know nobody likes to pay taxes, and certainly the manufacturers of those devices don't want to have to pay a 2 percent tax. But come on, you think that's going to stop medical technology from advancing when there's so much profit in it? I don't think so.

Okay. Thirty-seven times now, 37 times this week the Republican majority is going to repeal the Affordable Health Care Act—37 times—when Americans are already benefiting from the Affordable Care Act. Is it that my friends who spoke here for the last hour want to tell every 22-year-old or 21-year-old in the entire Nation that they can no longer stay on their parents' health insurance? Because that's exactly what the repeal would do. Those young men and women who are counting on being able to have health insurance—no, repeal ends that part of the Affordable Health Care Act.

Are they to go out and tell 40 million Americans that they're not going to have health insurance at all? That's what the repeal of the Affordable Health Care Act will do, 40 million Americans. Are they to say that somehow this is costing more money to have an insurance policy where you can stay healthy, where you can get care before it becomes a crisis and wind up in an emergency room, that that's going to be cheaper when you repeal the Affordable Health Care Act? Sending people to the emergency room is going to be cheaper? What planet are you from? That's not the way it is. The most expensive care in the world is the emergency room, where somebody does not have the continuity of care that an insurance policy provides for them.

Or maybe they want to discriminate against women as existed before the Affordable Health Care Act. Every woman in this Nation faced insurance

discrimination, but the Affordable Health Care Act ends that discrimination.

And how many families out there, how many families out across America have a member of that family—or maybe many members of that family—that have some preexisting condition—high blood pressure, onset of diabetes, maybe some incident in their past? I will tell you, I was the insurance commissioner in California for 8 years, and I know exactly what the health insurance companies will do if the provisions that prevent insurance discriminations are eliminated with the bill that these gentlemen and ladies intend to take up later this week.

Insurance discrimination has harmed millions upon millions of Americans—many of whom came to me as insurance commissioner in California pleading for some justice in their insurance program. Justice was to be found at least in California because I knew that the insurance companies had an obligation and they had a contract. But you eliminate the Affordable Health Care Act and you'll see insurance discrimination reemerge in the United States in a way that will harm millions upon millions of Americans because they will not be able to get insurance. And if they did, they will have to pay far more simply because they are a woman.

Thirty-seven times. Thirty-seven times you've attempted to repeal the Affordable Health Care Act.

Seniors—every senior in this Nation that's on Medicare is able to get a free annual checkup. And ladies and gentlemen, you need to understand in your arguments that that free, affordable annual checkup has reduced the cost of medical care in Medicare programs. And the inflation rate in Medicare has come down since the Affordable Care Act has gone into effect.

The statistics you toss around about the extraordinary cost, you need to understand that we have been plagued by health care insurance inflation for decades. The Affordable Health Care Act has built into it the very first opportunity this Nation has had nationwide to bend the cost curve on health care, and we're seeing it happen today. We're seeing it happen today in the Medicare program because seniors are able to get prevention. They're able to get that drug that brings down their blood pressure, or the advice on how to deal with diabetes and avoid the extraordinary cost. Oh, yeah, 37 times repealing the Affordable Health Care Act.

You talk about jobs in America. Okay, let's talk about jobs in America. Let's talk about the fact that there's not been one significant piece of legislation out of this House since the beginning of this session to create jobs. President Obama stood here on this dais and talked about creating jobs, but this House has not brought forward one significant piece of legislation.

The President called for an infrastructure program—\$50 billion—to put people back to work, to create the infrastructure—the streets, the roads, the bridges, the water systems, the sanitation systems—not just to put people back to work, but to build the foundation for future economic growth.

So where is that legislation? Has it even been heard in one committee controlled by our friends in the opposition party? No. No. Well, we will take up a transportation act soon, but will there be adequate funding for infrastructure? Probably not. Probably not.

The President called for an American Jobs Act, not even heard in committee here. Americans want to go to work. They want jobs. They want to go to work, and we have a program on the Democratic side to do that.

We want to deal with the big problems facing this Nation. We want to deal with the fact that we have millions of people that want to work in America, and we have serious problems to solve.

We ought to put aside this business of repealing the Affordable Health Care Act. Change it? Yes. Make a reasonable change and let's talk about it. Make a proposal about how to make it better, and we'll talk about it; but we're not going to talk about repealing it. We're not going to go there.

Maybe we ought to go with some things that are really important. Maybe we ought to go with something that was in the news today.

It's been determined that for the first time in at least 3 million years the carbon dioxide in the Earth's atmosphere is over 400 parts per million. What does that mean? Climate change? Oh, yes. If you were in Los Angeles this last couple of days, you would have seen record-high temperatures in early May. Reports are coming out about firestorms this summer season. We've seen Superstorm Sandy, and around this world we've seen many super-environmental effects.

□ 2040

The scientists tell us that that climate change will bring more severe weather events and there will be disruptions in our food supply like the current drought in the Southwest. Four hundred parts per million; in the last 3 million years, the carbon dioxide in the atmosphere has never been that high.

Now, the good news is that this Nation, the strongest economic nation in the world, despite the inability of this House to get things done, we can solve the climate change problem, or at least lead; and in doing so, we can put people back to work.

Here's how it can be done: clean energy. Clean energy is spurring business development across this country and its future is very, very bright. Not a month goes by without some entrepreneur, a scientist, an inventor, coming to me with another idea about how

you can improve solar technologies, photovoltaic technologies. One just came up the other day, a very inspired way of doing it, perhaps two times more efficient, or one-and-a-half times more efficient than the current solar panels.

Companies are investing. U.S.-based venture capital investments in clean energy surged 30 percent from \$5.1 billion in 2010 to \$6.6 billion in 2011, and the trend continues. Jobs in the solar energy industry are in every State, and there are over 5,000 companies involved employing over 100,000 American workers. And wind energy, which is big in my district in Solano County, 75,000 people across this Nation, and many of them my own constituents.

There's great potential out there as we move from coal and oil, the energy of the previous two centuries, to the clean energies of the future. We'll see that in agriculture as we grow crops that can generate energy. We'll see it in geothermal. We'll see it in wave energy in our oceans. There's enormous potential. And the research that goes into this is also jobs.

Our colleagues on the majority side have attempted in the last year to reduce research for energy and agriculture. To what effect? Well, maybe they want to go to 500 parts per million carbon dioxide in the atmosphere. I don't think Americans want to go there. I don't think the people of the world want to go there. I don't think they want the calamity that will come.

There's many other ways this can be done. Yesterday, as part of our Make It in America agenda, I was in Sacramento, California, on the edge of my district and a remarkable event took place, an event that was actually caused by a piece of legislation that was passed here, the very first piece of legislation signed by President Obama in 2009. It was the stimulus bill, the much-maligned stimulus bill. They said it didn't work. Well, it did work, Mr. Speaker, and it is working today, and it's being made in America. Here's what the American Recovery Act is doing for Americans. Here's what the stimulus bill, in yet one more example of success, is doing for America.

This is the most advanced locomotive built in the world. It's built in Sacramento. The stimulus bill provided \$466 million for Amtrak to buy 70 advanced electric locomotives. And written into that bill was a sentence that said these locomotives must be American-made.

So, Siemens, a German company with large manufacturing facilities around the world, certainly in Germany and other countries on every continent except Antarctica, looked at that and said, 466 million? Hmmm. Made in America? We can do that.

They put a bid in. They went to their manufacturing plant in Sacramento that was previously manufacturing

light rail cars, set about building a new factory, and that new factory employs 200 people today. Yesterday, the first of 70 new locomotives rolled onto America's rail tracks and will soon be providing service on the Northeastern Corridor. Two hundred new direct jobs in Sacramento at the Siemens factory and hundreds around the Nation—it works.

The climate change issue here is very important. The advanced technology in this locomotive that has 9,000 horsepower has the ability to generate electricity when it slows down, when it brakes for curves or stations, putting back into the grid electricity that it consumed in its previous travel.

Make it in America. Use our Federal tax dollars to buy and to build American-made equipment and supplies and materials. That's precisely what Siemens is doing.

This is a success story. This is the kind of thing we should be talking about here on the floor of the House of Representatives. This is the kind of work we should be doing in our committees: putting Americans back to work, laying the infrastructure for the future growth of this country. But, oh, no, we are going to spend this week dealing with the 37th attempt to repeal the Affordable Care Act.

There's so much more to do. There's so much more to do here in America. Why don't we put our shoulder to the wheel of progress and provide a transportation bill that actually builds the infrastructure for this Nation, that provides these kinds of locomotives and train sets.

In the early days of the Civil War, Abraham Lincoln signed the Transcontinental Rail Act. Little known, but in that Rail Act was a provision, not just to build a rail line across America, but that all of the steel, all of the iron that was to be used in that line had to be American made. Made it in America, creating jobs, connecting the east to the west, 1862. And here we are all these decades later with the same idea: a new locomotive on American rails and American made.

I want to congratulate Siemens. I want to congratulate this German company that is here in America, is providing American jobs, and is providing the most advanced locomotive in the world, and they're building it in Sacramento, California.

So, what else can we do? What else can we do to provide jobs? There's so much. If we had listened to the President when he proposed to Congress the American JOBS Act, perhaps 2 million more Americans would be working today. Construction crews would be putting bridges and dams and levees and flood protection facilities, they would be building the infrastructure. And we would also be working on our energy systems.

□ 2050

The piece of legislation that I have introduced would require that tax subsidies for individuals and businesses that wanted to put up a wind turbine or a solar panel would only be available to them if they bought American-made equipment. Spend our tax money on American-made equipment made by Americans: a pretty simple thought. Abraham Lincoln must have had that thought, and the Congress in 1862 had that thought and passed a law that did it.

There is more that we can do.

When we passed the transportation bill, as we should this year or early next year, a new highway bill, we should put into it a proposal by Ranking Member RAHALL. That proposal said that the money in this bill will be spent on American-made concrete, steel, trucks, buses—putting Americans to work. The Democrats on that committee think that's a really good idea, and we hope our Republican colleagues agree and that we write into the transportation bill a very strong "buy America" provision so that Americans can have the jobs and so that we avoid the egregious and humiliating fact that the steel in much of the new Oakland-San Francisco Bay Bridge was not made by American steelworkers, not by American companies, but Chinese. It went out to bid. It was supposed to be 10 percent cheaper, so the Chinese company took the bid, built a new highly advanced steel mill, and sent faulty steel to San Francisco Bay, requiring even more expenditure.

So there are things we should learn from the history, and we will if we listen carefully, if we pay attention to what science is telling us about climate change, about the buildup of carbon dioxide in our atmosphere, and if we listen, then we must have the courage to act. I would pray for our children's future and their children's and their children's beyond that that this House of Representatives and the Senate have the courage to act decisively on the climate crisis, and that in the farm bill that we mark up tomorrow we take the opportunity to write into that farm bill serious conservation programs that conserve the Nation's forests and farmland and water and streams. I would hope that we would do that.

I would hope that this House would find the courage to take on the oil industry and the coal industry and move decisively to green energy systems and stop, slow down what is a terrible process underway of filling our atmosphere with ever-increasing levels of carbon dioxide. After all, it's about the next generations. My generation will soon be gone, and so will most of the Members of this House. It's the future generations that are going to face our apparent unwillingness and inability to attack the climate change problem. As

I said a moment ago, we can do it in a way that builds efficient transportation systems, like this locomotive that Siemens built in Sacramento, California, that builds green energy systems, renewable energy, low carbon dioxide-producing energy.

I've noticed that my colleague from Texas has joined us.

SHEILA JACKSON LEE, thank you so very much for joining us this evening. We've gone on here about the Affordable Care Act and how we ought to turn our attention to jobs for America, and I'm sure you have some thoughts on those subjects and others. Please join us.

Ms. JACKSON LEE. I want to thank my good friend from California for really framing the discussion tonight around, I think, the only theme that gives us the kind of positive agenda that puts Americans back to work. We know, as the economy collapsed, 12 million were out of work. We also know that we have steadily made an increase, but it's not where any of us would like to be.

I listened to the gentleman so eloquently and so effectively ask the simple question as to why are we again putting on the floor of the House a repeal of the Affordable Care Act, something that has not only been resoundingly embraced by many of our leaders and by the uninsured in our Nation who are looking forward to the opportunity to be insured, but in the last election, I think it was very clear that, in the affirmation of President Obama, 64 million-plus people voted for him, and an enormous, unequaled divide in the States supported him, and he made it clear that he wanted to ensure, on behalf of the American people, that there would be the coverage of working families.

Now, as he looks to implementation, we recognize that Members of Congress will be engaged in making it work right, but we also realize that the Affordable Care Act will provide more resources for health professionals, that it will establish more federally qualified health clinics, which will create more jobs, and that it will attack the dastardly number, my friend, Mr. GARAMENDI, of 28.4 percent uninsured, and of 6 percent uninsured in the State of Texas. Of course, our Governor sees fit to reject the expanded Medicaid.

I can't imagine why we have not embraced this agenda, which includes the idea of all of the above and of creating clean energy and manufacturing jobs, bringing solar energy back to the United States again, making solar panels. Certainly, I'm aware of the fact that any country will grab what it can grab, but the United States has the capacity to do solar energy. It has the capacity to build wind turbines. All we have to do is invest.

It has the opportunity, in actuality, to build submarines and to get back in

the shipbuilding business. I'm sure there are Members listening and saying, We've long left that business. No, I don't think so, because there is always a more technologically efficient, more effective, more swift, if you will, ship or submarine. You can always make it bigger and better, smaller and better. With the technological revolution, we also have the opportunity to raise the specter of manufacturing.

Of course, in the energy sector, where I come from, there is a whole array of opportunities as we utilize clean natural gas. That is making the manufacturing opportunities grow grander and grander, and I truly believe that we will find a common balance between natural gas producers and the manufacturers who need to use clean energy. Let me also say that the housing market is booming, and I am delighted to stand here and say that that is creating jobs, and many of these homes are being built on the basis of clean energy. H.R. 1524 is a bill that speaks to this issue.

I don't know why we are spending our time, 3 days, on the floor. I know that they will be in the Rules Committee tomorrow, and I will have a number of amendments that I hope to be introducing that hopefully speak to the issue of the utilization of expanded Medicaid for States that have 20 percent-plus of uninsured, the idea of ensuring that we include the right kind of Medicare reimbursement. These are issues that can go in regular order, but yet we are spending the Nation's time, dollars, and resources to be on the floor when we could be putting forward tax reform.

Many of us want to work on tax incentives for small businesses, the backbone of the economic engine of this country. My friends—I call them all my friends; I want small businesses to be paying attention—you are our friends. You create jobs. You stay the course.

□ 2100

Just today, I was listening to an individual in the ravaged area of Hurricane Sandy, and she was saying she has six restaurants. She was complaining that we had not done what we were supposed to do. Obviously you remember they stalled the compensation for those souls in that eye of the storm. We waited and our friends, the Republicans, wouldn't let the money out. She is a victim of that. She said I have six restaurants and some of the ones I cook in. But just give her, in addition to the compensation from FEMA which is overdue, give her a tax structure that can help her grow her business and pass legislation that gives incentives for hiring the unemployed. That's what should be on the floor of the House as we approach all of the excitement of graduation, when young people will be coming out of college doors, looking

for the opportunity that America has always promised when they say we all are created equal.

I'll be going to a number of graduations. I know I will. You'll be speaking at graduations. What will you be saying to them? That America is a land of opportunity, yet we pound day after day after day after day, month after month, year after year on a bill that has been passed, signed into law and is being implemented, where physicians and researchers are saying thank you for the Affordable Care Act. For the items we have to fix, let's fix them together.

So I came to the floor to just say that I want to join the chorus of getting to work; I want to join the chorus of creating jobs. In fact, I want to join the chorus of putting our heads together and creating a summer youths' job program for the young people, high school students that are coming out in the middle of their high school years. We always used to be able to find work. No one cannot tell me that when we did it in 2009, the first year of President Obama's administration, it was a grand and exciting—it was not an experiment, but a grand and exciting response to all those young people who were in the high schools preparing to go to college.

Let me finish by saying this and just throw a little something on the table just to say that if we want to work, let's move toward immigration reform. That is another job creator and one that answers the questions of America's businesses. Let's do that. If we want to work—of course, I know I'll see a couple of my friend running out the door, but we can find sensible gun legislation. But I'll just say that if nothing else, can we get something that says store your guns?

Over the last weeks, we've been seeing people leave guns around and do this. So could you do that? Could you just have a simple—H.R. 65 says to hold people responsible for storing their guns.

I want to thank my friend for your leadership. It has been a persistent and pronounced leadership that I've been delighted to join you on. And I want to thank our leader, NANCY PELOSI, for her pointedness about can we get to work and her rising leadership, if you will, in the backdrop of the tenor that she had as Speaker to be able to get things done. And, of course, all the leadership, including the leading spokesperson for Make It in America, our friend, STENY HOYER, and I must mention all of our leaders, Mr. CLYBURN, Chairman BECERRA, and our vice chair in Mr. CROWLEY, along with our committee ranking members.

But our message has been that we can do all of the fussing; we can fix the IRS; we can talk about issues that are occurring with leaks. That's our job. We understand that. But it is not our

job to come back over and over again and revive a bill that is the law of the land not only by the vote of the United States Congress, but by the United States Supreme Court. What more do we need to answer that question?

So I hope to accomplish this in partnership with the gentleman. We're writing legislation, as well. Let me throw one other point in there. We joined in on some legislation about doing human exploration again. That creates jobs, as well. It builds the Orion that's on the books right now that is getting ready to be built. There are so many things we can do together bipartisan. And I want to thank the gentleman for his leadership.

Mr. GARAMENDI. SHEILA JACKSON LEE, thank you so very much. You are a leader in all of these issues. You've often and almost always present these issues to the American people on the floor of the House, and you do it with passion and knowledge.

There was an hour spent earlier by our colleagues about the 37th time that they're going to attempt to repeal the Affordable Health Care Act. It reminded me that they also have a piece of legislation to end Medicare as we know it. If you go back to when Medicare was put in place in the sixties, 1964, 1965, the Republican Party opposed it then and have often, through those years, to this date, attempted in various ways to eviscerate or to end it as we know it. Apparently they're going to try to do the same thing with the Affordable Health Care Act. It is such a waste of time because these programs are so fundamental to our ability to survive. This is health care for Americans and spreading that opportunity out.

It's a long discussion. We've had that discussion on the floor for many days. What we really ought to be focusing on is putting Americans back to work. This piece of legislation is one of about 30 pieces of legislation that's put in by the Democratic Caucus. This is mine. It deals with your tax money. It simply says that it's going to be spent on American-made clean energy, solar panels, wind turbines and the like. It's not a bad idea to spend your tax money on American-made equipment, American jobs, American businesses.

There's another bill that I have dealing with the transportation system. It's the same thing. That bill is now finding its way into the rewrite of the highway transportation program, the transportation bill; and hopefully it will be there. It's a very strong buy-American provision for our buses, our trains, our light rail, locomotives and steel and concrete for bridges.

We've got a lot of work to do in America. We've got a lot of work and a lot of need; and this House ought to be spending its time on that.

We'll take another night and we'll go into the tax policy side of this, which

there is a lot to be said about changing our taxes to encourage manufacturing. Some of that has been done. I'll leave the one example that 2 years ago when the Democrats controlled this House, we eliminated about \$12 billion of tax breaks that American companies received for shipping American jobs overseas. We put a stop to that. There's about another \$5 billion that needs to be done, but we no longer control this House. But we ought to bring those jobs back home. We ought to flip that over and give a tax break for reshoring, bringing the jobs back to America.

That's another night's discussion. We'll take that up in another evening. But for tonight, it's about putting Americans back to work. It's about focusing the attention of this Chamber, the 435 of us, on what we really need in this country, which is a very strong and growing economy.

We've seen progress every quarter since the beginning of 2010. Every quarter we've seen private sector employment grow. We're not where we ought to be. We have more work to do. And when we finally rebuild the American manufacturing sector, when once again we make it in America, Americans are going to make it.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mrs. ELLMERS (at the request of Mr. CANTOR) for today on account of family matters.

Mr. CLYBURN (at the request of Ms. PELOSI) for today and for the balance of the week.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2013 BUDGET RESOLUTION

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to sections 401 and 503 of House Concurrent Resolution 112 (112th Congress), the Concurrent Resolution on the Budget for Fiscal Year 2013, deemed to be in force by House Resolution 614 (112th Congress), House Resolution 643 (112th Congress), and House Resolution 5 (113th Congress), I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget aggregates and allocations set forth pursuant to this concurrent resolution on the budget for fiscal year 2013, as deemed in force.

These revisions are provided for the consideration of H.R. 45, a bill to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010. A corresponding table is attached. These adjustments are made for the purposes of sections

302 and 311 of the Congressional Budget Act of 1974, and other budgetary enforcement provisions.

House Concurrent Resolution 112 included the budget impact of repealing the Patient Protection and Affordable Care Act (P.L. 111-148) and the Health Care and Education Reconciliation Act of 2010 (P.L. 111-152) in its aggregates and allocations.

For enforcement purposes, however, section 101 of this concurrent resolution set the revenue aggregate at the baseline level estimated by the Congressional Budget Office. Sections 401 and 503 of the concurrent resolution on the budget provided for downward adjustments for the consideration of certain specified policies, among these is the repeal of these public laws.

BUDGET AGGREGATES
(On-budget amounts, in millions of dollars)

	Fiscal Year	
	2013	2013-2022
Current Aggregates:		
Budget Authority	2,799,329	(1)
Outlays	2,891,863	(1)
Revenues	2,089,540	28,957,333
A bill to repeal the Patient Protection and Affordable Care Act and the health care-related provisions in the Health Care and Education Reconciliation Act of 2010 (H.R. 45):		
Budget Authority	0	(1)
Outlays	0	(1)
Revenues	-34,000	-896,000
Revised Aggregates:		
Budget Authority	2,799,329	(1)
Outlays	2,891,863	(1)
Revenues	2,055,540	28,061,333

¹ Not applicable because annual appropriations acts for fiscal years 2014 through 2022 have yet to be considered by Congress.

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 15, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1465. A letter from the Management Analyst, Department of Agriculture, transmitting the Department's final rule — United States Standards for Wheat (RIN: 0580-AB12) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1466. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Updates to the List of Plant Inspection Stations [Docket No.: APHIS-2012-0099] received April 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1467. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Gypsy Moth Generally Infested Areas; Additions in Wisconsin [Doc. No.: APHIS-2012-0075] received April 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1468. A letter from the Administrator Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Community Programs Guaranteed Loans (RIN: 0575-AC92) received May 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1469. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Recordkeeping for Approved Livestock Facilities and Slaughtering and Rendering Establishments [Docket No.: APHIS-2007-0039] (RIN: 0579-AC61) received May 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1470. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Liquidity and Funding (RIN: 3052-AC54) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1471. A letter from the Secretary, Department of Defense, transmitting Annual Report on the Activities of the Western Hemisphere Institute for Security Cooperation (WHINSEC) for 2012; to the Committee on Armed Services.

1472. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's 2013 Report to Congress on Sustainable Ranges; to the Committee on Armed Services.

1473. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Carol M. Pottenger, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1474. A letter from the Chairman of the Joint Chiefs of Staff, Department of Defense, transmitting the 2012 report on vulnerability assessments; to the Committee on Armed Services.

1475. A letter from the Secretary, Department of Health and Human Services, transmitting the thirty-third annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and the Workforce.

1476. A letter from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities: Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) — College Savings Account Research Demonstration Project [CFDA Number: 84.334D.] received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1477. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 1, 2, 15, 74, 78, 87, 90, and 97 of the Commissions Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (WRC-07), Other Allocation Issues, and Related Rule Updates [ET Docket No. 12-338] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1478. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Reassessment of Federal Com-

munications Commission Radiofrequency Exposure Limits and Policies; Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields [ET Docket No.: 13-84] [ET Docket No.: 13-137] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1479. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Regulatory Issue Summary 2013-04 Content Specification and Shielding Evaluations for Type B Transportation Packages received May 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1480. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the nineteenth quarterly report on the Afghanistan Reconstruction; to the Committee on Foreign Affairs.

1481. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the System's Semiannual Report to Congress for the six-month period ending March 31, 2013, as required by the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1482. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the semi-annual report on the activities of the Office of Inspector General for the period October 1, 2012 to March 31, 2013; to the Committee on Oversight and Government Reform.

1483. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting Statement of Disbursements Of The U.S. Capitol Police For The Period October 1, 2012 through March 31, 2013; (H. Doc. No. 113—24); to the Committee on House Administration and ordered to be printed.

1484. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's Thirty-Fifth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

1485. A letter from the Chair, United States Sentencing Commission, transmitting the Commission's amendments to the federal sentencing guidelines, policy statements, and official commentary, together with the reasons for the amendments, pursuant to 28 U.S.C. 994(o); to the Committee on the Judiciary.

1486. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the 2012 Annual Progress Report on the National Strategy for Transportation Security; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 180. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty (Rept. 113-54). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 767. A bill to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project; with an amendment (Rept. 113-55). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 573. A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa (Rept. 113-56). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 356. A bill to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes" (Rept. 113-57). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Mr. LIPINSKI, Mr. PITTS, Mr. FLEMING, Mrs. ROBY, Mrs. BLACKBURN, Mr. JONES, Mr. BUCHANAN, Mr. FRANKS of Arizona, Mr. ROGERS of Alabama, Mr. FLORES, Mr. FLEISCHMANN, Mr. BOUSTANY, Mr. DUNCAN of South Carolina, Mr. FINCHER, Mr. CARTER, Mr. WESTMORELAND, Mr. GARRETT, Mr. PEARCE, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. POE of Texas, Mr. GOODLATTE, Mr. BENTIVOLIO, Mr. HARPER, Mr. SCHWEIKERT, Mr. WILSON of South Carolina, Mr. SCALISE, Mr. WOODALL, Mr. STUTZMAN, Mr. HUIZENGA of Michigan, Mr. WENSTRUP, Mrs. BACHMANN, Mr. AMASH, Mr. SHIMKUS, Mr. LAMALFA, Mr. WALBERG, Mr. BRADY of Texas, Mrs. BLACK, Mr. HUELSKAMP, Mr. CASSIDY, Mr. GOWDY, Mr. MEADOWS, Mr. FORTENBERRY, Mr. WOLF, Mr. BRIDENSTINE, Mr. SALMON, Mr. KING of Iowa, Mr. GINGREY of Georgia, Mr. HOLDING, Mrs. ELLMERS, Mr. LONG, Mr. SESSIONS, Mr. MARINO, Ms. ROS-LEHTINEN, Mr. CONAWAY, Mr. POMPEO, Mr. LAMBORN, Mr. KELLY of Pennsylvania, Mr. JOHNSON of Ohio, Mr. JORDAN, Mr. GUTHRIE, Ms. FOX, Mr. HULTGREN, Mr. MESSER, Mr. ROYCE, Mr. BROUN of Georgia, Mr. GIBBS, Mr. THORNBERRY, Mr. ADERHOLT, Mr. RAHALL, Mr. ROGERS of Michigan, Mr. MULVANEY, Mrs. HARTZLER, Mrs. WAGNER, Mr. ALEXANDER, Mr. LANKFORD, Mr. HARRIS, Mrs. WALORSKI, Mr. OLSON, Mr. ROTHFUS, Mr. BARTON, Mr. DUFFY, Mr. SMITH of Nebraska, Mr. NUGENT, Mr. BURGESS, Mr. WOMACK, Mr. RODNEY DAVIS of Illinois, Mr. BACHUS, Mr. KLINE, Mr. BENISHEK, Mr. SOUTHERLAND, Mr. MILLER of Florida, Mr. STEWART, Mr. MCKINLEY, and Mr. YODER):

H.R. 7. A bill to prohibit taxpayer funded abortions; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H.R. 1958. A bill to prohibit wholesalers from purchasing prescription drugs from pharmacies, and to enhance information and transparency regarding drug wholesalers engaged in interstate commerce; to the Committee on Energy and Commerce.

By Mr. OLSON (for himself, Mr. COSTA, Mr. POE of Texas, Mr. GENE GREEN of Texas, Mr. CUELLAR, Mr. CRAWFORD, Mr. HALL, Mr. COLE, Mr. FARENTHOLD, Mr. GRIFFIN of Arkansas, Mr. FLORES, Mr. BARTON, Mr. SCHRADER, Mr. VELA, Mr. WELCH, Mr. MARINO, and Mr. NEUGEBAUER):

H.R. 1959. A bill to amend the Renewable Fuel Program in section 211(o) of the Clean Air Act to allow domestic alternative fuel to be used to satisfy a portion of the required applicable volume of renewable fuel; to the Committee on Energy and Commerce.

By Mr. MCKEON (for himself and Mr. SMITH of Washington) (both by request):

H.R. 1960. A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

By Mr. CHABOT (for himself, Mr. CLAY, Mr. WENSTRUP, and Mr. MASSIE):

H.R. 1961. A bill to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas:

H.R. 1962. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

By Mr. DAINES:

H.R. 1963. A bill to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington (for himself and Mr. YOUNG of Alaska):

H.R. 1964. A bill to amend the Naval Petroleum Reserves Production Act of 1976 to direct the Secretary of the Interior to conduct an expeditious program of competitive leasing of oil and gas in the National Petroleum Reserve in Alaska, including at least one lease sale in the Reserve each year in the period 2013 through 2023, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 1965. A bill to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H.R. 1966. A bill to establish a visa waiver program for the United States Virgin Islands; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself and Mr. SCOTT of Virginia):

H.R. 1967. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to expand the cause of action relating to the pattern or practice of conduct by a governmental authority that deprives a person of rights protected by the Constitution to such conduct relating to adults as well as juveniles; to the Committee on the Judiciary.

By Mr. ENGEL:

H.R. 1968. A bill to direct the Secretary of Energy to establish a pilot program to award grants and loan guarantees to hospitals to carry out projects for the purpose of reducing energy costs and increasing resilience to improve security; to the Committee on Energy and Commerce.

By Mr. FITZPATRICK (for himself, Mr. GRIMM, Mr. KEATING, Mr. KING of New York, Mr. NUGENT, Mr. PETERS of Michigan, and Ms. SCHWARTZ):

H.R. 1969. A bill to increase Federal Pell Grants for the children of fallen police officers, firefighters, and other public safety officers; to the Committee on Education and the Workforce.

By Mr. GOHMERT:

H.R. 1970. A bill to direct the Secretary of the Treasury to ensure that social security benefits are paid, to prioritize payments when the United States is not able to issue new obligations due to the statutory debt limit, and to address a lapse in appropriations to fund the Armed Forces; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLINE (for himself and Mr. THORNBERRY):

H.R. 1971. A bill to direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime; to the Committee on Armed Services.

By Mrs. LUMMIS (for herself, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. PEARCE, Mr. STEWART, Mr. CRAMER, Mr. BEN RAY LUJÁN of New Mexico, and Mr. TIPTON):

H.R. 1972. A bill to amend the Mineral Leasing Act to require the Secretary of the Interior to convey to a State all right, title, and interest in and to a percentage of the amount of royalties and other amounts required to be paid to the State under that Act with respect to public land and deposits in the State, and for other purposes; to the Committee on Natural Resources.

By Mr. MULVANEY:

H.R. 1973. A bill to permit business development companies to increase investments in small-and middle-market financial services companies and investment advisors; to the Committee on Financial Services.

By Mr. MURPHY of Florida (for himself, Mr. MULVANEY, Ms. CHU, Mr. COFFMAN, Mr. DEUTCH, Mr. KING of New York, Mr. PAYNE, Mr. NUNNELEE, and Mr. RICHMOND):

H.R. 1974. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. NADLER (for himself, Mrs. CAROLYN B. MALONEY of New York,

Ms. SPEIER, Mrs. DAVIS of California, Ms. FUDGE, Ms. HAHN, Ms. WILSON of Florida, Mr. MORAN, Mr. JOHNSON of Georgia, Mr. CICILLINE, Mr. CONYERS, Mr. ELLISON, Ms. PINGREE of Maine, Mr. BRADY of Pennsylvania, Mr. GRIMALVA, Mr. SERRANO, Mr. SCHIFF, Ms. SHEA-PORTER, Mr. BISHOP of New York, Mr. TAKANO, Mr. LANGEVIN, Ms. BROWNLEY of California, Mr. GUTERREZ, Ms. CLARKE, Ms. SCHA-KOWSKY, Mrs. LOWEY, Mr. HOLT, Mr. PAYNE, Mr. TIERNEY, Mr. CUMMINGS, Ms. LEE of California, Mr. HIGGINS, Mr. DINGELL, Mr. DANNY K. DAVIS of Illinois, Mr. CARSON of Indiana, Mrs. NAPOLITANO, Mr. TONKO, Mr. LEVIN, Ms. KAPTUR, Mr. CÁRDENAS, Ms. ESTY, Ms. BROWN of Florida, Mr. RANGEL, Ms. MOORE, Ms. MCCOLLUM, Ms. WASSERMAN SCHULTZ, Ms. TSONGAS, Ms. NORTON, Ms. EDWARDS, Ms. DEGETTE, Mr. LARSEN of Washington, Ms. BONAMICI, Mr. COHEN, Mr. CROWLEY, Ms. SCHWARTZ, Mr. WAXMAN, Mr. BLUMENAUER, Ms. LINDA T. SÁNCHEZ of California, Mr. HASTINGS of Florida, Mr. DEUTCH, Mr. FARR, Mr. GEORGE MILLER of California, Ms. SLAGHTER, Mr. COURTNEY, Mr. PASCRELL, Mr. ENGEL, Ms. DELBENE, Mrs. CAPPAS, Mr. CARTWRIGHT, Mr. MCGOVERN, Mr. CAPUANO, Mr. PERLMUTTER, Mrs. CHRISTENSEN, Ms. CHU, Ms. DELAURO, Mr. FATTAH, Ms. WATERS, Mr. RYAN of Ohio, Mr. POCAN, Mr. HUFFMAN, Ms. MATSUI, and Mr. PETERS of Michigan):

H.R. 1975. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE of Maine (for herself, Ms. MOORE, Ms. ROYBAL-ALLARD, Mr. MICHAUD, Ms. NORTON, Mr. ELLISON, Mr. GRIMALVA, and Mr. KEATING):

H.R. 1976. A bill to amend title XIX of the Social Security Act to provide access to certified professional midwives for women enrolled in the Medicaid program; to the Committee on Energy and Commerce.

By Mr. POLIS:

H.R. 1977. A bill to establish an alternative accountability model; to the Committee on Education and the Workforce.

By Ms. SCHWARTZ (for herself and Mr. KIND):

H.R. 1978. A bill to amend the Internal Revenue Code of 1986 to repeal the phasedown of the credit percentage for the dependent care tax credit; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. HOLT, and Ms. LEE of California):

H.R. 1979. A bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013-2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks

through the discount window operated by the Federal Reserve System, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WALZ (for himself, Mr. DENHAM, Mr. JONES, Ms. FRANKEL of Florida, Mr. BARBER, Ms. ESTY, Ms. KUSTER, and Mr. O'ROURKE):

H.R. 1980. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from requesting additional medical examinations of veterans who have submitted sufficient medical evidence provided by non-Department medical professionals and to improve the efficiency of processing certain claims for disability compensation by veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. POCAN (for himself, Mr. ELLISON, Mr. CLAY, Ms. EDWARDS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. MCGOVERN, and Ms. SCHKOWSKY):

H.J. Res. 44. A joint resolution proposing an amendment to the Constitution of the United States regarding the right to vote; to the Committee on the Judiciary.

By Mr. BRIDENSTINE (for himself and Mr. O'ROURKE):

H.J. Res. 45. A joint resolution proposing an amendment to the Constitution of the United States granting Congress the authority to enact laws limiting the number of terms that Representatives and Senators may serve; to the Committee on the Judiciary.

By Ms. MCCOLLUM (for herself, Ms. SPEIER, Ms. KAPTUR, Ms. WILSON of Florida, Mr. RYAN of Ohio, Ms. LEE of California, Mr. RANGEL, Mrs. NAPOLITANO, Ms. JACKSON LEE, and Ms. SINEMA):

H. Res. 213. A resolution establishing the Special Committee on Sexual Assault and Abuse in the Armed Forces to conduct oversight, ensure accountability, and report on the activities of the Department of Defense to prevent, reduce, prosecute, and provide victims' services for cases of sexual assault and abuse in the Armed Forces; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of New Jersey:

H.R. 7.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8 of the Constitution.

By Mr. CUMMINGS:

H.R. 1958.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. OLSON:

H.R. 1959.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. (Necessary and Proper Regulations to Effectuate Powers)

By Mr. MCKEON:

H.R. 1960.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. CHABOT:

H.R. 1961.

Congress has the power to enact this legislation pursuant to the following:

This legislation is enacted by Congressional Authority expressed in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POE of Texas:

H.R. 1962.

Congress has the power to enact this legislation pursuant to the following:

1st Amendment to the US Constitution.

By Mr. DAINES:

H.R. 1963.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States

By Mr. HASTINGS of Washington:

H.R. 1964.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. LAMBORN:

H.R. 1965.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mrs. CHRISTENSEN:

H.R. 1966.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. DEUTCH:

H.R. 1967.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. ENGEL:

H.R. 1968.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. FITZPATRICK:

H.R. 1969.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. GOHMERT:

H.R. 1970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the U.S. Constitution sets forth the power of appropriations and states that "No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law. . . ."

In addition, Article I, Section 8, Clause 1 states that "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ."

Also, Article I, Section 8, Clauses 12 and 13 states that Congress shall have power "to raise and support Armies. . . ." and "to provide and maintain a Navy."

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds and pay U.S. debt in order to ensure that U.S. servicemembers will not lose pay.

By Mr. KLINE:

H.R. 1971.

Congress has the power to enact this legislation pursuant to the following:

This legislation ensures that the Secretary of Defense provides retired military veteran beneficiaries who live beyond 100 miles of a Military Treatment Facility, an opportunity to retain access to TRICARE Prime. Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mrs. LUMMIS:

H.R. 1972.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MULVANEY:

H.R. 1973.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MURPHY of Florida:

H.R. 1974.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, which states that Congress shall have the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. NADLER:

H.R. 1975.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of section 8 of Article I of the Constitution and section 5 of Amendment XIV to the Constitution.

By Ms. PINGREE of Maine:

H.R. 1976.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POLIS:

H.R. 1977.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. SCHWARTZ:
H.R. 1978.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. TIERNEY:
H.R. 1979.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. WALZ:
H.R. 1980.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18
The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POCAN:
H.J. Res. 44.
Congress has the power to enact this legislation pursuant to the following:
Article V of the U.S. Constitution.

By Mr. BRIDENSTINE:
H.J. Res. 45.
Congress has the power to enact this legislation pursuant to the following:
Article V of the United States Constitution, which grants Congress the authority to propose Constitutional amendments.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 3: Mr. FARENTHOLD.
- H.R. 27: Mr. RAHALL, Ms. FRANKEL of Florida, Mr. JOHNSON of Georgia, and Mr. VIS-CLOSKY.
- H.R. 38: Mr. KINGSTON.
- H.R. 45: Mr. WILSON of South Carolina, Mr. GUTHRIE, Mr. LANKFORD, Ms. JENKINS, Mr. MILLER of Florida, Mr. STOCKMAN, Mr. GOWDY, Mr. SMITH of Texas, Mr. BENISHEK, Mr. HURT, Mrs. WALORSKI, Mr. REED, Mrs. ELLMERS, Mr. CALVERT, Ms. GRANGER, Mrs. MILLER of Michigan, and Mr. BONNER.
- H.R. 104: Mr. MCKINLEY.
- H.R. 124: Mr. LATTA, Mr. WELCH, Mr. CONYERS, Ms. CLARKE, Mr. HONDA, Ms. FOX, and Mr. COFFMAN.
- H.R. 164: Ms. ESHOO, Mr. CRAMER, Mr. RADEL, Mr. SCHIFF, and Ms. JENKINS.
- H.R. 176: Mr. HUELSKAMP.
- H.R. 182: Ms. KUSTER.
- H.R. 184: Mr. LANCE.
- H.R. 207: Mr. AUSTIN SCOTT of Georgia, Mr. PETERSON, Mr. FORBES, and Mr. SOUTHERLAND.
- H.R. 241: Mr. POSEY and Mr. STIVERS.
- H.R. 271: Mrs. ELLMERS.
- H.R. 301: Mr. CRAMER.
- H.R. 322: Mr. GINGREY of Georgia.
- H.R. 324: Mr. DELANEY.
- H.R. 351: Mr. GRAVES of Georgia, Mr. KINZINGER of Illinois, Mr. DUFFY, Mrs. WALORSKI, Mr. RIGELL, and Mr. BARBER.
- H.R. 358: Mr. THOMPSON of Pennsylvania.
- H.R. 400: Mr. GARAMENDI.
- H.R. 419: Mr. VEASEY.
- H.R. 447: Mr. ROGERS of Michigan.
- H.R. 451: Ms. FRANKEL of Florida.
- H.R. 471: Mr. FITZPATRICK and Mr. MICHAUD.
- H.R. 494: Mr. LUETKEMEYER, Mr. BISHOP of New York, Mr. YOUNG of Alaska, Mr. HURT, Mr. MEADOWS, Mrs. WAGNER, and Mr. YARMUTH.

- H.R. 495: Mr. RUSH, Mr. WATT, Mr. WILSON of South Carolina, Ms. JACKSON LEE, Mr. WEBSTER of Florida, Mr. NEAL, Mr. COLLINS of New York, Mr. BISHOP of New York, Mr. YOUNG of Indiana, Mr. SWALWELL of California, Mrs. BLACK, Mr. GARCIA, Mr. GUTHRIE, Mr. SESSIONS, Ms. FUDGE, Mr. REICHERT, and Mr. BILIRAKIS.
- H.R. 508: Ms. GABBARD and Mr. LANCE.
- H.R. 535: Mr. ELLISON, Mr. HUFFMAN, Mr. MAFFEI, Mr. LOESACK, and Mr. GARAMENDI.
- H.R. 565: Ms. WILSON of Florida.
- H.R. 620: Mr. GRIJALVA and Mr. HASTINGS of Florida.
- H.R. 627: Ms. SEWELL of Alabama.
- H.R. 664: Mrs. LOWEY and Mr. RUSH.
- H.R. 671: Ms. MCCOLLUM and Mr. LATHAM.
- H.R. 685: Mr. CARSON of Indiana and Mr. LAMBORN.
- H.R. 693: Ms. KUSTER.
- H.R. 702: Ms. SHEA-PORTER, Mr. PETERSON, Mr. SWALWELL of California, Mr. ISRAEL, and Mr. BISHOP of Georgia.
- H.R. 713: Mr. GRIJALVA, Mr. HINOJOSA, Mr. TERRY, Mr. TONKO, Ms. BONAMICI, Mr. BEN RAY LUJÁN of New Mexico, Mr. BARBER, Mr. ISRAEL, and Mr. LATHAM.
- H.R. 721: Mr. PETERSON, Mr. GIBSON, Mr. RUNYAN, Mr. TURNER, Mr. LARSEN of Washington, and Mr. GRAVES of Georgia.
- H.R. 761: Mr. MEADOWS.
- H.R. 763: Mr. CHABOT, Mr. SIMPSON, Mrs. HARTZLER, Mr. GIBSON, Mr. MCHENRY, Mr. ROYCE, Mr. NUGENT, Mr. ROGERS of Alabama, Mrs. WALORSKI, Mr. PERRY, Mr. HULTGREN, Mr. RUNYAN, Mr. BARBER, and Mrs. BACHMANN.
- H.R. 769: Mr. DOYLE.
- H.R. 811: Mr. FITZPATRICK.
- H.R. 846: Mr. FLEISCHMANN, Mr. GRAVES of Georgia, Mr. JONES, Mr. SARBANES, Mr. RUPPERSBERGER, Mr. SCHWEIKERT, Ms. PINGREE of Maine, Mr. SENSENBRENNER, and Mr. HUFFMAN.
- H.R. 847: Mr. PETRI.
- H.R. 850: Mr. MCINTYRE and Mr. SMITH of Nebraska.
- H.R. 851: Mr. CAPUANO.
- H.R. 855: Mr. HORSFORD.
- H.R. 877: Mr. GIBSON.
- H.R. 888: Mr. DENT, Mr. GRIFFIN of Arkansas, and Mr. RENACCI.
- H.R. 901: Mr. TERRY, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. CONAWAY, MR. LONG, and Ms. BORDALLO.
- H.R. 903: Mr. MARCHANT and Mr. BURGESS.
- H.R. 904: Mr. KILMER and Mr. LANCE.
- H.R. 914: Mr. BRIDENSTINE.
- H.R. 920: Mrs. KIRKPATRICK and Mr. HORSFORD.
- H.R. 924: Ms. FUDGE and Mr. HASTINGS of Florida.
- H.R. 940: Mr. BISHOP of Utah, Mr. ROGERS of Michigan, Mr. BARTON, Mr. CALVERT, and Ms. JENKINS.
- H.R. 946: Mr. WOMACK, Mr. CONAWAY, Mr. CHAFFETZ, Mr. GARRETT, Mr. CAMPBELL, Mr. CULBERSON, and Mr. BROOKS of Alabama.
- H.R. 957: Mr. WEBER of Texas.
- H.R. 958: Mr. MCGOVERN, Mrs. MCCARTHY of New York, and Mr. MARKEY.
- H.R. 961: Mr. CLEAVER and Mr. PIERLUISI.
- H.R. 981: Mr. GARAMENDI.
- H.R. 983: Mr. BROUN of Georgia and Mr. BENTIVOLIO.
- H.R. 1009: Mr. PETERSON, Mrs. MCCARTHY of New York, and Mr. LOESACK.
- H.R. 1015: Mr. PETERSON, Mr. NADLER, and Mr. FOSTER.
- H.R. 1020: Mr. RODNEY DAVIS of Illinois, Mr. REICHERT, Mr. COBLE, Mr. PRICE of Georgia, Mr. ALEXANDER, and Mr. GRAVES of Georgia.
- H.R. 1024: Mr. GARDNER and Mr. KING of New York.

- H.R. 1070: Mr. BERA of California, Mr. BACHUS, Mr. TAKANO, and Mr. MARKEY.
- H.R. 1074: Mr. VELA and Mr. CULBERSON.
- H.R. 1078: Mr. DUNCAN of Tennessee.
- H.R. 1093: Ms. WATERS, Mrs. BUSTOS, Mr. RUIZ, and Mr. MCDERMOTT.
- H.R. 1129: Mr. MURPHY of Florida, Mr. STOCKMAN, Mr. AMODEI, and Mr. LONG.
- H.R. 1138: Ms. CHU.
- H.R. 1141: Mr. VELA.
- H.R. 1148: Mr. RUPPERSBERGER.
- H.R. 1155: Mr. CLAMBELL, Mr. FARENTHOLD, Mr. REICHERT, Mr. JORDAN, Mr. PETERSON, and Mr. CARNEY.
- H.R. 1176: Mr. JONES.
- H.R. 1199: Ms. KAPTUR, Mrs. BUSTOS, Mr. PASTOR of Arizona, Ms. ESTY, and Ms. SINEMA.
- H.R. 1201: Mr. KILMER.
- H.R. 1209: Ms. SINEMA and Mr. COURTNEY.
- H.R. 1213: Ms. SLAUGHTER.
- H.R. 1249: Mr. BUCSHON and Mr. MICHAUD.
- H.R. 1250: Mr. COSTA, Mr. PETERSON, and Mr. JOHNSON of Ohio.
- H.R. 1277: Mr. ROKITA.
- H.R. 1281: Mr. BERA of California and Mr. WALDEN.
- H.R. 1285: Mr. SWALWELL of California, Ms. SCHAKOWSKY, and Mr. LIPINSKI.
- H.R. 1286: Mr. BERA of California.
- H.R. 1292: Mr. BENTIVOLIO.
- H.R. 1313: Mr. GARDNER and Mr. NOLAN.
- H.R. 1317: Mr. PETERSON.
- H.R. 1331: Mr. KINGSTON.
- H.R. 1344: Mr. SWALWELL of California and Mr. PRICE of Georgia.
- H.R. 1354: Mr. BISHOP of New York.
- H.R. 1362: Mr. FITZPATRICK.
- H.R. 1413: Mr. VARGAS.
- H.R. 1414: Mr. BEN RAY LUJÁN of New Mexico, Mr. VARGAS, and Mrs. CAPPS.
- H.R. 1417: Mr. BENTIVOLIO.
- H.R. 1418: Mr. PAYNE and Mr. GARAMENDI.
- H.R. 1427: Mr. PETERSON.
- H.R. 1428: Mr. CONNOLLY, Mrs. LOWEY, Mr. BONNER, and Mr. HURT.
- H.R. 1449: Mr. CRAMER.
- H.R. 1481: Mr. BUCSHON.
- H.R. 1485: Mr. PASCRELL and Mr. ROONEY.
- H.R. 1491: Mr. MCDERMOTT.
- H.R. 1492: Mr. COBLE and Ms. WATERS.
- H.R. 1493: Mr. ROKITA.
- H.R. 1498: Mr. ENYART, Mr. RUIZ, Mr. ELLISON, Mr. HORSFORD, Ms. BORDALLO, Ms. LEE of California, Mrs. NEGRETE MCLEOD, Mr. LEWIS, Ms. CLARKE, Mrs. CAROLYN B. MALONEY of New York, and Mr. RANGEL.
- H.R. 1502: Mr. BENTIVOLIO and Mr. LAMBORN.
- H.R. 1506: Mr. DEFAZIO.
- H.R. 1507: Ms. SHEA-PORTER, Mr. HIMES, Mr. BLUMENAUER, Mr. PETERSON, Mr. DEFAZIO, and Mr. PETERS of Michigan.
- H.R. 1518: Mr. SCHOCK, Mr. MCGOVERN, Mr. RUNYAN, Ms. CHU, Mr. BRALEY of Iowa, Mr. LANGEVIN, Mr. MURPHY of Florida, Mr. SARBANES, Mr. SMITH of Washington, Mr. HONDA, Ms. MENG, Mr. PETERS of California, Mr. RUIZ, Ms. LOFGREN, Mr. HIMES, Mr. DEUTCH, Ms. LEE of California, Mr. NADLER, Mr. CAPUANO, Mr. MARKEY, Mr. KEATING, Mr. DOYLE, Mr. RANGEL, Mr. CICILLINE, Ms. HAHN, Mr. HOLT, Ms. ROYBAL-ALLARD, Mr. CONYERS, Mr. BRADY of Pennsylvania, Ms. ESTY, Mr. POLIS, Mr. BLUMENAUER, Mrs. CAPPS, Ms. ESHOO, Mr. SCHRADER, Mr. ELLISON, Ms. MATSUI, and Mr. SCHNEIDER.
- H.R. 1528: Mr. TIERNEY, Mr. BUCHANAN, Mr. POMPEO, Mr. MCCLINTOCK, Ms. ROS-LEHTINEN, Ms. JACKSON LEE, Mr. RUNYAN, Mr. GRIFFIN of Arkansas, Mr. LANKFORD, and Mr. BURGESS.
- H.R. 1537: Ms. NORTON.
- H.R. 1552: Mr. BENTIVOLIO.

- H.R. 1565: Mr. BERA of California, Mr. FOSTER, and Mr. WELCH.
H.R. 1579: Mr. POCAN.
H.R. 1588: Mr. CICILLINE and Ms. BROWN of Florida.
H.R. 1595: Ms. SEWELL of Alabama, Mrs. BEATTY, Ms. BASS, Mrs. NEGRETE MCLEOD, and Mr. FATTAH.
H.R. 1598: Mr. FORBES and Mr. POSEY.
H.R. 1610: Mrs. BROOKS of Indiana.
H.R. 1613: Mr. WILSON of South Carolina and Mr. BENTIVOLIO.
H.R. 1620: Mr. HECK of Washington.
H.R. 1621: Mr. TAKANO.
H.R. 1637: Mr. MULVANEY and Mr. HUIZENGA of Michigan.
H.R. 1638: Mr. BRIDENSTINE.
H.R. 1645: Mr. PEARCE.
H.R. 1663: Mr. ROSS.
H.R. 1674: Mr. JONES.
H.R. 1676: Mr. RUIZ.
H.R. 1692: Ms. CLARKE, Mr. PAYNE, Mr. McDERMOTT, and Mr. HIMES.
H.R. 1693: Mr. KINGSTON.
H.R. 1699: Ms. CHU and Mr. MICHAUD.
H.R. 1701: Mr. STOCKMAN, Mr. YOHO, and Mr. FARENTHOLD.
H.R. 1708: Ms. CLARKE.
H.R. 1726: Mr. BRADY of Pennsylvania, Mr. HINOJOSA, Mr. RANGEL, Mr. MCGOVERN, Mrs. CHRISTENSEN, Ms. BORDALLO, Ms. NORTON, Mr. NEAL, Mr. PASTOR of Arizona, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. GARCIA, Mr. SIREN, Mr. BECERRA, Ms. VELÁZQUEZ, Mr. CÁRDENAS, Mr. RUIZ, Mr. VARGAS, Ms. WILSON of Florida, Mr. THOMPSON of Pennsylvania, Mr. WEBSTER of Florida, Mr. DIAZ-BALART, and Mr. JONES.
H.R. 1729: Mr. RAHALL, Mr. JOHNSON of Georgia, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, and Mr. BARBER.
H.R. 1733: Mr. ROE of Tennessee.
H.R. 1759: Mrs. MCCARTHY of New York.
H.R. 1763: Mr. SMITH of Washington, Mr. REICHERT, Mr. PETERS of California, Mr. MEEHAN, Mr. WALZ, and Mrs. MCMORRIS RODGERS.
H.R. 1773: Mr. THOMPSON of Pennsylvania.
H.R. 1775: Mr. NADLER, Mr. MARKEY, Mr. COHEN, and Mrs. NAPOLITANO.
H.R. 1780: Mr. WESTMORELAND.
H.R. 1797: Mr. FLEISCHMANN.
H.R. 1814: Mr. CRAMER, Mr. SESSIONS, Mr. STOCKMAN, Mr. MAFFEI, Mr. OWENS, Mr. LONG, Mr. REICHERT, Ms. JENKINS, Mr. FLEISCHMANN, Mr. BEN RAY LUJÁN of New Mexico, Mr. COLE, and Mrs. MCMORRIS RODGERS.
H.R. 1818: Mr. KLINE.
H.R. 1825: Mr. FRANKS of Arizona, Mr. STOCKMAN, and Mr. HARRIS.
H.R. 1828: Mrs. MCCARTHY of New York.
H.R. 1829: Mr. RODNEY DAVIS of Illinois and Mr. DAINES.
H.R. 1830: Mr. FARR, Mr. GRIFFIN of Arkansas, Mr. SEAN PATRICK MALONEY of New York, Mr. CHABOT, Mr. SERRANO, Mr. YOHO, Mr. GRIJALVA, Mr. CROWLEY, Mr. FORTENBERRY, Mr. MATHESON, Ms. PINGREE of Maine, Mr. FARENTHOLD, Mr. WALZ, Mr. ENGEL, Mr. VARGAS, Mr. JOYCE, Mr. GEORGE MILLER of California, Mr. PETERSON, Mr. MEEKS, Mr. RICHMOND, Ms. CLARKE, Mr. NADLER, Mr. LIPINSKI, Mr. MEADOWS, Mr. OLSON, Mr. CARNEY, and Mr. HUFFMAN.
H.R. 1831: Mr. STOCKMAN.
H.R. 1833: Mr. POCAN.
H.R. 1847: Mr. BROUN of Georgia, Mr. GRIMM, and Mrs. BACHMANN.
H.R. 1848: Mr. PETRI, Mr. BARROW of Georgia, Ms. JENKINS, Mr. RODNEY DAVIS of Illinois, Mr. HUELSKAMP, and Mr. CRAMER.
H.R. 1863: Mr. GALLEGO, Mr. FARENTHOLD, and Mr. CONAWAY.
H.R. 1864: Ms. SPEIER.
H.R. 1867: Mr. BUCHANAN, Mr. RIGELL, Ms. KUSTER, Mrs. LOWEY, Mr. FITZPATRICK, Mr. CLEAVER, Ms. SCHAKOWSKY, and Mr. CARSON of Indiana.
H.R. 1869: Mr. WESTMORELAND, Mrs. BLACK, Mr. HUIZENGA of Michigan, and Mr. MULVANEY.
H.R. 1882: Mr. WESTMORELAND.
H.R. 1888: Mr. CAMPBELL and Mr. ROHR-ABACHER.
H.R. 1897: Mr. MEADOWS.
H.R. 1900: Mr. MCKINLEY.
H.R. 1902: Ms. WASSERMAN SCHULTZ.
H.R. 1904: Mr. BONNER.
H.R. 1908: Mr. SCALISE.
H.R. 1910: Mr. CARSON of Indiana.
H.R. 1918: Mr. DIAZ-BALART and Mr. MULVANEY.
H.R. 1921: Mr. POLIS and Mr. MAFFEI.
H.R. 1928: Ms. SLAUGHTER.
H.R. 1946: Mr. ANDREWS, Mr. BISHOP of New York, Mrs. DAVIS of California, Mr. HOLT, Mr. SABLAN, Mr. SCOTT of Virginia, and Ms. WILSON of Florida.
H.R. 1950: Mr. HANNA, Mr. FORTENBERRY, Mr. HUDSON, Mr. STIVERS, Mr. YODER, Mr. WESTMORELAND, Mr. GOWDY, and Mr. JOYCE.
H.R. 1951: Mr. MEADOWS.
H.J. Res. 34: Ms. SHEA-PORTER and Mr. MCGOVERN.
H. Con. Res. 21: Ms. JACKSON LEE.
H. Con. Res. 23: Mr. GOODLATTE.
H. Con. Res. 27: Mr. TIBERI and Mr. HOLT.
H. Res. 24: Ms. ROS-LEHTINEN, Mr. HOLDING, and Mr. MCCAUL.
H. Res. 87: Mr. FINCHER.
H. Res. 106: Mr. MULLIN, Mr. BISHOP of Utah, Mr. FLEMING, Mr. PRICE of Georgia, Mr. BARTON, Mr. PITTS, and Mr. BROOKS of Alabama.
H. Res. 109: Mr. BUCHANAN, Mr. WOLF, and Mr. SENSENBRENNER.
H. Res. 112: Mr. SWALWELL of California, Mr. HECK of Nevada, and Mr. ENGEL.
H. Res. 131: Mr. BISHOP of New York and Mr. MEADOWS.
H. Res. 135: Mr. FITZPATRICK, Mr. PAYNE, Ms. ESTY, and Mr. BERA of California.
H. Res. 174: Mr. CLEAVER.
H. Res. 177: Mr. CRAMER.
H. Res. 182: Ms. CHU.
H. Res. 187: Mr. ISRAEL.
H. Res. 190: Mr. TIBERI, Mr. STIVERS, Mr. MAFFEI, and Mr. MICHAUD.
H. Res. 206: Mr. FRANKS of Arizona.
H. Res. 209: Ms. KUSTER and Mr. BLUMENAUER.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 676: Mr. GRAYSON.

EXTENSIONS OF REMARKS

RECOGNIZING PETER SOLENDER
AND SUZIE RIVO SOLENDER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize two outstanding community leaders as they are honored by the Amherst Chamber of Commerce as the 2013 Stewardship Award Winners, Peter Solender and Suzie Rivo Solender. Few have been so generous with their time and talents as Peter and Suzie.

Peter and Suzie Solender's community involvement begins with their children. As parents, Suzie spent time as a Girl Scout leader, while Peter was active with his son in Cub Scouts.

When their children began attending school, Peter and Suzie became heavily involved in the Williamsville Parent-Teacher Association, Parent-Teacher-Student Association, and Parent-Teacher Association Council. At one point, Suzie held the PTA presidency at both Heim Middle School and Williamsville East High School simultaneously. As a member of the Town of Amherst Youth Board, Suzie currently is serving her second three-year term.

The Solenders devote much of their time to the American Cancer Society, as both Peter and Suzie are cancer survivors. Suzie has sat on many boards for the ACS, including the Advisory Board, and as one of five members of the leadership committee. Suzie's talents as a grant writer allowed her to become a stakeholder with the National ACS. For three years, she reviewed grant applications for areas of cancer research as a stakeholder with the National ACS. Suzie is trained as a Legislative Ambassador on the Congressional level.

Together, Peter and Suzie work at Hope Lodge in Buffalo, where cancer patients and family members can stay if they require outpatient treatment but live too far to commute. They take great pride in directly helping those who face the battle against cancer.

The American Heart Association is close to Peter and Suzie. The Solenders helped with the American Heart Association's yearly walk, and Suzie served on the Gala Board for Heart for three years.

As people of faith, the Solenders are active locally, regionally, and nationally in their house of worship. Both Suzie and Peter have sat on many fundraising committees. Suzie served two terms as Sisterhood President and two terms on the Board of Directors, and together they were involved in B'nai B'rith and B'nai B'rith Woman—a Jewish organization.

Mr. Speaker, I thank you for allowing me a few moments to recognize Peter and Suzie Solender, two pillars of our community. I am inspired by their selflessness, grateful for their service, and wish their family the absolute best in all their future endeavors. Their good

works have touched innumerable lives in Western New York.

HONORING ALICIA TURNER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Ms. Alicia Turner has answered that call by giving of herself as an educator at Midway Elementary School, and as a daughter, mother and friend; and

Whereas, Ms. Turner has been chosen as the 2013 Teacher of the Year, representing Midway Elementary School; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Ms. Turner is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Alicia Turner for her leadership and service for our District and in recognition of this singular honor as 2013 Teacher of the Year at Midway Elementary School; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 8, 2013 as Ms. Alicia Turner Day in the 4th Congressional District.

Proclaimed, this 8th day of May, 2013.

RECOGNIZING THE LIFE AND
ACHIEVEMENTS OF GEORGE
WEYERHAEUSER JR.

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the life and achievements of George Weyerhaeuser Jr. He was an extraordinary civic leader and businessman in Tacoma, Washington and will be remembered for his contributions to the community and the forestry business.

George began his business career in 1978 by joining his family-owned pulp and paper

company, the Weyerhaeuser Company, in Dierks, Arkansas. He served in various capacities, including time as a forester, contract logger administrator, and sawmill supervisor. His dedication to his family's business continued for thirty years in several executive positions including vice president for containerboard and vice president for the company's pulp and paper business.

George's role quickly expanded as he helped steer the success of Weyerhaeuser Company. He was president and chief executive officer of Weyerhaeuser Canada from 1993 to 1998. In 1998, he became senior vice president of technology, procurement, and transportation. George represented the company and the timber industry on many boards and through all of his business endeavors. Throughout his career, he never failed to recognize his hardworking employees and loyal customers.

Although George was a dedicated and successful businessman, his true passion was for civic betterment. He served as board chairman for the Tacoma Museum of Glass from 2004 to 2008 and, more recently, served as president of the Thea Foss Waterway Development Authority. Community members agree that without George's relentless support and enthusiasm, the museum and waterway would not have become the successes that they are today.

Mr. Speaker, it is with great sadness that I offer my condolences to the family and friends of George Weyerhaeuser Jr. His reputation as a community leader, mentor, and forward-thinker all highlight the profound impression he has left on the Pacific Northwest.

RECOGNIZING ANSAR KHAN AND
JAMES O'LEARY FOR AMBUR
POINT OF SALE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize Ansar Khan and James O'Leary, inventors of the revolutionary Ambur Point of Sale app, as they are honored by the Amherst Chamber of Commerce as recipients of the 2013 Trailblazer Award.

Ansar Khan immigrated from Pakistan to Buffalo, New York in 2001 with his family. Inspired to share their culinary traditions with their new community, the Khan family opened Kabab & Curry, an Indian and Pakistani restaurant on Transit Road in East Amherst, New York. Ansar worked in the restaurant from the time he was 11 years old, providing him with an intimate understanding of all facets of the restaurant industry.

James O'Leary met Ansar at Williamsville North High School. James worked server at

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Kabab & Curry, but his true passions were Apple products and computer programming.

Together, Ansar and James developed the Ambur Point of Sale mobile application to empower independent restaurant owners to regain control of their business.

Previously, aspiring entrepreneurs had only two options for managing the moment at which a transaction occurs. The difficult point of sale software inhibited aspiring entrepreneurs and frustrated small business owners.

Ambur Point of Sale's straightforward, customizable design provides a simple solution for restaurant owners to wirelessly manage their business. The product has become an international success.

Ansar and James remain local, housing their business in the University at Buffalo Technology Incubator. Their seven additional employees primarily hail from Western New York and most attended the University at Buffalo.

Mr. Speaker, I thank you for allowing me to recognize these two mobile software pioneers for their incredible contributions. Ansar and James are brilliant young entrepreneurs and I look forward to seeing what their careers hold. I wish them the absolute best in all their future endeavors.

HONORING MAINE'S STATE POLICE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to welcome the law enforcement officers from Maine and around the world that are joining us for National Police Week. Every year, thousands come to Washington to honor and remember those who valiantly gave their lives serving their communities.

We honor the memory and sacrifice of the fallen officers throughout the world that strive to make our lives safe.

Each day, law enforcement officials like Maine State Trooper Douglas Cropper risk their safety for our protection. Just last summer, Trooper Cropper raced ahead of a driver going in the wrong direction on a very busy interstate. Cropper, without hesitation, pulled in front of the disoriented driver so that his Police vehicle would collide into the oncoming vehicle. The vehicle came to rest, preventing any serious injury to the driver and possibly saving lives of innocent motorists.

Mr. Speaker, please join me in recognizing the thousands of law enforcement officers like Trooper Cropper who selflessly put their safety on the line every day.

HONORING REV. R.B.
COTTONREADER, JR.

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, the Civil Rights Movement had many soldiers in the trenches, laying down the bedrock of the road to equality; and

Whereas, Rev. R.B. Cottonreader, Jr., a citizen of Lithonia was one of those elite soldiers for the Southern Christian Leadership Conference, serving as a field director mobilizing the community and playing essential roles in assisting Dr. Martin Luther King, Jr., and other widely known leaders in the fight for civil rights; and

Whereas, at the height of the most turbulent times, this highly effective motivator utilized his skills to aid in the growth and development of the movement through the church, the Congress of Racial Equality and intensive field work in Georgia, Alabama and Mississippi; and

Whereas, Rev. R.B. Cottonreader, Jr., led by action both behind the scenes and on the front lines as a warrior for justice, a man of great integrity who until the end, remained true to the uplifting of the community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a special recognition upon Rev. R.B. Cottonreader, Jr., for his leadership, tenacity, courage and strength, Now, therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress of the United States that Rev. R.B. Cottonreader, Jr., of Lithonia, DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition" by declaring Rev. R.B. Cottonreader, Jr., U.S. Citizen of Distinction in the 4th Congressional District.

Proclaimed, this 8th day of January, 2013.

RECOGNIZING MIKE BEAN AND BEAN MEDIA PRODUCTIONS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize Bean Media Productions as they are honored by the Amherst Chamber of Commerce as the recipient of the 2013 President's Award.

Bean Media Productions was founded in 2006 by Mike Bean to provide a wide variety of digital marketing services to local companies.

As the internet became ubiquitous, Bean Media kept pace, adopting a sophisticated business strategy emphasizing web marketing and web media development.

Bean Media excelled at internet marketing. The firm developed advanced strategies, using popular search engines and media sharing sites like Google and Youtube to access consumers, broadening their clients' reach through promoting videos online.

As a web marketing company with foundations in traditional media marketing, Bean Media Productions appeals to a wide audience, from the consumers of today to the future base of our economy.

Bean Media's focus on local companies is commendable. The success of such an advertising firm instills confidence in consumers to purchase local goods, ensuring our small busi-

nesses remain competitive with larger national chains.

Mr. Speaker, I thank you for allowing me a few moments to recognize Mike Bean and Bean Media Productions for their excellence in advertising and great efforts to promote business in Western New York.

RECOGNIZING THE NEWLY INSTALLED BEVERLY HILLS VETERANS MEMORIAL

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. LEVIN. Mr. Speaker, I rise today to recognize the newly installed Beverly Hills Veterans Memorial which will be dedicated in Beverly Park on Memorial Day 2013.

In May of 2011, Paul Kleppert and Ron Berndt attended the city's Memorial Day Parade and Service. After the moving annual tribute to area veterans, they imagined a monument which would permanently memorialize the men and women who have served and, in some cases, given the ultimate sacrifice, to protect their fellow residents.

The community supported their vision and gave generously. The monument was funded with 99% private funds. In fact, they raised so much money that they were able to purchase a large, full standing, black granite monument with engraving on both sides. It will read, "In Honor of All the Men and Women of Beverly Hills who Served in the Armed Forces of the United States of America," with the official seals of the five branches of the Armed Services beneath and an American flag etched in the background.

As the community of Beverly Hills commemorates this milestone monument, I ask all of my colleagues to join me in thanking not only the veterans of Beverly Hills, Michigan but all of the veterans across this free country, for their dedicated service. I congratulate the residents, elected officials, and businesses as they celebrate the veterans, the heroes amongst them, preserve their rich local heritage, and look forward to growing the monument in the future.

CONGRATULATING THE MARSHALLTOWN PUBLIC LIBRARY

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate the Marshalltown Public Library for receiving the 2013 National Medal for Museum and Library Service. It is an honor to have this great community resource in my district.

This award is the nation's highest honor for museums and libraries for service to their community. Home to one of the earliest Children's Rooms in the country, the Marshalltown Public Library has served its community with its commitment to early literacy programs.

The Marshalltown Public Library also offers services to the growing immigrant population in their region. Through their annual Dia de los Ninos/Dia de los Libros festival, they introduce Spanish-speaking families to the services the library provides, as well as all children in the area to celebrate Hispanic culture. They also partner with youth mentoring programs to introduce youth from all cultures to library services.

Today, I congratulate the Marshalltown Public Library on receiving the National Medal from the Institute of Museum and Library Services. I look forward to the future of this institution as it strives to provide for the needs of education, recreation, and cultural awareness of the vibrant and diverse population that it serves.

RECOGNIZING MBMS, INC.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize MBMS, Inc. as it is honored by the Amherst Chamber of Commerce as the 2013 First Niagara Bank Sponsor's Award winner.

Founded in 1985 by James E. Kunert, MBMS, Inc. initially focused on mortgage servicing system consulting and software development for mortgage servicing and risk management systems.

Under the pressure of an increasingly digital economy, Gary Andalora joined MBMS in 1987 and worked with James to expand the software development business. One year later, MBMS chose to focus on software development exclusively.

Despite initial struggles, by 1992 MBMS had grown into a firmly established company. Today, their clients include 9 out of the 10 largest banks in the nation. MBMS remains American-owned and domestically based, providing all services from their main office in Amherst, New York.

A winner of the "Best Companies to Work for in New York State" for the past four consecutive years, MBMS's loyalty and dedication to their employees undoubtedly contributes to their success.

Mr. Speaker, thank you for allowing me to recognize MBMS, Inc. for their 27 years of service to Western New York and our nation. I wish them the best of luck in all their future endeavors.

TRIBUTE TO THE ATLANTA METROPOLITAN SEVENTH-DAY ADVENTIST CHURCH

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, Atlanta Metropolitan Seventh-day Adventist Church has been and continues to be a beacon of light to our State for the past forty years; and

Whereas, Pastor Chris Montrose and the members of the Atlanta Metropolitan Seventh-day Adventist Church family today continues to uplift and inspire those in our community; and

Whereas, the Atlanta Metropolitan Seventh-day Adventist Church has been and continues to be a place where citizens are touched spiritually, mentally, and physically through outreach ministries and community partnership to aid in building up communities throughout the State of Georgia; and

Whereas, this remarkable and tenacious Church of God has given hope to the hopeless, fed the needy, and empowered our community for the past forty (40) years by preaching the gospel, teaching the gospel, and living the gospel; and

Whereas, the Atlanta Metropolitan Seventh-day Adventist Church has produced many spiritual warriors, people of compassion, people of great courage, fearless leaders, and servants to all, but most of all visionaries who have shared not only with their Church, but with the State of Georgia and the world their passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Atlanta Metropolitan Seventh-day Adventist Church family for their leadership and service to our district on this the 40th anniversary of their founding;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 30, 2013 as Atlanta Metropolitan Seventh-day Adventist Church Day in the 4th Congressional District of Georgia.

Proclaimed, this 30th day of March, 2013.

RECOGNIZING THE ACHIEVEMENTS OF THE SEATTLE-TACOMA INTERNATIONAL AIRPORT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Seattle-Tacoma International Airport (Sea-Tac), for earning the 2013 Skytrax World Report Award for Best Airport Staff in North America. The Seattle-Tacoma International Airport is operated by the Port of Seattle.

The Skytrax World Report Awards honors global airport excellence based on 12.1 million customer surveys which evaluate 39 airport service and product performance indicators. The World Airport Awards acknowledge global airport distinction and are known in the industry as the Passenger's Choice Awards.

The Seattle-Tacoma International Airport is the 15th largest airport in the United States and 40th largest in the world by passenger volume, serving over 33.2 million passengers in 2012. Regionally, Sea-Tac generates \$13.2 billion in business revenue and produces and supports 138,000 jobs. The airport houses 23 airlines, which serve 72 non-stop domestic and 19 international destinations.

At Sea-Tac, high-quality services are provided in every aspect of travel, which has con-

tributed to the positive experiences of Sea-Tac travelers. The Port of Seattle values its commitments to both its customers and the region that it serves. The overall friendliness and quality of staff proudly represent the hard-working individuals that drive our regional economy in Washington State and the Pacific Northwest.

Mr. Speaker, it is with great honor that I recognize Seattle-Tacoma International Airport and its staff's laudable performance.

RECOGNIZING THE WILLIAMSVILLE BUSINESS ASSOCIATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize the Williamsville Business Association as it is honored by the Amherst Chamber of Commerce as the 2013 Small Business Organization of the Year.

The Williamsville Business Association was established 28 years ago to promote positive economic development in the village of Williamsville. Since its beginnings, the Association has garnered a membership of over 130 business and professional leaders.

The Association is a centralized resource for the business community, government, and village residents, which encourages cooperation between key economic actors in the village. By providing a platform for collaboration, the Association fosters a cohesive vision for the future of Williamsville.

The Williamsville Business Association has been tremendously successful in their mission to transform the village into a destination. Williamsville is known locally, regionally and internationally for its shops, music, arts, and cultural life, regularly attracting from across Western New York and as far away as Canada. Their website features every event and activity occurring in the village, ranging from farmers markets and concerts to the discounts offered by village shops.

Mr. Speaker, I thank you for allowing me a few moments to recognize the Williamsville Business Association. I am grateful for their outstanding efforts towards developing Western New York's economy.

TRIBUTE TO MILLER GROVE HIGH SCHOOL

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, only a few schools excel in competition on a state level and our own Miller Grove High School is one of those; and

Whereas, after making state history as the first boys basketball team to win five consecutive state championships; and

Whereas, under the leadership and guidance of Coach Sharman L. White, the Miller

Grove High School Boys Basketball team is being hailed as a Georgia basketball dynasty; and

Whereas, the Wolverines of Miller Grove have demonstrated the will to win, the courage to win, the mechanics of teamwork and an astounding spirit of triumph in many mental and physical battles; and

Whereas, the 8th day of March, 2013 will go down in history as the day that our Miller Grove High School Boys Basketball team became the 5 time, 5-A champions of Georgia; and

Whereas, this team has exhibited great moral character on and off the basketball court and throughout the halls of Miller Grove High and the community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Miller Grove High School Basketball Team for its achievements bringing joy and honor to our District: Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 13th as Miller Grove High School Day in the 4th Congressional District of Georgia.

Proclaimed, this 13th day of May, 2013.

HONORING LAIRD COVEY

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor the career of Mr. Laird Covey, who is retiring this month after more than 23 years of dedicated service to the Central Maine Medical Center and the surrounding community.

The State of Maine has long benefited from Laird's tenure in the health care field. In addition to serving as President of CMMC since July 2008, Laird has also helped direct the center as Chief Operating Officer and Vice President for Medical Affairs. Outside of CMMC, he spent 3 years serving as Chief Executive Officer at Bridgton Hospital in Bridgton, Maine and was Vice President at North Country Hospital in Newport, Vermont.

Few people can claim to embody the spirit of compassion and community engagement as completely as Laird. He is a proud and active member of the Lewiston Auburn Future Forum, which has been a driving force behind community efforts to make Lewiston and Auburn a better place to live. He has also served as Chairman of the Board at the Androscoggin Home Care and Hospice (AHCH) and as President of the Board at Camp Sunshine, an institution for families of children with life-threatening diseases in Casco, Maine.

In 2011, I was proud to join Laird in announcing CMMC's collaboration with Maine Research Associates on a new medical research expansion project. The study, which focuses on treatments for conditions such as arthritis, diabetes and cardiovascular disease, has enabled hundreds of patients in Maine to access cutting-edge medicines. It also helped draw national attention to the important work being done in Maine to help solve some of our nation's most persistent health challenges. This project would not have been able to

move forward so successfully without Laird's leadership.

Mr. Speaker, please join me again in congratulating Mr. Laird Covey on an exceptional career in the field of public health.

RECOGNIZING TOM ULBRICH

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize Tom Ulbrich as he is awarded the 2013 Small Business Advocate of the Year Award by the Amherst Chamber of Commerce.

Few have been so generous with their time and talents as Tom Ulbrich. As one of our community's most passionate advocates for small business, and a business owner himself, Tom intimately understands the incredible significance of entrepreneurship to the economy and culture of the United States of America.

Tom has selflessly dedicated his personal and professional work to small business advocacy. Tom is a member of the National Federation for Independent Business's New York State Leadership team, and a frequent author and orator on topics concerning the importance of small business and entrepreneurship to the vitality of the American economy.

A testament to Tom's insights is his recent TED talk, "Is There a Better Way?" which explores the necessity of developing entrepreneurial skills and spirit in students from a young age. In a world where modern technology and unprecedented access to information have rendered entrepreneurial skills essential, Tom's keen business sense and inimitable knowledge are invaluable.

Currently, Tom serves as the Executive Director of the University at Buffalo School of Management's Center for Entrepreneurial Leadership. Since assuming the role in 2008, Tom has worked tirelessly to advance the Center's mission of invigorating the Western New York economy and community through entrepreneurial development. Under Tom's direction, the Center has expanded its sophisticated interdisciplinary approach to educating emerging business leaders.

Mr. Speaker, thank you for allowing me to recognize Tom Ulbrich, a true champion for the American economy.

TRIBUTE TO JOHN OSCAR BOONE, SR.

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our nation is blessed to have this innovator and pioneer touch the lives of thousands through his leadership and service; and

Whereas, Mr. John Oscar Boone, Sr.'s legacy is present throughout the nation and the

world for all to see, being the first African American appointed to head a major state prison in the United States, serving many roles in the American Correctional System: Commissioner, Superintendent and Director; he valiantly served our country in the U.S. Army Air Force during World War II; and

Whereas, this giant of a man transformed the American Correctional System, he was instrumental in the implementation of the Federal Rehabilitation Act of 1965 and he represented our nation on an international level, he inspired elected officials, motivated the young and the old, as he accomplished so much during his time on this earth; and

Whereas, this remarkable man gave of himself, his time, his talent and his life; Mr. Boone inspired others to do the same by witnessing him walk the walk and talk the talk, he opened doors for others to enter; and

Whereas, Mr. Boone led by doing behind the scenes and on the front lines for many; Mr. Boone was a husband, a father, a grandfather, a brother and a friend; he was our warrior, our patriarch, a man of great integrity who remained true to the uplifting of the community until his end; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow an honorable distinction and recognition on Mr. John Oscar Boone, Sr., for his leadership, friendship and service to all of the citizens of Georgia and throughout the Nation; as a citizen of great worth and so noted distinction; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mr. John Oscar Boone, Sr., of Georgia is deemed worthy and deserving of this "Congressional Honorable Distinction": Mr. John Oscar Boone, Sr., U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 8th day of December, 2012.

RECOGNIZING THE ACHIEVEMENTS OF REVEREND DR. SAMUEL BERRY MCKINNEY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Reverend Dr. Samuel Berry McKinney for his more than 55 years of service and leadership building Mount Zion Baptist Church and the community of Seattle, Washington.

Rev. McKinney moved to Seattle in 1958 to lead one of Seattle's oldest and most prominent Black churches. During his time as Senior Pastor, he mentored over 40 ministers and lectured throughout the nation. With an eye toward the future, Rev. McKinney also oversaw the building of the church's educational unit and encouraged economic development in the church and the community.

Rev. McKinney grew up in Cleveland, Ohio in the 1920s and 1930s as the son of a prominent and politically engaged African-American minister. He attended Morehouse College, where he was a classmate of Rev. Martin Luther King, Jr. He also served as a minister in Providence, Rhode Island in the mid-1950s.

When Rev. McKinney arrived in Seattle, he quickly became a leader in the movement for human rights, which included playing a major role in the Central Area Civil Rights Committee. Always committed to social justice, he was a founding member of the Seattle Civil Rights Commission and he facilitated the only visit of the late Rev. Dr. Martin Luther King, Jr. to Seattle.

In addition, Rev. McKinney was a founder of Liberty Bank, the first African-American-owned bank in Seattle and was the first African-American President of the Church Council of Greater Seattle. He has served on the board of the Meredith Mathews East Madison YMCA, the Fred Hutchinson Cancer Research Center, and the Washington Mutual Savings Bank.

Mr. Speaker, it is with great honor that I recognize the work Reverend Dr. Samuel McKinney has done for his church and the community.

HONORING FRANKLIN COUNTY,
ALABAMA AND THEIR ANNUAL
WATERMELON FESTIVAL

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. ADERHOLT. Mr. Speaker, it is my honor to recognize Franklin County, Alabama and their annual Watermelon Festival. The Franklin County Watermelon Festival began in 1981 with a group of local farmers gathering to sell their harvest of watermelons. This gathering created what is now the largest festival in Franklin County. This annual festival is organized by the Franklin County Chamber of Commerce and is sponsored by Franklin County businesses and individuals. This two day event, on the third weekend of August, is held at the Franklin County seat in the City of Russellville.

Franklin County and Russellville welcome over 35,000 guests to this festival from neighboring counties and states each year.

Civic clubs and organizations participate with their own special watermelon events as a time of fund raising.

The Franklin County Chamber of Commerce sponsors Watermelon Contests and the Watermelon Pageant which produces a Queen for the festival. The Watermelon Queen presents awards for: best dressed melon, seed spitting, best tasting melon, most unusual melon, and of course the largest, heaviest melon.

The Franklin County Watermelon Festival is made possible by volunteers who work year round to produce the best of entertainment, arts & crafts, food, activities and watermelon to please every palate.

Again, it is my honor to recognize Franklin County, Alabama as the Watermelon Capital of Alabama.

RECOGNIZING THE MOSES
INSURANCE GROUP

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize the Moses Insurance Group and its members as they are honored by the Amherst Chamber of Commerce with the 2013 Family Owned Business Award.

The Moses Insurance Group was founded by Charles "Herky" Moses in 1955. Herky was a true community servant with an incredible work ethic. During World War II, he served his country by joining the Marines. Herky later continued his service as a volunteer firefighter, coach, and community youth mentor, in addition to being an active member of several service organizations including the Kiwanis, Knights of Columbus, Chamber of Commerce, Boy Scouts of America, George Lamm Post, and the Veterans of Foreign Wars.

The Moses Insurance Group remains a family-owned business. Herky's son Robert joined the firm in 1977, followed by his sons Ken in 1979 and Douglas in 1984. Robert and Ken remain with the firm to this day, serving as President and Vice President, respectively. Their sister, Carole, and brother, Charles Jr., came on board in 1988. Carole serves as the Human Resources Department and keeps the company's books, while Charles worked part-time as a sales producer. Jeffrey Moses, a member of the third generation of the Moses family, is the newest hire, after receiving his P&C Insurance Brokers' License in 2008.

Inspired by Herky's tradition of service, the members of the Moses Insurance Agency are active in many service organizations today. Agency owners are members of or volunteers with the Independent Insurance Agents Association, Trusted Choice Agents, Amherst Chamber of Commerce, Williamsville Business Association, Western New York Food Shuttle, Amherst Lions Club, Amherst Senior Citizens Foundation, several committees at St. Leo the Great and St. Gregory the Great churches, Sacred Heart Academy High School, American Heart Association Walk-a-thon, Cancer Diamond Society Ball, and the Boy Scouts of America Troop 431.

Mr. Speaker, I thank you for allowing me a few moments to recognize the good works of this service-minded, family-owned business. I admire their commitment to our community and am grateful for their continued involvement.

NORTHWESTERN WISCONSIN RE-
GIONAL LAW ENFORCEMENT ME-
MORIAL CEREMONY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. KIND. Mr. Speaker, I rise before you today to recognize the Northwestern Wisconsin Regional Law Enforcement Memorial Ceremony.

For over two decades law enforcement agencies from across Northwestern Wisconsin have held an annual ceremony during National Police Week to honor and remember those officers that were killed in the line of duty while serving their local communities. This year's ceremony commemorates 48 law enforcement officers from 20 Wisconsin counties whose names are among the over 19,000 inscribed in marble at the National Law Enforcement Officers Memorial in Washington, DC. Each one of these officers made the ultimate sacrifice for the safety and protection of our citizens.

The ceremony, which includes a vehicle procession, formal honor guard presentation, wreath laying, rifle salute, speakers, and music, will also be accompanied by a public screening of the documentary film, Heroes Behind the Badge. The film highlights the selfless acts of bravery committed by the men and women of law enforcement in the line of duty. The event will provide an opportunity for law enforcement officers to come together and interact with the public in order to heighten awareness of the dangers police officers face each day and the sacrifices they make to protect our communities. Proceeds from the event will go to benefit the National Law Enforcement Officers Memorial Fund, Concerns of Police Survivors (C.O.P.S), and the Northwest Regional Law Enforcement Memorial.

As a former prosecutor in western Wisconsin, I've had the honor of working closely with law enforcement officers. I am greatly humbled by the selfless service and bravery exemplified by these individuals, and it is with my deepest appreciation that I stand today to honor those who have given their lives to ensure the safety of our communities.

IN HONOR OF THE CENTRE
SQUARE FIRE COMPANY'S CE-
NTENNIAL ANNIVERSARY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. MEEHAN. Mr. Speaker, I rise to honor the Centre Square Fire Company (CSFC), located in Whitpain Township, Montgomery County, Pennsylvania, which is celebrating its centennial anniversary.

One hundred years ago, on February 21, 1913, a group of property owners of Centre Square, Blue Bell and surrounding areas met at the Centre Square Hotel to explore the establishment of a fire company. The 35 members of the founding group established the charter which reads, "The said Company is formed for the purpose of the support of fire engine, hook and ladder, hose company, for the purpose of protecting life and property, in case of fire. The said Corporation is to exist perpetually." These words hold true today.

Over the years, the Centre Square Fire Company has served the residents of Montgomery County in fire protection and much more. Most recently, the Centre Square Fire Company took delivery of a 2013 Pierce Velocity 100 foot Platform ladder truck—capable of carrying 500 gallons of water. Although it remains a 95 percent volunteer service, Centre Square has grown over the years to better serve the residents of Montgomery County.

Once again, I congratulate the Centre Square Fire Company as they celebrate its one hundredth anniversary.

TRIBUTE TO GLENDA F. BRITTON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, a virtuous woman of God accepted her calling to serve in the Educational System; and

Whereas, Mrs. Glenda F. Britton began her educational career in teaching in Georgia and this year she retires from teaching at Edward L. Bouie, Sr., Elementary Theme School in Lithonia, Georgia, she has served the DeKalb County Public Schools System well and our community has been blessed through her service; and

Whereas, this phenomenal woman has shared her time and talents as a Teacher, Educator and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader, a devoted scholar and a servant to all who want to advance the lives of our youth; and

Whereas, Mrs. Britton is formally retiring from her educational career today, she will continue to promote education because she is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Glenda F. Britton on her retirement from the DeKalb County Public Schools System and to wish her well in her new endeavors; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 10, 2013 as Mrs. Glenda F. Britton Day in the 4th Congressional District of Georgia.

Proclaimed, this 10th day of May, 2013.

HONORING ALAIN E. SHERMAN

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to honor Roslyn High School student, Alain E. Sherman, from Roslyn, NY, in my Congressional District, who has been named a Presidential Scholar. Dedicated and talented young people like Alain reflect the exemplary work by the next generation that will lead our nation into the future. I am so proud to recognize him today and it is an honor to represent him in Congress.

I want to applaud Alain for his hard work and dedication, but also want to recognize his family and teachers, who have surely played a critical role in making this achievement possible. Only 141 students from across the country are given this esteemed honor of the thousands upon thousands of high school students nationwide.

Alain serves as Vice President of the Roslyn High School Honor Society and also sits on the school's Model Government Executive Board. During his senior year at Roslyn High School, Alain was a member of the competitive "Partners for the Future" program hosted by Cold Spring Harbor Laboratory. Alain spent ten hours each week conducting biomedical research with a mentor scientist at the lab. Alain's hard work is truly emblematic of what it means to be a Presidential Scholar. I look forward to seeing what breakthroughs result from Alain's research in the future.

The White House Commission on Presidential Scholars, appointed by President Obama, selects scholars annually based on their academic success, artistic excellence, essays, school evaluations and transcripts, as well as demonstrated community service, leadership, and commitment to high ideals. Of the three million students expected to graduate from high school this year, more than 3,300 candidates qualified for the 2013 awards determined by outstanding performance on the College Board SAT and ACT exams, and through nominations made by Chief State School Officers or the National YoungArts Foundation's nationwide YoungArts competition.

The 2013 U.S. Presidential Scholars are comprised of one young man and one young woman from each state, the District of Columbia and Puerto Rico, and from U.S. families living abroad, as well as 15 chosen at-large and 20 U.S. Presidential Scholars in the Arts.

Since its creation in 1964, the U.S. Presidential Scholars Program has honored more than 6,000 of the nation's top-performing students with the prestigious award given to honorees during an annual ceremony in Washington, DC. The program was expanded in 1979 to recognize students who demonstrate exceptional talent in the visual, literary and performing arts.

Mr. Speaker, I again urge my colleagues to join me in commending Alain for all of his accomplishments and I look forward to seeing his continued academic success.

RECOGNIZING WAUKEGAN PUBLIC LIBRARY FOR RECEIVING THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES' 2013 NATIONAL MEDAL

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to recognize the Waukegan Public Library and its staff for receiving the 2013 Institute of Museum and Library Services' National Medal. Waukegan Public Library is one of only 10 institutions nationwide that received this distinguished honor.

I attended the award ceremony last week at the White House, where First Lady Michelle Obama presented Waukegan Library with the medal. She praised the library for its innovation, its passion and its commitment to serving the community.

That commitment is exactly what Richard Lee, the library's Executive Director, wisely

pointed out when he explained that success is no longer defined by "the number of books checked out," but rather it is measured by service to the community.

By this standard, the Waukegan Library shines. Their Conversational ESL Program helps create new opportunities for the 55 percent of Waukegan residents whose primary language is something other than English. Their programs do not merely teach skills, but they empower residents with the skills to achieve their own success.

We speak often of our communities and what makes them strong. Institutions like Waukegan Public Library make our communities strong. The library is a pillar of the Waukegan community, and it has enriched the Tenth District.

As doors of opportunity open to more and more residents, we will all prosper, and I congratulate Waukegan Library for helping pave the paths to that future.

CELEBRATING THE DEDICATION OF THE ROSEVILLE FIRE STATION NO. 9

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. McCLINTOCK. Mr. Speaker, I rise today to celebrate the dedication of the Roseville Fire Station No. 9.

The Roseville, California Fire Department was first organized in 1907 with 16 volunteer firefighters staffing two hose carts to provide nearly 2,500 residents with fire protection. Today the Roseville Fire Department serves over 120,000 residents within 44 square miles. Whether it's a medical emergency, a fire, a hazardous material incident, or natural disaster, the Roseville firefighters are prepared to respond to the needs of their community.

The opening of a ninth fire station reflects the vision of the Roseville Fire Department to operate effectively and efficiently to protect and enhance the safety and well-being of its residents, businesses, customers and partners. The new facility is the result of a community effort that will provide for the advancement of public safety and the delivery of exceptional service for years to come.

Mr. Speaker, it is impossible to overestimate the necessity of fire protection or to measure the countless contributions these firefighters make to our community. It is with great pleasure that I rise today to thank the Roseville Fire Department for its great service and contributions throughout the region.

HONORING MR. ANISWORTH MALLETT, MRS. JACQUELINE MALLETT, AND MASTER DREW MALLETT

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizens of Distinction.

Whereas, our community has been blessed by the lives of Anisworth, Jacqueline and Drew Mallett; they have given of themselves daily to bring joy, service and the true meaning of friendship and family to our district; and

Whereas, Mr. Anisworth Mallett being a father, husband and business leader in our community established and operated two businesses in our district, A and J Lawn Care and Golden Krust, LLC, he was tenacious and successful in his home, his business and his community; and

Whereas, Mrs. Jacqueline Mallett being a mother, wife and Administrative Assistant in the DeKalb County Public Schools was very active and engaged in the affairs of the community, she was the walking definition of a Proverbs 31 woman, phenomenal in every way; and

Whereas, Drew Mallett was the ideal young man, a seventh grader at Stephenson Middle School in Stone Mountain, he was a young gentleman, an athlete, a musician; he loved cars, girls and bringing joy to everyone he would meet being an ambassador of goodwill, he enhanced our district with his charisma; and

Whereas, this remarkable family gave of themselves, their time and their talents; being leaders and servants in the Fourth Congressional District; and

Whereas, Anisworth, Jacqueline and Drew Mallett led by example, encouraging, motivating, serving and enhancing the lives of others; they are model citizens not only to our community, but to our Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mr. Anisworth Mallett, Mrs. Jacqueline Mallett and Master Drew Mallett for their unyielding leadership, friendship and service;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that Mr. Anisworth Mallett, Mrs. Jacqueline Mallett and Master Drew Mallett of the 4th Congressional District of Georgia are deemed worthy and deserving of this "Congressional Recognition": Mr. Anisworth Mallett, U.S. Citizen of Distinction; Mrs. Jacqueline Mallett, U.S. Citizen of Distinction; Master Drew Mallett, U.S. Citizen of Distinction.

Proclaimed, this 5th day of January, 2013.

TRIBUTE TO DR. ROSE WILDER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a trailblazing educator who has been recognized as the 2014 South Carolina Superintendent of the Year. Dr. Rose Wilder is a remarkable leader and visionary who serves with distinction as the Superintendent of Clarendon School District 1, the historic school district that was the birthplace of the landmark desegregation case *Brown v. Board of Education*. She is very deserving of this tremendous honor.

Dr. Wilder is a native South Carolinian; the daughter of Mr. Laco Davis and the late Mrs.

Ruby Mae Davis. She was one of seven Davis children born and raised in the Orangeburg County town of Santee.

From an early age she loved learning and appreciated the value of education. She did her undergraduate work at South Carolina State University and Columbia College. Her postgraduate work was at South Carolina State University, the Citadel and Cornell University. She earned an undergraduate degree in guidance and counseling, a master's in special education, and a PhD in education administration.

In 1979, Dr. Wilder began her teaching career in her home county of Orangeburg as a reading teacher at Galliard Primary School in the Town of Eutawville. After eight years in the classroom, she became assistant principal at Manning Primary School in neighboring Clarendon County. She then went on to serve as the first principal of the new Manning Elementary School and later returned as principal of Manning Primary.

In 1994, Dr. Wilder was appointed as assistant superintendent of instruction for Clarendon School District 2. Later that same year she was chosen to lead the school district and made history by becoming the first African American female superintendent in South Carolina since the Reconstruction era. She served in that capacity for seven years, and in 1999, she was named Outstanding Superintendent by the South Carolina School Board Association.

She left Clarendon County to serve as superintendent for the Fairfield County School District for two years and as a curriculum facilitator for Richland County School District 1. In 2004, she returned to Clarendon County to serve as superintendent of school district 1 in the Summerton area.

During her nine years leading the district, Dr. Wilder has challenged the notion that poor students cannot achieve high academic standards. Once a chronically underperforming district, Clarendon School District 1 is now the second highest academically performing high poverty district in the state of South Carolina, despite having a 95 percent poverty index rating. She has also brought the district out of a \$1 million deficit into financial solvency. Her other achievements include earning the district accreditation by the Southern Association of Colleges and Schools, completing the new Summerton Early Childhood Center, and refurbishing the old middle school campus as a community resource center. Next school year, Scott's Branch High School will become a New Tech Network Science, Technology, Engineering and Math (STEM) school, one of only two schools in the state to institute this project-based curriculum.

Dr. Wilder's motto is "every child, every chance, every day," and that is clearly reflected in the school district's philosophy and achievements.

Her other achievements include serving on the transition team for State Superintendent of Education Jim Rex in 2006. She is a 1994 graduate of Leadership South Carolina, and a 2009 graduate of the Riley Leadership Diversity Institute at Furman University. She holds a life membership in the NAACP and the United Council of Negro Women. She is an active member of several professional organi-

zation and serves as President elect of the South Carolina Association of School Administrators. She is also a member of Delta Sigma Theta Sorority.

Dr. Wilder is married to James C. Wilder. They share three children and two grandchildren.

Mr. Speaker, I ask my colleagues to join me in congratulating Dr. Rose Wilder for her selection as 2014 South Carolina Superintendent of the Year, and wish her well as she competes for the national honor. She has done an outstanding job during her tenure at Clarendon School District 1, and, as a former teacher, I applaud her dedication to her schools, her students and her community. I am proud to call her a friend and claim her as a constituent of the 6th Congressional district.

IN RECOGNITION OF THE PASSAGE OF THE BAN THE BOX ACT

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. ELLISON. Mr. Speaker, I rise today to honor Minnesota Senator Bobby Joe Champion's accomplishment in passing the "Ban the Box" Act in the Minnesota Legislature. Elected to the Minnesota House of Representatives in 2008 and the Minnesota Senate in 2012, Senator Champion is a recognized lawyer, activist, and legislator. He has a long list of legislative accomplishments, including spearheading the Bottineau Corridor transit project, advocating for the creation of the Minnesota African-American History Museum, and supporting the renovation of Nicollet Mall and Orchestra Hall.

One of Senator Champion's most important contributions has been helping those with a criminal record reintegrate successfully into their communities. Senator Champion is the author of the "Ban the Box" Act, which prohibits employers from asking the job applicant whether he or she has ever been arrested or convicted of a crime, with a few exceptions for sensitive positions. The "Ban the Box" Act is a crucial step forward in the fight against poverty and the effort to reduce recidivism.

The past crimes of former felons often follow them throughout their lives, preventing them from getting jobs ten, twenty, or even thirty years later. Job applicants who have finished serving criminal sentences face many challenges and few opportunities to restart their lives, making recidivism rates high.

The "Ban the Box" Act targets the main reason people who have committed a felony never have a chance at a job—a check off box on a job application that asks the applicant to state whether he or she has ever committed a felony. By barring employers from asking this question on a job application, the Act allows individuals with criminal histories to stand on their own merits. The "Ban the Box" Act will provide employment opportunities to those who have served their sentence, raising their quality of life and their chance for success and leading to reduced crime.

Through Bobby Joe Champion's leadership and perseverance, this legislation passed both

the Minnesota Senate and the Minnesota House of Representatives with accolades from both sides of the aisle, and was signed into law by Governor Dayton on May 13, 2013.

I commend Senator Champion for his important work on Minnesota's historic "Ban the Box" legislation.

RECOGNIZING HOSPITAL CORPSMAN 1ST CLASS (FMF) JOSEPH SANTOS ON BEING NAMED U.S. PACIFIC FLEET'S 2012 SEA SAILOR OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Hospital Corpsman 1st Class (FMF) Joseph Santos on being named U.S. Pacific Fleet's 2012 Sea Sailor of the Year.

Petty Officer Santos was nominated by his commander, and was chosen from a pool of 13,000 other sailors in the Pacific Fleet. He will be meritoriously promoted to the rank of chief petty officer.

Petty Officer Santos, a native to Saipan and youngest of nine children, moved to Dededo, Guam, with his family when he was just an infant. In 1999, after graduating from John F. Kennedy High School, he joined the United States Navy. Upon completion of basic training, he reported to Naval Hospital Corps School in Great Lakes, Illinois, where he graduated with distinction. He also trained at Field Medical Service School (FMSS) at Camp Pendleton, California.

Petty Officer Santos craved adventure. He wanted to help people and save lives, and he knew the job of a Navy hospital corpsman would help him fulfill these goals.

He has served two tours in Iraq and one in Afghanistan. In 2004, while deployed in Fallujah, he earned a Purple Heart. On September 6, 2004, a large convoy in Fallujah was hit by a vehicle-borne improvised explosive device and there was a mass casualty. He was the only corpsman on the scene for the first ten minutes of the attack. Although he was able to help many Marines, there were many others that lost their lives that day.

Furthermore, when several Marines in his unit showed signs of suicidal thoughts, he worked to help them get through it and allowed them to bunk above him during their last days in Afghanistan to ensure their return home was as peaceful as possible. He remains committed to his Marines and makes himself available around-the-clock to discuss these issues.

Petty Officer Santos has received numerous awards and recognition for his exemplary service, including the Purple Heart, Navy Commendation Medal, Navy Achievement Medal, Navy Good Conduct Medal, and a Combat Action Ribbon.

He is married to Easton Santos; together they have a 10-year-old daughter, Keana, and are currently expecting another child.

I congratulate Hospital Corpsman 1st Class (FMF) Joseph Santos on being named U.S.

Pacific Fleet's 2012 Sailor of the Year. I join the people of Guam in thanking him for his bravery and selfless service to our nation, and for making our island proud.

TRIBUTE TO LUCILLE SUTTON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, the lives of many have been touched by the life of this one woman who has given of herself to her family and her community; and

Whereas, Mrs. Lucille Sutton's spirit is as sweet as pie, she was an exemplary mother, mother-in-law, grandmother, great grandmother, neighbor and friend; and

Whereas, Lucille Sutton was a virtuous woman, a woman of great integrity who remained true to the uplifting of her community and family which in turn uplifted others; and

Whereas, she was an exemplary matriarch, serving as compass and wise counselor and bringing great joy to our district, her family and friends; and

Whereas, this remarkable woman gave of herself, never asking for fame or fortune as she became a quiet storm, a spark that starts a flame; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mrs. Lucille Sutton for her leadership, friendship and service to all of the citizens of DeKalb County and the nation; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mrs. Lucille Sutton of DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition": Mrs. Lucille Sutton, U.S. Citizen of Distinction.

Proclaimed, this 2nd day of January, 2013.

RECOGNIZING THE ACHIEVEMENT OF SSG STEPHEN RYAN

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to congratulate SSG Stephen Ryan on being honored with the Howard O. Scott Citizen-Soldier of the Year Award from the Tacoma-Pierce County Chamber's Military Affairs Committee. He is a valued NCO who also serves in the Washington Army National Guard with distinction of more than 12 years.

The Citizen-Soldier Award is given to an exemplary Soldier, Airman, Sailor, Marine, or Coast Guardsman who demonstrates Mr. Scott's belief that giving back to the community is one's responsibility.

SSG Ryan has excelled in each position he has held throughout his career. He is highly regarded in the maintenance community as

one of the best practitioners of the Standard Army Maintenance System Enhanced (SAMS—E) in the Washington National Guard.

His off duty work with the 951st Maintenance Company's Family Readiness Program is a tribute to his unit and fellow soldiers. He continues to volunteer and devotes his personal time to the men and women of the 951st as a leader and mentor of our Citizen Soldiers.

For the last six years SSG Ryan has volunteered often with the Pierce County Friends and Athletes (PCFA), one of the largest independent Special Olympics programs in the State. He also is the head usher at Lakewood New Hope Community Church, where he spent a year as a board member.

The Citizen-Soldier Award memorializes Howard Scott who grew up in Tacoma and served his nation when called upon during World War II. He returned to succeed as a banker in Tacoma—giving much of his time to community service organizations, believing that service is a core responsibility.

Mr. Speaker, it is with great honor that I recognize SSG Stephen Ryan. His dedication to serving our community is an inspiration to others.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,755,788,437,042.45. We've added \$6,128,911,388,129.37 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE 95TH REPUBLIC DAY OF THE REPUBLIC OF AZERBAIJAN

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. BORDALLO. Mr. Speaker, I rise today as a member of the Congressional Azerbaijan Caucus, I ask my colleagues to join me in honoring the Republic of Azerbaijan as it celebrates its 95th Republic Day on May 28, 2013. Later this year, Azerbaijan will also celebrate the 22nd anniversary of its freedom from the Soviet Union and the establishment of diplomatic relations with the United States.

Azerbaijan's initial independence was short-lived, and was overtaken by the Bolshevik Revolution and the force of Soviet Russia. Many Azerbaijanis lost their lives in 1920, trying to retain their independence. After decades of living under Soviet rule, in 1991, Azerbaijan once again regained its independence after the fall of the Soviet Union.

Over the last two decades Azerbaijan has become an increasingly important partner to the U.S., with Russia as a neighbor on its' northern border and an extensive border with Iran in the south, Azerbaijan is located in a geopolitically dynamic region between Europe and Asia. It is a predominately Muslim secular democracy noted for religious tolerance that is also home to Christian and Jewish communities.

As highlighted by former Secretary of Defense Robert Gates, Azerbaijan plays a key role in supporting the Northern Distribution Network, which provides passage for Coalition supplies bound for Afghanistan. In addition to supporting U.S. security interests in the region, Azerbaijan serves a paramount role in supplying world markets with oil and gas. It is the only secular Muslim country that maintains close ties with Israel, supplying roughly forty percent of Israel's energy needs.

I ask my colleagues to join me in honoring the Republic of Azerbaijan on the occasion of its 95th Republic Day. I also encourage my colleagues to join the Congressional Azerbaijan Caucus to show support for the important partnership between the United States and Azerbaijan.

HONORING JOYCE GEORGE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, a virtuous woman of God accepted her calling to serve in the Educational System; and

Whereas, Mrs. Joyce George began her educational career in teaching in Alabama and this year she retires from teaching at Edward L. Bouie, Sr., Elementary Theme School in Lithonia, Georgia, she has served the DeKalb County Public Schools System well and our community has been blessed through her service; and

Whereas, this phenomenal woman has shared her time and talents as a Teacher, Educator and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader, a devoted scholar and a servant to all who want to advance the lives of our youth; and

Whereas, Mrs. George is formally retiring from her educational career today, she will continue to promote education because she is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Joyce George on her retirement from the DeKalb County Public Schools System and to wish her well in her new endeavors; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 10, 2013 as Mrs. Joyce George Day in the 4th Congressional District of Georgia.

Proclaimed, this 10th day of May, 2013.

SPRINGFIELD-GREENE COUNTY PARK BOARD 100TH ANNIVERSARY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize the Springfield-Greene County Park Board's 100th Anniversary.

The Park Board was founded on May 22, 1913 and immediately assumed the maintenance and preservation of Washington and Lafayette Parks, both created shortly after the Civil War. By the end of World War II, it administered Springfield's ten historic parks, including: Dickerson Park Zoo, Doling, Grant Beach, Fassnight, Lafayette, Phelps Grove, Sequiota, Silver Springs, Smith, and Washington.

Tremendous growth took place from the 1950s to the present, particularly under the leadership of longtime Parks Director Dan Kinney, who more than doubled the size of the system during his tenure from 1971 to 2005. The name changed to the Springfield-Greene County Park Board in 1996, when voters approved expansion of the system beyond city limits.

The Park Board now counts more than 100 sites and many more facilities within its county-wide system, ranging from neighborhood playgrounds to multi-use recreational facilities. The system includes three golf courses, three Emily centers, a zoo, a farm park, a botanical center, several sports and athletic complexes, two indoor aquatics centers, six outdoor swimming pools, multiple school-park sites and more than 100 miles of recreational trails.

The Park Board has earned state and national recognition, most notably the "Gold Medal Award" for best overall parks and recreation department of its size in 2000 from the National Recreation and Park Association. In 2003, the City of Springfield, Missouri—Greene County was named "Missouri Sportstown USA" by Sports Illustrated magazine. The United States Olympic Committee has designated the Park Board as one of its select Community Olympic Development Program sites for the sports of tennis, volleyball, archery, and ice hockey.

Each year, park facilities host more than 50 national, regional, state and local tournaments in softball, baseball, soccer, hockey, tennis, volleyball and golf, and it maintains an active partnership with more than 200 volunteer groups and entities in the area, enhancing recreation and outreach both within and beyond parks facilities.

For 100 years, the Park Board has skillfully managed the beautiful parks and recreation facilities throughout the Springfield area, and I am confident that the next 100 years will be even more impressive.

CONGRATULATING ROBERT F. CERVENKA OF PHILLIPS, WISCONSIN, ON BEING PRESENTED THE LIFETIME ACHIEVEMENT AWARD BY THE PRICE COUNTY ECONOMIC DEVELOPMENT ASSOCIATION

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. DUFFY. Mr. Speaker, I rise today to recognize the business accomplishments of Robert F. Cervenka of Phillips, Wisconsin, who has been presented the Lifetime Achievement Award by the Price County Economic Development Association.

Bob Cervenka was born and raised in the small town of Phillips, Wisconsin. He graduated from the University of Wisconsin-Madison. After his graduation in 1958, Bob returned to the community that he loved to pursue his new business venture—the Phillips Plastics Corporation.

Phillips Plastics began operations on October 20, 1964, occupying an old creamery building in Phillips. In 1967, the company broke ground on a new 12,000 square foot custom plastic facility where they employed 30 skilled workers dedicated to crafting innovative control knobs for automobiles, dishwashers, fans, dehumidifiers, and dryers. In 1973, Phillips Plastics opened Precision Decorating in Medford, Wisconsin. Shortly thereafter, the facility became known as Phillips Automotive, a full service design, manufacture, decoration, and assembly plant for high volume injection molded components. As industries from the Midwest moved to the south and offshore, Bob recognized that Wisconsin's rural, small community workforce offered a unique competitive advantage. He developed additional plants in Chippewa Falls, Eau Claire, Menomonie, New Richmond, Hudson, and Prescott among others.

Capitalizing on the company's success, Mr. Cervenka and co-founder Louie Vokurka established the independent philanthropic Ann Marie Foundation in 1974. Named after their mothers, the foundation worked to improve the quality of life within local communities that are home to Phillips Plastics facilities. Since its inception, the foundation has given over \$8 million to schools and non-profit organizations.

Thanks to the business contributions of outstanding citizens like Robert F. Cervenka, Wisconsin's economic future looks bright. I ask that my colleagues join me today to express our appreciation for Bob's entrepreneurial spirit and our congratulations to him on receiving this well-deserved award.

RECOGNIZING VICE SPEAKER BENJAMIN J.F. CRUZ ON RECEIVING THE JUDICIARY'S 2013 HUSTISIA AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Benjamin J.F.

Cruz, the Vice Speaker of the Guam Legislature, on being awarded the Judiciary of Guam's 2013 Hustisia Award.

The Hustisia Award is awarded annually to recognize a person or organization that has contributed to improving the administration of justice and good government.

Vice Speaker Cruz has committed his life to promoting justice in Guam as an attorney, jurist, and current senator. This award recognizes his 40 years of service in advocating for justice and equality and for promoting and strengthening respect for the rule of law. Throughout this career, he fostered building public support for the judiciary, promoted understanding of the judicial system, and encouraged civic responsibility and service.

Born to Antonia C. Franquez and the late Juan Quenga Cruz, former Commissioner of Piti, Vice Speaker Cruz received a Bachelor of Arts degree in Political Science and Economics from Claremont Men's College in 1972. In 1975, he received his Juris Doctor degree from the University of Santa Clara Law School.

Vice Speaker Cruz returned home and became an attorney and member of the Guam Bar Association. Throughout his career, Vice Speaker Cruz has worked for all three branches of government. From 1975 to 1979, he served as Legal Counsel to my late husband, Governor Ricardo J. Bordallo. A few years later, in 1983, he served one year as Director of the Guam Liaison Office in Washington, DC.

His work in the judicial branch of government began in 1984 when he was appointed a judge of the Superior Court of Guam. He was elevated to the Supreme Court of Guam and served as an associate justice from 1997 to 1999. In 1999, his colleagues elected him Chief Justice of Guam and served in this capacity until his retirement from the bench in 2001.

In December 2003, he was federally appointed as Commissioner of the Guam War Claims Review Commission. He served in this post until June 2004.

He is currently serving his second term as Vice Speaker of the 32nd Guam Legislature; he has served as a senator in the 31st, 30th and 28th Legislatures. He was also the Minority Legal Counsel for the 15th, 16th, and 29th Guam Legislatures.

Additionally, Vice Speaker Cruz remains an active member of our island community. He has been involved in numerous community and civic organizations, and has spearheaded several non-profit corporations focused on social justice issues, cultural preservation, and youth services.

I congratulate Vice Speaker Benjamin J.F. Cruz on receiving the Judiciary of Guam's 2013 Hustisia Award. I join the people of Guam in commending him for his award and thanking him for his many contributions to our community.

IMPROVING EMPLOYMENT & INDEPENDENCE FOR THE BLIND AND VISION IMPAIRED

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. WEBSTER of Florida. Mr. Speaker, as May is Vision Loss Awareness Month, it is my pleasure to recognize and support the AbilityOne Program. The AbilityOne Program, established by the Javits-Wagner-O'Day Act, is the nation's largest initiative that provides career opportunities to more than 50,000 people who are blind or have other significant disabilities. Seven out of 10 working age Americans who are blind or visually impaired are not employed. Through this program, people with disabilities have the opportunity to gain greater independence and quality of life, and enjoy and benefit from participation in their communities.

There are over 600 community-based non-profit agencies nationwide that participate in the AbilityOne Program. Lighthouse Central Florida, located in Orlando, Florida, is one of the agencies across the country associated with the AbilityOne program to provide individuals who are blind or visually impaired with rehabilitative services, job training and employment opportunities. In August 2012, I was fortunate to visit and tour the Lighthouse Central Florida facility, its recent expansion Lighthouse Works!, and their new call center. On behalf of the citizens of Central Florida, I commend the efforts of Lighthouse Central Florida and the investments they are making in the lives of individuals with vision loss to provide them with job training, work experience and other tools necessary to lead independent, successful lives.

In addition, the AbilityOne Program network manufactures a wide array of products and services such as the National Industries for the Blind's (NIB) SKILCRAFT® brand, which encompasses over 3,000 items including janitorial equipment, office supplies, medical supplies, tools, and uniforms. I am pleased to support the AbilityOne Program and NIB's initiatives by purchasing SKILCRAFT® products for use in my District office.

Federal and state governments save more than \$33 million a year through the excellent work being done through the AbilityOne Program. Over the past 75 years, AbilityOne has enriched the lives of individuals who are blind or have other significant disabilities, and over the past 37 years, Lighthouse Central Florida has educated, trained, and helped 100,000 blind and vision impaired individuals. I applaud the efforts of those involved, and I wish them many more years of quality service to our nation.

HONORING JERRICK JACKSON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, we are gathered to celebrate the life of Mr. Jerrick Jackson, one of DeKalb County's favorite sons; and

Whereas, Jerrick Jackson was born to Wiley "Chief" Jackson, Sr., and Bobbie Lois Jackson, on April 19, 1966, he was educated in the DeKalb County Public Schools, later working for Delta Airlines and Norfolk Southern Railroad as a conductor; and

Whereas, he was a young man who believed and lived a life for God, country, community and family; and

Whereas, Jerrick Jackson gave of himself, his time, his talent and his life with unwavering commitment to his family; and

Whereas, he was a son, a brother and a friend; he was a man who enjoyed life, savoring the moments with his family and his companion Kimberly E. Little and her daughter, AnBiya Y. Mitchell; and

Whereas, the U.S. Representative of the Fourth District of Georgia recognizes Mr. Jerrick Jackson as a citizen of great worth and so noted distinction; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that Mr. Jerrick Jackson is deemed worthy and deserving of this "Congressional Honor" by declaring Mr. Jerrick Jackson, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 13th day of May, 2013.

RECOGNIZING THE AMERICAN CANCER SOCIETY FOR ITS SERVICE OVER THE LAST 100 YEARS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the One Hundredth Anniversary of the American Cancer Society.

Originally founded as the American Society for the Control of Cancer in 1913, the American Cancer Society promotes awareness and education, in addition to demonstrating an unmatched determination and commitment in supporting patients, survivors, and their families.

In 1944, the American Cancer Society began the prioritizing of cancer research and has to date been the largest non-governmental funder of cancer research. The American Cancer Society was instrumental in the passage of the Cancer Act of 1971, which established the National Cancer Institute to advance the detection of cancer and the application of cutting edge treatments.

Thanks in part to the American Cancer Society, the number of cancer deaths in America declined for the first time in history in 2006 and continues to decline today. The Society has made an incredible impact in the race to find the cure. Not only has the American Cancer Society been directly responsible for saving the lives of millions, but also for providing a light of hope in times of despair.

Relay for Life, which is the largest grassroots fundraising event in the world, was originally founded by an American Cancer Society volunteer over twenty years ago. Relay for Life is undoubtedly one of the most emotionally

powerful group fundraising events, raising more than three billion dollars to date. This laudable event brings the Nation together to provide hope and strength amongst all those impacted by cancer.

On behalf of the United States Congress, I congratulate the American Cancer Society and its courageous members on the monumental impact they've made over the last one hundred years. My wife Vicki joins me in offering our best wishes in the fight against cancer and for the success of the American Cancer Society.

TRINITY EVANGELICAL LUTHERAN
CHURCH

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. SHIMKUS. Mr. Speaker, I rise today to honor Trinity Evangelical Lutheran Church in Danville, Illinois upon the 150th anniversary of the church. The church celebrated this special occasion on April 25, 2013 with a festival divine service and banquet.

Trinity Evangelical Lutheran Church was founded on February 15, 1863 when 14 members signed the constitution which formed the congregation. The first ordained pastor was Gottfried Markworth, who also started Lutheran day school education in Danville, which is celebrating 150 years as well. The congregation moved to the current building on Main Street on April 25, 1915. Today, the church has 727 baptized members and the Pastor is Kent Tibben.

I extend my congratulations to Trinity Evangelical Lutheran Church upon this special occasion. It is my prayer that the Lord blesses them with many more years of service.

CELEBRATING MINNESOTA
MARRIAGE EQUALITY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. McCOLLUM. Mr. Speaker, today is a historic day for Minnesota. Marriage equality will become the law in our state, and I stand with my fellow Minnesotans to celebrate the equality of love and access to civil rights for all families. I applaud the courageous legislators who voted with their hearts for justice and equality for all families.

I am inspired by the dedication and compassion of all those who have worked to make the freedom to marry a reality in our state. Just two years ago, a hurtful and discriminatory amendment was proposed to constitutionally exclude Minnesota's same-sex couples from marriage. Yet through countless thoughtful conversations and the brave sharing of personal stories, a coalition was built that defeated the amendment.

Here in Washington I am mindful that much work remains to be done. Same-sex couples who will soon be legally married in Minnesota

will still not be federally recognized because the Defense of Marriage Act (DOMA) discriminates against them. These couples will be denied more than 1,000 federal rights and benefits that their neighbors are eligible to receive. I will continue to work to repeal DOMA and I hope in the coming weeks the U.S. Supreme Court will rule it unconstitutional.

All Americans deserve to be treated equally under the law. I look forward to the day when we can celebrate marriage equality all across America. Until then, I share in the joy of another step forward in the struggle for equal rights for all, regardless of their race, age, gender, or sexual orientation.

IN RECOGNITION OF FORMER
PRESIDENT OF MEXICO, INDIGENOUS
LEADER, AND FRIEND TO
THE UNITED STATES, BENITO
JUAREZ

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, as millions of Mexican Americans across the country commemorate the 5th of May, or "El Cinco de Mayo," I would like to pay particular homage to the indigenous visionary leader and friend to the U.S., Benito Juarez, whose historic actions led to this celebrated occasion. Born the son of Zapotec Indian peasants, Juarez rose above racial, economic, and political challenges to become one of Mexico's most renowned presidents.

Juarez became a lawyer in 1834, a judge in 1841, Governor of the state of Oaxaca in 1847, President of the Supreme Court of Justice in 1857, interim President of Mexico in 1858, and finally President elect in 1861.

Juarez served his country at a time of tremendous political discord. Inspired by the idea of a modern civil society and free market principles prevalent in its neighboring country to the north, Juarez dedicated himself to ridding his country of its historically corrupt military rule. Juarez also successfully ousted British, Spanish, and French opposition forces while serving as head of state in exile. It was at the Battle of Puebla, on May 5, 1862, that Mexican forces won a victory against the French. Although significantly outnumbered, the Mexicans defeated a much better-equipped French army of more than double their size in numbers. The French army had not been defeated in almost 50 years. On May 9, 1862, Juarez declared that the anniversary of the Battle of Puebla would be a national holiday regarded as "Battle of Puebla Day" or "Battle of Cinco de Mayo."

I note that Juarez maintained a special relationship with President Abraham Lincoln. During Juarez' exile, President Lincoln sent him a message expressing hope "for the liberty of . . . [his] government and its people." Later while Juarez fought against the French, General Ulysses S. Grant, under President Lincoln's direction, issued an order to "concentrate in all available points in the States an army strong enough to move against the invaders of Mexico." President Lincoln also sup-

plied arms and munitions to Juarez, sending as many as 30,000 muskets to reinforce the Mexican line.

In turn, Juarez stood strong against Confederacy efforts to topple the Union armies. When the South sent a delegation under John T. Pickett to Mexico to win over the juaristas, Pickett was thrown into a Mexico City jail for 30 days and thereafter expelled from the country.

Upon receiving news of President Lincoln's assassination, Juarez ordered flags at all public buildings and military stations in Mexico to fly at half-mast. In a letter to the Secretary of the Mexican Legation and his charge d'affaires in Washington, D.C., Juarez wrote: "[This] great misfortune has profoundly impressed me, as Mr. Lincoln, who worked with so much earnestness and abnegation for the cause of nationality and freedom, was worthy of a better fate than the poniard of a coward assassin."

Today, Juarez is remembered as being a progressive reformer dedicated to democracy, equal rights for his nation's indigenous peoples, and the defense of national sovereignty. Let us honor him on this day.

TRIBUTE TO DR. STANLEY H.
STONE

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Fifth Congressional District of Florida and myself, I rise now to offer a tribute to the career and success of my friend, Dr. Stanley H. Stone, who served as the Vice President of Human Resources and Diversity for Valencia College in Orlando, FL for the past ten years. A visionary and scholar Dr. Stanley H. Stone is a true leader of the Central Florida Community and the great State of Florida.

We exalt Dr. Stone for his accomplishments while the legacy honoring the man, husband, father, and a community leader who is beloved by many in the Central Florida area. A man dedicated to education and committed to achieving athletic excellence, Dr. Stone earned a Bachelor's of Arts degree in Political Science in 1974 from Howard University in Washington, District of Columbia while on a track athletic scholarship. During his tenure at Howard, he was acknowledged as a College All-American in Track and Field. This prestigious honor catapulted him toward his aspirations of representing the United States in the Olympics after winning several sprinting competitions. Continuing his pursuit of academic scholarship, Dr. Stone was awarded his Juris Doctorate degree in 1977 from Howard University.

Upon relocating to the State of Florida, Dr. Stone began his professional career as a staff attorney for Central Florida Legal Services, Inc. In 1979, Dr. Stone's call to service led him to the classrooms of Seminole Community College in Sanford, FL and Valencia Community College in Orlando, FL as an adjunct professor, where he taught both business and law

classes at each respective institution. Within the year, Dr. Stone became the Program Director of the Paralegal Program at Valencia. Progressing forward, he became the Dean of the Business and Public Services department and served in this capacity for 10 years. Because of his exceptional work ethic, management skills, and business savvy, Dr. Stone was promoted to Provost of Valencia College, East Campus in 1994 and remained in this position until 2003. It was during his tenure as Provost that the East Campus experienced extraordinary growth in student enrollment, increased number of grants awarded to faculty and staff, and the expansion of buildings and facilities. Subsequently, by the end of his term, the East Campus bolstered an enrollment of over 17,000 students per semester, greatly exceeding that of the other three respective Valencia Community College campuses. Also as campus Provost, Dr. Stone served as the Chair of the college-wide Equal Access/Equal Opportunity Committee, responsible for recommending college policies and procedures for conducting employment discrimination investigations, sexual harassment complaints, and provided guidance to administrators on college recruiting and hiring practices. As a result of being an advocate for students, Dr. Stone was awarded an honorary membership into the Phi Theta Kappa Society.

In recognition of exemplifying phenomenal leadership, Valencia's President, Dr. Sanford Shugart, promoted Dr. Stone to the position of Vice-President of Human Resources and Diversity division in 2003. Dr. Stone is the first to hold this position and was the only African American on the president's cabinet. He served as the president's liaison to the College's Black Advisory Committee. Dr. Stone holds memberships in the American Association of Community Colleges, the Florida Association of Community Colleges and the College and University Public Administrators organization.

As a community leader Dr. Stanley H. Stone's efforts are unrivaled. He has served on numerous boards, commissions and panels throughout the Central Florida area. In September, 2006, Orlando Mayor Buddy Dyer appointed Dr. Stone as Chair of the Mayor's Safe Orlando Task Force. His unprecedented recommendations to resolve law enforcement issues and reduce crime were unanimously accepted recommendations for implementation. In addition, Dr. Stone serves on the Board of Directors for the African American Chamber of Commerce, the Central Florida Urban League, 100 Black Men organization and Boys and Girls Club. Dr. Stone reached the pinnacle of his volunteerism and philanthropic efforts by being recognized by several organizations such as the Orange County Black History Committee who named Dr. Stone, Educator of the Year in 2006; The Links, Incorporated in 2009; and he was most recently recognized by Zeta Phi Beta Sorority, Incorporated as a Blue Indigo award recipient.

Though Dr. Stanley H. Stone is a celebrated educator and exemplary community leader, the title that suits him best that which he is most proud of is father. Dr. Stone enjoys leisure time with his son, Terrance, and his loving wife, Barbara. In memory of their most cherished and treasured daughter Shannon,

who transitioned in 2007, Dr. and Mrs. Stone established a foundation through which several students have been granted scholarships and book awards. A devoted and active member of Antioch Missionary Baptist Church in Oviedo, Florida, Dr. Stone is a man of great faith. Through his faith he has persevered from his childhood in the inner city to his stellar achievements as a community servant. Always remembering to reach back, Dr. Stone's commitment and dedication to our youth has provided young people with the opportunities that were not so easily afforded to him.

We pay tribute to a man of God Dr. Stanley H. Stone, as a humanitarian, man, husband, father, educator, and community leader in Central Florida whose life work and achievements symbolize compassion, thoughtfulness, patience, wisdom, confidence and faith. He is a man who has remained the master of his fate, steadfast to being the captain of his soul and is truly a role model for us all.

HONORING CALVIN "CAL" SUTKER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor Mr. Calvin "Cal" Sutker, a political and community leader, a devoted family man, and a treasured friend to many.

Cal Sutker had an illustrious political career that included many elected and appointed leadership positions, beginning as a Trustee in the Village of Skokie from 1965 to 1969, where he helped pass one of the first Fair Housing Ordinances in the State of Illinois.

From 1985 to 1991, Mr. Sutker ably represented his community in the Illinois General Assembly as State Representative and went on to become Cook County Commissioner from 1994 to 2002. Mr. Sutker served as Niles Township Democratic Committeeman for 33 years, from 1973 to 2006. He also served as Chairman of the Illinois Democratic Party and as State Central Committeeman. He was a friend and supporter of many aspiring and serving elected officials, including me, for which I will always be grateful.

In addition to the many laws and ordinances that he authored that have made life better for the people of Illinois, Mr. Sutker has left an indelible physical legacy for our community. He was instrumental in bringing the Skokie Northshore Sculpture Park, the 2nd District Courthouse, and the Illinois Holocaust Museum to Skokie. In 2006, a Cook County Forest Preserve District grove was named for Cal Sutker.

Mr. Sutker was active in Jewish charitable causes, and a staunch supporter of NA'AMAT USA, in which his beloved wife Phyllis was a leader for many years. He enlisted in the United States Army in 1942, serving in Germany, France and Austria during World War II. He was in the battalion that first entered the Dachau concentration camp and liberated its prisoners, and spoke regularly to community and student groups about his experiences during the war.

He received his undergraduate and law degrees from the University of Chicago.

Calvin Sutker and his late wife Phyllis had four children—Edie Sue Sutker, a Skokie Trustee, Shelly Sutker-Dermer, a Circuit Court Judge in Skokie, Sharon McGowan, and Allen Sutker. He is also survived by his eight grandchildren, his sister Ada Rabinowitz, and his brother Irwin Sutker.

RECOGNIZING CHILDREN'S MEDICAL CENTER DALLAS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the achievements of Children's Medical Center Dallas. This year, Children's Medical Center Dallas celebrates its centennial, marking 100 years of providing quality health care to the Dallas community.

Children's Medical Center Dallas has consistently been recognized among the top children's hospitals in the country by U.S. News and World Report. It has more than fifty specialty and subspecialty programs, and was the first pediatric hospital in Texas to be designated as a Level I Trauma Center. Children's provides more than \$65 million in charity health care annually to ensure access to treatment for many children whose families are unable to pay for their care. With nearly seven thousand employees and well over 200,000 patients served annually, Children's is an integral part of the Dallas community.

To expand the treatment options available for patients, Children's has partnered with the University of Texas Southwestern Medical Center to create the Children's Medical Center Research Institute. This Institute builds upon the clinical expertise of Children's Medical Center Dallas and the scientific prowess of UT Southwestern Medical Center to conduct transformational pediatric research.

Over recent decades, I have seen Children's Medical Center Dallas grow and develop in its effort to continue providing superior healthcare for children and their families. I congratulate Children's on its 100th year of operation and commend the hardworking nurses, physicians, and staff at Children's for providing care to so many of Dallas' children.

IN RECOGNITION OF SERGEANT GUILLERMO DE LEON

HON. PETE P. GALLEGO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2013

Mr. GALLEGO. Mr. Speaker, I rise to recognize the late Sergeant Guillermo "Willie" De Leon.

Staff Sergeant De Leon was the son of a Terlingua miner—born on June 25, 1919 in the 23rd congressional district in Big Bend and raised in Uvalde. He gained his strong work ethic at an early age—learning the stonemason and bricklayers trade during the Great Depression.

Mr. De Leon was inducted in the U.S. Army in 1940—serving in the 36th Infantry Division in North Africa and Italy. He made the rank of staff sergeant at an early age, becoming one of the first Mexican-American noncommissioned officers and one of the first to command Anglo troops.

Staff Sergeant De Leon led a squad of 12 men in the first wave of the amphibious landing at Salerno, Italy in 1943—wading through tracer bullets and his fallen comrades. He was

also a member of the 141st Infantry Regiment, the all Mexican-American unit that led the attack at the crossing of the Rapido River. Staff Sergeant De Leon was one of only 26 men who survived the attack.

Staff Sergeant De Leon's valor earned him several recognitions. He was awarded the Silver Star, the Bronze Star, the Purple Heart with one cluster, the American Defense Service Medal, the American Campaign Medal, the

Asiatic-Pacific Campaign Medal with four battle stars, and the World War II Victory Medal.

After his service, he returned to Uvalde to be with his family. He was a true hero. It is fitting that the civic center of Uvalde be named in honor of this brave American soldier—and rededicated on May 27, 2013. He is one of the community's most decorated veterans. The Staff Sergeant Willie De Leon Civic Center will pay tribute to the life of Guillermo De Leon.

SENATE—Wednesday, May 15, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the Heavens speak of Your wonders, and the skies declare what You have done. Let Your everlasting grace and compassion encompass our Senators today. Lord, give them such grace that they will be faithful in each task, striving to honor You in their work. May the work they do help provide for the security and well-being of our Nation and world. Protect them and those they love by the power of Your loving providence.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 15, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business until 10:30

a.m. The Republicans will control the first half, the majority the final half. Following morning business the Senate will resume consideration of the Water Resources Development Act. There will be up to seven rollcall votes to complete action on this bill, and we will start the voting at about 10:30 this morning.

Mr. President, there is a lot going on here—committees meeting—but I want to alert all Senators, Democrats and Republicans, that we have a lot of votes to do and we are not going to wait around while someone strolls in. The first vote will be the regular 15-minute vote, and after that it will be 10 minutes. I am alerting everyone that we are going to close the votes as quickly as we can so we can finish.

The Republicans have an important meeting beginning before 1 p.m. today, so we will move through these votes as quickly as we can.

We also expect votes today on confirmation of Marilyn Tavenner to be Administrator of the Centers for Medicare and Medicaid Services, and we may get to see if we can finish the Orrick nomination to be a judge for the Northern District of California.

MEASURE PLACED ON THE CALENDAR—S. 953

Mr. REID. Mr. President, I am told that S. 953 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 953) to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

Mr. REID. I object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

HEALTH CARE

Mr. REID. Mr. President, the great Albert Einstein defined insanity as follows: “doing the same thing over and over again and expecting different results.” That is what Albert Einstein said. If his definition is true—and I am not going to argue with Einstein—the House Republicans have truly lost their minds. This week the House of Representatives will vote for the 37th

time—the 37th time—on exactly the same thing. What are they voting on? They are voting to repeal the landmark constitutional health care reform bill known now as ObamaCare—and I say that proudly.

After last year’s election, Speaker BOEHNER conceded that ObamaCare is here to stay. Here is what he said:

It’s pretty clear that the president was re-elected. Obamacare is the law of the land.

I think that is a pretty fair statement. Again, the Speaker said it is pretty clear President Obama was re-elected and ObamaCare is the law of the land. So no matter what he said then, this is now, and he has changed his mind. The House will waste yet another week on another dead-end repeal vote. Perhaps Republicans think the 37th time is the charm, but 37 times on the exact same thing?

Tea party extremists bullied the Speaker into holding yet another vote to repeal the Affordable Care Act and roll back benefits for tens of millions of Americans.

This is what the Speaker said last week:

We’ve got 70 new Members who have not had an opportunity to vote on the President’s health care law. . . . Frankly, they’ve been asking for an opportunity to vote on it.

This political kabuki has tied up the floor of the House of Representatives for weeks and cost the American taxpayers \$52.4 million and counting. These are figures compiled by CBS News of the time wasted on those 37 votes—all the House staff and all other personnel who have responsibilities for making sure that place runs as well as it does. That money—\$52.4 million—is enough to restore funding for 19 million meals for homebound seniors or 6,900 children dropped from the Head Start Program.

But while the vote may be political theater, it does have one benefit: The American people will know where the freshman class of House Republicans stands. I think we know, but we will get another opportunity to see this. Do they stand with millions of Americans who are already benefiting from ObamaCare—we know that answer—or do they stand with insurance companies? We know that answer.

The insurance companies would like nothing better than to have things the way they used to be and to once again deny coverage to sick children, impose lifetime caps on care, and discriminate against those with preexisting conditions. Since President Obama signed the Affordable Care Act into law, insurance companies can no longer put profits ahead of people.

One of the provisions in this bill says that, of premiums paid to insurance companies for health care, 80 percent of those premiums must go to patients. No longer, as once happened, will 50 percent of the premiums go for salaries and bonuses and other perks for insurance executives—no longer. Insurance companies can no longer discriminate against children with preexisting conditions. They can no longer raise rates for no reason. They can no longer drop coverage if someone gets sick. But that is what happened. Yet this week, for the 37th time, House Republicans will try to change all that.

Here are a few of the other benefits already in effect that House Republicans would eliminate. In Nevada alone—and we are not a heavily populated State such as Massachusetts or California or New York, but we are getting bigger, we have about 3 million people—tens of thousands of seniors have saved tens of millions of dollars on medicines because the Affordable Care Act closed the gap on prescription drugs. That means millions of seniors across this country have more money in their pockets for food, gas, and electric bills.

More than 3 million young people, because of ObamaCare, including 33,000 young Nevadans, have benefited from a provision in the law that allows children to stay on their parents' health plans until they are 26 years old. That means no person will have to worry about getting sick while looking for a job that offers insurance or while they go to college.

In my little town of Searchlight, NV, a boy made a decision. Was he going to join the military—he was from a patriotic family—or was he going to go to college? He made the decision that he was going to go to college. His family was not one of means. His mom worked part time in a post office, and his dad worked at a powerplant about 40 miles from Searchlight. They were so happy that this boy was going to go to college. He was the first person in their family to go to college, and he did extremely well.

He finished his first year, and he was in his second year when he started feeling some discomfort. He had testicular cancer. At the time ObamaCare passed, he was 23 years old and no longer could be on his parents' insurance. So they had no insurance to cover this cancer their son had—their youngest boy. They begged and borrowed and literally—well, I shouldn't say "begged." They didn't do that. They had a very difficult time of it. He needed two surgeries.

Now I guess the Republicans in the House want to go back to that. Maybe the Republicans here—they love voting against ObamaCare provisions—want to go back to a time when that boy, Jeff, would no longer have insurance. That is what they want for these young

men and women who are trying to go to college, to get a job—they want to go back to that time. He has 3 extra years now. That means a lot.

Under ObamaCare, hundreds of thousands of businesses that already offer their employees health insurance are getting tax credits for doing the right thing. That means small business owners can spend their capital on growing their firms instead of growing insurance premiums.

Thanks to the Affordable Care Act, insurance companies can no longer set arbitrary lifetime caps on benefits, as they once did. What does that mean? It means there was a provision hidden in that policy they sold you that stated that when your benefits reach \$50,000, coverage stops. It didn't matter if you had been hurt in an automobile accident or you had cancer or some other dread disease; it used to stop. Not anymore. Because of the Affordable Care Act, millions of Americans are no longer one car accident or a heart attack away from bankruptcy.

Today, children can no longer be denied coverage because they are born with a disease or a disability—a protection that will soon be extended to all Americans. Soon, being a woman will no longer be a preexisting condition. I said that right, Mr. President. No longer will being a woman be a preexisting condition. My daughter has a preexisting condition. What is it? She is a woman. But no longer. In a few months, 129 million Americans with preexisting conditions, such as high blood pressure or epilepsy, can rest assured they will have access to affordable insurance and lifesaving care regardless of how much money they make or don't make. And soon 25 million more Americans who can't afford health insurance will have access to reasonably priced insurance and quality care. But if Republicans get their way, these benefits and more will disappear. There is going to be a vote in the House of Representatives to repeal everything I have talked about—not change it but repeal it.

President Obama led the charge here, and we were able to pass the Affordable Care Act—the most significant change in our health care delivery system since Medicare all those many, many years ago. It ensures access to quality affordable health care for every American. But Republicans would erase these gains and force millions of American families to once again rely on expensive emergency room care or go without care at all.

Fortunately, the Republicans' latest exercise in insanity, as described by Albert Einstein—that is, their latest repeal effort—is doomed to fail just as it did the previous 36 times.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE IRS

Mr. McCONNELL. Mr. President, it seems like, with each passing hour, the facts get more and more inconvenient for senior folks over at the IRS.

Yesterday, it was reported that the agency may have gone after a ministry founded by Billy Graham. We also learned that the very same IRS office that admitted to harassing conservative groups also released nine pending applications for tax-exempt status to the liberal investigative group ProPublica.

How did we find out? ProPublica revealed it.

Basically all we have gotten from the IRS, on the other hand, is an attempt to scapegoat some folks out in Cincinnati and a laughable attempt to move past this whole issue with a ridiculous op-ed claiming "mistakes were made."

Well, most folks don't think that ignoring the Constitution is simply a "mistake." I like the fact that one group the IRS targeted, when asked by the agency to provide reading materials related to their mission, mailed them a copy of the Constitution.

Today, I would like to encourage every group that feels like it has been unjustly targeted to do the same. Maybe just underline the First Amendment before you put it in the envelope, because that is what this is all about.

But getting back to the latest news—the leak to ProPublica—let's be clear about what this means: the IRS is forbidden from providing that kind of information about groups that have not been approved. It is a bright line prohibition that even the lowliest staffers at the IRS surely should know about.

We intend to find out all the relevant details. Yesterday, I said the administration needs to comply fully with all congressional inquiries on the matter. This ProPublica leak will unquestionably be one of them. The administration needs to make witnesses available to testify on this and on any other incident of targeting the administration's ideological opponents, and to resist the temptation to stonewall or obfuscate what took place.

Today, other Senate Republicans are joining me in this call. More than 40 members have signed a letter demanding as much of the President.

If the President is truly concerned about this issue, as he claims, he will work openly and transparently with us to get to the bottom of what happened and people will be held accountable. These allegations are serious—that there was an effort to bring the power of the Federal Government to bear on

those the administration disagreed with, in the middle of a heated national election. It actually could be criminal. And we are determined to get answers.

Again, let's not forget that we would not know any of this if congressional Republicans had not demanded better answers than the ones we were getting from the administration. When I and several of my colleagues wrote to the IRS last year seeking clarification on allegations that they were harassing conservative groups, the response we got was essentially: nothing to see here, move along.

When I pressed the issue in a speech last June, the left either ridiculed the suggestion or ignored it. When IRS officials were asked point blank in congressional hearings whether this was happening, they said point blank that it wasn't.

Of course it turns out it was.

By the way—you know who did not have trouble getting information out of the IRS? ProPublica, which was pushing an ideological agenda friendly to the administration. When they asked the IRS for information, they got it—in 12 days. Some of it was not even supposed to be released.

When I asked the IRS for information, when did I get it? Only when it was coming out anyway in an IG report.

So there are a lot—a lot—of unanswered questions that remain.

Which officials knew about this scandal?

When did they know about it?

What did they do about it when they found out?

Did they deliberately mislead Congress and the American people?

The number of officials involved continues to grow. And now, with this revelation from ProPublica, it appears that the campaign against conservative groups was of a broader scope than originally admitted. So it is no surprise that the American people are demanding more than just some half-hearted apology made under duress. As an activist from one of the targeted groups in Kentucky said yesterday, "Apology not accepted."

"There are many questions that still need to be asked," he said. "There are many that remain unanswered."

My constituent was absolutely right.

I ask unanimous consent the letter signed by my colleagues be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, May 14, 2013.

Hon. BARACK OBAMA,
Pennsylvania Avenue, NW,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to express our grave concerns and deep disappointment about the revelations in a report by the Treasury Inspector General for

Tax Administration (TIGTA) that the Internal Revenue Service (IRS) had specifically targeted certain organizations for extra scrutiny as part of their approval review of applications for tax-exempt 501(c)(4) status. This appears to be a wholly inappropriate action that threatens to silence political dissent and brings partisan politics into what used to be a nonpartisan, unbiased and fact-based review process. The public's confidence in the IRS relies on fair and apolitical application of the law. Actions such as these undermine taxpayers' ability to trust its government to fairly implement the law.

According to information given to Congress in a timeline provided by the Treasury Inspector General for Tax Administration (TIGTA), in early 2010 "specialists had been asked to be on the lookout for Tea Party applications, and the IRS Determinations Unit had begun searching its database for applications with 'Tea Party,' 'Patriots,' or '9/12' in the organization's name." The report goes on to state that "By June 2011, some IRS specialists were probing applications using the following criteria to identify tea-party cases, according to the Treasury inspector general findings: "'Tea Party,' 'Patriots' or '9/12 Project' is referenced in the case file; issues include government spending, government debt or taxes; education of the public by advocacy/lobbying to 'make America a better place to live'; statements in the case file criticize how the country is being run."

We are deeply disturbed that agents of the government were directed to give greater scrutiny to groups engaged in conduct questioning the actions of their government. This type of purely political scrutiny being conducted by an Executive Branch Agency is yet another completely inexcusable attempt to chill the speech of political opponents and those who would question their government, consistent with a broader pattern of intimidation by arms of your administration to silence political dissent.

These disclosures are even more unsettling as they contradict prior statements made by representatives of the Administration on this matter. In response to questions raised in 2012 on this issue by Republican Senators, Steven T. Miller, the Deputy Commissioner for Services and Enforcement at the IRS, specifically (and falsely) stated that there was an unbiased, technical screening process used to determine which applications for 501(c)(4) organizations merited further review. In two separate letters to Finance Committee Ranking Member Orrin Hatch, Mr. Miller failed to note that explicitly political screens were used in reviewing applications, despite the fact the practice was apparently well known within the IRS as early as 2010.

Given these strong and clear statements by the Administration in 2012 that no such targeted review or specified politically motivated criteria existed, these revelations raise serious questions about the entire application review process, and the controls in place at the IRS to stop this sort of political interference once and for all. According to TIGTA these actions took place more than two years ago, yet without this information becoming public, there is no evidence that your administration would have done anything to make sure these abuses were brought to light and dealt with in a transparent way.

The American people deserve to know what actions will be taken to ensure those who made these policy decisions at the IRS are being held fully accountable and more importantly what is being done to ensure that this kind of raw partisanship is fully elimi-

nated from these critically important non-partisan government functions. As such, we demand that your Administration comply with all requests related to Congressional inquiries without any delay, including making available all IRS employees involved in designing and implementing these prohibited political screenings, so that the public has a full accounting of these actions. It is imperative that the Administration be fully forthcoming to ensure that we begin to restore the confidence of our fellow citizens after this blatant violation of their trust. We look forward to working on this critical issue with the Administration's full cooperation.

Sincerely,

Orrin Hatch, John Barrasso, Pat Toomey, Mitch McConnell, John Cornyn, Bob Corker, David Vitter, Marco Rubio, Mark Kirk, John Thune, John Hoeven, James Inhofe, Deb Fischer, James Risch, Mike Johanns, Johnny Isakson, Richard Shelby, Tom Coburn, John Boozman, Chuck Grassley, Rand Paul, Mike Crapo, Dan Coats, Kelly Ayotte, John McCain, Ted Cruz, Dean Heller, Richard Burr, Pat Roberts, Roger Wicker, Thad Cochran, Ron Johnson, Rob Portman, Michael B. Enzi, Jeff Flake, Susan Collins, Saxby Chambliss, Roy Blunt, Jeff Sessions, Lamar Alexander, Jerry Moran, Mike Lee, Lindsey Graham, Tim Scott, Lisa Murkowski.

NATIONAL POLICE WEEK 2013

Mr. MCCONNELL. Mr. President, this week we mark National Police Week 2013 as a time to pay tribute to the service and sacrifice of the many men and women in Federal, State, and local law enforcement across America. It is an appropriate time for those of us who benefit from their efforts—and that is all of us—to express our gratitude.

The Nation's Capital welcomes thousands of police officers who are gathering to celebrate National Police Week. They will honor their fallen fellow officers and rededicate themselves to their duties of defending the property, dignity, and lives of those who would fall prey to criminals outside the law.

I want to especially recognize the many men and women who work to enforce the law in my home State of Kentucky. Many of them have traveled to Washington this week, and today I will have the pleasure of meeting with some of Kentucky's finest. I want to personally thank them for bravely risking their lives in service of people across the Commonwealth.

Earlier this month in Richmond, Kentucky, a solemn ceremony was held at the Kentucky Law Enforcement Memorial on the campus of Eastern Kentucky University. This memorial lists the names of every known fallen peace officer in Kentucky history. Along the bottom of it are the words, "Blessed Be the Peacekeepers."

The ceremony was held to add the names of two law-enforcement officers from Kentucky who were killed in the line of duty in 2012. Hodgenville Police Officer Mark A. Taulbee was killed in a

vehicle pursuit on September 16. Marion County Sheriff's Deputy Anthony Rakes was shot during a traffic stop on November 14.

I extend my sympathies to the families of Officer Taulbee and Deputy Rakes for their tragic loss.

Their names will be added, along with 6 other Kentucky peace officers whose names had not previously been on the memorial. There will be a total of 509 brave Kentuckians on that wall.

I know my colleagues in the U.S. Senate join me in holding the deepest admiration and respect for the many brave law-enforcement officers across Kentucky and the Nation. Theirs is both an honorable profession, and a dangerous one. It is also a necessary one, as the maintenance of peace and order in a civil society that we take for granted could not exist without them.

Kentucky is grateful to our law-enforcement officers and their families. And we are grateful for the sacrifice of Officer Mark A. Taulbee and Sheriff's Deputy Anthony Rakes to preserve the rule of law.

I ask unanimous consent that the names of the Commonwealth of Kentucky law-enforcement officers added to the Kentucky Law Enforcement Memorial this year be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mark A. Taulbee; Hodgenville Police Department; End of Watch: September 16, 2012.

Anthony Rakes; Marion County Sheriff's Office; End of Watch: November 14, 2012.

Releigh Killion; U.S. Marshal; End of Watch: May 24, 1884.

Thomas D. Martin; Stanford Police Department; End of Watch: May 16, 1931.

Theo Madden; Knott County Sheriff's Office; End of Watch: March 10, 1933.

Vernon C. Snellen; Kentucky State Police; End of Watch: February 20, 1937.

Bill Baker; Perry County Sheriff's Office; End of Watch: March 11, 1950.

George Puckett; Perry County Sheriff's Office; End of Watch: April 26, 1950.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Republican whip.

OBAMA SCANDALS

Mr. CORNYN. Mr. President, like millions of Americans, the events of

the last few days and the last few months have caused me to reflect on the nature of our Federal Government and our special system of federalism which delegates to the Federal Government certain powers but reserves to the States and the people those remaining powers. That is roughly what the 10th Amendment to the U.S. Constitution says.

I have also reflected a little bit on what some wise people have said over our history, and even before America was founded, about the nature of power, government power: Power corrupts and absolute power corrupts absolutely.

Our Founders pointed out in the Federalist Papers and elsewhere that the concentration of power in the hands of the few is the very definition of tyranny. We have learned from hard experience over the course of our Nation's history that when government thinks it knows best, particularly here in Washington, in a country as big and diverse as ours, the natural tendency then in Washington is to try to suppress the voices of those who see things differently, those who want to exercise their constitutional rights, particularly to free speech, freedom of association, and, yes, even freedom of the press.

It is not true to say we have not been warned about the dangers of concentration of power in the Federal Government, and big government, and the human frailties that follow. We have been warned time and time and time again. Now we have been reminded once again of the wisdom of our Founders and the wisdom of the structure of the U.S. Constitution.

Over the last week a series of events has highlighted the administration's massive credibility gap. First, we learned more details about the coordinated attempt to misrepresent the September 2012 terrorist attack in Benghazi, Libya. You may recall immediately after that attack the President was at a press conference, and he said later: Well, I said it was a terrorist attack then. That was reviewed by the Fact Checker in the Washington Post—hardly an unsympathetic newspaper editorially to the administration's point of view—and the Fact Checker gave the President of the United States four Pinocchios. Some ask why four Pinocchios? I think the true answer is because they never give five Pinocchios—maybe they do—but you get the point.

Of course we cannot escape the fact and we should not ignore the fact that this attack took four American lives.

Then we learned this last week that a senior IRS official had acknowledged that her agency deliberately targeted certain political speech and activity for harassment, using the instruments of power given to the Internal Revenue Service. Perhaps the most awesome,

pervasive, and potentially intrusive power the Federal Government has in the hands of that agency. Interestingly, the White House counsel said she learned about it in April. The President said he did not learn about it until later. An investigation needs to be undertaken, and I am happy Senator MAX BAUCUS, chairman of the Senate Finance Committee, and Senator ORRIN HATCH, the ranking member of the Finance Committee, have committed themselves to doing an investigation of the IRS and how this could possibly happen.

On top of all that, the top administrator of Health and Human Services, Secretary Kathleen Sebelius, has been soliciting funds from the very industries she regulates to help implement ObamaCare. It does not take a rocket scientist to imagine the potential for coercion by the government of these private sector industries because of their fear of retribution if they do not contribute to this effort—a huge conflict of interest, and perhaps illegal. We need to get to the bottom of that as well.

So whether the issue is terrorist attacks in Libya, political and partisan abuses by the IRS, or efforts by the Department of Health and Human Services to shake down the health insurance industry they regulate, it appears the birds the Founders warned us about have come home to roost.

The concentration of government power invariably leads to abuse of that power, and it is the same old story of human frailties over and over. It is no respecter of political parties; it has happened to both political parties. We should have been more careful, and we should have listened. We should not have persistently engaged in this power grab in Washington, DC, at the expense of individual liberty on the part of the American people.

What is the price to be paid by these scandals? The first price is a lack of credibility and public confidence in the most basic institutions that make up this government. The other damage is to the credibility of folks at the highest level of the administration. After all, if the administration is willing to prevaricate, mislead, and dissemble about an al-Qaida-linked attack in Benghazi that cost the lives of four Americans, what else are they willing to prevaricate, mislead, and dissemble about? Can the public trust this administration and its government to provide accurate information about the war on terror or anything else?

Similarly, if IRS officials knew their agency was targeting certain political activity and failed then to hold anyone accountable, how can the American people ever trust the Internal Revenue Service or the Federal Government to be neutral and law abiding?

I heard the junior Senator from Virginia, Senator Kaine, on the radio as I

came in this morning. I thought he asked a pretty good question. He said: What does it take to get fired in this town? What does it take to get fired in this administration for coverups and for misleading the American people?

If Secretary Sebelius is willing to strong-arm the very industry she regulates to fund the implementation of ObamaCare, can the American people trust her agency to be objective, evenhanded, and fair-minded as a regulator?

All this boils down to a very sad statistic that demonstrates that the public's confidence in the Federal Government—and particularly in Congress—is at an all-time low.

This is not the end of the story, and it should not be the end of the story. That ought to be the beginning of a bipartisan effort to get to the bottom of these abuses and also to restore ourselves to the constitutional framework our Founding Fathers envisioned when this great experiment of democracy was created more than 200 years ago. It wasn't a national government that dictated to the rest of the country how we should run our lives and what choices we should make; it was a Federal system of separated powers with checks and balances, with authority given to the Federal Government to do things that individuals and the States could not do by themselves, such as national defense. We have gotten far afield from the Framers' vision of how our country should operate or from the constitutional system they created and which we celebrate.

Now, more than ever, Washington needs credibility. If we don't have the public's trust, how in the world will we gain their confidence that we are going to address the many challenges our country faces? I am not pessimistic about our future, I am optimistic about our future, but it will take a change of attitude.

We will need a change of behavior so we can, in some sense, return to the Founders' philosophy on the framework and the structure in which our government operates. The Federal Government has said for too long: We know best; if you don't like it, it is because we have not given you enough information to convince you to like it. We take policies that are unpopular and merely shove them down the throat of the American people and think we are doing our job.

We know we have huge challenges which call on us to work together on a bipartisan basis to regain the public's confidence. I know we can do it. It is a matter of whether we have the political courage and the will to do it.

Here are some of those challenges: The longest period of high unemployment since the Great Depression. We have the largest percentage of the American workforce that simply has given up and quit looking for jobs because the economy is so weak.

The second challenge is a woefully unpopular health care law that even some of the architects of that law now say they see a train wreck occurring in its implementation.

We know our world continues to be dangerous, as Benghazi reminds us, and as we see from murderers, such as Bashar al-Asad in Syria, and people who threaten the innocent. There are people who have chemical weapons. There are people who are fighting for their very lives in places like Syria. Iran is on the pathway to develop a nuclear weapon which will completely disrupt the balance of power in the Middle East and create an arms race, while other countries seek their own nuclear weapons.

Let's not forget Iran was the primary state sponsor of international terrorism with its support for Hezbollah, among others. We have seen in North Africa and elsewhere the proliferation of al-Qaida affiliates and allies. We also need to fix our broken immigration system.

None of these individually are easy things to do. All of them are hard, but they are not impossible if we will try to work hard to regain the public's credibility. We simply need to do our work and respect the wisdom of the ages when it comes to concentration of power and its impact on individual liberty.

We have to be aware of temptations. When power is absolute, we need to see that power is corrupt and be aware of the abuse of that power when it comes to dealing with the American people.

Unfortunately, so far, the Obama administration has valued its agenda more than its credibility. Without regaining credibility, we will never regain the public's trust, and without that trust it will be much harder to solve America's biggest problems. That is the biggest single challenge to President Obama's second-term agenda and to our ability as Americans to show that this 200-plus-year experiment in self-government actually works.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET

Mr. WYDEN. Mr. President, I am going to take a few minutes to talk about why the events of the last 24 hours drive home how valuable it would be to have a House-Senate budget conference begin to meet and to deal with the extraordinary set of fiscal challenges our country has in front of us.

As the President of the Senate knows, a number of Senators on our

side have been trying to get a budget conference with the House. It has been several months since the budget resolutions in the respective bodies, in effect, have been set in motion. I want to talk about what has happened in the last 24 hours because it again drives home how valuable it would be for the Senate and the House to move to a budget conference at this time.

Yesterday the Congressional Budget Office—of course, our official arbiter of official numbers and trends—made public a new report showing there has been a significant reduction in the budget deficit. In fact, their analysis shows there has been something like a 24-percent reduction from what was estimated a few months ago.

If we couple that new evidence from the Congressional Budget Office with the fact that consumers continue to spend—which is certainly encouraging—the housing market coming back, employers adding 165,000 jobs in April, all of this drives home that in the short term the economy is picking up and we are making real progress.

The point of a budget resolution, on the other hand, is to give us a chance to look long term and look at the next 10 years how Democrats and Republicans can come together, for example, on the long-term challenge of holding down health care costs. We have certainly seen progress in the last few months on that.

There is a debate about why health costs have been moderating of late. I happen to think it is because providers and others are beginning to see what is ahead, but we can have that debate. Certainly there is a lot more to do in terms of holding down health care costs for the long term, and that is what I wish to see the Senate and House go to in terms of the budget resolution.

For example—and I think I have talked about this with the President of the Senate before—chronic care is where most of the Medicare money goes. Chronic care is for people with challenges with heart disease, stroke, and diabetes. We have some ideas we believe could be bipartisan, and would be exactly the kind of thing the House and Senate should take up in a conference on the budget, which we have been seeking for some time.

I only come to the floor today by way of trying to lay out why the events of the last few days dramatize how useful it would be for the Senate and the House to start thinking about what the country cares about, which is our long-term trends.

In fact, this morning I was struck by the fact that some economic theorists say the Congress has, over the last few months, had it backwards. We have been consumed with everything short term when, in fact, we ought to say: Look at some of those positive developments I just cited—including the Congressional Budget Office numbers here

recently—that would indicate maybe a little bit less of the back and forth. That is certainly what voters see as unduly partisan. We need to give way to some thoughtful, long-term efforts in perhaps a 10-year window, which is what is reflected on the budget side.

Some of the leading Republicans and some of the archconservatives with respect to economic analysis are all saying the same thing: We ought to be talking about long-term trends. I, as well as my fellow Democratic colleagues, have said that is one of the reasons for a budget conference. Glenn Hubbard, for example, one of the most respected of the conservatives, talks continually about the long-term challenge and the dangers of waiting.

Well, on this side of the aisle, we are saying we don't want to wait anymore in terms of getting to a budget conference. We want to be in a position to tackle some of these major kinds of questions: pro-growth tax reform—tax reform that can, again, generate revenue, and we have some ideas we would like to raise in a budget conference that we think would be attractive to the other side.

So I hope colleagues who have had questions about whether there ought to be a budget conference now—an actual budget conference between the Senate and the House—will look at these matters anew, given these kinds of trends. I would point out, to tell my colleagues the truth, I am encouraged on this point. We have heard colleagues over the last few days on the other side of the aisle say they too think this is the time for an actual budget conference between the House and the Senate. They have called for it for a long time. We now have a chance to not just call for it but actually do it. If anything, the economic news I have cited suggests some of the focus on these short-term trends ought to give way to more emphasis on bipartisan concern for the long-term trends, which are, in particular, going to revolve around health care, especially Medicare, and taxes where we have an opportunity to look at bipartisan approaches for tax reform.

I commend particularly Senator BAUCUS and Senator HATCH, our leadership on the Finance Committee on which I serve, who have been talking with Senators in weekly sessions they have pulled together on particularly the tax reform issue.

So we couple the opportunity for the long term, looking at things such as chronic health care which is where most of the Medicare dollars go. I think there are some good opportunities for protecting the rights of seniors while having quality care, holding costs down—those are the things we can look at in the longer term, which is what a budget resolution is all about.

So it has been 2 months since the House and Senate adopted their respec-

tive budget resolutions. I think, if anything, what we have learned in the last few days is yet more evidence of why Senators and House Members of good will who want to tackle the long-term economic challenge—which, if anything, becomes increasingly important day by day—ought to go to a budget conference and go forthwith to that effort in a bipartisan way.

Later on today I intend to propound a unanimous consent request to in fact go to that conference with the House on the budget, and I urge colleagues to join me—I know Senator COBURN is here, and I commend him because he has been one who has been interested in tackling long-term fiscal challenges. Long-term fiscal challenges, in a debate between the House and the Senate over the next 10 years and the future trends we are looking at, are going to be front and center. We can tackle those questions, particularly on health care and taxes, by going to a conference, as well as looking at the long term overall. We would also be, in my view, picking up on what economists and leaders in the private sector of both political parties are saying now, which is there should be a little bit less of a focus on short-term sparring about our economy and more of a focus on the long-term economic challenges, which is what a House-Senate budget conference, looking at 10 years ahead, could be all about.

With that, I yield the floor and I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WRDA AMENDMENTS

Mr. COBURN. Mr. President, we are still in morning business, and I will speak in morning business about two amendments I will call up when we leave morning business. One is amendment No. 815 on this bill, which is aimed at lessening State dependence on the Federal Government.

We have now, over the period of 50 years, helped with beach nourishment. In this bill is a section that extends from 50 to 65 years of government subsidization of beach nourishment. Really, if we look at the section, we see it is targeted toward a few States because they are running into the 50-year deadline. So all the amendment does is block it from going from 50 to 65 years.

The Clinton administration, the Bush administration, the Obama administration, the Obama fiscal commission, all recommended eliminating the Federal subsidization of beach nourishment

projects. So we have great bipartisan leadership on both sides of the aisle to bring this back, put back to the States what is truly a State responsibility.

What we are doing in this bill is furthering the dependence of States for beach nourishment projects on the Federal Government. So I will call up that amendment.

The next amendment is amendment No. 816. This committee has done a great job in setting up a review board that can eliminate authorized projects that no longer make sense, but they have limited what they can look at. They are not letting them look at the whole of water resources projects; therefore, they limit those projects. All we are saying with this amendment is we ought to reopen it.

One of the criticisms of this amendment is that a project may be in the midst of completion and the review board might say we should eliminate it. It doesn't mean we will eliminate it because in the wisdom of the committee, they gave the opportunity for Congress to disallow any of this.

So I think what the committee has done is a great step forward in getting rid of projects that are no longer apropos to whatever the needs are: But my question is, Why did they limit it to such a narrow package when, in fact, they want this outside input to help guide us on what we should do?

So at the appropriate time, when we are out of morning business, I will call up those amendments. I will not speak further on them; I will just call them up so we can move ahead with the bill.

I see the chairman of the committee is here. Good morning to her, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, for the benefit of all Senators, we are moving forward today. I thank all colleagues on both sides of the aisle. Senator VITTER and I have tried to allow all kinds of amendments.

Unfortunately, yesterday there was an objection to one contentious amendment, and Senator LANDRIEU was—she took one for the team and withdrew her amendment because she wanted to make sure this WRDA bill moves forward. I appreciate that. It is a very important issue about flood issues and it is complicated and I know how strongly she feels about it. I know she will be back. So we have a number of amendments, and we will be debating them for 1 minute on each side.

I wish to address my friend from Oklahoma. Let me tell my colleagues, we have been on opposite sides on his amendments. I don't like that very much. When we do work together we win big; when we don't, then it doesn't work out well for either of us. So I am sorry to say I will have to oppose the two amendments of my friend from Oklahoma, and I want to lay out for

the RECORD in a little more than a minute why.

We do something important in this bill. We create a new infrastructure deauthorization commission to review the backlog of corps projects and develop a list of projects that will be deauthorized unless Congress passes a joint resolution opposing the commission's recommendation. It is kind of like the Base Closure Commission, where the Base Closure Commission comes forward and says these are the bases that will be closed.

It is a very cumbersome process to overturn the commission. We did that on purpose because we know politics plays a part in a lot of these things, and we want the commission to have power. I am sure my friend, the Senator from Oklahoma, is grateful we have set up this commission because what he is trying to do is cut out even more projects.

I just want to make the case that when we did this in the committee, we developed a careful balance and we give the infrastructure deauthorization committee a lot of authority. But this amendment removes the bill's limitations on what projects can be deauthorized. So this is in our bill. This is what we say to the commission. We give guidance to the commission. We say: These are the projects that can be deauthorized; in other words, stopped, because I share the view of my friend from Oklahoma. We don't want to keep projects going that are doomed and not going anywhere. It is a waste of taxpayer dollars and, frankly, it makes it very confusing for people back home because they don't understand why a project started in 1996 is still alive.

What we do is projects authorized or reauthorized after the enactment of the Water Resources Development Act of 1996, projects currently undergoing review by the corps, projects that have received appropriations in the last 10 years, projects that are more than 50 percent complete, and projects that have a viable, non-Federal sponsor would not be deauthorized. They would not be deauthorized.

So let me say it again. Projects that would not be deauthorized are projects authorized after 1996, projects currently undergoing review by the corps, projects that received appropriations in the last 10 years, projects that are more than 50 percent complete, projects that have a viable and non-Federal sponsor. So we do give guidance to the commission. We say other than that, go for it and deauthorize.

The provision Senator COBURN wants to strike was included to focus the attention of the commission on the older, truly inactive projects. That is what we are about. The Coburn amendment would give unlimited discretion to the commission to deauthorize a project even if it is in the middle of construction or it has an active non-Federal

sponsor. Imagine we have a city or a county or even a private sector participant who is involved, and all of a sudden everything they have done is for naught.

I think what the amendment does is create havoc. I know my friend has the best of intentions. His point that we can overturn the commission is a valid point, but let's be clear. How many bills actually become a law around here these days? It is hard to even pass a resolution saying Happy Mother's Day. So we have a hard time. So to say the Congress could actually overturn the commission—we have never done it in the Base Closure Commission, and we wouldn't do it here.

States and local communities have invested millions of dollars in local cost-shares from project feasibility studies. It isn't fair to these communities that have committed significant resources to deauthorize a project that remained active and is moving forward.

So, in essence, this amendment would disrupt the new deauthorization process created in WRDA 2013, and I urge my colleagues to oppose that amendment.

Now I ask unanimous consent to have printed in the RECORD a letter from the National Construction Alliance. It reads: "The National Construction Alliance strongly opposes the Coburn amendment."

It says: "Communities . . . cannot afford to have the rug pulled out from beneath them."

I think it is important to note that they don't in any way chastise the committee for our work.

We also have opposition from the Road Builders.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL CONSTRUCTION ALLIANCE II,
May 15, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Hart Senate Office Building, Washington, DC

DEAR MAJORITY LEADER REID: The National Construction Alliance II (NCA II) strongly opposes the Coburn Amendment #816 to the Water Resources Development Act of 2013, S. 601.

The NCA II—a partnership between two of the nation's leading construction unions, the International Union of Operating Engineers and the United Brotherhood of Carpenters and Joiners of America—appreciates the hard work of the Environment and Public Works Committee to establish the Infrastructure Deauthorization Commission contained in S. 601. Senator Coburn's amendment threatens the bipartisan, thoughtful process and criteria for reviewing the backlog of projects in the underlying bill.

Communities (non-federal entities) simply cannot afford to have the rug pulled out from underneath them when partnering with the Army Corps of Engineers on critical port, harbor or waterway projects. If the commission has broad authority to shut down projects, as envisioned by the Coburn Amendment, that is precisely what could occur.

The bipartisan EPW Committee-reported WRDA bill established criteria to guide the Commission's work and ensure that it focused on inactive and obsolete projects. The Coburn amendment would undermine this careful balance, eliminating important criteria for decommissioning projects and giving the unelected Infrastructure Deauthorization Commission simply too much power over the process of shutting down projects, with too little Congressional guidance.

Please oppose the Coburn Amendment #816 to the Water Resources Development Act of 2013. The amendment needlessly threatens the bipartisan agreement forged in the Environment and Public Works Committee on the issue of decommissioning of projects.

Thank you for your consideration.

Sincerely,

RAYMOND J. POUPORE,
Executive Vice President.

Mrs. BOXER. In my concluding moments, we also will have a Coburn amendment on striking section 2030 on the beach nourishment extension. I think it is very important that this be defeated because many of these existing projects provide critical storm damage protection for coastal communities which require periodic nourishment to maintain this protection. There are dozens of important shoreline protection projects around the country that it benefits that exceed the costs.

Hurricane Sandy demonstrated that Federal shoreline protection projects fared better against the storm surge than other areas impacted by the storm. We have seen this. Where there was beach nourishment, they had a lot less damage and people were spared.

So in our work on WRDA, the EPW Committee held hearings on the corps' flood and storm damage reduction projects. We received testimony from local communities such as Ocean City, MD, which highlighted the hundreds of millions of dollars in damages avoided by these projects.

Section 2030 in WRDA 2013 does not provide a blanket extension of all beach nourishment and shore protections. The section simply allows the corps to study projects and to make a recommendation to Congress. I don't know why we would want to stop this since we know, after Hurricane Sandy, some of these projects have cost-benefit for the people—for the taxpayers.

Before receiving an extension, a project has to go through a feasibility analysis to demonstrate that the project is in the national interest, it has to have a positive cost-benefit ratio, is technically feasible, and is environmentally acceptable.

The provision Senator COBURN is attempting to strike doesn't guarantee an extension, it just tells the corps to study the issue and come back with a recommendation.

I honestly believe blocking Federal investment in these projects will harm coastal communities, so I urge my colleagues to oppose this Coburn amendment. I know I speak for many, including Senator LAUTENBERG, who actually

brought this issue to my attention years ago.

I yield the floor and note that the time has come to debate the Coburn amendment, 1 minute each side.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 601, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

Hoeven amendment No. 909, to restrict charges for certain surplus water.

AMENDMENT NO. 815

Mr. COBURN. Mr. President, I ask to set aside the pending amendment and call up amendment No. 815.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself, Mr. McCAIN, and Mr. FLAKE, proposes an amendment numbered 815.

The amendment is as follows:

(Purpose: To stop Federal subsidies for ongoing beach renourishment from being extended to 65 years)

Strike section 2030.

AMENDMENT NO. 816

Mr. COBURN. Mr. President, I ask to set aside the pending amendment and call up amendment No. 816.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself, Mrs. MCCASKILL, and Mr. McCAIN, proposes an amendment numbered 816.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To remove restrictions on projects the Infrastructure Deauthorization Commission may consider)

In section 2049(b)(5), strike subparagraph (C).

Mr. COBURN. Mr. President, I have a question for the chairman through the Chair, if I might.

Mrs. BOXER. Yes.

Mr. COBURN. My question on the deauthorizing commission would be why would they not take into consider-

ation all of the things the Senator just mentioned before they would recommend deauthorizing a program, if, in fact, the only reason they would not deauthorize it was because it was spending money that is not going to have a positive purpose.

So my question is, you trust the deauthorizing committee for all these other areas, but you do not trust their judgment to look at projects that are ongoing. Why would we think they would not make a positive decision in the best interests of the country?

Mrs. BOXER. I would answer my friend in this way. This is a new commission. We set it up in the bill. It has never worked before. We do not know how it will work. So we thought, for starters, let's go after the older projects, see how it works, and any day we could come back and add more authority. But we think, if there are active projects, it sends a very confusing signal to the folks back home.

We think this is the way to start it. It is smart. We have never had this commission before. I am very proud that we have it in here. I know my colleague supports the commission. He is already wanting to expand it. But I think we start this way, and then if it looks like we can give them more authority, we can. By the way, any day of the week Congress could deauthorize as well.

Mr. COBURN. The point I would make is the following: The big problem with WRDA bills is they become parochial in nature. So what we have excluded is everything since 1996 forward, which actually includes the present Members of Congress in terms of projects, their parochial wishes. So what we have done is we have said: You may not be capable of defunding or deauthorizing something else, but if it is new, you do not have the opportunity to do that. So what we are doing is we are protecting interests.

I yield back.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. BOXER. Mr. President, I very much respect my friend. I know his intention is the best. But I do have to say there is not one earmark in this bill. He should be so proud of both sides of the aisle in this committee—not one earmark—and we do not tell the commission what they can and cannot do. But we do set some parameters because we do believe, as we start this deauthorization commission, it ought to go after the older projects. But projects that are active, let them get a chance to move forward. There are no earmarks in this bill. I kind of resent it, in a nice way. I am not angry about it. But, believe me, there is no intention to protect earmarks here at all.

So I hope we will vote no. I think we are starting something new, something good. It is a huge reform. We have a deauthorization commission, but let's

start them with the older projects. Let's track it. If we feel we should move forward with more reform, I am certainly open to it.

I yield the floor and hope for a "no" vote on this amendment.

Ms. MIKULSKI. Mr. President, I rise in strong opposition to Senator COBURN's amendment on beach renourishment. The Water Resources Development Act extends Federal funding for beach renourishment projects from 50 to 65 years. Senator COBURN's amendment would strike the new 15-year extension.

In my state of Maryland, we have a very successful beach renourishment project along the Atlantic coast in Ocean City. Ocean City is the beach destination for many in the Mid-Atlantic region. The purpose of this Army Corps of Engineers project is not to protect a recreational beach but to provide hurricane protection for citizens and for the billions of dollars in public and private infrastructure.

Following severe storms in the late 1980s and early 1990s, Ocean City's beach was severally eroded, threatening the homes and private businesses along the coastline and on the mainland. This is when the State of Maryland and the Army Corps of Engineers constructed the Atlantic Coast of Maryland Hurricane Shoreline Protection Project to provide an essential buffer that saves lives and protects communities.

The Army Corps of Engineers built a steel sheet pile bulkhead along the boardwalk. They placed sand along the coastline to widen and raise the beach and constructed a vegetated sand dune. Every 4 years, the Army Corps of Engineers must reinforce the beach barrier by replenishing sand.

Since its completion, the project has repeatedly demonstrated its value by preventing more than \$240 million in damages. Most recently, this project successfully protected the residents of Ocean City and Worcester County from Superstorm Sandy. The project protected billions of dollars in public and private infrastructure and jobs.

Approximately \$48 million of Federal funding has gone toward this project. This is a small investment considering the billions it would take to rebuild Ocean City's homes, businesses, and hotels along the Atlantic Ocean. I urge my colleagues to oppose Senator COBURN's amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 815.

Mr. COBURN. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington

(Mrs. MURRAY), and the Senator from Florida (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Florida (Mr. NELSON) would vote “nay.”

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER (Ms. HEITKAMP). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 53, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—43

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Grassley	Paul
Bennet	Hatch	Portman
Blunt	Heinrich	Risch
Boozman	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	King	Thune
Crapo	Kirk	Toomey
Cruz	Klobuchar	Whitehouse
Donnelly	Lee	
Enzi	McCain	

NAYS—53

Baldwin	Gillibrand	Pryor
Baucus	Graham	Reed
Begich	Hagan	Reid
Blumenthal	Harkin	Rockefeller
Boxer	Heitkamp	Sanders
Brown	Hirono	Schatz
Burr	Isakson	Schumer
Cantwell	Johnson (SD)	Shaheen
Cardin	Kaine	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Chambliss	Levin	Udall (NM)
Cochran	Manchin	Vitter
Coons	McCaskill	Warner
Cowan	Menendez	Warren
Durbin	Merkley	Wicker
Feinstein	Mikulski	Wyden
Franken	Murphy	

NOT VOTING—4

Lautenberg	Murray
Murkowski	Risch

The amendment (No. 815) was rejected.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 816 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Madam President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mrs. BOXER. Madam President, I believe there is 2 minutes equally divided. Could I ask my friend if he wishes to make a statement.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Amendment No. 816 expands the review commission so that, in fact, it can look at everything. We have given them the responsibility.

What the bill does is a great first step, but it protects all the earmarks from 1996 forward, so we are not going to look at any of those. We are not going to allow the review commission,

the deauthorizing commission, to make recommendations on everything. We are going to select what they will look at.

If we trust them to look at the other things, we ought to trust them to look at all of it. We do have an opportunity to turn them down if, in fact, they are trying to deauthorize something the Congress thinks shouldn't be deauthorized.

Mrs. BOXER. Madam President, I urge a “no” vote. Colleagues, please hear me out. This amendment would expand the authority of a newly created infrastructure deauthorization commission and allow projects in your State to be stopped midstream—active projects, projects that have local funds flowing into them and private funds flowing into them. This is a bridge too far.

I am very proud of the work Senator VITTER and I have done in setting up this commission. We have very clear rules about what the commission could look at, and we protect projects that are active. We say to them: Go after the inactive projects, stop them, and save taxpayer dollars.

Please, let's have a good “no” vote on this one.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Idaho (Mr. RISCH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 61, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—35

Ayotte	Flake	McCain
Blunt	Graham	McCaskill
Burr	Grassley	Moran
Chambliss	Hatch	Murphy
Coats	Heller	Paul
Coburn	Hoeven	Roberts
Corker	Isakson	Rubio
Cornyn	Johanns	Scott
Crapo	Johnson (WI)	Thune
Cruz	King	Toomey
Donnelly	Kirk	Whitehouse
Enzi	Lee	

NAYS—61

Alexander	Blumenthal	Carper
Baldwin	Boozman	Casey
Barrasso	Boxer	Cochran
Baucus	Brown	Collins
Begich	Cantwell	Coons
Bennet	Cardin	Cowan

Durbin	Leahy	Schumer
Feinstein	Levin	Sessions
Fischer	Manchin	Shaheen
Franken	McConnell	Shelby
Gillibrand	Menendez	Stabenow
Hagan	Merkley	Tester
Harkin	Mikulski	Udall (CO)
Heinrich	Nelson	Udall (NM)
Heitkamp	Portman	Vitter
Hirono	Pryor	Warner
Inhofe	Reed	Warren
Johnson (SD)	Reid	Wicker
Kaine	Rockefeller	Wyden
Klobuchar	Sanders	
Landrieu	Schatz	

NOT VOTING—4

Lautenberg	Murray
Murkowski	Risch

The amendment (No. 816) was rejected.

AMENDMENT NO. 822

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 822 offered by the Senator from Arkansas, Mr. BOOZMAN.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before I turn to my colleague from Arkansas, I want to say that I support his amendment, and I believe he will be happy to have a voice vote. I hope that is OK with everyone. I think it is a very good amendment, and I ask him to explain it, if we could have order for him, please.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Madam President, this is a commonsense amendment. All it does is allow the Corps of Engineers to participate in the interagency America the Beautiful Pass Program. It just allows military families to participate in the same way they already do with the National Park Service, the Bureau of Land Management, the Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation.

Madam President, I call up the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant bill clerk read as follows:

The Senator from Arkansas [Mr. BOOZMAN] proposes an amendment numbered 822.

The amendment is as follows:

(Purpose: To authorize the Secretary to participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program)

At the end of the bill, add the following:

TITLE XII—MISCELLANEOUS

SEC. 12001. AMERICA THE BEAUTIFUL NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS PROGRAM.

The Secretary may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

Mr. BOOZMAN. Again, ditto. This is a very commonsense amendment, and I think we can all agree to it.

The PRESIDING OFFICER. Who yields time in opposition?

Mrs. BOXER. We yield back all of our time, and we ask for a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 822) was agreed to.

Mrs. BOXER. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 866

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 866, offered by the Senator from Oregon, Mr. MERKLEY.

Mrs. BOXER. Madam President, I support the Merkley amendment. I hope we will have an overwhelming vote on it, and I ask my colleague to take the remaining time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I call up amendment No. 866.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant bill clerk read as follows:

The Senator from Oregon [Mr. MERKLEY], for himself and Mr. BROWN, proposes an amendment numbered 866.

The amendment is as follows:

(Purpose: To require the use of American iron, steel, and manufactured good for innovative financing pilot projects)

At the end of title X, add the following:

SEC. 100 . . . USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) IN GENERAL.—Except as provided in subsection (b), none of the amounts made available under this Act may be used for the construction, alteration, maintenance, or repair of a project eligible for assistance under this title unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) EXCEPTION.—Subsection (a) shall not apply in any case or category of cases in which the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) PUBLIC NOTICE.—If the Secretary determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the Secretary shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

Mr. MERKLEY. Madam President, we have long recognized the principle that when taxpayers are paying for public infrastructure projects, it makes sense for American business, for the American economy, for our workers to do as much of the work as possible to create that supply chain in America.

The “Buy American” rules we already have on the books provide the foundation for millions of miles of roads, bridges, light rail, and subways and millions of good-paying jobs. This amendment extends that concept with appropriate waivers for cost, for supply chain inadequacies, or for public interest.

With that, I turn this over to my colleague for this bipartisan amendment, and I ask for my colleagues’ support.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I also strongly support the amendment. This is a commonsense “Buy American” provision, which is completely consistent with what we did on the recent highway bill in a bipartisan way which created no controversy, no debate at the time. I support the amendment.

The PRESIDING OFFICER. The Senator’s time has expired.

Who yields time in opposition?

The Senator from Utah.

Mr. LEE. Madam President, I speak in opposition to this amendment.

While I understand the concern underlying it, I also have significant concerns as to what this would do. In some circumstances, this could increase the cost of materials in some Federal projects by close to 25 percent. So if we are talking about \$1 billion worth of materials, we are talking almost \$250 million of increased cost for certain materials this could bring about.

I thank the Chair.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 866.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington (Mrs. MURRAY), and the Senator from Massachusetts (Mrs. WARREN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mrs. WARREN) would vote “yea.”

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 36, as follows:

[Rollcall Vote No. 123 Leg.]

YEAS—60

Baldwin	Franken	Mikulski
Baucus	Gillibrand	Murphy
Begich	Graham	Nelson
Bennet	Hagan	Pryor
Blumenthal	Harkin	Reed
Boozman	Heinrich	Reid
Boxer	Heitkamp	Rockefeller
Brown	Hirono	Sanders
Burr	Johnson (SD)	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Sessions
Carper	Kirk	Shaheen
Casey	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	McCaskill	Vitter
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden

NAYS—36

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Chambliss	Heller	Risch
Coats	Hoehn	Roberts
Coburn	Inhofe	Rubio
Corker	Isakson	Scott
Cornyn	Johanns	Thune
Crapo	Johnson (WI)	Toomey
Cruz	Lee	Warner
Enzi	McCain	Wicker

NOT VOTING—4

Lautenberg	Murray
Murkowski	Warren

The amendment (No. 866) was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, my amendment would sunset the so-called project acceleration provisions in 5 years. These provisions are untested. They were not the subject of any hearings of our committee. They were added at the last minute, before the markup, and they changed what I think is the bedrock National Environmental Policy Act. They set arbitrary deadlines. Rushed decisions lead to delays later and mistakes in litigation. Haste makes waste, both for taxpayer dollars and for natural resources.

The administration doesn’t want these changes. Yesterday, the chairwoman heeded our call and changed the bill. The provisions will now sunset in 10 years. I believe this is a step in the right direction, but make no mistake, these provisions are still a very risky move. If this gets worse, these provisions could risk a Presidential veto.

I know the chairwoman has committed to me that we could have a hearing on the provisions that are in the law, the MA-21 provisions; that EPA—I ask for 30 seconds.

Mrs. BOXER. I ask the Senator have 30 seconds more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of New Mexico. The chairwoman committed the relevant Federal resource agencies on MAP-21

that have similar provisions here. They are in the law. The resource agencies can come before our committee. We can have questioning. The chairwoman will be there. We can have the CEQ or whomever be a part of that.

I very much appreciate the chairwoman working with me. Because she is working with me, I am not going to move forward. I am not going to offer the amendment at this time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that I have a minute and a half.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Madam President, I thank my colleague for not offering his amendment. He and I see this very differently. But first I wish to say I have committed to a hearing. I told my colleague he can get as much time as he wants, but I have to correct the record.

My colleague said this project delivery reform was a last minute addition. Project delivery reform was in the bill as it was voted out of committee, without a dissenting vote.

Let me reiterate: This is not a last minute issue. Project delivery reform was in the bill when it got voted out. Here is why—two reasons. One is projects are being delayed—environmental projects, flood control projects; they are being delayed. Some delay is necessary—when there is new information—and they could still have a delay.

What we do in this bill—and it has been changed for the better, I think my colleague is right on that—is we sunset the provision in 10 years.

For the first time in history, the resource agencies my friend and I care so much about, such as Fish and Wildlife, EPA, and all the rest, will be in the room with the corps setting the deadlines. It is very important that we get our job done. Bureaucratic agencies have to get the work done as well.

I think this reform is one we will be proud of, and I look forward to those hearings.

I thank my colleague. We will get on with this and make sure this reform works the way we anticipate it will.

I yield the floor.

AMENDMENT NO. 909, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 909, offered by the Senator from North Dakota.

The Senator from North Dakota.

Mr. HOEVEN. Madam President, I understand that my amendment has already been handed in. I will point out that I have a modification at the desk.

This is a very simple amendment. It provides that the Corps of Engineers cannot charge a State or a tribe or municipality—

Mrs. BOXER. Madam President, the Senate is not in order. I believe this is

our last amendment, and this is an important amendment to my friend. It is also important to many States. It would be nice if we could show the Senator some courtesy.

The PRESIDING OFFICER. The Senate will be in order.

Mr. HOEVEN. Madam President, I thank my colleague from California.

I would also like to thank both Senator BOXER and Senator VITTER for their work on this amendment. I appreciate it very much.

This is a very simple amendment. It says that the Corps of Engineers cannot charge a State fees for water when it violates the State's water rights. It affects municipalities and tribes as well. We have made sure it does not score under the CBO rules.

This amendment has strong bipartisan support—Senator THUNE, Senator HEITKAMP, Senator BAUCUS, and Senator JOHNSON. This does not affect the master manual on the Missouri River or any of the authorized uses, and I wanted to emphasize that.

Again, this is a very simple amendment. It ensures that States rights are properly protected, and I encourage a “yes” vote.

The PRESIDING OFFICER. Without objection, the amendment has been modified.

The amendment (No. 909), as modified, is as follows:

(Purpose: To restrict charges for certain surplus water)

On page 190, after line 23, add the following:

SEC. 2060. RESTRICTION ON CHARGES FOR CERTAIN SURPLUS WATER.

(a) IN GENERAL. No fee for surplus water shall be charged under a contract for surplus water if the contract is for surplus water stored on the Missouri River.

(b) OFFSET.—Of the amounts previously made available for Corps of Engineers—Civil, Department of the Army, Operations and Maintenance” that remain unobligated as of the effective date of this Act, \$5,000,000 is hereby rescinded.”

(c) None of the funds under subsection (b) may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mrs. BOXER. Madam President, if I could be heard on this amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I am supporting this amendment. It is important to the States that are affected, and there are several States that are affected. The fact is that we don't want to see the corps start a water war, and the Presiding Officer has discussed that with me. I am very grateful to her and Senator HOEVEN for explaining this matter. The tribes were involved as well. We don't want to see them get in trouble. I think the corps has to respect the fact that there are these water rights in place.

I will be supporting this amendment.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Louisiana.

Mr. VITTER. Madam President, if I could ask unanimous consent to speak for 10 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Madam President, I also strongly support this amendment. I think it is a very reasonable, commonsense amendment.

Mr. HOEVEN. Madam Chair, I ask for a voice vote.

The PRESIDING OFFICER. Is there further debate on this amendment? If not, the question is on agreeing to the amendment as modified.

The amendment (No. 909), as modified, was agreed to.

Mr. HOEVEN. Madam President, again, I thank both of the managers of this bill.

The PRESIDING OFFICER. Under the previous order, the cloture motion is withdrawn and the clerk will read the title of the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

WATER SUPPLY

Mrs. BOXER. Madam President, I want to take this opportunity to address one of the provisions of this bill relating to water supply. Section 2015, which originally had a much broader impact, now expresses the sense of the committee related to a particular dispute between States, and expresses a concern on the part of members of the Committee on Environment and Public Works regarding the ongoing interstate water disputes among the States of Alabama, Florida, and Georgia. I would like to yield to the Committee's Ranking Republican, Senator VITTER, for his remarks about this provision, but I would note that it is the strong desire of the Committee that this dispute be resolved amicably through water compacts that ensure the availability of water to meet all necessary human and environmental needs. Senator VITTER, can you elaborate on the intent of Section 2015?

Mr. VITTER. I thank the chairman for including this provision, and I would note that the Corps of Engineers has long worked to ensure the Apalachicola-Chattahoochee-Flint, ACF, River Basin and Alabama-Coosa-Tallapoosa, ACT, River Basins are able to meet the demands of users in Georgia, Alabama and Florida through its operation of dams and reservoirs, and performs an important role in regulating the flow of surface water in these basins. Further, it is the intent of WRDA Section 2015 to recognize that role and to assist the States' efforts to reach an end to their disputes. While the committee does not intend to express any opinion about reallocations under the existing authority of the

Water Supply Act and its application to these basins, we do believe these States should work to come to an agreement. Additionally, the Chairman and I intend to express these same sentiments to the Corps of Engineers through a letter that will be submitted into the RECORD soon after passage of this bill.

Mrs. BOXER. I thank the Senator. That's correct. And as this new language clearly states, "this subsection does not alter existing rights or obligations under law." So to reiterate, it is not the intention of Section 2015 to alter the Corps' existing legal authority to reallocate storage, to express any view on whether current or projected future levels of storage for water supply exceed the Corps' existing legal authority, or to prohibit or interfere with the Corps' ongoing efforts to update its water control plans and manuals for the ACF and ACT Basins. Further, it is not the intention to preclude the Corps from taking action consistent with its existing legal authority to study and implement reallocations of reservoir storage to meet municipal and industrial water supply needs.

Mr. VITTER. I thank the chairman for her assistance with this provision.

HARBOR MAINTENANCE TAXES

Mrs. FEINSTEIN. Madam President, in fiscal year 2011, approximately \$1.4 billion in harbor maintenance taxes, HMT, was collected nationally. Of this, over \$430 million, nearly 32 percent, was collected in California, with nearly \$363 million generated by the ports of Los Angeles and Long Beach. Of the amounts collected, nearly \$677 million was allocated to coastal operations and maintenance budgets nationwide annually over the past 3 years. California's share of this funding is approximately \$54 million, only 13 percent of what was collected in its ports. Put another way, California contributes 32 percent of the whole HMT but is receiving only 8 percent of what is allocated nationwide.

Section 8004 of the bill establishes a path whereby HMT funds could be used on expanded uses to address the critical maintenance needs of California's ports. I want to clarify that the amendment submitted by the Senator from Michigan, No. 893, does not preclude or unnecessarily delay the use of HMT funds in California's largest ports. Is it your understanding that this amendment, submitted by the Senator from Michigan, will not preclude or impact funding for expanded uses under Section 8004 (b) of the bill?

Mrs. BOXER. That is my understanding. The additional uses authorized by WRDA 2013 are important for many parts of the country, including California, and are clearly an eligible use of the harbor maintenance trust fund.

Mr. SCHUMER. Madam President, I would like to engage in a colloquy with

the Senator from California, the chair of the Committee on Environment and Public Works, as well as the Senators from New Jersey, Senators LAUTENBERG and MENENDEZ, and my colleague from New York, Senator GILLIBRAND.

I thank the chair for her leadership in bringing the Water Resources Development Act to the Senate floor to address the urgent need for investment in our Nation's waterways, port infrastructure, and for coastal flood protection. It is my hope that this bill will be passed quickly. The Sandy relief bill provided over \$5 billion for the Army Corps of Engineers to construct and repair authorized hurricane protection projects in States devastated by Superstorm Sandy. A \$20 million comprehensive study was included in order to analyze the flood risks of the east coast with the congressional intent and authority for the corps to move to specific feasibility studies. However, it is currently our understanding that the Corps of Engineers does not intend to provide specific project recommendations in this study that will result in feasibility studies. I am pleased that I was able to work with you, Chairman BOXER, and my colleagues from the affected States, to add language to this bill that addresses this issue. I would like to clarify the intent of the language.

Will the language in section 3004 of the water resources development bill result in specific project recommendations for the Corps study?

Mrs. BOXER. I appreciate the Senator from New York raising this issue. I also know that my good friend from New York and I agree on the need to enhance the resiliency of the east coast in the wake of the devastation caused by Superstorm Sandy. Section 3004 states that, with respect to the corps study for flood and storm damage reduction which was authorized by the Sandy relief bill, the Secretary shall include specific project recommendations. The bill also includes a new provision to prioritize hurricane protection studies, section 2044, that would give the Secretary the authority to quickly move feasibility studies developed through the comprehensive hurricane study.

Mr. MENENDEZ. I thank the chairman for her remarks. If I may, I would like to further clarify the language and purpose of section 3004. Post-Sandy, there is an acute need for an assessment of the northeast region's storm-protection infrastructure needs. Is it correct that section 3004 gives the Corps of Engineers the power to conduct feasibility studies on specific projects?

Mrs. BOXER. I thank the Senator from New Jersey for raising this concern. He is correct that the language of section 3004 authorizes and directs the corps to conduct feasibility studies for the specific projects it identifies in the regional study.

Mr. LAUTENBERG. I thank the chairman for making this clarification. I agree completely with my colleagues concerning the need for section 3004. Could the language in section 3004 about inclusion of specific project recommendations and feasibility studies somehow hurt or take money away from the comprehensive regional study?

Mrs. BOXER. I thank the Senator from New Jersey for raising this concern. While section 3004 does state that the Secretary shall include project recommendations, it does not add funding, so such recommendations or feasibility studies would only be possible if monies are available after the regional study is complete.

Mrs. GILLIBRAND. I agree completely with my colleagues' interpretation of section 3004 and for the necessity of the section in question. When we added the provision in the Sandy relief bill for a \$20 million comprehensive study to address flood risks on the east coast, we intended for this study to produce specific and actionable recommendations for hurricane protection. I thank my colleagues for their work and Chairman BOXER for her leadership.

GREAT LAKES NAVIGATION FUNDING

Mr. LEVIN. Madam President, this water resources bill includes important provisions for our shipping infrastructure, including the Great Lakes Navigation System, which carries over 160 million tons of cargo annually. I am pleased the bill would prioritize funding for the Great Lakes Navigation System, which has suffered from historically low water levels, closed harbors, and light loaded vessels. The bill allocates 20 percent of priority funds for the Great Lakes Navigation System, which is equal to the Great Lakes portion of high-use deep draft projects nationwide. I am glad that the 20 percent of priority funds for the Great Lakes is intended to be above and beyond what projects in the Great Lakes Navigation System would receive under the baseline funding. I also want to highlight the rationale for identifying the Great Lakes as a single system. A freighter is restricted to loading its vessel based on the shallowest segment of its route. So a freighter that begins at a port that is adequately maintained, then passes through a channel or proceeds to a harbor that is not adequately maintained, that freighter will not be able to fully load, reducing the efficiency of the navigation system and reducing our economic competitiveness. The Army Corps of Engineers should manage all of the individual harbor projects in the Great Lakes Navigation System as a single system, recognizing the interconnectedness among the projects. Chairman BOXER, is the interconnected nature of the Great Lakes system one of the reasons the bill distinguishes Great Lakes

projects from the other harbor and port projects?

Mrs. BOXER. The unique nature of the Great Lakes Navigation System is one of the reasons we do not include Great Lakes projects in the definition of high-use deep draft harbors and instead include the Great Lakes in a separate group for the prioritized funding.

Mr. SCHUMER. I am pleased that this matter concerning the additional funds for the Great Lakes has been clarified. The chairman has gone to great lengths to address important national priorities in this bill, including providing funding for our high-use, deep draft ports—like those in New York, Los Angeles/Long Beach and Oakland—and supporting unique commercial navigation systems like the Great Lakes. I also want to make sure that these funds are distributed to harbors in the Great Lakes that have been ignored by the corps over the years. Chairman BOXER, is that the intent of the language in section 8004 of the bill, that additional priority funds could be used for any Great Lakes navigation project, including those that handle lower levels of freight, measured by tonnage?

Mrs. BOXER. Yes, that is correct. The funding could be used for any project in the Great Lakes Navigation System.

Mr. SCHUMER. Thank the Senator for clarifying this matter, and I thank her for her work on this important legislation.

Mrs. KLOBUCHAR. I am also pleased to hear this discussion to clarify how the additional funding for the Great Lakes is to be interpreted and applied. I want to ensure the entire Great Lakes system functions effectively, and that means properly dredging the harbors in Minnesota so ships carrying iron ore, coal, limestone, and other commodities can fully load their vessels. It is critical that high-use ports like Duluth and Two Harbors in Minnesota get dredged, but for ships to carry goods at full capacity, it is also vital that their trading partners throughout the Great Lakes system are fully dredged. This agreement will go a long way toward increasing the efficiency of shipping across the Great Lakes system, which will strengthen the economic standing of our agriculture, mining, manufacturing and other industries on which the Great Lakes region depends. I would like to thank Chairman BOXER and Senator VITTER, for their work to address our concerns, and I would especially like to acknowledge the leadership of Senator LEVIN on this issue and Great Lakes matters across the board.

Mr. LEVIN. I thank Senator KLOBUCHAR for adding that important point regarding the interconnected nature of the Great Lakes Navigation System. And thank you, Chairman BOXER, for working with us to begin to

improve the maintenance of the Great Lakes Navigation System, which is critical to our economy and jobs and to our global competitiveness.

HARBOR MAINTENANCE TAX AND HARBOR MAINTENANCE TRUST FUND

Mrs. MURRAY. Madam President, I rise to address the Water Resources Development Act that we passed today.

This important legislation authorizes Army Corp of Engineers projects that provide flood control, ensure navigation to get our goods to market, and help restore our ecosystems and environment. One component of this bill deals with the Harbor Maintenance Trust Fund.

Shippers pay a Harbor Maintenance Tax, which goes into the Harbor Maintenance Trust Fund and is then appropriated for operations and maintenance at ports throughout our country.

Now, although this legislation does not address the Harbor Maintenance Tax, I want to take a moment to talk about it. Because unfortunately, this policy is encouraging cargo diversion from our ports.

A Federal Maritime Commission report released last year, which I requested with Senator CANTWELL, indicated that cargo coming into U.S. ports cost, on average, an additional \$109 due to the Harbor Maintenance Tax.

I find this report extremely troubling.

While this bill does not address the tax, it does address the Harbor Maintenance Trust Fund. The bill sets goals for additional expenditures from the Harbor Maintenance Trust Fund, and it includes a provision that I worked on closely with Chairman BOXER and Senator CANTWELL.

This provision will allow our ports to be more competitive internationally by providing payments to shippers entering or transporting cargo through an eligible donor port—one that takes in significantly more in Harbor Maintenance Taxes than it receives back for operations and maintenance, like the Port of Seattle or the Port of Tacoma.

It is meant to reduce cargo diversion from United States ports to international ports, but not to induce cargo diversion within the United States.

I appreciate the hard work by Chairman BOXER to include this provision in the manager's amendment and to keep the provision intact throughout consideration of the Water Resources Development Act.

This provision is a step in the right direction.

But we can do more, and we must.

That is why I'm working on legislation that will comprehensively reform the Harbor Maintenance Tax and the Harbor Maintenance Trust Fund.

It will ensure full spend out of the Harbor Maintenance Trust Fund and ensure all cargo is treated equally as it moves through the supply chain.

My goals are to increase our international competitiveness, ensure we are getting our goods to market, and provide good, family-wage jobs.

I have been working with ports in Washington state and the Northwest, and I plan to introduce this legislation soon.

I look forward to working with my colleagues on these important issues.

Mrs. BOXER. Mr. President, I ask unanimous consent that a letter dated May 15, 2013, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. JO-ELLEN DARCY,

Assistant Secretary of the Army for Civil Works, U.S. Army Corps of Engineers, Army Pentagon, Washington, DC.

DEAR ASSISTANT SECRETARY DARCY: We are writing regarding recent efforts in our committee to address concerns with the Water Supply Act of 1958 (WSA), 43 U.S.C. 390b. These concerns have arisen most prominently with respect to the U.S. Army Corps of Engineers' management of federal reservoirs in the Apalachicola-Chattahoochee-Flint (ACF) River System and the Alabama-Coosa-Tallapoosa (ACT) River System, where the States of Alabama, Georgia, and Florida have been engaged in a decades-long conflict over the use of water resources in their region.

As committee leadership with jurisdiction over these matters, we believe in the principle that water resources conflicts of this nature should be resolved through negotiated interstate water compacts whenever possible. State-level agreements are better able to take into consideration the concerns of all affected States and stakeholders, including impacts to other authorized uses of the projects (such as hydropower or navigation), water supply for communities and major cities in the region, fisheries management issues, water quality, freshwater flows to communities, rivers, lakes, estuaries, and bays located downstream of projects, agricultural uses, economic development, and other appropriate concerns.

As you are aware, the Senate Committee on Environment and Public Works unanimously reported the Water Resources Development Act of 2013 (S. 601), as amended, on March 20, 2013. Section 2015 of this bill, as reported by our committee, sought to clarify the authority of the Army Corps under Section 301 of the WSA in at least two respects. First, Section 2015 would have amended the WSA to reiterate that federal agencies must consider new WSA allocations "cumulatively" with all previous allocations at the reservoir. This was intended to make clear that the Army Corps cannot circumvent the intent of the WSA through gradual allocations. Second, Section 2015, as reported, sought to amend the WSA by setting a more specific threshold when congressional approval is required. We worked in good faith with our committee member, Senator Jeff Sessions of Alabama, to ensure that concerns he had, expressed in committee, both last year and during the current Congress, were addressed.

Today, the Senate passed the WRDA bill and, after significant discussions with several members of the Senate, we have reached an agreement to modify Section 2015. The new language for Section 2015 does not alter existing rights or obligations under law, but it does seek to make clear that the committee remains very concerned about the operation of ACF and ACT projects, and that

absent action by the states to resolve these issues, the committee should consider appropriate legislation including any necessary clarifications to the Water Supply Act of 1958 or other law.

Accordingly, we strongly urge your personal and direct involvement in fostering efforts to enable the States of Alabama, Georgia, and Florida to reach an amicable and reasonable water compact as soon as possible. We believe that it is essential that the Army Corps not take actions that favor the position of any of the three States, but rather the Army Corps should serve as a neutral facilitator of a negotiated solution.

Thank you for your kind attention to these matters. Our committee will be following this issue closely.

Very truly yours,

BARBARA BOXER,
Chairman.

DAVID VITTER,
Ranking Member.

HARBOR MAINTENANCE TAX

Ms. CANTWELL. Madam President, I would like to thank Chairman BAUCUS and Senator MURRAY for their support and resolve to work to address the issue of cargo diversion posed by the harbor maintenance tax.

The Water Resources Development Act that we are discussing here today is an important bill that works to ensure the economic success of our Nation's waterways. The language we were able to include in this bill is just the start of our effort to address the serious issue of cargo diversion and international competition. It gives deep-water ports the ability to more cost-effectively utilize the funds raised by the harbor maintenance tax to keep competitive with their Canadian and Mexican counterparts.

Over the past decade, we have seen increasing competition for the market share of U.S.-bound goods from ports beyond our border to the north and to the south. These diversions can be partially attributed to the added cost of paying the harbor maintenance tax at U.S. ports. In fact, among the top 25 North American ports, the fastest growing in 2012 were the Port of Prince Rupert in Canada and the Port of Lazaro Cardenas in Mexico. Instead of U.S.-bound cargo creating growth of U.S. ports, we are witnessing this cargo, previously shipped through our west coast ports, contributing to the growth of Canadian and Mexican ports. The loss of cargo shipments through American ports leads to decreased port activity and export capacity, and it erodes the harbor maintenance trust fund, which means fewer direct and indirect American jobs supporting U.S. international commerce. More than 200,000 jobs are tied to the activities at the ports of Seattle and Tacoma, and with nearly 27 percent of international container cargo potentially at risk of moving to Canada from west coast ports, this could result in significant job losses.

Cargo diversion is not my only concern with the harbor maintenance tax.

I also am concerned by the poor utilization of the funds collected and the disparate distribution of the funds that are allocated. As of 2011, the balance of the harbor maintenance trust fund has built up to more than \$6.4 billion. We should be investing this balance for its designed purpose of improving the ability of our ports to move goods. Furthermore, the harbor maintenance trust fund balance is rarely spent on operations and maintenance at west coast ports, where a significant amount of the tax revenue is generated. Our two largest ports in Washington Seattle and Tacoma generate, on average, close to 7 percent of the funding for the HMTF, but each received just over a penny for every dollar collected from shippers who pay the HMT in Seattle and Tacoma.

To remain competitive in an international marketplace, we need a long-term plan for how to grow and support infrastructure development and that must include reform of the harbor maintenance tax. Essential to remaining competitive is the ability of our ports to shorten the time it takes to get goods to consumers. This means we must invest in the infrastructure of our ports and freight corridors something that I have worked with Transportation Secretary Ray LaHood on to more quickly deliver the goods from our ports to the rest of the Nation. If we don't make these infrastructure investments, America will face major opportunity costs. We are seeing this already with the cargo diversion to Canada from the Pacific Northwest. But I must warn my colleagues that the competition is only increasing and will spread throughout the country with major ports planned or coming online in Canada and Mexico on both coasts, as well as the forthcoming expansion of the Panama Canal. Now is the time to address the harbor maintenance tax and reverse cargo diversion by reforming this tax and better utilizing the money it generates.

Today Chairman BAUCUS is proposing that we work together to address the competitive imbalances created by the harbor maintenance tax. While we acknowledge the work done to improve the spending out of the harbor maintenance trust fund collections in the Water Resources Development Act, we believe the efforts are just a starting point. Many of the underlying tax and trade issues cannot be addressed in this legislation. We believe it is important to clarify our intent to move on comprehensive reforms the harbor maintenance tax on the next available and appropriate legislative vehicle.

Mrs. MURRAY. Mr. President, I thank Senator CANTWELL and Chairman BAUCUS for coming down here today to discuss port competitiveness, infrastructure, and American jobs, issues which are close to my heart. I believe these are important issues to be

addressed, which is why I have been working on this issue throughout my Senate tenure and why Senator CANTWELL and I introduced the U.S. Port Opportunity and Revitalizing Trade Act in 2002.

We appreciate that the legislation before us today, the Water Resources Development Act, works to improve expenditures from the harbor maintenance trust fund and that it includes provisions we championed to begin to address the competitive issues our ports face. I would like to say thank you to Chairwoman BOXER, who included a provision in the managers' amendment that would authorize payments to "donor" ports those ports that contribute a significant amount of funds, but receive less than 25 percent of the benefit that can be used to offset the cost of the HMT being paid by shippers.

The language in the managers' amendment does not mean that the job is done. We do not believe this language will fully correct the challenges U.S. ports face now and will continue to face in the future. Rather, we believe this is an interim solution that will help until we can work together to find a larger, more permanent solution addressing cargo diversion. Senator CANTWELL and I look forward to working with the Chairman BAUCUS to address comprehensive reform of the harbor maintenance tax.

Mr. BAUCUS. Mr. President, I thank Senator CANTWELL and Senator MURRAY for their work to reform the harbor maintenance tax in order to keep our ports competitive. As chairman of the Finance Committee, I believe it is important that we work to improve our Nation's tax policy to make our Nation more globally competitive. I am committed to finding solutions to ensure that the harbor maintenance tax is reformed, to ensure U.S. tax policy does not disadvantage U.S. ports but also to improve our nation's infrastructure. Port improvement is imperative to our ability to conduct both domestic and international commerce. Many of my home State goods are exported through west coast ports in the Puget Sound and on the Columbia River, so I understand the broad impact of the ports and the need for continued attention. If we want to continue to compete both now and in the future we must ensure that we have the right policies in place, and that means reforming outdated policies to address the evolving needs of both the market and our Nation. I look forward to continuing to work with Senator CANTWELL and Senator MURRAY to find an appropriate fix and find an appropriate legislative vehicle for comprehensive reform.

Mr. WHITEHOUSE. Madam President, I rise today to speak in support of the Water Resources Development Act, the main vehicle for authorizing vital water projects developed by the U.S.

Army Corps of Engineers and for setting Army Corps water resource policies. Water resource and flood control projects spur economic growth and create jobs. They fortify communities against storms and floods. They maintain our water and waste water systems. They help maintain our favorite outdoor recreational destinations. And they can protect America's cherished and economically important—fish and wildlife.

Unfortunately, in Rhode Island and across the country, aging water infrastructure is rapidly approaching the end of its useful life, and funding available for upgrades is far outpaced by the need. This bill will increase the Army Corps' capacity to address the dismal state of our water infrastructure while improving the agency's operations.

I want to express my gratitude to our chairman on the Environment and Public Works Committee, Senator BOXER, as well as our ranking member, Senator VITTER, for their hard work in drafting a bill that addresses a number of national and regional priorities in a bipartisan fashion.

I particularly appreciate the inclusion of several provisions designed to clean up the process at the Army Corps, to clear the backlog of construction and maintenance projects, to improve transparency in developing and carrying out civil works projects, and to give local communities a better chance to understand what to expect.

According to the Office of Management and Budget, "The Corps' enormous backlog of ongoing civil works construction represents a significant source of unrealized economic and environmental benefits. . . . This growth trend in the construction backlog unfairly penalizes both taxpayers and project sponsors."

The bill before us establishes an independent commission to work through an estimated \$62 billion backlog of projects and sets a timetable for downsizing the corps' burdensome to-do list. My colleagues on both sides of the aisle should appreciate the responsible use of corps resources and of taxpayer dollars.

This bill also makes the corps more responsive to communities and businesses, requiring the corps to make more information available to the public about projects under its Continuing Authorities Program, including available funding, cost estimates, and the criteria used to prioritize projects. States like mine and our communities and companies can't plan around water resource projects because they are so often left in the dark.

For example, Hope Global has manufactured textiles in Rhode Island since 1883. Today it makes fabrics that are used in everything from cars to parachutes to construction. During the historic 2010 floods in our State that clobbered Hope Global, I literally entered

the building through the shipping bay in a boat. Hope Global survived, thanks to the dedication and quick thinking of its CEO and employees, but the risk of future flooding along the Blackstone River looms over this business and many others in the area.

The corps has partnered with the State of Rhode Island to conduct a feasibility study for flooding mitigation on the Blackstone River. The State used its limited resources to fund the study, hoping to solve the flooding problems once and for all. Three years later, due to lack of transparency in the corps budget, we still don't know where this project stands. This bill will change that, so communities like those in my State can make informed decisions about their future.

Episodes like the 2010 floods and, more recently, Superstorm Sandy underscore the need to keep communities safe in the face of a changing climate. The Army Corps of Engineers helps communities prepare for extreme weather events and addresses flood control hazards. In many places, these twin objectives can be pursued through the restoration of natural ecosystems. This reauthorization places greater emphasis on natural defenses like the wetlands and dunes that have protected our coastlines for millennia.

Coastal and freshwater wetlands act like sponges during floods, absorbing water and dissipating the impact of wave energy and storm surge. Shoreline vegetation, natural dune formations, and barrier islands do the same. This draft recognizes the benefits of natural resiliency.

This bill also reauthorizes the National Dam Safety Program, which is vitally important to my small State. Rhode Island has about 700 dams, some dating back to the colonial era. One hundred seventy-nine are rated a "high" or "significant risk." Nationally, America's dams received a grade of "D" on the American Society of Civil Engineers 2013 Report Card. The Society cited more than 4,000 deficient dams, including more than 2,000 that would result in loss of life if they failed. The Dam Safety Program helps States monitor for deteriorating dam conditions that put communities in danger.

This legislation is not without its detractors, but I think it is important to recognize that both sides have had to make compromises to get this bill to where it is today. That is the hallmark of our legislative process.

For example, this reauthorization contains new measures to ensure the timely completion of environmental impact studies and reviews required under the National Environmental Policy Act, or NEPA. While this has raised concerns from some, ensuring prompt environmental review of projects does not mean we are disregarding these reviews entirely. Comprehensive environ-

mental review of federal projects remains critical to protecting the environment and public health from harm, and this bill includes provisions that will prevent harmful projects from being expedited.

WRDA supports projects that protect communities and their water resources. I would have preferred to leave NEPA requirements unaltered; however, I believe the compromise the chair and ranking member negotiated on this issue was worth the price of being able to implement long-overdue improvements to our nation's water resources infrastructure.

As we grapple with the mounting effects of a changing climate, our towns, our rivers and ports, our beaches and bays rely on the safety and efficiency of modern and resilient water infrastructure. The Water Resources Development Act of 2013 gives the Army Corps of Engineers and its public and private sector partners the tools to provide and maintain that infrastructure. I urge my colleagues to support this important, bipartisan legislation.

Ms. CANTWELL. Madam President, as we consider S. 601, the Water Resources Development Act, specifically amendment No. 903, I want to highlight critical emerging needs in our Nation's arctic.

The arctic is opening at an alarming rate, which creates a number of economic opportunities for the Nation. This accessibility also creates new requirements for the U.S. Coast Guard and the Navy. Multiple bipartisan Presidential directives call for increased arctic presence to meet national security and homeland security needs; to facilitate safe, secure, and reliable navigation; to protect maritime commerce; and to protect the environment as resource development increases.

With new shipping lanes and opportunities to obtain and transport natural resources, the arctic has become a new frontier. We need to have arctic infrastructure ready to accommodate this increase in commerce.

That is why I have worked closely with Senator BEGICH to fight for heavy-duty icebreakers and other arctic infrastructure. We need to make sure the Coast Guard acquires the tools they need to fulfill their missions in the arctic.

In fact, the Army Corps of Engineers is in the final phase of a study which assesses feasibility of deep draft ports in the arctic. The corps assessed over 3,000 miles of Alaskan coastline and identified a shortlist of two possible deep draft ports in Nome and Port Clarence.

The U.S. Department of the Interior released a report on emerging Federal management needs in the arctic in March 2013. The report, titled "Managing for the Future in a Rapidly Changing Environment," found that

the U.S. arctic habitat encompasses St. Lawrence Island Northward, based on physical oceanography, seasonal sea ice, and other ecosystem characteristics. These northern seas are vastly different and require unique infrastructure compared to the majority of the Bering Sea, Alaska.

It is the intent of this bill that these arctic deep draft ports are present in the arctic. And while there has been some dispute on how the U.S. arctic is defined, both the Army Corps study and the Department of the Interior report indicate the importance of deep draft ports in close proximity to the Arctic Circle, 66 degrees North. This is where ports of refuge, natural resource shipping, oilspill response, commercial shipping, and other commercial opportunities require a deep draft port.

These key findings identify ports that must be prioritized when considering deep water draft port development in the arctic, where the Federal Government has a role including technical assistance outlined in amendment 903.

Mr. LEVIN. Madam President, Michigan is a water State. The State is surrounded by water on three of its sides. We depend on our vital water resources for drinking water and commerce. Water provides opportunities for recreation, rest, and reflection. Our waters define us. It has been 6 years since the last Water Resources Development Act was passed. This bill includes several provisions that will improve the management of Michigan's water resources, such as critical harbor maintenance, upgrades to drinking and wastewater systems, flood control projects, and restoration of aquatic resources, and I will support its passage.

This bill makes some progress toward improving the Great Lakes Navigation System, and I am pleased that the Senate Environment and Public Works Committee worked with us to address concerns with the reported bill. The bill would increase authorized appropriations for harbor maintenance, beginning with \$1 billion in fiscal year 2014 and increasing every year thereafter by \$100 million through fiscal year 2019. In fiscal year 2020 and beyond, the bill would require that total budget resources for harbor maintenance equal the full amount of funds collected for that purpose. Currently, only about half of the funds collected from shippers for harbor maintenance are used for harbor maintenance. The harbor maintenance trust fund, into which the fees from shippers are collected, has a balance of over \$7 billion.

Great Lakes harbors and channels are in great need of dredging. A backlog of dredging projects forces vessels to carry less than their capacity, threatens to close harbors and increases the risk of vessel groundings. These funds need to be used for harbor maintenance instead of for other pur-

poses. I have been fighting to free these funds and worked with the EPW Committee to incorporate the text of the Harbor Maintenance Act of 2013, which I introduced earlier this year in February, into the committee-reported bill. While the point of order enforcement language of my bill that would have required full funding immediately for harbor maintenance was not included in the final version, the compromise language that would phase in the increased funding still represents progress. The next step in the dredging battle will be to work with appropriators so that funding is provided at the authorized levels.

I am also pleased that the EPW Committee responded to my concerns regarding how harbor maintenance funding was prioritized. I had written a letter to EPW that was signed by 10 other Great Lakes Senators expressing our concerns, and EPW responded by including a provision in the bill that would prioritize 20 percent of harbor maintenance funds in excess of fiscal year 2012 levels for the Great Lakes. This set-aside represents real progress, and I hope appropriators will provide funding in accordance with this directive in the bill.

I am also pleased that my amendment concerning other uses of the harbor maintenance trust fund was agreed to by the full Senate. That amendment, which was cosponsored by Senator STABENOW, makes clear that the primary use of the harbor maintenance trust fund is for maintaining the constructed widths and depths of ports and harbors and that those functions should be given first consideration in the budgeting of harbor maintenance trust fund allocations. I fought for this language because the bill includes a new authorization for other uses of the trust fund, and I wanted to make sure that harbor maintenance, including that of the Great Lakes, has a higher claim for these funds than the other new uses.

In addition to the beneficial harbor maintenance provisions, the bill also includes a number of other provisions that could benefit Michigan. A new pilot program, called the Water Infrastructure Financing and Innovation Act, is included in the bill, and it would increase options for financing our nation's water and wastewater infrastructure by providing loan guarantees and low interest loans with flexible repayment terms. WIFIA is a positive provision for Michigan and the Nation that will help to address the ongoing problems we face with aging and outdated infrastructure.

As Michigan and much of the Midwest recover from damaging flooding, I am pleased to see an authorization for the National Levee Safety Program and the establishment of a National Levee Safety Advisory Board. The board will provide technical assistance

to States and tribes on levee safety and facilitate the development of levee safety programs through a Federal grant program. Levees are an essential part of our flood protection infrastructure. This provision will hopefully ensure our levees are constructed and maintained using sound science and the best available information.

The bill also includes a provision on dam safety that is critical to Michigan communities. The Dam Safety Program provides grant assistance to States for the training of dam safety staff and for the development of safety monitoring programs. This bill also helps us in the Asian carp fight. I worked with Senator GILLIBRAND to include a provision that would authorize the Army Corps of Engineers to implement emergency measures to prevent Asian carp and other invasive species from getting into the Great Lakes. That language is based on a provision I was able to get included in an appropriations bill for fiscal year 2012, and including it in the WRDA bill would make the authority permanent.

I also want to mention the shadow that hangs over this legislation and all the other legislation before us. That shadow is sequestration, and until we lift that shadow, it will erode the good we seek to accomplish with this legislation and everything else we do.

The projects authorized in this bill will touch every State in our Nation, put Americans to work, help American companies sell their goods here and around the world, improve our navigation systems, and provide clean drinking water for our homes and businesses. But authorizing these projects is not enough. We also need to appropriate the money to execute these projects. And so long as sequestration remains in effect, so long as we continue to view our fiscal challenges as exclusively a matter of cutting budgets, so long as we ignore the desires of the American public and the realities of budget math and refuse to adopt a balanced approach to deficit reduction—so long as all that continues, those appropriations will be reduced. As a result, water projects will suffer, health and education programs will suffer, law enforcement, border security, food inspections and more will suffer. The Speaker of the House said not long ago, "We can't cut our way to prosperity." He's right. We can't cut our way to clean water or operable harbors either. We need to keep that in mind as we consider budget solutions going forward.

Despite the challenge of sequestration and continued fiscal pressures, the bill before us represents progress for America's waterways and the people who depend on them and in particular for the precious waters of my State of Michigan. I urge my colleagues to support this much-needed legislation.

Mr. HARKIN. Madam President, our inland waterways are a large and crucial part of our Nation's transportation system and facilitate billions of dollars of economic activity each year. In Iowa, agricultural producers as well as other shippers depend upon transportation along the Mississippi River and Missouri River to gain access to markets throughout the country and the world. The channels, locks, and dams throughout our inland waterways system are the infrastructural elements that allow the system to safely and efficiently support this activity. Without sustained financing through the inland waterways trust fund, this infrastructure cannot be properly maintained.

Today I want to bring my colleagues' attention to an amendment offered by Senator CASEY to S. 601, the Water Resources Development Act. Senator CASEY's amendment No. 854 takes an important step toward ensuring that the inland waterways trust fund can meet current and future infrastructure needs. While demands on the trust fund have greatly increased in recent years, the financing mechanism, a \$0.20-per-gallon barge fuel tax, has not been raised since 1994. Senator CASEY's amendment would strengthen the trust fund by raising the tax to \$0.29. Many locks are already in such disrepair that catastrophic failure could occur in the near future. A lock failure would cause a loss of navigation along the system above that point, incurring serious economic losses. Not only is this fuel tax increase badly needed, it is widely supported by industries dependent upon our inland waterways, including the barge operating industry, which is directly impacted by the tax.

While it is unfortunate that Senator CASEY's amendment could not be brought up for consideration, I hope its substance can become law in the coming months.

Mr. DURBIN. Madam President, today the Senate will pass a Water Resources Development Act, or WRDA, for the first time since 2007. I thank my colleagues, chairman BARBARA BOXER and ranking member DAVID VITTER of the Environment and Public Works Committee, for working together to move a bipartisan bill out of committee and to the floor.

I know it wasn't easy, and compromises were made. But water resources development bills are important to the commerce that moves by river and sea, to those communities and towns that rely on the Corps of Engineers to protect them from flooding and other storm damage, and to maintaining the precious natural resources that our rivers, streams, and wetlands represent.

We have an infrastructure problem in this country. The American Society of Civil Engineers estimates that we need \$3.6 trillion investment in our failing infrastructure. I say failing not only

because its literally crumbling but because the American Society of Civil Engineers 2013 Infrastructure Report Card gave America's infrastructure a "D-plus." But for our inland waterways, levees, and ports that grade is a "D-minus."

As an example, consider the locks and dams on the Mississippi and Illinois Rivers. These two rivers are important economic arteries, transporting millions of tons of product each year. The locks and dams that allow barges to move these goods were built in the 1930s and 1940s.

They are aging, and the risk of failure grows by the day. Back in March, a miter gate at the Marseilles Lock and Dam failed and was closed for 7 days. During that time, more than 50,000 tons of petroleum products came to a halt. That was a 7 day closure—can you imagine the economic impact of a catastrophic failure of one of these locks?

But we also must face reality that we passed this bill in a time of budget caps. This bill tries to update some of the funding mechanisms and processes we use to maintain and build locks dams, levees, and harbors.

With such great need and limited resources, my colleague Senator MARK KIRK and I introduced the Water Infrastructure Now Public Private Partnership Act, or WIN P3. I am pleased that the Senate-passed WRDA includes a major provision of our bill.

The provision adds a new element to a pilot program that allows for public private agreements between the Corps of Engineers and private entities. The pilot would allow the corps to expedite construction by bringing in private entities that have enough of a stake in completing infrastructure projects quickly that they could bring in private resources to help complete the work. The new language ensures that projects that have not received Federal funds would qualify for the program—projects like lock and dam modernization on the Mississippi and Illinois Rivers.

Currently those upgrades aren't projected to be complete until 2090. With this new program, I am hopeful new ways to fund and deliver big projects like these will be developed and help Illinois upgrade our water infrastructure more quickly.

This bill includes many provisions that could greatly benefit my home State of Illinois. It would keep up the fight against the spread of Asian carp. We must keep this invasive species from damaging the ecosystem of Lake Michigan.

The bill would also implement a National Levee Safety Program to establish safety standards and provide assistance to locals whose levees require rehabilitation. Many communities in Illinois find themselves in the difficult situation of having their levees decertified but without the funds to make

the necessary repairs. I am hopeful that this bill could help at least some of them.

I am pleased that the bill addresses extreme weather. No matter why you think it is happening, it is clear that extreme weather events are becoming more severe and more frequent.

Consider the last year: The two costliest natural disasters in the world occurred in the United States—the Midwest drought and Hurricane Sandy, costing \$100 billion. We can't ignore the reality that weather events like these are the new normal.

This bill would initiate studies by the National Academy of Sciences and GAO to evaluate how we respond to and mitigate extreme weather events. It would also give the corps greater authority to learn from and prepare for extreme weather events.

We have certainly seen our fair share of extreme weather in the Midwest and along the Mississippi River lately. Right now in Illinois and the Midwest, we are recovering from major floods. But it was only 5 months ago that the drought that sapped the Midwest caused record low water levels on the Mississippi—levels not seen since World War II.

I traveled to see it. The corps and Coast Guard took me out on an observation boat. When we got to the center of the channel, the corps commander said, "Imagine water ten feet over your head right now, that's where the water levels should be."

The water was so low it threatened to stop navigation on America's great commercial artery. Every few days barge operators and shippers were faced with the difficult question of whether there would be enough water for them to safely transit the Mississippi River. We are talking billions of dollars in goods from nearly every sector imaginable—agriculture, energy, dry goods, bulk goods.

During the crisis, some recommended it could all be solved if we simply allowed more water to flow from the Missouri River into the Mississippi. Some even called on the President to declare a disaster and mandate the water be taken from the Missouri River.

I said, "Let's hold on a minute, we are all in this together." What happens on the Missouri affects the Mississippi, and the commerce on the Mississippi clearly benefits the Missouri River States.

Instead of draining the Missouri River for the benefit of the Mississippi, we pushed the corps to expedite removal of rock pinnacles that obstructed navigation. With that, along with some needed rain and creative management by the corps, we were able to maintain navigation without doing any harm to the Missouri River.

In my view, that was a fair and responsible outcome. Equally fair and responsible, now that we are through the

crisis, is doing everything we can to learn from what happened and work to ensure we are better prepared if it happens again.

I introduced legislation to do that—the Mississippi River Navigation Sustainment Act. I am pleased that legislation is part of the Senate-passed bill.

It will improve forecasting capabilities and technology on the Mississippi River, give the corps greater flexibility to operate outside of the navigation channel, and create an environmental management pilot program for the Middle Mississippi.

Also included from my bill is a provision that would create a greater Mississippi River Basin severe flooding and drought management study. It will for the first time look at the entire Mississippi River Basin, which covers 40 percent of the United States and is the third largest river basin in the world. The study will help us better understand how the basin functions as a system and how we can best manage it to maintain safe and reliable navigation and protect lives and property—especially during times of extreme flooding and drought.

This provision was added to the bill as an amendment that I introduced with Senator ROY BLUNT and others. That amendment was a compromise between Missouri River Senators and Mississippi River Senators.

I thank my colleagues, including Senator BAUCUS, for working with me to come up with acceptable language. With this agreement, hopefully we can start to get beyond the parochial wars of the past. It is clear those of us on the Missouri River and the Mississippi River have a new common enemy that isn't going anywhere soon extreme weather.

I am encouraged that the Senate has come together in a bipartisan way on this bill. I now hope the House will pass legislation that makes needed investments in the waterways that are so important to the flow of commerce and upholds the environmental protections that keep America's waterways healthy.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, if I could be heard for less than a minute, I would like to thank every single Senator here. I think we have literally worked with every one of the Senators on this bill.

Senator VITTER and I have our differences in a number of areas, but when it comes to the infrastructure of our country, we worked very well together, as I did with Senator INHOFE.

The committee voted this bill out unanimously, and we made it better on this floor. Senators came to us with amendments that made this a better bill.

Also, I have to praise our staffs. They are unbelievable. I am not going to

name names now, but later I will put them in the RECORD. Senator VITTER's and my chief of staff, as well as their teams, worked seamlessly in the most wonderful and cooperative fashion.

I want everyone to know that this bill is about 500,000 jobs, thousands of businesses, critical flood control, environmental restoration projects, harbor maintenance, inland waterways, and we have adopted dozens and dozens of amendments.

We are very excited about this vote. We hope everyone will vote yea. It would be a wonderful signal to the House so they can get on with this work as well.

I yield to my friend. The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I join in all of the comments of the distinguished chairman of the committee, and I strongly support this bill as well.

This is a jobs bill as well as a water maritime infrastructure bill that is good for the economy, and it does it in a way that doesn't increase the deficit a penny. This bill contains no earmarks. It institutes important reforms to deauthorize projects that are not moving forward, so it should even be authorization net neutral. It provides reforms which are needed in terms of the Corps of Engineers.

This is a very strong bipartisan bill. I hope it is also some little suggestion of how we can move forward in this body, work in a bipartisan way, and have real debate, amendments, and votes on the floor, which is another whole aspect of this experience that has been very positive.

I urge a "yes" vote. The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. MENENDEZ. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 14, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—83

Alexander	Blumenthal	Cardin
Baldwin	Blunt	Carper
Barrasso	Boozman	Casey
Baucus	Boxer	Chambliss
Begich	Brown	Coats
Bennet	Cantwell	Cochran

Collins	Isakson	Risch
Coons	Johanns	Roberts
Corker	Johnson (SD)	Rockefeller
Cowan	Kaine	Sanders
Crapo	King	Schatz
Donnelly	Kirk	Schumer
Durbin	Klobuchar	Sessions
Enzi	Landrieu	Shaheen
Feinstein	Levin	Shelby
Fischer	Manchin	Stabenow
Franken	McCaskill	Tester
Gillibrand	McConnell	Thune
Graham	Menendez	Toomey
Grassley	Merkley	Udall (CO)
Hagan	Mikulski	Udall (NM)
Harkin	Moran	Vitter
Hatch	Murphy	Warner
Heinrich	Nelson	Warren
Heitkamp	Portman	Whitehouse
Hirono	Pryor	Wicker
Hoeven	Reed	Wyden
Inhofe	Reid	

NAYS—14

Ayotte	Flake	McCain
Burr	Heller	Paul
Coburn	Johnson (WI)	Rubio
Cornyn	Leahy	Scott
Cruz	Lee	

NOT VOTING—3

Lautenberg Murkowski Murray

The bill (S. 601), as amended, was passed, as follows:

S. 601

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Water Resources Development Act of 2013".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCE PROJECTS

Sec. 1001. Purposes.
Sec. 1002. Project authorizations.
Sec. 1003. Project review.
Sec. 1004. Future project authorizations.

TITLE II—WATER RESOURCES POLICY REFORMS

Sec. 2001. Purposes.
Sec. 2002. Safety assurance review.
Sec. 2003. Continuing authority programs.
Sec. 2004. Continuing authority program prioritization.
Sec. 2005. Fish and wildlife mitigation.
Sec. 2006. Mitigation status report.
Sec. 2007. Independent peer review.
Sec. 2008. Operation and maintenance of navigation and hydroelectric facilities.
Sec. 2009. Hydropower at Corps of Engineers facilities.
Sec. 2010. Clarification of work-in-kind credit authority.
Sec. 2011. Transfer of excess work-in-kind credit.
Sec. 2012. Credit for in-kind contributions.
Sec. 2013. Credit in lieu of reimbursement.
Sec. 2014. Dam optimization.
Sec. 2015. Water supply.
Sec. 2016. Report on water storage pricing formulas.
Sec. 2017. Clarification of previously authorized work.
Sec. 2018. Consideration of Federal land in feasibility studies.
Sec. 2019. Planning assistance to States.
Sec. 2020. Vegetation management policy.
Sec. 2021. Levee certifications.
Sec. 2022. Restoration of flood and hurricane storm damage reduction projects.

- Sec. 2023. Operation and maintenance of certain projects.
- Sec. 2024. Dredging study.
- Sec. 2025. Non-Federal project implementation pilot program.
- Sec. 2026. Non-Federal implementation of feasibility studies.
- Sec. 2027. Tribal partnership program.
- Sec. 2028. Cooperative agreements with Columbia River Basin Indian tribes.
- Sec. 2029. Military munitions response actions at civil works shoreline protection projects.
- Sec. 2030. Beach nourishment.
- Sec. 2031. Regional sediment management.
- Sec. 2032. Study acceleration.
- Sec. 2033. Project acceleration.
- Sec. 2034. Feasibility studies.
- Sec. 2035. Accounting and administrative expenses.
- Sec. 2036. Determination of project completion.
- Sec. 2037. Project partnership agreements.
- Sec. 2038. Interagency and international support authority.
- Sec. 2039. Acceptance of contributed funds to increase lock operations.
- Sec. 2040. Emergency response to natural disasters.
- Sec. 2041. Systemwide improvement frameworks.
- Sec. 2042. Funding to process permits.
- Sec. 2043. National riverbank stabilization and erosion prevention study and pilot program.
- Sec. 2044. Hurricane and storm damage risk reduction prioritization.
- Sec. 2045. Prioritization of ecosystem restoration efforts.
- Sec. 2046. Special use permits.
- Sec. 2047. Operations and maintenance on fuel taxed inland waterways.
- Sec. 2048. Corrosion prevention.
- Sec. 2049. Project deauthorizations.
- Sec. 2050. Reports to Congress.
- Sec. 2051. Indian Self-Determination and Education Assistance Act conforming amendment.
- Sec. 2052. Invasive species review.
- Sec. 2053. Wetlands conservation study.
- Sec. 2054. Dam modification study.
- Sec. 2055. Non-Federal plans to provide additional flood risk reduction.
- Sec. 2056. Mississippi River forecasting improvements.
- Sec. 2057. Flexibility in maintaining navigation.
- Sec. 2058. Restricted areas at Corps of Engineers dams.
- Sec. 2059. Maximum cost of projects.
- Sec. 2060. Donald G. Waldon Lock and Dam.
- Sec. 2061. Improving planning and administration of water supply storage.
- Sec. 2062. Crediting authority for Federally authorized navigation projects.
- Sec. 2063. River basin commissions.
- Sec. 2064. Restriction on charges for certain surplus water.
- TITLE III—PROJECT MODIFICATIONS**
- Sec. 3001. Purpose.
- Sec. 3002. Chatfield Reservoir, Colorado.
- Sec. 3003. Missouri River Recovery Implementation Committee expenses reimbursement.
- Sec. 3004. Hurricane and storm damage reduction study.
- Sec. 3005. Lower Yellowstone Project, Montana.
- Sec. 3006. Project deauthorizations.
- Sec. 3007. Raritan River Basin, Green Brook Sub-basin, New Jersey.
- Sec. 3008. Red River Basin, Oklahoma, Texas, Arkansas, Louisiana.
- Sec. 3009. Point Judith Harbor of Refuge, Rhode Island.
- Sec. 3010. Land conveyance of Hammond Boat Basin, Warrenton, Oregon.
- Sec. 3011. Metro East Flood Risk Management Program, Illinois.
- Sec. 3012. Florida Keys water quality improvements.
- Sec. 3013. Des Moines Recreational River and Greenbelt, Iowa.
- Sec. 3014. Land conveyance, Craney Island Dredged Material Management Area, Portsmouth, Virginia.
- Sec. 3015. Los Angeles County Drainage Area, California.
- Sec. 3016. Oakland Inner Harbor Tidal Canal, California.
- Sec. 3017. Redesignation of Lower Mississippi River Museum and Riverfront Interpretive Site.
- Sec. 3018. Louisiana Coastal Area.
- Sec. 3019. Four Mile Run, City of Alexandria and Arlington County, Virginia.
- Sec. 3020. East Fork of Trinity River, Texas.
- Sec. 3021. Seward Waterfront, Seward, Alaska.
- TITLE IV—WATER RESOURCE STUDIES**
- Sec. 4001. Purpose.
- Sec. 4002. Initiation of new water resources studies.
- Sec. 4003. Applicability.
- TITLE V—REGIONAL AND NONPROJECT PROVISIONS**
- Sec. 5001. Purpose.
- Sec. 5002. Northeast Coastal Region ecosystem restoration.
- Sec. 5003. Chesapeake Bay Environmental Restoration and Protection Program.
- Sec. 5004. Rio Grande environmental management program, Colorado, New Mexico, Texas.
- Sec. 5005. Lower Columbia River and Tillamook Bay ecosystem restoration, Oregon and Washington.
- Sec. 5006. Arkansas River, Arkansas and Oklahoma.
- Sec. 5007. Aquatic invasive species prevention and management; Columbia River Basin.
- Sec. 5008. Upper Missouri Basin flood and drought monitoring.
- Sec. 5009. Upper Missouri Basin shoreline erosion prevention.
- Sec. 5010. Northern Rockies headwaters extreme weather mitigation.
- Sec. 5011. Aquatic nuisance species prevention, Great Lakes and Mississippi River Basin.
- Sec. 5012. Middle Mississippi River pilot program.
- Sec. 5013. Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming.
- Sec. 5014. Chesapeake Bay oyster restoration in Virginia and Maryland.
- Sec. 5015. Missouri River between Fort Peck Dam, Montana and Gavins Point Dam, South Dakota and Nebraska.
- Sec. 5016. Operations and maintenance of inland Mississippi River ports.
- Sec. 5017. Remote and subsistence harbors.
- Sec. 5018. Multiagency effort to slow the spread of Asian carp in the Upper Mississippi River and Ohio River basins and tributaries.
- Sec. 5019. Release of use restrictions.
- Sec. 5020. Rights and responsibilities of Cherokee Nation of Oklahoma regarding W.D. Mayo Lock and Dam, Oklahoma.
- Sec. 5021. Upper Mississippi River protection.
- Sec. 5022. Arctic Deep draft port development partnerships.
- Sec. 5023. Greater Mississippi River Basin severe flooding and drought management study.
- Sec. 5024. Cape Arundel Disposal Site, Maine.
- TITLE VI—LEEVE SAFETY**
- Sec. 6001. Short title.
- Sec. 6002. Findings; purposes.
- Sec. 6003. Definitions.
- Sec. 6004. National levee safety program.
- Sec. 6005. National levee safety advisory board.
- Sec. 6006. Inventory and inspection of levees.
- Sec. 6007. Reports.
- Sec. 6008. Effect of title.
- Sec. 6009. Authorization of appropriations.
- TITLE VII—INLAND WATERWAYS**
- Sec. 7001. Purposes.
- Sec. 7002. Definitions.
- Sec. 7003. Project delivery process reforms.
- Sec. 7004. Major rehabilitation standards.
- Sec. 7005. Inland waterways system revenues.
- Sec. 7006. Efficiency of revenue collection.
- Sec. 7007. GAO study, Olmsted Locks and Dam, Lower Ohio River, Illinois and Kentucky.
- Sec. 7008. Olmsted Locks and Dam, Lower Ohio River, Illinois and Kentucky.
- TITLE VIII—HARBOR MAINTENANCE**
- Sec. 8001. Short title.
- Sec. 8002. Purposes.
- Sec. 8003. Funding for harbor maintenance programs.
- Sec. 8004. Harbor Maintenance Trust Fund prioritization.
- Sec. 8005. Harbor maintenance trust fund study.
- TITLE IX—DAM SAFETY**
- Sec. 9001. Short title.
- Sec. 9002. Purpose.
- Sec. 9003. Administrator.
- Sec. 9004. Inspection of dams.
- Sec. 9005. National Dam Safety Program.
- Sec. 9006. Public awareness and outreach for dam safety.
- Sec. 9007. Authorization of appropriations.
- TITLE X—INNOVATIVE FINANCING PILOT PROJECTS**
- Sec. 10001. Short title.
- Sec. 10002. Purposes.
- Sec. 10003. Definitions.
- Sec. 10004. Authority to provide assistance.
- Sec. 10005. Applications.
- Sec. 10006. Eligible entities.
- Sec. 10007. Projects eligible for assistance.
- Sec. 10008. Activities eligible for assistance.
- Sec. 10009. Determination of eligibility and project selection.
- Sec. 10010. Secured loans.
- Sec. 10011. Program administration.
- Sec. 10012. State, tribal, and local permits.
- Sec. 10013. Regulations.
- Sec. 10014. Funding.
- Sec. 10015. Report to Congress.
- Sec. 10016. Use of American iron, steel, and manufactured goods.
- TITLE XI—EXTREME WEATHER**
- Sec. 11001. Definition of resilient construction technique.
- Sec. 11002. Study on risk reduction.
- Sec. 11003. GAO study on management of flood, drought, and storm damage.
- Sec. 11004. Post-disaster watershed assessments.

Sec. 11005. Authority to accept and expend non-Federal amounts.

TITLE XII—NATIONAL ENDOWMENT FOR THE OCEANS

- Sec. 12001. Short title.
- Sec. 12002. Purposes.
- Sec. 12003. Definitions.
- Sec. 12004. National Endowment for the Oceans.
- Sec. 12005. Eligible uses.
- Sec. 12006. Grants.
- Sec. 12007. Annual report.
- Sec. 12008. Tulsa Port of Catoosa, Rogers County, Oklahoma land exchange.

TITLE XIII—MISCELLANEOUS

- Sec. 13001. Applicability of Spill Prevention, Control, and Countermeasure rule.
- Sec. 13002. America the Beautiful National Parks and Federal Recreational Lands Pass program.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.

TITLE I—WATER RESOURCE PROJECTS

SEC. 1001. PURPOSES.

The purposes of this title are—

- (1) to authorize projects that—
 - (A) are the subject of a completed report of the Chief of Engineers containing a determination that the relevant project—
 - (i) is in the Federal interest;
 - (ii) results in benefits that exceed the costs of the project;
 - (iii) is environmentally acceptable; and
 - (iv) is technically feasible; and
 - (B) have been recommended to Congress for authorization by the Assistant Secretary of the Army for Civil Works; and
- (2) to authorize the Secretary—
 - (A) to review projects that require increased authorization; and
 - (B) to request an increase of those authorizations after—
 - (i) certifying that the increases are necessary; and
 - (ii) submitting to Congress reports on the proposed increases.

SEC. 1002. PROJECT AUTHORIZATIONS.

The Secretary is authorized to carry out projects for water resources development, conservation, and other purposes, subject to the conditions that—

- (1) each project is carried out—
 - (A) substantially in accordance with the plan for the project; and
 - (B) subject to any conditions described in the report for the project; and
- (2)(A) a Report of the Chief of Engineers has been completed; and
- (B) after November 8, 2007, but prior to the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works has submitted to Congress a recommendation to authorize construction of the project.

SEC. 1003. PROJECT REVIEW.

(a) **IN GENERAL.**—For a project that is authorized by Federal law as of the date of enactment of this Act, the Secretary may modify the authorized project cost set under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280)—

- (1) by submitting the required certification and additional information to Congress in accordance with subsection (b); and
- (2) after receiving an appropriation of funds in accordance with subsection (b)(3)(B).

(b) **REQUIREMENTS FOR SUBMISSION.**—

- (1) **CERTIFICATION.**—The certification to Congress under subsection (a) shall include a certification by the Secretary that—

- (A) expenditures above the authorized cost of the project are necessary to protect life and safety or property, maintain critical navigation routes, or restore ecosystems;
- (B) the project continues to provide benefits identified in the report of the Chief of Engineers for the project; and
- (C) for projects under construction—
 - (i) a temporary stop or delay resulting from a failure to increase the authorized cost of the project will increase costs to the Federal Government; and
 - (ii) the amount requested for the project in the budget of the President or included in a work plan for the expenditure of funds for the fiscal year during which the certification is submitted will exceed the authorized cost of the project.

(2) **ADDITIONAL INFORMATION.**—The information provided to Congress about the project under subsection (a) shall include, at a minimum—

- (A) a comprehensive review of the project costs and reasons for exceeding the authorized limits set under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280);
- (B) an expedited analysis of the updated benefits and costs of the project; and
- (C) the revised cost estimate level for completing the project.

(3) **APPROVAL OF CONGRESS.**—The Secretary may not change the authorized project costs under subsection (a) unless—

- (A) a certification and required information is submitted to Congress under subsection (b); and
- (B) after such submission, amounts are appropriated to initiate or continue construction of the project in an appropriations or other Act.

(c) **DE MINIMIS AMOUNTS.**—If the cost to complete construction of an authorized water resources project would exceed the limitations on the maximum cost of the project under section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), the Secretary may complete construction of the project, notwithstanding the limitations imposed by that section if—

- (1) construction of the project is at least 70 percent complete at the time the cost of the project is projected to exceed the limitations; and
- (2) the Federal cost to complete construction is less than \$5,000,000.

(d) **TERMINATION OF EFFECTIVENESS.**—The authority of the Secretary under this section terminates on the date that is 3 years after the date of enactment of this Act.

SEC. 1004. FUTURE PROJECT AUTHORIZATIONS.

(a) **POLICY.**—The benefits of water resource projects designed and carried out in an economically justifiable, environmentally acceptable, and technically sound manner are important to the economy and environment of the United States and recommendations to Congress regarding those projects should be expedited for approval in a timely manner.

(b) **APPLICABILITY.**—The procedures under this section apply to projects for water resources development, conservation, and other purposes, subject to the conditions that—

- (1) each project is carried out—
 - (A) substantially in accordance with the plan identified in the report of the Chief of Engineers for the project; and
 - (B) subject to any conditions described in the report for the project; and
- (2)(A) a report of the Chief of Engineers has been completed; and
- (B) after the date of enactment of this Act, the Assistant Secretary of the Army for

Civil Works has submitted to Congress a recommendation to authorize construction of the project.

(c) **EXPEDITED CONSIDERATION.**—

(1) **IN GENERAL.**—A bill shall be eligible for expedited consideration in accordance with this subsection if the bill—

- (A) authorizes a project that meets the requirements described in subsection (b); and
- (B) is referred to the Committee on Environment and Public Works of the Senate.

(2) **COMMITTEE CONSIDERATION.**—

(A) **IN GENERAL.**—Not later than January 31st of the second session of each Congress, the Committee on Environment and Public Works of the Senate shall—

- (i) report all bills that meet the requirements of paragraph (1); or
- (ii) introduce and report a measure to authorize any project that meets the requirements described in subsection (b).

(B) **FAILURE TO ACT.**—Subject to subparagraph (C), if the Committee fails to act on a bill that meets the requirements of paragraph (1) by the date specified in subparagraph (A), the bill shall be discharged from the Committee and placed on the calendar of the Senate.

(C) **EXCEPTIONS.**—Subparagraph (B) shall not apply if—

- (i) in the 180-day period immediately preceding the date specified in subparagraph (A), the full Committee holds a legislative hearing on a bill to authorize all projects that meet the requirements described in subsection (b);

- (ii)(I) the Committee favorably reports a bill to authorize all projects that meet the requirements described in subsection (b); and
- (II) the bill described in subclause (I) is placed on the calendar of the Senate; or

- (iii) a bill that meets the requirements of paragraph (1) is referred to the Committee not earlier than 30 days before the date specified in subparagraph (A).

(d) **TERMINATION.**—The procedures for expedited consideration under this section terminate on December 31, 2018.

TITLE II—WATER RESOURCES POLICY REFORMS

SEC. 2001. PURPOSES.

The purposes of this title are—

- (1) to reform the implementation of water resources projects by the Corps of Engineers;
- (2) to make other technical changes to the water resources policy of the Corps of Engineers; and
- (3) to implement reforms, including—
 - (A) enhancing the ability of local sponsors to partner with the Corps of Engineers by ensuring the eligibility of the local sponsors to receive and apply credit for work carried out by the sponsors and increasing the role of sponsors in carrying out Corps of Engineers projects;
 - (B) ensuring continuing authority programs can continue to meet important needs;
 - (C) encouraging the continuation of efforts to modernize feasibility studies and establish targets for expedited completion of feasibility studies;
 - (D) seeking efficiencies in the management of dams and related infrastructure to reduce environmental impacts while maximizing other benefits and project purposes, such as flood control, navigation, water supply, and hydropower;
 - (E) clarifying mitigation requirements for Corps of Engineers projects and ensuring transparency in the independent external review of those projects; and
 - (F) establishing an efficient and transparent process for deauthorizing projects

that have failed to receive a minimum level of investment to ensure active projects can move forward while reducing the backlog of authorized projects.

SEC. 2002. SAFETY ASSURANCE REVIEW.

Section 2035 of the Water Resources Development Act of 2007 (33 U.S.C. 2344) is amended by adding at the end the following:

“(g) NONAPPLICABILITY OF FACAA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a safety assurance review conducted under this section.”.

SEC. 2003. CONTINUING AUTHORITY PROGRAMS.

(a) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended—

(1) in subsection (a), by striking “\$35,000,000” and inserting “\$50,000,000”; and

(2) in subsection (b), by striking “\$7,000,000” and inserting “\$10,000,000”.

(b) SHORE DAMAGE PREVENTION OR MITIGATION.—Section 111(c) of the River and Harbor Act of 1968 (33 U.S.C. 426i(c)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

(c) REGIONAL SEDIMENT MANAGEMENT.—

(1) IN GENERAL.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(A) in subsection (c)(1)(C), by striking “\$5,000,000” and inserting “\$10,000,000”; and

(B) in subsection (g), by striking “\$30,000,000” and inserting “\$50,000,000”.

(2) APPLICABILITY.—Section 2037 of the Water Resources Development Act of 2007 (121 Stat. 1094) is amended by added at the end the following:

“(c) APPLICABILITY.—The amendment made by subsection (a) shall not apply to any project authorized under this Act if a report of the Chief of Engineers for the project was completed prior to the date of enactment of this Act.”.

(d) SMALL FLOOD CONTROL PROJECTS.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended in the third sentence by striking “\$7,000,000” and inserting “\$10,000,000”.

(e) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(d)) is amended—

(1) in the second sentence, by striking “Not more than 80 percent of the non-Federal may be” and inserting “The non-Federal share may be provided”; and

(2) in the third sentence, by striking “\$5,000,000” and inserting “\$10,000,000”.

(f) AQUATIC ECOSYSTEM RESTORATION.—Section 206(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(d)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

(g) FLOODPLAIN MANAGEMENT SERVICES.—Section 206(d) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking “\$15,000,000” and inserting “\$50,000,000”.

SEC. 2004. CONTINUING AUTHORITY PROGRAM PRIORITIZATION.

(a) DEFINITION OF CONTINUING AUTHORITY PROGRAM PROJECT.—In this section, the term “continuing authority program” means 1 of the following authorities:

(1) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(2) Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(3) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(4) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(5) Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(6) Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(b) PRIORITIZATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register and on a publicly available website, the criteria the Secretary uses for prioritizing annual funding for continuing authority program projects.

(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall publish in the Federal Register and on a publicly available website, a report on the status of each continuing authority program, which, at a minimum, shall include—

(1) the name and a short description of each active continuing authority program project;

(2) the cost estimate to complete each active project; and

(3) the funding available in that fiscal year for each continuing authority program.

(d) CONGRESSIONAL NOTIFICATION.—On publication in the Federal Register under subsections (b) and (c), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a copy of all information published under those subsections.

SEC. 2005. FISH AND WILDLIFE MITIGATION.

(a) IN GENERAL.—Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting “for damages to ecological resources, including terrestrial and aquatic resources, and” after “mitigate”;

(II) by inserting “ecological resources and” after “impact on”; and

(III) by inserting “without the implementation of mitigation measures” before the period; and

(ii) by inserting before the last sentence the following: “If the Secretary determines that mitigation to in-kind conditions is not possible, the Secretary shall identify in the report the basis for that determination and the mitigation measures that will be implemented to meet the requirements of this section and the goals of section 307(a)(1) of the Water Resources Development Act of 1990 (33 U.S.C. 2317(a)(1)).”;

(B) in paragraph (2)—

(i) in the heading, by striking “DESIGN” and inserting “SELECTION AND DESIGN”;

(ii) by inserting “select and” after “shall”; and

(iii) by inserting “using a watershed approach” after “projects”; and

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting “, at a minimum,” after “complies with”; and

(ii) in subparagraph (B)—

(I) by striking clause (iii);

(II) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(III) by inserting after clause (ii) the following:

“(iii) for projects where mitigation will be carried out by the Secretary—

“(I) a description of the land and interest in land to be acquired for the mitigation plan;

“(II) the basis for a determination that the land and interests are available for acquisition; and

“(III) a determination that the proposed interest sought does not exceed the minimum interest in land necessary to meet the mitigation requirements for the project;

“(iv) for projects where mitigation will be carried out through a third party mitigation

arrangement in accordance with subsection (i)—

“(I) a description of the third party mitigation instrument to be used; and

“(II) the basis for a determination that the mitigation instrument can meet the mitigation requirements for the project;”;

(2) by adding at the end the following:

“(h) PROGRAMMATIC MITIGATION PLANS.—

“(1) IN GENERAL.—The Secretary may develop 1 or more programmatic mitigation plans to address the potential impacts to ecological resources, fish, and wildlife associated with existing or future water resources development projects.

“(2) USE OF MITIGATION PLANS.—The Secretary shall, to the maximum extent practicable, use programmatic mitigation plans developed in accordance with this subsection to guide the development of a mitigation plan under subsection (d).

“(3) NON-FEDERAL PLANS.—The Secretary shall, to the maximum extent practicable and subject to all conditions of this subsection, use programmatic environmental plans developed by a State, a body politic of the State, which derives its powers from a State constitution, a government entity created by State legislation, or a local government, that meet the requirements of this subsection to address the potential environmental impacts of existing or future water resources development projects.

“(4) SCOPE.—A programmatic mitigation plan developed by the Secretary or an entity described in paragraph (3) to address potential impacts of existing or future water resources development projects shall, to the maximum extent practicable—

“(A) be developed on a regional, ecosystem, watershed, or statewide scale;

“(B) include specific goals for aquatic resource and fish and wildlife habitat restoration, establishment, enhancement, or preservation;

“(C) identify priority areas for aquatic resource and fish and wildlife habitat protection or restoration;

“(D) encompass multiple environmental resources within a defined geographical area or focus on a specific resource, such as aquatic resources or wildlife habitat; and

“(E) address impacts from all projects in a defined geographical area or focus on a specific type of project.

“(5) CONSULTATION.—The scope of the plan shall be determined by the Secretary or an entity described in paragraph (3), as appropriate, in consultation with the agency with jurisdiction over the resources being addressed in the environmental mitigation plan.

“(6) CONTENTS.—A programmatic environmental mitigation plan may include—

“(A) an assessment of the condition of environmental resources in the geographical area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(B) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographical area covered by the plan through strategic mitigation for impacts of water resources development projects;

“(C) standard measures for mitigating certain types of impacts;

“(D) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(E) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting

mitigation measures in response to information gathered through the monitoring;

“(F) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources; and

“(G) any offsetting benefits of self-mitigating projects, such as ecosystem or resource restoration and protection.

“(7) PROCESS.—Before adopting a programmatic environmental mitigation plan for use under this subsection, the Secretary shall—

“(A) for a plan developed by the Secretary—

“(i) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public; and

“(ii) consider any comments received from those agencies and the public on the draft plan; and

“(B) for a plan developed under paragraph (3), determine, not later than 180 days after receiving the plan, whether the plan meets the requirements of paragraphs (4) through (6) and was made available for public comment.

“(8) INTEGRATION WITH OTHER PLANS.—A programmatic environmental mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(9) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic environmental mitigation plan has been developed under this subsection, any Federal agency responsible for environmental reviews, permits, or approvals for a water resources development project may use the recommendations in that programmatic environmental mitigation plan when carrying out the responsibilities of the agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(10) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this subsection limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(i) THIRD-PARTY MITIGATION ARRANGEMENTS.—

“(1) ELIGIBLE ACTIVITIES.—In accordance with all applicable Federal laws (including regulations), mitigation efforts carried out under this section may include—

“(A) participation in mitigation banking or other third-party mitigation arrangements, such as—

“(i) the purchase of credits from commercial or State, regional, or local agency-sponsored mitigation banks; and

“(ii) the purchase of credits from in-lieu fee mitigation programs; and

“(B) contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands if the Secretary determines that the contributions will ensure that the mitigation requirements of this section and the goals of section 307(a)(1) of the Water Resources Development Act of 1990 (33 U.S.C. 2317(a)(1)) will be met.

“(2) INCLUSION OF OTHER ACTIVITIES.—The banks, programs, and efforts described in paragraph (1) include any banks, programs, and efforts developed in accordance with applicable law (including regulations).

“(3) TERMS AND CONDITIONS.—In carrying out natural habitat and wetlands mitigation efforts under this section, contributions to the mitigation effort may—

“(A) take place concurrent with, or in advance of, the commitment of funding to a project; and

“(B) occur in advance of project construction only if the efforts are consistent with all applicable requirements of Federal law (including regulations) and water resources development planning processes.

“(4) PREFERENCE.—At the request of the non-Federal project sponsor, preference may be given, to the maximum extent practicable, to mitigating an environmental impact through the use of a mitigation bank, in-lieu fee, or other third-party mitigation arrangement, if the use of credits from the mitigation bank or in-lieu fee, or the other third-party mitigation arrangement for the project has been approved by the applicable Federal agency.

“(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third party mechanisms or to acquire interests in land necessary for meeting the mitigation requirements of this section.”.

(b) APPLICATION.—The amendments made by subsection (a) shall not apply to a project for which a mitigation plan has been completed as of the date of enactment of this Act.

(c) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary may provide technical assistance to States and local governments to establish third-party mitigation instruments, including mitigation banks and in-lieu fee programs, that will help to target mitigation payments to high-priority ecosystem restoration actions.

(2) REQUIREMENTS.—In providing technical assistance under this subsection, the Secretary shall give priority to States and local governments that have developed State, regional, or watershed-based plans identifying priority restoration actions.

(3) MITIGATION INSTRUMENTS.—The Secretary shall seek to ensure any technical assistance provided under this subsection will support the establishment of mitigation instruments that will result in restoration of high-priority areas identified in the plans under paragraph (2).

SEC. 2006. MITIGATION STATUS REPORT.

Section 2036(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2283a) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) INFORMATION INCLUDED.—In reporting the status of all projects included in the report, the Secretary shall—

“(A) use a uniform methodology for determining the status of all projects included in the report;

“(B) use a methodology that describes both a qualitative and quantitative status for all projects in the report; and

“(C) provide specific dates for and participants in the consultations required under section 906(d)(4)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)(4)(B)).”.

SEC. 2007. INDEPENDENT PEER REVIEW.

(a) TIMING OF PEER REVIEW.—Section 2034(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) REASONS FOR TIMING.—If the Chief of Engineers does not initiate a peer review for a project study at a time described in paragraph (2), the Chief shall—

“(A) not later than 7 days after the date on which the Chief of Engineers determines not to initiate a peer review—

“(i) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of that decision; and

“(ii) make publicly available, including on the Internet the reasons for not conducting the review; and

“(B) include the reasons for not conducting the review in the decision document for the project study.”.

(b) ESTABLISHMENT OF PANELS.—Section 2034(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(c)) is amended by striking paragraph (4) and inserting the following:

“(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Following the identification of a project study for peer review under this section, but prior to initiation of the review by the panel of experts, the Chief of Engineers shall, not later than 7 days after the date on which the Chief of Engineers determines to conduct a review—

“(A) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the review; and

“(B) make publicly available, including on the Internet, information on—

“(i) the dates scheduled for beginning and ending the review;

“(ii) the entity that has the contract for the review; and

“(iii) the names and qualifications of the panel of experts.”.

(c) RECOMMENDATIONS OF PANEL.—Section 2034(f) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(f)) is amended by striking paragraph (2) and inserting the following:

“(2) PUBLIC AVAILABILITY AND SUBMISSION TO CONGRESS.—After receiving a report on a project study from a panel of experts under this section, the Chief of Engineers shall make available to the public, including on the Internet, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) a copy of the report not later than 7 days after the date on which the report is delivered to the Chief of Engineers; and

“(B) a copy of any written response of the Chief of Engineers on recommendations contained in the report not later than 3 days after the date on which the response is delivered to the Chief of Engineers.

“(3) INCLUSION IN PROJECT STUDY.—A report on a project study from a panel of experts under this section and the written response of the Chief of Engineers shall be included in the final decision document for the project study.”.

(d) APPLICABILITY.—Section 2034(h)(2) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by striking “7 years” and inserting “12 years”.

SEC. 2008. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES.

(a) IN GENERAL.—Section 314 of the Water Resources Development Act of 1990 (33 U.S.C. 2321) is amended—

(1) by striking the heading and inserting the following:

“SEC. 314. OPERATION AND MAINTENANCE OF NAVIGATION AND HYDROELECTRIC FACILITIES.”;

(2) in the first sentence, by striking “Activities currently performed” and inserting the following:

“(a) IN GENERAL.—Activities currently performed”;

(3) in the second sentence, by striking “This section” and inserting the following:

“(b) MAJOR MAINTENANCE CONTRACTS ALLOWED.—This section”;

(4) in subsection (a) (as designated by paragraph (2)), by inserting “navigation or” before “hydroelectric”;

(5) by adding at the end the following:

“(c) EXCLUSION.—This section shall not—

(1) apply to those navigation facilities that have been or are currently under contract with a non-Federal interest to perform operations and maintenance as of the date of enactment of the Water Resources Development Act of 2013; and

(2) prohibit the Secretary from contracting out future commercial activities at those navigation facilities.”.

(b) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1990 (104 Stat. 4604) is amended by striking the item relating to section 314 and inserting the following:

“Sec. 314. Operation and maintenance of navigation and hydroelectric facilities.”.

SEC. 2009. HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

(a) FINDINGS.—Congress finds that—

(1) in April 2012, the Oak Ridge National Laboratory of the Department of Energy (referred to in this section as the “Oak Ridge Lab”) released a report finding that adding hydroelectric power to the non-powered dams of the United States has the potential to add more than 12 gigawatts of new generating capacity;

(2) the top 10 non-powered dams identified by the Oak Ridge Lab as having the highest hydroelectric power potential could alone supply 3 gigawatts of generating capacity;

(3) of the 50 non-powered dams identified by the Oak Ridge Lab as having the highest hydroelectric power potential, 48 are Corps of Engineers civil works projects;

(4) promoting non-Federal hydroelectric power at Corps of Engineers civil works projects increases the taxpayer benefit of those projects;

(5) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects—

(A) can be accomplished in a manner that is consistent with authorized project purposes and the responsibilities of the Corps of Engineers to protect the environment; and

(B) in many instances, may have additional environmental benefits; and

(6) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects could be promoted through—

(A) clear and consistent lines of responsibility and authority within and across Corps of Engineers districts and divisions on hydroelectric power development activities;

(B) consistent and corresponding processes for reviewing and approving hydroelectric power development; and

(C) developing a means by which non-Federal hydroelectric power developers and stakeholders can resolve disputes with the Corps of Engineers concerning hydroelectric power development activities at Corps of Engineers civil works projects.

(b) POLICY.—Congress declares that it is the policy of the United States that—

(1) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects, including locks and dams, shall be given priority;

(2) Corps of Engineers approval of non-Federal hydroelectric power at Corps of Engineers civil works projects, including permitting required under section 14 of the Act of March 3, 1899 (33 U.S.C. 408), shall be completed by the Corps of Engineers in a timely and consistent manner; and

(3) approval of hydropower at Corps of Engineers civil works projects shall in no way diminish the other priorities and missions of the Corps of Engineers, including authorized project purposes and habitat and environmental protection.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, at a minimum, shall include—

(1) a description of initiatives carried out by the Secretary to encourage the development of hydroelectric power by non-Federal entities at Corps of Engineers civil works projects;

(2) a list of all new hydroelectric power activities by non-Federal entities approved at Corps of Engineers civil works projects in that fiscal year, including the length of time the Secretary needed to approve those activities;

(3) a description of the status of each pending application from non-Federal entities for approval to develop hydroelectric power at Corps of Engineers civil works projects;

(4) a description of any benefits or impacts to the environment, recreation, or other uses associated with Corps of Engineers civil works projects at which non-Federal entities have developed hydroelectric power in the previous fiscal year; and

(5) the total annual amount of payments or other services provided to the Corps of Engineers, the Treasury, and any other Federal agency as a result of approved non-Federal hydropower projects at Corps of Engineers civil works projects.

SEC. 2010. CLARIFICATION OF WORK-IN-KIND CREDIT AUTHORITY.

(a) NON-FEDERAL COST SHARE.—Section 7007 of the Water Resources Development Act of 2007 (121 Stat. 1277) is amended—

(1) in subsection (a)—

(A) by inserting “, on, or after” after “before”;

(B) by inserting “, program,” after “study” each place it appears;

(2) in subsections (b) and (e)(1), by inserting “, program,” after “study” each place it appears; and

(3) by striking subsection (d) and inserting the following:

“(d) TREATMENT OF CREDIT BETWEEN PROJECTS.—The value of any land, easements, rights-of-way, relocations, and dredged material disposal areas and the costs of planning, design, and construction work provided by the non-Federal interest that exceed the non-Federal cost share for a study, program, or project under this title may be applied toward the non-Federal cost share for any other study, program, or project carried out under this title.”.

(b) IMPLEMENTATION.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with any relevant agencies of the State of Louisiana, shall establish a process by which to carry out the amendments made by subsection (a)(3).

(c) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on November 8, 2007.

SEC. 2011. TRANSFER OF EXCESS WORK-IN-KIND CREDIT.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may apply credit for in-kind contributions provided by a non-Federal interest that is in excess of the required non-Federal cost-share for a water resources study or project toward the required non-Federal cost-share for a different water resources study or project.

(b) RESTRICTIONS.—

(1) IN GENERAL.—Except for subsection (a)(4)(D)(i) of that section, the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) (as amended by section 2012 of this Act) shall apply to any credit under this section.

(2) CONDITIONS.—Credit in excess of the non-Federal cost-share for a study or project may be approved under this section only if—

(A) the non-Federal interest submits a comprehensive plan to the Secretary that identifies—

(i) the studies and projects for which the non-Federal interest intends to provide in-kind contributions for credit that is in excess of the non-Federal cost share for the study or project; and

(ii) the studies and projects to which that excess credit would be applied;

(B) the Secretary approves the comprehensive plan; and

(C) the total amount of credit does not exceed the total non-Federal cost-share for the studies and projects in the approved comprehensive plan.

(c) ADDITIONAL CRITERIA.—In evaluating a request to apply credit in excess of the non-Federal cost-share for a study or project toward a different study or project, the Secretary shall consider whether applying that credit will—

(1) help to expedite the completion of a project or group of projects;

(2) reduce costs to the Federal Government; and

(3) aid the completion of a project that provides significant flood risk reduction or environmental benefits.

(d) TERMINATION OF AUTHORITY.—The authority provided in this section shall terminate 10 years after the date of enactment of this Act.

(e) REPORT.—

(1) DEADLINES.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and once every 2 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an interim report on the use of the authority under this section.

(B) FINAL REPORT.—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report on the use of the authority under this section.

(2) INCLUSIONS.—The reports described in paragraph (1) shall include—

(A) a description of the use of the authority under this section during the reporting period;

(B) an assessment of the impact of the authority under this section on the time required to complete projects; and

(C) an assessment of the impact of the authority under this section on other water resources projects.

SEC. 2012. CREDIT FOR IN-KIND CONTRIBUTIONS.

(a) IN GENERAL.—Section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i) by inserting “or a project under an environmental infrastructure assistance program” after “law”;

(2) in subparagraph (C), by striking “In any case” and all that follows through the period at the end and inserting the following:

“(i) CONSTRUCTION.—

“(I) IN GENERAL.—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of construction carried out by the non-Federal interest before execution of a partnership agreement and that construction has not been carried out as of the date of enactment of this subparagraph, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work prior to the non-Federal interest initiating construction or issuing a written notice to proceed for the construction.

“(II) ELIGIBILITY.—Construction that is carried out after the execution of an agreement to carry out work described in subclause (I) and any design activities that are required for that construction, even if the design activity is carried out prior to the execution of the agreement to carry out work, shall be eligible for credit.

“(i) PLANNING.—

“(I) IN GENERAL.—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of planning carried out by the non-Federal interest before execution of a feasibility cost sharing agreement, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work prior to the non-Federal interest initiating that planning.

“(II) ELIGIBILITY.—Planning that is carried out by the non-Federal interest after the execution of an agreement to carry out work described in subclause (I) shall be eligible for credit.”;

(3) in subparagraph (D)(iii), by striking “sections 101 and 103” and inserting “sections 101(a)(2) and 103(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2); 33 U.S.C. 2213(a)(1)(A))”;

(4) by redesignating subparagraph (E) as subparagraph (H);

(5) by inserting after subparagraph (D) the following:

“(E) ANALYSIS OF COSTS AND BENEFITS.—In the evaluation of the costs and benefits of a project, the Secretary shall not consider construction carried out by a non-Federal interest under this subsection as part of the future without project condition.

“(F) TRANSFER OF CREDIT BETWEEN SEPARABLE ELEMENTS OF A PROJECT.—Credit for in-kind contributions provided by a non-Federal interest that are in excess of the non-Federal cost share for an authorized separable element of a project may be applied toward the non-Federal cost share for a different authorized separable element of the same project.

“(G) APPLICATION OF CREDIT.—To the extent that credit for in-kind contributions, as limited by subparagraph (D), and credit for required land, easements, rights-of-way, dredged material disposal areas, and relocations provided by the non-Federal interest exceed the non-Federal share of the cost of

construction of a project other than a navigation project, the Secretary shall reimburse the difference to the non-Federal interest, subject to the availability of funds.”; and

(6) in subparagraph (H) (as redesignated by paragraph (4))—

(A) in clause (i), by inserting “, and to water resources projects authorized prior to the date of enactment of the Water Resources Development Act of 1986 (Public Law 99-662), if correction of design deficiencies is necessary” before the period at the end; and

(B) by striking clause (ii) and inserting the following:

“(ii) AUTHORIZATION IN ADDITION TO SPECIFIC CREDIT PROVISION.—In any case in which a specific provision of law authorizes credit for in-kind contributions provided by a non-Federal interest before the date of execution of a partnership agreement, the Secretary may apply the authority provided in this paragraph to allow credit for in-kind contributions provided by the non-Federal interest on or after the date of execution of the partnership agreement.”.

(b) APPLICABILITY.—Section 2003(e) of the Water Resources Development Act of 2007 (42 U.S.C. 1962d-5b) is amended—

(1) by inserting “, or construction of design deficiency corrections on the project,” after “construction on the project”; and

(2) by inserting “, or under which construction of the project has not been completed and the work to be performed by the non-Federal interests has not been carried out and is creditable only toward any remaining non-Federal cost share,” after “has not been initiated”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on November 8, 2007.

(d) GUIDELINES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall update any guidance or regulations for carrying out section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) (as amended by subsection (a)) that are in existence on the date of enactment of this Act or issue new guidelines, as determined to be appropriate by the Secretary.

(2) INCLUSIONS.—Any guidance, regulations, or guidelines updated or issued under paragraph (1) shall include, at a minimum—

(A) the milestone for executing an in-kind memorandum of understanding for construction by a non-Federal interest;

(B) criteria and procedures for evaluating a request to execute an in-kind memorandum of understanding for construction by a non-Federal interest that is earlier than the milestone under subparagraph (A) for that execution; and

(C) criteria and procedures for determining whether work carried out by a non-Federal interest is integral to a project.

(3) PUBLIC AND STAKEHOLDER PARTICIPATION.—Before issuing any new or revised guidance, regulations, or guidelines or any subsequent updates to those documents, the Secretary shall—

(A) consult with affected non-Federal interests;

(B) publish the proposed guidelines developed under this subsection in the Federal Register; and

(C) provide the public with an opportunity to comment on the proposed guidelines.

(e) OTHER CREDIT.—Nothing in section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) (as amended by subsection (a)) affects any eligibility for credit under section 104 of the Water Resources Development of 1986 (33 U.S.C. 2214) that was

approved by the Secretary prior to the date of enactment of this Act.

SEC. 2013. CREDIT IN LIEU OF REIMBURSEMENT.

Section 211(e)(2) of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13(e)(2)) is amended by adding at the end the following:

“(C) STUDIES OR OTHER PROJECTS.—On the request of a non-Federal interest, in lieu of reimbursing a non-Federal interest the amount equal to the estimated Federal share of the cost of an authorized flood damage reduction project or a separable element of an authorized flood damage reduction project under this subsection that has been constructed by the non-Federal interest under this section as of the date of enactment of this Act, the Secretary may provide the non-Federal interest with a credit in that amount, which the non-Federal interest may apply to the share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies.”.

SEC. 2014. DAM OPTIMIZATION.

(a) DEFINITION OF OTHER RELATED PROJECT BENEFITS.—In this section, the term “other related project benefits” includes—

(1) environmental protection and restoration, including restoration of water quality and water flows, improving movement of fish and other aquatic species, and restoration of floodplains, wetlands, and estuaries;

(2) increased water supply storage (except for any project in the Apalachicola-Chat-tahoochee-Flint River system and the Alabama-Coosa-Tallapoosa River system);

(3) increased hydropower generation;

(4) reduced flood risk;

(5) additional navigation; and

(6) improved recreation.

(b) PROGRAM.—

(1) IN GENERAL.—The Secretary may carry out activities—

(A) to improve the efficiency of the operations and maintenance of dams and related infrastructure operated by the Corps of Engineers; and

(B) to maximize, to the extent practicable—

(i) authorized project purposes; and

(ii) other related project benefits.

(2) ELIGIBLE ACTIVITIES.—An eligible activity under this section is any activity that the Secretary would otherwise be authorized to carry out that is designed to provide other related project benefits in a manner that does not adversely impact the authorized purposes of the project.

(3) IMPACT ON AUTHORIZED PURPOSES.—An activity carried out under this section shall not adversely impact any of the authorized purposes of the project.

(4) EFFECT.—

(A) EXISTING AGREEMENTS.—Nothing in this section—

(i) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act; or

(ii) supersedes or authorizes any amendment to a multistate water-control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act).

(B) WATER RIGHTS.—Nothing in this section—

(i) affects any water right in existence on the date of enactment of this Act;

(ii) preempts or affects any State water law or interstate compact governing water; or

(iii) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

(5) OTHER LAWS.—

(A) IN GENERAL.—An activity carried out under this section shall comply with all other applicable laws (including regulations).

(B) WATER SUPPLY.—Any activity carried out under this section that results in any modification to water supply storage allocations at a reservoir operated by the Secretary shall comply with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) POLICIES, REGULATIONS, AND GUIDANCE.—The Secretary shall carry out a review of, and as necessary modify, the policies, regulations, and guidance of the Secretary to carry out the activities described in subsection (b).

(d) COORDINATION.—

(1) IN GENERAL.—The Secretary shall—

(A) coordinate all planning and activities carried out under this section with appropriate Federal, State, and local agencies and those public and private entities that the Secretary determines may be affected by those plans or activities; and

(B) give priority to planning and activities under this section if the Secretary determines that—

(i) the greatest opportunities exist for achieving the objectives of the program, as specified in subsection (b)(1), and

(ii) the coordination activities under this subsection indicate that there is support for carrying out those planning and activities.

(2) NON-FEDERAL INTERESTS.—Prior to carrying out an activity under this section, the Secretary shall consult with any applicable non-Federal interest of the affected dam or related infrastructure.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to Congress a report describing the actions carried out under this section.

(2) INCLUSIONS.—Each report under paragraph (1) shall include—

(A) a schedule for reviewing the operations of individual projects; and

(B) any recommendations of the Secretary on changes that the Secretary determines to be necessary—

(i) to carry out existing project authorizations, including the deauthorization of any water resource project that the Secretary determines could more effectively be achieved through other means;

(ii) to improve the efficiency of water resource project operations; and

(iii) to maximize authorized project purposes and other related project benefits.

(3) UPDATED REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update the report entitled “Authorized and Operating Purposes of Corps of Engineers Reservoirs” and dated July 1992, which was produced pursuant to section 311 of the Water Resources Development Act of 1990 (104 Stat. 4639).

(B) INCLUSIONS.—The updated report described in subparagraph (A) shall include—

(i) the date on which the most recent review of project operations was conducted and any recommendations of the Secretary relating to that review the Secretary determines to be significant; and

(ii) the dates on which the recommendations described in clause (i) were carried out.

(f) FUNDING.—

(1) IN GENERAL.—The Secretary may use to carry out this section amounts made available to the Secretary from—

(A) the general purposes and expenses account;

(B) the operations and maintenance account; and

(C) any other amounts that are appropriated to carry out this section.

(2) FUNDING FROM OTHER SOURCES.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to carry out this section.

(g) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with other Federal agencies and non-Federal entities to carry out this section.

SEC. 2015. WATER SUPPLY.

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended by adding at the end the following:

“(e) The Committees of jurisdiction are very concerned about the operation of projects in the Apalachicola-Chattahoochee-Flint River System and the Alabama-Coosa-Tallapoosa River System, and further, the Committees of jurisdiction recognize that this ongoing water resources dispute raises serious concerns related to the authority of the Secretary of the Army to allocate substantial storage at projects to provide local water supply pursuant to the Water Supply Act of 1958 absent congressional approval. Interstate water disputes of this nature are more properly addressed through interstate water agreements that take into consideration the concerns of all affected States including impacts to other authorized uses of the projects, water supply for communities and major cities in the region, water quality, freshwater flows to communities, rivers, lakes, estuaries, and bays located downstream of projects, agricultural uses, economic development, and other appropriate concerns. To that end, the Committees of jurisdiction strongly urge the Governors of the affected States to reach agreement on an interstate water compact as soon as possible, and we pledge our commitment to work with the affected States to ensure prompt consideration and approval of any such agreement. Absent such action, the Committees of jurisdiction should consider appropriate legislation to address these matters including any necessary clarifications to the Water Supply Act of 1958 or other law. This subsection does not alter existing rights or obligations under law.”

SEC. 2016. REPORT ON WATER STORAGE PRICING FORMULAS.

(a) FINDINGS.—Congress finds that—

(1) due to the ongoing drought in many parts of the United States, communities are looking for ways to enhance their water storage on Corps of Engineer reservoirs so as to maintain a reliable supply of water into the foreseeable future;

(2) water storage pricing formulas should be equitable and not create disparities between users; and

(3) water pricing formulas should not be cost-prohibitive for communities.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate an assessment of the water storage pricing formulas of the Corps of Engineers, which shall include an assessment of—

(A) existing water storage pricing formulas of the Corps of Engineers, in particular whether those formulas produce water storage costs for some beneficiaries that are greatly disparate from the costs of other beneficiaries; and

(B) whether equitable water storage pricing formulas could lessen the disparate impact and produce more affordable water storage for potential beneficiaries.

(2) REPORT.—The Comptroller General of the United States shall submit to Congress a report on the assessment carried out under paragraph (1).

SEC. 2017. CLARIFICATION OF PREVIOUSLY AUTHORIZED WORK.

(a) IN GENERAL.—The Secretary may carry out measures to improve fish species habitat within the footprint and downstream of a water resources project constructed by the Secretary that includes a fish hatchery if the Secretary—

(1) has been explicitly authorized to compensate for fish losses associated with the project; and

(2) determines that the measures are—

(A) feasible;

(B) consistent with authorized project purposes and the fish hatchery; and

(C) in the public interest.

(b) COST SHARING.—

(1) IN GENERAL.—Subject to paragraph (2), the non-Federal interest shall contribute 35 percent of the total cost of carrying out activities under this section, including the costs relating to the provision or acquisition of required land, easements, rights-of-way, dredged material disposal areas, and relocations.

(2) OPERATION AND MAINTENANCE.—The non-Federal interest shall contribute 100 percent of the costs of operation, maintenance, replacement, repair, and rehabilitation of a project constructed under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to carry out this section \$30,000,000.

SEC. 2018. CONSIDERATION OF FEDERAL LAND IN FEASIBILITY STUDIES.

At the request of the non-Federal interest, the Secretary shall include as part of a regional or watershed study any Federal land that is located within the geographic scope of that study.

SEC. 2019. PLANNING ASSISTANCE TO STATES.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “or other stakeholder working with a State” after “cooperate with any State”; and

(ii) by inserting “, including plans to comprehensively address water resources challenges,” after “of such State”; and

(B) in paragraph (2)(A), by striking “, at Federal expense;”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “subsection (a)(1)” each place it appears and inserting “subsection (a)”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following:

“(2) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds in excess of the fees established under paragraph (1) that are provided by a State or other non-Federal public body for assistance under this section.”; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “\$10,000,000” and inserting “\$30,000,000”; and

(ii) by striking “\$2,000,000” and inserting “\$5,000,000 in Federal funds”; and

(B) in paragraph (2), by striking “\$5,000,000” and inserting “\$15,000,000”.

SEC. 2020. VEGETATION MANAGEMENT POLICY.

(a) DEFINITION OF NATIONAL GUIDELINES.—In this section, the term “national guidelines” means the Corps of Engineers policy

guidelines for management of vegetation on levees, including—

(1) Engineering Technical Letter 1110-2-571 entitled “Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures” and adopted April 10, 2009; and

(2) the draft policy guidance letter entitled “Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls” (77 Fed. Reg. 9637 (Feb. 17, 2012)).

(b) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall carry out a comprehensive review of the national guidelines in order to determine whether current Federal policy relating to levee vegetation is appropriate for all regions of the United States.

(c) FACTORS.—

(1) IN GENERAL.—In carrying out the review, the Secretary shall consider—

(A) the varied interests and responsibilities in managing flood risks, including the need—

(i) to provide for levee safety with limited resources; and

(ii) to ensure that levee safety investments minimize environmental impacts and provide corresponding public safety benefits;

(B) the levee safety benefits that can be provided by woody vegetation;

(C) the preservation, protection, and enhancement of natural resources, including—

(i) the benefit of vegetation on levees in providing habitat for endangered, threatened, and candidate species; and

(ii) the impact of removing levee vegetation on compliance with other regulatory requirements;

(D) protecting the rights of Indian tribes pursuant to treaties and statutes;

(E) the available science and the historical record regarding the link between vegetation on levees and flood risk;

(F) the avoidance of actions requiring significant economic costs and environmental impacts; and

(G) other factors relating to the factors described in subparagraphs (A) through (F) identified in public comments that the Secretary determines to be appropriate.

(2) VARIANCE CONSIDERATIONS.—

(A) IN GENERAL.—In carrying out the review, the Secretary shall specifically consider whether the national guidelines can be amended to promote and allow for consideration of variances from national guidelines on a Statewide, tribal, regional, or watershed basis, including variances based on—

(i) soil conditions;

(ii) hydrologic factors;

(iii) vegetation patterns and characteristics;

(iv) environmental resources, including endangered, threatened, or candidate species and related regulatory requirements;

(v) levee performance history, including historical information on original construction and subsequent operation and maintenance activities;

(vi) any effects on water supply;

(vii) any scientific evidence on the link between levee vegetation and levee safety;

(viii) institutional considerations, including implementation challenges;

(ix) the availability of limited funds for levee construction and rehabilitation;

(x) the economic and environmental costs of removing woody vegetation on levees; and

(xi) other relevant factors identified in public comments that the Secretary determines to be appropriate.

(B) SCOPE.—The scope of a variance approved by the Secretary may include a com-

plete exemption to national guidelines, as the Secretary determines to be necessary.

(d) COOPERATION AND CONSULTATION; RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the review under this section in consultation with other applicable Federal agencies, representatives of State, regional, local, and tribal governments, appropriate nongovernmental organizations, and the public.

(2) RECOMMENDATIONS.—The Chief of Engineers and any State, tribal, regional, or local entity may submit to the Secretary any recommendations for vegetation management policies for levees that conform with Federal and State laws, including recommendations relating to the review of national guidelines under subsection (b) and the consideration of variances under subsection (c)(2).

(e) PEER REVIEW.—

(1) IN GENERAL.—As part of the review, the Secretary shall solicit and consider the views of the National Academy of Engineering and the National Academy of Sciences on the engineering, environmental, and institutional considerations underlying the national guidelines, including the factors described in subsection (c) and any information obtained by the Secretary under subsection (d).

(2) AVAILABILITY OF VIEWS.—The views of the National Academy of Engineering and the National Academy of Sciences obtained under paragraph (1) shall be—

(A) made available to the public; and

(B) included in supporting materials issued in connection with the revised national guidelines required under subsection (f).

(f) REVISION OF NATIONAL GUIDELINES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) revise the national guidelines based on the results of the review, including—

(i) recommendations received as part of the consultation described in subsection (d)(1); and

(ii) the results of the peer review conducted under subsection (e); and

(B) submit to Congress a report that contains a summary of the activities of the Secretary and a description of the findings of the Secretary under this section.

(2) CONTENT; INCORPORATION INTO MANUAL.—The revised national guidelines shall—

(A) provide a practical, flexible process for approving Statewide, tribal, regional, or watershed variances from the national guidelines that—

(i) reflect due consideration of the factors described in subsection (c); and

(ii) incorporate State, tribal, and regional vegetation management guidelines for specific areas that have been adopted through a formal public process; and

(B) be incorporated into the manual proposed under section 5(c) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(c)).

(3) FAILURE TO MEET DEADLINES.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of—

(A) why the deadline was missed;

(B) solutions needed to meet the deadline; and

(C) a projected date for submission of the report.

(g) CONTINUATION OF WORK.—Concurrent with the completion of the requirements of this section, the Secretary shall proceed without interruption or delay with those ongoing or programmed projects and studies, or elements of projects or studies, that are not directly related to vegetation variance policy.

(h) INTERIM ACTIONS.—

(1) IN GENERAL.—Until the date on which revisions to the national guidelines are adopted in accordance with subsection (f), the Secretary shall not require the removal of existing vegetation as a condition or requirement for any approval or funding of a project, or any other action, unless the specific vegetation has been demonstrated to present an unacceptable safety risk.

(2) REVISIONS.—Beginning on the date on which the revisions to the national guidelines are adopted in accordance with subsection (f), the Secretary shall consider, on request of an affected entity, any previous action of the Corps of Engineers in which the outcome was affected by the former national guidelines.

SEC. 2021. LEVEE CERTIFICATIONS.

(a) IMPLEMENTATION OF FLOOD PROTECTION STRUCTURE ACCREDITATION TASK FORCE.—In carrying out section 100226 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942), the Secretary shall—

(1) ensure that at least 1 program activity carried out under the inspection of completed works program of the Corps of Engineers provides adequate information to the Secretary to reach a levee accreditation decision for each requirement under section 65.10 of title 44, Code of Federal Regulations (or successor regulation); and

(2) to the maximum extent practicable, carry out activities under the inspection of completed works program of the Corps of Engineers in alignment with the schedule established for the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) ACCELERATED LEVEE SYSTEM EVALUATIONS AND CERTIFICATIONS.—

(1) IN GENERAL.—On receipt of a request from a non-Federal interest, the Secretary may carry out a levee system evaluation and certification of a federally authorized levee for purposes of the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) if the evaluation and certification will be carried out earlier than such an evaluation and certification would be carried out under subsection (a).

(2) REQUIREMENTS.—A levee system evaluation and certification under paragraph (1) shall—

(A) at a minimum, comply with section 65.10 of title 44, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

(B) be carried out in accordance with such procedures as the Secretary, in consultation with the Director of the Federal Emergency Management Agency, may establish.

(3) COST SHARING.—

(A) NON-FEDERAL SHARE.—Subject to subparagraph (B), the non-Federal share of the cost of carrying out a levee system evaluation and certification under this subsection shall be 35 percent.

(B) ADJUSTMENT.—The Secretary shall adjust the non-Federal share of the cost of carrying out a levee system evaluation and certification under this subsection in accordance with section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(4) APPLICATION.—Nothing in this subsection affects the requirement under section 100226(b)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942).

SEC. 2022. RESTORATION OF FLOOD AND HURRICANE STORM DAMAGE REDUCTION PROJECTS.

(a) IN GENERAL.—The Secretary shall carry out any measures necessary to repair or restore federally authorized flood and hurricane and storm damage reduction projects constructed by the Corps of Engineers to authorized levels (as of the date of enactment of this Act) of protection for reasons including settlement, subsidence, sea level rise, and new datum, if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified.

(b) COST SHARE.—The non-Federal share of the cost of construction of a project carried out under this section shall be determined as provided in subsections (a) through (d) of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(c) OPERATIONS AND MAINTENANCE.—The non-Federal share of the cost of operations, maintenance, repair, replacement, and rehabilitation for a project carried out under this section shall be 100 percent.

(d) ELIGIBILITY OF PROJECTS TRANSFERRED TO NON-FEDERAL INTEREST.—The Secretary may carry out measures described in subsection (a) on a water resources project, separable element of a project, or functional component of a project that has been transferred to the non-Federal interest.

(e) REPORT TO CONGRESS.—Not later than 8 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of this section, including—

(1) any recommendations relating to the continued need for the authority provided in this section;

(2) a description of the measures carried out under this section;

(3) any lessons learned relating to the measures implemented under this section; and

(4) best practices for carrying out measures to restore flood and hurricane and storm damage reduction projects.

(f) TERMINATION OF AUTHORITY.—The authority to carry out a measure under this section terminates on the date that is 10 years after the date of enactment of this Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$250,000,000.

SEC. 2023. OPERATION AND MAINTENANCE OF CERTAIN PROJECTS.

The Secretary may assume operation and maintenance activities for a navigation channel that is deepened by a non-Federal interest prior to December 31, 2012, if—

(1) the Secretary determines that the requirements under paragraphs (2) and (3) of section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)) are met;

(2) the Secretary determines that the activities carried out by the non-Federal inter-

est in deepening the navigation channel are economically justified and environmentally acceptable; and

(3) the deepening activities have been carried out on a Federal navigation channel that—

(A) exists as of the date of enactment of this Act; and

(B) has been authorized by Congress.

SEC. 2024. DREDGING STUDY.

(a) IN GENERAL.—The Secretary, in conjunction with other relevant Federal agencies and applicable non-Federal interests, shall carry out a study—

(1) to compare domestic and international dredging markets, including costs, technologies, and management approaches used in each respective market, and determine the impacts of those markets on dredging needs and practices in the United States;

(2) to analyze past and existing practices, technologies, and management approaches used in dredging in the United States; and

(3) to develop recommendations relating to the best techniques, practices, and management approaches for dredging in the United States.

(b) PURPOSES.—The purposes of the study under this section are—

(1) the identification of the best techniques, methods, and technologies for dredging, including the evaluation of the feasibility, cost, and benefits of—

(A) new dredging technologies; and

(B) improved dredging practices and techniques;

(2) the appraisal of the needs of the United States for dredging, including the need to increase the size of private and Corps of Engineers dredging fleets to meet demands for additional construction or maintenance dredging needed as of the date of enactment of this Act and in the subsequent 20 years;

(3) the identification of any impediments to dredging, including any recommendations of appropriate alternatives for responding to those impediments;

(4) the assessment, including any recommendations of appropriate alternatives, of the adequacy and effectiveness of—

(A) the economic, engineering, and environmental methods, models, and analyses used by the Chief of Engineers and private dredging operations for dredging; and

(B) the current cost structure of construction contracts entered into by the Chief of Engineers;

(5) the evaluation of the efficiency and effectiveness of past, current, and alternative dredging practices and alternatives to dredging, including agitation dredging; and

(6) the identification of innovative techniques and cost-effective methods to expand regional sediment management efforts, including the placement of dredged sediment within river diversions to accelerate the creation of wetlands.

(c) STUDY TEAM.—

(1) IN GENERAL.—The Secretary shall establish a study team to assist the Secretary in planning, carrying out, and reporting on the results of the study under this section.

(2) STUDY TEAM.—The study team established pursuant to paragraph (1) shall—

(A) be appointed by the Secretary; and

(B) represent a broad spectrum of experts in the field of dredging and representatives of relevant State agencies and relevant non-Federal interests.

(d) PUBLIC COMMENT PERIOD.—The Secretary shall—

(1) make available to the public, including on the Internet, all draft and final study findings under this section; and

(2) allow for a public comment period of not less than 30 days on any draft study findings prior to issuing final study findings.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and subject to available appropriations, the Secretary, in consultation with the study team established under subsection (c), shall submit a detailed report on the results of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(f) FAILURE TO MEET DEADLINES.—If the Secretary does not complete the study under this section and submit a report to Congress under subsection (e) on or before the deadline described in that subsection, the Secretary shall notify Congress and describe why the study was not completed.

SEC. 2025. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out flood risk management, hurricane and storm damage reduction, coastal harbor and channel inland navigation, and aquatic ecosystem restoration projects.

(b) PURPOSES.—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives that reduce the backlog of authorized Corps of Engineers projects;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out the design, execution, management, and construction of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project management, design, and construction for authorized Corps of Engineers water resources projects.

(c) ADMINISTRATION.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary shall—

(A) identify a total of not more than 15 projects for flood risk management, hurricane and storm damage reduction (including levees, floodwalls, flood control channels, and water control structures), coastal harbor and channels, inland navigation, and aquatic ecosystem restoration that have been authorized for construction prior to the date of enactment of this Act, including—

(i) not more than 12 projects that—

(I)(aa) have received Federal funds prior to the date of enactment of this Act; or

(bb) for more than 2 consecutive fiscal years, have an unobligated funding balance for that project in the Corps of Engineers construction account; and

(II) to the maximum extent practicable, are located in each of the divisions of the Corps of Engineers; and

(ii) not more than 3 projects that have not received Federal funds in the period beginning on the date on which the project was authorized and ending on the date of enactment of this Act;

(B) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the identification of each project under the pilot program;

(C) in collaboration with the non-Federal interest, develop a detailed project management plan for each identified project that outlines the scope, budget, design, and construction resource requirements necessary

for the non-Federal interest to execute the project, or a separable element of the project;

(D) on the request of the non-Federal interest, enter into a project partnership agreement with the non-Federal interest for the non-Federal interest to provide full project management control for construction of the project, or a separable element of the project, in accordance with plans approved by the Secretary;

(E) following execution of the project partnership agreement, transfer to the non-Federal interest to carry out construction of the project, or a separable element of the project—

(i) if applicable, the balance of the unobligated amounts appropriated for the project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under subsection (h), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of construction, including any required design; and

(F) regularly monitor and audit each project being constructed by a non-Federal interest under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

(2) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1)(D), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on estimated funding levels, that lists all deadlines for each milestone in the construction of the project.

(3) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest, if the non-Federal interest contracts with and compensates the Secretary for the technical assistance relating to—

(A) any study, engineering activity, and design activity for construction carried out by the non-Federal interest under this section; and

(B) expeditiously obtaining any permits necessary for the project.

(d) COST-SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a project carried out under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including—

(A) a description of the progress of non-Federal interests in meeting milestones in detailed project schedules developed pursuant to subsection (c)(2); and

(B) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on En-

vironment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(f) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the project shall apply to a non-Federal interest carrying out a project under this section.

(g) TERMINATION OF AUTHORITY.—The authority to commence a project under this section terminates on the date that is 5 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot program under this section, including the costs of administration of the Secretary, \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 2026. NON-FEDERAL IMPLEMENTATION OF FEASIBILITY STUDIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out feasibility studies for flood risk management, hurricane and storm damage reduction, aquatic ecosystem restoration, and coastal harbor and channel and inland navigation.

(b) PURPOSES.—The purposes of the pilot program are—

(1) to identify project delivery and cost-saving alternatives to the existing feasibility study process;

(2) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out a feasibility study of 1 or more projects; and

(3) to evaluate alternatives for the decentralization of the project planning, management, and operational decisionmaking process of the Corps of Engineers.

(c) ADMINISTRATION.—

(1) IN GENERAL.—On the request of a non-Federal interest, the Secretary may enter into an agreement with the non-Federal interest for the non-Federal interest to provide full project management control of a feasibility study for a project for—

(A) flood risk management;

(B) hurricane and storm damage reduction, including levees, floodwalls, flood control channels, and water control structures;

(C) coastal harbor and channel and inland navigation; and

(D) aquatic ecosystem restoration.

(2) USE OF NON-FEDERAL-FUNDS.—

(A) IN GENERAL.—A non-Federal interest that has entered into an agreement with the Secretary pursuant to paragraph (1) may use non-Federal funds to carry out the feasibility study.

(B) CREDIT.—The Secretary shall credit towards the non-Federal share of the cost of construction of a project for which a feasibility study is carried out under this section an amount equal to the portion of the cost of developing the study that would have been

the responsibility of the Secretary, if the study were carried out by the Secretary, subject to the conditions that—

(i) non-Federal funds were used to carry out the activities that would have been the responsibility of the Secretary;

(ii) the Secretary determines that the feasibility study complies with all applicable Federal laws and regulations; and

(iii) the project is authorized by any provision of Federal law enacted after the date on which an agreement is entered into under paragraph (1).

(3) TRANSFER OF FUNDS.—

(A) IN GENERAL.—After the date on which an agreement is executed pursuant to paragraph (1), the Secretary may transfer to the non-Federal interest to carry out the feasibility study—

(i) if applicable, the balance of any unobligated amounts appropriated for the study, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(ii) additional amounts, as determined by the Secretary, from amounts made available under subsection (h), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of the feasibility study.

(B) ADMINISTRATION.—The Secretary shall include such provisions as the Secretary determines to be necessary in an agreement under paragraph (1) to ensure that a non-Federal interest receiving Federal funds under this paragraph—

(i) has the necessary qualifications to administer those funds; and

(ii) will comply with all applicable Federal laws (including regulations) relating to the use of those funds.

(4) NOTIFICATION.—The Secretary shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the initiation of each feasibility study under the pilot program.

(5) AUDITING.—The Secretary shall regularly monitor and audit each feasibility study carried out by a non-Federal interest under this section to ensure that the use of any funds transferred under paragraph (3) are used in compliance with the agreement signed under paragraph (1).

(6) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest relating to any aspect of the feasibility study, if the non-Federal interest contracts with the Secretary for the technical assistance and compensates the Secretary for the technical assistance.

(7) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to the feasibility study.

(d) COST-SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a feasibility study carried out under this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate

and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the pilot program carried out under this section, including—

(A) a description of the progress of the non-Federal interests in meeting milestones in detailed project schedules developed pursuant to subsection (c)(7); and

(B) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(f) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the feasibility study shall apply to a non-Federal interest carrying out a feasibility study under this section.

(g) TERMINATION OF AUTHORITY.—The authority to commence a feasibility study under this section terminates on the date that is 5 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot program under this section, including the costs of administration of the Secretary, \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 2027. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (d)(1)(B)—

(A) by striking “The ability” and inserting the following:

“(i) IN GENERAL.—The ability”; and

(B) by adding at the end the following:

“(ii) DETERMINATION.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall issue guidance on the procedures described in clause (i).”; and

(2) in subsection (e), by striking “2012” and inserting “2023”.

SEC. 2028. COOPERATIVE AGREEMENTS WITH COLUMBIA RIVER BASIN INDIAN TRIBES.

The Secretary may enter into a cooperative agreement with 1 or more federally recognized Indian tribes (or a designated representative of the Indian tribes) that are located, in whole or in part, within the boundaries of the Columbia River Basin to carry out authorized activities within the Columbia River Basin to protect fish, wildlife, water quality, and cultural resources.

SEC. 2029. MILITARY MUNITIONS RESPONSE ACTIONS AT CIVIL WORKS SHORELINE PROTECTION PROJECTS.

(a) IN GENERAL.—The Secretary may implement any response action the Secretary determines to be necessary at a site where—

(1) the Secretary has carried out a project under civil works authority of the Secretary that includes placing sand on a beach;

(2) as a result of the project described in paragraph (1), military munitions that were originally released as a result of Department of Defense activities are deposited on the beach, posing a threat to human health or the environment.

(b) RESPONSE ACTION FUNDING.—A response action described in subsection (a) shall be funded from amounts made available to the agency within the Department of Defense responsible for the original release of the munitions.

SEC. 2030. BEACH NOURISHMENT.

Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d-5f) is amended to read as follows:

“SEC. 156. BEACH NOURISHMENT.

“(a) IN GENERAL.—Subject to subsection (b)(2)(A), the Secretary of the Army, acting through the Chief of Engineers, may provide periodic beach nourishment for each water resources development project for which that nourishment has been authorized for an additional period of time, as determined by the Secretary, subject to the condition that the additional period shall not exceed the later of—

“(1) 50 years after the date on which the construction of the project is initiated; or

“(2) the date on which the last estimated periodic nourishment for the project is to be carried out, as recommended in the applicable report of the Chief of Engineers.

“(b) EXTENSION.—

“(1) IN GENERAL.—Except as provided in paragraph (3), before the date on which the 50-year period referred to in subsection (a)(1) expires, the Secretary of the Army, acting through the Chief of Engineers—

“(A) may, at the request of the non-Federal interest and subject to the availability of appropriations, carry out a review of a nourishment project carried out under subsection (a) to evaluate the feasibility of continuing Federal participation in the project for a period not to exceed 15 years; and

“(B) shall submit to Congress any recommendations of the Secretary relating to the review.

“(2) PLAN FOR REDUCING RISK TO PEOPLE AND PROPERTY.—

“(A) IN GENERAL.—The non-Federal interest shall submit to the Secretary a plan for reducing the risk to people and property during the life of the project.

“(B) INCLUSION IN REPORT TO CONGRESS.—The Secretary shall submit to Congress the plan described in subparagraph (A) with the recommendations submitted in paragraph (1)(B).

“(3) REVIEW COMMENCED WITHIN 2 YEARS OF EXPIRATION OF 50-YEAR PERIOD.—

“(A) IN GENERAL.—If the Secretary of the Army commences a review under paragraph (1) not earlier than the period beginning on the date that is 2 years before the date on which the 50-year period referred to in subsection (a)(1) expires and ending on the date on which the 50-year period expires, the project shall remain authorized after the expiration of the 50-year period until the earlier of—

“(i) 3 years after the expiration of the 50-year period; or

“(ii) the date on which a determination is made as to whether to extend Federal participation in the project in accordance with paragraph (1).

“(B) CALCULATION OF TIME PERIOD FOR EXTENSION.—Notwithstanding clauses (i) and (ii) of subparagraph (A) and after a review

under subparagraph (A) is completed, if a determination is made to extend Federal participation in the project in accordance with paragraph (1) for a period not to exceed 15 years, that period shall begin on the date on which the determination is made.”.

SEC. 2031. REGIONAL SEDIMENT MANAGEMENT.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) (as amended by section 2003(c)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “or used in” after “obtained through”; and

(B) in paragraph (3)(C), by inserting “for the purposes of improving environmental conditions in marsh and littoral systems, stabilizing stream channels, enhancing shorelines, and supporting State and local risk management adaptation strategies” before the period at the end;

(2) in subsection (c)(1)(B)—

(A) in clause (i), by striking “clause (ii)” and inserting “clauses (ii) and (iii)”; and

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) REDUCTION IN NON-FEDERAL SHARE.—The Secretary may reduce the non-Federal share of the costs of construction of a project if the Secretary determines that, through the beneficial use of sediment at another Federal project, there will be an associated reduction or avoidance of Federal costs.”;

(3) in subsection (d)—

(A) by striking the subsection designation and heading and inserting the following:

“(d) SELECTION OF DREDGED MATERIAL DISPOSAL METHOD FOR PURPOSES RELATED TO ENVIRONMENTAL RESTORATION OR STORM DAMAGE AND FLOOD REDUCTION.—”; and

(B) in paragraph (1), by striking “in relation to” and all that follows through the period at the end and inserting “in relation to—

“(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion; or

“(B) the flood and storm damage and flood reduction benefits, including shoreline protection, protection against loss of life, and damage to improved property.”; and

(4) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) cooperate with any State or group of States in the preparation of a comprehensive State or regional sediment management plan within the boundaries of the State or among States;”.

SEC. 2032. STUDY ACCELERATION.

(a) FINDINGS.—Congress finds that—

(1) delays in the completion of feasibility studies—

(A) increase costs for the Federal Government as well as State and local governments; and

(B) delay the implementation of water resources projects that provide critical benefits, including reducing flood risk, maintaining commercially important flood risk, and restoring vital ecosystems; and

(2) the efforts undertaken by the Corps of Engineers through the establishment of the “3-3-3” planning process should be continued.

(b) ACCELERATION OF STUDIES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), a feasibility study initiated after the date of enactment of this Act shall—

(A) be completed not later than 3 years after the date of initiation of the study; and

(B) have a maximum Federal cost share of \$3,000,000.

(2) **ABILITY TO COMPLY.**—On initiating a feasibility study under paragraph (1), the Secretary shall—

(A) certify that the study will comply with the requirements of paragraph (1);

(B) for projects the Secretary determines to be too complex to comply with the requirements of paragraph (1)—

(i) not less than 30 days after making a determination, notify the non-Federal interest regarding the inability to comply; and

(ii) provide a new projected timeline and cost; and

(C) if the study conditions have changed such that scheduled timelines or study costs will not be met—

(i) not later than 30 days after the study conditions change, notify the non-Federal interest of those changed conditions; and

(ii) present the non-Federal interest with a new timeline for completion and new projected study costs.

(3) **APPROPRIATIONS.**—

(A) **IN GENERAL.**—All timeline and cost conditions under this section shall be subject to the Secretary receiving adequate appropriations for meeting study timeline and cost requirements.

(B) **NOTIFICATION.**—Not later than 60 days after receiving appropriations, the Secretary shall notify the non-Federal interest of any changes to timelines or costs due to inadequate appropriations.

(C) **REPORT.**—Not later than 18 months after the date of enactment of this Act and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the status of the implementation of the “3-3-3” planning process, including the number of participating projects;

(2) the amount of time taken to complete all studies participating in the “3-3-3” planning process; and

(3) any recommendations for additional authority necessary to support efforts to expedite the feasibility study process for water resource projects.

SEC. 2033. PROJECT ACCELERATION.

Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) is amended to read as follows:

“SEC. 2045. PROJECT ACCELERATION.

“(a) **DEFINITIONS.**—In this section:

“(1) **ENVIRONMENTAL IMPACT STATEMENT.**—The term ‘environmental impact statement’ means the detailed statement of environmental impacts of water resource projects required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) **ENVIRONMENTAL REVIEW PROCESS.**—

“(A) **IN GENERAL.**—The term ‘environmental review process’ means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a water resource project.

“(B) **INCLUSIONS.**—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a water resource project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) **FEDERAL JURISDICTIONAL AGENCY.**—The term ‘Federal jurisdictional agency’ means a Federal agency with jurisdiction delegated

by law, regulation, order, or otherwise over an approval or decision required for a water resource project under applicable Federal laws (including regulations).

“(4) **LEAD AGENCY.**—The term ‘lead agency’ means the Corps of Engineers and, if applicable, any State, local, or tribal governmental entity serving as a joint lead agency pursuant to section 1506.3 of title 40, Code of Federal Regulations (or a successor regulation).

“(5) **WATER RESOURCE PROJECT.**—The term ‘water resource project’ means a Corps of Engineers water resource project.

“(b) **POLICY.**—The benefits of water resource projects designed and carried out in an economically and environmentally sound manner are important to the economy and environment of the United States, and recommendations to Congress regarding those projects should be developed using coordinated and efficient review and cooperative efforts to prevent or quickly resolve disputes during the planning of those water resource projects.

“(c) **APPLICABILITY.**—

“(1) **IN GENERAL.**—The project planning procedures under this section apply to proposed projects initiated after the date of enactment of the Water Resources Development Act of 2013 and for which the Secretary determines that—

“(A) an environmental impact statement is required; or

“(B) at the discretion of the Secretary, other water resource projects for which an environmental review process document is required to be prepared.

“(2) **FLEXIBILITY.**—Any authorities granted in this section may be exercised, and any requirements established under this section may be satisfied, for the planning of a water resource project, a class of those projects, or a program of those projects.

“(3) **LIST OF WATER RESOURCES DEVELOPMENT PROJECTS.**—

“(A) **IN GENERAL.**—The Secretary shall annually prepare, and make publicly available, a separate list of each study that the Secretary has determined—

“(i) meets the standards described in paragraph (1); and

“(ii) does not have adequate funding to make substantial progress toward the completion of the planning activities for the water resource project.

“(B) **INCLUSIONS.**—The Secretary shall include for each study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the study.

“(4) **IMPLEMENTATION GUIDANCE.**—The Secretary shall prepare, in consultation with the Council on Environmental Quality and other Federal agencies with jurisdiction over actions or resources that may be impacted by a water resource project, guidance documents that describe the coordinated review processes that the Secretary will use to implement this section for the planning of water resource projects, in accordance with the civil works program of the Corps of Engineers and all applicable law.

“(d) **WATER RESOURCE PROJECT REVIEW PROCESS.**—

“(1) **IN GENERAL.**—The Secretary shall develop and implement a coordinated review process for the development of water resource projects.

“(2) **COORDINATED REVIEW.**—The coordinated review process described in paragraph (1) shall require that any analysis, opinion, permit, license, statement, and approval issued or made by a Federal, State, or local governmental agency or an Indian tribe for

the planning of a water resource project described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

“(3) **TIMING.**—The coordinated review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under subsection (e), establishes with respect to the water resource project.

“(e) **IDENTIFICATION OF JURISDICTIONAL AGENCIES.**—With respect to the development of each water resource project, the Secretary shall identify, as soon as practicable, all Federal, State, and local government agencies and Indian tribes that may—

“(1) have jurisdiction over the water resource project;

“(2) be required by law to conduct or issue a review, analysis, or opinion for the water resource project; or

“(3) be required to make a determination on issuing a permit, license, or approval for the water resource project.

“(f) **STATE AUTHORITY.**—If the coordinated review process is being implemented under this section by the Secretary with respect to the planning of a water resource project described in subsection (c) within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

“(1) have jurisdiction over the water resource project;

“(2) are required to conduct or issue a review, analysis, or opinion for the water resource project; or

“(3) are required to make a determination on issuing a permit, license, or approval for the water resource project.

“(g) **LEAD AGENCIES.**—

“(1) **FEDERAL LEAD AGENCY.**—Subject to paragraph (2), the Corps of Engineers shall be the lead Federal agency in the environmental review process for a water resource project.

“(2) **JOINT LEAD AGENCIES.**—

“(A) **IN GENERAL.**—At the discretion of the Secretary and subject to any applicable regulations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the concurrence of the proposed joint lead agency, an agency other than the Corps of Engineers may serve as the joint lead agency.

“(B) **NON-FEDERAL INTEREST AS JOINT LEAD AGENCY.**—A non-Federal interest that is a State or local governmental entity—

“(i) may, with the concurrence of the Secretary, serve as a joint lead agency with the Corps of Engineers for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) may prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

“(I) the Secretary provides guidance in the preparation process and independently evaluates that document

“(II) the non-Federal interest complies with all requirements applicable to the Secretary under—

“(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(bb) any regulation implementing that Act; and

“(cc) any other applicable Federal law; and

“(III) the Secretary approves and adopts the document before the Secretary takes any

subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

“(3) DUTIES.—The Secretary shall ensure that—

“(A) the non-Federal interest complies with all design and mitigation commitments made jointly by the Secretary and the non-Federal interest in any environmental document prepared by the non-Federal interest in accordance with this subsection; and

“(B) any environmental document prepared by the non-Federal interest is appropriately supplemented under paragraph (2)(B) to address any changes to the water resource project the Secretary determines are necessary.

“(4) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection may be adopted or used by any Federal agency making any approval to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

“(5) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any water resource project, the lead agency shall have authority and responsibility—

“(A) to take such actions as are necessary and proper and within the authority and responsibility of the lead agency to facilitate the expeditious resolution of the environmental review process for the water resource project; and

“(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a water resource project required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

“(h) PARTICIPATING AND COOPERATING AGENCIES.—

“(1) INVITATION.—

“(A) IN GENERAL.—The lead agency shall identify, as early as practicable in the environmental review process for a water resource project, any other Federal or non-Federal agencies that may have an interest in that project and invite those agencies to become participating or cooperating agencies, as applicable, in the environmental review process for the water resource project.

“(B) PROCEDURES.—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013) shall govern the identification and the participation of a cooperating agency under subparagraph (A).

“(C) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the lead agency for good cause.

“(2) FEDERAL COOPERATING AGENCIES.—Any Federal agency that is invited by the lead agency to participate in the environmental review process for a water resource project shall be designated as a cooperating agency by the lead agency unless the invited agency informs the lead agency, in writing, by the deadline specified in the invitation that the invited agency—

“(A)(i) has no jurisdiction or authority with respect to the water resource project;

“(ii) has no expertise or information relevant to the water resource project; or

“(iii) does not have adequate funds to participate in the water resource project; and

“(B) does not intend to submit comments on the water resource project.

“(3) EFFECT OF DESIGNATION.—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

“(A) supports a proposed water resource project; or

“(B) has any jurisdiction over, or special expertise with respect to evaluation of, the water resource project.

“(4) CONCURRENT REVIEWS.—Each cooperating agency shall—

“(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would impair the ability of the Federal agency to conduct needed analysis or otherwise carry out those obligations; and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

“(i) PROGRAMMATIC COMPLIANCE.—

“(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

“(A) eliminates repetitive discussions of the same issues;

“(B) focuses on the actual issues ripe for analyses at each level of review;

“(C) establishes a formal process for coordinating with cooperating agencies, including the creation of a list of all data that is needed to carry out an environmental review process; and

“(D) complies with—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) all other applicable laws.

“(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

“(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal and State agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

“(B) emphasize the importance of collaboration among relevant Federal agencies, State agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

“(C) ensure that the programmatic reviews—

“(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, or tribal agencies, or the public, and the temporal and special scales to be used to analyze those issues;

“(ii) use accurate and timely information in the environmental review process, including—

“(I) criteria for determining the general duration of the usefulness of the review; and

“(II) the timeline for updating any out-of-date review;

“(iii) describe—

“(I) the relationship between programmatic analysis and future tiered analysis; and

“(II) the role of the public in the creation of future tiered analysis; and

“(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public;

“(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

“(E) address any comments received under subparagraph (D).

“(j) COORDINATED REVIEWS.—

“(1) COORDINATION PLAN.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—The lead agency shall, after consultation with and with the concurrence of each cooperating agency for the water resource project and the non-Federal interest or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a water resource project or a category of water resource projects.

“(ii) INCORPORATION.—The plan established under clause (i) shall be incorporated into the project schedule milestones set under section 905(g)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(g)(2)).

“(2) COMMENT DEADLINES.—The lead agency shall establish the following deadlines for comment during the environmental review process for a water resource project:

“(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and States agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

“(i) a different deadline is established by agreement of the lead agency, the non-Federal interest, as applicable, and all participating and cooperating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all comment periods established by the lead agency for agency or public comments in the environmental review process of an action within a program under the authority of the lead agency other than for a draft environmental impact statement, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

“(i) a different deadline is established by agreement of the lead agency, the non-Federal interest, and all cooperating agencies; or

“(ii) the deadline is extended by the lead agency for good cause.

“(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (k)(6)(B)(ii), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) as soon as practicable after the 180-day period described in subsection (k)(6)(B)(ii), an initial notice of the failure of the Federal agency to make the decision; and

“(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

“(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period

provided for public comment in the environmental review process under applicable Federal law (including regulations).

“(k) ISSUE IDENTIFICATION AND RESOLUTION.—

“(1) COOPERATION.—The lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the water resource project under applicable laws.

“(2) LEAD AGENCY RESPONSIBILITIES.—

“(A) IN GENERAL.—The lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the water resource project area and the general locations of the alternatives under consideration.

“(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

“(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the water resource project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the water resource project.

“(4) INTERIM DECISION ON ACHIEVING ACCELERATED DECISIONMAKING.—

“(A) IN GENERAL.—Not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Secretary may convene a meeting with the non-Federal interest or joint lead agency, as applicable, relevant resource agencies, and relevant Federal and State agencies to establish a schedule of deadlines to complete decisions regarding the water resource project.

“(B) DEADLINES.—

“(i) IN GENERAL.—The deadlines referred to in subparagraph (A) shall be those established by the Secretary, in consultation with and with the concurrence of the non-Federal interest or joint lead agency, as applicable, and other relevant Federal and State agencies.

“(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

“(I) the responsibilities of cooperating agencies under applicable laws;

“(II) the resources available to the non-Federal interest, joint lead agency, and other relevant Federal and State agencies, as applicable;

“(III) the overall size and complexity of the water resource project;

“(IV) the overall schedule for and cost of the water resource project; and

“(V) the sensitivity of the natural and historical resources that could be affected by the water resource project.

“(iii) MODIFICATIONS.—The Secretary may—

“(I) lengthen a schedule under clause (i) for good cause; and

“(II) shorten a schedule only with concurrence of the affected non-Federal interest, joint lead agency, or relevant Federal and State agencies, as applicable.

“(C) FAILURE TO MEET DEADLINE.—If the agencies described in subparagraph (A) can-

not provide reasonable assurances that the deadlines described in subparagraph (B) will be met, the Secretary may initiate the issue resolution and referral process described under paragraph (5) before the completion of the record of decision.

“(5) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

“(A) AGENCY ISSUE RESOLUTION MEETING.—

“(i) IN GENERAL.—A cooperating agency or non-Federal interest may request an issue resolution meeting to be conducted by the Secretary.

“(ii) ACTION BY SECRETARY.—The Secretary shall convene an issue resolution meeting under clause (i) with the relevant cooperating agencies and the non-Federal interest, as applicable, to resolve issues that could—

“(I) delay completion of the environmental review process; or

“(II) conflict with the ability of a cooperating agency to carry out applicable Federal laws (including regulations).

“(iii) DATE.—A meeting requested under this subparagraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

“(iv) NOTIFICATION.—On receipt of a request for a meeting under this subparagraph, the Secretary shall notify all relevant cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

“(v) DISPUTES.—If a relevant cooperating agency with jurisdiction over an action, including a permit approval, review, or other statement or opinion required for a water resource project under applicable law determines that the relevant information necessary to resolve the issue has not been obtained and could not have been obtained within a reasonable time, but the Secretary disagrees, the resolution of the dispute shall be forwarded to the heads of the relevant agencies for resolution.

“(vi) CONVENTION BY LEAD AGENCY.—The Secretary may convene an issue resolution meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under clause (i).

“(vii) EXCEPTION.—

“(I) IN GENERAL.—The issue resolution and referral process under this subparagraph shall not be initiated if the applicable agency—

“(aa) notifies, with a supporting explanation, the lead agency, cooperating agencies, and non-Federal interest, as applicable, that—

“(AA) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, tribal, State, or local law;

“(BB) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the water resource project, requires additional analysis for the agency to make a decision on the water resource project application; or

“(CC) the agency lacks the financial resources to complete the review under the scheduled time frame, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why there is not enough funding available to complete the review by the deadline; and

“(bb) establishes a new deadline for completion of the review.

“(II) INSPECTOR GENERAL.—If the applicable agency makes a certification under subclause (I)(aa)(CC), the Inspector General of the applicable agency shall conduct a financial audit to review that certification and submit a report on that certification within 90 days to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(B) ELEVATION OF ISSUE RESOLUTION.—

“(i) IN GENERAL.—If issue resolution is not achieved by not later than 30 days after the date on which a relevant meeting is held under subparagraph (A), the Secretary shall notify the heads of the relevant cooperating agencies and the non-Federal interest that an issue resolution meeting will be convened.

“(ii) REQUIREMENTS.—The Secretary shall identify the issues to be addressed at the meeting and convene the meeting not later than 30 days after the date on which the notice is issued.

“(C) SUBMISSION OF ISSUE RESOLUTION.—

“(i) SUBMISSION TO COUNCIL ON ENVIRONMENTAL QUALITY.—

“(I) IN GENERAL.—If a resolution is not achieved by not later than 30 days after the date on which an issue resolution meeting is held under subparagraph (B), the Secretary shall submit the matter to the Council on Environmental Quality.

“(II) MEETING.—Not later than 30 days after the date on which the Council on Environmental Quality receives a submission from the Secretary under subclause (I), the Council on Environmental Quality shall hold an issue resolution meeting with the lead agency, the heads of relevant cooperating agencies and the non-Federal interest.

“(III) ADDITIONAL HEARINGS.—The Council on Environmental Quality may hold public meetings or hearings to obtain additional views and information that the Council on Environmental Quality determines are necessary, consistent with the time frames described in this paragraph.

“(ii) REMEDIES.—Not later than 30 days after the date on which an issue resolution meeting is convened by the Council on Environmental Quality under clause (i)(II), the Secretary shall—

“(I) publish findings that explain how the issue was resolved and recommendations (including, where appropriate, a finding that the submission does not support the position of the submitting agency); or

“(II) if the resolution of the issue was not achieved, submit to the President for action—

“(aa) the submission;

“(bb) any views or additional information developed during any additional hearings under clause (i)(III); and

“(cc) the recommendation of the Council on Environmental Quality.

“(6) FINANCIAL PENALTY PROVISIONS.—

“(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision on an expeditious basis using the shortest existing applicable process.

“(B) FAILURE TO DECIDE.—

“(i) IN GENERAL.—If a Federal jurisdictional agency fails to render a decision under any Federal law relating to a water resource project that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made

available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amounts specified in subclause (I) or (II) and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C)—

“(I) \$20,000 for any water resource project requiring the preparation of an environmental assessment or environmental impact statement; or

“(II) \$10,000 for any water resource project requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

“(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

“(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

“(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the water resource project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) LIMITATIONS.—

“(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual water resource project shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

“(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

“(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under title II of the Water Resources Development Act of 2013 and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

“(D) NO FAULT OF AGENCY.—

“(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the lead agency, cooperating agencies, and non-Federal interest, as applicable, that—

“(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

“(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the water resource project, requires additional analysis for the agency to make a decision on the water resource project application; or

“(III) the agency lacks the financial resources to complete the review under the scheduled time frame, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why there is not enough

funding available to complete the review by the deadline.

“(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

“(I) conduct a financial audit to review the notice; and

“(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the notice.

“(E) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

“(F) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

“(I) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

“(m) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

“(1) SENSE OF CONGRESS.—It is the sense of Congress that—

“(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State agencies, and Indian tribes on environmental review and water resource project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and water resource project development decisions reflect environmental values; and

“(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and non-Federal interests of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

“(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or non-Federal interest, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or non-Federal interest in carrying out early coordination activities.

“(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or non-Federal interest, the lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the non-Federal interest, Indian tribe, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

“(n) LIMITATIONS.—Nothing in this section preempts, supersedes, amends, modifies, repeals, or interferes with—

“(1) any statutory or regulatory requirement, including for seeking, considering, or responding to public comment;

“(2) any obligation to comply with the provisions any Federal law, including—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) the regulations issued by the Council on Environmental Quality or any other Federal agency to carry out that Act; and

“(C) any other Federal environmental law;

“(3) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

“(4) any practice of seeking, considering, or responding to public comment; or

“(5) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or non-Federal interest has with respect to carrying out a water resource project or any other provision of law applicable to water resource projects.

“(o) CATEGORICAL EXCLUSIONS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall—

“(A) survey the use by the Corps of Engineers of categorical exclusions in water resource projects since 2005;

“(B) publish a review of the survey that includes a description of—

“(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

“(ii) any requests previously received by the Secretary for new categorical exclusions; and

“(C) solicit requests from other Federal agencies and non-Federal interests for new categorical exclusions.

“(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this subsection, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment of this subsection based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

“(p) REVIEW OF WATER RESOURCE PROJECT ACCELERATION REFORMS.—

“(1) IN GENERAL.—The Comptroller General of the United States shall—

“(A) assess the reforms carried out under this section; and

“(B) not later than 5 years after the date of enactment of this subsection, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the results of the assessment.

“(2) INSPECTOR GENERAL REPORT.—The Inspector General of the Corps of Engineers shall—

“(A) assess the reforms carried out under this section; and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate—

“(i) not later than 2 years after the date of enactment of this subsection, an initial report of the findings of the Inspector General; and

“(ii) not later than 4 years after the date of enactment of this subsection, a final report of the findings.

“(q) AUTHORIZATION.—The authority provided by this section expires on the date that is 10 years after the date of enactment of this Act.”.

SEC. 2034. FEASIBILITY STUDIES.

Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

“(g) DETAILED PROJECT SCHEDULE.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall determine a set of milestones needed for the completion of a feasibility study under this subsection, including all major actions, report submissions and responses, reviews, and comment periods.

“(2) DETAILED PROJECT SCHEDULE MILESTONES.—Each District Engineer shall, to the maximum extent practicable, establish a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to feasibility studies in the District developed by the Secretary under paragraph (1).

“(3) NON-FEDERAL INTEREST NOTIFICATION.—Each District Engineer shall submit by certified mail the detailed project schedule under paragraph (2) to each relevant non-Federal interest—

“(A) for projects that have received funding from the General Investigations Account of the Corps of Engineers in the period beginning on October 1, 2009, and ending on the date of enactment of this section, not later than 180 days after the establishment of milestones under paragraph (1); and

“(B) for projects for which a feasibility cost-sharing agreement is executed after the establishment of milestones under paragraph (1), not later than 90 days after the date on which the agreement is executed.

“(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Beginning in the first full fiscal year after the date of enactment of this Act, the Secretary shall—

“(A) submit an annual report that lists all detailed project schedules under paragraph (2) and an explanation of any missed deadlines to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

“(B) make publicly available, including on the Internet, a copy of the annual report described in subparagraph (A) not later than 14 days after date on which a report is submitted to Congress.

“(5) FAILURE TO ACT.—If a District Engineer fails to meet any of the deadlines in the project schedule under paragraph (2), the District Engineer shall—

“(A) not later than 30 days after each missed deadline, submit to the non-Federal interest a report detailing—

“(i) why the District Engineer failed to meet the deadline; and

“(ii) a revised project schedule reflecting amended deadlines for the feasibility study; and

“(B) not later than 30 days after each missed deadline, make publicly available, including on the Internet, a copy of the amended project schedule described in subparagraph (A)(ii).”

SEC. 2035. ACCOUNTING AND ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—On the request of a non-Federal interest, the Secretary shall provide to the non-Federal interest a detailed accounting of the Federal expenses associated with a water resources project.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a study on the efficiency of the Corps Engineers current staff salaries and administrative expense

procedures as compared to using a separate administrative expense account.

(2) CONTENTS.—The study under paragraph (1) shall include any recommendations of the National Academy of Public Administration for improvements to the budgeting and administrative processes that will increase the efficiency of the Corps of Engineers project delivery.

SEC. 2036. DETERMINATION OF PROJECT COMPLETION.

(a) IN GENERAL.—The Secretary shall notify the non-Federal interest when construction of a water resources project or a functional portion of the project is completed so the non-Federal interest may commence responsibilities, as applicable, for operating and maintaining the project.

(b) NON-FEDERAL INTEREST APPEAL OF DETERMINATION.—

(1) IN GENERAL.—Not later than 7 days after receiving a notification under subparagraph (a), the non-Federal interest may appeal the completion determination of the Secretary in writing with a detailed explanation of the basis for questioning the completeness of the project or functional portion of the project.

(2) INDEPENDENT REVIEW.—

(A) IN GENERAL.—On notification that a non-Federal interest has submitted an appeal under paragraph (1), the Secretary shall contract with 1 or more independent, non-Federal experts to evaluate whether the applicable water resources project or functional portion of the project is complete.

(B) TIMELINE.—An independent review carried out under subparagraph (A) shall be completed not later than 180 days after the date on which the Secretary receives an appeal from a non-Federal interest under paragraph (1).

SEC. 2037. PROJECT PARTNERSHIP AGREEMENTS.

(a) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a comprehensive review of the process for preparing, negotiating, and approving Project Partnership Agreements and the Project Partnership Agreement template, which shall include—

(1) a review of the process for preparing, negotiating, and approving Project Partnership Agreements, as in effect on the day before the date of enactment of this Act;

(2) an evaluation of how the concerns of a non-Federal interest relating to the Project Partnership Agreement and suggestions for modifications to the Project Partnership Agreement made by a non-Federal interest are accommodated;

(3) recommendations for how the concerns and modifications described in paragraph (2) can be better accommodated;

(4) recommendations for how the Project Partnership Agreement template can be made more efficient; and

(5) recommendations for how to make the process for preparing, negotiating, and approving Project Partnership Agreements more efficient.

(b) REPORT.—The Secretary shall submit a report describing the findings of the National Academy of Public Administration to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 2038. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

Section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a) is amended—

(1) in subsection (a), by striking “other Federal agencies,” and inserting “Federal

departments or agencies, nongovernmental organizations.”;

(2) in subsection (b), by inserting “or foreign governments” after “organizations”;

(3) in subsection (c), by inserting “and restoration” after “protection”; and

(4) in subsection (d)—

(A) in the first sentence—

(i) by striking “There is” and inserting “(1) IN GENERAL.—There is”; and

(ii) by striking “2008” and inserting “2014”; and

(B) in the second sentence—

(i) by striking “The Secretary” and inserting “(2) ACCEPTANCE OF FUNDS.—The Secretary”; and

(ii) by striking “other Federal agencies” and inserting “Federal departments or agencies, nongovernmental organizations”.

SEC. 2039. ACCEPTANCE OF CONTRIBUTED FUNDS TO INCREASE LOCK OPERATIONS.

(a) IN GENERAL.—The Secretary, after providing public notice, shall establish a pilot program for the acceptance and expenditure of funds contributed by non-Federal interests to increase the hours of operation of locks at water resources development projects.

(b) APPLICABILITY.—The establishment of the pilot program under this section shall not affect the periodic review and adjustment of hours of operation of locks based on increases in commercial traffic carried out by the Secretary.

(c) PUBLIC COMMENT.—Not later than 180 days before a proposed modification to the operation of a lock at a water resources development project will be carried out, the Secretary shall—

(1) publish the proposed modification in the Federal Register; and

(2) accept public comment on the proposed modification.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that evaluates the cost-savings resulting from reduced lock hours and any economic impacts of modifying lock operations.

(2) REVIEW OF PILOT PROGRAM.—Not later than September 30, 2017 and each year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the effectiveness of the pilot program under this section.

(e) ANNUAL REVIEW.—The Secretary shall carry out an annual review of the commercial use of locks and make any necessary adjustments to lock operations based on that review.

(f) TERMINATION.—The authority to accept funds under this section shall terminate 5 years after the date of enactment of this Act.

SEC. 2040. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) IN GENERAL.—Section 5(a)(1) of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended in the first sentence—

(1) by inserting “and subject to the condition that the Chief of Engineers may include modifications to the structure or project” after “work for flood control”; and

(2) by striking “structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when in the discretion of the Chief of Engineers such repair and restoration is warranted for the adequate functioning of the structure for hurricane or shore protection” and inserting “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the design level of protection when, in the discretion of the Chief of Engineers, such repair and restoration is warranted for the adequate functioning of the structure or project for hurricane or shore protection, subject to the condition that the Chief of Engineers may include modifications to the structure or project to address major deficiencies or implement nonstructural alternatives to the repair or restoration of the structure if requested by the non-Federal sponsor”.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the amounts expended in the previous 5 fiscal years to carry out Corps of Engineers projects under section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved August 18, 1941 (33 U.S.C. 701n).

(2) INCLUSIONS.—A report under paragraph (1) shall, at a minimum, include a description of—

(A) each structure, feature, or project for which amounts are expended, including the type of structure, feature, or project and cost of the work; and

(B) how the Secretary has repaired, restored, replaced, or modified each structure, feature, or project or intends to restore the structure, feature, or project to the design level of protection for the structure, feature, or project.

SEC. 2041. SYSTEMWIDE IMPROVEMENT FRAMEWORKS.

A levee system shall remain eligible for rehabilitation assistance under the authority provided by section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes” (33 U.S.C. 701n) as long as the levee system sponsor continues to make satisfactory progress, as determined by the Secretary, on an approved systemwide improvement framework or letter of intent.

SEC. 2042. FUNDING TO PROCESS PERMITS.

Section 214 of the Water Resources Development Act of 2000 (Public Law 106-541; 33 U.S.C. 2201 note) is amended by striking subsections (d) and (e) and inserting the following:

“(d) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public in a common format, including on the Internet, and in a manner that distinguishes final permit decisions under this section from other final actions of the Secretary.

“(2) DECISION DOCUMENT.—The Secretary shall—

“(A) use a standard decision document for evaluating all permits using funds accepted under this section; and

“(B) make the standard decision document, along with all final permit decisions, available to the public, including on the Internet.

“(3) AGREEMENTS.—The Secretary shall make all active agreements to accept funds under this section available on a single public Internet site.

“(e) REPORTING.—

“(1) IN GENERAL.—The Secretary shall prepare an annual report on the implementation of this section, which, at a minimum, shall include for each district of the Corps of Engineers that accepts funds under this section—

“(A) a comprehensive list of any funds accepted under this section during the previous fiscal year;

“(B) a comprehensive list of the permits reviewed and approved using funds accepted under this section during the previous fiscal year, including a description of the size and type of resources impacted and the mitigation required for each permit; and

“(C) a description of the training offered in the previous fiscal year for employees that is funded in whole or in part with funds accepted under this section.

“(2) SUBMISSION.—Not later than 90 days after the end of each fiscal year, the Secretary shall—

“(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the annual report described in paragraph (1); and

“(B) make each report received under subparagraph (A) available on a single publicly accessible Internet site.”.

SEC. 2043. NATIONAL RIVERBANK STABILIZATION AND EROSION PREVENTION STUDY AND PILOT PROGRAM.

(a) DEFINITION OF INLAND AND INTRACOASTAL WATERWAY.—In this section, the term “inland and intracoastal waterway” means the inland and intracoastal waterways of the United States described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(b) PILOT PROGRAM.—The Secretary—

(1) is authorized to study issues relating to riverbank stabilization and erosion prevention along inland and intracoastal waterways; and

(2) shall establish and carry out for a period of 5 fiscal years a national riverbank stabilization and erosion prevention pilot program to address riverbank erosion along inland and intracoastal waterways.

(c) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with appropriate Federal, State, local, and nongovernmental entities, shall carry out a study of the options and technologies available to prevent the erosion and degradation of riverbanks along inland and intracoastal waterways.

(2) CONTENTS.—The study shall—

(A) evaluate the nature and extent of the damages resulting from riverbank erosion along inland and intracoastal waterways throughout the United States;

(B) identify specific inland and intracoastal waterways and affected wetland areas with the most urgent need for restoration;

(C) analyze any legal requirements with regard to maintenance of bank lines of inland and intracoastal waterways, including a comparison of Federal, State, and private obligations and practices;

(D) assess and compare policies and management practices to protect surface areas adjacent to inland and intracoastal waterways applied by various Districts of the Corps of Engineers; and

(E) make any recommendations the Secretary determines to be appropriate.

(d) RIVERBANK STABILIZATION AND EROSION PREVENTION PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall develop a pilot program for the construction of riverbank stabilization and erosion prevention projects on public land along inland and intracoastal waterways if the Secretary determines that the projects are technically feasible, environmentally acceptable, economically justified, and lower maintenance costs of those inland and intracoastal waterways.

(2) PILOT PROGRAM GOALS.—A project under the pilot program shall, to the maximum extent practicable—

(A) develop or demonstrate innovative technologies;

(B) implement efficient designs to prevent erosion at a riverbank site, taking into account the lifecycle cost of the design, including cleanup, maintenance, and amortization;

(C) prioritize natural designs, including the use of native and naturalized vegetation or temporary structures that minimize permanent structural alterations to the riverbank;

(D) avoid negative impacts to adjacent communities;

(E) identify the potential for long-term protection afforded by the innovative technology; and

(F) provide additional benefits, including reduction of flood risk.

(3) PROJECT SELECTIONS.—The Secretary shall develop criteria for the selection of projects under the pilot program, including criteria based on—

(A) the extent of damage and land loss resulting from riverbank erosion;

(B) the rate of erosion;

(C) the significant threat of future flood risk to public or private property, public infrastructure, or public safety;

(D) the destruction of natural resources or habitats; and

(E) the potential cost-savings for maintenance of the channel.

(4) CONSULTATION.—The Secretary shall carry out the pilot program in consultation with—

(A) Federal, State, and local governments;

(B) nongovernmental organizations; and

(C) applicable university research facilities.

(5) REPORT.—Not later than 1 year after the first fiscal year for which amounts to carry out this section are appropriated, and every year thereafter, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) the activities carried out and accomplishments made under the pilot program since the previous report under this paragraph; and

(B) any recommendations of the Secretary relating to the program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2019.

SEC. 2044. HURRICANE AND STORM DAMAGE RISK REDUCTION PRIORITIZATION.

(a) PURPOSES.—The purposes of this section are—

(1) to provide adequate levels of protection to communities impacted by natural disasters, including hurricanes, tropical storms, and other related extreme weather events; and

(2) to expedite critical water resources projects in communities that have historically been and continue to remain susceptible to extreme weather events.

(b) PRIORITY.—For authorized projects and ongoing feasibility studies with a primary purpose of hurricane and storm damage risk reduction, the Secretary shall give funding priority to projects and ongoing studies that—

- (1) address an imminent threat to life and property;
- (2) prevent storm surge from inundating populated areas;
- (3) prevent the loss of coastal wetlands that help reduce the impact of storm surge;
- (4) protect emergency hurricane evacuation routes or shelters;
- (5) prevent adverse impacts to publicly owned or funded infrastructure and assets;
- (6) minimize disaster relief costs to the Federal Government; and
- (7) address hurricane and storm damage risk reduction in an area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(c) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROJECTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of all—

(A) ongoing hurricane and storm damage reduction feasibility studies that have signed feasibility cost share agreements and have received Federal funds since 2009; and

(B) authorized hurricane and storm damage reduction projects that—

(1) have been authorized for more than 20 years but are less than 75 percent complete; or

(ii) are undergoing a post-authorization change report, general reevaluation report, or limited reevaluation report;

(2) identify those projects on the list required under paragraph (1) that meet the criteria described in subsection (b); and

(3) provide a plan for expeditiously completing the projects identified under paragraph (2), subject to available funding.

(d) PRIORITIZATION OF NEW STUDIES FOR HURRICANE AND STORM DAMAGE RISK REDUCTION.—In selecting new studies for hurricane and storm damage reduction to propose to Congress under section 4002, the Secretary shall give priority to studies—

(1) that—

(A) have been recommended in a comprehensive hurricane protection study carried out by the Corps of Engineers; or

(B) are included in a State plan or program for hurricane, storm damage reduction, flood control, coastal protection, conservation, or restoration, that is created in consultation with the Corps of Engineers or other relevant Federal agencies; and

(2) for areas for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

SEC. 2045. PRIORITIZATION OF ECOSYSTEM RESTORATION EFFORTS.

For authorized projects with a primary purpose of ecosystem restoration, the Secretary shall give funding priority to projects—

(1) that—

(A) address an identified threat to public health, safety, or welfare;

(B) preserve or restore ecosystems of national significance; or

(C) preserve or restore habitats of importance for federally protected species, including migratory birds; and

(2) for which the restoration activities will contribute to other ongoing or planned Federal, State, or local restoration initiatives.

SEC. 2046. SPECIAL USE PERMITS.

(a) SPECIAL USE PERMITS.—

(1) IN GENERAL.—The Secretary may issue special permits for uses such as group activities, recreation events, motorized recreation vehicles, and such other specialized recreation uses as the Secretary determines to be appropriate, subject to such terms and conditions as the Secretary determines to be in the best interest of the Federal Government.

(2) FEES.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary may—

(i) establish and collect fees associated with the issuance of the permits described in paragraph (1); or

(ii) accept in-kind services in lieu of those fees.

(B) OUTDOOR RECREATION EQUIPMENT.—The Secretary may establish and collect fees for the provision of outdoor recreation equipment and services at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers.

(C) USE OF FEES.—Any fees generated pursuant to this subsection shall be—

(i) retained at the site collected; and

(ii) available for use, without further appropriation, solely for administering the special permits under this subsection and carrying out related operation and maintenance activities at the site at which the fees are collected.

(b) COOPERATIVE MANAGEMENT.—

(1) PROGRAM.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may enter into an agreement with a State or local government to provide for the cooperative management of a public recreation area if—

(i) the public recreation area is located—

(I) at a lake or reservoir operated by the Corps of Engineers; and

(II) adjacent to or near a State or local park or recreation area; and

(ii) the Secretary determines that cooperative management between the Corps of Engineers and a State or local government agency of a portion of the Corps of Engineers recreation area or State or local park or recreation area will allow for more effective and efficient management of those areas.

(B) RESTRICTION.—The Secretary may not transfer administration responsibilities for any public recreation area operated by the Corps of Engineers.

(2) ACQUISITION OF GOODS AND SERVICES.—The Secretary may acquire from or provide to a State or local government with which the Secretary has entered into a cooperative agreement under paragraph (1) goods and services to be used by the Secretary and the State or local government in the cooperative management of the areas covered by the agreement.

(3) ADMINISTRATION.—The Secretary may enter into 1 or more cooperative management agreements or such other arrangements as the Secretary determines to be appropriate, including leases or licenses, with non-Federal interests to share the costs of operation, maintenance, and management of recreation facilities and natural resources at recreation areas that are jointly managed and funded under this subsection.

(c) FUNDING TRANSFER AUTHORITY.—

(1) IN GENERAL.—If the Secretary determines that it is in the public interest for

purposes of enhancing recreation opportunities at Corps of Engineers water resources development projects, the Secretary may transfer funds appropriated for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available at those Corps of Engineers water resource development projects to State, local, and tribal governments and such other public or private nonprofit entities as the Secretary determines to be appropriate.

(2) COOPERATIVE AGREEMENTS.—Any transfer of funds pursuant to this subsection shall be carried out through the execution of a cooperative agreement, which shall contain such terms and conditions as the Secretary determines to be necessary in the public interest.

(d) SERVICES OF VOLUNTEERS.—Chapter IV of title I of Public Law 98-63 (33 U.S.C. 569c) is amended—

(1) in the first sentence, by inserting “, including expenses relating to uniforms, transportation, lodging, and the subsistence of those volunteers, without regard to the place of residence of the volunteers,” after “incidental expenses”; and

(2) by inserting after the first sentence the following: “The Chief of Engineers may also provide awards of up to \$100 in value to volunteers in recognition of the services of the volunteers.”

(e) TRAINING AND EDUCATIONAL ACTIVITIES.—Section 213(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by striking “at” and inserting “about”.

SEC. 2047. OPERATIONS AND MAINTENANCE ON FUEL TAXED INLAND WATERWAYS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall have responsibility for 65 percent of the costs of the operation, maintenance, repair, rehabilitation, and replacement of any flood gate, as well as any pumping station constructed within the channel as a single unit with that flood gate, that—

(1) was constructed as of the date of enactment of this Act as a feature of an authorized hurricane and storm damage reduction project; and

(2) crosses an inland or intracoastal waterway described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

(b) PAYMENT OPTIONS.—For rehabilitation or replacement of any structure under this section, the Secretary may apply to the full non-Federal contribution the payment option provisions under section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)).

SEC. 2048. CORROSION PREVENTION.

(a) GUIDANCE AND PROCEDURES.—The Secretary shall develop guidance and procedures for the certification of qualified contractors for—

(1) the application of protective coatings; and

(2) the removal of hazardous protective coatings.

(b) REQUIREMENTS.—Except as provided in subsection (c), the Secretary shall use certified contractors for—

(1) the application of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;

(2) the removal of hazardous coatings or other hazardous materials that are present in sufficient concentrations to create an occupational or environmental hazard; and

(3) any other activities the Secretary determines to be appropriate.

(c) EXCEPTION.—The Secretary may approve exceptions to the use of certified contractors under subsection (b) only after public notice, with the opportunity for comment, of any such proposal.

SEC. 2049. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—Section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) LIST OF PROJECTS.—

“(A) IN GENERAL.—Notwithstanding section 3003 of Public Law 104–66 (31 U.S.C. 1113 note; 109 Stat. 734), each year, after the submission of the list under paragraph (1), the Secretary shall submit to Congress a list of projects or separable elements of projects that have been authorized but that have received no obligations during the 5 full fiscal years preceding the submission of that list.

“(B) ADDITIONAL NOTIFICATION.—On submission of the list under subparagraph (A) to Congress, the Secretary shall notify—

“(i) each Senator in whose State and each Member of the House of Representatives in whose district a project (including any part of a project) on that list would be located; and

“(ii) each applicable non-Federal interest associated with a project (including any part of a project) on that list.

“(C) DEAUTHORIZATION.—A project or separable element included in the list under subparagraph (A) is not authorized after the last date of the fiscal year following the fiscal year in which the list is submitted to Congress, if funding has not been obligated for the planning, design, or construction of the project or element of the project during that period.”; and

(2) by adding at the end the following:

“(3) MINIMUM FUNDING LIST.—At the end of each fiscal year, the Secretary shall submit to Congress a list of—

“(A) projects or separable elements of projects authorized for construction for which funding has been obligated in the 5 previous fiscal years;

“(B) the amount of funding obligated per fiscal year;

“(C) the current phase of each project or separable element of a project; and

“(D) the amount required to complete those phases.

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2013, the Secretary shall compile and publish a complete list of all uncompleted, authorized projects of the Corps of Engineers, including for each project on that list—

“(i) the original budget authority for the project;

“(ii) the status of the project;

“(iii) the estimated date of completion of the project;

“(iv) the estimated cost of completion of the project; and

“(v) any amounts for the project that remain unobligated.

“(B) PUBLICATION.—

“(i) IN GENERAL.—The Secretary shall submit a copy of the list under subparagraph (A) to—

“(I) the appropriate committees of Congress; and

“(II) the Director of the Office of Management and Budget.

“(ii) PUBLIC AVAILABILITY.—Not later than 30 days after providing the report to Con-

gress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site, in a manner that is downloadable, searchable, and sortable.”.

(b) INFRASTRUCTURE DEAUTHORIZATION COMMISSION.—

(1) PURPOSES.—The purposes of this subsection are—

(A) to establish a process for identifying authorized Corps of Engineers water resources projects that are no longer in the Federal interest and no longer feasible;

(B) to create a commission—

(i) to review suggested deauthorizations, including consideration of recommendations of the States and the Secretary for the deauthorization of water resources projects; and

(ii) to make recommendations to Congress;

(C) to ensure public participation and comment; and

(D) to provide oversight on any recommendations made to Congress by the Commission.

(2) INFRASTRUCTURE DEAUTHORIZATION COMMISSION.—

(A) ESTABLISHMENT.—There is established an independent commission to be known as the “Infrastructure Deauthorization Commission” (referred to in this paragraph as the “Commission”).

(B) DUTIES.—The Commission shall carry out the review and recommendation duties described in paragraph (5).

(C) MEMBERSHIP.—

(i) IN GENERAL.—The Commission shall be composed of 8 members, who shall be appointed by the President, by and with the advice and consent of the Senate according to the expedited procedures described in clause (ii).

(ii) EXPEDITED NOMINATION PROCEDURES.—

(I) PRIVILEGED NOMINATIONS; INFORMATION REQUESTED.—On receipt by the Senate of a nomination under clause (i), the nomination shall—

(aa) be placed on the Executive Calendar under the heading “Privileged Nominations—Information Requested”; and

(bb) remain on the Executive Calendar under that heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subclause (II).

(II) QUESTIONNAIRES.—The Chairman of the Committee on Environment and Public Works of the Senate shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position under clause (i).

(III) PRIVILEGED NOMINATIONS; INFORMATION RECEIVED.—On receipt of the certification under subclause (II), the nomination shall—

(aa) be placed on the Executive Calendar under the heading “Privileged Nomination—Information Received” and remain on the Executive Calendar under that heading for 10 session days; and

(bb) after the expiration of the period referred to in item (aa), be placed on the “Nominations” section of the Executive Calendar.

(IV) REFERRAL TO COMMITTEE OF JURISDICTION.—During the period when a nomination under clause (i) is listed under the “Privileged Nomination—Information Requested” section of the Executive Calendar described in subclause (I)(aa) or the “Privileged Nomination—Information Received” section of the Executive Calendar described in subclause (III)(aa)—

(aa) any Senator may request on his or her own behalf, or on the behalf of any identified

Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(bb) if a Senator makes a request described in paragraph item (aa), the nomination shall be referred to the appropriate committee of jurisdiction.

(V) EXECUTIVE CALENDAR.—The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this clause.

(VI) COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.—The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by that committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

(iii) QUALIFICATIONS.—Members of the Commission shall be knowledgeable about Corps of Engineers water resources projects.

(iv) GEOGRAPHICAL DIVERSITY.—To the maximum extent practicable, the members of the Commission shall be geographically diverse.

(D) COMPENSATION OF MEMBERS.—

(i) IN GENERAL.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(ii) FEDERAL EMPLOYEES.—All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(iii) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(3) STATE WATER RESOURCES INFRASTRUCTURE PLAN.—Not later than 2 years after the date of enactment of this Act, each State, in consultation with local interests, may develop and submit to the Commission, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a detailed statewide water resources plan that includes a list of each water resources project that the State recommends for deauthorization.

(4) CORPS OF ENGINEERS INFRASTRUCTURE PLAN.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Commission, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a detailed plan that—

(A) contains a detailed list of each water resources project that the Corps of Engineers recommends for deauthorization; and

(B) is based on assessment by the Secretary of the needs of the United States for water resources infrastructure, taking into account public safety, the economy, and the environment.

(5) REVIEW AND RECOMMENDATION COMMIS-

(A) IN GENERAL.—On the appointment and confirmation of all members of the Commission, the Commission shall solicit public comment on water resources infrastructure issues and priorities and recommendations for deauthorization, including by—

(i) holding public hearings throughout the United States; and

(ii) receiving written comments.

(B) RECOMMENDATIONS.—

(i) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Commission shall submit to Congress a list of water resources projects of the Corps of Engineers for deauthorization.

(ii) CONSIDERATIONS.—In carrying out this paragraph, the Commission shall establish criteria for evaluating projects for deauthorization, which shall include consideration of—

(I) the infrastructure plans submitted by the States and the Secretary under paragraphs (3) and (4);

(II) any public comment received during the period described in subparagraph (A);

(III) public safety and security;

(IV) the environment; and

(V) the economy.

(C) NON-ELIGIBLE PROJECTS.—The following types of projects shall not be eligible for review for deauthorization by the Commission:

(i) Any project authorized after the date of enactment of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3658), including any project that has been reauthorized after that date.

(ii) Any project that, as of the date of enactment of this Act, is undergoing a review by the Corps of Engineers.

(iii) Any project that has received appropriations in the 10-year period ending on the date of enactment of this Act.

(iv) Any project that, on the date of enactment of this Act, is more than 50 percent complete.

(v) Any project that has a viable non-Federal sponsor.

(D) CONGRESSIONAL DISAPPROVAL.—Any water resources project recommended for deauthorization on the list submitted to Congress under subparagraph (B) shall be deemed to be deauthorized unless Congress passes a joint resolution disapproving of the entire list of deauthorized water resources projects prior to the date that is 180 days after the date on which the Commission submits the list to Congress.

(6) APPLICATION.—For purposes of this subsection, water resources projects shall include environmental infrastructure assistance projects and programs of the Corps of Engineers.

SEC. 2050. REPORTS TO CONGRESS.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall complete and submit to Congress by the applicable date required the reports that address public safety and enhanced local participation in project delivery described in subsection (b).

(b) REPORTS.—The reports referred to in subsection (a) are the reports required under—

- (1) section 2020;
- (2) section 2022;
- (3) section 2025;
- (4) section 2026;
- (5) section 2039;
- (6) section 2040;
- (7) section 6007; and
- (8) section 10015.

(c) FAILURE TO PROVIDE A COMPLETED REPORT.—

(1) IN GENERAL.—Subject to subsection (d), if the Secretary fails to provide a report list-

ed under subsection (b) by the date that is 180 days after the applicable date required for that report, \$5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Army Corps of Engineers with responsibility for completing that report.

(2) SUBSEQUENT REPROGRAMMING.—Subject to subsection (d), for each additional week after the date described in paragraph (1) in which a report described in that paragraph remains uncompleted and unsubmitted to Congress, \$5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Secretary of the Army with responsibility for completing that report.

(d) LIMITATIONS.—

(1) IN GENERAL.—For each report, the total amounts reprogrammed under subsection (c) shall not exceed, in any fiscal year, \$50,000.

(2) AGGREGATE LIMITATION.—The total amount reprogrammed under subsection (c) in a fiscal year shall not exceed \$200,000.

(e) NO FAULT OF THE SECRETARY.—Amounts shall not be reprogrammed under subsection (c) if the Secretary certifies in a letter to the applicable committees of Congress that—

(1) a major modification has been made to the content of the report that requires additional analysis for the Secretary to make a final decision on the report;

(2) amounts have not been appropriated to the agency under this Act or any other Act to carry out the report; or

(3) additional information is required from an entity other than the Corps of Engineers and is not available in a timely manner to complete the report by the deadline.

(f) LIMITATION.—The Secretary shall not reprogram funds to reimburse the Office of the Assistant Secretary of the Army for Civil Works for the loss of the funds.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000.

SEC. 2051. INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT CONFORMING AMENDMENT.

Section 106(k) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j-1(k)) is amended by adding at the end the following:

“(13) Interest payments, the retirement of principal, the costs of issuance, and the costs of insurance or a similar credit support for a debt financing instrument, the proceeds of which are used to support a contracted construction project.”.

SEC. 2052. INVASIVE SPECIES REVIEW.

The Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Chairman of the Tennessee Valley Authority, and other applicable heads of Federal agencies, shall—

(1) carry out a review of existing Federal authorities relating to responding to invasive species, including aquatic weeds, aquatic snails, and other aquatic invasive species, that have an impact on water resources; and

(2) based on the review under paragraph (1), make any recommendations to Congress and applicable State agencies for improving Federal and State laws to more effectively respond to the threats posed by those invasive species.

SEC. 2053. WETLANDS CONSERVATION STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall carry out a study to identify all Federal programs relating to wetlands conservation.

(b) REPORT.—The Comptroller General of the United States shall submit to Congress a report based on the study under subsection (a) describing options for maximizing wetlands conservation benefits while reducing redundancy, increasing efficiencies, and reducing costs.

SEC. 2054. DAM MODIFICATION STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall, in consultation with the Corps of Engineers, the South-eastern Power Administration, Federal hydropower customers, downstream communities, and other stakeholders, carry out a study to evaluate the structural modifications made at Federal dams in the Cumberland River Basin beginning on January 1, 2000.

(b) CONTENTS.—The study under subsection (a) shall examine—

(1) whether structural modifications at each dam have utilized new state-of-the-art design criteria deemed necessary for safety purposes that have not been used in other circumstances;

(2) whether structural modifications at each dam for downstream safety were executed in accordance with construction criteria that had changed from the original construction criteria;

(3) whether structural modifications at each dam assured safety;

(4) any estimates by the Corps of Engineers of consequences of total dam failure if state-of-the-art construction criteria deemed necessary for safety purposes were not employed; and

(5) whether changes in underlying geology at any of the Federal dams in the Cumberland River Basin required structural modifications to assure dam safety.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report based on the study under subsection (a) with findings on whether, with respect to structural modifications at Federal dams in the Cumberland River Basin, the Corps of Engineers has selected and implemented design criteria that rely on state-of-the-art design and construction criteria that will provide for the safety of downstream communities.

SEC. 2055. NON-FEDERAL PLANS TO PROVIDE ADDITIONAL FLOOD RISK REDUCTION.

(a) IN GENERAL.—If requested by a non-Federal interest, the Secretary shall construct a locally preferred plan that provides a higher level of protection than a flood risk management project authorized under this Act if the Secretary determines that—

(1) the plan is technically feasible and environmentally acceptable; and

(2) the benefits of the plan exceed the costs of the plan.

(b) NON-FEDERAL COST SHARE.—If the Secretary constructs a locally preferred plan under subsection (a), the Federal share of the cost of the project shall be not greater than the share as provided by law for elements of the national economic development plan.

SEC. 2056. MISSISSIPPI RIVER FORECASTING IMPROVEMENTS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, the Director of the United States Geological Survey, the Administrator of the National Oceanic and Atmospheric Administration, and the Director of the National Weather Service, as applicable, shall improve forecasting on the Mississippi River by—

(1) updating forecasting technology deployed on the Mississippi River and its tributaries through—

(A) the construction of additional automated river gages;

(B) the rehabilitation of existing automated and manual river gages; and

(C) the replacement of manual river gages with automated gages, as the Secretary determines to be necessary;

(2) constructing additional sedimentation ranges on the Mississippi River and its tributaries; and

(3) deploying additional automatic identification system base stations at river gage sites.

(b) **PRIORITIZATION.**—In carrying out this section, the Secretary shall prioritize the sections of the Mississippi River on which additional and more reliable information would have the greatest impact on maintaining navigation on the Mississippi River.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the activities carried out by the Secretary under this section.

SEC. 2057. FLEXIBILITY IN MAINTAINING NAVIGATION.

(a) **IN GENERAL.**—If the Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, determines it to be critical to maintaining safe and reliable navigation within the authorized Federal navigation channel on the Mississippi River, the Secretary may carry out only those activities outside the authorized Federal navigation channel along the Mississippi River, including the construction and operation of maintenance of fleeting areas, that are necessary for safe and reliable navigation in the Federal channel.

(b) **REPORT.**—Not later than 60 days after initiating an activity under this section, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a description of the activities undertaken, including the costs associated with the activities; and

(2) a comprehensive description of how the activities are necessary for maintaining safe and reliable navigation of the Federal channel.

SEC. 2058. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) **DEFINITIONS.**—In this section:

(1) **RESTRICTED AREA.**—The term “restricted area” means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established pursuant to chapter 10 of the regulation entitled “Project Operations: Navigation and Dredging Operations and Maintenance Policies”, published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) **STATE.**—The term “State” means the applicable agency of the State (including an official of that agency) in which the applicable dam is located that is responsible for enforcing boater safety.

(b) **RESTRICTION ON PHYSICAL BARRIERS.**—Subject to subsection (c), the Secretary, acting through the Chief of Engineers, in the establishing and enforcing restricted areas, shall not take any action to establish a permanent physical barrier to prevent public access to waters downstream of a dam owned by the Corps of Engineers.

(c) **EXCLUSIONS.**—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage,

shall not be considered to be a permanent physical barrier under subsection (b).

(d) **ENFORCEMENT.**—

(1) **IN GENERAL.**—Enforcement of a restricted area shall be the sole responsibility of a State.

(2) **EXISTING AUTHORITIES.**—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved December 22, 1944 (16 U.S.C. 460d).

(e) **DEVELOPMENT OR MODIFICATION OF RESTRICTED AREAS.**—In establishing a new restricted area or modifying an existing restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters; and

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing or modifying any restricted area.

(f) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), this section shall apply to the establishment of a new restricted area or the modification of an existing restricted area on or after August 1, 2012.

(2) **EXISTING RESTRICTIONS.**—If the Secretary, acting through the Chief of Engineers, has established a new restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the date of enactment of this Act, the Secretary shall—

(A) cease implementing the restricted area until the later of—

(i) such time as the restricted area meets the requirements of this section; and

(ii) the date that is 2 years after the date of enactment of this Act; and

(B) remove any permanent physical barriers constructed in connection with the restricted area.

SEC. 2059. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) by striking “In order to” and inserting the following:

“(a) **IN GENERAL.**—In order to”; and

(2) by adding at the end the following:

“(b) **CONTRIBUTED FUNDS.**—Nothing in this section affects the authority of the Secretary to complete construction of a water resources development project using funds contributed under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h).”.

SEC. 2060. DONALD G. WALDON LOCK AND DAM.

(a) **FINDINGS.**—Congress finds that—

(1) the Tennessee-Tombigbee Waterway Development Authority is a 4-State compact comprised of the States of Alabama, Kentucky, Mississippi, and Tennessee;

(2) the Tennessee-Tombigbee Authority is the regional non-Federal sponsor of the Tennessee-Tombigbee Waterway;

(3) the Tennessee-Tombigbee Waterway, completed in 1984, has fueled growth in the United States economy by reducing transportation costs and encouraging economic development; and

(4) the selfless determination and tireless work of Donald G. Waldon, while serving as administrator of the waterway compact for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that, at an appropriate time and in accordance with the rules of the House of

Representatives and the Senate, the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the “Donald G. Waldon Lock and Dam”.

SEC. 2061. IMPROVING PLANNING AND ADMINISTRATION OF WATER SUPPLY STORAGE.

(a) **IN GENERAL.**—The Secretary shall carry out activities to enable non-Federal interests to anticipate and accurately budget for annual operations and maintenance costs and, as applicable, repair, rehabilitation, and replacements costs, including through—

(1) the formulation by the Secretary of a uniform billing statement format for those storage agreements relating to operations and maintenance costs, and as applicable, repair, rehabilitation, and replacement costs, incurred by the Secretary, which, at a minimum, shall include—

(A) a detailed description of the activities carried out relating to the water supply aspects of the project;

(B) a clear explanation of why and how those activities relate to the water supply aspects of the project; and

(C) a detailed accounting of the cost of carrying out those activities; and

(2) a review by the Secretary of the regulations and guidance of the Corps of Engineers relating to criteria and methods for the equitable distribution of joint project costs across project purposes in order to ensure consistency in the calculation of the appropriate share of joint project costs allocable to the water supply purpose.

(b) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the findings of the reviews carried out under subsection (a)(2) and any subsequent actions taken by the Secretary relating to those reviews.

(2) **INCLUSIONS.**—The report under paragraph (1) shall include an analysis of the feasibility and costs associated with the provision by the Secretary to each non-Federal interest of not less than 1 statement each year that details for each water storage agreement with non-Federal interests at Corps of Engineers projects the estimated amount of the operations and maintenance costs and, as applicable, the estimated amount of the repair, rehabilitation, and replacement costs, for which the non-Federal interest will be responsible in that fiscal year.

(3) **EXTENSION.**—The Secretary may delay the submission of the report under paragraph (1) for a period not to exceed 180 days after the deadline described in paragraph (1), subject to the condition that the Secretary submits a preliminary progress report to Congress not later than 1 year after the date of enactment of this Act.

SEC. 2062. CREDITING AUTHORITY FOR FEDERALLY AUTHORIZED NAVIGATION PROJECTS.

A non-Federal interest for a navigation project may carry out operation and maintenance activities for that project subject to all applicable requirements that would apply to the Secretary carrying out such operations and maintenance, and may receive credit for the costs incurred by the non-Federal interest in carrying out such activities towards that non-Federal interest's share of construction costs for a federally authorized element of the same project or another federally authorized navigation project, except that in no instance may such credit exceed 20 percent of the costs associated with construction of the general navigation features

of the project for which such credit may be received pursuant to this section.

SEC. 2063. RIVER BASIN COMMISSIONS.

Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201) is amended by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION TO ALLOCATE.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall allocate funds from the General Expenses account of the civil works program of the Army Corps of Engineers to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill the equitable funding requirements of the respective interstate compacts on an annual basis and in amounts equal to the amount determined by Commission in accordance with the respective interstate compact.

“(2) LIMITATION.—Not more than 1.5 percent of funds from the General Expenses account of the civil works program of the Army Corps of Engineers may be allocated in carrying out paragraph (1) for any fiscal year.

“(3) REPORT.—For any fiscal year in which funds are not allocated in accordance with paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

“(A) the reasons why the Corps of Engineers chose not to allocate funds in accordance with that paragraph; and

“(B) the impact of the decision not to allocate funds on water supply allocation, water quality protection, regulatory review and permitting, water conservation, watershed planning, drought management, flood loss reduction, and recreation in each area of jurisdiction of the respective Commission.”.

SEC. 2064. RESTRICTION ON CHARGES FOR CERTAIN SURPLUS WATER.

(a) IN GENERAL.—No fee for surplus water shall be charged under a contract for surplus water if the contract is for surplus water stored on the Missouri River.

(b) OFFSET.—Of the amounts previously made available for “Corps of Engineers—Civil, Department of the Army, Operations and Maintenance” that remain unobligated as of the effective date of this Act, \$5,000,000 is hereby rescinded.

(c) None of the funds under subsection (b) may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE III—PROJECT MODIFICATIONS

SEC. 3001. PURPOSE.

The purpose of this title is to modify existing water resource project authorizations, subject to the condition that the modifications do not affect authorized costs.

SEC. 3002. CHATFIELD RESERVOIR, COLORADO.

Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (123 Stat. 608), is amended in the matter preceding the proviso by inserting “(or a designee of the Department)” after “Colorado Department of Natural Resources”.

SEC. 3003. MISSOURI RIVER RECOVERY IMPLEMENTATION COMMITTEE EXPENSES REIMBURSEMENT.

Section 5018(b)(5) of the Water Resources Development Act of 2007 (121 Stat. 1200) is

amended by striking subparagraph (B) and inserting the following:

“(B) TRAVEL EXPENSES.—Subject to the availability of funds, the Secretary may reimburse a member of the Committee for travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of a Federal agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Committee.”.

SEC. 3004. HURRICANE AND STORM DAMAGE REDUCTION STUDY.

With respect to the study for flood and storm damage reduction related to natural disasters to be carried out by the Secretary and authorized under the heading “INVESTIGATIONS” under title II of division A of Public Law 113–2, the Secretary shall include specific project recommendations in the report developed for that study.

SEC. 3005. LOWER YELLOWSTONE PROJECT, MONTANA.

Section 3109 of the Water Resources Development Act of 2007 (121 Stat. 1135) is amended—

(1) by striking “The Secretary may” and inserting the following:

“(a) IN GENERAL.—The Secretary may”;

and

(2) by adding at the end the following:

“(b) LOCAL PARTICIPATION.—In carrying out subsection (a), the Secretary shall consult with, and consider the activities being carried out by—

“(1) other Federal agencies;

“(2) conservation districts;

“(3) the Yellowstone River Conservation District Council; and

“(4) the State of Montana.”.

SEC. 3006. PROJECT DEAUTHORIZATIONS.

(a) GOOSE CREEK, SOMERSET COUNTY, MARYLAND.—The project for navigation, Goose Creek, Somerset County, Maryland, carried out pursuant to section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577), is realigned as follows: Beginning at Goose Creek Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 0+00, coordinates North 157851.80, East 1636954.70, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, July 2003; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: S. 63 degrees 26 minutes 06 seconds E., 1460.05 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 973.28 feet to a point, thence; N. 26 degrees 13 minutes 09 seconds W., 240.39 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 42+57.54, coordinates North 157357.84, East 1640340.23. Geometry Left Toe of the 60-foot-wide main navigational ship channel, Left Toe Station No. 0+00, coordinates North 157879.00, East 1636967.40, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 12 seconds E., 1583.91 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following eight courses and distances: S. 63 degrees 25 minutes 38 seconds E., 1366.25 feet to a point,

thence; N. 83 degrees 36 minutes 24 seconds E., 125.85 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 805.19 feet to a point, thence; N. 12 degrees 12 minutes 29 seconds E., 78.33 feet to a point thence; N. 26 degrees 13 minutes 28 seconds W., 46.66 feet to a point thence; S. 63 degrees 45 minutes 41 seconds W., 54.96 feet to a point thence; N. 26 degrees 13 minutes 24 seconds W., 119.94 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 41+81.10, coordinates North 157320.30, East 1640264.00. Geometry Right Toe of the 60-foot-wide main navigational ship channel, Right Toe Station No. 0+00, coordinates North 157824.70, East 1636941.90, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following six courses and distances: S. 63 degrees 25 minutes 47 seconds E., 1478.79 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 1016.69 feet to a point, thence; N. 26 degrees 14 minutes 49 seconds W., 144.26 feet to a point, thence; N. 63 degrees 54 minutes 03 seconds E., 55.01 feet to a point thence; N. 26 degrees 12 minutes 08 seconds W., 120.03 feet to a point a point on the Right Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+98.61, coordinates North 157395.40, East 1640416.50.

(b) LOWER THOROUGHFARE, DEAL ISLAND, MARYLAND.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Lower Thoroughfare, Maryland, authorized by the Act of June 25, 1910 (36 Stat. 630, chapter 382) (commonly known as the “River and Harbor Act of 1910”), that begins at Lower Thoroughfare Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 44+88, coordinates North 170435.62, East 1614588.93, as stated and depicted on the Condition Survey Lower Thoroughfare, Deal Island, Sheet 1 of 3, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 42 degrees 20 minutes 44 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 64 degrees 08 minutes 55 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 43 seconds W., 250.08 feet to a point, thence; N. 47 degrees 39 minutes 03 seconds E., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 44 seconds E., 300.07 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76; thence; continuing with the aforementioned centerline the following courses and distances: S. 42 degrees 20 minutes 42 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 20 degrees 32 minutes 06 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 49 seconds W., 250.08 feet to a point, thence; S. 47 degrees 39 minutes 03 seconds W., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 46 seconds E., 300.08 feet to a point binding on the Left Toe of the 60-foot-wide main

navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76.

(c) THOMASTON HARBOR, GEORGES RIVER, MAINE.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act of June 3, 1896 (29 Stat. 215, chapter 314), and modified by section 317 of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2604), that lies northwesterly of a line commencing at point N87,220.51, E321,065.80 thence running northeasterly about 125 feet to a point N87,338.71, E321,106.46.

(d) WARWICK COVE, RHODE ISLAND.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Warwick Cove, Rhode Island, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) that is located within the 5 acre anchorage area east of the channel and lying east of the line beginning at a point with coordinates N220,349.79, E357,664.90 thence running north 9 degrees 10 minutes 21.5 seconds west 170.38 feet to a point N220,517.99, E357,637.74 thence running north 17 degrees 44 minutes 30.4 seconds west 165.98 feet to a point N220,676.08, E357,587.16 thence running north 0 degrees 46 minutes 0.9 seconds east 138.96 feet to a point N220,815.03, E357,589.02 thence running north 8 degrees 36 minutes 22.9 seconds east 101.57 feet to a point N220,915.46, E357,604.22 thence running north 18 degrees 18 minutes 27.3 seconds east 168.20 feet to a point N221,075.14, E357,657.05 thence running north 34 degrees 42 minutes 7.2 seconds east 106.4 feet to a point N221,162.62, E357,717.63 thence running south 29 degrees 14 minutes 17.4 seconds east 26.79 feet to a point N221,139.24, E357,730.71 thence running south 30 degrees 45 minutes 30.5 seconds west 230.46 feet to a point N220,941.20, E357,612.85 thence running south 10 degrees 49 minutes 12.0 seconds west 95.46 feet to a point N220,847.44, E357,594.93 thence running south 9 degrees 13 minutes 44.5 seconds east 491.68 feet to a point N220,362.12, E357,673.79 thence running south 35 degrees 47 minutes 19.4 seconds west 15.20 feet to the point of origin.

(e) CLATSOP COUNTY DIKING DISTRICT NO. 10, KARLSON ISLAND, OREGON.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the Diking District No. 10, Karlson Island portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (33 U.S.C. 701h).

(f) NUMBERG DIKE NO. 34 LEVEED AREA, CLATSOP COUNTY DIKING DISTRICT NO. 13, CLATSOP COUNTY, OREGON (WALLUSKI-YOUNGS).—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the Numberberg Dike No. 34 leveed area, Clatsop County Diking District, No. 13, Walluski River and Youngs River dikes, portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (33 U.S.C. 701h).

(g) PORT OF HOOD RIVER, OREGON.—

(1) EXTINGUISHMENT OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easement identified as Tract 1200E-6 on the Easement Deed recorded as Instrument No. 740320 is extinguished above elevation 79.39 feet (NGVD 29) the Ordinary High Water Line.

(2) AFFECTED PROPERTIES.—The properties referred to in paragraph (1), as recorded in Hood River County, Oregon, are as follows:

(A) Instrument Number 2010-1235

(B) Instrument Number 2010-02366.

(C) Instrument Number 2010-02367.

(D) Parcel 2 of Partition Plat #2011-12P.

(E) Parcel 1 of Partition Plat 2005-26P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, AND OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the extinguishment of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(h) EIGHTMILE RIVER, CONNECTICUT.—

(1) The portion of the project for navigation, Eightmile River, Connecticut, authorized by the first section of the Act of June 25, 1910 (commonly known as the “River and Harbor Act of 1910”) (36 Stat. 633, chapter 382), that begins at a point of the existing 8-foot channel limit with coordinates N701002.39, E1109247.73, thence running north 2 degrees 19 minutes 57.1 seconds east 265.09 feet to a point N701267.26, E1109258.52, thence running north 7 degrees 47 minutes 19.3 seconds east 322.32 feet to a point N701586.60, E1109302.20, thence running north 90 degrees 0 minutes 0 seconds east 65.61 to a point N701586.60, E1109367.80, thence running south 7 degrees 47 minutes 19.3 seconds west 328.11 feet to a point N701261.52, E1109323.34, thence running south 2 degrees 19 minutes 57.1 seconds west 305.49 feet to an end at a point N700956.28, E1109310.91 on the existing 8-foot channel limit, shall be reduced to a width of 65 feet and the channel realigned to follow the deepest available water.

(2) Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project beginning at a point N701296.72, E1109262.55 and running north 45 degrees 4 minutes 2.8 seconds west 78.09 feet to a point N701341.18, E1109217.98, thence running north 5 degrees 8 minutes 34.6 seconds east 180.14 feet to a point N701520.59, E1109234.13, thence running north 54 degrees 5 minutes 50.1 seconds east 112.57 feet to a point N701568.04, E1109299.66, thence running south 7 degrees 47 minutes 18.4 seconds west 292.58 feet to the point of origin; and the remaining area north of the channel realignment beginning at a point N700956.28, E1109310.91 thence running north 2 degrees 19 minutes 57.1 seconds east 305.49 feet west to a point N701261.52, E1109323.34 north 7 degrees 47 minutes 18.4 seconds east 328.11 feet to a point N701586.60, E1109367.81 thence running north 90 degrees 0 minutes 0 seconds east 7.81 feet to a point N701586.60, E1109375.62 thence running south 5 degrees 8 minutes 34.6 seconds west 626.29 feet to a point N700962.83, E1109319.47 thence south 52 degrees 35 minutes 36.5 seconds 10.79 feet to the point of origin.

(i) BURNHAM CANAL.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Milwaukee Harbor Project, Milwaukee, Wisconsin, known as the Burnham Canal, beginning at channel point #415a N381768.648, E2524554.836, a distance of about 170.58 feet, thence running south 53 degrees 43 minutes 41 seconds

west to channel point #417 N381667.728, E2524417.311, a distance of about 35.01 feet, thence running south 34 degrees 10 minutes 40 seconds west to channel point #501 N381638.761, E2524397.639 a distance of about 139.25 feet, thence running south 34 degrees 10 minutes 48 seconds west to channel point #503 N381523.557, E2524319.406 a distance of about 235.98 feet, thence running south 32 degrees 59 minutes 13 seconds west to channel point #505 N381325.615, E2524190.925 a distance of about 431.29 feet, thence running south 32 degrees 36 minutes 05 seconds west to channel point #509 N380962.276, E2523958.547, a distance of about 614.52 feet, thence running south 89 degrees 05 minutes 00 seconds west to channel point #511 N380952.445, E2523344.107, a distance of about 74.68 feet, thence running north 89 degrees 04 minutes 59 seconds west to channel point #512 N381027.13, E2523342.91, a distance of about 533.84 feet, thence running north 89 degrees 05 minutes 00 seconds east to channel point #510 N381035.67, E2523876.69, a distance of about 47.86 feet, thence running north 61 degrees 02 minutes 07 seconds east to channel point #508 N381058.84, E2523918.56, a distance of about 308.55 feet, thence running north 36 degrees 15 minutes 29 seconds east to channel point #506 N381307.65, E2524101.05, distance of about 199.98 feet, thence running north 32 degrees 59 minutes 12 seconds east to channel point #504 N381475.40, E2524209.93, a distance of about 195.14 feet, thence running north 26 degrees 17 minutes 22 seconds east to channel point #502 N381650.36, E2524296.66, a distance of about 81.82 feet, thence running north 88 degrees 51 minutes 05 seconds west to channel point #419 N381732.17, E2524294.72 a distance of about 262.65 feet, thence running north 82 degrees 01 minutes 02 seconds east to channel point # 415a the point of origin.

(j) WALNUT CREEK, CALIFORNIA.—Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for flood protection on Walnut Creek, California, constructed in accordance with the plan authorized by section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488) that consists of the culvert on the San Ramon Creek constructed by the Department of the Army in 1971 that extends from Sta 4+27 to Sta 14+27.

SEC. 3007. RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NEW JERSEY.

Title I of the Energy and Water Development Appropriations Act, 1998 (Public Law 105–62; 111 Stat. 1327) is amended by striking section 102.

SEC. 3008. RED RIVER BASIN, OKLAHOMA, TEXAS, ARKANSAS, LOUISIANA.

(a) IN GENERAL.—The Secretary is authorized to reassign unused irrigation storage within a reservoir on the Red River Basin to municipal and industrial water supply for use by a non-Federal interest if that non-Federal interest has already contracted for a share of municipal and industrial water supply on the same reservoir.

(b) NON-FEDERAL INTEREST.—A reassignment of storage under subsection (a) shall be contingent upon the execution of an agreement between the Secretary and the applicable non-Federal interest.

SEC. 3009. POINT JUDITH HARBOR OF REFUGE, RHODE ISLAND.

The project for the Harbor of Refuge at Point Judith, Narragansett, Rhode Island, adopted by the Act of September 19, 1890 (commonly known as the “River and Harbor Act of 1890”) (26 Stat. 426, chapter 907), House Document numbered 66, 51st Congress, 1st Session, and modified to include the west

shore arm breakwater under the first section of the Act of June 25, 1910 (commonly known as the "River and Harbor Act of 1910") (36 Stat. 632, chapter 382), is further modified to include shore protection and erosion control as project purposes.

SEC. 3010. LAND CONVEYANCE OF HAMMOND BOAT BASIN, WARRENTON, OREGON.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "City" means the city of Warrenton, located in Clatsop County, Oregon.

(2) MAP.—The term "map" means the map contained in Exhibit A of Department of the Army Lease No. DACW57-1-88-0033 (or a successor instrument).

(b) CONVEYANCE AUTHORITY.—Subject to the provisions of this section, the Secretary shall convey to the City by quitclaim deed, and without consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) DESCRIPTION OF LAND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the land referred to in subsection (b) is the parcel totaling approximately 59 acres located in the City, together with any improvements thereon, including the Hammond Marina (as described in the map).

(2) EXCLUSION.—The land referred to in subsection (b) shall not include the site provided for the fisheries research support facility of the National Marine Fisheries Service.

(3) AVAILABILITY OF MAP.—The map shall be on file in the Portland District Office of the Corps of Engineers.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—As a condition of the conveyance under subsection (b), the City shall agree in writing—

(A) that the City and any successor or assign of the City will release and indemnify the United States from any claims or liabilities that may arise from or through the operations of the land conveyed by the United States; and

(B) to pay any cost associated with the conveyance under subsection (b).

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may impose such additional terms, conditions, and requirements on the conveyance under subsection (b) as the Secretary considers appropriate to protect the interest of the United States, including the requirement that the City assume full responsibility for operating and maintaining the channel and the breakwater.

(e) REVERSION.—If the Secretary determines that the land conveyed under this section ceases to be owned by the public, all right, title, and interest in and to the land shall, at the discretion of the Secretary, revert to the United States.

(f) DEAUTHORIZATION.—After the land is conveyed under this section, the land shall no longer be a portion of the project for navigation, Hammond Small Boat Basin, Oregon, authorized by section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577).

SEC. 3011. METRO EAST FLOOD RISK MANAGEMENT PROGRAM, ILLINOIS.

(a) IN GENERAL.—The following projects shall constitute a program, to be known as the "Metro East Flood Risk Management Program, Illinois":

(1) Prairie du Pont Drainage and Levee District and Fish Lake Drainage and Levee District, Illinois, authorized by—

(A) section 5 of the Act of June 22, 1936 (33 U.S.C. 701h); and

(B) section 5070 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1220).

(2) East St. Louis, Illinois, authorized by—

(A) section 5 of the Act of June 22, 1936 (33 U.S.C. 701h); and

(B) Energy and Water Development Appropriation Act, 1988 (Public Law 100-202; 101 Stat. 1329-104).

(3) Wood River Drainage and Levee District, Illinois, authorized by—

(A) section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938 (52 Stat. 1218); and

(B) section 1001(20) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1053).

SEC. 3012. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

Section 109 of title I of division B of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A-221, 121 Stat. 1217) is amended—

(1) in subsection (a), by inserting "and unincorporated communities" after "municipalities"; and

(2) by redesignating subsection (f) as subsection (g); and

(3) by inserting after subsection (e) the following:

"(f) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to projects sponsored by—

"(1) the State of Florida;

"(2) Monroe County, Florida; and

"(3) incorporated communities in Monroe County, Florida."

SEC. 3013. DES MOINES RECREATIONAL RIVER AND GREENBELT, IOWA.

The boundaries for the project referred to as the Des Moines Recreational River and Greenbelt, Iowa under the heading "CORPS OF ENGINEERS—CIVIL" under the heading "DEPARTMENT OF THE ARMY" under the heading "DEPARTMENT OF DEFENSE—CIVIL" in chapter IV of title I of the Supplemental Appropriations Act, 1985 (Public Law 99-88, 99 Stat. 313) are revised to include the entirety of sections 19 and 29, situated in T89N, R28W.

SEC. 3014. LAND CONVEYANCE, CRANEY ISLAND DREDGED MATERIAL MANAGEMENT AREA, PORTSMOUTH, VIRGINIA.

(a) IN GENERAL.—Subject to the conditions described in this section, the Secretary may convey to the Commonwealth of Virginia, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to 2 parcels of land situated within the project for navigation, Craney Island Eastward Expansion, Norfolk Harbor and Channels, Hampton Roads, Virginia, authorized by section 1001(45) of the Water Resources Development Act of 2007 (Pub. L. 110-114; 121 Stat. 1057), together with any improvements thereon.

(b) LANDS TO BE CONVEYED.—

(1) IN GENERAL.—The 2 parcels of land to be conveyed under this section include a parcel consisting of approximately 307.82 acres of land and a parcel consisting of approximately 13.33 acres of land, both located along the eastern side of the Craney Island Dredged Material Management Area in Portsmouth, Virginia.

(2) USE.—The 2 parcels of land described in paragraph (1) may be used by the Commonwealth of Virginia exclusively for the purpose of port expansion, including the provision of road and rail access and the construction of a shipping container terminal.

(c) TERMS AND CONDITIONS.—Land conveyed under this section shall be subject to—

(1) a reversionary interest in the United States if the land—

(A) ceases to be held in public ownership; or

(B) is used for any purpose that is inconsistent with subsection (b); and

(2) such other terms, conditions, reservations, and restrictions that the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(d) LEGAL DESCRIPTION.—The exact acreage and legal description of land to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(e) CONVEYANCE COSTS.—The Commonwealth of Virginia shall be responsible for all costs associated with the conveyance authorized by this section, including the cost of the survey required under subsection (d) and other administrative costs.

SEC. 3015. LOS ANGELES COUNTY DRAINAGE AREA, CALIFORNIA.

The project for flood control, Los Angeles County Drainage Area, California, authorized by section 101(b) of the Water Resources Development Act of 1990 (Pub. L. 101-640; 104 Stat. 4611), as modified, is further modified to authorize the Secretary to include, as a part of the project, measures for flood risk reduction, ecosystem restoration, and recreation in the Compton Creek watershed.

SEC. 3016. OAKLAND INNER HARBOR TIDAL CANAL, CALIFORNIA.

Section 3182(b)(1) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1165) is amended—

(1) in subparagraph (A), by inserting ", or to a multicounty public entity that is eligible to hold title to real property" after "To the city of Oakland"; and

(2) by inserting "multicounty public entity or other" before "public entity".

SEC. 3017. REDESIGNATION OF LOWER MISSISSIPPI RIVER MUSEUM AND RIVERFRONT INTERPRETIVE SITE.

(a) IN GENERAL.—Section 103(c)(1) of the Water Resources Development Act of 1992 (106 Stat. 4811) is amended by striking "Lower Mississippi River Museum and Riverfront Interpretive Site" and inserting "Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the museum and interpretive site referred to in subsection (a) shall be deemed to be a reference to the "Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site".

SEC. 3018. LOUISIANA COASTAL AREA.

(a) INTERIM ADOPTION OF COMPREHENSIVE COASTAL MASTER PLAN.—

(1) IN GENERAL.—Section 7002 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1270) is amended—

(A) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively;

(B) by inserting after subsection (c) the following:

"(d) INTERIM ADOPTION OF COMPREHENSIVE MASTER PLAN.—Prior to completion of the comprehensive plan described under subsection (a), the Secretary shall adopt the plan of the State of Louisiana entitled 'Louisiana's Comprehensive Master Plan for a Sustainable Coast' in effect on the date of enactment of the Water Resources Development Act of 2013 (and subsequent plans), authorized and defined pursuant to Act 8 of the First Extraordinary Session of the Louisiana State Legislature, 2005, for protecting, preserving, and restoring the coastal Louisiana ecosystem until implementation of the comprehensive plan is complete."; and

(C) in subsection (g)(1) (as so redesignated), by striking "1 year" and inserting "10 years".

(2) CONFORMING AMENDMENT.—Subsection (f) (as so redesignated) is amended by striking “subsection (d)(1)” and inserting “subsection (e)(1)”.

(b) Section 7006 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1274) is amended—

(1) in subsection (a)(2)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) to examine a system-wide approach to coastal sustainability, including—

“(i) flood and storm damage protection;

“(ii) coastal restoration; and

“(iii) the elevation of public and private infrastructure;”;

(2) in subsection (c)(1)(E), by striking “at Myrtle Grove” and inserting “in the vicinity of Myrtle Grove”.

(c) EFFECT.—

(1) IN GENERAL.—Nothing in this section or an amendment made by this section authorizes the construction of a project or program associated with a storm surge barrier across the Lake Pontchartrain land bridge (including Chef Menteur Pass and the Rigolets) that would result in unmitigated induced flooding in coastal communities within the State of Mississippi.

(2) REQUIRED CONSULTATION.—Any study to advance a project described in paragraph (1) that is conducted using funds from the General Investigations Account of the Corps of Engineers shall include consultation and approval of the Governors of the States of Louisiana and Mississippi.

SEC. 3019. FOUR MILE RUN, CITY OF ALEXANDRIA AND ARLINGTON COUNTY, VIRGINIA.

Section 84(a)(1) of the Water Resources Development Act of 1974 (Public Law 93-251; 88 Stat. 35) is amended by striking “twenty-seven thousand cubic feet per second” and inserting “18,000 cubic feet per second”.

SEC. 3020. EAST FORK OF TRINITY RIVER, TEXAS.

The portion of the project for flood protection on the East Fork of the Trinity River, Texas, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1185), that consists of the 2 levees identified as “Kaufman County Levees K5E and K5W” shall no longer be authorized as a part of the Federal project as of the date of enactment of this Act.

SEC. 3021. SEWARD WATERFRONT, SEWARD, ALASKA.

(a) IN GENERAL.—The parcel of land included in the Seward Harbor, Alaska navigation project identified as Tract H, Seward Original Townsite, Waterfront Park Replat, Plat No 2012-4, Seward Recording District, shall not be subject to the navigation servitude (as of the date of enactment of this Act).

(b) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter upon any portion of the land referred to in subsection (a) to carry out any required operation and maintenance of the general navigation features of the project.

TITLE IV—WATER RESOURCE STUDIES

SEC. 4001. PURPOSE.

The purpose of this title is to authorize the Secretary to study and recommend solutions for water resource issues relating to flood risk and storm damage reduction, navigation, and aquatic ecosystem restoration.

SEC. 4002. INITIATION OF NEW WATER RESOURCES STUDIES.

(a) IN GENERAL.—Subject to subsections (b), (c), and (d), the Secretary may initiate a study—

(1) to determine the feasibility of carrying out 1 or more projects for flood risk management, storm damage reduction, aquatic ecosystem restoration, navigation, hydropower, or related purposes; or

(2) to carry out watershed and river basin assessments in accordance with section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a).

(b) CRITERIA.—The Secretary may only initiate a study under subsection (a) if—

(1) the study—

(A) has been requested by an eligible non-Federal interest;

(B) is for an area that is likely to include a project with a Federal interest; and

(C) addresses a high-priority water resource issue necessary for the protection of human life and property, the environment, or the national security interests of the United States; and

(2) the non-Federal interest has demonstrated—

(A) that local support exists for addressing the water resource issue; and

(B) the financial ability to provide the required non-Federal cost-share.

(c) CONGRESSIONAL APPROVAL.—

(1) SUBMISSION TO CONGRESS.—Prior to initiating a study under subsection (a), the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House—

(A) a description of the study, including the geographical area addressed by the study;

(B) a description of how the study meets each of the requirements of subsection (b); and

(C) a certification that the proposed study can be completed within 3 years and for a Federal cost of not more than \$3,000,000.

(2) EXPENDITURE OF FUNDS.—No funds may be spent on a study initiated under subsection (a) unless—

(A) the required information is submitted to Congress under paragraph (1); and

(B) after such submission, amounts are appropriated to initiate the study in an appropriations or other Act.

(3) ADDITIONAL NOTIFICATION.—The Secretary shall notify each Senator or Member of Congress with a State or congressional district in the study area described in paragraph (1)(A).

(d) LIMITATIONS.—

(1) IN GENERAL.—Subsection (a) shall not apply to a project for which a study has been authorized prior to the date of enactment of this Act.

(2) NEW STUDIES.—In each fiscal year, the Secretary may initiate not more than—

(A) 3 new studies in each of the primary mission areas of the Corps of Engineers; and

(B) 3 new studies from any 1 division of the Corps of Engineers.

(e) TERMINATION.—The authority under subsection (a) expires on the date that is 3 years after the date of enactment of this Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for each of fiscal years 2014 through 2017.

SEC. 4003. APPLICABILITY.

(a) IN GENERAL.—Nothing in this title authorizes the construction of a water resources project.

(b) NEW AUTHORIZATION REQUIRED.—New authorization from Congress is required before any project evaluated in a study under this title is constructed.

TITLE V—REGIONAL AND NONPROJECT PROVISIONS

SEC. 5001. PURPOSE.

The purpose of this title is to authorize regional, multistate authorities to address water resource needs and other non-project provisions.

SEC. 5002. NORTHEAST COASTAL REGION ECOSYSTEM RESTORATION.

(a) IN GENERAL.—The Secretary shall plan, design, and construct projects for aquatic ecosystem restoration within the coastal waters of the Northeastern United States from the State of Virginia to the State of Maine, including associated bays, estuaries, and critical riverine areas.

(b) GENERAL COASTAL MANAGEMENT PLAN.—

(1) ASSESSMENT.—The Secretary, in coordination with the Administrator of the Environmental Protection Agency, the heads of other appropriate Federal agencies, the Governors of the coastal States from Virginia to Maine, nonprofit organizations, and other interested parties, shall assess the needs regarding, and opportunities for, aquatic ecosystem restoration within the coastal waters of the Northeastern United States.

(2) PLAN.—The Secretary shall develop a general coastal management plan based on the assessment carried out under paragraph (1), maximizing the use of existing plans and investigation, which plan shall include—

(A) an inventory and evaluation of coastal habitats;

(B) identification of aquatic resources in need of improvement;

(C) identification and prioritization of potential aquatic habitat restoration projects; and

(D) identification of geographical and ecological areas of concern, including—

(i) finfish habitats;

(ii) diadromous fisheries migratory corridors;

(iii) shellfish habitats;

(iv) submerged aquatic vegetation;

(v) wetland; and

(vi) beach dune complexes and other similar habitats.

(c) ELIGIBLE PROJECTS.—The Secretary may carry out an aquatic ecosystem restoration project under this section if the project—

(1) is consistent with the management plan developed under subsection (b); and

(2) provides for—

(A) the restoration of degraded aquatic habitat (including coastal, saltmarsh, benthic, and riverine habitat);

(B) the restoration of geographical or ecological areas of concern, including the restoration of natural river and stream characteristics;

(C) the improvement of water quality; or

(D) other projects or activities determined to be appropriate by the Secretary.

(d) COST SHARING.—

(1) MANAGEMENT PLAN.—The management plan developed under subsection (b) shall be completed at Federal expense.

(2) RESTORATION PROJECTS.—The non-Federal share of the cost of a project carried out under this section shall be 35 percent.

(e) COST LIMITATION.—Not more than \$10,000,000 in Federal funds may be allocated under this section for an eligible project.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section (including funds for the completion of the management plan) \$25,000,000 for each of fiscal years 2014 through 2023.

SEC. 5003. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

Section 510 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3759; 121 Stat. 1202) is amended—

(1) in subsection (a)—
(A) in paragraph (1)—
(i) by striking “pilot program” and inserting “program”; and

(ii) by inserting “in the basin States described in subsection (f) and the District of Columbia” after “interests”; and

(B) by striking paragraph (2) and inserting the following:

“(2) FORM.—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chesapeake Bay estuary, based on the comprehensive plan under subsection (b), including projects for—

“(A) sediment and erosion control;
“(B) protection of eroding shorelines;
“(C) ecosystem restoration, including restoration of submerged aquatic vegetation;
“(D) protection of essential public works;
“(E) beneficial uses of dredged material; and
“(F) other related projects that may enhance the living resources of the estuary.”;

(2) by striking subsection (b) and inserting the following:

“(b) COMPREHENSIVE PLAN.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2013, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chesapeake Bay restoration plan to guide the implementation of projects under subsection (a)(2).

“(2) COORDINATION.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

“(3) PRIORITIZATION.—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will also improve water quality or quantity or use natural hydrological features and systems.

“(4) ADMINISTRATION.—The Federal share of the costs of carrying out paragraph (1) shall be 75 percent.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “to provide” and all that follows through the period at the end and inserting “for the design and construction of a project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b).”;

(B) in paragraph (2)(A), by striking “facilities or resource protection and development plan” and inserting “resource protection and restoration plan”; and

(C) by adding at the end the following:

“(3) PROJECTS ON FEDERAL LAND.—A project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b) that is located on Federal land shall be carried out at the expense of the Federal agency that owns the land on which the project will be a carried out.

“(4) NON-FEDERAL CONTRIBUTIONS.—A Federal agency carrying out a project described in paragraph (3) may accept contributions of funds from non-Federal entities to carry out that project.”;

(4) by striking subsection (e) and inserting the following:

“(e) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

“(1) the heads of appropriate Federal agencies, including—

“(A) the Administrator of the Environmental Protection Agency;

“(B) the Secretary of Commerce, acting through the Administrator of the National Oceanographic and Atmospheric Administration;

“(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

“(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

“(2) agencies of a State or political subdivision of a State, including the Chesapeake Bay Commission.”;

(5) by striking subsection (f) and inserting the following:

“(f) PROJECTS.—The Secretary shall establish, to the maximum extent practicable, at least 1 project under this section in—

“(1) regions within the Chesapeake Bay watershed of each of the basin States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia; and
“(2) the District of Columbia.”;

(6) by striking subsection (h); and

(7) by redesignating subsection (i) as subsection (h).

SEC. 5004. RIO GRANDE ENVIRONMENTAL MANAGEMENT PROGRAM, COLORADO, NEW MEXICO, TEXAS.

Section 5056 of the Water Resources Development Act of 2007 (121 Stat. 1213) is amended—

(1) in subsection (b)(2)—

(A) in the matter preceding subparagraph (A), by striking “2008” and inserting “2014”; and

(B) in subparagraph (C), by inserting “and an assessment of needs for other related purposes in the Rio Grande Basin, including flood damage reduction” after “assessment”;

(2) in subsection (c)(2)—

(A) by striking “an interagency agreement with” and inserting “1 or more interagency agreements with the Secretary of State and”; and

(B) by inserting “or the U.S. Section of the International Boundary and Water Commission” after “the Department of the Interior”; and

(3) in subsection (f), by striking “2011” and inserting “2024”.

SEC. 5005. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ECOSYSTEM RESTORATION, OREGON AND WASHINGTON.

Section 536(g) of the Water Resources Development Act of 2000 (114 Stat. 2661) is amended by striking “\$30,000,000” and inserting “\$75,000,000”.

SEC. 5006. ARKANSAS RIVER, ARKANSAS AND OKLAHOMA.

(a) PROJECT GOAL.—The goal for operation of the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma, shall be to maximize the use of the system in a balanced approach that incorporates advice from representatives from all project purposes to ensure that the full value of the system is realized by the United States.

(b) MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM ADVISORY COMMITTEE.—

(1) IN GENERAL.—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Secretary shall establish an advisory committee for the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma, project authorized by the Act of July 24, 1946 (60 Stat. 635, chapter 595).

(2) DUTIES.—The advisory committee shall—

(A) serve in an advisory capacity only; and

(B) provide information and recommendations to the Corps of Engineers relating to the efficiency, reliability, and availability of the operations of the McClellan-Kerr Arkansas River navigation system.

(3) SELECTION AND COMPOSITION.—The advisory committee shall be—

(A) selected jointly by the Little Rock district engineer and the Tulsa district engineer; and

(B) composed of members that equally represent the McClellan-Kerr Arkansas River navigation system project purposes.

(4) AGENCY RESOURCES.—The Little Rock district and the Tulsa district of the Corps of Engineers, under the supervision of the southwestern division, shall jointly provide the advisory committee with adequate staff assistance, facilities, and resources.

(5) TERMINATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the advisory committee shall terminate on the date on which the Secretary submits a report to Congress demonstrating increases in the efficiency, reliability, and availability of the McClellan-Kerr Arkansas River navigation system.

(B) RESTRICTION.—The advisory committee shall terminate not less than 2 calendar years after the date on which the advisory committee is established.

SEC. 5007. AQUATIC INVASIVE SPECIES PREVENTION AND MANAGEMENT; COLUMBIA RIVER BASIN.

(a) IN GENERAL.—The Secretary may establish a program to prevent and manage aquatic invasive species in the Columbia River Basin in the States of Idaho, Montana, Oregon, and Washington.

(b) WATERCRAFT INSPECTION STATIONS.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall establish watercraft inspection stations in the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington at locations, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species into reservoirs operated and maintained by the Secretary.

(2) INCLUSIONS.—Locations identified under paragraph (1) may include—

(A) State border crossings;

(B) international border crossings; and

(C) highway entry points that are used by owners of watercraft to access boat launch facilities owned or managed by the Secretary.

(3) COST-SHARE.—The non-Federal share of the cost of operating and maintaining watercraft inspection stations described in paragraph (1) (including personnel costs) shall be 50 percent.

(4) OTHER INSPECTION SITES.—The Secretary may establish watercraft inspection stations using amounts made available to carry out this section in States other than those described in paragraph (1) at or near boat launch facilities that the Secretary determines are regularly used by watercraft to enter the States described in paragraph (1).

(c) MONITORING AND CONTINGENCY PLANNING.—The Secretary shall—

(1) carry out risk assessments of each major public and private water resources facility in the Columbia River Basin;

(2) establish an aquatic invasive species monitoring program in the Columbia River Basin;

(3) establish a Columbia River Basin watershed-wide plan for expedited response to an infestation of aquatic invasive species; and

(4) monitor water quality, including sediment cores and fish tissue samples, at facilities owned or managed by the Secretary in the Columbia River Basin.

(d) **COORDINATION.**—In carrying out this section, the Secretary shall consult and coordinate with—

- (1) the States described in subsection (a);
- (2) Indian tribes; and
- (3) other Federal agencies, including—
 - (A) the Department of Agriculture;
 - (B) the Department of Energy;
 - (C) the Department of Homeland Security;
 - (D) the Department of Commerce; and
 - (E) the Department of the Interior.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$30,000,000, of which \$5,000,000 may be used to carry out subsection (c).

SEC. 5008. UPPER MISSOURI BASIN FLOOD AND DROUGHT MONITORING.

(a) **IN GENERAL.**—The Secretary, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of the Bureau of Reclamation, shall establish a program to provide for—

(1) soil moisture and snowpack monitoring in the Upper Missouri River Basin to reduce flood risk and improve river and water resource management in the Upper Missouri River Basin, as outlined in the February 2013 report entitled “Upper Missouri Basin Monitoring Committee—Snow Sampling and Instrumentation Recommendations”;

(2) restoring and maintaining existing mid- and high-elevation snowpack monitoring sites operated under the SNOTEL program of the Natural Resources Conservation Service; and

(3) operating streamflow gages and related interpretive studies in the Upper Missouri River Basin under the cooperative water program and the national streamflow information program of the United States Geological Service.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$11,250,000.

(c) **USE OF FUNDS.**—Amounts made available to the Secretary under this section shall be used to complement other related activities of Federal agencies that are carried out within the Missouri River Basin.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) identifies progress made by the Secretary and other Federal agencies to implement the recommendations contained in the report described in subsection (a)(1) with respect to enhancing soil moisture and snowpack monitoring in the Upper Missouri Basin; and

(2) includes recommendations to enhance soil moisture and snowpack monitoring in the Upper Missouri Basin.

SEC. 5009. UPPER MISSOURI BASIN SHORELINE EROSION PREVENTION.

(a) **IN GENERAL.**—

(1) **AUTHORIZATION OF ASSISTANCE.**—The Secretary may provide planning, design, and construction assistance to not more than 3 federally-recognized Indian tribes in the Upper Missouri River Basin to undertake

measures to address shoreline erosion that is jeopardizing existing infrastructure resulting from operation of a reservoir constructed under the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665)).

(2) **LIMITATION.**—The projects described in paragraph (1) shall be economically justified, technically feasible, and environmentally acceptable.

(b) **FEDERAL AND NON-FEDERAL COST SHARE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Federal share of the costs of carrying out this section shall be not less than 75 percent.

(2) **ABILITY TO PAY.**—The Secretary may adjust the Federal and non-Federal shares of the costs of carrying out this section in accordance with the terms and conditions of section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)).

(c) **CONDITIONS.**—The Secretary may provide the assistance described in subsection (a) only after—

(1) consultation with the Department of the Interior; and

(2) execution by the Indian tribe of a memorandum of agreement with the Secretary that specifies that the tribe shall—

(A) be responsible for—

(i) all operation and maintenance activities required to ensure the integrity of the measures taken; and

(ii) providing any required real estate interests in and to the property on which such measures are to be taken; and

(B) hold and save the United States free from damages arising from planning, design, or construction assistance provided under this section, except for damages due to the fault or negligence of the United States or its contractors.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—For each Indian tribe eligible under this section, there is authorized to be appropriated to carry out this section not more than \$30,000,000.

SEC. 5010. NORTHERN ROCKIES HEADWATERS EXTREME WEATHER MITIGATION.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall establish a program to mitigate the impacts of extreme weather events, such as floods and droughts, on communities, water users, and fish and wildlife located in and along the headwaters of the Columbia, Missouri, and Yellowstone Rivers (including the tributaries of those rivers) in the States of Idaho and Montana by carrying out river, stream, and floodplain protection and restoration projects, including—

(1) floodplain restoration and reconnection;

(2) floodplain and riparian area protection through the use of conservation easements;

(3) instream flow restoration projects;

(4) fish passage improvements;

(5) channel migration zone mapping; and

(6) invasive weed management.

(b) **RESTRICTION.**—All projects carried out using amounts made available to carry out this section shall emphasize the protection and enhancement of natural riverine processes.

(c) **NON-FEDERAL COST SHARE.**—The non-Federal share of the costs of carrying out a project under this section shall not exceed 35 percent of the total cost of the project.

(d) **COORDINATION.**—In carrying out this section, the Secretary—

(1) shall consult and coordinate with the appropriate State natural resource agency in each State; and

(2) may—

(A) delegate any authority or responsibility of the Secretary under this section to those State natural resource agencies; and

(B) provide amounts made available to the Secretary to carry out this section to those State natural resource agencies.

(e) **LIMITATIONS.**—Nothing in this section invalidates, preempts, or creates any exception to State water law, State water rights, or Federal or State permitted activities or agreements in the States of Idaho and Montana or any State containing tributaries to rivers in those States.

(f) **EFFECT OF SECTION.**—

(1) **IN GENERAL.**—Nothing in this section replaces or provides a substitute for the authority to carry out projects under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(2) **FUNDING.**—The amounts made available to carry out this section shall be used to carry out projects that are not otherwise carried out under section 3110 of the Water Resources Development Act of 2007 (121 Stat. 1135).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$30,000,000.

SEC. 5011. AQUATIC NUISANCE SPECIES PREVENTION, GREAT LAKES AND MISSISSIPPI RIVER BASIN.

(a) **IN GENERAL.**—The Secretary is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with any modifications or any emergency measures that the Secretary determines to be appropriate to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

(b) **REPORTS.**—The Secretary shall report to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives any emergency actions taken pursuant to this section.

SEC. 5012. MIDDLE MISSISSIPPI RIVER PILOT PROGRAM.

(a) **IN GENERAL.**—In accordance with the project for navigation, Mississippi River between the Ohio and Missouri Rivers (Regulating Works), Missouri and Illinois, authorized by the Act of June 25, 1910 (36 Stat. 631, chapter 382) (commonly known as the “River and Harbor Act of 1910”), the Act of January 1, 1927 (44 Stat. 1010, chapter 47) (commonly known as the “River and Harbor Act of 1927”), and the Act of July 3, 1930 (46 Stat. 918, chapter 847), the Secretary shall carry out a pilot program to restore and protect fish and wildlife habitat in the middle Mississippi River.

(b) **AUTHORIZED ACTIVITIES.**—As part of the pilot program carried out under subsection (a), the Secretary may carry out any activity along the Middle Mississippi River that is necessary to improve navigation through the project while restoring and protecting fish and wildlife habitat in the middle Mississippi River if the Secretary determines that the activity is feasible.

(c) **COST-SHARING REQUIREMENT.**—

(1) **IN GENERAL.**—The maximum Federal share of the cost of carrying out a project under this section shall be 65 percent.

(2) **AMOUNT EXPENDED PER PROJECT.**—The Federal share described in paragraph (1) shall not exceed \$10,000,000 for each project.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2023.

SEC. 5013. IDAHO, MONTANA, RURAL NEVADA, NEW MEXICO, RURAL UTAH, AND WYOMING.

Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 383) is amended—

(1) by striking subsection (c) and inserting the following:

“(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of—

“(1) design and construction assistance for water-related environmental infrastructure and resource protection and development in Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming, including projects for—

“(A) wastewater treatment and related facilities;

“(B) water supply and related facilities;

“(C) environmental restoration; and

“(D) surface water resource protection and development; and

“(2) technical assistance to small and rural communities for water planning and issues relating to access to water resources.”; and

(2) by striking subsection (h) and inserting the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2001 \$450,000,000, which shall—

“(1) be made available to the States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities; and

“(2) remain available until expended.”.

SEC. 5014. CHESAPEAKE BAY OYSTER RESTORATION IN VIRGINIA AND MARYLAND.

Section 704(b) of Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) in paragraph (1), by striking “\$50,000,000” and inserting “\$70,000,000”; and

(2) by striking subparagraph (B) of paragraph (4) and inserting the following:

“(B) FORM.—The non-Federal share may be provided through in-kind services, including—

“(i) the provision by the non-Federal interest of shell stock material that is determined by the Secretary to be suitable for use in carrying out the project; and

“(ii) in the case of a project carried out under paragraph (2)(D) after the date of enactment of this clause, land conservation or restoration efforts undertaken by the non-Federal interest that the Secretary determines provide water quality benefits that—

“(I) enhance the viability of oyster restoration efforts; and

“(II) are integral to the project.”.

SEC. 5015. MISSOURI RIVER BETWEEN FORT PECK DAM, MONTANA AND GAVINS POINT DAM, SOUTH DAKOTA AND NEBRASKA.

Section 9(f) of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665; 102 Stat. 4031) is amended by striking “\$3,000,000” and inserting “\$5,000,000”.

SEC. 5016. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) SHALLOW DRAFT.—The term “shallow draft” means a project that has a depth less than 14 feet.

(2) INLAND MISSISSIPPI RIVER.—The term “inland Mississippi River” means the por-

tion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(b) IN GENERAL.—The Secretary, acting through the Chief of Engineers, shall carry out dredging activities on shallow draft ports located on the Inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 5017. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by inserting “or Alaska” after “Hawaii”; and

(B) in paragraph (2)—

(i) by striking “community” and inserting “region”; and

(ii) by inserting “, as determined by the Secretary based on information provided by the non-Federal interest” after “improvement”; and

(2) by adding at the end the following:

“(c) PRIORITIZATION.—Projects recommended by the Secretary under subsection (a) shall be given equivalent budget consideration and priority as projects recommended solely by national economic development benefits.

“(d) CONSTRUCTION.—

“(1) IN GENERAL.—The Secretary may plan, design, or construct projects for navigation in the noncontiguous States and territories of the United States if the Secretary finds that the project is—

“(A) technically feasible;

“(B) environmentally sound; and

“(C) economically justified.

“(2) SPECIAL RULE.—In evaluating and implementing a project under this section, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with the criteria established for flood control projects in section 903(c) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4184) if the detailed project report evaluation indicates that applying that section is necessary to implement the project.

“(3) COST.—The Federal share of the cost of carrying out a project under this section shall not exceed \$10,000,000.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects initiated by the Secretary under this subsection \$100,000,000 for fiscal years 2014 through 2023.”.

SEC. 5018. MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI RIVER AND OHIO RIVER BASINS AND TRIBUTARIES.

(a) MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI AND OHIO RIVER BASINS AND TRIBUTARIES.—

(1) IN GENERAL.—The Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, the Director of the National Park Service, and the Director of the United States Geological Survey, shall lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing high-level technical assistance, coordination, best practices, and support to State and local governments in carrying out activities designed to slow, and

eventually eliminate, the threat posed by Asian carp.

(2) BEST PRACTICES.—To the maximum extent practicable, the multiagency effort shall apply lessons learned and best practices such as those described in the document prepared by the Asian Carp Working Group entitled “Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States”, and dated November 2007, and the document prepared by the Asian Carp Regional Coordinating Committee entitled “FY 2012 Asian Carp Control Strategy Framework” and dated February 2012.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than December 31 of each year, the Director of the United States Fish and Wildlife Service, in coordination with the Chief of Engineers, shall submit to the Committee on Appropriations and the Committee on Natural Resources of the House of Representatives and the Committee on Appropriations and the Committee on Environmental and Public Works of the Senate a report describing the coordinated strategies established and progress made toward goals to control and eliminate Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) any observed changes in the range of Asian carp in the Upper Mississippi and Ohio River basins and tributaries during the 2-year period preceding submission of the report;

(B) a summary of Federal agency efforts, including cooperative efforts with non-Federal partners, to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(C) any research that the Director determines could improve the ability to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(D) any quantitative measures that Director intends to use to document progress in controlling the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries; and

(E) a cross-cut accounting of Federal and non-Federal expenditures to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

SEC. 5019. RELEASE OF USE RESTRICTIONS.

Notwithstanding any other provision of law, the Tennessee Valley Authority shall, without monetary consideration, grant releases from real estate restrictions established pursuant to section 4(k)(b) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)(b)) with respect to tracts of land identified in section 4(k)(b) of that Act; provided that such releases shall be granted in a manner consistent with applicable TVA policies.

SEC. 5020. RIGHTS AND RESPONSIBILITIES OF CHEROKEE NATION OF OKLAHOMA REGARDING W.D. MAYO LOCK AND DAM, OKLAHOMA.

Section 1117 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4236) is amended to read as follows:

“SEC. 1117. W.D. MAYO LOCK AND DAM, OKLAHOMA.

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Cherokee Nation of Oklahoma has authorization—

“(1) to design and construct 1 or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River

in the State of Oklahoma, subject to the requirements of subsection (b) and in accordance with the conditions specified in this section; and

“(2) to market the electricity generated from any such hydroelectric generating facility.

“(b) PRECONSTRUCTION REQUIREMENTS.—

“(1) IN GENERAL.—The Cherokee Nation shall obtain any permit required by Federal or State law before the date on which construction begins on any hydroelectric generating facility under subsection (a).

“(2) REVIEW BY SECRETARY.—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

“(c) PAYMENT OF DESIGN AND CONSTRUCTION COSTS.—

“(1) IN GENERAL.—The Cherokee Nation shall—

“(A) bear all costs associated with the design and construction of any hydroelectric generating facility under subsection (a); and

“(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities relating to the design and construction of the hydroelectric generating facility.

“(2) USE BY SECRETARY.—The Secretary may—

“(A) accept funds offered by the Cherokee Nation under paragraph (1); and

“(B) use the funds to carry out the design and construction of any hydroelectric generating facility under subsection (a).

“(d) ASSUMPTION OF LIABILITY.—The Cherokee Nation—

“(1) shall hold all title to any hydroelectric generating facility constructed under this section;

“(2) may, subject to the approval of the Secretary, assign that title to a third party;

“(3) shall be solely responsible for—

“(A) the operation, maintenance, repair, replacement, and rehabilitation of any such facility; and

“(B) the marketing of the electricity generated by any such facility; and

“(4) shall release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

“(e) ASSISTANCE AVAILABLE.—Notwithstanding any other provision of law, the Secretary may provide any technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of any hydroelectric generating facility under subsection (a).

“(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines to be necessary to carry out this section.”

SEC. 5021. UPPER MISSISSIPPI RIVER PROTECTION.

(a) DEFINITION OF UPPER ST. ANTHONY FALLS LOCK AND DAM.—In this section, the term “Upper St. Anthony Falls Lock and Dam” means the lock and dam located on Mississippi River mile 853.9 in Minneapolis, Minnesota.

(b) ECONOMIC IMPACT STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report regarding the impact of closing the Upper St. Anthony Falls Lock and Dam on the economic and environmental well-being of the State of Minnesota.

(c) MANDATORY CLOSURE.—Notwithstanding subsection (b) and not later than 1

year after the date of enactment of this Act, the Secretary shall close the Upper St. Anthony Falls Lock and Dam if the Secretary determines that the annual average tonnage moving through the Upper St. Anthony Falls Lock and Dam for the preceding 5 years is not more than 1,500,000 tons.

(d) EMERGENCY OPERATIONS.—Nothing in this section prevents the Secretary from carrying out emergency lock operations necessary to mitigate flood damage.

SEC. 5022. ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.

(a) IN GENERAL.—The Secretary may provide technical assistance, including planning, design, and construction assistance, to non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), for the development, construction, operation, and maintenance of channels, harbors, and related infrastructure associated with deep draft ports for purposes of dealing with Arctic development and security needs.

(b) ACCEPTANCE OF FUNDS.—The Secretary is authorized to accept and expend funds provided by non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), to carry out the activities described in subsection (a).

(c) LIMITATION.—No assistance may be provided under this section until after the date on which the entity to which that assistance is to be provided enters into a written agreement with the Secretary that includes such terms and conditions as the Secretary determines to be appropriate and in the public interest.

(d) PRIORITIZATION.—The Secretary shall prioritize Arctic deep draft ports identified by the Army Corps, the Department of Homeland Security and the Department of Defense.

SEC. 5023. GREATER MISSISSIPPI RIVER BASIN SEVERE FLOODING AND DROUGHT MANAGEMENT STUDY.

(a) DEFINITIONS.—In this section:

(1) GREATER MISSISSIPPI RIVER BASIN.—The term “greater Mississippi River Basin” means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(2) LOWER MISSISSIPPI RIVER.—The term “lower Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico.

(3) MIDDLE MISSISSIPPI RIVER.—The term “middle Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Missouri River and flows to the lower Mississippi River.

(4) SEVERE FLOODING AND DROUGHT.—The term “severe flooding and drought” means severe weather events that threaten personal safety, property, and navigation on the inland waterways of the United States.

(b) IN GENERAL.—The Secretary shall carry out a study of the greater Mississippi River Basin—

(1) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to severe flooding and drought conditions; and

(2) to evaluate the feasibility of any modifications to those water resource projects, consistent with the authorized purposes of those projects, and develop new water resource projects to improve the reliability of

navigation and more effectively reduce flood risk.

(c) CONTENTS.—The study shall—

(1) identify any Federal actions that are likely to prevent and mitigate the impacts of severe flooding and drought, including changes to authorized channel dimensions, operational procedures of locks and dams, and reservoir management within the greater Mississippi River Basin, consistent with the authorized purposes of the water resource projects;

(2) identify and make recommendations to remedy challenges to the Corps of Engineers presented by severe flooding and drought, including river access, in carrying out its mission to maintain safe, reliable navigation, consistent with the authorized purposes of the water resource projects in the greater Mississippi River Basin; and

(3) identify and locate natural or other physical impediments along the middle and lower Mississippi River to maintaining navigation on the middle and lower Mississippi River during periods of low water.

(d) CONSULTATION AND USE OF EXISTING DATA.—In carrying out the study, the Secretary shall—

(1) consult with appropriate committees of Congress, Federal, State, tribal, and local agencies, environmental interests, agricultural interests, recreational interests, river navigation industry representatives, other shipping and business interests, organized labor, and nongovernmental organizations;

(2) to the maximum extent practicable, use data in existence as of the date of enactment of this Act; and

(3) incorporate lessons learned and best practices developed as a result of past severe flooding and drought events, including major floods and the successful effort to maintain navigation during the near historic low water levels on the Mississippi River during the winter of 2012-2013.

(e) COST-SHARING.—The Federal share of the cost of carrying out the study under this section shall be 100 percent.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under this section.

(g) SAVINGS CLAUSE.—Nothing in this section impacts the operations and maintenance of the Missouri River Mainstem System, as authorized by the Act of December 22, 1944 (58 Stat. 897, chapter 665).

SEC. 5024. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) IN GENERAL.—The Secretary, in concurrence with the Administrator of the Environmental Protection Agency, is authorized to reopen the Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) (referred to in this section as the “Site”).

(b) DEADLINE.—The Site may remain open under subsection (a) until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(c) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

TITLE VI—LEEVE SAFETY

SEC. 6001. SHORT TITLE.

This title may be cited as the “National Levee Safety Program Act”.

SEC. 6002. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) there is a need to establish a national levee safety program to provide national leadership and encourage the establishment of State and tribal levee safety programs;

(2) according to the National Committee on Levee Safety, “the level of protection and robustness of design and construction of levees vary considerably across the country”;

(3) knowing the location, condition, and ownership of levees, as well as understanding the population and infrastructure at risk in leveed areas, is necessary for identification and prioritization of activities associated with levees;

(4) levees are an important tool for reducing flood risk and should be considered in the context of broader flood risk management efforts;

(5) States and Indian tribes—

(A) are uniquely positioned to oversee, coordinate, and regulate local and regional levee systems; and

(B) should be encouraged to participate in a national levee safety program by establishing individual levee safety programs; and

(6) States, Indian tribes, and local governments that do not invest in protecting the individuals and property located behind levees place those individuals and property at risk.

(b) PURPOSES.—The purposes of this title are—

(1) to promote sound technical practices in levee design, construction, operation, inspection, assessment, security, and maintenance;

(2) to ensure effective public education and awareness of risks involving levees;

(3) to establish and maintain a national levee safety program that emphasizes the protection of human life and property; and

(4) to implement solutions and incentives that encourage the establishment of effective State and tribal levee safety programs.

SEC. 6003. DEFINITIONS.

In this title:

(1) BOARD.—The term “Board” means the National Levee Safety Advisory Board established under section 6005.

(2) CANAL STRUCTURE.—

(A) IN GENERAL.—The term “canal structure” means an embankment, wall, or structure along a canal or manmade watercourse that—

(i) constrains water flows;

(ii) is subject to frequent water loading; and

(iii) is an integral part of a flood risk reduction system that protects the leveed area from flood waters associated with hurricanes, precipitation events, seasonal high water, and other weather-related events.

(B) EXCLUSION.—The term “canal structure” does not include a barrier across a watercourse.

(3) FEDERAL AGENCY.—The term “Federal agency” means a Federal agency that designs, finances, constructs, owns, operates, maintains, or regulates the construction, operation, or maintenance of a levee.

(4) FLOOD DAMAGE REDUCTION SYSTEM.—The term “flood damage reduction system” means a system designed and constructed to have appreciable and dependable effects in reducing damage by floodwaters.

(5) FLOOD MITIGATION.—The term “flood mitigation” means any structural or non-structural measure that reduces risks of flood damage by reducing the probability of flooding, the consequences of flooding, or both.

(6) FLOODPLAIN MANAGEMENT.—The term “floodplain management” means the operation of a community program of corrective and preventative measures for reducing flood damage.

(7) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) LEEVE.—

(A) IN GENERAL.—The term “levee” means a manmade barrier (such as an embankment, floodwall, or other structure)—

(i) the primary purpose of which is to provide hurricane, storm, or flood protection relating to seasonal high water, storm surges, precipitation, or other weather events; and

(ii) that is normally subject to water loading for only a few days or weeks during a calendar year.

(B) INCLUSIONS.—The term “levee” includes a levee system, including—

(i) levees and canal structures that—

(I) constrain water flows;

(II) are subject to more frequent water loading; and

(iii) do not constitute a barrier across a watercourse; and

(ii) roadway and railroad embankments, but only to the extent that the embankments are integral to the performance of a flood damage reduction system.

(C) EXCLUSIONS.—The term “levee” does not include—

(i) a roadway or railroad embankment that is not integral to the performance of a flood damage reduction system;

(ii) a canal constructed completely within natural ground without any manmade structure (such as an embankment or retaining wall to retain water or a case in which water is retained only by natural ground);

(iii) a canal regulated by a Federal or State agency in a manner that ensures that applicable Federal safety criteria are met;

(iv) a levee or canal structure—

(I) that is not a part of a Federal flood damage reduction system;

(II) that is not recognized under the National Flood Insurance Program as providing protection from the 1-percent-annual-chance or greater flood;

(III) that is not greater than 3 feet high;

(IV) the population in the leveed area of which is less than 50 individuals; and

(V) the leveed area of which is less than 1,000 acres; or

(vi) any shoreline protection or river bank protection system (such as revetments or barrier islands).

(9) LEEVE FEATURE.—The term “levee feature” means a structure that is critical to the functioning of a levee, including—

(A) an embankment section;

(B) a floodwall section;

(C) a closure structure;

(D) a pumping station;

(E) an interior drainage work; and

(F) a flood damage reduction channel.

(10) LEEVE SAFETY GUIDELINES.—The term “levee safety guidelines” means the guidelines established by the Secretary under section 6004(c)(1).

(11) LEEVE SEGMENT.—The term “levee segment” means a discrete portion of a levee system that is owned, operated, and maintained by a single entity or discrete set of entities.

(12) LEEVE SYSTEM.—The term “levee system” means 1 or more levee segments, including all levee features that are interconnected and necessary to ensure protection of the associated leveed areas—

(A) that collectively provide flood damage reduction to a defined area; and

(B) the failure of 1 of which may result in the failure of the entire system.

(13) LEEVEED AREA.—The term “leveed area” means the land from which flood water in the adjacent watercourse is excluded by the levee system.

(14) NATIONAL LEEVE DATABASE.—The term “national levee database” means the levee database established under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303).

(15) PARTICIPATING PROGRAM.—The term “participating program” means a levee safety program developed by a State or Indian tribe that includes the minimum components necessary for recognition by the Secretary.

(16) REHABILITATION.—The term “rehabilitation” means the repair, replacement, reconstruction, removal of a levee, or reconfiguration of a levee system, including a setback levee, that is carried out to reduce flood risk or meet national levee safety guidelines.

(17) RISK.—The term “risk” means a measure of the probability and severity of undesirable consequences.

(18) SECRETARY.—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(19) STATE.—The term “State” means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

SEC. 6004. NATIONAL LEEVE SAFETY PROGRAM.

(a) ESTABLISHMENT.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall establish a national levee safety program to provide national leadership and consistent approaches to levee safety, including—

(1) a national levee database;

(2) an inventory and inspection of Federal and non-Federal levees;

(3) national levee safety guidelines;

(4) a hazard potential classification system for Federal and non-Federal levees;

(5) research and development;

(6) a national public education and awareness program, with an emphasis on communication regarding the residual risk to communities protected by levees and levee systems;

(7) coordination of levee safety, floodplain management, and environmental protection activities;

(8) development of State and tribal levee safety programs; and

(9) the provision of technical assistance and materials to States and Indian tribes relating to—

(A) developing levee safety programs;

(B) identifying and reducing flood risks associated with residual risk to communities protected by levees and levee systems;

(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

(b) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall appoint—

(A) an administrator of the national levee safety program; and

(B) such staff as is necessary to implement the program.

(2) ADMINISTRATOR.—The sole duty of the administrator appointed under paragraph (1)(A) shall be the management of the national levee safety program.

(c) LEVEE SAFETY GUIDELINES.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with State and local governments and organizations with expertise in levee safety, shall establish a set of voluntary, comprehensive, national levee safety guidelines that—

(A) are available for common, uniform use by all Federal, State, tribal, and local agencies;

(B) incorporate policies, procedures, standards, and criteria for a range of levee types, canal structures, and related facilities and features; and

(C) provide for adaptation to local, regional, or watershed conditions.

(2) REQUIREMENT.—The policies, procedures, standards, and criteria under paragraph (1)(B) shall be developed taking into consideration the levee hazard potential classification system established under subsection (d).

(3) ADOPTION BY FEDERAL AGENCIES.—All Federal agencies shall consider the levee safety guidelines in activities relating to the management of levees.

(4) PUBLIC COMMENT.—Prior to finalizing the guidelines under this subsection, the Secretary shall—

(A) issue draft guidelines for public comment; and

(B) consider any comments received in the development of final guidelines.

(d) HAZARD POTENTIAL CLASSIFICATION SYSTEM.—

(1) ESTABLISHMENT.—The Secretary shall establish a hazard potential classification system for use under the national levee safety program and participating programs.

(2) REVISION.—The Secretary shall review and, as necessary, revise the hazard potential classification system not less frequently than once every 5 years.

(3) CONSISTENCY.—The hazard potential classification system established pursuant to this subsection shall be consistent with and incorporated into the levee safety action classification tool developed by the Corps of Engineers.

(e) TECHNICAL ASSISTANCE AND MATERIALS.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with the Board, shall establish a national levee safety technical assistance and training program to develop and deliver technical support and technical assistance materials, curricula, and training in order to promote levee safety and assist States, communities, and levee owners in—

(A) developing levee safety programs;

(B) identifying and reducing flood risks associated with levees;

(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

(2) USE OF SERVICES.—In establishing the national levee safety training program under paragraph (1), the Secretary may use the services of—

(A) the Corps of Engineers;

(B) the Federal Emergency Management Agency;

(C) the Bureau of Reclamation; and

(D) other appropriate Federal agencies, as determined by the Secretary.

(f) COMPREHENSIVE NATIONAL PUBLIC EDUCATION AND AWARENESS CAMPAIGN.—

(1) ESTABLISHMENT.—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency and the Board, shall establish a national public education and awareness campaign relating to the national levee safety program.

(2) PURPOSES.—The purposes of the campaign under paragraph (1) are—

(A) to educate individuals living in leveed areas regarding the risks of living in those areas;

(B) to promote consistency in the transmission of information regarding levees among government agencies; and

(C) to provide national leadership regarding risk communication for implementation at the State and local levels.

(g) COORDINATION OF LEVEE SAFETY, FLOODPLAIN MANAGEMENT, AND ENVIRONMENTAL CONCERNS.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with the Board, shall evaluate opportunities to coordinate—

(1) public safety, floodplain management, and environmental protection activities relating to levees; and

(2) environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws.

(h) LEVEE INSPECTION.—

(1) IN GENERAL.—The Secretary shall carry out a one-time inventory and inspection of all levees identified in the national levee database.

(2) NO FEDERAL INTEREST.—The inventory and inspection under paragraph (1) does not create a Federal interest in the construction, operation, or maintenance any levee that is included in the inventory or inspected under this subsection.

(3) INSPECTION CRITERIA.—In carrying out the inventory and inspection, the Secretary shall use the levee safety action classification criteria to determine whether a levee should be classified in the inventory as requiring a more comprehensive inspection.

(4) STATE AND TRIBAL PARTICIPATION.—At the request of a State or Indian tribe with respect to any levee subject to inspection under this subsection, the Secretary shall—

(A) allow an official of the State or Indian tribe to participate in the inspection of the levee; and

(B) provide information to the State or Indian tribe relating to the location, construction, operation, or maintenance of the levee.

(5) EXCEPTIONS.—In carrying out the inventory and inspection under this subsection, the Secretary shall not be required to inspect any levee that has been inspected by a State or Indian tribe using the same methodology described in paragraph (3) during the 1-year period immediately preceding the date of enactment of this Act if the Governor of the State or tribal government, as applicable, requests an exemption from the inspection.

(i) STATE AND TRIBAL LEVEE SAFETY PROGRAM.—

(1) GUIDELINES.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, in consultation with the Administrator of the Federal Emergency Management Agency and in coordination with the Board, the Secretary shall issue guidelines that establish the minimum components necessary for recognition of a State or tribal levee safety program as a participating program.

(B) GUIDELINE CONTENTS.—The guidelines under subparagraph (A) shall include provisions and procedures requiring each participating State and Indian tribe to certify to the Secretary that the State or Indian tribe, as applicable—

(i) has the authority to participate in the national levee safety program;

(ii) can receive funds under this title;

(iii) has adopted any national levee safety guidelines developed under this title;

(iv) will carry out levee inspections;

(v) will carry out, consistent with applicable requirements, flood risk management and any emergency action planning procedures the Secretary determines to be necessary relating to levees;

(vi) will carry out public education and awareness activities consistent with the national public education and awareness campaign established under subsection (f); and

(vii) will collect and share information regarding the location and condition of levees.

(C) PUBLIC COMMENT.—Prior to finalizing the guidelines under this paragraph, the Secretary shall—

(i) issue draft guidelines for public comment; and

(ii) consider any comments received in the development of final guidelines.

(2) GRANT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary shall establish a program under which the Secretary shall provide grants to assist States and Indian tribes in establishing participating programs, conducting levee inventories, and carrying out this title.

(B) REQUIREMENTS.—To be eligible to receive grants under this section, a State or Indian tribe shall—

(i) meet the requirements of a participating program established by the guidelines issued under paragraph (1);

(ii) use not less than 25 percent of any amounts received to identify and assess non-Federal levees within the State or on land of the Indian tribe;

(iii) submit to the Secretary any information collected by the State or Indian tribe in carrying out this subsection for inclusion in the national levee safety database; and

(iv) identify actions to address hazard mitigation activities associated with levees and leveed areas identified in the hazard mitigation plan of the State approved by the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(C) MEASURES TO ASSESS EFFECTIVENESS.—Not later than 1 year after the enactment of this Act, the Secretary shall implement quantifiable performance measures and metrics to assess the effectiveness of the grant program established in accordance with subparagraph (A).

(j) LEVEE REHABILITATION ASSISTANCE PROGRAM.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall establish a program under which the

Secretary shall provide assistance to States, Indian tribes, and local governments in addressing flood mitigation activities that result in an overall reduction in flood risk.

(2) REQUIREMENTS.—To be eligible to receive assistance under this subsection, a State, Indian tribe, or local government shall—

(A) participate in, and comply with, all applicable Federal floodplain management and flood insurance programs;

(B) have in place a hazard mitigation plan that—

(i) includes all levee risks; and

(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

(C) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

(D) comply with such minimum eligibility requirements as the Secretary, in consultation with the Board, may establish to ensure that each owner and operator of a levee under a participating State or tribal levee safety program—

(i) acts in accordance with the guidelines developed in subsection (c); and

(ii) carries out activities relating to the public in the leveed area in accordance with the hazard mitigation plan described in subparagraph (B).

(3) FLOODPLAIN MANAGEMENT PLANS.—

(A) IN GENERAL.—Not later than 1 year after the date of execution of a project agreement for assistance under this subsection, a State, Indian tribe, or local government shall prepare a floodplain management plan in accordance with the guidelines under subparagraph (D) to reduce the impacts of future flood events in each applicable leveed area.

(B) INCLUSIONS.—A plan under subparagraph (A) shall address potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in each applicable leveed area.

(C) IMPLEMENTATION.—Not later than 1 year after the date of completion of construction of the applicable project, a floodplain management plan prepared under subparagraph (A) shall be implemented.

(D) GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, shall develop such guidelines for the preparation of floodplain management plans prepared under this paragraph as the Secretary determines to be appropriate.

(E) TECHNICAL SUPPORT.—The Secretary may provide technical support for the development and implementation of floodplain management plans prepared under this paragraph.

(4) USE OF FUNDS.—

(A) IN GENERAL.—Assistance provided under this subsection may be used—

(i) for any rehabilitation activity to maximize overall risk reduction associated with a levee under a participating State or tribal levee safety program; and

(ii) only for a levee that is not federally operated and maintained.

(B) PROHIBITION.—Assistance provided under this subsection shall not be used—

(i) to perform routine operation or maintenance for a levee; or

(ii) to make any modification to a levee that does not result in an improvement to public safety.

(5) NO PROPRIETARY INTEREST.—A contract for assistance provided under this subsection shall not be considered to confer any proprietary interest on the United States.

(6) COST-SHARE.—The maximum Federal share of the cost of any assistance provided under this subsection shall be 65 percent.

(7) PROJECT LIMIT.—The maximum amount of Federal assistance for a project under this subsection shall be \$10,000,000.

(8) OTHER LAWS.—Assistance provided under this subsection shall be subject to all applicable laws (including regulations) that apply to the construction of a civil works project of the Corps of Engineers.

(k) EFFECT OF SECTION.—Nothing in this section—

(1) affects the requirement under section 100226(b)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101 note; 126 Stat. 942); or

(2) confers any regulatory authority on—

(A) the Secretary; or

(B) the Director of the Federal Emergency Management Agency, including for the purpose of setting premium rates under the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

SEC. 6005. NATIONAL LEEVE SAFETY ADVISORY BOARD.

(a) ESTABLISHMENT.—The Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall establish a board, to be known as the “National Levee Safety Advisory Board”—

(1) to advise the Secretary and Congress regarding consistent approaches to levee safety;

(2) to monitor the safety of levees in the United States;

(3) to assess the effectiveness of the national levee safety program; and

(4) to ensure that the national levee safety program is carried out in a manner that is consistent with other Federal flood risk management efforts.

(b) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Board shall be composed of the following 14 voting members, each of whom shall be appointed by the Secretary, with priority consideration given to representatives from those States that have the most Corps of Engineers levees in the State, based on mileage:

(A) 8 representatives of State levee safety programs, 1 from each of the civil works divisions of the Corps of Engineers.

(B) 2 representatives of the private sector who have expertise in levee safety.

(C) 2 representatives of local and regional governmental agencies who have expertise in levee safety.

(D) 2 representatives of Indian tribes who have expertise in levee safety.

(2) NONVOTING MEMBERS.—The Secretary (or a designee of the Secretary), the Administrator of the Federal Emergency Management Agency (or a designee of the Administrator), and the administrator of the national levee safety program appointed under section 6004(b)(1)(A) shall serve as nonvoting members of the Board.

(3) CHAIRPERSON.—The voting members of the Board shall appoint a chairperson from among the voting members of the Board, to serve a term of not more than 2 years.

(c) QUALIFICATIONS.—

(1) INDIVIDUALS.—Each voting member of the Board shall be knowledgeable in the field of levee safety, including water resources and flood risk management.

(2) AS A WHOLE.—The membership of the Board, considered as a whole, shall represent

the diversity of skills required to advise the Secretary regarding levee issues relating to—

(A) engineering;

(B) public communications;

(C) program development and oversight;

(D) with respect to levees, flood risk management and hazard mitigation; and

(E) public safety and the environment.

(d) TERMS OF SERVICE.—

(1) IN GENERAL.—A voting member of the Board shall be appointed for a term of 3 years, except that, of the members first appointed—

(A) 5 shall be appointed for a term of 1 year;

(B) 5 shall be appointed for a term of 2 years; and

(C) 4 shall be appointed for a term of 3 years.

(2) REAPPOINTMENT.—A voting member of the Board may be reappointed to the Board, as the Secretary determines to be appropriate.

(3) VACANCIES.—A vacancy on the Board shall be filled in the same manner as the original appointment was made.

(e) STANDING COMMITTEES.—

(1) IN GENERAL.—The Board shall be supported by Standing Committees, which shall be comprised of volunteers from all levels of government and the private sector, to advise the Board regarding the national levee safety program.

(2) ESTABLISHMENT.—The Standing Committees of the Board shall include—

(A) the Standing Committee on Participating Programs, which shall advise the Board regarding—

(i) the development and implementation of State and tribal levee safety programs; and

(ii) appropriate incentives (including financial assistance) to be provided to States, Indian tribes, and local and regional entities;

(B) the Standing Committee on Technical Issues, which shall advise the Board regarding—

(i) the management of the national levee database;

(ii) the development and maintenance of levee safety guidelines;

(iii) processes and materials for developing levee-related technical assistance and training; and

(iv) research and development activities relating to levee safety;

(C) the Standing Committee on Public Education and Awareness, which shall advise the Board regarding the development, implementation, and evaluation of targeted public outreach programs—

(i) to gather public input;

(ii) to educate and raise awareness in leveed areas of levee risks;

(iii) to communicate information regarding participating programs; and

(iv) to track the effectiveness of public education efforts relating to levee risks;

(D) the Standing Committee on Safety and Environment, which shall advise the Board regarding—

(i) operation and maintenance activities for existing levee projects;

(ii) opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees;

(iii) opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and

(iv) opportunities for collaboration by environmental protection and public safety interests in leveed areas and adjacent areas; and

(E) such other standing committees as the Secretary, in consultation with the Board, determines to be necessary.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall recommend to the Secretary for approval individuals for membership on the Standing Committees.

(B) QUALIFICATIONS.—

(i) INDIVIDUALS.—Each member of a Standing Committee shall be knowledgeable in the issue areas for which the Committee is charged with advising the Board.

(ii) AS A WHOLE.—The membership of each Standing Committee, considered as a whole, shall represent, to the maximum extent practicable, broad geographical diversity.

(C) LIMITATION.—Each Standing Committee shall be comprised of not more than 10 members.

(f) DUTIES AND POWERS.—The Board—

(1) shall submit to the Secretary and Congress an annual report regarding the effectiveness of the national levee safety program in accordance with section 6007; and

(2) may secure from other Federal agencies such services, and enter into such contracts, as the Board determines to be necessary to carry out this subsection.

(g) TASK FORCE COORDINATION.—The Board shall, to the maximum extent practicable, coordinate the activities of the Board with the Federal Interagency Floodplain Management Task Force.

(h) COMPENSATION.—

(1) FEDERAL EMPLOYEES.—Each member of the Board who is an officer or employee of the United States shall serve without compensation in addition to compensation received for the services of the member as an officer or employee of the United States, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(2) NON-FEDERAL EMPLOYEES.—To the extent amounts are made available to carry out this section in appropriations Acts, the Secretary shall provide to each member of the Board who is not an officer or employee of the United States a stipend and a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Board.

(3) STANDING COMMITTEE MEMBERS.—Each member of a Standing Committee shall—

(A) serve in a voluntary capacity; but

(B) receive a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Board.

(i) NONAPPLICABILITY OF FACAs.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board or the Standing Committees.

SEC. 6006. INVENTORY AND INSPECTION OF LEVEES.

Section 9004(a)(2)(A) of the Water Resources Development Act of 2007 (33 U.S.C. 3303(a)(2)(A)) is amended by striking “and, for non-Federal levees, such information on

levee location as is provided to the Secretary by State and local governmental agencies” and inserting “and updated levee information provided by States, Indian tribes, Federal agencies, and other entities”.

SEC. 6007. REPORTS.

(a) STATE OF LEVEES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Secretary in coordination with the Board, shall submit to Congress a report describing the state of levees in the United States and the effectiveness of the national levee safety program, including—

(A) progress achieved in implementing the national levee safety program;

(B) State and tribal participation in the national levee safety program;

(C) recommendations to improve coordination of levee safety, floodplain management, and environmental protection concerns, including—

(i) identifying and evaluating opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees; and

(ii) evaluating opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and

(D) any recommendations for legislation and other congressional actions necessary to ensure national levee safety.

(2) INCLUSION.—Each report under paragraph (1) shall include a report of the Board that describes the independent recommendations of the Board for the implementation of the national levee safety program.

(b) NATIONAL DAM AND LEVEE SAFETY PROGRAM.—Not later than 3 years after the date of enactment of this Act, to the maximum extent practicable, the Secretary, in coordination with the Board, shall submit to Congress a report that includes recommendations regarding the advisability and feasibility of, and potential approaches for, establishing a joint national dam and levee safety program.

(c) ALIGNMENT OF FEDERAL PROGRAMS RELATING TO LEVEES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on opportunities for alignment of Federal programs to provide incentives to State, tribal, and local governments and individuals and entities—

(1) to promote shared responsibility for levee safety;

(2) to encourage the development of strong State and tribal levee safety programs;

(3) to better align the national levee safety program with other Federal flood risk management programs; and

(4) to promote increased levee safety through other Federal programs providing assistance to State and local governments.

(d) LIABILITY FOR CERTAIN LEVEE ENGINEERING PROJECTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes recommendations that identify and address any legal liability associated with levee engineering projects that prevent—

(1) levee owners from obtaining needed levee engineering services; or

(2) development and implementation of a State or tribal levee safety program.

SEC. 6008. EFFECT OF TITLE.

Nothing in this title—

(1) establishes any liability of the United States or any officer or employee of the

United States (including the Board and the Standing Committees of the Board) for any damages caused by any action or failure to act; or

(2) relieves an owner or operator of a levee of any legal duty, obligation, or liability incident to the ownership or operation of the levee.

SEC. 6009. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this title—

(1) for funding the administration and staff of the national levee safety program, the Board, the Standing Committees of the Board, and participating programs, \$5,000,000 for each of fiscal years 2014 through 2023;

(2) for technical programs, including the development of levee safety guidelines, publications, training, and technical assistance—

(A) \$5,000,000 for each of fiscal years 2014 through 2018;

(B) \$7,500,000 for each of fiscal years 2019 and 2020; and

(C) \$10,000,000 for each of fiscal years 2021 through 2023;

(3) for public involvement and education programs, \$3,000,000 for each of fiscal years 2014 through 2023;

(4) to carry out the levee inventory and inspections under section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303), \$30,000,000 for each of fiscal years 2014 through 2018;

(5) for grants to State and tribal levee safety programs, \$300,000,000 for fiscal years 2014 through 2023; and

(6) for levee rehabilitation assistance grants, \$300,000,000 for fiscal years 2014 through 2023.

TITLE VII—INLAND WATERWAYS

SEC. 7001. PURPOSES.

The purposes of this title are—

(1) to improve program and project management relating to the construction and major rehabilitation of navigation projects on inland waterways;

(2) to optimize inland waterways navigation system reliability;

(3) to minimize the size and scope of inland waterways navigation project completion schedules;

(4) to eliminate preventable delays in inland waterways navigation project completion schedules; and

(5) to make inland waterways navigation capital investments through the use of prioritization criteria that seek to maximize systemwide benefits and minimize overall system risk.

SEC. 7002. DEFINITIONS.

In this title:

(1) INLAND WATERWAYS TRUST FUND.—The term “Inland Waterways Trust Fund” means the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) QUALIFYING PROJECT.—The term “qualifying project” means any construction or major rehabilitation project for navigation infrastructure of the inland and intracoastal waterways that is—

(A) authorized before, on, or after the date of enactment of this Act;

(B) not completed on the date of enactment of this Act; and

(C) funded at least in part from the Inland Waterways Trust Fund.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

SEC. 7003. PROJECT DELIVERY PROCESS REFORMS.

(a) **REQUIREMENTS FOR QUALIFYING PROJECTS.**—With respect to each qualifying project, the Secretary shall require—

(1) formal project management training and certification for each project manager;

(2) assignment as project manager only of personnel fully certified by the Chief of Engineers; and

(3) for an applicable cost estimation, that—

(A) the estimation—
 (i) is risk-based; and
 (ii) has a confidence level of at least 80 percent; and

(B) a risk-based cost estimate shall be implemented—

(i) for a qualified project that requires an increase in the authorized amount in accordance with section 902 of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4183), during the preparation of a post-authorization change report or other similar decision document;

(ii) for a qualified project for which the first construction contract has not been awarded, prior to the award of the first construction contract;

(iii) for a qualified project without a completed Chief of Engineers report, prior to the completion of such a report; and

(iv) for a qualified project with a completed Chief of Engineers report that has not yet been authorized, during design for the qualified project.

(b) **ADDITIONAL PROJECT DELIVERY PROCESS REFORMS.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(1) establish a system to identify and apply on a continuing basis lessons learned from prior or ongoing qualifying projects to improve the likelihood of on-time and on-budget completion of qualifying projects;

(2) evaluate early contractor involvement acquisition procedures to improve on-time and on-budget project delivery performance; and

(3) implement any additional measures that the Secretary determines will achieve the purposes of this title and the amendments made by this title, including, as the Secretary determines to be appropriate—

(A) the implementation of applicable practices and procedures developed pursuant to management by the Secretary of an applicable military construction program;

(B) the establishment of 1 or more centers of expertise for the design and review of qualifying projects;

(C) the development and use of a portfolio of standard designs for inland navigation locks;

(D) the use of full-funding contracts or formulation of a revised continuing contracts clause; and

(E) the establishment of procedures for recommending new project construction starts using a capital projects business model.

(c) **PILOT PROJECTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary may carry out 1 or more pilot projects to evaluate processes or procedures for the study, design, or construction of qualifying projects.

(2) **INCLUSIONS.**—At a minimum, the Secretary shall carry out pilot projects under this subsection to evaluate—

(A) early contractor involvement in the development of features and components;

(B) an appropriate use of continuing contracts for the construction of features and components; and

(C) applicable principles, procedures, and processes used for military construction projects.

(d) **INLAND WATERWAYS USER BOARD.**—Section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **DUTIES OF USERS BOARD.**—

“(1) **IN GENERAL.**—The Users Board shall meet not less frequently than semiannually to develop and make recommendations to the Secretary and Congress regarding the inland waterways and inland harbors of the United States.

“(2) **ADVICE AND RECOMMENDATIONS.**—For commercial navigation features and components of the inland waterways and inland harbors of the United States, the Users Board shall provide—

“(A) prior to the development of the budget proposal of the President for a given fiscal year, advice and recommendations to the Secretary regarding construction and rehabilitation priorities and spending levels;

“(B) advice and recommendations to Congress regarding any report of the Chief of Engineers relating to those features and components;

“(C) advice and recommendations to Congress regarding an increase in the authorized cost of those features and components;

“(D) not later than 60 days after the date of the submission of the budget proposal of the President to Congress, advice and recommendations to Congress regarding construction and rehabilitation priorities and spending levels; and

“(E) a long-term capital investment program in accordance with subsection (d).

“(3) **PROJECT DEVELOPMENT TEAMS.**—The chairperson of the Users Board shall appoint a representative of the Users Board to serve on the project development team for a qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

“(4) **INDEPENDENT JUDGMENT.**—Any advice or recommendation made by the Users Board to the Secretary shall reflect the independent judgment of the Users Board.”;

(2) by redesignating subsection (c) as subsection (f); and

(3) by inserting after subsection (b) the following:

“(c) **DUTIES OF SECRETARY.**—The Secretary shall—

“(1) communicate not less than once each quarter to the Users Board the status of the study, design, or construction of all commercial navigation features or components of the inland waterways or inland harbors of the United States; and

“(2) submit to the Users Board a courtesy copy of all reports of the Chief of Engineers relating to a commercial navigation feature or component of the inland waterways or inland harbors of the United States.

“(d) **CAPITAL INVESTMENT PROGRAM.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Users Board, shall develop, and submit to Congress a report describing, a 20-year program for making capital investments on the inland and intracoastal waterways, based on the application of objective, national project selection prioritization criteria.

“(2) **CONSIDERATION.**—In developing the program under paragraph (1), the Secretary shall take into consideration the 20-year capital investment strategy contained in the Inland Marine Transportation System (IMTS)

Capital Projects Business Model, Final Report published on April 13, 2010, as approved by the Users Board.

“(3) **CRITERIA.**—In developing the plan and prioritization criteria under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that investments made under the 20-year program described in paragraph (1)—

“(A) are made in all geographical areas of the inland waterways system; and

“(B) ensure efficient funding of inland waterways projects.

“(4) **STRATEGIC REVIEW AND UPDATE.**—Not later than 5 years after the date of enactment of this subsection, and not less frequently than once every 5 years thereafter, the Secretary, in conjunction with the Users Board, shall—

“(A) submit to Congress a strategic review of the 20-year program in effect under this subsection, which shall identify and explain any changes to the project-specific recommendations contained in the previous 20-year program (including any changes to the prioritization criteria used to develop the updated recommendations); and

“(B) make such revisions to the program as the Secretary and Users Board jointly consider to be appropriate.

“(e) **PROJECT MANAGEMENT PLANS.**—The chairperson of the Users Board and the project development team member appointed by the chairperson under subsection (b)(3) shall sign the project management plan for the qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.”.

SEC. 7004. MAJOR REHABILITATION STANDARDS.

Section 205(1)(E)(ii) of the Water Resources Development Act of 1992 (33 U.S.C. 2327(1)(E)(ii)) is amended by striking “\$8,000,000” and inserting “\$20,000,000”.

SEC. 7005. INLAND WATERWAYS SYSTEM REVENUES.

(a) **FINDINGS.**—Congress finds that—

(1) there are approximately 12,000 miles of Federal waterways, known as the inland waterways system, that are supported by user fees and managed by the Corps of Engineers;

(2) the inland waterways system spans 38 States and handles approximately one-half of all inland waterway freight;

(3) according to the final report of the Inland Marine Transportation System Capital Projects Business Model, freight traffic on the Federal fuel-taxed inland waterways system accounts for 546,000,000 tons of freight each year;

(4) expenditures for construction and major rehabilitation projects on the inland waterways system are equally cost-shared between the Federal Government and the Inland Waterways Trust Fund;

(5) the Inland Waterways Trust Fund is financed through a fee of \$0.20 per gallon on fuel used by commercial barges;

(6) the balance of the Inland Waterways Trust Fund has declined significantly in recent years;

(7) according to the final report of the Inland Marine Transportation System Capital Projects Business Model, the estimated financial need for construction and major rehabilitation projects on the inland waterways system for fiscal years 2011 through 2030 is approximately \$18,000,000,000; and

(8) users of the inland waterways system are supportive of an increase in the existing revenue sources for inland waterways system construction and major rehabilitation activities to expedite the most critical of those construction and major rehabilitation projects.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the existing revenue sources for inland waterways system construction and rehabilitation activities are insufficient to cover the costs of non-Federal interests of construction and major rehabilitation projects on the inland waterways system; and

(2) the issue described in paragraph (1) should be addressed.

SEC. 7006. EFFICIENCY OF REVENUE COLLECTION.

Not later than 2 years after the date of enactment of this Act, the Comptroller General shall prepare a report on the efficiency of collecting the fuel tax for the Inland Waterways Trust Fund, which shall include—

(1) an evaluation of whether current methods of collection of the fuel tax result in full compliance with requirements of the law;

(2) whether alternative methods of collection would result in increased revenues into the Inland Waterways Trust Fund; and

(3) an evaluation of alternative collection options.

SEC. 7007. GAO STUDY, OLMSTED LOCKS AND DAM, LOWER OHIO RIVER, ILLINOIS AND KENTUCKY.

As soon as practicable after the date of enactment of this Act, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study to determine why, and to what extent, the project for navigation, Lower Ohio River, Locks and Dams 52 and 53, Illinois and Kentucky (commonly known as the “Olmsted Locks and Dam project”), authorized by section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013), has exceeded the budget for the project and the reasons why the project failed to be completed as scheduled, including an assessment of—

(1) engineering methods used for the project;

(2) the management of the project;

(3) contracting for the project;

(4) the cost to the United States of benefits foregone due to project delays; and

(5) such other contributory factors as the Comptroller General determines to be appropriate.

SEC. 7008. OLMSTED LOCKS AND DAM, LOWER OHIO RIVER, ILLINOIS AND KENTUCKY.

Section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013) is amended by striking “and with the costs of construction” and all that follows through the period at the end and inserting “which amounts remaining after the date of enactment of this Act shall be appropriated from the general fund of the Treasury.”.

TITLE VIII—HARBOR MAINTENANCE

SEC. 8001. SHORT TITLE.

This title may be cited as the “Harbor Maintenance Trust Fund Act of 2013”.

SEC. 8002. PURPOSES.

The purposes of this title are—

(1) to ensure that revenues collected into the Harbor Maintenance Trust Fund are used for the intended purposes of those revenues;

(2) to increase investment in the operation and maintenance of United States ports, which are critical for the economic competitiveness of the United States;

(3) to promote equity among ports nationwide;

(4) to ensure United States ports are prepared to meet modern shipping needs, including the capability to receive large ships that require deeper drafts; and

(5) to prevent cargo diversion from United States ports.

SEC. 8003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) TOTAL BUDGET RESOURCES.—The term “total budget resources” means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.

(2) LEVEL OF RECEIPTS PLUS INTEREST.—The term “level of receipts plus interest” means the level of taxes and interest credited to the Harbor Maintenance Trust Fund under section 9505 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget baseline projection, as determined under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

(b) MINIMUM RESOURCES.—

(1) MINIMUM RESOURCES.—

(A) IN GENERAL.—The total budget resources made available to the Secretary from the Harbor Maintenance Trust Fund shall be not less than the lesser of—

(i)(I) for fiscal year 2014, \$1,000,000,000;

(II) for fiscal year 2015, \$1,100,000,000;

(III) for fiscal year 2016, \$1,200,000,000;

(IV) for fiscal year 2017, \$1,300,000,000;

(V) for fiscal year 2018, \$1,400,000,000; and

(VI) for fiscal year 2019, \$1,500,000,000; and

(ii) the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year.

(B) FISCAL YEAR 2020 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2020 and each fiscal year thereafter, the total budget resources made available to the Secretary from the Harbor Maintenance Trust Fund shall be not less than the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year.

(2) USE OF AMOUNTS.—The amounts described in paragraph (1) may be used only for harbor maintenance programs described in section 9505(c) of the Internal Revenue Code of 1986.

(c) IMPACT ON OTHER FUNDS.—

(1) IN GENERAL.—Subject to paragraph (3), subsection (b)(1) shall not apply if providing the minimum resources required under that subsection would result in making the amounts made available for the applicable fiscal year to carry out all programs, projects, and activities of the civil works program of the Corps of Engineers, other than the harbor maintenance programs, to be less than the amounts made available for those purposes in the previous fiscal year.

(2) CALCULATION OF AMOUNTS.—For each fiscal year, the amounts made available to carry out all programs, projects, and activities of the civil works program of the Corps of Engineers shall not include any amounts that are designated by Congress—

(A) as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); or

(B) as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)).

(3) EXCEPTIONS.—Paragraph (1) shall not apply if—

(A) amounts made available for the civil works program of the Corps of Engineers for a fiscal year are less than the amounts made available for the civil works program in the previous fiscal year; and

(B) the reduction in amounts made available—

(i) applies to all discretionary funds and programs of the Federal Government; and

(ii) is applied to the civil works program in the same percentage and manner as other discretionary funds and programs.

SEC. 8004. HARBOR MAINTENANCE TRUST FUND PRIORITIZATION.

(a) POLICY.—It is the policy of the United States that the primary use of the Harbor Maintenance Trust Fund is for maintaining the constructed widths and depths of the commercial ports and harbors of the United States, and those functions should be given first consideration in the budgeting of Harbor Maintenance Trust Fund allocations.

(b) IN GENERAL.—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended by adding at the end the following:

“(c) PRIORITIZATION.—

“(1) DEFINITIONS.—In this subsection:

“(A) CONSTRUCTED WIDTH AND DEPTH.—The term ‘constructed width and depth’ means the depth to which a project has been constructed, which shall not exceed the authorized width and depth of the project.

“(B) GREAT LAKES NAVIGATION SYSTEM.—The term ‘Great Lakes Navigation System’ includes—

“(i)(I) Lake Superior;

“(II) Lake Huron;

“(III) Lake Michigan;

“(IV) Lake Erie; and

“(V) Lake Ontario;

“(ii) all connecting waters between the lakes referred to in clause (i) used for commercial navigation;

“(iii) any navigation features in the lakes referred to in clause (i) or waters described in clause (ii) that are a Federal operation or maintenance responsibility; and

“(iv) areas of the Saint Lawrence River that are operated or maintained by the Federal Government for commercial navigation.

“(C) HIGH-USE DEEP DRAFT.—

“(i) IN GENERAL.—The term ‘high-use deep draft’ means a project that has a depth of greater than 14 feet with not less than 10,000,000 tons of cargo annually.

“(ii) EXCLUSION.—The term ‘high-use deep draft’ does not include a project located in the Great Lakes Navigation System.

“(D) LOW-USE PORT.—The term ‘low-use port’ means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

“(E) MODERATE-USE PORT.—The term ‘moderate-use port’ means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

“(2) PRIORITY.—Of the amounts made available under this section to carry out projects described in subsection (a)(2) that are in excess of the amounts made available to carry out those projects in fiscal year 2012, the Secretary of the Army, acting through the Chief of Engineers, shall give priority to those projects in the following order:

“(A)(i) In any fiscal year in which all projects subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation) are not maintained to their constructed width and depth, the Secretary shall prioritize amounts made available under this section for those projects that are high-use deep draft and are a priority for navigation in the Great Lakes Navigation System.

“(ii) Of the amounts made available under clause (i)—

“(I) 80 percent shall be used for projects that are high-use deep draft; and

“(II) 20 percent shall be used for projects that are a priority for navigation in the Great Lakes Navigation System.

“(B) In any fiscal year in which all projects identified as high-use deep draft are maintained to their constructed width and depth, the Secretary shall—

“(i) equally divide among each of the districts of the Corps of Engineers in which eligible projects are located 10 percent of remaining amounts made available under this section for moderate-use and low-use port projects—

“(I) that have been maintained at less than their constructed width and depth due to insufficient federal funding during the preceding 6 fiscal years; and

“(II) for which significant State and local investments in infrastructure have been made at those projects during the preceding 6 fiscal years; and

“(ii) prioritize any remaining amounts made available under this section for those projects that are not maintained to the minimum width and depth necessary to provide sufficient clearance for fully loaded commercial vessels using those projects to maneuver safely.

“(3) ADMINISTRATION.—For purposes of this subsection, State and local investments in infrastructure shall include infrastructure investments made using amounts made available for activities under section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)).

“(4) EXCEPTIONS.—The Secretary may prioritize a project not identified in paragraph (2) if the Secretary determines that funding for the project is necessary to address—

“(A) hazardous navigation conditions; or

“(B) impacts of natural disasters, including storms and droughts.

“(5) REPORTS TO CONGRESS.—Not later than September 30, 2013, and annually thereafter, the Secretary shall submit to Congress a report that describes, with respect to the preceding fiscal year—

“(A) the amount of funds used to maintain high-use deep draft projects and projects at moderate-use ports and low-use ports to the constructed depth and width of the projects;

“(B) the respective percentage of total funds provided under this section used for high use deep draft projects and projects at moderate-use ports and low-use ports;

“(C) the remaining amount of funds made available to carry out this section, if any; and

“(D) any additional amounts needed to maintain the high-use deep draft projects and projects at moderate-use ports and low-use ports to the constructed depth and width of the projects.”

(c) OPERATION AND MAINTENANCE.—Section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)) is amended—

(1) in paragraph (1), by striking “45 feet” and inserting “50 feet”; and

(2) by adding at the end the following:

“(3) OPERATION AND MAINTENANCE ACTIVITIES DEFINED.—

“(A) SCOPE OF OPERATION AND MAINTENANCE ACTIVITIES.—Notwithstanding any other provision of law (including regulations and guidelines) and subject to subparagraph (B), for purposes of this subsection, operation and maintenance activities that are eligible for the Federal cost share under paragraph (1) shall include—

“(i) the dredging of berths in a harbor that is accessible to a Federal channel, if the Federal channel has been constructed to a depth equal to the authorized depth of the channel; and

“(ii) the dredging and disposal of legacy-contaminated sediments and sediments unsuitable for ocean disposal that—

“(I) are located in or affect the maintenance of Federal navigation channels; or

“(II) are located in berths that are accessible to Federal channels.

“(B) LIMITATIONS.—

“(i) IN GENERAL.—For each fiscal year, subject to section 210(c)(2), subparagraph (A) shall only apply—

“(I) to the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012; and

“(II) if, in that fiscal year, all projects identified as high-use deep draft (as defined in section 210(c)) are maintained to their constructed width and depth.

“(ii) STATE LIMITATION.—For each fiscal year, the operation and maintenance activities described in subparagraph (A) may only be carried out in a State—

“(I) in which the total amounts collected pursuant to section 4461 of the Internal Revenue Code of 1986 comprise not less than 2.5 percent annually of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986; and

“(II) that received less than 50 percent of the total amounts collected in that State pursuant to section 4461 of the Internal Revenue Code of 1986 in the previous 3 fiscal years.

“(iii) PRIORITIZATION.—In allocating amounts made available under this paragraph, the Secretary shall give priority to projects that have received the lowest amount of funding from the Harbor Maintenance Trust Fund in comparison to the amount of funding contributed to the Harbor Maintenance Trust Fund in the previous 3 fiscal years.

“(iv) MAXIMUM AMOUNT.—The total amount made available in each fiscal year to carry out this paragraph shall not exceed the lesser of—

“(I) amount that is equal to 40 percent of the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012; and

“(II) the amount that is equal to 20 percent of the amounts made available under section 210 to carry out projects described in subsection (a)(2) of that section.

“(4) DONOR PORTS AND PORTS CONTRIBUTING TO ENERGY PRODUCTION.—

“(A) DEFINITIONS.—In this paragraph:

“(i) CARGO CONTAINER.—The term ‘cargo container’ means a cargo container that is 1 Twenty-foot Equivalent Unit.

“(ii) ELIGIBLE DONOR PORT.—The term, ‘eligible donor port’ means a port—

“(I) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

“(II)(aa) at which the total amounts collected pursuant to section 4461 of the Internal Revenue Code of 1986 comprise not less than \$15,000,000 annually of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986; and

“(bb) that received less than 25 percent of the total amounts collected at that port pursuant to section 4461 of the Internal Revenue Code of 1986 in the previous 5 fiscal years; and

“(III) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded on to vessels in calendar year 2011.

“(iii) ELIGIBLE ENERGY TRANSFER PORT.—The term ‘eligible energy transfer port’ means a port—

“(I) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulation (or successor regulation); and

“(II)(aa) at which energy commodities comprised greater than 25 percent of all commercial activity by tonnage in calendar year 2011; and

“(bb) through which more than 40 million tons of cargo were transported in calendar year 2011.

“(iv) ENERGY COMMODITY.—The term ‘energy commodity’ includes—

“(I) petroleum products;

“(II) natural gas;

“(III) coal;

“(IV) wind and solar energy components; and

“(V) biofuels.

“(B) ADDITIONAL USES.—

“(i) IN GENERAL.—Subject to appropriations, the Secretary may provide to eligible donor ports and eligible energy transfer ports amounts in accordance with clause (ii).

“(ii) LIMITATIONS.—The amounts described in clause (i)—

“(I) made available for eligible energy transfer ports shall be divided equally among all States with an eligible energy transfer port; and

“(II) shall be made available only to a port as either an eligible donor port or an eligible energy transfer port.

“(C) USES.—Amounts provided to an eligible port under this paragraph may only be used by that port—

“(i) to provide payments to importers entering cargo or shippers transporting cargo through an eligible donor port or eligible energy transfer port, as calculated by U.S. Customs and Border Protection;

“(ii) to dredge berths in a harbor that is accessible to a Federal channel;

“(iii) to dredge and dispose of legacy-contaminated sediments and sediments unsuitable for ocean disposal that—

“(I) are located in or affect the maintenance of Federal navigation channels; or

“(II) are located in berths that are accessible to Federal channels; or

“(iv) for environmental remediation related to dredging berths and Federal navigation channels.

“(D) ADMINISTRATION OF PAYMENTS.—If an eligible donor port or eligible energy transfer port elects to provide payments to importers or shippers in accordance with subparagraph (C)(i), the Secretary shall transfer the amounts that would be provided to the port under this paragraph to the Commissioner of U.S. Customs and Border Protection to provide the payments to the importers or shippers.

“(E) AUTHORIZATION OF APPROPRIATIONS.—

“(i) IN GENERAL.—For fiscal years 2014 through 2024, if the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated from the Harbor Maintenance Trust Fund to carry out this paragraph the sum obtained by adding—

“(I) \$50,000,000; and

“(II) the amount that is equal to 10 percent of the amounts made available under section

210 to carry out projects described in subsection (a)(2) of that section that are in excess of the amounts made available to carry out those projects in fiscal year 2012.

“(ii) DIVISION BETWEEN ELIGIBLE DONOR PORTS AND ELIGIBLE ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available shall be divided equally between eligible donor ports and eligible energy transfer ports.”

(d) CONFORMING AMENDMENT.—Section 9505(c)(1) of the Internal Revenue Code of 1986 is amended by striking “as in effect on the date of the enactment of the Water Resources Development Act of 1996” and inserting “as in effect on the date of the enactment of the Harbor Maintenance Trust Fund Act of 2013”.

SEC. 8005. HARBOR MAINTENANCE TRUST FUND STUDY.

(a) DEFINITIONS.—In this section:

(1) LOW-USE PORT.—The term “low-use port” means a port at which not more than 1,000,000 tons of cargo are transported each calendar year.

(2) MODERATE-USE PORT.—The term “moderate-use port” means a port at which more than 1,000,000, but fewer than 10,000,000, tons of cargo are transported each calendar year.

(b) STUDY.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out a study and submit to Congress a report that—

(1) evaluates the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and

(2) includes recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports.

TITLE IX—DAM SAFETY

SEC. 9001. SHORT TITLE.

This title may be cited as the “Dam Safety Act of 2013”.

SEC. 9002. PURPOSE.

The purpose of this title and the amendments made by this title is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of the Federal Government and non-Federal interests in achieving national dam safety hazard reduction.

SEC. 9003. ADMINISTRATOR.

(a) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator”.

(b) CONFORMING AMENDMENT.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(3) by inserting before paragraph (2) (as redesignated by paragraph (2)) the following:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.”

SEC. 9004. INSPECTION OF DAMS.

Section 3(b)(1) of the National Dam Safety Program Act (33 U.S.C. 467a(b)(1)) is amended by striking “or maintenance” and inserting “maintenance, condition, or provisions for emergency operations”.

SEC. 9005. NATIONAL DAM SAFETY PROGRAM.

(a) OBJECTIVES.—Section 8(c) of the National Dam Safety Program Act (33 U.S.C.

467f(c)) is amended by striking paragraph (4) and inserting the following:

“(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents;”

(b) BOARD.—Section 8(f)(4) of the National Dam Safety Program Act (33 U.S.C. 467f(f)(4)) is amended by inserting “, representatives from nongovernmental organizations,” after “State agencies”.

SEC. 9006. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 11, 12, and 13 as sections 12, 13, and 14, respectively; and

(2) by inserting after section 10 (33 U.S.C. 467g–1) the following:

“SEC. 11. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

“The Administrator, in consultation with other Federal agencies, State and local governments, dam owners, the emergency management community, the private sector, nongovernmental organizations and associations, institutions of higher education, and any other appropriate entities shall carry out a nationwide public awareness and outreach program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.”

SEC. 9007. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL DAM SAFETY PROGRAM.—

(1) ANNUAL AMOUNTS.—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(1)) (as so redesignated) is amended by striking “\$6,500,000” and all that follows through “2011” and inserting “\$9,200,000 for each of fiscal years 2014 through 2018”.

(2) MAXIMUM AMOUNT OF ALLOCATION.—Section 14(a)(2)(B) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(2)(B)) (as so redesignated) is amended—

(A) by striking “The amount” and inserting the following:

“(i) IN GENERAL.—The amount”; and

(B) by adding at the end the following:

“(ii) FISCAL YEAR 2014 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2014 and each subsequent fiscal year, the amount of funds allocated to a State under this paragraph may not exceed the amount of funds committed by the State to implement dam safety activities.”

(b) NATIONAL DAM INVENTORY.—Section 14(b) of the National Dam Safety Program Act (33 U.S.C. 467j(b)) (as so redesignated) is amended by striking “\$650,000” and all that follows through “2011” and inserting “\$500,000 for each of fiscal years 2014 through 2018”.

(c) PUBLIC AWARENESS.—Section 14 of the National Dam Safety Program Act (33 U.S.C. 467j) (as so redesignated) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) PUBLIC AWARENESS.—There is authorized to be appropriated to carry out section 11 \$1,000,000 for each of fiscal years 2014 through 2018.”

(d) RESEARCH.—Section 14(d) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$1,600,000” and all that follows through “2011” and inserting “\$1,450,000 for each of fiscal years 2014 through 2018”.

(e) DAM SAFETY TRAINING.—Section 14(e) of the National Dam Safety Program Act (as so

redesignated) is amended by striking “\$550,000” and all that follows through “2011” and inserting “\$750,000 for each of fiscal years 2014 through 2018”.

(f) STAFF.—Section 14(f) of the National Dam Safety Program Act (as so redesignated) is amended by striking “\$700,000” and all that follows through “2011” and inserting “\$1,000,000 for each of fiscal years 2014 through 2018”.

TITLE X—INNOVATIVE FINANCING PILOT PROJECTS

SEC. 10001. SHORT TITLE.

This title may be cited as the “Water Infrastructure Finance and Innovation Act of 2013”.

SEC. 10002. PURPOSES.

The purpose of this title is to establish a pilot program to assess the ability of innovative financing tools to—

(1) promote increased development of critical water resources infrastructure by establishing additional opportunities for financing water resources projects that complement but do not replace or reduce existing Federal infrastructure financing tools such as the State water pollution control revolving loan funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12);

(2) attract new investment capital to infrastructure projects that are capable of generating revenue streams through user fees or other dedicated funding sources;

(3) complement existing Federal funding sources and address budgetary constraints on the Corps of Engineers civil works program and existing wastewater and drinking water infrastructure financing programs;

(4) leverage private investment in water resources infrastructure;

(5) align investments in water resources infrastructure to achieve multiple benefits; and

(6) assist communities facing significant water quality, drinking water, or flood risk challenges with the development of water infrastructure projects.

SEC. 10003. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) COMMUNITY WATER SYSTEM.—The term “community water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(3) FEDERAL CREDIT INSTRUMENT.—The term “Federal credit instrument” means a secured loan or loan guarantee authorized to be made available under this title with respect to a project.

(4) INVESTMENT-GRADE RATING.—The term “investment-grade rating” means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

(5) LENDER.—

(A) IN GENERAL.—The term “lender” means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or a successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)).

(B) INCLUSIONS.—The term “lender” includes—

(i) a qualified retirement plan (as defined in section 4974(c) of the Internal Revenue

Code of 1986) that is a qualified institutional buyer; and

(i) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986) that is a qualified institutional buyer.

(6) **LOAN GUARANTEE.**—The term “loan guarantee” means any guarantee or other pledge by the Secretary or the Administrator to pay all or part of the principal of, and interest on, a loan or other debt obligation issued by an obligor and funded by a lender.

(7) **OBLIGOR.**—The term “obligor” means an eligible entity that is primarily liable for payment of the principal of, or interest on, a Federal credit instrument.

(8) **PROJECT OBLIGATION.**—

(A) **IN GENERAL.**—The term “project obligation” means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project.

(B) **EXCLUSION.**—The term “project obligation” does not include a Federal credit instrument.

(9) **RATING AGENCY.**—The term “rating agency” means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(10) **RURAL WATER INFRASTRUCTURE PROJECT.**—The term “rural water infrastructure project” means a project that—

(A) is described in section 10007; and

(B) is located in a water system that serves not more than 25,000 individuals.

(11) **SECURED LOAN.**—The term “secured loan” means a direct loan or other debt obligation issued by an obligor and funded by the Secretary in connection with the financing of a project under section 10010.

(12) **STATE.**—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(13) **STATE INFRASTRUCTURE FINANCING AUTHORITY.**—The term “State infrastructure financing authority” means the State entity established or designated by the Governor of a State to receive a capitalization grant provided by, or otherwise carry out the requirements of, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et. seq.) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(14) **SUBSIDY AMOUNT.**—The term “subsidy amount” means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument, as calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(15) **SUBSTANTIAL COMPLETION.**—The term “substantial completion”, with respect to a project, means the earliest date on which a project is considered to perform the functions for which the project is designed.

(16) **TREATMENT WORKS.**—The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

SEC. 10004. AUTHORITY TO PROVIDE ASSISTANCE.

(a) **IN GENERAL.**—The Secretary and the Administrator may provide financial assistance under this title to carry out pilot projects, which shall be selected to ensure a diversity of project types and geographical locations.

(b) **RESPONSIBILITY.**—

(1) **SECRETARY.**—The Secretary shall carry out all pilot projects under this title that are eligible projects under section 10007(1).

(2) **ADMINISTRATOR.**—The Administrator shall carry out all pilot projects under this title that are eligible projects under paragraphs (2), (3), (4), (5), (6), and (8) of section 10007.

(3) **OTHER PROJECTS.**—The Secretary or the Administrator, as applicable, may carry out eligible projects under paragraph (7) or (9) of section 10007.

SEC. 10005. APPLICATIONS.

(a) **IN GENERAL.**—To receive assistance under this title, an eligible entity shall submit to the Secretary or the Administrator, as applicable, an application at such time, in such manner, and containing such information as the Secretary or the Administrator may require.

(b) **COMBINED PROJECTS.**—In the case of an eligible project described in paragraph (8) or (9) of section 10007, the Secretary or the Administrator, as applicable, shall require the eligible entity to submit a single application for the combined group of projects.

SEC. 10006. ELIGIBLE ENTITIES.

The following entities are eligible to receive assistance under this title:

(1) A corporation.

(2) A partnership.

(3) A joint venture.

(4) A trust.

(5) A Federal, State, or local governmental entity, agency, or instrumentality.

(6) A tribal government or consortium of tribal governments.

(7) A State infrastructure financing authority.

SEC. 10007. PROJECTS ELIGIBLE FOR ASSISTANCE.

The following projects may be carried out with amounts made available under this title:

(1) A project for flood control or hurricane and storm damage reduction that the Secretary has determined is technically sound, economically justified, and environmentally acceptable, including—

(A) a structural or nonstructural measure to reduce flood risk, enhance stream flow, or protect natural resources; and

(B) a levee, dam, tunnel, aqueduct, reservoir, or other related water infrastructure.

(2) 1 or more activities that are eligible for assistance under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)), notwithstanding the public ownership requirement under paragraph (1) of that subsection.

(3) 1 or more activities described in section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)).

(4) A project for enhanced energy efficiency in the operation of a public water system or a publicly owned treatment works.

(5) A project for repair, rehabilitation, or replacement of a treatment works, community water system, or aging water distribution or waste collection facility (including a facility that serves a population or community of an Indian reservation).

(6) A brackish or sea water desalination project, a managed aquifer recharge project, or a water recycling project.

(7) Acquisition of real property or an interest in real property—

(A) if the acquisition is integral to a project described in paragraphs (1) through (6); or

(B) pursuant to an existing plan that, in the judgment of the Administrator or the Secretary, as applicable, would mitigate the

environmental impacts of water resources infrastructure projects otherwise eligible for assistance under this section.

(8) A combination of projects, each of which is eligible under paragraph (2) or (3), for which a State infrastructure financing authority submits to the Administrator a single application.

(9) A combination of projects secured by a common security pledge, each of which is eligible under paragraph (1), (2), (3), (4), (5), (6), or (7), for which an eligible entity, or a combination of eligible entities, submits a single application.

SEC. 10008. ACTIVITIES ELIGIBLE FOR ASSISTANCE.

For purposes of this title, an eligible activity with respect to an eligible project includes the cost of—

(1) development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(2) construction, reconstruction, rehabilitation, and replacement activities;

(3) the acquisition of real property or an interest in real property (including water rights, land relating to the project, and improvements to land), environmental mitigation (including acquisitions pursuant to section 10007(7)), construction contingencies, and acquisition of equipment;

(4) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction; and

(5) refinancing interim construction funding, long-term project obligations, or a secured loan or loan guarantee made under this title.

SEC. 10009. DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.

(a) **ELIGIBILITY REQUIREMENTS.**—To be eligible to receive financial assistance under this title, a project shall meet the following criteria, as determined by the Secretary or Administrator, as applicable:

(1) **CREDITWORTHINESS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the project shall be creditworthy, which shall be determined by the Secretary or the Administrator, as applicable, who shall ensure that any financing for the project has appropriate security features, such as a rate covenant, to ensure repayment.

(B) **PRELIMINARY RATING OPINION LETTER.**—The Secretary or the Administrator, as applicable, shall require each project applicant to provide a preliminary rating opinion letter from at least 1 rating agency indicating that the senior obligations of the project (which may be the Federal credit instrument) have the potential to achieve an investment-grade rating.

(C) **SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.**—The Administrator shall develop a credit evaluation process for a Federal credit instrument provided to a State infrastructure financing authority for a project under section 10007(8) or an entity for a project under section 10007(9), which may include requiring the provision of a preliminary rating opinion letter from at least 1 rating agency.

(2) **ELIGIBLE PROJECT COSTS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the eligible project costs of a project shall be reasonably anticipated to be not less than \$20,000,000.

(B) **RURAL WATER INFRASTRUCTURE PROJECTS.**—For rural water infrastructure

projects, the eligible project costs of a project shall be reasonably anticipated to be not less than \$5,000,000.

(3) DEDICATED REVENUE SOURCES.—The Federal credit instrument for the project shall be repayable, in whole or in part, from dedicated revenue sources that also secure the project obligations.

(4) PUBLIC SPONSORSHIP OF PRIVATE ENTITIES.—In the case of a project carried out by an entity that is not a State or local government or an agency or instrumentality of a State or local government or a tribal government or consortium of tribal governments, the project shall be publicly sponsored.

(5) LIMITATION.—No project receiving Federal credit assistance under this title may be financed or refinanced (directly or indirectly), in whole or in part, with proceeds of any obligation—

(A) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(B) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(b) SELECTION CRITERIA.—

(1) ESTABLISHMENT.—The Secretary or the Administrator, as applicable, shall establish criteria for the selection of projects that meet the eligibility requirements of subsection (a), in accordance with paragraph (2).

(2) CRITERIA.—The selection criteria shall include the following:

(A) The extent to which the project is nationally or regionally significant, with respect to the generation of economic and public benefits, such as—

- (i) the reduction of flood risk;
- (ii) the improvement of water quality and quantity, including aquifer recharge;
- (iii) the protection of drinking water; and
- (iv) the support of international commerce.

(B) The extent to which the project financing plan includes public or private financing in addition to assistance under this title.

(C) The likelihood that assistance under this title would enable the project to proceed at an earlier date than the project would otherwise be able to proceed.

(D) The extent to which the project uses new or innovative approaches.

(E) The amount of budget authority required to fund the Federal credit instrument made available under this title.

(F) The extent to which the project—

- (i) protects against extreme weather events, such as floods or hurricanes; or
- (ii) helps maintain or protect the environment.

(G) The extent to which a project serves regions with significant energy exploration, development, or production areas.

(H) The extent to which a project serves regions with significant water resource challenges, including the need to address—

- (i) water quality concerns in areas of regional, national, or international significance;
- (ii) water quantity concerns related to groundwater, surface water, or other water sources;
- (iii) significant flood risk;
- (iv) water resource challenges identified in existing regional, State, or multistate agreements; or
- (v) water resources with exceptional recreational value or ecological importance.

(I) The extent to which assistance under this title reduces the contribution of Federal assistance to the project.

(3) SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.—For a project described in section

10007(8), the Administrator shall only consider the criteria described in subparagraphs (B) through (I) of paragraph (2).

(c) FEDERAL REQUIREMENTS.—Nothing in this section supersedes the applicability of other requirements of Federal law (including regulations).

SEC. 10010. SECURED LOANS.

(a) AGREEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), the Secretary or the Administrator, as applicable, may enter into agreements with 1 or more obligors to make secured loans, the proceeds of which shall be used—

(A) to finance eligible project costs of any project selected under section 10009;

(B) to refinance interim construction financing of eligible project costs of any project selected under section 10009; or

(C) to refinance long-term project obligations or Federal credit instruments, if that refinancing provides additional funding capacity for the completion, enhancement, or expansion of any project that—

- (i) is selected under section 10009; or
- (ii) otherwise meets the requirements of section 10009.

(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A secured loan under paragraph (1) shall not be used to refinance interim construction financing under paragraph (1)(B) later than 1 year after the date of substantial completion of the applicable project.

(3) FINANCIAL RISK ASSESSMENT.—Before entering into an agreement under this subsection for a secured loan, the Secretary or the Administrator, as applicable, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under section 10009(a)(1)(B), shall determine an appropriate capital reserve subsidy amount for the secured loan, taking into account each such preliminary rating opinion letter.

(4) INVESTMENT-GRADE RATING REQUIREMENT.—The execution of a secured loan under this section shall be contingent on receipt by the senior obligations of the project of an investment-grade rating.

(b) TERMS AND LIMITATIONS.—

(1) IN GENERAL.—A secured loan provided for a project under this section shall be subject to such terms and conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits), as the Secretary or the Administrator, as applicable, determines to be appropriate.

(2) MAXIMUM AMOUNT.—The amount of a secured loan under this section shall not exceed the lesser of—

(A) an amount equal to 49 percent of the reasonably anticipated eligible project costs; and

(B) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.

(3) PAYMENT.—A secured loan under this section—

(A) shall be payable, in whole or in part, from State or local taxes, user fees, or other dedicated revenue sources that also secure the senior project obligations of the relevant project;

(B) shall include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(C) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

(4) INTEREST RATE.—The interest rate on a secured loan under this section shall be not

less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

(5) MATURITY DATE.—

(A) IN GENERAL.—The final maturity date of a secured loan under this section shall be not later than 35 years after the date of substantial completion of the relevant project.

(B) SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.—The final maturity date of a secured loan to a State infrastructure financing authority under this section shall be not later than 35 years after the date on which amounts are first disbursed.

(6) NONSUBORDINATION.—A secured loan under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor of the project.

(7) FEES.—The Secretary or the Administrator, as applicable, may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

(8) NON-FEDERAL SHARE.—The proceeds of a secured loan under this section may be used to pay any non-Federal share of project costs required if the loan is repayable from non-Federal funds.

(9) MAXIMUM FEDERAL INVOLVEMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for each project for which assistance is provided under this title, the total amount of Federal assistance shall not exceed 80 percent of the total project cost.

(B) EXCEPTION.—Subparagraph (A) shall not apply to any rural water project—

- (i) that is authorized to be carried out by the Secretary of the Interior;
- (ii) that includes among its beneficiaries a federally recognized Indian tribe; and
- (iii) for which the authorized Federal share of the total project costs is greater than the amount described in subparagraph (A).

(c) REPAYMENT.—

(1) SCHEDULE.—The Secretary or the Administrator, as applicable, shall establish a repayment schedule for each secured loan provided under this section, based on the projected cash flow from project revenues and other repayment sources.

(2) COMMENCEMENT.—

(A) IN GENERAL.—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date of substantial completion of the project.

(B) SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.—Scheduled loan repayments of principal or interest on a secured loan to a State infrastructure financing authority under this title shall commence not later than 5 years after the date on which amounts are first disbursed.

(3) DEFERRED PAYMENTS.—

(A) AUTHORIZATION.—If, at any time after the date of substantial completion of a project for which a secured loan is provided under this section, the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the secured loan, the Secretary or the Administrator, as applicable, subject to subparagraph (C), may allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

- (i) continue to accrue interest in accordance with subsection (b)(4) until fully repaid; and
- (ii) be scheduled to be amortized over the remaining term of the secured loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the project meeting such criteria as the Secretary or the Administrator, as applicable, may establish.

(ii) REPAYMENT STANDARDS.—The criteria established under clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and secured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay a secured loan under this section without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A secured loan under this section may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

(D) SALE OF SECURED LOANS.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the date of substantial completion of a project and after providing a notice to the obligor, the Secretary or the Administrator, as applicable, may sell to another entity or reoffer into the capital markets a secured loan for a project under this section, if the Secretary or the Administrator, as applicable, determines that the sale or reoffering can be made on favorable terms.

(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary or the Administrator, as applicable, may not change the original terms and conditions of the secured loan without the written consent of the obligor.

(e) LOAN GUARANTEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may provide a loan guarantee to a lender in lieu of making a secured loan under this section, if the Secretary or the Administrator, as applicable, determines that the budgetary cost of the loan guarantee is substantially the same as that of a secured loan.

(2) TERMS.—The terms of a loan guarantee provided under this subsection shall be consistent with the terms established in this section for a secured loan, except that the rate on the guaranteed loan and any prepayment features shall be negotiated between the obligor and the lender, with the consent of the Secretary or the Administrator, as applicable.

SEC. 10011. PROGRAM ADMINISTRATION.

(a) REQUIREMENT.—The Secretary or the Administrator, as applicable, shall establish a uniform system to service the Federal credit instruments made available under this title.

(b) FEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may collect and spend fees, contingent on authority being provided in appropriations Acts, at a level that is sufficient to cover—

(A) the costs of services of expert firms retained pursuant to subsection (d); and

(B) all or a portion of the costs to the Federal Government of servicing the Federal credit instruments provided under this title.

(c) SERVICER.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may appoint a financial entity to assist the Secretary or the Administrator in servicing the Federal credit instruments provided under this title.

(2) DUTIES.—A servicer appointed under paragraph (1) shall act as the agent for the Secretary or the Administrator, as applicable.

(3) FEE.—A servicer appointed under paragraph (1) shall receive a servicing fee, subject to approval by the Secretary or the Administrator, as applicable.

(d) ASSISTANCE FROM EXPERTS.—The Secretary or the Administrator, as applicable, may retain the services, including counsel, of organizations and entities with expertise in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments provided under this title.

(e) APPLICABILITY OF OTHER LAWS.—Section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) applies to the construction of a project carried out, in whole or in part, with assistance made available through a Federal credit instrument under this title in the same manner that section applies to a treatment works for which a grant is made available under that Act.

SEC. 10012. STATE, TRIBAL, AND LOCAL PERMITS.

The provision of financial assistance for project under this title shall not—

(1) relieve any recipient of the assistance of any obligation to obtain any required State, local, or tribal permit or approval with respect to the project;

(2) limit the right of any unit of State, local, or tribal government to approve or regulate any rate of return on private equity invested in the project; or

(3) otherwise supersede any State, local, or tribal law (including any regulation) applicable to the construction or operation of the project.

SEC. 10013. REGULATIONS.

The Secretary or the Administrator, as applicable, may promulgate such regulations as the Secretary or Administrator determines to be appropriate to carry out this title.

SEC. 10014. FUNDING.

(a) IN GENERAL.—There is authorized to be appropriated to each of the Secretary and the Administrator to carry out this title \$50,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

(b) ADMINISTRATIVE COSTS.—Of the funds made available to carry out this title, the Secretary or the Administrator, as applicable, may use for the administration of this title, including for the provision of technical assistance to aid project sponsors in obtaining the necessary approvals for the project, not more than \$2,200,000 for each of fiscal years 2014 through 2018.

SEC. 10015. REPORT TO CONGRESS.

Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary or the Administrator, as applicable, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report summarizing for the projects that are receiving, or have received, assistance under this title—

(1) the financial performance of those projects, including a recommendation as to whether the objectives of this title are being met; and

(2) the public benefit provided by those projects, including, as applicable, water quality and water quantity improvement, the protection of drinking water, and the reduction of flood risk.

SEC. 10016. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) IN GENERAL.—Except as provided in subsection (b), none of the amounts made available under this Act may be used for the construction, alteration, maintenance, or repair of a project eligible for assistance under this title unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) EXCEPTION.—Subsection (a) shall not apply in any case or category of cases in which the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) PUBLIC NOTICE.—If the Secretary determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the Secretary shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

TITLE XI—EXTREME WEATHER

SEC. 11001. DEFINITION OF RESILIENT CONSTRUCTION TECHNIQUE.

In this title, the term “resilient construction technique” means a construction method that—

(1) allows a property—
(A) to resist hazards brought on by a major disaster; and

(B) to continue to provide the primary functions of the property after a major disaster;

(2) reduces the magnitude or duration of a disruptive event to a property; and

(3) has the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event.

SEC. 11002. STUDY ON RISK REDUCTION.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Interior and the Secretary of Commerce, shall enter into an arrangement with the National Academy of Sciences to carry out a study and make recommendations relating to infrastructure and coastal restoration options for reducing risk to human life and property from extreme weather events, such as hurricanes, coastal storms, and inland flooding.

(b) CONSIDERATIONS.—The study under subsection (a) shall include—

(1) an analysis of strategies and water resources projects, including authorized water resources projects that have not yet been constructed, and other projects implemented in the United States and worldwide to respond to risk associated with extreme weather events;

(2) an analysis of—
(A) historical extreme weather events;
(B) the ability of existing infrastructure to mitigate risks associated with extreme weather events; and

(C) the reduction in long-term costs and vulnerability to infrastructure through the use of resilient construction techniques.

(3) identification of proven, science-based approaches and mechanisms for ecosystem protection and identification of natural resources likely to have the greatest need for

protection, restoration, and conservation so that the infrastructure and restoration projects can continue safeguarding the communities in, and sustaining the economy of, the United States;

(4) an estimation of the funding necessary to improve infrastructure in the United States to reduce risk associated with extreme weather events;

(5) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the necessary infrastructure improvements referred to in paragraph (3); and

(6) an analysis of the Federal, State, and local costs of natural disasters and the potential cost-savings associated with implementing mitigation measures.

(c) **COORDINATION.**—The National Academy of Sciences may cooperate with the National Academy of Public Administration to carry out 1 or more aspects of the study under subsection (a).

(d) **PUBLICATION.**—Not later than 30 days after completion of the study under subsection (a), the National Academy of Sciences shall—

(1) submit a copy of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make a copy of the study available on a publicly accessible Internet site.

SEC. 11003. GAO STUDY ON MANAGEMENT OF FLOOD, DROUGHT, AND STORM DAMAGE.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the strategies used by the Corps of Engineers for the comprehensive management of water resources in response to floods, storms, and droughts, including an historical review of the ability of the Corps of Engineers to manage and respond to historical drought, storm, and flood events.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall address—

(1) the extent to which existing water management activities of the Corps of Engineers can better meet the goal of addressing future flooding, drought, and storm damage risks, which shall include analysis of all historical extreme weather events that have been recorded during the previous 5 centuries as well as in the geological record;

(2) whether existing water resources projects built or maintained by the Corps of Engineers, including dams, levees, floodwalls, flood gates, and other appurtenant infrastructure were designed to adequately address flood, storm, and drought impacts and the extent to which the water resources projects have been successful at addressing those impacts;

(3) any recommendations for approaches for repairing, rebuilding, or restoring infrastructure, land, and natural resources that consider the risks and vulnerabilities associated with past and future extreme weather events;

(4) whether a reevaluation of existing management approaches of the Corps of Engineers could result in greater efficiencies in water management and project delivery that would enable the Corps of Engineers to better prepare for, contain, and respond to flood, storm, and drought conditions;

(5) any recommendations for improving the planning processes of the Corps of Engineers

to provide opportunities for comprehensive management of water resources that increases efficiency and improves response to flood, storm, and drought conditions;

(6) any recommendations on the use of resilient construction techniques to reduce future vulnerability from flood, storm, and drought conditions; and

(7) any recommendations for improving approaches to rebuilding or restoring infrastructure and natural resources that contribute to risk reduction, such as coastal wetlands, to prepare for flood and drought.

SEC. 11004. POST-DISASTER WATERSHED ASSESSMENTS.

(a) **WATERSHED ASSESSMENTS.**—

(1) **IN GENERAL.**—In an area that the President has declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may carry out a watershed assessment to identify, to the maximum extent practicable, specific flood risk reduction, hurricane and storm damage reduction, ecosystem restoration, or navigation project recommendations that will help to rehabilitate and improve the resiliency of damaged infrastructure and natural resources to reduce risks to human life and property from future natural disasters.

(2) **EXISTING PROJECTS.**—A watershed assessment carried out paragraph (1) may identify existing projects being carried out under 1 or more of the authorities referred to in subsection (b) (1).

(3) **DUPLICATE WATERSHED ASSESSMENTS.**—In carrying out a watershed assessment under paragraph (1), the Secretary shall use all existing watershed assessments and related information developed by the Secretary or other Federal, State, or local entities.

(b) **PROJECTS.**—

(1) **IN GENERAL.**—The Secretary may carry out 1 or more small projects identified in a watershed assessment under subsection (a) that the Secretary would otherwise be authorized to carry out under—

(A) section 205 of the Flood Control Act of 1968 (33 U.S.C. 701s);

(B) section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i);

(C) section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330);

(D) section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a);

(E) section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577); or

(F) section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(2) **EXISTING PROJECTS.**—In carrying out a project under paragraph (1), the Secretary shall—

(A) to the maximum extent practicable, use all existing information and studies available for the project; and

(B) not require any element of a study completed for the project prior to the disaster to be repeated.

(c) **REQUIREMENTS.**—All requirements applicable to a project under the Acts described in subsection (b) shall apply to the project.

(d) **LIMITATIONS ON ASSESSMENTS.**—

(1) **IN GENERAL.**—A watershed assessment under subsection (a) shall be initiated not later than 2 years after the date on which the major disaster declaration is issued.

(2) **FEDERAL SHARE.**—The Federal share of the cost of carrying out a watershed assessment under subsection (a) shall not exceed \$1,000,000.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to

carry out this section \$25,000,000 for each of fiscal years 2014 through 2018.

SEC. 11005. AUTHORITY TO ACCEPT AND EXPEND NON-FEDERAL AMOUNTS.

The Secretary is authorized to accept and expend amounts provided by non-Federal interests for the purpose of repairing, restoring, or replacing water resources projects that have been damaged or destroyed as a result of a major disaster or other emergency if the Secretary determines that the acceptance and expenditure of those amounts is in the public interest.

TITLE XII—NATIONAL ENDOWMENT FOR THE OCEANS

SEC. 12001. SHORT TITLE.

This title may be cited as the “National Endowment for the Oceans Act”.

SEC. 12002. PURPOSES.

The purposes of this title are to protect, conserve, restore, and understand the oceans, coasts, and Great Lakes of the United States, ensuring present and future generations will benefit from the full range of ecological, economic, educational, social, cultural, nutritional, and recreational opportunities and services these resources are capable of providing.

SEC. 12003. DEFINITIONS.

In this title:

(1) **COASTAL SHORELINE COUNTY.**—The term “coastal shoreline county” has the meaning given the term by the Administrator of the Federal Emergency Management Agency for purposes of administering the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(2) **COASTAL STATE.**—The term “coastal State” has the meaning given the term “coastal state” in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) **CORPUS.**—The term “corpus”, with respect to the Endowment fund, means an amount equal to the Federal payments to such fund, amounts contributed to the fund from non-Federal sources, and appreciation from capital gains and reinvestment of income.

(4) **ENDOWMENT.**—The term “Endowment” means the endowment established under subsection (a).

(5) **ENDOWMENT FUND.**—The term “Endowment fund” means a fund, or a tax-exempt foundation, established and maintained pursuant to this title by the Foundation for the purposes described in section 12004(a).

(6) **FOUNDATION.**—The term “Foundation” means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(7) **INCOME.**—The term “income”, with respect to the Endowment fund, means an amount equal to the dividends and interest accruing from investments of the corpus of such fund.

(8) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(10) **TIDAL SHORELINE.**—The term “tidal shoreline” has the meaning given that term pursuant to section 923.110(c)(2)(i) of title 15, Code of Federal Regulations, or a similar successor regulation.

SEC. 12004. NATIONAL ENDOWMENT FOR THE OCEANS.

(a) **ESTABLISHMENT.**—The Secretary and the Foundation are authorized to establish the National Endowment for the Oceans as a

permanent Endowment fund, in accordance with this section, to further the purposes of this title and to support the programs established under this title.

(b) **AGREEMENTS.**—The Secretary and the Foundation may enter into such agreements as may be necessary to carry out the purposes of this title.

(c) **DEPOSITS.**—There shall be deposited in the Fund, which shall constitute the assets of the Fund, amounts as follows:

(1) Amounts appropriated or otherwise made available to carry out this title.

(2) Amounts earned through investment under subsection (d).

(d) **INVESTMENTS.**—The Foundation shall invest the Endowment fund corpus and income for the benefit of the Endowment.

(e) **REQUIREMENTS.**—Any amounts received by the Foundation pursuant to this title shall be subject to the provisions of the National Fish and Wildlife Establishment Act (16 U.S.C. 3701 et seq.), except the provisions of section 10(a) of that Act (16 U.S.C. 3709(a)).

(f) **WITHDRAWALS AND EXPENDITURES.**—

(1) **ALLOCATION OF FUNDS.**—Each fiscal year, the Foundation shall, in consultation with the Secretary, allocate an amount equal to not less than 3 percent and not more than 7 percent of the corpus of the Endowment fund and the income generated from the Endowment fund from the current fiscal year.

(2) **EXPENDITURE.**—Except as provided in paragraph (3), of the amounts allocated under paragraph (1) for each fiscal year—

(A) at least 59 percent shall be used by the Foundation to award grants to coastal States under section 12006(b);

(B) at least 39 percent shall be allocated by the Foundation to award grants under section 12006(c); and

(C) no more than 2 percent may be used by the Secretary and the Foundation for administrative expenses to carry out this title, which amount shall be divided between the Secretary and the Foundation pursuant to an agreement reached and documented by both the Secretary and the Foundation.

(3) **PROGRAM ADJUSTMENTS.**—

(A) **IN GENERAL.**—In any fiscal year in which the amount described in subparagraph (B) is less than \$100,000,000, the Foundation, in consultation with the Secretary, may elect not to use any of the amounts allocated under paragraph (1) for that fiscal year to award grants under section 12006(b).

(B) **DETERMINATION AMOUNT.**—The amount described in this subparagraph for a fiscal year is the amount that is equal to the sum of—

(i) the amount that is 5 percent of the corpus of the Endowment fund; and

(ii) the aggregate amount of income the Foundation expects to be generated from the Endowment fund in that fiscal year.

(g) **RECOVERY OF PAYMENTS.**—After notice and an opportunity for a hearing, the Secretary is authorized to recover any Federal payments under this section if the Foundation—

(1) makes a withdrawal or expenditure of the corpus of the Endowment fund or the income of the Endowment fund that is not consistent with the requirements of section 12005; or

(2) fails to comply with a procedure, measure, method, or standard established under section 12006(a)(1).

SEC. 12005. ELIGIBLE USES.

(a) **IN GENERAL.**—Amounts in the Endowment may be allocated by the Foundation to support programs and activities intended to restore, protect, maintain, or understand liv-

ing marine resources and their habitats and ocean, coastal, and Great Lakes resources, including baseline scientific research, ocean observing, and other programs and activities carried out in coordination with Federal and State departments or agencies, that are consistent with Federal environmental laws and that avoid environmental degradation, including the following:

(1) Ocean, coastal, and Great Lakes restoration and protection, including the protection of the environmental integrity of such areas, and their related watersheds, including efforts to mitigate potential impacts of sea level change, changes in ocean chemistry, and changes in ocean temperature.

(2) Restoration, protection, or maintenance of living ocean, coastal, and Great Lakes resources and their habitats, including marine protected areas and riparian migratory habitat of coastal and marine species.

(3) Planning for and managing coastal development to enhance ecosystem integrity or minimize impacts from sea level change and coastal erosion.

(4) Analyses of current and anticipated impacts of ocean acidification and assessment of potential actions to minimize harm to ocean, coastal, and Great Lakes ecosystems.

(5) Analyses of, and planning for, current and anticipated uses of ocean, coastal, and Great Lakes areas.

(6) Regional, subregional, or site-specific management efforts designed to manage, protect, or restore ocean, coastal, and Great Lakes resources and ecosystems.

(7) Research, assessment, monitoring, observation, modeling, and sharing of scientific information that contribute to the understanding of ocean, coastal, and Great Lakes ecosystems and support the purposes of this title.

(8) Efforts to understand better the processes that govern the fate and transport of petroleum hydrocarbons released into the marine environment from natural and anthropogenic sources, including spills.

(9) Efforts to improve spill response and preparedness technologies.

(10) Acquiring property or interests in property in coastal and estuarine areas, if such property or interest is acquired in a manner that will ensure such property or interest will be administered to support the purposes of this title.

(11) Protection and relocation of critical coastal public infrastructure affected by erosion or sea level change.

(b) **MATCHING REQUIREMENT.**—An amount from the Endowment may not be allocated to fund a project or activity described in paragraph (10) or (11) of subsection (a) unless non-Federal contributions in an amount equal to 30 percent or more of the cost of such project or activity is made available to carry out such project or activity.

(c) **CONSIDERATIONS FOR GREAT LAKES STATES.**—Programs and activities funded in Great Lakes States shall also seek to attain the goals embodied in the Great Lakes Restoration Initiative Plan, the Great Lakes Regional Collaboration Strategy, the Great Lakes Water Quality Agreement, or other collaborative planning efforts of the Great Lakes Region.

(d) **PROHIBITION ON USE OF FUNDS FOR LITIGATION.**—No funds made available under this title may be used to fund litigation over any matter.

SEC. 12006. GRANTS.

(a) **ADMINISTRATION OF GRANTS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Foundation shall establish the following:

(A) Application and review procedures for the awarding of grants under this section, including requirements ensuring that any amounts awarded under such subsections may only be used for an eligible use described under section 12005.

(B) Approval procedures for the awarding of grants under this section that require consultation with the Secretary of Commerce and the Secretary of the Interior.

(C) Eligibility criteria for awarding grants—

(i) under subsection (b) to coastal States; and

(ii) under subsection (c) to entities including States, Indian tribes, regional bodies, associations, non-governmental organizations, and academic institutions.

(D) Performance accountability and monitoring measures for programs and activities funded by a grant awarded under subsection (b) or (c).

(E) Procedures and methods to ensure accurate accounting and appropriate administration grants awarded under this section, including standards of record keeping.

(F) Procedures to carry out audits of the Endowment as necessary, but not less frequently than once every 5 years.

(G) Procedures to carry out audits of the recipients of grants under this section.

(2) **APPROVAL PROCEDURES.**—

(A) **SUBMITTAL.**—The Foundation shall submit to the Secretary each procedure, measure, method, and standard established under paragraph (1).

(B) **DETERMINATION AND NOTICE.**—Not later than 90 days after receiving the procedures, measures, methods, and standards under subparagraph (A), the Secretary shall—

(i) determine whether to approve or disapprove of such procedures, measures, methods, and standards; and

(ii) notify the Foundation of such determination.

(C) **JUSTIFICATION OF DISAPPROVAL.**—If the Secretary disapproves of the procedures, measures, methods, and standards under subparagraph (B), the Secretary shall include in notice submitted under clause (ii) of such subparagraph the rationale for such disapproval.

(D) **RESUBMITTAL.**—Not later than 30 days after the Foundation receives notification under subparagraph (B)(ii) that the Secretary has disapproved the procedures, measures, methods, and standards, the Foundation shall revise such procedures, measures, methods, and standards and submit such revised procedures, measures, methods, and standards to the Secretary.

(E) **REVIEW OF RESUBMITTAL.**—Not later than 30 days after receiving revised procedures, measures, methods, and standards resubmitted under subparagraph (D), the Secretary shall—

(i) determine whether to approve or disapprove the revised procedures, measures, methods, and standards; and

(ii) notify the Foundation of such determination.

(b) **GRANTS TO COASTAL STATES.**—

(1) **IN GENERAL.**—Subject to paragraphs (3) and (4), the Foundation shall award grants of amounts allocated under section 12004(e)(2)(A) to eligible coastal States, based on the following formula:

(A) Fifty percent of the funds are allocated equally among eligible coastal States.

(B) Twenty-five percent of the funds are allocated on the basis of the ratio of tidal shoreline miles in a coastal State to the tidal shoreline miles of all coastal States.

(C) Twenty-five percent of the funds are allocated on the basis of the ratio of population density of the coastal shoreline counties of a coastal State to the population density of all coastal shoreline counties.

(2) **ELIGIBLE COASTAL STATES.**—For purposes of paragraph (1), an eligible coastal State includes—

(A) a coastal State that has a coastal management program approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and

(B) during the period beginning on the date of the enactment of this Act and ending on December 31, 2018, a coastal State that had, during the period beginning January 1, 2008, and ending on the date of the enactment of this Act, a coastal management program approved as described in subparagraph (A).

(3) **MAXIMUM ALLOCATION TO STATES.**—Notwithstanding paragraph (1), not more than 10 percent of the total funds distributed under this subsection may be allocated to any single State. Any amount exceeding this limit shall be redistributed among the remaining States according to the formula established under paragraph (1).

(4) **MAXIMUM ALLOCATION TO CERTAIN GEOGRAPHIC AREAS.**—

(A) **IN GENERAL.**—Notwithstanding paragraph (1), each geographic area described in subparagraph (B) may not receive more than 1 percent of the total funds distributed under this subsection. Any amount exceeding this limit shall be redistributed among the remaining States according to the formula established under paragraph (1).

(B) **GEOGRAPHIC AREAS DESCRIBED.**—The geographic areas described in this subparagraph are the following:

- (i) American Samoa.
- (ii) The Commonwealth of the Northern Mariana Islands.
- (iii) Guam.
- (iv) Puerto Rico.
- (v) The Virgin Islands.

(5) **REQUIREMENT TO SUBMIT PLANS.**—

(A) **IN GENERAL.**—To be eligible to receive a grant under this subsection, a coastal State shall submit to the Secretary, and the Secretary shall review, a 5-year plan, which shall include the following:

(i) A prioritized list of goals the coastal State intends to achieve during the time period covered by the 5-year plan.

(ii) Identification and general descriptions of existing State projects or activities that contribute to realization of such goals, including a description of the entities conducting those projects or activities.

(iii) General descriptions of projects or activities, consistent with the eligible uses described in section 12005, applicable provisions of law relating to the environment, and existing Federal ocean policy, that could contribute to realization of such goals.

(iv) Criteria to determine eligibility for entities which may receive grants under this subsection.

(v) A description of the competitive process the coastal State will use in allocating funds received from the Endowment, except in the case of allocating funds under paragraph (7), which shall include—

(I) a description of the relative roles in the State competitive process of the State coastal zone management program approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) and any State Sea Grant Program; and

(II) a demonstration that such competitive process is consistent with the application and review procedures established by the Foundation under subsection (a)(1).

(B) **UPDATES.**—As a condition of receiving a grant under this subsection, a coastal State shall submit to the Secretary, not less frequently than once every 5 years, an update to the plan submitted by the coastal State under subparagraph (A) for the 5-year period immediately following the most recent submittal under this paragraph.

(6) **OPPORTUNITY FOR PUBLIC COMMENT.**—In determining whether to approve a plan or an update to a plan described in subparagraph (A) or (B) of paragraph (5), the Secretary shall provide the opportunity for, and take into consideration, public input and comment on the plan.

(7) **APPROVAL PROCEDURE.**—

(A) **IN GENERAL.**—Not later than 30 days after the opportunity for public comment on a plan or an update to a plan of a coastal State under paragraph (6), the Secretary shall notify such coastal State that the Secretary—

- (i) approves the plan as submitted; or
- (ii) disapproves the plan as submitted.

(B) **DISAPPROVAL.**—If the Secretary disapproves a proposed plan or an update of a plan submitted under subparagraph (A) or (B) of paragraph (5), the Secretary shall provide notice of such disapproval to the submitting coastal State in writing, and include in such notice the rationale for the Secretary's decision.

(C) **RESUBMITTAL.**—If the Secretary disapproves a plan of a coastal State under subparagraph (A), the coastal State shall resubmit the plan to the Secretary not later than 30 days after receiving the notice of disapproval under subparagraph (B).

(D) **REVIEW OF RESUBMITTAL.**—Not later than 60 days after receiving a plan resubmitted under subparagraph (C), the Secretary shall review the plan.

(8) **INDIAN TRIBES.**—As a condition on receipt of a grant under this subsection, a State that receives a grant under this subsection shall ensure that Indian tribes in the State are eligible to participate in the competitive process described in the State's plan under paragraph (5)(A)(v).

(C) **NATIONAL GRANTS FOR OCEANS, COASTS, AND GREAT LAKES.**—

(1) **IN GENERAL.**—The Foundation may use amounts allocated under section 12004(e)(2)(B) to award grants according to the procedures established in subsection (a) to support activities consistent with section 12005.

(2) **ADVISORY PANEL.**—

(A) **IN GENERAL.**—The Foundation shall establish an advisory panel to conduct reviews of applications for grants under paragraph (1) and the Foundation shall consider the recommendations of the Advisory Panel with respect to such applications.

(B) **MEMBERSHIP.**—The advisory panel established under subparagraph (A) shall include persons representing a balanced and diverse range, as determined by the Foundation, of—

- (i) ocean, coastal, and Great Lakes dependent industries;
- (ii) geographic regions;
- (iii) nonprofit conservation organizations with a mission that includes the conservation and protection of living marine resources and their habitats; and
- (iv) academic institutions with strong scientific or technical credentials and experience in marine science or policy.

SEC. 12007. ANNUAL REPORT.

(a) **REQUIREMENT FOR ANNUAL REPORT.**—Beginning with fiscal year 2014, not later than 60 days after the end of each fiscal year, the Foundation shall submit to the Committee

on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Endowment during the fiscal year.

(b) **CONTENT.**—Each annual report submitted under subsection (a) for a fiscal year shall include—

(1) a statement of the amounts deposited in the Endowment and the balance remaining in the Endowment at the end of the fiscal year; and

(2) a description of the expenditures made from the Endowment for the fiscal year, including the purpose of the expenditures.

SEC. 12008. TULSA PORT OF CATOOSA, ROGERS COUNTY, OKLAHOMA LAND EXCHANGE.

(a) **DEFINITIONS.**—In this section:

(1) **FEDERAL LAND.**—The term “Federal land” means the approximately 87 acres of land situated in Rogers County, Oklahoma, contained within United States Tracts 413 and 427, and acquired for the McClellan-Kerr Arkansas Navigation System.

(2) **NON-FEDERAL LAND.**—The term “non-Federal land” means the approximately 34 acres of land situated in Rogers County, Oklahoma and owned by the Tulsa Port of Catoosa that lie immediately south and east of the Federal land.

(b) **LAND EXCHANGE.**—Subject to subsection (c), on conveyance by the Tulsa Port of Catoosa to the United States of all right, title, and interest in and to the non-Federal land, the Secretary shall convey to the Tulsa Port of Catoosa, all right, title, and interest of the United States in and to the Federal land.

(c) **CONDITIONS.**—

(1) **DEEDS.**—

(A) **DEED TO NON-FEDERAL LAND.**—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(B) **DEED TO FEDERAL LAND.**—The Secretary shall convey the Federal land to the Tulsa Port of Catoosa by quitclaim deed and subject to any reservations, terms, and conditions that the Secretary determines necessary to—

(i) allow the United States to operate and maintain the McClellan-Kerr Arkansas River Navigation System; and

(ii) protect the interests of the United States.

(2) **LEGAL DESCRIPTIONS.**—The exact acreage and legal descriptions of the Federal land and the non-Federal land shall be determined by surveys acceptable to the Secretary.

(3) **PAYMENT OF COSTS.**—The Tulsa Port of Catoosa shall be responsible for all costs associated with the land exchange authorized by this section, including any costs that the Secretary determines necessary and reasonable in the interest of the United States, including surveys, appraisals, real estate transaction fees, administrative costs, and environmental documentation.

(4) **CASH PAYMENT.**—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, the Tulsa Port of Catoosa shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(5) **LIABILITY.**—The Tulsa Port of Catoosa shall hold and save the United States free from damages arising from activities carried out under this section, except for damages due to the fault or negligence of the United States or a contractor of the United States.

TITLE XIII—MISCELLANEOUS

SEC. 13001. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) DEFINITIONS.—In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term “farm” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(3) GALLON.—The term “gallon” means a United States liquid gallon.

(4) OIL.—The term “oil” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(5) OIL DISCHARGE.—The term “oil discharge” has the meaning given the term “discharge” in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(6) REPORTABLE OIL DISCHARGE HISTORY.—The term “reportable oil discharge history” has the meaning used to describe the legal requirement to report a discharge of oil under applicable law.

(7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “Spill Prevention, Control, and Countermeasure rule” means the regulation, including amendments, promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification of compliance with the rule by—

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(ii) an aggregate aboveground storage capacity greater than or equal to 20,000 gallons; or

(iii) a reportable oil discharge history; or

(B) the owner or operator of the farm (via self-certification) for a farm with—

(i) an aggregate aboveground storage capacity not more than 20,000 gallons and not less than the lesser of—

(I) 6,000 gallons; or

(II) the adjustment described in subsection (d)(2); and

(ii) no reportable oil discharge history of oil; and

(2) not require a certification of a statement of compliance with the rule—

(A) subject to subsection (d), with an aggregate aboveground storage capacity of not less than 2,500 gallons and not more than 6,000 gallons; and

(B) no reportable oil discharge history; and

(3) not require a certification of a statement of compliance with the rule for an aggregate aboveground storage capacity of not more than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and

(2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

(d) STUDY.—

(1) IN GENERAL.—Not later than 12 months of the date of enactment of this Act, the Administrator, in consultation with the Sec-

retary of Agriculture, shall conduct a study to determine the appropriate exemption under subsection (b)(2)(A) and (b)(1)(B) to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant risk of discharge to water.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in subsection (b)(2)(A) and (b)(1)(B) in accordance with the study.

SEC. 13002. AMERICA THE BEAUTIFUL NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS PROGRAM.

The Secretary may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 2 p.m. today, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATION

Mr. REID. I now ask unanimous consent that at 2 p.m., the Senate proceed to executive session to consider Calendar Nos. 40 and 92 en bloc; that the time until 4:30 p.m. be equally divided in the usual form, with Senator BAUCUS controlling the time from 4:15 to 4:30; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed, with 2 minutes for debate between the votes; and that the second vote be 10 minutes in length; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I yield to my friend from Oregon.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. WYDEN. Madam President, I appreciate Senator REID yielding me this

time and Senator MCCONNELL being on the floor for this, and I will be brief.

As I discussed earlier this morning, yesterday's new report from the Congressional Budget Office highlights why it would be so important to have a conference committee between the House and the Senate go to work on the budget. What the Congressional Budget Office reported yesterday was a 24-percent reduction in the budget deficit—quite a remarkable projection. That, coupled with the improving jobs and housing numbers, we now have economic experts across the political spectrum—for example, people such as Glenn Hubbard, a leading Republican economist—saying it is important for the Congress to look at these long-term economic challenges. In fact, we have economic experts of both political parties saying Washington ought to be doing more about the long-term economic challenges and not just have the day-to-day battling.

Going to a budget conference will give us that opportunity. It will give us the opportunity to look at the 10-year budget window and particularly issues such as health care and taxes.

So in the name of dealing with the long-term economic challenges highlighted by yesterday's projections, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the Chair be authorized to appoint conferees on the part of the Senate; all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, I ask unanimous consent that the Senator modify his request that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt limit.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. WYDEN. I do not. The point I have tried to make is the Congressional Budget Office didn't talk about the Senate relitigating past discussions.

Mr. MCCONNELL. Madam President, I have a parliamentary inquiry: Is that an objection?

The PRESIDING OFFICER. Does the Senator object to the modification?

Mr. WYDEN. I do.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request of the Senator from Oregon?

Mr. McCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. WYDEN. If I could be recognized for another brief moment this highlights how unfortunate it is that we don't look to the future as the Congressional Budget Office projections laid out for us yesterday. The Congressional Budget Office didn't talk about relitigating past votes here in the Senate. They said specifically the deficit was significantly lower than earlier projected, and, on the basis of what I have cited, economic experts of both political parties are saying it is time to look to the long-term challenges, particularly Medicare and taxes. I came today to say that a budget conference would provide that kind of window: the opportunity to look particularly at long-term health care challenges such as chronic care and Medicare.

I see my colleague from the Senate Finance Committee, who knows we have been talking about tax reform, Democrats and Republicans; again, a bipartisan opportunity we could achieve through a conference. I proposed that today, based on the new evidence from yesterday. Regrettably, we can't go to conference because it seems the leader on the other side will only go to conference if we can relitigate the stuff that happened in the Senate which he lost.

I hope colleagues will look at that new Congressional Budget Office report. I hope they will look at the jobs picture, the housing starts, all of which seem to be improving in the short term. I hope they will pay more attention to what economic experts of both political parties are saying, which is we ought to be looking to our long-term challenges—particularly in health care and taxes—with the budget conference between the House and the Senate providing an opportunity to look at that 10-year window. We could do exactly what economic experts of both political parties are talking about. I think it is unfortunate we have not been given that opportunity today and I hope we will be given it in the days ahead.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, first, I thank my colleague from Oregon for offering his proposal and am sorry it was rejected. We should be going to conference on the budget, there is no question about it. It is hard for us to understand how, on the other side, people have been railing for 4 years: You do not have a budget. And now we have a budget and they do not want to move forward. But that is not what I rose to speak about today.

FLOOD INSURANCE

Mr. SCHUMER. Madam President, first, I also want to say to the Senator

from California and the Senator from Louisiana, job well done. The WRDA bill is a very good bill, and it will help both the port of New York City—one of the great ports of the world—as well as our Great Lakes ports, which are having their own troubles in terms of dredging.

But there was an extreme disappointment in the bill—no fault of my colleague from California. I am extremely disappointed at the objection some of my colleagues raised to even allowing a vote on the Landrieu amendment to the WRDA bill, and I, along with Senator LANDRIEU and others, will keep fighting until this commonsense amendment passes. I am speaking of amendment No. 888. I was proud to co-sponsor it. Very simply, it would delay for 5 years any premium increases resulting from revised flood maps. The purpose of the amendment was to provide FEMA enough time to complete the study it was required to complete over a month ago on the affordability of increased premiums.

Senator TOOMEY is right that we passed a flood insurance reauthorization bill just 10 months ago, but it was always the intent—and many of us worked hard on that—under Bigert-Waters that FEMA would conduct an affordability study before higher premiums would go into effect. That way Congress could review the findings and recommendations and address important issues relating to affordability and neighborhood sustainability.

Senator LANDRIEU's amendment was carefully crafted to give FEMA time to complete its study, then allow Congress 6 months to respond. For technical reasons, she amended it to a straight 5-year delay—I thought that was better—but the purpose was the same. The logic is irrefutable: Why bother to do the study at all if we are going to allow FEMA to charge ahead and start raising premiums all over the country?

I say this to my colleagues—the Senator from Louisiana knows it well, and we know it well in New York—you are going to be finding out across the country that flood insurance premiums are going to rise so high that they will be unaffordable to average middle-class people.

What do you say to the homeowner who is forced into the choice of either paying crushing flood premiums or leaving their home and their neighborhood? Do we say to them: Sorry, we just couldn't get around to thinking about difficult cases like yours just yet.

That is not going to stand. That is not fair. It is not acceptable.

I note for my colleagues who might think this is just a Hurricane Sandy-related issue, it is not. New Yorkers are facing this situation because our flood maps are being revised—a process that was well underway before Sandy.

So the increased premiums many New Yorkers could well face will face all of your constituents. As FEMA starts revising flood maps—and they are increasing the number of homes included and increasing the level at which homeowners have to pay—every one of you is going to be facing the same problem we are facing in New York.

Madam President, \$9,500 for flood insurance for someone who makes \$40,000 or \$50,000 and lives in a modest home? Forget it. We cannot have that, and I will tell FEMA right now that will not stand. Something will give because the situation is untenable.

The original bill provided for a study, and then Congress could act on that study and modify the bill. But now we are moving forward without even the study being done. In fact, people in some States are already seeing their premiums rise up to 25 percent a year, and many more States will be covered over the next 2 years.

If you think it is just coastal States, such as my State of New York and the State of Louisiana, it is not. In fact, according to FEMA, my friend Senator TOOMEY's home State is one of the States that rely most heavily on flood insurance. Pennsylvania ranks seventh in the total amount of NFIP payouts, seventh in the number of claims filed since the program began.

So we all have an interest to get this right, that we proceed with eyes wide open in attempts to bring the Flood Insurance Program onto sounder financial footing; that we have the benefit of all the data and analysis we need. My prediction: If we do not change this, there will be no flood insurance or at the very minimum we will let it be optional for everybody and let people decide because to force people between paying an amount they cannot afford and forcing people to leave their homes is a choice this Congress will ultimately not abide for.

It is important to remember that if people cannot afford flood insurance, they are going to drop out of the program. Their communities might not adopt new flood maps when proposed because they know the cost is prohibitive. When future disasters hit, these families and communities will be entirely dependent on Federal aid to help them rebuild, and that will cost the taxpayers even more.

So it is important that we ensure the program is both financially sound and accessible to ordinary middle-class families. Something is very wrong with a program that requires middle-class families to pay over \$10,000 a year for a policy with coverage that is capped at \$250,000.

You may ask why I am so passionate about this issue. Because I have visited too many families, too many communities in New York City and in upstate New York where the prospect of higher premiums is causing residents to

rethink whether they can even afford to remain in the homes in which they have lived, many of them, for their whole lives, whether they can afford to live in the neighborhoods in which they grew up, where their families and friends live, where their children go to school. Families are being forced to make this choice in neighborhoods from Staten Island to the Rockaways to Massapequa and east and upstate in places such as Schoharie County and in the southern tier counties such as Broome and Tioga and in north country counties such as Essex. It would be a shame if we allowed this to happen—all because FEMA did not get around to studying the impact of higher flood rates and Congress did not have a chance to respond.

So I hope that by the time New York's maps are completed and New Yorkers have completed the process of rebuilding in the wake of Sandy, fears of \$10,000 flood insurance premiums for middle-class homes will prove to have been incorrect. But right now those fears are very real, and they are putting the future of some of New York's most tightly knit middle-class neighborhoods at risk.

As I noted previously, New York's flood maps were in the process of being revised before Sandy hit. But in the wake of Sandy, it adds insult to injury when families who are spending their entire savings to repair their homes are told that in a year or two they may not be able to afford to live there.

In conclusion, I am disappointed that we did not get a vote on this issue, but I will keep pushing and pushing until this awful situation is rectified. I know Senator LANDRIEU will. I know Senator VITTER will. The issue is too important to too many New Yorkers and too many Americans, and I will not stop until we get a vote and until we ultimately succeed.

I am confident many more of my colleagues will begin to hear from their constituents about the challenges they are facing as flood premiums are increased, and they will see the wisdom of Senator LANDRIEU's amendment and Congress will ultimately act to fix this problem once and for all.

With that, I appreciate my colleagues giving me time, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

WATER RESOURCES DEVELOPMENT ACT

Mrs. BOXER. Madam President, I think the Senator from New York is pointing out an issue Senator VITTER and I agree with, which is that we should have had a vote on the Landrieu-Vitter amendment, which would have definitely moved in the direction of ensuring that people's insurance rates for flood protection do not go through the roof.

It was very disappointing that the Senator from Pennsylvania Mr. TOOMEY opposed having even a vote on this. But you know what, we will have other days in the Sun, I say to my friend, where we will deal with this issue because it is too important to too many people across the Nation.

But I do not want that to dim what just happened in the Senate. I do not want the fact that there was one disappointment to take away from what just happened in the Senate. What just happened is that 83 colleagues—83 strong—voted for the Water Resources Development Act that came out of the Environment and Public Works Committee with a very strong unanimous vote and that Senator VITTER and I, working together for the first time on a big bill such as this, were able to put aside other differences and come together in an area where we both agree; that is, it is essential to have a strong infrastructure in the greatest Nation in the world and in our States. It is essential that people not be worried that bridges will fall; that they will not have good roads; that they will not have their ports deepened so they can accept these big ships that go in and out; that they will be vulnerable to flooding; and that they will not be able to restore wetlands, which are so critical to preventing floods.

This bill is so critical to the infrastructure and to the environment. Anyone who has been to the Everglades knows how critical it is to make sure the Everglades remain. It is a gift from God, and we have the responsibility. Anyone who knows the Chesapeake Bay knows how important it is to ensure it is healthy. We do that in this bill. And we do our best to ensure that the types of flooding we saw in Katrina will be minimized. We made many, many reforms, and I feel good about them.

I really have to say that without the staff, none of this would be possible. Senator VITTER and I are so blessed to have the kinds of staffs we have. They are dedicated. The hours they work have no bounds. The other night we were talking at 11 o'clock. My staff was there. This type of a bill is not easy to get through because every State has its own needs, every State has its own challenges, every State has its own problems. We were able, because of our staffs working endlessly, to meet the needs, I believe, of the whole country, and that is why we have votes from the entire country. We have votes from so many States because this bill is truly reflective of the needs of our communities.

I want to say to Bettina Poirier, my chief of staff and chief counsel, you certainly know how to get a bill through. You certainly know how to manage a staff. And you certainly have made wise decisions in terms of your staff. We have Jason Albritton and Ted

Illston and Tyler Rushforth and David Napolliello and Andrew Dohrmann.

These are only 1, 2, 3, 4, 5—6 names that I mentioned, and they handled this bill from, essentially, 100 different Senators pounding on their doors, including this Senator, saying: What and why and how? And you answered it.

I also want to close by thanking some other wonderful staffers of Senator REID: Gary Myrick, Tim Mitchell, Bill Dauster, Alex McDonough, and, I have to say, Tyler Kruzich of the Budget Committee, who helped us, and Reema Dodin, who came in and really helped us make sure we had the votes when we needed the votes.

And I am going to make one thank-you. I know Senator VITTER is going to name his staff. I am not going to mention their names, but he speaks for me when he thanks them. But there is one person, and that is Neil Chatterjee, and I hope I do not ruin his career by thanking him. He works for Senator MCCONNELL. He helped us greatly just to know the lay of the land. He said: This is where we have problems. This is where we can come together.

And I will tell you something. Managing these bills, you just need to know how you stand, and you need to know where you are. So having the support of both Senator REID and Senator MCCONNELL and their staffs has made our world a lot easier.

So we say to the House: This is your chance. Step to the plate. I know Chairman SHUSTER over there really wants a bill. We stand ready to work with him. I think our bill provides a roadmap.

With that, I want to again say to Senator VITTER, it has been terrific to work with him, and I look forward to continuing our collaboration anytime and anyplace we can come together.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I stand to echo all of those thoughts.

Let me start with a lot of overdue thanks. First of all, let me thank a great partner in Chairman BOXER. As she said many times, we do not agree about a lot, including important issues within the jurisdiction of our committee, but we can come together constructively, really productively, on the infrastructure side of our committee—both highway infrastructure and water infrastructure. And that is what we wanted to do from the very beginning on this bill.

The crucial element to any success is the will and the determination to do it. We both had that, but I really thank her for her leadership in that regard and being a great partner.

I certainly echo all of her thoughts about the staff work. I am deeply indebted to all of the staff work, particularly on my side, that went into this bill. The chair and I personally dealt

with probably a couple dozen issues and semicrises that would crop up over time.

But if we did that with a couple of dozen, our staffs did that with hundreds and solved those problems to the satisfaction of a huge number of Members. That was reflected in the vote. I thank both staffs, but I am particularly indebted to my staff for all of that hard work, particularly Zak Baig, Charles Brittingham, Chris Tomassi, Sarah Veatch, Rebecca Louviere, Jill Landry, Luke Bolar, and Cheyenne Steel. They all put in enormous hours—of course, Charles much more than anyone else, but they all put in enormous hours. I thank them for their excellent work.

I also want to emphasize what a positive bill this is. I talked a few minutes ago, right before the vote, about the strengths of the bill from a national point of view: jobs, waterborne commerce, reform of the Corps of Engineers. This bill is also very important for my home State of Louisiana. I just want to underscore that in closing.

In three areas it is particularly important. First of all, we have a lot of important flood control, hurricane protection projects. This bill moves a number of those projects forward in a crucial way; projects such as the Louisiana Coastal Area Ecosystem Project, Morganza to the Gulf, which is vitally important to the protection of Lafourche and Terrebonne Parishes and surrounding areas, also the West Shore Hurricane Protection Project. That is right in the middle of where Hurricane Isaac hit. We need to get that done. It is now moving forward, the Southwest Louisiana Coastal Hurricane Protection Study.

Finally, although it is not as far along, there is very important work with regard to Saint Tammany and other coastal parishes achieving flood protection, including a barrier at the lake or near Lake Pontchartrain for Saint Tammany. That concept will move forward because of this bill.

The second big category in the bill is Corps of Engineers reform and accountability. Those of us who lived through Hurricane Katrina saw some of the best and, unfortunately, some of the worst of what the Federal Government has to offer. On the side that needs improvement, we need streamlining and reform at certain agencies, including the Corps of Engineers.

This bill brings that reform to the Corps of Engineers in a number of important areas, such as the proposal Senator NELSON of Florida and I have. It also streamlines and expedites the process, particularly with regard to environmental review. That is very important.

Third, and finally, this bill advances waterborne commerce by dredging our harbors and ports and rivers, and getting that work done, which is vital,

which is necessary, if marathon commerce is going to move forward and help drive the engine of our economy. We have major reforms in this bill with regard to the Harbor Maintenance Trust Fund, major reforms in the bill with regard to the Inland Waterway Trust Fund, dredging what we need to dredge, moving forward on key harbors and ports and waterways. That is important for our Louisiana maritime sector, which is a big part of the national economy.

So there are a lot of positives to this bill. That is why I was proud to help develop it and support it. That is why I am very pleased today that it got overwhelming bipartisan support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

DISAPPEARING MIDDLE CLASS

Mr. SANDERS. Madam President, yesterday the nonpartisan Congressional Budget Office, the CBO, estimated that this year's budget deficit will be 24 percent lower than it was projected just a few months ago. That is very good news for our country. Let's not forget that just 5 or so years ago when President Obama came into office in January 2009, he inherited a \$1.4 trillion deficit—\$1.4 trillion. This was as a result of two unpaid-for wars, huge tax breaks for the wealthy and large corporations, an unfunded Medicare Part D prescription drug program written by the drug and insurance companies and, of course, the terrible recession, which resulted in less revenue coming into the Federal Government.

We experienced 4 straight years of deficits above \$1 trillion. This year the CBO projects the deficit will just be \$642 billion. Now, \$642 billion is a lot of money. It is a large deficit. We have to continue working on that issue. But, clearly, for a variety of reasons we have made substantial progress, and we should be proud of that.

By 2015, the CBO is projecting that Federal deficit will total just 2.1 percent of GDP, exactly what those folks involved with Simpson and Bowles told us we needed to achieve in order to be fiscally sustainable over the long term.

So the good news is that we have made significant progress on deficit reduction. We should be proud of that. However, we must be cognizant that we do not place ourselves in a situation in which the operation was a success but the patient died. The patient I am talking about, of course, is the disappearing middle class, the backbone of this great country.

In other words, while a lot of attention has been focused on deficit reduction, which is important, it is high time we started focusing on what is happening to tens of millions of working families, people who are unemployed, people who are working at very

low wage jobs, elderly people who cannot afford their prescription drugs, families who cannot afford to send their kids to college or provide childcare for their young ones.

My main point today is, let's start focusing on the issue of most importance to the vast majority of the American people; that is, creating the millions of jobs we desperately need and making sure people have income they can afford to live on with dignity.

The sad reality is—and we need to focus on these issues—poverty is increasing and in many ways the great middle class of this country, once the envy of the world, is disappearing. Sadly, the gap between the very, very wealthy and everyone else is growing wider and wider.

We must not have an economy where just the people on top, just the multinational corporations do extremely well, while the vast majority of the people are struggling to make ends meet.

Since 1999 the average middle-class family has seen its income go down by nearly \$5,000 after adjusting for inflation. Median family income today is lower than it was in 1996. So all over this country people get up in the morning, often husbands and wives, work long hours, and they come back and they find out that they are worse off financially than they were 10 or 15 years ago.

When you ask people, why, what direction, how is the country doing, they think the country is moving in the wrong direction. That is precisely the reason: people are working long hard hours, and they are falling further and further behind.

I understand when we pick up the newspapers they tell us unemployment is 7.5 percent. That is one way of looking at unemployment. But if we look at it in a more accurate way, including those people who have given up looking for work, people who are working part time when they want to work full time, real unemployment in this Nation today is 13.9 percent. It is high time this Congress began addressing that issue. In fact, more than 20 million Americans today do not have a full-time job when they want to be working full time.

Another issue that has not received the attention that it deserves is youth unemployment. Youth unemployment is especially painful because we have young people graduating high school, graduating college, wanting to go out and begin their careers, begin their adult lives, and they cannot find a job. In some cases if they graduate college, they are finding a job which does not require a college degree.

The youth unemployment rate for 16- to 24-year-old workers is 16.2 percent—16.2 percent. For teenagers the overall unemployment rate is 25.1 percent. For African-American teens, the number is 43.1 percent.

Believe it or not, the United States has now surpassed much of Europe in the percentage of young adults without jobs, according to a recent article in the *New York Times*. We have done well for a variety of reasons in dealing with deficit reduction, but now it is time to turn to those young people throughout this country, kids who are looking forward to getting out on their own, earning a living, and help them get the kind of jobs they need to succeed in life and to start their adult life off in a good direction.

Each and every year when we talk about young people, we should understand that another real tragedy is taking place, and that is because of the disappearing middle class and the high cost of college education. Some 400,000 high school graduates do not go to college, not because they are unqualified but because they cannot afford it. What a tragedy that is, to waste all of that intellectual capital. Who knows what those kids might do if they are able to get a college degree. But now, because of declining incomes for their families and the high cost of college education, they are unable to do it. This is an issue on which we must also focus.

From 1969 to 2009, median earnings for male high school graduates plummeted by almost 50 percent after adjusting for inflation. Let me repeat that. From 1969 to 2009, median earnings for male high school graduates plummeted by almost 50 percent after adjusting for inflation. Men without a high school education have fared even worse. Their inflation-adjusted median earnings have shrunk by nearly two-thirds over the past four decades.

What is that about? Well, what that is about is at one time in this country, when people did not have even a high school degree or just a high school degree, they could go out and get a job. Maybe that job was in a factory. Maybe it was not the greatest job in the world, but if they worked in a factory, and especially if they had a union job in that factory, they could make a decent wage. They could make it into the middle class. But, sadly, those jobs have, to a very significant degree, disappeared. We have lost over 50,000 factories in this country in the last 10 years millions of decent-paying jobs.

What opportunities are there now available for young people who just graduate high school or may not even graduate high school? At best, at best, they are going to work at McDonald's or work at Wal-Mart for inadequate wages. But the truth is that many of those young people are finding it difficult to obtain any kind of job.

There is another issue on which we must focus, and that is distribution of wealth because at the end of the game, the end of the game of economics, we want to know who wins and who loses. Clearly, what has been going on in this

country in recent years is the people on top are doing phenomenally well while the middle class is shrinking and poverty is at a very high rate.

According to a report that came out on April 23, 2013, a couple of weeks ago, from the Pew Research Center, all of the new wealth generated in this country from 2009 to 2011 went to the top 7 percent of American households, while the bottom 93 percent of Americans saw a net reduction in their wealth.

All of the new wealth, from 2009 to 2011, went to the top 7 percent. Today, the wealthiest 400 individuals in this country own more wealth than the bottom half of America, 150 million people—400 people here, 150 million there. That is not what this great country was supposed to be about.

Today, one family, the Walton family, the owners of Walmart, is worth \$100 billion. That is more wealth than the bottom 40 percent of the American people. One family owns more wealth than the bottom 40 percent of the American people.

Today the top 1 percent owns 38 percent of all financial wealth, while the bottom 60 percent owns 2.3 percent. In case people didn't hear that correctly—maybe they are scratching their heads—let me say it again. The top 1 percent owns 38 percent of all financial wealth in this country, while the bottom 60 percent owns 2.3 percent. That gap between the billionaires and everybody else is getting wider and wider and wider. In fact, as Warren Buffett has pointed out, we are seeing a massive shift of wealth from the middle class to the billionaire class.

Warren Buffett pointed out recently that the 400 wealthiest Americans are now worth a recordbreaking \$1.7 trillion, more than five times what they were worth two decades ago.

Meanwhile, according to a June 2012 study from the Federal Reserve, median net worth of middle-class families dropped by nearly 40 percent from 2007 to 2010. What we are seeing is a massive shifting of wealth from the middle class, from the working class of this country, to the people on top. That gap between the very wealthy and everybody else is now wider than it has been since the 1920s and wider than any major country on Earth.

What is my point? My point is that deficit reduction is important. We must continue to focus on it. We cannot forget about the economic reality facing the men, women, and children of this country, facing senior citizens of this country. It is high time we began to address some of the major economic problems we face.

In terms of job creation, most economists will tell you the fastest way to create jobs is to put Americans back to work rebuilding our crumbling infrastructure. In my State of Vermont and in States all over this country, there is a desperate need to repair and rebuild

our roads, bridges, dams, culverts, sewers, schools, and affordable housing. If we do this, if we start investing in our infrastructure, making sure broadband is accessible in every area in this country, cell phone service is available in every area of this country, rebuilding our roads, bridges, rail, we will make this Nation more productive. At the same time we can put millions of people back to work at all kinds of work.

The American Society of Civil Engineers has graded America's roads, public transit, and aviation infrastructure with a D-plus. They say we must invest \$1.6 trillion more than we are currently planning to spend on infrastructure over the next 7 years just to get a passable condition. When we make that investment, we improve life in America. People do not have to go over potholes. Bridges do not have to be closed. We can develop a first-rate rail system to compete with Europe, Japan, China, and we can create jobs doing that.

The second point, in terms of job creation, is we can create significant numbers of jobs transforming our energy system away from fossil fuel, into energy efficiency, and such sustainable energies as wind, solar, geothermal, and biomass. When we do that we begin to start addressing the planetary crisis of global warming, we begin to cut back on greenhouse gas emissions, and we create good-paying jobs.

Thirdly, we have got to take a hard look at our disastrous trade policy, which for many years has been corporate America's policy, and a policy of Republicans and Democrats alike. Despite all of the evidence that unfettered free trade has resulted in the loss of millions of decent-paying jobs in this country, as corporations shut down here, move to China, Vietnam, and other low-wage countries, we still have Democrats and Republicans coming forward doing the bidding of corporate America so these companies can get cheap labor abroad while increasing unemployment in this country. We have got to take a hard look at our trade policies.

I know every election campaign, 2 weeks before the election, all the candidates have ads on television bashing China and ads on television talking about trade policy. Somehow the day after the election everybody forgets it. Whether it is a Democratic President, whether it is a Republican President, whether it is a Republican House or whether it is a Democratic Senate, we still continue moving down the road of these disastrous trade policies. That means NAFTA, CAFTA, and permanent normal trade relations with China. We have to take a hard look and rethink those policies.

The last point I want to make is that while making progress on deficit reduction, we have got to be appreciative that some of the people on whom we have balanced the budget are some of

the most vulnerable people in this country. While one out of four major corporations pays nothing in taxes, while corporations are stashing their money in the Cayman Islands, Bermuda, and other tax havens, we have made devastating cuts in programs that people can ill afford. As a result of sequestration, this is what is happening in the real world. At a time when over 20 million Americans are unemployed or underemployed, unemployment insurance checks, which average about \$300 a week—try living on \$300 a week—are being cut by 10.7 percent. In other words, those who are out of work, through no fault of their own, are having their unemployment benefits reduced by more than \$32 a week on average. Now \$32 here is what people spend for lunch. If you are a working family and you are unemployed, \$32 is a question of whether you buy food for the kids. We have got to replace that loss.

At a time when early childhood education is more important than ever, when we do an abysmal job in terms of childcare and preschool education already, as a result of sequestration 70,000 kids are losing access to Head Start and Early Head Start Programs. That is unacceptable.

I am chairman of the subcommittee which deals with aging, and I can tell you that millions of seniors right now are struggling, figuring out how to pay their food bills, buy their prescription drugs, and keep warm in the winter-time. At a time when food insecurity is skyrocketing as a result of sequestration, tens of thousands of senior citizens have been denied access to the Meals On Wheels Program. Meals On Wheels is a program that goes to the weakest, most fragile, most vulnerable people in this country, elderly people who cannot get out of their homes. Meals are delivered to them. For these people, this is a question of life or death, whether they are going to live with a modicum of dignity. Those programs have been cut as a result of sequestration.

At a time when millions of Americans cannot afford the cost of housing, 140,000 low-income families, primarily seniors with disabilities and families with kids, are losing rental assistance because of cuts to the section 202 elderly housing program, the section 811 disabled housing program, and a number of other affordable housing programs.

At a time when the cost of a college education is becoming increasingly out of reach for working families, 70,000 college students, as a result of sequestration, are losing Federal work-study grants. Some of them will not be able to stay in college.

At a time when 45,000 Americans will die this year because they don't have access to health care, sequestration has forced doctors in cancer clinics to deny chemotherapy treatments to

thousands of patients because of a 2-percent cut to Medicare providers.

LIHEAP, which is the Low Income Heating Energy Assistance Program, very important to the State of Vermont, is being cut by \$180 million, meaning people will go cold next winter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SANDERS. Let me conclude by saying we have made progress on deficit reduction, and that is good. Now it is time to pay attention to the needs of working families all over this country and put people back to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, may I inquire as to how much time I am allowed on morning business?

The PRESIDING OFFICER. There are 10-minute allotments for the Senators.

THE IRS

Mr. COATS. Madam President, Thomas Jefferson once said:

The majority, oppressing an individual, is guilty of a crime, abuses its strength, and by acting on the law of the strongest breaks up the foundations of society.

The foundation of this society, this great society based on democracy, is the principle of self-determination and the belief that every American is equal under the law and guaranteed liberty. This principle is ingrained in the character of our Nation, and it is enshrined in our Constitution.

Of the many things that set us apart from other nations, there is none greater than the First Amendment to the Constitution—the freedom of religion, the freedom of the press, freedom to assemble and to petition our government, and the freedom of speech.

Under the First Amendment, Americans have the right to organize around the issues and values they believe in, and they have the right to disagree with their government. This liberty is part of what energizes our democracy, and it is essential if this democracy is to prevail.

That freedom has come under attack recently by our very own government when the Internal Revenue Service targeted conservative groups, including at least one in my home State of Indiana, for extra scrutiny based on their political leanings. The IRS must be non-partisan. It has to be. It is not a partisan watchdog.

Why did the enforcers of our Tax Code target groups with applications that included the words “tea party,” “patriots,” or “9/12 Project”? Why did it single out applications of groups focusing on issues such as government spending, government debt and taxes, to educate the public by advocacy to “make America a better place to live,”

or those who sought to educate Americans about our Constitution? The IRS singled out a group formed to better educate Americans about our Constitution. What, are they afraid they are going to read it? The IRS targeted a group that wants to make America a better place to live. They are afraid that these groups are going to succeed by questioning the policies of this administration and perhaps suggesting a different course.

This is outrageous, this targeting. The inspector general issued a report yesterday saying these are very serious allegations, and they reveal an effort to misuse government power to unfairly scrutinize those who simply disagree with the policies of this administration. Remember the timing. All of this took place during a national election.

I have met with tea party groups all across the State of Indiana. Unlike the characterization that is made by some, these are honest, law-abiding citizens who are deeply concerned about the future of their country. They are deeply concerned about our nation's plunge into deficit spending and debt that may never be able to be repaid and may be dumped in the laps of our children and our grandchildren. They want to do something about it, and they are deeply concerned about abuses of the rights guaranteed under the Constitution. They said one of the first things they do is suggest why don't we read the Constitution and better understand the Constitution.

I think that is a good idea, because I think some of the things we are doing raise the question of whether they are constitutional. To form a group for the purpose of addressing concerns about the national debt, which is running out of control, about a government that is spending like a drunken sailor, about a government that refuses to do what just about every business in America and every family in America has had to do during this time of downturn and recession—that is to tighten their belts and spend more wisely—only the Federal Government doesn't do this and hasn't done this successfully. So they get targeted by an agency that oversees their taxes and intimidates them or fails to give a rational evaluation of their application for tax exempt status? This targeting is not only inappropriate, it is outrageous and it is disgraceful. It is a despicable abuse of power and a direct assault on our Constitution. It is exactly the type of thing that makes Americans further distrust their government.

Earlier this year, the Pew Research Center released a poll revealing that 73 percent of Americans distrust their government. In other words, only 3 out of every 10 Americans have faith in the Federal Government. This trust deficit is something we should not ignore. It is an alarming indication of how the

American people view their government—one that continues to overreach. Those of us who are trying to assure our constituents that we are doing everything we can to keep this government from overreaching, who know we need to restore this trust, we are now hit with something like this.

The IRS is given the responsibility of carrying out the law. It should never use its powers for partisan purposes—ever. Violating that standard destroys the integrity of our government and further erodes the trust of the American people. Neither those of us who make the laws nor those who enforce the laws can be above the law, but the IRS believed it was above the law when it targeted conservative groups for scrutiny. Make no mistake, it is the IRS that will be under scrutiny because of their own abuse, and so will every other agency of government because we are beginning to discover a disturbing pattern of politically motivated abuse.

Sometimes I think we are beginning to hear the echoes of Watergate whispering through this town and through the residence at 1600 Pennsylvania Avenue.

I have a hard time believing their apology and explanation that this was simply a misguided effort by low-level bureaucrats attempting to organize applications for tax exempt status. Where have we heard that before? Oh, yes, Benghazi—these were some low-level bureaucrats who made the wrong decision.

Where does the buck stop in this town? It doesn't stop at the President's desk or at the desk of the Secretary of State. It seems to be pushed down to the "low-level bureaucrats" who should have been supervised better. These people went off and did their own thing so let's just dismiss it, push it to the side. So, yes, we lost an ambassador—that was a tragic situation—and three others who were there trying to protect him, but what is the big deal? It is over with. It was a mistake, so let's move on.

It is just like this pathetically weak statement from our President who said if this turns out to be the case, then, of course, we will need to do something about it. It is real. It is there. It has to be addressed.

While an apology from the IRS is necessary, it is not enough to just simply say it is an inappropriate act. The targeting of these groups, which was confirmed by, as I said, the inspector general, is a very serious allegation and reveals an effort to misuse government power to unfairly scrutinize those who disagree with the administration. The actions of the IRS to target groups based on political viewpoints is outrageous and disgraceful. It is an abuse of power and a direct assault on our Constitution.

Madam President, there must be accountability and responsibility from

top leadership, and that includes the White House. The American people deserve answers. How could this clearly unconstitutional action have occurred? Who was involved and who else was aware of this deliberate targeting? What steps will be taken to ensure this doesn't happen again?

Today, I have joined all of my Senate Republican colleagues in sending the President a letter demanding the administration comply fully with all congressional inquiries on this matter. No more avoiding, no more delaying, no more stonewalling, no more inappropriate responses. It is time for the administration to start answering some questions for the American people.

This scandal has left a stain on the IRS that I believe cannot be repaired under current leadership. The head of the IRS, as well as every supervisor involved, should be removed from their posts.

We will not tolerate the intimidation and silencing of Americans simply for exercising their First Amendment rights.

Let me conclude by repeating Thomas Jefferson's warning:

We must not allow this abuse of fundamental constitutional rights to break up the very foundations of society.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Madam President, as I come to the floor today Americans all across the country are paying very close attention to the multiple scandals surrounding the Obama administration—one of the scandals my colleague and friend from Indiana has just so eloquently discussed.

We are seeing headlines all across the country. Today my hometown newspaper, the Casper Star Tribune, had the headline "Trio of Troubles" relating to the Obama administration.

What the American people are seeing from the Obama administration is a high level of incompetence and a very low level of transparency.

Here are just a few of the headlines today in the Washington Post: "Criminal Probe of IRS launched." Criminal probe of IRS launched. Just below that, "Leak Probe. Phone-records uproar ends Holder's respite." That has to do with the Justice Department's secret gathering of records from the Associated Press.

Inside the paper, open it, and there is much more. "Media outlets condemn agency," "Justice Department, IRS scandals challenge Obama's civil liberties credibility."

Other articles in today's paper note the ongoing scandal over the administration's handling of the attack on our consulate in Benghazi. The Washington Post Fact Checker recently gave the

President four Pinocchios for his attempt to mislead the public on the issue. The only reason they didn't give him five Pinocchios is you can't get five. Four is the highest rating you can get for misleading and inaccurate information.

Well, we need more details about the Benghazi coverup, the IRS targeting of conservatives, and the Justice Department's decision to monitor members of the media.

Today, though, I want to talk about another important story that raises serious questions about this administration's actions. Of course, I am referring to the abuse of power that I call "the Sebelius shakedown."

This scandal was first reported by the Washington Post on its front page last weekend. Here is the headline. "HHS asking firms for money for ObamaCare." The article goes on to say:

Health and Human Services Secretary, Kathleen Sebelius, has gone hat in hand to health industry officials, asking them to make large financial donations to help with the effort to implement President Obama's landmark health care law.

The article goes on to say:

Over the past 3 months, Sebelius has made multiple phone calls to health industry executives, to community organizations, and to church groups, and asked that they contribute whatever they can to nonprofit groups that are working to enroll uninsured Americans and increase awareness of the law.

Madam President, these are very serious allegations against the Secretary of Health and Human Services. The President's health care law is a disaster that threatens American jobs, threatens American paychecks, and threatens Americans' health care. Instead of facing the reality, though, Secretary Sebelius has called on the exact same companies she regulates—the companies she regulates—to make financial donations to organizations that are trying to make this awful law look better than it is.

Well, the Sebelius shakedown is outrageous. She is the Secretary of Health and Human Services for the country. She holds tremendous power and influence over these companies she regulates. Her words and her requests matter. One industry official with direct knowledge of the Secretary's funding request was quoted in the Washington Post as saying there was a clear insinuation by the administration that insurers should give financially to this effort.

This would be like your boss coming in and standing by your desk and then asking you how many boxes of Girl Scout cookies you plan to buy from the boss's daughter that year.

This kind of conflict of interest would be disturbing even if this were just a minor agency with limited power, but Health and Human Services is not a minor agency. It is one of the

most powerful and influential bureaucracies in all of Washington. President Obama's health care law gave Secretary Sebelius unprecedented power to regulate a very large portion of the U.S. economy. She controls a budget of nearly \$1 trillion and oversees health care industries ranging from insurance companies to hospitals.

On top of that, Health and Human Services is currently negotiating with health plans to set premium rates. It is also setting up the government-run health care exchanges and confirming which companies will get to participate in those. That raises the stakes dramatically for these companies, and it puts a tremendous amount of pressure on them to keep the Secretary happy.

Private companies and other organizations should never be put in a position where they could fear for their future based upon their response to inappropriate requests from a member of the President's Cabinet. The American people should never have to wonder if their government is shaking down the very businesses they regulate.

At best, asking health care industry executives to donate money for the administration's health care law enrollment efforts is a blatant conflict of interest. At worst, the Secretary may have violated the law by increasing Federal spending without congressional authorization. As Congress begins investigating Secretary Sebelius's actions, the American people deserve answers to a number of important questions.

For starters, the American people would like to know who exactly the Secretary called. What did she ask? What specific legal authority permits the Secretary or any other HHS employee to solicit financial donations to implement the health care law? Which HHS officials participated in the decision to ask for these donations? Did anyone else at HHS ask for donations from outside groups and businesses? Did any other Obama administration officials make similar solicitations? What specific steps has Health and Human Services taken to ensure the Obama administration will not favor businesses and organizations that gave money or punish those that did not donate?

Secretary Sebelius had a history of questionable decisions even prior to her latest efforts to shake down the health industry. Back in September 2010, health insurance companies started informing their customers how much the President's health care law would increase the premiums of these individuals. So the Secretary responded by warning insurers the administration would be keeping track of their actions, and that some companies might be "excluded" from health insurance exchanges in 2014.

That was not an idle threat. Medicare's Chief Actuary had predicted in

the future that essentially all Americans would buy health insurance through the government exchange. So the Secretary seemed to be threatening that any insurers telling customers the reason behind premium increases—which, of course, would be the President's health care law—could be put out of business.

Most recently, last fall the U.S. Office of Special Counsel concluded that Secretary Sebelius violated the Hatch Act. She did this when campaigning for President Obama when traveling on official government business. Federal workers who violate the Hatch Act are often fired, but Secretary Sebelius was not punished at all.

There are already enough concerns about how the President's health care law will harm the American people. We cannot afford unresolved questions about whether a Cabinet Secretary pressured businesses that she regulates to make donations.

A lot of media attention on these scandals has focused on the political fallout. The politics is not the real issue. The real issue is that the American people need to know their government is not a thug. The real interest of the American people is in knowing they have confidence that their government will act in the people's best interests, not just in President Obama's best interest.

The American people need confidence that the administration is not favoring or punishing the people it regulates based upon their support for the administration's pet causes.

When it comes to these disturbing allegations about Secretary Sebelius and all of the other recent scandals, the American people deserve to know what happened. Yesterday Secretary Sebelius had an opportunity to answer questions. She did not. Today, again Secretary Sebelius had an opportunity to answer questions. Again, according to press reports, she refused to do so.

The American people want answers. Members of the Congress want answers. There are many more questions to be asked.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SARAH NEIMEYER

Mr. DURBIN. Madam President, once in a while you are lucky enough to meet someone who is down to Earth but uncompromising in their idealism. I met someone just like that in the year 2007, and I hired her for my staff. It was a great decision.

For the better part of 6 years, Sarah Neimeyer has been a senior member of my staff, and this week she left my of-

fice for a new adventure which she started today, working with the new Secretary at the Department of the Interior. I am sorry to lose her, but I wish her well.

Sarah comes by her idealism honestly. She grew up in a family of progressives in rural Minnesota. Her dad practiced law and her mom raised honey bees and grew her own vegetables.

From her parents Sarah inherited progressive ideals, practical Midwestern values and a deep love of the land.

During college, she spent her summers leading canoe trips through the Boundary Waters Wilderness in northern Minnesota and Ontario, Canada.

Her first boss in the Senate was a dear friend and one of my personal heroes, Paul Wellstone. Sarah worked for Paul for 10 years. After he passed away, she left Capitol Hill and worked as an advocate for land conservation and wilderness preservation.

Illinois has benefited from Sarah's passion, her practicality and her incredibly hard work.

Lake Michigan is one of Illinois' most beloved treasures. As a member of my staff, Sarah has fought many battles to protect the Lake from threats from toxic dumping to invasive Asian carp.

She has worked alongside energy companies in Illinois that are cleaning up the way energy is produced.

Whenever safe water, clean air and healthy lands are at stake, you can be pretty sure Sarah Neimeyer is close by. She is committed and tenacious. And she usually wins.

There is one cause which is even dearer to Sarah and that is her family—her husband, Joe Warren, and their teenage sons, Will and Harry. As accomplished as Sarah is in her professional life, if you ask her what she is proudest of, she will tell you in an instant: it's her boys.

Paul Wellstone had a great definition for politics. He used to say:

"In the last analysis, politics is not predictions and politics is not observations. Politics is what we do. Politics is what we do, politics is what we create, by what we work for, by what we hope for and what we dare to imagine."

Paul Wellstone was right. That is politics at its finest. That is the kind of public service Sarah Neimeyer has performed for me and for the people of Illinois for the last nearly 6 years and I am grateful to her.

I want to thank Joe, Will and Harry, first of all, for sharing Sarah with us. And I want to thank Sarah for helping to protect and preserve some of my State and our Nation's greatest natural treasures.

I wish her continued joy and success as she gets back on the "green bus" to begin her next professional challenge.

CONTINUING GUN VIOLENCE

Mr. DURBIN. I rise to talk about the continuing toll of gun violence on America and my home State of Illinois. For several months now, New York Times columnist Joe Nocera has published what he calls "The Gun Report." It is a daily compilation of stories about shootings across America. This report, posted online on the New York Times Web site, is startling.

It is one thing when you hear the dry numbers about 87 Americans killed, 200 wounded every day by gun violence, but Joe Nocera's report goes beyond the numbers. It shares some of the details from the news reports of these shootings.

For example, Mr. Nocera's report for Monday describes shootings that took place over this last weekend. The tally of shootings in America goes on to fill 19 paragraphs. Let me read just some of the descriptions of the shootings that took place over this last weekend right here in our beloved country:

A 12-year-old boy was accidentally shot in the face by his 11-year-old friend Friday morning in Camden, NJ.

Two Minneapolis, Minn. police officers were shot and wounded at a traffic stop in the Uptown district Friday afternoon.

Avery Williams, 22, and Jamario Troutman, 24, died and a third man is in serious condition after a Friday afternoon shooting in West Palm Beach, Fla.

Tamara Logan, 44, teacher's aide was shot multiple times in the head area outside McKinley Elementary School in east Erie, Pa., Friday morning.

46-Year-old Bruce Byrd shot and killed his wife, 44-year-old Stephanie Byrd, and then turned the gun on himself in a Lawrenceville, Pa. home Friday.

Those are just a few of the shootings that were reported on Friday. There are dozens more stories from Saturday and Sunday, including a fatal road rage shooting in Arkansas; a convicted felon who shot and killed his son in Missouri; four people found shot to death in a home in Waynesville, NC; and at least 19 people shot during a Mother's Day parade in New Orleans.

Sadly, there were multiple shootings from my home State of Illinois in Mr. Nocera's report, including a Saturday night shooting in Rockford and at least nine people shot over the weekend in the Chicago area, three of them fatally.

It is hard to read Mr. Nocera's report and not feel that something is terribly wrong with this level of gun violence. Have we heard it so often that we reach the point it has no impact? I think most Americans will look at this report and agree that we should take steps to reduce this massive toll of gun violence.

Several weeks ago, on April 17, on this floor of the Senate, we fell short of the 60 votes needed to break a Republican filibuster. It was a filibuster against commonsense gun reform and gun safety. We did not get 60 votes for commonsense steps such as closing

gaps in the gun background check system and cracking down on straw purchasers who supply criminals and gangs with guns.

JOE MANCHIN is a Senator from West Virginia. He is a Democrat. He may be one of the most conservative Democrats on the floor of the Senate. PATRICK TOOMEY is a Republican from Pennsylvania, arguably the most conservative Republican on the floor of the Senate. JOE MANCHIN and PATRICK TOOMEY, a Democrat and Republican, sat down and said: Can we find some way to reduce gun violence in America in a bipartisan way? Two conservatives? Two gun owners? And they did.

They came up with a proposal that would call for universal background checks. Today up to 40 percent of the guns sold in America are sold to people not subject to a background check. How important is that? What if you got on an airplane and before it took off the flight attendant said: Welcome to this flight. We want you to know that 60 percent of you have gone through TSA screening to see if you are carrying a weapon or bomb; 40 percent we did not check. Would you get on the airplane? Would you want your family on that airplane?

That is the situation in America today when it comes to the sale of firearms. So JOE MANCHIN and PATRICK TOOMEY said let's close the problems we have, the gaps in the law, and make sure everyone, virtually everyone is subject to a background check, particularly those who buy guns through newspapers or over the Internet. Let's make sure those who go to gun shows to buy guns, that at least we check their background.

Why do we want to check? The law says you have a right under the Second Amendment to legally own and responsibly use a firearm in America. I understand that, and I will fight to protect it. But the law also says if you are a convicted felon or someone so mentally unstable you should not own a firearm, you cannot buy one, not legally, in this country.

There are a lot of sportsmen and hunters in my home State of Illinois. I know many of them. They are in my family. I have met them, I have talked to them. They get it. They want their Second Amendment rights protected, but they do not want to believe for a minute that a firearm is going to be sold to someone who is going to use it in a crime or to someone who is so mentally unstable that they cannot handle it. That is what the Manchin-Toomey amendment was all about. We needed 60 votes, we got 55.

We lost four votes on this side of the aisle, the Democratic side. We picked up four votes on the other side of the aisle. Let me commend my colleague, my Republican colleague, MARK KIRK, who joined me in voting for this measure. It was truly a bipartisan effort

from those Senators who crafted the bill and voted for it, but we fell five votes short of breaking a Republican filibuster.

The issue of gun violence is not going to go away. We are losing more Americans every day to this gun violence. Just this morning, the Chicago Tribune reported that 2 people were killed and 11 wounded in shootings last night in Chicago.

Chicago is a wonderful city; it is a great city. I am proud to represent it and proud to spend much of my time there. But I am saddened by the gun violence that takes place there and in all the major cities across America.

Since 26 schoolchildren and 6 teachers were killed in Newtown, CT, on December 14, America has been fixated on gun violence. Just the images of those beautiful little boys and girls from their first grade class, killed in their school by a man firing away repeatedly with a weapon—it is just heart-breaking. I met some of those parents. They have come by my office. They showed me the pictures of their kids. There was not a dry eye in the room—beautiful little boys and girls, gone.

We have to ask the question: Can we do anything about it? Should we do anything about it? Will we do anything about it?

The sad reality is, since that day, that horrible day in Newtown, CT, when that massacre occurred, more than 4,000 Americans have been killed by guns. Think about that. More than 4,000 Americans have been killed by guns. If you read Mr. Nocera's report in the New York Times, you can see the devastating loss our Nation suffers every single day.

Sadly, America just about leads the world when it comes to gun violence and gun death. It does not have to be that way. This past weekend the Chicago Tribune published an article looking at the problem of straw purchasing. That is one of the main ways that convicted felons and gang members get their guns in Chicago.

The article said many straw purchasers see the opportunity as easy money and a victimless paperwork crime. In fact, straw purchases lead to serious crimes and killings. They are the primary factor behind gun violence in the city of Chicago.

What is a straw purchase? That is when a person who can legally purchase a gun buys one to either give it or sell it to a person who is going to use it in the commission of a crime. It happens a lot. Almost 10 percent of all the firearms confiscated in the commission of a crime in Chicago over the last 10 years—almost 10 percent of those guns came from the State of Mississippi. Mississippi. Why? It is because you can show a driver's license in Mississippi and buy a gun. In fact, you can buy a trunk full of guns and you can head out on the interstate, headed for

some alleyway or crackhouse in or near Chicago, make your sale that night, and come away with a lot of money. That is what straw purchasing is all about.

One of the provisions in the law which I cosponsored, which was a bipartisan provision, along with Senator PATRICK LEAHY, Democrat of Vermont; Senator SUSAN COLLINS, Republican of Maine; Senator GILLIBRAND of New York, and myself, as well as my colleague, Senator MARK KIRK, Republican colleague—we made this a bipartisan effort to say if you are going to buy a gun to give it or sell it to someone who is going to commit a crime, you are going to commit a Federal crime yourself if you do it, with up to 15 years in prison, real hard time for a real crime. It was defeated. The gun lobby opposed it. Why? Was it to sell more guns? This doesn't help a sportsman or a hunter, for someone to buy a gun so someone else can commit a crime with it, and yet they defeated it. That is the reality of what we are up against, but it is a reality that can change.

Senator KIRK named this provision in the bill after a recent gun victim in Chicago, 15-year-old Hadiya Pendleton. She was a beautiful little girl who came out for the time of her life to be at President Obama's inauguration in January. She went back to Chicago, and a couple of weeks later she was gunned down while standing at a bus stop outside of her school.

I cannot believe people voted against the measure to stop straw purchasing and to make these people who buy these guns and put them into the flow of deadly crime across America accountable.

Well, people are speaking out now in a way they never have before. Mothers, doctors, mayors, law enforcement, and family members of victims are no longer going to sit down and be quiet; they are going to speak up. This coalition has been turning up the heat on Members of Congress, and I know it has received a lot of publicity.

In a democracy, elections count. We have to make sure the people who are elected want to have gun safety in this Nation. We need real reform when it comes to gun violence and gun safety. We cannot just walk away from the daily toll of shootings across America. Instead, we need five more votes on the floor of the Senate.

People say: Well, the House of Representatives will never consider this measure.

Well, maybe they won't, and maybe the people who believe this is important for the future of their families and our country will remember that in the next election. That is what democracy is all about.

Some Senators have claimed they voted for an alternative—the so-called Grassley alternative—and therefore

they are really for gun safety. Make no mistake about it—that Grassley amendment would have actually removed tens of thousands of mental illness records from background check databases, and it would have made it nearly impossible to convict straw purchasers. Only the gun lobby would call that an improvement to the current system.

There is no piece of legislation, no bill or law that can end every act of violence. We are duty and morally bound to do everything in our power to keep America safe. When we think of the tragedy in Newtown and the tragedy that affected 4,000 gun victims since Newtown, we have no choice but to move forward as a nation in a sensible way. We need to protect Second Amendment rights, but we also need to keep guns out of the hands of convicted felons and mentally unstable people.

I want to close by extending my sympathies to the victims and family members in Illinois and across the Nation who suffered from gun violence. I am sorry this continues. It is time for Congress to act and act quickly.

SEXUAL ASSAULT IN THE MILITARY

Mr. DURBIN. Madam President, about an hour ago I was on the telephone with Secretary of Defense Chuck Hagel. It was a somber conversation. We were talking about the most recent disclosure yesterday of sexual assault in the military. The Secretary said he was beside himself with the knowledge that this continues and that he was going to do something about it. I trust that he will.

Last night we learned of the latest and most reprehensible incident. The Army is investigating a sexual assault prevention and response coordinator at Fort Hood, TX, for being engaged in abusive sexual contact and other abusive crimes.

Secretary Hagel has directed re-screening and retraining of all sexual assault prevention coordinators and military recruiters. I know he is upset about this; I could hear it in his voice. I join him in that response. He understands this is a pervasive crisis that threatens the moral underpinnings of our military. At risk are core values of trust, discipline, and respect that every one of our servicemembers expects and deserves to protect each other and ultimately to protect America.

Next Wednesday the Army will appear before my Appropriations Subcommittee on Defense. We will be asking some hard questions: What has gone wrong? Why are so many men and women charged with stopping sexual assault being found guilty of it themselves? This is a serious issue.

According to the Pentagon survey, there were 26,000 sexual assaults in the U.S. military last year. That is a 35-

percent increase since 2010. That is more than 70 service women and men sexually assaulted every single day in our military, and that is unacceptable. We also know that only a fraction of those incidents are reported. Fewer than 3,400 incidents a year, in fact, are reported to authorities. In nearly 800 of those instances, the victim seeks help but declines to file a formal complaint.

I commend every one of those men and women who had the courage to come forward and name their accused. It is an unimaginably tough thing to do, but it is the right thing for them and it is the right thing for our military. Nevertheless, we have very far to go before we can say with confidence that the system is working to prevent these incidents, protect the victims, and prosecute the perpetrators. For instance, last month a U.S. commanding general based in Italy overturned a military jury's conviction of an officer charged with aggravated sexual assault—overturned it. That sent a chill through the ranks and caused increasing fear among victims that when they had the courage to step forward, ultimately nothing would happen.

I appreciated that Secretary Hagel immediately called for a change in the Uniform Code of Military Justice. I know that Senator CARL LEVIN, Senator JIM INHOFE, and the Armed Services Committee are working to act swiftly on those recommended reforms. They have my full support.

I also wish to commend some of my colleagues who have really stepped up on this issue. Senator KIRSTEN GILLIBRAND of New York, a member of the Armed Services Committee, has shown real leadership, as have Senator PATTY MURRAY, chairman of the Budget Committee, and Senator KELLY AYOTTE. They came together to introduce a bill I support, S. 871, the Combating Military Sexual Assault Act. I also commend Senator CLAIRE MCCASKILL, who has been outspoken in the Senate Armed Services Committee on this issue.

The bill I am talking about would provide victims with a special victims' counsel to assist them through the process, and it would strengthen the military prosecution system and ensure that the Guard and Reserve have response coordinators available at all times regardless of their duty status. We also have to ensure that each service has a robust investigative team with real expertise when it comes to sexual assault.

These are just some of the many reforms the Pentagon must work on with Congress to make a difference. I am committed to working with Secretary Hagel and the entire Pentagon leadership to ensure that every servicemember can serve free of incidents of violence and trauma like the one that was reported this week. I urge all of my colleagues to support these reforms for our servicemembers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak as if in morning business for up to 15 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I wish to thank the distinguished Senator from Illinois for his statement. We serve together on the Judiciary Committee. I hope that in that committee as well we can work on ways to improve the prosecution—particularly of rape offenses—within the military by the Department of Justice.

We need to break through the agreement that now prevents the Department of Justice from prosecuting those crimes for the crimes they are simply because they take place in the military.

THE IRS

Mr. WHITEHOUSE. Madam President, I am here to speak today because Washington, DC, and the rightwing outrage machine are all abuzz about the scandal that the IRS appears to have targeted organizations for inquiry based on tea party affiliation. Obviously, that is wrong, but let's not forget that is not the only IRS scandal—that is not the only scandal in town. There are two IRS scandals. The other is the IRS allowing big, shadowy forces to meddle in elections anonymously through front groups that file false statements with the IRS.

Let's go through this. Let's begin with the principle that it is pretty clear that Americans have a strong democratic interest in knowing who is trying to influence their vote in elections. That is kind of democracy 101.

Even the Supreme Court, which can hardly agree 8 to 1 on what time it is, agreed 8 to 1 that knowing who is trying to influence our votes is really important. Here is what they said: "Effective disclosure" would "provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters." That is very much a part of the democratic process.

Some folks don't want us to know who they are when they meddle in our politics, such as big companies taking positions that would annoy their shareholders or their customers and secretive billionaires who want influence without accountability. They want to pull the strings behind the scenes. It also includes polluters, Wall Street, Big Oil, and other folks the public is fed up with. They all have lots of reasons for wanting to stay secret.

The law in America requires lots of disclosure, and the Supreme Court has emphasized the importance of lots of disclosure.

What is a company or a billionaire trying to hide their influence-seeking going to do? How does the secret money get in? Well, it is easy. They create a front organization, usually with a phony-baloney happy name, and hide behind that—except it is not quite that easy. There are not that many types of organizations that can hide their donors that way. The most commonly used is called a 501(c)(4), which is a tax-exempt, nonprofit form of corporation that is regulated by—guess who—the IRS.

There is one big problem for people wanting that secret influence in politics; that is, that kind of organization, the 501(c)(4), needs to be set up under the law "for the promotion of social welfare"—indeed, the law says "exclusively" for the promotion of social welfare. According to the IRS's own regulations, "The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office." So that is a problem.

Well, the first kind of miniscandal is that the IRS has decided that an organization is organized exclusively for the promotion of social welfare if it is primarily engaged in social welfare activities. By "primarily," they mean 51 percent, so the other 49 percent can be purely political. So "does not include direct or indirect participation in political activity" has been turned into "actually does include but up to 49 percent," which is nonsensical. As I said, that is a miniscandal of its own.

Let's go on. The IRS allowing a bunch of political operatives to form nonprofit groups that don't disclose their donors and then collect millions of dollars and spend them on elections in contravention of a clear statute and seemingly in violation of their own rules also requires that they usually make some false statements. That is where the scandal really worsens.

There is a form called the 1024 form that is the application form for 501(c)(4) status. If we go to that form, we will see question 15. Question 15 asks:

Has the organization spent or does it plan to spend any money attempting to influence the selection, nomination, election or appointment of any person to any Federal, state, or local public office or to an office in a political organization?

That is the question on the form, and it has to be answered under oath.

A considerable number of groups appear to have lied on their applications for nonprofit status as well as on their returns, and they have lied with absolutely no consequences.

There is a Pulitzer Prize-winning, nonpartisan investigative group called ProPublica. ProPublica has investigated these 501(c)(4) filings. As part of their investigation, they looked at 104 different organizations that had re-

ported to the Federal Election Commission or to the State equivalent Federal elective bodies—104 organizations that reported electioneering activity, that they were involved in trying to elect candidates. In those filings to the Federal and State election boards, they said: Here is what we spent on influencing those elections.

ProPublica cross-checked those 104 that had filed statements saying how much they had spent to influence elections and 32 of them—32 of them—told the IRS they spent no money to influence elections, either directly or indirectly. Both statements cannot be true. An organization cannot tell one Federal agency how much they spent to influence elections and tell another Federal agency they spent no money to influence elections and have both statements be true.

Then we look at these organizations' behavior and the false statements look even worse. One organization said it would spend 50 percent of its effort on a Web site and 30 percent on conferences. The investigation showed its Web site consisted of one photograph and one paragraph; no sign of any conference. The same group declared it would take contributions "from individuals only" and then took \$2 million from PhRMA, the pharmaceutical lobby.

Another declared to the IRS it had spent \$5 million on political activities, but it told the Federal Election Commission it had spent \$19 million on political advertisements.

Another pledged its political spending would be "limited in amount and will not constitute the organization's primary purpose." Then that organization went out and spent \$70 million on ads and robocalls in one election season. It is almost funny it is so bad.

But there is nothing funny about making a material false statement to a Federal agency. That is not just bad behavior, it is a crime. It is a statutory offense under 18 U.S. Code section 1001. The Department of Justice indicts and prosecutes violations of this statute all the time, but they never do for this. Never. Why? It appears there is a bad agreement between the Department of Justice and the Internal Revenue Service that the Department of Justice will not prosecute false statements if they are made on this form unless the case has been referred to them by the IRS.

So that is really scandal two right there. No matter how flagrant the false statement, no matter how great the discrepancy between the statements filed with the IRS under oath and the statements also filed with the Federal and State election agencies, no matter how baldly the organization in practice contradicts how it answered IRS questions about political activity, the IRS never makes a referral to the Department of Justice. Thirty-two flagrantly false statements and, as far as anyone

knows, not one referral to the Department of Justice as a false statement. It is a mockery of the law and it is a mockery of the truth.

There is an easy solution. The Department of Justice prosecutes these false statements in lots of other instances. Prosecute these. Juries are good at sorting out what is a lie and what is not.

Investigations, interviews, statements, and subpoenas can look behind what appears to be a false statement, and prosecutors can get a full sense of the case, in a grand jury, before any charges are finalized. But they can't if they don't even look.

Right now, multiple organizations lie with impunity and in large numbers. It is indeed a scandal that the IRS will not even make a referral. Frankly, it is no great credit to the Department of Justice that the Department will not act on its own with all of this so public and so plain. Hiding behind their agreement with the IRS, on these facts, is not that great Department's finest hour.

So it is very wrong. It is very wrong that the IRS required additional information from a number of organizations—mostly small organizations—based on a screen that incorporates those organizations' tea party orientation. But it is also very wrong that the IRS goes AWOL when wealthy and powerful forces want to break the law in order to hide their wrongful efforts at secret political influence. Picking on the little guy is a pretty lousy thing to do; rolling over for the powerful and letting them file false statements is pretty lousy too. Two scandals. Let's not let one drown out the other.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Are we in morning business?

The PRESIDING OFFICER. Yes, we are.

Mr. RUBIO. I don't anticipate using it all, but I ask unanimous consent to be recognized for up to 15 minutes.

The PRESIDING OFFICER. Without objection.

THE ROLE OF GOVERNMENT

Mr. RUBIO. Thank you. Madam President, I wanted to come to the floor to address the news of the last 4 days which I think has shocked the American people in the wake of a series of revelations made across news agencies about the role our Federal Government has played and the way it has used its power to intimidate those who they believe are not doing what they want them to do.

For example, we learned last week from testimony in the House of Representatives that there were employees of the State Department who disagreed with the direction and the way the gov-

ernment was handling the Benghazi situation and the word that was being put out by the State Department. They disagreed with it. They didn't like it. They testified last week they were made to feel threatened, and the message was sent to them very clearly from the highest levels of the State Department that they should not be talking or saying the things they were saying. That concerned a lot of people.

Unfortunately, on Friday of last week, in what I think was an attempt to bury a story—and there was no way they were going to bury this one—they put it out on Friday, which is notoriously known as the slowest news day of the week because it goes into the weekend and people forget it and move on, but this one was not easy to forget. On Friday, we learned the Internal Revenue Service had specifically targeted organizations in this country because of their political leanings and affiliation.

I understand this is not something new. People have been complaining about this for a couple of years; anecdotally, from organizations across the country, people coming to us and saying: We got this weird request from the IRS asking us for all sorts of things. We started to hear that everywhere. We still, I think to some level, have confidence and hope, have the best hopes of the Federal Government and the people who work within it. As we started to hear that more and more, people became concerned.

So Members of this body wrote letters inquiring of the IRS: Is this going on? Are groups being targeted because they are a tea party member or because they are a 9/12 group? Of course, the answer they gave was: No, that is just not true; that is absolutely false.

We know it wasn't false.

Then the IRS said: But it was just this group of employees in Cincinnati. As it turns out, that is not true either. It was widespread. It was an effort throughout the IRS to specifically target groups because they were called tea party or liberty groups or groups organized to defend the scope of government, groups that are critical of decisions being made by the government. This is chilling. This was discovered last Friday and it has only gotten worse. Every day that goes on we get more and more information in that regard.

Then the revelation on Monday that the Justice Department of the United States—think about that, the chief law enforcement agency of the country—had issued this blanket search of the phone records of I think the Nation's largest reporting group, the Associated Press. I understand if they were going after a leak that endangered America and security; that is one thing. We can have a debate about that. But they went much further than that. It was a blanket request of all of these phone

calls, including the switchboard. Pretty outrageous.

So in the span of 4 days, there were three major revelations about the use of government power to intimidate those who are doing things the government doesn't like.

These are the tactics of the Third World. These are the tactics of places that don't have the freedoms and the independence we have in this country, and it is shocking to Americans that this would come to light in the way it has.

I submit to my colleagues, however, that none of this is new; that what we see emerging is a pattern: a culture of intimidation, of hardball politics that we saw both on the campaign trail and now through the apparatus of government. I don't have enough time in 10 or 15 minutes in morning business to cite them all, but I will cite a few that have already been discussed.

Let me tell my colleagues about the case of a gentleman named Frank VanderSloot. He was a couple of things. Mr. VanderSloot was the national cochair of Mitt Romney's Presidential campaign. He was also a major donor to a super-PAC that was supportive of Governor Romney's campaign.

In April of 2012, President Obama's reelection campaign posted on the Web a list of eight "wealthy individuals" with less than reputable records who were contributing to Mitt Romney. It was a series called "Behind the curtain: A brief history of Romney donors." It described Mr. VanderSloot as litigious, combative, and a bitter foe for the gay rights movement. Curiously enough, within a few weeks, Mr. VanderSloot was the subject of not just one but two IRS audits, one for his personal life and one for his business. Coincidence? Maybe we should find out through an investigation.

Then we get word of something else. This is even more—well, equally—outrageous. That is the case of this organization called ProPublica, which was mentioned a moment ago in relation to another discussion. I wish to get the facts exactly right about this. Basically, as it turns out, the IRS—someone in the IRS—released nine pending confidential applications of conservative groups to the so-called investigative reporting agency, this so-called not-for-profit, impartial—we can have that debate later, but I don't want to be guilty of doing to the donors of that group what the Obama campaign did to the donors of Mr. Romney. So let me just say in response, they sent out information that was confidential, that was not public, illegally. They leaked from the IRS information on nine of these groups that was then reported on by this organization, which admitted that it came from the IRS. Coincidence?

It doesn't end there, by the way. This is not just limited to the IRS. This is a

culture of intimidation, a willingness to play hardball politics against political opponents.

Let's not forget about the case of Boeing in South Carolina. Boeing decided to relocate, as any business has a right to do. In the United States of America, a business should have the right to locate its operations in any State it wants. When Boeing decided to relocate from Washington State to South Carolina, the NLRB came after them in a complaint which they claim was on the merits, but it was very straightforward. They were going after them because the union in Washington State was upset about the move. In fact, the case was dropped, partially because of political pressure but, interestingly enough, the effort was only abandoned after they negotiated a contract deal with the union.

I can be up here all day, and I intend to keep coming back to the floor and citing examples. But the point is, we have going on now a culture of hardball politics and intimidation, which is unacceptable and should be chilling to every Member of this body, Republican and Democrat.

This is unacceptable behavior. But this is what we get when an administration is all about politics. This administration is a 365-day-a-year, year-round political campaign. Every issue is a political campaign. Leading up to the election, and even now, every issue is a wedge. Few times in the history of this country has anyone used this office to drive more wedges among the American people than this President and this administration. So, yes, this is the culture that has been created: They are bad and we are good. Our enemies are bad people. The people who disagree with us on policy are bad people. If you don't support us on gun, you don't care about children and families. If you don't support some measure against religious liberty, you are waging a war on women. On issue after issue—a deliberate attempt to divide the American people against each other for the purposes of winning an election.

That is the culture that has been created, and that culture leads to this kind of behavior. Whether it was directed or not, we do not know that. I am not saying someone picked up the phone in the White House and said: Do these audits. Leak this information. I am saying when you create a culture where what is rewarded is political advantage, when you create a culture in your administration where everything is politics 24 hours, 7 days a week, when you create a culture where every issue that comes before the Congress is used to divide people against each other to see who can get the 51 percent of the next election, when you create a culture like that, it leads to this kind of behavior throughout your administration.

In the days to come, we will hear more about this. We have a nominee right now to the Labor Department, who has an admirable personal story which I admire and applaud, but who has a history of using the government and his position in government to intimidate people to do what he wants them to do. I would submit to you that Mr. Perez's nomination is bad for the country in any time, but in this administration, in this political culture, after what we have learned in the last few days, even more so. I hate to single him out, but that is one of the pending nominations that is before us. The point is, my friends, this is what we are dealing with and a cautionary tale about expanding the scope and power of government. Because this same IRS that was willing to do this—this same IRS that was willing to target groups because of their political leanings, this same IRS that audited Mr. VanderSloot after he happened to appear on the Obama enemy list—this same IRS will now have unfettered power to come after every American and ensure that either you are buying insurance or you are paying them a tax—every American business.

The front lines of enforcing ObamaCare fall to the IRS. That is what happens when you expand the scope and power of government. It is always sold as a noble concept. It is always offered as we are going to give government more power so they can do good things for us. But the history of mankind proves that every time government gets too much power, it almost always ends up using it in destructive ways against the personal liberties of individuals.

That is why the Framers of our Constitution were so wise to impose real constitutional limits on the power of our government, because they knew from history that this was the case. That is why our Constitution says that unless government at the Federal level is specifically given a power, it does not have it. That is why it says that. That is why you see people stand up here on the floor and fight to protect the Constitution. That is why these groups were formed around the country—everyday Americans from all walks of life; people, some of whom had never been involved in politics before, who joined the tea party movement or a 9/12 movement—because they feared the direction our country was going, and so they stood up and said: This is wrong.

This is why this adherence to the Constitution. Because the Constitution was based on the simple truth that if government has too much power, it almost always ends up destructive.

Our Framers knew better than to rely on "good people" being in government to take care of us. They understood that government's power, in order for us to have freedom and pros-

perity, necessarily had to be limited—not because we are antigovernment. Of course we need a government. Who provides for our national defense? Who is supposed to secure our borders? We are having this immigration debate. These are important things our government needs to do. But if you give it too much power, it leads to these abuses.

This is why the Constitution was so wise to limit the power of the Federal Government to its enumerated powers and leave to the government closest to the people most of the powers.

I think we should re-examine all these decisions that have been made that have expanded the scope and power of our government.

I do not know how many people are aware of this, but early next year every single one of you is going to have to buy insurance, health insurance that the government says is good enough—maybe not the insurance you are getting today that you are happy with—and if you do not buy that insurance, you are going to owe the IRS some money. That is a tax to me. The same IRS that has shown a propensity to target people based on their political leanings—this is who we have empowered through ObamaCare.

This is what is going on here. It is not just one scandal at the IRS. It is about a culture of hardball politics. I think in the days to come we are going to learn a lot more about it, and we are not going to like what we learn.

For example, you think about some of our most precious freedoms—the First Amendment right to free speech. Think about if you are a reporter at the Associated Press. Think about if you are a source—unrelated to national security—to the Associated Press. Think about if you are a whistleblower, someone who is blowing the whistle on government activity because you work in the government and you think what the government is doing is wrong. Think about that for a second.

Now, all of a sudden, what are you afraid of? I am not calling that reporter back because their phone might be tapped, my number might show up on their records, because the Justice Department has just shown they are willing to do that. Think about the chilling effect that sends up and down the government.

If there is wrongdoing somewhere in the government right now, people are probably afraid to blow the whistle because they are afraid they are being surveilled by the Justice Department or that the person they are talking to is being surveilled. That is how outrageous this is.

Think about people who are thinking about getting involved in the political process, contributing to a group or speaking out, donating to a campaign or a candidate, as they are allowed to do under the Constitution. They do not want to be the next VanderSloot. They

do not want to be the next guy being targeted. They do not want to be the next person being smeared on a Web site.

This is unacceptable. This is outrage. And every single Member of this body should be outraged by this behavior. This culture of intimidation, these hardball politics tactics we cannot stand for. I hope we will be united in condemning this and ensuring we get to the bottom of this with significant investigations and hearings from the committees in the Senate that have jurisdiction on the matter.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF WILLIAM H. ORRICK, III, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

NOMINATION OF MARILYN B. TAVENNER TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California; and Department of Health and Human Services, Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

Mrs. BOXER. Mr. President, what is the order in terms of the time for the votes?

The PRESIDING OFFICER. Time is held until 4:30 and is equally divided.

Mrs. BOXER. Will there be a vote at 4:30?

The PRESIDING OFFICER. There will.

Mrs. BOXER. Thank you very much. There will be two votes, I understand.

Mr. LEAHY. Mr. President, I noted last week that Senate Republicans who have taken such pride in the number of judicial nominees being confirmed this year ignore how many were needlessly delayed from confirmation last year. There were 11 nominees left pending on

the Senate floor, and another four nominees who had had hearings and could have been expedited, as we had done for many of President Bush's nominees, and all could and should have been confirmed before the end of last year. Instead, all had to be renominated, and we are still working through the resulting backlog. We are halfway through May, and the Senate has still not completed action on 4 of the 15 nominees who could and should have been confirmed last year.

William Orrick, who the Senate will finally consider today, is one of those nominees. He has now been reported twice with bipartisan support, and he has spent over 225 days waiting for his final, Senate confirmation vote. He was first reported last August. There was no reason he could not have been confirmed last year, especially considering that he is nominated to fill a judicial emergency vacancy.

William Orrick is currently Special Counsel at the law firm Coblenz, Patch, Duffy & Bass, LLP, where he previously served as a partner for over two decades. From 2009 to 2012, he served in the Department of Justice's Civil Division, first as Counselor, and subsequently, as Deputy Assistant Attorney General. The ABA Standing Committee on the Federal Judiciary unanimously rated William Orrick "well qualified," its highest rating. He has the strong support of his home State Senators, Senator FEINSTEIN and Senator BOXER.

Regretably, Senate Republicans have broken from our traditions and have taken to opposing judicial nominees based on those nominees' efforts on behalf of clients. They did this when opposing nominees like Jeffrey Helmick, Paul Watford, and, most recently, Caitlin Halligan, and they are doing it, again, with William Orrick. They are opposing William Orrick because he worked on behalf of his client—the United States Government—on cases dealing with Federal preemption in immigration.

The criticisms of his supervision and advocacy on these immigration cases on behalf of the United States are unwarranted and, again, reflect a fundamental misunderstanding of our legal system. I have repeatedly noted that from John Adams to Chief Justice Roberts, that has never before been the standard by which we consider judicial nominees. Senate Republicans have adopted another double standard when it comes to President Obama's nominees.

Further, having reviewed his responses, I believe that the nominee has more than adequately responded to the questions presented to him. It is time to vote on his nomination and allow him to work on behalf of the American people in a judicial emergency district where the judges have been overwhelmed with cases.

Because Senate Republicans have delayed the confirmations of well-qualified nominees like William Orrick, we remain 20 confirmations behind the pace we set for President Bush's circuit and district nominees, and vacancies remain nearly twice as high as they were at this point during President Bush's second term. For all their self-congratulatory statements, they cannot refute the following: We are not even keeping up with attrition. Vacancies have increased, not decreased, since the start of this year.

President Obama's judicial nominees have faced unprecedented delays and obstruction by Senate Republicans. We have yet to finish the work that could and should have been completed last year. There are still 10 judicial nominees with bipartisan support being denied confirmation.

It is true that some vacancies do not have nominees. I wish Republican home State Senators would work with President Obama to fill these vacancies. As I stated last week when this issue arose in the Judiciary Committee, I am more than willing to work with Republican Senators and the administration to consider nominees for these vacancies. But it is disingenuous of Republican Senators not to work with President Obama to pick nominees and then blame the President for the lack of nominees. If Senators want new judgeships in their States, they should be working especially hard to ensure that all existing ones are filled. I take very seriously my responsibility to make recommendations when we have vacancies in Vermont, whether the President is a Democrat or a Republican, and I would hope that other Senators would do the same. After all, if there are not enough judges in our home States, it is our own constituents who suffer.

It is not enough for Senators to say that they are working on getting recommendations or they have appointed a commission to give them recommendations. Senators have to lead this effort in their home States, set firm deadlines, and get the President recommendations to fill these vacancies. In some places Federal judgeships have been vacant for 500 days or 1000 days or more without a recommendation.

I was interested to hear Senate Republicans argue that if Senators do not get recommendations in "expeditiously enough," the President "has the prerogative to nominate someone and then we have the responsibility to act on it." Before President Obama had made a single judicial nomination, all Senate Republicans sent him a letter threatening to filibuster his nominees if he did not consult Republican home State Senators. So the recent statement was a either complete reversal in position, or baiting a trap to then filibuster any nominees the President sends to us.

Moreover, the failure of some Republican Senators to help fill vacancies in their own States does not excuse their unwillingness to complete action on the consensus judicial nominees who are ready to be confirmed but whose confirmations are being needlessly delayed. Mark Barnett, Claire Kelly, William Orrick, Sheri Chappell, Michael McShane, Nitza Quinones Alejandro, Luis Restrepo, Jeffrey Schmehl, Kenneth Gonzales, and Gregory Phillips are awaiting confirmation and Sri Srinivasan, Ray Chen, and Jennifer Dorsey could have been reported to the Senate last week. So long as there is a backlog of nominees before the Senate, the fault for failing to confirm these nominees lies with Senate Republicans.

The Judicial Conference recently released their judgeship recommendations. Based upon the caseloads of our Federal courts, the Conference recommended the creation of 91 new judgeships. That is in addition to the 85 judgeships that are currently vacant. This means that the effective vacancy rate on the Federal bench is over 18 percent. A vacancy rate this high is harmful to the individuals and businesses that depend on our courts for speedy justice. The damage is even more acute in the busiest district courts, such as those in border states that have heavy immigration-related caseloads. Unfortunately, several of those district courts also have significant numbers of judicial vacancies, and I hope that Senators are working to find good nominees to fill those vacancies.

Senate Republicans have a long way to go to match the record of cooperation on consensus nominees that Senate Democrats established during the Bush administration. After today's votes, 9 more judicial nominees remain pending, and all were reported unanimously. All Senate Democrats are ready to vote to allow them all to get to work for the American people without further delay. We can make real progress if Senate Republicans would join us.

Mrs. FEINSTEIN. Mr. President, I rise today to strongly support the nomination of Bill Orrick to the Northern District of California.

Bill Orrick was raised in San Francisco, where his family has a long and distinguished pedigree in the legal community. I happen to have known the nominee's father, William Orrick, Jr., who was a highly-respected Federal judge in San Francisco. The firm Orrick, Herrington, & Sutcliffe—which his grandfather founded—is pristine in San Francisco. I strongly urge my colleagues to support Bill Orrick's nomination. He has proven throughout his career that he has the intellect, skill, and temperament to do an outstanding job on the Federal bench in San Francisco.

Mr. Orrick earned his bachelor's degree from Yale and his law degree from

Boston College. He then represented low-income clients in Georgia for five years. After that, he came home to San Francisco, where he practiced commercial litigation for 25 years at Coblenz, Patch, Duffy, & Bass. He primarily practiced in the field of employment defense.

In 2009, he joined the Justice Department, where he worked in the Civil Division and oversaw the Office of Immigration Litigation. As an attorney at the Justice Department, Mr. Orrick's job has been to represent his client zealously and professionally—and he has done so.

The Office of Immigration Litigation is in the business of defending the government's position in cases in which an alien is seeking to prevent removal from this country. The office also defends the government in cases when an alien brings a challenge to the length or conditions of detention. That means that Orrick's primary task was to litigate against aliens in Federal court.

Mr. Orrick has also been called upon to represent the Department of Justice in other cases, including those challenging state immigration laws like those in Arizona and Alabama on Federal preemption grounds. In these cases and others, Mr. Orrick dutifully and faithfully executed his duty to advance the position of the United States Government.

Mr. Orrick's record speaks for itself. He is seasoned. He has over three decades of experience in legal practice, faithfully representing his private and governmental clients. He has been rated "well qualified" by the American Bar Association.

I will close with a few remarks on the confirmation process. Mr. Orrick's confirmation is a long time coming. He was first nominated nearly a year ago, and first approved by the Judiciary Committee on August 2, 2012 with the support of Senators Kyl and GRAHAM.

When the 112th Congress recessed, other nominees who were reported by the Judiciary Committee before the August recess were confirmed. Not Mr. Orrick. He had to be renominated. His nomination had to be reported by the Judiciary Committee again. His nomination has only now come to the floor—nearly a year after his first nomination.

This is a real shame. The Northern District of California is in a judicial emergency, as declared by the Judiciary Conference of the United States, as are all judicial districts in California. The Northern District has 675 weighted filings per judgeship, making its caseload 30 percent above the national average. A civil case takes nearly 3 years to get to trial—up nearly 50 percent from a year ago.

When well-qualified nominees like Bill Orrick are held up, judicial emergencies like those California continues to face year after year are only exacerbated.

I am very pleased Bill Orrick will be confirmed, and I thank my colleagues on the Republican side for agreeing to schedule a vote on his nomination. I simply believe—strongly—that he could and should have been confirmed sooner by this body.

I yield the floor.

Mrs. BOXER. This is a very good day for me because we not only had a great vote on our water resources bill, which is so important to this economy, to jobs, and businesses all across this great Nation, but finally we are getting a vote on an excellent nominee to be the U.S. district judge for the Northern District of California, William H. Orrick, III.

Mr. Orrick was approved by the Senate Judiciary Committee with bipartisan support, and his appointment to the Northern District would fill a seat in an emergency district. We need to move on this nomination, and I am most grateful for getting this opportunity today.

The caseload in the Northern District is 24 percent above the national average, at 631 weighted filings per judgeship. Civil cases that go to trial in the Northern District now take over 34 months to get to trial, up from 21 months just a year ago. We know justice delayed is justice denied, so this is justice delayed. It is not good for our country. That is why I am so excited we are finally getting to this vote.

This is such a good nominee. He brings a depth of legal experience in both the public and private sectors, which will make him a tremendous asset to the Northern District Court.

Mr. Orrick received his bachelor's degree from Yale University, and he earned his law degree from Boston College. He graduated cum laude from both schools. After law school, he spent 5 years providing pro bono legal services for low-income clients in the State of Georgia.

Then Mr. Orrick returned home to the Bay Area, and he joined a very prominent San Francisco firm—Coblenz, Patch, Duffy, and Bass, where he spent 25 years as an associate partner and then the head of the firm's employment litigation practice.

In 2009 Mr. Orrick joined the Department of Justice as Deputy Assistant Attorney General in the Civil Division. His primary duty at the Justice Department was to oversee the Office of Immigration Litigation, representing the United States in all manners of immigration law.

Last year he returned to private practice in San Francisco. Mr. Orrick considers service to the community to be a hallmark of his legal career. He spent 11 years as chancellor and legal advisor to the Episcopal Diocese of California and 13 years working with the Good Samaritan Family Resource Center, a low-income housing nonprofit in San Francisco. This is a man who has given back over and over again.

At his law firm he supervised much of the firm's pro bono work, for which he received the San Francisco Bar Association's "Outstanding Lawyer in Public Service" Award.

The American Bar Association found that Mr. Orrick is "unanimously well-qualified" to be a Federal judge. Today is Bill Orrick's 60th birthday. I can think of no better gift than for us to finally act on this nomination.

I urge my colleagues to cast an "aye" vote. I think it is a vote you will be proud of in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise today in support of a nomination as well. One of the other votes we will be casting at 4 o'clock is on the nomination of Marilyn Tavenner of Virginia to be the head of the Centers for Medicare and Medicaid Services, CMS.

I am so excited that we are voting on this matter today. CMS is the largest line item in the Federal budget. It is larger than the Department of Defense because both Medicare and Medicaid are such significant budgetary items.

We have not had a confirmed Administrator of CMS in the United States since 2006. We have been operating this program on which tens of millions of vulnerable Americans rely on a daily basis with a succession of part-time, acting, interim Administrators. It will be good for the country and for the mission of CMS to confirm an Administrator. I am excited that we are taking that vote today.

A few words about the nominee Marilyn Tavenner. First is her experience: Marilyn is from a rural community in Southside, VA. She grew up and wanted to be a nurse. She started her career as a nurse and served at hospitals, first rural and then urban hospitals, in Virginia for many years.

Her leadership skills and traits were recognized, and she became a nursing supervisor, obtaining greater education along the way. At one point, she was working at a hospital in Virginia that lost their CEO, and as the board wrestled with who should be an interim CEO, whether they should do a search or bring someone in from the outside, it was suggested Marilyn might be the person to do it. She wasn't interim CEO for long before the board decided she was, in fact, the person who should run the hospital.

She then had a career of running that hospital, then multiple hospitals and eventually worked for the HCA hospital chain running an entire region of hospitals and eventually became a vice president for HCA running all of their outpatient surgery centers for all of the United States.

At that point, I reached out to Marilyn—I had been elected Governor of Virginia in 2005—and asked her to be my secretary of Health and Human

Services. Marilyn performed in an exemplary way as a cabinet secretary in my administration from 2006 to 2010 and helped me tackle all manner of Health and Human Services challenges, some of which she had significant background in—nursing education, for example—and others that might have been new—cessation of youth smoking—and some that were not even on the health side but were in the human services portfolio that had not been her work—foster care and mental health reform. In all those areas, Marilyn proved herself to be very able.

She has been essentially the chief operating deputy at CMS since early 2010. She was the No. 2 at CMS to the Administrator nominee Donald Berwick—a nominee who was never confirmed by the Senate—and in that role she worked closely with Donald Berwick and did wonderful work within CMS through the very challenging time of drafting, passing, and now the implementation of the Affordable Care Act.

Marilyn is the right person for the job for three reasons: First, if you care about patients, then Marilyn is your person. Marilyn, through all of her work, whether as a nurse, a hospital administrator, a regional health care executive, a cabinet secretary or a CMS administrator, has never forgotten it is fundamentally about patients and that before we get to health care we have to care about health. Marilyn brings a nurse's attitude, and what a great thing it would be for the nursing profession to have a nurse as the agency director of the Centers for Medicaid and Medicare Services. She brings a nurse's mentality, and she will do that every day on the job. That is her first priority.

The second reason Marilyn would be a strong CMS Administrator is that she is an expert, frankly, at finding savings and finding ways to reduce and control costs. We all know in the country we spend too high a percentage of GDP on health care—18 to 19 percent of our GDP on health care. Other nations in the world—Switzerland and others—spend 11 or 12 percent. We have a system that produces some spectacular professionals and some procedures that are second to none in the world, but we don't live as healthy as other nations and some of our outcomes are not quite as strong and we spend too much. So one of the subjects we talk about on this floor all the time is budgetary issues and what are the right ways the Federal Government can find savings in our own programs.

But also if we do innovative things in Medicaid and Medicare that would save money, those also become examples that can be learned throughout the health care industry to help us find appropriate savings. When I was Governor and we were dealing with the national recession and we were having to make cuts, there was no one in my cab-

inet or no other senior official whom I had who worked with me who was more creative and passionate about trying to find targeted ways to achieve savings as Marilyn Tavenner. She is a whiz at this and yet never sacrifices her focus on patient care, which was the primary attribute of hers I mentioned. So as we wrestle with Medicaid and Medicare and the growth of those budgetary items, and we need to find ways to try to deal with them, I couldn't think of a better person than Marilyn Tavenner to be in that position.

The last attribute of hers that I think is truly an amazing one and a reason I support her is that she is a creative person and is always driven by finding true results. I could tell numerous stories from my time as Governor of her efforts to successfully help us ban smoking in restaurants and bars to improve our health, her efforts to help us improve our foster care system outcomes, to train more nurses, and expand the number of physicians in the State, but the story I will tell is one that was a shame for Virginia, but Marilyn helped us solve it by being creative and helping us focus on results, which is what we need at the national level.

Here is a conundrum about Virginia. When I was elected Governor, we were in the top 10 in the Nation in per capita income, but in infant mortality we were about 35th in the Nation. It just didn't seem like those two things matched up; a high-income State with a successful economy and a low unemployment rate should be doing better in infant mortality. That had occurred to Governors before me; that this just didn't make sense. Why would we not be a better State when it comes to the health of our newborns?

I gave Marilyn the challenge—because I didn't know the answer and I didn't know what to do—as my Health and Human Services secretary, to dramatically reduce our infant mortality rate. You can do everything else you want, but the No. 1 thing I want you to do during my single 4-year term as Governor is help us figure out a way to dramatically reduce our infant mortality rate.

Others had made the effort, and the other efforts hadn't produced any results. But largely through a creative and exhaustive analysis of data—why did we have a problem—Marilyn approached the challenge and figured out why we had the problem. She figured out the myths and the facts and separated the myths and put them aside. She devised a very targeted strategy for dealing with the particular reasons we had a problem and, lo and behold, within a very few years, this intractable challenge we had in Virginia of an unacceptably high infant mortality rate began to dramatically change, and the changes continue because the

changes Marilyn put into the system are what no one would ever want to undo.

Marilyn's experience, her focus on patients from her background as a nurse, her spectacular success at smart cost cutting but then especially her proven capacity to be creative and innovative in reaching results merit our support for her. I am excited we will be casting this vote today. I think the fact the United States will have a confirmed CMS Administrator who can then take that confirmation and plow forward on important initiatives will be for the good of this country.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KAINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAINE. Mr. President, I ask unanimous consent that the time during all quorums before the votes be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAINE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I rise in opposition to Mr. Orrick's nomination to be a District Judge for the Northern District of California and I would like to take a few moments to explain to my colleagues why I will be voting no.

Before I discuss the nominee, however, I will update my colleagues on where we stand with judicial confirmations. Thus far, the Senate has confirmed 187 District and Circuit nominees; we have defeated two. That's 187-2, which is a .989 batting average. That is an outstanding record.

So far this year, the Senate has confirmed 16 nominees. Today, if Mr. Orrick is confirmed, we will have confirmed the 17th nominee. At this stage in President Bush's second term only four were confirmed. That's a record of 17 to 4. This President is being treated exceptionally fairly.

The President has recently submitted a few new nominations. I know I have been reminding him that we can't do anything about vacancies without him first sending up nominees. But again, even with the recent nominations 61 of 85 nominations still have no nominee. That's nearly three out of four vacan-

cies, and for judicial emergencies, only 8 of 35 vacancies have a nominee. So I just wanted to set the record straight before we vote on this nominee.

Again, I will be voting "no" on Mr. Orrick's nomination. I was troubled by his intervention in Utah, Arizona, South Carolina, and Alabama. In those States he led the effort to strike down the statutes in those States addressing the Federal Government's failure to enforce immigration laws. We are in the middle of marking up a comprehensive immigration bill. It is clear that enforcement is a problem.

I, and some of my colleagues, would like to strengthen enforcement, but Mr. Orrick was out there leading the effort to maintain the weak status quo. I don't know why that should lead to a lifetime appointment on the Federal bench.

I was also disappointed by Mr. Orrick's responses to many of my questions at his hearing and in follow-up questions for the record. At his hearing, I asked him a number of questions that he said he could not answer at the hearing, but that he would familiarize himself with the issues. I offered to submit those questions in writing to provide Mr. Orrick the opportunity to answer them—a courtesy this Committee commonly extends to nominees in these circumstances.

After granting Mr. Orrick this courtesy, I was disappointed that he still failed to answer many of my questions. So I extended the courtesy a second time, offering Mr. Orrick the opportunity to provide a responsive answer to my earlier questions. Unfortunately, the "answers" he provided to my second set of questions were as non-responsive as the first.

Now, I understand that it is not unusual for nominees to claim they are unable to answer a particular question, but I must say that the degree of Mr. Orrick's non-responsiveness rose to a level well above what we typically see from nominees.

Moreover, just because a particular answer might be awkward for the administration that does not justify refusing to provide that answer.

Now, although there were a host of questions Mr. Orrick would not answer, I will provide just one example. In the hearing, I asked Mr. Orrick about a particular Ninth Circuit case and asked if it was controlling. This was in connection with a brief he filed opposing the Defense of Marriage Act. I thought he mischaracterized the precedent and wanted an explanation. At a minimum, I wanted to know if he had a basic knowledge of the precedent and recognized it as current law. He answered, "I will follow controlling precedent wherever it exists."

That is a clever answer, but of course, it doesn't answer the question. So in my written questions, I asked again if the Adams case was control-

ling precedent. He responded that he was reluctant to answer because a similar case could come before him.

This struck me as odd for two reasons. First, if confirmed, he would likely recuse himself from any case where he crafted a part of the Justice Department's policy or stance. And second, I wasn't asking for his personal views on the Adams case. I was trying to assess his legal ability. I want to know whether he will recognize that a particular case is controlling—even if he, or the administration for that matter, may not agree with it. That is what serving as a district court judge is all about: Applying controlling case law, whether or not you agree with the holding.

So I sent him a second set of questions for the record, and asked him again if Adams was controlling precedent. He still would not answer. The second time, Mr. Orrick agreed that he should recuse himself from such cases, but then reserved the right not to recuse himself. And, I still don't have an answer to my original question raised in the hearing: Does Mr. Orrick recognize Adams as controlling precedent in the Ninth Circuit?

Unfortunately, based on this and other aspects of Mr. Orrick's record that I find troubling, I cannot support his nomination.

Following graduation from Boston College Law School in 1979, Mr. Orrick began practicing law in Savannah, GA, at Georgia Legal Services, a general legal practice representing low-income individuals in litigation. In 1984, Mr. Orrick moved to California to join the law firm of Coblenz, Patch, Duffy, & Bass, LLP. His practice with the firm initially focused on complex commercial litigation. After making partner in 1998, his practice broadened to include employment litigation. His clientele included both individuals and corporations.

During this same period, Mr. Orrick also served the Episcopal Bishop of California, essentially acting as outside general counsel. This included advising the Diocese on interpretation of church canons, the various rights of congregations leaving the Diocese, and clergy's duties to report child abuse. He received compensation for these services.

In June 2009, Mr. Orrick joined the Department of Justice as a counselor to the assistant attorney general for the Civil Division in Washington, DC. His responsibilities included "matters related to the Freedom of Information Act, tobacco litigation, increasing affirmative consumer litigation brought by the Civil Division, analysis of amendments to the False Claims Act, litigation reports, national security cases, and efforts to increase access to justice, including expansion of the Civil Division's pro bono efforts." In September 2009, he started supervising

immigration litigation within the Division.

In June 2010, Mr. Orrick was appointed deputy assistant attorney general in the Civil Division, Department of Justice. In this role, he oversees the Office of Immigration Litigation, which is comprised of over 300 lawyers. This office handles “all federal appellate litigation arising from petitions for review from the immigration courts and roughly 50% of the civil United States District Court immigration matters, primarily class actions, habeas and mandamus petitions, and certain Bivens actions.” He also participates on several coordinating task forces that oversee immigration and national security related issues.

Mr. Orrick reports that throughout his career he has represented private individuals, small businesses, and large corporations in litigation matters before State and Federal courts. He estimates that approximately 97 percent of his practice has been in the area of litigation and has tried 16 cases to verdict, judgment, or final decision as either sole or lead counsel.

The American Bar Association’s Standing Committee on the Federal Judiciary gave him a Unanimous “Well Qualified” rating.

PEREZ NOMINATION

Mr. GRASSLEY. Mr. President, at this time I would like to discuss the President’s nominee for Secretary of Labor, Tom Perez.

Mr. Perez is not unknown to the Senate or even to the country as a whole now that he has been Assistant Attorney General for a long time. His tenure at the Civil Rights Commission has been marked with controversy, and that is putting it mildly. He was confirmed to his current post as Civil Rights Division Assistant Attorney General by a vote of 72 to 22. I was among those who supported his nomination to lead the Civil Rights Division, but unfortunately, based on reasons I will outline, I have come to regret that vote.

There are a number of issues regarding Mr. Perez’s record that should give my colleagues pause. Today I wish to focus on the investigation I have been conducting with my colleague in the House Mr. ISSA, chairman of the Oversight and Government Reform Committee, as well as Mr. GOODLATTE, chairman of the House Judiciary Committee.

I would like to share with my colleagues the role Mr. Perez played in the quid pro quo between the City of St. Paul, MN, and the Department of Justice here in Washington where the Department agreed not to join two False Claims Act cases in exchange for the City of St. Paul withdrawing its case from the Supreme Court in a case called *Magner v. Gallagher*. Mr. Perez’s actions in this case are extremely troubling for a number of reasons. In other

words, if an individual takes extraordinary action to get a city to withdraw a case that is already on the docket of the Supreme Court, that is pretty serious intervention.

First and foremost, at this point no one disputes the fact that Mr. Perez orchestrated the entire arrangement. He manipulated the Supreme Court docket so that his favored legal theory, called the disparate impact theory, would evade review by the High Court. In the process, Mr. Perez left a whistleblower twisting in the wind. Those are the facts, and even Mr. Perez doesn’t dispute those facts.

The fact that Mr. Perez struck a deal that potentially squandered up to \$200 million from taxpayers in order to preserve the disparate impact theory is, of course, extremely troubling in and of itself. In addition to the underlying quid pro quo, however, the evidence uncovered in our investigation revealed that Mr. Perez sought to cover up the fact that the exchange even took place.

Finally—and let me emphasize that this should concern all of my colleagues—when Mr. Perez testified under oath about this case both to congressional investigators and during his confirmation hearing, Mr. Perez told a different story.

The simple but unavoidable conclusion is that the story Mr. Perez told is simply not supported by the evidence, so I will start by reviewing the underlying quid pro quo.

In the fall of 2011, the Department of Justice was poised to join a False Claims Act lawsuit against the city of St. Paul. The career lawyers—when I use the words “career lawyers,” I mean these folks who are not political appointees. The career lawyers in the U.S. attorney’s office of Minnesota were recommending the Department of Justice join this false claims case. The career lawyers, even in the civil division at main Justice, were recommending that Justice join the case. The career lawyers in the Department of Housing and Urban Development were also recommending the Department of Justice join in this false claims case. Why is that important? Because the government participating in a false claims case makes it a much stronger case than when the individual pursues it by themselves.

What I just described to my colleagues was all before Mr. Perez got involved. At about the same time the Supreme Court agreed to hear a case called *Magner v. Gallagher*. In *Magner*, the City of St. Paul was challenging the use of the “disparate impact” theory under the FAIR Housing Act. The disparate impact theory is a mechanism Mr. Perez and the civil rights division have been using in lawsuits against banks for their lending practices. If that theory were undermined by the Supreme Court, it would likely spell trouble for Mr. Perez’s lawsuits against the banks.

So Mr. Perez approached the lawyers handling the *Magner* case and he cut a deal. The Department of Justice agreed not to join two false claims cases in exchange for the City of St. Paul withdrawing *Magner* from the Supreme Court. In early February 2012, Mr. Perez even flew to St. Paul to finalize the deal. The next week the Department of Justice declined the first false claims case, called the *Newell* case. The next day, the City of St. Paul withdrew the *Magner* case from the Supreme Court.

Now, there are a couple of aspects about this deal I wish to emphasize. First, as I mentioned, the evidence makes clear Mr. Perez took steps to cover up the fact that he had bartered away the false claims cases. Cover-ups aren’t good in government. On January 10, 2012, Mr. Perez called the line attorney in the U.S. attorney’s office regarding the declination memo in the *Newell* case. To remind my colleagues, *Newell* was the case the same career attorneys were strongly recommending the United States join before Mr. Perez got involved. By the time of this phone call in January 2012, Mr. Perez was well on his way toward orchestrating this quid pro quo I have described.

Mr. Perez then called the line attorney, Mr. Greg Brooker, and instructed him not to discuss the *Magner* case in the memo he prepared outlining the reasons for the decision not to join that false claims case. Here is what he said. This is a quote:

Hey, Greg. This is Tom Perez calling you—excuse me, calling you at 9 o’clock on Tuesday. I got your message. The main thing I wanted to ask you, I spoke to some folks in the Civil Division yesterday and wanted to make sure that the declination memo that you sent to the Civil Division—and I am sure it probably already does this—but it doesn’t make any mention of the *Magner* case. It is just a memo on the merits of the two cases that are under review in the *qui tam* context.

End of that voicemail.

Approximately 1 hour later, Mr. Perez sent Mr. Brooker a follow-up e-mail, writing:

I left you a detailed voice message. Call me if you can after you have a chance to review [the] voice mail.

Several hours later Mr. Perez sent another follow-up e-mail, writing:

Were you able to listen to my message?

Mr. Perez’s voice mail was quite clear and obvious. He told Mr. Brooker:

Make sure that the declination memo . . . doesn’t make any mention of the *Magner* case. It is just a memo on the merits of the two cases.

What could be more clear than that?

In fact, Mr. Perez himself sent an e-mail less than an hour later explaining that he had left a detailed voice mail for Mr. Brooker. Yet when congressional investigators asked Mr. Perez why he left a voice mail, he told an entirely different story. Here is what he told the investigators:

What I meant to communicate was, it is time to bring this to closure, and if the only issue that is standing in the way is how you talk about Magner, then don't talk about it.

Well, I hope my colleagues are listening and they say to themselves: Give me a break. This is plainly not what he said in his voice mail. Mr. Perez, I was born at night, but I wasn't born last night. He didn't say anything about being concerned with the delay. He said:

Make sure you don't mention Magner. It is just a memo on the merits.

His intent was crystal clear.

Mr. Perez also testified Mr. Brooker called him back the next day and refused to omit the discussion of the Magner case that was being withdrawn from the Supreme Court. According to Mr. Perez, he told Mr. Brooker during this call to "follow the normal process."

But, again, this story is not supported by the evidence.

One month later, after Mr. Perez flew to Minneapolis to personally seal the deal with the city, a line attorney in the civil division e-mailed his superior to outline "additional facts" about the deal.

Point 6 read:

USA-MN—

U.S. Attorney Minnesota. That is abbreviated here.

U.S. Attorney Minnesota considers it non-negotiable that its office will include a discussion of the Supreme Court case and the policy issues in its declination memo.

If Mr. Perez's story were true and the issue was resolved on January 11, then why, 1 month later, would the U.S. attorney's office need to emphatically state it would not hide the fact that the exchange took place? Thank God for honest line attorneys, career attorneys.

As I mentioned, Mr. Perez flew to Minneapolis to finalize the deal on February 3, and one would think a deal of this magnitude would be memorialized in a detailed written agreement. After all, you can't even rent a car without signing a detailed agreement. But was this agreement written? No, it wasn't.

After Mr. Perez finalized the deal, the career attorney asked if there was going to be a written agreement. What was Mr. Perez's response? He said:

No, just oral discussions; word was your bond.

Once again, the people listening to this are saying to themselves: Can you believe that? Here is Mr. Perez. He has just orchestrated a deal where the United States declined to join a case worth up to \$200 million to the Federal Treasury in exchange for the City of St. Paul withdrawing a case from the Supreme Court. And when the career lawyers asked if this deal will be written down, he says, No. Your word was your bond.

As everyone knows, the reason we make arrangements such as this in

writing is so there is no disagreement down the road about what the parties agreed to. As it turns out, there was, in fact, a disagreement about the terms of this unwritten deal. The lawyer for the City of St. Paul, Mr. Lillehaug, told congressional investigators on January 9, approximately 1 month before the deal was finalized, Mr. Perez assured him that "HUD would be helpful" if the Newell case proceeded after the Department of Justice declined to intervene. Mr. Lillehaug also told investigators that on February 4, the day after they finalized the deal, Mr. Perez told him HUD had begun assembling information to assist the city in a motion to dismiss the Newell complaint on "original source" grounds. But, according to Mr. Lillehaug, this assistance disappeared after the lawyers in the civil division learned about it.

Let me tell my colleagues the significance of that. Mr. Perez represents the United States. Mr. Newell is bringing a case on behalf of the United States. Mr. Perez is talking to lawyers on the other side and he tells them, after the United States declines to join the case we will give you information to help you defeat Mr. Newell, who is bringing the case on behalf of the United States. Mr. Newell, the whistleblower, was left hanging out to dry by Mr. Perez. In effect, Mr. Perez is offering, in that statement, to give the other side information to help defeat his own client.

I recognize this is a significant allegation, and Mr. Perez was asked about it under oath. His response? Mr. Perez said:

No, I don't recall ever suggesting that.

So on the one hand is Mr. Lillehaug, who says Mr. Perez made this offer first in January and then again on February 4, but the assistance disappeared after the lawyers in the civil division caught wind of it.

On the other hand is Mr. Perez, who testified under oath: I don't recall ever having made that offer. Who should we believe? Well, the documents support Mr. Lillehaug's version of events.

On February 7, a line attorney sent an e-mail to the director of the civil fraud section and related a conversation the assistant U.S. attorney in Minnesota had with Mr. Lillehaug. According to Mr. Lillehaug, the line attorney wrote that there were two additional items that were part of the "deal that is not a deal" and one of those two items was this:

HUD will provide material to the City in support of their motion to dismiss the original source grounds.

Internal e-mails show that when the career lawyers learned of this promise, they strongly disagreed with it and they conveyed their concerns to Tony West, head of the civil division. During his transcribed interview, Mr. West testified that it would have been inappropriate to provide this material outside of the normal discovery channels. Mr. West said:

I just know that wasn't going to happen and it didn't happen.

In other words, this is simple: When lawyers at the civil division learned of this offer, they shut down that offer. So, the documentary evidence shows the events transpired exactly as Mr. Lillehaug said they did. Mr. Perez offered to provide the other side with information that would help them defeat the whistleblower, Mr. Newell, in his case, and that case was on behalf of the United States and the taxpayers, and possibly \$200 million. Well, I imagine this is simply stunning, the lack of common sense exhibited, when the American taxpayers hear about this.

Mr. Perez represents the United States. Any lawyer would tell you it is highly inappropriate to offer to help the other side defeat their own client.

This brings me to my final couple points I want to highlight for my colleagues.

Even though the Department traded away Mr. Newell's case, Mr. Perez has defended his decision, in part, by claiming that Mr. Newell still had his "day in court." What Mr. Perez omits from his story is that Mr. Newell's case was dismissed precisely because the United States was no longer a party to it.

After the United States declined to join the case, the judge dismissed Mr. Newell's case based upon the legal language "public disclosure bar," finding he was not, again, the "original source" of the information to the government. I want to remind my colleagues that we recently amended the False Claims Act precisely to prevent an outcome like this. Specifically, that amendment made clear that the Justice Department can contest the "original source" dismissal even if it fails to intervene, as it did in this case.

So the Department did not merely decline to intervene, which is bad enough, but, in fact, it affirmatively chose to leave Mr. Newell all alone in this case that Mr. Newell filed for the benefit of the United States. Of course, that is the whole point. That is why it was so important for the City of St. Paul to make sure the United States did not join the case. That is why the city was willing to trade away a strong case before the Supreme Court. The city knew that if the United States joined the action, the case would almost certainly go forward. Conversely, the city knew that if the United States did not join the case and chose not to contest the original source, it would likely get dismissed.

Think about that—\$200 million possibly down the drain. The Department trades away a case worth millions of taxpayer dollars. They did it precisely because of the impact the decision would have on the litigation. They knew that as a result of their decision, the whistleblower would get dismissed based upon "original source" grounds,

since they did not contest it. And not only that, Mr. Perez went so far as to offer to provide documents to the other side that would help them defeat Mr. Newell in his case on behalf of Mr. Perez's client. Again, that client was the United States. Yet, when the Congress starts asking questions, they have the guts to say: We didn't do anything improper because Mr. Newell still had his day in court. Well, the problem with that is that they cut the limbs out from under him.

This brings me to my last point, and that has to do with the strength of the case. Throughout our investigation, the Department has tried to defend Mr. Perez's actions by claiming the case was "marginal" or "weak." Once again, the documents tell a far different story.

Before Mr. Perez got involved, the career lawyers—again, not political appointees but career lawyers—at the Department wrote a memo recommending intervention in the case. In that memo, they describe St. Paul's actions as "a particularly egregious example of false certifications." In fact, the career lawyers in Minnesota felt so strongly about the case that they took the unusual step of flying here to Washington, DC, to meet with HUD officials. HUD, of course, agreed that the United States should intervene, but that was before Mr. Perez got involved in the case.

The documents make clear that career lawyers considered this a strong case, but the Department has claimed that Mike Hertz, the Department's expert on the False Claims Act, considered it a weak case. In fact, 2 weeks ago Mr. Perez testified before my colleagues in the Senate HELP Committee that Mr. Hertz "had a very immediate and visceral reaction that it was a weak case." But what do the documents show? They tell a different story. Mr. Hertz knew about the case in November 2011. Two months later a Department official took notes of a meeting where the quid pro quo was discussed. That official wrote down Mr. Hertz's reaction. This official wrote:

Mike—

Referring to Mr. Hertz—

Mike—Odd—Looks like buying off St. Paul. Should be whether there are legit reasons to decline as to past practice.

The next day that same official emailed the Associate Attorney General here in town and said:

Mike Hertz brought up the St. Paul "disparate impact" case in which the SG [Solicitor General] just filed an amicus brief in the Supreme Court. He's concerned about the recommendation that we decline to intervene in two qui tam cases against St. Paul.

So you have these documents appearing to show that Mr. Hertz's primary concern was not the strength of the case, as Mr. Perez led Senate colleagues to believe; Mr. Hertz was concerned that the quid pro quo Mr. Perez

ultimately arranged was, in fact, improper. And, again, in his words, it "looks like buying off St. Paul."

Just last week the Justice Department sent my staff a critical 33-page slide show about the Department's case against St. Paul. In that document, the career lawyers made their strong case for intervention, for the Justice Department to intervene with Newell to bring this case about. The Department failed to provide this critical document to the committees, and we only learned about this document not from the Department of Justice but from a recent interview we had with a HUD employee. Why do I say this is a critical document? Because this document makes abundantly clear that career lawyers did not view this case as "marginal," where Mr. Perez wants you to believe that other people in the Department, experts on false claims, thought it was a "marginal" or "weak" case. And obviously he did not view it as a weak case, as Mr. Perez testified before the HELP Committee—far from it.

Here is how the career lawyers summed up the case in one of the final slides of this document. These are quotes:

The City Repeatedly and Knowingly Misrepresented its Compliance with Section 3 to Obtain Federal Funds.

Tentative conclusions:

The City has long been aware of its obligations under section 3;

The City repeatedly told HUD and others that it was in Compliance with Section 3;

The City has failed to substantially comply with Section 3.

Does that sound like career lawyers describing a "marginal" or a "weak" case? Of course not. Yet that is what Mr. Perez told my colleagues on the HELP Committee. My colleagues are well aware of how I feel about the Whistleblower Protection Act, and my colleagues know how I feel about protecting whistleblowers who have the courage to step forward, often at great risk to their own careers. But this is about much more than the whistleblower who was left dangling by Mr. Perez. This is about the fact that Mr. Perez manipulated the rule of law in order to get a case removed from the Supreme Court docket. But most importantly, this is about the fact that when Congress started asking questions about this case and when Mr. Perez was called upon to offer his testimony under oath, he chose to tell an entirely different story. The unavoidable conclusion is that the story he told is flatly not supported by the facts.

We have to demand more. We have to demand that when individuals are called upon to answer questions before the Senate, that they shoot straight regardless of the consequences.

I do not believe Mr. Perez gave us the straight story when he was called upon to answer questions about this case, and for that reason, I recommend, first

of all, that my colleagues study these issues. There is a lot in this that needs to be brought out about this nomination before we vote on it. This evidence I give is just part of the story.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Utah.

Mr. HATCH. Mr. President, I rise today to speak in support of the nomination of Marilyn Tavenner to serve as Administrator of the Centers for Medicare and Medicaid Services or CMS, one of the largest agencies ever in the history of the country. For a number of reasons, CMS has been without a confirmed Administrator since the fall of 2006.

CMS is the world's largest health insurer. It processes over a billion Medicare and Medicaid claims a year. It has a budget of nearly \$1 trillion. It also provides services to over 100 million of our Nation's most vulnerable citizens receiving Medicare and Medicaid. So clearly this is a critical agency that needs a strong leader at the helm.

Thus far, from what I have seen, Ms. Tavenner has the qualifications to be that kind of a leader I believe her to be. She has clinical experience from being a nurse, executive experience from serving as a hospital administrator, and hands-on operational experience from her time as the secretary of health and human resources for the State of Virginia. That rare combination of skills will be essential when heading an agency as diverse as CMS. There is a reason she was voted out of the Senate Finance Committee on a voice vote and had the House majority leader come testify on her behalf.

Starting in 2010, she was appointed as the Deputy Administrator of CMS. Since November of 2011, she has served as the Acting Administrator. So far, she has shown a willingness to work with Members of both parties, which is a welcome development, particularly under this administration.

At a time when the Secretary of the Department of Health and Human Services is engaging in activities that are less than transparent and potentially illegal, it is even more important that an agency as vital as CMS be headed by someone with strong ethics and integrity.

Make no mistake, this agency's greatest challenges lie ahead. One of the biggest problems facing CMS in the near future is implementation of the Federal- and State-based health insurance exchanges established under ObamaCare. These exchanges are supposed to be brought online later this year, but there are numerous obstacles that will have to be addressed. By most indications, it would take a miracle for the exchanges to be up and ready on time.

To date CMS has not been able to provide satisfactory answers to a number of questions posed by myself and

other Members of Congress regarding the exchanges. For example, we have yet to see a breakdown of the budget for the federally facilitated exchange. Furthermore, we still know very little about the operational details of the exchanges and even less about how people will enroll. These are serious issues. With this system, you are asking American families to entrust the fate of their health care services to the empty words and deeds of an administration that has repeatedly shown a complete inability to be held accountable.

More importantly, with the recent revelations of potentially criminal behavior at the Internal Revenue Service, I am very concerned about trusting that agency's ability to work with CMS and HHS to deliver benefits for Americans through the exchanges.

Almost every day we see new indications that the health law is an unmitigated disaster. We are already seeing evidence that health insurance premium costs are continuing to rise and are projected to be, on average, 32 percent higher in the individual market. At the same time, according to numbers released yesterday by the Congressional Budget Office, by 2019 almost 14 million Americans who would have had employer-provided coverage will no longer have it.

Let me be very clear. ObamaCare is fundamentally flawed. The only real way to fix it is to repeal it and then start again. But until we can accomplish that goal, we need to make sure we are protecting our fellow citizens the best we can from all the negative effects of this law.

In addition to overseeing this massive new expansion of benefits, Ms. Tavenner will also be charged with helping to ensure the longevity and solvency of the existing Medicare trust fund, which is projected to go bankrupt in 2024. All told, between now and 2030, 76 million baby boomers will become eligible for Medicare. Even factoring in deaths over that period, the program will grow from approximately 47 million beneficiaries today to roughly 80 million beneficiaries in 2030.

Maintaining the solvency of the Medicare Program while continuing to provide care for our ever-increasing beneficiary base is going to require courageous solutions. I have had several conversations with Ms. Tavenner about the need for structural entitlement reforms to ensure that these programs are here for future generations. I sincerely hope we will continue to make progress on these critical issues.

Overseeing a massive bureaucracy such as the one at CMS is not a job for the faint of heart. I will be keeping a close eye on Ms. Tavenner as she takes the reins. If she is to be successful, she will have to realize she cannot do it alone. She will have to work with Members of Congress from both par-

ties. I hope she will do so. I believe she will. Thus far I have reason to believe she will be one of the best leaders we can possibly have in the government. However, if it is under her leadership that CMS continues what has become a disappointing pattern in this administration—not responding to legitimate congressional inquiries and throwing promises of transparency by the wayside—I will use the full weight of my position as the ranking member on the Senate Finance Committee to hold her and others fully accountable. I do not think I am going to have to do that. I actually think she is that good.

I appreciate Ms. Tavenner's willingness to serve in this difficult position. While I still have many concerns about the policies of this administration and the direction CMS is heading, I plan to vote in favor of her confirmation because she has the ability and the potential to be a real leader and already has exemplified that in many ways. I encourage my colleagues to vote for her. I think Marilyn Tavenner is the right prescription at the right time to help with HHS and also with CMS which, as I said, is one of the largest agencies ever in the history of the world. She is a good woman. She is dedicated. She has the ability. I believe she will do a great job.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I want to, first of all, commend the Senator from Utah for his comments. We all know the Senator from Utah, like myself, has a real interest in making sure our government is more efficient and more effective in its operations, and know, as well, that the Senator from Utah has not always been necessarily supportive of health care reform, the Affordable Care Act. But I appreciate the comments of the Senator from Utah about Marilyn Tavenner.

I have known Marilyn Tavenner for 25 years. I think while we may disagree about the effectiveness of the Affordable Care Act, we do know one thing: We want CMS to be the most efficient, effective organization possible. I commend the Senator from Utah for his strong endorsement of Marilyn Tavenner. I think he spoke eloquently about her background. I am going to try to add a few comments, but I did not want to let him get away without my thanking him for his comments.

I rise today to join this bipartisan show of support for the President's nominee to lead the Centers for Medicare and Medicaid Services, Marilyn Tavenner. She comes to the floor this afternoon on a fairly unusual circumstance, considering some of the nominees we are considering. She came actually with a unanimous voice vote from the Senate Finance Committee. She is supported by a number of health

care organizations, including the American Hospital Association, the SEIU, the American Nurses Association, just to name a few.

As I mentioned already, I have known Marilyn Tavenner for 25 years. She is the real deal. She will be a phenomenal choice to continue to lead CMS. Marilyn grew up in a small town in southside Virginia and worked her way through school. She began her health care career not as a hospital administrator or an executive, but she began on the front lines as an emergency room nurse.

Then through her ability, and her ability to relate to people and care, she rose to become CEO of a hospital and then a senior executive of a leading health care company. I know as Governor I called upon Marilyn on a repeated basis on health care issues that affected Virginia. Marilyn has always been committed to people and public service. She took that private sector knowledge and experience into the public sector even before her tenure with this administration when she joined my good friend, the junior Senator from Virginia TIM Kaine when he became Governor and served with his administration as the Virginia Secretary of Health.

Today, Marilyn has already served at the highest levels of CMS, where she has shown her ability to manage and operate one of the largest and most complex agencies in our whole government. By spending most of her career in the private sector, she knows the impact that regulations and rules have on the real world and understands the importance of not just achieving a policy goal but ensuring that it works in practice.

As we all know, passing a law like the ACA is a complicated process, particularly a law like this that has generated as much controversy. That means the role of the Administrator of CMS to be evenhanded, fact-based, effective, and efficient in implementing the dramatic transformation of the health care market that the ACA is going to provide will require a first class Administrator, somebody who understands how to get things done and somebody who is well-respected by both sides of the aisle. Marilyn Tavenner clearly fits that bill.

She is held in extraordinarily high esteem. We, again, heard the ranking member on the Finance Committee already speak in her support. She received unanimous support from the Finance Committee, but she is also held in extraordinarily high esteem by her peers. In fact, in February all of the previous living Senate-confirmed Administrators of the CMS—Democrats, Republicans, Independents, all of them who have run the agency in the past—sent a letter urging her confirmation, noting that it was “hard to imagine a candidate more worthy of bipartisan support.”

I look forward to voting with what I hope will be an overwhelming majority of my colleagues to confirm Marilyn for this very important role a little bit later this afternoon. I know I am about to give up my time and yield to the great new Senator from Massachusetts. I know she is going to be speaking about another nominee, someone with whom I have had the opportunity to visit a couple of times, for a role that may be almost as controversial as being head of CMS, being Administrator of EPA.

I want to say that in my conversations with Gina McCarthy she seems to bring a breadth of background of work at the State level, working under both Democratic and Republican administrations. I know the Senator from Massachusetts is going to speak to her qualifications, but as long as I am here I want to add my voice as well that I think Ms. McCarthy will be a great head of the EPA, and I look forward to joining my friend and colleague, the Senator from Massachusetts, in supporting her.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

GINA MCCARTHY NOMINATION

Ms. WARREN. Mr. President, I want to start by thanking the senior Senator from Virginia both for advancing a nomination that we will vote on this afternoon and for his comments about Gina McCarthy. She is, as the Senator says, a quite remarkable person, and she will be a wonderful director of the Environmental Protection Agency. I very much appreciate the Senator's comments about her, and I know Ms. McCarthy does as well, and the people of Massachusetts do as well.

I rise today to do something very simple. I ask my colleagues to give a simple vote to the President's nominee to head the Environmental Protection Agency. This is not fancy or ambitious, it is just a basic principle of good government in our constitutional system.

When the Founders of our Republic came together to write the Constitution, they knew the President would need help in administering this great and expansive Nation. Without help, without a government that was staffed, justice would not be established, our common defense would be threatened, and the blessings of liberty we hoped to secure through our laws would go unfulfilled.

The Founders of our Republic gave to the President the task of nominating individuals to serve and gave us the responsibility to advise on and consent to these appointments. For more than 200 years this process has worked. Presidents over the years have nominated thousands of qualified men and women who were willing to serve in key executive branch positions.

The Senate has considered nominations in a timely fashion and taken up-

or-down votes. Of course, there have been bumps along the way, but we have never seen anything like this. Time and again, Members of this body have resorted to procedural technicalities and flatout obstructionism to block qualified nominees.

At the moment, there are 85 judicial vacancies in the U.S. courts, some of which are classified as "judicial emergencies." That is more than double the number of judicial vacancies at the comparable point during President George W. Bush's second term. Yet right now there are 10 nominees awaiting a vote in the Senate, and they have not gotten one.

But that is not all. The nomination of the Secretary of Defense was held up for weeks and then filibustered. The nominee for the Secretary of Labor, Tom Perez, has been held up on an obscure technical maneuver. Then, of course, there is the determined effort to block Richard Cordray to head the Consumer Financial Protection Bureau—not because he is unqualified; in fact, he has received praise from industry and consumer groups alike. Even the Republicans who blocked him have praised his fairness and his evenhandedness. No, Rich Cordray is blocked because some Members of this body do not like the agency he heads. They know they do not have the votes to get rid of it or to weaken it, so instead they are holding the Director's nomination hostage.

Now we get to Gina McCarthy. This past Thursday, the Senate Environment and Public Works Committee was scheduled to vote on Gina McCarthy's nomination to head the Environmental Protection Agency. Right before the scheduled vote, all the Republicans decided not to show up. Under Senate rules, that meant there was no quorum and thus the vote could not take place.

The President has done his job. He named an outstanding nominee for the Administrator of the Environmental Protection Agency, Gina McCarthy. Gina has dedicated her professional life to the protection of our public health and to the stewardship of our environment. She was confirmed to her previous position at the EPA as Assistant Administrator for Air and Radiation by voice vote without objection.

Just to be clear, this means most of the Members of this Chamber have already voted to approve her once before.

Gina also has a long record of working effectively across party lines. She served under Republican and Democratic Governors alike, including working for Gov. Mitt Romney, the most recent Republican Presidential nominee. Her record in Massachusetts was stellar, and she has done all of us in the Commonwealth proud through her service in Washington.

Gina herself has also done her job and more. She has answered a staggering 1,120 questions from the Envi-

ronment and Public Works Committee. That is the largest number of questions ever asked of a nominee facing a Senate confirmation. To put this in some perspective, 4 years ago the last confirmed Administrator of the EPA, Lisa Jackson, was asked 157 questions during her nomination process.

When Congress convened in January, many of us, both veterans and newcomers, were concerned that this kind of obstructionism would persist in the new Congress. We pushed hard for changes to the filibuster rules. We understood passions on both sides of the issue, and we listened to our colleagues. Ultimately, the two sides reached a compromise, a compromise that many of us were concerned about, but it included a clear understanding that the Democrats would not make substantial changes to the filibuster and, in return, the Republicans would not abuse its use. But in the past 3 months, abuse has been piled on abuse. Republicans have prevented votes on judges, on agency heads, and on administration Secretaries.

This is wrong. Republicans can vote no on any nominee they choose, but blocking a vote is nothing more than obstructionism. Blocking the business of government, the business of protecting people from cheating credit card companies, from mercury in the water or from unfair labor practices must stop.

The President has done his job. Gina McCarthy has done her job. Now it is time for the Senate to do its job. Gina McCarthy deserves a vote.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from New Hampshire is recognized.

Mrs. SHAHEEN. I am here to join my colleague Senator WARREN to also express my frustration about what is happening with the nominees to these critical agencies that are being held up by our colleagues on the other side of the aisle. As Senator WARREN said very eloquently, last week the Republican members of the Senate Environment and Public Works Committee chose not to appear for the important business of considering the nomination of Gina McCarthy. They made this decision with only a few minutes' notice. As a result, this action prevented an already overdue vote from taking place as scheduled.

The refusal to allow a vote on such fundamental business is unacceptable. The EPA conducts vital work to safeguard public health and protect our environment. Yet the agency has been without permanent leadership for months. It is the Senate's duty to act in a timely manner on these kinds of vacancies, and it is clear from Ms. McCarthy's impressive and expansive record that this nominee has earned and deserves a vote.

I understand and I respect those Senators who feel they have to vote

against a nominee for substantive reasons. However, this failure to even appear at last Thursday's meeting and take a vote shows an alarming level of disregard for the importance of permanent leadership at the EPA and for the Senate's confirmation process. As Senator WARREN said, committee Republicans have already asked Ms. McCarthy to answer over 1,100 questions for the record, more than three times what any previous nominee for this position has faced. She has provided 234 pages of answers, and it is past time that the committee held a vote. We need to move forward on filling the position of EPA Administrator so the agency can resume addressing today's public health challenges in the most effective manner.

Simply put, the type of obstructionism we saw last week has no place in this Senate, no place in our government, particularly for a position as critical as this one. In addition to its work to reduce harmful pollution at the national level, the EPA plays a vital role in safeguarding public health in our local communities.

For example, in my State of New Hampshire, testing in 2009 revealed elevated levels of contaminants in the wells of homeowners living in the town of Raymond because of their proximity to a Superfund site. Following this discovery, we worked with the EPA, with the State Department of Environmental Services, and with the town of Raymond to find a solution that would address the health concerns because the families didn't have safe drinking water. With the EPA's support, the town has extended its water lines to ensure that these homeowners and their families can be provided access to safe clean drinking water.

I had the opportunity to view the progress of this construction project in person last year. I applaud the EPA for working with communities on vital local priorities such as this.

Communities across our country face public health challenges, and the EPA plays an important role in addressing these challenges. Even now we are working in New Hampshire in a similar situation where wells have been contaminated in the town of Atkinson.

We can't continue to delay the Senate's responsibilities to provide agencies such as the EPA with the leadership they need to operate. With 30 years of public service in a variety of roles, Ms. McCarthy has both the experience and the expertise to do the critical job of leading the EPA. Her expansive and lengthy career is rooted in working at the forefront of pressing environmental issues for leading New England Governors of both political parties.

Most recently, Gina McCarthy served in Connecticut's Department of Environmental Protection under former Republican Gov. Jodi Rell. Before that,

Ms. McCarthy served five different Massachusetts Governors, including Michael Dukakis and Mitt Romney—the Republican Party's own nominee for President in last year's election.

These diverse work experiences on a broad range of environmental issues have provided Ms. McCarthy with the first-hand knowledge of environmental and public health challenges we face. They are evidence of her ability to work with people on both sides of the aisle to address the problems faced as we look at agencies such as the EPA.

Ms. McCarthy was confirmed by the Senate to her current EPA post with overwhelming bipartisan support in 2009. That makes the boycott last week even more shocking. In her current role as the Assistant Administrator for the Office of Air and Radiation, Ms. McCarthy has worked with environmental advocates and industry leaders to reduce harmful emissions that threaten clean air. These efforts are particularly significant for downwind regions such as in New England, where we serve as the tailpipe to the rest of the Nation and suffer the effects of pollution from coal-fired powerplants in the middle part of the country. I am sure the Chair understands this issue.

In recognition of her successful tenure, Ms. McCarthy has received widespread praise from a diverse group of industry leaders who recognize her ability to find common ground and compromise.

Coming from New Hampshire, which is the second most forested State in the Nation, I know New Hampshire's forest products industry will benefit from an EPA Administrator with a strong reputation for constructive dialog. Following Ms. McCarthy's nomination, Donna Harman of the American Forest and Paper Association described her by saying: "She's very data- and fact-driven, and that's been helpful for us as well as the entire business community."

Leaders in an array of other sectors have voiced similar appreciation for the way in which Ms. McCarthy values finding common ground. Heaven knows we can use some common ground here.

Robert Engel of the American Automotive Policy Council praised the care she takes in listening to stakeholders, saying:

We look forward to continuing to work with Gina McCarthy. She has demonstrated a willingness to consider the views of those affected by the agency she has been nominated to lead, and to find practical solutions to issues facing the automobile industry.

These words describe a public servant who understands the importance of listening, understanding, and bringing stakeholders together.

I am confident Gina McCarthy will be an excellent leader of the EPA. She deserves fair consideration. She deserves a timely vote.

I am pleased we received news that there will be a rescheduled vote later

this week. I urge my colleagues across the aisle to move forward in good faith and give fair consideration to this nominee. The EPA must have a permanent Administrator who is an advocate for protecting public health and providing valuable support to our Nation's communities.

I yield the floor.

THE PRESIDING OFFICER. The senior Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, what is the parliamentary procedure?

THE PRESIDING OFFICER. The Senate is considering the Tavenner nomination en bloc and at 4:30 p.m. unanimous consent to move to a vote.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I would like to speak on another matter, as well as on the Marilyn Tavenner matter. Frankly, my remarks will take more than 4 minutes, so to what degree we can get the Senate to postpone votes, we will be working on that as I am speaking.

THE INTERNAL REVENUE SERVICE

Mr. President, over the last 5 days, information that I can describe only as very troubling has emerged about a systematic practice by the IRS to target conservative groups seeking tax-exempt status.

According to a report released last night by the Inspector General for Tax Administration, the IRS developed and used inappropriate criteria to identify applications from organizations applying for tax-exempt status based "upon their names or policy positions instead of indications of potential political campaign intervention."

In addition, the 48-page report finds that ineffective management of the IRS allowed for this inappropriate practice to stay in place for more than 18 months, resulted in substantial delays in processing certain applications, and allowed unnecessary information requests to be issued.

While the inspector general report does not say the IRS was intentionally partisan, it did find that the agency's narrow focus of the criteria gives the appearance that the IRS was not impartial in conducting its mission.

These actions by the IRS, if true, are a clear breach of the public's trust. Targeting groups based on their political views is not only inappropriate, but it is intolerable, unacceptable, and cannot be allowed.

I intend to get to the bottom of what happened. The inspector general's report is just the beginning. There are still many unanswered questions. The Senate Finance Committee, which has congressional oversight over the IRS, has just begun what will be a thorough investigation.

Some are now using this issue to try to score political points. Some of my friends across the aisle are claiming the IRS was just doing what Democrats

wanted in examining these conservative groups.

Let me clear up this misperception. I, for one, have never advocated targeting conservative groups. This is important, let me be clear. What I have called for in the past, especially in 2010, and continue to call for today is closer examination of any and all groups already granted or applying for tax-exempt status—let me say that again, any and all groups.

Since the Citizens United case decided by the Supreme Court, there has been a dramatic increase in political organizations masquerading as social welfare groups. We need to make sure these groups are complying with IRS political activity rules.

Any group claiming tax-exempt status under section 501(c)(4) of the Internal Revenue Code needs to prove it is following the letter of the law.

As the New York Times noted yesterday, “No one has an automatic right to this tax exemption. Those seeking one should expect close scrutiny from the government to ensure it is not evading taxes.”

While I expect the scrutiny of the IRS to be thorough, I also expect it to be administered equally across the board, on conservative or liberal organizations and any in between.

Americans expect the IRS to do its job without passion or prejudice. The IRS can't pick one group for closer examination and give the other a free pass. But that is apparently what they did here. That was the agency's big mistake, and now they have to answer for it.

The Senate Finance Committee has launched a formal bipartisan investigation. A team of investigators from my staff and the staff of Senator HATCH has begun compiling questions and seeking additional documents from the IRS. There seems to be some inconsistencies in the timeline regarding who knew what and when, and we will get to the bottom of it.

As part of the investigation, I went straight to the top and met with Acting Commissioner Steve Miller yesterday. It was a tough talk. I told Mr. Miller the actions of the IRS were inexcusable and warned he is in for serious questioning from this committee and from others. I told Mr. Miller the committee demanded nothing less than his complete cooperation and total transparency.

The Finance Committee will hold a hearing on Tuesday to examine this issue. There needs to be a full accounting of what happened at the IRS and who knew what, when, how long did this practice go on, and what other groups were flagged for additional scrutiny.

There is another important question that needs to be asked: Is there a fault in the Tax Code that may have contributed to the IRS taking such unaccept-

able steps? Do we need a better definition of what organizations qualify for tax exemption? Do we need to revisit the role tax-exempt organizations play in our political system? What part of the Tax Code has to be changed for us to guarantee this overreach never happens again? And there are many more questions.

This will be an issue we delve into in tax reform as well. Clearly, something is amiss for the IRS to behave the way it did. The actions of the IRS are unacceptable and people will be held accountable.

TAX REFORM

Mr. President, let me take a moment to turn briefly to a related topic. As some may know, the Senate Finance Committee has been working on comprehensive tax reform for the last 2 years. We have held more than 30 hearings and heard from hundreds of experts on how tax reform can simplify the system for families, spark economic growth, create jobs, and make U.S. businesses more competitive.

Last Thursday I teamed with House Ways and Means Committee Chairman DAVE CAMP to launch a Web site to get even more input directly from the American people. We launched taxreform.gov to give folks in Montana, in Michigan, and all across America an opportunity to weigh in on tax reform. Since the launch of the site less than a week ago, we have received thousands of ideas directly from the American people on how to improve the Code.

I want to thank all those who have shared their ideas and opinions, and I encourage more people to log on to taxreform.gov to let us know what they think of the Nation's tax system and what it should look like.

NOMINATION OF MARILYN TAVENNER

Mr. President, if I might, one other issue I want to address is the nomination of Marilyn Tavenner.

Marilyn Tavenner has been nominated to be Administrator for the Centers of Medicare and Medicaid Services, otherwise known as CMS. As head of CMS, Ms. Tavenner would be in charge of administering Medicare, Medicaid, and the Children's Health Insurance Program, among others.

Roughly one in three Americans relies on health coverage under the jurisdictions of CMS—one in three. This includes 50 million Medicare patients, 56 million Medicaid patients, and more than 5.5 million children in the Children's Health Insurance Program. In my home State of Montana, 167,000 seniors and 8,300 military retirees rely on Medicare alone.

Marilyn Tavenner is an experienced health care professional. She has proven herself to be a strong leader, and I believe she is the right woman to lead CMS, a view shared by my colleagues on both sides of the aisle.

Ms. Tavenner is a proud native Virginian and her congressional delega-

tion, all of them, warmly introduced her—if they were all not there, in spirit—at a confirmation hearing before the Finance Committee last month. Democratic Senators MARK WARNER and TIM KAINE and Republican House majority leader ERIC CANTOR all spoke on her behalf. Here is what House majority leader CANTOR said:

I don't think there is any secret that I differ with the Obama administration in a lot of matters in health care policy . . . but if there is anyone that I trust to try to navigate [these] challenges, it is Marilyn Tavenner.

Two weeks ago, the Finance Committee approved Ms. Tavenner's nomination with a unanimous vote. She has earned this broad support from both sides of the aisle and the confidence of many of us because of her demonstrated abilities.

She started as a nurse, quickly rose through the ranks to become a hospital administrator, served 4 years as Virginia's Secretary of Health and Human Resources before joining CMS in 2010, and she has served as acting administrator for the last year and a half. I am confident we will get a strong vote for this nomination because Marilyn Tavenner has a reputation for being a pragmatist and a person who doesn't give up.

One story I wish to share—and this is important—is of Marilyn working the night shift in the intensive care unit at Johnston-Willis Hospital in Richmond, VA, as a nurse. At 2 a.m. a rescue squad brought in a young woman to the emergency room. She had been in a terrible car accident and crashed through the windshield of her old Volkswagen bug. Badly injured and having suffered massive blood loss, she was pronounced dead. But Ms. Tavenner and the doctors went to work to revive her. The surgeon on call told reporters:

We came up with a game plan, and it was right on target. We used about 60 units of blood. Marilyn was very supportive in everything . . . The patient ultimately walked out of the hospital.

That is Marilyn Tavenner. She doesn't give up. We need that type of leader at CMS, believe me. Her experience in health care is real, it is varied, and it will serve us well in this position.

One final note. As someone pointed out, CMS has operated without a confirmed administrator for several years, so I am glad we are moving forward with this nomination. We need a confirmed administrator, with all the work she has to do, especially implementing the Affordable Care Act. That was an essential bill that created good law. In a few months the health care marketplaces will be open for enrollment, and tax credits and subsidies will be available to help families and small businesses pay for health care. It is a critical time to have someone with Ms. Tavenner's experience confirmed and

in charge at CMS. She has done a good job in the past, and she will do a good job in the future.

I urge my colleagues to support me in supporting her nomination.

• Mr. CASEY. Mr. President, I support the nomination of Marilyn Tavenner to be the Administrator of the Centers for Medicare and Medicaid Services, CMS. I strongly support her nomination and was sorry to miss today's vote. I voted for her confirmation in the Finance Committee and would have done so today as well.

It has been over 6 years since CMS has had a confirmed Administrator, and the agency will benefit from having someone with Ms. Tavenner's skills and expertise at the helm. Her experience as the Secretary of Health and Human Resources in Virginia and with the Hospital Corporation of America as well as the time she has already served as Acting Administrator and Principal Deputy Administrator of CMS have prepared her well for the challenges and opportunities she will confront in this position.

I thank her for her willingness to serve at this important time, and I look forward to working with her in the months and years ahead. •

The PRESIDING OFFICER. Under the previous order, the question is: Will the Senate advise and consent to the nomination of William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California?

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. CORKER).

Further, if present and voting the Senator from Tennessee (Mr. CORKER) would have voted "no."

The PRESIDING OFFICER (Mr. BLUMENTHAL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 125 Ex.]

YEAS—56

Baldwin	Coons	Heitkamp
Baucus	Cowan	Hirono
Begich	Donnelly	Johnson (SD)
Bennet	Durbin	Kaine
Blumenthal	Feinstein	King
Boxer	Flake	Klobuchar
Brown	Franken	Landrieu
Cantwell	Gillibrand	Leahy
Cardin	Hagan	Levin
Carper	Harkin	Manchin
Collins	Heinrich	McCaskill

Menendez	Reed	Tester
Merkley	Reid	Udall (CO)
Mikulski	Rockefeller	Udall (NM)
Murkowski	Sanders	Warner
Murphy	Schatz	Warren
Murray	Schumer	Whitehouse
Nelson	Shaheen	Wyden
Pryor	Stabenow	

NAYS—41

Alexander	Fischer	Moran
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

NOT VOTING—3

Casey	Corker	Lautenberg
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote on the Tavenner nomination.

The question is, Will the Senate advise and consent to the nomination of Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services?

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

The result was announced—yeas 91, nays 7, as follows:

[Rollcall Vote No. 126 Ex.]

YEAS—91

Alexander	Durbin	Leahy
Ayotte	Enzi	Levin
Baldwin	Feinstein	Manchin
Barrasso	Fischer	McCain
Baucus	Flake	McCaskill
Begich	Franken	Menendez
Bennet	Gillibrand	Merkley
Blumenthal	Graham	Mikulski
Blunt	Grassley	Moran
Boozman	Hagan	Murkowski
Boxer	Harkin	Murphy
Brown	Hatch	Murray
Burr	Heinrich	Nelson
Cantwell	Heitkamp	Portman
Cardin	Heller	Pryor
Carper	Hirono	Reed
Chambliss	Hoeven	Reid
Coats	Inhofe	Roberts
Coburn	Isakson	Rockefeller
Cochran	Johanns	Rubio
Collins	Johnson (SD)	Sanders
Coons	Kaine	Schatz
Corker	King	Schumer
Cornyn	Kirk	Scott
Cowan	Klobuchar	Sessions
Donnelly	Landrieu	Shaheen

Shelby	Udall (CO)	Whitehouse
Stabenow	Udall (NM)	Wicker
Tester	Vitter	Wyden
Thune	Warner	
Toomey	Warren	

NAYS—7

Crapo	Lee	Risch
Cruz	McConnell	
Johnson (WI)	Paul	

NOT VOTING—2

Casey	Lautenberg
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 73, S. 954.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 73, S. 954, a bill to reauthorize agricultural programs through 2018.

The PRESIDING OFFICER. The Senator from Mississippi.

DISTURBING BEHAVIOR

Mr. WICKER. Mr. President, I rise this evening to discuss a disturbing pattern of behavior, a culture of intimidation that continues to emerge from the Obama administration.

For the past few days, headline after headline has revealed one new controversy after another. In every case Americans are right to wonder what kind of leadership led to this and just how far this culture of intimidation goes.

Americans need to learn the extent to which this misconduct has occurred by the heavy hand of the executive branch of government.

The first indication was on Friday of last week, and it involved the Internal Revenue Service issuing an apology for targeting conservative groups seeking nonprofit status and treating conservative groups more harshly than other groups.

These groups were excessively scrutinized if they used the words "patriot" or "tea party." As we would later learn from the inspector general report, not only were these groups targeted, but senior officials knew about it for at least a year and made no report to the Congress. It has also been confirmed that confidential information about some of these groups was leaked to the liberal nonprofit group ProPublica.

The whole situation disgraces the basic constitutional freedoms to which

every American is entitled. It is appalling that Americans have been deliberately targeted for IRS scrutiny based on their political beliefs or affiliations. No American should fear arbitrary government harassment simply because of the expression of his or her views.

The administration needs to be held accountable for its failure to protect Americans. An apology is not sufficient in this instance. An internal inspector general investigation talking about mismanagement errors will not suffice in this instance. The acknowledgement that mistakes were made and that changes, indeed, need to be made will not, in and of itself, rebuild the public trust that has been broken.

Particularly troubling is that the IRS is not the only agency in which these types of abuses have occurred. Americans are also right to be outraged by the news that Health and Human Services Secretary Kathleen Sebelius has been fundraising among the industry people she regulates on behalf of the President's health care law.

As reported in the Washington Post on May 10, Secretary Sebelius "has gone, hat in hand, to health industry officials, asking them to make large financial donations."

Presumably these donations are being collected in order to pay for an advertising campaign in the media, including television. Further investigation is necessary to determine the extent to which these solicitations constitute a conflict of interest. It is curious that the Secretary of Health and Human Services is seeking support from the health industry now when these affected parties were largely ignored or in many cases intimidated during the debate on the President's health care law.

Meanwhile, questions remain about the administration's handling of the September 11, 2012, terrorist attack on the U.S. consulate in Benghazi that left four Americans dead, including Ambassador Chris Stevens. During his recent news conference, the President tried to deflect serious concerns about altered talking points by calling it a political "sideshow." I do not think the American people are going to be convinced that it is a sideshow. The real sideshow is the President's attempt to distract from an unraveling narrative that began with the administration wrongly casting blame on an inflammatory YouTube video. Subsequent testimony from State Department whistleblowers, who came forward despite administration pressure, has only expanded the controversy surrounding the administration's apparent misrepresentation of the terrorist attack to the American people.

Let's not forget that it was President Obama who promised, after he took office, that his administration would be "the most open and transparent in his-

tory." It is increasingly clear that the President's rhetoric does not match this reality.

Whether these scandals continue to make mainstream news, our questions and inquiries will not stop until we get answers. The administration's conflicting storylines and blame games are inexcusable in the wake of serious allegations. In America, those in power are not above the law, and those responsible must be held accountable. A Member of this body on the other side of the aisle asked publicly on the radio this morning: What does it take to get fired in this town? A good question coming from the other side of the aisle.

What we are continuing to see is a culture of intimidation, a pattern of big-government heavyhandedness and overreach by the administration. What is lacking is credibility and integrity from those elected to serve.

Each scandal is distinct in its grievances but not isolated in its impact. A New Yorker article published yesterday by Amy Davidson noted "the Obama Administration's strange belief that if it can just find the right words, that reality will comply and bend to meet it—that its challenges are so extraordinary that the use of any exceptions built into normal processes should be regarded as unexceptional."

Americans deserve direct, straightforward answers, and they deserve the facts. They deserve to know why the IRS deliberately targeted conservative groups and gave liberal groups a pass, why Secretary Sebelius solicited the health care industry to help implement ObamaCare, and why the administration downplayed the atrocities in Benghazi and pressured fact witnesses to stay silent. It time for the President and his inner circle to provide a full explanation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, good evening.

THE BUDGET

While I was waiting for a chance to say a few words on the floor, I was on the phone and had a conversation with someone who has run a couple of very successful companies in our country. I do not know if he is a Democrat or a Republican, but it was an interesting conversation. We talked about how the economy is coming along, and we talked about how the companies he is especially interested in are doing. We sort of looked ahead.

One of the things I asked is, what do you think we could be doing here, where we are working in our Nation's Capital in the U.S. Senate?

He pretty much said there are three things we need to do. He said: You need to answer maybe three questions for us. One, can you govern in a divided Washington, a divided Congress? He said: No. 2, can you be—can we be as a

nation—fiscally responsible? And the third thing he said was, can you provide some certainty with respect to the Tax Code to actually know what taxes are going to look like, not just this week or this month or just this year, but how about having some certainty going forward?

I think there is a lot of wisdom in what he said. As some other folks have been talking about here on the floor today, when we were not passing the Water Resources Development Act, a good bipartisan bill, I think a responsible bill, an encouraging step, if you will, but in between we have had other people speak and talking about one side or the other moving forward on a budget. Someone talked about other issues that are in the news these days.

I want to follow up on some of the earlier conversations today with respect to demonstrating that we can govern, that we can be fiscally responsible and we can provide some certainty with respect to the Tax Code. Folks who might be listening in to what is going on in the Senate this afternoon may or may not know the way the budget process works. Obviously this is budget 101.

In my old role as State treasurer and Governor of Delaware—in Delaware we have two budgets. Not one but two budgets. We have an operating budget and we have a capital budget, a brick-and-mortar budget. The brick-and-mortar budget is for schools, K-12, sort of postsecondary education; infrastructure: roads, highways, bridges, prisons, that kind of thing. But we have an operating budget as well. Here we only have one. For, gosh, I want to say about 30-40 years, actually, the way we are supposed to run our finances as a country basically called for the President to submit a budget, usually in February, one budget not two but one budget. The Congress is expected to come in and sort of pivot off of that budget and create what we call a budget resolution. The Senate passes a budget resolution, the House does. The idea is to be able to do that sometime in April, and hopefully by the end of April agree between the House and Senate on that budget resolution.

People think a budget resolution is a budget. But it is not. It is a resolution, a framework for a budget. It is not actually signed by the President. It is something we work out. It provides a foundation on which to pass a number of maybe a dozen or so appropriations bills that cover everything from agriculture to transportation.

The budget resolution provides a framework for any revenue measures we might need to pass as well in order to get us closer to a balanced budget or to meet some kind of responsibilities for running our country. But the idea is for the Senate to pass a budget resolution, the House to pass a budget resolution, and we create a conference

committee and work out our differences.

For the last 4 years, our friends in the Republican Party delighted in accusing the Democrats of never passing a budget. What they meant was we never passed a budget resolution, that framework. I think of the budget resolution as a skeleton. The skeleton is the bones, if you will. But we put the meat on the bones when we pass the dozen or so appropriations bills, and whatever revenue measures are needed. That is the meat on the bones. Then eventually we have a full budget.

Right now, as our colleagues know, we passed in the Senate a budget resolution several weeks ago. It called for deficit reduction. It did not balance the budget over the next 10 years, but it further reduced the budget deficit and put us on a path to stabilize our debt, and to get us on a trajectory where debt as a percentage of gross domestic product is starting to come down—not as much as I would like, probably not as much as the Presiding Officer would like, but to get us headed in the right direction. It was a 50/50 deal, 50 percent deficit reduction on the spending side, 50 percent on the revenue side.

Actually, ironically, the last time we had a budget—1998, 1999, 2000, 2001 in the Clinton administration—Erskine Bowles, then the President's Chief of Staff and a woman named Sylvia Matthews, now Sylvia Matthews Burwell who is our new OMB Director, worked along with the Republican House, Republican Senate to come up with a deficit reduction plan in 1997 that led to four balanced budgets in a row.

Their deal, worked out with Republicans, was a 50/50 deal. Fifty percent of the deficit reduction was on the spending side, 50 percent was on the revenue side. Anyway, this year the Senate passed a budget resolution, passed with all Democratic votes, no Republicans. It is a 50/50 deal, half of the deficit reduction on spending, half on the revenue side.

Over in the House, they have a different approach. The Republicans in the House argue, with some justification, that they get more deficit reduction accomplished. You might quibble with some of their assumptions. They assume the repeal of ObamaCare. They also assume that even though they are going to repeal it, the \$1 trillion in deficit reduction that CBO, the Congressional Budget Office, says flows from ObamaCare over the next 10 years in the Affordable Care Act—even though they assume repealing ObamaCare, they still assume the \$1 trillion in deficit reduction. I do not know if that is entirely consistent, but that is part of their assumption. So they end up with deficit reduction that is dependent solely on the spending side. No revenues, it is all on the spending side.

So they passed their budget resolution. We passed ours. They passed

theirs with almost all Republican votes, we passed ours with all Democratic votes. When that happens, the idea is to say, here is the Senate budget resolution, here is the House budget resolution. Why don't we create a conference committee—I used to think of it as a compromise committee—where some of the Senators, Democrat and Republican, gather together and work out the differences between the two budget resolutions. That is what people sent us here to do.

The Presiding Officer knows I like to sometimes ask people who have been married a long time, what is the secret for being married a long time? I usually ask this to people who have been married 50, 60, or 70 years. I get some real funny answers. I got a great answer about a week ago. A couple has been married 55 years. I asked the wife and husband. I said to the wife: What is the secret to being married 55 years?

She looked at her husband, and she said, he will tell you that he can either be right or he can be happy, but he cannot be both. I thought that was pretty funny. He said something to the effect of, when you know you are wrong, admit it. When you know you are right, let it go. That is pretty good advice.

I think the best answer I ever heard to that question of what is the secret to being married a long time—I have heard this from a number of people. The answer is the two Cs, communicate and compromise. Think about that. The two Cs, communicate and compromise. I think that is not only the secret to an enduring union between two people, but I think it is also the secret to a vibrant democracy, communicate and compromise.

It is kind of ironic that our Republican friends, after beating us over the head for 4 years for not supposedly passing a budget—although if you looked at what we put in place, some of the legislation was law; we actually did have a budget. We had spending caps and directions to reduce spending in a lot of different categories. We saved in deficit reduction well over \$1 trillion as a result.

But, ironically, the very people who criticized us for not passing a budget have now, here in the Senate, made it impossible for us to create that conference committee, a compromise committee between the House and the Senate, and take the next logical step of reconciling the differences between the Senate-passed budget resolution and the House's.

It is not going to be easy to do that, but we need to get started. If you think about the way we spend money—I want to commend the chair of the Budget Committee. She has had some very sad losses in her family. We extend our sympathy there. I want to commend the Senator and her committee for taking on a tough job, one of many tough

jobs she has taken on, and to give us a budget resolution that we can go to conference with. I want to have a chance to do that.

I want to mention this and I will yield. We had a bunch of Realtors in from Delaware. They wanted to talk about the budget and how we are doing. I explained that if you think of the Federal budget, think of it as a pie, think of it like a pizza pie or a chocolate pie, but think of it as a pie. The way I explained this is, over half of that pie is entitlement program spending. That is things we are entitled to by virtue of our age, our station in life, our service, Medicare, Medicaid, Social Security, some of our veterans' benefits. But over half of the budget of that pie for spending, over half of it is entitlement spending and it is growing.

Another roughly 10 to 15 percent of that pie is interest on the debt. With the debt growing, interest on the debt—thank God the interest rates are low right now or that would go through the roof. Interest on the debt continues to maybe creep up. If you add those two together, it is about 70 percent of the pie we are thinking about.

That leaves another 30 percent. What is in the remaining 30 percent? The rest of the whole Federal Government. About half of that 30 percent is defense. About half of that 30 percent is everything else from agriculture to transportation and everything in between—law enforcement, courts, Federal prisons, the FBI, education, housing, environment. Everything else is in that 15 percent.

The difference between the Senate-passed budget resolution and the House-passed budget resolution is the House would make some changes in entitlement spending. We do some of that as well. We do more to try to reduce spending. But the real difference is what happens with that 15 percent of—we call it domestic discretionary spending. The other 15 percent in discretionary spending is defense.

But they would take, in their budget resolution in the House, that 15 percent over the next 10 years and take it down to roughly 5 percent—5 percent. That is everything in the Federal Government other than defense and entitlements and interest. That is everything else. That includes workforce development, starting with early childhood education programs, Head Start, all the way from kindergarten up to high school; programs especially promoting the education in STEM, science, technology, engineering and math, postsecondary education. It includes infrastructure; roads, highways, bridges, everything broadly defined in infrastructure. It includes investments in research and development that can create products and technologies that can be commercialized and sold all over the world. All of that stuff is the rest of 15 percent and it goes down to about 5 percent.

I do not think that is smart. I do not think that is smart for growing the economic pie because of things—the areas we need to invest in or look for. We need a world-class workforce. No. 2, we need terrific infrastructure, much better than our decaying infrastructure. The third thing we need is to invest in R&D that can be commercialized and turned into products.

In any event, we have a difference in priorities here. The Senate-passed budget resolution is not perfect, but I think it is a very good document and a good starting point. The Republicans have their ideas, some with merit, some not. But the next thing we need to do is we need to meet. We need to create that conference committee and we need to go to work and let the chair of the committee and her counterpart over here, Senator SESSIONS, do their job, along with their House counterparts. But they cannot do their job until Republicans in the Senate agree to form a conference committee and go to conference. We need that to happen. Rather than just talking about and pointing fingers at one another, we actually need to do that. We need to stop pointing fingers, join hands, and see if we cannot work this out.

I yield the floor again, with my thanks to Senator MURRAY for the leadership she continues to provide for all of us.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for up to 10 minute as in morning business, and following me, the Senator from Rhode Island will speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mrs. MURRAY. Mr. President, I want to thank the Senator from Delaware who spoke about the fact that we are now 53 days since passing the Senate budget. We are pushing very hard as Democrats to keep this process moving and get our budget to a conference committee. I appreciate his coming out and explaining why that is so important. I agree with him.

We believe with all the urgent challenges we face today, there is every reason to get to work right away on a bipartisan budget deal. There is no reason to delay this until the next crisis. But we have come out here now seven times and asked for consent to go to conference to work on the budget with the House, and seven times the Senate Republicans have stood and said, no, we do not want to go to work on the budget.

Given how much Senate Republicans have talked about regular order over the last several years, we are rather surprised on this side that they are now resisting this very important next step in this bipartisan negotiation. By

the way, it is not just Democrats who are saying they want to go to conference. There are quite a few Senate Republicans who are surprised, as we are, that they are not allowing us to go.

My colleague Senator MCCAIN said blocking conference is “incomprehensible” and “insane.” Senator CORKER said that to “keep from appointing conferees is not consistent.” Senator FLAKE said he “would like to see a conference now.”

I sincerely hope the Republican leaders in the Senate will listen to the Members of their own party, because we have a lot of problems to solve and we have to get started. Our children today, young adults, need a world-class education to succeed in the global economy they are entering. Many of them are graduating in the next several weeks. Too many Americans are out of work yet or still underemployed. Our national infrastructure is quickly becoming an obstacle rather than an asset to our competitiveness.

We need to do more to responsibly tackle our long-term deficit and debt challenges and make our Tax Code work better for our middle class. The debate about all of those challenges couldn't be more important. We should start working toward a bipartisan budget deal that works for our families, our economy. We should do it as soon as possible and engage the American people in a thorough and responsible debate.

That is why I, frankly, was very disappointed to see that today, instead of meeting to discuss moving toward a bipartisan conference between the House and Senate, House Republicans are meeting to discuss what they will ask for in exchange for not tanking the economy a couple of months from now.

Instead of moving with us toward the middle and joining us at the table ready to compromise, they spent their afternoon debating what to write on a ransom note and saying if they don't get what they want, they are going to allow the United States to default. That is an unprecedented event that would devastate our entire economy.

I think a lot of families across our country are very concerned that House Republicans haven't learned any lessons at all from the past 2 years, and that we are looking at more brinkmanship, more governing by crisis, and more harm for our American families and our businesses.

House Republicans are even telling us they are willing to put foreign creditors before our seniors, our veterans, and our businesses and claiming that somehow this plan will protect the economy.

That is absurd. A default is a default. If the Federal Government pays its foreign creditors—but defaults on its obligations to our families and our communities—the results are going to be cata-

strophic. Rating agencies would rightly see that as a serious abdication of our responsibility. Our fragile economy would be seriously threatened, and people across the country would lose their faith again in our government's ability to function.

Fortunately, I hope and think it will not come to all of that. Republicans have been saying default would be a “financial disaster” for the global economy and “you can't not raise the debt ceiling.” A few months ago, Republicans acknowledged how dangerous it would be to play games with the debt limit and how politically damaging it would be to play politics with the potential economic calamity and dropped their demands.

What has changed since then? Why are Republicans once again issuing this empty threat that does nothing more than rattle the markets and increase uncertainty across our country. Maybe the House Republicans think since we won't hit the debt ceiling until later than we originally expected, there could be less pressure to get a deal and more opportunity for them to extract some kind of political concession.

That is exactly the wrong way to look at this because even if we know they are going to reverse course eventually, the Republican strategy of holding our economy hostage and creating this uncertainty again and trying to push us toward another crisis has terrible consequences. All of us remember the summer of 2011 when extreme elements in the Republican Party demanded economically damaging policies, leading to a downgrade of our Nation's credit.

Economic growth and job creation slowed to a halt, consumer confidence plummeted, and out of that summer came sequestration. That was a policy that was meant to serve only as a trigger and, in fact, was only implemented because Republicans were focused on protecting the wealthiest Americans and biggest corporations from paying even a penny more in taxes rather than working with us on a deal to prevent sequester.

Now what do we have? Sequestration. It is forcing families and communities across the country to cope with layoffs and cuts to services they count on, things such as childcare and public safety. Yesterday, we learned that DOD civilian employees, many of whom are veterans, by the way, are going to be furloughed.

We have to replace sequestration. We need to do it with a balanced and responsible deficit reduction plan, but we also have to stop lurching from crisis to crisis that allows those kinds of policies to be enacted. There is absolutely no reason to double down on an approach that has those kinds of effects on the families and communities we serve and on those who bravely served our country.

Contrary to what we are now, unfortunately, hearing from the House, I believe with more time to reach a fair and bipartisan agreement we have all the more reason for us to move to a conference quickly and get a budget agreement. Let's get to work. Our country's challenges—rather than a looming artificial deadline or crisis—should guide this debate, and it shouldn't be controversial. There are responsible Senate leaders on both sides of the aisle who agree.

I hope Senate Republicans will listen to members of their own party who are calling for a conference and bring us one step closer to negotiating a bipartisan budget deal in a responsible way instead of insisting that we run down the clock.

I know there are factions in our government that believe compromise is a dirty word and that getting a deal will not be easy, but I continue to believe it can and needs to be done because alongside those who refuse to compromise there are responsible leaders who came here to show Americans that their government works. It would be deeply irresponsible for the House to continue delaying a conference and for Senate Republicans to continue to cover for them, especially if they are doing it for political reasons or to keep the negotiations out of the public eye or to, what I have heard, avoid taking a few tough votes.

I urge Republican colleagues to reconsider their approach. Join us in a budget conference ready to compromise and work with us toward a bipartisan deal the American people deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding that Senator REED is speaking next. I would like to ask that I be recognized as in morning business at the conclusion of his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. REED. First, Mr. President, let me rise to commend Senator MURRAY for her extraordinary leadership on the Budget Committee and in so many other ways in the Senate. She did a remarkable job in bringing together a budget that responds to the urgent need we see in the United States today to create jobs, to strengthen the economic recovery and, in fact, to provide more momentum to this recovery, much more.

In my State of Rhode Island, despite certain gains, we are still at roughly 9 percent unemployment. This is unacceptable. We have to do more.

The first step on that path is to move this budget to conference. That is what Senator MURRAY has spoken about, and that is what is so critical. Fifty-three days ago, under her leadership, the

Senate passed a budget. The budget invested \$100 billion in a targeted jobs and infrastructure package that would start creating new jobs quickly. And that is what my constituents need. Indeed, when I go back to Rhode Island that is what people are asking about: Where are the jobs?

The budget would begin, in this jobs and infrastructure package, to repair public roads, bridges, and help prepare workers for the 21st century. All of these things are essential to our present economic need for job creation, our future productivity, and our future ability to compete in an increasingly competitive global economy. Our budget path, as laid out by Senator MURRAY, would end the economically damaging sequester and make the tough and balanced choices we need for sound fiscal policies.

Now the House Republicans also passed a budget. The next step in regular order is to go to conference. Admittedly, the House Republican budget stands in stark contrast to our budget, and it is clear we have a lot of work to do to reach an agreement. For example, the House Republican budget calls for a total of \$4.6 trillion in cuts, it voucherizes Medicare, it would leave the sequester in place, and it calls for tax cuts that benefit the wealthiest Americans.

I believe these and other choices in the House Republican budget would be a very bad deal for the people of Rhode Island. These are the kinds of differences that must be and can only be resolved effectively in conference. Again, the first step to do that is to appoint our conferees, to go to conference, and to begin the difficult discussions and negotiations to provide the American public the answers they are looking for.

So it is past time we move to conference with the House. And I hope there is a real chance that Senate and House Democrats can negotiate a bipartisan agreement with our Republican colleagues in the House of Representatives, and with our Republican colleagues in the Senate that will move the country forward.

Unfortunately, despite the insistence over months and months and months by Republicans in the House and in the Senate that we go to regular order, that we pass a budget—that was the biggest problem they were talking about for many months, last year and the year before. Now here we are looking for regular order, and they are looking the other way and block us from moving forward and conferencing the Senate and House budgets. That can't go on. We have to get to conference. We have to take the next step.

We can't delay. We have 11.7 million Americans out of work and looking for jobs. We have to address the sequester.

As Senator MURRAY just said, yesterday the Secretary of Defense an-

nounced hundreds of thousands of civilian personnel will be furloughed, civilian personnel that support from our military forces. That will not only disrupt their lives, which is the first great toll, but it will also disrupt the efficiency and the ability of the Department of Defense to fully and capably carry out its mission. These are critical issues.

We have to make sure, again, that the full faith and credit of the United States is not jeopardized by another manufactured crisis over the debt ceiling, which is once again on the horizon.

We have to deal very soon with all of these issues. The logical and appropriate step is to go to conference. We have a lot of work to do.

Let me also say I am encouraged that I have heard that Leader REID is prepared to call up for a vote the nomination of Richard Cordray to head the Consumer Financial Protection Bureau. This is critical because a well-regulated marketplace is not only good for consumers, it is good for companies. That is something that could add to this economic recovery, this certainty, this knowledge that consumers will have the information they need.

Also, I presume and hope that very soon we will have a vote with respect to the pending doubling of the student loan interest rate. Last year we avoided this by pushing it forward a year. We have another deadline facing us July 1. We have to make sure students don't face another crippling increase in interest rates they pay on student loans.

Student loans are a huge burden on the generations that are coming up. In fact, it could delay our economic progress by a decade or more as students can't buy homes and form households because they are saddled with the debt. So we have to work on that too. We just can't lurch from crisis to crisis.

The first thing to do, the immediate thing we should do, is to invoke regular order. Let's go ahead, let's go to conference. Let's start dealing with the issues that affect the people of America. Let's start serving their primary concerns—creating jobs and a stable economy—and doing that through regular order and the procedures that we have adopted and used for decades.

I yield the floor.

UNANIMOUS CONSENT AGREEMENT—S. 954

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 20, at a time to be determined by me, after consultation with Senator MCCONNELL, the Senate proceed to the consideration of Calendar No. 73, S. 954.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oklahoma.

IRAN SANCTIONS IMPLEMENTATION ACT

Mr. INHOFE. Mr. President, it is very rare that we have an opportunity

to do something that is in the benefit of our country in terms of our protection. It doesn't cost anything. If anything, it makes money, and it is something I am going to share. It is a bill I introduced today, which is S. 965.

Let me give a little background to let you know why we are introducing this bill and why the Iran Sanctions Implementation Act of 2013 is significant.

First of all, it is imperative that we know, because most people don't understand this, that Iran's source of revenue comes from oil exports. This is something that one of our fine Senators has had as one of his efforts, to come up with something that is going to effectively embargo the country of Iran.

We have a lot of countries, for example, that we don't import anything from, but they do have a very large supply of oil. To date, Iran is exporting about 1.25 million barrels of oil. That amounts to somewhere in the neighborhood of \$100 million a day or about \$3 billion a month.

The influence of Iran is something throughout the Middle East, and it ranges from Yemen all the way to Sudan, to Hamas, to Hezbollah, to Lebanon, and, of course, to Syria. One of the concerns I have had for a long period of time is that Iran—one of the things the President did that I think we are going to live to regret is 4 years ago he did away with our ground-based interceptor in Poland. And when this happened, that was set up to knock down missiles that might be coming from the east into the United States.

We have 44 ground-based interceptors on the west coast, and I am comfortable we can knock down anything coming from that way, but from the east, we don't. It would take maybe one shot—it would have to be a fortunate one—from the west coast.

Anyway, the reason I bring this up and why it is pertinent to the legislation we are introducing right now is that our intelligence has shown us since 2007 that Iran is going to have the bomb—the weapon, the nuclear capability—and the delivery system to send something from Iran by 2015.

If we had stayed with our effort to have the radar in the Czech Republic and the ground-based interceptor in Poland, we would be well prepared to protect ourselves. However, that is not the case. So I look at Iran—and a lot of people don't agree with this; I may be the only one who will say this—as the greatest threat we have in the Middle East. We all talk about Syria and the problems taking place in Syria—the 70,000 people who have been the victims of Assad's barbaric slaughter of his own people—but we know that Iran—the Iranian security and intelligence services—is propping up the Assad regime by advising and assisting the Syrian military forces, providing essen-

tial, lethal military supplies and progovernment military.

I am going to read something now that I just received to quantify how much Iran is doing to assist Syria. This was in the Economist magazine. It said:

Iran reportedly sent \$9 billion to Assad to see it through sanctions on Syria.

In other words, several countries, including us, had sanctions on Syria, and this is one reason we were sending money over there. That tells us our sanctions on Iran are not nearly as tight as they should be. And that was in the Economist. So it is very serious.

Lebanese Hezbollah, Iran's proxy, is participating in a direct combat role aligned with Iranian strategic interests in Syria, and we know Syria provides crucial access to Iranian proxies that include Hezbollah, Hamas, and the Palestinian Islamic jihad. Iran is continuing an extensive, expensive, and integrated effort to maintain Syria as a base for fomenting future regional instability.

Iran is all in in Syria, as evidenced by the frequent presence on the ground in Syria of Iranian force commander Major General Qassem Suleimani. Suleimani is on the U.S. Treasury and U.S. Security Council's watch lists for alleged involvement in terrorist activity and proliferation of nuclear missile technology. So this is how serious that situation is over there.

A subordinate of Suleimani, Brigadier General Hassan Shateri, was a senior Iranian commander who was killed in the Damascus countryside. The death of Iranian generals on Syrian soil is a strong indication of Iran's commitment to the regime.

Further, we know Iran has supplied Syria with ballistic missiles and chemical weapons, and the Assad regime in Syria, which is presently the greatest threat to stability in the Middle East, is being propped up by Iran. Iran is able to do this because it earns \$3 billion a month in oil revenue. Now, if Iran—and this is a key point—did not have access to this money, its ability to influence the region would be significantly curtailed. In other words, they cannot pose a threat without their oil revenues.

So the reason we have the threat from and the problems we have in Syria is because of the money that is being sent to Syria, and the source of that money is oil revenue, and it shows that the effort we have made in Iran is not really enough because they have access to that many resources.

Fortunately, the international community has generally recognized this. Last year Senator KIRK of Illinois led the Senate in the consideration of sanctions against Iran's oil trade. At that time Iran exported 2½ million barrels of oil a day, and Senator KIRK sought an outright global embargo against Iranian oil. During the debate,

however, many members of the international community stated they would not be able to wean themselves off of Iranian oil quickly enough to comply with the sanctions without causing a significant shock to oil prices and, in turn, their economies. So these are countries that would like to have complied with sanctions against Iran, but they felt it was not in their best interests to do so. So the sanctions were amended to require the international community to significantly reduce its reliance on Iranian oil.

That legislation passed through the Senate, and Iran's oil exports have since fallen by about half. So instead of the 2½ million barrels a day going out, it is down to 1¼ million—about half. This is a significant reduction, but with the Iranian regime intent on harming the United States and our allies, we have to do all we can to tighten sanctions and more fully isolate them.

Our Nation doesn't import oil from Iran, and we haven't for a number of years. We embargoed them a long time ago. But despite our abundant untapped natural resources, we remain the largest oil importer in the world, and so we have a strong role to play in making the Iran oil embargo as effective as possible.

Natural gas has always been a major U.S. energy resource, but it was just a few years ago that the energy industry believed the United States was on the verge of becoming a major natural gas importer. Permits were issued and facilities were under construction to handle the massive amounts of natural gas we were expecting to import to meet the domestic energy demand. Then came the development of two critical technologies. One is horizontal drilling, and the other is, of course, something we have known about for a long time—hydraulic fracturing.

Hydraulic fracturing was actually developed in the State of Oklahoma—in Duncan, OK, where I will actually be this coming weekend—way back in 1949. By the way, it is very safe. There has never been a confirmed case of groundwater contamination using hydraulic fracturing. But when all this came about, all of a sudden we had a huge boom here in the United States. This is all on private land. I want to make that very clear. Because the oil and gas industry developed and perfected these methods, which are environmentally safe, we are now able to economically reach oil and natural gas in places we never thought would be possible, and production has skyrocketed.

Harold Hamm, who I think arguably is the most successful independent oil operator in America today, is from Oklahoma. He happens to be up in North Dakota right now, but he has been at the forefront of these technologies and has used them to unlock

the Bakken shale formation in North Dakota. And that is where he is actually at this time.

Before these practices were used there, oil development was expected to remain just a memory of the past, but with these technologies, he has turned North Dakota into one of the greatest economic success stories in the Nation. The change has been remarkable, and it occurred nearly overnight. North Dakota has grown its oil production by 300 percent, to 660,000 barrels of oil a day in just 4 years. The unemployment rate in North Dakota is 3.3 percent. Normally, we say 4 percent unemployment is full employment. Well, they are actually below full employment. His biggest problem right now is finding people to work. A driver in the oilfields makes \$100,000 a year. This is what is happening in North Dakota.

The promise of shale oil and gas development has spread well beyond North Dakota in recent years. It is happening in my State of Oklahoma, in Pennsylvania.

Let's put this chart up here. That is significant. I can remember until recently people were thinking everything has to be in the oil belt. All the oil production has to be west of the Mississippi. But look at it now. This is in the lower 48 States. The shale plays that are taking place now are in places, yes, of course, where we would expect it, in Oklahoma, but look up here. That is in Pennsylvania. That is up there at Marcellus. And we have opportunities all over. So it is completely all over the country, not just in the western part of the United States. Where oil and gas activities have historically been isolated to just a few regions of the country, such as Oklahoma and Texas, they are now all over the country. Because of these great domestic resources, I believe we can achieve domestic independence in a matter of months.

The use of hydraulic fracturing and horizontal drilling has caused domestic energy production to soar over the last few years. Production is now over 7 million barrels a day—40 percent higher than it was in 2008. But, as the Congressional Research Service recently confirmed, all of this production is on State and private land—none of it on Federal land. In fact, on Federal land, in spite of the boom that has been taking place, production has actually been reduced because of President Obama's war on fossil fuels. Production has actually been reduced on Federal lands, and that is kind of embarrassing because we can see on the second chart that a significant amount of our Nation's oil and gas resources are on Federal land, which are all but completely off limits.

This chart shows the Federal lands. They are not producing on any of these Federal lands, but look at the potential that is there and what we could do. It

is incredible to look at. You can look at all of this land in the Montana west, in Alaska, offshore. The yellow land is the Bureau of Land Management land, the orange is the Fish and Wildlife land, the light green is the Forest Service land, the dark green is the National Park Service, and the light blue is the Department of Defense. All of the Outer Continental Shelf is managed by the Federal Government, and oil is under many of these places, but the vast majority of it is locked up by the Obama administration and no one can get to it.

We know the resources are there. They are massive. Everyone has agreed it is there. The Institute of Energy Research recently issued a report based on the most recent, though outdated, government data about these off-limit lands and showed that if we enacted policies that allowed aggressive development of these Federal resources, the process would generate \$14.4 trillion in economic activity and would create 2½ million jobs and reduce the deficit by \$2.7 trillion, all over the next 40 years.

Why is this land locked up? One answer is because of President Obama. He has allowed his alliance with the environmental left to run roughshod over issues as important as encouraging stability in the Middle East through a full isolation of Iran.

If the President would lead, the United States, acting independently, without any assistance from any other nation, could singlehandedly offset all of Iran's oil exports by simply expanding our own domestic production on Federal lands.

This is why I have introduced this Iran Sanctions Implementation Act of 2013. My bill would require the President to establish Iranian oil replacement zones on Federal lands so that the production from these zones will reach the 1¼ million barrels of oil a day. This amount, 1.25 million barrels a day, is what Iran is exporting at the current time.

Here is the point. The reason we are talking about coming up with a very small amount is, if the President wants to continue his war on fossil fuels, that is fine, if he doesn't want to develop our potential public lands. But if he could take a very small amount, such as 1.25 million barrels of oil a day—and do it anywhere, give him the discretion as to where he wants to do this—it could be here if he wants to do it out in the West, or ANWR up in Alaska, it could be over there or offshore on the east coast. By the way, that is off the shore of Virginia, and Virginia wants to be able to develop that land.

This is enough oil to fully offset all current Iranian oil exports. If the President unlocks our energy potential and allows the production of an additional 1.25 million barrels a day in the United States, we would reduce our imports by the same amount. If we are

not importing this oil to the United States, then other nations—these are the nations that are currently importing it from Iran—would be able to import it from those places where we no longer would have to.

There are friendly countries—Saudi Arabia, Kuwait—where we are actually importing oil. But they would be able to sell their oil to the other countries, our friends, such as Japan and other countries.

What we are saying is we have an opportunity here. When you look at these areas, you can see why it should be pretty easy for the administration to allow us to open one of these areas. The first one would be ANWR, this right up in Alaska. You can see four potential areas, the first being ANWR. The U.S. Geological Survey reported, in a 1998 study, the latest comprehensive study of its kind, that the oil reserves there are up to 16 million barrels of oil per day.

Imagine what we are talking about there. We are only talking about coming with 1.25 million barrels to offset the amount other countries are importing from Iran, to stop them from doing it. It doesn't require the President to make this area an Iranian oil replacement zone, but it would allow him to do it. This would provide enough oil to offset Iranian oil exports for about 12,000 days or about 35 years.

The second is the Rocky Mountain West—parts of Wyoming, parts of Utah, and parts of Colorado. In 2005 the RAND Corporation estimated that oil shale reserves in this area could be as high as 1.8 trillion barrels of oil.

The third is the Utica shale in Pennsylvania. Pennsylvania—I hear a lot about the Marcellus up there. We are talking about oil now. We are not talking about natural gas. We are talking about oil. But USGS estimated in 2011 that the reserves in this region are up to 940 million barrels of unconventional oil.

The fourth area is the Outer Continental Shelf. I mentioned North Carolina and Virginia. Their legislatures have all encouraged their production. They have a lot they can benefit from. Of course nationally—in national security we have a lot to benefit from, too.

With all those areas, if we stop the flow of oil from Iran, then we can stop the machine that finances Iran's nuclear weapons program. Many say that getting oil from the Rocky Mountains, Alaska, Outer Continental Shelf, will take years. By then Iran will not be a problem. But it doesn't take years to get it out.

I mentioned a while ago Harold Hamm, the person who is the biggest independent in the country. I called him up because I was going to be on a major television show one night and I knew they were going to challenge me. The President has always said it doesn't do any good to open up public

lands because if you do that it could take 10 years before that could reach the economy. I asked him, I said: Harold Hamm, make sure you give me an accurate response to what I am going to ask you because I am going to use your name on national TV. Make sure you are accurate. If you had a rig set up right now, off limits on public land, in New Mexico, how long would it take you to lift the first barrel of oil and get it into the economy?

He said, without a flinch: Seventy days.

I said: Seventy days? We are talking about 10 weeks, not 10 years.

So he described what would happen each day. You could do it in 10 weeks. We are talking about all of this could take place in 10 weeks.

By the way, I have to say no one has challenged me on this ever since I used his name and his speculation a few weeks ago.

I know this is a little bit complicated, but there is another reason. The reason I think the President would be willing to do something like this is we are not asking him to lift the restrictions on all of the public land. It would be great if he did that. Just think, we would be totally independent of any other country for our ability to develop our own energy. But we are saying find a zone where we can actually pick up an additional 1.25 million barrels a day. We can take that away from where we are currently importing it from friendly countries and allow them to export it to nations that are currently buying oil from Iran.

I think we have made it very clear that if you want to do something that is going to have the effect of stability in the Middle East, you have to get rid of Iran. As I said before, Iran is a direct threat to the United States once they reach what our intelligence says is going to be a nuclear capability and a delivery capability by 2015.

Over and above that, today we could stop them because 70 percent of their revenue comes from oil exports. We could stop the exports altogether with this legislation. That is something I certainly hope the President will look at. We are not asking for hundreds and hundreds of millions of barrels a day to be released from our Federal sources. We are asking only for 1.5 million barrels a day. On top of that, we don't have any obligation with this legislation to go any further. This would be something he could do that would provide stability in the Middle East and would keep Iran from funding the terrorist activity that is currently taking place by Assad in Syria.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Connecticut.

MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD ALLERGY AWARENESS WEEK

Mr. DURBIN. Mr. President, Food Allergy Awareness Week recognizes how serious and how wide spread food allergies are in this country. One in every 13 children in the United States is affected by a life-threatening food allergy. According to the Centers for Disease Control and Prevention, food allergy reactions send someone to the emergency room every 3 minutes.

The rising prevalence of food allergies is an important public health issue that is already felt in schools, restaurants, and workplaces across the country. According to the National Institutes of Allergy and Infectious Disease, food allergies cause 30,000 cases of anaphylaxis and more than 200 deaths every year. We need to support research to develop new therapies and understanding to ultimately prevent and cure food allergies.

As the number of kids living with dangerous and in some cases deadly food allergy attacks at school has increased, some States and cities have responded by improving access to epinephrine auto-injectors as an important strategy to respond safely and quickly when students experience anaphylaxis. While many children with known food allergies are permitted to bring their epinephrine auto-injectors to school, 25 percent of epinephrine administrations in schools involve individuals without a previously known allergy. Many students who will need epinephrine have no history of food allergies and therefore do not carry epinephrine. Further, schools provide a setting where children are exposed to new foods that may trigger severe allergy attacks. Therefore, the decision for schools to stock their own epinephrine can be lifesaving.

I commend the state of Illinois for being a leader in this fight and passing legislation in 2011 to allow schools to stock emergency epinephrine auto-injectors. Last Congress, I worked with my colleague, Senator KIRK, to introduce legislation that would encourage states to require schools to stock epinephrine and to allow trained designated personnel to administer epinephrine in an emergency.

My hope is that Food Allergy Awareness Week can help the public to appreciate the extent of the problem and, importantly, the severity of the disease. It is a health threat that affects every race, age, income group and geographic area, and is growing at a frightening pace. What the public increasingly needs to understand is that this is not simply an inconvenient con-

dition. As the tragic deaths of children each year show, it is frequently a life-threatening disease. Food Allergy Awareness Week is a first step to a better understanding and a greater commitment to our response.

BROTHERHOOD OF LOCOMOTIVE ENGINEERS 150TH ANNIVERSARY

Mr. DURBIN. Mr. President, I rise today to recognize a group of American workers celebrating an impressive anniversary this month.

On July 1, 1862, President Abraham Lincoln signed the Pacific Railroad Act into law and set the Nation on a course to complete the transcontinental railroad.

Less than a year later, in 1863, the Brotherhood of Locomotive Engineers and Trainmen was founded to represent the thousands of individuals working to build one of the largest infrastructure projects in the history of this country.

In the century and a half since, the rail industry has served as the lifeblood of rural America, a critical player in our Nation's transportation network, and as one of the largest private employers in the United States.

My home State of Illinois, both then and now, has relied heavily on strong rail infrastructure to propel us forward. From my hometown of East St. Louis and across our State, railroads have written our history.

As one of the first States in the union to embrace freight rail and rail travel, we saw Chicago grow, spoke by spoke and mile after magnificent mile, into the metropolis it is today. And with more lines of track radiating in more directions than anywhere else in the Nation, it's hard to imagine our great city without its railroads.

Even today, we are continuing our long tradition with the construction of a high-speed rail network that is both innovative and important to Illinois' economy and future competitiveness. But without the workers who construct, operate and maintain it, that high-speed network likely would not be possible.

One hundred-fifty years after its birth, the Brotherhood's 55,000 active and retired members continue to devote their lives to the rail industry and improving the American transportation system.

That's an impressive achievement, and I hope my colleagues will join me in recognizing their hard work as the Brotherhood of Locomotive Engineers and Trainmen celebrates its 150th anniversary. Thank you and congratulations.

VOTE EXPLANATION

Ms. WARREN. Madam President, during the period of April 15, 2013 through April 24, 2013, I was unavoidably absent from the following votes as

a result of events related to the tragic terrorist bombings in Boston, MA—roll call votes 96, 104, 105, 106, 108, 109, and 110. Had I been present, I would have voted yes on vote 96 on the nomination of Beverly Reid O'Connell of California, to be U.S. District Judge for the Central District of California; no on vote 104 on Amendment No. 717 to S. 649, the Safe Communities, Safe Schools Act of 2013; yes on vote 105 on Amendment No. 730 to S. 649, the Safe Communities, Safe Schools Act of 2013; yes on vote 106 on the nomination of Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii; yes on vote 108 on the nomination of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit; yes on vote 109 on the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget; and yes on vote 110 on adoption of the Motion to Proceed to S. 743, the Marketplace Fairness Act.

VOTE EXPLANATION

Mr. NELSON. Mr. President, I was necessarily absent for votes on amendments to the Water Resources Development Act on Tuesday, May 14, 2013, and Wednesday, May 15, 2013. Had I been present, I would have voted against amendment No. 868 and amendment 815. I would have voted in favor of amendment 889.

RETIREMENT OF AIR FORCE SECRETARY MICHAEL DONLEY

Mr. MCCAIN. Mr. President, today I honor an outstanding leader and public servant. After over 30 years of service to our Nation both in and out of uniform, Secretary Michael Donley is retiring from his current position as Secretary of the U.S. Air Force. On this occasion, I believe it is fitting to recognize Secretary Donley's years of service to our great Nation.

Mr. Donley has over 30 years of experience in the national security community, including service in the Senate, White House, and the Pentagon, as well as in the private sector. Mr. Donley served in the U.S. Army from 1972 to 1975 with the XVIIIth Airborne Corps and 5th Special Forces Group, Airborne. He was also a professional staff member on the Senate Armed Services Committee.

Mr. Donley supported two Presidents and five National Security Advisers during his service at the National Security Council from 1984 to 1989. He conceived and organized the President's Blue Ribbon Commission on Defense Management, coordinated White House policy on the Goldwater-Nichols DOD Reorganization Act of 1986, and wrote the national security strategy for President Reagan's second term. Prior to assuming his current position,

Mr. Donley served as the Director of Administration and Management in the Office of the Secretary of Defense.

Air Force Secretary Michael Donley will retire from public service June 21, after nearly 5 years in the position. Prior to his confirmation as the Secretary of the Air Force, he served as Acting Secretary—making him the longest serving Secretary of the Air Force in the service's history.

Secretary Michael Donley's leadership will be missed throughout the government. I join many past and present members of the Senate Armed Services Committee in my gratitude to Secretary Donley for his outstanding leadership and his unwavering support of servicemembers. Secretary Donley's service has enabled the Air Force to continue to fly, fight, and win in air, space, and cyberspace. I wish him fair winds and following seas.

RECOGNIZING THE 65TH INFANTRY REGIMENT

Mr. NELSON. Mr. President, today I wish to recognize and honor the achievements of the 65th Infantry Regiment known as the "Borinqueneers" for their contribution to the defense of our great Nation.

The Borinqueneers were a segregated Puerto Rican Army unit which served our Nation with great distinction during World War I, World War II, and the Korean war. The Borinqueneers served our Nation with valor during a period of history in which their own nation's sovereignty was dependent upon the United States.

The Borinqueneers earned 10 Distinguished Service Crosses, 256 Silver Stars, 606 Bronze Stars, and 2,771 Purple Hearts. Six hundred and seventy Borinqueneers gave the ultimate sacrifice for both Puerto Rico and the United States.

After watching the Borinqueneers in action during his visit to Tokyo, General Douglas MacArthur wrote the following,

The Puerto Ricans forming the ranks of the gallant 65th Infantry Regiment give daily proof on the battlefields of Korea of their courage, determination and resolute will to victory, their invincible loyalty to the United States and their fervent devotion to those immutable principles of human relations which the Americans of the Continent and of Puerto Rico have in common. They are writing a brilliant record of heroism in battle and I am indeed proud to have them under my command. I wish that we could count on many more like them.

I would also like to honor the men and women of Puerto Rico, who wear the uniform of the United States military to this day and continue the legacy of the Borinqueneers. The Borinqueneers have brought great credit upon themselves, the U.S. Army,

Puerto Rico, and the United States of America.

TRIBUTE TO PEGGY EVANS

Mrs. FEINSTEIN. Mr. President, I rise today to recognize the dedicated career and service to the Congress and the Nation of Ms. Margaret "Peggy" Evans, who is retiring at the end of this month after over 22 years of service in both the executive and legislative branches of our government. She has dedicated most of her life to helping keep our Nation and its citizens secure, and we honor her for her service.

Peggy is leaving the Senate as the budget director of the Senate Select Committee on Intelligence. During her 4 years on the committee, Peggy has been integral to the development and passage of four annual intelligence authorizations bills, including three within a span of 15 months. She oversaw the committee's budget staff in drafting the classified annexes to the bills, worked collaboratively with the intelligence community agencies and the Office of Management and Budget, and negotiated legislation with other Senate and House committees.

Through her time with the committee, Peggy brought new and creative proposals to the committee and was a fierce advocate for programs that she believed would provide greater effectiveness or efficiency to the intelligence community. She also worked very closely with our committee's Technical Advisory Group, our science and technical advisors, especially in the group's review of imagery satellites, which will no doubt come to be seen as being ahead of its time.

Prior to coming to Capitol Hill, Ms. Evans had served 13 years at the Central Intelligence Agency. Reflecting her many skills, she worked in both the analysis and the operations side of the CIA and also led covert action programs. Although we may not disclose the details, Peggy spent much of her CIA career countering terrorist groups and the proliferation of weapons of mass destruction.

Her next national security assignment was in the White House Office of Management and Budget. During her 5 years in that job, Peggy rose from a budget examiner to be Acting Deputy Associate Director for National Security—the President's senior civil servant adviser on the national security budget.

During her time in the private sector, Peggy has also founded and led two companies, one that builds environmentally sustainable homes and one that provides environmental consulting services to homeowners, builders, and facilities managers. These companies earned numerous Energy Star and Green Home Choice Awards.

She is a renaissance woman, skilled in public and private life, and the committee wishes her continued success in

her professional endeavors as she returns to private life.

But Peggy's devotion to the Nation's security is matched by her dedication to her family. Peggy and her husband Roger Ney have raised six children and guided them through college and into the start of their careers. With her retirement, she will have more time to spend with them and with her hobbies of reading, pottery, soccer, memorizing arcana from the "Lord of the Rings," designing homes, and spending time at the beach.

I am pleased to have the opportunity to publicly thank Peggy and to note my appreciation for her dedicated and dignified efforts. We will miss your insight and experience and your commitment to pursuing the right policies to protect our Nation.

SALUTING OUR VETERANS

Mr. MANCHIN. Mr. President, I am filled with so much pride every time I meet our military veterans who come to the Nation's capital to visit the memorials built to honor them and to commemorate the wars in which they served so courageously.

Today, 31 veterans from West Virginia, representing three generations of warriors, are here to see the memorials that commemorate their sacrifice and valor and for a special ceremony honoring World War II veterans.

And on the occasion of their visit, I want to express my deepest gratitude to these special men who helped keep America free and made the world safer for liberty-loving people across our country and beyond our borders.

I also want to say how much I appreciate the Honor Flight Network, which, since 2005, has arranged for World War II, Korea and Vietnam veterans from all over the country to visit the memorials in Washington—free of any cost to the veterans.

In West Virginia, the driving forces behind the Honor Flight Network are the Denver Foundation and Little Buddy Radio, located in Princeton. These nonprofits were founded by Bob Denver—also known as "Gilligan" from the iconic television show "Gilligan's Island"—and his wife, Dreama, a West Virginia native.

But it was Charlie Thomas Richardson, the Operations Manager at Little Buddy Radio, who got the ball rolling in West Virginia. He introduced the Honor Flight Network to our State, building on the organization established in 2005 by Earl Morse, a physician assistant and retired Air Force Captain in Springfield, OH, to honor the veterans he had cared for.

The 31 veterans from West Virginia visiting Washington today came from Pocahontas, Raleigh, Greenbrier, Mercer, Giles, Wyoming, Nicholas, Fayette and Marion counties.

They range in age from 63 to 94. And while their step has slowed, their spirit

is keen, their pride is undiminished, and their patriotism is unbridled.

Eleven served in World War II, one in World War II and Korea, 10 in Korea, one in Korea and Vietnam, four in Vietnam, and two in all three wars.

Two other veterans are serving as escorts for the group, along with three high school ROTC cadets.

These brave West Virginians served this great country in a wide variety of ways—as a B-24 pilot over Italy in World War II; in a heavy mortar company at "Heartbreak Ridge" in Korea; as a helicopter door gunner in Vietnam.

They stitched up wounds in hospitals; they assembled bombs; they inspected combat aircraft; they operated radios and radars; they cooked; and they built roads through jungles and bridges over rivers.

They won the Bronze Star, the Soldier's Medal, the Purple Heart and Presidential Citations. Some were lieutenants, some sergeants, some corporals. Some served abroad, some stateside.

But they all served this great country. No matter the war, no matter the rank, no matter the duty, everyone of them answered America's call. In our time of need, they stepped forward and said, "I'll do it—I'll protect this country."

These heroic West Virginians came to Washington to tour our beautiful Capitol, the World War II Memorial, the Korean War Memorial and the Vietnam War Memorial.

But the tour of the World War II Memorial is a little different than in the past. On the third Always Free Honor Flight in less than a year, the visit will include a special ceremony called "Flags of Our Heroes" to honor World War II veterans who passed away before they could ever see their memorial.

Sadly, we are losing World War II veterans at the rate of approximately 800 per day—members of what we have come to recognize, and rightly so, as the "Greatest Generation."

This generation of Americans was united by a common purpose and by common values—duty, honor, courage, service, integrity, love of family and country. And their triumph over tyranny will be remembered forever.

The "Flags of Our Heroes" ceremony involves taking a photograph of an American flag with a family photo of the deceased veteran in front of the Memorial. The photo and an Honor Flight certificate will then be presented to the family—a way to show this Nation's respect and regard for their hero.

This is such a fitting gesture because, at the northern end of the World War II Memorial, the words of General George Marshall are inscribed, and they are well worth remembering every time we salute our veterans and every

time this Nation prepares for war: "Our flag will be recognized throughout the world as a symbol of freedom on the one hand and overwhelming force on the other."

May it ever be so, and may God bless the United States of America and all the men and women who keep us free.

NATIONAL POLICE WEEK

Ms. WARREN. Mr. President, today, we honor the service of our brave men and women in the law enforcement community. As we look around at American flags flying at half-staff today, we remember those we have lost. In the years since President John F. Kennedy designated May 15th Peace Officers Memorial Day, and the week in which that date falls National Police Week, tens of thousands of people from departments throughout the United States and agencies around the world have come to Washington, DC., to mark this day.

As they say, there is no such thing as an off-duty police officer. Our men and women in law enforcement work tirelessly to protect our communities. While it is often in emergencies that we remark at their courage and perseverance, we know that they remain vigilant every day. Especially this year, as our community recovers from the cowardly and despicable terrorist attack in Boston last month, we acknowledge the hazards that our police officers face and the sacrifices that they make in the service of their communities. We remember Sean Collier and pay respect to his family, to his friends, and to his brothers and sisters in the police force.

The members of our law enforcement community have earned our respect, gratitude, and support. In Massachusetts, we honor Andrew J. Tufts, Frederick G. Mercer, John W. Powers, James A. Callahan Sr., Ryan Tvelia, Kevin E. Ambrose, Jose Torres, John P. Gibbons III, and Peter James Kneeland. They are among 321 law enforcement heroes who died in the line of duty, whose names have been engraved this spring on the National Law Enforcement Officers Memorial here in Washington, DC.

As we take this moment to thank our police officers for all that they do every day, we are also reminded that we must continue to work in Congress to make sure that our agencies have the resources they need in their important work protecting our communities.

VETERANS' OUTREACH ACT OF 2013

Mr. SANDERS. Mr. President, as the chairman of the Senate Veterans' Affairs Committee, I have pledged to improve outreach activities to better inform our Nation's over 22 million veterans of the benefits to which they are entitled.

Legislation I introduced last week, the Veterans' Outreach Act of 2013, would authorize the Department of Veterans Affairs to carry out a 2-year demonstration project to award grants to State and local government programs and nonprofit organizations to improve the coordination and collaboration of veterans' health care and benefit services across Federal, State, and local assets. By providing State and local government programs and nonprofit organizations the opportunity to submit a grant proposal with stated goals and objectives, VA would be able to better leverage the countless services across the Nation that support veterans and their family members. Finally and most importantly, my legislation would require recipients to submit outcomes data back to VA in order to document a recipient's ability to increase awareness, efficiency, and effectiveness of Federal, State, and local outreach activities; enhance the availability of Federal, State, and local resources for veterans; and strengthen the overall culture of community-based support within a given community across our great Nation. With this 2-year demonstration project, VA will be able to examine what outreach activities work and reassess its outreach strategy accordingly.

Last month I was in Brooklyn, NY, where I met two combat veterans from the wars in Iraq and Afghanistan. One was a U.S. Marine Corps captain and the other was a sergeant in the U.S. Army. Both were receiving health care at VA and struggling to pay for their copays. Similarly, both were unaware of their eligibility to receive 5 years of free health care at VA following their most recent discharge from Active Duty. Most displeasing was the lack of understanding of this very same health care benefit by senior VA officials who accompanied me that day. If senior VA officials are unaware of such a principal health care benefit available to combat veterans of the Iraq and Afghanistan wars, much more remains to be done inside and outside of VA to ensure veterans of all eras are informed and understand the benefits and services they are entitled to.

I urge my colleagues to ask veterans across their State and see how many understand all of the benefits and services available to them. For instance, countless veterans across this Nation remain unaware that some of them may be entitled to one-time dental care if they apply at VA within 180 days of separation from Active Duty. Little known benefits like this, can go a long way in placing our newest generation of veterans on sound footing following their exit from military service. Other veterans may be eligible for no-cost or low-cost health care and medications if they meet eligibility requirements for VA health care. To claim this coverage they must enroll at

their local Department of Veterans Affairs medical center. These uncertainties surrounding VA health care eligibility will most certainly be compounded by the additional health care options that become available as we approach implementation of the Affordable Care Act. Veterans need to know and understand their options.

The men and women who have sacrificed so much in defense of this country deserve to know about the benefits and care to which they are entitled, and it is VA's job to make sure they know. Simply knowing about benefits in certain instances is not enough. If VA is trying to reach rural veterans, knowing where and when a mobile vet center will visit your community is critical. If VA is trying to reach more and more veterans in the community, knowing when and where the local medical center or community-based outpatient clinic will hold events and activities can drive up the number of veterans in attendance. Furthermore, VA needs to do more to proactively identify outreach efforts that work locally while leveraging the countless services supporting veterans that are made available by organizations all across the country.

Highly able and willing organizations and agencies are already providing quality social services and outreach into communities across the Nation. Some of these organizations report a lack of coordination and collaboration with local VA facilities. Additionally, many small nonprofits and local organizations sometimes lack the additional resources needed to strategically develop guidance and partnerships with and across Federal, State, and local assets. More effective and localized outreach will better address the community-based needs of today's veterans and do so in a cost-efficient way.

This legislation goes beyond authorizing VA to issue grants. This legislation would also allow VA to enter into cooperative agreements and arrangements with various State agencies to carry out, improve, or enhance outreach activities for veterans. Simply put, if a State is already supporting our Nation's veterans, then this legislation would allow VA to reinforce the bond between Federal and State resources to ensure local veterans outreach activities are streamlined and cost-avoidances identified.

One thing is undeniable, and that is that VA should be making every effort to ensure veterans are aware of the benefits and services afforded to them. I recently held a committee hearing where we heard about some of the progress the Department has made in addressing the important issue of outreach. We also heard from community-based organizations that are coordinating and collaborating across Federal, State, and local levels to leverage resources in order to provide cost-effective

programs. But what struck me the most was the steadfastness with which each of these community-based organizations identifies veterans and links them to the Federal, State, and local benefits and services they are entitled to.

Widely available information and a clear understanding of the information are two basic components of effective outreach. If our Nation's veterans are to take full advantage of the benefits and service they have earned, effective outreach is indispensable. When our Nation's over 22 million veterans are able to take advantage of these benefits and services, they more often than not are placed on a positive path toward an encouraging future.

Mr. President, we have made a solemn commitment to aid veterans after they leave military service. We can only honor this commitment if veterans and their families are aware of the benefits and services available to them. This legislation would strengthen VA's outreach and support the organizations and agencies that seek to stand shoulder to shoulder with VA in support of our nation's heroes.

ADDITIONAL STATEMENTS

TRIBUTE TO MICHAEL HARTER, PH.D., M.S. ED.

• Mr. HELLER. Mr. President, today I wish to recognize Dr. Michael Harter, senior provost and chief executive officer of Touro University's Western Division. After more than three decades of dedication to excellence in higher education, Dr. Harter is retiring. My home State of Nevada has benefited tremendously from Dr. Harter's contributions as a researcher, educator and advocate. As he enters retirement, Dr. Harter leaves an inspiring legacy of leadership that will be long felt in the lives and careers of the countless medical professionals he helped to educate.

Since 2004, Dr. Michael Harter has shown exceptional commitment as the administrative and academic head of Touro University's Western Division, including its Nevada campus. He not only helped to establish Touro University Nevada, but his leadership and vision has also contributed to Touro's development as one of the fastest growing medical schools in the region. Despite significant challenges associated with rising costs and a difficult economic climate, Dr. Harter has shown remarkable perseverance and commitment, and he has enhanced Touro University's reputation as an institution.

Prior to his tenure at Touro University, Dr. Harter served as vice dean of the University of Nevada School of Medicine, and he was also the founding executive director of Family Development Programs, Inc. of Ohio. In addition to his educational experience, Dr. Harter has served Nevada's medical

profession and health care community as a passionate and dedicated advocate, and has received numerous recognitions and awards for his service. The Nevada State legislature recently recognized Dr. Harter for his "dedication and contributions to the elevation of the educational system in Nevada to the highest caliber."

I want to acknowledge and thank Dr. Michael Harter for his many years of dedicated service as an educator, researcher, administrator, and community advocate. I ask my colleagues to join me in congratulating Dr. Harter on his retirement, and in wishing him many successful and fulfilling years to come.●

REMEMBERING DANIELLE DUNLAP

● Mr. ISAKSON. Mr. President, I wish to honor in the RECORD Miss Danielle Dunlap of Atlanta, GA. A few weeks ago, I was very saddened to learn of the passing of this 25-year-old Peace Corps volunteer, who was known as "Dani" by her overseas community. Danielle was stationed in Ghana when her life was cut tragically short by illness. Like so many of our Peace Corps volunteers, she was a role model who dedicated her life to serving others. During her time in Ghana, Danielle touched the lives of individuals and families in Ghana by working with them to improve their lives in the areas of nutrition, HIV/AIDS, malaria, and sanitation. Her colleagues in Ghana said that she was proud of her role as a volunteer trainer, helping to mentor newly arriving volunteers in the projects to which she was so devoted.

Born in Germany, Danielle's love for all things international began long before her days as a Peace Corps volunteer. She studied abroad in South Korea and Haiti, where she learned Korean and Spanish.

Danielle was clearly a bright and gifted individual. She graduated from Brown University in 2010 with a bachelor's degree in neuroscience. She tutored young students at the Academy at Harvard Square in Cambridge, MA, and she was a swim instructor for students with asthma.

Danielle Dunlap was a model of service and character, and it is Americans such as her who make this country great. The Nation mourns the loss of an incredible individual at such a young age, and my heart and my prayers go out to Danielle's family and friends.●

RECOGNIZING KELO-TV

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to honor KELO-TV, a South Dakota institution, for 60 years of excellence in broadcasting. Since 1953, South Dakotans have turned to KELO for reliable news and information about their local communities.

Theater promoter Joe L. Floyd had a vision of providing all South Dakotans, even those in the most isolated parts of our State, with access to television programming. Volatile weather and vast distances made this no easy feat. Tornadoes caused towers to collapse in the early years, but the dedicated KELO team always restored service promptly.

On May 19, 1953, KELO-TV made its inaugural broadcast and South Dakota's first television station was born. Dave Dedrick signed KELO on the air for the first time. "Serving the mighty Sioux Empire, this is KELO-TV Channel 11 Sioux Falls," he boomed. Dedrick became the face of the network, not only as the station's long-time weatherman but as Captain 11, a fictional character in KELO's hugely popular afterschool children's program. Captain 11 ran for nearly 42 years, making it America's longest running children's program.

KELO has always grown with the times and strived to bring the latest technological innovations to their viewers. In 1955, KELO began to broadcast the news live from the second floor of the Hollywood Theater building. KELO aired the first live telecast of a sporting event in South Dakota in 1957. In 1968, KELO pushed the envelope yet again by becoming the first station in the area to broadcast live and in color. Every step of the way, KELO has gone to great lengths to provide the best programming for all South Dakotans. In 1991, as soon as the technology became available, KELO began to closed-caption of many of their programs to better serve deaf and hearing-impaired viewers. In 1997, KELO installed the first live Doppler radar network in South Dakota. This innovation was crucial in providing South Dakotans with the most accurate storm forecasts so they could protect themselves and their families. In 2003, HDTV came to KELOLAND and in 2009, KELO made the transition to a digital-only signal.

KELO has garnered national recognition for superior news coverage and their commitment to the community. The National Association of Broadcasters, NAB, honored KELO with the "Friend in Need" Service to America Award in 1999 for exceptional coverage of the devastating tornado that ripped through Spencer, SD. Not only did KELO's advance coverage save lives, but money raised from their telethon helped victims to rebuild the town. In 2000, KELO received a national Emmy Award for its "Tradition of Caring" public service campaign. Employees at the station starred in public service announcements to raise awareness for local organizations in need. The program continues to highlight organizations across South Dakota to this day. In 2004, KELO was honored with the Edward R. Murrow Award, one of the

most prestigious awards in the industry, for coverage of the 2003 tornado outbreak known as "Tornado Tuesday."

Over 60 years of broadcasting KELO has earned the public's trust through a dedication to journalistic excellence. South Dakotans rely on KELO to stay connected to their communities. Whether it be news, sports, or weather, KELO delivers the information that South Dakotans need most. It is a great honor to recognize KELO-TV for 60 years of community partnership, and I wish them many years of continued success.●

MESSAGES FROM THE HOUSE

At 11:34 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 180. An act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

H.R. 1580. An act to affirm the policy of the United States regarding Internet governance.

The message also announced that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 10. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

ENROLLED BILL SIGNED

At 1:34 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 360. An act to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1580. An act to affirm the policy of the United States regarding Internet governance; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 953. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1498. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Tuscaloosa Dragon Boat Races; Black Warrior River; Tuscaloosa, AL" ((RIN1625-AA08) (Docket No. USCG-2013-0190)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1499. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Miscellaneous Amendments (RRR)" (RIN2137-AE78) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1500. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Harmonization with the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air" (RIN2137-AE83) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1501. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Revision of Maximum and Minimum Civil Penalties" (RIN2137-AE96) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1502. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Miscellaneous Petitions for Rule-making (RRR)" (RIN2137-AE79) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1503. A communication from the Assistant Chief Counsel for Hazardous Materials

Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Harmonization with International Standards (RRR)" (RIN2137-AE87) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1504. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 12th Annual Saltwater Classic; Port Canaveral Harbor; Port Canaveral, FL" ((RIN1625-AA00) (Docket No. USCG-2013-0200)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1505. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; XA The Experimental Agency Fireworks, Pier 34, East River, NY" ((RIN1625-AA00) (Docket No. USCG-2013-0208)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1506. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Fireworks Displays in Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2013-0227)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1507. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; Wrightsville Beach, NC" ((RIN1625-AA00) (Docket No. USCG-2012-1082)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1508. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Corp. Event Finale UHC, St. Thomas Harbor; St. Thomas, U.S.V.I." ((RIN1625-AA00) (Docket No. USCG-2013-0086)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1509. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Blue Water Resort and Casino West Coast Nationals; Parker, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0095)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1510. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; V.I. Carnival Finale, St. Thomas Harbor; St. Thomas, U.S.V.I." ((RIN1625-AA00) (Docket No. USCG-2013-0085)) received during adjournment of the

Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1511. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone" ((RIN1625-AA00) (Docket No. USCG-2012-1084)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1512. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pasquotank River; Elizabeth City, NC" ((RIN1625-AA00) (Docket No. USCG-2013-0259)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1513. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: Moss Point Rockin' the Riverfront Festival; Robertson Lake and O'Leary Lake; Moss Point, MS" ((RIN1625-AA08) (Docket No. USCG-2013-0015)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1514. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: West Palm Beach Triathlon Championship, Intracoastal Waterway; West Palm Beach, FL" ((RIN1625-AA08) (Docket No. USCG-2012-0552)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1515. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: Third Annual Space Coast Super Boat Grand Prix, Atlantic Ocean; Cocoa Beach, FL" ((RIN1625-AA08) (Docket No. USCG-2013-0071)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1516. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation: Hebda Cup Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI" ((RIN1625-AA08) (Docket No. USCG-2013-0211)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1517. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; North Carolina Cut, Atlantic Intracoastal Waterway, Wrightsville Beach, NC" ((RIN1625-AA09) (Docket No. USCG-2013-0197)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1518. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Matters Incorporated by Reference" (RIN2127-AL25) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1519. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Organization and Delegation of Duties" (RIN2127-AL44) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1520. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Self-Reporting of Out-of-State Convictions" (RIN2126-AB43) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1521. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "2012 Annual Progress Report on the National Strategy for Transportation Security"; to the Committee on Commerce, Science, and Transportation.

EC-1522. A communication from the Acting Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of Homeland Security, received in the Office of the President of the Senate on May 13, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1523. A communication from the Acting Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary, National Protection and Programs Directorate, Department of Homeland Security, received in the Office of the President of the Senate on May 13, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1524. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-124 "Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1525. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Residential, Business, and Wind and Solar Resource Leases on Indian Land" (RIN1076-AE73) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Indian Affairs.

EC-1526. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled, "Report to Congress on the Social and Eco-

nomical Conditions of Native Americans: Fiscal Years 2007 and 2008"; to the Committee on Indian Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself and Mr. CASEY):

S. 955. A bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 956. A bill to permanently suspend application of certain agricultural price support authority; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNET (for himself, Mr. BURR, Mr. HARKIN, Mr. ALEXANDER, and Mr. ISAKSON):

S. 957. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. BLUNT, Mr. BENNET, Mr. VITTER, Ms. BALDWIN, and Mr. BEGICH):

S. 958. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. ALEXANDER, Mr. ROBERTS, Mr. FRANKEN, and Ms. MIKULSKI):

S. 959. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself and Mr. CORKER):

S. 960. A bill to foster stability in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUNT:

S. 961. A bill to improve access to emergency medical services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER (for himself, Mr. INHOFE, Mr. VITTER, and Mr. RUBIO):

S. 962. A bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts; to the Committee on Finance.

By Mr. COBURN (for himself, Mr. BURR, Mr. GRAHAM, Mr. ISAKSON, and Mr. BARRASSO):

S. 963. A bill preventing an unrealistic future Medicaid augmentation plan; to the Committee on Finance.

By Mrs. MCCASKILL (for herself and Ms. KLOBUCHAR):

S. 964. A bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. WICKER, Mr. RISCH, Mr. BOOZMAN, Mr.

BURR, Mr. HOEVEN, Mr. COATS, Mr. HATCH, and Mr. LEE):

S. 965. A bill to eliminate oil exports from Iran by expanding domestic production; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 966. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. HOEVEN, Mr. WHITEHOUSE, Mr. BEGICH, Ms. HEITKAMP, Ms. MURKOWSKI, and Mrs. BOXER):

S. Res. 142. A resolution designating May 15, 2013, as "National MPS Awareness Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 13

At the request of Mr. GRAHAM, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 13, a bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents.

S. 22

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 22, a bill to establish background check procedures for gun shows.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 294

At the request of Mr. TESTER, the names of the Senator from Virginia (Mr. WARNER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 309

At the request of Mr. HARKIN, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Hawaii (Mr. SCHATZ), the Senator from Louisiana (Mr. VITTER), the Senator from South Dakota (Mr. JOHNSON), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wyoming

(Mr. BARRASSO), the Senator from Georgia (Mr. ISAKSON), the Senator from North Carolina (Mr. BURR), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Nebraska (Mrs. FISCHER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Colorado (Mr. UDALL), the Senator from Texas (Mr. CORNYN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 313

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 351

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 403

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 460

At the request of Mr. HARKIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 512

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 512, a bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 655

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 655, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 700

At the request of Mr. KAINE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 734

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 761

At the request of Mrs. SHAHEEN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from New Hampshire (Ms. AYOTTE) were

added as cosponsors of S. 761, a bill to promote energy savings in residential and commercial buildings and industry, and for other purposes.

S. 762

At the request of Mr. THUNE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 762, a bill to amend the Food and Nutrition Act of 2008 to improve the supplemental nutrition assistance program.

S. 783

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Texas (Mr. CORNYN), the Senator from Illinois (Mr. DURBIN), the Senator from Hawaii (Ms. HIRONO) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 871, a bill to amend title 10,

United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 892

At the request of Mr. KIRK, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 897

At the request of Ms. WARREN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 917

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Kansas (Mr. MORAN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 937

At the request of Mr. FLAKE, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 937, a bill to prohibit the Internal Revenue Service from applying disproportionate scrutiny to applicants for tax-exempt status based on ideology, and for other purposes.

S. 941

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 941, a bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes.

S. 942

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 947

At the request of Mrs. HAGAN, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S. 947, a bill to ensure access to certain information for financial services industry regulators, and for other purposes.

S. 953

At the request of Mr. REED, the names of the Senator from Michigan (Ms. STABENOW), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Virginia (Mr. KAINE), the Senator from Massachusetts (Ms. WARREN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 866

At the request of Mr. MERKLEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 866 proposed to S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. ENZI):

S. 966. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise to introduce the Medical FSA Improvement Act of 2013. I wish to thank my friend and colleague, Senator ENZI, for joining me in this effort. Our bill would amend the Internal Revenue Code to allow employees who use health flexible spending arrangements, FSAs, to cash out any remaining balance in their account at the end of a plan year. This provision replaces current IRS policy in which any unspent FSA funds revert to the employer at the end of the plan year for activities related to plan administration.

FSAs are an important benefit for all workers as they allow employees to set

aside pre-tax dollars to pay for out-of-pocket health care expenditures, including dental and vision services. Many families count on their FSAs to help cover their monthly expenses for prescription drugs, co-pays for doctors' visits, children's dental care, and medical equipment and supplies for disabled family members.

In an economy where every penny counts, it just does not make sense for employees who may have overestimated their anticipated yearly out-of-pocket health care expenditures at the beginning of a plan year to be penalized by having to forfeit unspent funds to their employer at the end of a plan year. It also leads to wasteful spending when employees try to avoid forfeiting their FSA balances by rushing at the end of a plan year to purchase unnecessary health-related items, such as multiple pairs of eyeglasses.

One-third of the Federal workforce currently use FSAs, as do millions of State, county and local public employees, and workers in private industry. We should encourage employees to put money into FSAs to help defray their out-of-pocket health care costs, to use these funds wisely, and not have them fear losing hard-earned money at the end of a plan year just because their health care expenditures may be less than anticipated.

I urge my colleagues to support this bipartisan legislation, which will help America's working families better manage their personal finances.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 142—DESIGNATING MAY 15, 2013, AS “NATIONAL MPS AWARENESS DAY”

Mr. GRAHAM (for himself, Mr. HOEVEN, Mr. WHITEHOUSE, Mr. BEGICH, Ms. HEITKAMP, Ms. MURKOWSKI, and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 142

Whereas mucopolysaccharidosis (referred to in this resolution as “MPS”) are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2013, as “National MPS Awareness Day”; and

(2) supports the goals and ideals of “National MPS Awareness Day”.

NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, “Offshore Profit Shifting and the U.S. Tax Code—Part 2.” The Subcommittee will continue its examination of the structures and methods employed by multinational corporations to shift profits offshore and how such activities are affected by the Internal Revenue Code and related regulations. Witnesses will include representatives from the Department of the Treasury, the Internal Revenue Service, representatives of a multinational corporation, and tax experts. A witness list will be available Friday, May 17, 2013.

The Subcommittee hearing has been scheduled for Tuesday, May 21, 2013, at 9:30 a.m., in room 106 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 15, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, “The Road Ahead: Advanced Vehicle Technology and Its Implications.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 15, 2013, at 9 a.m., to hold a hearing entitled, “U.S. Policy Toward Iran.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 15, 2013, at 9:30 a.m. to conduct a hearing entitled “Performance Management and Congressional Oversight: 380 Recommendations to Reduce Overlap and Duplication to Make Washington More Efficient.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 15, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 15, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on May 15, 2013, at 10 a.m. in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL TRADE AND FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs Subcommittee on National Security and International Trade and Finance be authorized to meet during the session of the Senate on May 15, 2013, at 2 p.m., to conduct a hearing entitled “Improving Cross Border Resolution to Better Protect Taxpayers and the Economy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL MPS AWARENESS DAY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 142, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

A resolution (S. Res. 142) designating May 15, 2013, as “National MPS Awareness Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUMENTHAL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 142) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, MAY 16, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. on Thursday, May 16, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session to consider Calendar No. 91, the nomination of Ernest J. Moniz, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BLUMENTHAL. There will be a rollcall vote at approximately 2 p.m. on confirmation of the Moniz nomination.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BLUMENTHAL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:39 p.m., adjourned until Thursday, May 16, 2013, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 15, 2013:

DEPARTMENT OF HEALTH AND HUMAN SERVICES
MARILYN B. TAVENNER, OF VIRGINIA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

THE JUDICIARY

WILLIAM H. ORRICK, III, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

HOUSE OF REPRESENTATIVES—*Wednesday, May 15, 2013*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BROOKS of Alabama).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 15, 2013.

I hereby appoint the Honorable MO BROOKS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, this week the House will be voting for the 37th time to repeal the Affordable Care Act.

This vote comes at a time when we are facing serious and pressing challenges, one of the most important of which is the operations of the sequester. That is 37 votes to repeal the Affordable Care Act.

Let us set aside for a moment the important issue of how health reform is working and making quality care accessible and affordable for more Americans. I'll be speaking more about that from this floor in coming days, as I know some of my colleagues will.

What I find—and I believe most Americans find—incomprehensible is how this House could waste its time on such a blatantly partisan vote when the effects of sequestration are having a growing negative effect on our economy and on the lives of so many American families. That ought to be our focus this week and every week until we find a solution, Mr. Speaker.

Speaker BOEHNER has said that this 37th repeal vote is justified because

freshman Members have not had an opportunity to vote on that issue. If that is his view, then, by the same reasoning, he should allow a vote on a balanced alternative to the sequester. Freshmen have not had a chance to cast their votes on whether to replace the entire sequester with a big and balanced solution to deficits.

If the House proceeds with a vote on repealing the Affordable Care Act on the grounds that Members deserve an opportunity to be on the record on such an important issue, surely, Mr. Speaker, we also ought to have a vote on replacing the sequester, which we know is having adverse effects on our economy and on our national security.

American families and businesses are facing greater and greater uncertainty as the result of the sequester and the unwillingness on the part of Congress to take a meaningful, bipartisan action to stop it. With this uncertainty, businesses have slowed hiring and in some cases have even begun to lay off workers.

This indiscriminate and irrational nature of the sequestration means that its ill effects will be felt across our economy and society without regard to our priorities. It also means that none of us, not one of us in this Chamber, is immune in our own districts where constituents will see a reduction in services and dislocation.

Because of the sequester, we are at risk of 70,000 young people kicked off Head Start; 10,000 teacher jobs at risk for title I cuts; 4 million fewer Meals on Wheels for seniors; 600,000 women, infants, and children dropped off the rolls; emergency unemployment insurance cut by 11 percent for 2 million out-of-work Americans; 2,100 fewer food-safety inspections. That's a drop of 18 percent to make sure that our food is safe. And one-third of combat air units are grounded.

The responsible path forward is for Democrats and Republicans to work together on a big and balanced approach to deficits that restores certainty to our businesses and families.

Four times Mr. VAN HOLLEN, the ranking member of the Budget Committee, has offered an amendment to the sequester, which would get to the same deficit reduction, but in a way that was prioritizing those things that are important in our country and eliminating those that are not, and raising some additional revenues, as well.

Not only has that not been considered, but the Republicans have refused

to allow that amendment on the floor. Yet we have the 37th time to repeal the health care bill, which is already benefiting millions of Americans. It's not a responsible use of congressional time.

I urge the Speaker and the Republican leader to cancel this repeal vote and get back to business by allowing us to consider a balanced alternative to the sequester this week.

I also urge them to bring to the floor a motion to go to conference on the budget. My Republican friends pleaded for the Senate to pass a budget. The Senate passed a budget; we passed a budget. Regular order is going to conference where we could, in fact, come to an agreement on a big and balanced deal to replace this negatively impacting sequester.

There is nothing on the schedule to do that, either to repeal the sequester and change it or to go to conference, but a 37th vote that will go nowhere. And everybody who knows that to be the case is on the floor this week. How sad.

RETURN THE POWER BACK TO THE PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. RADEL) for 5 minutes.

Mr. RADEL. Mr. Speaker, in this great country of ours, since our founding, we've always had a distrust of government. And, quite honestly, I think that's a healthy thing, most especially today as we learn about what both the Department of Justice and IRS have done.

What we are learning is that this is a threat to your First Amendment: freedom of speech. And let there be no question the order of importance. It is your very first in your Bill of Rights: freedom of speech.

I believe that these rights are so sacred, so precious that I'm introducing the Free Flow of Information Act to protect journalists from the prying eyes of this Federal Government. It is my hope that Republicans and Democrats alike will support this just like then-Senator Obama did in 2007.

A select few in these agencies represent the worst when it comes to a heavy-handed government working to shut down your basic right to speak out as an individual or report the news as an organization. Now is the time that we stand up and say, Our society is not about I, the Federal Government; it is about we, the people. And to

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

quote my generation's music from Public Enemy to Rage Against the Machine: "We gotta fight the powers that be; we gotta take the power back."

In other words, we need to stand up and say that we see the abuse from a few in Washington and we must return the power back to the people. After all, Washington works for you. Not a party. Not an ideology. Your government—elected and unelected—works for you, not against you.

But now we clearly see that both the IRS and the Department of Justice are working against you, working to stifle, to shut down your God-given right of freedom of speech, that freedom often carried out by the press.

In the United States, we are so unique and so powerful because we really share a common belief of some pretty simple things. You should be able to speak your mind. Again, it's called "freedom of speech." And journalists should be able to do their job and do so without the fear of a heavy-handed tyrannical government threatening or stifling them. It's called "freedom of the press."

But now we see an entire culture of government acting on their own behalf, not even beholden to an administration, party, or even a belief. These are rogue agencies that we are talking about, unelected, unchecked, without boundaries, without ethics, and without a shred of respect for the Constitution or you. These individuals are some people on some floor of some building named after some dude that you've never even heard of messing with your life.

□ 1010

And if you don't think that wiretaps or IRS audits are going to hit you, think again. Two groups from my home in southwest Florida were hit so hard by the IRS that they quit. They shut down their groups. That was it; enough is enough. This is the clearest example of how the government is coming after you to strip away your most basic rights. These groups were made up of hardworking Americans just like you. Their goal: to teach people about the Constitution. Think about that for a second. They wanted to teach people about the very document that tells you you have the right to say what you want. They're now gone.

And let's look at the Department of Justice wiretapping, seizing and prying into the lives of journalists. I worked as a journalist for almost 20 years, living with what I thought our government also believed in—freedom of the press. The freedom to investigate, share, and speak out on injustice.

And from journalists to partisan pundits, Rachel Maddow to Bill O'Reilly, they're coming for you next. Sean Hannity to Chris Hayes, you'll be tapped next as you try to shed light on truth, on injustice, or just try and get some answers.

Where does all of this end?

Well, this is where the so-called far left and far right need to embrace each other. Whether you are a Tea Partier or part of the Occupy movement, this is about you. Whether you are an evangelical Christian wanting to share the word of God or an atheist simply asking for a more secular society, this is about you. This is about you—your freedom of speech, your ability to express what you believe in. This is about you.

Washington insiders should not be dictating your life. The more it's about them, it's not about you. The more government grows unchecked and unbalanced and out of control, the more it's about them and not you.

I believe in you. Stand with me and let's take the power back and return this government to we the people. I promise to stand with you.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

PROTECT BANGLADESHI FACTORY WORKERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, little more than 100 years ago, a New York State assemblyman was an eyewitness to one of our Nation's worst industrial tragedies—the Triangle Shirtwaist factory fire. He recounted how he saw girl after girl appear in the reddened windows, pause for a terrified moment, and then leap to the pavement below, to land as a mangled, bloody pulp. He said it went on for what seemed like a ghastly eternity, and described how the firemen's life nets were torn by the impact of falling bodies.

This inferno at a sweatshop garment factory in New York City employed mostly poor, immigrant women. One hundred forty-six workers died that day because it lacked proper stairways, fire escapes, and managers had locked all of the exits. This tragedy shook our Nation and led to lifesaving workplace safety reforms.

A century later, I recently met a young Bangladeshi garment worker named Sumi. She, too, jumped from a window of the Tazreen garment factory. She survived, but 12 of her co-workers who jumped with her did not. More than 100 others who never had the opportunity to jump were found inside of the factory dead. This haunting tragedy has many parallels to the Triangle fire: exit doors were locked; fire extinguishers were not working; fire codes went unenforced.

We don't tolerate those workplace conditions in the United States anymore, but those are deadly conditions that are tolerated in other countries

that make the clothing that we wear. These tragedies have moved from New York to Bangladesh, driven by the business models and global supply chains of the world's leading retailers and clothing brands. But now Bangladesh has had what might be its own Triangle Shirtwaist fire.

On April 24, more than 1,100 people died as Rana Plaza and its garment factories collapsed. Some 2,000 more were injured, and rescuers are still pulling bodies out 3 weeks later. There have been an additional 40 fires, explosions, and other incidents between the Tazreen fire and the Rana Plaza tragedies. It's simply a matter of time before there is another one.

These incidents shocked people around the globe and laid bare the need for bold action. The lives of 4 million workers in these factories are counting on bold action. But not everyone has been shocked. Major American retailers and clothing brands have refused to change the way they conduct business in Bangladesh, the second largest garment producer in the world after China. They are hoping instead that the heightened attention will pass without having to change their business model. That business model pits sweatshop against sweatshop, country against country, in a race to the bottom to rake in billions of dollars in profits while paying as little as 22 cents per shirt.

In Bangladesh, American and international companies flourish in this system, companies we all know like Walmart, the Gap, JCPenney, and The Children's Place, just to name a few. They refuse to accept responsibility.

So what can be done to improve the Bangladeshi factory safety? Certainly there are things local government can do: address corruption that allows unsafe, dangerous structures; enforce safety codes; defend the right of workers to form unions and to have workers be able to refuse unsafe work.

The Bangladeshi Government is scrambling to implement limited reforms, hoping to keep the industry that is critical to its economy, but only the retailers and brands can put a floor under this race to the bottom. The economic power rests with them. That is why the announcement this week by major European companies and one American company that they have signed a binding and enforceable fire and building safety agreement for Bangladesh factories is so significant.

H&M, Zara, Primark, and C&A are to be applauded for their unprecedented and bold steps. They have been joined by only one American company, Phillips-Van Heusen, which has Calvin Klein and Tommy Hilfiger among its brands, and one major German retailer. But now El Corte Ingles, Marks & Spencer, Mango, and Benetton have also agreed to sign this enforceable agreement.

The agreement provides for independent safety inspections with public reports, mandatory repairs and renovations, money to fund the necessary safety upgrades, the right of workers to refuse unsafe work, and the vital role of workers and unions. This agreement is truly unprecedented.

But where are the other American companies? Where are the American retailers? Where are the American clothing brands? Where is Walmart? Where is JCPenney? Where is the Gap? Where is The Children's Place? Their silence in the face of this tragedy is inexcusable. They should sign the binding safety agreement to protect Bangladeshi workers. They should sign it now.

Experts estimate safety improvements under this plan would cost about a dime a garment. A dime for the life of these women.

I urge all Americans to join in demanding that the American retailers and fashion brands stop selling their bloodstained labels and sign the enforceable agreement to protect these Bangladeshi women.

AMNESTY BILL HARMS VULNERABLE WORKERS

The SPEAKER pro tempore (Mr. HOLDING). The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, the President and Senate Gang of Eight amnesty bill is not only bad for America, it is a disaster for American workers who are pitted against millions of illegal aliens in the competition for scarce jobs.

On April 24, 2013, Dr. Frank Morris, former executive director of the Congressional Black Caucus Foundation and now leader for the African American Leadership Foundation, stated, "The Senate Gang of Eight's immigration bill is not only impractical, but immoral. Increasing immigration levels through amnesty and new visa programs, particularly at the low-skilled level, will flood the labor market with millions more people, leading to higher unemployment, more poverty, and a lower standard of living for many in the Black community."

Dr. Morris is right. Amnesty undermines millions of African-American workers' incomes and job searches by flooding the American market with cheap labor.

In an April 23 news release, the African American Leadership Foundation stated, "Blacks have an unemployment rate nearly twice that of the national average. The Senate's immigration plan to drastically increase the immigrant workforce will continue to keep that number high."

Dr. Morris emphasized that illegal aliens have huge advantages over American job seekers. "Immigrants are

the preferred employees because they are more vulnerable, you can cut them out of overtime, you can cut them out of safety measures, you can cut them out of anything and they have no recourse."

Charles Butler, also of the African American Leadership Foundation, added that the amnesty bill would "provide green cards and residency benefits to illegal aliens when many Americans are hurting the most. What makes sense is for America's jobs to be reserved for people who are legally entitled to compete for them."

In 2007, T. Willard Fair, president of the Urban League of Greater Miami emphasized that, "Amnesty for illegal workers is not just a slap in the face to Black Americans. It's an economic disaster.

"I see illegal immigration and the adverse impact that it has on the political empowerment of African Americans and the impact it has on the job market."

□ 1020

How bad does illegal immigration hurt American workers?

Harvard Professor George Borjas found in a study released in April 2013, and I quote, "Illegal immigration reduces the wage of native workers by an estimated \$99 billion to \$118 billion a year, and generates a gain for businesses and other users of immigrants of \$107 billion to \$128 billion."

Who is hurt the most by illegal aliens? American workers who lose \$99 billion to \$118 billion in badly-needed income.

Who is helped the most by illegal aliens? Employers who pad their profits to the tune of \$107 billion to \$128 billion when they hire illegal aliens over Americans. Dr. Borjas adds that "immigration has its largest negative impact on the wage of native workers who lack a high school diploma, a group that makes up a modest . . . share of the workforce. These workers are among the poorest Americans."

Who do American workers compete against for jobs? Per a 2010 Pew Hispanic Center study, 7.8 million illegal aliens hold jobs in America. That's 7.8 million job opportunities that would be opening up for American workers if the President would enforce Federal immigration laws.

The way to help our blue-collar and low-wage workers is not to flood the market with illegal aliens. The way to help America's blue-collar and low-wage workers is by denying American jobs to illegal aliens, thus forcing blue-collar wages up and helping workers and their families pursue the American Dream.

Mr. Speaker, we must return American jobs to American citizens. The White House and Congress should be fighting for American jobs for American citizens, not jobs for illegal aliens.

Mr. Speaker, I cannot, in good conscience, ratify illegal conduct with my vote, and I hope other elected officials in Washington will represent Americans seeking jobs, not foreigners illegally on American soil.

THE PARTNERSHIPS FOR ACHIEVING STUDENT SUCCESS ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. Last month, Galway Central School District in New York considered outsourcing the roles of their school psychologist and social worker. After all, budgets are tight, and what harm could come from this?

Andrew Huzsar, the district psychologist, and Christine Bornt, the school social worker, had already faced an uphill battle helping their students. Although the district has only 900 children in attendance, Galway is geographically one of the largest school districts in New York State. And as the only school psychologist and social worker, Andrew and Christine struggled to meet the needs of their students, facing more than double the recommended ratio of students to mental health professionals across the district.

An onslaught of letters and testimony soon flooded the Board of Education, as students, parents, and teachers, alike, protested on Andrew and Christine's behalf. The board soon relented to the public outrage, perhaps thanks to a very moving letter of support that Andrew received. This letter was from a young student explaining that he would not be alive today if it had not been for Andrew intervening in his life. This student was not someone Andrew saw regularly. They met only three times the previous school year.

Mental health counseling is a critical component for student success. Just three meetings were enough to save this student's life.

As a clinical psychologist, I know that there is no budget cut more shortsighted than one that stands between mental health resources and those who desperately need them. For a student, that access may be the difference between a productive day in class and an act of aggression against themselves or their peers. In the case of Andrew and that student, it made the difference between life and death.

That's why last week I introduced the Partnerships for Achieving Student Success, or PASS, Act. It does more than ever before to help our Nation's neediest schools ensure that our children have access to the appropriate mental health and student service professionals on campus. It creates a Federal grant program to help low-income school districts recruit, employ, and retain school counselors, school social workers, school psychologists, and other psychologists qualified to work in K-12 schools.

Galway School District ultimately kept their mental health professionals, but not every school district has the capacity to do so. By expanding the number of school mental health professionals in low-income, high-need schools, we can effect positive change in the lives of students who need it most. That's why the PASS Act already has the support of the American Psychological Association, National Association of School Psychologists, American School Counselor Association, and the School Social Work Association of America.

And it is why I take to the floor today to encourage my colleagues to support this bill and improve the academic and life success for students across this country. Together, we can make sure that the Andrews of this world are there when their students need them.

COMFORT WOMEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. ROYCE) for 5 minutes.

Mr. ROYCE. Mr. Speaker, I rise today to condemn the systematic and brutal enslavement of women during World War II by the Imperial Government of Japan. What is known today as "comfort women" is, in reality, a state-sponsored program of sexual brutality against 200,000 women from Korea, China, Taiwan, and the Philippines.

The fact that women and girls as young as 13 years old would be forced into this kind of misery is appalling. It runs counter to every recognized international norm against human dignity.

Anyone seeking to justify or deny the existence of comfort women is ignoring history. The sheer amount of evidence regarding this terrible time in history is staggering. Not only are there documents chronicling the existence of comfort women camps, but there is also the gut-wrenching testimony of survivors and of eye witnesses.

Countless governments around the world have come to the conclusion that, yes, the Imperial Government of Japan did indeed condone this most reprehensible of actions during World War II, along with such brutal violence as the rape of Nanking.

That is why I rise today to condemn the unfortunate remarks of the mayor of Osaka, Japan, who, as recently as yesterday, denied the existence of comfort women. The mayor not only questioned the existence of comfort women, but he sought to justify the use of a "comfort woman system" as a means to boost morale for the military. The mayor's remarks are absolutely outrageous, and it adds insult to injury for survivors and their families.

The rise of ultranationalism in Japan is very worrisome and, as chairman of the Foreign Affairs Committee, I strongly condemn it.

Mr. Speaker, the House went on record in 2007 to express our outrage regarding the forced enslavement of 200,000 women during World War II. The civilian populations of Korea, China, Taiwan, and the Philippines suffered so much from the imperialism and aggression of the Imperial Government of Japan.

We speak with one voice when we speak against grave violations of human rights. It is in America's interest that we continue to press for justice and to never forget.

THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. CARSON) for 5 minutes.

Mr. CARSON of Indiana. Mr. Speaker, this week the House is voting to repeal the Affordable Care Act for the 37th time.

In every congressional district, there are seniors, new mothers, young children, low-income families, and young adults just starting out on their own. Do my good Republican friends really want to take away their chance for better health?

I would never do that to my constituents, which is why I'm here today, Mr. Speaker, to say again, I am proud of my vote for the Affordable Care Act.

□ 1030

Recently, I had a chance to spend some time with some Hoosiers across my district, and I heard again and again their worry about rising health care costs and their family's ability to access care. Fortunately, millions of Americans no longer have to worry about accessing care because of the Affordable Care Act. Instead, more than half a million Medicare beneficiaries in Indiana alone received free preventive services in 2012, avoiding more costly illnesses. More than 17 million children with preexisting conditions nationwide are no longer being denied insurance coverage. More than 100 million Americans no longer face lifetime limits on coverage.

Mr. Speaker, over 360,000 small businesses have already used tax credits to help insure 2 million workers. By the end of this year, health exchanges will be set up making it easier for people who don't have insurance to choose the coverage that best suits their needs. Next year, we will happily welcome even more consumer protections. Insurance companies will no longer be able to place lifetime limits on coverage. Discrimination against preexisting conditions will be banned for all Americans.

This means that when a woman notices a lump under her arm, there is no reason for her to wait until she finds a job to schedule an appointment. And she doesn't have to wait to get sicker, costing more of her time off from work

and away from her family. Under the Affordable Care Act, Mr. Speaker, she knows she can obtain potentially life-saving care right away. The same goes for her spouse, her parents, and her children. Our health care system benefits us by allowing us to make investments in lower-cost treatments and prevention now rather than expensive therapies later.

Of course, I know that times are tough right now and we have to be even more careful about the mandates we put on businesses. But my good Republican colleagues seem to forget that people have to be healthy to contribute to our economic growth. As a Representative of many hardworking families, Mr. Speaker, I have stood here time and time again over the past few years to extend a hand to anyone who wants to work with me and us to provide quality health care for all Americans.

Today, I make that very same offer. I will work gladly with anyone who wants to improve our health care system and ensure that all Americans have access to quality and affordable health care.

I call on my Republican colleagues to work with us to implement the Affordable Care Act and start improving it. It's time we all stand together, Mr. Speaker, and start looking out for the health of this great Nation. Without it, we have nothing.

POLITICAL BIAS AT EPA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD) for 5 minutes.

Mr. WHITFIELD. Mr. Speaker, I rise today to express in the very strongest terms possible my disapproval of a pattern of conduct of the Obama administration that is of great concern to all of us, a pattern of conduct in which this administration rewards its friends and punishes its opponents.

Now, when our Founding Fathers wrote the Constitution many years ago, there were some basic principles in that Constitution. One was equal protection under the law, and the other was protection from discriminatory practices. Well, we all know about the IRS being accused of going after groups that they disapprove of.

Today and late yesterday afternoon, two more incidents arose that show that this administration is about punishing their opponents and taking care of their friends. The first incident revolves around the Environmental Protection Agency. There is a system in the Federal Government called the Freedom of Information Act in which individuals, groups, and other entities can request of the Federal Government to obtain information about regulations, things that the Federal Government is doing; and if the group asks for

a waiver of fees to obtain that information, they can obtain the information free.

Well, because of a lawsuit filed by the Competitive Enterprise Institute, we now find out that EPA routinely grants fee waivers to its favored left-wing groups who demand a more intrusive and powerful EPA, but systematically deny waivers for free information from any group that EPA disagrees with. In fact, the headline says that EPA gives information for free to groups it agrees with 92 percent of the time, but it denies fee waivers for groups that it disagrees with 93 percent of the time. We cannot afford a government that systematically goes against groups that it opposes and yet rewards groups that it favors.

I want to give you another example that came about yesterday. More than 573,000 birds are killed by the country's wind farms each year, including 83,000 hunting birds such as hawks, falcons, and eagles. Now, nearly all the birds being killed are protected under the Federal environmental laws which prosecutors have used to generate tens of millions of dollars of fines and settlements from businesses, including oil and gas companies and electricity generators over the past 5 years. As a matter of fact, BP oil company was fined \$100 million for killing and harming migratory birds during the 2010 gulf oil spill. And PacifiCorp, which operates coal plants in Wyoming, paid more than \$10.5 million in 2009 for electrocuting a number of eagles along power lines in its substations.

Yet this administration has never fined or prosecuted a wind energy company, even those that flout the law repeatedly. Instead, the government is shielding the industry from liability and helping to keep the scope of the deaths secret.

So there is clearly a double standard in this administration. If you kill an eagle and you happen to be a private business or you are a power generator or you're an oil company or a chemical company, you're going to be fined. But if you're a wind energy company, even though the bird you killed may be protected under the Endangered Species Act, you're going to be protected. America will not stand for a government that rewards its friends and punishes its opponents in this discriminatory fashion.

ACKNOWLEDGING THE END OF THE CIVIL WAR IN SRI LANKA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to acknowledge the fourth anniversary of the end of the civil war in Sri Lanka on May 18, 4 years ago. Although the war has ended and all of those who care about the

well-being of this country are indeed glad and delighted, there remain high levels of suspicion among many Tamils who still feel that they are being denied equal rights, equal protection under the law, and are being treated as second-class citizens.

A large number of Tamils fled the country, left their homeland, during the war; and many have not returned to their homes. Peace is present, but there still exists many hard feelings. Therefore, I urge that the government and the Tamil community find as many ways as possible to promote peace and live in harmony with equality, equal justice, and equal protection under the law. Mr. Speaker, I wish the country well on its peaceful coexistence.

□ 1040

INTRODUCTION OF PUERTO RICO STATUS RESOLUTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, today, joined by a bipartisan group of my colleagues, I am introducing the Puerto Rico Status Resolution Act. This bill is a response to the results of a referendum held in Puerto Rico in November. The first question asked voters if they support Puerto Rico's current territory status, which deprives my constituents of the most fundamental democratic rights. Fifty-four percent said "no."

The second question asked voters for their preference among the three alternatives to the current territory status. Of those who chose an option, 61 percent favored statehood. More voters said they want Puerto Rico to become a State than to maintain the current status, which is unprecedented.

The White House has recognized the importance of the results, which is why the President is seeking an appropriation to conduct the first federally authorized vote in Puerto Rico's history, intended to "resolve" the territory's future status.

The legislation I am filing today is consistent with the President's budget request and serves as a blueprint for how the vote conducted pursuant to that appropriation could be structured.

After outlining the rights and responsibilities of statehood, the bill authorizes a ratification vote on whether Puerto Rico should be admitted into the Union as a State. If a majority of voters affirm Puerto Rico's desire for statehood, the bill provides for the President to submit legislation to admit Puerto Rico as a State after a reasonable transition period. The bill also expresses Congress's commitment to act on such legislation.

Now, I want to speak directly to the men and women who voted for state-

hood in November. Our movement has become a predominant force in Puerto Rico. Every day, we grow stronger. Like you, I believe that justice delayed is justice denied. And, like you, I find it difficult to be patient. But we fight with our heads as well as our hearts. Perfecting our Union requires passion, but it also demands perseverance. There are no shortcuts on the path to statehood, and politicians who suggest there are are leading us to a dead end.

The statehood movement is powerful because we are united by a single principle, the principle of equality. The November vote has fortified our spirit and renewed our sense of purpose. We will not shy away from a fight. History teaches that once a people have chosen democracy, self-government and progress, they are unlikely to reverse course. Rest assured, now that the people of Puerto Rico have withdrawn their consent to second-class citizenship, the question is not whether, but when, Puerto Rico will obtain equality through statehood.

To my colleagues who represent States, I know you will respect my constituents for seeking the same rights and responsibilities as your constituents. This respect must take the form of concrete action. The U.S. citizens of Puerto Rico have made their choices heard, and they deserve a meaningful response from their national government.

There is overwhelming evidence that territory status has affected Puerto Rico's political, economic, and social development; and it has become clear that the status quo does not serve the national interest, either. The U.S. succeeds when Puerto Rico succeeds; when the island is strong, stable and secure; and when its residents do not feel obligated to relocate to the States to achieve their dreams. From the U.S. perspective, a robust and resilient State of Puerto Rico would advance the national interest.

The position of every President since Harry Truman has been that their administration would accept whatever status choice is made by a majority of Puerto Rico's voters. The U.S. Government is a champion of democracy and self-determination around the world, and it must adhere to those principles with respect to its own citizens. This is essentially true in light of the service that generations of men and women from Puerto Rico have rendered to this Nation, most notably in the Armed Forces, but in so many other ways as well. In a very real sense, Puerto Rico has earned the right to be equal, and equal we will become.

Puerto Rico has been called the shining star of the Caribbean. The time has come for our star to shine, alongside the others, on the Flag of the United States of America.

GOVERNMENT OPPRESSION OF
PATRIOTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, early last year, I spoke with businesswoman Catherine Engelbrecht, also founder of True the Vote and King Street Patriots in Houston, Texas. True the Vote is a nonpartisan organization whose purpose is to train poll workers to uphold voter integrity at the polls, because, despite what many say, voter fraud is rampant in America. King Street Patriots is a group of liberty-minded, patriotic individuals in Houston who meet weekly to discuss what's going on here in Washington.

Catherine told me that both of these groups and her family had not only been harassed by liberal progressive groups but also by the Federal Government. It all began when Catherine applied for nonprofit status in 2010 for True the Vote and King Street Patriots. So began the tidal wave of government inquiries and harassment.

In a recent interview, Catherine said this:

We applied for nonprofit status in 2010. Since that time, the IRS has run us through a gauntlet of analysts and hundreds of questions over and over and over again. They've requested to see each and every tweet I've ever tweeted and each and every Facebook post I've ever posted. They've asked to know every place I've ever spoken since our inception, and to whom, and everywhere I intend to speak in the future.

We have learned that the IRS has even asked these groups, Mr. Speaker, for donor lists.

Mr. Speaker, this level of detail goes well beyond the business of the IRS, and it didn't stop there. The Federal Government's snooping included six visits by the FBI, as well as multiple unannounced visits from OSHA and, yes, even the ATF. Mr. Speaker, you may remember the ATF. Those are the ones responsible for smuggling guns into Mexico. How ironic it is they want to audit American citizens but lose track of guns where they were purposely sent to the drug cartels.

In any event, in addition to True the Vote, Catherine and her husband were also personally audited. Keep in mind Catherine and her husband have owned a small family business for 20 years and have never been audited by the IRS until all of this. Why now? It seems very coincidental.

I asked that question when I submitted a FOIA request on behalf of True the Vote and King Street Patriots to FBI, OSHA and the ATF asking if they were under criminal investigation. The reply from these agencies was that none of these individuals were under criminal investigation. Well, if they're not, why are they being treated like criminals? Just because they question government.

Mr. Speaker, Catherine is not alone. The IRS has admitted to systematically targeting certain groups who have opposing views from the administration. According to USA Today, between February 2010 and May 2012, only one Tea Party group was granted tax-exempt status from the IRS. But during that same 2-year period, the IRS has approved dozens of liberal and progressive groups for their tax-exempt status. Coincidence? Yeah, right.

Not only does this behavior of the IRS threaten individual freedom and violate the Constitution; I think it may be criminal. It is unlawful for any Federal agency to use its law enforcement and its investigation power as a means to harass and target certain individuals whose political views differ from any administration. It would appear that such actions are also in violation of Federal law and the equal protection and due process protections guaranteed in the Constitution.

Private citizens should not be punished for questioning government. This is America, not a Third World dictatorship or the Soviet Union.

□ 1050

This type of government oppression and political opposition is disturbing. I've written Attorney General Eric Holder to request him to direct the U.S. Office of Special Counsel to investigate any potential violation of the Hatch Act that may have occurred by IRS employees. I've also asked Attorney General Holder to appoint a special prosecutor to investigate all of this.

No government should be requiring citizens to furnish their schedules, donor lists, personal communications or political beliefs to any government agency. No government agency—whether it's the IRS, the FBI, the ATF, or OSHA—should be used as a tool to suppress those who are considered “opposition groups” and dare to question our government.

The IRS is abusing its power to tax by harassing and punishing those who have been “taxed enough already.”

And that's just the way it is.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

PRINTING OF PROCEEDINGS OF
FORMER MEMBERS PROGRAM

Mr. MCHENRY. Madam Speaker, I ask unanimous consent that the proceedings during the former Members program be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during

the proceedings have the privilege of revising and extending their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The following proceedings were held before the House convened for morning-hour debate:

UNITED STATES ASSOCIATION OF FORMER MEMBERS OF CONGRESS 2013 ANNUAL REPORT TO CONGRESS

The meeting was called to order by the Honorable Barbara Kennelly, vice president of Former Members of Congress Association, at 8:05 a.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Lord God of history, and our salvation, when former Members return to Congress it must be similar to any American opening the Bible or their holy book at random. By doing so, people of the Book read between the lines, see the story of America, and rejoice.

Congress, too, holds old and familiar stories, strong exhortations, repeated corrections, and consoling confirmation of hopes that speak anew of love, patriotism, and light. Looking at Congress once again, these former Members, still Your stewards, hear the praise of Psalms, the lament of Job, and are strengthened by the sentiments of Gideon as well as Paul, the commands of Moses and the prayers of Jesus.

As the Good Book binds people into community, You tie together the years of Congress and make of them a prophetic voice that reverences the past, speaks to the present, and holds promise for the future.

May all former Members be rewarded for their contributions to this constitutional Republic and continue to work and pray that the goodness and justice of this beloved country be proclaimed to the nations.

Quicken life, promise, and fortitude in all here gathered that we may bring joy to the present age and long for eternal happiness, calling upon Your holy name, now and forever.

Amen.

PLEDGE OF ALLEGIANCE

The Hon. Barbara Kennelly led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Ms. KENNELLY. The Honorable STENY HOYER will now address us.

Mr. HOYER. “Address us” overstates what I'm going to do, but I'm always so pleased to be with all of you. And I was kidding on saying that.

I want to tell you frankly, on the Republican side, you guys look so much better than you did when we served together, and we want all of you back on our side of the aisle. We're voting to reelect you.

But I am so pleased to be here with all of you. I had the opportunity to say just a few words yesterday, but I particularly wanted to be here, and I don't see my Republican Speaker here. I think some of you know that story. Ray LaHood was presiding, and it was the nineties, '95, early '95, and I went up to Ray. We had about—I forget exactly—199 Members at that point in time. I went to Ray and I said, "Ray, if you can get 20 votes, I will get 199, and we'll elect Bob Michel Speaker." But we didn't do that, as you noticed historically.

But I fondly recall with you the days when we really did sit down and work together on a lot of things in a positive way and get things done for our country. We're not doing that as well this time, as you know. Ray would tell you that, working in the administration, but I particularly wanted to be here this morning.

I don't see Bob here. Is Bob coming? Ms. MORELLA. He is coming.

Mr. HOYER. Okay. Well, he is not here.

I'm a huge fan of Bob Michel's, but I'm also a huge fan of Ray LaHood's, and I know you're honoring Ray today, and I want to join with you in honoring him. Not only did he serve as a staffer in the House of Representatives, upholding what we're not upholding as much today, the integrity and the self-respect of all the Members here, to some degree denigrating this institution and Members—I lament that.

But Ray LaHood, as a staffer and as a Member of Congress and as a member of the President's Cabinet, has done some extraordinary work.

Ray, I want to congratulate you and thank you for all the positive roles you have played in moving this country forward. We're going to miss you from the Cabinet, but we don't expect to miss you from our lives, as so many here see. I want to wish you the very best.

Jack tells me he's now the president of a community college in New York. I said, "Well, are you watching what we're doing?" He said, "Not much." That's why he's got such a happy look on his face—hear no evil, see no evil, speak no evil.

Some of you were here when I came to the Congress in 1981, and some came with me. I came 5 months after you did, Dennis, and just a few months before Barbara came to the Congress.

So I want to say on behalf of all the leadership—hopefully on both sides of the aisle—I know that's the case.

And remember, I'm not going to drag my leg, but do you remember John Rousselot? Does that name ring a bell with you? Well, when I came to the Congress, John Rousselot probably was the Member that I had the most negative feelings about: John Birch Society, et cetera, et cetera, et cetera. Into about a year, I got to really think, John Rousselot is not a bad guy at all.

I don't recall whether you recall, but he used to smile at all of us as if to say, Okay, I've come over to your side and now I'm really gonna give it to you. And he did it with such a twinkle in his eye and such a positive. Jim Blanchard—Governor Blanchard, Ambassador Blanchard, all things Blanchard—is shaking his head. But that was a lesson to me, as it should be a lesson for all of us, to take people not on which side of the aisle they're on, not which side of the liberal-conservative range they may fall, not on some simplified newspaper story that you read, but on, as King said, the content of their character.

I think the more that we get to know one another, the more we understand why this body really does over the long term work. The only way you can get here is be elected by your neighbors, and they do pretty well. They're not perfect, we're not perfect, but they do pretty well, and they elect some really fine people Representatives of their districts.

The trick is for all of us to come together and work together. Your efforts here, I think, help in that regard. So, welcome back, and I look forward to seeing you, not just when the former Members come back. I see Connie all the time and Bev all the time, my colleagues from Maryland. And I saw Jim the other day, and we had a good talk. But come back, visit; and if I can help in any way, I want to do it, just as I will want those who succeed me after I leave to do the same.

So, Ray, congratulations to you. Thank you very much. And, to all of you, thank you for all you have done through the years, and thanks for remembering and coming back and helping our institution be all that it can be. Thank you very much.

Ms. KENNELLY. Thank you, Leader.

And now I would like to present the Honorable Connie Morella, president of the Former Members Association.

Ms. MORELLA. First of all, I want to thank, on behalf of all of us, STENY HOYER for launching us this morning for this 43rd annual meeting that we had. STENY never really saw an aisle. He saw issues and compromise, and that's what we—the brothers and sisters who have been here—would like to see continued.

So, thank you, Barbara. It is always a distinct privilege to be back in this revered Chamber, and we appreciate the opportunity today to present our annual report of the United States Association of Former Members of Congress.

I'm going to be joined by some of our colleagues in reporting the activities and projects of our organization, but, first of all, I would like to ask the Clerk to call the roll.

The Clerk called the roll of the former Members of Congress, as follows:

Mr. Alexander of Arkansas
Mr. Buechner of Missouri
Mr. Bustamante of Texas
Ms. Byron of Maryland
Mr. Carr of Michigan
Mr. Clement of Tennessee
Mr. Coyne of Pennsylvania
Mr. DioGuardi of New York
Mr. Edwards of Oklahoma
Mr. Ewing of Illinois
Mr. Frost of Texas
Mr. Gordon of Tennessee
Mr. Hertel of Michigan
Mr. Hughes of New Jersey
Mr. Johnson of Georgia
Mr. Kennedy of Minnesota
Ms. Kennelly of Connecticut
Mr. LaHood of Illinois
Mr. Michel of Illinois
Mr. Moore of Kansas
Ms. Morella of Maryland
Mr. Quinn of New York
Mr. Sarasin of Connecticut
Mr. Tanner of Tennessee
Mr. Turner of Texas
Mr. Walsh of New York
Mr. Wamp of Tennessee
Mr. Zeff of New Hampshire
Mr. Spratt of South Carolina
Mr. Largent of Oklahoma
Mr. Blanchard of Michigan
Mr. Hochbrueckner of New York
Mr. Pressler of South Dakota
Mr. Slattery of Kansas

Ms. MORELLA. Thank you all for joining us today. Our association, as you know, was chartered by Congress, and one requirement of that charter is for us to report once a year to Congress about our activities. Today, therefore, is our opportunity to demonstrate to Congress that creating us over 40 years ago wasn't such a bad idea.

Before my colleagues and I describe our activities of the past 12 months, I want to focus on the second purpose of our meeting here this morning, and that is to bestow our association's highest honor on a former Member of Congress whose public service inspires us and who deserves our recognition. When you look at Ray LaHood's public service, you understand quickly why he was a unanimous choice and an easy choice for our board to make.

Ray LaHood has spent his entire professional life in service to either his community or to the country, or to both. He was a junior high school teacher, he was a member of the Illinois State Legislature, a congressional chief of staff, a Member of Congress, and now a member of President Obama's Cabinet. In Congress, he served on the Transportation Committee and on the Appropriations Committee. During his many years in Congress, Ray LaHood's approach to legislating was characterized by decency, reason, civility, and respect. He was a Member more interested in solutions and debate than politicking and scoring wins.

It is that credibility and integrity that made it easy for President Obama to appoint him to his Cabinet regardless of party label. We are so pleased that we can recognize his exemplary dedication via our Distinguished Service Award.

The inscription on the award reads:

The 2013 Distinguished Service Award is presented by the United States Association of Former Members of Congress to Secretary of Transportation Ray LaHood.

Ray LaHood's devotion to public service has taken many forms and has guided his entire professional life, whether as a teacher, a congressional staff member, a Representative, or a member of the President's Cabinet. In all these roles, he always put country above party and solutions above politics. He was the arbitrator when a divisive debate required sensible leadership. He would find common ground when compromise seemed unattainable. Whether as a Member of Congress or as a member of the Cabinet, Ray LaHood has distinguished himself as a dedicated and exemplary public servant, and his former colleagues from both sides of the aisle salute him.

Washington, DC, May 15, 2013.

That is the inscription.

I am reminded of a statement from Shakespeare: "the force of his own merit makes his way," and he has worked hard and deserves the recognition we are about to give him.

Later on in our program, we expect that a former leader, Bob Michel, will be coming here to say something about Ray LaHood, whom he loved and felt was sort of a mentor, and they're good friends, but he hasn't arrived yet. I do want to commence with giving the award, and then later, when Bob comes, we will recognize him at whatever point in the program.

So I am going to ask Secretary Ray LaHood to join me here at the dais and accept our association's 2013 Distinguished Service Award.

Secretary LaHood, we have also a booklet for you, which is here under this award, which I read word for word. The booklet includes letters sent by former Members and friends for you, saying how great you are. So, when you need that inspiration, you can just open the book and read those words. It is a great honor to present this to you, Ray. Congratulations to you.

Mr. LAHOOD. Thank you very much, Connie, and to the former Members.

Thank you so much to the association for this great honor that you do to me, and I know that, when you honor one former Member, we honor all Members. I am grateful to the association for all of the work that you do and for all of the encouragement that you give to people on college campuses, to young people, through the programs that you carry out year in and year out, and for the fact that the association continues to represent former Members and represent what is good about having served here.

I want to say a special word of thanks to my former Illinois colleague, Tom Ewing, for being here. Tom's district and my district were joined together, and we used to fly to Chicago and ride together, and he would give me a ride kind of near my district, and we worked together on some very important issues.

I also want to thank two of the people who I came to Congress with in the election of 1994—Zach Wamp from Tennessee and Steve Largent from Oklahoma. As you can imagine, when our class came, there were 73 Republicans and 13 Democrats, I believe, and the most famous in our class, God rest his soul, was Sonny Bono. We all thought that we were pretty important. You come with a Hall of Famer like Largent and others who were in our class, but every camera focused on Sonny. When we went out for our photo and when we were around, we all thought we were pretty important until Sonny showed up, and the media kind of gravitated towards Sonny. While in our first year here, Steve was actually inducted into the NFL Hall of Fame. Yes, he was a great football player out in Seattle. So I am grateful for the two of them coming and representing our class.

I also want to say a word about NICK RAHALL, whom I thought maybe I saw here. He might have walked in. He and I worked on some Lebanon issues together.

Let me just say quickly that this bipartisan thing comes very naturally to me. The district that I represented was 20 counties in central Illinois. Nine of those counties were represented by Abraham Lincoln for one term in this House. So it comes naturally.

One of my predecessors was Everett Dirksen, who went over to serve in the Senate, who became minority leader, and who helped Lyndon Johnson pass the civil rights bill. We're going to celebrate the 50th anniversary of the civil rights bill. Tom Pegrarn is writing a book about that, and he did a lot of research on Everett Dirksen. Some of you remember Dirksen. He was a fellow from central Illinois who did work with Johnson in so many ways to pass major legislation right after Johnson had been elected in 1964.

Then of course, Bob Michel, whom I served with as his chief of staff, was renownedly known for his bipartisanship. During the time that President Reagan served in the White House for 8 years, he got a lot of credit for doing a lot of major legislation; but what people forget is that Bob Michel was the leader for the Republican Party, which was the minority party then, but he was able to reach across and get some Democratic votes in order to get Reagan's agenda passed.

So this idea of bipartisanship, it's in the water in central Illinois. It comes very naturally. It really does. When I came here, I came with people like Steve and Zach and others. Some of our class ran on the idea of turning this place upside down and reform and all of that, and we came here after the Republicans had been 40 years out in the wilderness as the majority party. I came here, really, to use the House of Representatives as a way to solve the

country's problems and to solve the issues and problems in central Illinois. I didn't come here to necessarily turn the place upside down. I thought the House was a place where you could really solve problems, but it only could be done if there were some compromise involved in what we did. That's the way that we tried to operate, and I think it's a good lesson for people to look at. The House really can be a place where you solve the Nation's problems and issues in your own districts, and that's the way I always looked at it.

I was very proud of the fact that I co-chaired four bipartisan retreats. We started out with David Skaggs and then with Charlie Stenholm. Our first bipartisan retreat included over 200 Members, over 100 spouses, and over 150 kids. That's the first time that a congressional kid got to meet another congressional kid or that a spouse got to meet a spouse, and those friendships have lasted well beyond Congress.

My friend Jack Quinn, who is here, he and I were not in the same class, but we became friends, and we had friends on both sides of the aisle.

Look, I'm speaking to the choir here. You all know, and that's why you're here—you believe in the House; you believe in this organization; you believe that this is a place where you can have debates. But the bottom line is no problem gets solved—no issue ever gets resolved—unless it's done with compromise, unless it's done in a bipartisan way.

You can't name an issue, big or small, that was ever solved unless it was bipartisanship. Not one of us in this House, not one of the 435 gets their own way, not one of us.

Big things get done when people work together, and big legislation gets passed when people work together. That's the only way. That's the formula. I don't care what anybody says. If you look back on the storied history of this House any time that you served here, any issue that you dealt with where you could have a spirited debate, people could give great speeches. In the end, it was when people came together across the aisle that things got done, when big issues got solved. And it's true today.

During the time that I've had this privilege that President Obama gave me, we've been able to pass a transportation bill and an FAA bill in a bipartisan way. We've been able to do some things, but always in a bipartisan way, always with compromise. There is no other way under this system that we have. So to all of you that are gathered here and honoring me, we honor all of you. We honor this association.

Come on, Mr. Leader. Come on up here.

I know Connie probably wants to introduce him.

They've already said a whole bunch of nice things about me, Mr. Leader. Come on. Come on up here.

Let's hear it for our former leader.

Ms. MORELLA. I don't need to introduce this gentleman. You all know him. But I do want to say that he does exemplify what Ray LaHood has said about bipartisanship and drinking the waters of central Illinois.

The bipartisan spirit in which Bob Michel is held was recently exemplified at a 90th birthday party held for him. At that birthday party, the Democrats came in, the Republicans came in, and all the former leaders came in. It was a wonderful opportunity to see how this man is so respected and what he exemplifies.

As we've already given the tribute, it's up to you now to say something. He gave a great speech.

Mr. LAHOOD. Say a word or two.

Mr. MICHEL. Good morning, everybody. Sorry I'm tardy. I thought we started at 9 o'clock, and I went downstairs in the Speaker's dining room there and I thought there would be a few of you for coffee or something. So I apologize for my very tardy entrance.

Have we got the cart before the horse here or something? Something is backward anyway. But I thank you folks.

You may or may not remember that Ray got his start out in Illinois with former Congressman Tom Railsback. Some of you older folks will remember Tom. He was in my local office there, and then during my tenure as leader, in the last 10 years of that leadership role, I had Ray serve as my chief of staff. And I tell you, he kept me out of all trouble. He knew right from wrong, and he knew this institution. He loved to see Members of both sides. I think we talked about that a number of times, to get to know everybody on your side for sure, but don't be afraid to cross that aisle and get to know personally as many of the Democratic Members as you possibly can. He did a marvelous job doing that.

So it was kind of natural when I left and retired, he ran for my seat and won handily, and during his 14 years of service was on the Transportation Committee and the Appropriations Committee. I thought one of the things that Ray wanted to get done, if he possibly could—he always sought a Democrat or two to join him—was having retreats for the newer Members to get to know one another personally and feel comfortable in dealing with them. That was the way, at least with any measure of success that I might have enjoyed—it came by the fact that you loved to visit with the Members on the other side of the aisle whenever it was possible. Ray did that to the nth degree.

But most important I think for me is that he's got a great moral compass and he knows right from wrong. I tell you, that's guided him during his public service time. Those of you who have

served, any number of times there are things that come up in the office once in a while where you're thinking, Well, I'm not altogether sure about this. It may be good; it may not. Ray always knew the right choice to make. That made me feel comfortable. And if I enjoyed any measure of success as leader, boy, I owe so much to this guy.

I think that's what the President saw in Ray when he decided, after he was elected, that he was going to have a couple of Republicans serve in his administration. Of course, Bob Gates was Secretary of Defense, and then he picked Ray to be his Secretary of Transportation. And with Ray's experience and again that ability to be very sociable and likeable, he was a great success and was a good ambassador for the President in that position.

I think if we look back over that period of 4 years, that Bob Gates and Hillary Clinton, yes, were very popular and well-known, and, boy, I tell you, ranking right under them had to be Ray LaHood in his tenure as Secretary of Transportation.

He is a guy that really pushed safety. This idea of texting and talking while you're driving, boy, he made the case with the American public out there, and with some of those shady bus operators, when they were running into trouble, you know, Ray stepped right up there to bat. So I think it's just a wonderful thing that our organization would, by tradition, name someone of our former group to receive some special honor and recognition. Whoever makes the decision in the group these days, I personally thank you so much because he is my dear friend, and I don't think we could have made a better choice than Ray. Congratulations to you.

And since I got things backward, I was going to read the citation as I concluded. But obviously—

Mr. LAHOOD. Connie read it.

Mr. MICHEL. Oh, she did? Thank you.

Again, he prompted me correctly.

But in conclusion, thanks everybody. It's nice to see so many of you here.

Mr. LAHOOD. You obviously realize why Bob Michel was able to serve for 38 years. He's just a phenomenal human being. He's loved.

We had a 90th birthday party in our hometown of Peoria a couple of weeks ago, and over 300 people came to Bob's 90th birthday party. This is after he had left office for more than a decade. They came because of his service and the respect that they have for him, and we had a great day in Peoria honoring Bob Michel.

Again, in honoring Ray LaHood, we honor all of you and we honor the association.

Thank you all for what you've done to make this institution the great institution that it continues to be, and hopefully the few words that we said

about how things really work and how to get things done will resonate a little bit through the hallways here for a moment or two. I know it won't be much more than a moment, but maybe somebody will pick it up.

Thank you to the association. I'm deeply honored. And I thank all of those who came this morning. God bless everybody.

Ms. MORELLA. That was a nice beginning of our annual meeting.

I'm now privileged to report to Congress about the activities of the U.S. Association of Former Members of Congress since our last meeting in July of 2012.

Our association is bipartisan. You've heard that over and over again, and you know that as you see the people who are here and listen to the words that have been spoken. It was chartered by Congress in 1983, and the purpose of the U.S. Association of Former Members of Congress is to promote public service and strengthen democracy abroad and in the United States. About 600 former Senators and Representatives belong to the association. Republicans, Democrats, and Independents are united in this organization in their desire to teach about Congress and the importance of representative democracy. We're proud to have been chartered by Congress, and we receive no funding from Congress. All the activities, which we're about to describe, are financed by our membership dues, programs, specific grants and sponsors, or via our fundraising dinner.

Our finances are sound, our projects are fully funded, and our most recent audit by an outside accountant came back with a clean bill of financial health. Not bad, aye?

It's been a very successful, active, rewarding year. We have continued our work serving as a liaison between the current Congress and legislatures overseas. We have created partnerships with highly respected institutions in the area of democracy building and election monitoring. We have developed new projects. We are expanding others. And we, again, sent dozens of bipartisan teams of former Members of Congress to teach about public service and representative democracy at universities and high schools, both in the United States and abroad.

When this organization was created over 40 years ago, the former Members who founded our association envisioned this organization to take the lead in teaching about Congress and encouraging public service. They were hoping that former Members could inspire the next generation of America's leaders. Well, over the years we have created a number of programs, most importantly the Congress to Campus program, to do just that.

We continue to work with our great partner, the Stennis Center for Public Service Leadership. We thank them for

their invaluable assistance in administering the Congress to Campus program.

I now yield to a former president of our association, Jack Buechner of Missouri, who, along with Matt McHugh of New York, cochairs this great program. So, Jack, if you would briefly tell us something about it.

Mr. BUECHNER. Thank you, Connie.

I welcome this opportunity to report on this outstanding program. As most of you know, the Congress to Campus program is the flagship operation of the former Members. It's a domestic program, and it also is an international program. It energizes and engages former Members from all over to come and join bipartisan teams of former Members. We go to colleges, universities, and even high schools across this country, and as I said, around the world, to educate the next generation of leaders about the value of public service.

Students benefit from the personal interaction with our association members, whose knowledge, experience, and accessibility are unique teaching tools. During each visit, our bipartisan teams lead classes, meet one on one with students and faculty, speak to campus media, participate in campus and community forums, and interact with local citizenry. Institutions are encouraged to market the visit to the entire campus community, not just to those students majoring in political science, history, or government. Over the course of 2½ days, hundreds of students from all areas of academic studies are exposed to the former Members' message of public service and civility. The Congress to Campus program has always interviewed and surveyed the former Members and the campus contact to determine how the visit was so our program can continually improve.

This spring semester, the students are being surveyed both before and after the visit. That way, we can provide a way to determine the impact of the program on the students. By gathering this information, the Congress to Campus program can make a clear evaluation on what aspects of the program have the greatest effect, as well as provide tangible data to help find further funding for the program.

This program has also made a number of international visits this academic year, including two visits to the United Kingdom, one trip to Turkey, and one to Canada. Domestically, we had an extremely busy fall semester, coinciding with the elections. We had 13 visits across the country. The 2012 to 2013 academic year included visits to the United States Naval Academy, Palm Beach State College, Suffolk University, Pepperdine University School of Law, Boston University, Penn State, and the McGovern Center for Public Service at the University of South Dakota.

More than 30 former Members participated during this academic year, and I want to thank each of you who donated your time—pro bono—to this vital program. I also want to encourage our newest former Members and those who have not yet had the opportunity to consider doing so to encourage a friend from across the aisle to join you. It's an excellent opportunity to continue your public service after Congress.

You can also make a pledge to connect us with a host school, for example your alma mater, a college in your old district, or the university that your children or grandchildren are attending. Our staff will then follow-up with you to make the arrangements. Sharon Witiw runs the program and has all the information you will need.

As was mentioned earlier, we have continued our excellent partnership with the Stennis Center for Public Service Leadership in the administration of this program. We owe a special debt of gratitude to Brother Rogers of the Stennis Center for his fine work. Our staffs work very closely together to make this program such a success.

As I briefly mentioned, the Congress to Campus program has an international outreach. On average, we send two delegations per year to the United Kingdom for one week, with dozens of universities and hundreds of British students studying foreign policy and the United States. Let me tell you, as a former Republican Member of Congress, during the height of the Iraq war, it was quite a challenge dealing with our continental friends. And now with the advent of "House of Cards," U.S. version, and I might add the campaign with Will Ferrell, there are a lot of interesting questions coming from students about what it is we do and how we do it. Our former Members actually become quasi-ambassadors on behalf of the United States. They really get to engage with these students.

Recently, we also sent former delegation Members on Congress to Campus visits to Turkey. And just last month, former Members Jim Kolbe, Martin Lancaster, Lincoln Davis, and Ben Chandler spent 10 days visiting universities all over Turkey. This great project was made possible via a partnership with the Mid-Atlantic Federation of Turkic-American Associations, and we thank them very much for putting an extremely productive and, I might add, busy program together.

Just a heads-up to my colleagues: former Member participation in these overseas trips is based on how actively you participate in the not-as-glamorous domestic programs.

Since our last annual meeting, we have also continued our relationship with the People to People programs. That's an organization that provides hands-on learning opportunities for elementary, middle school, and high

school students visiting Washington, D.C. On each visit, former Members meet and speak with students about the importance of public service—again pro bono—their personal experiences in Congress, and the value of character and leadership. In the spring of 2013, two speaking engagements were held in congressional panel format. The events take place on the Hill, and not only feature a former Member as a speaker, but also Hill staffers and interns. This gives students the opportunity to learn what it really is like to be in the Congress and work in the Congress. People to People visits are often in the middle of the business day, and we are grateful to those former Members who take time out of their busy schedules to connect with students touring our Nation's capital. It is greatly appreciated by them and by the association.

Finally, I want to say how grateful we are to all of those who have made this Congress to Campus program such a success in the 36 years it has been in existence. We want to strongly encourage you, our friends and colleagues here, to participate in the program, either by making a visit to a school or by recommending a school to the program. As you know, democracy can prosper only if its citizens are both informed and engaged. As former legislators, we have a particular opportunity and responsibility to encourage such involvement. This program is one of our association's best ways to give back to our community and our Nation.

Thank you very much.

Ms. MORELLA. Thank you, Jack. You're right, it's a great way for us to share our experiences and enthusiasm with the younger group coming into leadership.

Also, we thank Matt McHugh, your colleague, for the great job you've done with the program.

As you may recall, friends, from our last report to Congress, the association has put some energy and focus into this question of bipartisanship and civility in our political discourse. We are furthering this important work via the Common Ground Project. The purpose of the Common Ground Project is to involve citizens in a dialogue about the issues of the day, have a vigorous debate that's both partisan and productive, and benefit from the experience of respecting a different point of view.

Some of our existing undertakings already fit very nicely with this objective, for example, the Congress to Campus program that Jack Buechner just reported. And to give you more background about the Common Ground Project, I invite my colleague from Oklahoma, former Member Mickey Edwards, to share a report.

Thank you, Mickey.

Mr. EDWARDS. Thank you, Connie.

Now, Pete wrote this talk, and so I want to ad lib a little bit and say that,

well, first of all, because it mentions my book, and I didn't put that in there.

But I had the opportunity very recently to give a speech at Bradley University, and I was so proud to start out my talk by saying how honored I was to be in the home of Bob Michel and Ray LaHood. And it just meant so much to me to be able to share that with them.

One quick comment to pick up on what STENY had said. One of the things I mentioned in my book is that every place you go to hear a speech, there's a lectern, except in this place, where there's a separate lectern for Republicans and Democrats. So I would paraphrase Ronald Reagan about tearing down this wall. Let's have one lectern, instead of dividing us into separate teams.

Everything we do at the Former Members Association is done in a bipartisan manner. Our leadership is comprised equally of Republicans and Democrats, our delegations are led by bipartisan teams of former Members of Congress, and our projects involve both Republicans and Democrats equally. We truly are a bipartisan organization where Members from across the political aisle come together for a common purpose.

We have found that, for a number of reasons, this type of bipartisan interaction has become more and more difficult for current Members, which is a great concern, I know, to every one of us. After we leave the Chamber today, we will participate in a full-day conference hosted by Senator John Breaux, where we'll attempt to analyze some of the factors that go into today's dysfunctional political discourse.

This development has many causes, some of which are beyond the control of today's Members. Our association, therefore, has created the Common Ground Project, with the purpose of finding ways in which Democrats and Republicans can work together.

We decided to put some thought and effort into a structured program that could serve to foster a more civil and productive political discourse in this country. We hope to reconnect America's voters with their political process and encourage a respectful and productive debate on the many issues that we face.

Mostly, we achieve this outreach by working together with some of the many reputable and like-minded organizations across the country that are putting their energy and resources into this important topic. One such organization is the Concord Coalition, and we've had a number of events where former Members come together with either the public or with a university student audience to work our way through the Concord Coalition's excellent budget simulation.

Another example is our collaboration with the National Institute for Civil

Discourse in Arizona. Together, our two organizations connected a bipartisan group of former Members with a bipartisan group of current Members to have a dialogue about what some of the causes might be that have led to a less civil and, therefore, less productive political climate.

We discussed the role of the media, the influence of campaign fundraising, the realities of our primaries. This was a very good discussion, and our goal is to continue this type of interaction, while expanding the number of participating Members. The next step in the partnership with the Institute for Civil Discourse is to identify congressional committees where there may be an opportunity for across-the-aisle collaboration and interaction. I think we call that getting back to the regular order.

And our most prominent example of how the Common Ground Project can reconnect citizens with Congress is our partnership with the National Archives. This is now our third year of putting programming together at the Archives, where we invite a large audience to discuss with a bipartisan group of former Members the issues of the day.

We had such an event right after the November election to look at the role of money and the role of media in the elections. We had another one at the National Archives in the spring, based on my own book, "The Parties Versus the People," where we talked about the hold that party politics has on our system of government; and we're hosting one tonight examining the interaction between Congress and the White House.

We can learn a lot from each other, and that is certainly what the Common Ground Project is all about. So on behalf of the organization, I invite my colleagues to become an active participant in this important dialogue, and I hope we will continue to have many opportunities to reengage the public when it comes to their representative government.

Thank you.

Ms. MORELLA. Thank you, Mickey. We very much value your participation.

And by the way, it's a great book, very provocative. I really thought you highlighted some of the very important aspects of what's going on in today's politics and what we need to do about it or think about. And I'm saying that without any cut in royalties.

But a great example of how powerful and productive bipartisanship can be is our annual Congressional Charity Golf Classic. It's chaired by our immediate past president, Dennis Hertel, and by fellow board member, Ken Kramer of Colorado.

I'm now going to yield the floor to Dennis Hertel of Michigan to give us a brief report about the Charity Golf Classic, which has been so successful.

Dennis.

Mr. HERTEL. I want to thank Madam President Connie for all that you're doing for the organization.

And I want to talk about the golf tournament, but the first thing I want to reassure everybody about this tournament is you don't have to be Tiger Woods to play. And I'm probably the best example of somebody who's not really a golfer participating all these years in this tournament.

It goes back 35 years. Remember, we used to play out at Andrews Air Force Base. And Bob Michel, our great leader, I remember when Bob Michel beat us on this floor in 1981, and we still all liked him on this side of the aisle. Bob Michel and Tip O'Neill were there for our tournament; and it was a very quiet tournament, a private tournament at Andrews Air Force base.

And then, because they changed the rules here in the House, and all the rest, to attract current Members, but mostly, as our other endeavors to do something for others, we established this charitable tournament 6 years ago to help the wounded warriors.

And with Zach Wamp and others, we used to meet in Zach's office, as co-chair. We got more active Members, current Members to play. And this year we've got over 20 current Members signed up. Our problem, our former Members: we only have a handful, so we really need more of you to participate in this to go forward.

It's going to be July 22 at the Army-Navy Country Club, so we've gone up as far as where we're playing the tournament. And they've just redone the entire club, and it's fantastic. The courses are new, and the clubhouse is brand new. It really is beautiful.

During each of our past tournaments, we've had dozens of current and former Members from both sides of the aisle come together, and they have met with dozens of wounded warriors, many of whom give ball-striking demonstrations or play in our foursomes, and they're just tremendous young people.

They have even had double amputees included in their numbers who hit further and straighter than a lot of our Members, certainly much better than I. And it's an incredibly humbling, rewarding, and memorable experience to spend a day in the presence of these inspiring men and women.

Last year we had two outstanding current Member honorary chairs: Joe Baca of California and ANDER CRENSHAW of Florida. And I want to thank them, as well as Ken Kramer, our association's cochair, for all they've done to make our tournament such a success.

I want to thank Joe Baca, who didn't return for the 113th Congress, for how much he did as far as his energy in getting Members to play and to go forward with our tournament.

Now we have Congressman MIKE MCINTYRE of North Carolina as our

Democratic cochair, who's just been tremendous in being a fusion to get current Members to play.

And we're so fortunate to have JIMMY DUNCAN from Tennessee, who a lot of us served with in the Congress, to be our Republican cochair. There's just no better invaluable supporter than JIMMY DUNCAN getting current Members to play.

I want to thank our sponsors for their generous contributions, and particular thanks to DSUSA and the PGA for being such steadfast and important partners. And PGA wants to take it up another level and get more professionals to play with us and to participate and to become a greater sponsor.

It's really an honor for us to help our Nation's heroes in this small way. Again, the next tournament is July 22. This tournament can only be successful if our Members, both current and former, give it their time and attention. Please let us know if you can play. We would really like to see you July 22.

Ms. MORELLA. Thank you, Dennis.

Ms. KENNELLY. The Chair recognizes the distinguished Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Good morning. Tanner is giving me this look like, Hey, it's just BOEHNER. Leave him alone.

Let me say on behalf of all of my colleagues, welcome. Thank you for your years of service here in this institution. Let me congratulate Ray LaHood on being this year's Distinguished Service Award winner. I'm not sure I would have given it to him, but you all did. Just teasing.

But, listen, I'm trying to keep this institution focused on a couple of simple things. One is growing the economy. You all know the economy is not growing the way it should be. It's not creating jobs as fast as it should be, and wages aren't going up as quickly. And so there's a lot of things that I think we need to continue to do to get our economy going again. But having said that, there are always other things that crop up around here.

You're all familiar with Benghazi, and now the Justice Department's investigation of the Associated Press, and then the IRS of all things. So in spite of trying to keep the institution focused on what the American people are most interested in, we end up also having to do our other responsibility, which is providing oversight of the executive branch, and we will do that.

In addition to that, I continue to believe and continue to work to make this a more open and fairer process for all the Members. If you look over the last couple of years, the minority has gotten more than its fair share of amendments. If committee chairs and others can't defend their product, it's not up to me to protect them. So I'm a big believer that people ought to have

their shot. I think my colleagues on the other side of the aisle would agree that I've been more than fair in terms of what comes to the floor and how it's to be considered.

So, opening up the process, I believe, is very important because the more open process there is on the floor, the more work that the committees have to do to reach across the aisle and build bipartisan support for whatever proposal they have. Over time, I think this will break down some of the scar tissue that's built up over the years around here and be good for the institution.

So, I'm just here to say good morning and it's nice to see all of you.

Spratt, how are you? You're looking good. Don't have more hair than last time I saw you, though.

But really, it's nice to see all of you, and welcome back. Thank you.

Ms. MORELLA. Thank you, Mr. Speaker, for sharing those words with us, particularly understanding the number of issues that are appearing before you, the little things that you mention.

I also wanted to thank Dennis for what he's done, too, with the golf tournament and for his leadership. We're honored that we, as an association, can play a small role in the rehabilitation of these amazing men and women who are the wounded warriors.

So as we continue, in addition to the domestic programs we have just described, our association also has a very active and far-reaching international focus. We conduct programs that are focused on Europe and Asia, and we bring current Members of Congress together with their peers in legislatures overseas.

Ms. KENNELLY. The Chair recognizes our leader, NANCY PELOSI.

Ms. MORELLA. This is an abundance of riches, isn't it?

Ms. PELOSI. Thank you, Madam Chair. I certainly did not want to take the floor from our distinguished colleague, Connie Morella. It's so wonderful to see you. Maybe good news for you, I've lost my voice. I know it will be good news for the Speaker, but we'll see later in the day.

I join him in welcoming you back to the Capitol. I hope it is always a source of joy to you to set foot on this floor, this place our Founders decided was the marketplace of ideas, where we would compete in the marketplace of ideas and find common ground to go forth. Your legacy is an important one to us. As I look around and see all of you, I see contributions that you have made over the years that we still benefit from.

It's an honor to be here with Bob Michel. I think he enjoyed the job of minority leader more than I do. What do you think, Bob? What do you think? We were all there to celebrate his birthday recently. It was a bipartisan

fiesta, wasn't it? That was just a couple months ago we celebrated a landmark birthday. Happy birthday again.

But all of you, I heard what the Speaker said about this openness on the floor, and I thought that was really good news, because we've been trying to get a budget to the floor for a very long time but without much success to allow our budget to come to the floor. So I'm going to take the words that I just heard to CHRIS VAN HOLLEN and tell him that happy days are here again and that our amendment will be made in order in the Rules Committee.

Martin, Governor, Bob, all of you, we all are on a first-name basis. Last night, rightfully all of you honored the distinguished Secretary, Mr. LaHood. He has done a remarkable, remarkable job. We couldn't be prouder of him as a legislator and as a Secretary in the Cabinet even if he had been a Democrat. He's just absolutely wonderful. We love him, and he brings bipartisanship to all of what we do. And that's really what is, I think, not to get to a partisan place, Madam Chair, but is on the ballot in the next election: bipartisanship. It's something that is the most popular concept in politics. People would vote for that in overwhelming numbers; and hopefully, in this election, whatever the outcome is, bipartisanship will prevail.

I always say to people that you can win an election, that's up to the public, but the idea has to prevail, and that is what we're striving to do here. That's what we hope the election will impact. It already did have an impact in the last election with immigration. All of a sudden, it became an issue near and dear to the hearts of so many more people in the Congress who never had an interest in it before, because when the people spoke in such a big way, especially Hispanics, it became a priority for many more people in the Congress.

So, again, when all of you were here, we worked in a very, very civil and respectful way. We hope that we can return to that. But that doesn't diminish the contribution that you made in so many ways regarding the substance, the values, and the ethics that make our country so great.

So it really is a joy to see each and every one of you. I hope your lives are very happy. You certainly look well. There seems to be a good life after Congress, but it brings us such pride to see so many of you come back to continue this bonding. Thank you. It's an honor to see you.

Madam Speaker, how does it feel up there? It feels good, huh? It feels good. Welcome, Barbara. Thank you all very much for being here.

Ms. MORELLA. We are very honored that our minority leader chose to join us again to greet us as well as the Speaker of the House and STENY HOYER.

So let's continue on with our program. We were talking about programs

that focus on Europe and Asia and bringing current Members of Congress together with their peers and legislatures overseas, which actually helps in terms of what we discussed with people knowing each other and therefore finding it easier to work together noting that they have common objectives.

We work with the Department of State to talk about representative democracy with audiences overseas. We partner with former parliamentarians from other countries for democracy-strengthening initiatives. This is a very active outreach to emerging democracies. My colleague from Texas, Martin Frost, instituted the so-called Frost-Solomon Task Force when he was in Congress, and many of the legislative-strengthening projects that we conduct are actually modeled on his good work.

It is now a pleasure to yield the floor to our friend from Texas, Martin Frost.

Mr. FROST. Thank you, Connie. Since we have to be off the floor at 9:30, I'm going to truncate these remarks a little bit.

A number of years ago, we created the International Election Monitors Institute under the leadership of then-president Jack Buechner. It is a joint project of the U.S. Association of Former Members of Congress, the Association of Former Members of the European Parliament, and the Canadian Association of Former Parliamentarians. In addition to conducting multiple workshops for former legislators to train them for election-monitoring missions, this group sent delegations to monitor elections in places such as Morocco, Ukraine, and—our most ambitious undertaking—Iraq. The original intent of the International Election Monitors Institute was to train former legislators and prepare them for the task of observing an election. We have since broadened and expanded this to focus and are now incorporated as the Global Democracy Institute, again in partnership with our colleagues from Ottawa and Brussels. Former legislators from all political walks of life can be a tremendous asset to these organizations that seek to strengthen democracy across the globe.

In addition to that, this organization has undertaken a number of trips. I had the privilege, along with Connie and some other people in this room, to take part in an exchange in China last year. This was one of a series of those. I know that we're going to be doing that again. I encourage you to take part in these. They are educational. For some reason, the people in China think that former Members of Congress still have some influence, so they treat us very well. It is interesting to learn about the evolution of their particular democratic process. It's slow, but I think it's important that we continue to show interest. I think it's very helpful for our country.

We have participated in a variety of projects in Turkey and in the United Kingdom, as well as in Nigeria. I just think that when you're asked as a former Member to take part in one of these trips, try and find some time to do it. You will find that you have a lot to offer to emerging democracies to talk about how our system works. I think it's very good for us as a country and an association that we continue this work.

Connie, you've got a couple of other speakers. I'm going to yield back the balance of my time and again thank you for what you've done for the association.

Ms. MORELLA. Thank you.

I am now going to yield time to my colleague from Maryland, Beverly Byron, to report on some of the other activities of the association.

Ms. BYRON. Thank you, Connie. Let me thank Martin for his interest in furthering the U.S. Association of Former Members in the world.

Another important international undertaking which involves the Former Members is our new Middle East fellowship program. Now in its third year, it brings young professionals from the Middle East and from North Africa to Washington for a 1-month immersion program. It is chaired by former Members Scott Klug and Larry LaRocco, and I want to thank them for their leadership in this program.

In the spring of 2009, the Former Members began a partnership with Legacy International, a Virginia-based NGO, which has been in existence for 30 years, for the Middle East Legislative Fellows Program. Initiated by the Department of State and the Bureau of Educational and Cultural Affairs, the LFP hosted young professionals from Egypt, Libya, and Tunisia this spring. Previous delegations have included young professionals from Kuwait, Morocco, and Oman. Our guests are in the D.C. area for a month-long fellowship working in congressional offices and NGOs.

The program is designed to promote a positive relationship between the U.S. and the gulf states, which, in light of the Arab Spring, is now more vital than ever. The fellows—candidates with strong leadership skills who represent the top talent in their fields in their countries—have an opportunity to gain practical experience and direct interaction with the U.S. Government and its officials. This is an invaluable opportunity on both sides. For one who has hosted a dinner each year for a number of the individuals, they are very, very sharp, they're bright, they're articulate; and we will be looking to them in the future to be leaders of their country.

Our association connects the fellows with former Members who work together. The former Members act as a kind of mentor of the young men and

young women through one-on-one meetings, roundtable discussions, and by attending program discussions and events. The former Members have a great opportunity to expand their understanding of where we are.

In an exciting extension to the LFP, at the conclusion of each program, a team of former Members completes the exchange by then leading a delegation to the region to conduct workshops and gain firsthand experience of that area. The goal of this program is to seek a better understanding between the cultures and establish an avenue of dialogue between nations. LFP is an unprecedented opportunity to augment a constructive political and cultural discourse between the U.S. and the Middle East. I am pleased that our association is part of this new, vital program; and every time has been a wonderful opportunity to meet with the young people that come.

Thank you.

Ms. MORELLA. Thank you, Bev, for your leadership and your active involvement in this great program. As a former Ambassador, I am acutely aware of the power of personal interaction and people making a difference to bridge the cultural divide. This is, indeed, a great program for our association.

Not all of our programs focus exclusively on former Members, as you may already have discerned. As was mentioned earlier, we have a number of projects that benefit from former-Member leadership but involve primarily current Members and their peers overseas. We call these programs Congressional Study Groups, and our focus is on Germany, Turkey, Japan, and Europe as a whole. To give you more background about the Congressional Study Groups, I invite former Member Bart Gordon of Tennessee to the dais.

Bart, maybe you will give us a synopsis.

Mr. GORDON. Thank you, Connie, for those kind words, but, more importantly, thank you for the grace that you show as you lead us. You continue to be our ambassador to the world.

Ms. MORELLA. You're so political, Bart.

Mr. GORDON. No, no. You know that's true. We all know that's true here.

Let me first say, as I look around and see everyone, many of you I spent all of my 26 years with, and some a part of that. It's sort of a kaleidoscope of memories that just wash over you. I think almost every one of us sat down together somewhere on the floor and talked about business or what was going on at home. Fortunately, Jim Walsh and I are next-door neighbors in our offices. I'm glad to see my Tennesseans again. We don't get to see each other enough, but it's like we were just here and again like that conversation just continues. This is, I

think, one more real benefit of the association, and I'm glad to have a chance to join that.

Pete, many thanks to you for assembling the really excellent staff that you have. They have just a little bitty office, but they really churn out lots and lots of good work. A part of that good work is the Congressional Study Groups.

We have Congressional Study Groups on Germany, Japan, Turkey, and Europe, the flagship international programs of the Former Members of Congress. The study groups are independent, bipartisan legislative exchanges for current Members of Congress and their senior staff and serve as educational forums and invaluable tools for international dialogue with the goal of creating better understanding and cooperation between the United States and its most important strategic and economic allies.

The Congressional Study Group on Germany celebrates its 30th anniversary this year and remains one of the largest and most active parliamentary exchange programs between the United States Congress and the legislative branch of another country.

With your permission, Madam President, I'm going to ask that the remainder of my remarks be made part of the RECORD—since we're supposed to be out of here at 9:30—and just say that these are very good programs.

Our world is becoming smaller. We do need allies around the world. And I think by making parliamentarians of other countries and the United States come together, it really is forming great ties that will benefit us.

The other thing, I don't think you can be around here and not be a bit of a junky—political junky, that is. These programs are for the active Members, but there are a number of programs here in the United States and Washington that allow parliamentarians and others to come together and discuss the issues of the day, which I think that you will find very interesting and I hope that you will have a chance to participate in those.

It gives me great pleasure to report on the work of The Congressional Study Groups on Germany, Japan, Turkey and Europe, the flagship international programs of FMC. The Study Groups are independent, bipartisan legislative exchanges for current Members of Congress and their senior staff and serve as educational forums and invaluable tools for international dialogue with the goal of creating better understanding and cooperation between the United States and its most important strategic and economic partners.

The Congressional Study Group on Germany celebrates its 30th anniversary this year and remains one of the largest and most active parliamentary exchange programs between the U.S. Congress and the legislative branch of another country. In the 113th Congress, Representative TIM RYAN of Ohio and Representative CHARLIE DENT of Pennsylvania

lead the Study Group on Germany in the House, following on two successful years of service by Representative PHIL GINGREY of Georgia and Representative Russ Carnahan of Missouri. In the Senate, Senator JEFF SESSIONS of Alabama and Senator JEANNE SHAHEEN of New Hampshire serve as Co-Chairs.

The Study Group's programming consists of periodic roundtable discussions on Capitol Hill for Members of Congress featuring visiting dignitaries from Germany or U.S. government officials. In addition, Annual Seminars are conducted abroad and at home, as well as Study Tours geared toward senior Congressional staff. This year, the 30th Annual Congress-Bundestag Seminar brought together a record nine Members of Congress with their counterparts in Berlin and Munich for in-depth, substantive discussions, including a meeting with Chancellor Angela Merkel.

This 30th anniversary of the Seminar was particularly special as FMC awarded its first ever International Statesmanship Award to Hans-Ulrich Klose, Chair of the Bundestag's U.S.-German Parliamentary Friendship Group, "for his longstanding service to strengthening the U.S.-German relationship and in appreciation of his leadership championing The Congressional Study Group on Germany." Thank you again, Mr. Klose.

A few highlights from the Study Group's domestic programming include: a German parliamentarian at the start of discussions for a transatlantic free trade agreement last June; the Vice-Chancellor of Germany; a roundtable with international journalists providing a unique analysis of the November 2012 elections; the Editor-in-Chief of leading European broadcaster ZDF; and the State Secretary from the German Federal Ministry of Economics and Technology.

Since its establishment, The Congressional Study Group on Germany has received financial support from The German Marshall Fund of the United States, and we are grateful to Craig Kennedy and Maia Comeau. The Association also receives additional funding from a group of organizations making up the Study Group's Business Advisory Council. The Study Group's current Business Advisory Council members are Airbus Americas, Allianz, BASF, Daimler, Deutsche Telekom, DHL Americas, Eli Lilly and Company, Fresenius, Lufthansa, RGIT, and Volkswagen.

Also celebrating a milestone anniversary is the Association's Congressional Study Group on Japan, founded in 1993. In the House of Representatives, Congressman JIM MCDERMOTT of Washington and Congresswoman SHELLEY MOORE CAPITO of West Virginia continue to serve as Co-Chairs in the 113th Congress. In the Senate, Senator LISA MURKOWSKI of Alaska serves as the Republican Co-Chair, and Senator MAZIE HIRONO of Hawaii—the first Japanese immigrant to serve in the Senate. The Study Group would also like to extend special acknowledgement to its Honorary Co-Chairs, former Speakers Dennis Hastert and Tom Foley, who remain active in our programming.

Since its inception, The Congressional Study Group on Japan has been funded by the Japan-U.S. Friendship Commission, and the Association would like to extend a special thanks to the Paige Cottingham-Streater and Margaret Mihori.

This year, the Study Group also launched a strategic partnership with the Sasakawa Peace Foundation USA. Thanks to the support of President Junko Chano, Director Takahiro Nanri, and Senior Fellow Daniel Bob, The Congressional Study Group of Japan has undergone significant revitalization.

The Congressional Study Group on Japan is also grateful for the support of the Japanese business community here in Washington, DC, represented by the Study Group's Business Advisory Council. The nine companies of the 2013 Council are The Bank of Tokyo-Mitsubishi UFJ, Japan Railways-JR Central, Hitachi, Honda, Marubeni, Mitsubishi, Mitsui, Sojitz, and Toyota Motor North America.

With this expanded and diversified funding base, the Study Group has been able to increase both the quality and quantity of its programming. Already in the 113th Congress, the Study Group has convened eight events, with plans for many more. Featured speakers have included a senior counselor to the new Prime Minister; Ambassador Demetrios Marantis, then Deputy U.S. Trade Representative; a delegation from the American Chamber of Commerce of Japan; and the Chairman of the Japanese Diet's Committee on Foreign Affairs.

The Congressional Study Group on Japan was also honored to convene a roundtable discussion at the home of Ambassador Sasae earlier this year. Seventeen current Members of Congress participated—including 8 freshman Members—which constitutes the largest delegation from Congress to the Embassy in recent memory, and shows promise for the future strategic U.S.-Japan alliance.

The Congressional Study Group on Turkey was founded in 2005, supported by generous grants from TEPAV, the Economic Policy Research Foundation of Turkey. Since the Arab Spring, there has been increasing interest in bilateral relations with one of our strongest allies in an often unstable region.

In the 113th Congress, Representative ED WHITFIELD (R-KY) and Representative GERALD CONNOLLY (D-VA) continue leading the Study Group, and I am happy to share that the past Co-Chairs, VIRGINIA FOXX of North Carolina and STEVE COHEN of Tennessee, also remain active.

Similar to our other Study Groups, Turkey's programming consists of periodic roundtable discussions on Capitol Hill for Members of Congress featuring visiting dignitaries from Turkey, U.S. government officials and other experts. A recent highlight from this year was our roundtable discussion with the Turkish Minister for EU Affairs and Chief Negotiator for EU Accession. The Study Group also convened programs on the "Southern Energy Corridor" and Secretary Kerry's first official visit to Turkey.

Additionally, last month, Former Members Jim Kolbe of Arizona, Martin Lancaster of North Carolina, Lincoln Davis of Tennessee, and Ben Chandler of Kentucky travelled to Turkey with FMC's "Congress to Campus" program to meet with Turkish high school and university students to discuss the U.S. presidential system, federalism, and the U.S. political process, as well as reforming the Turkish Constitution. FMC is grateful to The Mid-Atlantic Federation for Turkic-American Associations who helped to organize and fund the trip.

The Congressional Study Group on Turkey looks forward to organizing a Study Tour for Members of Congress to Turkey in the coming programming year.

At the end of 2011, the Association established the Congressional Study Group on Europe, which serves as an outreach to the broader transatlantic relationship. Programming focuses not just on Brussels and the European Union, but capitals throughout Europe.

Together, Representative JEFF FORTENBERRY of Nebraska and Representative PETER WELCH of Vermont chair the Study Group in the 113th Congress. These gentlemen follow the successful leadership of the inaugural co-chairs, now-former Congressman Ben Chandler of Kentucky and Representative CHARLIE DENT of Pennsylvania, who has joined the leadership of The Congressional Study Group on Germany.

The Study Group continues to work closely with European-focused caucuses and embassies to provide Capitol Hill programming. Program highlights from the past year include a Senior Fellow of the European Council on Foreign Relations, discussing Franco-German relations; a delegation from the EU Parliament's Economic and Monetary Affairs Committee, led by the Committee Chairwoman; and Ambassador Miriam Sapiro, Deputy U.S. Trade Representative, who addressed the proposed Transatlantic Trade and Investment Partnership just days after it was announced at the State of the Union.

Finally, this year marks the second year of the Association's Diplomatic Advisory Council. Initially envisioned as a sister program to The Congressional Study Group on Europe, the Diplomatic Advisory Council now has nearly 25 Ambassadors who advise and participate in all of our programming. Their interest and commitment to multilateral dialogue is a valued addition to The Congressional Study Groups.

As former Members of Congress, we are proud to bring the important services provided The Congressional Study Groups to our colleagues still in office and are proud to play an active role in our continued international outreach.

Ms. MORELLA. I want you to know he has a very extensive report to give on the congressional study groups because they've been very, very active. And they involve current Members of Congress. So you current Members of Congress who may be watching, please link up with the congressional study groups and you'll have some great opportunities to continue to work overseas.

I appreciate his abbreviating his report in deference to the time.

Right now I just want to mention to you—and again, I'm going to be very brief—that we have the Statesmanship Award Dinner. This is one of our major ways of raising money. So to tell you something about that as part of our overall number of activities is our colleague, Jim Walsh.

Mr. WALSH. Thank you, Connie. Good morning, everyone. I'm pleased to tell you this is the last report of the morning prior to our election, which I

suspect will go very swiftly and without controversy.

I'd like to thank Connie for her gracious leadership. I'd also like to thank Lou Frey for the remarkable job that he does organizing us and keeping the ducks in a row as we work on this fundraiser, which is really key to our success every year.

On March 19, the association was proud to host its 16th annual Statesmanship Award Dinner, with almost 500 guests in attendance. For the 16th dinner, we decided to continue the very successful expansion we initiated last year. In addition to our traditional Statesmanship Award, we created two additional award categories: the Civic Statesmanship Award and the Corporate Statesmanship Award.

We continued to present the dinner under the theme of "A Salute to Service," and all four of our honorees very clearly fit into that category of outstanding public service. The focal point of the evening was the presentation of the Statesmanship Award, which recognizes a former or current Member of Congress for their devotion to public service. We were very pleased to recognize the leadership throughout their careers of Senator Sam Nunn and Senator Dick Lugar as our Statesmanship Honorees for their outstanding political careers, service to our country, and bipartisan accomplishments that have made the world a safer place.

The Civic Statesmanship Award honors a person or a nonprofit for having made significant improvement to our society. The 2013 recipient was award-winning actor Gary Sinise and the Gary Sinise Foundation. Mr. Sinise does so much to help wounded warriors and first responders, and we were very pleased to honor him at the dinner.

The Corporate Statesmanship Award recognizes outstanding corporate citizenship, and we chose Margery Kraus, founder and chief executive officer of APCO Worldwide. Not only has she established a culture of corporate philanthropy with APCO, but she is also one of the driving forces behind the Close Up Foundation—which many of you dealt with when you served here—which brings youngsters from across the country to D.C. to learn about their government.

I'd also like to take this opportunity to thank Pulitzer Prize-winning columnist Colbert I. King, who was our master of ceremonies and did a fantastic job for the event and lent wonderful grace to the event.

The evening is a wonderful way to showcase our association and recognize outstanding public service. In addition, the dinner is our financial lifeline. All the programs you've heard about are self-financed by your association. Not a single taxpayer dollar is appropriated for this organization and for the many projects that we conduct. Therefore, success of the fundraising dinner trans-

lates directly into success for the association.

The evening is a lot of fun, and it's also of great importance to the organization. I hope that all former Members currently in attendance can be counted upon when Lou Frey picks up the phone next summer and gives you a call to help recruit you for our dinner.

Thank you very much.

Ms. MORELLA. Thank you, Jim.

All the programs that we have described of course require both leadership and staff to implement, and I want to say openly and very enthusiastically our association is blessed to have top people in both categories.

I want to take this opportunity to thank our board of directors—30 former Members divided equally between parties—for their advice and their counsel. We really appreciate it.

The membership is going to vote on new board members in just a moment. You might notice that this year's slate is larger than in past years. That's because at our most recent board meeting we voted to increase the number of directors so that we have open slots available for newer former Members.

Also, I would be remiss if I didn't thank the other members of the association's executive committee: our vice president, Barbara Kennelly, who eventually will be president. You notice we'll have two women, president and vice president, et cetera. Just a point of observation.

Our vice president, Barbara Kennelly; our treasurer, Jim Walsh; our secretary, Bill Delahunt; our past president, Dennis Hertel, who has given me a lot of advice and counsel through the year—you've all made the association a stronger and better organization than it's ever been. Thank you all.

Now, to administer these programs, it takes a staff of dedicated and enthusiastic professionals. I've often felt, to paraphrase the 23rd Psalm: my rod and my staff, they comfort me and prepare the papers for me in the presence of my constituents. And boy, this staff has really done that—small staff, a lot of work.

Rachel Haas has joined our association as office manager just 6 months ago. Already we can't imagine what we ever did without her. Just stand. We're not going to have applause for everybody. Hold your applause. I just want them to stand.

Andrew Shoenig, who is our international programs officer, does such a terrific job implementing all the Capitol Hill events that you've heard about. He started as an intern and has now been with us full-time for over a year.

Sharon Witiw, she is our member services manager. She takes exceptionally good care of our 600 association members and all their various requests, needs, and inquiries. She is also in charge of the Congress to Campus program.

We have Meltem Ercan, who is our international programs manager, with particular focus on the wonderful Turkey program that you've heard about and will read about. She served for many years as the head of protocol at the U.S. Embassy in Ankara.

Sabine Schleidt is our international programs director. She oversees all the current Member programs, which is so impressive and important. I'm very impressed with the kind of work that she has done in her outreach. In less than 2 years, she has created two international outreaches that are already a big success: the Congressional Study Group on Europe; and the Diplomatic Advisory Group, which has about 25 to 30 Ambassadors from the region who are part of it.

Peter Weichlein is the chief executive officer, 14 years with the Association, 10 years in top positions, and he works so darn hard.

So I'd like you to give a round of applause to the staff. But before you do that, I want to add somebody else who is such a great communications expert, Dava Guerin. She has taken on the role of our communications director. She tells our story, connects us with the media, all at a ridiculously low rate.

I want to thank Dava, and I want to thank all the staff.

Now will you give them a round of applause. I wish we had more time for me to tell you more about what they do, but you will get to know them as you get more involved with the association.

Now, every year at our annual meeting, we ask the membership to elect new officers and board members. In the past we've done so in a separate business meeting of the membership, but it occurred to us that there is no better place for holding a vote than the Chamber of the House of Representatives. I therefore now read you the names of the candidates for officers and board members. They're all running unopposed. I would have never known what that was like ever, but I do now. I therefore ask for a simple "yea" or "nay" as I present to you the list of candidates as a slate. I'm going to do it quickly because, again, in the interest of time.

For the association's board of directors, the candidates are:

Russ Carnahan of Missouri
Bob Carr of Michigan
Bob Clement of Tennessee
Jim Courter of New Jersey
Lou Frey of Florida
Bart Gordon of Tennessee
Dennis Hertel of Michigan
Jim Jones of Oklahoma
Scott Klug of Wisconsin
Ron Sarasin of Connecticut
Olympia Snowe of Maine
Cliff Stearns of Florida
Steve LaTourette of Ohio.

All in favor of these 13 former Members to our board of directors please say "yea." All opposed? Hearing no ob-

jection, the slate has been elected by the membership.

Next, we will elect our executive committee. Barbara Kennelly, Dennis Hertel, and I are finishing the first year of our 2-year term and are therefore not up for election. The candidates for a 1-year term on our executive committee are Jim Walsh of New York for treasurer and Bill Delahunt of Massachusetts for secretary. All in favor of electing these two former Members to a 1-year term on our executive committee, please say "yea." All opposed? Hearing no opposition, the slate has been elected by the membership. Thank you.

It is my sad duty to inform the Congress of those former and current Members who have passed away since our last report. I ask all of you, including the visitors in the gallery, to rise as I read the names; and at the end of the list, we will pay our respect to their memory with a moment of silence. We honor these men and women for their service to our country. They are:

Jack Brooks of Texas
Cardiss Collins of Illinois
David Cornwell of Indiana
John Durkin of New Hampshire
Mervyn Dymally of California
Joseph Early of Massachusetts
Bob Edgar of Pennsylvania
Robert Gammage of Texas
Sam Gibbons of Florida
James Grover of New York
Daniel Inouye of Hawaii
Ed Koch of New York
Peter N. Kyros of Maine
George McGovern of South Dakota
David O'Brien Martin of New York
Charlie Rose of North Carolina
William Royer of California
Warren B. Rudman of New Hampshire
Arlen Specter of Pennsylvania
Sam Steiger of Arizona
Donald Tewes of Wisconsin
Richard Tonry of Louisiana
Charlie Wilson of Ohio.

We will have a moment of silence. Thank you.

It's sad to have lost those Members, but they live on in our memory and love.

That concludes the 43rd report to Congress by the U.S. Association of Former Members of Congress. We thank the Congress, the Speaker, and the minority leader for giving us the opportunity to return to this revered Chamber and to report on our association's activities. We look forward to another active and productive year.

Thank you.

Ms. KENNELLY. The Chair terminates the meeting.

The meeting adjourned at 9:32 a.m.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

We ask Your blessing this day upon the Members of the people's House. May their labors be graced by Your gifts of wisdom, patience, and charity, that truth and righteousness might prevail in all of their proceedings.

We take special note this day, May 15, National Peace Officers Memorial Day, of the 123 peace officers who have died this past year in the line of duty. We ask that You grant them eternal rest for having paid the ultimate price in protecting us.

Give their families consolation in mourning their loss. May they be assured that we, as a nation, hold them in our hearts and understand that we will always be indebted to them.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. VEASEY) come forward and lead the House in the Pledge of Allegiance.

Mr. VEASEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 requests for 1-minute speeches on each side of the aisle.

WHITE HOUSE ASSAULTS FREEDOM OF PRESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the expansion of Big Government is a threat to the American people. According to Politico, the administration:

had obtained records that listed incoming and outgoing calls and the duration of these calls for work and personal phone numbers of AP reporters and phone lines for AP offices in New York; Hartford, Connecticut; and Washington, as well as the main number for AP reporters in the House of Representatives press gallery. The government seized

records—which listed incoming and outgoing calls and the call's length—for more than 20 separate lines assigned to the AP and its reporters.

The American people are losing their trust in the White House. The recent admissions reveal that the President and his administration will do whatever it takes to extend power, including violating First Amendment rights. Even the media is at risk of Big Government intrusion. Over the coming weeks, it's my hope that this is thoroughly investigated and those responsible will be held accountable.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to denounce the proposed cuts to the Supplemental Nutrition Assistance Program, known as SNAP, in the House farm bill.

Last week, I had the opportunity to witness a mother feeding her two children and giving them a jump-start because of SNAP, and then a young lawyer came and talked to us about being able to make an investment in this country because she was assisted.

I'm from Ohio, and in Ohio, SNAP reaches 16 percent of the State's population. Eighty-four percent of the households receiving SNAP have incomes below the poverty line. SNAP has helped to lift about 4.7 million Americans above the poverty line in 2011, including 2.1 million children.

For many of the poorest Americans, SNAP is the only form of income assistance they have. Mr. Speaker, we must protect our most at-risk children and families in this Nation. Let's save SNAP.

REPEAL OBAMACARE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, what was ObamaCare's central claim? The Affordable Care Act, as it was termed by President Obama, was supposed to make health care more affordable for the American people. Many who believed that claim, however, now have buyer's remorse.

ObamaCare was to help save families \$2,500 on their health care premiums. But that's not true. Family premiums have increased \$3,000 since 2008.

Even workers who make \$25,000 a year will pay more for health care because of ObamaCare. Young people struggling to pay off debt and find careers in this jobless economy could see their health premiums rise by as much as 189 percent.

In spite of lofty promises, health insurance costs are higher. More than 30 studies have found ObamaCare will make health care premiums less affordable by the time it's fully implemented.

Promises for affordable health care have delivered a true train wreck to the American people. It's time to repeal ObamaCare and all of its broken promises once and for all.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, as if voting to repeal the Affordable Care Act for the 37th time is not enough, Republicans are adding insult to injury by marking up a farm bill this week that doubles down on their indiscriminate sequester.

The Supplemental Nutrition Assistance Program, formerly known as the Food Stamp program, is one of our Nation's first lines of defense against hunger and among the most effective forms of economic stimulus. Every \$1 in SNAP benefits generates \$1.70 in economic activity. Yet the Republican farm bill cuts nearly \$21 billion from our Nation's antihunger program while millions of Americans continue to struggle from the impacts of the Great Recession. These cuts would end food assistance for nearly 2 million low-income people, mostly working families, children, and seniors, already hit by the sequester.

Mr. Speaker, when I was a student and a single mother, the American people provided a lifeline in the form of food stamps while I struggled to make a better life for my children. That's true today for millions of families across the country, including 4.3 million Californians who need this critical lifeline.

Cutting SNAP is morally wrong and an economic disaster. We should reject these cuts, stop sequestration, and create jobs.

□ 1210

THE GOSNELL TRIAL

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, on Monday, justice was served in Philadelphia when a monster by the name of Dr. Kermit Gosnell was convicted of the murder of three small babies in his abortion clinic. Each and every life is precious, Mr. Speaker, and murdering an innocent baby for the sake of convenience or greed is terribly, terribly wrong.

In the last 40 years, Mr. Speaker, the lives of over 50 million young babies

have been taken. How do we know that God did not place in the lives of these individuals a cure for cancer, a cure for Alzheimer's, a cure for Parkinson's? We won't know that until eternity. We grieve over those losses.

May I quote Thomas Jefferson, Mr. Speaker, for the sake of our Nation:

God, who gave us life, gives us liberty. Can liberties of a nation be secure when we have removed a conviction that these liberties are a gift of God? Indeed, I tremble for my country when I reflect that God is just, that His justice cannot sleep forever.

IN OPPOSITION TO PROPOSED SNAP CUTS

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to speak against the proposed cuts to the Supplemental Nutrition Assistance Program, or SNAP. As the Nation's most important antihunger program, SNAP offers nutrition assistance to 46 million low-income Americans and provides economic benefits to communities. SNAP also allows families to more easily set aside a portion of their resources for food and not have to outsource all of their meals and to prioritize a healthier, more consistent diet without compromising as much on obligations such as rent, utilities, transportation and other basic needs.

Over 80 percent of SNAP households have incomes below the poverty line and 40 percent have incomes below half of the poverty line. For many of these Americans, SNAP is the only form of income assistance they receive. We cannot allow the budget to be balanced on the backs of the poor and most vulnerable in our country.

The proposed farm bill up for a vote in the House Agriculture Committee today would cut \$20 billion from the program. I join my colleagues in opposing these draconian cuts to ensure that 46 million people who rely on this program will have food.

CONGRATULATING THE GRADUATING CLASS OF FLINTHILLS HIGH SCHOOL

(Mr. POMPEO asked and was given permission to address the House for 1 minute.)

Mr. POMPEO. Mr. Speaker, this Sunday, I had the good fortune of being in Rosalia, Kansas, at the high school graduation for Flinthills High. Flinthills High has 11 strong graduating in 2013, but it was remarkable. With all the challenges the country faces, we had young people going to be nurses, young people entering our Nation's Army National Guard. We had a young man who was off to attend school but who knew that he was going to be coming back to help his father and mother on the farm.

With all of the challenges we face today, it was incredibly heartening to see this next generation of leaders being raised in the heartland. Congratulations to those 11, six young women and five young men.

Go, Mustangs.

IN OPPOSITION TO PROPOSED SNAP CUTS

(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, today the Agriculture Committee marks up a farm bill, cutting \$20 billion from food support for the poorest, most vulnerable Americans. The Republican SNAP cuts will cut 210,000 children off the school lunch program and deny 2 million Americans food.

The Supplemental Nutrition Assistance Program, SNAP, is a lifeline for nearly 50 million Americans to have access to healthy, affordable food and avoid hunger. More than half of SNAP recipients live in deep poverty. That's an income of less than \$10,000 a year for a family of three. Right now, the daily SNAP benefit is \$3.78.

Two out of three SNAP recipients in Minnesota are poor children, seniors and adults with disabilities. To reduce the budget deficit by inflicting hunger on children, seniors and people with disabilities is simply immoral.

I urge my colleagues to reject this cruel and harmful proposal to increase hunger in America.

IRS SCANDAL

(Mr. GRAVES of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to speak out against the IRS for targeting Americans because of their political beliefs. What is clear is that the IRS has violated the public trust in a serious and disturbing way. It's sickening to learn that the IRS not only targeted Tea Party conservative groups but also groups that criticized the government or even taught the United States Constitution.

The United States is a beacon of hope and freedom for the oppressed all across the world, but the coordinated suppression of President Obama's political opponents undermines who we are and what we stand for.

Mr. Speaker, who gave the orders to target Americans who disagree with this administration? Who gave the orders? The American people deserve to know, and our Republic depends on us finding out that answer.

I represent a lot of Georgians who are sick and tired of the IRS targeting them. It is time for this House, the people's House, to instead now target

the IRS. We must find the full truth and we cannot stop until we have full accountability.

FREEDOM OF THE PRESS

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, it is the fashion amongst many of us to blame the press for our troubles, and that's, of course, because the press reports our troubles. At their best, the media keeps us honest, it keeps us in our constitutional lanes, and it reports our failures. It is essential for democracy. There is a reason why freedom of the press is not the Second or Fourth or 10th Amendment. It's the First Amendment.

So, Mr. Speaker, I am profoundly concerned over the Department of Justice's overbroad and chilling behavior with respect to the Associated Press. Seeking records for 20 phone lines, giving the AP no notice, refusing at this point to discuss their behavior feels to me like overreach.

Mr. Speaker, it's time for the Department of Justice to stand back. You can imagine that there is somebody out there today who has a failure to report who is chilled and says, I will not do that because of the approach that the Department of Justice has taken.

Mr. Speaker, I am proud to serve in the very core of democracy, but this Chamber rests on foundations, and a key part of that foundation is a free and competent press.

THE 29ERS

(Mr. MCCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. MCCLINTOCK. Madam Speaker, across the country, employers are holding office meetings and the announcements are going something like this: We love you guys, but here's what we make, and here's what ObamaCare will cost us. We can't stay in business with ObamaCare, but if we cut everybody back to 29 hours a week, we can avoid the mandate and stay in business.

There's even a name for them now: the 29ers. ObamaCare was sold on three claims, all of which were false:

That it would save people money. In fact, it's producing crippling increases in health plans costs.

That it would be good for the economy. In fact, the CBO estimates it will cost the economy a net loss of 800,000 jobs.

That if you like your plan, you can keep it. Well, many are finding not only is that a lie but they can't keep their jobs either.

Madam Speaker, let's pull the plug on this before it wrecks our health care and our jobs.

SUPPORTING GARMENT WORKERS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Just this past Sunday, our Nation celebrated Mother's Day, a day that honors the mothers of our Republic. In March, we observed Women's History Month, honoring the progress toward full equality of over half our population.

Thus, one would have thought that when over 1,100 garment workers in Bangladesh—seamstresses, sewers, cutters, helpers—died working in dangerous factory conditions for an average wage of \$38 a month, America's retailers would have been the first to sign the landmark international safety agreement to improve the working conditions of these workers, who are predominantly women.

Surely, when 20 percent of Bangladesh's exports, mostly garments, are destined for U.S. buyers, our Nation's clothing firms should be on the front lines fighting for decent working conditions and a fair day's pay, not exploiting women workers.

But only Tommy Hilfiger and Calvin Klein have stood up for women garment workers, millions of invisible hands working in death traps, making so much of the clothing we wear that is marketed in our country.

So, where are Walmart and Sears? Where is the Gap? Where is Target? They appear to be missing in action. We need to reward those companies that care about workers and women workers in particular. When you think about buying clothing, think Tommy Hilfiger and Calvin Klein and ask, Where are the others? Without conscience and, obviously, on the wrong side of honor.

□ 1220

REPEAL OBAMACARE: ECONOMIC REASONS

(Mr. BROOKS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. BROOKS of Alabama. America struggles under President Obama's economic policies:

Nearly 12 million Americans are out of work. Last month, almost 280,000 Americans were forced into part-time jobs because their hours were reduced or they couldn't find a full-time job;

The average workweek and weekly take-home pay for Americans dropped;

The best measure for employment, the Labor Participation Rate, is at 63.3 percent, the worst since the economic malaise of President Jimmy Carter.

With the Obama economy doing so poorly, why implement a law we know will kill, according to the Congressional Budget Office, some 800,000 American jobs?

ObamaCare undermines the ability of American companies to hire workers. It stymies economic growth, and it's only going to get worse. Even top Democrats admit as much. One of the law's authors, Senator MAX BAUCUS, called it a "train wreck."

Madam Speaker, we must stop the train before the wreck. It's time to repeal ObamaCare before it does even more damage to the American economy.

WHAT HAPPENED TO THE "REPLACE" IN REPUBLICANS' "REPEAL AND REPLACE"?

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Okay, 38th time repealing all or part of the Affordable Care Act. Now, the Republican mantra was "Repeal and Replace," but somewhere along the way they forgot about the "replace" part. So tomorrow, total repeal.

Well, what does that mean? I've got a few concerns.

It means insurance companies can go back to rescinding, that is, taking away your policy when you get sick even if you've been paying premiums. They could do that until this law passed.

And 3.1 million young adults, 18 to 26, oops, you're off your parents' policy. Sorry. No insurance.

5.3 million seniors who got their doughnut hole reduced last year, sorry, you're back in the bill doughnut hole. 3.54 million people in private plans who got free preventative procedures last year, sorry, those aren't free anywhere.

Up to 17 million children with pre-existing health conditions would again be denied coverage.

105 million people in health care plans that previously had lifetime limits, well, your lifetime limit is back.

So total repeal, no replace, doing incredible damage to seniors, children, and many other insured Americans.

IRS TARGETS CONSERVATIVE GROUPS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Madam Speaker, you know, during a commencement address in 2009 President Obama "joked" about the IRS auditing university officials for failing to award him an honorary degree. Now fast-forward to last Friday, when we learned that the IRS has been targeting conservative groups.

Madam Speaker, the misuse of the IRS power is no laughing matter. As Chief Justice John Marshall once said, "The power to tax is the power to destroy."

Folks and groups back home seeking to express their support for our hard-fought freedoms and liberties, for limited government, and for a better America should never be subjected to intimidation because of their political beliefs—never.

The use of the IRS as a political weapon is unacceptable. What's worse, this is the same agency that will be enforcing ObamaCare.

We must hold those responsible accountable. That's why the Ways and Means Committee will hold a hearing this Friday.

The American people deserve the truth, the whole truth, and nothing but the truth. And if you're as outraged as I am, call the White House at this number that's right there in front of you. We must make sure it never happens again.

The SPEAKER pro tempore (Ms. Foxx). Members are reminded to direct their remarks to the Chair.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, today I rise in strong support of the Supplemental Nutrition Assistance Program and against the proposed \$20 billion cut in SNAP funding under the House Republican farm bill.

Coming on the heels of a sequester-induced reduction, SNAP beneficiaries continue to feel the pain and the cruel pinch of this Congress' misguided priorities.

SNAP, better known as food stamps, helps millions of Americans living in poverty put food on the table. That may very well be the difference between a child or a family going hungry or not. In the wealthiest nation in human history, it is unconscionable that every American cannot afford life's basic necessities.

Eighty percent, Madam Speaker, of the households receiving SNAP earn below the Federal poverty line. That translates into millions of working families. With these cuts, make no mistake about it, millions will go hungry and be forced to make decisions between food and other vital needs that nobody should ever have to confront.

Madam Speaker, we can do better. I call on my colleagues to reject these cuts.

REPEAL OF OBAMACARE

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Madam Speaker, the President's health care law is full of broken promises, and these are only becoming more evident as the law begins to take effect.

His law promised affordable health insurance for all Americans, a fine goal. But since 2008, health care premiums have actually increased by over \$3,000.

His law promised universal health care coverage, but according to the Congressional Budget Office, the law will leave 30 million Americans without insurance.

His law promised to help Americans with preexisting conditions, but the program it set up to care for them is already turning qualified applicants away.

And the once promising future of medical innovation in America has been stifled by his new taxes and regulations, including its poorly conceived tax on medical devices, the repeal of which I have cosponsored here in the House.

Madam Speaker, we've also already seen that it's caused small businesses to cut back worker hours. And the uncertainty over pending regulation makes businesses, small and large, hesitate to hire new people or make new investments, slowing down our economic recovery.

It's time for repeal and real reform.

STOP CHILD ABUSE IN RESIDENTIAL PROGRAMS FOR TEENS ACT

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Madam Speaker, today I'm reintroducing the Stop Child Abuse in Residential Programs for Teens Act. This legislation will protect teenagers attending residential treatment programs from abuse by staff personnel.

These programs range from boot camps to behavior modification facilities. They are often a last resort for parents trying to help a child deal with behavioral or other issues. But investigations by our committee found that these programs are not always run in a safe manner.

Just last year, the Tampa Bay Times confirmed that problems continue, with stories of children being bruised, bloodied, and choked to unconsciousness at these programs, all in the name of discipline.

My bill would make it illegal for a residential facility to deny a child essential water, food, clothing, shelter, or medical care, whether under the guise of discipline or therapy.

It would also ensure that parents have the information needed to make safe choices for their children about these programs. When a parent turns to these programs for help, they should trust that their child will not suffer neglect, injury, or even death while undergoing therapy.

I encourage my colleagues to support this legislation.

ACCOUNTABILITY AND CONSEQUENCES FOR THE IRS

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Madam Speaker, I stand today with Americans rightfully outraged and stunned that their government has admitted to harassing Americans with audits and paperwork simply based upon their political beliefs.

The American people expect the institutions of their government at their most basic, most simple levels to be fair. They expect not to be discriminated against or targeted based on their beliefs—religious, political, or otherwise.

But, Madam Speaker, we've learned over the past days about gross violations of our constitutional rights, an appalling overreach by the Internal Revenue Service which has admitted to targeting certain Americans for heightened tax scrutiny and additional burdensome and costly audits based solely on political affiliations. These anti-American violations strike at the heart of our free and democratic society and they confirm the worst fears that many Americans have about their government. What makes matters worse is Congress was misled into believing that this wasn't happening.

Madam Speaker, we must get to the bottom of these very serious admissions by the IRS. There must be accountability and consequences for those involved, and we must ensure that this never happens again.

□ 1230

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Mr. HORSFORD asked and was given permission to address the House for 1 minute.)

Mr. HORSFORD. Madam Speaker, I come to the floor today opposed to looming cuts to the Supplemental Nutrition Assistance Program, or SNAP. I urge the House Agriculture Committee and this Congress to refrain from slashing funding for this vital program.

SNAP is our Nation's most important antihunger program. It provides food assistance to approximately 46 million Americans and it kept 4.7 million people out of poverty in 2011, including 2.1 million children.

SNAP has cut the number of children living in extreme poverty in half. We should not be cutting the safety net for our most vulnerable while maintaining costly government subsidies for the well-off and the junk food, oil, and gas industries.

A Nevada child in my district who receives \$1.48 per meal is not the problem with the Federal budget. The problem is corporate welfare and the special interest giveaways that litter our Tax Code.

I urge my colleagues not to cut SNAP and to invest in our children and their nutrition safety.

DEVASTATING EFFECTS OF OBAMACARE

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Madam Speaker, last week, I held a telephone townhall meeting with my constituents. Towards the end of that call, I heard from a constituent who had already seen her hours cut at the local grocery store from 36 hours down to 28.

As a result of ObamaCare, industries, corporations, and people are posed with this very tough challenge: either they pay for very expensive health care, cut people's hours, or lay people off. Unfortunately, her grocery store decided to limit hours and make more part-time workers.

Sadly, as a result of this, she lost \$140 a month. That prevented her from being able to pay for the very affordable health insurance plan she currently is on. Other coworkers could no longer afford car payments, for instance.

These devastating effects are a terrible result of bad public policy, and that is why we must repeal ObamaCare.

NATIONAL POLICE WEEK

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Madam Speaker, I rise today in recognition of National Police Week. A month ago this very day, those of us from Massachusetts had every reason to be proud of our first responders and our police officers. Over the course of that week, I heard from so many of my colleagues, Democrats and Republicans, who said how proud they were to be Americans because of the response that our law enforcement officials took in reaction to the marathon bombings.

It is not just in disasters, however, that our first responders and our police officers answer the call. I want to recognize Sergeant Michael Murphy from Brookline and Sergeant Jim Machado from Fall River, who are here this week.

As a former prosecutor, you realize every day that the routine is anything but. Every time a car is stopped, every call that a police officer responds to, they literally put their life on the line.

We need to only remember the acts of MIT Officer Sean Collier to recognize how dangerous the job is that they perform each and every day to enforce our laws and to keep us and our neighbors safe. And so, as a Member of the

Fourth District of Massachusetts and on behalf of the Commonwealth of Massachusetts, I want to take a brief moment to all of our police officers and say thank you.

ACTIONS OF TREASURY SECRETARY AND THE IRS COMMISSIONER FALL ON PRESIDENT'S SHOULDERS

(Mr. HUELSKAMP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUELSKAMP. Madam Speaker, on Monday, President Obama claimed that the IRS was an "independent agency." Mr. President, that is not true. As your chart shows, the President can remove both the Treasury Secretary and the IRS Commissioner at will. They both serve at the pleasure of President Barack Obama.

In recent weeks, months, and perhaps years, President Obama has increasingly claimed little or no responsibility for the actions of his administration. Whether it is the Benghazi cover-ups, the ObamaCare failures, or this targeting of conservative groups by the IRS, President Obama has flipped the moniker of President Truman on its head. Instead of "the buck stops here," Obama's theme has become "the buck never stops here."

The evidence is clear. The IRS targeted Tea Party and other conservative groups, and the IRS Commissioner knew about it. This gross misuse of political power is an absolute outrage.

Mr. President, the IRS Commissioner and the Treasury Secretary serve at your will, and thus, the responsibility for their outrageous actions falls squarely on your shoulders.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHAKOWSKY. Madam Speaker, are you kidding me? Taking food out of the mouths of hungry children—is that the reason that any of us would come to Congress? But that is exactly what the farm bill that's being considered today does. It takes food out of the mouths of hungry children.

Not only will 1 million children lose their SNAP funding—the money that puts food on the table—but 200,000 of them will also lose their school lunches. This in the richest country in the world? This in the name of deficit reduction? This in a country where already tens of millions of children go to sleep hungry?

There's not a district in this Nation, there's not a Member of Congress who doesn't have constituents who have to line up at a food pantry because otherwise they and their children would go

to sleep hungry. This is the most incredibly mean-spirited piece of legislation.

I urge a “no” vote on the \$20 billion cut in SNAP.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Madam Speaker, I rise today to recognize Asian Pacific American Heritage Month and to celebrate the many contributions of this vibrant community to Nevada’s First District and to the country at large.

Asian Pacific Americans comprise the fastest-growing minority group in Las Vegas, having doubled in size between 2000 and 2010. Along Spring Mountain Road, we find the Chinatown Plaza, built in 1995 by Mr. and Mrs. James Chen; Korea Town, developed by Mr. Hae Un Lee and Mr. James Yu; and hundreds of Thai, Chinese, Japanese, and Vietnamese restaurants, markets, and shops that enrich our society and enhance our economy.

Along Maryland Parkway is a flourishing Filipino district, and numerous cultural festivals are held across the valley throughout the year featuring music, dance, costumes, and food from the thriving Asian Pacific community.

As we celebrate APA Heritage Month, let us acknowledge the value immigrants bring to our lives every day and recognize how much we all stand to gain by enacting immigration reform that honors our country’s legacy as the “land of opportunity.”

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Madam Speaker, I stand here today because the Supplemental Nutritional Assistance Program, SNAP, is not a form of government waste. There is nothing wasteful about a program that, through providing modest assistance to low-income families, has nearly eliminated severe hunger in the United States of America.

The average SNAP benefit provides only \$1.40 per meal. Already, this forces many seniors and families with young children to skip meals throughout the week or face a shortage in food by the end of the month. We already know that children who go hungry are more likely to struggle in school and face serious health problems and less likely to escape poverty as adults.

The GOP’s proposed cuts to SNAP of \$20 billion amount to punishing children who struggle with hunger that is

beyond their control. Don’t we have a national interest in protecting families who are struggling to feed themselves?

Our budget is a moral document. And, Madam Speaker, there is nothing moral about abandoning America’s families and American children who are struggling with hunger.

□ 1240

PASS THE AMERICAN JOBS ACT NOW

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Madam Speaker, it has now been 864 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis. We need to pass the American Jobs Act now. It deserves a vote.

Unemployment is now higher than the 7.5 percent we hear about in the news. Another full percent of the workforce can find only short-term, unreliable work. Another half percent has stopped looking because there is no opportunity. Another 5 percent is stuck working part-time when they want full-time work. So our real unemployment rate is closer to 14 percent.

Madam Speaker, these people are not lazy. It’s this Congress that’s lazy. We are doing nothing to create opportunity for Americans who are suffering. Our mantra should be: jobs, jobs, jobs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FOXX). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

RULEMAKING DEADLINE FOR EXEMPTING CERTAIN SECURITIES

Mr. MCHENRY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 701) to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RULEMAKING DEADLINE FOR EXEMPTING CERTAIN SECURITIES.

Section 3(b)(2) of the Securities Act of 1933 (15 U.S.C. 77c(b)(2)) is amended in the matter

preceding subparagraph (A) by striking “The Commission” and inserting “Not later than October 31, 2013, the Commission”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MCHENRY) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MCHENRY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to submit extraneous materials for the RECORD on H.R. 701, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MCHENRY. Madam Speaker, I yield myself such time as I may consume.

My colleagues, this is a bipartisan, straightforward bill, and it had unanimous support within the Financial Services Committee.

This bill codifies an intended deadline within the JOBS Act. This legislation simply puts a reasonable date for the deadline for an improved Regulation A, which came out of a bipartisan bill before the House of Representatives just over a year ago and then the JOBS Act the President signed more than a year ago. The deadline is very achievable, setting an October 31 deadline for the SEC to write regulations. It is nearly 19 months after the JOBS Act was signed into law, and it is, in fact, 5 months before the due date of the SEC’s recurring review of a renewed Regulation A.

Regulation A is a very interesting provision within securities regulation. It is a sensible and philosophically sound exemption that should help millions of small- and moderate-sized businesses, but it’s actually unused by all small businesses. The JOBS Act language includes raising the cap on Regulation A securities offerings from \$5 million to \$50 million, which is existent in the law; but the act also requires that we have meaningful regulatory improvements to Regulation A so it can, in fact, be utilized by small businesses as it was intended.

Stakeholders and academics have testified that Regulation A should be a covered security or that the SEC should radically simplify Reg A’s registration and qualifications if small businesses are to ever use and utilize this well-intentioned exemption again. For proof of whether State exemption matters, merely look at the dominance of rule 506, even for issuances of \$1 million, compared to those other exemptions; and let’s just face it—the numbers speak for themselves.

Additionally, other areas of critical consideration include quiet periods,

testing-the-waters activities, comment period turnaround, and even the number of Securities and Exchange Commission staff dedicated to small business exemptions. We've made that very clear to the Securities and Exchange Commission the concerns we have on those issues. The SEC must conduct a holistic review of Federal and State regulations on these matters to learn which have impeded entrepreneurs from accessing external capital, which is really the intention of Regulation A.

If you look back at a GAO report, it asserted that, from 1997 to 2011, the number of Regulation A filings decreased from 116 annually to 19, and that's only the number of filings. To go to the next step of an offering, it's even further reduced. It reduced from 57 in 1998 to just one offering, under this important regulation, in 2011. Now, that's very disturbing. The same GAO report maintains that the SEC has never evaluated the abandonment of Regulation A, an exemption solely created to capitalize small- and moderate-sized businesses and to empower everyday investors. That's absurd. It's high time the SEC gets around to this and gets it done. That's what this bill is all about.

The Small Business Administration asserts that there are more than 5 million small businesses in the U.S. with fewer than 20 employees, representing 20 percent of our national employment, and that firms with fewer than 100 employees employ more than 36 percent of our national employment. These millions of small businesses do not utilize Reg. A or other exemptions actually intended for them. There are bad consequences for this because they are not able to get the capital they need to grow and prosper and to perhaps go from being small businesses to big businesses or from small businesses to more successful small businesses. They are the ones that are at a loss, and at a time of high unemployment we need to make sure that we are able to get those capital-starved businesses access to the moneys they need to grow and to prosper in these tough economic times.

This is a bipartisan bill that has garnered the support of my colleagues from across the aisle, Ms. ESHOO and Mr. SCOTT, as well as the support of my colleagues on this side of the aisle, Mr. SCHWEIKERT and Mr. GARRETT, who have long been proponents of these reforms and necessary changes.

With that, I reserve the balance of my time.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, May 13, 2013.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting and defending America's free enter-

prise system, strongly supports H.R. 701, which would amend a provision of the Securities Act of 1933 to help ensure the success of the JOBS Act, which became law last year.

H.R. 701 is a bi-partisan bill which would place a deadline of October 31, 2013, for the Securities and Exchange Commission to complete the changes to Regulation A as required under the Jumpstart Our Business Startups Act ("JOBS Act"). The bi-partisan JOBS Act mandates the modernization of certain regulations critical to the capital formation of emerging growth companies. The Chamber is concerned that the pace of regulatory implementation is too slow, and H.R. 701 would help ensure the timely implementation of this legislation important to new businesses.

The Chamber believes H.R. 701 would help speed the implementation of the JOBS Act, thereby assisting the capital formation needed for robust economic growth and job creation. The Chamber strongly supports H.R. 701.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President,
Government Affairs.

NASDAQ OMX,
Washington, DC, May 7, 2013.

Hon. JEB HENSARLING,
Chairman, House Committee on Financial Services,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HENSARLING: Rep. Patrick McHenry has proposed legislation, H.R. 701, which seeks to impose a deadline on the Securities and Exchange Commission (SEC) for completion of an important section of the JOBS Act signed into law on April 5, 2012. Specifically, the legislation requires the SEC to issue its rules with respect to Regulation A by October 31st of this year.

NASDAQ OMX supports this legislation's goal to induce timely action on a key feature of the JOBS Act. As rules are finalized, small businesses should have the regulatory certainty necessary to make critical capital funding decisions that can allow them to grow and create jobs—the purpose behind the JOBS Act and NASDAQ OMX's support of that legislation.

Please let me know if I can be of further service to the Committee.

Thank you,

TERRY G. CAMPBELL,
Vice President,
Global Government Relations.

BIOTECHNOLOGY
INDUSTRY ORGANIZATION,
Washington, DC, May 13, 2013.

DEAR MEMBER OF CONGRESS: On behalf of the Biotechnology Industry Organization (BIO) and its more than 1,100 members, I am writing in strong support of H.R. 701, sponsored by Rep. Patrick McHenry. I urge swift consideration and passage of this important legislation by the House of Representatives.

H.R. 701 will speed the implementation of a key provision in the Jumpstart Our Business Startups (JOBS) Act, which passed both houses of Congress last year with broad, bipartisan majorities. Title IV of the JOBS Act directed the SEC to make revisions to Regulation A that will increase access to capital for growing companies, including biotech innovators.

Before the JOBS Act was enacted, Regulation A allowed companies to conduct direct public offerings of up to \$5 million; the JOBS Act increased the offering limit to \$50 mil-

lion. Once this change is implemented, Regulation A will spur fundraising for emerging biotech companies, for which a \$50 million capital influx could support groundbreaking research and stimulate job creation.

H.R. 701 will give the SEC a deadline to complete rulemaking on Regulation A. The current delay at the SEC has blunted the potential capital formation impact of the JOBS Act at a time when research-intensive small businesses are in dire need of funding for their innovative R&D. Changing the eligibility threshold for Regulation A offerings will provide a new source of private capital to finance the search for cures and breakthrough medicines.

BIO supports expeditious implementation of the JOBS Act. On behalf of BIO's membership, I urge you to support H.R. 701 when it is considered by the House of Representatives.

With Sincerest Regards,
JAMES C. GREENWOOD,
President and CEO.

CONNECT,
May 15, 2013.

Hon. PATRICK MCHENRY
U.S. Capitol,
Washington, DC.

Hon. DAVID SCOTT

DEAR REPRESENTATIVES MCHENRY AND SCOTT: As a leading voice for tech start-ups and emerging companies, CONNECT enthusiastically endorses your efforts to pass H.R. 701. This straightforward legislation, to set an October 31 deadline for the SEC to promulgate rules to implement the JOBS Act increase for Regulation A offerings, is specifically targeted to increase the flow of capital to start-up and emerging companies which represent the best job-creating engine to spur America's economic recovery.

CONNECT was birthed out of the University of California—San Diego over twenty-five years ago with the mission to propel creative ideas and emerging technologies to the marketplace by training entrepreneurs and connecting them to the comprehensive resources they need to sustain viability and business vibrancy. Since 1985, CONNECT has assisted in the formation and development of over 3,000 companies and is recognized as one of the world's most successful regional innovation development programs. CONNECT is the recipient of the 2010 "Innovation in Regional Innovation Clusters" award presented by the U.S. Department of Commerce.

As you are well aware, one of the barriers to start-up company growth is access to capital. Although the Reg A offerings are supposed to help emerging companies get access capital, the cost of compliance with regulatory burdens made the \$5 million cap unworkable. Congress was absolutely right to pass the JOBS Act requiring the SEC to promulgate rules to raise the cap to \$50 million. Doing so will open new pathways by which startups and emerging companies, including those stuck in the proverbial "valley of death," can access capital, allowing them to grow and create new jobs. But more than a year after this bipartisan triumph for innovators, the SEC hasn't even published Reg A rules. H.R. 701 will fix this and is urgently needed.

There is much talk in Washington about helping start-ups, but your bill takes tangible action toward achieving that goal and ensuring the promise of the JOBS Act is realized. We commend you for finding a bipartisan solution that will have real-world benefits for America's entrepreneurs and innovators. CONNECT stands ready to assist

you as the bill advances in the House and strongly encourages Majority Leader Reid to promptly place the bill on the Senate floor calendar.

Sincerely,

TIMOTHY TARDIBONO, M.A., J.D.,
Vice President of Public Policy.

Ms. WATERS. Madam Speaker, I yield myself such time as I may consume.

As you know, the Jumpstart Our Business Startups Act, or the JOBS Act as it is commonly known, was signed into law about 1 year ago. This bill received the support of both Democrats and Republicans on the Financial Services Committee.

Some of us, including me, have some concerns about this legislation. We are basically taking a chance that investors will not be harmed, but we're taking a chance because we are so anxious to create jobs, and this legislation is possibly yet another approach to creating jobs.

□ 1250

This is not the American Jobs Act, but this is a jobs act. And I believe that my colleague on the opposite side of the aisle, Mr. MCHENRY, really believes that this is going to create jobs. So we're going to take a chance that this will create jobs.

Regulation A currently allows certain companies to raise up to \$5 million a year through a streamlined, less costly registration process, providing smaller companies with much-needed capital without overly burdening them with registration requirements. In the JOBS Act, we raise that level to \$50 million, thus providing small companies with a greater ability to develop new products and create much-needed jobs for their local economies.

The JOBS Act did not set a deadline under which the Commission needed to complete this rulemaking. Given the tremendous workload the Commission is managing—including setting up new offices under the Wall Street Reform Act, regulating new markets such as the over-the-counter derivatives market, and completing various other rulemakings under the JOBS Act—it is understandable that the SEC has not yet completed the Regulation A update. H.R. 701 would basically require that the SEC complete the Regulation A rulemaking by October 31 of this year.

While I am reluctant to impose accelerated rulemaking timetables on the Commission, given the resource constraints they face, I will support this bill and my colleagues are supporting this bill, particularly since we understand that the SEC has indicated that they will finish the rulemaking before October 31 anyway, even without this legislation.

Finally, I would ask that my colleagues support adequate funding for the Commission so that they have the staff resources to carry out this and

other outstanding rulemakings under both the Wall Street Reform Act and the JOBS Act. This is very important.

The SEC has a great responsibility carrying out the rulemaking for all that we have placed on them. As I know that they like to do this rulemaking in a timely fashion, we must recognize that they don't have all the resources they need. So I hope that as we're taking a chance with our colleagues on the opposite side of the aisle, hoping that this bill is going to produce the kinds of jobs that have been indicated, we want our friends on the opposite side of the aisle to reciprocate with support for the SEC and the funding that they need.

With that, Madam Speaker, I reserve the balance of my time.

Mr. MCHENRY. A 418 percent increase since the late nineties with the Securities and Exchange Commission in terms of funding, I think, is adequate; but I certainly appreciate my colleague's concerns.

We passed this provision in the fall of 2011 in this House with a floor vote of 421-1. This enhances this provision and provides for a deadline that is 19 months after the original act was signed. I think that's more than generous and sufficient.

With that, I would like to yield 2½ minutes to my colleague from Florida (Mr. ROSS), who is a quite vocal proponent of getting capital to small business.

Mr. ROSS. Madam Speaker, as my colleague mentioned earlier, the JOBS Act passed into law with broad bipartisan support.

It hasn't been easy for Republicans and Democrats to agree on a lot of things; but when it came to directing the SEC to get out of the way and allow small public companies to raise capital and create jobs in America, we agreed.

Over a year later, we're still waiting for the SEC to implement several portions of a bill that should have been noncontroversial. This isn't the first instance. In title II of this act, the SEC failed in a time certain to follow the will of Congress and promulgate rules. That's why we're here today.

Now, it's unclear when the SEC is going to promulgate the rules under title IV, which will allow faster capital formation for smaller public companies. But like the job creators and the unemployed in my district, I'm tired of waiting. We're down here today urging Members to support legislation to require the SEC to do their job and implement the rules under this title by the end of October.

It's disheartening that we have to waste taxpayer dollars to do this, but I urge Members to vote in favor of H.R. 701. Madam Speaker, it's time for the SEC and all the regulators to stop stalling and stop ignoring the will and direction of Congress. It's time for reg-

ulators to do their jobs so Americans can go back to work and do their jobs, and it's time that Congress hold all regulators accountable.

Thank you, Mr. Chairman, for this bill.

Ms. WATERS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas (Mr. AL GREEN) control the time for the remainder of the debate.

The SPEAKER pro tempore (Mr. PITTENGER). Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCHENRY. We're prepared to close.

Mr. AL GREEN of Texas. I will await your closing.

Mr. MCHENRY. If the gentleman yields back his time, I will then close. As the majority party, we have the right to close.

Mr. AL GREEN of Texas. I yield back the balance of my time.

Mr. MCHENRY. Mr. Speaker, I would like to just simply close by saying that we should help small businesses.

When we have congressional Members acknowledging pop culture, as I did in committee, there is always a debate about that. But as Beyonce once said, "If you like it, you should have put a ring on it." Likewise, we should put a deadline on it. That's what this bill is all about.

As I close, I will not quote Jay-Z, but I will say we should help small businesses. And I ask my colleagues for their support as I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 701. While I applaud the bipartisan efforts of my colleagues to help small businesses grow and create jobs, the sting of the effects of financial deregulation is still too strong to allow me to support this bill.

I voted against similar legislation in the 112th Congress because I think raising the Securities and Exchange Commission (SEC) Regulation A threshold is a bad idea. I note that Congress has raised this threshold five times already. In each of those instances, though, Congress approved a modest increase that was relative to the rate of inflation and the purchasing power of the dollar. H.R. 701 would mandate an unprecedented tenfold increase in the current threshold of \$5 million to \$50 million. Such an increase strikes me as grotesquely large, especially since inflation has risen only 165 percent since 1980.

H.R. 701 will force the SEC—without additional appropriations—to do something that constitutes a tremendous incitement to perpetrate fraud on investors. I cannot in good conscience support this bill and urge my colleagues to vote it down.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MCHENRY) that the House suspend the rules and pass the bill, H.R. 701, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AL GREEN of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HOMES FOR HEROES ACT OF 2013

Mr. MCHENRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 384) to establish the position of Special Assistant for Veterans Affairs in the Office of the Secretary of Housing and Urban Development by transferring the Special Assistant for Veterans Affairs to the Office of the Secretary of HUD, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 384

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Homes for Heroes Act of 2013".

SEC. 2. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(a) TRANSFER OF POSITION TO OFFICE OF THE SECRETARY.—Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

"(h) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—

"(1) POSITION.—There shall be in the Office of the Secretary a Special Assistant for Veterans Affairs, who shall report directly to the Secretary.

"(2) APPOINTMENT.—The Special Assistant for Veterans Affairs shall be appointed based solely on merit and shall be covered under the provisions of title 5, United States Code, governing appointments in the competitive service.

"(3) RESPONSIBILITIES.—The Special Assistant for Veterans Affairs shall be responsible for—

"(A) ensuring veterans have fair access to housing and homeless assistance under each program of the Department providing either such assistance;

"(B) coordinating all programs and activities of the Department relating to veterans;

"(C) serving as a liaison for the Department with the Department of Veterans Affairs, including establishing and maintaining relationships with the Secretary of Veterans Affairs;

"(D) serving as a liaison for the Department, and establishing and maintaining relationships with the United States Interagency Council on Homelessness and officials of State, local, regional, and nongovernmental organizations concerned with veterans;

"(E) providing information and advice regarding—

"(i) sponsoring housing projects for veterans assisted under programs administered by the Department; or

"(ii) assisting veterans in obtaining housing or homeless assistance under programs administered by the Department;

"(F) coordinating with the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs in carrying out section 3 of the Homes for Heroes Act of 2013; and

"(G) carrying out such other duties as may be assigned to the Special Assistant by the Secretary or by law."

(b) TRANSFER OF POSITION IN OFFICE OF DEPUTY ASSISTANT SECRETARY FOR SPECIAL NEEDS.—On the date that the initial Special Assistant for Veterans Affairs is appointed pursuant to section 4(h)(2) of the Department of Housing and Urban Development Act, as added by subsection (a) of this section, the position of Special Assistant for Veterans Programs in the Office of the Deputy Assistant Secretary for Special Needs of the Department of Housing and Urban Development shall be terminated.

SEC. 3. ANNUAL SUPPLEMENTAL REPORT ON VETERANS HOMELESSNESS.

(a) IN GENERAL.—The Secretary of Housing and Urban Development and the Secretary of Veterans Affairs, in coordination with the United States Interagency Council on Homelessness, shall submit annually to the Committees of the Congress specified in subsection (b), together with the annual reports required by such Secretaries under section 203(c)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11313(c)(1)), a supplemental report that includes the following information with respect to the preceding year:

(1) The same information, for such preceding year, that was included with respect to 2010 in the report by the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs entitled "Veterans Homelessness: A Supplemental Report to the 2010 Annual Homeless Assessment Report to Congress".

(2) Information regarding the activities of the Department of Housing and Urban Development relating to veterans during such preceding year, as follows:

(A) The number of veterans provided assistance under the housing choice voucher program for Veterans Affairs supported housing (VASH) under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), the socioeconomic characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(B) A summary description of the special considerations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) and under comprehensive housing affordability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(C) A description of the activities of the Special Assistant for Veterans Affairs of the Department of Housing and Urban Development.

(D) A description of the efforts of the Department of Housing and Urban Development and the other members of the United States Interagency Council on Homelessness to coordinate the delivery of housing and services to veterans.

(E) The cost to the Department of Housing and Urban Development of administering the programs and activities relating to veterans.

(F) Any other information that the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs consider relevant in assessing the programs and activities of the Department of Housing and Urban Development relating to veterans.

(b) COMMITTEES.—The Committees of the Congress specified in this subsection are as follows:

(1) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) The Committee on Veterans' Affairs of the Senate.

(3) The Committee on Appropriations of the Senate.

(4) The Committee on Financial Services of the House of Representatives.

(5) The Committee on Veterans' Affairs of the House of Representatives.

(6) The Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MCHENRY) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MCHENRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 384, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MCHENRY. Mr. Speaker, I yield myself such time as I may consume.

Today I rise in support of H.R. 384, the Homes for Heroes Act of 2013.

This bill was introduced by my colleague from Texas, Congressman AL GREEN, who I had the pleasure of having serve alongside of me as the ranking member of the Oversight Investigation Subcommittee on the Financial Services Committee.

This bill would establish the position of Special Assistant for Veterans Affairs within Housing and Urban Development to coordinate services provided to homeless veterans and to serve as HUD's liaison to the Department of Veterans Affairs, the U.S. Interagency Council on Homelessness, State and local officials, and nonprofit service organizations. The position is currently in the Office of the Deputy Assistant Secretary for Special Needs. This transfer highlights the importance of addressing the housing needs of our veterans.

H.R. 384 would also require HUD to submit a comprehensive annual report to Congress on the housing needs of homeless veterans and the steps undertaken by HUD to meet those needs.

□ 1300

H.R. 384 is a version, in part, of the Homes for Heroes Act of 2011, 2009, and 2008, all of which passed this House with well over 400 votes each.

As our service men and women continue to serve our country both here and abroad, the least we can do is ensure they have proper access to the services that are offered to them when they return.

This bill represents a step in that direction, and I urge my colleagues to support this worthy endeavor.

With that, I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to start by thanking Mr. HENSARLING, the chairperson of the committee. He gave me his word. He said this bill would come to the floor, and he has kept his word. I would like to thank the ranking member, Ms. WATERS. She committed to help with this bill. In fact, the genesis of this was a conversation I had with her, and she kept her word. I'd like to thank Mr. MCHENRY. Indeed, he and I do serve on Oversight and Investigations, and I appreciate very much his being here today to help us by managing this piece of legislation. I believe he and I will accomplish additional things on a bipartisan basis. This is a bipartisan piece of legislation.

I'd also like to thank the staff. While I will stand here and hopefully rise to the occasion, it really takes greater people to make the occasion. These people are the staffers that work long into the night on many occasions to try to reach a consensus on legislation. The staff really put a lot of time into this legislation, Mr. Speaker, and I think they should be complimented.

I especially would recognize one staffer in particular, Ms. Harmeet Kaur. This is her last week in our congressional office. She's a fellow, and I'm honored to say she worked with us on this piece of legislation.

Finally, I'd like to thank our veterans. Mr. Speaker, we stand here in the well of the House and enjoy many of the freedoms that we have because there are people who are willing to go to distant places, willing to risk their lives. Indeed, Mr. Speaker, many of them do not return the way they left. I just believe, Mr. Speaker, that the least a grateful Nation can do is make sure that when they return home, they return home to good jobs, the best health care, and good housing. I believe that it's almost sinful to see a veteran standing on the corner with a sign that reads, "Homeless, hungry." I believe that we ought to do everything within our power to help people who are willing to risk their lives for us.

I had the good fortune or misfortune, I'm not sure which, to pass by a VA hospital with a sign out front that read, "Come in and see the price of freedom."

Something that bears repeating: "Come in and see the price of freedom."

The price of freedom is quite high, Mr. Speaker. The price of freedom will cost some in the prime of their lives things that you and I can never replace, money can't buy. And when money can't buy and you and I can't

replace, the least we can do is all that we can. This is why we're asking that this Special Assistant be placed in the Office of the Secretary of HUD, that this be codified into the law; that it is not going to be easy now for this person to be replaced or this position to be removed.

And, Mr. Speaker, I must say also that HUD has been quite helpful. HUD has established a similar position in another part of the Department, but this would place a person in the office with the Secretary. And this person in the Office of the Secretary would try to help us with some of the statistics that we find abhorrent.

We find that there are approximately 76,000 to 144,000 veterans who are homeless. This is unacceptable. We find that on any night in 2012 about 62,000 veterans were homeless. This is unacceptable. And what this assistant will do is work with the homeless veterans organizations, serve as a liaison person to the Department of Veterans Affairs, the U.S. Interagency Council on Homelessness, and with State and local officials, and not-for-profit organizations. This assistant will coordinate services with these various entities.

Mr. Speaker, this is not enough, but it is a start. It is a continuation, if you will, of what we've been trying to accomplish. Mr. Speaker, I beg that my colleagues—I would beseege them and implore them to please support this legislation because you're really supporting our veterans.

Mr. Speaker, in closing, I will remind us that the greatness of America is not going to be measured by how we treat people who live in the sweets of life. The greatness of America is often going to be judged by how we treat people who live in the streets of life. Too often, we have people who have served their country living in the streets of life. They literally live on the streets. It is time for us, the richest country in the world, where one out of every 100 persons is a millionaire, to acknowledge what our veterans have done to make it possible for us to enjoy these great and noble American ideals as extolled in the Pledge of Allegiance, liberty and justice for all, and in the Constitution, wherein we would have all people be created and treated equally.

So, Mr. Speaker, I just beg in closing that we, Members, take advantage of this opportunity to support our veterans. It is not something that is going to break the bank. In fact, it has a minimal impact on the deficit, but it can have a huge impact on our veterans.

I thank you, Mr. MCHENRY, and I yield back the balance of my time.

Mr. MCHENRY. Wishing to close, I yield myself such time as I may consume.

Mr. Speaker, I want to commend my colleagues to this bill. I would like to

congratulate my colleague, Mr. GREEN, on putting forward such a worthy proposal that is both sensible and at the same time deeply honors our most-treasured resource in this country, our returning veterans, to ensure they're well cared for. So I ask my colleagues to support this measure.

With that, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise in support of the Homes for Heroes Act of 2013 (H.R. 384).

This bill would establish within HUD a Special Assistant for Veterans Affairs to ensure veterans receive fair access to housing and homeless assistance programs and serve as a HUD liaison to the VA.

I am fully committed to strengthening the benefits and fulfilling the obligations a grateful nation owes to its veterans.

The men and women of our Armed Forces unselfishly answer the call of duty to defend our freedom. Congress has a moral obligation to support their returns with housing and other necessities.

I am proud to live in a country that has such brave men and women, and a country where citizens recognize and appreciate the sacrifices our military makes to defend us. I urge my colleagues to stand with our Veterans and support this bill.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 384, the "Homes for Heroes Act of 2013." I support this bill because it provides much needed assistance to more than 62,000 veterans who can be found homeless on any given night. I support this bill because it will help the 12,700 homeless veterans who were involved in Iraq and Afghanistan. I support this legislation because it is unacceptable that anyone who served this nation honorably in times of war should be without a home in times of peace.

The Homes for Heroes Act creates the position of Special Assistant for Veterans Affairs in the Office of the Secretary of Housing and Urban Development (HUD) and charges him or her with the responsibility of ensuring that veterans have fair access to housing and homeless assistance programs at HUD in addition to coordinating HUD programs and activities of the Department relating to veterans; serving as a liaison with the Department of Veterans Affairs; serving as HUD liaison to the United States Interagency Council on Homelessness and State, and local governments, and nongovernmental organizations concerned with veterans.

The Special Assistant also will provide veterans information and advice regarding special housing programs for veterans and assisting them in obtaining housing or homeless assistance under programs administered by the Department.

There are over 304,000 veterans in my city of Houston, and 11,000 homeless men and women, more than 3,600 of which are veterans. These homeless veterans have fallen victim to the effects of post-traumatic stress disorder, substance abuse, and often faced difficulty entering the civilian workforce where experience in military occupations and training do not easily translate. Because of these and other difficulties, a veteran commits suicide every 65 hours.

These men and women are often single, alone, and with little family connections concentrated in large urban areas where living conditions are more likely to be poor. Forty percent of our homeless veterans are African American or Hispanic despite making up a much smaller percentage of the veteran community.

The welfare of homeless veterans of our nation, who fought in World War II, the Korean War, the Vietnam war, Grenada, Panama, Lebanon, the Persian Gulf War, Afghanistan and Iraq, should always be one of our primary concerns. They should not be left to fend for themselves when they encounter difficulties upon returning home. The Homes for Heroes act help will ensure that more have a home to live in when they return home.

The sad reality is that too many of our veterans are homeless or jobless or poor. They grow younger by the year. They need our help and support. We owe it to answer the call for them.

I urge all members of the House to join in me in supporting H.R. 384, the Homes for Heroes Act of 2013.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MCHENRY) that the House suspend the rules and pass the bill, H.R. 384, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. MCHENRY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1310

HILL CREEK CULTURAL PRESERVATION AND ENERGY DEVELOPMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 356) to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hill Creek Cultural Preservation and Energy Development Act".

SEC. 2. CLARIFICATION OF AUTHORITY.

The Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes", approved March 11, 1948 (62 Stat. 72), as amended by the Act entitled "An Act to amend the Act extending the exterior boundary of the Uintah and Ouray In-

dian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character" approved August 9, 1955, (69 Stat. 544), is further amended by adding at the end the following:

"SEC. 5. In order to further clarify authorizations under this Act, the State of Utah is hereby authorized to relinquish to the United States, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation, State school trust or other State-owned subsurface mineral lands located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and south of the border between Grand County, Utah, and Uintah County, Utah, and select in lieu of such relinquished lands, on an acre-for-acre basis, any subsurface mineral lands of the United States located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and north of the border between Grand County, Utah, and Uintah County, Utah, subject to the following conditions:

"(1) RESERVATION BY UNITED STATES.—The Secretary of the Interior shall reserve an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 171 et seq.) in any mineral lands conveyed to the State.

"(2) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the United States under paragraph (1) shall consist of—

"(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop such mineral resources;

"(B) 50 percent of any rental or other payments received by the State as consideration for the lease or authorization to develop such mineral resources;

"(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

"(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

"(3) RESERVATION BY STATE OF UTAH.—The State of Utah shall reserve, for the benefit of its State school trust, an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq.) in any mineral lands relinquished by the State to the United States.

"(4) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the State under paragraph (3) shall consist of—

"(A) 50 percent of any bonus bid or other payment received by the United States as consideration for securing any lease or authorization to develop such mineral resources on the relinquished lands;

"(B) 50 percent of any rental or other payments received by the United States as consideration for the lease or authorization to develop such mineral resources;

"(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

"(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

"(5) NO OBLIGATION TO LEASE.—Neither the United States nor the State shall be obli-

gated to lease or otherwise develop oil and gas resources in which the other party retains an overriding interest under this section.

"(6) COOPERATIVE AGREEMENTS.—The Secretary of the Interior is authorized to enter into cooperative agreements with the State and the Ute Indian Tribe of the Uintah and Ouray Reservation to facilitate the relinquishment and selection of lands to be conveyed under this section, and the administration of the overriding interests reserved hereunder."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

H.R. 356 is called the Hill Creek Cultural Preservation and Energy Development Act, and it's to promote economic development within the Uintah and Ouray Indian Reservation and to increase funding for public education within the State of Utah, as well as to protect some culturally and environmentally sensitive lands that are within that particular reservation.

This is a bipartisan bill. It's supported by the entire Utah congressional delegation, the oil and gas industry, the Ute Tribe, the Wilderness Society. Actually, everybody with an IQ over 7 is in support of it. It's a non-controversial measure that will authorize the Secretary of the Interior to resolve a decades-old land tenure issue in a manner that's supported by all parties.

In 1948, Congress extended the Uintah and Ouray Reservation, surrounding about 18,000 acres of school trust lands and mineral leases that were within that portion. In 1955, Congress attempted to solve the dispute amongst some of these lands, and actually failed in doing so. So the Ute Tribe has long protected the southern portion of this Hill Creek area for cultural and environmental reasons. It's also in an area that's known as the Book Cliffs, which is one of the most remote and rugged places within the State of Utah.

The Utah School Institutional Trust Lands Administration, or SITLA, which manages the school lands in Utah, has a constitutional mandate to generate income from trust lands to fund the public education.

So, to achieve the desires of the State, for funding education, and the

Tribe, to promote their cultural areas, both parties have worked together in a cooperative way to craft a plan that authorizes the Secretary to exchange land so that areas that are now with SITLA in the southern part that want to be preserved will be sent over to the reservation.

Areas in the northern part that have mineral resources on them will be given over to SITLA on an acre-by-acre basis. And once the exchange is complete, both the tribe and SITLA will jointly develop oil and gas resources located within the northern portion of Hill Creek and share in that revenue. American taxpayers will also share in the mineral revenue.

So, Mr. Speaker, Congress needs to take note that this model of how you resolve land tenure issues is an extremely effective one. Divisive issues in the past can be resolved through a collaborative process that allows for all points of view to be considered and heard, as was done in this particular bill. In this example, we're able to balance these multiple views and, as a result, we will protect some of our wildest places in Utah and also allow for responsible oil and gas production that will help in funding the education system in Utah.

So I'm hoping to replicate this collaborative model to resolve some of the other longstanding issues that are public land conflicts in my home State of Utah.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 356 clarifies existing law regarding the Federal Government's authority to permit land exchanges within the boundaries of the Ute Indian Reservation in northeastern Utah and resolve the tribe's split estate problem caused by Federal error over 50 years ago.

The legislation returns the subsurface mineral estate to the Ute Tribe in a portion of its reservation that the tribe considers culturally and environmentally significant and, thus, preserves the area's pristine wilderness from development.

Last Congress, the House passed a virtually identical bill under suspension of the rules by voice vote, and again, I urge my colleagues to support H.R. 356.

Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, the State and the tribe have been trying to get Congress to act on this measure for a number of years. It's a widely popular proposal. It's supported by the State. It's supported by local governments. It's supported by the tribes. It is a bipartisan bill, and I urge my colleagues to support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 356.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PILOT PROJECT OFFICES OF FEDERAL PERMIT STREAMLINING PILOT PROJECT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 767) to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 767

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PILOT PROJECT OFFICES OF FEDERAL PERMIT STREAMLINING PILOT PROJECT.

Section 365 of the Energy Policy Act of 2005 (42 U.S.C. 15924) is amended by striking subsection (d) and inserting the following:

“(d) PILOT PROJECT OFFICES.—The following Bureau of Land Management Offices shall serve as the Pilot Project offices:

- “(1) Rawlins Field Office, Wyoming.*
- “(2) High Plains District Office, Wyoming.*
- “(3) Montana/Dakotas State Office, Montana.*
- “(4) Farmington Field Office, New Mexico.*
- “(5) Carlsbad Field Office, New Mexico.*
- “(6) Grand Junction/Glenwood Springs Field Office, Colorado.*
- “(7) Vernal Field Office, Utah.”*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

We are in strong support of this particular piece of legislation, which would be a name change in the Montana Pilot Project office in Billings, Montana, to include the words “Montana/Dakotas State Office.” It's extremely important in this pilot process that we don't actually just limit it

only to the area of Montana, especially because the area of North Dakota is so important in the development of these pilot projects.

With that, Mr. Speaker, I yield as much time as he may consume to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Thanks to my colleague from Utah.

I also want to thank the chairman of the Natural Resources Committee, Mr. HASTINGS, and the ranking member, Mr. MARKEY, and especially thank the chairman of the Subcommittee on Energy and Minerals, Mr. LAMBORN, and the ranking member, Mr. HOLT. We worked together on this, and I'm very proud of the outcome. It's a rather benign bill that has rather major ramifications, I believe.

I also want to thank the leadership at the Bureau of Land Management for not only doing an excellent job in managing the Federal lands in North Dakota, but their support of this bill and their guidance, frankly, in helping to craft it in a way that meets the objectives.

The Energy Policy Act of 2005 established a Federal permit streamlining pilot project to improve the processing of oil and gas applications for drilling on Federal lands. The Montana BLM office in Miles City was included in the pilot project, but what was not known to the drafters of the legislation then was that North and South Dakota are under the direct jurisdiction of that regional office in Miles City. So, without the word “Dakotas” in the Energy Policy Act, North Dakota was excluded from this pilot project.

That, in normal times, may not be all that important. But as it turns out, North Dakota really is the heart of the largest oil play and the most exciting oil play going on on the continent.

So the streamlining process itself, I think, deserves some explanation, because I think what I want to do is to calm the fears of anybody that might think we're looking at cutting corners or expediting regulatory process that deserves the rigor that it is receiving.

□ 1320

What the streamlining process does is not cut corners, but rather, it streamlines by co-locating all of the various federal agencies that have jurisdiction, like the EPA, like the Bureau of Land Management, perhaps the USDA and USGS. And by co-locating them, you actually not only enjoy the efficiency of everybody working together in the same place, but you actually get some synergy as well, because you have the experts in the same room on the same plot of land at the same time.

This is a bill, as I said, that doesn't cut corners and streamlines, but it also has broad ramifications because I think that North Dakota is the perfect

laboratory for a pilot project like this. The reason I say that is because there's high demand for processing and a lot of applications for drilling on very few acres.

North Dakota is blessed to largely be private and State land, not much Federal land. But there are about 2 million Federal acres that BLM has direct oversight of; that is to say, we have 2 million mineral acres, and there are over 700 permits or applications for permits to drill on that small plot of land.

In North Dakota, the average number of days for getting a permit processed by the State regulatory body is about 20 days. For the Federal lands, it's anywhere from 225 to 300 or more days. That's too much. I certainly don't advocate, nor do I think anybody else could advocate, streamlining this to the point of where it only takes 10 or 20 days to issue a permit on Federal lands. Clearly, there are 325 million owners of those Federal lands. It requires a more robust environmental protection regime. But we can do better than that, and I think we ought to do better than that.

I think the North Dakota experiment is one that people will look back on and say, that's the way to do it, that's the right way to do it. We in North Dakota care a great deal about our land, about our water, and about our air, and we look forward to working closely with the Federal officials who have an equal care in making this work.

I might also just add that this similar bill was passed last year in the Senate. It did not get a hearing in the House. The same, a companion bill, has been introduced again in the Senate this year by Senator HOEVEN and cosponsored by Senator HEITKAMP. It has bipartisan support in the Senate. It has passed the committee over there. It has not gotten to the floor yet.

So, again, I appreciate the leadership that the chair and ranking members have provided on this and urge my colleagues to pass this important bill.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 767 will broaden the geographic reach of a pilot program created in 2005 to provide additional resources to some BLM field offices to permit oil and gas development and conduct environmental reviews.

The Bureau of Land Management has testified that this pilot program has led to increased oil and gas inspection and enforcement capability as a result of hiring more skilled specialists. The Bureau of Land Management has also stated that the increase in inspections has led to better compliance by the industry and a reduction in major violations due to the increased number of inspectors in the field.

We do not oppose this bill, and I ask support for H.R. 767.

Mr. Speaker, at this time, I yield back the balance of my time.

Mr. BISHOP of Utah. It's an excellent bill. I urge adoption of it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 767, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AMENDMENT TO PUBLIC LAW 93-435 WITH RESPECT TO NORTHERN MARIANA ISLANDS

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 573) to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 573

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT.

(a) IN GENERAL.—The first section and section 2 of Public Law 93-435 (48 U.S.C. 1705, 1706) are amended by inserting “the Commonwealth of the Northern Mariana Islands,” after “Guam,” each place it appears.

(b) REFERENCES TO DATE OF ENACTMENT.—For the purposes of the amendment made by subsection (a), each reference in Public Law 93-435 to the “date of enactment” shall be considered to be a reference to the date of the enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Again, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on this bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

This bill is a great bill that treats the Northern Marianas the same way as other colonies by expanding their submerged territorial miles. That would be the same as with American Samoa, Guam, and the Virgin Islands.

It is compatible with all other acts. It's a great bill that we passed last year by a very close vote of 397-0.

I urge adoption of this bill again. I hope this time the Senate will be wise enough to pick it up. With that, I reserve the balance of my time.

Mr. SABLAN. I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 573. The bill conveys to the Commonwealth of the Northern Marianas the 3 miles of submerged lands surrounding each of our 14 islands. I want to thank leaders from both sides of the aisle, Chairman DOC HASTINGS and Ranking Member ED MARKEY of the Natural Resources Committee, and my good friend, Dr. JOHN FLEMING, chairman of the Fisheries, Wildlife, Oceans and Insular Affairs Subcommittee, and my good friend, Mr. BISHOP from Utah, for managing today's bill, all for their support of H.R. 573.

The Northern Marianas is the only coastal jurisdiction that does not have ownership of the submerged lands off its coasts. H.R. 573 corrects that irregularity. It provides the same ownership rights over the submerged lands as are provided by Federal law to Guam, the United States Virgin Islands, and American Samoa.

Today will be the third time that the House will vote to convey these lands. In both the 111th and the 112th Congress, we approved this transfer unanimously. I hope that the House will make the same decision again today.

And I hope that the other body will this time, finally, also agree that the Northern Mariana Islands should have the rights of ownership of our offshore submerged lands and natural resources as other coastal areas of America enjoy.

For thousands of years, the people of the Northern Marianas certainly believed these resources were ours. It was not until a 2005 ruling by the Ninth Circuit Court of Appeals that we were informed that these were not our lands but instead belonged to the Federal Government. We were grateful that there were Members of Congress who quickly responded to our plight, for at the time we had no representation here. Then-Congressman, now-Senator JEFF FLAKE, introduced a bill conveying these lands shortly after the Ninth Circuit ruling.

New Mexico Senator Pete Domenici introduced a companion to the Flake measure. As the first representative from the Northern Mariana Islands, I have continued their work on this issue, as I have said, in the 111th, the 112th, and now in the 113th Congress.

In summary, H.R. 573 costs nothing. Congress has the constitutional authority to enact it. The bill will simply provide parity—the ownership and responsibility for submerged surrounding lands and waters that every other coastal area of our Nation enjoys.

I want to thank all 36 Members who are cosponsors of this bill, and I ask that my colleagues here today support H.R. 573.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, it's a great bill. Let's hope the third time is the charm in the process. I urge support of this bill and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 573.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1704

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 5 o'clock and 4 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 15, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 15, 2013 at 4:23 p.m.:

That the Senate passed S. 601.
With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 767, by the yeas and nays;
H.R. 701, by the yeas and nays;

H.R. 384, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PILOT PROJECT OFFICES OF FEDERAL PERMIT STREAMLINING PILOT PROJECT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 767) to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 415, nays 1, not voting 16, as follows:

[Roll No. 147]
YEAS—415

Aderholt	Cleaver	Flores
Alexander	Coble	Forbes
Amodi	Coffman	Fortenberry
Andrews	Cohen	Foster
Bachmann	Cole	Foxx
Bachus	Collins (GA)	Frankel (FL)
Barber	Collins (NY)	Franks (AZ)
Barletta	Conaway	Frelinghuysen
Barr	Connolly	Fudge
Barrow (GA)	Conyers	Gabbard
Barton	Cook	Gallego
Beatty	Cooper	Garamendi
Becerra	Costa	Garcia
Benishek	Cotton	Gardner
Bentivolio	Courtney	Garrett
Bera (CA)	Cramer	Gerlach
Bilirakis	Crawford	Gibbs
Bishop (GA)	Crenshaw	Gibson
Bishop (NY)	Crowley	Gingrey (GA)
Bishop (UT)	Cuellar	Gohmert
Black	Cummings	Goodlatte
Blackburn	Daines	Gosar
Blumenauer	Davis (CA)	Gowdy
Bonamici	Davis, Danny	Granger
Bonner	Davis, Rodney	Graves (GA)
Boustany	DeGette	Graves (MO)
Brady (PA)	Delaney	Grayson
Brady (TX)	DeLauro	Green, Al
Braley (IA)	DeBene	Green, Gene
Bridenstine	Denham	Griffin (AR)
Brooks (AL)	Dent	Griffith (VA)
Brooks (IN)	DeSantis	Grijalva
Brown (GA)	DesJarlais	Grimm
Brown (FL)	Deutch	Guthrie
Brownley (CA)	Diaz-Balart	Gutierrez
Buchanan	Dingell	Hahn
Bucshon	Doggett	Hall
Bustos	Doyle	Hanabusa
Butterfield	Duckworth	Hanna
Calvert	Duffy	Harper
Camp	Duncan (SC)	Harris
Cantor	Duncan (TN)	Hartzler
Capito	Edwards	Hastings (FL)
Capps	Ellison	Hastings (WA)
Capuano	Ellmers	Heck (NV)
Cárdenas	Engel	Heck (WA)
Carson (IN)	Enyart	Hensarling
Cartwright	Eshoo	Herrera Beutler
Cassidy	Esty	Higgins
Castor (FL)	Farenthold	Himes
Castro (TX)	Farr	Hinojosa
Chabot	Fattah	Holding
Chu	Fincher	Holt
Cicilline	Fitzpatrick	Honda
Clarke	Fleischmann	Horsford
Clay	Fleming	Hoyer

Hudson	Meadows	Sánchez, Linda
Huelskamp	Meehan	T.
Huffman	Meeks	Sanchez, Loretta
Huizenga (MI)	Meng	Sarbanes
Hultgren	Messer	Scalise
Hunter	Mica	Schakowsky
Hurt	Michaud	Schiff
Israel	Miller (FL)	Schneider
Issa	Miller (MI)	Schock
Jackson Lee	Miller, Gary	Schrader
Jeffries	Miller, George	Schwartz
Jenkins	Moore	Schweikert
Johnson (OH)	Moran	Scott (VA)
Johnson, E. B.	Mullin	Scott, Austin
Johnson, Sam	Mulvaney	Sensenbrenner
Jones	Murphy (FL)	Serrano
Jordan	Murphy (PA)	Sessions
Joyce	Nadler	Sewell (AL)
Kaptur	Napolitano	Shea-Porter
Keating	Neal	Sherman
Kelly (IL)	Negrete McLeod	Shimkus
Kelly (PA)	Neugebauer	Shuster
Kennedy	Noem	Simpson
Kildee	Nolan	Sinema
Kilmer	Nugent	Sires
Kind	Nunes	Slaughter
King (IA)	Nunnelee	Smith (NE)
King (NY)	O'Rourke	Smith (NJ)
Kingston	Olson	Smith (TX)
Kinzinger (IL)	Owens	Smith (WA)
Kirkpatrick	Palazzo	Southerland
Kline	Pallone	Speier
Kuster	Pascrell	Stewart
Labrador	Pastor (AZ)	Stivers
LaMalfa	Paulsen	Stockman
Lamborn	Payne	Stutzman
Lance	Pearce	Swalwell (CA)
Langevin	Pelosi	Takano
Lankford	Perlmutter	Terry
Larsen (WA)	Perry	Thompson (CA)
Larson (CT)	Peters (CA)	Thompson (MS)
Latham	Peters (MI)	Thompson (PA)
Latta	Peterson	Thornberry
Lee (CA)	Petri	Tiberi
Levin	Pingree (ME)	Tierney
Lewis	Pittenger	Tipton
Lipinski	Pitts	Titus
LoBiondo	Pocan	Tonko
Loeb sack	Poe (TX)	Tsongas
Lofgren	Polis	Turner
Long	Pompeo	Upton
Lowenthal	Posey	Valadao
Lowey	Price (GA)	Van Hollen
Lucas	Price (NC)	Vargas
Luetkemeyer	Radel	Veasey
Lujan Grisham	Rahall	Vela
(NM)	Rangel	Velázquez
Luján, Ben Ray	Reed	Visclosky
(NM)	Reichert	Wagner
Lummis	Renacci	Walberg
Lynch	Ribble	Walden
Maffei	Rice (SC)	Walorski
Maloney,	Rigell	Walz
Carolyn	Roby	Waters
Maloney, Sean	Roe (TN)	Watt
Marchant	Rogers (AL)	Weber (TX)
Marino	Rogers (KY)	Webster (FL)
Massie	Rogers (MI)	Welch
Matheson	Rohrabacher	Westrup
Matsui	Rokita	Westmoreland
McCarthy (CA)	Rooney	Whitfield
McCarthy (NY)	Ros-Lehtinen	Williams
McCaul	Roskam	Wilson (FL)
McClintock	Ross	Wilson (SC)
McCollum	Rothfus	Wittman
McDermott	Roybal-Allard	Wolf
McGovern	Royce	Womack
McHenry	Ruiz	Woodall
McIntyre	Runyan	Yarmuth
McKeon	Ruppersberger	Yoder
McKinley	Rush	Yoho
McMorris	Ryan (OH)	Young (AK)
Rodgers	Ryan (WI)	Young (FL)
McNerney	Salmon	Young (IN)

NAYS—1

Amash

Clyburn	Richmond
Culberson	Scott, David
DeFazio	Wasserman
Johnson (GA)	Schultz
Markey	Waxman
Quigley	

NOT VOTING—16

□ 1729

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 15, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the Certificate of Election received from the Honorable Mark Hammond, Secretary of State of South Carolina, indicating that, at the Special Election held on May 7, 2013, the Honorable Mark Sanford was duly elected Representative in Congress for the First Congressional District, State of South Carolina.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

THE STATE OF SOUTH CAROLINA

By Her Excellency

The Governor and Commander-In-Chief In
and Over the State Aforesaid

CERTIFICATE OF ELECTION FOR TWO-YEAR TERM
To the Clerk of the United States House of
Representatives

This is to Certify Pursuant to South Carolina Code §7-17-330 that on this Seventh Day of May, 2013 Mark Sanford, First Congressional District, was duly chosen by the qualified electors of the state of South Carolina as representative in Congress from said state to represent said state in the House of Representatives of the United States for the term of two years, beginning on the fifteenth day of May 2013.

Witness: Her Excellency our Governor Nikki Haley, and our seal hereto affixed at Columbia, South Carolina this fourteenth day of May, in the year of our Lord, 2013.

NIKKI R. HALEY,
Governor.
MARK HAMMOND,
Secretary of State.

[State Seal Affixed]

SWEARING IN OF THE HONORABLE
MARK SANFORD, OF SOUTH
CAROLINA, AS A MEMBER OF
THE HOUSE

The SPEAKER. Will Representative-elect Sanford and the members of the South Carolina delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. SANFORD appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 113th Congress.

WELCOMING THE HONORABLE
MARK SANFORD TO THE HOUSE
OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from South Carolina (Mr. WILSON) is recognized for 1 minute.

There was no objection.

Mr. WILSON of South Carolina. Mr. Speaker, South Carolina is very fortunate. Due to the quality of life in South Carolina, tens of thousands are moving to the Palmetto State from the Midwest and Northeast, and from around the world.

South Carolina has gained a new seat in Congress to include the communities of Myrtle Beach and Florence, now held by TOM RICE. This new Seventh District rotated all districts, creating a unique district of the First. The First District of South Carolina is virtually 10 miles wide along the Atlantic Coast from McClellanville in Charleston County to Defauskie Island in Beaufort County. It's a special district to TOM and myself in that we were both born in Charleston, America's most historic city. The district is a composite of America.

In the district's first election, TIM SCOTT was elected as only the second African American from South Carolina elected to Congress in 100 years. We are grateful Governor Nikki Haley appointed Congressman TIM SCOTT to serve in the U.S. Senate. This created a replacement primary with 16 participants, the largest number ever in a congressional primary.

We are here today to recognize the survivor of the primary, run-off, and general election—Congressman MARK SANFORD.

I yield to Congressman DAVID PRICE of North Carolina.

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

Mr. Speaker, I rise in place of the dean of the South Carolina delegation, Congressman JIM CLYBURN, who is away this week on family medical leave, and asked me to read this statement:

Swearing-in Day is always about new beginnings. In that spirit, I want to extend the hand of collegiality to Mark Sanford as he begins a new chapter of service to the people of South Carolina and this great country in the U.S. House of Representatives. Though our past differences have been widely chron-

icled and we bring different sets of experiences to the public square, I will always work to find common ground as we fulfill our duties and responsibilities to the people who sent us here.

Mr. Speaker, MARK SANFORD's colleagues in the Carolinas delegations join Mr. CLYBURN in wishing MARK well and welcoming him back to the House.

Mr. WILSON of South Carolina. I yield to Congressman MARK SANFORD of the First District of South Carolina.

Mr. SANFORD. Mr. Speaker, ladies and gentlemen of the House of Representatives of the United States Congress, I look forward to working with each one of you. Republican and Democrat, different perspectives we may hold, but at the end of the day we are here to represent the people of South Carolina, and I look forward to going about that business with you.

I see friends, like ELIOT ENGEL, who were so kind to call me in the wake of the events of 2009, Democrat that he may be. I see a whole host of Republicans, long friends; and it is, indeed, an honor to be back with each one of you.

I look forward to working with you on a whole host of issues. Obviously, the greatest among them for me will be efforts to get our financial house back in order here in Washington, D.C. But above all else, here on this day, I am simply humbled to be here.

Each one of our lives involves different journeys, but on that journey I think that we can, in essence, be taken to places wherein we develop levels of appreciation perhaps that we never had before.

And so I stand here before each one of you more appreciative than I ever could have been for the honor of working with each one of you here in the United States Congress, the Congress of the Nation most blessed of all nations here on this Earth. I stand before you most appreciative of the people of the First Congressional District of South Carolina that JOE just alluded to, a people who have taught me a whole lot about love and humility, about wisdom, and about grace. I stand before you, I guess, with a whole new appreciation, indeed, for a God of second chances, and how in the events of our lives, up or down they may be, how every one of us can be refined as human beings in that process. I stand before you as a human being most appreciative in whole new ways for the significance of family and friends.

In that regard, I see Belen up there; I see my sons Marshall and Landon; I see my sister Sarah and her husband, Bill; I see my mom, Peg; I see a long list of different friends.

□ 1740

I would thank them for their presence here to share this day. I would thank a long list of friends, whether that's Buff Chace, whom I've known for the whole of my life, or somebody like

Joe Taylor, who was my Secretary of Commerce while I was Governor.

In essence, each one of them is an emissary, a representative, to thousands who were so kind to hold me up through the last couple of years and to be instrumental in this election that brought me to this very place. Above all else, though, I am simply humbled to be here, and I look forward to working with each one of you.

Mr. WILSON of South Carolina. Mr. Speaker, I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from South Carolina, the whole number of the House is 434.

RULEMAKING DEADLINE FOR EXEMPTING CERTAIN SECURITIES

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 701) to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. MCHENRY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 6, not voting 11, as follows:

[Roll No. 148]

YEAS—416

Aderholt	Bonner	Cassidy
Alexander	Boustany	Castor (FL)
Amash	Brady (PA)	Castro (TX)
Amodei	Brady (TX)	Chabot
Andrews	Braley (IA)	Chaffetz
Bachmann	Bridenstine	Chu
Bachus	Brooks (AL)	Ciilline
Barber	Brooks (IN)	Clarke
Barletta	Broun (GA)	Clay
Barr	Brown (FL)	Cleaver
Barrow (GA)	Brownley (CA)	Coble
Barton	Buchanan	Coffman
Bass	Bucshon	Cole
Beatty	Burgess	Collins (GA)
Becerra	Bustos	Collins (NY)
Benishek	Butterfield	Conaway
Bentivolio	Calvert	Connolly
Bera (CA)	Camp	Conyers
Bilirakis	Cantor	Cook
Bishop (GA)	Capito	Cooper
Bishop (NY)	Capps	Costa
Bishop (UT)	Capuano	Cotton
Black	Cárdenas	Courtney
Blackburn	Carson (IN)	Cramer
Blumenauer	Carter	Crawford
Bonamici	Cartwright	Crenshaw

Crowley	Israel	Negrete McLeod
Cuellar	Issa	Neugebauer
Cummings	Jackson Lee	Noem
Daines	Jeffries	Nolan
Davis (CA)	Jenkins	Nugent
Davis, Danny	Johnson (GA)	Nunes
Davis, Rodney	Johnson (OH)	Nunnelee
DeFazio	Johnson, E. B.	O'Rourke
DeGette	Johnson, Sam	Olson
Delaney	Jones	Owens
DeLauro	Jordan	Palazzo
DelBene	Joyce	Pallone
Denham	Kaptur	Pascrell
Dent	Keating	Pastor (AZ)
DeSantis	Kelly (IL)	Paulsen
DesJarlais	Kelly (PA)	Payne
Deutch	Kennedy	Pearce
Diaz-Balart	Kildee	Pelosi
Doggett	Kilmer	Perlmutter
Doyle	Kind	Perry
Duckworth	King (IA)	Peters (CA)
Duffy	King (NY)	Peters (MI)
Duncan (SC)	Kingston	Peterson
Duncan (TN)	Kinzinger (IL)	Petri
Edwards	Kirkpatrick	Pingree (ME)
Ellison	Kline	Pittenger
Ellmers	Kuster	Pitts
Engel	Labrador	Pocan
Enyart	LaMalfa	Poe (TX)
Eshoo	Lamborn	Polis
Esty	Lance	Pompeo
Farenthold	Langevin	Posey
Farr	Lankford	Price (GA)
Fattah	Larsen (WA)	Price (NC)
Fincher	Larson (CT)	Radel
Fitzpatrick	Latham	Rahall
Fleischmann	Latta	Rangel
Fleming	Lee (CA)	Reed
Flores	Levin	Reichert
Forbes	Lewis	Renacci
Fortenberry	Lipinski	Ribble
Foster	LoBiondo	Rice (SC)
Fox	Loeb	Richmond
Frankel (FL)	Lofgren	Rigell
Franks (AZ)	Long	Roby
Frelinghuysen	Lowenthal	Roe (TN)
Fudge	Lowe	Rogers (AL)
Gabbard	Lucas	Rogers (KY)
Gallego	Luetkemeyer	Rogers (MI)
Garamendi	Lujan Grisham	Rohrabacher
García	(NM)	Rokita
Gardner	Luján, Ben Ray	Rooney
Garrett	(NM)	Ros-Lehtinen
Gerlach	Lummis	Roskam
Gibbs	Lynch	Ross
Gibson	Maloney,	Rothfus
Gingrey (GA)	Carolyn	Roybal-Allard
Goodlatte	Maloney, Sean	Royce
Gosar	Marchant	Ruiz
Gowdy	Marino	Runyan
Granger	Massie	Ruppersberger
Graves (GA)	Matheson	Rush
Graves (MO)	Matsui	Ryan (OH)
Green, Al	McCarthy (CA)	Ryan (WI)
Griffin (AR)	McCarthy (NY)	Salmon
Griffith (VA)	McCaul	Sánchez, Linda
Grijalva	McClintock	T.
Grimm	McCollum	Sanchez, Loretta
Guthrie	McDermott	Sanford
Gutierrez	McGovern	Sarbanes
Hahn	McHenry	Scalise
Hall	McIntyre	Schiff
Hanabusa	McKeon	Schneider
Hanna	McKinley	Schock
Harper	McMorris	Schrader
Harris	Rodgers	Schwartz
Hartzler	McNerney	Schweikert
Hastings (FL)	Meadows	Scott (VA)
Hastings (WA)	Meehan	Scott, Austin
Heck (NV)	Meeks	Scott, David
Heck (WA)	Meng	Sensenbrenner
Hensarling	Messer	Serrano
Herrera Beutler	Mica	Sessions
Higgins	Michaud	Sewell (AL)
Himes	Miller (FL)	Shea-Porter
Hinojosa	Miller (MI)	Sherman
Holding	Miller, Gary	Shimkus
Horsford	Miller, George	Shuster
Hoyer	Moore	Simpson
Hudson	Moran	Sinema
Huelskamp	Mullin	Sires
Huffman	Mulvaney	Slaughter
Huizenga (MI)	Murphy (FL)	Smith (NE)
Hultgren	Murphy (PA)	Smith (NJ)
Hunter	Napolitano	Smith (TX)
Hurt	Neal	Smith (WA)

Southerland	Turner	Welch
Speier	Upton	Wenstrup
Stewart	Valadao	Westmoreland
Stivers	Van Hollen	Whitfield
Stockman	Vargas	Williams
Stutzman	Veasey	Wilson (FL)
Swalwell (CA)	Vela	Wilson (SC)
Takano	Velázquez	Wittman
Terry	Visclosky	Wolf
Thompson (CA)	Wagner	Womack
Thompson (MS)	Walberg	Woodall
Thompson (PA)	Walden	Yarmuth
Thornberry	Walorski	Yoder
Tiberi	Walz	Yoho
Tierney	Waters	Young (AK)
Tipton	Watt	Young (FL)
Titus	Waxman	Young (IN)
Tonko	Weber (TX)	
Tsongas	Webster (FL)	

NAYS—6

Cohen	Holt	Nadler
Dingell	Maffei	Schakowsky

NOT VOTING—11

Campbell	Gohmert	Markey
Carney	Grayson	Quigley
Clyburn	Green, Gene	Wasserman
Culberson	Honda	Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY) (during the vote). There is 1 minute remaining.

□ 1746

Mr. HOLT changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 148, had I been present, I would have voted “yea.”

HOMES FOR HEROES ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 384) to establish the position of Special Assistant for Veterans Affairs in the Office of the Secretary of Housing and Urban Development by transferring the Special Assistant for Veterans Affairs to the Office of the Secretary of HUD, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MCHENRY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 3, not voting 10, as follows:

[Roll No. 149]

YEAS—420

Aderholt	Barber	Beatty
Alexander	Barletta	Becerra
Amodei	Barr	Benishek
Andrews	Barrow (GA)	Bentivolio
Bachmann	Barton	Bera (CA)
Bachus	Bass	Bilirakis

Bishop (GA)	Fleischmann	Lankford	Posey	Schneider	Titus
Bishop (NY)	Fleming	Larsen (WA)	Price (GA)	Schock	Tonko
Bishop (UT)	Flores	Larson (CT)	Price (NC)	Schrader	Tsongas
Black	Forbes	Latham	Radel	Schwartz	Turner
Blackburn	Fortenberry	Latta	Rahall	Schweikert	Upton
Blumenauer	Foster	Lee (CA)	Rangel	Scott (VA)	Valadao
Bonamici	Fox	Levin	Reed	Scott, Austin	Van Hollen
Bonner	Frankel (FL)	Lewis	Reichert	Scott, David	Vargas
Boustany	Franks (AZ)	Lipinski	Renacci	Sensenbrenner	Veasey
Brady (PA)	Frelinghuysen	LoBiondo	Ribble	Serrano	Vela
Brady (TX)	Fudge	Loebsack	Rice (SC)	Sessions	Velázquez
Braley (IA)	Gabbard	Lofgren	Richmond	Sewell (AL)	Visclosky
Bridenstine	Gallego	Long	Rigell	Shea-Porter	Wagner
Brooks (AL)	Garamendi	Lowenthal	Roby	Sherman	Walberg
Brooks (IN)	Garcia	Lowe	Roe (TN)	Shimkus	Walden
Brown (FL)	Gardner	Lucas	Rogers (AL)	Shuster	Walorski
Brownley (CA)	Garrett	Luetkemeyer	Rogers (KY)	Simpson	Walz
Buchanan	Gerlach	Lujan Grisham	Rogers (MI)	Sinema	Waters
Buehner	Gibbs	(NM)	Rohrabacher	Sires	Watt
Burgess	Gibson	Lujan, Ben Ray	Rooney	Slaughter	Waxman
Bustos	Gingrey (GA)	(NM)	Ros-Lehtinen	Smith (NE)	Weber (TX)
Butterfield	Gohmert	Lummis	Roskam	Smith (NJ)	Webster (FL)
Calvert	Goodlatte	Lynch	Ross	Smith (TX)	Welch
Camp	Gosar	Maffei	Rothfus	Smith (WA)	Wenstrup
Cantor	Gowdy	Maloney, Carolyn	Roybal-Allard	Southerland	Westmoreland
Capito	Granger	Carolyne	Royce	Speier	Williams
Capps	Graves (GA)	Maloney, Sean	Ruiz	Stewart	Wilson (FL)
Capuano	Graves (MO)	Marchant	Runyan	Stivers	Wilson (SC)
Cardenas	Grayson	Marino	Ruppersberger	Stockman	Wittman
Carson (IN)	Green, Al	Massie	Ryan (OH)	Stutzman	Wolf
Carter	Green, Gene	Matheson	Ryan (WI)	Syalwell (CA)	Womack
Cartwright	Griffin (AR)	Matsui	Salmon	Takano	Woodall
Cassidy	Griffith (VA)	McCarthy (CA)	Sanchez, Linda	Terry	Yarmuth
Castor (FL)	Grijalva	McCarthy (NY)	T.	Thompson (CA)	Yoder
Castro (TX)	Grimm	McCaul	Sanchez, Loretta	Thompson (MS)	Yoho
Chabot	Guthrie	McClintock	Sanford	Thompson (PA)	Young (AK)
Chaffetz	Gutierrez	McCollum	Sarbanes	Thornberry	Young (FL)
Chu	Hahn	McDermott	Scalise	Tiberi	Young (IN)
Ciilline	Hall	McGovern	Schakowsky	Tierney	
Clarke	Hanabusa	McHenry	Schiff	Tipton	
Clay	Hanna	McIntyre			
Cleaver	Harper	McKeon			
Coble	Harris	McKinley			
Coffman	Hartzler	McMorris			
Cohen	Hastings (FL)	Rodgers	Amash	Broun (GA)	Rokita
Cole	Hastings (WA)	McNerney			
Collins (GA)	Heck (NV)	Meadows			
Collins (NY)	Heck (WA)	Meehan	Campbell	Holt	Rush
Conaway	Hensarling	Meeks	Carney	Markey	Wasserman
Connolly	Herrera Beutler	Meng	Clyburn	Miller, George	Schultz
Conyers	Higgins	Messer	Culberson	Quigley	
Cook	Himes	Mica			
Cooper	Hinojosa	Michaud			
Costa	Holding	Miller (FL)			
Cotton	Honda	Miller (MI)			
Courtney	Horsford	Miller, Gary			
Cramer	Hoyer	Moore			
Crawford	Hudson	Moran			
Crenshaw	Huelskamp	Mullin			
Crowley	Huffman	Mulvaney			
Cuellar	Huizenga (MI)	Murphy (FL)			
Cummings	Hultgren	Murphy (PA)			
Daines	Hunter	Nadler			
Davis (CA)	Hurt	Napolitano			
Davis, Danny	Israel	Neal			
Davis, Rodney	Issa	Negrete McLeod			
DeFazio	Jackson Lee	Neugebauer			
DeGette	Jeffries	Noem			
Delaney	Jenkins	Nolan			
DeLauro	Johnson (GA)	Nugent			
DelBene	Johnson (OH)	Nunes			
Denham	Johnson, E. B.	Nunnelee			
Dent	Johnson, Sam	O'Rourke			
DeSantis	Jones	Olson			
DesJarlais	Jordan	Owens			
Deutch	Joyce	Palazzo			
Diaz-Balart	Kaptur	Pallone			
Dingell	Keating	Pascrell			
Doggett	Kelly (IL)	Pastor (AZ)			
Doyle	Kelly (PA)	Paulsen			
Duckworth	Kennedy	Payne			
Duffy	Kildee	Pearce			
Duncan (SC)	Kilmer	Pelosi			
Duncan (TN)	Kind	Perlmutter			
Edwards	King (IA)	Perry			
Ellison	King (NY)	Peters (CA)			
Ellmers	Kingston	Peters (MI)			
Engel	Kinzinger (IL)	Peterson			
Enyart	Kirkpatrick	Petri			
Eshoo	Kline	Pingree (ME)			
Esty	Kuster	Pittenger			
Farenthold	Labrador	Pitts			
Farr	LaMalfa	Pocan			
Fattah	Lamborn	Poe (TX)			
Fincher	Lance	Polis			
Fitzpatrick	Langevin	Pompeo			

NAYS—3

NOT VOTING—10

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1753

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARNEY. Mr. Speaker, I wish to clarify my position for the RECORD on rollcall votes 147 through 149 cast on May 15, 2013.

On rollcall vote No. 147, on consideration of H.R. 767 I did not vote. It was my intention to vote "yea."

On rollcall vote No. 148, on consideration of H.R. 701 I did not vote. It was my intention to vote "yea."

On rollcall vote No. 149, on consideration of H.R. 384 I did not vote. It was my intention to vote "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 45, REPEAL OF PATIENT PROTECTION AND AFFORDABLE CARE ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113-59) on the resolution (H. Res. 215) providing for consideration of the bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1062, SEC REGULATORY ACCOUNTABILITY ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113-60) on the resolution (H. Res. 216) providing for consideration of the bill (H.R. 1062) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders, which was referred to the House Calendar and ordered to be printed.

RECOGNIZING CLARA BANCROFT

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, I rise today to recognize Clara Bancroft of Durango, Colorado. Clara is one of the exceptional stories to come out of our Nation's complex immigration system. An Argentine by birth, Clara chose to pursue a United States citizen residency and eventual citizenship. She did so entirely within the legal immigration system.

Born in Las Garcitas in the Chaco province of northern Argentina in 1967, Clara was the ninth of 13 children. Her parents were poor ranchers who often struggled to afford food, and her childhood home had no electricity. When Clara was only 8 years old, she had to leave school and become the sole caretaker for her grandmother. After the passing of her grandmother, she moved to Buenos Aires at the age of 16, where she worked as a nanny and returned to school. In 2001, while working as a receptionist at the BV Group, she met her soon-to-be husband, Paul Bancroft.

In February of 2002, Clara came to visit her future husband as a tourist under the U.S. visa waiver program. While she was in America, that program was unexpectedly ended with Argentina. Respecting U.S. immigration law, Mrs. Bancroft returned to her home country as she worked to be able to get her visa. While still navigating the immigration system, Mr. and Mrs.

Bancroft were married in October of 2002, and after nearly a year of legal battles, Mrs. Bancroft returned to the United States and reunited with her husband in January of 2003.

Since coming to America, Mrs. Bancroft has learned English, and in 2008 the Bancrofts welcomed their son, Bill, into their family. On November 15, 2012, Clara took the oath of citizenship in the United States. She is a proud citizen and loves her adopted country.

Mr. Speaker, it is an honor to recognize Mrs. Clara Bancroft for overcoming adversity and achieving the American Dream by becoming a citizen of the United States of America.

□ 1800

ADDRESSING CLIMATE CHANGE

(Mr. BEN RAY LUJÁN of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, the news that carbon dioxide in the atmosphere passed 400 parts per million for the first time in human history should serve as a wake-up call that we can no longer ignore the threat of climate change. Now, I know there are some that still don't believe in science and still believe that climate change isn't real, but we should all agree that this is a problem that we have to confront.

Addressing climate change is not only important for our environment, but also for our economy. Creating a clean energy economy powered by solar, wind, and other renewable resources will spur new jobs, new technological advancements, and grow our economy.

In order to ensure that we can compete and win in the global market to develop clean energy technologies, it is vital that we have a trained workforce ready to work. That's why this week I reintroduced the Community College Energy Training Act, legislation to support clean energy job-training programs in our community colleges. Community colleges play an integral role in training and retraining Americans who want to get ahead and learn the skills that will open up new opportunities.

By investing in training programs in the clean energy sector, we can lay the foundation for success in a field that holds such great potential and prepare our students for the good jobs of tomorrow.

FEDERAL GOVERNMENT ESCAPE ARTISTS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, there's a troubling pattern here in

Washington. When wrongdoing occurs involving Federal Government employees, blame falls away from the White House and the wrong-doers get a pass. No one is held accountable.

Exhibit A: Fast and Furious. Government walks guns into Mexico. Two Americans and hundreds of Mexican nationals are killed. White House blames Bush and a low-level employee. Employee resigns; government gets a pass.

Exhibit B: Benghazi. Government denies request for support before and during the attack. Four Americans are killed. Investigation is bungled. Blame is placed on a YouTube video. One Federal employee placed on leave, but still getting a paycheck. Government gets a pass.

Exhibit C: IRS target list. IRS unlawfully targets conservative organizations. Blame is placed on low-level employee, and we're waiting for accountability.

Exhibit D: DOJ subpoenas reporters' phone records to silence a leak. Attorney General Holder recuses himself. We're waiting for who's responsible.

Mr. Speaker, this is a disturbing pattern. The so-called most transparent administration in history appears to be obstinately blocking the truth from the American public. America is tired of unaccountable escape artists in the Federal Government.

This ought not to be, but that's just the way it is.

MILITARY MENTAL HEALTH AWARENESS DAY

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, today I rise to honor Military Mental Health Awareness Day. Mental health issues continue to carry a significant stigma in our country, but it is time that we recognize the challenges that many current servicemembers and veterans are facing, and we work to address their needs.

Post-traumatic stress is all too prevalent in our servicemembers and veterans. As a country, beyond partisanship, we must come together to tackle this issue. Our men and women in uniform deserve our dedication, just as we ask them to dedicate their lives to our Nation's service.

In San Diego, nearly 5,000 veterans were treated for post-traumatic stress in 2011 according to the VA. We are fortunate in San Diego to have medical institutions that provide innovative models of care to our servicemembers and veterans; and it is my hope that with further attention to this issue, we can bring some of those standards of care to the rest of the country.

Mr. Speaker, I ask my colleagues to help me bring attention to this issue by working with service providers,

counselors, and military groups in their communities as we continue to honor the sacrifices these servicemembers make for us.

FARRM ACT OF 2013

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today the House Agriculture Committee is marking up a 5-year farm bill reauthorization, the Federal Agriculture Reform and Risk Management Act of 2013, or FARRM Act.

The FARRM Act is a commonsense package of agriculture reforms that will save taxpayers nearly \$40 billion while strengthening the economic health of our family farms and small businesses. The bill is the product of a multiyear policy assessment designed to modernize Federal agriculture policy and achieve substantial deficit reduction.

The FARRM Act delivers on both fronts, while offering American agriculture the tools to grow and prosper. The bill reduces regulatory burden on small businesses and makes needed reforms to nutrition assistance programs. It will help protect our forests and better manage our lands.

Mr. Speaker, we can no longer allow partisan gridlock to prevent this reauthorization from becoming law. The bill is good for the economy. It promotes jobs and growth. It achieves deficit reduction. And it secures the ability of American agriculture to continue providing the safest and most abundant food supply in the world.

NATIONAL POLICE WEEK

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I rise today to honor the brave men and women who serve in our police forces. Every day, police officers put their own lives in danger in order to keep our families safe. Many have made the ultimate sacrifice in the line of duty.

This week, we celebrate our local heroes during National Police Week. In order to support the National Law Enforcement Memorial, my sister Davan, a deputy U.S. marshal, joined more than 1,800 officers last weekend in a 300-mile memorial bike ride from New Jersey to Washington, D.C. She honored the memory of three Hawaii officers killed in the line of duty last year: Eric Fontes, Chad Morimoto, and Garet Davis. They've been honored on the national memorial's wall; and in Hawaii, we're working to establish a local memorial, which will be the last State in the country to do so.

Today, I honor these everyday heroes and their families for their unwavering

dedication to the safety and service of others.

DEFENSE AND VETERANS APPROPRIATIONS

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, America wants Congress to get things done, and lately that's been pretty tough. A deep philosophical divide often separates us, but there are certain things that have to get done. The military has to protect our country, and America has to care for her veterans.

While Congress is stuck in many areas, both parties this morning took a unified step forward in defense of our country and in service to our veterans. Mr. Speaker, in a small hearing room right below here, the Military Construction and Veterans Appropriations Committee said "yes" in a bipartisan manner to meet our Defense Department infrastructure needs and to properly care for our veterans.

The bill spends a little less than the President asked for and a little more than last year. Projects not justified are removed, others are properly funded. The bill also compels both the Department of Defense and Veterans Affairs to use a single integrated electronic health record, ensuring a seamless transition of care for our warfighters leaving service.

Mr. Speaker, this morning we got to a "yes" on that which is essential and right.

CONGRESSIONAL BLAME GAMES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, this almost seems like the "Curious Case of Benjamin Button," a movie that went backwards, particularly when tomorrow, for the umpteenth time, we'll be debating the repeal of the Affordable Care Act, when over 10 States in the United States, including Texas, have uninsureds up to 28 percent.

What are we thinking?

It's a curious state when, in the Judiciary Committee, someone can come in and offer an audio as testimony that the person who is on there happens to be someone who worked in the Department of Justice with no affirmation of who it is, and then expect the Attorney General to answer questions. And in the instance of who it was supposed to be, Mr. Perez, who has been cited by the OIG as restoring integrity to the voting rights section, or in fact blaming the administration for the Associated Press incident when we're talking about trying to protect the Nation

from a terrible attack as it relates to terrorism. And everyone knows that we're unified in protecting the First Amendment rights and shielding reporters. We're not looking for reporters; we're looking for those who leaked something dangerous enough to undermine the security of the United States of America.

This is a curious place. It's nothing but a blame game without revealing any truth whatsoever.

□ 1810

RELIGIOUS FREEDOM AND THE PENTAGON

(Mr. FLEMING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLEMING. Mr. Speaker, I want to be certain that the administration and Pentagon leadership do not deny our men and women in uniform one of the very freedoms they are fighting to protect.

On Monday, I led on a letter sent to Defense Secretary Hagel demanding details about a meeting between Pentagon officials and anti-Christian extremist, Mikey Weinstein. Weinstein has spent 9 years at war, those are his words, at war with evangelical Christians, who, he says, are committing "spiritual rape" against the U.S. military, Christians who are merely exercising their First Amendment right, or primary duties, in the case of chaplains.

Mr. Weinstein exploits freedom of speech to name-call and to label Christians as the "Christian Taliban" and "al Qaeda." But he seeks to shut down the religious freedom of expression of servicemembers in the process.

I am troubled with several anti-Christian steps the Pentagon has taken in recent years. That is why my colleagues and I seek answers from Secretary Hagel on this important question now.

NATIONAL LAW ENFORCEMENT WEEK

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. This week is National Law Enforcement Week and, as chair of the Homeland Security Committee's Emergency Preparedness, Response, and Communications Subcommittee, and as someone who's worked closely with law enforcement as a former deputy mayor of Indianapolis and U.S. Attorney, I want to mark this moment.

Men and women of law enforcement run into the most difficult situations while the rest of us are trying to get out. They spend their lives in harm's way to keep the rest of us out of it.

When I toured the flood damage just last month in Grant, Howard and Tip-ton counties, I learned the police had gone door to door to make sure that everyone had evacuated.

When I was U.S. Attorney, I spoke at the funeral of Officer Jake Laird, who was shot and killed by a mentally ill gunman. Officers ran in to save a neighborhood under siege.

Historically, Indiana law enforcement has lost 406 individuals in the line of duty. These men and women gave their lives for their fellow Hoosiers. We are forever grateful to them and to their survivors, and honor their memories by supporting and honoring their service and those who proudly wear the badge.

SERIOUS CONSEQUENCES OF THE IMPLEMENTATION OF OBAMACARE

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, it seems like each day a new study or report is released that finds serious consequences coming from ObamaCare's implementation.

The law is already hurting job creation. This was evidenced in the latest jobs report, which showed an increase in the number of part-time workers and a decrease in the average number of hours worked each week.

This law is also raising insurance premiums, increasing deficits, and will reduce the quality of health care for Americans across the country.

Opposition to this law is bipartisan. In fact, a recent Fox News poll found that 56 percent of people that identified themselves as Democrats were against the thousands of pages of ObamaCare regulations and called them "way over the top."

We must now repeal this law and get to work on reforms that lower costs, improve the quality of care, and protect jobs.

WHY THE AFFORDABLE CARE ACT MUST BE REPEALED

The SPEAKER pro tempore (Mr. MASSIE). Under the Speaker's announced policy of January 3, 2013, the gentleman from Pennsylvania (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY of Pennsylvania. Mr. Speaker, we're here tonight to talk about health care, something that is important to all of us, something that we have been discussing in this Chamber for the last few years, trying to make health care affordable and accessible to many American families.

A couple of years ago, out of this Chamber, a bill was passed, one that many didn't even get a chance to read. But we were told, in preparation for that, the American people were told

there would be tremendous benefits to passing the President's health care law. The President of the United States himself said it would cut health care costs by \$2,500 per family per year.

We were also told there are a number of benefits, such as no lifetime caps, a number of prevention benefits, certainly ones that many of us agree with. But to get the benefits of the health care bill, we were also told by then-Speaker PELOSI that we had to pass the bill to find out what is in it. We have, since then, found out many of the things that are in it, and many of those we are still discovering as time goes on.

Tonight we'll discuss what is the Affordable Care Act and many aspects of it that concern us deeply, and why it must be repealed, because just the good intentions of the bill are not enough. Good intentions do not guarantee good results.

What we will discuss tonight is a study that has told us some shocking information: how premiums will go up, on average, 96 percent, even more so for young men and for women before retirement.

We will discuss new findings that show massive premiums increases for families, for individuals, for small businesses across the country. To many of these Americans, they will wake up, when they get their health care bills, and find the Affordable Care Act is not affordable.

But first, let us review again some of the promises and the reality of that Affordable Care Act. To seniors, the President's promised that these reforms will not cut your guaranteed benefits. What we've discovered is that there were more than \$500 billion in cuts to Medicare that the administration's own actuary predicts will lead to providers no longer accepting Medicare, meaning that doctors that seniors have been seeing for a while will simply say, we can no longer afford to provide this.

The nonpartisan Congressional Budget Office predicted that, for Medicare Advantage, these cuts "could lead many plans to limit the benefits they offer, raise their premiums, or withdraw from the program."

It's important to understand that Medicare Advantage is the program that provides a wide range of preventative services and disease management for seniors. The very things that people talked about what we should be doing for health care will be omitted. Translation means that Medicare savings come from cutting payments to doctors and hospitals.

We've also known that this Independent Payment Advisory Board is a problem, also known as IPAB. This 15-member appointed board of which, by law, a majority of them may not be in the health care field, will make additional cuts to Medicare without any

Congressional approval or appeal, unless the House and the Senate pass legislation and the President signs it into law. So literally, it would take an act of Congress to change some of these aspects that this independent board will make decisions on with regard to payments and coverage.

The President also promised, "If you like your health care plan, you'll be able to keep your health care plan, period. No one will take it away, no matter what."

But here are some of the facts we've discovered since the bill has passed. The nonpartisan Congressional Budget Office predicted 3 million to 9 million individuals would lose their employer-sponsored coverage. McKenzie Consulting actually has come up with much higher numbers, saying workers losing their employer coverage could be as high as 80 to 100 million.

Over 1,400 waivers had to be granted to employers so they could opt out of this legislation. The Health and Human Services Department had to grant pardons to large businesses like McDonald's, Universal Studios, and labor unions. It is estimated that these waivers cover 3.2 million people.

And Speaker PELOSI said the bill would create 400,000 jobs almost immediately. Let's look again at the results now that the bill is law. The Congressional Budget Office predicted the law will result in 700,000 additional Americans unemployed, 700,000 additional Americans unemployed.

The National Federation of Independent Business predicted the bill will cause a loss of over 1.4 million jobs.

A new insurance tax will also impact a number of private sector jobs, estimated to be between 146,000 to 262,000 jobs, by 2022. And 59 percent of these job losses come from small businesses, the backbone of our Nation's growth, where so many moms and dads and young men and women have their jobs and get their start.

□ 1820

Those small companies, those neighborhood companies, those ones that have the big impact, that sponsor everything from the Little League games to church events as well, many of these businesses are going to say, We just cannot grow and create new jobs. Many worry how they're going to keep workers employed. Many worry how they're going to afford health care coverage for their workers, and many of those workers are wondering if they can keep their job.

The President also said:

I can make a firm pledge that under my plan no family making less than \$250,000 a year will see any form of tax increase, not your income tax, not your payroll tax, not your capital gains taxes, not any of your taxes.

Let's now talk about the facts.

There are over \$835 billion in taxes that will be passed on to families in the

form of higher premiums and higher costs. Let's look at some of those taxes. There will be an increase in the Medicare payroll taxes and an increase in other unearned taxes. These Medicare taxes will be a total amount of \$317 billion in taxes that people will see coming off of their paychecks. Indeed, they will see them on their paychecks.

There's a medical device tax. All those medical devices that doctors and dentists use to care for you, that will be a new tax. And even though they say this tax will be paid by the manufacturers, those taxes, indeed, will be passed on in terms of higher costs. Those medical devices so critical for the doctors and nurses to provide good health care for you, that will increase their costs.

There will be a health insurance tax, a health insurance tax on the health insurance companies themselves and on the policies. That will be \$101 billion.

There will also be the individual mandate tax, saying that if you do not have coverage, you will pay an additional tax. That's \$55 billion.

And, of course, if your employer decides to give you a high-level health care plan that covers so many of the things that people want in terms of their doctors' fees, their hospital stay, dental, other medical, eyeglasses, prescription drugs, those may be now labeled as a Cadillac plan, and those will be taxed with a 40 percent excise tax that each family will have to pay in their health insurance, total being about \$111 billion on that alone.

These taxes will indeed cost health care more. There will be higher taxes for families who will be paying out of their paycheck. There's no escaping this part that even though people were told they will not pay higher taxes, indeed they will.

But now the Energy and Commerce Committee has also done a study, and we're going to talk about what's going to happen with premiums in this, because the President said that his plan:

not only guarantees coverage for every American, but brings down the cost of health care and reduces every family's premium by as much as \$2,500.

Even after the bill passed, more promises were made about the benefits of the law. In July 2012, President Obama promised that once the Affordable Care Act has been "fully implemented, your premiums will go down." They have not. In fact, since the Affordable Care Act has passed, people have seen their premiums go up by thousands of dollars. We now have the data showing premiums, in fact, will go up even more, and quite dramatically for millions and millions and millions of individuals, families and small businesses across the country, and large businesses as well.

Let me describe the study that the Energy and Commerce Committee performed, submitting letters on March 14

of this year from the Oversight and Investigations Subcommittee.

We sent 17 health care insurance companies requests on information about the Affordable Care Act. We asked them, How would it affect premiums? We asked them to tell us the information that they already have. What numbers did they come up with? What are their analysts telling them already it's going to cost in terms of new premiums?

We didn't request the companies create new information, and we didn't ask them to make anything up. We said very specifically, Tell us what you see is going to happen. And we said, Submit your existing analysis to us so we can capture the purest representation of the impact of the Affordable Care Act. Simply said, what is it going to cost families?

As insurers are currently filing their applications to participate in the exchanges, that prediction phase is over, and now we can find out what was in the health care bill and what it will cost families. We went straight to the source to find out what it will be for America's families, and here is what we found out.

First of all, we noted that health care is going to cost, on average, 96 percent more for people who are going to get a new health insurance plan, 73 percent more for those keeping their insurance, and as much as 413 percent more based on age and the plan mandates.

Now, this is important because what this means, basically, is that young men will see a large increase in their health insurance rates. Women who are nearing retirement age will also see a large increase in their insurance rates. Let's go through what some of the reasons for this are.

What was provided to us, for example, by one actual insurance company analysis said that, as you start to look through these cost increases, what may be a new business or an existing one for your employer, there are several essential benefits. Now, up to this point, people have been able to choose a plan based upon its affordability; but instead, what it's going to be is all plans have to look the same. Now, in that sense they say that that increase can be about 15 percent more.

Now, in addition, for the minimum coverage, about 8 to 10 percent more, there will be other guaranteed issues. Removal of any underwriting actions, that will be about another 65 percent to 10 percent. There will be insurer fees. There will be other things like risk adjustment transfer payments, reinsurance risk adjustment, and other effects small employers will have. Those will also go up by as much as 35 percent.

There will also be an average start—look at the average starting member cost premium per member per month

will be \$158. And if you're just doing it on what's called the bronze level, the very low level, which would pay 60 percent premiums, that's about \$182 more per month up to \$200 per month. There are multiple other fees in this.

Basically, what this comes down to is, for those who are new businesses, newly in the plan, 96 percent higher costs; for those who have an established one, about 73 percent higher costs; and in some levels, as high as 413 percent higher.

On a broader sense, to look at how much this will cost you, in 45 States that were analyzed, 35 percent of the market will see a premium increase of greater than 30 percent. Now, what we see here, some States will be less than 10 percent, some States will be greater than 30 percent, some will see 20 to 30 percent, and some will be 10 to 20 percent.

Let's look at some of the individual States.

Now, in these States, I'm just going to pick out a few here to describe. For example, in the State of Georgia, potential premium increases range from 48 to 63 percent in the individual market and 25 percent in the small group market; meaning, if you're buying on your own, it's going to be much higher than if you're in a small group, but still it's pretty considerable.

Indiana, one insurance company said it would be 100 percent increase in the small group market. Illinois, potential premium increases from 27 to 61 percent in the individual market and 25 percent in the small group market.

Look at Nevada, potential premium increases 31 percent; Michigan, 25 to 88 percent for males, and the individual market with premiums to vary greatly throughout the State. In the small group market, an estimated 44 percent of plans will see some decrease in some cases and other areas seeing an increase.

In my State of Pennsylvania, there's an average increase of 30 percent in the individual market and 27 percent in the group market.

Tennessee, which has already had problems over the years with TennCare, will see a potential premium increase of 49 to 54 percent in the individual market and 35 percent in the small group market.

The lists go on and on. We bring this out so the American people can understand that when people say, if you thought health care costs were expensive, wait until you see what they're costing when they're free, quite frankly, there is no free ride on this.

Now, admittedly, some will have some subsidies on this. About 8 percent of those will have some level of subsidy, which will help to offset some of these costs, but many people will not have these subsidies at all.

At this point, I'd like to ask some of my colleagues up to talk about some of

these things. On my left is Congresswoman SHELLEY MOORE CAPITO of West Virginia to talk about what this means in terms of the costs for some employees in her State.

□ 1830

Mrs. CAPITO. I'd like to thank my colleague from Pennsylvania. And I'm glad we're talking about this because tomorrow I intend to vote again to repeal ObamaCare and put an end to what its lead author himself said is a "train wreck."

I'd like to read an email that I received about 2 or 3 weeks ago:

I own a daycare center (260 children and 73 staff). Been in business 24 years. I just got the info on ObamaCare from my insurance company. The numbers will cause me to close my business. How can my own government do this? I have worked hard to have a first-rate child care center, seldom taking vacations and easily putting in 10 hours a day year-round. I have always done the right thing for my employees and clients. This is so discouraging to me. Is there any way to fix this?

So I visited the daycare center and talked with the owner of the business. If she moves forward and doesn't offer insurance, she is going to have to pay \$83,000 a year in penalties. She cannot afford this.

So what are her options? She's looking at going from 73 employees down to below 50. Well, that's 24 jobs right there that she's talking about cutting. But let's think of the further implications of cutting 24 jobs in a daycare center. It's over 70 children who are no longer going to have good, high-quality daycare in her small business. She's worked hard for 24 years and she doesn't understand.

She tells me most of the people in her business now have insurance. Those who aren't, because they work at the lower wage scale, are able to access Medicaid and have other health care available to them. She's very, very discouraged.

Another business person in my State of West Virginia just sent me his tax collection for next year for the ObamaCare health plan. He has 105 people. His premiums are going to go up \$180,000 more a year. His annual premium in a small business like this is \$788,000—\$180,000 more than it was the previous year. And this is for a plan that has a \$3,000 deductible, which is going to break the back of a lot of employees in his business.

His change? We heard from the gentleman from Pennsylvania that we were promised that premiums would not go up, that it was going to be affordable and premiums would come down. His premiums have gone up 30 percent.

We've already talked about how many folks across this country are going to lose their coverage, how many are going to lose their jobs. These are just two small businesses that are

thinking about either cutting their full-time employees down to part time to try to get under the threshold—which means that employee has to go out and find another job to supplement the income to be able to have enough income to sustain their families.

We also learned, as the report from the Energy and Commerce Committee has stated, that for younger people and people going on the individual market, the premiums are going to be 96 percent higher. We've also learned that 80 percent of single adults between the ages of 21 and 29, with incomes at just \$16,500, will pay more for their health care than they do today. It's very discouraging to hardworking folks.

I was reading *The Wall Street Journal* the other day and saw an op-ed by Dr. Ezekiel Emanuel, who I think played a large role in creating ObamaCare. He noted that the exchanges would only work if younger Americans decided to participate. The gentleman from Pennsylvania has just pointed out that the younger working population is the one where the premium increase is going to hit the hardest.

But he further suggests that the President, through the force of his popularity with younger Americans—because they voted for him—could convince them to sign up for health plans because of the popularity of the President. It's difficult to encourage people through a sheer force of personality to act against their own economic instincts. I mean, we're talking about young people that will go across the street—and most people in America that will go across the street—to save a nickel on gasoline even if their dad owns the gas station on the other side. In my view, this just doesn't even hit reality of what's actually going to happen with our young people.

He further states that health insurance needs to be seen as an individual responsibility. You know what? Health insurance right now is an individual responsibility in this country. But instead, purchasing insurance after January 1 will be a requirement imposed by Big Government.

I have shared the concerns of mine. We've talked about the taxes. As I was reading through the renewal summary of the small business that has 105, he has three taxes listed here that his insurance company has enumerated for him:

One is the annual fee on health insurance providers called an insurance fee. This is a nondeductible excise tax applied on health insurance to help finance ObamaCare.

Number two, Patient-Centered Outcomes Research Trust Fund. This provides funding for an institute to assist patients, clinicians, purchasers and policymakers to make informed health decisions.

The other is a transitional reinsurance contribution for those who are in high-risk pools.

This is added tax to small businesses, the employers in our country. They're going to have to make tough choices because it's unaffordable. Even paying the penalties is unaffordable, which is going to result, as you said, in over 700,000 jobs lost in this country.

We have a better way to do this, a more patient-centered, market-based approach where affordability and accessibility are goals that we all want. We could have, I think, a much more economical, and probably a better health approach because it will have the patient-centered doctor/patient relationship in full consideration.

So I would say to you that I have two concrete examples. I would encourage my colleagues throughout—and I'm sure we have—the House and Senate to talk to these employers who have over 50 employees to see what kind of impact this is going to have. Twenty-four possible people losing their jobs in a day care center; 70 children losing after-school care. What are those families going to do?

I tried to help with this business owner to try to help her find solutions. I couldn't come up with one because this is getting rammed down her throat no matter what.

So, with that discouraging bit of a small business viewpoint of the impact of ObamaCare as it approaches, and with the attitude of some of the architects of ObamaCare that it's our responsibility, or because we voted for somebody, we are going to work against our own economic interests, it just doesn't even pass the laugh test in my opinion. So I think we're in for a rough ride.

I want to thank my colleague for letting me join him on this Special Order and all my colleagues here tonight.

Mr. MURPHY of Pennsylvania. I thank my friend from West Virginia, whose district borders mine in southwestern Pennsylvania down there.

But I note and amplify something you said because even when some say, well, you know, if you're a business of less than 50 employees it's not going to affect you, there are a couple things. Some businesses say, well, then, we'll stay under 50 employees. But also, those people are still going to have the taxes. They're going to have higher Medicare taxes, taxes on their paycheck, they're going to see health care costs going up anyway because of the tax on health insurance, tax on prescription drugs, and other taxes that go on. So people will still see higher costs in this.

I'd like to call now upon another one of my colleagues from Texas, Dr. BURGESS, also on the Energy and Commerce Committee, who continues to work very hard for the sake of patients to make sure we come up with an affordable plan for American families.

Mr. BURGESS. I thank the gentleman for yielding and I thank him for holding this hour tonight. It is important that we have this discussion.

We're barely 3 weeks from the third anniversary of that late-night congressional session where the Affordable Care Act was passed into law. Those of us who were here at the time will remember that this bill that became law that was voted on late that night never went through our committee. We had a bill that went through our committee, but it never saw the light of day. This was a Senate bill that was bounced back over to the House, and we were forced to pass it without a single hearing, without a markup. It basically just came to us and the majority at the time, the Democratic majority, pushed it through.

When you stop and look at what were the American people telling us through the summer of 2009, when we all had those very tense town halls in our district, what were people saying to us? Number one, do not mess up the system that is working well for 65 or 70 percent of us. Number two was, if you're going to do anything at all, can you help us with costs? Well, I think we have the answer to those two questions. Number one, we have messed the system up for the people who were depending upon it, and, the costs are going through the roof.

But when you analyze what this new data means, the real thrust of the cost increases are focused on people who buy in the individual market and people who buy in the small group market. All of the rhetoric from the summer of 2009, through the fall of 2009, to the spring of 2010 was we have to make these changes in our insurance policy. Why? Because we have to help these people in the small group market and the individual market.

□ 1840

This is where the problems occurred; but, in fact, we have made those problems worse, and they continue to grow in severity day by day.

Mr. Chairman, I would also point out, the committee staff on the Energy and Commerce Committee on our Subcommittee on Oversight, has really done an excellent job in compiling this data. We don't get much help from the Department of Health and Human Services. When we say we need information from you about what the cost structure is going to be of this new health care plan, we don't get a lot of help from them.

So the committee staff goes out, actually writes to people who will be in charge of administering the plans for people in the small group and the individual market, and then they compile the data. And the data that they compiled is all up on the Energy and Commerce Web site, and it's startling.

These are the individuals: the small-group market and the individual market. To be sure, the large-group market

will be affected, but not nearly as much as those people in the small-group and individual market. It was those people who ObamaCare was supposed to help in the first place, and we've done them the maximum harm.

So a tip of the hat to the Energy and Commerce staff, particularly the staff on the Oversight and Investigation Subcommittee. I think they've done an excellent job in bringing this information to the Congress in a very usable form. Again, I encourage people to look on the Energy and Commerce Web site because this is information that can directly affect you, your family, your business, your children, and literally your health care for the next three decades.

I wish this thing had never happened. We are going to have a repeal vote later this week, and I welcome the chance to do that. This is the unfinished business of this Congress, to undo this dreadful law that has been visited upon the land.

But in the meantime, we also need to make people aware of how this law is going to affect their lives. It's going to be in a big way: if you like what you have, you can keep it—not so much. If you like your doctor, you can keep your doctor—not so much. ObamaCare, you're going to pay a lot more to get a lot less.

Mr. GRIFFITH of Virginia. Will the gentleman yield?

Mr. BURGESS. Yes, I'll be happy to yield for a question.

Mr. GRIFFITH of Virginia. I thank the gentleman for yielding for a question.

I am looking at the report that you have referenced that people can go look at online for themselves, and I notice that your home State of Texas has a projected 23 percent premium increase; is that correct?

Mr. BURGESS. That's my understanding.

Mr. GRIFFITH of Virginia. And I also notice that the report says, from the data that was obtained from the insurance companies, that my home State of Virginia is going to have a 31 percent premium increase in the small group; again, not talking about the large group rates, while they will be affected by the taxes.

Now, I'm just kind of curious. How come Texas is getting off light with only a 23 percent increase and Virginia is getting hit with that 31 percent increase? Can you explain that, or is that just another one of the mysteries of ObamaCare?

Mr. BURGESS. If the gentleman will yield?

Mr. GRIFFITH of Virginia. I will yield to the gentleman.

Mr. BURGESS. Well, let me assure the gentleman from Virginia, I can promise you with absolute certainty that there was no favoritism on the part of the Obama administration to-

ward the great State of Texas. If anything, Texas seems to be singled out for special consideration on some other areas. But perhaps it actually relates to the differences in the insurance market and the type of coverage that's sought. I really can't explain that 5 or 6 percent discrepancy.

What I can tell you—and, again, this is with dead certainty—that the Obama administration did not—did not—show favoritism to the State of Texas or its Governor Perry.

Mr. GRIFFITH of Virginia. If the gentleman will yield further, perhaps for a colloquy, I would ask the gentleman if he suspects that this is because up to this point in time this has always been a State-driven market and, therefore, there are some differences between the States, but that the vast majority of States, according to this report, in the small-group market are going to be facing significant double-digit increases? Is that his understanding from the report?

Mr. BURGESS. There are going to be double-digit increases. And, of course, as the gentleman is well aware, there are different State mandates that have governed the State-regulated insurance market over time, and that may result in some of the discrepancy that you're seeing.

Mr. GRIFFITH of Virginia. And I would further ask the gentleman if it makes him a little nervous that the folks who are going to be trying to get out there and get records and make sure that folks are doing what they're supposed to, either paying the tax or buying the insurance, are in fact the IRS? That would be the same IRS that we found out for political reasons slow-walked and made it difficult for some conservative groups, particularly from Texas and other parts of the country, to actually get their tax exempt status. Does that make the gentleman a little bit nervous?

Mr. BURGESS. It should concern and make nervous every man, woman, and child in this country that the Internal Revenue Service is going to be administering their health care in the future. I think that's an important point that the gentleman has brought up.

One other difference, if I may add, between the cost in Texas and the cost in Virginia. Do bear in mind that Texas enacted significant medical liability reform 10 years ago, and we have seen the benefits of that. If there's one thing that was the missing link in the Affordable Care Act, it was where was their commitment to reforming the medical justice system in this country, which we all know tends to drive costs up, and the creation of defensive medicine, which in turn drives costs up.

Texas has a 10-year history now of caps on noneconomic damages in medical liability suits. I don't know for certain if that has played a role in the lower premium increase in Texas; but

if it has, I'm sure they'll be happy to take credit for it.

Mr. GRIFFITH of Virginia. I would say to the gentleman that I'm sure some of those things have played out, not necessarily the differences between Texas and Virginia, because Virginia has a longer history with medical malpractice caps. And we, too, have seen that it has helped us in many ways in the State of Virginia.

I would point out to the gentleman, and I doubt that he is aware of this, and I don't know the truth or veracity of it, but it is reported in the Court-house News Service, which is a service for lawyers and press folks, that in California the IRS has actually been sued because they had a search warrant to go in to look at a specific employee's financial records. And in the process, according to the allegations made by the attorney, Robert Barnes, when they went in, it happened to be an insurance company or a company that had medical records—we're not sure because it's called a John Doe company—but it had medical records for something like 10 million Californians, including everybody in the judicial system in California. And notwithstanding the fact that they were told those were not financial records of the individual but personal medical records and that they were probably violating some HIPAA rules, they seized these records and they have now been sued by, as I said, the attorney's name is Robert Barnes in the State of Texas.

That gives me some concern that perhaps what we are seeing in regards to the IRS's callousness towards political parties and political philosophy and the Constitution of the United States groups that were trying to promote that, they may also just have a callous disregard that they can be untouched by anybody, when you see that this lawsuit actually was filed in March, and I don't think it got much attention because people probably thought it was not part of their regular pattern.

But now that we have seen what has happened in other parts of the country in regard to those exemptions, that may also be of some concern to people that they're out there compiling all of these records. And, again, we don't know whether it's true. But some of those records that they got from some of the Tea Party groups allegedly, and alleged by a left-leaning or a liberal group, the IRS gave them the information as to who their donors were, is the IRS also going to give out our medical information to folks that we don't necessarily want to have it?

That's the question that we have to ask when you have a scandal like this at the IRS and it directly impacts ObamaCare. Because right now, before ObamaCare comes into effect, the gentleman, I think, would agree with me the IRS really doesn't have anything to do with your medical records. But

now we are opening up the door and taking those 16,000 agents, and they are very likely to be looking at your medical records and your company's medical policies as well as the medical records, and that causes me some concern, and I suspect it may cause the gentleman some concern also.

Mr. MURPHY of Pennsylvania. Will the gentleman yield?

Mr. GRIFFITH of Virginia. I yield to the gentleman.

Mr. MURPHY of Pennsylvania. It certainly is a concern, because not only do you have the IRS with these new 16,000 agents, and we already know that it has come from multiple sources in multiple States, the issue with regard to not only going after conservative groups, but also pro-Israel Jewish groups, the issue of them going into the Gibson Guitar Company, multiple things where they tend to use the heavy hammer for political purposes on those who may not agree with some others.

At this point, there still certainly is a lot of information yet to be garnered from this, but it should give people pause and understanding—what happens if you don't cooperate with the health care plan, will these be the folks who will basically come in and try and enforce that as it goes through?

Mr. GRIFFITH of Virginia. I would ask you in that regard, if someone sees these premium increases that we've been talking about and they decide that they don't want to buy the insurance, what then happens from the IRS's standpoint, or from the government's standpoint in general?

Mr. MURPHY of Pennsylvania. I thank the gentleman for the question.

Look at it this way: let's take a young man who is suddenly going to see his rates go through the roof. He's healthy. In the past, that gentleman in his 20s may have said, you know, I'm going to buy just a little bit of catastrophic insurance if I need it, if at all; or perhaps if it's one that is out-of-pocket, he may decide not to do it.

□ 1850

What does he face?

If the IRS catches him, he pays a \$95 fine. Now, if you're looking at paying thousands of dollars a year for health insurance versus \$95, even though the gentledady from West Virginia said that they had hoped that people would just out of affection for the President buy it anyway, when someone is having a hard time paying for groceries—and look at the cost of gasoline and its having gone up a couple thousand dollars for the average family, and they're saying electricity has gone up—you can buy a lot of groceries for \$3,000 a year. That's months and months worth of groceries for someone. They may say, I may just pay that \$95 fine. Quite frankly, what also comes up is, if they don't have a plan, they could end up in an

ambulance or in an emergency room and sign up when they're there just like they do with Medicaid. Now, what motivation will there be for someone to have that?

The important thing about this place is that it's based upon an assumption that a lot of people when they're healthy will sign up so we'll have that money coming in. I have my doubts for families and individuals who are already struggling who will then make decisions and say, I think I'll take the risk. Even in 2016, when those fines go up to a maximum of \$695—or 2.5 percent income, whatever is greater—I think many individuals may also say, Well, if my choices are paying \$695 or \$6,000 or \$10,000 or \$12,000 for the insurance, maybe I'll just not pay it and see what happens.

Let's face it. A lot of Americans make their health insurance decisions on what the affordability is, just like they make their car insurance decisions. They don't all get a comprehensive policy. They get what they can afford. It's the same thing with other decisions in their lives, whatever that is.

I yield to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I think it's an important point you make about how people make decisions based on price, because every weekend, when I go back home to southeast Louisiana and when I talk to my families and small businesses that are trying to figure out how ObamaCare is going to affect them, there is a recurring theme that comes through, and it's something we hear every single day.

First of all, small businesses have no idea how they're going to be able to comply with this law when they look at the mountains of regulations. We had recently stacked up all of the pages of regulations and rules that have come out, and it's well over 7-feet high. A small business that doesn't have, maybe, five, six, seven employees—they don't have an H.R. shop, they don't have teams of attorneys and accountants, they can't figure all of this out, and they're asking these questions. But we're also hearing this from large companies that provide really good health care for families all throughout southeast Louisiana. I hear this from colleagues from other States, too. When they look at this law, they say, The President promised, if you like what you have, you can keep it. Yet that promise is broken for millions of Americans who are facing these costs that have been discussed.

Look at the drastic increases of 73 percent that will hit families. If you have a good insurance policy that you like, if you have good health care, it's a 73 percent increase for you. If you're trying to get new health care, it's 96 percent more you'll have to pay because of ObamaCare.

I think what's the most frightening to families is when they see the new

bureaucracy. This is the new bureaucracy created by ObamaCare. If you look, I think the most sacred relationship in health care is the doctor and the patient. There should be nobody in between the doctor and the patient when it comes to making health care decisions. Yet, under ObamaCare, look at all of this mountain of red tape and agencies that come between families and their doctors in ObamaCare. At the very top of this—again, it's most riveting and has been brought up before—is the Internal Revenue Service.

First of all, does anybody at the IRS have any kind of medical degree or even EMS training?

Now the IRS is the enforcement agency of ObamaCare. Of course, that was riveting before the scandal that came out last week, but in light of the new scandal in which the IRS is literally targeting people, President Obama's administration is allowing this. Not one person has been fired by the way. The Obama administration made a decision to target Americans based on their beliefs, based on their values, and that's the agency that will be tasked with enforcing ObamaCare. They had little credibility before all of this scandal emerged, but now, in light of this, I think the lead Senate architect, MAX BAUCUS, one of the authors of the bill, just a few weeks ago—they rammed it through, and Speaker PELOSI 3 years ago said that you've got to pass the bill to find out what's in it—said it's a train wreck coming down. In fact, he's not even running for reelection next year.

This kind of bureaucracy should not be put in place for any type of government agency, let alone coming between patients and their doctors. This is the massive bureaucracy that ObamaCare is. This is why we have this vote tomorrow to repeal ObamaCare, and it's a bill I'm proud to cosponsor.

Again, I thank the gentleman from Pennsylvania for his leadership in the hearings that we've had on the Oversight Subcommittee of Energy and Commerce to expose some of this, and also to even get testimony from Obama administration officials who say they're not even ready to comply with the legal deadlines in the law that are coming up in the next few months. This should not be dumped upon our families, whether it's in southeast Louisiana or anywhere else in the country. We need to repeal this bill and actually get back to work on fixing the problems in health care, like cost and access, that are now made even worse with ObamaCare.

Mr. MURPHY of Pennsylvania. I thank the gentleman.

I would also like to call upon the gentleman from Ohio (Mr. JOHNSON), who is also a member of the Energy and Commerce Committee and is also deeply concerned about his constituents in Ohio and what they're going to be facing.

Mr. JOHNSON of Ohio. Thank you, Mr. Chairman.

I am, indeed, honored to join you and the rest of our colleagues here in sharing some thoughts on what the American people now should expect in the coming months and years from the administration's so-called historic achievement in health care reform. It's historic all right. This massive bill gives the government control over one-sixth of our economy and the authority to manipulate markets and to make individual health care decisions.

So how did President Obama convince the American people to buy into this scheme? He looked the American people right in the TV camera lens, and he promised two things. He pledged that this law would cut costs for American families, and he promised that it would make health care more affordable.

Now, I could stand up here and talk about all of the other economic dangers posed by the so-called Affordable Care Act, like the ever-mounting costs of implementation, the instability it causes in programs that seniors rely on, the fact that this bill contributes substantially to the insurmountable debt we are leaving to our children and our grandchildren, but that's not foremost in the minds of those individuals whom I represent along the Ohio River in eastern and southeastern Ohio.

As the American people continue to search for good-paying jobs, families in my district are trying to figure out how to stretch their paychecks to cover another trip to the grocery store or to buy clothes for their kids or to purchase another tank of gas for the car. Now we're seeing reports that indicate most families will have to factor health care premium increases into their budgets as well—all because of the Affordable Care Act's policies, mandates, taxes, and fees.

Now, does that sound affordable to anyone? It doesn't to me, and it doesn't to the people that I represent along the Ohio River.

I am proud to serve on the Energy and Commerce Committee, and I was recently given the opportunity to question Gary Cohen, the director of the office within HHS in charge of the implementation of the health care law. I asked him directly if premiums were going to go up or down for the American people. Remember, the President promised us lower costs. Mr. Cohen briefly toed the party line, saying, Absolutely, we'll see lower costs. But he went on largely throughout the questioning to repeatedly say, We'll simply have to wait and see.

They don't know. That sounds oddly familiar to me. It reminds me of when the minority leader, the gentlewoman from California, tried to convince the American people that Congress needed to pass the Affordable Care Act in order to find out what was in it. We are

now finding out what's in it, and it is a train wreck, as some have stated. Now, wouldn't the responsible thing have been to do the job correctly the first time?

Let me clarify a few things. Let me cite some numbers brought to light by our investigation.

Individual consumers in 90 percent of States will likely face premium increases. In my State of Ohio, men purchasing an individual policy would face increases ranging from 32 to 52 percent. Ohio employers purchasing small group market policies could see a projected premium increase of 28 percent. Nationwide, new businesses could see increases of 96 percent, while existing businesses would be burdened with 73 percent. And age and plan mandates forced on insurers could push premiums up as high as 413 percent in some cases.

□ 1900

Now, do these numbers support the pledge made by the President that Americans would see lower costs, or do they highlight the dishonesty as a means of pushing a terrible law through Congress? Based on these facts, Mr. Speaker, it is hard to argue that the Affordable Health Care Act will ever become more affordable as long as that law is on the books.

Hard evidence to support the looming premium rate shock should scare the administration as much as it scares the American people, American families, businesses, and health care providers throughout the Nation, particularly along the river where people are still struggling to make ends meet from day to day.

I appreciate the time.

Mr. GRIFFITH of Virginia. Will the gentleman yield for a question?

Mr. JOHNSON of Ohio. Absolutely.

Mr. GRIFFITH of Virginia. I would say to the gentleman that it was very interesting when you talked about the cost of the insurance, and while he said overall that he thought the rates were going to go down, my recollection was—and correct me if I'm wrong—that when you were asking him those questions, part of his position was, Well, we don't know for sure, but we think they'll be lower than what they would have been if we hadn't passed the law, but they're going to be higher than what they were when we passed the law. Wasn't that pretty much his reasoning?

Mr. JOHNSON of Ohio. Yeah, that was pretty much the case. I started to challenge him to a Monopoly game because that's funny money. That's a way of manipulating the numbers, and that's more of the dishonesty that's being perpetrated on the American people with this law.

Mr. GRIFFITH of Virginia. I would also have to point out that, with everything that we've gotten to so far, it ap-

pears that their numbers have not been right. They told us that they could produce a long-term care insurance plan, and they backed out of that because they couldn't make the numbers work as they had originally thought they would work on long-term care insurance.

Then we had the whole situation with the catastrophic illness fund that, from the time the bill was passed, was supposed to get folks who had catastrophic illnesses, it was going to cover all of them until ObamaCare came into effect in 2014, but they ran out of money March 1. Do you recall that?

Mr. JOHNSON of Ohio. Absolutely, I do.

Mr. GRIFFITH of Virginia. So those numbers weren't right, and they apparently thought they had enough money built into the budget and gave the Secretary large latitude to take money out of various funds to make things happen, but now she seems to be going around the country asking the very companies that she's overseeing as part of her job for money because they didn't calculate how much money they were going to need to sign everybody up to get into ObamaCare.

So every time we turn around on the committee, it looks like we're finding something new where their numbers were always funny money numbers, Monopoly money, however you want to look at it. And it seems to me that your point is exactly right, that it's not only going to cost the people of southern Ohio, but it's also going to cost the people of southwest Virginia and every part of these United States more money than was ever projected, and it's going to come right out of the pockets of the working poor and hurt them the most.

Mr. JOHNSON of Ohio. Absolutely.

Every time we asked Mr. Cohen who are premiums going to go down for, he avoided the question. He couldn't tell us that premiums were going to go down for anyone.

We asked him, Are they going to go down for the young? Are they going to go down for the old? Are they going to go down for women? Are they going to go down for men? He had no answers. We'll have to wait and see. That's a far cry from the promise that the President made of lowering costs and making health care more affordable.

Mr. MURPHY of Pennsylvania. Certainly that was part of the promise that was given to so many Americans on why they supported this image.

Look, we as Republicans, we know there are a number of things we want to see happen. We want to make sure that we're preventing illnesses, and we want to make sure that we're caring for those who are chronically ill. Sadly, regarding the high-risk pool, the door was closed on that. Many people who are chronically ill will not be getting additional care.

We want to make sure that doctors can be paid for coordinating care of those chronically ill. Right now, getting people to make sure they take their medication, there's follow-up to get to their appointment, doctors can consult back and forth, a patient can call with other questions, nobody gets paid for that. They do get paid if they have more tests. So there's a fee-for-service plan. Quite frankly, it's tough for doctors to try to reduce costs under that plan. We would like to see those costs go down even more, and we support that.

We want to maintain coverage for the sick. We don't want to see people cut because they're ill. And we believe that if people have a preexisting condition, they ought to have an opportunity to maintain insurance. We agree with those.

What we don't agree with is this massive bureaucracy that Mr. SCALISE showed us before that's going to require a lot of tax money to pay for it, increased taxes, 10 years worth of taxes to cover 6 years worth of plans; and already we see Health and Human Services running out of money and so they have to call up insurance companies and other groups and say, Can you give us more money to help convince people that this is a good idea? It's tough going with that.

Mr. JOHNSON of Ohio. It is very tough going.

Mr. MURPHY of Pennsylvania. So we do know that these costs are going to continue to climb for many people, even though people in the administration have told us they're not quite sure yet what is going to go on. We know these costs are going to continue.

Let me point out again something very important, Mr. Speaker. I worry about how the American families are going to afford this. Their electricity rates have gone up and will continue to go up. This administration has pushed to have coal-fired power plants to close down, has spent billions of dollars for energy subsidies for companies that have gone belly up. Gasoline prices have gone up thousands of dollars for families, unemployment has been above 7 percent for years, hundreds of thousands have been put out of work because of the aspects of this health care bill.

It's tough for families to say, How am I going to pay for this? How are they going to pay, as they say, 96 percent more for those who get a new plan, 73 percent more for those keeping their insurance, and up to 413 percent because of some of the age issues and other things going on with that?

These are tough concerns for American families and ones that they're asking us to then say, Please, repeal this bill and let us get to something that really works to take care of those issues, to help the uninsured, to help those who are ill, to help put doctors

back in charge of people's health care plans. We're deeply concerned about those issues as they go on; and, quite frankly, these costs are going to be ones that people are not going to be able to afford.

I now want to recognize one of my colleagues, the gentleman from New Jersey (Mr. LANCE), who also wants to speak on this bill. He is another member of our committee who is deeply dedicated to making sure that he is dealing with the affordability of the health care bill.

Mr. LANCE. Thank you, Mr. Chairman. I'm very pleased to be able to speak this evening on this important issue.

In my judgment, the Affordable Care Act was a poor piece of legislation and it was not well thought out. In 2009 and 2010, when the leaders of the then-House Democratic majority were rallying support for the President's health care legislation, the American people were told that health insurance premiums for individuals and small businesses would decrease under ObamaCare. That was stated repeatedly. Three years later, we have come to learn that this is just not the case.

Internal documents from the Nation's largest health insurance companies reveal the health care law's policies, mandates, taxes, and fees will cause major premium increases for consumers, the individual, the small group and large group markets; and I think it might be particularly onerous on young people who are just starting out at a time when the economy is not as strong as any of us would like.

Many small businesses are already feeling the impact of higher monthly premiums. Just this week, I heard from a small business owner in the district I serve, Susan Schwartz of System Builders, in Westfield, Union County, New Jersey. She is seeing her company rates jump by nearly 40 percent in 1 year, Mr. Speaker.

We must work together to provide much-needed relief to the small and large businesses being crushed under this burdensome law.

I thank you, Chairman MURPHY, and certainly I commend you for your efforts and the efforts of the Energy and Commerce Committee, of which I am a proud member under your leadership in that committee as one of the subcommittee chairs, the committee as a whole, under Mr. UPTON's leadership, and really all of us in Congress who believe that this law was poorly designed and will lead to massive increases in premium payments for many of the American people.

Mr. MURPHY of Pennsylvania. I thank the gentleman.

Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore (Mr. MESSER). The gentleman has 4 minutes remaining.

Mr. MURPHY of Pennsylvania. With that, then, Mr. Speaker, I'll wrap up here with a couple of comments.

First of all, I really want to thank the Energy and Commerce Committee staff for bringing out this important study. We only wish this was the kind of information we had a couple of years ago when Members were called upon to blindly support this bill and so many other organizations were called upon to support this bill.

□ 1910

These are going to be high costs, and people are going to have to make decisions now about what kind of health care they are going to have, can they afford it. Well, they'll also see the impact on top of their gasoline prices and utility prices and worries about their jobs. They're going to be making decisions about do I not have health care now and run the risk of having the IRS come after me and charge me \$95. People will be making those kinds of decisions. That's not what we should be doing.

Out of care and concern for every mother and father and grandparent and child in America, to make sure that we work on an affordable health care plan, that makes sure that people who are ill, people who have preexisting conditions are not cut, and to make sure that the high-risk pool has money in it to help those who have high risks for health care, not use money for other purposes, and to make sure that we're working on prevention and caring for the ill. That is what we should be doing to help make health care affordable, not offering a 96 percent increase for those getting a new plan, up to 73 percent for those keeping their insurance, and up to 413 percent for others.

Look, we understand some people are going to see their health insurance rates go down. Many will see their rates go up. That is part of the frightening thing for America's family.

GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY of Pennsylvania. With that, Mr. Speaker, I thank my colleagues for speaking tonight. I thank the Energy and Commerce staff for also being part of this tonight. And I thank the American people for continuing to communicate with us and understand that we want to make health care affordable, but we think the Affordable Care Act is neither.

Mr. Speaker, I yield back the balance of my time.

INTERNET SALES TAX

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Kentucky (Mr. MASSIE) for 30 minutes.

GENERAL LEAVE

Mr. MASSIE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MASSIE. Mr. Speaker, I rise today to speak in opposition to H.R. 684 and S. 743, the Marketplace Fairness Act, otherwise known as the Internet sales tax. Or as I call it, the interstate commerce sales tax.

I'm concerned that this new tax on American consumers passed the Senate too quickly without enough debate and has the quiet support of several Members here in the House. Unfortunately, many of my colleagues opposed to the bill here in the House have taken a quiet wait-and-see attitude. They don't want to rock the boat, so to speak. Well, it's time to quit being quiet on this issue. The American public deserves a full and open debate on this bill before any legislative action is taken in this body.

This evening, my colleagues and I will begin that debate. I'm confident that when Members and their constituents grasp the full ramifications of this onerous piece of legislation, they will oppose it as well.

Many States in this country are in dire financial straits. They've lavished overly generous pension plans on their State employees and offered tax credits and financial incentives to their favorite businesses. They've promised more than they can deliver, while sometimes letting essential services go neglected. State governments bear the responsibility for their financial situations; yet they're looking to the Federal Government for a bailout. Make no mistake, this Internet tax is the bailout they're seeking. Without raising taxes, State governments can expect billions of dollars of Americans' hard-earned money to flow to their treasuries if this bill passes. And how would this happen? By passing a bill that proclaims to impose fairness.

Who else is for this bill? Large retailers. They've got lots of representatives up here talking to us. They're on the Internet and they're off the Internet, but they're for this bill. They're weary of competing with small and nimble businesses. And that's natural to want to have economic barriers to entry because it's an economic fact that in the absence of innovation in a market with no barriers to entry, profits go to zero in the long run.

But how do we create barriers to entry in the United States? How do we compete? Through innovation.

America is the country of innovation. You can invent something. You can make a new piece of music. You can be nicer to your employees than the other company is. Or you can come up with a new, more efficient way of manufacturing your products. But I suggest to you, Mr. Speaker, that sending representatives to Washington, D.C. to impose financial hardships on your competitors is not the American way.

Some have said that this bill is about States' rights, and I'm a strong proponent of States' rights; but this bill does nothing to protect States' rights. In fact, this bill changes the very fabric, the constitutional fabric of the United States of America by subjecting people and businesses in one State to the taxes and regulations of another State. This is unprecedented. For the first time in history, this bill would grant States jurisdictions beyond their physical borders. If this bill passes, we'll have a virtual United States of America where borders no longer mean anything.

Justice Marshall ruled that the power to tax is the power to destroy, and we were reminded last week by the IRS's admission that the power to tax is the power to harass.

I urge other Members of Congress to consider the dangerous implications of granting individual States authority over individuals in other States.

Before my colleagues get into the details of this new tax, I'd like to point out that no one, not a single person, has argued that this bill will help our economy. Even proponents of this bill must concede that it increases taxes on American consumers and adds burdensome regulations to small businesses. That's where this debate will begin and end. This bill is bad for our economy.

I now yield to the gentleman from Florida.

Mr. DESANTIS. I thank the gentleman from Kentucky, and thank you for your leadership on getting out ahead of this and really leading the charge. You're right, this will not be good for the economy. People will say it's not really a tax increase because some of these taxes are essentially use taxes that are already due. The fact of the matter is this will hurt consumers because they are going to have to pay more, and that is not the recipe for success in a high-unemployment, low-growth economy, which is what we have now and is what we've had for a number of years.

In terms of making consumers pay more in taxes, I for one am sick of politicians in Washington and in State capitals throughout the country putting the interest of government ahead of the interests of the people. Our job is not to extract as much money as pos-

sible from our fellow citizens, but it's instead to provide a framework that protects their freedom and liberty and allows them to pursue their dreams. This bill obviously doesn't help do that. In fact, it hinders it. It hinders it by making it more difficult on consumers, but also will make it more difficult on up-and-coming new businesses that do business online. This bill represents taxation without representation, and the reason it does that is because the bill would require online businesses to determine, collect, and remit taxes to States with which they have no physical connection.

So if you have a business in Florida that does online sales and you sell to somebody in California, you're going to be responsible for determining California's sales tax, collecting it, and then sending it to California. The problem is if you have no physical connection to that State, you have no way to hold tax-happy politicians in States like California accountable for the decisions they make in terms of taxing, spending, and regulation.

I would say also, people say that there are local stores who have to pay sales tax. If you sell online to somebody out of State, you're not having to sell the tax. We don't require any stores on a local sale to figure out where the consumer came from and then send the tax over to that State. They simply collect the tax that's due in their State, so the compliance requirements are completely different. Indeed, there are over 9,600 taxing jurisdictions in the United States.

This bill specifically permits audits from the other States that have sales tax and from Indian reservations, and we have several hundred federally recognized Indian tribes, so this creates a huge compliance burden for our small businesses.

I just don't think it is good policy to saddle small businesses in Florida with red tape and additional compliance costs. I mean, why on Earth would any Floridian want an up-and-coming business to face a tax audit from a State like California or Illinois?

□ 1920

And I would say, as the gentleman from Kentucky pointed out, especially in light of what we're seeing with the malfeasance committed by the IRS out of Washington, D.C., you know, the IRS is at least somewhat accountable to the people, at least in theory, because we can always vote out the administration that oversees the IRS.

If you have an out-of-State tax audit, you don't have any political representation, so why would they care about your rights? They're not going to care about your rights. They're going to care about getting your revenue.

I just want to say a thing about fairness. People say, well, you know, you have brick-and-mortar, local stores

versus these Internet businesses; but I would suggest that that distinction is illusory, and the reason why is many companies that do business online are brick-and-mortar companies.

I have a business in my district in Ormond Beach, Florida. It's called Coastal Moto, and this is a gentleman that put his entire life savings into this business. They now have grown to have five employees. They make custom wheels for Harley Davidson motorcycles, and they ship them worldwide. But they have employees showing up every day to work there, so they are both brick-and-mortar and online. So it's essentially brick-and-click.

And I would also just endorse what the gentleman from Kentucky said, that the tax would give large companies a competitive advantage, because anytime you saddle businesses with more compliance cost, that will create barriers to entry for smaller companies, and the big businesses are always able to comply more easily.

And look, I want companies of all sizes to do well. You know, big businesses, if they're doing well, God bless them. I just don't want to tilt the playing field in favor of them and make it more difficult for new businesses to start and grow.

The Internet is one of the most pro-growth, pro-opportunity inventions in all of human history. It literally gives anybody the chance to move a product. If you have an idea, you can go online, you can put that out, and you can be successful. It's much easier, with the Internet, to have a successful business than it was 100 years ago. You're able to get into the market more cheaply and more affordably. That's not something that we should try to undermine. That's something that we should want to continue to promote.

And finally, I would just say, is it fair to burden Florida businesses in order to fund excessive spending in States that suffer from severe fiscal mismanagement? I mean, for example, in California, you have county administrators retiring with a \$400,000 pension for life. And so we're going to put burdens on our companies to be able to send money over there so that they can fund that extravagance? And I would also note that a lot of that money goes to funding union dues that end up helping fund political companies. So why would we want to do that?

So the bottom line is that the bill is bad for consumers; it represents taxation without representation; it will stymie small business growth; and it will create perverse economic incentives. Our political system right now is suffering from an accountability crisis. The last thing we need to do is expand government and add to this problem.

Mr. MASSIE. Thank you to the gentleman from Florida. He makes an excellent point on the sales tax audit burden on small businesses.

I'd like to give you two examples of companies in my district. These are, literally, mom-and-pop shops. One of them, the wife is the CFO and the husband runs the company; and in the other one, the father owns the company and the son works there every day. They were both subjected to sales tax audits in one State.

Let me tell you how the sales tax audit begins and how it ends. So the way it began was with a phone call. And that, for many small businesses, is the worst phone call of their life, of their business life, because they know what they're going to have to endure.

So let me give you the example of this farm store that underwent a sales tax audit. He was required to prove that every sales tax-exempt sale that he made in the previous years was, in fact, exempt from sales tax under Kentucky State law.

The sales tax auditors will pursue you to the end of the Earth if they think there's another dime to be found, so they pursued him with much vigor. He spent weeks looking for records trying to prove that these were, in fact, sales tax-exempt, because if they were not, he owed the sales tax on all of those sales.

How does this kind of audit end?

It ends with a white flag. There's no way to prove, there's no way to find every shred of paper for every transaction that you've ever had in the past years, so you finally settle with the sales tax auditors.

Can you imagine that? You'd be open to sales tax audits, which I've just described, in 45 different States. Now, maybe it only happens once every 10 years in your State; maybe that's the average. But, on average, you'll get 4½ sales tax audits a year, which brings me to the next small business in my district, where the wife is the CFO.

This business was subjected to a sales tax audit and an IRS audit in the same year, in fact, this year. This business owner came to me and said, Can you pass a bill that would keep me from having to go through two audits in the same year? I mean, it's just not fair. I've got a State tax audit and a Federal audit in the same year. This is killing my business. My wife can't work on anything but these audits.

Can you imagine if that business is now subjected to 45 audits in 45 different States? I just can't let this individual down. And what we're talking about, sales tax audits, it's up to the States to decide what's sales tax exempt and what's not, and every State has a different rule.

And the only way to enforce these rules and to know if you've complied—is it for a farm? is it for education? is it for resale?—is for the retailer to submit all of those sales records, information, if you will, on the individual that purchased them to the State where the individual lives.

This is ripe for corruption, just as we saw with the IRS recently. Now they know what music you've downloaded, what movies you've downloaded. Maybe you bought some gun magazines. They're going to know about all of this, and it's just ripe for corruption and for exploitation.

I'd like to yield to my good friend and colleague from the State of Montana (Mr. DAINES).

Mr. DAINES. Thanks much to my good friend from Kentucky, Mr. THOMAS MASSIE, for coordinating this Special Order here tonight. I appreciate it greatly.

We're here tonight to share our strong opposition to the so-called Marketplace Fairness Act. This is a bill that mandates small businesses to collect sales tax on behalf of other cities and States when selling products over the Internet.

The problem is this bill would fundamentally change how online purchases are taxed and would impose yet another burden on small businesses across the country, but especially like my home State of Montana. You see, in Montana we don't have a statewide sales tax. In fact, we often say you know you're a native Montanan if you voted against a sales tax twice.

But I will have to say that in my home State we have a balanced budget requirement. And not only did our State balance its budget this year, we're running a surplus, and we've done that without a sales tax. And Washington should do the same. They should learn how to balance their budget, and they don't have to impose a sales tax that's imposed on businesses across this country.

But even though we don't have a sales tax, under this legislation, Montana small businesses would be forced to collect sales taxes for up to 9,600 cities and States, none of which would go back to the people of Montana.

Let me be clear. This isn't just a bill that hurts no sales tax States like Montana. It hurts small businesses in every State, burdening businesses that depend on Internet sales with added costs and more paperwork and more regulations.

Proponents of this bill say, well, it's about fairness. They say that this bill will help prevent the supposedly widespread practice of "showrooming," where customers visit a physical store but then buy the goods online where customers can get a better price or avoid paying sales tax. According to proponents of this bill, this showrooming is destroying our brick-and-mortar businesses.

Well, ladies and gentlemen, this is not only misleading; it's wrong. As the National Journal reported, a recent PricewaterhouseCoopers survey of 10,000 shoppers found this so-called widespread problem occurred less than

2 percent of the time. In fact, the survey found that 10 times as many consumers researched products online so they could go buy them at the local brick-and-mortar shop.

Think about that. And we've all had that happen to us. You may go online and shop, but you may not want to pay the shipping costs. You may not want to have the time it takes to receive the goods. You may want to be buying that bike for your child, so you go downtown and buy at the brick-and-mortar store.

Furthermore, the study states, and I quote, "We also can't emphasize enough that the physical store remains the centerpiece of the purchase journey for many categories. In 9 out of 11 categories, in fact, the majority of consumers use physical stores for both researching and purchasing the products they want to buy."

I know that many times I'd rather head downtown to my home of Bozeman, Montana, to talk to folks face-to-face and purchase a product I've researched online so I can avoid shipping fees and avoid the wait time.

□ 1930

I know a lot of Montanans feel the same way. But then I also have to ask, what is fair about forcing a small business that relies on Internet sales to learn the ins and outs of 9,600 different tax jurisdictions or be subjected to tax audits, as the gentleman from Kentucky just mentioned, not just from one State but from all 46 States that collect sales tax?

Imposing these unreasonable standards on online retail sales but not also on brick-and-mortar retail stores is not only unfair, it's unworkable. I've heard from Montana's small businessowners who are deeply concerned about what this bill means for them and how it will affect their ability to remain profitable. I'm concerned too.

I've spent nearly three decades in the private sector. In fact, prior to having served in Congress, the last elective office I held was student body president in high school. So I've come from the business world. I've been a job creator and somebody that's had to fight the regulations and pay taxes. I know that if you're a small business owner and you're forced to comply with more than 9,000 different tax codes, which, by the way, most small businessowners readily admit it's next to impossible for any small business to do that. You are not going to be investing in your own business. You're not going to be hiring new employees, you're not going to be growing your product base or promoting innovation. You're now going to be spending more time and more capital dealing with regulations and mandates and more time with lawyers and accountants.

We also can't forget the threat that this holds for principles that are the

foundation of our Nation's tax policy, and that is that States must not be allowed to extend their taxation and regulatory authorities beyond their borders. The Internet tax would do away with the physical presence standard which dictates that a State can only require a business to collect a sales tax if it's physically present within its boundaries.

Furthermore, the people don't want an online sales tax. A recent survey found that 84 percent of consumers were opposed to this bill and 75 percent of small online retailers are opposed. Those numbers send a clear message that the American people are strongly opposed to this proposal.

So I would ask my colleagues this—remember this is the people's House. We're here to represent our districts and our States and do what is best for them. The problem back in this town, in Washington, D.C., is that the big businesses, the big corporations, have lobbyists here to be the voice here on the Hill. We need to be the voice tonight for the small business people who don't have lobbyists here in Washington, D.C., because they can't afford them. Imposing a new tax burden in these precarious economic times is clearly not what our small businesses and consumers need.

I know one of the fastest ways to slow down growth and innovation is to tax it and to regulate it. This bill is a \$23 billion tax increase coming right out of the pockets of hardworking American families. So let me be clear. The so-called Marketplace Fairness Act is a job-killing tax hike that hurts America's small businesses, and it hurts America's consumers. I promise I will continue to fight this bad piece of legislation.

Mr. MASSIE. Mr. Speaker, I would like to remind my colleagues that Mr. DAINES represents the great State of Montana, which operates with a lean government and has, so far, got by without a sales tax. That's the great thing about these United States of America. We have 50 States competing with different models for how to run their governments. This tax, as I call it, the interstate commerce tax, is more about harmonizing tax laws across the United States and taking away the competition between States.

Now, my fair State of Kentucky has a sales tax of 6 percent. But I don't think it's fair that we impose a sales tax on the State of Montana when they've worked very hard not to have one. Their businesses aren't subjected ever to a sales tax audit if they don't have to collect a sales tax. So I think he's too modest in not reminding us that he's coming from the State of Montana that has no sales tax.

This Marketplace Fairness Act could be called the "Offshore Online Retailers Act," because, while as Congressmen and Senators we can force the

States to collect these taxes, we can't go into other countries and force them to collect taxes. So what will happen is a lot of our online retailers will move across the border where they enjoy the advantage of not collecting those sales taxes, and there's no way to reach them and impose that tax upon them.

Now, some say this is not a new tax, don't call it a new tax, while others say that it's not a tax increase, don't call this a tax increase. Well, I say if it quacks like a duck and it walks like a duck, it's a duck. I'm new to Congress, but if at the end of a transaction, I have less money in my wallet and the government has the money in their coffers, I call it a tax.

Now, some will say, look, consumers already owe this tax. At the end of the year on April 15, they are supposed to pay the sales tax that wasn't collected in other States. But do you know what? That's just not true. They don't owe a sales tax because States long ago conceded that they don't have any authority to tax an event which occurs outside of their physical borders. They just can't do it without a physical presence. But States resented that they couldn't tax in other States, so they created something called a use tax. I say the use tax is actually a contrived tax. They know they can't tax an event outside of their borders, so they try to tax an event inside of their borders, which is the use of a product. But it's contrived in the sense that it's only owed if you didn't pay a tax on it somewhere else already.

So what kind of a tax is that? I'll tell you what it is: it's an uncollectible tax. And the States haven't exerted much effort in collecting that tax. We are not here to become tax collectors for the States. I just want to remind the States of that.

Also, I want to talk a little bit more about my district. A large portion of my district is rural. We don't have stores to buy everything that we would like to be able to purchase. A lot of folks go online. Some folks are disabled and can't get to the store; they go online. This is a regressive tax. This will punish those individuals who have the least mobility because they're online shopping. It also diminishes opportunities for businesses in rural areas by taxing those businesses that weren't taxed before that don't have a ready marketplace immediately in their vicinity.

Look, we've heard from Big Business, we've heard from lobbyists, and we've heard from State governments. But there's somebody absent from this debate so far, and it's our constituents. I think we need to hear from them. And with that, and to address that issue, I yield to the gentleman from Florida.

Mr. DESANTIS. I thank the gentleman from Kentucky, and I would just add to your comments. You started by talking about federalism, the

ability to kind of choose different tax laws, whatever laws, and this would actually facilitate higher taxes. It's a thumb on the scale in favor of higher taxes because it gives States the wherewithal to tax beyond their borders. So we should at least be trying to go in the other direction. I want Florida to be more like Montana, not more like some of the other high-tax States. And so that bears repeating.

Here are some of the folks who have written in via Twitter with their thoughts. Chris writes in:

Please tell the House that #InternetTax translates into higher costs for families and consumers. A weak economy cannot afford this.

Andrew writes in:

This will just be the 21st-century version of Smoot-Hawley. Will the lunacy from D.C. never cease?

Jay writes in and says:

The Internet tax is an inappropriate extension of the State's powers. It does not make commerce more fair.

Another fellow writes in and says:

It's a revenue grab, plain and simple. No taxation without representation. Is that vague?

Tiffany Lyle says:

If you tax the Internet, it's like taxing air. We work hard enough to earn what little we have.

And then Glenn writes in:

Remind them of how the Stamp Act went.

I have some more, but I will yield back to the gentleman from Kentucky because I know you probably have some more comments, as well.

Mr. MASSIE. Well, those comments bring up a very good point, and so do your comments. If this is a finger on the scale for higher taxes, States get to arbitrate and decide what gets taxed in their State. So right now we have exemptions for farm products and whatnot, but some States tax professional services in the transaction. And, of course, this bill opens up financial service transactions in one State to consumers in another State. But where does this end?

Senator BAUCUS stated in the other Chamber that not just the financial world would be open to taxes on their services, but also possibly attorneys, architects, engineers and accountants. One can only imagine, by not asking the States to do anything to simplify their system in return for the benefit of having out-of-state businesses collect taxes for them, we're giving carte blanche to the States to impose even more taxes on business.

Again, I think I'd like to hear a few more comments from our constituents.

Mr. DESANTIS. We do have some more.

Cory writes in:

I feel it may hinder an online business I've just started. It's already making business pay.

Mark says:

#InternetTax won't help local stores, but will protect online incumbents from new competition.

Taylor Neuhaus writes in and says:

I like the #InternetTax about as much as I like getting teeth pulled.

We have another fellow writes in and says:

It hurts small businesses, and it's basically Walmart vs. Amazon with consumers in the middle.

Finally, I think this is a great comment from Ian Stumpf:

An Internet tax will hurt one of the few remaining healthy sectors of the economy #disastrous.

□ 1940

Mr. MASSIE. I thank the gentleman from Florida for sharing that with us. I think all too often we don't listen as much to our constituents as we should; and on this issue, it's very important because those are in fact the people who are going to bear the burden of this new tax. And I will call it a new tax. It's unprecedented in our Constitution and in the history of this country.

I want to end this discussion tonight the way it began and the way I said it would end. No single individual who's a proponent of this tax has told me that it's going to help the economy. In fact, when I point out that it will increase taxes on consumers, when it will increase the burden on small businesses, and when it will apply pressure to offshore or online retailers, they all ultimately concede those points. This is not good for our country.

The resistance to this bill comes from our constituents, and it's also bipartisan as well. So hopefully by bringing light to this today, we will begin the conversation, begin the debate that all too often doesn't happen out in the open and shed some light on this issue.

I yield back the balance of my time, Mr. Speaker.

THE IRS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 30 minutes.

Mr. PERRY. Mr. Speaker, do we live in a banana republic? Are we living under a tin horn dictatorship? I mean, just this evening the IRS Acting Chief Steve Miller resigned. I suppose that's damage control, that's how we're going to fix this—you know, heads are going to roll.

Just recently, Mr. Miller wrote to Members of Congress at least twice to explain the process of reviewing applications for tax exempt status without disclosing that Tea Party groups had been targeted. So it's nothing new. As a matter of fact, in July of last year he testified before the House Ways and Means Oversight Subcommittee and didn't mention it, he didn't mention

the additional scrutiny. I'm sure it must have slipped his mind. Oh, that's right, it couldn't have slipped his mind because he was asked about it specifically.

Now we're supposed to trust these answers that are forthcoming at this time and are continuing to be revised. But initially—and falsely—they claimed that the practice of flagging conservative groups for additional scrutiny was contained to low-level staffers at a Cincinnati office. First we heard it was a couple hundred, or 75, and then 200, and now it's like 500. I mean, how much do we trust someone that continues to change their story? And if it was low-level folks at the agency, how come the guy at the top just resigned? I mean, I understand that the buck stops there, but does the buck stop there—or should it stop there?

According to the report by the Inspector General, they knew about the problem by June 2011. I mean, they knew about it. They're testifying in front of Members of Congress and misleading Members of Congress. Forget Members of Congress, what about the American people? What about the people in these organizations, God-fearing, tax-paying Americans that were targeted, what about them?

According to the IG report, the IRS was not only targeting Tea Party organizations; it was going after groups focused on government spending, government debt, taxes, and education on ways to make America a better place to live. Really? I mean, maybe I'm being targeted because I'm looking through that list and I think those are things I stand for. I think those are things that most of my constituents stand for.

It also started targeting groups criticizing the government or educating Americans about the Constitution and the Bill of Rights. Since when is it a problem to criticize your government? I mean, isn't that one of the fundamental things that this Nation was founded on? And now we're going to have the IRS come after us. And is it bad that we educate Americans about the Constitution and the Bill of Rights? Is that a bad thing? Apparently—according to the IRS—it is.

The use of the IRS to target political opponents of an administration is one of the greatest dangers of the tremendous power of this Federal agency. I mean, I asked, are we living in a banana republic? Is this a tin horn dictatorship, because certainly this can't happen in America. These are things that happen in these other small rogue nations where there are political dissidents that come to America to escape persecution.

So what's next for us in America? If it starts here, does it end with then us going to jail as political dissenters against some ideals that the administration currently in power has?

I'm going to read an excerpt of the Federal law, 26 U.S. Code 7217. It prohibits any employee of the Executive Office of the President and Vice President, as well as Cabinet Secretaries, from requesting, directly or indirectly, that the IRS investigate any particular taxpayer with respect to the tax liability of such taxpayer.

It is important for the rule of law and the interest of justice that the Congress aggressively pursue its oversight function to get to the bottom of the scandal. We don't want to just get to the bottom of the scandal so we can make sure it never happens again. I mean, that's what we so often hear. We need to find out who instigated it and who authorized it, because it is very hard for us to believe that these were just some low-level employees that, you know, took it upon themselves.

And I must ask everybody, what is their impetus? What is their motivation to do that? What low-level employee would take it upon him or herself to say, well, we're going to start investigating Tea Party groups and groups with the name "patriot" in their organization. What's in it for them? And I suspect you're having a hard time coming up with the answer, just as I am.

How long has this been going on? Well, apparently it started in February of 2010, and it lasted for about 27 months. The last appeal that was approved was in Champaign, Illinois, in February of 2010. So if you think back to February, what was happening in February of 2010? Well, first of all, if you own an iPad right now, you couldn't get one in February of 2010 because there were none available; it wasn't on the market. If you remember back then, there was a volcano over Iceland that was stopping air travel to Europe. There was the Freshwater Horizon that blew up in the gulf, killing many workers and destroying the environment or contaminating the environment in the gulf. That's how long ago this has happened. That's how long this has been going on. And that's how long people in this administration knew about it and said nothing.

You know, I don't know what this means for Tea Party organizations and patriot groups and the like. I mean, if I quote Julian Bond, the former head of the NAACP, he calls the Tea Party the Taliban of American politics. I would suggest to you that they're exactly opposite that, and the actions of the administration are more keeping with Taliban-like tactics. I mean, these folks are continually ridiculed for being, oh, opposed to government intrusion in their lives, and worrying about conspiracies, and what kind of personal things about them the government is looking into and what they're doing with it. And it's all very conspiratorial, and they're seen as kind of kookie whack jobs. Apparently they're right. Who knew?

During this same period of time, interestingly, a director in the IRS fast-tracked an application for the President's half-brother. That took 1 month. It took 1 month. Meanwhile, 27 months went by where organizations with the name "Tea Party" or "patriot" couldn't receive the same consideration.

Did front-line employees do this? Again, I've got to question that. It just doesn't add up. Again, day by day we hear more and more. I mean, the first thing that came out recently was that rogue employees did this—and at one point only one employee. Really? One employee out of 106,000 that work at the IRS, that's what we're supposed to believe?

Are we supposed to change our trust level and our belief level every day as new reports come out with new information that countervails the information of the day before? I mean, we've got to ask—the government asks its citizens all kinds of information, whether you're a farmer and the Agriculture Department forces you to do a survey, complete a survey under penalty of law.

And folks call up their Congressman. They call me up in the district office and they say: Why must I fill this out? Why do they need all this information? What is this relevant information? That's the Ag Department census. And maybe it's fair; maybe it's not. I take issue with it. But in this case, I really take issue with it because in this application and in their findings, the IRS findings, they looked at what books Members were reading. Are we going to have a book burning next?

□ 1950

They looked at Facebook posts, resumes of officers, minutes of meetings since the organizations' inceptions. And I ask you, what does any of that have to do with your tax status? Or does it have to do with something else? Does it have to do with your political status and who you may disagree with?

Thirty-one organizations' information was released to organizations like ProPublica—31 organizations. Maybe that's the beginning of that, and maybe we don't know the extent of how many other organizations were leaked this information. What did they do with it? Did they maybe use it to target candidates in political elections to make sure that they lost because they disagreed with their ideology?

We understand that we oftentimes disagree on ideology on policy, but we expect a fair and level playing field, and we certainly expect the government to provide that. That's the government's role. That's one of the government's core missions. In this case, obviously, the government was working for one team and decidedly against the other team. What does that mean to all Americans?

Some applications were under review at the IRS for 3 years, yet you could sue the IRS after 270 days for inaction. For 3 years these things went dormant. So who's responsible?

We have had a host of scandals in this town from time immemorial. This administration is really at some point no different than the next, but on one point I think it has been so far: nobody is ever responsible. People take responsibility, but there's no accountability, and no heads really roll. Nothing happens to anyone.

Finally, there is a firing here and we're not sure this guy had anything to do with it. But I would ask you this:

The President says that he finds out this information that you find out in the public on the same day you find it out. Mr. Speaker, that seems odd to me. He's the President. He's the leader of the country. We know that he can't know every little thing in every agency. He can't know that, and we don't expect him to know that. That is why he hires top people, smart people to run those organizations for him. But he is the leader of the country, and when this is going on for a couple of years and they know about it, shouldn't we be concerned that he doesn't know anything about it? I mean, is that a failure of leadership? I think that's a great question. And I think that it is bad that our President says that he doesn't know, and that he truly doesn't know. I don't see that as a good thing.

Mr. Speaker, the American public increasingly has a trust issue with this administration, which is now in damage control, and we understand that they have to be. But, Mr. Speaker, while they are in damage control, is the people's business, the legitimate people's business being conducted right now? Where is their focus? Where was their focus on these issues when they could have been stopped or averted, and where is it now and what is the cost of that?

And I would also say to you this: as a person who has lead organizations myself, at the top is where the culture starts. The person at the top, he or she determines the culture of that whole organization. The people within that organization survive or do not survive by going along and learning to fit in with that culture. If everything below that starts eroding, you can only, at some point, look towards the top.

I would submit to you under the current scenario of the last week's events that we might really be seeing the advent of the evidence of a culture of corruption that has been going on for more than just a few days. Let's just go through a couple of them. I know you know it is coming.

It started with Fast and Furious, and I can tell you that I don't feel like I've gotten the answers. I don't think the American people have gotten the answers that they have been looking for.

I certainly don't think that justice has been served for those folks and, in particular, the one agent on the border who lost his life over that.

And, of course, there's Benghazi, which information continues to come out even as we speak, including emails today that show that the State Department and the White House changed the intelligence talking points. Changed them why? Why change them? Why not tell the American people what happened, especially when apparently you know what happened? Is it because it shouldn't have happened and it didn't have to happen, but there was inaction when something could have changed? We heard that, well, we couldn't get folks there in time. We can do a lot of things in this town, but one thing I haven't seen anybody be able to do is to predict the future.

I don't know who in the White House or who in the Department of State predicted that the attack would only last so long. Years ago, when I was a little kid, I watched hostages in Iran being taken, and that lasted for well over a year, 470-some days or something like that.

How did we know, how did the Department of State, how did the White House know that this wasn't going to be the same scenario and these folks weren't going to be held captive for years and years and the United States held hostage? They just assumed whatever they assumed, I guess.

It is just interesting. We don't know the President's whereabouts during that period of time. I don't know if we will ever know. But it is interesting that there is no culpability, there is no accountability. Folks at the State Department, we were told, well, there were some low-level folks that were responsible for the security misfortune and missteps at the consulate and they have been reassigned. Four people are dead. Families don't know why their children died—their brothers, their sisters, their husbands, their fathers—they don't know to what end, and they still don't know. If we left it up to this administration, who keeps on stonewalling and just metering out the information only as fast as we can pull it out of them, they may never know.

Is it embarrassing? Americans are forgiving. If a mistake was made in good faith, a mistake was made. We are all human. But was a mistake made in good faith or was a mistake made—scratch that. Was it a precalculated decision for political purposes? And, if it was, that is, indeed, reprehensible. I'm sure that is, indeed, embarrassing and there will be a cost to that. So maybe that is the motivation we don't know.

And then there is the Justice Department wiretaps at the AP. The Attorney General recused himself. He recused himself. He recused himself of what? I'm not sure the timeline there. Does that mean he knew that the Justice

Department was going to tap the AP, one of the largest wire services in the world? Did he know and say, well, there is an investigation going on so I'm going to stay out of it and he left it to his deputy?

We don't know what to trust, but I can tell you this. According to the Department of Justice, their media subpoena requirement is:

The approval of the Attorney General is required before a government attorney can issue a subpoena to a member of the news media.

That is not my words. That comes right from 28 CFR 50.10.

Fifty-two major media organizations have spoken out against this. This is not a liberal/conservative thing. This is a freedom of the press. This is an issue that crosses all lines.

The press Shield Act has been introduced in the Senate. It was introduced a couple of years ago when Democrats held the House, the Senate, and the Presidency. Now it is being reintroduced and retouted. Oh, really? If it was so important—if it is so important now, why didn't you pass it then? Why did you wait until now to reintroduce it and make a big deal of it?

I would suggest to you that that is more damage control. It is more political gamesmanship and trying to just smooth over a bad situation.

The Justice Department wiretaps at the AP led right to this House gallery. And I wonder about jurisdictional issues. Doesn't the Executive Office have a separation of powers duty? Can the Executive Office wiretap the House of Representatives?

And what about the Senate? Isn't it curious that the House of Representatives is controlled by the majority party, which is Republicans, so the wiretaps come here, but they don't go to the Senate, where arguably most of the reporters hang out because that is where things are really happening most of the day, but no wiretaps there? I guess it is just a coincidence, Mr. Speaker.

Let's move on. Health and Human Services Secretary Sebelius out soliciting funds to pay for ObamaCare. Is that appropriate or is that not a little scandalous? Is she shaking them down? Are we just now waiting for the next shoe to drop on that and to get some information about that?

There's another one waiting in the wings as we speak, the EPA. Fees for FOIA requests. Freedom of Information Act requests are normally waived for philanthropic and public policy-oriented organizations. And, of course, they were waived for 92 percent of green groups friendly with the EPA. Interestingly, during the same period of time, the fees were universally applied to conservative groups.

□ 2000

Mr. Speaker, we have a trust issue. We've had a trust issue in the House of

Representatives with the administration for some time, and the American people are starting to realize that they, too, have a trust issue. It is unfortunate. It is unfortunate because, at a time when Congress is, generally speaking, still pretty close to an all-time low in approval rating, what we need is uplifting things from the most transparent organization in history to make sure that the American people know that they can trust their government even though they don't always agree. Sometimes they disagree with policy, but if it's out front—if you give somebody your rationale, if you tell him this is why I think we should do what we should do—a citizen says, I don't agree, but you're our leader, so go ahead.

We don't lie to the American people. We don't hide things from the American people. We don't watch Americans die and do nothing about it and then lie about it after the fact. We don't mislead Congress.

Mr. Speaker, it's the most critical time during these times for the administration to fully come clean on everything. Be up front on everything. Don't parse the information, because all that will serve to do is to erode the trust of the American people further day by day, not only in the administration, but in the halls of all of government institutions from the top to the bottom.

We as Americans are right to be cynical of our government. We are right to, and we have a right to be cynical. It's not a bad thing. We have the right to question, and we should question—that's how answers come—but we shouldn't have to question the trust. Questioning motives, questioning policies, those are apt things, but not wondering why the government is collecting information to give to the IRS.

Why would you give it to the IRS? Why did the IRS need that information? Was it to get more taxes? Why do they need to know what books you're reading? The IRS can put people in jail, folks. Are we looking towards a time when we put people in jail for reading the wrong books? for thinking the wrong things? for opposing the ruling powers? That is something for another world. That is something from another world, another country.

This is America. These things do not happen here. These things should not happen here. Yet these things, apparently and sadly, have happened here.

It is time for the administration to lay everything on the table so that we know where we stand, so that we can get past this and get back to the business of governance. We have slow economic growth. People are struggling. People have lost their jobs. People will continue to lose their jobs. Bills are going up, and paychecks are going down. That's what we need to be focusing on.

We are held hostage by foreign governments who own our debt. We are

held hostage by foreign governments who hold energy supplies while we're standing right on top of them in America. Those are the policies we need to be discussing, not whether our government misled us about Benghazi; whether they misled us about wiretaps; whether they misled us about Fast and Furious; whether they misled us about Health and Human Services and what they're doing with shaking down companies for money for ObamaCare; whether they're going to mislead us about the EPA and fees charged to certain organizations only; and certainly, the IRS' targeting of certain individuals for what they think and what they say.

There is no place for that in America. We need to get back to the people's business, and we need to do it right fast.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 360. An act to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where there 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 15, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 360. To award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.

ADJOURNMENT

Mr. PERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 16, 2013, at 10 a.m. for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

MARK SANFORD, First District of South Carolina.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1487. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on National Guard Counterdrug Schools Activities, pursuant to Public Law 109-469, section 901(f); to the Committee on Armed Services.

1488. A letter from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting the Department's final rule — Program Integrity Issues [Docket ID: ED-2010-OPE-0004] (RIN: 1840-AD02) received April 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1489. A letter from the Deputy Assistant Secretary for Higher Education Programs, Department of Education, transmitting the Department's final rule — Final Priorities; Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) College Savings Account Research Demonstration Project [CFDA Number: 84.334D.] received April 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1490. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablock Act; to the Committee on Foreign Affairs.

1491. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C.

2072; (H. Doc. No. 113—25); to the Committee on the Judiciary and ordered to be printed.

1492. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Evidence that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. 113—26); to the Committee on the Judiciary and ordered to be printed.

1493. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. 113—27); to the Committee on the Judiciary and ordered to be printed.

1494. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendment to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2075; (H. Doc. No. 113—28); to the Committee on the Judiciary and ordered to be printed.

1495. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. 113—29); to the Committee on the Judiciary and ordered to be printed.

1496. A letter from the Deputy Assistant Administrator, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Lorcaserin Into Schedule IV [Docket No.: DEA-369] received May 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1497. A letter from the Chair and CEO, Farm Credit Administration, transmitting the Administration's final rule — Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation (RIN: 3052-AC87) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1498. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Hebda Cup Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI [Docket Number: USCG-2013-0211] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1499. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30896; Amdt. No. 3531] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1500. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30897; Amdt. No. 3532] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1501. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — amendment of Restricted Areas R-670A, B, C, D; and Establishment of Restricted Areas R-6703E, F, G, H, I, and J; WA [Docket No.: FAA-2012-0371; Airspace Docket No. 12-ANM-

14] (RIN: 2120-AA66) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1502. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airway V-595, OR [Docket No.: FAA-2012-1004; Airspace Docket No. 12-ANM-21] (RIN: 2120-AA66) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1503. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Payment for Home Health Services and Hospice Care to Non-VA Providers (RIN: 2900-AN98) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1504. A letter from the Acting United States Trade Representative, United States Trade Representative, transmitting the intention to include Japan in the ongoing negotiations of the Trans-Pacific Partnership; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 701. A bill to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action (Rept. 113-58). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 215. Resolution providing for consideration of the bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010 (Rept. 113-59). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 216. Resolution providing for consideration of the bill (H.R. 1062) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders (Rept. 113-60). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Mrs. NAPOLITANO, Mr. HOLT, Mr. GRIJALVA, Ms. JACKSON LEE, Ms. CASTOR of Florida, Mr. YARMUTH, Mr. POLIS, Ms. KAPTUR, Ms. TSONGAS, Ms. LEE of California, Mr. LEWIS, Mr. SCOTT of Virginia, Mrs. MCCARTHY of New York, and Ms. WILSON of Florida):

H.R. 1981. A bill to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. REICHERT (for himself and Mr. THOMPSON of California):

H.R. 1982. A bill to amend section 1862 of the Social Security Act with respect to the application of Medicare secondary payer rules to workers' compensation settlement agreements and Medicare set-asides under such agreements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself and Ms. BASS):

H.R. 1983. A bill to amend the Food for Peace Act to reform the food assistance programs under that Act, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself and Mrs. CHRISTENSEN):

H.R. 1984. A bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself, Mr. DENT, Mr. DUNCAN of South Carolina, Mr. FRELINGHUYSEN, Mr. GRIMM, Mr. HANNA, Mr. HARRIS, Mr. JONES, Mr. RUNYAN, Mr. SMITH of New Jersey, Mr. WELCH, Mr. WILSON of South Carolina, and Mr. KING of New York):

H.R. 1985. A bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LIPINSKI (for himself, Mr. FORTENBERRY, Mrs. HARTZLER, and Ms. SPEIER):

H.R. 1986. A bill to provide for the assignment of Sexual Assault Nurse Examiners-Adult/Adolescent to brigades and equivalent units of the Armed Forces; to the Committee on Armed Services.

By Ms. SINEMA:

H.R. 1987. A bill to amend title 38, United States Code, to increase the amount of benefits payable for the burial and funeral expenses of certain veterans; to the Committee on Veterans' Affairs.

By Mr. ALEXANDER (for himself and Mr. CONNOLLY):

H.R. 1988. A bill to amend title 38, United States Code, to provide authority for certain members of the Armed Forces to transfer entitlement to Post-9/11 Educational Assistance to their dependents; to the Committee on Veterans' Affairs.

By Mr. ALEXANDER:

H.R. 1989. A bill to require the Forest Service to accommodate, to the extent consistent with the management objectives and limitations applicable to the National Forest System lands at issue, individuals with mobility disabilities who need to use a power-driven mobility device for reasonable access to such lands; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia:

H.R. 1990. A bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 1991. A bill to require the Secretary of Education to verify that individuals have made a commitment to serve in the Armed Forces or in public service, or otherwise are a borrower on an eligible loan which has been submitted to a guaranty agency for default aversion or is already in default, before such individuals obtain a consolidation loan for purposes specified under section 455(o) of the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia (for himself, Mr. SCHNEIDER, Mr. ROYCE, and Ms. GABBARD):

H.R. 1992. A bill to amend the requirements relating to assessment of Israel's qualitative military edge over military threats, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FORBES:

H.R. 1993. A bill to prohibit the Internal Revenue Service from hiring new employees to enforce the Federal Government's invasion into the health care lives of American citizens; to the Committee on Ways and Means.

By Mr. HARPER:

H.R. 1994. A bill to terminate the Election Assistance Commission; to the Committee on House Administration.

By Mr. KIND (for himself, Mr. PETRI, Mr. BLUMENAUER, Ms. DELAURO, Mr. WAXMAN, Mr. SENSENBRENNER, Mr. MCGOVERN, and Mr. COOPER):

H.R. 1995. A bill to reform the Federal Crop Insurance Act and reduce Federal spending on crop insurance; to the Committee on Agriculture.

By Mr. KING of New York (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. RUNYAN, Mr. PETRI, Mr. YOUNG of Florida, and Mr. DEFAZIO):

H.R. 1996. A bill to provide for free mailing privileges for personal correspondence and parcels sent to members of the Armed Forces serving on active duty in Iraq or Afghanistan; to the Committee on Armed Services.

By Mr. MCKEON (for himself and Mr. PETERS of California):

H.R. 1997. A bill to allow investor participation in the loan rehabilitation program authorized under section 203(k) of the National Housing Act; to the Committee on Financial Services.

By Mr. MCKEON (for himself and Ms. LORETTA SANCHEZ of California):

H.R. 1998. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Natural Resources.

By Mr. MURPHY of Florida (for himself, Mr. JOYCE, Mr. PETERS of California, Mr. RICE of South Carolina, and Ms. SINEMA):

H.R. 1999. A bill to reduce waste and implement cost savings and revenue enhancement for the Federal Government; to the Committee on Oversight and Government Reform, and in addition to the Committees on Appropriations, Agriculture, Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Mr. HOYER, Mr. YOUNG of Alaska, Mr. SERRANO, Mr. KING of New York, Mr. GEORGE MILLER of California, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Mr. RANGEL, Mr. WAXMAN, Ms. KAPTUR, Mr. ENGEL, Mr. FALEOMAVAEGA, Ms. NORTON, Ms. BROWN of Florida, Mr. MICA, Mr. HASTINGS of Florida, Mr. FATTAH, Mr. KIND, Mr. CROWLEY, Mr. DIAZ-BALART, Mr. GRIJALVA, Ms. BORDALLO, Mr. ELLISON, Ms. CASTOR of Florida, Ms. FUDGE, Mr. SCHOCK, Mr. SABLAN, Mr. DEUTCH, Mr. POLIS, Mr. GRAYSON, Ms. WILSON of Florida, Mr. GARCIA, and Ms. SHEA-PORTER):

H.R. 2000. A bill to set forth the process for Puerto Rico to be admitted as a State of the Union; to the Committee on Natural Resources.

By Mr. RANGEL (for himself, Mr. THOMPSON of Pennsylvania, Mr. MCGOVERN, Ms. LEE of California, Mr. RAHALL, Mrs. NAPOLITANO, Mr. MCCAUL, Mr. WESTMORELAND, Mr. PERRY, Mr. JONES, Mrs. CAPPAS, Ms. CHU, Ms. NORTON, Mr. MEEKS, Mr. WALZ, Mr. COOPER, Mr. NUNNELEE, Mr. BROUN of Georgia, Mr. CLEAVER, Mr. GARY G. MILLER of California, Mr. KELLY of Pennsylvania, Mr. POCAN, and Mr. ROE of Tennessee):

H.R. 2001. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans via telemedicine; to the Committee on Veterans' Affairs.

By Mr. RYAN of Ohio (for himself, Ms. GRANGER, Ms. MCCOLLUM, Ms. KUSTER, Mrs. LOWEY, Ms. KAPTUR, Mr. COLE, and Mr. CRENSHAW):

H.R. 2002. A bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. RYAN of Ohio (for himself and Mrs. LOWEY):

H.R. 2003. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of drugs intended for human use to contain a parenthetical statement identifying the source of any ingredient constituting or derived from a grain or starch-containing ingredient; to the Committee on Energy and Commerce.

By Mr. SIMPSON (for himself and Mr. DEFazio):

H.R. 2004. A bill to expand geothermal production, and for other purposes; to the Committee on Natural Resources.

By Mr. TIERNEY (for himself, Mr. CAPUANO, Mr. CUMMINGS, Mr. FARR, Ms. HAHN, Mr. KEATING, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. MCGOVERN, Mr. MORAN, Mrs. NAPOLITANO, Ms. SPEIER, and Ms. TSONGAS):

H.R. 2005. A bill to provide for the development and use of technology for personalized handguns, to require that, within 3 years, all handguns manufactured or sold in, or imported into, the United States incorporate such technology, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG (for himself and Mr. KILDEE):

H.R. 2006. A bill to amend the Internal Revenue Code of 1986 to expand access to Cover-

dell education savings accounts; to the Committee on Ways and Means.

By Mr. WELCH:

H.R. 2007. A bill to eliminate the limitation on the period for which borrowers are eligible for guaranteed assistance under the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

By Mr. WELCH:

H.R. 2008. A bill to prohibit United States assistance for Afghanistan unless the United States and Afghanistan enter into a bilateral agreement which provides that work performed in Afghanistan by United States contractors is exempt from taxation by the Government of Afghanistan; to the Committee on Foreign Affairs.

By Mr. WEBER of Texas (for himself, Mr. SMITH of Texas, Mr. HALL, Mr. NEUGEBAUER, Mr. SENSENBRENNER, Mr. STOCKMAN, Mr. CRAMER, Mr. SCHWEIKERT, and Mr. STEWART):

H. Res. 214. A resolution expressing the sense of the House of Representatives that extensive scientific and technical studies and analyses by the Department of State and other Federal agencies have affirmed that the proposed Keystone XL pipeline is an environmentally sound project; to the Committee on Science, Space, and Technology.

By Mr. BENTIVOLIO:

H. Res. 217. A resolution expressing the sense of the House of Representatives that the Federal, State, and local police officers who have fallen while fulfilling their duty both in Michigan and the United States should be honored for their sacrifice and commitment to preserving law and order; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII,

25. The SPEAKER presented a memorial of the Senate of the State of Georgia, relative to Senate Resolution No. 423 urging the Congress and the President to resolve the national debt crisis; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GEORGE MILLER of California:

H.R. 1981.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 3 and 18 of the United States Constitution.

By Mr. REICHERT:

H.R. 1982.
Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations re-

specting the territory or other property belonging to the United States)."

By Mr. ROYCE:

H.R. 1983.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. LANCE:

H.R. 1984.
Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. LANCE:

H.R. 1985.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Congress has the power "to regulate commerce with foreign nations, and among the several states."

By Mr. LIPINSKI:

H.R. 1986.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. SINEMA:

H.R. 1987.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties, imposts and excises, to pay the debts and provide for the general welfare of the United States; as enumerated in Article I, Section 8.

By Mr. ALEXANDER:

H.R. 1988.
Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution granting that "[t]he Congress shall have power to . . . provide for the common defence and general welfare of the United States;" as well as clause 18 of section 8 of article I of the Constitution provides that "[t]he Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ALEXANDER:

H.R. 1989.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, which states Congress may ". . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . ."

By Mr. PRICE of Georgia:

H.R. 1990.
Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article I of the Constitution. The bill stops the IRS implementation of the Patient Protection and Affordable Care Act, which exceeds the authority vested in Congress by the Constitution. Finally, the bill removes government intrusion into the doctor-patient relationship, which is protected by the Ninth and Tenth Amendments to the Constitution.

By Mr. ANDREWS:

H.R. 1991.
Congress has the power to enact this legislation pursuant to the following:

Congress' Spending Power as contained in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. COLLINS of Georgia:

H.R. 1992.

Congress has the power to enact this legislation pursuant to the following:

Congress has authority under Article I, Section 8, cl. 3, the Interstate Commerce Clause, to regulate interstate and foreign commerce.

Congress has authority under Article I, Section 8, cl. 18, the Necessary and Proper Clause, to effectuate its powers enumerated elsewhere.

By Mr. FORBES:

H.R. 1993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. HARPER:

H.R. 1994.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the U.S. Constitution granting Congress the authority to make laws governing the time, place, and manner of holding Federal elections.

By Mr. KIND:

H.R. 1995.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of New York:

H.R. 1996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCKEON:

H.R. 1997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution—the Commerce Clause—and Article I, Section 8, Clause 18 of the Constitution—the Necessary and Proper Clause.

By Mr. MCKEON:

H.R. 1998.

Congress has the power to enact this legislation pursuant to the following:

(Article I, Section 8, Clause 3). The commerce clause states that the United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." Courts and commentators

By Mr. MURPHY of Florida:

H.R. 1999.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18 of the United States Constitution:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PIERLUISI:

H.R. 2000.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to admit new States into the Union and to make all needful rules and regulations re-

specting the territories of the United States, as enumerated in Section 3 of Article IV of the Constitution.

By Mr. RANGEL:

H.R. 2001.

Congress has the power to enact this legislation pursuant to the following:

Congress is given the power under the Constitution "To raise and support Armies," "To provide and maintain a Navy," and "To make Rules for the Government and Regulation of the land and naval Forces." Art. I, §8, cls. 12-14. See also: ROSTKER V. GOLDBERG, 453 U.S. 57 (1981)

By Mr. RYAN of Ohio:

H.R. 2002.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Clauses 14 and 18:

To make Rules for the Government and Regulation of the land and naval Forces; and

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof

By Mr. RYAN of Ohio:

H.R. 2003.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SIMPSON:

H.R. 2004.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 3 of article IV of the Constitution ("The Congress shall have the Power of Congress to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .").

By Mr. TIERNEY:

H.R. 2005.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. WALBERG:

H.R. 2006.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in Any Department of Officer thereof.

By Mr. WELCH:

H.R. 2007.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 2008.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. ROTHFUS, Mr. DENHAM, and Mr. KINGSTON.

H.R. 7: Mr. WEBSTER of Florida, Mr. MCCAUL, Mr. MULLIN, Mr. NUNNELEE, Mr. TIBERI, Mr. BISHOP of Utah, Mr. GRIFFIN of Arkansas, Mr. WEBER of Texas, Mr. PALAZZO, Mr. LATTI, and Mr. KING of New York.

H.R. 22: Mr. OLSON.

H.R. 23: Mr. KINGSTON.

H.R. 45: Mr. STUZMAN, Mr. LUCAS, and Mr. AUSTIN SCOTT of Georgia.

H.R. 104: Mr. NUGENT.

H.R. 164: Mr. WAXMAN, Mr. MCGOVERN, Mr. HOLDING, Ms. PINGREE of Maine, Mr. JORDAN, and Mr. PETERS of California.

H.R. 184: Mr. GRAVES of Missouri, Mr. LOBIONDO, Mr. TURNER, and Mr. BROUN of Georgia.

H.R. 207: Mrs. NOEM.

H.R. 241: Mr. COLE.

H.R. 262: Mr. MCDERMOTT.

H.R. 303: Mr. MCCAUL.

H.R. 335: Mr. LARSON of Connecticut.

H.R. 346: Mr. HARRIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. GRIFFIN of Arkansas, Mr. ROKITA, and Mr. MESSER.

H.R. 357: Mr. MESSER.

H.R. 367: Mr. DAINES.

H.R. 384: Mr. CARSON of Indiana and Mr. GRIJALVA.

H.R. 386: Mr. CARSON of Indiana.

H.R. 398: Mr. MAFFEI.

H.R. 451: Mr. WEBSTER of Florida, Mr. NUGENT, Mr. GRAYSON, Mr. MICA, and Mr. HASTINGS of Florida.

H.R. 521: Mr. HUFFMAN.

H.R. 556: Mr. KLINE and Mr. ROTHFUS.

H.R. 578: Mr. PEARCE.

H.R. 627: Mr. SHERMAN.

H.R. 637: Mr. STOCKMAN and Mr. PEARCE.

H.R. 664: Ms. SPEIER, Mrs. KIRKPATRICK, and Mr. RICHMOND.

H.R. 688: Mr. ISRAEL, Mrs. BEATTY, Mr. CULBERSON, Ms. BROWNLEY of California, and Mrs. BUSTOS.

H.R. 690: Ms. DELBENE.

H.R. 721: Mr. COLE, Mr. MCINTYRE, Mr. TERRY, Mr. BRADY of Pennsylvania, and Mr. SMITH of New Jersey.

H.R. 736: Mr. PALLONE.

H.R. 752: Mr. LARSEN of Washington.

H.R. 755: Ms. LEE of California.

H.R. 761: Mr. RADEL.

H.R. 763: Mr. KING of New York, Mr. KELLY of Pennsylvania, Mr. WEBSTER of Florida, Mr. LABRADOR, Mr. SHUSTER, Mr. RICE of South Carolina, and Mr. ROGERS of Kentucky.

H.R. 769: Mr. SARBANES.

H.R. 781: Mr. GERLACH.

H.R. 792: Mr. CARTER and Mr. MULLIN.

H.R. 793: Ms. CLARKE.

H.R. 794: Ms. SCHWARTZ.

H.R. 828: Mr. STUZMAN, Mr. HUIZENGA of Michigan, Mr. BROWN of Georgia, and Mr. STOCKMAN.

H.R. 850: Mr. LANKFORD.

- H.R. 874: Mr. LOWENTHAL and Mr. HASTINGS of Florida.
- H.R. 901: Mr. ROSKAM, Mr. SCHRADER, Mr. KIND, and Mr. RUSH.
- H.R. 903: Mr. AMODEI and Mr. CARTER.
- H.R. 911: Mr. MICHAUD, Mr. JONES, and Mr. DOGGETT.
- H.R. 929: Mr. GARAMENDI.
- H.R. 940: Mr. THOMPSON of Pennsylvania and Mr. LATHAM.
- H.R. 957: Mr. VALADAO.
- H.R. 961: Mr. COURTNEY and Ms. ESHOO.
- H.R. 963: Mr. MCGOVERN, Mr. SIRES, and Mr. SMITH of New Jersey.
- H.R. 1005: Mr. PITTFENGER, Mr. BARR, Mr. FLEMING, Mr. CULBERSON, Mr. BRIDENSTINE, Mr. BARTON, Mr. MULVANEY, Mr. MASSIE, Mr. HUIZENGA of Michigan, Mrs. BACHMANN, Mr. HARRIS, Mr. STOCKMAN, and Mr. YODER.
- H.R. 1008: Mrs. CHRISTENSEN, Mr. COURTNEY, Mr. GENE GREEN of Texas, Mr. ENGEL, Mr. GRIJALVA, Mr. SCHIFF, Mr. CLAY, Mr. BISHOP of Georgia, and Mr. POLIS.
- H.R. 1009: Mr. TONKO and Mr. KIND.
- H.R. 1020: Mr. ROSKAM and Ms. HERRERA BEUTLER.
- H.R. 1038: Mrs. ELLMERS and Ms. CHU.
- H.R. 1076: Mr. OLSON.
- H.R. 1130: Mr. LEVIN.
- H.R. 1149: Mr. ALEXANDER.
- H.R. 1151: Mr. YODER and Mr. GINGREY of Georgia.
- H.R. 1154: Mr. PETERS of California.
- H.R. 1155: Mr. COURTNEY.
- H.R. 1179: Mr. PETERSON and Mr. MICHAUD.
- H.R. 1182: Mr. KLINE.
- H.R. 1186: Mr. VARGAS and Mr. KENNEDY.
- H.R. 1243: Mr. CROWLEY.
- H.R. 1250: Mr. WELCH, Ms. BROWNLEY of California, and Mr. LABRADOR.
- H.R. 1276: Mr. ADERHOLT, Mr. SCHRADER, Mr. ROGERS of Kentucky, Mr. SCOTT of Virginia, Mr. PAYNE, Mr. SIRES, Mr. PASCARELL, Ms. ROYBAL-ALLARD, Mr. MEADOWS, Mr. BARLETTA, Ms. ESTY, Mr. FORBES, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. RAHALL, and Mr. PRICE of North Carolina.
- H.R. 1304: Mr. CAMP.
- H.R. 1318: Mr. SCHIFF.
- H.R. 1321: Ms. BROWNLEY of California.
- H.R. 1340: Mr. DOGGETT.
- H.R. 1355: Mr. LABRADOR.
- H.R. 1362: Mr. PASCARELL.
- H.R. 1385: Mr. LEWIS and Ms. DEGETTE.
- H.R. 1402: Mr. LANGEVIN.
- H.R. 1403: Ms. LEE of California, Ms. NORTON, Mr. BUTTERFIELD, Ms. FUDGE, Ms. BROWN of Florida, Ms. WILSON of Florida, and Mr. RANGEL.
- H.R. 1412: Mr. TAKANO.
- H.R. 1431: Mr. MORAN, Mr. PIERLUISI, Mr. CICILLINE, Ms. LEE of California, and Ms. WILSON of Florida.
- H.R. 1438: Mr. BISHOP of New York.
- H.R. 1464: Mr. PETERS of California.
- H.R. 1498: Mr. MEEKS.
- H.R. 1502: Mr. ROTHFUS.
- H.R. 1518: Mr. PRICE of North Carolina, Mr. CONNOLLY, Ms. KUSTER, Mr. PETERS of Michigan, Mr. GRIJALVA, Mr. TIPTON, Mr. GEORGE MILLER of California, Mr. WALBERG, and Mrs. DAVIS of California.
- H.R. 1527: Mr. MCNERNEY, Mr. SWALWELL of California, and Mr. HINOJOSA.
- H.R. 1566: Mr. RADEL and Mr. RENACCI.
- H.R. 1595: Mr. HUFFMAN.
- H.R. 1613: Mr. MULLIN.
- H.R. 1620: Mr. BISHOP of New York and Mr. LATHAM.
- H.R. 1623: Ms. LEE of California and Mr. JOYCE.
- H.R. 1628: Mr. BUCSHON and Mr. LABRADOR.
- H.R. 1629: Mr. POLIS.
- H.R. 1630: Mrs. NAPOLITANO, Mr. LIPINSKI, Mr. THOMPSON of California, Mr. KENNEDY, Ms. BROWN of Florida, Ms. SCHAKOWSKY, Ms. LOPGREN, Mrs. LOWEY, Mr. DANNY K. DAVIS of Illinois, Mr. RYAN of Ohio, Ms. LEE of California, and Mr. MCDERMOTT.
- H.R. 1661: Ms. LEE of California.
- H.R. 1692: Mr. VISLOSKEY.
- H.R. 1696: Ms. MCCOLLUM.
- H.R. 1697: Mr. YODER.
- H.R. 1701: Mr. BONNER and Mr. LANKFORD.
- H.R. 1716: Mr. KIND and Mr. VARGAS.
- H.R. 1717: Mr. MAFFEI, Mr. BOUSTANY, Mr. RAHALL, Mr. TIPTON, Mr. HANNA, Mr. ROGERS of Alabama, Mr. MEADOWS, Mr. BILIRAKIS, Mr. LANGEVIN, Mr. COLLINS of New York, Mr. TURNER, Mr. STIVERS, Mr. KLINE, Mr. ROTHFUS, Mr. COLE, Mr. FLEISCHMANN, Mr. SENSENBRENNER, Mr. ENYART, Mr. KELLY of Pennsylvania, Mr. BENTIVOLIO, and Mrs. MCCARTHY of New York.
- H.R. 1726: Mr. GRAYSON, Mr. PRICE of Georgia, Mr. HARRIS, Mr. SOUTHERLAND, Mr. STOCKMAN, Mrs. BLACKBURN, Mr. GARRETT, and Mr. PEARCE.
- H.R. 1733: Mr. LABRADOR.
- H.R. 1740: Mr. SMITH of New Jersey, Mr. CRAMER, Mr. LONG, Mr. HUIZENGA of Michigan, Mr. BRIDENSTINE, Mr. LANKFORD, and Mr. MILLER of Florida.
- H.R. 1748: Mr. GRAYSON.
- H.R. 1750: Mr. JONES, Mr. GRAVES of Georgia, Mr. BUCSHON, Mr. GRAVES of Missouri, and Mr. TIBERI.
- H.R. 1764: Mr. GRAVES of Missouri, Mr. BROUN of Georgia, and Mr. MCKEON.
- H.R. 1771: Mr. SCHNEIDER.
- H.R. 1795: Mr. TAKANO, Mr. LANGEVIN, Mr. WHITFIELD, Mr. MEEHAN, Mr. KEATING, Mr. HUNTER, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Mr. LARSON of Connecticut, Mr. LONG, Mr. HONDA, Mr. PRICE of North Carolina, Mr. LIPINSKI, Ms. SCHAKOWSKY, Ms. DELAURO, and Mr. ROYCE.
- H.R. 1796: Mrs. NOEM, Mr. HECK of Washington, Mr. PETERS of Michigan, Mr. KILMER, Mr. LANGEVIN, Mr. NUGENT, Mr. CÁRDENAS, Mr. DEFAZIO, Mr. COFFMAN, Mr. VELA, Ms. BORDALLO, Mr. POCAN, Mr. POSEY, Ms. SEWELL of Alabama, Mr. TIERNEY, Ms. HERRERA BEUTLER, and Mr. SWALWELL of California.
- H.R. 1797: Mr. LABRADOR.
- H.R. 1798: Mr. SOUTHERLAND, Mr. BRALEY of Iowa, Mr. RUPPERSBERGER, and Mr. CONNOLLY.
- H.R. 1801: Mr. POLIS, Mr. ENGEL, Mr. RYAN of Ohio, Mr. PASTOR of Arizona, and Ms. SCHWARTZ.
- H.R. 1809: Ms. FRANKEL of Florida, Ms. LEE of California, and Mr. PEARCE.
- H.R. 1811: Mr. MORAN.
- H.R. 1812: Mr. DEUTCH.
- H.R. 1814: Mr. MCKEON, Mr. CARTWRIGHT, Mr. LABRADOR, Mr. WESTMORELAND, and Ms. ESHOO.
- H.R. 1824: Ms. LEE of California and Mr. CARSON of Indiana.
- H.R. 1825: Mr. WALBERG.
- H.R. 1826: Mr. DUNCAN of South Carolina.
- H.R. 1845: Mr. BEN RAY LUJÁN of New Mexico and Ms. WILSON of Florida.
- H.R. 1851: Mrs. CAROLYN B. MALONEY of New York, Mrs. LOWEY, Mr. ENGEL, Mr. NEAL, and Ms. MATSUI.
- H.R. 1857: Ms. BORDALLO, Mr. CARSON of Indiana, and Ms. WILSON of Florida.
- H.R. 1861: Mr. ROKITA, Mr. RIBBLE, Mr. WALBERG, and Mr. RODNEY DAVIS of Illinois.
- H.R. 1864: Mr. KLINE, Mrs. McMORRIS RODGERS, Mr. STUTZMAN, Mr. BRADY of Pennsylvania, Mr. TURNER, Mrs. BACHMANN, Mr. LATTA, Ms. TSONGAS, and Mr. CARSON of Indiana.
- H.R. 1871: Mrs. BLACK.
- H.R. 1873: Mrs. BLACK.
- H.R. 1874: Mr. KLINE, Mr. TIBERI, Mr. PEARCE, and Mr. KINGSTON.
- H.R. 1882: Mr. BENTIVOLIO and Mr. BROUN of Georgia.
- H.R. 1896: Mrs. BLACK and Mr. TIBERI.
- H.R. 1907: Mr. KEATING, Mr. MCGOVERN, and Ms. SPEIER.
- H.R. 1915: Mr. HASTINGS of Florida and Mr. ROE of Tennessee.
- H.R. 1918: Mr. KLINE and Mr. COFFMAN.
- H.R. 1943: Mr. VAN HOLLEN.
- H.R. 1950: Mrs. NOEM, Mr. YOUNG of Alaska, Mr. HECK of Nevada, Mr. SCHOCK, Mr. WENSTRUP, Mr. REICHERT, Mr. LUETKEMEYER, Mr. CARTER, Mr. LONG, Mr. GINGREY of Georgia, Mr. ROKITA, Mr. NUNNELEE, Mr. SESSIONS, Mr. BENTIVOLIO, Mr. MESSER, Mr. NUGENT, Mr. DESANTIS, Mr. PITTS, Mrs. BACHMANN, Mr. HUIZENGA of Michigan, Mr. PRICE of Georgia, Mr. POSEY, Mr. HARRIS, Mrs. BLACKBURN, Mr. STOCKMAN, Mr. GARDNER, Mr. GRAVES of Georgia, Mr. SOUTHERLAND, Mr. STUTZMAN, Mr. PEARCE, Mr. CULBERSON, Mr. HUELSKAMP, Mr. PAULSEN, Mr. KLINE, Mrs. MILLER of Michigan, Mr. SIMPSON, Mr. OLSON, Mr. DENT, and Mr. DIAZ-BALART.
- H.R. 1952: Mr. MULVANEY and Mr. PERLMUTTER.
- H.R. 1962: Mr. RADEL and Mr. CONYERS.
- H.R. 1971: Mr. WALZ and Mrs. BACHMANN.
- H.R. 1975: Mr. LOWENTHAL, Ms. ROYBAL-ALLARD, Mr. PETERS of California, Ms. VELÁZQUEZ, and Mr. GALLEGRO.
- H. Con. Res. 34: Mr. SARBANES, Ms. BASS, Mr. RAHALL, and Mr. RANGEL.
- H. Res. 36: Mr. KINZINGER of Illinois, Mr. PITTS, Mr. KING of New York, Mr. TIPTON, Mr. REICHERT, and Mr. MCCAUL.
- H. Res. 89: Mr. PAYNE, Mr. HASTINGS of Florida, Mr. COLLINS of Georgia, Mr. LANCE, Mr. ENYART, Ms. LORETTA SANCHEZ of California, Mr. GUTHRIE, Mr. DANNY K. DAVIS of Illinois, Mr. LONG, Mrs. DAVIS of California, Ms. BROWN of Florida, Mr. POMPEO, Mr. MCINTYRE, Mr. CRAMER, Ms. JENKINS, Mr. SCHNEIDER, Mr. SMITH of New Jersey, and Mrs. BLACKBURN.
- H. Res. 109: Mr. MICHAUD, Mr. LANKFORD, Mr. CONNOLLY, and Mr. MARKEY.
- H. Res. 123: Ms. BASS, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLYBURN, Ms. FUDGE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. MOORE, Mr. WATT, Mr. RICHMOND, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Mr. HASTINGS of Florida, Ms. MENG, Mr. CARTWRIGHT, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mr. STIVERS, Mr. POCAN, Mr. POSEY, and Mr. TIBERI.
- H. Res. 131: Mr. WEBER of Texas.
- H. Res. 160: Mrs. LUMMIS.
- H. Res. 167: Mr. MEEHAN.
- H. Res. 174: Ms. TITUS.
- H. Res. 190: Mr. GRIJALVA.
- H. Res. 195: Mr. THOMPSON of Mississippi.
- H. Res. 197: Ms. WILSON of Florida.
- H. Res. 200: Mr. BENTIVOLIO and Mr. KLINE.
- H. Res. 212: Mr. LONG, Ms. JENKINS, and Mr. BENISHEK.
- H. Res. 213: Mr. NOLAN, Ms. PINGREE of Maine, Mr. SMITH of Washington, Ms. MATSUI, Ms. KUSTER, and Ms. ROYBAL-ALLARD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 45 do

not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. ROGERS OF KENTUCKY

The provisions that warranted a referral to the Committee on Appropriations in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. UPTON

The provision that warranted a referral to the Committee on Energy and Commerce in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. KLINE

The provision that warranted a referral to the Committee on Education and the Workforce in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 45, to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation act of 2010, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on the Judiciary in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. HASTINGS OF WASHINGTON

The provisions that warranted a referral to the Committee on Natural Resources in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SESSIONS

The provisions that warranted a referral to the Committee on Rules in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MRS. MILLER OF MICHIGAN

The provisions that warranted a referral to the Committee on House Administration in H.R. 45 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

16. The SPEAKER presented a petition of the City of Pittsburgh, Pennsylvania, relative to Resolution No. 225 urging the Congress to enact comprehensive immigration reform; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HONORING GARRETT O. SMITH

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. HENSARLING. Mr. Speaker, it is my honor today to recognize Master Chief Petty Officer Garrett O. Smith for his service to our country. Master Chief Petty Officer Smith served in the United States Navy from 1942 to 1969.

Master Chief Smith was assigned to the U.S.S. *Sperry* (AS-12), a submarine tender, in September of 1942. Later, in March of 1947, Officer Smith graduated from the Electrician "B" School in Washington, DC, and transferred to Goat Island, California. In May of 1954, Master Chief Smith was reassigned to the Naval Inspectors Office at Quincy, Massachusetts. Officer Smith's last assignment began in January of 1968 aboard the U.S.S. *Observation Island* (E-AG-154) Polaris/Poseidon test and development ship. On December 1, 1969, Master Chief Smith retired from the United States Navy.

Humbly, I echo the words of President Ronald Reagan, "We will always remember. We will always be proud. We will always be prepared, so we will always be free." And humbly, I offer my sincere gratitude to Officer Smith for his service and acts of bravery that allow us the freedoms we enjoy today.

MAVERICK SWENSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Maverick Swenson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Maverick Swenson is an 8th grader at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Maverick Swenson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Maverick Swenson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING MINISTER TIMOTHY
MILES FOWLER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, we are gathered to celebrate the life of Minister Timothy Miles Fowler, a cornerstone in the DeKalb County community; and

Whereas, Timothy Miles Fowler was born in Decatur, Georgia, educated in the DeKalb County Public Schools and was a Minister at Big Miller Grove Missionary Baptist Church; and

Whereas, he was a young man who believed and lived a life for God, Country, Community and Family; and

Whereas, Minister Fowler gave of himself, his time, his talent and his life with unwavering commitment to his family and community; and

Whereas, he was a husband, a father, a son, a brother and a friend; he was a man who enjoyed life, savoring the moments with Iris, his wife and life partner and their three children, Timothy Tymere, Iana Allysa and Cameron Timothy; and

Whereas, the U.S. Representative of the Fourth District of Georgia recognizes Minister Timothy Miles Fowler as a citizen of great worth and so noted distinction; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that Minister Timothy Miles Fowler is deemed worthy and deserving of this "Congressional Honor" by declaring Minister Timothy Miles Fowler, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 27th day of April, 2013.

CELEBRATING THE LIFE OF HARLEM'S MATRIARCH MS. FANNIE E. PENNINGTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the life of Harlem's Matriarch Ms. Fannie E. Pennington, who passed away on Wednesday, February 13 at the age of 99 years old.

On Friday, February 22, the village of Harlem joined together at Abyssinian Baptist Church to celebrate the amazing and historic life of Fannie E. Pennington who was a faithful and dedicated servant to the Lord and to our Nation. Great women like our wonderful Fannie Pennington are precious gifts we temporarily have in this world, but their assist-

ance, contributions and accomplishments are far remembered and everlasting.

Our beloved Fannie lived a full spiritual life—a life well spent and dedicated to the uplifting of African Americans and women. Daughter of Matthew Mark and Hattie Harris, and a descendant of the Balanta Fula Tribes of Guinea, Fannie and her late sister Amelia were baptized and christened into the family of the historic Abyssinian Baptist Church by the Reverend Adam Clayton Powell, Sr.

At Abyssinian, Fannie Pennington became one of the most devoted members, serving on the Progressive Ladies Usher Board, the Welcome and Hospitality Committee, which was once known as the Adam Clayton Powell Overseas Club. Ms. Fannie Pennington greeted and hosted historic world figures and American icons such as Haile Selassie, Mary McLeod Bethune, Dr. Martin Luther King, Jr. and Malcolm X.

Many of our friends will remember Fannie as a vivacious and beautiful personality, who tended bar in several of Harlem's elite dining institutions and establishments. She was also an official representative of the Barmaid Charity Organization, which raised money to send inner city kids to summer camp. I will remember Fannie for her loyalty and support to Adam Clayton Powell, Jr., her years of service to the New York City Board of Elections and the Frederick E. Samuel Community Democratic Club, where she spent her life's work registering young people to vote.

Mr. Speaker, as we celebrate the 150th anniversary of the Emancipation Proclamation, the 50th anniversary of the March on Washington and the 100th birthday of Rosa Parks, let us also celebrate the 99 years of our beloved Fannie E. Pennington.

HONORING TERRY EDWARD
MASSEY

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. HENSARLING. Mr. Speaker, it is my honor today to recognize Corporal Terry Edward Massey. Corporal Massey served in the United States Marine Corps from 1943 to 1946.

A few months after his 18th birthday, he enlisted in the United States Marine Corps on November 4, 1943. Corporal Massey served in the 26th Marine Regiment, 5th Marine Division during the Battle of Iwo Jima. After landing at Iwo Jima, Corporal Massey helped a wounded fellow Marine take cover in a shell hole. Near the end of the battle, Corporal Massey said, "Surviving Iwo Jima without getting injured was like walking through rain without getting wet."

During his years of service, Corporal Massey received a Presidential Unit Citation,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Asiatic-Pacific Campaign Medal with Star, World War II Victory Medal, Navy Occupation Service Medal (Japan), China Liberation Ribbon, and Marine Corps Sharpshooter Badge. He was discharged on May 10, 1946. Now at age 87, Fmr. Corporal Massey still remembers his M1 Rifle number: 1434919 and serial number: 919497. He remains a true patriot whose fervent prayer is that his grandchildren and great-grandchildren will be able to grow up and live in the America he has always known and fought to protect.

Humbly, I echo the words of President Ronald Reagan, "We will always remember. We will always be proud. We will always be prepared, so we will always be free." And humbly, I offer my sincere gratitude to Corporal Massey for his service and acts of bravery that allow us the freedoms we enjoy today.

IN RECOGNITION OF NATIONAL
PEACE OFFICERS MEMORIAL DAY

HON. PATRICK MURPHY
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor and pay tribute to all those who serve and who have served as peace officers to protect and serve our great nation. Today is the day we demonstrate our respect for the men and women and all that they do for us and our country. We especially honor those who sacrificed everything and lost their lives in the line of duty. On this day we remember all those who don a uniform signifying the protection of our country's citizens by means of defending the laws of our nation.

Since October 1, 1962 when President John F. Kennedy signed a special law, May 15 has been National Peace Officers Memorial Day, and the week containing May 15 has been recognized as National Police Week. This is a time when Americans are given a chance to honor the extraordinary service given year after year by our police forces. Although people sometimes forget those in uniform, we must recognize this day to understand the length these officers go to in order to do their job and serve our communities. These officers are special because they have taken the initiative to sacrifice their own safety for the safety of others. They exhibit bravery and courage every day to keep our communities safe, to preserve and protect our laws and our constitution in their line of duty. It is important they know that they have the full support of the United States Congress and the American people.

We must commemorate the dedicated law enforcement officers who serve our communities, states and country. This being said, I would like to take this opportunity to remember our own Sergeant Gary Morales, who was shot and killed in the line of duty at the age of 35 on Thursday, February 28, 2013 in Fort Pierce, Florida. He was a selfless hero, like all those who have lost their lives during service. The motto of Police Week, "Never Alone, Never Forgotten," must be observed and remembered not only today, but every day. Sergeant Morales—you will never be forgotten.

Peace Officers Memorial Day gives us all the opportunity to thank those in our community who do so much for us. This day, as well as National Police Week, pays tribute to the local, State, and Federal law enforcement officers who serve and protect us with courage and dedication. This opportunity to thank those around us also allows for the coming together of communities. These observances remind us all of the ongoing need to be vigilant against all forms of crime and violence. The service of these brave men and women must not go unrecognized and I would like to extend my personal thanks to all those who serve.

IN SUPPORT OF H.R. 527, THE RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

HON. LINDA T. SANCHEZ
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 2013

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, on April 26, 2013 the House of Representatives passed H.R. 527—the Responsible Helium Administration and Stewardship Act. During that roll call, I inadvertently voted against the bill. I rise today in support of H.R. 527.

The Responsible Helium Administration and Stewardship Act is a commonsense plan to sell helium from the Federal Helium Reserve in a responsible manner to prevent a global shortage, protect jobs and the economy, and ensure a fairer return for taxpayers. This bill provides a positive alternative to authorizing a continuation of the current program. H.R. 527 prevents an extremely small number of companies from controlling a significant segment of the U.S. economy that relies on helium.

The three phase system carefully outlined in this legislation is strongly supported by my colleagues and the administration. Additionally, the Bureau of Land Management (BLM) has said it can implement this legislation without a lengthy rulemaking process. Transparency and the prevention of collusion are central components of this legislation, allowing all users to know for how much the BLM helium is being sold, creating a stable price environment. This legislation and the three phase program will ensure that there remains a stable, predictable supply of helium for the U.S. economy, as well as continuing to provide taxpayers a fair return on this supply of helium.

HONORING DR. EVANGELIST
BERTHA RACKLEY WILLIAMS

HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, reaching the age of 85 years is a remarkable milestone; and

Whereas, Dr. Evangelist Bertha Rackley Williams was born on March 25, 1928, in

Abbeville, Georgia, and is celebrating that milestone; and

Whereas, Evangelist Williams has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Evangelist Williams is celebrating her 85th birthday with her family members, church members and friends here in Georgia on April 14, 2013, she celebrates a life of blessings; as a mother, friend, a servant and a leader; and

Whereas, the Lord has been her Shepherd throughout her life and she prays daily and is leading by example a blessed life; an advocate, faithful Evangelist of the gospel and a community leader; and

Whereas, we are honored that she is celebrating the milestone of her 85th birthday in Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Dr. Evangelist Bertha Rackley Williams for an exemplary life which is an inspiration to all,

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim April 14, 2013 as Dr. Evangelist Bertha Rackley Williams Day in the 4th Congressional District of Georgia.

Proclaimed, this 14th day of April, 2013.

HONORING VAN ZANDT COUNTY'S
165TH ANNIVERSARY

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 2013

Mr. HENSARLING. Mr. Speaker, today I would like to recognize Van Zandt County, Texas on their 165th anniversary.

Van Zandt County was first established by the Texas legislature on March 20, 1848, when it was taken from part of Henderson County. Sabine Lake (Jordan's Saline) was the first county seat. There court was first held in a log-built courthouse during December of 1848. The county seat was later moved to Canton after Wood County was carved out of Van Zandt County in 1850. The county's namesake is Republic of Texas leader Isaac Van Zandt.

The area provides numerous opportunities for enjoying the outdoors and great East Texas food. Local attractions include Lake Tawakoni, the famous First Monday Trade Days in Canton, Salt Festival and Rodeo held in Grand Saline, Van Oil Festival, Edom Festival of the Arts, Ben Wheeler Fall Feral Hog Festival, Wills Point Bluebird Festival, Edgewood Heritage Festival, and countless other events and activities throughout the year that attract visitors from across the state and country.

It is my privilege and honor to represent the citizens of Van Zandt County in the United States House of Representatives.

HONORING TEN VETERANS FROM
OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. WALDEN. Mr. Speaker, I rise to recognize the 10 veterans from Oregon who will be visiting their memorials this Friday in Washington, D.C. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The veterans who fought in World War II are Francis Lake, U.S. Army; Loyal Miller, U.S. Army; Earnest Walston, U.S. Army; and Henry Hemholtz, U.S. Navy. Malcolm Grizwold, U.S. Army, fought in the Korean War. The veterans who fought in the Vietnam war are Leroy Ellis, U.S. Army; David Gibbons, U.S. Army; Larson Kalama, U.S. Army; Janice Smith, U.S. Army; and Michael Williams, U.S. Navy.

These 10 heroes join more than 98,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, D.C. to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers for their exemplary dedication and service to this great country. I especially want to recognize and thank Michael Williams for his tireless work in organizing this group visit to Washington, D.C.

RECOGNIZING MR. JOE COX

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Joe Cox for his many years of dedication to the Los Banos Future Farmers of America (FFA) as they celebrate the 50th anniversary of their win at the FFA Nationals Contest. His commitment to young participants of the FFA program as well as many other community activities, make Joe Cox most deserving of this honor.

Joe Cox was born in Booneville, Arkansas in 1925. During the Great Depression, his family—including his two sisters, parents and grandmother—decided to leave Arkansas. They traveled across the country for two years, camping along the way, until they made it to Reedley, California.

Once the family settled in Reedley, Joe was able to return to school. Joe's family moved around the Reedley area, wherever there was work for his father. During one year, his family moved eight times. Even though his life was at times unstable, he was inspired by his father's commitment to working hard and supporting

his family. This lifestyle also sparked his devotion to his life in education and his empathy for students who had to overcome obstacles.

As Joe graduated high school and World War II ensued, Joe decided to enlist in the Navy. He was assigned to the radio operators training after just five weeks of basic training. After his education was complete, Joe volunteered to serve on submarines. Out of one hundred volunteers, Joe was chosen as one of five to attend submarine school. He was assigned to a tender ship, the U.S.S. *Orion*, and the U.S.S. *Battfish*, which patrolled off the coasts of Japan.

When the war was over and he was discharged, Joe joined his brother-in-law in the farming business. After farming for several years, Joe decided that he wanted to continue his education. He attended Reedley College and then California Polytechnic State University (Cal Poly) in San Luis Obispo. Joe was in his first quarter at Cal Poly, when he was called to serve in the Korean War. After two years, he was able to return to Cal Poly and complete his degree and teaching credential.

Joe began his teaching career as an Ag Science teacher with Los Banos High School in 1955. He went on to become the Agriculture Department Chair, which he turned into a highly respected program. In the spring of 1963, Joe coached the Los Banos High School FFA team to a first place finish at the state dairy judging contest, and then went on to win the National title in Waterloo, Iowa.

Joe continued to take summer classes to further his knowledge in the education field. He earned a master's degree in education from Cal Poly in 1957. Then in 1981, he earned his doctoral degree in education from the University of Southern California. Joe shifted his career into administration when he took the role of Assistant Principal at Los Banos High School in 1963 and Principal in 1969. One of Joe's assignments was to focus on adult education, which eventually led him to a position at the new Merced College Los Banos campus to run the evening programs. In 1982, he took the position of Principal at the junior high in Los Banos where he stayed until his retirement in 1988.

During his retirement, Joe has done more than many people do in a lifetime. He served for 12 years on the Los Banos Unified School Board. In addition, he served as President of the Los Banos Golden Agers, District Governor in Rotary, Chair of the California Seniors Legislature and most recently National President of the U.S. Submarine Veterans of World War II. The City of Los Banos recently acknowledged his longtime service to the community by inducting him into the Los Banos High History-Society Hall of Fame.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to recognize the leadership and commitment Mr. Cox has shown to Los Banos and the Future Farmers of America. He personifies a man of principle and integrity. Joe Cox is a role model for all of us, and it is with great pride that I recognize him for everything he does for our community.

HAZLETON PATROLMAN ERNESTO
"NESTY" VALENTE

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Hazleton, Pennsylvania Patrolman Ernesto "Nesty" Valente, who passed away on May 15, 1938, while serving in the line of duty.

Mr. Valente met his untimely death while escorting an automobile carrying John Sotack, age 8, through the congested city business district to the hospital. While attempting to ensure quick passage of the automobile through the intersection at Broad and Wyoming streets, Mr. Valente was propelled from the running board of the vehicle when the driver applied the brakes. Despite the best efforts of his fellow patrolman and medical professionals, he perished shortly after at the State Hospital.

At the time of his death, Mr. Valente was one of the oldest members of the Hazleton Police Department in the line of service, having been appointed on April 21, 1921. He was considered to be an outstanding traffic officer and served the city of Hazleton with distinction. A husband and father of two daughters, Mr. Valente was also appointed as a member of the Lodge No. 18, Fraternal Order of Police and a member of the Most Precious Blood Church.

Mr. Speaker, for his dedication and sacrifice to keep the citizens of Hazleton, Pennsylvania safe, I commend Patrolman Ernesto "Nesty" Valente.

CONGRATULATING SAINTS CONSTANTINE AND HELEN GREEK ORTHODOX CHURCH ON ITS 100TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. VISCLOSKY. Mr. Speaker, as a member of the American Hellenic Educational Progressive Association (AHEPA), Chapter 78, it is with great pleasure and enthusiasm that I congratulate Saints Constantine and Helen Greek Orthodox Church in Merrillville, Indiana, as its members celebrate the 100th anniversary of the founding of the parish. Father Ted Poteres, along with Parish Council President JoAnn Massow and the congregation, will commemorate this momentous milestone with a celebratory reception on Saturday, May 18, 2013, at the Saints Constantine and Helen Cultural Center in Merrillville, Indiana. Northwest Indiana is especially grateful for the unshakable faith, boundless wisdom, and exemplary service of Father Poteres, a truly outstanding religious leader. I also wish to acknowledge the presence of His Eminence Metropolitan Iakovos and all the other committed religious leaders who have joined in this celebration.

The founding of Saints Constantine and Helen began when a group of immigrants

joined together with the goal of preserving Greek culture and religious tradition for the many Greek families that were moving into the Northwest Indiana region. In 1913, the first worship services were held in a rented store building in Gary, Indiana, making Saints Constantine and Helen the first Greek church in the City of Gary. The name was chosen to signify the importance of Saint Constantine, the Roman emperor who, during the fourth century, permitted the freedom of practicing Christianity, as well as Saint Helen, Saint Constantine's mother, in their fight for the sustenance of their religious beliefs and Greek heritage. The church continued to gain support, and as a result of the congregation's dedicated and unwavering efforts, on Easter Sunday of 1919, Saints Constantine and Helen opened their first church building in Gary.

The church has continually been blessed with extraordinary religious leaders, none more exemplary than Father Ted. And we all recall the appointment of Father Evagoras Constantinides as pastor of Saints Helen and Constantine in 1969. Under his leadership, the Hellenic Cultural Center and the Saints Constantine and Helen Cathedral were constructed in Merrillville, Indiana. Father Ev served as pastor for 26 years and was held in the highest regard by church leaders internationally, by his congregation, and by the entire Northwest Indiana community. Father Evagoras's passing at a time when we are celebrating the parish's 100th anniversary seems to me to be more than coincidental. I believe it evidences his knowledge that he could join our God firm in his absolute faith in Father Poteres's spiritual leadership, the Parish Council's commitment to future generations, and every parishioner's dedication to preserving their religious beliefs and the incomparable Hellenic culture and values we all hold so dear.

The leaders and parishioners of Saints Constantine and Helen Greek Orthodox Church touch the lives of countless individuals through their compassionate service, especially to those most in need. Over the years, the church has come to the aid of so many people through the church's Helping Hand Fund, which provides financial assistance to those in need. The church also facilitates the Ross Township Food Pantry, which fed approximately 20,000 people during the last year.

Mr. Speaker, I am a strong advocate for the promotion of the ideals and morals of Hellenism throughout all of Northwest Indiana. I ask that you and my other distinguished colleagues join me in honoring Saints Constantine and Helen Greek Orthodox Church as the congregation celebrates its 100th anniversary. The church leaders and parishioners have dedicated themselves to upholding Greek Orthodox traditions and spiritual beliefs. For their commitment to service, and for touching the lives of countless individuals, they are worthy of the highest praise.

MEGAN RHOADS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Megan Rhoads for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Megan Rhoads is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Megan Rhoads is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Megan Rhoads for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO BARBARA NUNN
McCARTHY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman who has given of herself in order for others to stand; and

Whereas, Barbara Nunn McCarthy was a community leader, making history as the first woman to serve on the Rockdale County Board of Commissioners; and

Whereas, she provided leadership and service to so many community institutions including the Rockdale United Way, the County Extension Service, the C.E. Steele Community Center, Rockdale Retired Educators Association, Habitat for Humanity, the Rockdale Coalition for Children and Families and the Conyers Rotary Club; and

Whereas, Mrs. McCarthy never asked for fame or fortune, nor found a job too small or too big; she gave of herself, her time and her many talents by demonstrating unwavering commitment to protecting and serving the citizens of Rockdale County; and

Whereas, she was a wife, a mother, a sister, an aunt, a teacher and a friend; she was also a woman of great integrity who throughout her life remained true to uplifting and serving; and

Whereas, the U.S. Representative of the Fourth District of Georgia recognizes Barbara Nunn McCarthy as a citizen of great worth and so noted distinction; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that she is deemed worthy and deserving of this "Congressional Honor" by declaring Barbara Nunn McCarthy,

U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 30th day of March, 2013.

IN CELEBRATION OF DABNEY N.
MONTGOMERY'S 90TH BIRTHDAY
"OUR NONAGENARIAN HERO"

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and celebrate the 90th birthday of Mr. Dabney N. Montgomery, a member of the ground crew of the Tuskegee Airmen, who later served as a bodyguard for Martin Luther King during the historic 1965 march from Selma to Montgomery, Alabama.

Dabney N. Montgomery was born in Selma, Alabama on April 18, 1923, to Dred and Lula Anderson Montgomery. Mr. Montgomery was drafted into the Army Air Corps (now the United States Air Force), during World War II and served in the 1051st Quartermaster Company of the 96th Air Service Group, attached to the 332nd Air Fighter Group, as a ground crewman with the Tuskegee Airmen in Southern Italy, from 1943 to 1945. He was awarded a Good Conduct Medal, the WWII Victory Medal, the European African Middle Eastern Service Medal with two Bronze Stars, a Service Award, the Honorable Service Medal, and a Basic Driver and Mechanic Medal. In 1946, he enrolled into Livingstone College, Salisbury, North Carolina, and received a B.A. degree in Religious Education, in May 1949. He served as a Charter Member of the Sphinx Club and was one of the first to be admitted into the Gamma Mu Chapter of the Alpha Phi Alpha [ΑΦΑ] Fraternity.

In June 1955, he joined Mother African Methodist Episcopal Zion Church (the oldest Black Church in the State of New York, organized in 1796), Harlem, New York. He immediately began to serve as Sunday School Teacher and, in early 1970, was appointed Director of Youth (serving until 1999). In July 1996, he authored a Resolution to the General Conference of the A.M.E. Zion Church Denomination, proposing that 'The Day of Pentecost' be incorporated in their Book of Discipline. It now stands as a day of celebration throughout all A.M.E. Zion churches.

He served and presently serves in many capacities such as General Chairperson of Mother Zion's Bicentennial Anniversary in October 1996, charter member of the past organization at 159 West 136th Street Parsonage Building Fund of Mother Zion, the W.H. & O.M.S. where he served as member/chaplain, Class no. 4 member, Board of Stewards, Board of Directors of James Varick Community Center, and the Lay Council. He is Mother Zion's Church Historian and conducts church tours. In 1999, the Church was featured in a PBS documentary entitled, "A Walk through Harlem," hosted by Barry Lewis and David Hartman in which Mr. Montgomery cites the history of Mother Zion Church.

On Sunday, March 5, 2006, the men's committee bestowed upon him a double honor with the Paul Robeson Award of Excellence

and with architectural plans for the future structure of the Church archives and museum to be named the Dabney N. Montgomery Art Gallery and Exhibition Hall. Mr. Montgomery was an activist in the course of the Civil Rights Movement and marched with the late Reverend Dr. Martin Luther King, Jr. throughout the 50+ mile March from Selma to Montgomery, Alabama, March 21–25, 1965. He served as one of Dr. King's bodyguards. On April 11, 2006, President George W. Bush signed a bill into law to award all original Tuskegee Airmen the 'United States Congressional Gold Medal of Honor;' it was awarded on Thursday, March 29, 2007, under the Capitol Dome here in Washington, D.C.

In December 2006, he was selected by the Livingstone College National Alumni Association to receive the prestigious Outstanding Alumni Award. It was presented on February 2, 2007 by the National Alumni Council of the United Negro College Fund in Nashville, Tennessee. On February 4, 2010, he was inducted into the United Negro College Fund "Share Your Love" and Service in Celebration of Livingstone College Leaders Hall of Fame. These distinguished awards recognize Alumni who have made significant contributions to their alma mater, community, and the United Negro College Fund.

On August 7, 2007, he was asked to serve as a member of The HistoryMakers, a Chicago-based organization that has the largest archival collection of both well-known and unsung African American HistoryMakers. Their purpose is to capture the stories of accomplished African Americans across all walks of life and to use video and new technologies to create an accessible digital collection to serve as a resource for students, teachers, scholars, documentary producers and the media. The HistoryMakers' stories are stories of success against the odds, of achievement in the face of adversity, and of inspiration. They are America's missing stories.

On Saturday, June 27, 2009 the Livingstone College National Alumni Association, Brooklyn, Queens and Long Island Chapter presented to Dabney N. Montgomery the Joseph Charles Price Award, "In Recognition of Outstanding Achievements That Serve as a Tribute to Our Beloved Founder."

Mr. Montgomery is involved in the Harlem community and is a member of Manhattan Community Board No. 10, where he serves on two sub-committees: Parks and Recreation, and the Executive Committee. As a member of the Parks and Recreation Committee, he wrote a base letter to the Parks Department of the City of New York, as a proposal to recognize Central Park West (at 85th and 86th Streets) as the historical site of African American settlers in the early 1820s, which was then Seneca Village. Mother Zion was, for a short time, located there. The settlers were evicted in 1857 under the City's 'eminent domain' project. A permanent sign now stands marking the site. He is chaplain of the West 136th Street Block Association.

Words cannot express my gratitude to Dabney, whose devotion to our community is remarkable and his service and commitment to our Nation has known no bounds. Mr. Speaker, as we celebrate the 150th anniversary of the Emancipation Proclamation, the

150th anniversary of the Union League Club, the 100th anniversary of the founding of the 369th "Harlem Hellfighters Regiment" and the 100th birthday of Rosa Parks, I ask my distinguished colleagues to join me in celebrating the 90th birthday of Dabney N. Montgomery, an outstanding veteran, hero, civil rights activist and public servant.

MICAH ELAZIER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Micah Elazier for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Micah Elazier is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Micah Elazier is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Micah Elazier for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO PATERNE
AGBOHESSOU

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Mr. Paterné Agbohessou has answered that call by giving of himself as an educator at E.L. Bouie Sr., Traditional Theme Elementary School, and as a beloved son, mentor and friend; and

Whereas, Mr. Agbohessou has been chosen as the 2013 Teacher of the Year, representing E.L. Bouie Sr., Traditional Theme Elementary School; and

Whereas, this tenacious man has shared his time and talents for the betterment of our community and our nation through his tireless works, motivational speeches and words of wisdom; and

Whereas, Mr. Agbohessou is a courageous man and a fearless leader who has shared his vision, talents and passion to help ensure that our children receive an education that is relevant not only for today, but well into the future, as he truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mr. Paterné Agbohessou for his leadership and service for our District and in recognition of this singular honor as 2013 Teacher of the Year at E.L. Bouie Sr., Traditional Theme Elementary School; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 15, 2013 as Mr. Paterné Agbohessou Day in the 4th Congressional District.

Proclaimed, this 15th day of March, 2013.

IN HONOR OF DR. PETER A.
KURZBERG OF BRAINTREE, MA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. LYNCH. Mr. Speaker, I rise today in honor of Dr. Peter A. Kurzberg in recognition of his outstanding contribution to public education and his twenty-two years of leadership in the Braintree, MA School District.

Peter was born and raised in Springfield, MA. The son of Holocaust survivors, he was the first generation of his family born in the United States. He graduated from Classical High School in 1965. Subsequently, he earned a Bachelor of Arts degree in Early Childhood Education and Child Development from Goddard College.

Peter began his teaching career as a special needs teacher in East Hartford, CT, where he also served as Vice-President of the East Hartford Education Association. He continued his education while teaching and received his Master of Science degree in Special Education from Central Connecticut State College. After five years of teaching, Peter attended the University of Iowa where he earned his Education Specialist degree (Ed.S) in Special Education and his Doctorate (Ph.D) in Educational Administration.

While attending graduate school in Iowa, Peter worked as a special education consultant and secured his administrative position as Coordinator of Special Education for the Grant Wood Area Education Agency assigned to Iowa City.

Mr. Speaker, Peter returned to Massachusetts in 1981 as the Director of Special Needs and later the Director of Instructional Programs for the Freetown-Lakeville Public Schools where he served for five years. Subsequently, he was hired as Assistant Superintendent for the Barnstable Public Schools and served in that capacity until 1991 when he assumed the position of Superintendent of the Braintree Public Schools. He has served with distinction for twenty-two years.

During his career, Peter has served as president of both the Old Colony and South Shore Superintendents Roundtable. He is a current member of the Executive Committee of the Massachusetts Association of School Superintendents, and he has served as Chairman of the Board for the South Shore Educational Collaborative. He is a past President of the Braintree Rotary Club and is currently the President of Temple B'Nai Shalom in Braintree.

Mr. Speaker, Peter has had the good fortune to be married to Karen for thirty years, and they are the proud parents of two sons, Marc and Daniel.

Mr. Speaker, it is my distinct honor to take the floor of the House today to join with Dr. Peter A. Kurzberg's family, friends, and contemporaries to thank him for forty-two years of dedicated service to public education, and especially express our gratitude for twenty-two years of inspired leadership of the Braintree Public Schools.

NEKO FAVELA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Neko Favela for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Neko Favela is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Neko Favela is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Neko Favela for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING REVEREND DR.
RICHARD B. HAYNES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through Pastoral leadership and service; and

Whereas, Reverend Dr. Richard B. Haynes has given of himself to lead Salem Baptist Church these past twenty-five years; and

Whereas, Reverend Dr. Richard B. Haynes under the guidance of God has pioneered and sustained Salem Baptist Church as an instrument in our community that betters the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has shared his time and talents for the betterment of our community for the past twenty five (25) years by preaching the gospel, singing the gospel and living the gospel; and

Whereas, Reverend Dr. Richard B. Haynes is a spiritual warrior, a man of compassion, a

man of great courage, a fearless leader and a servant to all, but most of all a visionary who has shared with not only Salem Baptist Church, but with Gwinnett County and the world his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Reverend Dr. Richard B. Haynes for his leadership and service for our District as he celebrates his 25th Pastoral anniversary; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 10, 2013 as Reverend Dr. Richard B. Haynes Day in the 4th Congressional District of Georgia.

Proclaimed, this 10th day of March, 2013.

NOE URIAS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Noe Urias for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Noe Urias is a 12th grader at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Noe Urias is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Noe Urias for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING THE CEDAR GROVE AMBULANCE AND RESCUE SQUAD'S 75TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Cedar Grove Ambulance and Rescue Squad, located in Cedar Grove, Essex County, New Jersey, which is celebrating its 75th anniversary.

The need for a rescue squad in Cedar Grove was realized in 1938. When a resident of Cedar Grove was in need of immediate help, and the only rescue squad available was in the nearby Township of Verona. It was May, 1938, that a group of firemen formed the Cedar Grove Rescue Squad, with the express purpose of providing emergency medical care and rescue services to those in need. The Rescue Squad was based in Center Fire Company #1, and was the sole provider of emergency medical care to the residents of Cedar Grove for thirteen years.

In 1951, the Township of Cedar Grove faced a dramatic upsurge in emergency calls, causing eight Auxiliary Policemen and eight residents to form the Cedar Grove Ambulance Unit. The Unit was based out of the Municipal Building. In the following years, the Township continued to grow, as did the number of emergency calls. The need for more volunteers, vehicles, and space was patent. In 1962, the Ambulance Unit moved its headquarters to the intersection of Cedar Street and Ridge Road, and in 1965, the Rescue Squad moved to its headquarters at Pompton Avenue and Myrtle Avenue. The two organizations worked together to provide care and services to the residents of Cedar Grove, with the Rescue Squad handling on-scene work and the Ambulance Unit providing transportation to the hospital.

In the early eighties, new state regulations and the overwhelming amount of calls led to merger negotiations between the Rescue Squad and Ambulance Unit. In 1982, the merger resulted in the Cedar Grove Ambulance and Rescue Squad. Today, the squad has over sixty members that handle over 1,600 calls annually. They have three ambulances in operation, and a heavy-duty rescue truck equipped with the latest in rescue and medical equipment. The members, a remarkable group of men and women, remain dedicated to serving the residents of Cedar Grove, and providing the best care in emergency situations.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Cedar Grove Ambulance and Rescue Squad as they celebrate their 75th anniversary.

HONORING POLLY MERIWETHER
LEWIS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman, who gave of herself in order for others to stand; and

Whereas, Ms. Polly Meriwether Lewis' work is present in DeKalb County, Georgia for all to see, being an advocate for the youth, the elderly, the poor and ordinary citizens; and

Whereas, this remarkable woman gave of herself, her time, her talent and her life; never asking for fame or fortune but only to uplift those in need; and

Whereas, Ms. Polly Meriwether Lewis led by doing behind the scenes, as well as front and center for the state of Georgia, DeKalb County, the YMCA, her beloved church, Greater Travelers Rest Baptist and for her beloved Alpha Kappa Alpha Sorority, Inc.; and

Whereas, this virtuous Proverbs 31 woman was a mother, a daughter and a friend; she was a warrior, a matriarch, and a woman of great integrity; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional recognition on

Ms. Polly Meriwether Lewis for her leadership, friendship and service to all of the citizens in Georgia and throughout the Nation;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that Ms. Polly Meriwether Lewis of DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Honor": Ms. Polly Meriwether Lewis, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 7th day of March, 2013.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,760,961,851,934.60. We've added \$6,134,084,803,021.52 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

NATIONAL POLICE WEEK

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. POE of Texas. Mr. Speaker, this week we honor our local, state and federal law enforcement officers by recognizing National Police Week. From May 13–17, communities across the nation will hold ceremonies, honoring the peace officers who protect them and remembering those who lost their lives in the line of duty. We take one week a year to thank them for their service, but we are grateful year-round.

Peace officers have protected Americans for the last 221 years, but our nation has celebrated their service and remembered their sacrifices since 1962 when President John F. Kennedy first proclaimed May 15 as National Peace Officers Memorial Day.

Nearly one million peace officers serve our communities selflessly nationwide. Every day, these brave men and women put on their uniform, pin on their badge and put themselves in harm's way. Their daily job is to protect our communities, our lives and our property. When the outlaws—the drug dealers, child molesters, wife beaters, robbers, bandits, murderers and street terrorists—threaten our communities, peace officers are the first ones to track them down. With their service, comes risk and sacrifice. We remember the 120 officers who paid the ultimate sacrifice with their lives last year while in the line of duty.

Peace officers separate us from the outlaws. They separate anarchy from law and order. They help bring justice to crime victims, and peace to communities that crime has affected. We must support our peace officers

because they support us, the home-front. And that's just the way it is.

MAYRA BARRERA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mayra Barrera for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Mayra Barrera is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mayra Barrera is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mayra Barrera for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF THE DEEDS
AND SERVICES OF ALICE M. BENOIT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and invoke the memory of Alice M. Benoit, a nurse that traveled around the world, from Libya, to Mexico, and finally to D.C. where she settled as a nurse at the Rayburn House Office Building giving 25 years of excellent service.

Alice M. Benoit was born in St. John's, Newfoundland and immigrated to the United States in 1945 in order to "see the world". Pursuant to that dream, she joined the Army Nurse Corps where she assisted in healing our soldiers in U.S. bases in Libya and in 1948 was granted U.S. citizenship. She also served as head nurse at the U.S. embassy in Mexico City and afterwards she worked in Texas, Alabama, and Florida.

Later on she found herself on Capitol Hill looking for employment. She had an interview with the Attending Physician's office and landed a job at the Rayburn House Office Building in 1967. During her tenure on the Hill, she provided health services to Members of Congress, staff members, and the American people who came to visit the Capitol every day. Former Representative Tom Downey (D-NY) remembered that Alice not only provided medical services, but she also provided a "soothing word to people when they needed it". She was known to be "terrifically confident and competent."

After serving 25 years on Capitol Hill, she received a Letter of Commendation for her ex-

tended service from Dr. Robert C.J. Krasner, the Former Attending Physician of the Capitol. Soon afterwards she retired in February 1992 with plans to travel with her husband, Eugene Benoit, and "read a few good books". In April 19, 2013 Alice passed away from pneumonia at an assisted-living facility in Melbourne, Florida.

TRIBUTE TO CLARENCE
NATHANIEL HOLT

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, we are gathered to celebrate the life of Mr. Clarence Nathaniel Holt, a cornerstone in the Providence community; and

Whereas, Mr. Clarence Nathaniel Holt was born in Nashville, Tennessee, educated in the Davidson County Public Schools and was a longtime member of Lake Providence Missionary Baptist Church; and

Whereas, he was a member of the "Greatest Generation" having served our nation with honor in the U.S. Army during World War II; and

Whereas, Mr. Holt gave of himself, his time, his talent and his life with unwavering commitment to his family and community; and

Whereas, he was a husband, a father, a grandfather, a neighbor and a friend; he was a man who enjoyed life, savoring the moments with Jennie, his wife and life partner of sixty-two (62) years and their three children, Clarence, Kathy and Charles; and

Whereas, the U.S. Representative of the Fourth District of Georgia recognizes Mr. Clarence Nathaniel Holt as a citizen of great worth and so noted distinction; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that Mr. Clarence Nathaniel Holt is deemed worthy and deserving of this "Congressional Honor" by declaring Mr. Clarence Nathaniel Holt, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 7th day of February, 2013.

MERCEDES FIGUEROA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mercedes Figueroa for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Mercedes Figueroa is an 8th grader at Wheat Ridge 5–8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mercedes Figueroa is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all

levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mercedes Figueroa for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE MENTAL HEALTH ASSOCIATION OF MORRIS COUNTY'S 60TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Mental Health Association of Morris County; located in the Borough of Mountain Lakes, New Jersey, which is celebrating its 60th anniversary.

The Mental Health Association of Morris County is a local chapter of the New Jersey Division of the National Mental Health Association, now known as Mental Health America. In earlier days of mental health treatment, asylums often restrained the mentally ill with chains and shackles. With the advent of better understanding came more humane treatments, and the cruel practice was halted. In the early 1950s, Mental Health America issued a call to asylums across the country for their discarded fetters. On April 13, 1956, the McShane Bell Foundry in Baltimore, Maryland, recast these into the Mental Health Bell, to be a sign of hope for improving mental health and achieving victory over mental illnesses. The bell, now the symbol of Mental Health America, serves as a powerful reminder of the invisible chains of misunderstanding and discrimination that continue to bind people with mental illnesses.

The Mental Health Association of Morris County was incorporated in 1953, when a small number of people in recovery from mental illness and their families decided to bring the advocacy organization local, for a better mental health system of care. The mission of this organization is to promote mental health and to support and empower people in recovery from mental illness through effective services, education, and advocacy. Within the community of Morris County, the Mental Health Association provides services to those who are most devastated by mental illness, giving them hope for recovery. They employ peer workers who have gone through similar struggles to help coach the next generation of mentally ill. The organization aids those in need transition from homelessness to housing, and from psychiatric hospitals to the community. Additionally, the Mental Health Association of Morris County serves as advocates of community education, improvement of services, policies, and resources, and promotes self help.

The goal of independence for those suffering, both financially and in conducting their lives, is an important aspect of promoting wellness. Financial support and counseling allows mentally ill people to live independently in their permanent housing opportunities

where they might otherwise end up in expensive institutional or jail facilities. Their Peer-to-Peer Support Line, staffed by those recovering from mental illness, also provides cost-efficient access to counselors if the mentally ill person is suffering from a psychiatric emergency. These services reach over 3,000 people per year. The Mental Health Association of Morris County has a staff of 85, a volunteer Board of Directors, and over 100 volunteers working to achieve this mission, on a budget of only \$6 million. They are a lead county agency in promoting recovery and wellness from people with mental illness and their families. They continue to embody a just and humane approach to promoting integration into a community in which all people with mental illness are accorded respect, dignity, and the opportunity to achieve their full potential, free from stigma and discrimination.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Mental Health Association of Morris County as they celebrate their 60th anniversary.

TRIBUTE TO HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. WALDEN. Mr. Speaker, I rise to recognize the 50 World War II veterans from Oregon who will be visiting their memorial this Friday in Washington, D.C. through Honor Flight of Eastern Oregon. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The veterans on this flight from Oregon are as follows: Lloyd Harry Bigler, U.S. Air Force; Gordon L. Case, U.S. Air Force; Marion Elza Hill, U.S. Air Force; Robert Verdell Lance, U.S. Air Force; Glenn M. Lee, U.S. Air Force; James Minturn, U.S. Air Force; Arthur H. Moon, U.S. Air Force; Earl Thompson, U.S. Air Force; Charles M. Williams, U.S. Air Force; Richard K. Blackwell, U.S. Army; Lawrence Bloom, U.S. Army/U.S. Navy; Merle J. Cooper, U.S. Army; Ambrose Denfeld, U.S. Army; Robert F. Dougherty, U.S. Army/U.S. Air Force; Jack E. Lawrence, U.S. Army; Frank James Mackey, U.S. Army; Jack Marsh, U.S. Army; William Ross Maslen, U.S. Army; Joanna S. Painter, U.S. Army; Frank M. Rinella, U.S. Army/U.S. Navy; James Souza, U.S. Army; Harvey Wieprecht, U.S. Army; Charles Johnson, U.S. Coast Guard; Eldon Lewis Cedergreen, U.S. Marine Corps; Richard J. Courson, U.S. Marine Corps; Milton R. Emerson, U.S. Marine Corps; Harold G. Lowry, U.S. Marine Corps; Arthur Edward Tinker, U.S. Marine Corps; Harold E. Wyman, U.S. Marine Corps; Francis H. Bagley, U.S. Navy; Everett H. Belcher, U.S. Navy; Kenneth Ray Book, U.S. Navy; John C. Drake, U.S. Navy; Richard E. Ernst, U.S. Navy; Galen L. Goodale, U.S. Navy; Elmer LeRoy Grady, U.S. Navy; Leroy J. Hennrich, U.S. Navy; Leland P. Johnson, U.S. Navy; Vernon O. Keiper, U.S. Navy; Andrew Doyle Knox, U.S. Navy; Richard A. Leibham, U.S. Navy; James Frederick Leitch, U.S. Navy; Erwin A. Marsh, U.S. Navy;

Richard Guy Miller, U.S. Navy; Addison Parry, U.S. Navy; Walter Prosser, U.S. Navy; Chester Leroy Smith, U.S. Navy; John E. Van Laning, U.S. Navy; Robert J. Wyatt, U.S. Navy; Alice Maxine Tatone, U.S. Navy WAVE.

These 50 heroes join more than 98,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, D.C. to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, airmen, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Dick and Erik Tobiason for their tireless work with Honor Flight of Eastern Oregon.

NICK HALL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Nick Hall for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Nick Hall is an 8th grader at North Arvada Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Nick Hall is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Nick Hall for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING REV. DR. NOEL BATTLE AND MARTHA HALL BATTLE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, on January 26, 1933, a tenacious man of God, Reverend Dr. Noel Battle was born in Union Point, Georgia; and

Whereas, on February 14, 1937, a virtuous woman of God, Martha Hall Battle was born in Greensboro, Georgia; and

Whereas, they both were raised in Georgia and they married on August 31, 1958, at the

Springfield Baptist Church in Greensboro, Georgia; their union was blessed with four children, thirteen grandchildren and five great-grandchildren; and

Whereas, this phenomenal Proverbs 31 woman and this stellar man of God have shared their time and talents as inspirational pillars in our district, being citizens of great worth, fearless leaders and servants to all by always advancing the lives of others; and

Whereas, this year we celebrate a couple that is blessed with a happy life, devoted to God, family and community; and

Whereas, the works of Reverend and Mrs. Battle have and continue to enhance the lives of citizens in our district and beyond, we pause to acknowledge their unyielding service, for they are truly cornerstones in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Reverend and Mrs. Battle on their accomplishments this year and to wish them well and recognize them for their exemplary lives which are an inspiration to all; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim February 23, 2013 as Reverend Dr. Noel Battle and Mrs. Martha Battle Day in the 4th Congressional District of Georgia.

Proclaimed, this 23rd day of February, 2013.

MORGAN JEWELL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Morgan Jewell for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Morgan Jewell is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Morgan Jewell is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Morgan Jewell for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO MARY GLENN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman . . . who has given of herself in order for others to stand; and

Whereas, Ms. Mary Glenn's work is present in DeKalb County, Georgia, for all to see, being an advocate for the youth, the elderly, the poor and ordinary citizens like you and me; and

Whereas, this remarkable woman gave of herself, her time, her talent and her life; she never asked for fame or fortune to uplift those in need, she just wanted to do what was right; and

Whereas, Ms. Mary Glenn led by doing behind the scenes, front and center for the state of Georgia, DeKalb County, her church, Ebenezer Baptist Church and for her beloved sorority, Delta Sigma Theta Sorority, Inc.; this virtuous Proverbs 31 woman was a mother, grandmother, a daughter and a friend; she was our warrior, our matriarch, a woman of great integrity who remained true to the uplifting of our district until her end; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional recognition on Ms. Mary Glenn for her leadership, friendship and service to all of the citizens in Georgia and throughout the Nation; a citizen of great worth and so noted distinction; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 113th Congress that Ms. Mary Glenn of DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Honor": Ms. Mary Glenn, U.S. Citizen of Distinction in the 4th Congressional District.

Proclaimed, this 9th day of February, 2013.

REMEMBERING AND HONORING
THE LIFE OF MARY JUDITH
HONISEK

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. KING of New York. Mr. Speaker, I rise today to acknowledge the passing of Mary Judith Honisek of Connellsville, Pennsylvania who died on April 30th at the age of 97.

Mrs. Honisek was definitely a woman before her time. A graduate of Seton Hill College, she was a World War II veteran, serving as a Captain in the United States Medical Corps in England and France.

Mrs. Honisek was the mother of two daughters, Judith and Jane, and the grandmother of David and Gregory. She was active in her parish, Immaculate Conception Roman Catholic Church, and was an endless source of knowledge and advice for friends and family members including my wife Rosemary who was her niece.

Mary Judith Honisek was beloved by all who were privileged to know her. May she rest in peace.

HONORING LORRAINE GOBERT

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, twenty-seven years ago a virtuous woman of God accepted her calling to serve in the Internal Revenue Service in Houston, Texas; and

Whereas, Ms. Lorraine Gobert began her career with the IRS as a W-4 Clerk in 1986 and today retires as a member of the Taxpayer Advocate Service Team in Atlanta, Georgia; and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all who wants to insure that the system works for everyone; and

Whereas, Ms. Lorraine Gobert is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Lorraine Gobert on her retirement from the Internal Revenue Service and to wish her well in her new endeavors; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim January 30, 2013 as Ms. Lorraine Gobert Day in the 4th Congressional District.

Proclaimed, this 30th day of January, 2013.

NUVIA RAMIREZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Nuvia Ramirez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Nuvia Ramirez is an 8th grader at Wheat Ridge 5-8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Nuvia Ramirez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Nuvia Ramirez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN HONOR OF THE VILLAGE
PROJECT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. FARR. Mr. Speaker, I rise today to congratulate the Village Project for five years of exemplary service. Founded in 2008, the Village Project sought to fill the gap in mental health and family counseling services geared toward the African-American community on

the Monterey Peninsula in particular and the broader Monterey Bay Area as a whole.

The Village Project was born from the efforts and love of many people. But it was Mel and Regina Mason who truly made it happen. They designed the project and spent countless hours in chasing down all the myriad of clinical, fiscal, administrative, and other details that turned the idea of the Village Project into a reality. Indeed, it is their love and dedication to the people of the Monterey Bay region that infuse every aspect of the Village Project and has made it such a success in its short history.

The Village Project provides culturally-appropriate services to the African-American population in order to address that community's unmet needs. While it focuses on African Americans, the Village Project is dedicated to providing services to anyone who needs them. It offers mental health counseling, a parenting program, several academic support groups for youth, as well as support for community-building.

Mel Mason, who serves as the organization's executive director and primary counselor, ensures that the Village Project works in partnership with community organizations, schools, faith-based institutions, and other agencies to collectively support children and families of all cultures. It is a true measure of its broad base of support that the organization's board is a who's who of community leaders who see many of the goals of their own work realized in the efforts of the Village Project.

Mr. Speaker, I know I speak for the whole House in congratulating the Village Project on its five year anniversary, expressing our gratitude for all of the good accomplished in that time, and our best wishes for the years of community service to come.

IN RECOGNITION OF THE LIFE OF
REVEREND NIMROD REYNOLDS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I respectfully ask for the House's attention today to honor the late Reverend Nimrod Reynolds.

Reverend Nimrod Reynolds was born on April 30th, 1931, to the late Shelly and Bessie Reynolds of Chambers County, Alabama. In 1957, he married the late Luenell (Todd) Reynolds. Together they had two children, Tammye Quinell and Andre' deKoven.

In 1949, Nimrod graduated from Chambers County High School and in 1954 he graduated with a Bachelor of Arts from Clark College in Atlanta, Georgia. Three years later, Nimrod received his Masters Degree from the International Theological Seminary. He continued his education, and in 1993, received his Doctorate of Ministry from Wesleyan Theological Seminary in Washington, D.C.

In fall of 1958, he became pastor of First Baptist Church in Union Springs, Alabama, and in 1960, he began preaching at 17th Street Missionary Baptist Church in Anniston,

Alabama. After the bus bombing in Anniston, Reverend Reynolds founded the Calhoun County Improvement Association. His dedication to Civil Rights continued and in 1967 he and his two children integrated Tenth Street Elementary School.

In 1969, he was appointed to the national board of the SCLC. In 1976, Reverend Reynolds was elected as the first Black president of the Anniston City Board of Education. In 2012, he was recognized by both the University of Alabama and the Alabama Black Achievers for his work in civil rights.

Please join me in celebrating Reverend Reynolds' achievements in the Third District of Alabama and in honoring his legacy of civic engagement.

PUERTO RICO STATUS
LEGISLATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Ms. VELÁZQUEZ. Mr. Speaker, if we are to fairly resolve the issue of Puerto Rico's status, we must find a framework for true self-determination. The "Puerto Rico Status Resolution Act" being introduced today fails that test in every aspect: it denies Puerto Ricans a true vehicle for self-determination and fabricates a superficial majority in favor of statehood.

I think it is critical that my colleagues understand how flawed the process was for the plebiscite held in November of 2012. By rigging the process, architects of this vote effectively ensured that the outcome would be a result they desired.

It should be recognized that votes cast in favor of statehood did not exceed 44 percent—a number that has remained relatively flat for two decades. It is important to note that 26 percent of voters cast blank ballots during this part of the vote. These votes should be considered votes against statehood as casting a blank ballot is part of traditional form of objecting to an unfair process in Puerto Rican political history. Indeed, during this referendum, the Commonwealth Party adopted a resolution asking voters to protest the process by casting blank ballots. In short, even with this unfair and flawed process, 55 percent of Puerto Rican voters cast ballots unsupportive of statehood.

Despite these numbers, the bill being proposed today continues to perpetuate this unfair political gamesmanship, seeking to promote statehood at the exclusion of other potential political solutions.

Mr. Speaker, rather than inserting ourselves into the political status debate for Puerto Rico, Congress should be exploring ways to raise the quality of life for the 3.6 million American citizens who reside in Puerto Rico. By fostering economic development there, encouraging outside investment and spurring economic opportunity, we can help all Puerto Ricans enjoy a better life—while enhancing the economy of the mainland United States. Investments in education and infrastructure can make Puerto Rico a better place to live, while providing a solid foundation for future

generations. Preserving the islands' natural beauty and addressing environmental justice issues is also vitally important.

These are the issues we should be tackling, rather than requiring Puerto Ricans to participate in a flawed process aimed at promoting the political goals of a minority of voters. The ultimate solution for Puerto Rico's future will be realized by creating economic opportunity and justice, investing in growth and infrastructure, not through unfair processes that seek to foreclose one option in favor of statehood.

I submit a Concurrent Resolution recently considered by the Commonwealth of Puerto Rico's legislature.

IN HONOR OF MADISON CENTRAL
INDIANS BASKETBALL TEAM

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. BARR. Mr. Speaker, I rise with great pride to recognize a group of young men from Madison County in Kentucky's Sixth Congressional District, who tirelessly worked this season to accomplish what athletes across our great Commonwealth of Kentucky often dream of accomplishing during their high school tenure.

This band of brothers, the Madison Central Indians, successfully beat Ballard High School in a last-second shot to be crowned champions of the 96th Annual Kentucky High School Athletic Association (KHSAA) Sweet Sixteen Championship.

In a state where basketball is not a pastime, but a passion, our youth are raised dreaming of the sound of the crowd in the hallowed halls of Rupp Arena. This year over 17,000 fans cheered these young men to victory.

For head coach Allen Feldhaus, Jr., this championship holds a special place. The last time he was in a state championship game, it was in 1981 being coached by his father, Allen Feldhaus, Sr. Clearly the love for the basketball is a family affair that made it to the record books; this duo is the only father and son pair to have both coached in a state championship game.

Led by eight seniors, this team did what it took on the court and in the classroom. I commend the teamwork of the following men: Zach Jarvis, George Walker, Daniel Parke, Ken-Jah Bosley, Coty Alexander, Ross Ramsey, Griffin Hotchkiss, Demarcus George, Nick Kavanaugh, Kirkland Humphrey, Chris Conner, Dominique Hawkins, Hunter Stocker, John Williams, Tariq Smith, Sam Jones, Cameron Thomas, Seth Richardson, Jyre Richardson and Quan Taylor.

I would also like to congratulate Dominique Hawkins, named the 2013 Kentucky "Mr. Basketball." Dominique will be attending and playing basketball for my alma mater, the University of Kentucky in the Sixth Congressional District.

I extend my congratulations not only to the team, but to the Madison Central coaching staffs, teachers, families and fans who supported this team throughout the season and helped make this victory possible.

IN RECOGNITION OF BRIGADIER
GENERAL GARRETT S. YEE

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. SWALWELL of California. Mr. Speaker, today I recognize Brigadier General Garrett S. Yee, from Fremont, California who recently was promoted from Colonel to Brigadier General by the United States Army. I will be attending a promotion ceremony for Brigadier General Yee on May 19, 2013 at the Niles Veterans Hall. I am proud to honor Brigadier General Yee, who has served his community with excellence and has executed his role as a public servant with professionalism, fairness, and integrity.

Brigadier General Yee was commissioned as an Infantry Officer in 1987 after graduating from Santa Clara University, where he earned a bachelor of science degree in combined science. He also obtained a master's degree in business administration from Golden Gate University and a master's degree in strategic studies from the Army War College.

Throughout his military career he has held an assortment of staff and command positions. Brigadier General Yee recently returned from Afghanistan, where he served as Deputy Commander for the 335th Signal Command from October 2011 until October 2012. During his time in Afghanistan, he provided senior leadership for all of the 335th Signal Command operations. Brigadier General Yee deployed to Iraq in 2006 as the lead Theater Observation Detachment Officer on behalf of the Center for Army Lessons Learned, which is where he authored a handbook on provincial reconstruction teams in Iraq.

Most recently, in December 2012, Brigadier General Yee became Deputy Commander for Mobilization for the Military Surface Deployment and Distribution Command at Scott Air Force Base.

I want to thank Brigadier General Yee for his continued service and commitment to our country. The United States appreciates his efforts to ensure our rights and benefits are protected. I wish him the best of luck in his new position.

CONGRATULATING EAST PEORIA
SCHOOL DISTRICT 86 ON BEING
NAMED A BEST COMMUNITY FOR
MUSIC EDUCATION

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 2013

Mr. SCHOCK. Mr. Speaker, I rise today to congratulate East Peoria School District 86 on being distinguished as one of the Best Communities for Music Education by the NAMM Foundation. This award recognizes excellence in ensuring that students have access to comprehensive music education, both inside and outside the classroom, and I applaud their efforts.

By making a deliberate decision to elevate diverse musical learning experiences to a pri-

ority, the teachers, faculty, and administrators of District 86 are embodying a principle that 94 percent of Americans agree with: that music is a vital part of a child's education. Study after study has shown that participation in music and arts advances student achievement in all areas of study, from math and science to English and language skills. Schools that put a priority on music education have students who are more motivated, resulting in lower dropout rates, higher standardized test scores, and thriving student body communities.

The benefits of music education go far beyond the four walls of school buildings. In a survey of top U.S. CEOs, one of the top five traits they are looking for in their workforce is creativity. Our economy needs innovative thinkers, problem solvers, and collaborative people with the ability to think outside-the-box. Music education fosters those skills. In addition, a study by Columbia University revealed that participation in the arts boosts students' self-confidence and ability to express their ideas. In ensuring access to music education and experiences for their students, District 86 is giving the future leaders of our nation the tools they need for success in whatever career path they choose.

Albert Einstein once said, "If I were not a physicist, I would probably be a musician. I often think in music. I live my daydreams in music. I see my life in terms of music . . . I get most joy in life out of music." The academic and economic benefits of music are numerous and important, but we also recognize the power of music in its own right. The sound of an orchestra or a favorite band can give us a measure of peace in a chaotic world. I commend District 86 for their commitment to make East Peoria a community where music is everywhere and where students achieve success in all their endeavors and congratulate them again on this prestigious award.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 16, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 21

- 9:30 a.m.
Committee on Appropriations
Subcommittee on Legislative Branch
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Government Accountability Office, Government Printing Office, and the Congressional Budget Office. SD-138
- Committee on Homeland Security and Governmental Affairs
Permanent Subcommittee on Investigations
To hold hearings to examine offshore profit shifting and the United States tax code, part 2. SD-106
- 10 a.m.
Committee on Appropriations
Subcommittee on State, Foreign Operations, and Related Programs
To hold hearings to examine a review of United States foreign assistance for children in adversity. SD-192
- Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the Financial Stability Oversight Council annual report to Congress. SD-538
- Committee on Commerce, Science, and Transportation
Subcommittee on Consumer Protection, Product Safety, and Insurance
To hold hearings to examine S. 921, to amend chapter 301 of title 49, United States Code, to prohibit the rental of motor vehicles that contain a defect related to motor vehicle safety. SR-253
- Committee on Energy and Natural Resources
To hold hearings to examine what the next applications are for natural gas and how this new demand will be met, focusing on domestic supply and natural gas exports. SH-216
- Committee on Finance
To hold hearings to examine a review of criteria used by the IRS to identify 501 (c)(4) applications for greater scrutiny. SD-215
- 10:30 a.m.
Committee on the Budget
To hold hearings to examine the nomination of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget. SD-608
- 2 p.m.
Committee on Foreign Relations
Business meeting to consider an original bill relating to the situation in Syria, and an original resolution entitled, "World Press Freedom Day". SD-419
- 2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters. SH-219
- Commission on Security and Cooperation in Europe
To hold hearings to examine the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights, focusing on accomplishments and challenges, including crackdowns on civil society in Russia and other countries

of the former Soviet Union, anti-Semitism and discrimination in the OSCE region, challenges faced by Roma in various countries, recent and upcoming election observations, and protecting human rights in the fight against terrorism. SVC-210/212

2:45 p.m.
Committee on Foreign Relations
Subcommittee on Near Eastern and South and Central Asian Affairs
To hold hearings to examine the prospect for Afghanistan's 2014 elections. SD-419

MAY 22
Time to be announced
Committee on Homeland Security and Governmental Affairs
Business meeting to consider the nominations of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget, and Michael Kenny O'Keefe, and Robert D. Okun, both to be an Associate Judge of the Superior Court of the District of Columbia. S-216

10 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold closed hearings to examine proposed budget estimates for fiscal year 2014 for the Army. SD-192

Committee on Finance
To hold hearings to examine S. 662, to reauthorize trade facilitation and trade enforcement functions and activities. SD-215

Committee on Health, Education, Labor, and Pensions
Business meeting to consider an original bill entitled, "Pharmaceutical Compounding Quality and Accountability Act", an original bill entitled, "Drug Supply Chain Security Act", the nominations of Mark Gaston Pearce, of New York, Richard F. Griffin, Jr., of the District of Columbia, Sharon Block, of the District of Columbia, Harry I. Johnson III, of Virginia, and Philip Andrew Miscimarra, of Illinois, all to be a Member of the National Labor Relations Board, and any pending nominations. SD-430

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine performance management and congressional oversight, focusing on 380 recommendations to reduce overlap and duplication. SD-342

Committee on Small Business and Entrepreneurship
To hold hearings to examine how the Science, Technology, Engineering, and Mathematics (STEM) Education Pipeline can develop a high-skilled American workforce for small business, focusing on bridging the skills gap. SR-428A

Joint Economic Committee
To hold hearings to examine the current economic outlook. SH-216

10:30 a.m.
Committee on Foreign Relations
Subcommittee on International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps
To hold hearings to examine different perspectives on international development. SD-419

12 noon
Committee on the Judiciary
To hold hearings to examine certain nominations. SD-226

2 p.m.
Committee on Homeland Security and Governmental Affairs
To hold an oversight hearing to examine business practices of durable medical equipment companies. SD-342

Special Committee on Aging
To hold hearings to examine the Medicare prescription drug program, focusing on 10 years later. SD-366

2:30 p.m.
Committee on the Budget
To hold hearings to examine supporting broad-based economic growth and fiscal responsibility through tax reform. SD-608

Committee on Commerce, Science, and Transportation
To hold hearings to examine the nomination of Anthony Renard Foxx, of North Carolina, to be Secretary of Transportation. SR-253

Committee on Environment and Public Works
Subcommittee on Water and Wildlife
To hold hearings to examine nutrient trading water quality. SD-406

MAY 23

10 a.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce
To hold hearings to examine improving Federal health care in rural America, focusing on developing the workforce and building partnerships. SD-342

11 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine the nomination of Penny Pritzker, of Illinois, to be Secretary of Commerce. SR-253

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters. SH-219

JUNE 4

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of wireless communications. SR-253

JUNE 5

10 a.m.
Committee on Veterans' Affairs
To hold hearings to examine pending benefits legislation. SR-418

JUNE 11

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A

6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A

JUNE 12

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-222

2:30 p.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 13

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 14

JUNE 20

To hold an oversight hearing to examine water resource issues in the Klamath River Basin.

9:30 a.m.

10 a.m.

Committee on Armed Services

Committee on Energy and Natural Resources

SD-366

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR-222

SENATE—Thursday, May 16, 2013

The Senate met at 11 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You don't disappoint those who look to You in faith. Guide our lawmakers by Your truth and instruct them with Your wisdom. Lord, lead them to do what is right and to stay on Your path. Keep them from being intimidated by the many challenges they face, knowing that Your grace is sufficient for every need. May they be true to You, living so that their words and actions will receive Your approval. Help them to live this day with a sense of accountability to You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in

executive session to consider the nomination of Ernest Moniz to be Energy Secretary. There will be up to 3 hours of debate on the nomination. At about 2 p.m. there will be a rollcall vote on confirmation of that nomination.

BENGHAZI ATTACK

Mr. REID. Mr. President, for months my Republican colleagues have argued the Obama administration has engaged in a coverup regarding the tragic events surrounding an attack on the U.S. consulate in Benghazi. The administration provided Members of Congress with over 100 pages of e-mails—sent following that attack—during closed-door sessions. The e-mails proved there was simply no coverup.

Yet Republicans, with full knowledge of these e-mails, claimed the White House was hiding the truth. Yesterday, the administration released even more e-mails to the public. This is only the latest effort by the administration to ensure transparency for the media and the public regarding this awful attack on Americans.

This new information came out for a number of reasons, not the least of which is that we know the press corps spent most of the past week chasing a story based on an e-mail that didn't exist. It was fabricated by a Republican aide and then reported as fact. It is a sad commentary that Republicans are so dead set on embarrassing the President, the Foreign Service, the CIA, and our military they would actually lie to a news organization about the contents of an e-mail and let that news organization report their lies as facts.

The attack on Benghazi is an issue of life and death. We should be focused on tracking down the terrorists who committed this act and bringing them to justice, not on smear politics and false scandals. I hope the media will realize they were fed a false bill of goods and be more skeptical next time.

IMMIGRATION REFORM

Mr. REID. Mr. President, 6 short years ago the prospects for a bipartisan solution to America's broken immigration system seemed bleak. Despite support from congressional Democrats and a Republican President, an immigration reform proposal had been defeated on a procedural vote. Let's say that again. Despite support from congressional Democrats and a Republican President, we couldn't get enough Republicans in the Senate to move forward on a reform proposal. It was defeated, I repeat, on a procedural vote in the Senate.

But one man, who was a long-time member of the Judiciary Committee and who had been chairman of the Subcommittee on Immigration, Refugees and Border Security for decades—Senator Ted Kennedy—reminded us all the reform for which he had fought so hard would pass one day and that day could not be far off. This is what he said when that bill was defeated:

America always finds a way to solve its problems, expand its frontiers, and move closer to its ideals. It is not always easy, but it is the American way. . . . I believe we will soon succeed where we failed today, and that we will enact the kind of comprehensive reform that our ideals and our national security demand.

Ted Kennedy said that in 2007. He always spoke from back here, and I can still hear his booming voice, and I can hear him saying this. Our friend Ted Kennedy was right, and I believe the time for commonsense immigration reform has come. I am sorry Senator Kennedy is not alive to see the widespread bipartisan support for the legislation being considered today in the Judiciary Committee, legislation that I will shortly bring before the full Senate. Senator Kennedy would be very satisfied with the efforts of the Gang of 8—four Democrats and four Republicans.

Even though Ted Kennedy was known as one of America's great progressives, his legacy is that he worked with liberals, conservatives, Independents—he worked with everyone—to get work done. He always was willing to set aside partisanship, and that is what the Gang of 8 has done and that is why he would like this so much.

This Gang of 8 has addressed a critical issue facing our Nation, and he would applaud the work of the Senate Judiciary Committee and the leadership of his long-time friend he served with on that committee for, oh, it must be four decades. Kennedy and LEAHY, they did a lot of work together, and Senator LEAHY has done so much in this committee—work that he has done in the last several weeks to refine and perfect the reasonable proposal of the Gang of 8.

So it is gratifying to see the momentum behind commonsense reforms that will make our country safer and help 11 million undocumented immigrants get right with the law. Although neither Republicans nor Democrats will support each and every proposal or aspect of this legislation, it is reassuring to see the diverse coalition that has formed in support of real reform, commonsense reform—reform that improves our dysfunctional legal immigration system, reform that continues

to secure our borders, reform that requires 11 million undocumented people to pass a criminal background check, and pay fines and taxes to start on the path to earn their citizenship. We can't do this piecemeal, and we can't do it without a pathway to earning citizenship.

The thorough and open process underway in the Judiciary Committee is exemplary of how the Senate should work. So far the committee has considered 62 amendments to the original proposal, some from Democrats and some from Republicans. In fact, the committee has adopted 12 Republican amendments, including measures to strengthen the border and improve our legal immigration system.

The Senate completed work on important water resource legislation yesterday—a lot is going on in the Senate—and we are now going to begin consideration of a crucial piece of legislation dealing with agriculture. I commend and applaud the chairman of that committee DEBBIE STABENOW. She is a very good legislator. They got the bill out of that committee in a very quick fashion. So I repeat, I admire what she has done. She also has a new ranking member there, THAD COCHRAN from Mississippi, who is a fine man and a good legislator.

As I have said, as soon as it is ready, I am going to bring that immigration legislation to the floor. We are going to start on the farm bill Monday, and I am going to bring the immigration bill to the floor regardless of whether we have completed action on the farm bill. Although immigration is a complex and controversial issue that deserves ample time for thoughtful debate and consideration, it is also too important to delay action any longer.

As a Senator from Nevada and whose father-in-law was born in Russia and immigrated to the United States, I have witnessed firsthand the heartbreak of our broken immigration system. I see the heartbreak it has caused for immigrants and their families. So this issue is very personal to me, as I have just indicated, and it is very personal to every immigrant family striving to build a better life in America. That is why they came here.

The time has come for permanent solutions—solutions that are tough but fair, solutions that fix our broken legal immigration system, solutions that punish unscrupulous employers that exploit immigrants and drag down wages for every worker in America, solutions that pull 11 million people out of the shadows so they can pay taxes, learn English, and get right with the law, solutions that put them on the path to citizenship so they can contribute fully to their communities and to this country.

I will do everything in my power to have this bill become law. I am confident the time is right. As Senator

Kennedy put it, the kind of comprehensive reform that our ideals and our national security demand.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, would you announce the work in the Senate today.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF ERNEST J. MONIZ TO BE SECRETARY OF ENERGY

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 3 hours for debate equally divided in the usual form.

Mr. REID. Mr. President, I ask unanimous consent that when the Republican leader finishes his time and a quorum call is made, that the time during the quorum be equally divided between the two sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

IRS INVESTIGATION

Mr. McCONNELL. Mr. President, last night the President took an important symbolic step in accepting the resignation of acting IRS Commissioner Miller. I had called for this resignation on Monday, when we learned Mr. Miller signed his name to one, if not more, letters that we now know couldn't possibly have been truthful—couldn't possibly have been truthful. But let us be clear: This symbolic step was just that, symbolic.

What Americans want right now is answers about what happened at the IRS, why it wasn't disclosed earlier, who is ultimately accountable for this behavior, and assurances this kind of thing isn't going to go on at the IRS or anywhere else in the Federal Government because the allegations of ideological targeting only continue to multiply. This is continuing to multiply.

This morning I would like to focus on just one of those incidents. It is the case of a group called the National Organization for Marriage. Last May Senator HATCH, the top Republican on the Finance Committee, sent a letter to the IRS inquiring about reports that someone—someone—at the IRS had leaked confidential donor information

from NOM—the National Organization for Marriage—to an advocacy group whose political goals were in direct conflict with its own.

NOM has since released documents suggesting that this information came from one source—from within the IRS itself.

All this took place, by the way, in the middle of a national political campaign. Significantly, one of the NOM donors whose name was leaked was none other than Mitt Romney.

And what about the group it was leaked to?

It was headed by a guy who was named a national co-chair of the Obama campaign, and who published the confidential donor information on the website of the organization he ran, an organization opposed to the goals of NOM.

So here is another situation that, at the very least, clearly merits investigation.

There are allegations here that someone at the IRS committed a very serious crime that had the effect of chilling the speech of a political organization that happened to be on the wrong side of the current administration.

Yet, a year later, Senator HATCH has yet to hear anything back from the IRS. And, according to the folks at NOM, neither have they.

Last year the people at NOM said they brought their concerns about this potentially illegal activity to the IRS and the Justice Department. They say they even hired a forensic specialist to prove that the document that was leaked had originated at the IRS.

According to NOM, the forensics guy knew the document came from the IRS because it bore a watermark distinctive to the agency. And they say they had to hire him—get this—because the IRS asked NOM if they had leaked the confidential information themselves. So they say they provided evidence to show they had not leaked it themselves, and then earlier this year they asked the IRS to release all the information about their complaint, which had apparently reached a dead end at the IRS. And here is what they say they've gotten back: crickets.

They say they have not heard a thing from the IRS or the DOJ about this potentially illegal breach of their confidential donor information—even as they have poured significant resources of their own into the investigation, and, according to them, seen some of their supporters scared off.

Think about that: the IRS has not had the time to respond to this group, or the Finance Committee—a full year after their confidential donor information appears to have been leaked, from inside the IRS, to one of NOM's ideological opponents.

But when the liberal group ProPublica requested confidential information about conservative groups,

the IRS got back to those folks with the information they wanted in about two weeks.

This is exactly the kind of thing I have been warning about for more than a year. Here is a group with an agenda that runs counter to that of the administration. Somebody over at the IRS gets a hold of their donor lists. And leaks it to their opponents.

Why? So anybody who thinks about supporting them thinks twice. This is what government intimidation and harassment looks like. It is completely unacceptable.

The idea that you have got to move heaven and earth to get somebody in the Federal Government to lift a finger to get to the bottom of it is an outrage. This is the kind of thing that people should be tripping over themselves to resolve. Yet Senator HATCH is still waiting on a response to a letter he sent about it to the IRS commissioner—last May!

No one should be intimidated by the government into shutting up as part of our political process.

That is why the Republican members of the Finance Committee are sending a letter today to Treasury's Inspector General for Tax Administration requesting investigation into this very issue.

Because, without this sort of inquiry, we may never have confirmed the inappropriate harassment of conservative groups that was going on at the IRS for two years.

Apparently, this is the only way to get this administration to take responsibility for its actions.

We are determined to do that, because there is a very dangerous precedent being set here. I will say it again: Americans, be they conservative or liberal, should be free to participate in the political process without fear of harassment or intimidation from their own government.

I would also like to note that, last month, the Secretary of Energy nominee, Dr. Ernest Moniz, was cleared by the Senate Energy and Natural Resources Committee with robust bipartisan support. The full Senate will likely vote on his nomination today.

A number of my colleagues and I are optimistic about Dr. Moniz's pragmatic approach to solving America's energy challenges.

In particular, I look forward to working with him on finding a sustainable, long-term solution for the Paducah Gaseous Diffusion Plant—a facility that benefits our country, its community, and the many dedicated workers who work there.

I yield the floor.

Mr. WYDEN. Mr. President, the nomination of Dr. Ernest Moniz to head the Department of Energy is now the pending business in the Senate. I would like to discuss the nomination. I note my friend and colleague Senator MUR-

KOWSKI is here. Both of us will take a short amount of time to discuss Dr. Moniz's qualifications.

I urge colleagues on both sides of the aisle to support the nomination of Dr. Ernest Moniz to serve as the Secretary of Energy. Dr. Moniz is smart about energy policy, he is savvy about how the Department of Energy operates, and he is solution-oriented, which is what Democrats and Republicans on the Senate Energy and Natural Resources Committee saw when he was before our committee to consider his nomination.

I am going to talk about why I believe Dr. Moniz is well qualified to spearhead our efforts to evolve our country's energy system, to increase domestic sources, emit less carbon, and to bolster our economy. First, though, I would like to talk for a few minutes about the job Dr. Moniz will be stepping into once he is confirmed.

Right now the Energy Department is at the center of issues that are hugely consequential to our economy and the environment. They are how to manage the newly accessible reserves of natural gas, combating climate change, and making our economy more efficient. Certainly front and center is how, on a bipartisan approach, we can support the development of new energy technology. I believe our country needs that kind of energy to transition to a lower carbon economy. It is built on three pillars: strong economic growth, shrinking our carbon footprint, and spurting energy innovation.

What is unique about this moment is that now, on the issue of energy, our country is truly in a position of strength. Historically, lawmakers have avoided energy issues until there was a short-term crisis. Usually that crisis is a spike in the price of gasoline. Then, as we know, there is a big hue and cry to pass a "comprehensive energy bill," and it ends up being "comprehensive" and still lasts a relatively short period of time, maybe a year and a half or 2 years, until there is another hue and cry to pass yet one more comprehensive bill.

Right now, the Congress and the executive branch—the Energy Department—are in a rare position, a position where we can make policy at a time when our country does not face those kinds of short-term calamities. I say that in no way minimizing the extraordinary challenge of climate change. In my view that is a potential catastrophe that needs real and immediate action, and it is something that cannot be ducked or ignored.

On energy, however, the usual calculus has been flipped on its head. New technologies have located potentially huge supplies of natural gas as well as new oil reserves. At the same time, thanks to a combination of improved efficiency, increased renewable power generation, and a rise of affordable natural gas supplies, our carbon emissions

actually fell recently. A decade ago no one dreamed of either of those facts.

One of the most immediate issues that will face Dr. Moniz, if he is confirmed, is the question of how our country can maximize the benefits of unconventional shale gas. Abundant, low-cost natural gas provides our country right now with a competitive, economic advantage. The reality is all over the world others want our gas. Our competitors in Europe and Asia—where the costs are four or five times as high as our manufacturers—want what we have.

I think it is obvious that this is also a national security advantage. We will be able to rely on our own energy resources instead of sources which come from unstable parts of the world that certainly don't wish the United States well.

I was encouraged by the commitment Dr. Moniz made to me to use the best, most recent data to look at questions, such as how building natural gas export terminals is going to affect the areas adjacent to those facilities as well as the larger American economy.

From my experience of working with Dr. Moniz, I think he is more than up to the big challenges our country faces as we deal with this historic transition in our energy sector. He knows how the Department works from the inside, and he knows it because he actually has experience there.

With his background as a well-respected scientist, I am confident Dr. Moniz is going to use the best science and most current data in considering key policy issues. He has shown he will take an independent, data-driven approach as a professor of MIT and director of that university's energy initiative. They have led numerous cutting-edge studies on a range of energy issues.

In one sense the Department of Energy ought to be called the department of innovation. One of the bright lights there is the Advanced Research Projects Agency, what is called ARPA-E, which funds research with the potential to produce major breakthroughs in energy technology. It was authorized in 2005, and it was Dr. Moniz's predecessor, Secretary Steven Chu, who oversaw the first project there and, to his credit, he was an important champion for that agency in its early days.

One of the dozens of efforts that was supported by ARPA-E, for example, is a project at the University of North Dakota which aims to reduce water usage of powerplants. According to the Department of Energy, the university is testing an air-cooled absorbent liquid that retains and releases moisture to cool powerplants that could result in efficient power production with minimal water loss.

I think it would be fair to say we could put together a pretty impressive

filibuster if any one of us wanted to describe the various types of research going on or the research funded by the Department. They are leading research in a number of areas our country needs to work on if we are to achieve that objective I have staked out, and that is to secure a lower carbon economy.

As far as energy efficiency, the lowest cost way to reduce energy use and cut emissions is going to be a big part of the Department's mission in the next 4 years. Our committee is moving ahead in that area, starting with yet another bipartisan bill, the Shaheen-Portman legislation that, in my view, is the standard bearer now for energy-efficient legislation. We passed it out of the committee with broad bipartisan support, and I hope it will come to the floor of the Senate very soon.

The Department is also doing important work on carbon capture, carbon sequestration, and utilization—trapping emissions from fossil fuel operations and storing them underground to reduce the impacts to our climate. The chair of our Public Lands, Forests, and Mining Subcommittee—my friend Senator MANCHIN—has a great interest in this particular area, and Dr. Moniz, to his credit, has said this is an area which deserves a significant amount of attention.

DOE research has also helped show that natural gas and renewables are not mutually exclusive. This country does not have to choose between the two. In fact, natural gas plants, in my view, make great partners for intermittent renewables such as wind and solar because they can fire up and power down quickly. That is a very important part of our future energy agenda. We want to have more wind and solar. We know they are intermittent sources.

Some of the challenges, as the President of the Senate knows, are about how to find innovative approaches to storage, and looking at natural gas to help us get wind and solar into our baseload power structure. So this is an important issue.

Renewables can also benefit natural gas. The Energy Department's Pacific Northwest National Lab in Richland, WA—across the river from Oregon—is going to soon test a project to use solar energy to make natural gas plants 20 percent more efficient.

I am not going to pretend to know everything about engineering, but I think it is worth noting that the New York Times said earlier this month the idea that is being explored in Richland, WA, would use concentrated solar rays to heat natural gas and water to about 1,300 degrees Fahrenheit and break open the natural gas and water molecules. The result would create synthetic gas, which burns more efficiently than natural gas alone. This would give us more energy for every molecule of gas burned, which means lower costs and reduced greenhouse gas

emissions. This is just one of many projects the Department is backing. They are not sure which are going to ultimately pan out, but the potential for breakthroughs—such as the one I have described—is exactly why it is so important for the Energy Department to have a broad research portfolio.

Our country's competitors are not sitting back waiting for our country to do all of the world's innovation. China, Germany, and others are pouring resources into R&D to try and get an advantage. The fact that we have our Energy Department on the front lines of this fight to show the world how to innovate is a huge American asset.

A significant portion of the Energy Department's budget goes into an office that is described as Environmental Management, which essentially means cleaning up America's radioactive nuclear waste. There are 17 active sites the Department is currently cleaning up, including the Hanford site in southeastern Washington. Whistleblowers and independent watchdogs, such as the Defense Nuclear Facilities Safety Board, have identified some troubling problems with how waste is stored in Hanford—including the potential for hydrogen to build up and explode in several waste tanks. They have also flagged ongoing design issues with the facility that will treat the site's nuclear waste—another matter the Department of Energy must solve.

People who live near Hanford and depend on the Columbia River received some welcome assurances from Dr. Moniz. At the hearing, Senator MURKOWSKI and I brought some of these issues up where Dr. Moniz said the status quo with respect to the Department of Energy on Hanford is not acceptable. I look forward to working with them on that long-term solution.

Finally, I think it is fair to say Dr. Moniz—and it is appropriate to close with this—has a long track record of collaboration. That is why I mentioned early on he showed in his confirmation hearing—and he showed Democrats and Republicans alike—that he is solution-oriented and collaborative on the difficult questions which are ahead. He brings that scientific credibility, which I have outlined, with real-world policy experience that is so important to managing a major Federal agency.

There has been bipartisan support expressed from my colleagues on both sides of the aisle for Dr. Moniz in a usually gridlocked Congress. I feel as though C-SPAN ought to put out a warning to viewers not to adjust their television because this really is how the Senate ought to be working.

One of the reasons we had the bipartisan approach on energy issues I have been discussing—and it was demonstrated again this morning in the energy committee meeting—is because my friend and colleague Senator MURKOWSKI consistently meets me at least

halfway, and often more, on these big issues. I thank the Senator from Alaska for that cooperation on the Moniz nomination and many other matters. I look forward to Senator MURKOWSKI's comments.

I see other colleagues here who may wish to speak at this time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate the opportunity to follow my friend and colleague Senator WYDEN from Oregon, the chairman of the energy committee, to speak today about the confirmation of Dr. Ernest Moniz to be our Nation's Secretary of Energy.

I think it is good when we are able to stand as the chairman and the ranking member and come to terms of agreement so far as support for an individual for a position such as Secretary of Energy. This is an important position within this administration. It is an important position just from the perspective of how we move forward in this country while we deal with our energy issues and our energy future, which I think is where we get relatively enthusiastic about this nomination.

Again, I thank the chairman of the Energy and Natural Resources Committee, my friend from Oregon, for his leadership in advancing the nomination to the finish line.

I also want to recognize and thank the members of our committee for their very thoughtful questions. When we had Dr. Moniz before the committee, it was perhaps one of the smoother confirmation hearings we have had in quite some time.

I also thank the full Senate for working with us so we can fulfill our constitutional responsibility for advice and consent here today.

Before I speak to Dr. Moniz's qualifications—and I do think Senator WYDEN has addressed those very well—I wish to take a moment to discuss the agency he will soon lead.

The Department of Energy was created back in 1977. It was created following the oil embargo which caused the gasoline shortages we saw around the country. The architects—those who put together the contours of DOE—were surveying a very different energy landscape than we face today.

Back in 1977, energy was viewed from the position of scarcity rather than the abundance we recognize today. Those architects, as they defined what a Department of Energy would look like and what it would hope to achieve, as well as the mission set there, had some pretty high hopes for what the Department would accomplish.

I think what we need to do is look back to that organic act which states that DOE would “promote the general welfare by assuring coordinated and effective administration of Federal energy policy and programs.” That is pretty simple.

That same act goes on to list 18 different purposes, a few of which bear repeating. One of them is to assure, to the maximum extent practical, that the productive capacity of private enterprise shall be utilized in the development and achievement of the policy and purposes of the act.

Another one of those purposes is to provide for the cooperation of Federal, State, and local governments in the development and implementation of national energy policies and programs.

A third purpose is to carry out the planning, coordination, support, and management of a balanced and comprehensive energy research and development program.

Looking back at DOE's creation is a reminder of how far we have come and yet how far we still have to go in achieving these various purposes that were set out in that organic act.

Today the Department is a major department. It has a budget of more than \$25 billion each year. Thousands of scientists work on cutting-edge technologies at our national labs as they look for breakthroughs and manage our nuclear weapons programs.

Yet more than three decades later, it would be difficult to find many who truly believe we have achieved this coordinated and effective administration of Federal energy policy. In fact, we are going to have some who would disagree as to whether we have developed a Federal energy policy that adequately serves our national needs. Instead, we have seen energy-related programs and initiatives that are fragmented and scattered throughout the Federal Government. Not enough money, in my view, is getting to the bench for research and development, which is a critical aspect of how we build out that energy policy. It is also a critical component of how we move toward our energy future.

All too often it appears we have silos within the Department that stand in the way of progress. In recent years I have become concerned that DOE is not clearly and unambiguously working to keep energy abundant, affordable, clean, diverse, and secure, principles that I think go into defining a good, strong Federal energy policy. As I see it, DOE, in particular, must be a stronger voice in the councils of this administration for energy supply. In light of several costly failures, the Department must become a better steward of taxpayer dollars.

So all of these challenges, and more, will be inherited by our next Secretary of Energy. Along with the challenges, I think we also recognize there are great opportunities within the energy sector. That is why I believe we will do well to place Dr. Ernie Moniz, who is clearly a man with talent and experience in both the laboratory and as a public policymaker, to place him at the helm of this department.

Dr. Moniz has some pretty impressive credentials. He is a physicist, having graduated from Boston College before completing his Ph.D. at Stanford. He served in the White House Office of Science and Technology Policy and as an Under Secretary of the Department of Energy during the late 1990s. For the vast majority of his career, he has also served as the director of the MIT Energy Initiative. He has studied and written about nuclear energy, natural gas, innovation—really any number of topics with direct relevance for the future of our energy policy. So he has both. He has the academic experience, most certainly, as we see at MIT and at Stanford, but he also has that practical application. My colleague from Oregon described him as solution oriented, and I think that is a very apt description. He is an impressive nominee.

In our meetings where it is nice and casual and relaxed and people can have a pretty good conversation, I was very impressed with not only Dr. Moniz's background and experience but how he views moving forward within the Department of Energy. There is a level of comfortable confidence I found encouraging. He has shown he understands what his job requires, and because of that I believe he will be a capable Secretary. He is knowledgeable, he is competent, and he is refreshingly candid, and I think that is an important part of it.

I kind of challenged him in the confirmation hearing before the Energy Committee to keep that up: Don't be afraid to speak out, to be refreshingly candid. I think that is good advice.

He also has proven the Senate's confirmation process can be navigated successfully without undue delay, as long as questions are answered and concerns raised by Members are taken seriously, and I think he did attempt to do that.

It is my hope that after his confirmation, Dr. Moniz will guide our Nation's energy policy as the respected scientist he is and do so rigorously, robustly, free of preordained conclusions, and, again, not afraid to speak up or to speak his mind. His Department will benefit, and I think the country will as well.

As I have indicated in my comments, I think the Department of Energy needs good, strong direction. It needs that leadership, and I believe Dr. Moniz will provide both. That is why I am supporting his nomination, and I ask my colleagues in the Senate to join me in voting to confirm him later this afternoon.

I note my colleague from New Jersey is here. I have some comments I wish to make about the Arctic Council meeting, but I will certainly defer to my friend from New Jersey for his comments this morning.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I wish to thank the distinguished ranking member for her courtesy. I intend to support this nominee for all of the reasons the distinguished chairman has said.

(The remarks of Mr. MENENDEZ pertaining to the introduction of S. 980 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MENENDEZ. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARCTIC COUNCIL MINISTERIAL MEETING

Ms. MURKOWSKI. Madam President, while we are waiting for colleagues to come and join us on the floor to speak about the nomination of Dr. Ernest Moniz to be Secretary for the Department of Energy, I thought I would take a few moments and fill in my colleagues about a meeting I just returned from in Kiruna, Sweden. This was the Arctic Council ministerial meeting.

The Arctic Council is comprised of the eight Arctic nations, of which the United States is one by virtue of the State of Alaska, but not to diminish the fact that we truly are an Arctic nation, and our role as such, involved with other Arctic neighbors, is a growing role and a role the rest of the world is looking at with great interest and great anticipation as to how the United States is going to step forward into this important arena.

This is the second Arctic Council meeting I have attended. I was in Nuuk, Greenland, with Secretary Clinton and Secretary Salazar 2 years ago. That was the first time the United States had sent a Cabinet member, sent the Secretary of State to the Arctic Council, and it caused great waves throughout the Arctic world and certainly gained the attention of nations around the world. The sentiment was the United States is finally stepping up, the United States is moving forward, recognizing its role as an Arctic nation. So it was exceedingly important that Secretary Kerry continued that good work of Secretary Clinton in leading the United States in its role at this ministerial meeting.

I will tell you, Secretary Kerry has been very involved here in this body as a Senator in his leadership on certain issues, specifically advancing the Law of the Sea Treaty—ratification of that important treaty—speaking out and being very forthright on the issue of climate change. His leadership at the council meeting in Kiruna yesterday was clearly evidenced as he worked to bring the parties together in terms of

an agreement to move forward with how we treat observers to the Arctic Council. I commend Secretary Kerry for his leadership, certainly for his initiative, in ensuring that the United States continues to have a high profile and a growing profile.

Why is this important? Why do we need to not only be engaged but to step up that engagement? Well, yesterday, the chairmanship of the Arctic Council transferred from Sweden to Canada, so our neighbors to the North will chair the Arctic Council for these next 2 years. In 2015, the gavel of that chairmanship will pass from Canada to the United States, so we will be working to set the agenda, although it is a very consensus-driven process. But we will clearly be in a leadership role amongst the eight Arctic nations and those observer nations. It is critically important that we are ready, that we be working toward assuming this leadership position.

In doing that, it is more than just attending meetings every other year. It is the agreements that come out as a result of these ministerials, these consensus initiatives that help to advance the dynamic in an evolving part of the world.

In Nuuk, the first-ever binding agreement of the parties was entered into, and this was a search-and-rescue agreement. If there is an incident up in the Arctic—and the world up there knows very little in terms of boundaries and what happens with ice, but we recognize our infrastructure is severely limited. So who is in charge? How do we work cooperatively, collaboratively with search and rescue? It was an exceedingly important initiative that was adopted 2 years ago.

Yesterday, in Kiruna, it was the adoption of the Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic. There is a recognition that in the Arctic, where some 15 percent of the world's known oil and gas reserves are situated, there will be activity. We are seeing it in Russia to our left-hand side; we are seeing it in Canada to our right-hand side. In the United States, as we all know, Shell attempted to begin exploration this year. There have been previous exploration efforts up in the Beaufort and in the Chukchi. Whether you are for or against oil development here in this country, the recognition is that within the Arctic nations there is activity. There are ongoing efforts, whether it is through exploration or, hopefully, production that will move forward.

What we are trying to do within the Arctic Council and other entities is make sure that when that happens, we are prepared. So we are putting forward collaboration and collective agreements so there is an understanding that in the event—hopefully, a very unlikely event—something

would ever happen, there is an understanding as to how all the nations act, the level of preparation that moves forward.

There are incredibly important initiatives as we deal with an evolving Arctic. Think about the world up north there. Really understand what is happening. This is no longer an area that is locked in ice and snow, an area where we are not able to transit, an area where there is no human activity. The Arctic has clearly seen an opening, as we see the sea ice receding. We are seeing a level of activity that is unprecedented. It is truly the last frontier—a new frontier, so to speak.

Again, how we prepare for a world where there is more movement, where there is more activity, is going to be a critical key to the success and the opportunity. We recognize the volume of shipping now coming through the Northwest Passage, coming from Russia on down through the Bering Strait, through very narrow channels there out to Asia, down into the Pacific. There is incredible movement. So how are we preparing ourselves for an increased volume of shipping traffic? Do we have the navigational aids we need? Do we have the ports and the infrastructure that will be necessary? These are some of the initiatives that were discussed.

Obviously, when we think about an Arctic that is changing, a key focus is on climate change and what is happening. We are seeing the impact of climate change in the Arctic more noticeably than in other parts of the globe. So there is a great deal of science and research that is going on that is necessary. How we collaborate, how we share that with all of our other Arctic neighbors is going to be key.

How we map our resources, whether it is understanding the sea floor, whether it is understanding the coastline, this is an area that—we use the term “frontier.” When we go out into a new frontier, it is important to know what it is we are dealing with; how we can work cooperatively on things such as mapping; what we can do to ensure that as we see changes, as we see development, as we see increased economic activity in the Arctic, that the indigenous people—the people who have been there for thousands of years, living a true subsistence lifestyle—that their lifestyle remains intact, that there can be a balance and a harmony with their world and this changing scenery and landscape in front of them.

This is a story that was conveyed to me several years ago. I was up in Barrow, which is, of course, the northernmost city in the United States. Barrow is a relatively small community of several thousand individuals. One afternoon there was a group of folks who were in town and they were all speaking German.

Somebody asked: Well, how did you get here? Where did you come from?

They did not see that many people getting off the Alaska Airlines jet. The German tourists pointed to a cruise ship that was offshore. They had lightered these German tourists into the community. Just a few years back, a cruise ship in these waters was unheard of. What we are seeing now are cruises. We have a level of tourism that would never have been anticipated. So how we prepare for all of this is a challenge for us.

The work of the Arctic Council is again focusing on collaboration and cooperation in an area, in a zone of peace, as many would suggest. This is an important opportunity for us from a diplomacy perspective. Think about how many hot spots we have in the world, how many places on this planet where we are trying to put out fires that have been simmering or smoldering for decades, for generations, for some, millennia. If we have a part of the world where we can work together, what kind of a message, what kind of a symbol does that represent? So we have some enormous opportunities within the Arctic.

Part of my challenge—and I shared this with Secretary Kerry—is impressing upon people in this country that we are an arctic nation. The Presiding Officer hails from the State of Massachusetts. My colleague and chairman of the Energy Committee comes from Oregon. I would venture to say that most of the Senator's constituents do not view themselves as people of the Arctic, but we are. As 50 States, we are. So how we work together to make sure America's role as an arctic nation is represented is key.

I will conclude my remarks by noting that on Friday the White House released its Arctic strategy. This is a document to advance national security interests, how we responsibly manage the Arctic ecosystem, how we bolster international relationships—all very worthwhile goals. I think we recognize that it is perhaps a little bit light on detail, but the good news is that so many of our Federal agencies are working to help advance these goals.

What we need, in addition to a coordinated strategy, is a policy that is going to make sense from all of the different levels, whether it is how we deal with the energy, how we deal with the human side, how we deal with the security aspect of it. These are complicated issues, but it is an opportunity that is almost unprecedented to be able to take a blank page and be able to create opportunities, to be able to create policies that really began with a level of collaboration and cooperation. This is what we are hoping to build not only with our Arctic neighbors but beyond that.

It was interesting to note the recognition of six nations that joined as observers: China, India, Italy, Japan, Singapore, and South Korea. No one

would ever suggest these are Arctic nations, but the reason they want to be engaged as observers is they recognize the importance of the Arctic to the rest of the globe. They recognize the importance, whether from a shipping perspective, whether from an environmental perspective, whether from just an opportunity for resources. There is a keen awareness of what is happening in the Arctic, that this is the place to be right now.

So my urging to my colleagues is to pay attention to not only what is happening in the Arctic but pay attention to how an increased role in the Arctic impacts them and constituents in their States because whether it is sending goods from one nation to another, this is an opportunity to allow for transit and commerce that has only been a dream. Whether it is how we access our energy resources in a way that is done responsibly, safe, and with an eye toward environmental stewardship, there are opportunities for us—challenges, yes, but opportunities for us as well.

So I will be talking much more about our role as an arctic nation, our responsibilities as an arctic nation, but I would ask that we start thinking about this: Where does Massachusetts, where does Oregon, where do they fit in as part of an arctic nation?

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH.) The Senator from Massachusetts.

Mr. COWAN. Mr. President, I rise to speak in support of the nomination of Dr. Ernest Moniz—a native son of Massachusetts—to be Secretary of Energy. In voting yes on his nomination, the Senate will confirm someone who is extremely well qualified for the role of Secretary of Energy and someone who is proof positive that the American dream is alive and well.

Dr. Moniz is a son to first-generation immigrants to America, to Fall River, MA, a historic city on the south coast of Massachusetts rich with a history in the textile and garment mills and now with a bright future in the innovation economy.

It was in Fall River that Dr. Moniz first developed his love of science, both at home and in the Massachusetts public schools. With the help of scholarships from his father's labor union, Dr. Moniz was able to attend and receive his bachelor of science degree, *summa cum laude* in physics, from Boston College. From there, Dr. Moniz went on to do even greater work.

In Massachusetts, we are grateful for the decades of service he has given to one of the finest institutions not just in the Commonwealth but in the world, the Massachusetts Institute of Technology—otherwise known as MIT—where he has been a faculty member since 1973. Dr. Moniz has led many groundbreaking initiatives at MIT, including most recently serving as the

funding director of the MIT Energy Initiative and leading the MIT Laboratory for Energy and the Environment. Through the MIT Energy Initiative, he has been at the forefront of multidisciplinary technology and policy studies on the future of nuclear power, coal, nuclear fuel cycles, natural gas, and solar energy. The initiative has spun out numerous startup companies from the campus lab into the emerging and important clean energy economy.

In addition to his many years of service to the Commonwealth, Dr. Moniz also knows his way around this town, which I am sure will serve him well in his new position. He served previously as Under Secretary of the Department of Energy and before that as Associate Director for Science in the Office of Science and Technology Policy for President Clinton.

One of the biggest challenges he will undoubtedly face as Secretary is how to continue critical U.S. investments in emerging energy technologies, including fusion, in the face of a difficult budget climate. While I recognize that, as Secretary, Dr. Moniz will need to recuse himself from this particular issue, I strongly support continued DOE funding of the domestic fusion energy research program at MIT, the C-Mod Program, which has for years led in fusion science and is an incubator for the next generation of fusion scientists. Unless additional action is taken by DOE, the C-Mod research facility at MIT will be abruptly terminated, 130 fusion scientists, engineers, graduate students, and support personnel at MIT would also be terminated, and hundreds of millions of dollars invested in this program over the past generation will be lost.

Our Nation's domestic fusion program simply cannot withstand the proposed reductions without a severe negative impact to our fusion research and our scientific contributions to the international fusion research community. This shortsighted approach could eliminate the ability of the United States to take a lead role in the development of the next generation of energy research.

The Department of Energy has significant responsibilities that impact America's economic energy, environmental, and security future. It is my strong belief that Dr. Moniz has the ability, knowledge, experience, and vision to be an excellent Secretary of Energy for the people of the United States. I look forward to casting my vote to confirm this brilliant scientist, dedicated public servant, and, yes, native son of Massachusetts.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NLRB

Mr. CASEY. I rise to speak about the National Labor Relations Board. This is a board and a set of issues we are going to be debating and have begun to debate recently. It will be with us for a while, and it is an important debate we are having.

As the Senate considers the National Labor Relations Board member nominations, I think it is very instructive, and I would even say essential, to look back at the history of the Board and the National Labor Relations Act, the legislation that created the Board, to recall why this Board and the act are so important to our economy, our workers, and our businesses.

The National Labor Relations Act played a key role in making the United States the prosperous Nation we are today. A properly functioning labor board and a revived, modernized National Labor Relations Act could be key players in a more prosperous future.

Congress passed the act in 1935 during the depths of the Great Depression. The National Labor Relations Board Act legitimized and gave workers the right to join unions. It encouraged and promoted collective bargaining as a way to set wages and settle disputes over working conditions, and it led to a surge in union membership and representation. It is worth remembering as well why the act was passed in the first place.

To quote section 1 of the act: "The inequality of bargaining power between employees . . . and employers . . . substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions by depressing wage rates and the purchasing power of wage earners."

I am quoting in pertinent part the most significant words in that part of the act which are the flow of commerce, how important it is to settle disputes so we can have a free-flowing commerce, and that workers have the rights they are entitled to.

As I said, it was passed in 1935. The economy was reeling. One-fourth of the workforce was jobless. Millions of Americans were poor, hungry, and homeless. Balancing the bargaining power of employers and employees, Congress hoped to restore the Nation to economic prosperity. Giving workers the right to organize and bargain collectively would allow them to stand up to corporate power and demand higher wages, thereby increasing their incomes and their purchasing power.

That, in turn, would increase consumption and demand for goods, increasing production and, in fact, increasing employment.

As former NLRB Chairman Wilma Liebman said: "The law was enacted less as a favor to labor, than to save capitalism from itself."

We know that before the New Deal, the Federal and State governments, the courts, and the law had all been hostile to the collective rights of workers in their struggles against corporate power. For decades, going back to the late 1800s, the majority of production workers in America's heavy industries had labored in harsh and often dangerous conditions for low wages, with little security. I know this from my own family's history, but I also know it from the history of my own region of northeastern Pennsylvania, the so-called hard coal or anthracite region of Pennsylvania.

Stephen Crane, the great novelist, wrote about the coal mines right around the turn of the century. Actually, they are the coal mines of my home county. He talked about all the ways a miner could lose his life in the coal mines. I ask unanimous consent to have printed in the RECORD that part of Stephen Crane's essay about the coal mines.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The novelist Stephen Crane toured a mine near Scranton in 1894, just ten years before my father went to work in the mines. He described the scene in McClure's Magazine:

The breakers squatted upon the hillsides and in the valley like enormous preying monsters, eating of the sunshine, the grass, the green leaves. The smoke from their nostrils had ravaged the air of coolness and fragrance. All that remained of vegetation looked dark, miserable, half-strangled. . . .

The [boys] . . . are not yet at the spanking period. One continually wonders about their mothers, and if there are any schoolhouses. But as for them, they are not concerned. When they get time off, they go out on the culm heap and play baseball . . . And before them always is the hope of one day getting to be door-boys down in the mines; and, later, mule boys; and yet later, laborers and helpers . . .

A guide then led Crane into the mine: It was a journey that held a threat of endlessness. Then suddenly the dropping platform slackened its speed. It began to descend slowly and with caution. At last, with a crash and a jar, it stopped. Before us stretched an inscrutable darkness, a soundless place of tangible loneliness. Into the nostrils came a subtly strong odor of powder-smoke, oil, wet earth. The alarmed lungs began to lengthen their respirations.

Our guide strode abruptly into the gloom. His lamp flared shades of yellow and orange upon the walls of a tunnel that led away from the foot of the shaft. Little points of coal caught the light and shone like diamonds. . . .

The wonder of these avenues is the noise—the crash and clatter of machinery as the elevator speeds upward with the loaded cars and drops thunderingly with the empty ones. The place resounds with the shouts of mule

boys, and there can always be heard the noise of approaching coal cars, beginning in mild rumbles and then swelling down upon one in a tempest of sound. In the air is the slow painful throb of the pumps working at the water which collects in the depths. There is booming and banging and crashing, until one wonders why the tremendous walls are not wrenched by the force of this uproar. And up and down the tunnel there is a riot of lights, little orange points flickering and flashing. Miners stride in swift and somber procession. But the meaning of it all is in the deep bass rattle of a blast in some hidden part of the mine. It is war. It is the most savage part of all in the endless battle between man and nature. Sometimes their enemy becomes exasperated and snuffs out ten, twenty, thirty lives. Usually she remains calm, and takes one at a time with method and precision. She need not hurry. She possesses eternity. After a blast, the smoke, faintly luminous and silvery, floats silently through the adjacent tunnels . . .

Great and mystically dreadful is the earth from the mine's depth. Man is in the implacable grasp of nature. It has only to tighten slightly, and he is crushed like a bug. His loudest shriek of agony would be as impotent as his final moan to bring help from that fair land that lies, like Heaven, over his head. There is an insidious, silent enemy in the gas. If the huge fanwheel on the top of the earth should stop for a brief period, there is certain death. If a man escapes the gas, the floods, the squeezes of falling rock, the cars shooting through little tunnels, the precarious elevators, the hundred perils, there usually comes to him an attack of miner's asthma that slowly racks and shakes him into the grave. Meanwhile, he gets \$3 per day, and his laborer \$1.25.

Mr. CASEY. When unions sprang up to defend the rights of workers, they were treated as illegal conspiracies, ruthlessly smashed by companies that either used violence or called on the police or military to defend their interests. The unions rarely made more than temporary gains.

When America began to industrialize in the 1800s, the relationship between workers and their bosses changed dramatically. Craft work by skilled employees was replaced by mass production with hundreds or even thousands of people working for a single, impersonal corporation. Giant powerful entities generally treated their workers like faceless, expendable commodities—inputs into the production process, whose costs had to be kept low in order to maximize profits in the incomes of robber barons. That was certainly true in my home State of Pennsylvania.

The corporations amassed enormous wealth, but the employees were mostly left behind, with lives of misery and hardship. In Pittsburgh, for example, the western corner of our State, a remarkable in-depth sociological study by the Russell Sage Foundation of the lives of working families in the early 1900s found widespread grinding poverty and child labor, poor health and education, and astonishing levels of work-related injury and illness. In Allegheny County, where Pittsburgh is located, with a million residents, more

than 500 workers died in industrial accidents in a single year, most of them in the steel mills. The same was true in the coal mines.

To give you an example, in 1907, 1,516 workers were killed in the coal mines of Pennsylvania. In over about a 98-year period, 31,047 known fatalities happened in the coal mines of Pennsylvania.

If the United States today had a proportional number of occupational fatalities as they had in Pittsburgh when 500 workers died, the number would be 150,000 workers today losing their lives on the job. Workers were chewed up and discarded with no workers' compensation system and no hope of suing the corporation for negligence. The law of labor relations was seriously unbalanced. Whereas business owners were able to act collectively, joining together in corporations to be treated as a special kind of person under the law, while escaping individual liability for corporate acts, unions were sometimes treated as criminal conspiracies, their strikes were considered illegal restraints against trade, and courts intervened to issue injunctions to hold unions liable for the acts of their members.

When workers tried to form unions to defend themselves or to win a fair share of the profits, they were usually met by fierce resistance by employers, fueling anger and resentment, often leading to violence.

One of the most famous and, I should say, infamous tragedies involved Carnegie Steel, which for 10 years had a collective bargaining contract with its skilled employees at the Homestead plant but decided in 1892, during an economic depression, both to cut the employees' wages and to destroy the union. I won't go into the whole story today; we don't have time. Suffice it to say the union was crushed completely because of the actions of that steel company and then steel companies after it.

Move forward in history when demand for their products dried up in the Great Depression. Many businesses cut both wages and hours, further depressing workers' incomes and purchasing power.

In President Franklin D. Roosevelt's first year in office in 1933, he pushed through Congress the National Industrial Recovery Act. One of its main purposes was to encourage companies to recognize their unions and to bargain with them. FDR and Labor Secretary Frances Perkins were convinced that raising wages and thereby increasing consumer demand was essential to lift the economy and put people back to work.

Unfortunately, the entity the act created to encourage collective bargaining, the National Labor Board, as it was called at the time, had no power to compel compliance with the new

law. Union membership soared, but the companies continued to resist collective bargaining or recognize the sham company unions they controlled, effectively bargaining with themselves rather than the real representatives of the workers. Instead of an orderly, efficient act, or system, I should say, the act produced chaos. The Supreme Court ruled that the act was beyond the powers of Congress under the commerce clause of the Constitution.

What happened then was Senator Robert Wagner of New York started over and drafted the National Labor Relations Act of 1935. It passed quickly and survived a constitutional challenge in the Supreme Court. The new law required companies to recognize unions as the exclusive representative of their employees when they could prove majority representation. It gave the new board the authority to conduct elections and to order companies to bargain in good faith over wages and working conditions. It outlawed sham company-dominated unions, and it protected employees from violations by employers of their right to join a union or to engage in strikes or other protected, concerted activities such as hand billing or picketing.

The Board itself was given the power to require employers to hire back fired workers, to pay lost wages with interest, and to agree not to break the law in the future.

For a time, the new law worked. As Wilma Liebman, on the National Labor Relations Board for 14 years, said recently:

Over the next decades, millions of workers voted for union representation in NLRB-conducted elections. And millions achieved a middle class way of life through collective bargaining and agreements that provided fair wages and benefits in major industries of the economy.

At the peak of union power, 35 percent of workers were covered by union contracts. They won higher wages, job security, and other benefits. American family incomes grew by an average of 2.8 percent per year from 1947 to 1973. Let me say that again. There was almost a 3-percent increase in family incomes from 1947 to 1973, with every sector of the economy seeing its income roughly doubled.

Due to a number of factors, union membership as a share of private sector employment has declined from that 35 percent to less than 7 percent today. We know that our history tells us not only is the act important for union members and for their families, but it is also very important for the middle class.

No one thinks the National Labor Relations Board by itself will be able to restore balance to America's incomes or restore purchasing power to the middle class. The Board itself can help make a difference, especially if Congress repairs decades of damage to

the rights of unions and employees to organize, bargain and, if necessary, to, in fact, strike. The Employee Free Choice Act would have been a good start in that campaign of repair and restoration.

Tens of millions of Americans today are working at poverty wages. By one estimate, 28 percent of workers are paid at a poverty-level wage or less. People who work hard for a living deserve a path to a decent economic future. Workers today are better off than the average workers surveyed in Pittsburgh 100 years ago, as I cited earlier, but their lives are getting harder every year. They are not sharing in our ever-growing national wealth.

I hope we can begin a process of re-creating collective bargaining soon, but first we must end the disgrace of leaving the Nation's most important labor relations agency without leadership. It is shameful if we allow this to happen. The recent record of obstruction of nominations in the Senate is, in a word, unacceptable and should be unacceptable to every American. It is time to confirm the President's nominees to the National Labor Relations Board, to give certainty to workers and to businesses as we continue to recover and create jobs.

As I leave, I would go back to the few short words I will read from the opening Findings and Policies of the National Labor Relations Act:

Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the free flow of commerce by removing certain recognized sources of industrial strife and unrest.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE IRS

Mr. THUNE. Mr. President, yesterday morning I called for the immediate resignation of Acting IRS Commissioner Steven Miller in light of the IRS's admission that it targeted conservative groups for inappropriate scrutiny. While I was willing to give Mr. Miller and other IRS officials the benefit of the doubt until the facts were in, the Treasury Inspector General report released on Tuesday has erased any doubts as to the severity of the misconduct and the blatant incompetence in dealing with the highest levels of the IRS.

I am pleased President Obama chose to heed the call that I made, and others as well, by dismissing Mr. Miller last night. This is a necessary step, but only a first step, toward restoring the credibility and the integrity of the IRS. This scandal is much larger than any one official within the IRS. Any government official who knew about the misconduct within the IRS and decided not to make this information public should be held accountable. No American taxpayer should ever have to worry that a group they belong to or a view they espouse would subject them to less favorable tax treatment by their government. Yet the IG report has, unfortunately, confirmed this political profiling is exactly what happened.

The misconduct by the IRS is troubling for a host of reasons, but there are two questions yet to be answered that I find particularly troubling. First, how was the improper targeting of IRS agents allowed to continue for more than 18 months before it was finally brought to an end?

Secondly, how did the internal IRS process involve so many high-level IRS officials yet remain hidden from the public and from Congress for more than 2 years?

Former Commissioner Miller was quoted yesterday as saying the IRS misconduct was a result of two "rogue" employees in Cincinnati who were "overly aggressive." Yet we now know from the IG report the IRS's attempt to deal with the targeting of conservative groups went through numerous high-level IRS officials in Washington.

We know as early as March of 2010, IRS officials in Washington were involved in applying special scrutiny to tea party and other applications with conservative-sounding names. According to the IG report, the head of the IRS Exempt Organizations Division and the IRS Chief Counsel became aware of this targeting almost 2 years ago in the summer of 2011.

Let's be clear: The scandal isn't simply a few rogue employees. The real scandal is an entire bureaucratic structure within the IRS that allowed this targeting to go on for 18 months.

Behind me is the organizational chart from the IG report showing all the offices that were involved in dealing with the improper targeting of conservative groups. As you can see, of the 12 offices on this chart, only two of these offices are based in Cincinnati. The other 10 offices are in Washington, DC. This particular office was the office—until just last night—Acting Commissioner Steven Miller held. But as you can see, Mr. President, this is lifted directly from the IG's report. This is an organizational chart that suggests the two offices in Cincinnati were a small part of a much bigger web of offices and individuals who were involved.

This situation may have started with a few rogue employees in Cincinnati, but the idea that somehow it was confined to that one small part of the IRS structure is simply untrue. It is also misleading to suggest the IRS has been anything other than secretive and resistant to calls for greater transparency when it comes to the agency's handling of conservative groups.

We now know then—Deputy Commissioner Miller was made aware of inappropriate targeting of conservative groups as early as May of 2012. Yet for 1 year Mr. Miller did not bring this information to the attention of the public or Congress.

In June and August of 2012 I joined with fellow Republican Senators on the Finance Committee in sending letters to the IRS regarding reports the IRS was requiring conservative 501(c)(4)s to disclose their donors and expressing concerns the IRS may change regulations affecting these groups in response to political pressures. The IRS responses to these letters did not acknowledge any special treatment of conservative groups.

In November Mr. Miller became the Acting IRS Commissioner, and in this capacity he testified before the Senate Finance Committee regarding the issue of tax fraud and ID theft. He did not take that opportunity to make remarks or to comment on the subject of targeting conservative groups. Time and time again high-level IRS officials deliberately avoided disclosing information regarding the targeting of conservative groups.

The American people deserve to know that action will be taken to ensure the IRS will never participate in this kind of partisanship again, and they deserve to know that leaders of such agencies will be held accountable for such breaches of trust. These actions undermine the confidence the American people have in the IRS to objectively and transparently administer our Nation's tax laws.

These actions by the IRS are a continuation of a troubling trend from the self-proclaimed most transparent administration in history. All of these incidents are beginning to add up to a growing credibility gap between this administration under President Obama and the high standard of public service the American people deserve.

Now, thanks to ObamaCare, the IRS will be administering parts of the health care law. The IRS's power will grow as they become responsible for determining whether Americans have satisfied the government mandate to have health insurance and whether the government will pay for part of that coverage through refundable tax credits.

As noted by the National Taxpayer Advocate Nina Olson, ObamaCare is "the most extensive social benefit program the IRS has been asked to implement in recent history."

As I previously mentioned, this isn't the only ObamaCare-related scandal that has come to light this week. Over the weekend the Washington Post reported that Secretary of Health and Human Services Kathleen Sebelius has been soliciting donations from health care executives to fund left-leaning organizations that are trying to work hand-in-hand with HHS to enroll individuals in ObamaCare exchanges.

If these reports are accurate, the actions taken by the Secretary represent a very serious conflict of interest. Companies and organizations should never be pressured for money because it sends the message that contributions are necessary to secure favorable regulatory decisions, creating a pay-to-play environment.

Earlier this week David Axelrod, a former senior adviser to President Obama, said it isn't possible for the President to be aware of all these problems in government because government is simply too big. It is mind-blowing to consider how large the Federal Government is and how the one individual responsible for this \$3.6 trillion entity can't even keep tabs on all the activity. Perhaps this is exactly why we should be focused on policies that shrink the size of government so it can be more transparent and more accountable to citizens of this country.

Chief Justice John Marshall, in the seminal opinion *McCulloch v. Maryland*, wrote: "The power to tax is the power to destroy." Those words still ring true nearly 200 years later.

This administration is using one of its greatest powers—the power to tax—to destroy one of the people's strongest God-given rights, the right to free political speech. This isn't just an attack on certain conservative groups, it is an attack on all of our rights to assemble and to express free political speech without the fear of repercussion from our government. President Obama has a long way to go to restore public confidence and to stop the growing credibility gap that so far has plagued his second term.

I look forward to next Tuesday's oversight hearing in the Finance Committee where I hope we can begin the process of reining in a government agency that has run amuck.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRS RULES

Mr. UDALL of New Mexico. Mr. President, I have been watching today

as various speakers have come to the floor. I want to join in the outrage about what has happened at the IRS, the idea that the IRS would pick specific groups and target them. In this case, apparently they used the name "patriot" and they searched through incoming applications for 501(c)(4)s—and the term "tea party"—and they were obviously focusing on one side of the political spectrum. They should not have done that.

There is no doubt that the people who are writing me, that people in America have watched this and feel a sense of outrage. They should be outraged. They are outraged, and I am outraged.

One of the things we have to understand as a result of this is that the IRS has tremendous power. It has the power to audit. It has the power to request information. It has the power to refer for criminal conduct. I think in many cases the IRS is probably more feared than the prosecutor's offices, which also have tremendous power. As many know, I have had some real experience there, having been a Federal prosecutor, having been a State attorney general. That is power that should be used in a very careful way. You do not pick one part of the political spectrum and target people when you are entering a phase of a prosecution or an audit, as the IRS was doing. I think our President, who is a lawyer, understands that. President Obama has called for the resignation of the top IRS official. That official has resigned. That is the right thing to do. Such action is inexcusable. No one disputes that. More disciplinary action is likely. The FBI is investigating, and I hope they do a full, thorough, and complete investigation. Of course, as I said before, the IRS should not be targeting specific sides of the political spectrum.

But in thinking about this, there is another failure, and we should talk about that at the same time. The IRS does not have clear rules for nonprofit groups and political activity. We need transparency about what is allowed and what is not allowed. Those rules should be applied to all groups across the board on all sides of the political spectrum. Front groups for huge amounts of campaign money are continually allowed to file false statements with the IRS and get away with it. Over and over again, they do this. This is wrong whether the group is liberal or conservative, Democratic or Republican. This is wrong across the board.

How does this happen? We know that lots of secretive groups want to funnel cash to influence elections, to get their candidates elected. But campaign finance rules are supposed to have transparency. How do these groups, left or right, keep their money secret? They hide behind an organization that is listed with the IRS called a 501(c)(4).

They ask for permission under the IRS to be a 501(c)(4) status organization. That is a tax-exempt, nonprofit corporation regulated by the IRS.

These groups have one big hurdle to jump through. The 501(c)(4) has to be set up “for the promotion of social welfare.” In fact, the law says it must be exclusively—the law Congress wrote says it must be exclusively for social welfare. That is the law Congress wrote. It seems pretty clear, doesn’t it? It seems as though Congress was saying what it intended. But the IRS muddied the water by deciding “exclusively” actually means “primarily.” “Primarily engaged in social welfare activity” means at least 51 percent of the time—not 100 percent of the time, 51 percent of the time. This is baffling, and it is completely misguided.

To make it more confusing, the IRS regulations state that “the promotion of social welfare does not include direct or indirect participation, or intervention, in political campaigns on behalf or in opposition to any candidate for public office.” To establish a 501(c)(4) corporation, the organizers must file a form with the IRS pledging that they do not plan to spend money to influence elections. It appears that many of these groups have lied on their applications for nonprofit status. It also appears that they are allowed to get away with it. That is corrupt, and it is also a crime—and nothing appears to be done about it. That is a scandal right there. As the IRS stands by, these groups, whatever their political affiliation, mock Federal tax laws.

The Center for Responsive Politics noted that in the 2012 election, 501(c)(4) groups spent \$254 million to support or oppose candidates. Why would someone donate to a 501(c)(4) instead of giving money to the parties or to the campaigns of candidates they support? Simple—to avoid disclosure. If someone gives \$1,000 to a political campaign, that is required to be reported and the donor is known. It is out there. It is in the public. But if someone gives \$1,000 to a 501(c)(4) that is improperly engaging in political activity, the public remains in the dark. So if someone gives \$1,000 to a 501(c)(4), nobody knows about it, but it can go out under these rules and engage in political activity.

This secret money is a bipartisan outrage. They are seeking to influence elections, not promote social welfare. This has to change. I have long argued that it must change. Since 2010 many of us have come to this floor calling for vitally needed reforms, demanding that we change the way we do business. I believe that requires a constitutional amendment overturning the disastrous Buckley and Citizens United decisions by the Supreme Court, restoring to Congress and the States the authority to regulate elections.

We have also pushed for the DISCLOSE Act. That legislation would

have taken the IRS out of the business of investigating these groups—a job it is failing to do anyway. It would have required open reporting with the Federal Election Commission. The DISCLOSE Act doesn’t ban any group, but it does say the American people have a right to know who is trying to influence their vote, who is paying for all those ads on television.

There is a saying in Washington from the Watergate era: “Follow the money.” That is what I am trying to do. Where does the money come from and where is the money going? Not a single Republican voted for the DISCLOSE Act—not one. In fact, they filibustered it, blocked it from an up-or-down vote.

Partisan bias and abuse by the IRS cannot be tolerated. President Obama is not tolerating it. But Americans are also fed up with the deception by shadowy groups that continue to drown our elections in anonymous cash. The fact that these secret political money groups also serve as tax breaks for extremely wealthy people adds insult to injury.

We need clear rules from the IRS. Exclusive means exclusive, in my book. When the Congress says “exclusive,” it means exclusive, and we need to enforce those rules equally on all applicants for tax-exempt status, every single one. If you are a charity or true social welfare organization, you should not pay taxes. There is no need to publicize your donors. But if you are looking to influence Americans’ votes and how Americans vote, the voters should know who you are. There must be disclosure at the very least.

We have to change the way we do business. The failure of IRS bureaucrats—billionaires writing political checks but hiding in the shadows and avoiding taxes—this has to change. The time has come to change this.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the quorum call be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I am honored and privileged to stand here today and to say good words on behalf of Ernest Jay Moniz, also known as Dr. Moniz and Ernie Moniz. He is one of my favorite people from the world of academia. I have in my hand a bio of him that I will read out loud. It is not very long, and it is worth listening to.

Dr. Ernest J. Moniz is the Cecil and Ida Green professor of physics and engineering systems at MIT. His research at MIT, where he has served on the faculty since 1973, has focused on energy technology and policy.

Dr. Moniz also serves as the director of MIT’s Energy Initiative and the MIT Laboratory for Energy and the Environment.

From 1997 until 2001, Dr. Moniz served as Under Secretary of the Department of Energy. Prior to that time, he served as Associate Director for Science in the Office of Science and Technology Policy in the Executive Office of the President from 1995 until 1997.

In addition to his work at MIT and the Department of Energy, Dr. Moniz has served on any number of boards and commissions, including the President’s Council of Advisers on Science and Technology from 2009 until today, the Department of Defense Threat Reduction Advisory Committee from 2010 until today, and on the Blue Ribbon Commission on America’s Nuclear Future from 2010 to 2012.

Dr. Moniz is a fellow of the American Association for the Advancement of Science, the Humboldt Foundation, and the American Physical Society. In 1998 he received the Seymour Cray HPC Recognition Award for vision and leadership in advancing scientific simulation.

Dr. Moniz received a bachelor of science degree summa cum laude in physics from Boston College and a doctorate in theoretical physics from Stanford University.

I have been privileged to know this man for a number of years. Our oldest son was an undergraduate in mechanical engineering at MIT and graduated a few years ago.

I remember holding a field hearing at MIT—gosh, about a half dozen or so years ago—and Dr. Moniz was one of our witnesses. Among the things I liked about him is that he was so approachable. We have all heard the term “good guy.” He is a really good guy.

Sometimes we think of somebody as a professor in an ivy tower and kind of out of touch, unable to communicate and connect with people. He could not be more different from that caricature. He is a real person, not to mention a very smart person. As a professor, he is able to explain complex concepts of nuclear energy and clean coal so that even I can understand what he is saying.

He has a wonderful sense of humor. If you happen to be a young person or an older person, Democratic or Republican, he just works so well with everybody. He is smart as a whip. He has a great way about him. He is approachable and has a very can-do attitude. I think the President made a great choice.

I say to Ernie and his family, I appreciate his willingness to serve in a lot of capacities and his willingness now to serve in this capacity. Hopefully, it will be good for him, his life, and his family. I think it certainly is going to be good for our country, so we appreciate that.

I say to my colleagues who have not had a chance to get to know him, I think everyone is going to like him a lot and enjoy working with him. I know I certainly have.

I also wish to discuss something I touched on earlier this week. I stood here just this week talking about the Swiss cheese we have in the executive branch of our Federal Government. There are too many positions that don't have someone confirmed for those positions.

In some cases, the administration has been derelict in terms of sending us nominations because they spend forever vetting nominations because they don't want to send someone to us who has a flaw or a blemish. As a result, I think they spend entirely too much time vetting nominees. In some cases, even when a nominee's name gets here, even if they are really good and well qualified, we delay those nominations further. Whether it is a Democratic or Republican President, we put the nominees through—not torture but something pretty close to it.

We need good people to be willing to serve. When they step up and are willing to serve, we need to process and vet those nominations. We need to scrub them hard, but at the end of the day we need to move them forward.

In the Environment and Public Works Committee, we took a small but important step with the President's nominee Regina McCarthy to be the Administrator for the Environment Protection Agency. She is enormously well qualified. She has already been confirmed by the Senate for the air pollution side for the EPA and has done a very nice job.

Although she has been nominated by a Democratic President, in the past she served with five Republican Governors. She is smart, hard-working, she has great credentials, and she is approachable. She is somebody who is able to understand and explain things. She will do a great job.

We have had a hard time being able to move her nomination out of the Environment and Public Works Committee. Today we were joined by our Republican colleagues. Unfortunately, none of them voted to report her nomination out of committee. We have reported her out on a straight party-line vote.

My hope is that we will have an opportunity to do what we did a number of years ago—about 7 or 8 years ago. Mike Leavitt, the former Governor of Utah, was nominated to be the head of EPA. There was some delay in his nomination.

We actually had a big markup and business meeting scheduled to consider his nomination, and the Democrats boycotted that meeting. We waited a couple of weeks. At a followup meeting, the Democrats showed up, and we reported him out with Democratic sup-

port. Later, we voted for his nomination. It was a big bipartisan vote. I think there were 70 or 80 votes in favor of his nomination.

My hope is that is what we will do with Gina McCarthy. She deserves a vote, and from my perspective she deserves a positive, affirmative vote.

We have Ernie Moniz coming our way later this afternoon in about 40 minutes. I hope my colleagues will join me and give him a big vote so we can send him to work for our country one more time.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to engage in a colloquy with my colleagues from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. This is about Dr. Ernie Moniz's appointment to be Secretary of Energy. I put a hold on Dr. Moniz. It has nothing to do with him. He is a wonderful fellow. He is an MIT professor. He has been amply associated with the Department of Energy, including the MOX Program. All of us in Georgia and South Carolina look forward to working with him.

What we are upset about is the Obama administration's decision to temporarily stop construction on the MOX facility. It is about 60 percent complete.

What is MOX? It is a program to take 34 metric tons of weapons-grade plutonium in excess of our defense needs and dispose of it by turning it into commercial-grade fuel. It is enough weapons-grade plutonium to make 17,000 warheads.

In 2000 there was an agreement between the United States and Russia: They would dispose of 34 metric tons and we would dispose of 34 metric tons. And we have been studying how to do that.

In 2010 the Federal Government—and the Obama administration—in the agreement with the Russians to move forward, said we would MOX the 34 metric tons of weapons-grade plutonium. We were to turn it into mixed oxide fuel to be used in commercial reactors, which was a technology deployed in France, and that was the way forward.

To the administration's credit, we are finally moving forward. Senator ISAKSON, Senator CHAMBLISS, and I went to the facility a couple of years ago and finally saw it moving forward. It is about 60 percent built. Now, in the budget proposal of the President, they stopped construction to study an alternative. There is no other alternative. If they try to turn it into vitrified glass material, that will take more money and more time than doing MOX, and it has not been proven to work the way it is set up today.

At the end of the day, the problems we should be focusing on are the cost overruns of the MOX Program. It is about \$2 billion over cost. I would join with the administration to sit down with a contractor and try to recoup that \$2 billion to find a way forward and make it affordable.

There are statutes in place that require a \$100 million fine to be paid to the State of South Carolina if we don't meet our disposition goals. Last year we extended that statute by 2 years because we don't want the fine money, we want the MOX Program. It is good for the country, and it is good for the world.

Now that we have stopped the study, our fear is that we are stopping and studying an alternative that doesn't exist, and it cannot be cheaper than \$2 billion. There is no other way to do it. We have been studying this for about 15 years, and we will be breaking the agreement with the Russians. Other than that, we don't have a problem with what they are doing.

What we want to do is sit down with the contractor and the administration and lower the costs of the program but keep it moving forward. This administration has talked consistently about reducing nuclear proliferation and making the world safer from the use of nuclear materials. This is a program that started in the Clinton administration—then Bush, and now Obama—that really would accomplish that.

Thirty-four metric tons of weapons-grade plutonium—enough to make 17,000 warheads—would be taken off the market forever. In this way, a sword becomes a plowshare by making commercial-grade fuel out of it. It is a good program, and we need to complete the program.

The reason we put a hold on the nominee for Secretary of Energy is to get everybody's attention. I have been talking with Dennis McDonough, and I have been talking with the administration. We hope we can resolve this, but we are here to speak for Georgia and South Carolina.

We have a deal with the Federal Government. We agreed to take this 34 metric tons of weapons-grade plutonium years ago with the understanding that it would leave South Carolina and not affect the environment of South Carolina and Georgia in a permanent way.

We are very DOE-friendly in South Carolina and Georgia. The Savannah River site is right on the border. There are almost as many people from Georgia working at the site as there are from South Carolina. My colleagues from Georgia have been absolutely terrific.

At the end of the day we are going to be insistent that the Federal Government keep its commitment to the States of South Carolina and Georgia and to the Russians. We are going to

make sure we dispose of this weapons-grade plutonium, and we are going to be more cost-conscious about it.

We are going to let Ernie Moniz become Secretary of Energy in 40 minutes. I will vote for him, but I will continue to slow down the process and make life incredibly miserable if we cannot find an accommodation that I think is fair. My State and the State of Georgia have been good partners with the Federal Government and the Department of Energy on energy issues.

Several years ago, when I first became a Senator—I think it was in 2002 or 2003—we agreed to leave some waste in the bottom of about 50 tanks that contained high-level waste material from the Cold War era from reactors at the Savannah River site used to make tritium to help fuel hydrogen bombs. By leaving a small amount in the bottom of the tank—the heel—and filling it with concrete, we were able to save \$16 billion in cleanup costs. Instead of scrapping it all out and sending it to Yucca Mountain, which never came about, we were able to leave a small amount that would not hurt the environment of South Carolina and Georgia.

Now, in this budget they are reducing the tank closure by \$106 million. We cannot do it that way. They cannot get us to help save money for the Federal Government and take on a reasonable risk—not much of a risk at all—and then short us. Whether it is a Republican or Democratic administration, people are going to stop dealing with the Federal Government when it comes to nuclear materials if this is the way we are going to do business.

The people in Georgia and South Carolina have been very accommodating. We appreciate the Savannah River site. It is a wonderful DOE facility. We are proud of it, and we are proud of the employees. But we are not going to be taken advantage of.

We are asking for the administration to sit down with us and others who care about this to find a way to lower the cost of the MOX construction but continue forward with the construction so we can get the MOX facility up and running. We need to honor our commitment to the Russians and get this weapons-grade plutonium off the market.

Count us in in terms of lowering costs; count us out when it comes to stopping the program in the middle and trying to find an alternative that doesn't exist.

As to the tanks, the Federal Government is going to honor its commitment to the people of South Carolina and Georgia to get these tanks closed up on time and on schedule. We have, again, saved \$16 billion over the life of the close-up plan for the tanks just by being reasonable.

When it comes to MOX, there were three facilities planned to take the

weapons-grade plutonium and turn it into a commercial-grade fuel. We were able to consolidate two of the facilities into one and save \$2 billion. I am all for saving money, but I am also all for keeping one's word.

To our friends in the administration, we will work with you when we can, fight you when we must, but when it comes to this, I hope there will be a lot of bipartisanship for the delegations of South Carolina and Georgia to make sure we honor the commitment entered into between the Federal Government and the State of South Carolina that will affect our friends in Georgia and keep this program moving. We are not asking for too much. As a matter of fact, we are insisting on the Federal Government holding up its end of the bargain because we have held up our end of the bargain.

To our friends in the administration, let's see if we can solve this problem.

To my colleagues in this body, I hope I would have the good judgment and common sense to support the Members if anyone found themselves in this position of trying to do something good for the Nation and have it get off the rail. I hope I would be willing to help the other side when it comes to something such as this.

It is very difficult to deal with these high-level waste issues, particularly weapons-grade plutonium. When we find somebody who is willing to be reasonable and helpful, the last thing that should be done is to change the rules in the middle of the game.

With that, I will yield to Senator ISAKSON to just quickly ask him, from his point of view, does he see this as a fundamental breach of the agreement we have had for years, and what effect does he think it will have on our non-proliferation agenda and how does it affect South Carolina and Georgia?

Mr. ISAKSON. First of all, I wish to thank the Senator from South Carolina for his leadership on this important issue, and I am proud to join the senior Senator from Georgia SAXBY CHAMBLISS and, in effect, join Sam Nunn, who is a former Senator from Georgia who, with Dick Lugar, brought about the Nuclear Threat Initiative program which brought about the treaty of 2000 which calls for the reduction by 68 metric tons of nuclear materials.

I would answer the question of the Senator from South Carolina with another question: Where else in the United States of America are there two States willing to accept plutonium, reprocess it into fuel rod for commercial use, and do it safely and have dealt with nuclear materials for over 50 years? That is Georgia and South Carolina.

The idea that we can fund a study to look for an alternative is laughable. That is just merely a smokescreen for the current administration's position.

The Senator is exactly right. Senator CHAMBLISS and myself, along with Sen-

ator SCOTT and Senator GRAHAM, are happy to sit down with the administration, look at the cost overrun on the MOX facility, and find ways to find savings. But the dumbest economic decision in the world would be to stop the process when we are half finished because then we have wasted every dime that has already been spent, and we have to spend more money on an alternative that does not exist.

So I wish to add my support to the remarks of Senator GRAHAM and my State's support to reprocess this weapons-grade plutonium into reprocessed materials that fuel powerplants and commercial opportunities. That is a good use. It is a good way to get rid of this nuclear material, and it is also a good way to keep it out of the hands of the terrorists. If we don't destroy it and it lays around in Russia or anywhere else, it is always suspected of being stolen or used in a way that none of us would ever want.

I thank the Senator for his leadership.

Mr. GRAHAM. I can't thank Senator ISAKSON enough. Senator SCOTT has been with us at every step. But I want to let everybody in Georgia know that when it comes to the Savannah River site, we have worked as a team for years, and I just can't thank the Senator enough.

Senator CHAMBLISS is one of the leading national security experts in the Senate, and he has been intimately involved in the MOX program. My question for Senator CHAMBLISS is, we have an agreement with the Russians; they will dispose of their 34 metric tons of excess plutonium—enough to create 17,000 warheads in Russia—and we have agreed to do the same. If we are seen to stop and not honor our commitment, what reaction does the Senator from Georgia think the Russians would have, and is it smart to delay this program in the times in which we live?

I worry about the materials being compromised not so much in South Carolina and Georgia but very much in Russia. Could the Senator express his thoughts about that?

Mr. CHAMBLISS. Mr. President, as did my colleague from Georgia Senator ISAKSON, I wish to thank Senator GRAHAM for his leadership on this issue. He is right. We have been to the facility a number of times to examine what is going on there. There is great work being done by highly trained, highly educated individuals to deal with one of the most sensitive products we have in this country.

The Senator is exactly right that there are significant consequences from an international standpoint if the numbers in the President's budget are allowed to stand. That is why we have had conversations with a number of individuals currently at the Department of Energy and why we had a conversation with Dr. Moniz in preparation for

his confirmation by this body. Those discussions have led to the fact that, as the Senator from Georgia says, we are willing—and we have their agreement that they are willing—to sit down with a contractor to talk about the money. That is the real issue because we are talking about a budget item and whether we can afford to do this. If we don't involve the contractor, then obviously we can't get that number down to a manageable number.

So, again, with the leadership of the Senator from South Carolina, we look forward to working with Dr. Moniz and others with respect to sitting down with the contractor and coming to some resolution of the ultimate budget number that is going to be needed.

With respect to Russia, the President met with President Medvedev in 2010, and the two of them, in a press conference, talked about the MOX facility and the agreement on MOX. Here we are 3 years later with this President submitting a budget number that, in fact, in effect starves this program and would have the obvious intended result of eliminating this program, thus breaking his word with President Medvedev in 2010 as well as breaking the U.S. agreement with Russia. That has the potential to have very serious consequences on the international stage.

Also, abandoning the project would have severe economic impact to both the State of Georgia and the State of South Carolina because of the individuals who have been working there for now, as Senator ISAKSON said, 50 years.

It is also going to strand up to 64 metric tons of weapons-grade plutonium. Where else is it going to go? There is no place else for it to go. There is no State jumping up and down saying: Please bring your uranium and your plutonium to my State and we will deal with it. You can transport it to my State. In fact, the exact opposite is happening.

It was intended that we would process this plutonium and it would ultimately ship to Yucca Mountain, as Senator GRAHAM alluded to. Now the State of Nevada is saying no. They are throwing up their hands and saying: We don't want that processed material in our State because it is hazardous waste.

Well, what we are saying is, we are happy doing what we are doing because we have those trained, sophisticated professionals who know how to deal with this hazardous material. They do an outstanding job of it. We have spent billions of dollars constructing the facilities to the point where they are 40 percent away from being completed now. If we just accept the President's budget, then we will have wasted all of that money and the construction phase of the buildings that are there. Also, we are not going to have anywhere to put this 64 metric tons of hazardous

material and weapons-grade plutonium.

So this stands to have economic impacts to our part of the country. It stands to certainly create international issues with the Russians if we break our agreement with them. Also, just as significantly, it leaves 64 metric tons of weapons-grade plutonium outstanding, with nowhere to go, nowhere to store it.

The MOX project was designed to deal with a very sophisticated issue years and years and years ago, and it just makes no sense whatsoever to stop in the middle of it now and say, well, we just don't have the money to take care of something that is as hazardous and potentially as life-threatening as what this weapons-grade plutonium is.

We do need to spend our money wisely. We have to be careful. But there are agreements we need to honor. There are certain aspects of governing that need to be done and need to be done in the right way, and this is simply one of those.

So with the continued leadership of Senator GRAHAM and Senator ISAKSON and Senator SCOTT, I look forward to us sitting down with Dr. Moniz once he is confirmed—and we are all going to vote to confirm him today—because he has so much knowledge about this.

One thing we failed to mention is the fact that he is the guy who negotiated the agreement. He is the guy the President is saying, well, we know you went through some very difficult times in negotiating this with the Russians, but the heck with your agreement, the heck with all the work you did. Thank goodness his attitude is that he wants to work with us.

We want to find a way forward. We look forward to his confirmation being completed, to sitting down with us and the contractor, and let's figure out a way we can make this project the continued success it has been thus far, as well as moving forward.

With that, I yield to Senator GRAHAM.

Mr. GRAHAM. I thank Senator CHAMBLISS.

I believe Senator REED wishes to be recognized for a request.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I ask unanimous consent to be recognized in morning business after Senator GRAHAM has completed his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Just to conclude, I wish to thank both of my colleagues. They have been great partners on this issue and many others. We have tried to be good partners with the Federal Government. We are proud of the Savannah River site and all that has been accomplished over the last 50 years. Now we are moving into a new phase of trying to get rid of Cold War mate-

rials—34 metric tons of weapons-grade plutonium here, and in Russia, 60 percent completion of the MOX program.

As to the \$2 billion overrun, that is not lost upon me as being a lot of money. That is a lot of money. But what I am telling my fellow Members of the body, and the country as a whole, there is no way we can find an alternative to MOX cheaper than that \$2 billion. It is just not possible. We have been studying this forever, and in the agreement itself with the Russians, it specifically says MOX, and it prohibits us as a nation from burying the plutonium.

So this is the way forward. I promise the Members of the body and the administration we will lower the cost overruns, I promise. This is a complicated scientific endeavor, but we will lower the cost overruns.

What we will not do is stop the program when it is 60 percent complete and study an alternative that has no possibility of coming about scientifically and could never lower costs and interrupt the disposition of this weapons-grade plutonium and breach the agreement with the Russians. We will not be a party to that. We will keep talking.

As to Mr. Moniz, he will be an outstanding Secretary of Energy. We look forward to working with him.

I appreciate my colleagues coming down and joining me in this colloquy and putting everything on the record about the Savannah River site and MOX.

With that, I yield the floor to Senator REED.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, before I begin my remarks, I ask unanimous consent that at the conclusion of my remarks, Senator CHAMBLISS be recognized for up to 10 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOANS

Mr. REED. Mr. President, July 1 is less than 7 weeks away, and unless we act the interest rate on need-based student loans will rise from 3.4 percent to 6.8 percent.

Student loan debt is second only to mortgage debt for American families. Now is not the time to add to student loan debt by allowing the interest rate on need-based student loans to double.

I have worked with Chairman HARKIN, Leader REID, and many of my colleagues to develop a fully offset, 2-year extension of the current student loan interest rate. Instead of charging low- and moderate-income students more for their student loans, the Student Loan Affordability Act will keep rates where they are while closing loopholes in the Federal Tax Code. We should take up this legislation and pass it without delay.

I know many of my colleagues, including myself, are working on longer term solutions that more effectively reflect market rates—but my concern is, frankly, that we will run up against this July 1 deadline and we will not have the long-term solution in place. We have to do something. That is why I urge us to pick up this legislation as quickly as possible.

Our first priority must be to reassure students and families that the interest rate will not double from 3.4 percent to 6.8 percent on July 1. We have to do that. Then we can work toward a longer term solution. We also owe it to them to commit to a full and thoughtful process for devising this longer term solution, to develop an approach that will set interest rates and terms and conditions on all student loans that will be more reflective of market rates, but also more beneficial to students and their families who are borrowing this money.

Senator DURBIN and I have put forward a long-term proposal that would set student loan interest rates based on the actual cost of operating the program so the Federal Government would not be offering student loans at a profit.

There are other long-term proposals on the table. Some of them, such as the one reported out of the Education and the Workforce Committee in the House today, could actually leave students worse off than they would be if the rates were to double. We need to take the time to fully consider comprehensive solutions to our student loan debt crisis—solutions that will make college more affordable, not less so. Rather than rushing to overhaul the Federal student loan program without fully considering the impact on students and college affordability, the Student Loan Affordability Act will secure low interest rates until Congress can act on the reauthorization of the Higher Education Act. Without swift congressional action, more than 7 million students will have to pay an estimated additional \$1,000 for each loan. These are the students who need the help the most.

Sixty percent of dependent subsidized loan borrowers come from families with incomes of less than \$60,000, while 80 percent of independent subsidized loan borrowers come from families with incomes below \$40,000.

Unlike Republican proposals that would balance the budget on the backs of students by charging them higher interest rates or make students vulnerable to exorbitant interest rates in the future, this legislation which we are proposing will help ensure that college remains within reach for students who rely on Federal loans to pay for their education. This legislation is fully paid for.

Specifically, the pay-fors would be limiting the use of tax-deferred retire-

ment accounts as a complicated estate planning tool, closing a corporate offshore tax loophole by restricting “earnings stripping” by expatriated entities, and closing an oil-and-gas industry tax loophole by treating oil from tar sands the same as other petroleum products.

We should not be collecting additional revenue from students when we can eliminate wasteful spending in the Tax Code, and we should not allow—not allow—the interest rate to double on July 1.

I hope all my colleagues will support, as the first step, the 2-year extension until we can truly come up with a thoughtful, comprehensive approach to long-term student lending in the United States.

The PRESIDING OFFICER. The Senator from Georgia.

MILLER RESIGNATION

Mr. CHAMBLISS. Mr. President, I rise to speak about the resignation of Acting IRS Commissioner Steven Miller.

The request by President Obama and Mr. Miller’s resignation is too little too late. This is just another example of the President continuing to search for a scapegoat for his own administration’s misdeeds.

The American people deserve trust, and this egregious abuse of power demonstrates the worst fears of the American people that they cannot trust their government.

It has been 2 years since these incidents were first reported, and while Members of Congress were led to believe no malfeasance occurred, the details of the IG report were more shocking than we could have realized, as many conservative groups were not only targeted for additional reviews but were harassed as well. Moreover, in some cases, information was purposefully leaked by the Internal Revenue Service.

These actions are unacceptable, and while President Obama’s reactions seem to be sincere, he has not yet demonstrated to the American people that all of those responsible will be brought to justice. Above all, we have to make sure this never happens again.

Mr. LEVIN. Mr. President, I am pleased to support President Obama’s nomination of Dr. Ernest J. Moniz to be the next Secretary of Energy. Dr. Moniz has a solid and extensive background in the energy field and I believe will bring a balanced and practical perspective to our Nation’s energy policy. Dr. Moniz has significant familiarity with the Department of Energy and its issues, having served as Under Secretary during the second Clinton administration. During the Obama administration, he has served in a number of advisory positions, including as a member of the President’s Council of Advisers on Science and Technology, the Department of Defense Threat Re-

duction Advisory Committee, and the Blue Ribbon Commission on America’s Nuclear Future.

The Committee on Armed Services, which I chair, has jurisdiction over both the Department of Energy’s National Nuclear Security Administration, NNSA, and Department’s Environmental Management Program. The NNSA is responsible for the management and security of the Nation’s nuclear weapons, nuclear nonproliferation, and naval reactor programs. The Environmental Management Program is responsible for cleanup of the environmental legacy from the Nation’s nuclear weapons development and government-sponsored nuclear energy research. Combined, these programs represent more than \$16.7 billion of the Department of Energy’s \$26.3 billion budget, or more than 63 percent.

I recently had the opportunity to meet with Dr. Moniz and to highlight several issues of importance to the State of Michigan and to the Nation. I look forward to working with Dr. Moniz on these issues.

Among these issues is the Facility for Rare Isotope Beams, FRIB, which will be the world’s most powerful rare isotope accelerator and provide cutting-edge research capabilities to study questions about the fundamental nature of matter. Applications of research discoveries from FRIB will assist development of new technologies in the fields of biomedicine, environmental science, and national defense. Michigan State University, MSU, was selected in 2008 after an extensive competitive process, and the FRIB project plans and schedules have been through rigorous Federal review. As home of the National Science Foundation’s National Superconducting Cyclotron Laboratory, MSU has solid and well-known expertise in the field of rare isotopes and nuclear physics, with the largest nuclear physics faculty in the Nation and a nuclear physics graduate program that ranks No. 1 in the United States. MSU already produces 10 percent of the Nation’s Ph.D.s in nuclear physics. In addition to expanding our knowledge of physics and the life science, successful completion of FRIB also will enhance the education of nuclear scientists and engineers needed to maintain U.S. competitiveness.

Another important issue to the State of Michigan and the Nation is collaboration between Federal agencies, the private sector, and academia on the development and transition of advanced ground vehicle and energy technologies. Collaboration in these areas is critical to leverage and maximize the value of the work being done in the Federal Government, in the private sector, and at our academic institutions around the country. The Advanced Vehicle Power Technology Alliance, AVPTA, is a partnership between

the Department of Energy and the Department of the Army which was created to provide a mechanism for this collaboration. A charter was signed between these two agencies in July 2011 establishing the mission of the AVPTA to “leverage resources and research involving the commercial automotive and defense ground vehicle manufacturers to transition technologies into both the commercial and military marketplaces and increase precompetitive research and development.”

Dr. Moniz is familiar with and supportive of these programs, and I look forward to his Senate confirmation as Secretary of Energy. The Department of Energy has been effectively led by Dr. Steven Chu. Dr. Moniz will carry on that good work.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I believe we have run out of those in the Senate who wish to speak. I would just like to state again that this is a nominee who is supported by both Senator MURKOWSKI and myself. This is a nominee who got an overwhelming bipartisan vote in the Senate Energy and Natural Resources Committee.

As I said earlier, I think he is an individual who is smart about energy policy, he is savvy about how the Department of Energy operates and he is a solution-oriented person and Democrats and Republicans in the Senate Energy and Natural Resources Committee saw that in the confirmation process.

There are huge challenges ahead of him at the Department of Energy, but I think he is very qualified for this position. I would urge all Senators—Democrats and Republicans—to support the nominee.

I yield back all remaining time on both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy?

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. COBURN), and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER (Ms. HEITKAMP). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 127 Ex.]

YEAS—97

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Baucus	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Lautenberg	Thune
Cornyn	Leahy	Toomey
Cowan	Lee	Udall (CO)
Crapo	Levin	Udall (NM)
Cruz	Manchin	Vitter
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	
Franken	Murkowski	

NOT VOTING—3

Blunt Coburn Moran

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate’s action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST— H. CON. RES. 25

Mrs. MURRAY. Madam President, I am here today on the floor again to ask that Senate Republicans stop blocking the next step in regular order and allow us to move to a bipartisan budget conference with the House of Representatives. We have waited long enough. In fact, we have now waited 54

days, and it is time to get to work on a bipartisan budget agreement.

The Senate Democrats see no reason for delay. We are very proud of our budget, which puts forward a strong, fair vision for getting Americans back to work, tackling our long-term debt and deficit challenges, and laying a strong foundation for the middle class in the future. It seems that some of our Republican colleagues in the Senate and House would rather wait now until the next crisis and see if they can extract political concessions with the clock ticking—or maybe they don’t want to air the details of the unpopular House budget.

Either way, there is no excuse for putting the American people through another round of partisan brinkmanship. We have already seen that that hurts our economy, and it causes Americans to question whether their government is working for them.

Yesterday the House Republicans met to talk about what they are going to demand in exchange for not tanking our economy. Apparently they are considering a “laundry list,” including repealing ObamaCare—which the House will vote on, by the way, for the 37th time today—and restrictions on women’s health choices.

House Republicans’ practice of leveraging crises for their own gain died with the Boehner rule, and no amount of wishing is going to bring it back. House Republicans may think brinkmanship helps them win political fights, but it does not help the American families and communities we are here to serve.

I urge our Republican colleagues in the Senate to take a step toward a responsible bipartisan budget agreement and a step away from governing by crisis.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

The PRESIDING OFFICER. Is there an objection to the request?

The Senator from Utah.

Mr. LEE. Madam President, reserving the right to object, we want to proceed with this as well. We want a budget. It has been 4 years and it has been far too long. What we want to avoid is a deal negotiated behind closed doors, a backroom deal to raise the debt limit.

I ask unanimous consent that the Senator modify her request so that it

not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Reserving the right to object, the Senator's request is asking to disregard what the Senate did on those days—54 days ago—to go through over 100 amendments and defeat those amendments time and time again; to go to conference—not behind closed doors, I would add. A conference committee is a committee that is out in the public.

What is happening right now is closed-door agreements. What we are asking for is an open process where we are allowed to take the Senate-passed budget and the House-passed budget, go to conference, and find out where we can agree so we can put this behind us.

I object to the Senator's request and ask again for our unanimous consent request to move to budget conference, as we do in regular order, which is what the Republicans have been demanding for a very long time.

The PRESIDING OFFICER. Objection is heard.

Does the Senator from Utah object?

Mr. LEE. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alabama.

Mr. SESSIONS. Madam President, we have gone 4 years without a budget, and the Democratic Senate did act this year and passed a budget. The House has also passed a budget, and it is a historic proposal. It balances in 10 years, it does not raise taxes, and it increases spending every year by as much as 3 percent. It is the right way to go for America, and it is the kind of budget we should be talking about.

Chairman MURRAY has indicated we should go through regular order. But under regular order, what we should do is have the House budget at the desk right now. It is a responsible budget. Under regular order, the House budget should be brought to the floor under section 305(b) of the Congressional Budget Act. Then we can have full debate on that budget with 50 hours and the ability to offer amendments. I think this is what we should be doing.

Instead, our Democratic colleagues and Senator REID have offered consent requests that short-circuit the regular order. Their request would automatically bring the House budget off the calendar, replace it entirely with the Senate's own budget and assume it passes without a single minute of debate or without a single vote being taken. That is not the regular order.

Madam President, first, I ask unanimous consent that after my remarks Senator INHOFE be recognized.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, I object. I wish to respond to the Senator.

Mr. SESSIONS. Madam President, I ask unanimous consent that the Senate now proceed to consideration of Calendar No. 33, H. Con. Res. 25, the House-passed budget resolution for fiscal year 2014.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, reserving the right to object, what the Senator is requesting us to do is to take up the House-passed budget. Remember, we have passed a Senate budget here. We had 50 hours of debate, over 100 amendments were offered. We voted on all of them way into the wee hours, 5 or 6 o'clock in the morning, as everyone here will rightly remember. He is asking us to disregard all that action in the Senate, take up the House bill and have 50 hours more of debate, unlimited amendments, sitting here for weeks at a time again to go through all the amendments.

Madam President, that is a waste of taxpayer money and it is a waste of our time. We have done that work. It is time to go to conference.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is my understanding that a colloquy is in order between Senator BLUMENTHAL and Senator LEE, but I ask unanimous consent that at the conclusion of that I be recognized and that following my remarks the Senator from Texas, Mr. CORNYN, be recognized.

The PRESIDING OFFICER. Is there objection?

The Senator from Virginia.

Mr. WARNER. Reserving the right to object, I believe I was listed in the queue a bit earlier than that, but I only have a 3- or 4-minute statement. I do not mind trading off, but I, similar to others, was told the time was right after the vote that I would be recognized.

Mr. INHOFE. Madam President, I ask unanimous consent to amend my unanimous consent request to include the 3-minute remarks of the Senator from Virginia.

Mr. WARNER. I thank the Senator. But reserving the right to object, is that before or after the remarks of the Senator from Oklahoma?

Mr. INHOFE. That would be before the Senator from Oklahoma.

Mr. WARNER. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

UNANIMOUS CONSENT REQUESTS— S. RES. 133 and 134

Mr. LEE. Madam President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 133; that the Senate proceed to its consideration;

that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BLUMENTHAL. Madam President, reserving the right to object, I wish to point out that the incident that led to this resolution—the Kermit Gosnell prosecution—indeed resulted in a successful prosecution. He was convicted of three counts of first-degree murder and one count of involuntary manslaughter. That case is closed. The criminal justice system has done its part, and the three life sentences without the possibility of parole means that the interests there—the very important public interests—will be served and he will never again harm women, infants or anyone else through his version of medical practice, that distorted and unfortunate betrayal of trust that he called a medical practice.

We need very much to focus on the kind of abuse of trust—unsanitary, abusive, unsafe medical practices—across this country, no matter what kind of procedure is involved, and that is the reason I think this resolution is too narrow in its focus on violations of the standard of medical care when they occur in medical practice, which most certainly was involved in the Gosnell case and involved, unfortunately, in thousands of cases across the country every year.

As Senators, we have a responsibility to focus on that betrayal of trust and care when it occurs. That is the reason I have offered a resolution—S. Res. 134—to express the sense of the Senate that all incidents of abusive, unsanitary, illegal, unhealthful medical practices should be condemned and prevented, and the perpetrators should be prosecuted to the fullest extent of the law, as Gosnell was.

There are, unfortunately, many instances already publicly disclosed of these abuses of standards, and one of them, for example, I cited on the floor just very recently—last week. I remind my colleagues of the Oklahoma dentist who exposed as many as 7,000 patients to the HIV and hepatitis B and C viruses through unsanitary practices. So far, 60 of his patients have tested positive for these viruses. Those are 60 people who trusted a health care provider in a position of authority to provide safe, quality care. Those patients now face life-threatening diseases. In Nevada, practitioners at an endoscopy center exposed 40,000 patients to hepatitis C through their unsanitary practices, which went on for years. My resolution speaks to these kinds of abuses—unsafe, unsanitary practices—no matter what the medical procedure involved may be. So I urge my colleagues to support my resolution, and I do object to the proposed resolution of the Senator from Utah.

Madam President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 134, and the Senate proceed to its consideration; that the resolution be agreed to, the Blumenthal amendment to the preamble, which is at the desk, be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Objection is heard to the request of the Senator from Utah.

Is there objection to the request of the Senator from Connecticut?

The Senator from Utah.

Mr. LEE. Reserving the right to object, the kind of abuse, the kind of betrayal of trust described in the resolution proposed by my friend and my colleague from Connecticut is different in kind from that described in my resolution. The kind of abuse involved in my resolution involves the intentional taking, the first-degree premeditated murder of a human life. I think that deserves its own consideration, and on that basis I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. BLUMENTHAL. If I may respond to my friend's remarks—and I certainly not only sympathize with his motivation but also with the result—I just think it is too narrow a result—to investigate one form of medical practice, no matter how egregious the violation of standard of care may be. In this instance, it involved murder. We can say it now, no longer with the word “alleged” before murder, as we did last week. It is now proven. It is heinous and unacceptable. But so are the practices that involve exposing patients to very severe illnesses; and, likewise, the nursing home director in California who inappropriately administered an antipsychotic medicine to residents simply for convenience and which resulted in the death of one patient. Those kinds of practices may be equally egregious in the results and impact they cause, and my resolution would be broader and more inclusive and fairer not only to those victims' families—and I want to express my sympathy to the families of those victims who were so deeply and irreparably harmed by Gosnell—but also with the families and victims of other kinds of medical malpractice and to respect the States that have an independent responsibility to ensure adherence with those standards of care and ought to have the ability to enforce their laws, which might be impeded by the resolution that has been offered by my friend from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I rise to ask my colleagues once again to join me in expressing the sense of the Sen-

ate that governments at all levels have a compelling interest in preventing and punishing the practices of late-term abortions under unsafe, unsanitary, and illegal circumstances.

It seems as though every day we find new evidence that this problem is much bigger than we could have feared previously. Earlier this week, of course, Philadelphia abortion doctor Kermit Gosnell was convicted on three counts of first-degree murder for severing the spines of newborn infants, and one count of involuntary manslaughter for the death of a pregnant mother who came to see Dr. Gosnell for care.

The shocking details of the Gosnell case have, despite the best efforts of the mainstream media to cover it up, become national news. The abortion industry has spun into action, trying to isolate and condemn Gosnell as an aberration. Planned Parenthood cited Gosnell's “appalling crimes.” NARAL called him a “butcher.” On this very floor last week, Gosnell's actions were decried by pro-choice Senators as “reprehensible” and “an outrage . . . a violation of everything we hold dear.”

But Kermit Gosnell has only been sentenced to life in prison and condemned as a monster for doing things for which—had he done them just a few seconds earlier or a few centimeters in a different direction—those same voices might have hailed him as a hero and not as a monster.

Remember, President Obama himself, while serving in the State legislature of Illinois, voted against legislation that would have protected the civil and constitutional rights of infants—human beings—born alive.

At a recent hearing in the Florida State Legislature, a Planned Parenthood representative refused even to acknowledge that newborn babies have the right to life. In recent weeks, undercover videos have caught abortion clinics around the country casually offering to kill infants born alive. Just this week, evidence emerged about similar abuses at a clinic in Texas.

This has nothing to do with health care or even with medical negligence but with murder—a war on women and children waged under the guise of legitimate health care.

As much as we might want to agree that Kermit Gosnell is an aberration, recent revelations, indeed, suggest otherwise. A mounting body of evidence seems to suggest that at least among some late-term abortion providers and advocates, the immorality of infanticide may be an open question.

The abortion industry's defense of late-term abortion has always been based on a rejection of innate human dignity. How could it be otherwise? But as technology advances, their case for late-term abortion increasingly rejects medical science as well.

We now know as a scientific fact that unborn children, after about 20 weeks

of development, can feel pain. We know Dr. Gosnell's victims squirmed and cried before he severed their spinal cords, and we know that every day medical technology progresses our abortion laws fall further behind the science.

It is a tragedy all on its own that even today our laws defining human life depend more on geography than biology. The unsettling question before us now is: Has an industry whose profits have always depended on dehumanizing unborn children gone even further and dehumanized children born alive too?

The case of Kermit Gosnell, the undercover videos, and recent clinic scandals around the country all hint at a terrifying answer. Yet right now we just don't know. My resolution would call on governments at all levels to find out—to find out what the late-term abortion industry is up to and to take any appropriate and necessary measures to prevent and punish abusive, unsanitary, and illegal practices.

Some might say this resolution is a symbolic gesture, and I and others have introduced more concrete legislation. Perhaps. But even so, symbols are themselves important. It is important that the strong stand for the weak; that we, in the world's greatest deliberative body, lend our voices to the voiceless; that we, representatives of the most powerful Nation on Earth, promise to protect the weakest, most innocent, and most vulnerable among us and punish those who would do our children harm.

Mr. CRUZ. Would the Senator from Utah yield for a question?

Mr. LEE. Yes, I would.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I wish to ask a question but will start by laying a predicate and ask the Senator's views on that predicate.

I rise to support the resolution offered by Senator LEE calling upon the Senate to investigate and hold hearings about the late-term abortion practices in this country.

This is especially important given the fact we are seeing allegations of similar conduct to that of Dr. Gosnell potentially being performed in other locations across the country. Indeed, there have been allegations of similar conduct in my hometown of Houston, TX, which I understand are being investigated by the local district attorney and other authorities and that need to be fully and thoroughly investigated.

The crimes committed by Dr. Gosnell are almost unspeakable. The harm inflicted to the mothers and to the babies who were born alive and had their lives willingly extinguished—unthinkable. The actions detailed in the grand jury report depict a house of horrors.

Knowing what we know now about what happened, everyone in this body

should be supporting conducting an investigation to make sure there are not other Dr. Kermit Gosnell's across this country. We need to make sure it is not happening to other unsuspecting mothers, that other newborn babies are not being murdered as they were in Dr. Gosnell's clinic.

Specifically this resolution states:

Congress and States should gather information about and correct abusive, unsanitary and illegal abortion practices and the interstate referral of women and girls to facilities engaged in dangerous or illegal second- or third-trimester procedures.

This body should be concerned what referrals were made to Dr. Gosnell and who else might be performing these late-term abortions in such horrific conditions.

This resolution goes on to say:

Congress has the responsibility to investigate and conduct hearings on abortions performed near, at, or after viability in the United States, public policies regarding such, and evaluate the extent to which such abortions involve violations of the natural right to life of infants who are born alive or are capable of being born alive and therefore are entitled to equal protection under the law.

In my judgment this is a resolution everyone should support. Everyone who proclaims himself or herself to be a champion for women and children should enthusiastically support this resolution.

Many of these late-term abortion clinics serve under-privileged populations. Anyone who proclaims himself a champion dedicated to helping the most vulnerable should be supporting this resolution. The Senate has an obligation to conduct oversight.

Planned Parenthood, the Nation's largest abortion provider in 2001 performed 333,964 abortions in the United States. From 2011 to 2012, Planned Parenthood received 45 percent of its revenue from taxpayer-funded sources. Almost half of its income comes from the taxpayer. This body has an obligation to make sure there are not other Gosnell houses of horror practicing today.

The conditions described in the grand jury report shock the conscience. They describe how doctors and nurses worked without proper licenses.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. CRUZ. My question to the Senator is, does he see how any Senator of good faith, given these facts, could oppose this resolution?

Mr. LEE. I ask unanimous consent I be given 60 seconds to answer the question and then I will yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, in short, in response to the question from my colleague from Texas, I do find it difficult to understand why anyone would oppose this resolution. I also find it difficult to understand how this can be

put on the same plate—as serious as other kinds of abuses are, as serious as other acts of medical malpractice may be, this one is different. This is about premeditated first degree murder of the most defenseless, most vulnerable people in our society, and I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Again, I renew my objection. Let me say, my two colleagues have made excellent closing arguments to the Gosnell jury. I would expect that to be the case since they are two well-trained, excellent lawyers. But the Gosnell case is over. It is done. He has been sentenced—or he will be shortly. These kinds of abuses ought to arouse outrage wherever and whenever they occur. Anytime, anywhere a doctor endangers a patient in violating standards of care, we ought to condemn them. So I urge my colleagues to join me in the outrage I feel about the dentist in Oklahoma or the endoscopy center in Nevada or the nursing home director in California. In any case where prosecution is appropriate, an investigation should be done properly by State authorities who have jurisdiction, and they should condemn such practices. I ask them to join me in resolution S. 134.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I appreciate the courtesy of the Senator from Oklahoma, recognizing that he has other accommodations he has to deal with. I ask unanimous consent I be granted up to 4 minutes to speak after the Senator from Oklahoma completes his comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I thank the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask the Chair if I am correct when I say after comments by the Senator from Virginia, the senior Senator from Texas will be recognized?

The PRESIDING OFFICER. The Senator is correct.

IRAN SANCTIONS IMPLEMENTATION ACT

Mr. INHOFE. Madam President, first of all, I think we, all of us, late in the week, are on a timeline. I have a very significant piece of legislation, S. 965, called the Iran Sanctions Implementation Act. I spent a long time on the floor yesterday talking about this. It occurred to me it is a little bit complicated. The longer we talk about it the more complicated it gets. I have shortened it. Let me make a couple of brief comments about where we are today in relationship to Iran and some of the other countries in the Middle East, and a solution to which everyone can agree to the problem that is there.

First of all, 70 percent of Iran's revenues come from their export of oil. What we have done successfully is had some modest means of reducing that, so we have actually cut their amount of exports in half over the last 4 or 5 years from 2.5 million barrels of oil a day to 1.25 million barrels of oil a day. That amounts to 70 percent of the resources, the revenue that Iran has.

What do they do with their revenue? First of all, we recognize something that people do not like to talk about; that is, our own intelligence says, and has said since 2007, by 2015 Iran will have a weapon and the delivery system for that weapon.

Our concern, of course, is that one of the things that happened in Barack Obama's first budget 4 years ago was, in addition to other things regarding the military, they did away with the ground-based interceptor in Poland which was designed specifically to take care of a missile coming from the east and, of course, what we had there was the threat from Iran. That is a threat.

The second thing they have, besides their nuclear buildup, is they are helping all the terrorist operations throughout the Middle East. We know they are very significant in assisting Assad in his barbaric slaughter of over 70,000 of the Syrian people. They are able to do this because Iran earns \$3 billion a month in oil revenue, 70 percent of their revenue. If Iran didn't have access to this money, its ability to influence the region would be either stopped or significantly curtailed. In other words, Iran cannot pose this threat without their oil revenues.

U.S. production is now 7 million barrels a day, which is 40 percent higher—put the chart up, please—40 percent higher than in 2008. When we look at the map, we can see back in the old days the oil belt was the western part of the United States. Look at it now. It has all changed. We have the Marcellus up there in Pennsylvania, which is now the second largest employer in Pennsylvania. It is scattered throughout.

The reason for this surge is because the use of horizontal drilling and hydraulic fracturing has allowed us to reach reserves, reach production we otherwise could not do.

Here is the interesting thing: We have grown by 40 percent in our production, and all 100 percent of it is on State or private land. None of it is on Federal land. In fact, during this boom we are in the middle of right now that is so productive to the economy of most of the States, none of that came from the Federal Government. In fact, we had a reduction during this time in production from Federal lands.

The Institute for Energy Research recently issued a report stating that if we enacted policies that allowed aggressive development of all this off-limits land that is there right now, it would generate \$14 trillion in economic

activity, create 2.5 million jobs, and reduce the deficit by \$2.7 billion. Most of all, we could become totally independent from having to import our energy from any other country.

This bill says if the President would, at his discretion—it would require the President to find some area where we can just increase our production from Federal lands 1.25 million barrels a day. That is just a small, minuscule part of all the production we could have. For example, in just this area, that would exceed 1.25 million barrels a day or this up here, in Alaska, or even offshore.

The Senator from Virginia is going to be speaking next. They have actually voted to go ahead and explore this off their shores. Any of these places would do that.

Why do we say 1.25 million barrels a day? That is what Iran exports. This is what would happen: If we were able to do that, that would be 1.25 million barrels a day that we in the United States would no longer have to import, which would open that up to those who are importing from Iran, and it would completely dry up 70 percent of their revenue. Of course, the rewards of that would be great for our country.

We are looking at one of these rare situations where everything is good, everything that would come from this is beneficial. We could dry up their revenues that they are using right now to enhance their nuclear capability and to perform all these atrocious acts in the Middle East. At the same time, we would be able to lessen our dependence and provide all of the benefits that come from the use of this.

Eventually, we would like to be at a situation where we can do not just 1.25 million barrels a day but maybe 10 times that and become totally independent. In the meantime, we are only talking about one very small amount that we would be telling the President of the United States he is going to have to allow us to explore so we can stop Iran from doing the things they are doing today.

I thank those who have allowed me to have a little bit of time today, and I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Virginia.

SEQUESTRATION

Mr. WARNER. I thank the Senator from Oklahoma and wish him good travels.

I rise briefly today to point out one more time some of the ramifications of the policy I have repeatedly called stupidity on steroids, which is our sequestration policy. Word came out earlier this week from the Department of Defense that the Secretary, to meet his sequestration numbers, is going to have to furlough teachers in Department of Defense schools for 5 days and

education support personnel for 11 days.

Many of us on the floor of the Senate stand and praise our men and women who serve in the military, who defend our freedoms. I cannot think of anything that is more of an antithesis to those words we say, that we would praise their service, if we say: Yes, you go off and defend our Nation in Iraq and Afghanistan; meanwhile, your families and your children cannot go to school.

What makes this particularly difficult to stomach at this point is just today, Blue Star Families—one of our Nation's best veterans organizations, veterans support group organizations—came out and said in a list of priorities for military families, No. 1, the impact of deployments, repeated deployments on military families and particularly children; and, No. 2, military children education.

In my State and many other States, military families, particularly on base, have a military DOD school. Those schools provide a valuable service to those military families oftentimes who have their parents deployed. In my mind, how can we stand on the floor of this Senate and commend those men and women who serve and at the same time say we support that service: We want to support you at home, but not enough to not have your kids have to miss 5 days of school because their teachers are furloughed or providers of other support services for educational personnel are furloughed for 11 days.

I am going to write Secretary Hagel, and I ask that all of my colleagues join with me in this matter in urging that the furloughs of these educators who educate the children of our military families be exempted from the process of sequestration.

While it begs the large question that the Nation confronts a \$16 trillion debt, I think most of us in this Chamber know that the only way we are going to get to a solution is if those of us on this side of the aisle find a way to make smart and sensible reforms to our entitlement programs. Our colleagues on the opposite side of the aisle are going to have to work with us to find ways to generate additional revenues; otherwise, we are going to keep coming back to the kinds of cuts we have seen in sequestration and in domestic discretionary.

We are on a current path that would take domestic discretionary spending from 16 percent of our Federal spending down to 4 percent. As a business investor, I would never invest in a business that spent less than 5 percent of its resources on its workforce and infrastructure.

So today I rise on the issue of making sure we actually honor those military families of whom we speak so often and make sure their kids get to go to school next year and don't have

to lose valuable educational time because their teachers are furloughed. I hope my colleagues will join me on the letter to Secretary Hagel.

With that, I yield the floor, and I thank the Senator from Texas for his courtesy.

The PRESIDING OFFICER. The Senator from Texas.

OBAMACARE

Mr. CORNYN. Madam President, we have been informed that the Secretary of Health and Human Services has become a private fundraiser to raise funds from the very industry she regulates in order to implement ObamaCare. This raises all sorts of troubling concerns. There is an appearance of impropriety and a conflict of interest. There is an appearance that there is basically a shakedown going on—extracting money from companies she regulates in order to implement the President's health care law. This is certainly unethical—representing a conflict of interest—and possibly illegal. However, it has provided us a useful reminder about ObamaCare: that it represents one of the worst examples of crony capitalism that exist today. Unfortunately, that is true of a number of the administration's policies, but let me just explain what I mean.

When the private enterprise and the government become so intertwined as to become mutually dependent, usually what that means is the people who can hire the most lobbyists, the best lawyers, and others, compete unfairly for government benefits.

The concern is that since Secretary Sebelius is going to be the one who doles out grants and other benefits under ObamaCare, there is the all-too-human temptation to favor those who have gotten you out of a crack and done you a favor.

Let's review how ObamaCare is supposed to work in the first place. The Federal Government is supposed to come up with its own definition of health insurance. What we own right now may not be good enough for the government and its standard for health insurance. It is demanding that private businesses offer their employees this Washington-approved insurance or they get penalized.

It is also demanding that some Americans—many Americans—pay for coverage they don't want, don't need, and may not be able to afford. The best example of that is young adults—sometimes called the young and invincible—who may not think they need comprehensive health care insurance. They may think, well, perhaps I need more of a catastrophic policy or something else that will take care of me if things really turn bad. As a result of ObamaCare, these young people will be forced to buy coverage they don't need. Many of them don't want it and can't afford it.

They will literally see their insurance premiums skyrocket because of a phenomenon known as age-banding. Age-banding is where older Americans cannot be charged more than three times what younger people can be charged. We all know that as we age, we utilize more health care services. Here again, younger Americans are being asked to subsidize their elders in ObamaCare.

One way to look at it is the Obama administration has decided that the purchase of an expensive government-approved product sold by certain private companies is a condition of American citizenship. For those who are American citizens and live here, they have to buy it. If they don't, they pay the penalty. That is one example of crony capitalism.

Private companies are turning into de facto public utilities, and Americans are forced to buy their products but only those products approved by the regulators here in Washington. It is the ultimate marriage of big business and big government, and it is bad for the American taxpayer.

Now Secretary Sebelius has gone a step further. She is using her leverage and power as a regulator over private companies to force them to fund ObamaCare. We all see what is going on. Secretary Sebelius is making the health care industry an offer they cannot refuse. After all, her agency regulates those companies and has enormous influence over their business operations.

Indeed, ObamaCare has expanded Health and Human Services' regulatory power so much, we could say it essentially amounts to a government takeover of one-sixth of the national economy. Anytime there is a dramatic increase in Federal regulation of bureaucratic authority, there will also be a dramatic increase in crony capitalism.

Health and Human Services granted a series of waivers from ObamaCare's annual limit requirements, which fostered the impression that certain companies, labor unions, and other institutions were getting preferential treatment. Why not treat all Americans the same rather than have the government pick winners and losers, with the temptation to pick their friends and political supporters and give them special favors?

We saw this also in the government-run bailout of the Chrysler Corporation when the company's secured bondholders received less for their loans than the United Auto Workers pension fund.

For that matter, we also saw it in the notorious Solyndra project. President Obama's entire green agenda energy policy is based on the idea that the Federal Government should be playing venture capitalist with taxpayer dollars. We all know that when Solyndra went bankrupt, the administration fa-

vored private lenders over taxpayers, which was a violation of the law.

But there are many other private companies that have received taxpayer funding for political or ideological reasons, and that is why we say that crony capitalism undermines public trust in government because not everybody is treated the same. The government—those in power—picks winners and losers, political favorites, friends, and family.

I have one final point. We learned about the Sebelius shakedown on the same day we learned that the IRS has been deliberately targeting and harassing some organizations based on their political views.

As we all know, the IRS has a very important and key role in administering some of the biggest parts of ObamaCare and thus will be collecting massive amounts of new information about individual Americans. That was always a bad idea, but now, after we have learned about the abuses at the IRS, it sounds even more dangerous than ever. After what we have learned so far, how can Americans feel confident that the IRS won't abuse these new powers after having abused its current powers? Why should the American people believe what they have been told when they have been lied to time and time again about the IRS's activities?

Back in March 2012, the former IRS Commissioner categorically denied that his agency was targeting certain political organizations. Now we know that he was not only wrong, we also know they intentionally lied. We also know that senior IRS officials—many who still have their jobs—learned of these abuses 2 years ago and never corrected the record.

In short, if we ever needed another reason to get rid of ObamaCare and replace it with market-driven, patient-centered reform, the IRS has provided us with one.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. CARDIN. Madam President, I remember—and I am sure the Presiding Officer does too—an early morning in March when we completed our budget deliberations. That was a couple of months ago. I remember the outcry about the Senate not following regular order in passing a budget. On that March morning, we followed regular order. We passed a budget. We took up

lots of amendments. We spent hours on debate. We voted on many amendments, and the Senate worked its will. Of course, the House has also worked its will. It passed a budget that is different from the Senate budget.

The next step in regular order is for the House and Senate to meet in what is called a conference to work out the differences between the House and the Senate so we can then have a budget for the country. That is how the regular process works.

I know for the last couple of years we have had budgets. We have had budgets because of grand bargains that have been agreed to on debt extensions and things such as that, but there is now a cry to follow regular order. That is what we should do: Follow regular order. So the next step is to go into a conference.

I must tell my colleagues, I don't quite understand why the Republican leader is objecting to going to conference. He is trying to say, We will go to conference if the Senate agrees with the House. No, we don't go to conference because we agree with one body; we go to conference to work out our differences. So I am extremely disappointed that those who are yelling the loudest about following regular order are now preventing us from using regular order.

We need to get to conference, and one of the reasons is so we can get rid of sequestration. Sequestration means across-the-board mindless cuts. It treats every priority in government the same. That is mindless. That is not what we should be doing. It is having a major impact on the mission of many agencies in this country. They can't do what the public wants them to do because they don't have the budget support to do it. For an agency that is affected by sequestration, it amounts to almost 10 percent of their budget, because they have to cram in savings over a short number of months. Also, it only affects some agencies, not all. Not all of the programs are affected by sequestration. But those discretionary programs that are affected are across the board, without any discretion.

If the Presiding Officer ran into a tough economic time or someone we represent does and they lose some income, they look at their family budget. They may have money put aside for rent or mortgage payments, maybe some money put aside for a food budget for their family, and maybe there is some money put aside to go to an Orioles-Red Sox game.

They are going to have to make some tough choices, but they are going to make choices based upon what is most important to their family. They certainly are going to pay their rent payment or their mortgage payment to keep the roof over their family home.

So that is what we should be doing. We have to make decisions, and we

cannot do these across-the-board cuts. It is hurting agencies. These are cuts on top of cuts on top of cuts.

Let me mention one group that will be particularly affected by that, and that is our Federal workforce. These are the people who are at NIH, the talented scientists doing the research that is keeping us healthy. They are finding the answers to the dread diseases in our society. These are people who are standing guard on our border, keeping us safe. These are people who do food inspections to make sure we have a healthy food supply. These are people who help our seniors, to make sure they get the checks they need for their dignity in their older years. These are people who are working for the public.

What have we done to them? Three straight years of freezes, no increase in their salaries. We are now looking at what we are going to do with their benefit structure. On top of that, we have freezes on the number of employees; therefore, they are being asked to do more with less. And now we have furloughs, which is basically cuts—cuts in their salary.

It is not the Federal payroll that causes the deficits we have today. As the Presiding Officer and I know, it is the fact that we went to war in two countries, we cut taxes, we went through a recession. We have to answer the way of getting out of this problem in a balanced approach. We have already done the discretionary cuts to those agencies, and we are now affecting their ability to do their mission.

I want to mention some of the effects of sequestration on the citizens of Maryland, whom I have the opportunity to represent in the Senate.

Maryland will lose approximately \$14.4 million in funding for primary and secondary education. Twelve thousand fewer students will be served and approximately 30 fewer schools will receive funding. In Maryland, we believe education is a top priority. That is how we compete. That is how we invest in our future. We invest in our children.

Maryland will lose approximately \$10 million in funds for about 120 teachers, aides, and staff who help our children with disabilities.

Around 770 fewer low-income students in Maryland will receive aid to help them finance the cost of college, and around 440 fewer students will get work-study jobs that help them pay for college. These are programs that Democrats and Republicans have fought for over the years to make sure they are funded. Now, in Maryland, we are going to have to cut back.

Head Start and Early Head Start services would be eliminated for approximately 800 children in Maryland, reducing access to critical early education.

The list goes on and on and on.

Maryland would lose about \$3 million in environmental funding to ensure

clean water and air quality, as well as prevent pollution from pesticides and hazardous waste. We have worked hard to clean up the Chesapeake Bay and provide a safe environment for our families. That is in jeopardy as a result of sequestration. In addition, Maryland could lose another \$467,000 in grants for fish and wildlife protection.

In Maryland, there will be 46,000—tens of thousands—of civilians in the Department of Defense who will be furloughed, reducing gross payroll by around \$353.7 million in total in our State.

Maryland will lose about \$317,000 in justice assistance grants. These grants support law enforcement. We all talk about supporting law enforcement. These grants also support prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

Maryland will lose about \$66,000 in funding for job search assistance, referral, and placement, meaning around 9,270 fewer people will get the help and skills they need to find employment.

Madam President, 2,050 fewer children in Maryland will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B.

Maryland will lose approximately \$551,000 in funds to help upgrade its ability to respond to public health threats, including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events.

Maryland will lose about \$1.6 million in grants to help prevent and treat substance abuse, resulting in around 2,500 fewer admissions to substance abuse programs.

Maryland health departments will lose about \$595,000, resulting in around 14,900 fewer HIV tests.

Maryland could lose up to \$124,000 in funds that provide services to victims of domestic violence.

My point is these are cuts that I do not think the public wants us to do. In Congress, each of us says: Oh, we did not mean that. Well, it is time for us to act. Democrats and Republicans, coming together in a bipartisan way, compromise. That is what our Founding Fathers envisioned we would do—working together—so we have a balanced approach.

Just look at compulsory spending, mandatory spending. We can organize our health care delivery system in a more cost-effective way. Dealing with individuals with high-cost interventions—we can save money there—reduce hospital readmission rates. There are ways we can bring down costs in a sensible way. Our troops are coming home from Afghanistan. We can reduce our military spending. We can certainly look at the \$1.2 trillion we spend every year through the Tax Code—that

is on a yearly basis—tax expenditures. We can certainly close some of those loopholes and get the badly needed revenues so we can deal with our budget in a balanced, responsible way.

Let's work together in a bipartisan fashion, Democrats and Republicans.

One more thing it will do: Solving problems gives predictability, and people will know what the rules are. They will know what our budget is, they will know what our Tax Code is, and that unleashes our economy and creates jobs, which helps the economy and helps balance our budget.

I urge my colleagues, let's take the next step. The next step is to go to conference on the budget. Let's work out the differences between the House and the Senate. Let's do what we are supposed to do in regular order.

I urge my Republican colleagues to remove their objections, and let's get to a conference on the budget as soon as possible.

With that, I see my distinguished friend from Utah who is on the floor. I always learn a lot when he speaks, so I am going to yield the floor for my colleague from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank my dear friend and colleague from Maryland. He is a wonderful person and a very good Senator. I enjoy him on the Senate Finance Committee. He is one of the brighter people on that committee, among a whole bunch of very bright people.

THE IRS

Mr. HATCH. Madam President, I rise today to speak on a matter that deserves the attention of everyone in this Chamber.

By now we all know about what is going on at the Internal Revenue Service. We have seen the report from the Treasury Inspector General for Tax Administration, TIGTA, indicating that between 2010 and 2012 the IRS was targeting conservative groups applying for tax-exempt status for increased levels of scrutiny.

We have read the accounts of conservative groups that were asked improper questions about their donors while some of their applications were delayed for more than 3 years, even as applications for groups friendly to the President and liberal causes were promptly approved.

We have heard the apologies from senior IRS officials and the condemnations from the White House itself. While we know for a certainty that this unacceptable behavior was going on at the IRS, there is still much more we do not know.

For example, we still do not know why the targeting began or why only conservative groups were targeted by the IRS examiners.

We do not know the full extent to which senior officials at the IRS and Department of Treasury became aware of these practices, when they found out, and what they did or did not do to put a stop to these practices.

Perhaps most importantly, we do not know why, when Members of Congress asked questions about these issues last year, and after senior officials certainly knew of the problem—or problems—we were led to believe that no groups were being targeted.

Indeed, neither Congress nor the American people learned anything about these activities from the responsible officials until they were trapped and their hands were forced.

There are not words to describe what has gone on here. Some of us have tried. Words such as “unconscionable,” “unbelievable,” and “Nixonian” have been thrown around, rightfully, in my opinion.

But regardless of the words we use to describe it, this is easily the most shocking and outrageous turn of events we have seen in Washington in some time—and that is saying something.

One thing I am glad to see is that these actions have, for the most part, been condemned by Members of both parties. In the end, I hope both Republicans and Democrats will work together to address these issues.

I have said from the outset that it does not matter if a tax-exempt group is liberal, conservative, or moderate. It is an outrage that the IRS would single out any group based on its political beliefs. On that point there is bipartisan agreement in Congress and throughout the country.

On the Senate Finance Committee, Chairman BAUCUS and I are undertaking a bipartisan investigation into this matter to find out exactly what happened and make sure this type of thing never happens again.

I am happy to be working with Chairman BAUCUS on this effort, and I want to assure my colleagues that we are going to get to the bottom of this. We are going to find out just how far down the rabbit hole the IRS went in singling out groups based on their political beliefs. We are going to find out why the IRS ignored a bedrock rule of tax administration: Treat similarly situated taxpayers similarly—always. We are going to find out exactly who was responsible, and we are going to hold them accountable for their actions.

The IRS needs to come clean about what went on here. Chairman BAUCUS and I intend to make sure they do.

Sadly, while the targeting of conservative groups in the review process has gotten most of the attention thus far, there are other issues involving the IRS that are every bit as disconcerting.

There are news reports indicating that in 2012, the same IRS office improperly disclosed confidential information about certain conservative groups to media organizations.

Last November, the journalist group ProPublica requested 501(c)(4) applications for 67 different nonprofits. Less than 2 weeks later, the IRS produced application documents submitted by 31 of the organizations. Included in this group of documents were the applications from nine conservative organizations that were still under consideration by the IRS. ProPublica subsequently posted six of those applications in redacted form on the Internet and published articles analyzing the information they obtained.

This is disturbing for at least three reasons. First and foremost, under section 6103 of the Internal Revenue Code, the IRS is prohibited from disclosing applications for tax-exempt status that are still under review. While the IRS is authorized, under section 6104, to release application materials of groups that have already been granted tax-exempt status, pending applications are required by law to remain confidential. This appears to be a pretty cut-and-dried violation of the Internal Revenue Code, meaning that civil and criminal penalties may apply.

Second, the IRS responded to ProPublica's request in just 13 days. That seems extraordinarily swift, and it raises the question of how long the IRS normally takes to respond to such document requests. I do not want to prejudge anything, but I suspect it usually takes longer than 13 days to hear back from the IRS. It certainly takes longer than that for the IRS to respond to requests from Congress.

Finally, this revelation comes not too long after other allegations that the IRS disclosed confidential information submitted by conservative nonprofits.

In the spring of 2012, activist groups and media outlets began posting confidential donor information regarding the National Organization for Marriage, a nonprofit 501(c)(4) organization, on the Internet. Such information is also required by law to be kept confidential.

Although the IRS is authorized to release yearly forms filed by tax-exempt organizations, the law prohibits donor information from being disclosed, and that is whether it is a conservative, moderate, or liberal organization. Yet National Organization for Marriage's documents that found their way online in the middle of a Presidential election appeared to have come from the IRS. This was suspicious, to say the least.

That is why, in May of 2012, I sent a letter to the IRS Commissioner requesting an investigation into whether the IRS publicly disclosed confidential donor information about the National Organization for Marriage. To date, I have not received a substantive response.

So in addition to the revelations that the IRS was improperly targeting conservative groups for scrutiny of their

501(c)(4) applications, we have these unanswered questions about the possible illegal disclosure of confidential information to media outlets and other organizations. This is another matter that needs to be resolved in order to restore the credibility of the IRS as a government agency.

That is why I, along with all the Republican members of the Senate Finance Committee, have submitted a letter to the Treasury Inspector General asking that he look into these issues.

Among other things, our letter requests that TIGTA—that is the Inspector General's organization—investigate to determine which employees at the IRS were responsible for improperly disclosing confidential documents to ProPublica and whether any actions have been taken against them.

In addition, this letter asks for an investigation into whether the IRS followed its usual Freedom of Information Act procedures in its prompt response to ProPublica's document request.

Our letter asks TIGTA to determine whether the IRS ever undertook an investigation to determine if the agency was responsible for leaking the National Organization for Marriage's donor information.

The American people have a right to expect government agencies to perform their functions in a neutral, unbiased manner. When any agency breaks that trust, it undermines the credibility of the entire government.

These are not matters that can simply be wished away by public apologies and condemnations.

They cannot be covered up by a handful of resignations, and they are not covered up by an apology. I hope the administration knows this. The only way to fully address these issues and to fully restore the credibility of the IRS is to have full accounting of the facts. In one way or another, we are going to learn all we can about the facts and what went on there. I hope we can do so with the full and complete cooperation of the administration.

Look, the IRS is the most powerful agency in government. Our liberties depend upon an impartial IRS. We know many of the employees of the IRS are represented by one of the toughest unions in this country. We can presume from that most of them are not Republicans. Be that as it may, the Democrats I know whom I honor and respect are those who keep their word, live within constraints, follow the rules, do what is right, and fight hard for their principles.

But the IRS is not a place where we should be doing anything but fighting hard for the principles of fair treatment of all U.S. citizens. I would be decrying this if the IRS was doing this to liberal organizations. We do not expect it to ever do that, but I would surely be decrying it. All I can say is that the

very essence of liberty is involved with what the IRS does or is doing. If we cannot rely on the most powerful agency in government to treat people fairly, then this country is in much greater trouble than many of us think it is. We know we are in trouble. We know we are living beyond our means. We know we are not doing what is right in this country. We know Congress could do a much better job than it is doing. That includes both Democrats and Republicans. It is inexcusable for an agency with the power the IRS has to be involved in these types of shenanigans. It is chilling, absolutely chilling to anybody who thinks about it, that this most powerful agency can basically come down on anybody for almost any reason if it is not honest.

We have to restore the trust and the honesty of the IRS. We have to be able to rely on the IRS being fair, impartial, and in doing what is right. I think I speak for my colleagues on the Democratic side. Many of them are as outraged as I am about what went on here. It is not right. I think the American people fully understand that.

I appreciate those who are honest. I appreciate those who do abide by their ethical constraints. I appreciate those who are not political at the IRS. There are many good people working there. I do not want them to be besmirched by the few. There might be a little bit more than a few people who do not honor the ethical constraints that the IRS simply has to live up to. Let's hope neither side will ever again use the IRS for political purposes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Madam President, I wanted to come to the floor to follow up on the news that we have had on the IRS situation, which I know is concerning to all Americans, Democrats, Republicans, everyone. The power of government is real and the power of the IRS is very real. So anything involving an abuse of power in the IRS is going to concern Americans irrespective of their political leanings.

Before I do, I just wish to comment on something that happened a few moments ago at a press conference at the White House. I have tremendous respect for the Office of the Presidency and for anyone who would hold themselves out to hold the office. So I say this with the highest respect.

I think the President today in his press conference potentially made a mistake in an answer he gave. I would encourage the White House to clear it up as soon as possible. He was asked specifically if he or anyone in the White House knew about what was

going on at the IRS before April 22 of this year.

The President's answer was that he did not know about the inspector general's report until he read about it in the press. So I would submit to you he did not answer that question. I am not implying he did know about it. I am just encouraging the White House and those there to clear this up as soon as possible.

It is kind of reminiscent of when Attorney General Holder would not answer Senator PAUL's question about whether American citizens could be targeted in the homeland with a drone. That led—we all remember what it led to. It is a very simple and straightforward question. I would encourage the White House and the President to echo what Jay Carney said just a couple days ago, which is no one in the White House knew anything about it. I think it is important for the President to answer that clearly; again, not because I am implying he did know, because I think if they leave that out there, it creates questions that should not be created. I hope they will do that. It is important.

I wish to bring to the attention of the Senate and the American people a compilation of stories that have emerged since the initial question emerged. They are very troubling. They extend, quite frankly, beyond the IRS, but I will begin with the IRS. Here is a report from the Washington Examiner. The headline reads: "IRS denied tax-exempt status to pro-lifers on behalf of Planned Parenthood."

Let me read what it says inside. It says: "In one case, the IRS withheld approval of an application for tax exempt status for Coalition for Life of Iowa."

In a phone call that this reporter reported he had with one of the leaders—I am sorry. One of the leaders claimed that in a phone call he had with the IRS on June 6 of 2009, "the IRS agent 'Ms. Richards' told the group to send a letter to the IRS with the entire board's signatures stating that, under perjury of the law, they do not picket/protest or organize groups to picket/protest outside of Planned Parenthood."

They said that "once the IRS received this letter, this application would be approved." That is troubling if true. That is one report that is in the news.

Here is another one. This one comes from a very respected individual in the United States. His name is Franklin Graham. He is the son of the Reverend Billy Graham. He claims the Billy Graham Evangelical Association and the family's international humanitarian organization Samaritan's Purse, the IRS notified them in September that it was conducting a "review" of their activities for tax year 2010.

He goes on to say, by the way, that this review happened after Mr. Gra-

ham's organization published newspaper ads in North Carolina backing a State constitutional amendment banning same-sex marriage. That is in the news. That was from Politico. Again, I am just reporting what different outlets are reporting.

This is another report that has been out there. I think I alluded to this yesterday in my speech. This talks about how the same IRS office that deliberately targeted conservative groups applying for tax-exempt status in the runup to the 2012 election released nine pending confidential applications of conservative groups to ProPublica late last year. I think this is actually ProPublica admitting that is where they got the information.

This is in response to a request for the applications for 67 different nonprofits last November. So this is an admission, basically, from ProPublica, which is in this not-for-profit investigative reporting group. They are admitting the source of these leaked documents was the IRS office in Cincinnati, the leaked documents of nine conservative groups.

So now it is no longer audits, it is cooperating with investigative journalists by provided them with information which is illegal to provide them, confidential tax information. That is what this report says from the organization that got the leak.

This is FOX News Latino. It reports that the former President of San Antonio tea party said they received a questionnaire with over 50 questions, including inquiries into whom the group met with, where their meetings were held, who was in attendance, the subjects of internal e-mails, et cetera.

This is in line with some of the other stories we have been hearing around the country. This was actually posted online. These are letters going back and forth between the Richmond tea party and the IRS. These are the actual online letters we pulled, with some information redacted for privacy.

Some of the questions they were asked: Provide the following information for all events and programs you have conducted and participated in from October 22 to now.

They wanted copies of handouts provided to the audience. They wanted to know if there were any speeches or forums conducted in the event or program, provide detailed contents of the speeches or forums, the names of the speakers and panels, their credentials, the names of persons from your organization and the amount of time they spent on the event or the program. Indicate the percentage of time and resources you spent on all of the events and programs in relation to your activity.

It goes on and on. This is page after page of information being asked of a citizen group by the IRS. Anyone who

has gotten a letter from the IRS understands it is never a pleasant circumstance, unless there is a refund check in that envelope. You go to the mailbox, open it, it says IRS, and no one likes that.

Just imagine this group of everyday citizens. These are not professional political activists. They do not have entire law firms at their disposal. These are just everyday Americans who are speaking out about the principles of limited government and free enterprise. By the way, if they were speaking out in favor of big government, they still have the same right not to be harassed by the IRS.

So I just want to bring the real face of this to bear, because this is not just a problem with an abuse of power in the IRS. Think about the impact this has had on the lives of everyday Americans who one day decided: I want to get involved in politics. I want to speak out. I want to say something. They get hit with a letter such as this, this kind of questionnaire, which quite frankly what happens with a lot of these people is they decide I am not going to do it. I am not going to get involved. I do not have the time for this. I do not need the hassle. Maybe that was the intent.

So we went over that for a moment. Here is something that is very troubling. This is from USA Today. The USA Today headline: "IRS approved liberal groups while Tea Party in limbo." Some of those groups were approved in as little as 9 months. Bus for Progress in New Jersey, a not-for-profit that uses red, white, and blue buses to drive progressive change, Missourians Organizing for Reform and Empowerment, they got their tax-exempt status just 9 months after a pretty simple and straightforward process.

Progress Florida in my own home State, similar experience. Again, this is USA Today. I think this was their cover story yesterday, where it described the difference in how tea party groups are treated, in comparison, that had words in their title such as "progress" or "progressive."

Here is one more that actually shows this kind of behavior extends beyond the Internal Revenue Service. This is from the Competitive Enterprise Institute, May 14. It talks about how public records produced by EPA, the Environmental Protection Agency, in response to a lawsuit filed by CEI under the Freedom of Information Act, show a pattern of making it far more difficult for limited government groups, in particular those that argue for more freedom and less EPA, how it makes it harder for them to get access to public records.

For example, green groups such as the Natural Resources Defense Council, the Sierra Club, the Public Employees for Environmental Responsibility, Earth Justice, they had their fees waived in 75 out of 82 cases.

Meanwhile, the EPA effectively or expressly denied CEI's request for fee waivers in 14 of its 15 requests—14 of its 15 requests. So that is 93 percent of the time versus basically the alternative, which is what they did to these other groups. Again, all a chain in a pattern of behavior that I think is not anything any of us ever want to see. So far I have not seen it, and I do not think we are going to, quite frankly. I suspect we will not see a single Member of Congress come to the floor of either Chamber and say this is acceptable behavior.

I wish to tie in the loop, though, because this is not just about these agencies run amok. This is not just about a handful of people in the IRS's Cincinnati office or somewhere else doing something wrong. This is much deeper than that.

I talked about it yesterday, I will repeat it today; that is, the sense that this administration has pursued a real culture of intimidation in the political process, including the way it ran its campaign. But I wish to take it one step further. What this should remind us of is the danger of government power. Let me stop there and remind everyone. We need government. No one here—I do not know any anarchists who serve in the U.S. Government, for the most part. All of us believe government has an important role to play in our country and the national defense. By and large, we believe there needs to be a safety net to help those who cannot help themselves, not as a way of life but to help those who have fallen to stand and try again.

We think the government plays an important role in our laws. One of the things that attracts people to the United States—for example, to do business here—is that we have a legal system where property rights are going to be respected. So if one says they own a piece of property, it belongs to them. No one would necessarily dispute that. If they do, they have to go to court. There are countries in the world where the owner of the property is whoever has the bigger guns or whoever has the best connection to government. We take that for granted sometimes.

So there is a role for government to play. It is a very important role. But the problem is that our Framers, the Founders of this Nation, had a deep suspicion of government no matter who was running the government. They rejected this notion that if we get very good people in government, we will have very good government.

Government has a role to play. But when government's powers extend beyond its natural limits or its important limits, we start to have problems such as these emerge. I bring this to the floor because this is exactly what we have been debating in so many instances, is expanding the natural power of government beyond where it should

be and allowing it to have jurisdiction and influence over areas of our life, where no matter who is in charge, Republican or Democrat, we may not like the way it turns out.

We talked about the IRS for a moment. The IRS is going to be on the frontlines of enforcing the health care law. This is the same agency of government that has for the most part over the last few years, now by admission of everyone involved, been abusing power—at least some of their employees have. I don't want to besmirch the entire agency. As Senator HATCH was saying a few minutes ago, there are very good people at work all throughout government who would never participate in this sort of behavior.

My point is that this is the agency that was targeting Americans because they were organizing themselves as conservatives. This is now the agency that is going to be empowered with new powers it has never had before—the power to force every American to either buy health insurance or pay a fine, buy health insurance or pay a tax.

In the weeks to come, I am going to be outlining examples of why giving government more power than it should have creates situations like this—the potential for situations like this to occur. There was enormous wisdom in limiting the power of the Federal Government that our Framers had, enormous wisdom in that. That is why they specifically said: If this Constitution doesn't give the Federal Government this power, it doesn't have it. We sometimes forget that lesson from two centuries later, but we shouldn't. That is an important limit.

I think we can have an honest debate about what role government should be playing in our lives and in our economy. There could be an honest debate about that because there is a role for government to play. There is an important role for government to play in our country. It can go too far, whether it is in the realm of civil liberties or economic liberties. That is what I think the debate should be focused on in the weeks to come, in addition to getting to the bottom of what has happened here, understanding clearly what has happened here.

I am involved in another endeavor: immigration reform. One of the biggest impediments to immigration reform that I am facing—that we are facing—is this distrust of the Federal Government. It is the belief that they are not going to enforce the law. No matter what we pass or what we put in place, they are not going to do it. We tried this 20 or 30 years ago, and they didn't do it. That is unfortunate. I hope we can overcome that. I believe we can because the truth is that the vast majority of Americans—the vast majority of Republicans, Democrats, Independents—are willing to deal with the fact that we have 11 million people living in

this country illegally so long as we can ensure that this problem never happens again in the future. They are willing to deal with that. We have to win their confidence that, in fact, the measures we are going to take are going to prevent that from happening in the future. We are struggling because people have such a distrust of the government's willingness or ability to enforce the law. You see it, even in that issue, rear its head.

I think it is important to remind ourselves that even if government is run by the best people with the best of intentions, it has a tendency to do these sorts of things. You see that at every level but particularly at the Federal level where there are such enormous powers.

Anytime we come here and debate giving government a new power, a new agency, a new mandate, or a new jurisdiction, we should be cognizant of the history of government power. We should be cognizant of what it has meant throughout human history. We should remember why the Framers limited that power to begin with—because they understood that power could be abused.

In the weeks to come, I know that I, along with all my colleagues, want to get to the bottom of this. We want to understand from the IRS' perspective who was involved in doing this, why this happened, and, more importantly, what we can do now to make sure this never, ever happens again, what we can do now to ensure that not just in the IRS but across the government that a situation like this never happens again so that no matter what your political persuasion may be, no American ever feels afraid to speak out politically because they may wind up the target of governmental action.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INEQUALITY

Mr. SANDERS. Mr. President, I ask unanimous consent to have printed in the RECORD the English translation of remarks made this morning by Pope Francis, who addressed the new non-resident ambassadors to the Holy See.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENGLISH LANGUAGE TRANSLATION OF POPE FRANCIS' ADDRESS FOR THE NEW NON-RESIDENT AMBASSADORS TO THE HOLY SEE: KYRGYZSTAN, ANTIGUA AND BARBUDA, LUXEMBOURG AND BOTSWANA (16 MAY 2013)

Your Excellencies,

I am pleased to receive you for the presentation of the Letters accrediting you as Am-

bassadors Extraordinary and Plenipotentiary to the Holy See on the part of your respective countries: Kyrgyzstan, Antigua and Barbuda, the Grand Duchy of Luxembourg and Botswana. The gracious words which you have addressed to me, for which I thank you heartily, have testified that the Heads of State of your countries are concerned to develop relations of respect and cooperation with the Holy See. I would ask you kindly to convey to them my sentiments of gratitude and esteem, together with the assurance of my prayers for them and their fellow citizens.

Ladies and Gentlemen, our human family is presently experiencing something of a turning point in its own history, if we consider the advances made in various areas. We can only praise the positive achievements which contribute to the authentic welfare of mankind, in fields such as those of health, education and communications. At the same time, we must also acknowledge that the majority of the men and women of our time continue to live daily in situations of insecurity, with dire consequences. Certain pathologies are increasing, with their psychological consequences; fear and desperation grip the hearts of many people, even in the so-called rich countries; the joy of life is diminishing; indecency and violence are on the rise; poverty is becoming more and more evident. People have to struggle to live and, frequently, to live in an undignified way. One cause of this situation, in my opinion, is in our relationship with money, and our acceptance of its power over ourselves and our society. Consequently the financial crisis which we are experiencing makes us forget that its ultimate origin is to be found in a profound human crisis. In the denial of the primacy of human beings! We have created new idols. The worship of the golden calf of old (cf. Ex 32:15-34) has found a new and heartless image in the cult of money and the dictatorship of an economy which is faceless and lacking any truly humane goal.

The worldwide financial and economic crisis seems to highlight their distortions and above all the gravely deficient human perspective, which reduces man to one of his needs alone, namely, consumption. Worse yet, human beings themselves are nowadays considered as consumer goods which can be used and thrown away. We have begun a throw away culture. This tendency is seen on the level of individuals and whole societies; and it is being promoted! In circumstances like these, solidarity, which is the treasure of the poor, is often considered counterproductive, opposed to the logic of finance and the economy. While the income of a minority is increasing exponentially, that of the majority is crumbling. This imbalance results from ideologies which uphold the absolute autonomy of markets and financial speculation, and thus deny the right of control to States, which are themselves charged with providing for the common good. A new, invisible and at times virtual, tyranny is established, one which unilaterally and irremediably imposes its own laws and rules. Moreover, indebtedness and credit distance countries from their real economy and citizens from their real buying power. Added to this, as if it were needed, is widespread corruption and selfish fiscal evasion which have taken on worldwide dimensions. The will to power and of possession has become limitless.

Concealed behind this attitude is a rejection of ethics, a rejection of God. Ethics, like solidarity, is a nuisance! It is regarded as counterproductive: as something too human,

because it relativizes money and power; as a threat, because it rejects manipulation and subjection of people: because ethics leads to God, who is situated outside the categories of the market. These financiers, economists and politicians consider God to be unmanageable, unmanageable even dangerous, because he calls man to his full realization and to independence from any kind of slavery. Ethics—naturally, not the ethics of ideology—makes it possible, in my view, to create a balanced social order that is more humane. In this sense, I encourage the financial experts and the political leaders of your countries to consider the words of Saint John Chrysostom: "Not to share one's goods with the poor is to rob them and to deprive them of life. It is not our goods that we possess, but theirs" (Homily on Lazarus, 1:6-PG 48, 992D).

Dear Ambassadors, there is a need for financial reform along ethical lines that would produce in its turn an economic reform to benefit everyone. This would nevertheless require a courageous change of attitude on the part of political leaders. I urge them to face this challenge with determination and farsightedness, taking account, naturally, of their particular situations. Money has to serve, not to rule! The Pope loves everyone, rich and poor alike, but the Pope has the duty, in Christ's name, to remind the rich to help the poor, to respect them, to promote them. The Pope appeals for disinterested solidarity and for a return to person-centred ethics in the world of finance and economics.

For her part, the Church always works for the integral development of every person. In this sense, she reiterates that the common good should not be simply an extra, simply a conceptual scheme of inferior quality tacked onto political programmes. The Church encourages those in power to be truly at the service of the common good of their peoples. She urges financial leaders to take account of ethics and solidarity. And why should they not turn to God to draw inspiration from his designs? In this way, a new political and economic mindset would arise that would help to transform the absolute dichotomy between the economic and social spheres into a healthy symbiosis.

Finally, through you, I greet with affection the Pastors and the faithful of the Catholic communities present in your countries. I urge them to continue their courageous and joyful witness of faith and fraternal love in accordance with Christ's teaching. Let them not be afraid to offer their contribution to the development of their countries, through initiatives and attitudes inspired by the Sacred Scriptures! And as you inaugurate your mission, I extend to you, dear Ambassadors, my very best wishes, assuring you of the assistance of the Roman Curia for the fulfilment of your duties. To this end, upon you and your families, and also upon your Embassy staff, I willingly invoke abundant divine blessings.

Mr. SANDERS. I don't usually comment much on religious matters, but I was very impressed by what the Pope had to say today. In his remarks Pope Francis called for a revamping of the global financial system, a system which he pointed out benefits the few, values money over human dignity, and continues to widen the gap between the rich and everybody else.

While acknowledging the advances modern society has made in health care, education, technology, and other

areas, the Pope expressed his concern for the least amongst us. The Pope said:

We must also acknowledge that the majority of the men and women of our time continue to live daily in situations of insecurity, with dire consequences . . . fear and desperation grip the hearts of many people, even in the so-called rich countries; the joy of life is diminishing; indecency and violence are on the rise; poverty is becoming more and more evident. People have to struggle to live and, frequently, to live in an undignified way.

The Pope went on to say this in his rather brief remarks:

One cause of this situation . . . is in our relationship with money, and our acceptance of its power over ourselves and our society . . . The worship of the golden calf of old has found a new and heartless image in the cult of money and the dictatorship of an economy which is faceless and lacking any truly humane goal.

The Pope continued:

The worldwide financial and economic crisis seems to highlight their distortions and above all the gravely deficient human perspective, which reduces man to one of his needs alone, namely, consumption. Worse yet, human beings themselves are nowadays considered as consumer goods which can be used and thrown away. We have begun a throw away culture.

He also said:

Solidarity, which is the treasure of the poor, is often considered counterproductive, opposed to the logic of finance and the economy.

Further quoting the Pope, and I hope everybody listens to this:

While the income of a minority is increasing exponentially, that of the majority is crumbling.

Let me repeat that. This is what the Pope said today:

While the income of a minority is increasing exponentially, that of the majority is crumbling. This imbalance results from ideologies which uphold the absolute autonomy of markets and financial speculation, and thus deny the right of control to States, which are themselves charged with providing for the common good. A new, invisible and at times virtual, tyranny is established, one which unilaterally and irremediably imposes its own laws and rules. Moreover, indebtedness and credit distance countries from their real economy and citizens from their real buying power. Added to this, as if it were needed, is widespread corruption and selfish fiscal evasion, which have taken on worldwide dimensions. The will to power and of possession has become limitless.

This is from a speech Pope Francis made today. I think it is important that we listen to the Pope on this issue. Frankly, I have strong disagreements with the Catholic Church on issues of women's rights, issues of gay rights, and a number of other issues. On this issue of what is happening economically around the world—the power of financial markets; the growing gap between the very rich and everyone else; the need for government and for states around the world to step in and protect the dispossessed; the need to

understand that money unto itself means nothing unless it is being used in a way that improves the lives of all people—that is a message coming from the Pope. It is a message worth thinking about and discussing.

THE IRS

Mr. SANDERS. In the Senate, I hear a lot of criticism of government, some of which is certainly justified. All of us, I would hope, are deeply concerned, embarrassed, and disagree with what the IRS did in terms of picking out one political persuasion in terms of tax-exempt status. That is clearly wrong, unacceptable, and must be dealt with.

Many of my friends attack government day after day when government is trying to do the right thing in protecting middle-class and working families. There are some in the Congress, for example, who believe that government programs such as Social Security, Medicare, and Medicaid should be significantly cut or that maybe government shouldn't even be involved in those areas. They believe these programs are unconstitutional.

If you were to eliminate Social Security, Medicare, and Medicaid, what would happen to tens of millions of people who rely on Social Security for their retirement, especially at a time when many private pensions have been cut severely? If you make cuts or eliminate Medicare for the old or you undo the Medicare system we know and turn it into the system our friends in the House would like to have, what will happen to elderly people when they get sick and need health care and don't have the money in their own pockets to pay for that? I will tell you what will happen.

This year alone, it is estimated that approximately 45,000 Americans will die because they never made it to a doctor on time when they should have made it. If you make major cuts in Medicare or do away with the basic guarantees Medicare now provides, clearly the number of people who will die will simply increase.

If you are 67 years of age and are diagnosed with cancer and Medicare is not there for you and you don't have a family who has money, what will happen to you? Some of my Republican friends will say: Well, go to charity. Charity is not going to be there to provide health care for millions of people.

In terms of health care, what we must point out over and over again because many Americans don't understand it is that our Nation is the only Nation in the industrialized world that does not guarantee health care to all people as a right of citizenship.

Today, although we hope that will change in the very near future, 50 million people have no health insurance. Many others have large deductibles or copayments, which keep them from going to the doctor when they should.

We have invited the Ambassador from Denmark to join us in a town meeting in Vermont on Saturday. He will explain to us how in Denmark, among many other countries throughout the world, they can provide health care to people that is virtually free from out-of-pocket expenses and yet per capita end up spending substantially less than we do. He will explain to us why the cost of their prescription drugs is substantially lower than it is in the United States.

In terms of education, this is at a time when in my State the average college graduate in Vermont leaves school some \$28,000 in debt—roughly the national average. This is at a time when hundreds of thousands of young people cannot afford to go to college, and we lose all of their intellectual capabilities and the genius they might provide for our society. In Denmark, college education is virtually free, including graduate school and medical school.

At a time when in our country millions of people are overworked and underpaid; at a time when we work some of the longest hours of any people in the industrialized world, when people in Vermont are working not 40 hours a week but 50 hours a week, 60 hours a week; at a time when people are not working one job but two jobs, three jobs, trying to cobble together an income; at a time when some employers are hiring people and providing zero vacation time or maybe, if one is lucky, a week off, how does it happen that in countries such as Denmark people not only get 5 weeks' guaranteed paid vacation, but they get another 11 vacation days?

In this country, we talk a lot about family values. However, if you are a working-class woman having a baby, you will get some maybe. If you are working for a large enough employer, family medical leave may have an impact and you may get some time off to have the baby, but you can't stay home very long to take care of your newborn because you will not have any money coming in. Millions of folks have a baby and go right back to work, putting the child back in childcare when they would prefer otherwise. How does it happen in countries such as Denmark that women get 4 weeks off, fully paid before they give birth, and then months off afterwards to stay home with the baby, not to mention three-quarters payment from the government for childcare, while we so poorly manage that?

I think it is time we have a serious discussion about values, and that discussion has to include whether we feel good about the fact that in this country so few have so much and so many have so little.

Do we feel comfortable with the growing imbalance in terms of income and wealth such that the top 1 percent owns 38 percent of the wealth and the

bottom 60 percent owns only 2.3 percent, and the gap between the billionaire class and everybody else is growing wider?

As the Pope asked: Are we comfortable with a financial system where the goal is not to invest in the productive economy but to make money for itself, such that the top six financial institutions in this country have assets equivalent to some 70 percent of the GDP of the United States—some \$9 trillion—and enormous political power?

This IRS business people are talking about on the floor of the Senate is related to the absurd campaign finance system we have where big companies can secretly put hundreds of millions of dollars into the political process. Are we comfortable with a political system where people can make contributions in secret that end up in the political process and then end up on a 30-second ad on our TV—money coming from billionaires who don't have to disclose their contributions?

So when we talk about values, it is important to assess who we are as Americans and what we believe in. I believe most Americans believe we have to do a lot better job at focusing on the needs of the declining and disappearing middle class; that we have to create millions of jobs so our young people do not have outrageously high levels of unemployment and older people who lose their jobs have nothing to go back to; that we have to address the issue of high childhood poverty; and we have to, in fact, make sure government works for all of the people and not just the people on top.

I would just conclude by recommending to the Members and to the American people they examine the remarks made this morning by Pope Francis, which I think raise some very important issues. I think there is a lot to be learned from those remarks.

With that, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WORKER PROTECTION

Mr. BROWN. Mr. President, 50 years ago, in August 1963, Martin Luther King wrote, "Injustice anywhere is a threat to justice everywhere."

When a factory full of human beings collapses in Bangladesh, it matters in Bucyrus and Boardman and Bellefontaine. When the concrete ceiling of a shoe factory crumbles in Cambodia, it matters in Celina and Canton.

Earlier this month we observed Workers Memorial Day. We paused and

remembered those Americans who had lost their lives on the job. We honor their memories by passing laws to help ensure no other child waits by the door for a mother or a father who will never return home from work.

Out of the ashes of the Triangle Shirt Waste Factory fire 100 years ago in New York City, we fought and won workplace safety reforms that have helped save countless lives decade after decade after decade in our country. Yet even though we have passed the Occupational Safety and Health Act of 1970, even though we have a National Labor Relations Board, we still have a moral responsibility to be vocal about violations to worker safety wherever it happens—whether it happens in Cleveland, in Honolulu, or in Bangladesh.

We are interconnected with this world. Our economy is linked to the women and children—to the people—whose names we don't know, the workers we don't know, who sew labels we all know in our shirts and in our sweaters. American and European retailers purchase some two-thirds of Bangladeshi garment production.

That is why, Mr. President, in the aftermath of the deadly Rana Plaza collapse in Bangladesh and the Wing Star Shoes collapse outside of Phnom Penh, we might have expected outraged American companies to take action. That is not exactly what happened. Which member of this multibillion-dollar industry will speak out for workers who face hazardous conditions for a minimum wage—in many cases of just \$38 per month—making the clothes we wear in this country?

Today, Leader REID, Senator HARKIN of Iowa, DURBIN of Illinois, LEVIN of Michigan, LEAHY of Vermont, MURRAY of Washington State, ROCKEFELLER of West Virginia, and I sent a letter to some of our leading American retailers. We are urging retailers such as Walmart to sign onto a legally binding global accord to help ensure worker safety in Bangladesh. We are asking a number of the largest retailers in America to sign onto this legally binding global accord to help ensure worker safety in Bangladesh.

Remember, as Dr. King wrote some 50 years ago, injustice anywhere threatens our ability to create a more just world. Signing this accord from our retailers is one step our leading retailers can take to help us usher in a new era of justice in this new century.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COWAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am back again to remind this body and the American people for what I think is perhaps the 32nd speech on this subject that I have been giving weekly, that it is time, indeed it is well past time, for Congress to wake up to the disastrous effects of global climate change. The famous Mauna Loa Observatory has for the first time ever hit 400 parts per million of carbon in the atmosphere. That is an alarming benchmark to have hit.

What is happening? Over on the House side today they are repealing ObamaCare for the 37th time. That is the level of seriousness in Washington right now. In particular, our oceans—the Presiding Officer represents the Bay State, I represent the Ocean State—our oceans face an unprecedented set of challenges that come from climate change as well as from pollution and energy exploration and more.

We just have to look around to see it. We can look up to the far north and see that the Arctic ice is melting. Indeed, last summer sea ice extent in the Arctic Ocean hit a record low.

If we go south to the tropic seas, we will see that live coral coverage on Caribbean reefs is plummeting. It is down to less than 10 percent today. If we go to the top of the food chain, we will see marine mammals so laden with PCBs, flame retardants, mercury, and other bioaccumulative pollutants that many of them are swimming toxic waste—living, swimming toxic waste.

If we go to the very bottom of the food chain, we will see that the population of phytoplankton—some of our smallest ocean inhabitants and the basic building block for the oceanic food chain—has dropped 40 percent during the 20th century.

If we go far away from where we are, we will reach the great Pacific garbage patch, which is growing and swirling about the northern Pacific Ocean.

Close to my home—and near the Presiding Officer's home—is Narragansett Bay, which is 4 degrees warmer in the winter than it was a few decades ago.

Globally, the most threatening challenge, and the force behind many others, is ocean acidification. Our oceans have absorbed more than 550 billion tons of our carbon pollution. Try to wrap your head around a number that big. That is the carbon the ocean has absorbed from the excess we have pumped into the atmosphere.

The result is pretty clear, and it is a matter of basic chemistry. The oceans have become more acidic. Indeed, they have become 30 percent more acidic. By the way, that is a measurement, not a theory.

By the end of this century, the increase could be as much as 160 percent more acidic. That makes life a lot harder for species such as oysters, crabs, lobsters, corals, and even those plankton that comprise the base of the food web.

Ocean temperatures are changing dramatically—also driven by carbon pollution. Sea surface temperatures in 2012, from the Gulf of Maine to Cape Hatteras, were the highest ever recorded in 150 years. By the way, that is another measurement.

Fish stocks are shifting northward with some disappearing from U.S. waters as they move farther offshore. As we know, when the temperature rises, water expands in volume. On top of that, fresh water pours out of Arctic snowpacks and ice sheets that are melting, and as a result sea levels are rising.

Tide gauges in Newport, RI, show an increase in average sea level of 10 inches since 1930. That is a big deal when we in Rhode Island think of how devastating the great hurricane of 1938 was to our shores and what more would now befall us with 10 more inches of sea for such a storm to throw at our shores.

At these tide gauges, measurements show not only the sea level rising but the rate of sea level rise is increasing. This matches reports that since 1990, the sea level has been rising faster than the rate predicted by the Intergovernmental Panel on Climate Change.

I have said before: We will continue to take advantage of the ocean's bounty, as we should. We will trade, we will fish, and we will sail. We will extract fuel and harness the wind. We will work our oceans. Navies and cruise ships, sailboats and supertankers will plow their surface. We cannot undo this part of our relationship with the sea. What we can change is what we do in return. For the first time we can become not just takers but caretakers of our oceans.

We are beginning to take some baby steps. Last week, the Senate voted 67 to 32 to authorize a national endowment for the oceans, coasts, and Great Lakes, which is a funding stream for research, restoration, and protection of our marine and coastal resources. I hope that before long we can find a way to fund it by working with all of my colleagues. The famous ocean explorer Bob Ballard has described as "a major problem . . . the disconnect between the importance of oceans and the meager funds we as a nation invest to not only understand their complexity, but become responsible stewards of the bounty they represent."

This endowment—if we can get it over the remaining legislative hurdles and get it funded—will help us become more responsible stewards of that bounty. It will help us better respond

to oilspills, it will help coastal States protect or relocate coastal infrastructure, and it will help our fisheries and marine industries take part in economically important conservation efforts.

I sincerely appreciate the support shown for this amendment by colleagues from every region of the country and both sides of the aisle. Protecting the oceans upon which our communities and our economy depend is neither a Democratic nor a Republican objective, and there ought to be a great deal of agreement on the need to meet these challenges.

We also see that agreement in the bipartisan Senate Oceans Caucus, which works to increase awareness of and find common ground on issues facing the oceans and coasts.

My fellow cochair Senator MURKOWSKI, honorary cochair Senator MARK BEGICH, Senator Mark Wicker, and all of our partners are working to stop illegal, unregulated, and unreported fishing. We are working to clean up marine debris and collect baseline scientific data so we can make policy-informed decisions. This is important work. It demonstrates the good both parties can accomplish when we come together. I look forward to getting it done, but it is not enough. Until we address what is causing our oceans to change so drastically, until we protect our planet from carbon pollution unprecedented in human history, we are doing little more than putting Band-Aids on a gaping and growing wound.

I want to push back on the idea that so many of us seem to have accepted, that we cannot do anything serious on carbon pollution. In fact, we can. The tools to do it lie right around us, if only we would pick them up and go to work.

Very simply, here is my case: Pricing carbon is necessary. Make big carbon polluters pay a fee to the American people to cover the cost of dumping their waste into our atmosphere and oceans—a cost they now push off on to the rest of us—and return that fee to the American people.

At present, however, political conditions in Congress do not allow us to price carbon. It is necessary. Political conditions do not allow us to do it, so we must change those political conditions.

Changing the political conditions will require three actions: No. 1, there has to be a regulatory threat to the polluters. No. 2, there must be a political threat to the deniers here in the Senate and in Congress. No. 3, those of us who wish to limit carbon pollution must gather the armies that are on our side.

Let me go through those steps. First, as long as the polluters and their allies control Congress, legislative action is unlikely. That means we have to rely on the executive branch for regulatory

action—very strong regulatory action that will change the equation for the polluters. That is the test. Will it change the equation for the polluters?

The status quo is a win for the polluters. They pollute for free. Change that balance, and it will not take them long to come to Congress. Why? Because regulatory action puts costs directly on the polluters but creates no revenues for them. A carbon pollution fee, now that creates revenues. A portion of that could offset their costs of transitioning to a green economy.

If that is the choice they have—regulation with no revenues or a fee they can get revenues from—it becomes in their interest to strike a deal in Congress. This regulatory step in the executive branch will, however, require an awakening at the White House.

Second, to create a meaningful political threat, the advocates out there for our climate and our oceans will need to employ all of the sophisticated political tools the polluters use—all the political artillery of the post-Citizens United world.

There is an expression that you should not bring a knife to a gunfight. Right now climate advocates bring not even a knife but a feather to this gunfight. It is no wonder we lose. When deniers in Congress see real artillery coming on the political field against them, some will rethink.

Third, and last, is gathering the armies. There is astonishingly wide support for action on climate. Obviously environmental groups support this, as well as the green energy and investment industry, our national security officials, property casualty insurers and reinsurers, young people—such as the growing college movement for coal divestment—faith groups, many utilities, celebrities, hunting, fishing, outdoor, conservation groups, retailers, such as Apple, Coca-Cola and Nike, labor groups, mayors, local officials, and the public. The public is with us, and the polls show that.

The problem: Most of this support is latent and unorganized. None of these groups feel they can carry this battle on their own; yet if they choose to unite, create an allied command, assemble these various divisions and join in on a strategy that deploys them all effectively into action, that latent strength becomes potent strength, and that is a game changer.

When the polluting industry is looking down the barrel of a regulatory gun, when their political allies are fearful of a strongly backed political operation—backed also by the American people—when mobilized and motivated forces from a wide swath of the economy and multiple sectors are all active, the political landscape then shifts dramatically and a price on carbon is achievable.

I propose to the American people, to those who believe it is time to wake up

and take action, to fend off devastating changes to our oceans and our climate: Let us be not faint of heart. Let us have the strength of our convictions and get to work and get this done. We can do it. The tools to do it already lie all around us. This can all take place quite rapidly. Let's get it done.

I yield the floor.

RECOGNIZING THE WHAYNE SUPPLY COMPANY

Mr. McCONNELL. Mr. President, I rise today to congratulate the Whayne Supply Company, a leader in Kentucky businesses and one of the Nation's oldest and largest Caterpillar dealerships, for reaching the milestone of 100 years in operation. That is a full century of serving the needs of Kentucky's construction, mining, agriculture, and industrial markets; a full century of employing Kentuckians; and a full century of expanding opportunity across the Commonwealth.

Whayne Supply Company was founded in 1913 by Mr. Roy C. Whayne, Sr. At the time of the firm's founding, he was its sole employee, and the business consisted of selling light engines, pumps, wheelbarrows, and bicycles. In 1925, the company began its long and continued association with Caterpillar, one of the world's largest manufacturers of construction and mining equipment. Today Whayne is also the dealer for Thomas Built Buses, Challenger, Lexion, Trail King, Mirencó, Sullair, Allmand, and other lines of construction, industrial, mining, paving, and agricultural equipment.

Today Whayne is consistently ranked as one of the country's top Caterpillar dealerships. It also provides customers with an extensive parts inventory and broad service capabilities. Whayne Supply Company is currently owned by Monty Boyd, who became president of Whayne Supply in 2005 after working for the company in various roles for 25 years. Under Mr. Boyd's leadership, Whayne has grown to employ over 1,300 people and operate 15 facilities across Kentucky and southern Indiana.

Whayne's home office is in Louisville, and it operates other branches in Ashland, Bowling Green, Corbin, Dry Ridge, Elizabethtown, Hazard, Hopkinsville, Lexington, Owensboro, Paducah, Pikeville, and Somerset, as well as in Evansville, Indiana, and Jeffersonville, IN.

The Whayne Supply Company intends to mark its 100th anniversary throughout 2013 by recognizing its employees and customers and holding a series of community service projects. With the company's ties to all regions of the State, I am sure many Kentuckians will have occasion to note this anniversary and reflect on Whayne Supply's century of service.

Mr. President, I know my colleagues in the Senate join me in commending

the Whayne Supply Company for 100 years of operations and saluting them for their commitment to the people of Kentucky.

WORLD WAR II VETERANS VISIT

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday: 85 World War II veterans from Montana will take part in the fourth Big Sky Honor Flight and come to Washington, DC, to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight Program. The mission is to recognize American veterans for their sacrifices and achievements by flying them to Washington, DC, to see their memorials at no cost. The program, which has already flown more than 250 Montana veterans to visit the memorials, is generously funded by businesses, student groups, and folks all across Montana.

These veterans come from all parts of our great State, and while they are in Washington, they will see the WWII Memorial and other monuments and enjoy a banquet honoring their service to the country.

This is a special 2 days for this group of heroes, but it is also a time to give thanks for courage and sacrifice of all our veterans and service members. It is a time to reflect on the sacrifices made by those who fought on the frontlines in Europe and the Pacific, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend. I ask unanimous consent that the following names be printed in the RECORD.

There being no objection, the material was printed in the RECORD, as follows:

Douglas M Alexander, Woodrow W Archer, Ralph W Arnold, Tim M Babcock, Peter E Bakken, Norman F Balko, Burl E Baty, Henry F Beckman, Harold M Brown, Charles L Bullis, Lester E Crouse, Stuart Ellison, Frederick L Ernst, Thomas E Francis, Merle M Green, Francis W Grove.

Harry P Hayden, Bernard J Heetderks, Paul L Hickman, Joseph Hucce, Maurice C Knutson, John C Kindelman, Leonard E Kuffel, Donald M Lillenthal, Harry M Merlak, John L Mulford, Antone F O'Dea, Lewis A Paschke, Billy M Paul, Oscar S Peterson, Charles F Petranek, Hardy J Pugliano, Charles F Romee, Raymond R Rumpfelt, Paul T Ringling.

Dorothy K Roeder, Lester T Rutledge, Frank J Schledorn, William K Schultz, Maurice W Shoemaker, Duane Steinke, Robert L Stewart, Ralph W Stodden, John W Todd, Lawrence F Thomas, Kenneth Torgrimson, John D Walsh, Roman T Wuertz, George J Wright, Mike N Steiner, Harry H Knodel, Audrey Manuel.

Stanley R Kniepkamp, Leo F Staat, Frank P Scotten, Dean H Elliott, Joseph H Cook, Donald F David, Robert L Tillery, Bishop S Everingham, Oliver R Germann, Paul Hafner, Robert Barnhart, Leonard E Gissler, Thomas W Huff, Leo H Drain, Rolland Karlin, Doris A Adolph, Alfred J Adolph, Vernon L Phillips.

Colin F Glasgow, Leroy Bourque, John P Dillon, Bryon N Manley, Sebastian Messer, Raymond A Grossman, Ben J Raisland, Robert J O'Connell, Alfred J Falcon, Vernon E Locke, George Schuyler, Robert Kovash, Donald R Anderson, Robert G Orlando, Earl K Warne.

Mr. TOOMEY. Mr. President, as a proud co-sponsor of S. Res. 140, I was delighted by the Senate's unanimous passage this week of legislation commemorating the dedication and sacrifice made by Federal, State and local law enforcement officers who have been killed or injured in the line of duty.

As our Nation celebrates National Police Week, I wish to honor five heroes who gave their lives in service to the people of the Commonwealth of Pennsylvania in 2012. Like 120 other law enforcement officers across the U.S., they died in the line of duty, joining the ranks of the 21,465 officers who have similarly given their lives since 1791.

This week we honor Trooper First Class Blake T. Coble, Police Officer Bradley Michael Fox, Police Officer Moses Walker Jr., Police Officer Brian J. Lorenzo and Patrolman Avery Freeman. Additionally we honor their families who must bear the profound absence of their loved ones.

On behalf of all Pennsylvanians I extend my condolences to the families and friends of these heroes. We mourn the loss of these remarkable men and women who represented the best of their communities and whose memory will serve as an inspiration for future generations.

RECOGNIZING LAW ENFORCEMENT OFFICERS

Mr. BOOZMAN. Mr. President, in Arkansas, our law enforcement history runs deep. Take my hometown of Fort Smith, for example, where the U.S. Marshals Service played an integral part in shaping the city's unique role in our country's westward expansion. Many people in the area today find their family roots trace back to a U.S. Marshal.

From an early age we were taught about Judge Isaac Parker's efforts to bring order to Indian Territory, and great lawmen such as Deputy U.S. Marshal Bass Reeves helped lay the foundation that highlighted Fort Smith's chapter in the history of the U.S. Marshals Service. We have a lot to be thankful for as we honor these brave men and women as part of National Police Week.

May 15 marks Peace Officers Memorial Day. Each May during National

Police Week we honor the men and women who died in the line of duty by adding their names to the National Law Enforcement Officers Memorial.

This year 321 names will be added to the memorial including Arkansas Department of Correction SGT Barbara Ester, who died in January 2012, and former Johnson County Sheriff John Hall Powers who was shot and killed while trying to stop a bank robbery in 1902.

The tradition of courageous public service is carried on today by the men and women who keep communities across the country safe 24 hours a day. They truly are on the front lines, walking some of the toughest beats in America, and keeping our streets safe.

More brave men and women opt to follow their lead in a career in law enforcement every day. I recently had the honor of handing out diplomas to graduates of the Black River Technical College Law Enforcement Training Academy in Pochontas, AR. Graduates of this program follow different tracks in police work such as crime scene investigation, criminal training and police training with hands-on instruction and the currently available resources to allow for the best work possible. The program produced a great group of graduates who are excited to use the skills they learned in the field.

We recognize, not only during this week, but all year long, the devotion of the 900,000 law enforcement officers who put their lives on the line every day to make our communities safer.

Law enforcement faces unique challenges today and we are working to provide the best tools and training to prepare these men and women for unpredictable situations. As our world changes, so do the threats we face. The key to being equipped for these unexpected events is to prepare for these emerging threats. That is why a lot of law enforcement training today focuses on domestic terrorism. Look no further than the Boston Police Department that became the first line of defense against terrorism during the Boston Marathon bombing.

In order to keep our communities safe, we are challenged to develop the newest training techniques and prepare for a wide range of incidents. We have great resources in Arkansas that provide our officers with advanced training.

I thank the law enforcement officers in Arkansas and across the country who dedicate their lives to protecting our children and communities and seek to bring criminals to justice. These heroes come to our rescue when we need help and I am committed to providing them with the tools and the resources they need to fulfill their responsibilities.

EDENTON, NORTH CAROLINA

Mr. BARR. Mr. President, today I wish to pay homage to the beautiful Town of Edenton, NC. I join its citizens, its friends, and city and State leaders in celebrating their historic 300th anniversary. Originally known as the Town on Queen Anne's Creek, Edenton was renamed after the death of the first man appointed by the Crown as "full" Governor of North Carolina, Charles Eden, in 1722.

The first Colonial Capital until 1743, Edenton citizens were widely known for their steadfast values and dedication to a free society. Edenton's Penelope Barker was the first woman to organize a political event in the colonies when she gathered women from the region to a petition to King George opposing taxation. The son of Edenton's James Iredell, Sr., was nominated by President George Washington to serve on the first U.S. Supreme Court, and was confirmed the very next day at only 38-years-old. Edentonian Hugh Williamson signed the U.S. Constitution and effectively argued for the inclusion of the Bill of Rights. Edentonians have long been a proud community committed to our Nation's founding principles.

The Chowan County Courthouse in Edenton is not only North Carolina's oldest courthouse, but also the State's oldest government building. It is still in use today. The impressive building, of southern Georgian architecture, was built in 1767 on a plot of land first surveyed in 1712. Today, it is recognized as a National Historic Landmark. One of the signers of the Declaration of Independence, Joseph Hewes, a long-time Edenton resident, was instrumental in making the courthouse a reality.

Thanks to the Town of Edenton, Chowan County, the Edenton Historical Commission, Chowan County Tourism Development Authority and many citizen leaders, the town's treasured historic sites remain healthy and preserved. These treasures not only serve to teach us about our Nation's rich heritage, but they also boost our economy and attract people interested in our Nation's history from around the world. These include the 1767 Courthouse, the Barker House, the Roanoke River Lighthouse, Edenton Cotton Mill, the Cupola House, and the second oldest church building in North Carolina, Saint Paul's Episcopal Church.

Because of the community's tireless efforts to preserve its heritage and promote the arts and culture, I doubt anyone visiting Edenton today would be surprised to learn that it received the distinguished Forbes.com award as one of America's Prettiest Towns.

I am proud to join the entire Edenton community in congratulating them on this historic occasion.

ADDITIONAL STATEMENTS

TRIBUTE TO LIEUTENANT GENERAL MICHAEL BARBERO

• Mr. CASEY. Mr. President, I would like to recognize the service of LTG Michael D. Barbero, the director of the Joint Improvised Explosive Device Defeat Organization, JIEDDO, who will retire from service on May 17, 2013.

Lieutenant General Barbero has honorably served his country for more than three decades. Since graduating from the U.S. Military Academy at West Point in 1976 as an infantry officer, LTG Barbero has commanded troops at every level. He is a veteran of Operation Iraqi Freedom, having served 4 years in Iraq over three separate tours. From 2003–2004, he served as the assistant division commander of the 4th Infantry Division. He next served in Iraq as the deputy chief of staff, Strategic Operations at Multi-National Force-Iraq during "the surge" in 2007 and 2008. Immediately prior to his time as director of JIEDDO, he was deployed in Iraq for a final time from 2009–2011. During this deployment, Lieutenant General Barbero was responsible for the training, equipping, and development of all Iraqi security forces and building the ministerial capabilities of both the Ministries of Interior and Defense, while serving simultaneously as the commander of Multi-National Security and Transition Command-Iraq and the commander of the NATO Training Mission-Iraq. Among his many decorations, Lieutenant General Barbero has been awarded the Defense Distinguished Service Medal, the Legion of Merit, and the Bronze Star Medal.

As chairman of the Near Eastern and South Central Asian Affairs Subcommittee of the Senate Foreign Relations Committee, I have worked closely with LTG Barbero in an effort to stem the flow of IED precursor materials from Pakistan into Afghanistan. These homemade explosive, HME, materials pose the biggest threat to our service men and women and are responsible for far too many casualties. Under General Barbero's leadership, JIEDDO has made significant strides in working with various departments, the inter-agency, the intelligence community, and the Government of Pakistan, to create a whole-of-government approach to combat these dangers by not only reducing the flow of HME, but also by helping to eliminate the enemy networks that seek to use these materials for the nefarious purposes of harming our troops, attacking civilian populations, and furthering instability.

General Barbero has approached his work with a high degree of transparency, integrity, and focus. Few missions are as important as JIEDDO's in working to defeat the IED as a weapon of strategic influence. Lieutenant General Barbero carried out that mission

superbly. No one has done more or worked harder to find ways to counter the threat posed by IEDs. I have especially appreciated his efforts to encourage others across government to do all they can in order to maintain a level of preparedness to deal with this asymmetric threat. Under his leadership, JIEDDO further improved its processes and control measures to make for a more effective and efficient organization that will be a model for other leaders to emulate.

I have gotten to know LTG General Michael Barbero well during his tenure at JIEDDO. He is an inspiring leader, a fine example for his fellow servicemembers, and a fellow Pennsylvanian. I am proud to share in the celebration of Lieutenant General Barbero, his extraordinary leadership of JIEDDO, and his distinguished military service.●

RECOGNIZING KELOLAND TV

● Mr. THUNE. Mr. President, today I wish to recognize KELOLAND TV's 60th anniversary. Opening their doors on May 19, 1953, KELOLAND became South Dakota's first television station. Over the past 60 years, KELOLAND has been a source for critical information and programming to countless South Dakotans.

Providing timely news, weather, and sports across the rural and vast South Dakota plains is no simple task, but through hard work and dedication, KELOLAND has served South Dakota with continuous and critical coverage of all the news of the day. Through challenging times in South Dakota, KELOLAND has been a mainstay for viewers in the region to turn to for up-to-date coverage of the events and happenings in their local communities. In October of 1954, KELOLAND offered its first live programming, which led shortly after to KELOLAND offering the first live sporting event in February of 1957. On March 11, 1955, "Captain 11" signed on for the first time. Little did they know that "Captain 11" would become the longest continuous running children's program in the world. "Captain 11" ran for 42 years before signing off for the last time on December 28, 1996.

In September of 1968, KELOLAND added live color cameras. The year 1997 was very busy for KELOLAND due to the September introduction of the Live Doppler Network, which brought live weather radar pictures to South Dakota homes, and the December launch of Keloland.com, which gave South Dakotans the ability for the first time to check their local news online. In 2011, KELOLAND made two more cutting-edge technology advancements by creating their first mobile phone app, in February, followed by offering full high definition broadcasting in October.

KELOLAND has provided critical information for the State of South Da-

kota for 60 years; however, its impact on the region and the community it serves does not stop there. In the spring of 1998, a violent tornado tore through the town of Spencer, and in an effort to help rebuild the Spencer community, KELOLAND organized a telethon to assist the victims of the tragedy. The telethon was a success and raised more than \$1 million.

KELOLAND's commitment to excellence and to its service to the region has not only been recognized by South Dakotans but also on a national stage. Along with winning 10 regional Emmy Awards, KELOLAND, in August of 2000, was awarded an Emmy for its outstanding public service.

KELOLAND's commitment to service to the State of South Dakota makes it an honor to congratulate them on their 60th anniversary of broadcasts and wish them another 60 years of success.●

REMEMBERING AL NEUHARTH

● Mr. THUNE. Mr. President, I wish today to honor the life and accomplishments of Al Neuharth.

Al Neuharth was born in Eureka, SD, on March 22, 1924, where he spent his childhood years. Al's passion for journalism was evident at a very young age when at 11 he began his first job working as a newspaper carrier in his hometown. In high school, Al began writing for his school newspaper and later became editor.

Soon after his graduation, Neuharth enlisted in the Army. Al honorably served his country during World War II in the 86th Infantry Division, under General Patton's 3rd Army. During his time in the service, Neuharth was awarded the Bronze Star and the Combat Infantryman's Badge for his bravery.

After the war, Neuharth moved back to South Dakota, where he enrolled at the University of South Dakota. In 1950, he graduated with a degree in Journalism and upon graduation began working at the Associated Press in Sioux Falls, launching a historic career.

In 1953, Neuharth moved to Florida to work for the Miami Herald. After spending several years at the Herald, in 1960 Neuharth left to work at the Detroit Free Press. In 1966, Neuharth launched a new paper called "Today," which would later become "Florida Today" and eventually grow into the USA TODAY which was published for the first time on September 15, 1982. The USA TODAY would grow rapidly throughout the country and in 2001 was the most widely read paper in the country.

Neuharth's career also included becoming the chairman and CEO of Gannett Co., Inc., where he oversaw a drastic expansion of the company's holdings. In 1991, Neuharth founded Freedom Forum, a nonpartisan inter-

national foundation dedicated to free press, free speech, and free spirit to all people. Freedom Forum funds and operates the Newseum, a museum dedicated to the history and impact of journalism. In 1999, Neuharth was honored for his lifetime achievements by the National Press Foundation with the Distinguished Contributions to Journalism Award.

Al Neuharth passed away on April 19, 2013, at Cocoa Beach, FL, at the age of 89. He will be forever remembered for his impact on journalism and will always be one of South Dakota's favorite sons.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 356. An act to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes".

H.R. 384. An act to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes.

H.R. 573. An act to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

H.R. 701. An act to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action.

H.R. 767. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 356. An act to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and

Ouray Indian Reservation in the State of Utah, and for other purposes"; to the Committee on Energy and Natural Resources.

H.R. 384. An act to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 573. An act to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa; to the Committee on Energy and Natural Resources.

H.R. 701. An act to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 767. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1527. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients" (Docket No. FDA-2012-F-0178) received in the Office of the President of the Senate on May 13, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1528. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Admiral James G. Stavridis, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-1529. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; System for Award Management Name Changes, Phase 1 Implementation" (RIN0750-AH87) (DFARS Case 2012-D053) received in the Office of the President of the Senate on May 13, 2013; to the Committee on Armed Services.

EC-1530. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, an annual report relative to recruitment incentives; to the Committee on Armed Services.

EC-1531. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13611 of May 16, 2012, with respect to Yemen; to the Committee on Banking, Housing, and Urban Affairs.

EC-1532. A communication from the General Counsel of the Federal Housing Finance

Agency, transmitting, pursuant to law, the report of a rule entitled "Executive Compensation" (RIN2590-AA12) received in the Office of the President of the Senate on May 13, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1533. A communication from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting, pursuant to law, the Bank's 2012 Management Report and statement of the system of internal control; to the Committee on Banking, Housing, and Urban Affairs.

EC-1534. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting, pursuant to law, the Bank's 2012 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-1535. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the Reducing Flight Delays Act of 2013; to the Committee on the Budget.

EC-1536. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-to-Vessel Shell Welds and Nozzle Blend Radii" received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1537. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Canton-Massillon 1997 8-Hour Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets" (FRL No. 9812-2) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1538. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Sulfur Dioxide and Nitrogen Dioxide Ambient Air Quality Standards" (FRL No. 9811-6) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1539. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend" (FRL No. 9811-7) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1540. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Lake and Porter Counties, Indiana, 1997 8-Hour Ozone Maintenance Plan and 1997 Annual Fine Particulate Matter Maintenance Plan Revision to Approved Motor Vehicle

Emissions Budgets" (FRL No. 9812-4) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1541. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina; State Implementation Plan Miscellaneous Revisions" (FRL No. 9813-5) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1542. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revocation of TSCA Section 4 Testing Requirements for One High Production Volume Chemical Substance" (FRL No. 9369-1) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC-1543. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-23) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Finance.

EC-1544. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Proportional Method for OID on Pools of Credit Card Receivables" (Rev. Proc. 2013-26) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Finance.

EC-1545. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "William D. Ford Federal Direct Loan Program" (RIN1840-AD13) received in the Office of the President of the Senate on May 14, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1546. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2012 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-1547. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, reports entitled "The 2012 National Healthcare Quality Report" and "The 2012 National Healthcare Disparities Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-1548. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled "U.S. Department of Education Fiscal Year 2012 Annual Performance Report and Fiscal Year 2014 Annual Performance Plan"; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 607, a bill to improve the provisions relating to the privacy of electronic communications (Rept. No. 113-34).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. BOXER for the Committee on Environment and Public Works.

*Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Thomas Edward Perez, of Maryland, to be Secretary of Labor.

By Mr. LEAHY for the Committee on the Judiciary.

Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Jennifer A. Dorsey, of Nevada, to be United States District Judge for the District of Nevada.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself, Mrs. BOXER, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BEGICH, Ms. MIKULSKI, Mr. FRANKEN, Mr. COONS, Ms. HIRONO, Mr. JOHANNIS, Mrs. SHAHEEN, Mr. PRYOR, Mr. SCHATZ, Mr. ROCKEFELLER, Mr. GRASSLEY, and Mrs. FEINSTEIN):

S. 967. A bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. UDALL of Colorado (for himself, Mr. PAUL, Ms. COLLINS, Mr. BEGICH, Mrs. BOXER, Mr. BROWN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. NELSON, Mr. REED, Mr. SANDERS, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. HEINRICH, and Mr. KING):

S. 968. A bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARDIN:

S. 969. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself and Mr. BOOZMAN):

S. 970. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Act; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself, Mr. CRAPO, Mr. BAUCUS, and Mr. RISCH):

S. 971. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

By Mr. COBURN (for himself, Mr. BAR-RASSO, Mr. BOOZMAN, and Mr. PAUL):

S. 972. A bill to prohibit the Secretary of Health and Human Services replacing ICD-9 with ICD-10 in implementing the HIPAA code set standards; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico:

S. 973. A bill to improve the integrity and safety of interstate horseracing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself and Mr. HELLER):

S. 974. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself and Mr. CORNYN):

S. 975. A bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009; to the Committee on the Judiciary.

By Mr. UDALL of Colorado:

S. 976. A bill to provide for education of potential military recruits on healthy body weight and to facilitate and encourage exercise in potential military recruits, and for other purposes; to the Committee on Armed Services.

By Mr. CORKER (for himself and Mr. MANCHIN):

S. 977. A bill to amend the Clean Air Act to provide that a downward adjustment of the volume of cellulosic biofuel results in a pro rata reduction of the volume of renewable fuel and advanced biofuels required under the Renewable Fuel Standard; to the Committee on Environment and Public Works.

By Mr. LEE:

S. 978. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself and Mr. UDALL of New Mexico):

S. 979. A bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CARDIN, Mr. KAINE, Mrs. BOXER, Mr. MURPHY, and Mrs. FEINSTEIN):

S. 980. A bill to provide for enhanced embassy security, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, and Mr. LAUTENBERG):

S. 981. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. PAUL, and Mr. CORKER):

S. 982. A bill to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; considered and passed.

By Mr. CORNYN:

S. 983. A bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Finance.

By Mr. TOOMEY:

S. 984. A bill to prohibit the use of funds for United States participation in joint military exercises with Egypt if the Government of Egypt abrogates, terminates, or withdraws from the 1979 Egypt-Israel peace treaty; to the Committee on Armed Services.

By Mr. HARKIN:

S. 985. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called "Glass-Steagall Act", and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin):

S. 986. A bill to prohibit performance awards in the Senior Executive Service during sequestration periods; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for himself and Mr. GRAHAM):

S. 987. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself and Mr. RUBIO):

S. Res. 143. A resolution recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. DURBIN, Mr. BOOZMAN, and Mr. ISAKSON):

S. Res. 144. A resolution concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Mr. SCHATZ):

S. Res. 145. A resolution promoting minority health awareness and supporting the goals and ideals of National Minority Health Month in April 2013 to bring attention to the health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. WICKER, Mr. SESSIONS, Ms. KLOBUCHAR, Mr. COONS, Ms. HEITKAMP, Mr. MERKLEY, Mr. DURBIN, Mr. LAUTENBERG, Mr. HATCH, Mr. BURR, and Mr. MENENDEZ):

S. Res. 146. A resolution designating the week of May 12 through May 18, 2013, as “National Police Week”; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. GRASSLEY, Mr. BEGICH, Mrs. MURRAY, Mr. KAINE, Mr. LEVIN, Mr. WYDEN, Mr. CARDIN, Mr. JOHNSON of South Dakota, Mr. BLUNT, Mr. HOEVEN, and Mr. NELSON):

S. Res. 147. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system; considered and agreed to.

By Mr. UDALL of Colorado (for himself, Mr. PORTMAN, and Mr. WYDEN):

S. Res. 148. A resolution designating May 18, 2013, as “National Kids to Parks Day”; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. DURBIN):

S. Con. Res. 16. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass; considered and agreed to.

ADDITIONAL COSPONSORS

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 204

At the request of Mr. PAUL, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Indiana (Mr. DONNELLY) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 360

At the request of Mr. UDALL of New Mexico, the name of the Senator from Montana (Mr. TESTER) was added as a

cosponsor of S. 360, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation’s natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 381

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the “Doolittle Tokyo Raiders”, for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 466

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 466, a bill to assist low-income individuals in obtaining recommended dental care.

S. 541

At the request of Ms. LANDRIEU, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 545

At the request of Ms. MURKOWSKI, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital to-

ward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 650

At the request of Ms. LANDRIEU, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 669

At the request of Mr. PRYOR, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 695

At the request of Mr. BOOZMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 701

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 701, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 731

At the request of Mr. MANCHIN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. LAUTENBERG, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Hawaii (Ms. HIRONO), the Senator from New Mexico (Mr. HEINRICH), the Senator from Hawaii (Mr. SCHATZ), the Senator from Vermont (Mr. SANDERS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 815, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 850

At the request of Mr. ALEXANDER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 850, a bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress.

S. 854

At the request of Mr. MERKLEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 854, a bill to improve student academic achievement in science, technology, engineering, and mathematics subjects.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 865, a bill to provide for

the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Nebraska (Mr. JOHANNIS), the Senator from Maine (Mr. KING), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 892

At the request of Mr. KIRK, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 897

At the request of Ms. WARREN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013-2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 931

At the request of Mr. BLUNT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 931, a bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options.

S. 942

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 953

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 955

At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 955, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 959

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 959, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs.

S. 962

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 962, a bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts.

S. CON. RES. 15

At the request of Mr. HARKIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 133

At the request of Mr. LEE, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Mississippi (Mr. WICKER), the Senator from Arizona (Mr. MCCAIN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Res. 133, a resolution expressing the sense of the Senate

that Congress and the States should investigate and correct abusive, unsanitary, and illegal abortion practices.

S. RES. 139

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 139, a resolution celebrating the 20th anniversary of the Family and Medical Leave Act of 1993.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN:

S. 969. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today, in honor of the 20th anniversary of International Migratory Bird Day on May 11, I am introducing the Neotropical Migratory Bird Conservation Act. More than half of the bird species found in the U.S. migrate across our borders and many of these spend our winter in Central and South America. This bill promotes international cooperation for long-term conservation, education, research, monitoring, and habitat protection for more than 350 species of neotropical migratory birds. Through its successful competitive, matching grant program, the U.S. Fish and Wildlife Service supports public-private partnerships in countries mostly in Latin America and the Caribbean. Up to one quarter of the funds may be awarded for domestic projects.

This legislation aims to sustain healthy populations of migratory birds that are not only beautiful to look at but help our farmers by consuming billions of harmful insect and rodent pests each year, providing pollination services, and dispersing seeds. Migratory birds face threats from pesticide pollution, deforestation, sprawl, and invasive species that degrade their habitats in addition to the natural risks of their extended flights. Birds are excellent indicators of the health of an ecosystem. As such, it is troubling that, according to the National Audubon Society, half of all coastally migrating shorebirds, like the Common Tern and Piping Plover, are experiencing dramatic population declines.

The Baltimore Oriole, the State bird of Maryland and one whose song brightens all of the Northeastern U.S., has steadily declined in population despite being protected by Federal law under the Migratory Bird Treaty Act of 1918 and the state of Maryland's Nongame and Endangered Species Conservation Act. Likewise, the iconic Red Knot bird, whose legendary 9,000 mile migration centers on a stopover in the Mid-Atlantic states, is decreasing in population quickly. Threats to these

beloved Maryland birds are mainly due to habitat destruction and deforestation, particularly in the Central and South American countries where the birds winter. In addition, international use of toxic pesticides ingested by insects, which are then eaten by the birds, has significantly contributed to this decline. Conservation efforts in our country are essential, but investment in programs throughout the migratory route of these and countless other migratory birds is critical. This legislation accomplishes this goal.

The Neotropical Migratory Bird Conservation Act has a proven track record of reversing habitat loss and advancing conservation strategies for the broad range of neotropical birds that populate the United States and the rest of the Western hemisphere. To date, the U.S. Fish and Wildlife Service has administered these grants to support 422 projects in more than 35 countries. The \$46.5 million that this program has provided in grants has leveraged \$178.5 million from partners, almost four additional dollars for every one spent. More than 3.25 million acres of quality bird habitat have benefitted. In addition, birding is among the wildlife watching activities that generate jobs and income, approximately \$2.7 billion annually, for the U.S. economy.

This legislation is cost-effective, budget-friendly, and has been a highly successful federal program. This simple reauthorization bill will make sure that this good work continues.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.

Section 10 of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6109) is amended to read as follows:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act such sums as are necessary for each of fiscal years 2014 through 2019.

“(b) USE OF FUNDS.—Of the amounts made available under subsection (a) for each fiscal year, not less than 75 percent shall be expended for projects carried out at a location outside of the United States.”

By Mr. CARDIN (for himself and Mr. BOOZMAN):

S. 970. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Act; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am introducing the Water Resources

Research Amendments Act. First authorized in 1964, the Water Resources Research Act established 54 Water Resources Research Institutes at top land grant universities in each of the 50 States and the U.S. territories. These institutes created a grant program and provided opportunities for applied water supply research. The bill I introduce today would reauthorize the grant program for the next 5 years and would add a program focused on research and development of green infrastructure.

Water and the availability thereof is a defining characteristic of U.S. landscape, culture, wealth, and security. Clean water is a relatively rare and invaluable resource. Last year's funded projects included research into the impacts of climate change on water supply lakes, the development of better detection methods for pathogens in drinking water, and the impacts of drought on farm supply chains. In my own State, some of the tools we use for restoration of the Chesapeake Bay were products of these same grants in previous years. WRRR Researchers across the Mid-Atlantic States have developed ways to keep the Chesapeake waters cleaner through urban stormwater treatment, improved roadway design, and eco-friendly poultry farming practices. WRRR-funded projects develop innovative and cost-effective solutions for similar water resources issues across the country. Undoubtedly, funding WRRR is an intelligent and necessary investment in the future of our water resources.

WRRR authorizes two types of annual grants. First, it supplies grants to each Water Resources Research Institute for research that fosters improvements in water supply reliability, explores new ways to address water problems, encourages dissemination of research to water managers and the public, and encourages the entry of new scientists, engineers and technicians into the water resources field. Second, WRRR authorizes a national competitive grant program to address regional water issues. All WRRR grants leverage non-federal dollars at a minimum ratio of 2 to 1, but often far beyond that level, as high as 5 to 1.

The Water Resources Research Act was most recently reauthorized in 2006, in PL 109-471. In that period, the program was authorized at \$12,000,000 per year, providing \$6,000,000 each to state and competitive project grants. Authorization for these grants expired in fiscal year 2011. Today's bill would reauthorize both grant programs for an additional 5 years by providing \$7,500,000 for institutional grants and \$1,500,000 for national competitive grants. This lower authorization level reflects our efforts to adjust for present fiscal limitations. The proposed authorization maximizes the economic efficiency of the program without compromising its efficacy. An independent review panel has judged that

the Water Resources Research Institutes command significant funding leverage for the modest amount of appropriations required to support it. Thus, we can be sure that we are supporting top-notch science while maximizing cost-effectiveness. Moreover, by funding this network of institutes we are investing in our future. The Water Resources Research Institutes are the country's single largest training program for water scientists, technicians, and engineers.

Today, floods, droughts, and water degradation issues pervade the nation. Simultaneously, water resources are increasingly critical for production of resources, economic stability, and the health and well-being of the citizenry. WRRRA grants provide us with improved understanding of water-related issues and better technology to address them. Nearly half a century after the Water Resources Research grant program was first put in place, this program is relevant, critical, and deserving of our support.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 970

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Water Resources Research Amendments Act of 2013".

SEC. 2. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking "and" at the end; and

(3) by inserting after paragraph (6) the following:

"(7) additional research is required into increasing the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

"(A) nonstructural alternatives;

"(B) decentralized approaches;

"(C) water use efficiency; and

"(D) actions to reduce energy consumption or extract energy from wastewater;".

(b) CLARIFICATION OF RESEARCH ACTIVITIES.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended—

(1) in subparagraph (B)(ii), by striking "water-related phenomena" and inserting "water resources"; and

(2) in subparagraph (D), by striking the period at the end and inserting "; and".

(c) COMPLIANCE REPORT.—Section 104(c) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(c)) is amended—

(1) by striking "From the" and inserting "(1) IN GENERAL.—From the"; and

(2) by adding at the end the following:

"(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall sub-

mit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year."

(d) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by striking subsection (e) and inserting the following:

"(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

"(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

"(A) the quality and relevance of the water resources research of the institute;

"(B) the effectiveness of the institute at producing measured results and applied water supply research; and

"(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

"(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary."

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking "\$12,000,000 for each of fiscal years 2007 through 2011" and inserting "\$7,500,000 for each of fiscal years 2013 through 2018".

(f) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(g)(1)) is amended by striking "\$6,000,000 for each of fiscal years 2007 through 2011" and inserting "\$1,500,000 for each of fiscal years 2013 through 2018".

By Mr. WYDEN (for himself, Mr. CRAPO, Mr. BAUCUS, and Mr. RISCH):

S. 971. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

Mr. WYDEN. Mr. President, today I rise to reintroduce the Silviculture Regulatory Consistency Act with my colleague Senator CRAPO. This legislation would end the legal uncertainty facing the timber industry by enacting legislation to preserve the Environmental Protection Agency's 37-year old policy treating forest roads as non-point sources under the Clean Water Act.

For 37 years, the EPA has maintained that forest roads are non-point sources. Furthermore, in March of this year, the U.S. Supreme Court overturned the Ninth Circuit Court of Appeals' ruling on forest roads, upholding EPA's au-

thority to regulate forest roads as nonpoint sources under the Clean Water Act. Various studies show that if the EPA were to change their decades-long position and require Federal, State, county, tribal and private forest road owners to obtain a point source permit, the cost could reach billions of dollars and cost thousands of jobs. The Pacific Northwest needs more jobs in the woods. The way to do that is to get the timber cut up and to stop litigating questions that have already been answered.

In the 112th Congress, Senator CRAPO and I introduced similar legislation on forest roads. The legislation we introduce today is different in only two respects. First, the bill includes new language to prevent forest roads from being otherwise regulated by the EPA. This language is needed because in its March 2013 decision, the U.S. Supreme Court upheld the EPA's authority to regulate forest roads as non-point sources, and therefore not require mandatory point source permits; however, it did not address the Ninth Circuit's previous ruling that forest roads are point sources. As a result, the EPA must respond to the Court's ruling that the EPA use its discretionary authority to determine whether or not to regulate forest roads as point sources. This will inevitably result in further litigation over permits for forest roads.

Second, the bill we introduce today includes the language adopted last year by the House Transportation and Infrastructure Committee to clarify the list of forest activities the EPA will not regulate as point sources. The Committee favorably reported the bill with this addition.

Let me be clear. This legislation upholds an existing EPA regulation. Furthermore, this legislation does not weaken the Clean Water Act. The Clean Water Act remains in the same force as it has since it was enacted in 1972.

The introduction of this bill begins the legislative process. There will be an opportunity for hearings, testimony provided by witnesses and Federal agencies, and public dialogue on this bill. It is my hope that this legislation will provide the certainty that the timber industry needs to increase jobs in the woods, get the timber cut up, and put an end to litigating the question of whether or not EPA has the authority to regulate forest roads as non-point sources.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 971

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Silviculture Regulatory Consistency Act".

SEC. 2. SILVICULTURAL ACTIVITIES.

Section 402(1) of the Federal Water Pollution Control Act (33 U.S.C. 1342(1)) is amended by adding at the end the following:

“(3) SILVICULTURAL ACTIVITIES.—

(A) NPDES PERMIT REQUIREMENTS FOR SILVICULTURAL ACTIVITIES.—The Administrator shall not require a permit or otherwise promulgate regulations under this section or directly or indirectly require any State to require a permit under this section for a discharge of stormwater runoff resulting from the conduct of the following silvicultural activities: nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, and road use, construction, and maintenance.

“(B) PERMITS FOR DREDGED OR FILL MATERIAL.—Nothing in this paragraph exempts a silvicultural activity resulting in the discharge of dredged or fill material from any permitting requirement under section 404.”.

By Mr. REID (for himself and Mr. HELLER):

S. 974. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.—**This Act may be cited as the “Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013”.

(b) **TABLE OF CONTENTS.—**The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Tule Springs Fossil Beds National Monument.
- Sec. 3. Addition of land to Red Rock Canyon National Conservation Area.
- Sec. 4. Conveyance of Bureau of Land Management land to North Las Vegas.
- Sec. 5. Conveyance of Bureau of Land Management land to Las Vegas.
- Sec. 6. Expansion of conveyance to Las Vegas Metropolitan Police Department.
- Sec. 7. Spring Mountains National Recreation Area withdrawal.
- Sec. 8. Southern Nevada Public Land Management Act of 1998 amendments.
- Sec. 9. Conveyance of land to the Nevada System of Higher Education.
- Sec. 10. Land conveyance for Southern Nevada Supplemental Airport.
- Sec. 11. Sunrise Mountain Instant Study Area release.
- Sec. 12. Nellis Dunes Off-Highway Vehicle Recreation Area.
- Sec. 13. Conveyance of land for Nellis Air Force Base.
- Sec. 14. Military overflights.

SEC. 2. TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.

(a) **FINDINGS.—**Congress finds that—

(1) since 1933, the Upper Las Vegas Wash has been valued by scientists because of the

significant paleontological resources demonstrative of the Pleistocene Epoch that are located in the area;

(2) in 2004, during the preparation of the Las Vegas Valley Disposal Boundary Final Environmental Impact Statement, the Bureau of Land Management identified sensitive biological, cultural, and paleontological resources determined to be worthy of more evaluation with respect to the protective status of the resources;

(3) the Upper Las Vegas Wash contains thousands of paleontological resources from the Pleistocene Epoch that are preserved in a unique geological context that are of national importance, including Columbian mammoth, ground sloth, American lion, camels, and horse fossils;

(4) in addition to Joshua trees and several species of cacti, the Las Vegas buckwheat, Merriam’s bearpoppy, and the Las Vegas bearpoppy are 3 unique and imperiled plants that are supported in the harsh desert environment of Tule Springs;

(5) the area provides important habitat for threatened desert tortoise, endemic poppy bees, kit foxes, burrowing owls, LeConte’s thrasher, phainopepla, and a variety of reptiles;

(6) in studies of the area conducted during the last decade, the Bureau of Land Management and National Park Service determined that the area likely contains the longest continuous section of Pleistocene strata in the desert southwest, which span multiple important global climate cooling and warming episodes;

(7) the Upper Las Vegas Wash is significant to the culture and history of the native and indigenous people of the area, including the Southern Paiute Tribe;

(8) despite the findings of the studies and recommendations for further assessment of the resources for appropriate methods of protection—

(A) the area remains inadequately protected; and

(B) many irreplaceable fossil specimens in the area have been lost to vandalism or theft; and

(9) designation of the Upper Las Vegas Wash site as a National Monument would protect the unique fossil resources of the area and the geological context of those resources for present and future generations while allowing for public education and continued scientific research opportunities.

(b) **DEFINITIONS.—**In this section:

(1) **COUNCIL.—**The term “Council” means the Tule Springs Fossil Beds National Monument Advisory Council established by subsection (g)(1).

(2) **COUNTY.—**The term “County” means Clark County, Nevada.

(3) **LOCAL GOVERNMENT.—**The term “local government” means the City of Las Vegas, City of North Las Vegas, or the County.

(4) **MANAGEMENT PLAN.—**The term “management plan” means the management plan for the Monument developed under subsection (d)(5).

(5) **MAP.—**The term “Map” means the map entitled “North Las Vegas Valley Overview” and dated April 30, 2013.

(6) **MONUMENT.—**The term “Monument” means the Tule Springs Fossil Beds National Monument established by subsection (c)(1).

(7) **PUBLIC LAND.—**The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(8) **PUBLIC WATER AGENCY.—**The term “public water agency” means a regional whole-

sale water provider that is engaged in the acquisition of water on behalf of, or the delivery of water to, water purveyors who are member agencies of the public water agency.

(9) **QUALIFIED ELECTRIC UTILITY.—**The term “qualified electric utility” means any public or private utility determined by the Secretary to be technically and financially capable of developing the transmission line.

(10) **SECRETARY.—**The term “Secretary” means the Secretary of the Interior.

(11) **STATE.—**The term “State” means the State of Nevada.

(c) **ESTABLISHMENT.—**

(1) **IN GENERAL.—**In order to conserve, protect, interpret, and enhance for the benefit of present and future generations the unique and nationally important paleontological, scientific, educational, and recreational resources and values of the land described in this subsection, there is established in the State, subject to valid existing rights, the Tule Springs Fossil Beds National Monument.

(2) **BOUNDARIES.—**The Monument shall consist of approximately 22,650 acres of public land in the County within the boundaries generally depicted on the Map.

(3) **MAP; LEGAL DESCRIPTION.—**

(A) **IN GENERAL.—**As soon as practicable after the date of enactment of this Act, the Secretary shall prepare an official map and legal description of the boundaries of the Monument.

(B) **LEGAL EFFECT.—**The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical or typographical errors in the legal description or the map.

(C) **AVAILABILITY OF MAP AND LEGAL DESCRIPTION.—**The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

(4) **ACQUISITION OF LAND.—**

(A) **IN GENERAL.—**Subject to subparagraph (B), the Secretary may acquire land or interests in land within or adjacent to the boundaries of the Monument by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency.

(B) **LIMITATION.—**Land or interests in land that are owned by the State or a political subdivision of the State may be acquired under subparagraph (A) only by donation or exchange.

(5) **WITHDRAWALS.—**Subject to valid existing rights and subsections (e) and (f), any land within the Monument or any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this Act is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(6) **RELATIONSHIP TO CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.—**

(A) **AMENDMENT TO PLAN.—**The Secretary shall credit, on an acre-for-acre basis, approximately 22,650 acres of the land conserved for the Monument under this Act toward the development of additional non-Federal land within the County through an amendment to the Clark County Multi-Species Habitat Conservation Plan.

(B) EFFECT ON PLAN.—Nothing in this Act otherwise limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan.

(d) ADMINISTRATION.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the approximately 22,650 acres of public land depicted on the Map as “Tule Springs Fossil Bed National Monument” is transferred from the Bureau of Land Management to the National Park Service.

(2) MANAGEMENT.—The Secretary shall—

(A) allow only such uses of the Monument that—

- (i) are consistent with this section;
- (ii) the Secretary determines would further the purposes of the Monument; and
- (iii) are consistent with existing rights of previously authorized water facility and high voltage transmission facility rights-of-way and any rights-of-way issued under this Act, including the operation, maintenance, replacement, and repair and repair of the facility; and

(B) manage the Monument—

(i) in a manner that conserves, protects, interprets, and enhances the resources and values of the Monument; and

(ii) in accordance with—

- (I) this section;
- (II) the provisions of laws generally applicable to units of the National Park System (including the National Park Service Organic Act (16 U.S.C. 1 et seq.)); and
- (III) any other applicable laws.

(3) BUFFER ZONES.—The establishment of the Monument shall not—

(A) lead to the creation of express or implied protective perimeters or buffer zones around or over the Monument;

(B) preclude disposal or development of public land adjacent to the boundaries of the Monument, if the disposal or development is consistent with other applicable law;

(C) preclude an activity on, or use of, private land adjacent to the boundaries of the Monument, if the activity or use is consistent with other applicable law; or

(D) directly or indirectly subject an activity on, or use of, private land, to additional regulation, if the activity or use is consistent with other applicable law.

(4) AIR AND WATER QUALITY.—Nothing in this Act alters the standards governing air or water quality outside the boundary of the Monument.

(5) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan that provides for the long-term protection and management of the Monument.

(B) COMPONENTS.—The management plan—

(i) shall, consistent with this section and the purposes of the Monument—

- (I) describe the resources at the Monument that are to be protected;
- (II) describe the appropriate uses and management of the Monument;
- (III) allow for continued scientific research at the Monument; and
- (IV) include a travel management plan that may include existing public transit; and

(ii) may—

(I) incorporate any appropriate decisions contained in an existing management or activity plan for the land designated as the Monument under subsection (c)(1); and

(II) use information developed in any study of land within, or adjacent to, the boundary of the Monument that was conducted before the date of enactment of this Act.

(C) PUBLIC PROCESS.—In preparing the management plan, the Secretary shall—

(i) consult with, and take into account the comments and recommendations of, the Council;

(ii) provide an opportunity for public involvement in the preparation and review of the management plan, including holding public meetings;

(iii) consider public comments received as part of the public review and comment process of the management plan; and

(iv) consult with governmental and non-governmental stakeholders involved in establishing and improving the regional trail system to incorporate, where appropriate, trails in the Monument that link to the regional trail system.

(6) INTERPRETATION, EDUCATION, AND SCIENTIFIC RESEARCH.—

(A) IN GENERAL.—The Secretary shall provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument, with priority given to exhibiting and curating the resources.

(B) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State, political subdivisions of the State, nonprofit organizations, and appropriate public and private entities to carry out subparagraph (A).

(e) RENEWABLE ENERGY TRANSMISSION FACILITIES.—

(1) IN GENERAL.—On receipt of a complete application from a qualified electric utility, the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), shall issue to the qualified electric utility a 400-foot right-of-way for the construction and maintenance of high-voltage transmission facilities depicted on the Map as “Renewable Energy Transmission Corridor” if the high-voltage transmission facilities do not conflict with other previously authorized rights-of-way within the corridor.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The high-voltage transmission facilities shall—

(i) be used—

(I) primarily, to the maximum extent practicable, for renewable energy resources; and

(II) to meet reliability standards set by the North American Electric Reliability Corporation, the Western Electricity Coordinating Council, or the public utilities regulator of the State; and

(ii) employ best management practices identified as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to limit impacts on the Monument, including impacts to the viewshed.

(B) CAPACITY.—The Secretary shall consult with the qualified electric utility that is issued the right-of-way under paragraph (1) and the public utilities regulator of the State to seek to maximize the capacity of the high-voltage transmission facilities.

(3) TERMS AND CONDITIONS.—The issuance of a notice to proceed on the construction of the high-voltage transmission facilities within the right-of-way under paragraph (1) shall be subject to terms and conditions that the Secretary (in consultation with the qualified electric utility), as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), determines appropriate to protect and conserve the resources for which the Monument is managed.

(4) EXPIRATION OF RIGHT-OF-WAY.—The right-of-way issued under paragraph (1) shall expire on the date that is 15 years after the date of enactment of this Act if construction

of the high-voltage transmission facilities described in paragraph (1) has not been initiated by that date, unless the Secretary determines that it is in the public interest to continue the right-of-way.

(f) WATER CONVEYANCE FACILITIES.—

(1) WATER CONVEYANCE FACILITIES CORRIDOR.—

(A) IN GENERAL.—On receipt of 1 or more complete applications from a public water agency and except as provided in subparagraph (B), the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), shall issue to the public water agency a 100-foot right-of-way for the construction, maintenance, repair, and replacement of a buried water conveyance pipeline and associated facilities within the “Water Conveyance Facilities Corridor” and the “Renewable Energy Transmission Corridor” depicted on the Map.

(B) LIMITATION.—A public water agency right-of-way shall not be granted under subparagraph (A) within the portion of the Renewable Energy Transmission Corridor that is located along the Moccasin Drive alignment, which is generally between T. 18 S. and T. 19 S., Mount Diablo Baseline and Meridian.

(2) BURIED WATER CONVEYANCE PIPELINE.—On receipt of 1 or more complete applications from a unit of local government or public water agency, the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), shall issue to the unit of local government or public water agency a 100-foot right-of-way for the construction, operation, maintenance, repair, and replacement of a buried water conveyance pipeline to access the existing buried water pipeline turnout facility and surge tank located in the NE ¼ sec. 16 of T. 19 S. and R. 61 E.

(3) REQUIREMENTS.—

(A) BEST MANAGEMENT PRACTICES.—The water conveyance facilities shall employ best management practices identified as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to limit the impacts of the water conveyance facilities on the Monument.

(B) CONSULTATIONS.—The water conveyance facilities within the “Renewable Energy Transmission Corridor” shall be sited in consultation with the qualified electric utility to limit the impacts of the water conveyance facilities on the high-voltage transmission facilities.

(4) TERMS AND CONDITIONS.—The issuance of a notice to proceed on the construction of the water conveyance facilities within the right-of-way under paragraph (1) shall be subject to any terms and conditions that the Secretary, in consultation with the public water agency, as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), determines appropriate to protect and conserve the resources for which the Monument is managed.

(g) TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT ADVISORY COUNCIL.—

(1) ESTABLISHMENT.—To provide guidance for the management of the Monument, there is established the Tule Springs Fossil Beds National Monument Advisory Council.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall consist of 13 members, to be appointed by the Secretary, of whom—

(i) 1 member shall be a member of, or be nominated by, the County Commission;

(ii) 1 member shall be a member of, or be nominated by, the city council of Las Vegas, Nevada;

(iii) 1 member shall be a member of, or be nominated by, the city council of North Las Vegas, Nevada;

(iv) 1 member shall be a member of, or be nominated by, the tribal council of the Las Vegas Paiute Tribe;

(v) 1 member shall be a representative of the conservation community in southern Nevada;

(vi) 1 member shall be a representative of, or be nominated by, the Director of the Bureau of Land Management;

(vii) 1 member shall be a representative of, or be nominated by, the Director of the United States Fish and Wildlife Service;

(viii) 1 member shall be a representative of, or be nominated by, the Director of the National Park Service;

(ix) 1 member shall be a representative of Nellis Air Force Base;

(x) 1 member shall be nominated by the State;

(xi) 1 member shall reside in the County and have a background that reflects the purposes for which the Monument was established; and

(xii) 2 members shall reside in the County or adjacent counties, both of whom shall have experience in the field of paleontology, obtained through higher education, experience, or both.

(B) INITIAL APPOINTMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the initial members of the Council in accordance with subparagraph (A).

(3) DUTIES OF THE COUNCIL.—The Council shall advise the Secretary with respect to—

(A) the preparation and implementation of the management plan; and

(B) other issues related to the management of the Monument (including budgetary matters).

(4) COMPENSATION.—Members of the Council shall receive no compensation for serving on the Council.

(5) CHAIRPERSON.—

(A) IN GENERAL.—Subject to subparagraph (B), the Council shall elect a Chairperson from among the members of the Council.

(B) LIMITATION.—The Chairperson shall not be a member of a Federal or State agency.

(C) TERM.—The term of the Chairperson shall be 3 years.

(6) TERM OF MEMBERS.—

(A) IN GENERAL.—The term of a member of the Council shall be 3 years.

(B) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Council, a member may continue to serve on the Council until—

(i) the member is reappointed by the Secretary; or

(ii) a successor is appointed.

(7) VACANCIES.—

(A) IN GENERAL.—A vacancy on the Council shall be filled in the same manner in which the original appointment was made.

(B) APPOINTMENT FOR REMAINDER OF TERM.—A member appointed to fill a vacancy on the Council—

(i) shall serve for the remainder of the term for which the predecessor was appointed; and

(ii) may be nominated for a subsequent term.

(8) TERMINATION.—Unless an extension is jointly recommended by the Director of the National Park Service and the Director of the Bureau of Land Management, the Council shall terminate on the date that is 6

years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 3. ADDITION OF LAND TO RED ROCK CANYON NATIONAL CONSERVATION AREA.

(a) DEFINITIONS.—In this section:

(1) CONSERVATION AREA.—The term “Conservation Area” means the Red Rock Canyon National Conservation Area established by the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.).

(2) MAP.—The term “map” means the map entitled “North Las Vegas Valley Overview” and dated April 30, 2013.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) ADDITION OF LAND TO CONSERVATION AREA.—

(1) IN GENERAL.—The Conservation Area is expanded to include the land depicted on the map as “Additions to Red Rock NCA”.

(2) MANAGEMENT PLAN.—Not later than 2 years after the date on which the land is acquired, the Secretary shall update the management plan for the Conservation Area to reflect the management requirements of the acquired land.

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the map; or

(ii) the legal description.

(C) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 4. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO NORTH LAS VEGAS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “map” means the map entitled “North Las Vegas Valley Overview” and dated April 30, 2013.

(2) NORTH LAS VEGAS.—The term “North Las Vegas” means the city of North Las Vegas, Nevada.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act and subject to valid existing rights, the Secretary shall convey to North Las Vegas, without consideration, all right, title, and interest of the United States in and to the land described in subsection (c).

(c) DESCRIPTION OF LAND.—The land referred to in subsection (b) consists of the land managed by the Bureau of Land Management described on the map as the “North Las Vegas Job Creation Zone” (including the interests in the land).

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for

public inspection in the appropriate offices of the Bureau of Land Management.

(e) USE OF LAND FOR NONRESIDENTIAL DEVELOPMENT.—

(1) IN GENERAL.—North Las Vegas may sell, lease, or otherwise convey any portion of the land described in subsection (c) for nonresidential development.

(2) METHOD OF SALE.—The sale, lease, or conveyance of land under paragraph (1) shall be carried out—

(A) through a competitive bidding process; and

(B) for not less than fair market value.

(3) FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practices; and

(C) any other applicable law (including regulations).

(4) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale, lease, or conveyance of land under paragraph (1) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045).

(f) USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.—

(1) IN GENERAL.—North Las Vegas may retain a portion of the land described in subsection (c) for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.) by providing written notice of the election to the Secretary.

(2) REVOCATION.—If North Las Vegas retains land for public recreation or other public purposes under paragraph (1), North Las Vegas may—

(A) revoke that election; and

(B) sell, lease, or convey the land in accordance with subsection (e).

(g) ADMINISTRATIVE COSTS.—North Las Vegas shall pay all appraisal costs, survey costs, and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (c).

(h) REVERSION.—

(1) IN GENERAL.—If any parcel of land described in subsection (c) is not conveyed for nonresidential development under this section or reserved for recreation or other public purposes under subparagraph (f) by the date that is 30 years after the date of enactment of this Act, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(2) INCONSISTENT USE.—If North Las Vegas uses any parcel of land described in subsection (c) in a manner that is inconsistent with this section—

(A) at the discretion of the Secretary, the parcel shall revert to the United States; or

(B) if the Secretary does not make an election under subparagraph (A), North Las Vegas shall sell the parcel of land in accordance with this section.

SEC. 5. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO LAS VEGAS.

(a) DEFINITIONS.—In this section:

(1) LAS VEGAS.—The term “Las Vegas” means the city of Las Vegas, Nevada.

(2) MAP.—The term “map” means the map entitled “North Las Vegas Valley Overview” and dated April 30, 2013.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to Las Vegas, without consideration, all right, title, and interest of the United States in and to the land described in subsection (c).

(c) **DESCRIPTION OF LAND.**—The land referred to in subsection (b) consists of land managed by the Bureau of Land Management described on the map as “Las Vegas Job Creation Zone” (including interests in the land).

(d) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) **MINOR ERRORS.**—The Secretary may correct any minor error in—

- (A) the map; or
- (B) the legal description.

(3) **AVAILABILITY.**—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) **USE OF LAND.**—

(1) **IN GENERAL.**—Las Vegas may sell, lease, or otherwise convey any portion of the land described in subsection (c) for nonresidential development.

(2) **METHOD OF SALE.**—The sale, lease, or conveyance of land under paragraph (1) shall be carried out, after consultation with the Las Vegas Paiute Tribe—

(A) through a competitive bidding process; and

- (B) for not less than fair market value.

(3) **FAIR MARKET VALUE.**—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practices; and

(C) any other applicable law (including regulations).

(4) **DISPOSITION OF PROCEEDS.**—The gross proceeds from the sale, lease, or conveyance of land under paragraph (1) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045).

(f) **USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.**—

(1) **IN GENERAL.**—Las Vegas may retain a portion of the land described in subsection (c) for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.) by providing written notice of the election to the Secretary.

(2) **REVOCAION.**—If Las Vegas retains land for public recreation or other public purposes under paragraph (1), Las Vegas may—

- (A) revoke that election; and

(B) sell, lease, or convey the land in accordance with subsection (e).

(g) **ADMINISTRATIVE COSTS.**—Las Vegas shall pay all appraisal costs, survey costs, and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (c).

(h) **REVERSION.**—

(1) **IN GENERAL.**—If any parcel of land described in subsection (c) is not conveyed for nonresidential development under this section or reserved for recreation or other public purposes under subsection (f) by the date that is 30 years after the date of enactment of this Act, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(2) **INCONSISTENT USE.**—If Las Vegas uses any parcel of land described in subsection (c) in a manner that is inconsistent with this section—

(A) at the discretion of the Secretary, the parcel shall revert to the United States; or

(B) if the Secretary does not make an election under subparagraph (A), Las Vegas shall sell the parcel of land in accordance with this section.

SEC. 6. EXPANSION OF CONVEYANCE TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT.

Section 703 of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (Public Law 107-282; 116 Stat. 2013) is amended by inserting before the period at the end the following: “and the parcel of land identified as ‘Conveyance to Las Vegas for Police Shooting Range Access’ on the map entitled ‘North Las Vegas Valley Overview’, and dated April 30, 2013”.

SEC. 7. SPRING MOUNTAINS NATIONAL RECREATION AREA WITHDRAWAL.

Section 8 of the Spring Mountains National Recreation Area Act (16 U.S.C. 460hhh-6) is amended—

(1) in subsection (a), by striking “for lands described” and inserting “as provided”; and

(2) by striking subsection (b) and inserting the following:

“(b) **EXCEPTIONS.**—

“(1) **IN GENERAL.**—Notwithstanding subsection (a), W½ E ½ and W ½, sec. 27, T. 23 S., R. 58 E., Mt. Diablo Meridian is not subject to withdrawal under that subsection.

“(2) **EFFECT OF ENTRY UNDER PUBLIC LAND LAWS.**—Notwithstanding paragraph (1) of subsection (a), the following are not subject to withdrawal under that paragraph:

“(A) Any Federal land in the Recreation Area that qualifies for conveyance under Public Law 97-465 (commonly known as the “Small Tracts Act”) (16 U.S.C. 521c et seq.), which, notwithstanding section 7 of that Act (16 U.S.C. 521i), may be conveyed under that Act.

“(B) Any Federal land in the Recreation Area that the Secretary determines to be appropriate for conveyance by exchange for non-Federal land within the Recreation Area under authorities generally providing for the exchange of National Forest System land.”.

SEC. 8. SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT OF 1998 AMENDMENTS.

Section 4 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2344; 116 Stat. 2007) is amended—

(1) in the first sentence of subsection (a), by striking “dated October 1, 2002” and inserting “dated April 30, 2013”; and

(2) in subsection (g), by adding at the end the following:

“(5) Notwithstanding paragraph (4), subject to paragraphs (1) through (3), Clark County may convey to a unit of local government or regional governmental entity, without consideration, land located within the Airport Environs Overlay District (as of the date of enactment of this paragraph) if the land is used for a water or wastewater treatment facility or any other public purpose consistent

with uses allowed under the Act of June 14, 1926 (commonly known as the ‘Recreation and Public Purposes Act’) (43 U.S.C. 869 et seq.), provided that if the conveyed land is used for a purpose other than a public purpose, paragraph (4) would apply to the conveyance.”.

SEC. 9. CONVEYANCE OF LAND TO THE NEVADA SYSTEM OF HIGHER EDUCATION.

(a) **DEFINITIONS.**—In this section:

(1) **BOARD OF REGENTS.**—The term “Board of Regents” means the Board of Regents of the Nevada System of Higher Education.

(2) **CAMPUSES.**—The term “Campuses” means the Great Basin College, College of Southern Nevada, and University of Las Vegas, Nevada, campuses.

(3) **FEDERAL LAND.**—The term “Federal land” means each of the 3 parcels of Bureau of Land Management land identified on the maps as “Parcel to be Conveyed”, of which—

(A) approximately 40 acres is to be conveyed for the College of Southern Nevada;

(B) approximately 2,085 acres is to be conveyed for the University of Nevada, Las Vegas; and

(C) approximately 285 acres is to be conveyed for the Great Basin College.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(5) **STATE.**—The term “State” means the State of Nevada.

(6) **SYSTEM.**—The term “System” means the Nevada System of Higher Education.

(b) **CONVEYANCES OF FEDERAL LAND TO THE SYSTEM.**—

(1) **CONVEYANCES.**—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and section 1(c) of the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869(c)) and subject to all valid existing rights, the Secretary shall—

(A) not later than 180 days after the date of enactment of this Act, convey to the System, without consideration, all right, title, and interest of the United States in and to—

(i) the Federal land identified on the map entitled “Great Basin College Land Conveyance” and dated June 26, 2012, for the Great Basin College; and

(ii) the Federal land identified on the map entitled “College of Southern Nevada Land Conveyance” and dated June 26, 2012, for the College of Southern Nevada, subject to the requirement that, as a precondition of the conveyance, the Board of Regents shall, by mutual assent, enter into a binding development agreement with the City of Las Vegas that—

(I) provides for the orderly development of the Federal land to be conveyed under this subclause; and

(II) complies with State law; and

(B) convey to the System, without consideration, all right, title, and interest of the United States in and to the Federal land identified on the map entitled “North Las Vegas Valley Overview” and dated April 30, 2013 for the University of Nevada, Las Vegas, if the area identified as “Potential Utility Schedule” on the map is reserved for use for a potential 400-foot utility corridor of certain rights-of-way for transportation and public utilities.

(2) **CONDITIONS.**—

(A) **IN GENERAL.**—As a condition of the conveyance under paragraph (1), the Board of Regents shall agree in writing—

(i) to pay any administrative costs associated with the conveyance, including the costs of any environmental, wildlife, cultural, or historical resources studies;

(ii) to use the Federal land conveyed for educational and recreational purposes;

(iii) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the Federal land on or before the date of enactment of this Act by the United States or any person; and

(iv) to assist the Bureau of Land Management in providing information to the students of the System and the citizens of the State on—

(I) public land (including the management of public land) in the Nation; and

(II) the role of the Bureau of Land Management in managing, preserving, and protecting the public land in the State.

(B) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(i) IN GENERAL.—The Federal land conveyed to the System under paragraph (1)(B) shall be used in accordance with the agreement entitled the “Cooperative Interlocal Agreement between the Board of Regents of the Nevada System of Higher Education, on Behalf of the University of Nevada, Las Vegas, and the 99th Air Base Wing, Nellis Air Force Base, Nevada” and dated June 19, 2009.

(ii) MODIFICATIONS.—Any modifications to the agreement described in clause (i) or any related master plan shall require the mutual assent of the parties to the agreement.

(iii) LIMITATION.—In no case shall the use of the Federal land conveyed under paragraph (1)(B) compromise the national security mission or aviation rights of Nellis Air Force Base.

(3) USE OF FEDERAL LAND.—The System may use the Federal land conveyed under paragraph (1) for any public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(4) REVERSION.—

(A) IN GENERAL.—If the Federal land or any portion of the Federal land conveyed under paragraph (1) ceases to be used for the System, the Federal land, or any portion of the Federal land shall, at the discretion of the Secretary, revert to the United States.

(B) UNIVERSITY OF NEVADA, LAS VEGAS.—If the System fails to complete the first building or show progression toward development of the University of Nevada, Las Vegas campus on the applicable parcels of Federal land by the date that is 50 years after the date of receipt of certification of acceptable remediation of environmental conditions, the parcels of the Federal land described in subsection (a)(3)(B) shall, at the discretion of the Secretary, revert to the United States.

(C) COLLEGE OF SOUTHERN NEVADA.—If the System fails to complete the first building or show progression toward development of the College of Southern Nevada campus on the applicable parcels of Federal land by the date that is 12 years after the date of conveyance of the applicable parcels of Federal land to the College of Southern Nevada, the parcels of the Federal land described in subsection (a)(3)(A) shall, at the discretion of the Secretary, revert to the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 10. LAND CONVEYANCE FOR SOUTHERN NEVADA SUPPLEMENTAL AIRPORT.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means Clark County, Nevada.

(2) MAP.—The term “Map” means the map entitled “Land Conveyance for Southern Ne-

vada Supplemental Airport” and dated June 26, 2012.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) LAND CONVEYANCE.—

(1) IN GENERAL.—As soon as practicable after the date described in paragraph (2), subject to valid existing rights and paragraph (3), and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the land described in subsection (c).

(2) DATE ON WHICH CONVEYANCE MAY BE MADE.—The Secretary shall not make the conveyance described in paragraph (1) until the later of the date on which the Administrator of the Federal Aviation Administration has—

(A) approved an airport layout plan for an airport to be located in the Ivanpah Valley; and

(B) with respect to the construction and operation of an airport on the site conveyed to the County pursuant to section 2(a) of the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106-362; 114 Stat. 1404), issued a record of decision after the preparation of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) RESERVATION OF MINERAL RIGHTS.—In conveying the public land under paragraph (1), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(4) WITHDRAWAL.—Subject to valid existing rights, the public land to be conveyed under paragraph (1) is withdrawn from—

(A) location, entry, and patent under the mining laws; and

(B) operation of the mineral leasing and geothermal leasing laws.

(5) USE.—The public land conveyed under paragraph (1) shall be used for the development of flood mitigation infrastructure for the Southern Nevada Supplemental Airport.

(6) REVERSION AND REENTRY.—

(A) IN GENERAL.—If the land conveyed to the County under the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106-362; 114 Stat. 1404) reverts to the United States, the land conveyed to the County under this section shall revert, at the option of the Secretary, to the United States.

(B) USE OF LAND.—If the Secretary determines that the County is not using the land conveyed under this section for a purpose described in paragraph (4), all right, title, and interest of the County in and to the land shall revert, at the option of the Secretary, to the United States.

(c) DESCRIPTION OF LAND.—The land referred to in subsection (b) consists of the approximately 2,320 acres of land managed by the Bureau of Land Management and described on the map as the “Conveyance Area”.

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare an official legal description and map of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for

public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 11. SUNRISE MOUNTAIN INSTANT STUDY AREA RELEASE.

(a) FINDING.—Congress finds that for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land in Clark County, Nevada, administered by the Bureau of Land Management in the Sunrise Mountain Instant Study Area has been adequately studied for wilderness designation.

(b) RELEASE.—Any public land described in subsection (a) that is not designated as wilderness—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712).

(c) POST RELEASE LAND USE APPROVALS.—Recognizing that the area released under subsection (b) presents unique opportunities for the granting of additional rights-of-way, including for high voltage transmission facilities, the Secretary of the Interior may accommodate multiple applicants within a particular right-of-way.

SEC. 12. NELLIS DUNES OFF-HIGHWAY VEHICLE RECREATION AREA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means the city of North Las Vegas, Nevada.

(2) COUNTY.—The term “County” means Clark County, Nevada.

(3) ECONOMIC SUPPORT AREA.—The term “Economic Support Area” means the land identified on the map as the “Economic Support Area”.

(4) FEDERAL LAND.—The term “Federal land” means the approximately 1,211 acres of Federal land in the County, as depicted on the map.

(5) MAP.—The term “map” means the map entitled “Nellis Dunes Off-Highway Vehicle Recreation Area” and dated April 30, 2013.

(6) NELLIS DUNES RECREATION AREA.—The term “Nellis Dunes Recreation Area” means the Nellis Dunes Off-Highway Vehicle Recreation Area identified on the map as “Nellis Dunes OHV Recreation Area”.

(7) NET PROCEEDS.—The term “net proceeds” means the amount that is equal to the difference between—

(A) the amount of gross revenues received by the County from any activities at the Economic Support Area; and

(B) the total amount expended by the County (or a designee of the County) for capital improvements to each of the Economic Support Area and the Nellis Dunes Recreation Area, provided that the capital improvements shall not exceed 80 percent of the total gross proceeds.

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(9) STATE.—The term “State” means the State of Nevada.

(b) CONVEYANCE OF FEDERAL LAND TO CLARK COUNTY, NEVADA.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the County, subject to valid existing rights and paragraph (2), without consideration, all right, title, and interest of the United States in and to the parcels of Federal land.

(2) RESERVATION OF MINERAL ESTATE.—In conveying the parcels of Federal land under paragraph (1), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(3) USE OF FEDERAL LAND.—

(A) IN GENERAL.—The parcels of Federal land conveyed under paragraph (1)—

(i) shall be used by the County—

(I) to provide a suitable location for the establishment of a centralized off-road vehicle recreation park in the County;

(II) to provide the public with opportunities for off-road vehicle recreation, including a location for races, competitive events, training and other commercial services that directly support a centralized off-road vehicle recreation area and County park; and

(III) to provide a designated area and facilities that would discourage unauthorized use of off-highway vehicles in areas that have been identified by the Federal Government, State government, or County government as containing environmentally sensitive land; and

(ii) shall not be disposed of by the County.

(B) REVERSION.—If the County ceases to use any parcel of the Federal land for the purposes described in subparagraph (A)(i) or subparagraph (D)—

(i) title to the parcel shall revert to the United States, at the option of the United States; and

(ii) the County shall be responsible for any reclamation necessary to revert the parcel to the United States.

(C) RENEWABLE AND SOLAR ENERGY.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), the parcels of Federal land conveyed to the County under paragraph (1) and the land conveyed to the County under section 1(c) of Public Law 107-350 (116 Stat. 2975), may be used for the incidental purpose of generating renewable energy and solar energy for use by the Clark County Off Highway Vehicle Recreation Park, the shooting park authorized under that Act, and the County.

(ii) LIMITATION.—Any project authorized under clause (i) shall not interfere with the national security mission of Nellis Air Force Base or any other military operation.

(iii) REQUIRED CONSULTATION.—Before the construction of any proposed project under clause (i), the project proponent shall consult with the Secretary of Defense or a designee of the Secretary of Defense.

(D) FUTURE CONVEYANCES.—Any future conveyance of Federal land for addition to the Clark County Off Highway Vehicle Park or the Nellis Dunes Recreation Area shall be subject to—

(i) the binding interlocal agreement under paragraph (4)(B); and

(ii) the aviation easement requirements under paragraph (7).

(E) MANAGEMENT PLAN.—The Secretary of the Air Force and the County, may develop a special management plan for the Federal land—

(i) to enhance public safety and safe off-highway vehicle recreation use in the Nellis Dunes Recreation Area;

(ii) to ensure compatible development with the mission requirements of the Nellis Air Force Base; and

(iii) to avoid and mitigate known public health risks associated with off-highway vehicle use in the Nellis Dunes Recreation Area.

(4) ECONOMIC SUPPORT AREA.—

(A) DESIGNATION.—There is designated the Economic Support Area.

(B) INTERLOCAL AGREEMENT.—

(i) IN GENERAL.—Before the Economic Support Area may be developed, the City and County shall enter into an interlocal agreement regarding the development of the Economic Support Area.

(ii) LIMITATION OF AGREEMENT.—In no case shall the interlocal agreement under this

subparagraph compromise or interfere with the aviation rights provided under paragraph (7) and subsection (c)(3).

(C) USE OF PROCEEDS.—Of the net proceeds from the development of the Economic Support Area, the County shall—

(i) annually deposit 50 percent in a special account in the Treasury, to be used by the Secretary for the development, maintenance, operations, and environmental restoration and mitigation of the Nellis Dunes Recreation Area; and

(ii) retain 50 percent, to be used by the County—

(I) to pay for capital improvements [that are not covered by subsection (a)(7)(B)]; and

(II) to maintain and operate the park established under paragraph (3)(A)(i)(I).

(5) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(A) IN GENERAL.—Before the Federal land may be conveyed to the County under paragraph (1), the Clark County Board of Commissioners and Nellis Air Force Base shall enter into an interlocal agreement for the Federal land and the Nellis Dunes Recreation Area—

(i) to enhance safe off-highway recreation use; and

(ii) to ensure that development of the Federal land is consistent with the long-term mission requirements of Nellis Air Force Base.

(B) LIMITATION.—The use of the Federal land conveyed under paragraph (1) shall not compromise the national security mission or aviation rights of Nellis Air Force Base.

(6) ADDITIONAL TERMS AND CONDITIONS.—With respect to the conveyance of Federal land under paragraph (1), the Secretary may require such additional terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(7) AVIATION EASEMENT.—

(A) IN GENERAL.—Each deed entered into for the conveyance of the Federal land shall contain a perpetual aviation easement reserving to the United States all rights necessary to preserve free and unobstructed overflight in and through the airspace above, over, and across the surface of the Federal land conveyed under subsection (b)(1) for the passage of aircraft owned or operated by any Federal agency or other Federal entity.

(B) REQUIREMENTS.—Each easement described in subparagraph (A) shall include such terms and conditions as the Secretary of the Air Force determines to be necessary to comply with subparagraph (A).

(C) DESIGNATION OF THE NELLIS DUNES NATIONAL OFF-HIGHWAY VEHICLE RECREATION AREA.—

(1) IN GENERAL.—The approximately 10,000 acres of land identified as “Nellis Dunes” in the Bureau of Land Management Resource Management Plan shall be known and designated as the “Nellis Dunes Off-Highway Vehicle Recreation Area”.

(2) MANAGEMENT PLAN.—The Director of the Bureau of Land Management may develop a special management plan for the Nellis Dunes Recreation Area to enhance the safe use of off-highway vehicles for recreational purposes.

(3) AVIATION RIGHTS.—The aviation rights described in subsection (b)(7) shall apply to the Nellis Dunes Recreation Area.

(d) WITHDRAWAL AND RESERVATION OF LAND FOR NELLIS AIR FORCE BASE.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subsection—

(A) the Federal land and interests in the Federal land identified on the map as “Land

to be withdrawn for Nellis Air Force Base” are withdrawn from all forms of appropriation under the general land laws, including the mining, mineral leasing, and geothermal leasing laws; and

(B) jurisdiction over the land and interest in land withdrawn and reserved by this subsection is transferred to the Secretary of the Air Force.

(2) RESERVATION.—The land withdrawn under paragraph (1) is reserved for use by the Secretary of the Air Force for—

(A) the enlargement and protection of Nellis Air Force Base; or

(B) other defense-related purposes consistent with the purposes of this subsection.

(3) CHANGES IN USE.—The Secretary of the Air Force shall consult with the Secretary before using the land withdrawn and reserved by this subsection for any purpose other than the purposes described in subsection (b)(3)(A)(i).

(4) EASEMENT.—The United States reserves—

(A) a right of flight for the passage of aircraft in the airspace above the surface of the Federal land conveyed to the County; and

(B) the right to cause in the airspace any noise, vibration, smoke, or other effects that may be inherent in the operation of aircraft landing at, or taking off from, Nellis Air Force Base.

SEC. 13. CONVEYANCE OF LAND FOR NELLIS AIR FORCE BASE.

(a) IN GENERAL.—Administrative jurisdiction over the parcel of Federal land described in subsection (b) is transferred from the Bureau of Land Management to the Air Force for inclusion in Nellis Air Force Base.

(b) DESCRIPTION OF LAND.—The parcel of Federal land referred to in subsection (a) is the approximately 410 acres of land administered by the Bureau of Land Management and identified as “Addition to Nellis Air Force Base” on the map entitled “North Las Vegas Valley Overview” and dated April 30, 2013.

SEC. 14. MILITARY OVERFLIGHTS.

(a) FINDINGS.—Congress finds that—

(1) military aircraft testing and training activities in the State of Nevada—

(A) are an important part of the national defense system of the United States; and

(B) are essential in order to secure an enduring and viable national defense system for the current and future generations of people of the United States;

(2) the units of the National Park System and the additions to the Conservation Area established under this Act are located within a region critical to providing training, research, and development for the Armed Forces of the United States and allies of the Armed Forces;

(3) there is a lack of alternative sites available for the military training, testing, and research activities being conducted in the State of Nevada;

(4) continued use of the airspace in the State of Nevada is essential for military purposes; and

(5) continuation of the military activities in the State of Nevada, under appropriate terms and conditions, is not incompatible with the protection and proper management of the natural, environmental, cultural, and other resources and values of Federal land in the State of Nevada.

(b) OVERFLIGHTS.—Nothing in this Act or any other land management law applicable to a new unit of the National Park System or an addition to the Conservation Area designated by this Act shall restrict or preclude overflights, including—

(1) low-level overflights of military aircraft over the Federal land; and

(2) military overflights that can be seen or heard within the unit or Conservation Area.

(c) SPECIAL AIRSPACE.—Nothing in this Act or any other land management law applicable to a new unit of the National Park or an addition to the Conservation Area designated by this Act shall restrict or preclude the designation of new units of special airspace or the use or establishment of military flight training routes over the unit or Conservation Area.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CARDIN, Mr. KAINE, Mrs. BOXER, Mr. MURPHY, and Mrs. FEINSTEIN):

S. 980. A bill to provide for enhanced embassy security, and for other purposes; to the Committee on Foreign Relations.

Mr. MENENDEZ. Mr. President, I rise at this moment, as chairman of the Senate Foreign Relations Committee, outraged at the implication that we in the Senate have not done enough to investigate what has happened in Benghazi; that we have not investigated it thoroughly; that we have not looked at the details, have not analyzed the information—classified and unclassified—that has come before us.

The committee has held four hearings—four—on the attack on Special Mission Benghazi. The very first hearing I chaired in January was on this topic with Secretary Clinton. In fact, we postponed the nomination hearing of Senator Kerry so that Secretary Clinton could come before us and explain what happened and why, despite her medical condition at the time.

Let's make that very clear. One of the very first things we did, despite a pending nomination of a new Secretary, and the sitting Secretary's medical concerns, was to hold a hearing on this topic and air the facts. Prior to that, Chairman Kerry held a hearing of the committee on December 20 on the events that transpired in Benghazi with Deputy Secretaries Burns and Nides. There were also two classified briefings in December specifically on the circumstances surrounding the attack. The December 13 briefing included a video of the attack with high level officials from State, the Joint Staff, Defense Department, the FBI, and the intelligence community. They included Patrick Kennedy, Under Secretary of State for Management at State; Matthew Olsen, Director of the National Counterterrorism Center; Maj. Gen. Darryl Roberson, Vice Director of Operations at the Joint Staff; Gary Reid, Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; Jenny Ley, Deputy Assistant Director at the FBI.

On December 19, there was a high-level classified briefing with the Accountability Review Board with Ambassador Pickering and Admiral Mullen.

At his nomination hearing in January, Secretary Kerry also fully addressed this issue and then again at the committee's annual budget hearing this past April. Last week, the nominee to be our new Ambassador to Libya, Deborah Kay Jones, testified before the full committee—another opportunity for my friends on the other side to ask questions, to get the truth, not create their own truth for political purposes. That hearing was yet another opportunity to ask questions about the security situation on the ground. Yet Republican participation was limited to just a handful of Members.

We have fully vetted this issue. We have held hearing after hearing. We have, on both sides, had the opportunity to have our questions answered. In fact, in total, between the House and the Senate, there have been 11 hearings on Benghazi, 25,000 pages of documents released, and now a full e-mail history of the interagency process.

Our focus now should not be on the work product of the CIA or State on draft talking points we have seen in hundreds of e-mails released by the White House yesterday; it should not be to score political points at the expense of the families of the four victims. It should be on doing all we can to protect our personnel serving overseas and providing the necessary oversight and legislative authority to carry out the Administrative Review Board's recommendations.

I would remind my friends and the American people that nothing has changed. The facts remain the facts. They are the same today as they were in September, in October, in November, in December, and in January. It is the rhetoric and the political calculus that has changed. In fact, the e-mails released by the White House further demonstrate that point.

The original CIA-produced talking points, notably produced as the result of a request by the House Intelligence Committee for media interviews, clearly show that in the days immediately after the attack, the intelligence community was not sure what exactly happened or who was responsible. The points produced by the CIA said the agency's belief the events in Benghazi were spontaneously inspired by the protests at the U.S. Embassy in Cairo and evolved into a direct assault against the U.S. diplomatic post in Benghazi and subsequently its annex. That point stays in the talking points from beginning to end of the interagency process, with no debate, and is conveyed to the House Intelligence Committee.

Throughout the e-mail discussions, the agency makes clear their information is limited and that there is a lot they simply don't know. In fact, the National Counterterrorism Center says in one e-mail:

At this point we are not aware of any actionable intelligence that this attack was

planned or imminent. The intelligence community is combing through reporting from before and after the attack to determine the full extent of who was involved.

It became clear over time that this was, in fact, a calculated terrorist attack, but there was no political calculation involved in the initial assessment.

So let's be honest about what is happening here. It is not about doing all we can to find the truth and making sure it never happens again; it is about political gamesmanship and finding someone to blame.

I remind my friends, and the American people, again, nothing has changed. Some wish to make this a political issue to drive a purely political agenda. I believe our real focus, our honest focus, and what the American people truly care about is the security of our missions and the safety of our personnel. That has been, and will remain, the clear focus of the Foreign Relations Committee going forward, and I hope we will have the support of our Republican colleagues.

In my view the Monday morning quarterbacking on this issue is politically driven—a perspective shared by former Republican Defense Secretary Gates, who said on Sunday: "Frankly, I think my decisions would have been just as theirs were" with regard to sending in Special Forces teams or overflights by fighter aircraft based in Italy.

Former Secretary Gates said:

Without knowing what the environment is, without knowing what the threat is, without having any intelligence in terms of what is actually going on, on the ground, would have been very dangerous.

So I think we have common interests. I have been working hard to ensure full implementation of all 29 recommendations made by the Administrative Review Board—recommendations to ensure that going forward we are providing adequate personnel and resources to meet local conditions at more than 280 facilities in over 180 countries around the world, specifically where host nations are unable to provide adequate protection to our diplomats. I call on our Republican colleagues to join us in that effort.

Today, I am introducing legislation. I hope we will be able to count on the support of all of our colleagues to enact this crucial, time-sensitive legislation without delay, without obstruction, and without political grandstanding.

The bill will provide authority to fund the Capital Security Cost Sharing Program to permit us to move forward with construction at high-risk, high-threat posts. This account was created following the U.S. Embassy bombings in Kenya and in Tanzania, and at that time it would have allowed us to construct 8 to 10 facilities per year. However, the way the Congress is funding

it, it presently is funding for construction of just two to three facilities per year, despite the fact that there are at least two dozen posts that fall into that high-risk, high-threat category. At that rate it will take us over 8 years to get around to construction at just the posts with the highest risk of attack.

The bill authorizes funding for Arabic language training and for a Foreign Affairs Security Training Center to train diplomatic security personnel. It provides contract authority to the State Department to allow it to award contracts on a best value basis rather than to the lowest bidder where conditions require enhanced levels of security. At the administration's request, the bill will authorize disciplinary action in cases of unsatisfactory leadership by senior officials related to a security incident, which does not presently exist. This will allow appropriate disciplinary action to be taken against any future officials in a circumstance such as Benghazi.

The bill requires planning to incorporate additional marine security guards at overseas facilities, and it requires extensive reporting on State's implementation of the Accountability Review Board's recommendations on the designation of high-risk, high-threat posts.

I hope we can work together to do what has to be done to protect those who serve this Nation abroad. If we want to address the problem, we have an opportunity to do it. If we want to score political points, fine, but do not do it at the risk of American lives. Let's work together to fix the problem, not use it for political advantage.

By Mr. CORNYN:

S. 983. A bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Finance.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keep the IRS Off Your Health Care Act of 2013".

SEC. 2. FINDINGS.

Congress finds the following:

(1) On May 10, 2013, the Internal Revenue Service admitted that it singled out advocacy groups, based on ideology, seeking tax-exempt status.

(2) This action raises pertinent questions about the agency's ability to implement and oversee the Patient Protection and Affordable Care Act (Public Law 111-148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

(3) This action could be an indication of future Internal Revenue Service abuses in relation to the Patient Protection and Afford-

able Care Act and the Health Care and Education Reconciliation Act of 2010, given that it is their responsibility to enforce a key provision, the individual mandate.

(4) Americans accept the principle that patients, families, and doctors should be making medical decisions, not the Federal Government.

SEC. 3. PROHIBITING ENFORCEMENT OF PPACA AND HCERA.

The Secretary of the Treasury, or any delegate of the Secretary, shall not implement or enforce any provisions of or amendments made by the Patient Protection and Affordable Care Act (Public Law 111-148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 143—RECOGNIZING THE THREATS TO FREEDOM OF THE PRESS AND EXPRESSION AROUND THE WORLD AND REAFFIRMING FREEDOM OF THE PRESS AS A PRIORITY IN THE EFFORTS OF THE UNITED STATES GOVERNMENT TO PROMOTE DEMOCRACY AND GOOD GOVERNANCE ON THE OCCASION OF WORLD PRESS FREEDOM DAY ON MAY 3, 2013

Mr. MENENDEZ (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 143

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted at Paris December 10, 1948, states that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers";

Whereas, in 1993, the United Nations General Assembly proclaimed May 3 of each year as World Press Freedom Day to celebrate the fundamental principles of freedom of the press, to evaluate freedom of the press around the world, to defend the media from attacks on its independence, and to pay tribute to journalists who have lost their lives in the exercise of their profession;

Whereas 2013 is the 20th anniversary of World Press Freedom Day, which focuses on the theme "Safe to Speak: Securing Freedom of Expression in All Media";

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (22 U.S.C. 2151 note; Public Law 111-166), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the examination of freedom of the press around the world in the annual human rights report of the Department of State;

Whereas, according to Freedom House, the percentage of people in the world who live in countries with a free media environment fell to 14 percent in 2012, the lowest percentage in more than a decade;

Whereas, according to Reporters Without Borders, 88 journalists and 47 citizen journalists were killed in 2012 in connection with their collection and dissemination of news and information, an increase of 33 percent and 840 percent, respectively, compared to 2011;

Whereas, according to Reporters Without Borders, the five deadliest countries for journalists in 2012 were Syria, Somalia, Pakistan, Mexico, and Brazil;

Whereas, according to the Committee to Protect Journalists, 593 journalists have been murdered since 1992 without the perpetrators of those crimes facing punishment;

Whereas, according to the Committee to Protect Journalists, the five countries with the highest number of unsolved journalist murders since 2003 as a percentage of the population of that country are Iraq, Somalia, Philippines, Sri Lanka, and Colombia;

Whereas, according to Reporters Without Borders, 879 journalists and 144 citizen journalists were arrested in 2012;

Whereas, according to the Committee to Protect Journalists, there were a record 232 journalists in prison worldwide on December 1, 2012;

Whereas, according to Reporters Without Borders, the five countries in which the most journalists are imprisoned are Turkey, China, Eritrea, Iran, and Syria;

Whereas the abuse of anti-terrorism and cybercrime laws to incarcerate journalists and suppress freedom of the press occurred on numerous occasions abroad in 2012;

Whereas freedom of the press is a key component of democratic governance, the activism of civil society, and socio-economic development;

Whereas, in the ongoing political transition of Burma, notable progress was made in advancing freedom of the press in 2012, although certain problems remain; and

Whereas freedom of the press enhances public accountability, transparency, and participation: Now, therefore, be it

Resolved, That the Senate—

(1) expresses concern about the threats to freedom of the press and expression around the world on the occasion of World Press Freedom Day on May 3, 2013;

(2) commends journalists around the world for the essential role they play in promoting government accountability, defending democratic activity, and strengthening civil society, despite threats to their safety;

(3) pays tribute to the journalists who have lost their lives carrying out their work and calls on governments abroad to thoroughly investigate and seek to resolve all cases while ensuring the protection of witnesses;

(4) condemns all actions around the world that suppress freedom of the press;

(5) reaffirms the centrality of freedom of the press to efforts by the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(6) calls on the President and the Secretary of State—

(A) to improve the means by which the United States Government rapidly identifies, publicizes, and responds to threats against freedom of the press around the world; and

(B) to highlight the issue of threats against freedom of the press year-round.

SENATE RESOLUTION 144—CONCERNING THE ONGOING CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE NEED FOR INTERNATIONAL EFFORTS SUPPORTING LONG-TERM PEACE, STABILITY, AND OBSERVANCE OF HUMAN RIGHTS

Mr. COONS (for himself, Mr. DURBIN, Mr. BOOZMAN, and Mr. ISAKSON) submitted the following resolution; which

was referred to the Committee on Foreign Relations:

S. RES. 144

Whereas, since the 1990s, an estimated 5,000,000 people have died due to repeated cycles of conflict, lack of governance, and atrocities in the Democratic Republic of the Congo, particularly those in North and South Kivu provinces, and, since the beginning of 2012, more than 2,000,000 people have been displaced;

Whereas the United Nations and humanitarian groups have reported staggering rates of sexual violence indicating tens of thousands of cases perpetrated by security forces of the Government of the Democratic Republic of the Congo and non-state armed groups, which continue to operate with nearly total impunity;

Whereas human rights defenders in the Democratic Republic of the Congo have been subject to intimidation and attack;

Whereas the Democratic Republic of the Congo's wealth of natural resources, including minerals, have been a key driver of instability and violence;

Whereas the deeply flawed November 2011 presidential election in the Democratic Republic of the Congo presented significant political, economic, and social challenges, and provincial and local elections still have not been conducted despite plans to hold such elections in 2012;

Whereas the Democratic Republic of the Congo remains subject to recurring conflict despite one of the world's longest-running, largest, and most expensive international peacekeeping operations and extensive bilateral and multilateral efforts to address longstanding humanitarian crises, forge lasting peace, and pursue security sector reform and accountability;

Whereas members of civil society and political parties from both the majority and the opposition in the Democratic Republic of the Congo created the National Preparatory Committee (Comité National Préparatoire or CNP) to lay the groundwork for convening a national forum and dialogue with the goal of putting an end to the multifaceted crisis that afflicts the Democratic Republic of the Congo;

Whereas, on November 15, 2012, the United Nations Group of Experts provided compelling evidence that the crisis in eastern Congo had been fueled and exacerbated by regional actors, including through provision of significant military and logistical assistance and of operational and political support to the armed group known as the M23;

Whereas the United Nations and United States Government have imposed sanctions on the M23 and its leaders for human rights atrocities including rape, massacres, and the recruitment and physical and psychological torture of child soldiers;

Whereas, on March 18, 2013, International Criminal Court (ICC) indictee and leader of a faction of the M23 rebel group, Bosco Ntaganda, turned himself in to the United States Embassy in Kigali, asking to be transferred to the ICC in The Hague, where he voluntarily surrendered on March 22, 2013;

Whereas the Lord's Resistance Army continues to perpetrate attacks against civilian populations in affected areas of northeastern Congo, creating widespread insecurity and displacement;

Whereas the Democratic Republic of the Congo, Rwanda, and 9 other countries on February 24, 2013, signed the Peace, Security and Cooperation Framework that provides for a comprehensive approach to the ongoing conflict;

Whereas the United Nations Security Council adopted Resolution 2098 on March 28, 2013, extending the mandate of the United Nations Organization Stabilization Mission (MONUSCO) and authorizing the creation of an intervention brigade tasked with neutralizing armed groups; and

Whereas, on March 18, 2013, United Nations Secretary-General Ban Ki-Moon appointed former President of Ireland and High Commissioner for Human Rights, Mary Robinson, to serve as Special Envoy for the Great Lakes region: Now, therefore, be it

Resolved, That the Senate—

(1) commends United Nations Secretary-General Ban Ki-Moon's commitment and leadership to resolving the crisis in the Democratic Republic of the Congo and his appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes;

(2) supports the commitments agreed to by the signatories of the Peace, Security and Cooperation (in this resolution, the "Framework"), and encourages them to work closely with the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, as guarantors of the Framework, and the United Nations Special Envoy, MONUSCO, and relevant international bodies and governments to develop, implement, and enforce a comprehensive peace process for the region;

(3) notes that the adoption of the Framework, the appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes, and the expanded MONUSCO mandate provide an opportunity to make meaningful and sustained progress toward ending the recurrent cycles of violence in the Democratic Republic of the Congo, especially in eastern Congo;

(4) urges the signatories of the Framework and the international community to engage and consult with representatives of the Government of the Democratic Republic of the Congo and civil society representatives engaged in the ongoing effort to convene an inclusive national forum and dialogue;

(5) urges the President to appoint a Special Envoy to the Great Lakes in the near-term in order to represent the United States in international and regional efforts to end the conflict and secure sustainable peace, stability, and safety for the people of the Democratic Republic of the Congo by—

(A) working with United Nations Special Envoy Mary Robinson and the broader international community to promote a transparent and inclusive process to implement the regional and national commitments under the Framework, including the development of clear benchmarks for progress and appropriate follow-on measures;

(B) strengthening international efforts to mobilize and support justice for victims and accountability for perpetrators of sexual and gender based violence and other human rights abuses in the Democratic Republic of the Congo;

(C) expanding efforts to develop conflict-free and responsible mining and supply chains for the region's vast mineral resources, in coordination with other government, private industry, and international and local organizations;

(D) coordinating with international and regional partners to expand unhindered access to life-saving humanitarian assistance to populations in need, particularly displaced persons and conflict-affected communities;

(E) pressing for fulfillment of the commitment of the Government of the Democratic Republic of the Congo, as well as other re-

gional actors, to ending the threat posed by the M23, the Lord's Resistance Army (LRA), the Democratic Forces for the Liberation of Rwanda (FDLR), and other armed groups in the Great Lakes region, and to facilitate enhanced coordination of regional efforts to counter these groups; and

(F) mobilizing and facilitating United States and international support for electoral reforms in the Democratic Republic of the Congo, with the goal of encouraging free, fair, and credible provincial and local elections in the near-term, and presidential elections in 2016;

(6) calls on the President to support the creation of a World Bank Fund for the Great Lakes Region, as part of a coordinated international investment and development strategy aimed at deepening regional economic integration and stability and leveraging reform;

(7) calls on the President, in close coordination with international and regional partners, to work with the Government of the Democratic Republic of the Congo to develop and implement recommendations to improve accountability for serious violations of international humanitarian law and human rights abuses in the Democratic Republic of the Congo, including by considering imposition of sanctions authorized under section 1284 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 50 U.S.C. 1701 note);

(8) calls on governments of the Great Lakes region of Africa to immediately halt and prevent any and all forms of support to non-state armed groups, including support provided by individuals independent of government policy;

(9) calls on all relevant nations, including destination and transit countries, to increase cooperation on ending the illicit trade in conflict minerals, wildlife, and wildlife parts, which continues to fuel and fund violence and to deprive citizens of economic opportunity in the Democratic Republic of the Congo and the broader region;

(10) calls on the signatories of the Framework to cooperate in the arrest and prosecution of those responsible for violating international humanitarian law and for serious human rights violations, including gender-based violence;

(11) calls on the Government of the Democratic Republic of the Congo to engage in meaningful and inclusive electoral reforms, prepare and hold impartially administered local and provincial elections as soon as technically possible, continue to participate in ongoing efforts to provide a platform for inclusive dialogue within the Democratic Republic of the Congo to address critical internal political issues, and strengthen processes of state institution building;

(12) calls on the Government of the Democratic Republic of the Congo, in coordination with the international community, to undertake significant security sector reform, which is a necessary component for lasting stability, and renewed disarmament, demobilization, and reintegration (DDR) efforts that ensure that any rebel troops, especially commanders, responsible for human rights violations are held accountable and not re-integrated into the Armed Forces of the Democratic Republic of the Congo (FARDC); and

(13) urges the Government of the Democratic Republic of the Congo to improve efforts to protect civilians from armed groups, in cooperation with MONUSCO and the African Union's Regional Cooperation Initiative on the LRA.

SENATE RESOLUTION 145—PROMOTING MINORITY HEALTH AWARENESS AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL MINORITY HEALTH MONTH IN APRIL 2013 TO BRING ATTENTION TO THE HEALTH DISPARITIES FACED BY MINORITY POPULATIONS SUCH AS AMERICAN INDIANS AND ALASKA NATIVES, ASIANS, BLACKS OR AFRICAN AMERICANS, HISPANICS OR LATINOS, AND NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS

Mr. CARDIN (for himself and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 145

Whereas in 2011, the Department of Health and Human Services released the “National Stakeholder Strategy for Achieving Health Equity” and the “Disparities action Plan” to reduce health care disparities in the United States;

Whereas a recent analysis estimates that the economy of the United States loses an estimated \$309,000,000,000 a year due to the direct and indirect costs of health disparities;

Whereas the Department of Health and Human Services has identified 6 main categories in which racial and ethnic minorities experience the most disparate access to health care and health outcomes, including infant mortality, cancer screening and management, cardiovascular disease, diabetes, HIV and AIDS infection, and immunizations;

Whereas African-American women are more than twice as likely to die of cervical cancer than White women and are more likely to die of breast cancer than women of any other racial or ethnic group;

Whereas the rate of death from coronary heart disease is 30 percent higher among African Americans than among Whites;

Whereas the death rate from stroke is 50 percent higher among African Americans than among Whites;

Whereas in 2012, as compared to non-Hispanic Whites living in Hawaii, Native Hawaiians had more than twice the rate of medically-diagnosed diabetes and were 5.7 times more likely to die of diabetes;

Whereas compared to non-Hispanic White men, African American men are 9.5 times more likely to die of AIDS and Hispanic men are 2.5 times more likely to die of AIDS;

Whereas in 2010, 84 percent of children born with HIV infection belonged to minority groups;

Whereas the Department of Health and Human Services has identified diseases of the heart, malignant neoplasm, unintentional injuries, diabetes, and cerebrovascular disease as some of the leading causes of death among American Indians and Alaska Natives;

Whereas American Indians and Alaska Natives die at higher rates than other people in the United States from tuberculosis, diabetes, unintentional injuries, and suicide; and

Whereas American Indians and Alaska Natives have a life expectancy that is 5.2 years shorter than the life expectancy of the overall population of the United States: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Minority Health Month in April 2013 to bring attention to the

severe health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders.

SENATE RESOLUTION 146—DESIGNATING THE WEEK OF MAY 12 THROUGH MAY 18, 2013, AS “NATIONAL POLICE WEEK”

Ms. LANDRIEU (for herself, Mr. WICKER, Mr. SESSIONS, Ms. KLOBUCHAR, Mr. COONS, Ms. HEITKAMP, Mr. MERKLEY, Mr. DURBIN, Mr. LAUTENBERG, Mr. HATCH, Mr. BURR, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 146

Whereas, in 1962, John Fitzgerald Kennedy proclaimed May 15 to be “Peace Officers Memorial Day”, and designated the calendar week in which May 15 falls as “National Police Week”;

Whereas law enforcement officers are charged with pursuing justice and protecting communities in the United States;

Whereas State and local police officers, sheriffs, and other law enforcement officers across the United States serve with dignity and integrity;

Whereas law enforcement officers serve as first responders to natural disasters such as Hurricane Isaac and Hurricane Sandy;

Whereas law enforcement officers serve as first responders to terrorist attacks such as the bombings at the Boston Marathon in Boston, Massachusetts, and to accidents such as the fertilizer plant explosion in West, Texas;

Whereas law enforcement officers selflessly risk their personal safety in the interest of public safety;

Whereas Peace Officers Memorial Day honors law enforcement officers killed in the line of duty;

Whereas Peace Officers Memorial Day this year honors 143 law enforcement officers recently killed in the line of duty, including Randall L. Benoit, Brandon Joseph Nielson, Jeremy Michael Triche, Ricky Ray Issac, Jr., Howard Evans Jr., Raymundo Dominguez, Steven C. D. Green Sr., David W. Riddelsperger, Scott J. Ward, William H. Coleman, James D. Lister, David W. Wargo Jr., Barbara A. Ester, Robert L. Paris Jr., Kenyon M. Youngstrom, Jeremy S. Bitner, James J. Davies, Leide W. DeFusco, Celena C. Hollis, Mary K. Ricard, Matthew R. Tyner, William H. Dyer III, Michael K. Erickson, Barbara A. Pill, Christopher A. Schaub, Bruce E. St. Laurent, Ruben H. Thomas III, David A. White, Sean L. Callahan, Robert W. Crapse Sr., Elgin L. Daniel, Richard J. Halford, Shawn A. Smiley, Larry L. Stell, Gail D. Thomas, Garret C. Davis, Eric C. Fontes, Chad M. Morimoto, Nikkii Bostic-Jones, Kyle W. Deatherage, Lamont C. Reid, Timothy A. Betts, Britney R. Meux, Robert L. Atherly, Davis S. Gogian, Herbert D. Proffitt, Carl A. Rakes, Mark A. Taulbee, Charles B. Licato, Adrian A. Morris, William D. Talbert, Forrest E. Taylor, Teresa L. Testerman, Kevin E. Ambrose, Peter J. Kneeland, Jose Torres, Ryan Tvelia, Joseph T. Candie, Patrick J. O'Rourke, Thomas E. Decker, Michael J. Walter, William M. Mudd, Christopher R. Parsons, George F. Ross Sr., Tracy A. Hardin, Denny Lawrence, Michael P. Maloney, James G. Hoopes III, Christopher W. Reeves, Robert A. Potter, Amanda

D. Anna, Fermin S. Archer Jr., Michael J. Chiapperini, Arthur Lopez, Joseph P. Olivieri Jr., Christopher M. Pupo, Bobby G. DeMuth Jr., Jeremiah M. Goodson Jr., Dewayne C. Hester, William R. Mast Jr., Edward A. Pounds, Randall S. Thomas, William L. Wright, Jason E. Gresko, Frank D. Mancini, William C. Coen, Brian E. Hayden, Jeffrey M. McCoy, Blake T. Coble, Bradley M. Fox, Avery E. Freeman, Brian J. Lorenzo, Moses Walker Jr., Maxwell R. Dorley, Sandra E. Rogers, David C. Gann, Martoia V. Lang, Justin D. Maples, Javier Arana Jr., Brian D. Bachmann, Angel Garcia, Paul Hernandez, Joshua S. Mitchell, Jonathan K. Molina, Edrees Mukhtar, Jimmie D. Norman, Jamie D. Padron, Michael R. Smith, Joshua S. Williams, Aaron B. Beesley, Jard D. Francom, Morton M. Ford III, Andrew D. Fox, Michael C. Walzier, Chris Yung, Tony V. Radulescu, Marshall L. Bailey, Michael T. May, Eric M. Workman, Sergio Aleman, Jennifer L. Sebens, Margaret A. Anderson, Merrill A. Bruguier, Leopoldo Cavazos Jr., David R. Delaney, James R. Dominiguez, Terrell Horne III, Nicholas J. Ivie, Julio D. La Rosa, Preston B. Parnell, Jeffrey Ramirez, Abimael Castro-Berrocals, Pedro R. Cora-Rivera, Noel D. Cordero-Guzman, Francis A. Crespo-Mandry, Carlos R. Lozada Vergara, Isaac J. Pizarro-Piazarro, Wilfredo Ramos-Nieves, Ivan G. Romas-Matos, Victor M. Soto-Velez, and Colvin T. Georges; and

Whereas more than 35 law enforcement officers across the United States have made the ultimate sacrifice during the first 4 months of 2013, including Officer Sean Collier of the Massachusetts Institute of Technology Police Department: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 12 through May 18, 2013 as “National Police Week”;

(2) expresses strong support for law enforcement officers across the United States for their efforts to build safer and more secure communities;

(3) recognizes the need to ensure that law enforcement officers have the equipment, training, and resources necessary to protect their health and safety while they are protecting the public;

(4) recognizes the members of the law enforcement community for their selfless acts of bravery;

(5) acknowledges that police officers and other law enforcement officers who have made the ultimate sacrifice should be remembered and honored; and

(6) encourages the people of the United States to observe National Police Week with appropriate ceremonies and activities that promote awareness of the vital role of law enforcement officers in building safer and more secure communities across the United States.

SENATE RESOLUTION 147—RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER CARE SYSTEM, AND ENCOURAGING CONGRESS TO IMPLEMENT POLICY TO IMPROVE THE LIVES OF CHILDREN IN THE FOSTER CARE SYSTEM

Ms. LANDRIEU (for herself, Mr. GRASSLEY, Mr. BEGICH, Mrs. MURRAY, Mr. KAINE, Mr. LEVIN, Mr. WYDEN, Mr. CARDIN, Mr. JOHNSON of South Dakota,

Mr. BLUNT, Mr. HOEVEN, and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 147

Whereas National Foster Care Month was established more than 20 years ago to—

(1) bring foster care issues to the forefront of public consciousness;

(2) highlight the importance of permanency for every child; and

(3) recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas approximately 400,000 children are living in foster care;

Whereas approximately 252,000 youth entered the foster care system in 2011, while more than 104,000 youth were eligible for and awaiting adoption at the end of 2011;

Whereas children of minority races and ethnicities are more likely to stay in the foster care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents—

(1) are the front-line caregivers for children who cannot safely remain with their biological parents;

(2) provide physical care, emotional support, and education advocacy to the children in their care; and

(3) are the largest single source of families providing permanent homes for children transitioning from foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas some relative caregivers receive less financial assistance and support services than foster caregivers;

Whereas recent studies show foster children enrolled in Medicaid were prescribed antipsychotic medications at nearly 9 times the rate of other children receiving Medicaid;

Whereas youth in foster care are much more likely to face educational instability, with 65 percent of former foster children experiencing at least 7 school changes while in foster care;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children who are forced to remain in the foster care system;

Whereas more than 26,200 youth “age out” of foster care annually without a legal permanent connection to an adult or family;

Whereas the number of youth who age out of foster care has increased during the past decade;

Whereas foster care is intended to be a temporary placement, but children remain in the foster care system for an average of 2 years;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas children entering foster care often confront the widespread misperception that children in foster care are disruptive, unruly, and dangerous, even though placement in foster care is based on the actions of a parent or guardian, not the child;

Whereas children who age out of foster care lack the security and support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas Federal legislation during the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272), the Adoption and Safe Families Act of 1997 (Public Law 105-89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), and the Child and Family Services Improvement and Innovation Act (Public Law 112-34) provided new investments and services to improve the outcomes of children in the foster care system;

Whereas May 2013 is an appropriate month to designate as “National Foster Care Month” to provide an opportunity to acknowledge the accomplishments of the child-welfare workforce, foster parents, the advocacy community, and mentors for their dedication, accomplishments, and positive impact on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 2013 as “National Foster Care Month”;

(2) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges that children face in the foster care system;

(3) encourages Congress to implement policies to improve the lives of children in the foster care system;

(4) acknowledges the special needs of children in the foster care system;

(5) recognizes youth in foster care throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster care system; and

(8) reaffirms the need to continue working to improve the outcomes of all children in the foster care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption in cases where reunification is not in the best interests of the child;

(D) adequately serve children brought into the foster care system; and

(E) facilitate the successful transition into adulthood for children who “age out” of the foster care system.

SENATE RESOLUTION 148—DESIGNATING MAY 18, 2013, AS “NATIONAL KIDS TO PARKS DAY”

Mr. UDALL of Colorado (for himself, Mr. PORTMAN, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 148

Whereas the third annual National Kids to Parks Day will be celebrated on May 18, 2013;

Whereas the goal of National Kids to Parks Day is to empower young people and encourage families to get outdoors and visit the parks of the United States;

Whereas, on National Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid National Parks and State and neighborhood parks that are located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States should encourage young people to lead a more active lifestyle, as too many young people in the United States are overweight or obese;

Whereas National Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of wholesome fun; and

Whereas National Kids to Parks Day aims to broaden the appreciation of young people for nature and the outdoors: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 18, 2013, as “National Kids to Parks Day”;

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health of the young people of the United States; and

(3) calls on the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE CONCURRENT RESOLUTION 16—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR THE UNVEILING OF A STATUE OF FREDERICK DOUGLASS

Mr. SCHUMER (for himself and Mr. DURBIN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring), That

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF FREDERICK DOUGLASS STATUE.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 19, 2013, to unveil a statue of Frederick Douglass.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of

the Senate and the public that a meeting of the Senate Committee on Energy and Natural Resources has been scheduled to discuss natural gas issues. The meeting will be held on Thursday, May 23, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The purpose of this meeting is to provide a forum to explore what the next applications are for natural gas and how this new demand will be met. The environmental impacts of shale gas development and best practices will be specific points of interest.

Because of the limited time available for the forum, witnesses may testify by invitation only. However, those wishing to submit written testimony for the record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224-4971 or Lauren Goldschmidt at (202) 224-5488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 16, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 16, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 16, 2013, at 12 p.m., in room 406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 16, 2013, at 9:30 a.m., in SD-G50 of the Dirksen Senate Office Building, to continue its executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REED. Mr. President, I ask unanimous consent that the Committee on

Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 16, 2013, at 10:30 a.m. in room 428A Russell Senate Office building to conduct a roundtable entitled "The Impact of Mandatory E-Verify on America's Small Businesses."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REED. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 16, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. REED. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 16, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREEDOM TO FISH ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 982, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 982) to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 982) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 982

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to Fish Act".

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this Act:

(1) RESTRICTED AREA.—The term "restricted area" means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established in accordance with chapter 10 of the regulation entitled "Project Operations: Navigation and Dredging Operations and Maintenance Policies", published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

(b) EXISTING RESTRICTED AREA.—If the Secretary has established a restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the day before the date of enactment of this Act, the Secretary shall—

(1) cease implementing and enforcing the restricted area until the date that is 2 years after the date of enactment of this Act; and

(2) remove any permanent physical barriers constructed in connection with the restricted area.

(c) ESTABLISHING NEW RESTRICTED AREA.—If, on or after the date of enactment of this Act, the Secretary establishes any restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters;

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing the restricted area;

(3) not implement or enforce the restricted area until the date that is 2 years after the date of enactment of this Act; and

(4) not take any action to establish a permanent physical barrier in connection with the restricted area.

(d) EXCLUSIONS.—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Enforcement of a restricted area shall be the sole responsibility of the State in which the restricted area is located.

(2) EXISTING AUTHORITIES.—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 22, 1944 (16 U.S.C. 460d).

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. COWAN. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 20, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 45 and 46; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on the nominations in the order listed; further, that at a time to be determined by the majority leader, after consultation with the Republican leader, the

Senate proceed to executive session to consider the following nominations: Calendar Nos. 11 and 12; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on the nominations in the order listed; further, that following the votes on Calendar No. 12 and Calendar No. 46, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: The Honorable SAXBY CHAMBLISS of Georgia.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 145, S. Res. 146, S. Res. 147, and S. Res. 148.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING THE USE OF THE CAPITOL VISITOR CENTER

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Con. Res. 16, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in

the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 16) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MAY 20, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, May 20, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate proceed to Calendar No. 73, S. 954, the farm bill; and, finally, that at 5 p.m., the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, then on Monday there will be two rollcall votes on the confirmation of Chappell and McShane at 5:30 p.m. We will, as indicated, move to the farm bill.

ADJOURNMENT UNTIL MONDAY, MAY 20, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until Monday, May 20, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

- CAROLYN B. MCHUGH, OF UTAH, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE MICHAEL R. MURPHY, RETIRED.
- DEBRA M. BROWN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI, VICE W. ALLEN PEPPER, JR., DECEASED.
- PAMELA L. REEVES, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE THOMAS W. PHILLIPS, RETIRING.
- ELIZABETH A. WOLFORD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK, VICE CHARLES J. SIRAGUSA, RETIRED.

NATIONAL CREDIT UNION ADMINISTRATION

RICHARD T. METSGER, OF OREGON, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2017, VICE GIGI HYLAND, RESIGNED.

DEPARTMENT OF STATE

DANIEL R. RUSSEL, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS), VICE KURT M. CAMPBELL, RESIGNED.

LEGAL SERVICES CORPORATION

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (REAPPOINTMENT)

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. ROBERT L. THOMAS, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

BRADLY A. CARLSON

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

- MICHAEL LUCAS AHMANN
- DARRIN KENT ANDERSON
- ROBERT AVON ATOR II
- VANCE CHRISTIAN BATEMAN
- KIMBERLY A. BAUMANN
- CHRISTOPHER JOHN BELLI
- THOMAS ALAN BIEDIGER
- BARRY A. BLANCHARD
- MICHAEL A. BORKOWSKI
- ROBERT DARIN BOWIE
- DENISE W. BOYER
- ROBERT MICHAEL BRAWLEY
- BRIAN S. BUHLER
- MICHAEL O. CADLE
- LAWRENCE L. CHRISTENSEN
- JAMES DAVID CLEET
- JENNIFER ANN CONWELL
- MICHAEL D. CROGHAN
- BRYAN A. DAVIS
- HAROLD D. DAVIS II
- BRYAN SCOTT DELAGE
- STEVEN JOHN DEMILLIANO
- KEVIN CHRISTOPHER DERICKSON
- MONIQUE J. DESPAIN
- MATTHEW D. DINMORE
- JAMES NORRIS DIXON
- BARBARA G. DONCASTER
- DENISE M. DONNELL
- BOBBI J. DOORENBOS
- SCOTT ALAN DUMFORD
- DAVID M. DZIOBKOWSKI
- STEVEN J. EARLY
- TERESA S. EDWARDS
- RANDAL KEITH EFFERSON
- DONALD L. FARMER
- BRETT VINCENT FEHRLE
- THOMAS EDWARD FENNELL
- EMIL JOSEPH FILKORN
- ROBERT A. FRANKOSKY, JR.
- LANCE TAYLOR FRYE
- STEVEN MINORU FUKINO
- BRIAN L. FULKERSON
- DANIEL E. GABRIELLI
- ROBERT L. GARVIN
- MICHAEL T. GEROCK
- BLAKE A. GETTYS
- KERRY S. GILL
- ERIC ROLAND GOOD
- BRENT W. GUGLIELMINO
- ALEXANDER G. HALDOPOULOS
- CHRISTOPHER PAUL HAMILTON
- CHRISTOPHER HARDGRAVE
- ROBERT KENNETH HENDERSON
- RICKY LEE HERN
- JAMES M. HEURING
- PENNY C. HODGES-GOETZ
- SCOTT P. HOYLE
- ROY M. INGRAM
- BRANDON G. ISAACS
- THOMAS S. JESS
- ANTHONY L. JOHNSON
- GREGORY G. JOHNSON
- KENNETH HOUSTON JONES
- DAVID M. KASHIWAMURA
- ANDREW PATRICK KEANE
- DAVID M. KENNARD
- STEPHEN P. KENSICK
- JOHN F. KNABEL
- KRIS KOLLAR
- DALLAS F. KRATZER II

RODRICK W. LEKEY
LORETTA JEAN LOMBARD
ANDREW W. LOVE
MARK ANTHONY MALDONADO
ROLF EBERHARD MAMMEN
MATT MCFARLAND MATHIS
THOMAS P. MCATEE
LANCE P. MCCUISTON
DANIEL RICHARD MCDONOUGH
BRIAN T. MCHENRY
RANDALL GLENN MCNARY
NATHAN R. MELLMAN
CHAD D. MILNE
TIMOTHY SCOTT MOSES
ROBERT J. NIESEN
STEVEN S. NORRIS
WILLIAM ELLIS ORTON
DOUGLAS K. PENNINGTON
SCOTT D. PLAMBECK
DONNA M. PRIGMORE
MICHAEL E. PYBURN
DERON BRANT REYNOLDS
MARTIN JOSEPH RICHARD
JACK J. RICHMOND
FRANK W. ROY
ROBERT THROCKMORT SANDFORD
ROBERT A. SCHULTE
KURT S. SHIGETA
ROBIN WAYNE SKAAR
SHANNON D. SMITH
GARY R. STEFANICH
JAMES S. STUART
THOMAS M. SUELZER
TODD K. THOMAS
LANE ALVIN THURGOOD
THORNE S. TIBBITTS
EDWARD C. TRIEBEL
MICHAEL ANTHONY VALLE
EDWIN ARLYN VANDERWOLDE
MARK AARON VAVRA
JOHN M. VERHAGE
GREGORY J. WALTERS
RITA J. WHITMIRE
MARSHALL LEIGHTON WILDE
CHRISTOPHER J. WILL
ERIK C. WONG
SHANNA MARCIENE WOYAK
KYLE T. YANAGISAWA
BERNARD JOHN YOSTEN

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SHERCODA G. SMAW

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

CARL N. SOFFLER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNITED STATE ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

OWEN B. MOHN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CARMELO N. OTEROSANTIAGO
JOHN H. SEOK

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BRENT E. HARVEY
JOOHYUN A. KIM

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JERRY M. ANDERSON
JOSEPH M. BARTEL
DARYL P. BRACH
EDWARD W. LOCKWOOD
ROY J. MACARAEG
WILLIAM M. MYER
SHAWN C. REGER
NEIL W. SALKOWSKI
MAUREEN H. WEIGL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DENNIS R. BELL
MICHAEL BERECZ
RONALD L. BURKE
TAYLOR B. CHANCE
MARK G. CHAPPELL
MATTHEW J. ENROTH
CHAD D. FOSTER
CARY HONNOLD
NORMAN KREISELMEIER
ERIC D. LOMBARDINI
ANDREW L. MCGRAW
WENDY E. MEY
STEPHANIE L. MONT
BRETT J. TAYLOR
MICHELLE THOMPSON
KENT J. VINCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DAVID W. ADMIRE
TRACY H. BROWN
BRIAN E. BURK
PETER J. CONTOS
THEODORE W. CROY III
JOHN F. DETRO
GAIL A. EVANS
SARAH B. GOLDMAN
FLORIE GONZALES
KEVIN M. HOUCK
KENNETH E. HYDE
KEARY J. JOHNSTON
IAN E. LEE
LARRY T. LINDSAY
ROBERTO E. MARIN
STEPHANIE A. MEYER
ROBERT D. MONTZ
DAWN L. ORTA
JAMES L. PULLIAM
BILL A. SOLIZ
CAMERON C. STOKES
KERRY N. L. STORY
MARK D. THELEN
KATHLEEN E. YANCOSEK
ARTHUR F. YEAGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

CHRISTOPHER G. ARCHER
BRADFORD A. BAUMANN
RALPH L. BIEGANCK
EARL T. BOWERS
ROBERT S. BROWN
SCOTT M. BULLOCK
JEFFREY A. BURBANK
STEVEN E. CANTRELL
JEFFREY D. DILLARD
PETER O. DISSMORE
SEMUEL L. FELZENBERG
GARY T. FISHER
BARTON T. HERNDON
TAYLOR G. R. HOLLIS
DAVID K. JACOB
PAUL R. JAE DICKE
WILLIAM B. KILLLOUGH
MARK R. LEVINE
THOMAS J. MCCORT
RODERICK R. MILLS
CHRISTOPHER G. MORRIS
DAMON P. ONEILLION
ALAN T. SAVAGE
PHILIP T. SMILEY
THOMAS B. VAUGHN
DENNIS R. VILLARREAL
ARLEIGH F. VONSEGGERN
WILLIAM J. WEHLAGE
TYSON J. WOOD
PAUL H. YOON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

JAMES A. ADAMEC
ELIZABETH E. ADAMS
JEFFREY M. ALLERDING
LARRY B. ARAMANDA
KIMBERLY L. BELL
STACEY E. BERRY
ANNABEL J. BIGLEY
WILLIAM J. BROWN
KARI A. BRULEY
ANISSA J. BUCKLEY
JESS A. CALOCHAN
ROMICO D. CAUGHMAN
MONIQUE R. COURTS
CHERYL A. CREAMER
PAUL M. CRUM
JENISE L. DAVIS

PATRICIA L. DAVIS
FRANCISCO C. DOMINICCI
CARABALLO D. ESTRADA
DARRELL B. EVANS
BRETT W. EVERS
STACEY L. FERREIRA
CHARLES M. FISHER, JR.
KENNETH A. FORD
TAMARA S. FUNARI
KRISTEN J. GOODWIN
KENNETH R. GORE
KEVIN GORMLEY
AMY J. HADSALL
ROBIN R. HARROLD
DANIELLE T. HOCKEY
TODDY F. INGRAM
JACK M. JENKINSON
JAROLD T. JOHNSTON, JR.
JOHN D. KEENER
MARK C. KILLEBREW
JOHNNY KING III
JULIE E. LEE

JENNIFER D. LORILLA
CHRISTINE M. LUDWIG
THERESA C. MACK
BRUCE MATHEWS
DENISE A. MCFARLAND
WILLIAM J. MEEK II
ELBRIDGE A. MERRITT
MICHAEL K. MOHAMMADI
ANNE M. MORGAN
TINA M. MORGAN
LELAND B. MORGANS
ROBERT M. MORRIS II
LISA K. MUTZIG
JAMES R. NOLIN
KELLIE J. NORRIS
DORENE A. OWEN
CLAUSYL J. PLUMMER
BRIGHTTE Y. POLK
PRENTICE R. PRICE
RIKKINA G. PULLIAM
THOMAS O. RAWLINGS
LAURA E. RICARDO
CHERYL C. RIVERA
CATHERINE A. ROBERTS
AMY K. ROY
PERRY C. RUIZ
JEFFREY D. RUMFIELD
SCOTT D. RUSH
RANDALL M. SCHAEFER
JODELLE M. SCHROEDER
BENJAMIN E. SEELEY
DAWN M. SEELEY
GREGORY V. SHUMATE
LEILANI A. C. L. SIAKI
JERREMIE V. SIEGFRIED
KEVIN E. SNYDER
WARREN A. STEWART
TINA M. STREKER
BING TANWINTERS
MEEMIE J. THA
NORMA TORRES
ELBA M. VILLACORTA
DAVID A. VOLLBRECHT
PAUL R. WARE
KEITH A. WARHURST
EUNOTCHOL WHITE
CONREAU L. WILLIAMS
VANESSA WORSHAM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

EDWARD P. C. AGER
CAROL A. ANDERSON
RONALD J. AQUINO
EDGAR G. ARROYOORTIZ
ROBERT T. ASHBURN
PRINCESS L. ATUNRASE
SEREKA L. BARLOW
MICHAEL F. BELENKY
MICHAEL W. BOYE
DANIEL D. BRIDON
BURKE L. BRISTOW
SEAN A. CASPERSON
PHILLIP W. CHRISTY
GARY S. COOPER
JASON B. CORLEY
JAMES E. CRAIG
GARRICK L. CRAMER
MISHAW T. CUYLER
CLAIRISSA DEJESUSMORALES
DAVID A. DERRICK
MICHAEL DESENA
THOMAS D. EYER
SEAN P. FARLEY
GLEN J. FIORENZA
SHELLEY N. FRANCO
LEE C. FREEMAN
KATHLEEN M. GIBSON
JACOB H. GIN
CARL J. GORKOS II
ANTHONY D. GRAY
NIZAMETTIN GUL
MICHAEL HAEDT
VERONICA L. HAGER
DARIN L. HARPER
ANDREW J. HARTMAN
BERNARD HARVEY

CORY L. HEINEKEN
 RAYMOND J. JABLONKA
 FREDERICK C. JACKSON
 ROBERT W. JENKINS
 TAMMIE M. JONES
 STEVIE T. JORDAN
 ERIC J. KELLY
 AMY S. KING
 ANTHONY M. KING
 JOHN W. LEE
 SEAN C. LESTER
 THOMAS J. LONGO
 PETER B. MARKOT
 WINICO M. MARTINEZ
 JAMES N. MASTERTSON
 CHRISTOPHER D. MAYHUGH
 YVETTE M. MCCREA
 DARRYL A. MCGUIRE, JR.
 DAVID S. MCILWAIN
 SEAN A. MCMURRY
 STEVEN A. MEADOW
 MARK D. MELLOTT
 JAMES A. MORRISON
 TROY MORTON
 GREGORY J. OBRIEN
 MARY A. PETERS
 LAWRENCE N. PETZ
 MARK C. PLOOSTER
 MARK A. POTTER
 JOSE F. QUESADA
 MCKINLEY RAINEY
 PETER A. RAMOS
 LYLE D. RASMUSSEN, JR.
 DEVON O. REED
 JEFFREY L. REIBESTEIN
 EVELYN REYESCARRERA
 DANIEL E. REYNOLDS
 RANDALL W. RHEES
 SHANE A. ROACH
 JASON L. ROBERTS
 ADMINDA L. RODRIGUEZ
 DAVID L. ROLLINS
 KURT E. SCHAECHER
 TIMOTHY A. SHARPE
 BRADLEY T. SHIELDS
 MICHAEL S. SMITH
 NELSON S. SO
 STEPHEN T. SPEER
 RAYMOND D. SPIAK, JR.
 ERIC SPOTTS
 SCOTT J. STOKOE
 ROBERT J. STROB
 JOSEPHINE E. L. THOMPSON
 BARBARA T. TRAENKNER
 WILLIAM N. UPTERGROVE
 ARISTOTLE A. VASELIADES
 RICHARD VELAZQUEZ
 CARYN R. VERNON
 KENNETH L. WALTERS
 LAWANDA D. WARTHEN
 DOUGLAS L. WEEKS
 DOUGLAS P. WEKELL
 MITCHELL W. WOODBERRY
 DANIEL M. WOODLOCK
 HASSAN ZAHWA
 DAVID J. ZAJAC
 PATRICK A. ZENK
 REBECCA A. ZINNANTE
 JOHN P. ZOLL

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

TANYA WONG

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KAREN R. DALLAS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

RONALD G. OSWALD

To be lieutenant commander

NIKITA TIHOVON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MASOUD EGHTEHDARI
 BRUCE G. GREEN
 ISTVAN HARGITAI
 THOMAS M. JACKS
 LOREN K. MASUOKA
 STEVEN A. MATIS
 CHRISTOPHER A. STEWART

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

RICHARD A. BONNETTE

CAMERON H. FISH
 RUSSELL P. GRAEF
 DWIGHT A. HORN
 KEVIN J. SWEENEY
 LOFTEN C. THORNTON
 ANDREW A. WADE
 THOMAS J. WALCOTT
 DARRELL J. WESLEY
 GLEN WOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOSEPH J. ELDRED
 DAMIAN D. FLATT
 PETER D. GALINDEZ
 PATRICK J. GIBBONS
 KEITH S. GIBEL
 MICHAEL C. HOLIFIELD
 MARK C. HOLLEY
 DONALD C. KING
 JAMES M. LUCCI
 BETHANY L. PAYTONOBRIEN
 TREVOR A. RUSH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

TIM J. DEWITT
 WENDY M. HALSEY
 ANDREW M. HASCALL
 ERIC J. HAWN
 RICHARD D. HAYES III
 SCOTT D. LOESCHKE
 PETER J. MACULAN
 JAMES G. MEYER
 JAYSON D. MITCHELL
 JAY A. MURPHY
 LATANYA E. SIMMS
 DANIEL P. TURNER
 GREGORY G. VINCI, JR.
 WILLIAM L. WHITMIRE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JANINE D. ALLEN
 PAUL B. ARP
 CINDY M. BAGGOTT
 AMY H. BRANSTETTER
 NEWTON J. CHALKER
 MAX C. CORMIER
 MARTHA A. CUTSHALL
 GEORGE L. DYER III
 CHRISTINE B. GRUSCHKUSWRIGHT
 DEBBIE R. JENKINS
 CYNTHIA L. JUDY
 WENDY M. MCCRAW
 VALERIE A. MORRISON
 GREGORY G. NEZAT
 ROSEMARY PERDUE
 TODD M. STEIN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CRAIG S. COLEMAN
 JOSEPH S. GONDUSKY
 HELEN S. HAGAN
 JARED H. HEIMBIGNER
 HASAN A. HOBBS
 PATRICK W. JOYNER
 JAIME H. KAPUR
 SHELLIE M. KENDALL
 GRANT A. KIDD
 RICHARD D. MCCORMICK
 CHARLES J. OSIER, JR.
 ROBERT F. RENDER
 ALBERT J. SCHUETTE, JR.
 JEFFREY S. SCOW
 JESSICA J. SHANK
 LISA M. THIEL
 DIANA TOROK
 BRIAN R. VINCENT
 WILLIAM R. VOLK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BARRY D. ADAMS
 PAUL A. ANDRE
 ARTHUR C. ANTHONY
 WILLIAM C. ASHBY
 FELIX A. BIGBY
 TRUPTI N. BRAHMBHATT
 MICHAEL F. CRIGUI
 WILLIAM M. DENISTON
 ROLAND L. FAHIE, SR.
 DAVID F. HOEL
 DENISE N. HOLDRIDGE
 LISA K. KENNEMUR
 JAMIE M. LINDLY
 RALPH J. MARRO
 PAUL C. MILLER
 TIMOTHY R. RICHARDSON

GEORGE STEFFIAN
 BRIAN G. TOLBERT
 JUDITH M. WALKER
 GERARD J. WOELKERS
 DEBRA L. YNIGUEZ
 KIMBERLY A. ZUZELSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ERIC J. BACH
 DOUGLAS M. BRIDGES
 PATRICK A. BURSON
 JEFFERY P. DAVIS
 ROBERT K. DEGUZMAN, JR.
 SEAN M. EGGE
 PRESTON L. GILL
 MARK K. HARRIS
 JONATHAN B. HAYNES
 ELIZABETH L. JACKSON
 DAVID M. LOCKNEY
 JAMES R. MACARANAS
 DARRELL L. MATHIS
 RICHARD K. MCCARTHY
 MICHELLE D. MORSE
 FRANK E. NEVAREZ
 KARL E. OETTL
 MATTHEW N. OTT III
 ERIC OXENDINE
 JOSEPH W. PARRAN
 DAVID J. RHONE
 MARK J. RUNSTROM
 ERIC J. SCHOCH
 WILLIAM B. STEVENS
 ERIC S. STUMP
 LORENZO E. WILLIAMS
 RICARDO WILSON
 JOHN H. WINDOM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DANIEL J. ACKERSON
 ELIZABETH M. ADRIANO
 SEAN P. BARABELLA
 CHARMAGNE G. BECKETT
 WILLIAM A. BECKMAN
 RICHARD L. BIGGS
 ROBERT F. BROWNING
 SARA L. BURGER
 ILIN CHUANG
 TERESA M. COX
 DONALD S. CRAIN
 MICHAEL S. DANFORTH
 KIMBERLY D. DAVIS
 JAMES A. ELLZY
 STEVEN J. ESCOBAR
 JOSEPH C. FINLEY
 JULIE GREEN
 HAROLD L. GROFF
 NEAL A. HEIMER
 VIVIANA V. JOHNSON
 STEPHANIE A. KAPPER
 DAVID C. KRULAK
 CHRISTOPHER B. LANDES
 GRAINGER S. LANNENAU, JR.
 GABRIEL LEE
 WILLIAM T. LENNARD
 KEVAN E. MANN
 TODD J. MAY
 NICOLE K. MCINTYRE
 JAMES P. OBERMAN
 JOSEPH G. OBRIEN
 LISA A. PEARSE
 EMERICH D. PIEDAD
 BRYN J. H. REINA
 NANETTE L. ROLLENE
 BRIAN R. SCHNELL
 WILLIAM T. SCOUTEN
 JOSEPH J. SPOSATO
 ALEXANDER E. STEWART
 MICHAEL S. SULLIVAN
 SEAN D. SULLIVAN
 MICHAEL G. SWANSON
 AARON M. TAYLOR
 GREGORY T. THIER
 JEFFREY M. TOMLIN
 HARVEY B. WILDS
 DIANA B. WISEMAN
 FREDERICK E. YEO
 SCOT A. YOUNGBLOOD

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RANDOLPH T. PAGE

CONFIRMATION

Executive nomination confirmed by the Senate May 16, 2013:

DEPARTMENT OF ENERGY

ERNEST J. MONIZ, OF MASSACHUSETTS, TO BE SECRETARY OF ENERGY.

HOUSE OF REPRESENTATIVES—Thursday, May 16, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. HARTZLER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 16, 2013.

I hereby appoint the Honorable VICKY HARTZLER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

FREEDOM UNDER SIEGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Madam Speaker, just a week after the President extolled the benign virtues of Big Government and told university students to ignore those who warn of its dangers, Americans woke up to headlines that this government has been targeting groups and individuals that it doesn't like for intimidation and harassment.

I appreciate the President's sudden interest in getting to the bottom of this. But I must remind the House that more than a year ago, I and other Members rose on this floor to warn of these tactics directed at Tea Party groups by the IRS. At the time, the administration responded by saying that this was just a natural backlog. Well, we now know that was a deliberate and premeditated lie.

It now appears that nearly 500 conservative groups were subjected to invasive review and intimidation. The IRS demanded the names of every participant at every meeting these groups held over a period of years, transcripts

of every speech given at those meetings, what positions they had taken on issues, the names of their volunteers and donors and, in some cases, their family members and associates, and copies of privileged communications they had with elected officials. In some cases, the person filing the request was then subjected to a personal income tax audit.

There is no way to estimate the number of additional groups that were discouraged from organizing because of these tactics. Meanwhile, it appears that leftist groups had their applications routinely approved. The impact this had on the 2012 election is incalculable.

We are also learning that these tactics extended well beyond a few low-level rogue employees in Cincinnati. Lois Lerner, the official in charge of tax exempt organizations for the IRS, was awarded more than \$42,000 in bonuses while she was directing what the President now calls outrageous behavior. Highly intrusive and unwarranted demands for information also originated from the Washington, D.C., office and at least two satellite IRS offices in California.

Dr. Anne Hendershott, a Catholic sociologist, professor, and writer, came under a personal income tax audit after she exposed a George Soros front group masquerading as a grassroots Catholic organization. She said the questions put to her during a grueling audit were largely political. And this occurred from the New Haven, Connecticut, office.

It appears that evangelical groups were also targeted, as were Jewish groups supporting Israel.

Nor was this misconduct limited to groups applying under section 501.

There is now reason to believe that IRS officials leaked confidential tax information to top officials in the Obama campaign and to liberal groups such as ProPublica and The Huffington Post, which may then have illegally published that information.

During the campaign, Austan Goolsbee and HARRY REID referenced confidential tax information involving Charles and David Koch and Mitt Romney, only to back off when they were pressed for their sources.

Nor does this conduct appear to be limited to the IRS.

Shortly after businessman Frank Vandersloot was attacked by the Obama campaign for his support of Mitt Romney, he came under audits by both the IRS and the Labor Department.

The Competitive Enterprise Institute has just released a damning survey of fee waivers granted by the Environmental Protection Agency under the Freedom of Information Act. Left-leaning groups had their fees waived 92 percent of the time. Conservative groups just the opposite—about 7 percent of the time.

And this week, it also became clear that the FBI is using general warrants, banned by the Fourth Amendment, to rifle through the phone records of AP reporters with a clear intention to intimidate whistleblowers and to obstruct the operation of a free press.

We are seeing a pattern of conduct throughout this administration that is absolutely toxic to a free society: government using its powers to intimidate private citizens who are simply trying to take part in the public policy debate.

Madam Speaker, this cries out for a full investigation by the Congress, and I utterly reject the notion that the ritual naming and firing of a few hapless scapegoats is sufficient. Every government employee who abused their power needs to be identified, exposed, disgraced, dismissed, and debarred from ever again holding a position of authority or trust within this government.

When the Constitution was read by the New York Convention, Alexander Hamilton said:

Here, sir, the people govern; here they act by their immediate representatives.

Madam Speaker, the most cherished liberties of the American people are under attack, and we, their immediate representatives, have a solemn obligation to act in the defense of their freedom, their country, and their Constitution.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, a few days ago, the world's atmosphere passed 400 million parts per million level of carbon, higher than anything we have seen in the atmosphere for over 3 million years. This puts in stark focus the climate crisis and the indifference we are seeing from congressional leadership on this problem.

In the last 24 hours, all you needed to know about the state of play for climate science and dealing with global warming was in two articles in the newspaper. Yesterday, the business section of The New York Times by

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Eduardo Porter discussed how the reinsurance industry is entirely comfortable with the climate science, predicting more rapid extreme weather events and dire consequences.

They in the insurance industry, after all, don't have the luxury of debating science when they must deal with facts on the ground. This is dollar and cents for a vast industry trying to help people cope with the consequences of natural disaster. As a result of the market discipline, they have had to embrace reality, accept it, and plan for it.

It was poignant that Porter observed and probed their lack of engagement in government policies, at least in the United States, that would help minimize future damage. Remember, this is even as the scientists told us we have had the highest concentration of carbon for 3 million years.

In today's Washington Post, there is a front-page story about fish populations that aren't waiting for their habitat to make it impossible for them to live. Species all over the globe are moving. They are migrating to cooler climates. In a process that has been taking place for decades now, fish are sorting themselves out and leaving areas that no longer sustain their quality of life, their ability to reproduce, and to thrive. They have steadily been moving to areas where the effects of climate change are not so pronounced.

Isn't it interesting that fish without fancy scientific instrumentation or computer analysis or, dare I say it, political focus groups have reacted to facts in the sea and move to where they can function, where they can live, where they can escape for the time being, at least, the impact of climate change?

They are also escaping from the people who depend on these fish for their living in the previous habitat. But that is another story about the devastation that local communities are facing because of the climate change consequences.

□ 1010

Isn't it time that the political process starts responding to a problem that even fish can figure out?

What is it going to take for people in this body to wake up to their responsibilities and act with the same insight as aquatic species that don't have graduate degrees in computers but, mercifully for them, don't have political blinders and ideological fervor, wasting huge amounts of time on pointless activities like debating whether to repeal ObamaCare for the 37th time?

Hopefully, insurance companies and the people who depend on these aquatic creatures will lend an air of reality to the discussion of climate change that is almost nonexistent here on Capitol Hill, maybe reaching the point where it is no longer a debate because it's really past time for a debate.

It is time for us to take action like our friends in the ocean. If Charlie the Tuna can figure it out, why can't the Republican leadership in Congress? Let's maybe spend a little time debating with the Safe Climate Caucus this existential crisis of climate change and global warming.

NATIONAL EXCHANGE CLUB BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. WEBER) for 5 minutes.

Mr. WEBER of Texas. Today I have the distinct honor of wishing a belated "happy birthday" to an organization that I am a proud member of back home in Texas 14.

I want to take a moment to say thank you to the Exchange Club of Pearland of which I have been a member for a number of years. They've done a lot of good work in the community, and I look forward to the expansion of their club and the work they will continue to do to better that community.

I would also like to welcome the newest chapter in Friendswood, Texas, where I currently reside. I look forward to working with them in promoting American exceptionalism and in helping to serve our community.

For those of you who might not know, the National Exchange Club is a service organization with over 700 clubs and 21,000 members throughout the United States and Puerto Rico. On March 27, 2013, they celebrated their 102nd birthday. From a handful of members in Detroit, Michigan, at the turn of the 20th century, Exchange has developed into an outstanding national service organization comprised of tens of thousands of men and women who serve their local communities and advance their motto of "Unity for Service."

Exchange-sponsored activities are designed to benefit, award, and develop our Nation's youth, promote crime prevention, serve senior citizens, and recognize military and public safety service providers. Exchange also promotes Americanism, and its national project is the Prevention of Child Abuse program. In addition to these programs, the National Exchange Club has been at the forefront of significant developments throughout American history, including the early days of aviation progress. The spirit of patriotism, along with a desire to heighten the awareness of our rich religious heritage, placed Exchange in a position of leadership with other organizations that led to the addition of the words "under God" to the Pledge of Allegiance in 1954.

As Reagan said, "If we ever forget we are 'one Nation under God,' we will be a Nation gone under."

The Exchange Club is America's service club, an organization that promotes

American exceptionalism. I am a believer in our country's exceptionalism, and I will never apologize for it.

Think about this for a second, folks. Whether it's a hurricane, whether it's a tsunami, whether it's an earthquake, whatever it is, when the world has a catastrophe and dials 911, who is it that answers? It's America, isn't it? It's the red, white, and blue. It's the land of the free, the home of the brave.

For a safe world, we need a strong America. For a strong America, we need a safe America. The Exchange Club works ever so hard to keep America strong and safe.

So, to them, I wish a very happy birthday, especially to the Pearland club and the Friendswood club. I say thank you for all of your hard work.

I am RANDY WEBER, and that's the way I see it from where I sit here in America.

DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY. Madam Speaker, the nonpartisan Congressional Budget Office's latest forecast says this year's Federal deficit will shrink by 41 percent compared to last year's. That point bears repeating. The deficit is shrinking—and dramatically—thanks to the bipartisan actions taken by this Congress earlier this year. The CBO now projects a deficit of \$642 billion, which is \$200 billion less than projected just 3 months ago, the lowest level since 2008. Just 4 years ago, the deficit was over 10 percent of our GDP. This year, it's projected to fall below 5 percent—half of what it was just 4 years ago.

Now, I understand that this news may not fit neatly within the narrative of our friends on the other side of the aisle, who, just as they did in the summer of 2011 unfortunately, tried just last week to manufacture yet another debt crisis where none exists.

I would note that it was only a few months ago that we worked together in a bipartisan fashion to suspend the debt limit. On the heels of our New Year's Day compromise on the tax portions of the fiscal cliff, my Republican colleagues recognized the dangers of yet another debt showdown on the markets and on the possibility of downgrading U.S. creditworthiness; but rather than build on that rare moment of bipartisan comity and work with Democrats on a balanced plan to put our Nation back on the path of fiscal responsibility, House Republicans doubled down. They pushed ahead with their "cut spending at any cost" agenda. They pushed through a continuing resolution that baked in the harmful cuts of sequestration, which is a self-inflicted wound on our economy.

Ironically, House Republicans just last week pushed through on a party-

line vote a bill that claims to protect the full faith and credit of the United States when, in reality, it would only place it more at risk by suggesting we won't be good for our debt. Furthermore, many of my Republican colleagues have relied on this debt crisis research done by two economists, Messrs. Reinhart and Rogoff, who have suggested that high levels of public debt always lead to lower rates of economic growth. That research has been the foundation of Republican austerity proposals in America, including the last three versions of the Ryan budget, which decimate public investments in our communities and the economy in the name of deficit reduction. It turns out the researchers aggregated the data incorrectly. They couldn't even read the Excel sheets properly, and that dramatically shifted the findings to show growth for high debt countries was more than 2 percent higher than they said it was, and it turns out there is no magical threshold of 90 percent that always leads to, in fact, economic contraction. In fact, it's quite the opposite.

Raising the debt limit is not a license to spend more money. It simply ensures that America will be good for its current debts and obligations. We've been good for that since Alexander Hamilton established the U.S. Treasury in George Washington's first Cabinet. The bipartisan agreement to suspend the debt ceiling expires this weekend, but with this latest forecast, the CBO now says that that limit probably won't be reached until October or November of this year. Most news reports suggest this will reduce the political pressure to achieve a bipartisan deal on further reducing the deficit in a balanced way. I'd argue the urgency still remains and that this window of time presents us with a perfect opportunity for bipartisan negotiations to resume without the specter of that sort of debt ceiling limit over our heads immediately.

I am dismayed that my Republican friends continue to shun their own party's heritage for making strategic investments in infrastructure and innovation in favor of a blind adherence to slashing government spending with no acknowledgment for the consequences. I've consistently said that Federal spending must be reduced, but I've also said that it must be done in tandem with maintaining strategic Federal investments in things that create jobs, like R&D, infrastructure, innovation. I would suggest that my Republican friends look no further than the GDP growth from the last two quarters, showing it's not the Federal debt but their meat-ax approach to cutting those Federal investments that, in fact, has created what drag there is on the U.S. economy.

The last time Republicans played games with the debt ceiling we reg-

istered the lowest monthly job growth in 3 years; the stock market tumbled; and the S&P, for the first time ever, downgraded U.S. debt. The latest jobs numbers show we've been adding 208,000 jobs a month on average since November, prompting a surge in confidence reflected by the market's climb to record levels.

I implore my friends on the other side of the aisle to use this time to work with us on a balanced approach to deficit reduction and economic growth.

□ 1020

LIGHTS OUT AT OUR MILITARY BASES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. TURNER) for 5 minutes.

Mr. TURNER. Madam Speaker, it is literally "lights out" at our military bases.

Next to me is a photo that ran the other weekend in my hometown newspaper, which shows darkened hallways at the largest Air Force base in the world, Wright-Patterson Air Force Base. There wasn't a lack of power at the base that day, but a lack of leadership here in Washington. The lights were out because the Senate and the President have failed to take up the issue of sequestration.

Sequestration is having a devastating effect on the readiness and the morale of our servicemembers and civilian workforce. Imagine going to work and the President feels that you are so insignificant that you don't even deserve to have the lights on.

The President promised the American people during his reelection campaign that this would not happen, but it has. It's time for the President to come to the table with a solution to this issue before our military is irreparably impacted.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Madam Speaker, by now you've all heard of the terrible shooting that took place on Sunday during the Mother's Day parade in New Orleans. Like all Americans, I was saddened to once again see a joyous public event marred by gun violence.

Yet, as the Mother's Day shooting unfolded in New Orleans, I was struck by another lesser known story about the toll of gun violence that was playing out more than 100 miles away in Chicago. It is the story of love and loss told by the mothers of those killed by gun violence who were facing Mother's Day without their children, perhaps for the first time.

A group of these mothers gathered at a memorial outside a Chicago church to mourn and remember their children. As a mother who was blessed to spend the day with my children, their pain and anguish is unimaginable.

For every mass shooting that grabs the headlines, there are dozens more that take place on America's streets every day that are leaving a lost generation in their wake. And yet, in the national debate about gun violence, these everyday killings, this slow-motion massacre is often overlooked. And so are the mothers who are left behind.

Just as the mothers who wept for their children in Newtown, these Chicago mothers are also the faces of the aftermath of gun violence. Because whether your child is shot in the classroom or on a street corner or in a park, your hopes and dreams for them were the same, and so is the agony of your loss.

It is for these mothers—Clara Allen, Tanya Butler, Angela Blakely, and others like them—that I raise my voice and will continue to raise my voice in memory of their children to implore my colleagues in Congress to pass reasonable and responsible gun legislation. We must act now to end the senseless scourge of killings in our streets due to gun violence.

I know there are those who think that new gun laws are not the solution. I say they're looking at the wrong equation. Commonsense gun restrictions are part of a multipronged approach to stemming gun violence that should also include increased access to mental health services and better community and social supports. It will take a village to save these children, our children.

Passing commonsense gun legislation is a key step in the process by helping to keep guns out of the wrong hands. We must take a stand for these children and their mothers and send the message that we hear them, we care about them, and that their lives matter.

AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. JEFFRIES) for 5 minutes.

Mr. JEFFRIES. Madam Speaker, later on this afternoon, the House will vote for the 37th time to repeal the Affordable Care Act.

The Speaker of the House of Representatives has already been on record saying that the Affordable Care Act is the law of the land. So it's just not clear to me why we are wasting the time and the treasure of the American people on another futile legislative fantasy.

In fact, it's a legislative fantasy that has cost the American people more than \$50 million. If, in fact, the Affordable Care Act were to be repealed, it

would do even more damage, as independent economists have estimated that a repeal would add to the Federal deficit by more than \$100 billion.

It's often been said that the classic definition of "insanity" is doing the same thing over and over and over again but somehow expecting a different result.

Barack Obama was elected President in 2008. The Affordable Care Act was signed into law in 2010. The Supreme Court, with the Chief Justice voting in the majority, held that the Affordable Care Act was constitutional in 2012. A few months later, President Barack Obama was reelected in an electoral college landslide. Yet, later on this afternoon, we're voting to repeal the Affordable Care Act for the 37th time—over and over and over again. It's a classic definition of legislative insanity, as if the 37th vote is going to be any different, will yield any different results than the previous 36 where we've wasted the taxpayer dollars of the American people.

The Affordable Care Act is the law of the land, and that's a good thing. It's a good thing because over the next decade more than 30 million Americans who otherwise would not have had health care insurance will be insured. It seems to me that that's a good thing.

The Affordable Care Act makes sure that insurance companies cannot deny medical coverage for preexisting conditions. It seems to me that that's a good thing.

The Affordable Care Act provides small businesses with a 35 percent tax credit, which will enable these small businesses to continue to grow and to flourish. It seems to me that that's a good thing.

The Affordable Care Act allows young Americans who are just starting out to remain on the insurance plan of their parents until the age of 26, giving them a real chance to get themselves started in their pursuit of the American Dream. I'm new, but it seems to me that that's a good thing.

Yet later on this afternoon, for the 37th time, we're engaging in another futile legislative fantasy.

There are a couple of other things that we could be doing. We could be dealing with the sequester, \$85 billion in random cuts that are costing the economy more than 500,000 jobs, but we're not.

We could be debating the American Jobs Act, trying to put the people of this great country back to work and stimulate the economy, but we're not.

We could be trying to get a budget, go to conference, create some certainty for industry and the American people, but we're not.

Madam Speaker, I'm hopeful that after this vote is taken, we can finally come to the reality that the Affordable Care Act is the law of the land, it's

good for the American people, and we should get back to doing things that will advance prosperity in this great country.

□ 1030

REPEAL PRESIDENT'S HEALTH CARE LAW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Madam Speaker, I rise this morning to speak about an issue that is of great concern to my constituents back home in Pennsylvania, and it's the matter of the implementation of the President's Affordable Care Act, the implementation which some members of the President's party have described as a coming train wreck. Madam Speaker, that train wreck has arrived. This massive undertaking of enacting such a broad, confusing law has only highlighted the concerns that I and many of my constituents back home have had with this law and what it means for our small businesses and families in Pennsylvania.

However, a new concern—possibly greater than the idea of government-run health care—has presented itself over the last several days with the revelation that the Internal Revenue Service has been targeting law-abiding Americans simply because of their beliefs. The IRS now wants to know what we think and what books we read.

Madam Speaker, the President's health care law is largely a tax bill. It contains at least 20 new or higher taxes on American families and businesses. That makes it the biggest change to an already-confusing Tax Code in over two decades. And with the implementation of this massive tax bill comes the IRS' new role in running it.

By putting politics ahead of fairness, the IRS has violated the trust of the American people at a time when the administration is loading it up with more responsibility and more power. Under health care reform, the IRS will gather extensive information about the financial resources and health insurance status of all Americans. The expansion of the IRS' power will include hundreds of billions of dollars in new taxes, the hiring of thousands of enforcement agents, and a tower of new rules and regulations. I'm deeply concerned with the ability of the agency and the resolve of the agency to lawfully manage this significant undertaking with discretion and with accountability.

While the agency reported that new rules are in place to ensure that this type of situation never happens again, like many Americans, I question why this disturbing trend was ever allowed to happen in the first place. The Presi-

dent's health care law does too much to infringe on the rights of the American people and swells the size and scope of an already bloated Federal Government, which has once again proven incapable of acting responsibly.

Today, I urge Members of Congress to fully repeal the health care law and, in doing so, take the first step to replacing it with commonsense solutions for all Americans—like allowing people to purchase health coverage across State lines; stopping frivolous lawsuits against our doctors; clearing individuals to receive tax credits just like large businesses; and letting Americans keep control of the health care that works best for them.

RIGHT TO VOTE AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. POCAN) for 5 minutes.

Mr. POCAN. Madam Speaker, I rise today to talk about the most fundamental right we as Americans have as citizens of this great country, the right to vote. The right to vote is not just fundamental; it is the right that preserves all of our other liberties that we as Americans hold dear. In fact, this right is so fundamental that most Americans, understandably, assume it is already enshrined in the Constitution. Unfortunately, Madam Speaker, most Americans would be wrong.

While the right to vote is inherent throughout our founding document, and there are amendments prohibiting discrimination, nothing in the Constitution explicitly guarantees our right to vote. We, as Americans, possess no affirmative right to vote.

Why is this important? Because without a constitutional provision, courts have upheld burdensome registration requirements, voter-identification laws, and reduced early voting opportunities in States across the country.

According to the Brennan Center for Justice, just this year alone, more than 80 restrictive laws have been introduced in more than 30 States. From New York to Washington, legislation has been introduced that require voters to show a photo ID. States from Virginia to New Mexico have considered bills that would make voter registration more difficult. And from Arizona to Tennessee, States have taken steps to limit early voting.

Unfortunately, this plague of restrictive voting efforts has hit my State of Wisconsin as well. In 2011, our legislature passed a law that would limit the fundamental rights Wisconsinites have to vote. Not only would this law require a photo ID; it also took steps to disenfranchise senior citizens and college students, reduce registration opportunities, and restrict the ability of citizens to receive absentee ballots.

But Wisconsin has something that other States do not possess—a guaranteed right to vote. Article III, section

1, of the Wisconsin Constitution specifically states:

Every United States citizen age 18 or older who is a resident of an election district in this State is a qualified elector of that district.

This one sentence makes a huge difference for Wisconsinites. In two separate cases challenging the Wisconsin voter ID law, the Wisconsin circuit courts have ruled that these restrictive, burdensome voting laws are unconstitutional because, from the decision in NAACP of Milwaukee v. Walker:

The Wisconsin Constitution expressly guarantees the right to vote.

But this isn't enough. Not all States have this right. Our friends in Indiana, as we have seen, have little recourse if a restrictive voting law is signed into law.

Now more than ever, we need to be protecting our right to vote, not restricting it. We need to reaffirm our founding principle that our country is at its strongest when everyone participates. We need to guarantee a right to vote for everyone.

So this week, along with my friend and colleague, Congressman KEITH ELLISON from Minnesota, I introduced a right-to-vote amendment to the Constitution that will explicitly guarantee, without a doubt, the right of the American people to vote. The amendment is as simple as it is necessary: every American citizen possesses the fundamental right to vote in every public election where they reside, and Congress has the right and power to protect it.

No more will Americans have to prove their right to vote has been infringed. Instead, the burden of proof will be left to States to demonstrate that any efforts they take will not deny or abridge the fundamental right to vote.

Now, I know there are some out there who will say that an amendment to the Constitution is unrealistic; it's too hard to achieve. Those critics are shortsighted. This is about engaging my colleagues in Congress on both sides of the aisle and the American public in a movement to ensure our right to vote is not at the mercy of those acting with partisan motives. The right to vote is not a Democratic right, nor is it a Republican right. It is an American right, and it is fundamental to a government for the people, by the people.

Madam Speaker, I'm proud to support this bill, and I urge my colleagues to join on and protect our most fundamental right.

HONORING JACOBY DICKENS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I rise to pay tribute to one of America's most prominent African American businessmen and financiers. Mr. Jacoby Dickens was born and grew up in Panama City, Florida, one of six children in a low-income family.

The family moved to the south side of Chicago when Mr. Dickens was a teenager. He attended Wendell Phillips High School. After school he worked as a building engineer, saved his money, and began investing in real estate. He eventually purchased and managed a large number of apartment buildings before selling them in 1971.

After investing in several bowling alleys in the Chicago area, he was asked to join the board of Seaway Bank in 1979. In 1983, he became chairman of the board and remained until his death earlier this year. Under his guidance and leadership, Seaway Bank and Trust Company became the largest Black-owned bank in Chicago with assets of \$547 million.

Mr. Dickens was a great civic activist and contributor to public causes. He served on the boards of Chicago State University, the School of Business at Florida A&M University, and the Chicago Urban League. He donated more than \$1 million to Chicago State University's athletic center, which bears his name. He was a trustee at the Museum of Science and Industry and DePaul University, where a scholarship and loan program are named for him. In the 1980s, he was a key supporter and fundraiser for Harold Washington, who was elected the first African American mayor of Chicago.

Jacoby Dickens was a man of vision, courage, and determination. He used his wisdom, business acumen, and money wisely, not only for himself and his family, but also for the uplifting of humanity. My condolences and well wishes go out to his wife, Ms. Veranda Dickens, their family, and all of the trustees and employees of Seaway Bank and Trust Company.

□ 1040

Mr. Dickens was, indeed, a man for the times and the seasons in which he lived. His bank gave loans in depressed communities and neighborhoods where people were hard-pressed to find resources. He will be sorely missed and always remembered.

POVERTY IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE of California. Madam Speaker, as the cofounder of the Congressional Out of Poverty Caucus and chair of the Democratic Whip Task Force on Poverty and Opportunity, I rise today to continue talking about the ongoing crisis of poverty and the impact of sequester.

We are well aware of the impact the sequester is having on many, many communities across the country in terms of devastating some of the basic social safety networks that we have all benefited from in many, many ways. They're really very, very harmful to our most vulnerable.

Nearly 50 million Americans, including 16 million children all across our country and in every congressional district, are living in poverty. Yet the sequester continues to have devastating impacts on access to childhood education, affordable housing, hot meals for low-income seniors, Head Start, and countless other programs that help low-income and vulnerable Americans.

But, Madam Speaker, these draconian cuts are not enough for some of my colleagues, given what took place last night at the Ag Committee. Last night, the Ag Committee passed a \$20 billion cut to our Nation's first line of defense against hunger in the farm bill. The Supplemental Nutrition Assistance Program, formerly known as the Food Stamp program, is really a vital lifeline for millions of Americans.

As a young, single mother, I relied on food stamps and public assistance during a very difficult period in my life. Let me tell you, no one—no one—wants to be on food stamps, but it is a bridge over troubled water. And so I am, quite frankly, appalled and very sad to see my colleagues attacking the integrity of such essential programs for families that need a helping hand during difficult times.

As we work to create, hopefully, a balanced reauthorization of the farm bill, we must keep in mind the people, the families, and businesses impacted by these proposed cuts.

Nearly half of all SNAP recipients are children. One in five children in America are at risk of hunger, and we know that nearly half of all children in America will be on SNAP benefits sometime during their childhood. That's half of all children in America.

Not only does SNAP help put food on the table for struggling families, every \$1 increase in SNAP benefits generates \$1.70 in economic activity. Yet, if the farm bill becomes law, more than 2 million families will be cut off from this economic lifeline.

With unemployment still at 7.5 percent—and in some communities it's over 13 percent—and the rate of poverty at 15 percent—again, some communities, it's 27 to 30 percent—ongoing cuts to SNAP and other nutrition assistance programs will increase hunger in America, and we will see even greater consequences.

Hungry children cannot learn in school and suffer developmental delays. Hungry children have worse health outcomes. Hungry children have bleaker economic outlooks through the rest of their adult lives. But the impacts don't stop there.

Cuts to critical nutrition programs don't just hurt the hungry families who rely on them, they hurt the economies of local communities, as families have less money to spend in local stores. Allowing an increase in hunger across America will threaten our Nation's ability to develop the highly skilled and highly educated workforce that we will need to compete in the 21st century.

We must not make cuts on the backs of hungry children to balance our budgets. Doing so would be morally wrong and an economic disaster.

Madam Speaker, instead of scheduling a 37th vote to repeal the Affordable Care Act, we should come together to work to find an approach for all Americans to help get everyone back to work.

We need a comprehensive solution to replace the sequester and to address the ongoing crisis of poverty. That is why, with the support of our Democratic Caucus, we started a Task Force on Poverty and Opportunity in February, which I am proud to chair. We are working to build support for a comprehensive national strategy to help eliminate poverty, grow the economy, and create millions of new jobs, and I urge all of my colleagues to join us.

I also hope that our colleagues will join myself, Representative JIM MCGOVERN, our Congressional Black Caucus chair, MARCIA FUDGE, Congresswoman JAN SCHAKOWSKY, and our Democratic Caucus vice chair, JOE CROWLEY, in taking the food stamp challenge. We need to raise the level of awareness of what is taking place here in Washington, D.C., and so what we're going to do is commit ourselves to limiting our food budget to the average SNAP benefit for a week. That's \$1.40 per person per meal. We will show how vital it is to strengthen and fully fund SNAP. And we're asking all of those who can do this to join with us.

We've got to protect the most vulnerable, grow the economy, and SNAP is one of the best programs to do just that. So it's time not to slash it, but to support it.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 46 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Dr. Mike Landry, Sarasota Baptist Church, Sarasota, Florida, offered the following prayer:

Heavenly Father, I approach Your throne on behalf of a Nation that desperately needs You. We are faced with much division and disunity in our land, and we request Your healing and reconciling touch. We thank You that You are not a spectator God who sits in Heaven unconcerned and uncaring.

We acknowledge that the greatness of our Nation is due to Your blessing and provision. And we know that You have blessed us in order that we might be a blessing to other nations. We understand that to whomever much is given, much will be required.

Father, grant these legislative leaders wisdom and courage to make decisions today that honor You. May Your will be done on Earth, just as it is in Heaven.

Pour out Your grace and protect the marriages and families of these, our Nation's leaders.

I offer this prayer in the name of Jesus Christ.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. SHIMKUS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SHIMKUS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. OLSON) come forward and lead the House in the Pledge of Allegiance.

Mr. OLSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING DR. MIKE LANDRY

The SPEAKER. Without objection, the gentleman from Florida (Mr. BUCHANAN) is recognized for 1 minute. There was no objection.

Mr. BUCHANAN. Mr. Speaker, it is my privilege this morning to welcome a very good friend to the Halls of Congress. Pastor Mike Landry, who delivered the opening prayer this morning, is a great spiritual leader in Sarasota, Florida. For the past 16 years, he has served as senior pastor to the Sarasota Baptist Church, located in the heart of my district.

My wife, Sandy, and I have had the pleasure of knowing the pastor for nearly 5 years. He is very devoted to his family, his church, his congregation, and serving the people of southwest Florida. He has made himself an incredible and beloved member of our community.

I commend Pastor Landry for his outstanding service to our community and to our Nation. It's my honor today to welcome him here to the House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YODER). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

THE TRUTH ABOUT BENGHAZI

(Mr. LONG asked and was given permission to address the House for 1 minute.)

Mr. LONG. Mr. Speaker, I rise today to address an important issue: the attack against America and its citizens by terrorists in Benghazi. Four Americans, including our Ambassador, Chris Stevens, have been killed. The American people deserve the truth about Benghazi and to know who was responsible, not convenient stories blaming the violence on some filmmaker's free speech rights. The people who died deserve justice.

As we investigate this attack, and the response of the civilian and military leaders in command, we must determine whether the paralysis that seemed to characterize the government's reaction was the result of individual bad decisions or a broader institutional problem.

Our military and our soldiers are the most capable in the world, but if their commanders refuse to send them into battle, they cannot safeguard American lives or interests.

The American people and our allies abroad need to know that the United States has the resolve to act in the face of uncertainty. Our enemies need to know that when they attack Americans, they do so at great danger because Americans do not leave our people behind.

HONORING HOLOCAUST EDUCATION AND RESOURCE CENTER

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to honor the Holocaust Education and Resource Center of Rhode Island, which is celebrating its 25th anniversary this weekend. I had the honor of serving on their board for a number of years.

This wonderful institution was first founded by Holocaust survivors living in Rhode Island during the 1980s. It formally opened its doors on May 5, 1988, and since that time it has helped to provide Rhode Islanders with educational resources on the Holocaust and commemorate the lives of the millions of victims of this horrific atrocity.

In addition, the Holocaust Education and Resource Center works with schools in Rhode Island, southeastern Massachusetts, and even the suburbs of Boston to teach young people about the importance of treating everyone with respect and dignity and to work to eradicate bigotry and intolerance.

Congratulations to the Holocaust Education and Resource Center on 25 successful years of promoting tolerance and respect to tens of thousands of Rhode Islanders, for helping us all remember those killed by the Nazis in the Holocaust, and for making Rhode Island and our world a better place. I wish this organization continued success in the years to come.

CONGRATULATING FORT BEND CHRISTIAN ACADEMY

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, Fort Bend Christian Academy rules. Yesterday, the Eagles won two State titles.

The day started with the Lady Eagles winning their fourth State championship in softball, the fourth title in 7 years. Behind Coach Ferguson Carroll and Elizabeth Fox's 12 strikeouts, the Lady Eagles crushed Fort Worth Christian 4-0.

Right after that game ended, the Fort Bend Christian men won their first State baseball title with a close 12-11 victory over Midland Christian. Coach Roman and the team never quit, scoring four runs in the top of the sixth inning to take the lead for good.

There's an old saying in naval aviation: don't mess with an eagle unless you know how to fly. The Fort Bend Christian men and women are Eagles who know how to fly. Those Eagles are Texas State champs.

PROVIDING FOOD STAMP SAFETY NET

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, our farms and ranches produce food products in

amounts that greatly exceed our nutritional needs. There is no reason for anyone in this country to go hungry. And yet, that is a daily reality faced by many poor families.

The food stamp program provides a small but essential safety net to meet the nutritional needs of children, the elderly, the disabled, and those who fall on hard times when our economy sheds jobs.

The proposed cuts to the food stamp program included in the House farm bill are unacceptable and cruel. Poor nutrition leads to poor health outcomes and long-term developmental problems in children. It does not save money. It simply transfers costs to those who cannot pay those costs and needlessly increases suffering. We can afford to feed all of our citizens. A farm and food policy that cannot deliver nutritious meals to all Americans is indeed failed policy. We can and must do better.

□ 1210

AMERICANS NEED TO KNOW

(Mr. AUSTIN SCOTT of Georgia asked and was given permission to address the House for 1 minute.)

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, the President made a pledge to Americans: If you elect me and you like your current health care, you'll be able to keep it.

The reality today is that nearly 7 million people are set to lose their employer-sponsored health insurance when the President's health care law goes into full effect. On January 1, many Americans will be forced into an exchange program that has not even been set up.

NANCY PELOSI promised the American people Congress must pass the bill so you can find out what's in it. The Democratic-controlled House passed the bill almost 4 years ago. They didn't know what was in the bill then, and they don't know what to do now.

We're less than 7 months away from many Americans being forced into exchanges. Yet they don't know what options are available to them.

What we do know is that consumers are already looking at sharp premium increases. The very people who were promised the most, those young people under the age of 29, are expected to get increases somewhere in the range of 200 percent.

This is unacceptable, Mr. Speaker. Most Americans operate under a budget. Americans need to know what the increases in their health care costs will be and what plan options are available. Americans need to know the effects that this legislation will have on their lives, and they need to know now.

The administration has had 4 years to figure this out, and the only thing they've figured out is that they don't know what to do.

BLOCK THE BORDER FEE TAX

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, yesterday the Homeland Security Committee adopted my amendment to block a study of new fees for passengers and pedestrians crossing our borders. A similar amendment was successfully included in the Senate legislation last week.

The consensus for blocking this tax is welcome, but not surprising. Cross-border travel is central to the economic viability of border communities, including my own in western New York.

Last year, 3 million Canadians visited our region, spending nearly \$1 billion. Canadians rely on seamless travel at one of my district's five border crossings to travel from the Buffalo Niagara International Airport, area businesses, and to attend sporting and cultural events.

Mr. Speaker, with the bipartisan support, bicameral support for this issue, I suggest that language blocking the border fees should be included in the upcoming immigration reform legislation. This is a senseless tax. It's counterproductive, and we should take every action to prevent it.

HONORING THE LIFE AND ACCOMPLISHMENTS OF MOSES HARRISON

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the life and accomplishments of Moses Harrison. His judicial successes have been well chronicled, but he got elected to the Illinois Supreme Court in 1992 and served for 8 years before becoming the chief justice.

However, there's probably no more credible source than my mom, who says that Moses was a nice, gentle man; everyone who knew him liked him.

I also appreciated his support in a letter for me to go to the military academy at West Point.

Moses was very involved in local activities and also was involved in the Episcopal Church.

Mr. Harrison was preceded in death by his son, Luke. He leaves behind his wife, Sharon; his son, Judge Clarence Harrison and his wife and four grandchildren, who will greatly miss him.

SAFE CLIMATE AND RAIL

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUFFMAN. Mr. Speaker, we are in dangerous and uncharted territory. At 400 parts per million, there is now more carbon dioxide in the atmosphere than at any time in the past 3 million years.

Now here in the United States, more than a quarter of our greenhouse gas emissions come from the transportation sector, so it's urgent that we make our cars and trucks cleaner, but also that we invest in clean modes of transportation, such as rail.

Saturday was National Train Day, which celebrates the rail networks that efficiently move freight and passengers across our country and reduce the number of cars on our roads.

In California, we're building high-speed rail with renewable energy. When complete, it will move millions of people far more quickly, cleanly, and efficiently than we do today. And in the North Bay, we're connecting Sonoma and Marin Counties with 70 miles of rail, meaning 1.4 million fewer car trips along Highway 101.

Investments in rail at the national scale can increase efficiency, reduce traffic, and fight climate change. It's time for Congress to get "all aboard" with this climate solution.

ADMINISTRATION FAILURES

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. Mr. Speaker, this administration's repeated disregard for transparency and the rule of law should trouble every American.

Mr. Speaker, the administration has accused congressional Republicans of playing politics as we conduct oversight into the administration's failures before, during, and after the terrorist attack in Benghazi. But this is hypocritical, coming from an administration that already altered talking points to cover their own political agenda.

And more recently, Mr. Speaker, we learned that the IRS deliberately targeted conservative groups. The IRS has the serious responsibility of collecting taxes and holding accountable those who cheat the system; and now it seems that they, themselves, are choosing when to follow the law.

Mr. Speaker, the American people deserve more from their elected officials. I hope as details of these events emerge the American people will find out the truth, not just the administration's spin.

THE FOSTER CHILDREN OPPORTUNITY ACT

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I am pleased to be introducing the Foster

Children Opportunity Act today. This legislation will ensure that abused and neglected immigrant children have an opportunity to succeed in our country. It is supported by over 175 child welfare organizations.

As we debate immigration reform, it is critical that we consider the needs of immigrant children involved in the child welfare system. This is a population that is especially vulnerable and frequently overlooked.

Despite being eligible for special forms of immigration relief, foster children are slipping through the cracks and leaving care without a resolution of their immigration issues. As a result, they cannot work legally in the U.S. and face the threat of deportation back to a country they don't know, one where their abuser may still live.

We owe these children better. My bill will make sure immigrant foster youth are assisted with resolving their immigration issues prior to leaving care and guarantees that they have access to programs, such as Medicaid that foster youth depend on to make a healthy transition into adulthood.

May is National Foster Care Month. I urge my colleagues to join me in supporting the Foster Children Opportunity Act.

OBAMACARE IS FAILING

(Mr. DESANTIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESANTIS. Mr. Speaker, no single piece of legislation rests so squarely on a foundation of broken promises as the 2010 health care law known as ObamaCare. We were told that it would lower insurance rates to the tune of \$2,500 per family, but we know not only is it not lowering rates; it's causing rates to spike 10 percent, 20 percent, even 30, 40 percent in some States.

We were told it was going to be cost effective, but now we know that the costs were purposely understated to mask the true cost of this nearly \$2 trillion bill.

We were told if you like your plan, you can keep your plan. We now know the question is not whether millions of Americans will lose their current plans, but how many millions of Americans will lose their current plans. This is what you get when you pass a 2,000-page bill before reading it.

Oh, and do you want the IRS to be involved with your health care?

ObamaCare is failing, and the American people are paying the price for this failure. Let's turn the page on ObamaCare and enact true patient-centered reform that benefits people, not bureaucrats.

SEXUAL ASSAULT IN OUR NATION'S MILITARY

(Ms. LORETTA SANCHEZ of California asked and was given permission

to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, according to the Pentagon, about 26,000 servicemen and -women were subjected to sexual assault while serving in this Nation's military this past year. In fact, last year, Congress saw the Lackland Air Force scandal unravel as instructors were accused of engaging in sexual relationships with 32 recruits.

Earlier this month, an Air Force lieutenant colonel overseeing the sexual assault prevention programs was arrested for sexually assaulting a woman while he was under the influence of alcohol.

Two days ago, the Pentagon revealed yet another sexual assault allegation against an Army sergeant at Fort Hood who is currently under investigation for multiple charges, including prostitution solicitation charges.

Mr. Speaker, we are talking about instructors, about lieutenant colonels, about sergeants, about people who have moved up in the ranks. I believe this highlights the underlying issue of leadership, or the lack of, in military leaders; and we must hold them accountable.

□ 1220

"TRUST" THE GOVERNMENT

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. The President tells Americans to "trust" the government, but this week is loaded with reasons not to.

Take the new health care law. We were told it would lower costs and increase access. Now we find premiums could increase by 400 percent and 7 million who had insurance through their employers will lose it.

This law will turn the IRS, caught in a scandal of its own, into chief health care enforcers. And it's proven so unpopular, HHS Secretary Sebelius has resorted to soliciting contributions to promote ObamaCare from the same people this law authorizes her to regulate. If I got a call, I'd feel pressure to ante up; and in America, this shouldn't happen.

Today, I'm proud to support repealing this costly law to keep the IRS out of your health care and to work on replacing it with a patient-focused alternative that will actually help families.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, I rise in strong opposition to the deep

cuts once again being proposed by Republicans to the SNAP program in the House farm bill. In July 2012, the House Agriculture Committee reported a bipartisan farm bill that included \$16 billion in food stamp cuts. Guess what? The Speaker and the Republican majority refused to schedule that bill for a vote. And so the Agriculture Committee has now marked up another farm bill, this time with \$20 billion in cuts to the SNAP program.

Why are you so determined to attempt deficit reduction on the backs of the poor and less fortunate in our society? The SNAP program helps families that have fallen on hard times and helps them feed their families until they can get back on their feet.

I am very upset by these proposed cuts. I ask my Republican colleagues to take a fresh look at what they're proposing and reconsider these cuts, cuts that will affect 2 million poor people, many of whom are children and the elderly.

Mr. Speaker, we are a Nation that helps the less fortunate. This is not who we are as a country. We are compassionate people, and we should feed the hungry in times of need.

THE PATIENT PROTECTION AND AFFORDABLE CARE ACT

(Mr. DENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENT. Mr. Speaker, the House will again vote to address the imprecisely named Patient Protection and Affordable Care Act. Critics say that we're tilting at windmills. Well, Mr. Speaker, let's review:

Within the last month or so, we've heard from the Senator who authored the law refer to it as a coming "train wreck"—that's right, he called it a "train wreck";

We've heard the administration official responsible for helping set up the insurance exchanges worry that the public might be in for a "Third World experience" as they try and find health care;

Oh, and let us not forget some of the very same Members of Congress who voted to foist this massive overreach on Americans are now feverishly trying to find ways to exempt themselves and their staffs from its effects.

Let's look at the checklist, shall we?

Premiums shooting up, check;

Small businesses hiring fewer workers and jobs being lost, check;

Employees seeing their hours cut, check;

Faulty cost projections, check.

Everything that opponents of this law listed as a reason to vote against this example of government overreach is actually occurring and happening.

Tilting at windmills, Mr. Speaker, hardly. Working to protect the Amer-

ican people from a horribly disruptive and ineffective law, certainly.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1550

Ms. SEWELL of Alabama. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1550.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alabama?

There was no objection.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in support of struggling families and low-income women and children across this Nation and oppose the dangerously high cuts in the farm bill to SNAP programs. The current House version of the 2013 farm bill will have devastating effects on so many working families, especially in Alabama. It threatens over 900,000 participants in my home State of Alabama alone.

These proposed cuts are unacceptable. While I understand that our Nation faces a serious debt and deficit problem, we also face fragile economic recovery, and families and children depend upon these government assistance programs, especially the children in the State of Alabama. I think that we are encroaching upon a dangerous trend of cuts on the backs of the people who can least afford to have those cuts.

Now is not the time to turn our backs on these struggling American families. We must work together and take action to protect all Americans who depend upon these vital programs.

IMPROPER DISCRIMINATION BY THE IRS

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, it is unacceptable that our Nation's tax collectors have targeted organizations based solely on their political beliefs. Our Nation's strength depends on its citizens' freedom to organize and participate in the political process, and no branch of government should be used to harass and unfairly judge the American people.

The IRS' actions are not only troubling, but also further erode the American people's trust that public institutions will act impartially. It's unacceptable. This matter needs to be actively investigated, and those guilty of improper actions should be appropriately punished.

We cannot allow differences of political opinion to erode our Nation's best traditions and the rule of law. Americans cannot, and will not, accept judgment based upon their political beliefs. We must prevent this discrimination from ever happening again.

THE VETERANS ADVISORY COMMITTEE ON EDUCATION IMPROVEMENT ACT OF 2012

(Mr. DELANEY asked and was given permission to address the House for 1 minute.)

Mr. DELANEY. Mr. Speaker, if there's one thing this entire Congress, this entire country, can agree on, it's the need to stand with our veterans. As a Nation, we're truly humbled by our servicemen and -women. They make incredible and, in some instances, unimaginable sacrifices to protect our country. And that feeling comes with an understanding that we have an obligation to provide our veterans with the benefits they've earned.

Among the most critical of these benefits are access to educational opportunities and workforce training. To make sure that the current programs are working, our veterans need a voice at the VA. For that reason, I am honored to introduce the Veterans Advisory Committee on Education Improvement Act. This bipartisan legislation extends the Veterans Advisory Committee on Education through 2015 and includes veterans of Iraq and Afghanistan. The committee advises the VA on how to improve educational and job training programs.

I thank my colleague and friend, Mr. RENACCI, for cosponsoring this bill, and I look forward to working towards its passage.

BENGHAZI

(Mr. COLE asked and was given permission to address the House for 1 minute.)

Mr. COLE. Mr. Speaker, the sad tale of Benghazi is a story of complacency, incompetence, and coverup: complacency in the face of repeated warnings by the CIA and diplomats on the ground that the post was in danger; incompetence in preparing for a potential attack in a region in turmoil in a place where we had multiple military assets and on a day where we had every reason to believe trouble would occur; and an attempted coverup of a successful terrorist attack with talk about videos and spontaneous riots when the State Department, the CIA, and top officials in the administration knew the truth.

Mr. Speaker, it's time for the administration to take responsibility, come clean, and dismiss those associated with this debacle that cost the lives of four brave Americans.

CELEBRATING THE LIFE AND ACHIEVEMENTS OF DALIP SINGH SAUND

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today during Asian Pacific Heritage Month to celebrate the life and achievements of Congressman Dalip Singh Saund.

Congressman Saund was the first Asian American Member of Congress, the very first Member of a non-Abrahamic faith, and the first Member born in Asia. He was also our first Sikh American to enter Congress. He also represented my hometown of Riverside, California, a community that I proudly represent today.

Having come to California from India to pursue his education, Saund graduated with a master's and Ph.D. in mathematics from the University of California, Berkeley. Following his graduation, Saund worked as a farmer but was also a local activist. He spent years pushing to end naturalization restrictions for Indians living in the United States.

In 1950, Saund made a bold decision and entered local government. In 1955, Saund decided to run for an open seat in Congress—and won. Representing the Inland Empire from 1956 to 1963, Congressman Saund served on the Foreign Affairs and Interior Committees. Unfortunately, his promising career as a Member of this distinguished body came to an abrupt end when he suffered a severe stroke in May 1962.

Congressman Saund truly lived the American Dream: an immigrant who came to America with dreams and aspirations of making a difference for himself and for future generations. As the current Riverside Representative, I honor his impact and legacy on all Americans.

□ 1230

OBAMACARE AND IRS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the IRS admitted to targeting conservative groups with extra scrutiny, demanding donor lists, meeting minutes, personal member information, and even Facebook activity. The Justice Department was caught essentially spying on the Associated Press. And the White House continues to twist itself in knots explaining why it misled the American public in the aftermath of Benghazi.

The administration's apologists are in a panic. They claim the President is not responsible for any of this wrongdoing. The President, who made a career touting government as the solution to most every problem, now solic-

its our understanding. It seems the Leviathan is rather unwieldy and difficult to manage.

This is my shocked face.

These scandals are byproducts of government too big for its britches and proof that the IRS should not be given more power to manage our health care.

House Republicans are committed to a smarter, accountable government that works for the people and safeguards liberty against tyranny and bureaucratic incompetence. That starts with repealing ObamaCare.

IN OPPOSITION TO 2013 FARM BILL CUTS TO SNAP

(Ms. CLARKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE. Mr. Speaker, today I rise to voice my opposition to the proposed \$20 billion in cuts to the Supplemental Nutrition Assistance Program, also known as the SNAP program. This program currently provides food assistance to 47 million Americans who otherwise would not have access to one of the most basic human necessities—food.

Two million low-income Americans—most of whom are working families with children, senior citizens, and people with disabilities—will lose their food assistance as a result of these cuts. Of that number, 200,000 children would also lose access to their free school meals because their eligibility for these meals is tied to their receipt of SNAP.

Let me ask my Republican colleagues: How often do your children have to learn on empty stomachs or come home and study on empty stomachs? I dare say not often, if ever. But that is what the Republicans are proposing that we do to close to a quarter of a million children. They are asking them not only to learn on empty stomachs, but also to come home and study on empty stomachs. This cannot stand.

EFFECTS OF SEQUESTRATION

(Mr. VALADAO asked and was given permission to address the House for 1 minute.)

Mr. VALADAO. Mr. Speaker, this month, the United States Bureau of Land Management indefinitely canceled all oil and natural gas leases in California. This includes 1,278 acres of prime oil and natural gas land in Kern and Fresno Counties located in my district—California 21. This land is part of the Monterey shale formation located in the Central Valley.

The Monterey shale contains two-thirds of our country's shale oil reserves, the equivalent of 15.4 billion barrels of oil. If tapped, it could generate half a million jobs and generate \$4.5 billion in revenue. This would have

a significant impact on my district, which has faced chronic unemployment for years. However, citing sequestration, BLM is suspending all future lease sales in California. This decision was made despite the fact that these leases provide significant revenue for the Federal Government.

This is just another example of the administration using sequestration to further their environmental policy agenda at the expense of American families. BLM's efforts to prevent energy development are depriving my constituents of quality jobs and increasing energy prices for hardworking families across the country. It is unacceptable that BLM is halting lease auctions in regions that have been used for oil and gas development for over a century.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(Ms. MENG asked and was given permission to address the House for 1 minute.)

Ms. MENG. As I watch the farm bills move forward in the House and Senate, I am very saddened at the disregard for my most vulnerable constituents—our fellow Americans. Cutting another of our Nation's safety nets will only serve to further the suffering of disadvantaged children and senior citizens across the country.

Many of the recipients in my district who rely on SNAP to lift their families out of poverty and combat what would otherwise be certain malnutrition of their children, for many of these families this is the only form of income assistance they receive. Eighty percent of them fall below the poverty line.

Reducing benefits would have a terrible effect on millions of Americans. In addition to the Recovery Act's boost of funds ending, further cuts are not warranted.

Although the recipients of SNAP don't have an association to represent them here in Washington, I have come to the floor today to let them know that they are not being forgotten in this fight and that many Representatives will continue to battle on their behalf.

OBAMACARE: UNAFFORDABLE LACK OF CARE ACT

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, it is becoming clearer by the day that ObamaCare is detrimental to all Americans. The Unaffordable Lack of Care Act will cost almost \$2 trillion, raise taxes by \$1.1 trillion, and cut Medicare by \$716 billion.

Despite the President's statement that premiums would decrease by \$2,500 under ObamaCare, the average family

premium has grown over \$3,000 and climbing. Over 30 studies have concluded that the law will make health care premiums more unaffordable for Americans. Furthermore, young adults could see their premiums increase on an average between 145 and 189 percent next year.

Even Democrats are beginning to jump off the ObamaCare bandwagon. The architect of the bill recently referred to the law as a “train wreck,” and HHS Secretary Kathleen Sebelius stated she did not anticipate how complicated it would be to implement the bill.

In light of the recent news that the IRS was deliberately targeting Americans, can we really trust them to be in charge of our health care?

The bottom line is the President's health care law is a bad one. Our job creators are citing the unknowns surrounding it as reasons for planned layoffs and why they cannot expand their businesses.

If the Senate really wants to pass a jobs bill, then they should listen to the American people and support repeal and replace.

MILITARY JUSTICE IMPROVEMENT ACT

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, we have a growing epidemic in our military that requires our immediate action.

I rise today to highlight a bipartisan, bicameral piece of legislation that will stem the growing cancer of sexual assault on men and women in the military.

This is absolutely unacceptable. In every branch of the military, from day one our servicemembers are instilled with the values of honor, respect, and integrity. It's what makes us proud to wear the uniform, and it's what makes our military strong. However, this epidemic completely undermines what these values and our servicemembers represent.

This morning I joined a strong, committed group of legislators to introduce the Military Justice Improvement Act, which provides a uniform and fair process, ensuring that sexual predators are exposed and punished accordingly.

We in Congress and leaders of the Department of Defense must keep the pressure on. Together, we must foster a respectful, productive environment for our military men and women. The success of our Armed Forces—and the security they provide our Nation—depends on it.

□ 1240

REPEAL OBAMACARE

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, there's an article I missed that came out March 15, 2013, from Healthcare IT News—rather interesting. It talks about a lawsuit against the IRS because the IRS, it says, stole health records of some 10 million Americans, including the medical records of all California State judges. Knowing California, I bet most of them are Democrats. They took their medical records.

So, the allegation, the lawsuit, is over that. Ten million Americans' records. It doesn't matter what party they are. It doesn't matter what their political beliefs are. They have a right to have their own records kept private until ObamaCare fully kicks in.

I don't know why the IRS would take those medical records so prematurely, because when ObamaCare kicks in, the Federal Government has everybody's records already.

It's time to repeal it.

SNAP CUTS IN FARM BILL

(Mr. CROWLEY asked and was given permission to address the House for 1 minute.)

Mr. CROWLEY. Mr. Speaker, I rise today not to offer my own words about the Republicans' major cuts to food stamps.

Instead, I want to let my constituents speak directly to the House Republican leadership. In this stack of plates sent to me, one of my constituents asked:

“How would I live if food stamps were cut?”

Others have said:

“There are a lot of people who would go hungry without food stamps.”

“If the help I receive now for food stamps was cut, it will affect me and my kids while I'm trying to finish my college degree.”

“In these hard times, food pantries get me through the week.”

“To see your own kids starve and not be able to feed them is one of the worst pains a parent can experience.”

“If food stamps were cut off, my 4-year-old brother and I would have to go to sleep hungry. We would also have to miss meals. This will be unfair considering he's only 4—and I'm 15.”

These stories are heartbreaking and serve as evidence why cutting the food stamp program will really affect people's lives.

To my colleagues, I leave you with this last one: “Please don't stop helping people.”

Please don't stop helping people.

COMMEMORATING THE FOURTH ANNIVERSARY OF THE END OF THE CIVIL WAR IN SRI LANKA

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, I rise today to commemorate the fourth anniversary of the end of the civil war in Sri Lanka on May 18, 2009.

The last stages of the war were met with grave allegations of war crimes, including the Sri Lankan Government's treatment of Tamil civilians within no-fire zones—attacks that were a blatant violation of human rights.

As a result of the ensuing international outrage, Sri Lanka established a commission of inquiry to investigate the events of the 26-year civil war. However, this commission had no accountability and yielded little explanation for the families, the victims, or the international community.

We are left with the task of identifying what really happened during the last years of this terrible civil war and to hold accountable those who have committed war crimes. We also face the challenge of brokering peace in a country torn apart by civil war.

I urge the Government of Sri Lanka to demonstrate commitment towards reconciliation and promote human rights, particularly before hosting the Commonwealth Heads of Government Meeting in November.

DON'T REPEAL OBAMACARE

(Ms. HAHN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HAHN. Mr. Speaker, 3 years after the Affordable Care Act was signed into law, a law that is already helping millions of Americans, our friends on the other side of the aisle are wasting time again on a pointless symbolic vote that will never become law and takes us backwards.

For the 37th time, our colleagues are forcing us to vote on repealing the Affordable Care Act when they know—they know—it has no chance of succeeding.

For the 37th time, they are voting to allow insurance companies to deny coverage to children with preexisting conditions.

For the 37th time, they are voting to roll back our efforts to not allow insurance companies to charge women more just because they are women.

And for the 37th time, they are voting to strip small businesses of protections against the skyrocketing insurance premiums we faced long before the ACA.

Einstein used to say: Insanity is when one attempts to do the same thing over and over again—expecting a different result.

This is wrong for the 37th time and a waste of our time.

POINT OF ORDER

Mr. TAKANO. Mr. Speaker, I rise for a point of order.

The SPEAKER pro tempore. The gentleman will state the point of order.

Mr. TAKANO. Mr. Speaker, I realize that H.R. 45 and its rule have not been brought up for consideration, but I wish to object to the consideration of H.R. 45 as well as consideration of the rule governing debate on the bill because it violates rule XII, clause 7, section (c), which states, "A bill or joint resolution may not be introduced unless the sponsor submits for printing in the CONGRESSIONAL RECORD a statement citing as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill or joint resolution."

The constitutional authority statement submitted with H.R. 45 argues that Congress is granted the authority to enact this legislation because of the Tenth Amendment.

The Tenth Amendment does not grant Congress the authority to act; it limits Congressional power. It states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Citing the Tenth Amendment does not satisfy the rule.

Experts at the Congressional Research Service agree. In a recent report, they stated, "The Tenth Amendment is not an affirmative grant of authority to Congress; rather, it is a limitation or disability on Congress's authority to legislate. Hence, because the House rule requires a statement citing the power or powers granted to Congress—not merely a statement of constitutional provisions—citations to the Tenth Amendment do not appear to satisfy the requirement of the House rule."

Mr. Speaker, the constitutional authority statement for the bill before us today does not comply with the House rules, and I ask that the bill and the rule not be considered until this problem is fixed.

The SPEAKER pro tempore. The gentleman's point of order is not timely. Neither House Resolution 215 nor H.R. 45 is pending at this time.

PARLIAMENTARY INQUIRIES

Mr. POLIS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Speaker, the underlying bill's constitutional authority statement cites the Tenth Amendment, and as such fails to live up to the rule of the House, and tries to perpetuate the false myth that the Affordable Care Act is unconstitutional.

Mr. Speaker, the Supreme Court has heard the case. They have made their decision. The Affordable Care Act is constitutional. And Speaker BOEHNER has said, it is the law of the land. The

constitutional authority statement for this bill is completely inaccurate.

It is the 37th time we are voting to repeal or defund the Affordable Care Act, but apparently we still can't get the paperwork right. How does a Member correct the statement of constitutional authority?

The SPEAKER pro tempore. The gentleman has not been recognized to engage in debate.

Does the gentleman have a parliamentary inquiry?

Mr. POLIS. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Has the House ever voted to repeal in whole or in part another piece of legislation 37 times, like we are doing here today—in this case, a piece of legislation that makes it illegal for insurance companies to discriminate against a woman if she becomes pregnant and makes sure that children under the age of 26 can stay on their parents' health care plan?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry, and the Chair does not place proceedings in a historical context.

Mr. POLIS. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Is it correct that the House Republican budget maintains \$1.2 trillion of tax increases included in the Affordable Care Act and \$716 billion in cuts of Medicare; and, in fact, this very budget that we operate under would not have balanced without including these savings in taxes from ObamaCare?

The SPEAKER pro tempore. The gentleman's parliamentary inquiry is not relevant to any business pending before the House.

Mr. POLIS. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Is the House here this week spending millions of dollars of taxpayer money to repeal the Affordable Care Act because it actually believes that that will occur while Barack Obama is in the White House or because freshman Republicans want to score political points back home?

The SPEAKER pro tempore. The Chair does not respond to political commentary under the guise of parliamentary inquiry.

Mr. POLIS. I trust the American people will respond to these questions.

□ 1250

PROVIDING FOR CONSIDERATION OF H.R. 45, REPEAL OF PATIENT PROTECTION AND AFFORDABLE CARE ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 215 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 215

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and the Workforce, Energy and Commerce, and Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. House Resolution 215 provides for a rule to consider the full repeal of the flawed, ill-conceived and inappropriately named Affordable Care Act, a bill whose final language was written by staff on the Senate Finance Committee and the actual legislative text of which received not a single committee hearing or markup in this body. While many hearings and markups were held on other iterations of other health care bills, the legislation that was signed by the President received not a single moment of scrutiny in this House and contained none of the bipartisan amendments that were accepted during the markups of other health care bills, including H.R. 3200, which passed the House but was never considered by the Senate. As such, only

a full repeal is acceptable, and that is what this rule provides for.

The rule provides for 2 hours of debate, controlled by the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce. Further, the rule self-executes the Bachmann amendment, which provides for a clean repeal of the entire ACA, consistent with the provisions of the opening day rules package of this Congress. The rule further provides the minority one motion to recommit with or without instructions.

This approach, a full repeal, will give the House, particularly Members who were not here in the past two Congresses, an opportunity to have an up-or-down vote, an affirmation or a denial, of the Affordable Care Act.

Americans should have the freedom to make their own health care decisions. In March of 2010, the Patient Protection and Affordable Care Act was signed into law. It was drafted quickly and behind closed doors at the end of 2009—behind closed doors in the other body, in fact. It included secret deals, loopholes, drafting errors, and allowed entirely new Federal agencies to be created without congressional knowledge or oversight.

The bottom line: it was not the way to achieve meaningful reform. In addition, the Supreme Court ruled last June that the law is, in fact, a tax. This is after President Obama continually told the American people that it was not a tax.

The health care system in America needs reform, and it needs improvement; but the law that was passed will cost American taxpayers and patients millions of dollars. It will not improve care, and it will not make care more affordable. We need to start fresh and address the issues with commonsense improvements that will focus on the real issues at hand—creating a health care system that is focused on patients instead of payment, quality instead of quantity, affordability instead of cheapness, and innovation instead of stagnation. The first step is eliminating bad legislation that simply does not work and that today stands in the way of any real improvement. That is why, today, I strongly support the repeal of the President's health care law.

The President did repeatedly tell us that the penalty associated with the individual mandate was not a tax. It was repeated several times in the run-up to this bill's being signed. In June, the Supreme Court affirmed that the only way that this bill could remain law was that it was, indeed, a tax, and Congress has the infinite power to tax. In fact, Congress can tax morning, noon, and night. It can tax the American people back to the stone age if that's what it wishes, and that's what the Affordable Care Act does. When millions are unemployed, this is, indeed, the last thing we need.

It's not just the tax. It's the effect on premiums. Up on the Energy and Commerce Web site this week is a study showing how the Affordable Care Act is going to affect premiums in the individual market, in the small-group market, and in the large-group market; and almost uniformly those premiums are going up, and in some cases they are going up a staggering amount.

Last summer, the Supreme Court's decision leaves in place a costly and unworkable health care scheme that is hurting America's families, that is hurting America's workers, that is hurting America's job creators, and that is damaging America's patients. We will all have to live with that ruling. If we do not repeal, then we will have to live with the law as written. The time has come to step up and do the right thing. I urge support of the rule.

I reserve the balance of my time.

Ms. SLAUGHTER. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, before I discuss the value of the Affordable Care Act, commonly referred to as ObamaCare, I must acknowledge the sad fact that this will be the 37th time in 29 months that the majority has voted to repeal or defund the law, and they know it will not happen. Recent estimates are that each vote to repeal or to defund the Affordable Care Act has cost \$1.45 million in taxpayer money. So today's debate will bring the total cost of repeal votes to—wake up there—\$53 million and counting.

Now, while the majority wastes our tax dollars, think what we could do with \$53 million. The agriculture bill we were all talking about this morning is ready to take \$20 billion out of food stamps, feeding poor people, while we waste that kind of money here doing a bill month after month after month that we know is not going anywhere. Yet we don't have any positive agenda to put forward here. For the last 2 or 3 months, all we've done are one-House bills that everybody knows are not going to get passed, and it really is a tragedy because a CBS study says it costs \$25 million a week just to run the Congress—and how deplorable that kind of waste is with all the problems we have in the country.

We are told that the freshman Republicans would like, once again, to have an opportunity to vote to kill health care. I wonder if the freshman Republicans, as I know the freshman Democrats do, wouldn't like to vote to repeal the sequester or to maybe do a jobs bill, which we haven't had in 2½ years. We are not going to do anything about the budget either when we've heard all the time, Why doesn't the Senate do a budget? The Senate has done a budget. The Senate has asked over and over again for the House to

appoint conferees so that we can get the budget put together and pass it into law. No action there either. Then, because of the sequester cuts, at least 70,000 children have been denied access to early education, and thousands of cancer patients have been denied their regular cancer treatments.

The majority says it is holding today's vote, as I said, so that the freshmen can repeal the Affordable Care Act. I wish to goodness that they would give them something that would really pass and something good to vote on.

Instead of voting to repeal the sequester, the majority is voting for the 37th time to repeal a law—and this is very important—that has already done so much already. It has given 100 million Americans access to free preventative health care, procedures such as mammograms and colonoscopies. That's 100 million already. They are voting for the 37th time to repeal a law that saves seniors \$6.1 billion in prescription drug costs already. They are voting for the 37th time to repeal a law that has provided 3.1 million young adults with health insurance already that they otherwise could not afford.

The Affordable Care Act has been particularly beneficial for America's women. Did you know that prior to the passage of this law in eight States and in the District of Columbia, domestic violence was classified as a preexisting condition and you could be denied insurance? They were denied insurance because they had been abused and because, perhaps, they would be again.

□ 1300

Did you know that thanks to a practice called "gender rating," women were charged as much as 46 percent more in premiums for the same level of insurance as a man? Maybe you didn't know that. But lots of women in the country are getting rebates for that very reason.

Because of the Affordable Care Act, both of these discriminatory practices have been outlawed. In addition, the Affordable Care Act has already returned money to the pockets of millions of women thanks to the rebates required by insurance companies under the health care law.

Finally, the Affordable Care Act outlawed lifetime and yearly limits, insidious insurance practices that capped the amount of health care an insurance company would provide. But because of health care reform, Americans no longer have to worry that they will be denied health care that they need simply because insurance companies refuse to pay for their continued care.

And did you know that 85 percent of your premium dollar will go to health care and not to other things that the insurance company wants to spend it on?

The majority has claimed that the Affordable Care Act is bad for America's small businesses. The truth is

that for any small business that has less than 50 employees, it requires them to do nothing different, nothing at all from what they're doing today. But small businesses with less than 25 employees are eligible for a tax credit of 35 percent right now. And on January 1, that tax credit will increase to 50 percent. You will get a tax credit on half of the health insurance you pay when you have under 25 employees.

The majority has also claimed and will continue to claim that the Affordable Care Act was passed in the dark of night through a closed-door process that denied their side of the aisle the opportunity to participate in the legislative process. This charge is categorically untrue. The Affordable Care Act was the product of nearly 100 hearings and 83 hours of committee markups, including both Republicans and Democrats making amendments. The House heard from 181 witnesses, both Democrat and Republican. There were 239 amendments considered in House committees and 121 that were adopted.

And while some on the other side of the aisle charge that the final version of the law was rushed through the House, the final bill was available for 72 hours before any Members were asked to vote on it.

In contrast, the Patients' Rights Repeal Act, which we're doing again today as I said for the 37th time, is being considered after no committee hearings, no committee markups, and under a closed rule. That means there will be no amendments on this bill. Even if one were sympathetic toward the majority's goal, the complete abuse of the legislative process should give every Member of this Chamber pause.

Mr. Speaker, today's vote is just the latest in the majority's all-out effort to undermine the process of implementing the health care law. Their efforts have taken many forms, but central to it all is their refusal to provide the necessary funding to fully implement the law and a gleeful willingness to criticize an implementation process that is underfunded and undermined at every single turn.

Despite their best efforts, I believe that in the years to come, the majority will find that they stood on the wrong side of history, just as they stood on the wrong side of history when Social Security was passed and when Medicare came into being.

Indeed, the opponents of the Affordable Care Act have already had their day in court. Last summer, the Supreme Court affirmed the constitutionality of the Affordable Care Act, putting to rest any false legal concerns that opponents had.

With the constitutionality of the law no longer in question, one might expect opponents to criticize the law's impact on our Nation's finances. But here again, the facts will stand in the way. Over the last 3 years, U.S. health care

spending grew at 3.9 percent. That, Mr. Speaker, is the lowest growth rate in 50 years. And according to the non-partisan Congressional Budget Office, repealing the Affordable Care Act would actually increase our Nation's deficit by more than \$100 billion over the next 10 years. Please think of that and understand what they are trying to do away with today—the things that help you.

Mr. Speaker, providing safe, secure, and affordable health care for our citizens has been the goal of both Republican and Democrat lawmakers for generations. As far back as Theodore Roosevelt, we have acknowledged the need to provide our citizens with a health care system that puts their health before industry profits, that has as good outcomes as other parts of the world provide for their citizens. We need to treat health care as a right for all, not a privilege for the lucky few.

Under the leadership of a Democratic Congress, we managed to realize at long last this long-awaited goal by passing the Affordable Care Act through an open, deliberative, and thorough legislative process. And from reducing our Nation's health care spending to expanding health care to millions of Americans who could not afford it, the Affordable Care Act is succeeding.

It is in this light that the majority's 37th vote in 29 months to repeal health care should be judged. And it's hard to judge their politically driven vote as anything other than a disservice to the American people, a waste of taxpayer money and a way to spread misinformation.

I urge my colleagues to reject today's rule and the underlying legislation. And I reaffirm my pride in supporting the law that is already helping to save lives and already providing American people with secure and affordable health care. And after it is fully implemented next year, all Americans will benefit.

I reserve the balance of my time

Mr. BURGESS. Mr. Speaker, now I would like to yield 2 minutes to the gentleman from Texas, a member of the Budget Committee, ROGER WILLIAMS.

Mr. WILLIAMS. Mr. Speaker, I rise in support of freedom and free enterprise, the hallmarks of our great American democracy. A government that places high value on these principles does not force its citizens to hand over their hard-earned money for a mandatory product, in this case health insurance. This is not how it's done in America.

Mr. Speaker, NANCY PELOSI and her Democratic colleagues rushed this bill through Congress more than 3 years ago. Democrats and Republicans can agree on one thing, that this is very flawed and is not even what Americans asked for in the first place. Even Presi-

dent Obama has signed into law seven bills that dismantle provisions of his health care law.

Defying common sense, the President and Democrats and Congress continue pushing forward with implementation of this disastrous law. And who wants it? Members of Obama's own party are now doubting how the law will work. Some of the key players who wrote the bill don't even want it. Senator MAX BAUCUS said the health care law is a train wreck, and Senator JAY ROCKEFELLER said that it's overly complicated and beyond comprehension.

Architects of this law don't want it, insurance companies don't want it, the majority of the public doesn't want it, organized labor doesn't want it, and as a small business owner of nearly 42 years, I can tell you that small businesses don't want it.

No business owner would run their business like the President is running this government and this massive health care overhaul. I can say from firsthand experience that small businesses—the backbone of our economy—are literally hurting.

As a job creator, I know how businesses can no longer hire. They can't take risks that would grow the economy. I've heard from people all over my district who have work available and positions ready to fill, but they can't hire anyone or else they risk going over the number of 50 employees and being subject to the ObamaCare employee mandate. Everybody wants to be at 49.

How is this good for Americans and America?

The struggling economy has already forced families to cut back and tighten their budgets. How does the President expect these hardworking taxpayers to pay an additional \$3,000 each year for ObamaCare?

I've had employees come to me in tears wondering how they're going to provide coverage for their families. And even the few Americans able to keep their current insurance will see their premiums rise by an average of 73 percent.

Again, I ask, how is that good for America?

Mr. Speaker, in closing, I would like to quote Patrick Henry. He claimed:

The Constitution is not an instrument for the government to restrain the people. It is an instrument for the people to restrain the government—lest it come to dominate our lives and interest.

Let's put an end to the chaos and do what's right for our families, our businesses, and our tax dollars. Repeal ObamaCare today—the quicker the better.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank the gentlelady for yielding.

Mr. Speaker, I rise today in strong opposition to the rule and the underlying legislation.

Well, here we go again. In fact, I've lost count of how many times we've had to vote on a bill to repeal the Affordable Care Act.

The underlying legislation before us today would deny my constituents and the American people access to affordable health care. It would increase health costs and reduce benefits for millions of American families.

It's particularly ironic that during Older Americans Month, we are here voting on a bill that will eliminate benefits to seniors, including preventive services and savings on prescription drugs.

It would allow insurance companies to deny coverage to Americans with preexisting conditions, drop coverage when people get sick, reinstitute lifetime limits on coverage and charge people more based merely on gender.

□ 1310

The Affordable Care Act has already created long-lasting benefits for many of my constituents, including Theresa, a single mother of four whose youngest child is 20 and lives with a preexisting condition. Prior to the Affordable Care Act, Theresa was personally spending over \$10,000 a year to pay for her care. Her daughter's medical condition prevented her from attending college. But thanks to the Affordable Care Act, she was able to be added back on to her mother's health plan. This has meant tremendous savings for Theresa, who was worried she might lose her home, along with the care her daughter desperately needed.

A vote against this rule and against the underlying legislation is a vote to protect our constituents from unfair insurance company practices, to provide relief to Americans, young and old alike, to protect job growth and creation, and for a fiscally responsible future. It is time for this Congress to move forward, not backwards.

I urge my colleagues to vote down this rule and the underlying legislation.

Mr. BURGESS. Mr. Speaker, I now yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Speaker, I thank the gentleman from Texas for yielding.

I rise in strong support of this rule. And as a proud cosponsor of this bill to repeal ObamaCare, I think it is very important that we in this House have this vote. Yes, we've had this vote many times. I think it's important to have it again this Congress because so much more has come to light since the last time that this vote was held in the last Congress. What are some of those things? Well, of course, when NANCY PELOSI was Speaker, she famously said, "You have to pass the bill to find out what's in it."

Well, we're seeing more and more every day just how many devastating things are happening in our economy

because of ObamaCare. In fact, how bad is it? It's so bad that one of the Senate architects of the bill, Senator MAX BAUCUS, said: "I see a huge train wreck coming down."

Now, when they were in the back room writing this bill, he was the guy with the pen. He wrote the bill in the Senate, and he said it's a train wreck coming down.

Why would we want to do this to the American people? The system of health care that we have today has some problems, but why would you want to destroy the things that work? You fix the things that work.

This bill, ObamaCare, is actually scheduled to increase health care costs dramatically for American families. In fact, what will it do to our health care system? And this is what families are finding out, all across not just south-east Louisiana, the area that I represent, but all across the country. This chart shows all of the different Federal agencies that come in between a patient and their doctor in health care. It used to be the patient talking to the doctor, and they made the health care decision. That was the sacred relationship in health care. Now you've got all of these Federal agencies.

And who's at the top? The IRS. The IRS is the enforcement arm of ObamaCare. And, of course, just in the last few days we've seen the corruption at the IRS where they've literally gone and picked winners and losers, picked partisan fights, and literally tried to enforce the Obama administration's will, punishing the enemies of the Obama administration. This is not the agency that should be running health care.

We need to repeal this law and fix the real problems in health care.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for yielding, and for her extraordinary leadership. I rise today, Mr. Speaker, in opposition to the Patients' Rights Repeal Act and in opposition to the rule.

Mr. Speaker, at a time when the American people would like Congress to focus their attention on increasing and growing the economy and job growth, we are instead, for the 37th time, involved in partisan politics.

It is especially troubling that our Republican colleagues have chosen to celebrate National Women's Health Week by attempting to undo the important gains that were made for women's health in the Affordable Care Act. A study issued by the Joint Economic Committee while I was chair found that across this country, under the old status quo, an estimated 64 million women lacked adequate health insurance, and 39 percent of all low-income women had no health insurance coverage at all.

A repeal now of the Affordable Care Act could mean that millions of American women could find it nearly impossible to gain insurance if they had a preexisting condition, such as pregnancy. A repeal now would take away benefits women are already receiving such as free mammograms. A repeal now would mean the end of lower-cost prescription drugs for our seniors. A repeal now would yank young people between the age of 23 and 26 off their parents' policies. A repeal now would send us back to the bad old days, to the days of preexisting conditions, gender ratings, and lifetime caps. It would mean that in this next year alone, over 1.9 million people would not have access to quality, dependable health insurance coverage.

Vote "no" on this repeal.

Mr. BURGESS. Mr. Speaker, I now am pleased to yield such time as she may consume to the author of the bill and a true leader in this effort, in this fight, the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Speaker, I strongly urge all of my colleagues on both sides of the aisle to listen to the clear, distinct voice of the American people. They have spoken loudly. They have spoken clearly. They heard the words of then-Speaker of the House NANCY PELOSI when she famously said we must pass ObamaCare before we can know what's in it. As my colleague, STEVE SCALISE, said, now we know what's in the bill, and now we know why ObamaCare is less popular today than even before it was passed for the first time. Because you see, Mr. Speaker, the more we learn about ObamaCare, the more unpopular it becomes.

Even a Democrat, MAX BAUCUS, who helped write ObamaCare said:

I just tell you, I see a huge train wreck coming down.

Well, I ask you, Mr. Speaker, 7 months from now when ObamaCare comes fully online, when people's health care premiums will soar through the roof, in some cases increasing 417 percent, what then, Mr. Speaker?

We see this coming, just like the *Titanic*. We see the iceberg, only it's not just in a mist, shortly in front of our eyes. We have time to turn. That's why we're here. We're here to make the turn from a train wreck.

So why not repeal that bill today? Repeal it in the House, but repeal it in the U.S. Senate, and force the President of the United States to repudiate his signature piece of legislation under his watch, which his own party calls a train wreck. It's now. Now is the time to listen to the American people.

You see, Mr. Speaker, President Obama told us, he promised us that ObamaCare would fund insurance for people with preexisting conditions. As a compassionate people, we want to

help people in this very difficult situation. But ObamaCare, the truth is that it is so poorly thought out that the funding for preexisting conditions has already run out. You heard me right, Mr. Speaker: less than 1 percent of the American people with preexisting conditions got the funding and now the door has been slammed in their face.

And so I ask you, Mr. Speaker, what now? What are the remaining 99 percent of the American people with preexisting conditions supposed to do now? Now they're told we've already run out of money, and the bill hasn't even fully come into effect, the centerpiece of compassion under this bill.

And now we've learned that the IRS, the Internal Revenue Service—and I used to be a Federal tax litigation attorney, and our client was the IRS. I was involved with this agency. Now we've learned that the IRS, which is tasked with enforcing this very unpopular bill of ObamaCare, the IRS admitted they targeted Americans. They targeted conservative groups. They targeted Christians. They targeted pro-Israel people. They targeted people who are pro-business who are against accumulating debt. And, yes, they targeted Tea Party groups based upon their political and religious beliefs.

And so this gargantuan government expansion known as ObamaCare will allow bureaucrats access to our most intimate, personal health care information. It will be a huge database that government is putting together and building right now.

Under ObamaCare, the average American will pay more, they'll get less, and now they have to worry that their government may punish them because of their beliefs.

□ 1320

This is America. We don't do that in this country.

We want real solutions. We want cures for Alzheimer's. We can have it. We want cures for Parkinson's disease. It's within our grasp. We want cures for juvenile diabetes.

Spend our money there. We deserve better. The American people deserve better solutions and real reform in health care. Now is the time. Listen to the American people, and let's give them what they deserve.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding and for her extraordinary leadership.

Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act and the underlying rule.

More than 3 years ago, following months of vitriolic debate and perpetual Republican talking points on socialized medicine and government-sponsored death panels, Congress

passed, and the President signed into law, a historic health care reform bill that was designed to extend health care to millions of Americans and, over time, bring down the costs of health care.

Opponents of this new law didn't give up. They took their case all the way to the Supreme Court, and they lost. In the House, they held 36 votes to repeal or defund this law, and they failed.

According to an analysis from CBS News, these empty attempts at repeal have cost taxpayers a total of \$52.4 million, even as my Republican friends argue for cutting important programs like Head Start and critical nutrition programs for those most in need.

Yet here we stand, about to vote, for a 37th time, on repealing a bill that is already providing real benefits for our country.

Contrary to what my friends on the other side of the aisle may argue, we've already seen a slowdown in the overall growth of health care spending since the enactment of this law.

And just in my home State of Rhode Island, more than 170,000 women have guaranteed access to preventive services without cost-sharing; 374,000 Rhode Islanders no longer have to worry about lifetime limits on their coverage; and 9,000 young adults have gained access to health care coverage because of this law.

Let's reject this proposal, stop playing these political games, and get back to the really serious and urgent work of creating jobs, preventing gun violence, fixing our broken immigration system, passing a budget by regular order, and ending the sequester.

Mr. BURGESS. Mr. Speaker, may I ask as to the time remaining.

The SPEAKER pro tempore. The gentleman from Texas has 17 minutes remaining. The gentleman from New York has 14 minutes remaining.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Mr. Speaker, President Obama and his legislative supporters promised us many things in ObamaCare. Some folks might call this misinformation, but today I call them whoppers.

Whopper No. 1: we were promised ObamaCare will reduce the deficit. Instead, according to the report from the nonpartisan GAO, ObamaCare will increase the Federal deficit by \$6.2 trillion.

Secretary Sebelius, whopper No. 2: health insurance for all. She has now admitted up to 24 million Americans will lose their current health insurance.

No. 3: we were promised it will not fund abortions. Yet for the first time in decades, Americans will be forced to fund abortions through Federal insurance subsidies.

Whopper No. 4: it will create jobs. A recent nonpartisan study concluded

that ObamaCare's employer mandate can put up to 3.2 million American jobs at risk.

No. 5: we were promised it will strengthen Medicare but, instead, ObamaCare contains \$700 billion in cuts to Medicare and allows a bureaucratic, unelected, unaccountable panel to make these massive cuts to Medicare.

Whopper No. 6: we were promised that ObamaCare respects religious liberty. Nineteen courts disagree because the HHS mandate requires all employers to pay for insurance, including abortion drugs, irrespective of any moral objections.

Whopper No. 7: health insurance will go down, they promised. But instead, every estimate, every estimate provided by insurance providers indicates premiums will increase anywhere from 20 to 400 percent.

Whopper No. 8: it is not a tax. If it's not a tax, why does the IRS need 2,000 more agents just to implement ObamaCare? Because of the 21 tax hikes included in the bill.

And last of all and, most importantly, the biggest whopper of all: if you like your health care plan, you can keep it. My constituents, your constituents have shared real life story after story about how they will lose the coverage they like once the individual mandate goes into effect. And the CBO estimates up to 7 million Americans may lose their employer-sponsored health insurance plan.

Mr. Speaker, it's time to stop telling whoppers and start speaking the truth. It's time to repeal ObamaCare now.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act. This is the Republicans' 37th callous attempt to derail health care reform.

Rather than work to create jobs and to improve our economy, Republicans are focused on taking away key patients' rights and benefits that are already improving countless American lives.

With this vote today to repeal the Affordable Care Act, House Republicans are saying that they don't mind if insurance companies drop patients as soon as they get sick, or if our seniors can't afford their prescription drugs to stay healthy.

Three years after the Affordable Care Act was passed by Congress, signed into law by the President, and upheld as constitutional by the Supreme Court, millions of Americans, particularly our Nation's women, are seeing meaningful protections for their health and well-being.

As a cancer survivor and as a mother of three young children, this law isn't about politics for me. It's personal.

When I was diagnosed with breast cancer at the age of 41, 5 years ago, it

was like my world was coming down around me all at once.

My colleagues must understand, and we were reminded again this week, there is nothing in the world more gut-wrenching as a parent than not being able to assure your children that their mom is going to be okay, or that they won't have to worry about getting cancer someday themselves.

I was fortunate to have exceptional health care coverage, but too many women in our country have never had the ability to see a doctor, and so many face true financial hardship with a diagnosis like mine.

Over the past 5 years, I've had so many women come up to me and confess that they haven't had a mammogram in years because they can't afford the expensive co-pays or they fear the prohibitive cost of treatment. That is unacceptable in the United States of America.

Imagine how many millions in our country face terrifying health care decisions every day. This Congress has the power to protect them from uncertainty, instability, and financial ruin. That power lies in the provisions of the Affordable Care Act, tools like free preventative care and cancer screening services that help save women's lives.

We cannot waste another minute with more of these meaningless attempts to repeal a law that has already made a difference for so many of our constituents. For our children, and all families across this Nation, we must come together and work to implement this historic health care reform that is the law of the land and that is not going to be repealed.

Mr. BURGESS. Mr. Speaker, at this time I yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the gentleman for yielding.

Mr. Speaker, today I rise in support of the full repeal of the President's health care law. I believe we must repeal this law and replace it with patient-centered, market-oriented reforms that will improve patient care, broaden patient access, and reduce patient costs.

From the beginning, the President promised that his health care law would improve the quality of health care for all Americans. He said if you wanted to keep your doctor, his plan was for you. If you wanted to keep your health care plan, his law was for you. He said that if you wanted lower insurance premiums, his law was for you.

Well, the bill passed, and the people of Virginia's Fifth District are getting a full dose of it, and they don't like what they see. As I've traveled across Virginia's Fifth District, I've heard from our constituents, our Main Street businesses, our local governments, and our health care providers that this law is not living up to the President's promises.

In fact, people are not able to keep the health care plans that they've always counted on. People are being hit with spikes in insurance premiums, and people are having to take second jobs because they can't afford to live on a 29-hour workweek.

This repeal bill is important because it is an expression of the sentiment of the people I represent. They want real health care reform, not government mandates.

I encourage my colleagues to support the rule and support this bill.

□ 1330

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. I rise in opposition to the Patients' Rights Repeal Act, the 37th such time that the Republican House leadership has had us consider this.

Before I came to Congress, I was a prosecutor. And as a prosecutor, I would take my case, present evidence to the jury; the jury would reach a verdict, and the case would be closed. The same has occurred with the Affordable Care Act.

In 2009 and 2010, this body debated the Affordable Care Act. Evidence that the Affordable Care Act would increase access to quality care was presented. Evidence about eliminating preexisting conditions was presented. The law was passed by a majority of democratically elected Representatives. It was signed into law by the President of the United States, and recently it was upheld by the Supreme Court. We had an election where the President and the candidate who ran against him talked about these, and they had two very different positions, and this President who signed it into law was reelected. The verdict on the Affordable Care Act is in. The case is closed.

Mr. Speaker, the benefits are also real. In California, 5.6 million people will have access to health care.

There are very serious issues facing our country: growing and lifting our economy, having a green energy policy that makes us independent from other foreign sources of oil, and passing comprehensive immigration reform. But this House Republican leadership is acting like a frivolous litigant wasting our time voting over and over and over—37 times—to repeal the Affordable Care Act. The 37th time will not be a charm.

The definition of "insanity" is doing the same thing over and over and over and expecting a different result. I urge my colleagues to oppose H.R. 45, and I urge the House Republican leadership to stop the insanity, and let's move forward on the issues that will grow our economy, make us independent from foreign sources of oil in how we find our energy, and fix a broken immigration system.

Mr. BURGESS. Mr. Speaker, I now yield 1 minute to the gentleman from Virginia.

Mr. FORBES. Mr. Speaker, I would like to thank my friend, Dr. BURGESS, for his leadership on this issue and for yielding me this time.

We just heard the speaker talk about the definition of "insanity," and Americans woke up the last few weeks and realized the definition of "insanity" is giving massive amounts of information to thousands of new Internal Revenue Service agents who can use it as leverage over our lives.

I hope that, despite the fact that this bill is increasing costs on individuals and businesses, at least we ought to agree we don't want to hire thousands of new Internal Revenue Service agents and give them all of this information that they can use as an abusive process over our lives. In addition to that, Mr. Speaker, I have introduced the Prevent IRS Overreach Act which would at least take the Internal Revenue Service out of this provision.

I hope that we'll adopt this rule and we'll support the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentlelady for her leadership.

I rise today in opposition to the Patients' Rights Repeal Act. I want you to see the face of those who have been served across America. They are, yes, low-income, some are impoverished, but many are middle income. In fact, there was an article in the Texas newspaper that said, part of what drives the need for health care are Medicaid, expanded Medicaid, which is part of this great bill, the Affordable Care Act, is the fact that people are impoverished.

And so here is what my friends want to do today for the 37th time. They want to take away from 13 million Americans the health insurance that they need, that they were able to secure with rebates from the health insurance companies. They want to take away from 105 million Americans, 71 million Americans in private plans, who have received free preventative services. They want to be able to tell the women who needed mammograms and additional tests for breast cancer that you can't go in and get the preventative care that you need to save lives. Oh, yes. They want to tell 17 million children with preexisting disease you cannot go in anymore and be covered.

The conversation over here is plain foolish. They're only talking about their economics—their economics of wealth. Yes, maybe their districts have not felt the pain of racial disparities which they're going to eliminate if they get rid of this bill. Maybe they are not in one of these States, 10 States

like Texas that has 28.4 percent uninsured, along with the Louisiana, Arkansas, Georgia and many others, Florida, that have uninsured people who need this. Maybe they'll tell the 6.6 million children that have taken advantage of the law today to obtain health insurance for preexisting disease that they cannot do that, or maybe they'll tell the seniors that you can go back into the doughnut hole again.

I don't know why we're doing this, but I will tell you that I see that lives are saved.

I introduced an amendment to make sure that we didn't lose the federally qualified health clinics. When you repeal this bill, you will dash the hopes of those who have been walking into their neighborhoods, going into federally qualified health clinics and getting the good care that they need.

All this is spoiled grapes. That's what this is. Drink the wine and leave us alone, and make sure that we keep the Patients' Bill of Rights and Affordable Care Act.

Mr. BURGESS. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Georgia, Dr. PAUL BROUN.

Mr. BROUN of Georgia. Dr. BURGESS, thank you for yielding.

The ObamaCare law must be ripped out by its roots, and it needs to be replaced with something that makes sense for my patients and my colleagues so that we can deliver good quality health care.

ObamaCare is a destroyer. It's going to destroy the doctor-patient relationship. It's going to destroy the quality of health care in America. It's going to destroy budgets: personal budgets, family budgets, business budgets, State budgets, and even the Federal budget. It's a big spending bill. We've got to stop this outrageous spending.

I just got off the phone with our Governor, Nathan Deal, and he told me that the cost of health care for State employees in Georgia has gone up 12 percent because of ObamaCare, and it's going higher. I just got an email from a businessman in Georgia who said that his premiums have doubled since last year because of ObamaCare.

We must rip it out by the roots and replace it with my Patient OPTION Act that's a market-based, patient-centered health care plan that will literally make health care cheaper for everybody in this country. It will provide coverage for all Americans, and it's going to save Medicare from going broke. ObamaCare is going to break the bank for everybody, and it just must be repealed and replaced with my Patient OPTION Act.

Ms. SLAUGHTER. Mr. Speaker, let me yield myself 30 seconds to respond to the previous speaker.

I feel very badly about his constituent whose health care price has gone up, but I want to say that that's

because the insurance companies raise those prices. ObamaCare is not yet in effect for small businesses.

Mr. BROUN of Georgia. Will the gentlelady yield?

Ms. SLAUGHTER. I'm sorry, I haven't got the time. It's all allocated. But I will talk to you later about it.

Mr. BROUN of Georgia. It's ObamaCare that's running the cost up, not the insurance companies.

Ms. SLAUGHTER. No, it's not. It's the insurance coverage.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. I thank the gentlelady.

Mr. Speaker, I rise to oppose the Patients' Rights Repeal Act and the rule.

Now, there's nothing wrong with working to improve the Affordable Care Act. We should work to make quality health care more affordable and more available to all Americans. But repeal is not a solution and has real and serious consequences for folks in Connecticut. Even worse, this vote is a tremendous waste of time when we have serious work to do for our constituents.

Mr. Speaker, this bill is the 37th time—the 37th time—Congress is voting to repeal health care reform.

Five months after the tragic attack in Newtown in my district, House Republican leaders continue to refuse to allow a single vote—a single vote—on commonsense gun legislation to reduce gun violence. Instead of voting on enhanced background checks, a reform supported by over 90 percent of the American people, Congress has now devoted 15 percent of its time to trying to repeal health care.

Mr. Speaker, it's time for Congress to stop wasting time on pointless political gamesmanship and to get to work for the American people.

Mr. BURGESS. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from Iowa, STEVE KING.

Mr. KING of Iowa. I thank the gentleman for yielding.

And as I listen to the gentlelady talk about enhanced background checks, it just occurs to me, Mr. Speaker, that if we repeal ObamaCare, we can save more lives by bringing real health care reform to this country and restoring the doctor-patient relationship, providing incentives for research and development, and letting our health care system continue to modernize instead of freezing its development and atrophy, as it will, under a government-controlled program.

As I listened to the gentlelady earlier offer her opening remarks on the rule for the Affordable Care Act, it occurred to me, Mr. Speaker, that it really isn't the name of it. It is the Patient Protection and Affordable Care Act, that long lingo that nobody knew what it was, so it was market tested and reduced down to the Affordable Care Act.

□ 1340

We know it's the Unaffordable Care Act, that's why we call it ObamaCare. It was passed by legislative shenanigans, and it passed in the dark of the night. They had to split some of it out and pass it by reconciliation because even the voters in Massachusetts, to replace Teddy Kennedy's seat, elected a Republican to put a block to ObamaCare. That's an extraordinary event to happen in America. Eighty-seven new freshman Republicans came into this Congress as a result of it; the Blue Dog Democrats became essentially politically extinct because of ObamaCare; and the promises that were made were obviously not kept.

We remember the President's promises. There were three big promises that he made: if you like your doctor, you can keep him—or her. No, we all know that's not true.

If you like your insurance and your insurance premium, you get to keep it. Your premiums aren't going to go up. We know that's not true. The costs have gone up. The premiums are going up. There was a discussion about a 73 percent—apparently an average number that the earlier gentleman spoke about—premium increase with ObamaCare. I can tell you that those numbers that say up to 400 percent, they are real.

Two and a half months ago, I sat down with the health insurance underwriters. They gave an example of a 28-year-old woman who's satisfied with her share of her individual policy premium today at \$200 a month. If she smokes, she would see the premium go up from \$200 to \$800 a month. It is a malignant tumor that's metastasizing on American liberty. It must be ripped out by the roots and completely repealed.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

Doing the same thing over and over again and expecting a different result, that's insanity. This week, House Republicans are trying to repeal the Affordable Care Act for the 37th time. Thirty-six failed attempts weren't enough?

More than 105 million Americans have had arbitrary lifetime coverage caps lifted because of this law. Up to 17 million children with preexisting conditions can no longer be denied coverage. And more than 6.5 million children up to the age of 26 now have coverage on their parents' plan, about half of whom would otherwise be uninsured.

Why would anyone want to roll all of this back? Why would anyone waste 43 days—as Republicans have done so far—to repeal a bill that does so much for the American people? It's not smart; it's not logical. More importantly, it's not right.

Mr. BURGESS. Mr. Speaker, I'd now like to yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, I think there is one thing America needs to know that simplifies this debate very clearly. The only people exempt from ObamaCare is the President, the Vice President—the committee staff that wrote the bill exempted themselves from the bill, and the Federal agencies that are implementing ObamaCare are exempt from the very law that they're shoving down the throats of the American people.

The Democrat majority that passed this bill over the objections of the overwhelming majority of the Nation didn't even bother to read it. Speaker NANCY PELOSI said we have to pass the bill to see what's in it. They have no concept of what was in it.

I had the chance to ask the financial genius Charles Schwab recently what are two things we could do to really create jobs and grow the economy. He said: repeal Dodd-Frank and repeal ObamaCare—two of the most destructive pieces of legislation ever passed by the United States Congress, done by a Democrat majority that didn't even bother to read it and exempted themselves from it. The committee staff that wrote the bill exempted themselves from it. The Federal agencies that are implementing it are exempt from ObamaCare, but they stuck it on all the American people, including the Members of Congress. We're all under it, but President Obama and Vice President BIDEN are not. And that's all you need to know.

Ms. SLAUGHTER. To respond to what we just heard—and none of us are exempt; I don't know what in the world that's all about—I would like to yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. The House deserves a vigorous debate on any question. It also deserves the factual record.

The President, the Vice President, and the employees of the executive branch are subject to the law in the following way: because they receive coverage through their employer, their employer is subject to the rules of the law.

The second thing I want to make very, very clear: no Member of the House of Representatives is exempt from this law in any way, shape, or form. None. As far as the committee staffs are concerned, the committee staffs that you refer to are members of the Federal Employee Health Benefits Program. Nothing in the law changes that. Just as any other person in America who is insured by their employer, they have to live by these same kinds of rules. This just isn't true.

Mr. CULBERSON. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Texas.

Mr. CULBERSON. The committee staff is exempt. The President of the United States is exempt.

Mr. ANDREWS. No, they're not.

Reclaiming my time, this is just not correct. There is no one exempt from this coverage.

Does the gentleman agree that he is not exempt from this coverage? Are you exempt?

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 30 seconds.

Mr. ANDREWS. I would yield to the gentleman. Are you exempt from this law, sir?

Mr. CULBERSON. Members of Congress are covered, but the committee staff that wrote the bill are exempt.

Mr. ANDREWS. Reclaiming my time. Mr. Speaker, reclaiming my time.

The SPEAKER pro tempore. The gentleman from New Jersey controls the time.

Mr. ANDREWS. The committee staffs who were involved in writing the bill are Federal employees subject to the Federal Employees Health Benefits Act.

There have been many distortions about this law; this is just one of them.

I want to point out that one of the earlier speakers said that there's a GAO study that says this increases the deficit by some imaginary number. The scorekeeper around here for deficits is the Congressional Budget Office. They say it reduces the deficit by \$100 billion.

Mr. BURGESS. Mr. Speaker, may I inquire as to the status of time for both sides.

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes remaining. The gentlewoman from New York has 3½ minutes remaining.

Mr. BURGESS. Mr. Speaker, I would like to yield 2½ minutes to the chairman of the Rules Committee, the gentleman from Texas (Mr. SESSIONS), for his consideration.

Mr. SESSIONS. Mr. Speaker, today we're having a vigorous debate about President Obama's health care bill. The reason why we're doing this is that there have been seven or eight different provisions already that have been repealed from this bill in the last 2 years because either it was fraud, it was onerous, or it would not work.

The reason why we are on the floor today is not to waste time, but to give the American people, through representative government, an opportunity to say we now know more about that bill that was not read.

Here's what we know: we know that it is a trillion-dollar-plus spending bill—trillion dollars that would have been in Americans' pockets to make their own decisions about their health care, but now it is flowing to the Federal Government. And what it is doing is arbitrarily causing our country—and

this is based upon the laws that are already in place in this country of what will happen to the debt of our country. President Obama and Democrats have led us to trillion-dollar deficits every single year the President has been in office.

This is just the beginning. At some point our country will cease to become what it is—a great Nation—because we will join the likes of Eastern Europe. And it is directly because of tax increases and ObamaCare, which limits the size of small business and businesses that want to get under this threshold of 50 employees. So it arbitrarily will diminish the dreams of Americans who want to build their business from a small business to a larger business simply to avoid the IRS, who will be in their business about health care.

So the Rules Committee is, rightfully so, bringing this bill to the floor—another time—for the American people who are saying—not only publicly in polls, but through their Representatives—this is not a pathway we want to keep going on.

We have to stop the bankruptcy of American business. We need to go back to where we have a vibrant economy, where college graduates at least stand a chance to be able to have a job and to move our country forward.

I thank the gentleman from Texas for the time.

□ 1350

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to this rule that will allow the House to vote on what the country really needs right now: a bill to create more American jobs. The SEAM Act would help to not only create more jobs, but more American-made products, by creating tax credits for productive American manufacturers in the energy innovation industry.

I ask the majority to stop these political games—this bill has had no committee action and no discussion; it is simply brought back over and over—and work with us for a change to put some smart policies forward.

To discuss our proposal, I yield 2 minutes to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, I thank the gentlelady for yielding.

I do not believe that the Affordable Care Act is perfect. I also do not believe that Congress serves the American people by engaging in a partisan fight on this floor for the 37th time.

Is the law perfect? No.

Can we—and should we—come together, stop fighting, and get back to the work of the people? Yes.

There is broad agreement in our country that the Affordable Care Act is not perfect. So let's start there. Instead of fighting, Congress should work together to fix this law and make it work for Americans.

Today, I believe our time is best served by working together to create that which our country so badly needs—jobs. Hardworking families are waiting for us to deliver on a promise that brought many of us to this Chamber—a jobs bill that puts Americans back to work.

My amendment, the Security in Energy and Manufacturing Act, creates high-paying clean-energy jobs. It supports American businesses that create innovative energy products and hire workers here in America. This is a jobs proposal to help American businesses grow and stay competitive in a global marketplace. I want businesses in my community to put their innovative energy products right into our economy.

Energy innovation is quickly becoming one of the world's largest industries. Countries all over the world purchase billions of dollars worth of innovative products. I want to see those products made in America, not China. I want Arizona and America to be globally competitive.

By defeating the previous question, we have the opportunity to restore U.S. manufacturing jobs. Our constituents sent us here—Democrats and Republicans alike—to work together and get Americans back to work. My proposal does just that.

Mr. BURGESS. Mr. Speaker, at this time, I am pleased to yield 1 minute to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Mr. Speaker, I want to start out by saying I ran a small business for 25 years before entering Congress, and I always carried health insurance on my employees. But the required coverages under ObamaCare are far in excess of the coverage I ever carried. We never carried mental health coverage. We didn't carry substance abuse coverage. We didn't carry vision or dental.

Guess what, employers? You won't have that choice anymore. The Federal Government will dictate to you what coverages you must carry on your employees.

My colleagues across the aisle speak about jobs. This act has had a horrible stifling effect on hiring in this economy. Seventy percent of small businesses indicate this act has created doubt as to whether or not they will hire additional employees. Small businesses are cutting hours of their employees from 40 back to 30 so that they won't be considered full-time employees under this act.

Hardworking Americans are suffering today because of this act. Doctors, physicians, are already dropping out of the system. It's been estimated that up to 15 percent of hospitals will close if this act is ultimately implemented.

I thank the gentleman for yielding.

Ms. SLAUGHTER. Mr. Speaker, I would like to inquire if my colleague has any more speakers? If not, I am prepared to close.

Mr. BURGESS. I have an additional speaker, and then my close.

Ms. SLAUGHTER. Then I will reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA Mr. Speaker, I'm from northern California, which is the land of the original 49ers. That was based on the Gold Rush of about 160 years ago.

Now I see we are creating a new group of 49ers, and it is certainly not heading towards a gold rush for the country. These new 49ers are the people that have to limit the jobs of their small business to 49 or less in order to stay out of the clutches of ObamaCare.

We also are creating a group called 29ers, who have to see their hours cut to less than 30 hours because their employer is out of options; again, because of ObamaCare.

As a farmer, I know that when things aren't going right with the farm you have to learn to cut your losses. In this situation here, we need to have the good sense to not spend good money after bad. It is time that we take a good, hard look at this Obama health care takeover and decide to repeal it.

In California, we seem to have a lot of boondoggles, to include the high-speed rail project, which prices could quadruple over its original cost. We are seeing the same type of boondoggle with this Obama health care takeover.

Let's do the right thing to preserve jobs and preserve people's health care plans as they are and not have this boondoggle upon our entire country.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

I want to be very succinct. What you have heard today is probably the same kind of debate that took place in this Chamber on both Social Security and Medicare. Those two programs, Medicare operates with a 2 percent overhead. Most private insurance operates between 20 and 25 percent. It is a bargain, and it has lifted millions of seniors in this country out of poverty.

This bill will provide for us the type of health care that we deserve and that we need based on outcomes and not on a plethora of tests each doctor gives.

I am absolutely astonished on what we have heard today, but there are a couple of things I really want you to remember. One, today we have spent \$53 million on this debate on just to repeal this law—\$53 million. If you are frugal at all—and I am—believe me, that burns me up. I can think of many, many things we can use that for.

Almost 7 million jobs have been created in health care since this bill passed—7 million. Four million more are to come. The two things that we really want to do is provide good health care and good jobs in this economy.

For heaven's sake, let's not see this bill up again. Take a good, hard look at

it. See all the benefits in it for all of your constituents. You don't want to go home and tell the women and tell the seniors and tell the people with preexisting conditions that you don't care about them.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. Vote "no."

Mr. BURGESS. Mr. Speaker, I yield myself the balance of the time.

It was, indeed, a very dark day 3 years ago in March when this bill was brought to the House floor, 11 o'clock at night, 11:30 at night, and passed this House of Representatives after members of the Democratic conference, the majority Democratic conference, were lied to by the administration about an executive order to prevent the funding for abortion. That is what tipped the balance. That is what brought those last few wavering votes.

How did we get to that point? Well, throughout 2009, throughout the year, the House had, indeed, considered the health care question. My Committee on Energy and Commerce did have a markup on H.R. 3200. They took a lot of amendments. Some amendments I offered; some amendments were bipartisan. All of those amendments that were accepted by the committee at some point evaporated at the opening of day, whatever happened over in the Speaker's Office, and they were gone. The health care bill which the Energy and Commerce Committee passed out at 1,000 pages grew to 2,000 pages in the Speaker's Office, and all the Republican amendments were stripped out.

And then what happened? Well, H.R. 3200 died. It is gone. Nobody has ever seen or heard of it since. That was the House health care product.

What, in fact, happened was, down at the White House in July of 2009, there were secret meetings that took place. There were six special interest groups that met with the President's folks down at the White House—Nancy-Ann DeParle, Rahm Emanuel's brother. These are the folks that constructed the basis of what has now become known as ObamaCare.

The insurance companies don't hate this law. They like this law. Look what has happened to their insurance stock since the law has passed. They have doubled or tripled in value. That is because they had a seat at the table when this thing was crafted, and it was crafted according to their liking. But who really wrote the nuts and bolts of the bill was the staff on the Senate Finance Committee between Thanksgiving and Christmas.

□ 1400

H.R. 3590, which passed the floor of this House 3 years ago, was a bill that had never had a single hearing in the House of Representatives. It had never had a markup in a single House committee. H.R. 3590 had passed under suspension in the House of Representatives in July of 2009 as a housing bill. It

went over to the Senate to await further action. The further action was an amendment offered by HARRY REID to “strike all after the enacting clause and insert,” and the health care language was inserted. It came back over here and languished for 3 months. Nobody read it. Then the Speaker forced it through the House of Representatives a few minutes before midnight on March 18 of 2010.

That’s why we’re having this debate today. Sure, there have been other efforts to repeal this. There was a full repeal in January of 2011, remember? Republicans won 84 House seats, so it was natural to have a repeal vote. After the Supreme Court had their ruling, it was important to reiterate that position. Now we’re doing it again.

The other repeal votes that have happened, many of them have been bipartisan. The 1099—you guys liked that? Do you want that paperwork requirement to come back? The President signed the 1099 repeal. What about the CLASS Act? You all voted for that. I didn’t. The CLASS Act was repealed on the fiscal cliff vote. The President signed it. The repeal votes that have happened in between have been relatively minor in scope, perfecting amendments, if you will.

The fact of the matter is you can’t perfect this thing. It was a dog at the beginning, and it’s a dog at the end. We ought to do the right thing. Let’s bring up the bill. Let’s pass it. Let’s send it over to the Senate.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to the Rule and the underlying legislation because this bill would repeal the Affordable Care Act. The American people have been engaged in a debate over universal healthcare for six generations.

In 1949, Harry Truman became the first sitting President to propose universal healthcare for all Americans as part of the “Fair Deal.”

On March 23, 2010, with the stroke of President Obama’s pen, the American people received this part of the “Fair Deal.” This bill did not become law in the dead of night, but in the full process this body affords serious consideration of legislation. There were committee hearings, staff and member meetings, amendments and a final vote in both the House and the Senate before it was sent to the President’s desk.

The Affordable Care Act has been affirmed to be law by every means provided by our nation’s constitution:

On March 21, 2010, the House passed the Affordable Care Act following Senate Consideration of the bill.

On March 23, 2010, President Obama signed the Affordable Care Act into law.

On June 28, 2012, the United States Supreme Court issued an opinion in *National Federation of Independent Businesses v. Sebelius*, affirming the constitutionality of the law—leaving intact the majority of the incentives to expand healthcare coverage to millions of Americans.

The Affordable Care Act was a central issue in the Presidential election of 2012. The can-

didate who signed the Affordable Care Act into law won the election by 51.1 percent of the popular vote and 62 percent of the electoral vote.

Why are we here for the 37th time in three years to again vote to repeal the Affordable Care Act?

It is difficult to recall any series of actions within a short time period that have overcome every hurdle that our system of government has to establish and affirm that a law—is the law of this nation.

I believe Mr. Speaker it is important to remind new members of this body and those who are closely watching this debate that the Affordable Care Act is law. People living in each of the Congressional Districts represented in this body are benefiting from the Affordable Care Act.

The leadership of this Congress may want to give new members of Congress the opportunity to tell the people back home that they voted to repeal “Obamacare.” Unfortunately, they are also toying with the emotions of people who know that without the Affordable Care Act they have no other option for healthcare.

Because of the Affordable Care Act, Americans are already seeing lower costs, better coverage, and patient protections that Republicans want to repeal:

13 million Americans benefited from \$1.1 billion in rebates sent to them from their health insurance companies last year.

105 million Americans have access to free preventive services, including 71 million Americans in private plans and 34 million seniors on Medicare.

Millions of women began receiving free coverage for comprehensive women’s preventive services in August 2012.

100 million Americans no longer have a lifetime limit on healthcare coverage.

Nearly 17 million children with pre-existing conditions can no longer be denied coverage by insurers.

6.6 million young adults up to age 26 have health insurance through their parents’ plan, half of whom would be uninsured without this coverage.

6.3 million Seniors in the ‘donut hole’ have already saved \$6.1 billion on their prescription drugs.

3.2 million Seniors have access to free annual wellness visits under Medicare, and

360,000 small employers have already taken advantage of the Small Business Health Care Tax Credit to provide health insurance to 2 million workers.

Because of the Affordable Care Act 3.8 million people in Texas—including 2.2 million seniors on Medicare now receive preventative care services. Over 7 million Texans no longer have to fear lifetime limits on their healthcare insurance. Texas parents of 300,731 young adults can sleep easier at night knowing that their children can remain on their health insurance until age 26.

The protection provided by this law is a guarantee to 5 million Texas residents that their insurance companies will spend 80 percent of their premium dollars on healthcare, or customers will get a rebate from their insurance company.

In my state, there are 4,029 people who had no insurance because of pre-existing condi-

tions, but today the Affordable Care Act has provided them with access to coverage. The Affordable Care Act means that many Texans are free of worry about having access to healthcare insurance.

However, the list of benefits from the Affordable Care Act is not completed. In 2014, the Affordable Care Act’s final provisions will become available to our citizens. Insurance companies will be banned from:

- discriminating against anyone with a pre-existing condition
- charging higher rates based on gender or health status
- enforcing lifetime dollar limits
- enforcing annual dollar limits on health benefits

In 2014, access to affordable healthcare for the self employed or those who decide to purchase their own coverage will be easier because of Affordable Insurance Exchanges. There will be a one stop marketplace where consumers can do what Federal employees have done for decades—purchase insurance at reasonable rates from an insurer of their choice. This will assure that health care consumers can get the care that they need from the medical professionals they trust.

I do not believe that the healthcare law is perfect—but what is worse—is the imperfection of the House Leadership in allowing this continued rehashing of a debate over a law that is not going away.

Congress should be working to mend the Affordable Care Act where we believe it can be improved, and not end healthcare security for millions of our constituents. Healthcare is the difference between life and death for too many of our constituents. The bill that needs to be amended or rejected is the one before us: H.R. 45.

For this reason, I offered amendments before the Rules Committee to address minority health disparities, medical payments to small physician owned hospitals, and a plan to study the impact of the healthcare law.

Jackson Lee Amendment Number 1 would have removed all of the bill text following the enacting clause of the legislation, which would have ended this exercise to repeal the Affordable Care Act. This legislation is so bad it cannot be salvaged and the United States would be better off without it.

Jackson Lee Amendment Number 2 would have ensured full Medicare reimbursement to all hospitals including physician owned hospitals with at least 100 beds, provided they could produce reliable records to document their claims for reimbursement.

Jackson Lee Amendment Number 3 would have authorized additional funding to establish Federally Qualified Health Centers (FQHCs). These centers are the last line of defense provided in the bill to make sure those living on the margins of society—the poorest of the poor had access to reliable healthcare. FQHC programs would be based in clinics, community based health care centers and pro-active outreach programs that target the homeless or marginally housed with information on how to get access to good healthcare.

Jackson Lee Amendment Number 4 would have expanded state use of the Medicaid option of the Patient Protection and Affordable Care law when the uninsured rate of qualifying

residents of a state exceeds 20 percent. States wishing to opt-out of Medicaid would have the option of submitting a plan to reduce the rate of uninsured to 20 percent or less to the Secretary of Health and Human Services. This amendment would have benefited Texas enormously since it leads the nation in uninsured residents at 28.8 percent. In fact Texas has held this number 1 ranking, of the state with the highest number of uninsured residents, for the last five consecutive years.

Jackson Lee Amendment Number 5 would have established a program to conduct studies of minority health disparities. The Amendment directed the Secretary of Health and Human Services to submit an annual report of findings regarding minority health disparities and make recommendations on how disparities may be reduced.

Jackson Lee Amendment Number 6 expressed the Sense of the Congress that the Patient Protection and Affordable Care Act is law in the United States of America. The amendment enumerated each step that made it the law including a decision by the United States Supreme Court. The amendment then directed the Secretary of Health and Human Services to report to Congress on the impact of the law on those it is intended to help. The Amendment would have not allowed this Congress to revisit repeal until it had research on the impact of the law to guide its further deliberation of repeal.

This Congress has work that needs to be done, and it has work that should be taken up to restore workers, their families and communities to sound economic health.

The healthcare law has many benefits—but I will redouble my efforts to mend the parts that need additional work and educate my constituents so that they can take advantage of the benefits of having access to healthcare.

For all of these reasons, I urge my Colleagues to join me in voting no on the Rule and the underlying legislation.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 215 OFFERED BY
MRS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1424) to require the Secretary of Commerce and the Secretary of Labor to establish the Make It In America Incentive Grant Program, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except

one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1424.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous

question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HULTGREN). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 215, if ordered; and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 228, nays 193, not voting 12, as follows:

[Roll No. 150]

YEAS—228

Aderholt	Duncan (SC)	Joyce
Alexander	Duncan (TN)	Kelly (PA)
Amash	Ellmers	King (IA)
Amodei	Farenthold	King (NY)
Bachmann	Fincher	Kingston
Bachus	Fitzpatrick	Kinzinger (IL)
Barletta	Fleischmann	Kline
Barr	Fleming	LaMalfa
Barton	Flores	Lamborn
Benishek	Forbes	Lance
Bentivolio	Fortenberry	Lankford
Bilirakis	Fox	Latham
Bishop (UT)	Franks (AZ)	Latta
Black	Frelinghuysen	LoBiondo
Blackburn	Gardner	Long
Bonner	Garrett	Lucas
Boustany	Gerlach	Luetkemeyer
Brady (TX)	Gibbs	Lummis
Bridenstine	Gibson	Marchant
Brooks (AL)	Gingrey (GA)	Marino
Brooks (IN)	Gohmert	Masse
Broun (GA)	Goodlatte	Matheson
Buchanan	Gosar	McCarthy (CA)
Bucshon	Gowdy	McCaul
Burgess	Granger	McClintock
Calvert	Graves (GA)	McHenry
Camp	Graves (MO)	McKeon
Cantor	Griffin (AR)	McKinley
Capito	Griffith (VA)	McMorris
Carter	Grimm	Rodgers
Cassidy	Guthrie	Meadows
Chabot	Hall	Meehan
Chaffetz	Hanna	Messer
Coble	Harper	Mica
Coffman	Harris	Miller (FL)
Cole	Hartzler	Miller (MI)
Collins (GA)	Hastings (WA)	Miller, Gary
Collins (NY)	Heck (NV)	Mullin
Conaway	Hensarling	Mulvaney
Cook	Herrera Beutler	Murphy (PA)
Cotton	Holding	Neugebauer
Cramer	Hudson	Noem
Crawford	Huelskamp	Nugent
Crenshaw	Huizenga (MI)	Nunes
Culberson	Hultgren	Nunnelee
Daines	Hunter	Olson
Davis, Rodney	Hurt	Palazzo
Denham	Issa	Paulsen
Dent	Jenkins	Pearce
DeSantis	Johnson (OH)	Perry
DesJarlais	Jones	Petri
Diaz-Balart	Jordan	Pittenger

Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce

Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi

NAYS—193

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al

Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Westrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

O'Rourke
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Eilmlers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming

Campbell
Clyburn
Cohen
Duckworth

NOT VOTING—12

Duffy
Johnson, Sam
Keating
Labrador
Markey
McCarthy (NY)
Quigley
Wagner

□ 1430

Mr. LANGEVIN changed his vote from “yea” to “nay.”

Mrs. McMORRIS RODGERS changed her vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 192, not voting 15, as follows:

[Roll No. 151]

YEAS—226

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishak
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Eilmlers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long

Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam

Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al

Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walden
Walorski

NAYS—192

Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Loeb sack
Lofgren
Lowenthal
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matsui
McCormack
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke

NOT VOTING—15

Brooks (AL)
Campbell
Clyburn
Cohen
Duckworth
Duffy
Johnson, Sam
Keating
Labrador
Markey
McCarthy (NY)
Pearce
Quigley
Wagner
Walberg

□ 1440

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN RECOGNITION OF NATIONAL POLICE WEEK

(Mr. NUGENT asked and was given permission to address the House for 1 minute.)

Mr. NUGENT. Mr. Speaker, as many of you know, this is National Police Week. Law enforcement officers throughout our country are gathered here in our Nation's Capital to remember those who have fallen in the line of duty. As a former sheriff and police officer, I couldn't be more proud to be part of this family.

Unfortunately, last year, we lost 120 brave men and women, and this year we've already lost 41.

When tragedy strikes, as it recently did in Boston, we're reminded of these officers' selfless courage. Yet we often forget that these men and women are at risk every time they report for duty. Every time they kiss a loved one goodbye, they never know if it's going to be for the last time. Day in and day out, they put their lives on the line to keep us—our communities, our towns, and our cities—safe. For this, we owe them a debt of gratitude.

So in honor of these law enforcement officers who made the ultimate sacrifice to keep us safe, may we please have a moment of silence.

The SPEAKER pro tempore. Members will rise and the House will observe a moment of silence.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 277, nays 132, answered "present" 1, not voting 23, as follows:

[Roll No. 152]
YEAS—277

Aderholt	Bishop (GA)	Brown (FL)
Alexander	Black	Brownley (CA)
Amodel	Blackburn	Buchanan
Bachmann	Blumenauer	Bucshon
Bachus	Bonamici	Bustos
Barletta	Bonner	Butterfield
Barrow (GA)	Boustany	Calvert
Barton	Brady (TX)	Camp
Becerra	Braley (IA)	Cantor
Bentivolio	Bridenstine	Capito
Bera (CA)	Brooks (AL)	Capps
Billirakis	Brooks (IN)	Cárdenas

Carney	Hultgren	Rice (SC)	Garamendi	Lee (CA)	Rahall
Carson (IN)	Hunter	Roby	Garcia	Lewis	Reed
Carter	Hurt	Roe (TN)	Gardner	LoBiondo	Reichert
Cassidy	Issa	Rogers (AL)	Garrett	Lowenthal	Renacci
Castro (TX)	Johnson (GA)	Rogers (KY)	Gibson	Lummis	Ribble
Chabot	Johnson, E. B.	Rogers (MI)	Gingrey (GA)	Lynch	Richmond
Chaffetz	Kaptur	Rohrabacher	Graves (GA)	Maffei	Rigell
Chu	Kelly (IL)	Rokita	Green, Al	Maloney, Sean	Ros-Lehtinen
Cicilline	Kelly (PA)	Rooney	Green, Gene	Marchant	Rush
Clarke	Kennedy	Roskam	Griffin (AR)	Matheson	Ryan (OH)
Clay	Kildee	Ross	Griffith (VA)	Matsui	Sánchez, Linda
Cleaver	King (IA)	Rothfus	Hanna	McCollum	T.
Coble	King (NY)	Roybal-Allard	Hastings (FL)	McDermott	Sarbanes
Coffman	Kingston	Royce	Heck (NV)	McGovern	Schakowsky
Collins (NY)	Kline	Ruiz	Herrera Beutler	McIntyre	Sires
Conyers	Kuster	Runyan	Holding	Meehan	Slaughter
Cook	LaMalfa	Ruppersberger	Honda	Miller, George	Stivers
Cramer	Lamborn	Ryan (WI)	Hoyer	Moore	Swalwell (CA)
Crawford	Langevin	Salmon	Hudson	Mulvaney	Terry
Crenshaw	Lankford	Sanchez, Loretta	Huizenga (MI)	Neal	Thompson (CA)
Cuellar	Larsen (WA)	Sanford	Israel	Negrete McLeod	Thompson (MS)
Culberson	Larson (CT)	Scalise	Jackson Lee	Nolan	Thompson (PA)
Daines	Latta	Schiff	Jeffries	Nugent	Tiberi
Davis (CA)	Levin	Schneider	Jenkins	Pallone	Tipton
Davis, Danny	Leipinski	Schock	Johnson (OH)	Pastor (AZ)	Tipton
DeGette	Loeb sack	Schrader	Jones	Paulsen	Valadao
Delaney	Lojgren	Schwartz	Jordan	Payne	Veasey
DeLauro	Long	Schweikert	Joyce	Peters (CA)	Velázquez
DeBene	Lowe y	Scott (VA)	Kilmer	Peters (MI)	Visclosky
DesJarlais	Lucas	Scott, Austin	Kind	Peterson	Wittman
Deutch	Luetkemeyer	Scott, David	Kinzinger (IL)	Pitts	Woodall
Diaz-Balart	Lujan Grisham (NM)	Sensenbrenner	Kirkpatrick	Poe (TX)	Yoder
Dingell	Lujan, Ben Ray (NM)	Serrano	Lance	Price (GA)	Young (AK)
Doggett	Maloney, Carolyn	Sessions	Latham	Radel	
Doyle	Marino	Sewell (AL)			
Duncan (SC)	Massie	Shea-Porter			
Duncan (TN)	McCarthy (CA)	Sherman			
Edwards	McCaul	Shimkus			
Ellison	McClintock	Simpson			
Ellmers	McHenry	Smith (NJ)	Beatty	Farr	Messer
Engel	McKeon	Smith (TX)	Burgess	Gohmert	Nunes
Enyart	McKinley	Smith (WA)	Campbell	Grijalva	Quigley
Eshoo	McMorris	Southerland	Clyburn	Johnson, Sam	Shuster
Esty	Rodgers	Speier	Cohen	Keating	Sinema
Farenthold	McNerney	Stewart	Cole	Labrador	Smith (NE)
Fattah	Meadows	Stockman	Duckworth	Markey	Wagner
Fleischmann	Meeks	Stutzman	Duffy	McCarthy (NY)	
Fortenberry	Meng	Takano			
Foster	Mica	Thornberry			
Frankel (FL)	Michaud	Tierney			
Franks (AZ)	Miller (FL)	Titus			
Frelinghuysen	Miller (MI)	Tonko			
Fudge	Moran	Tsongas			
Gabbard	Mullin	Turner			
Gallego	Murphy (FL)	Upton			
Gerlach	Murphy (PA)	Van Hollen			
Gibbs	Nadler	Vargas			
Goodlatte	Napolitano	Vela			
Gosar	Neugebauer	Walberg			
Gowdy	Noem	Walden			
Granger	Nunnelee	Walorski			
Graves (MO)	O'Rourke	Walz			
Grayson	Olson	Wasserman			
Grimm	Palazzo	Waters			
Guthrie	Pascrell	Schultz			
Gutierrez	Pearce	Watt			
Hahn	Pelosi	Waxman			
Hall	Perlmutter	Weber (TX)			
Hanabusa	Perry	Webster (FL)			
Harper	Petri	Welch			
Harris	Pingree (ME)	Wenstrup			
Hartzler	Pittenger	Westmoreland			
Hastings (WA)	Pocan	Whitfield			
Heck (WA)	Polis	Williams			
Hensarling	Pompeo	Wilson (FL)			
Higgins	Posey	Wilson (SC)			
Himes	Price (NC)	Wolf			
Hinojosa	Rangel	Womack			
Holt		Yarmuth			
Horsford		Yoho			
Huelskamp		Young (FL)			
Huffman		Young (IN)			

NAYS—132

Amash	Cartwright	Davis, Rodney
Andrews	Castor (FL)	DeFazio
Barber	Collins (GA)	Denham
Barr	Conaway	Dent
Bass	Connolly	DeSantis
Benishkeh	Cooper	Fincher
Bishop (NY)	Costa	Fitzpatrick
Bishop (UT)	Cotton	Fleming
Brady (PA)	Courtney	Flores
Broun (GA)	Crowley	Forbes
Capuano	Cummings	Foxx

Garamendi	Lee (CA)	Rahall
Garcia	Lewis	Reed
Gardner	LoBiondo	Reichert
Garrett	Lowenthal	Renacci
Gibson	Lummis	Ribble
Gingrey (GA)	Lynch	Richmond
Graves (GA)	Maffei	Rigell
Green, Al	Maloney, Sean	Ros-Lehtinen
Green, Gene	Marchant	Rush
Griffin (AR)	Matheson	Ryan (OH)
Griffith (VA)	Matsui	Sánchez, Linda
Hanna	McCollum	T.
Hastings (FL)	McDermott	Sarbanes
Heck (NV)	McGovern	Schakowsky
Herrera Beutler	McIntyre	Sires
Holding	Meehan	Slaughter
Honda	Miller, George	Stivers
Hoyer	Moore	Swalwell (CA)
Hudson	Mulvaney	Terry
Huizenga (MI)	Neal	Thompson (CA)
Israel	Negrete McLeod	Thompson (MS)
Jackson Lee	Nolan	Thompson (PA)
Jeffries	Nugent	Tiberi
Jenkins	Pallone	Tipton
Johnson (OH)	Pastor (AZ)	Tipton
Jones	Paulsen	Valadao
Jordan	Payne	Veasey
Joyce	Peters (CA)	Velázquez
Kilmer	Peters (MI)	Visclosky
Kind	Peterson	Wittman
Kinzinger (IL)	Pitts	Woodall
Kirkpatrick	Poe (TX)	Yoder
Lance	Price (GA)	Young (AK)
Latham	Radel	

ANSWERED "PRESENT"—1

Owens
NOT VOTING—23

Beatty	Farr	Messer
Burgess	Gohmert	Nunes
Campbell	Grijalva	Quigley
Clyburn	Johnson, Sam	Shuster
Cohen	Keating	Sinema
Cole	Labrador	Smith (NE)
Duckworth	Markey	Wagner
Duffy	McCarthy (NY)	

□ 1450

So the Journal was approved.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 36

Mr. MICA. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor to House Resolution 36.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

REPEAL OF PATIENT PROTECTION AND AFFORDABLE CARE ACT

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 45.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mrs. BLACKBURN. Mr. Speaker, pursuant to House Resolution 679, I call up the bill (H.R. 436) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 215, the amendment printed in House Report 113-59 is considered adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 45

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF PPACA AND HEALTH CARE-RELATED PROVISIONS IN THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) PPACA.—Effective as of the enactment of the Patient Protection and Affordable Care Act (Public Law 111-148), such Act is repealed, and the provisions of law amended or repealed by such Act) are restored or revived as if such Act had not been enacted.

(b) HEALTH CARE-RELATED PROVISIONS IN THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective as of the enactment of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), title I and subtitle B of title II of such Act are repealed, and the provisions of law amended or repealed by such title or subtitle, respectively, are restored or revived as if such title and subtitle had not been enacted.

SEC. 2. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

The SPEAKER pro tempore. Debate shall not exceed 2 hours equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce, the chair and ranking minority member of the Committee on Energy and Commerce, and the chair and the ranking minority member of the Committee on Ways and Means.

The gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Speaker, I yield myself such time as I may consume.

You know, it is just absolutely amazing that we are once again here on the floor to repeal ObamaCare, but it is a necessary step that we find that we have to do.

It is so interesting being out in my district. Whether I am talking to State-elected officials or county-elected officials or talking to those who are employers in our district—those who are job creators—repeatedly we hear from them: this is a bill that turned into a law that is too expensive to afford.

One of the reasons—and I would point this out—this is a copy of the law as published. What it has turned into is 13,000 pages of regulation. Indeed, I wanted to bring that tower of red tape here to the floor today. It is seven feet tall and growing. It was too big to be allowed on the House floor.

It is amazing that much regulation that has come from this 2,700-page bill. Now we find out from The Washington Post and The New York Times that Secretary Sebelius had conversations with some companies and organizations asking them to help fund getting this started.

Why is this happening? Three years ago, we were told it would be an \$800 billion bill. And guess what? When we went to the Budget Committee this year, \$2.6 trillion is the estimated cost of this bill. So insurance—more expensive. It was to save households \$2,500 a year, but instead they’re already paying \$3,000 more. And the survey that Chairman MURPHY ran for us in the Energy and Commerce Committee shows that the cost will go anywhere up to about 400 percent, depending on who you are, what group you’re in. That’s what you’re going to see your insurance cost go up to.

We hear from physicians. Harder to get in to see a physician? Yes, it is.

Our goal should be about how do we preserve access to affordable health care for all Americans. Instead, what my friends across the aisle have done is to focus on how do you centralize health care, run up the cost, and decrease access. That is the reason that we are here on the floor today.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself 2 minutes.

I rise today in opposition to the Patients’ Rights Repeal Act because what the Republicans will do is take away all the benefits the American people are already seeing under this law and they will stop the full implementation of it to provide millions of people with health insurance opportunities.

Our Republican colleagues say they want to provide access to health care. They want to do something about people with preexisting conditions. They say they care about stopping discriminatory practices. They want to lower the deficit. They want to stop rising health care costs. This bill, the Affordable Care Act, is the one piece of legislation that takes major steps on these issues.

Republicans offered nothing but opposition over and over again. This is the 37th time the House will vote to repeal the patients’ rights bill. From the very beginning, the Republicans opposed it. They said it will kill jobs, and they were wrong. They said the law would drive up health care costs through the roof. They were wrong. We’re seeing the slowest growth in health care spending in decades.

They’ve ignored the significant benefits that are helping tens of millions of people, such as 3 million young adults who have coverage through their parents’ plans, 6 million seniors who have saved over \$6 billion on their prescription drugs, 13 million Americans who have received over \$1 billion in rebates from their insurers, over 100 million Americans who have access to free preventive care who no longer face lifetime limits on their coverage. And the Congressional Budget Office still confirms that the law cuts the deficit by \$100 billion in the first decade and more than \$1 trillion in the second.

The Republican Patients’ Rights Repeal Act undoes all of these benefits. They add to the deficit, and they send us back to the days when insurance companies were in charge, costs were skyrocketing, and tens of millions either had no coverage—especially if they had preexisting conditions—or coverage that they could depend on.

I urge my colleagues to vote “no” on this legislation, and I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, at this time I yield such time as he may consume to the chairman of the Health Care Subcommittee, the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, on Monday, in two separate forums, I met with members of the Lancaster County and the Chester County Chambers of Commerce, representing dozens of businesses and municipalities across my district, about the implementation of the Affordable Care Act. Every single one of them had grave concerns with the law. They’re confused and deeply concerned about how it will affect their ability to provide care and jobs.

We’re only a few months away from implementation of the employer mandate, and there are many unanswered questions. Each employer I talked to had pressing questions, but time and again I had to tell them that I didn’t have an answer because HHS, the IRS, or the Department of Labor hadn’t issued rules or guidance yet.

□ 1500

This uncertainty is leaving them paralyzed, holding off on hiring and wondering whether they will be able to provide coverage for their employees.

It is not just businesses that are hurting. I heard from school districts operating on tight budgets who said they have no choice but to outsource loyal hourly employees like cafeteria workers and special ed aides, going to part-time work.

Workers are losing their jobs, losing work hours, losing benefits to this bureaucratic nightmare. Let’s stop the damage, and let’s repeal the train wreck before it occurs.

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that our time from the Energy and Commerce Committee

be controlled by our subcommittee ranking member, Congressman FRANK PALLONE from the State of New Jersey.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey will control the time.

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself 2 minutes.

I rise today in opposition to the Patients' Rights Repeal Act. I greatly respect my colleagues on the other side from Tennessee and from Pennsylvania, but I have to say they are simply obstructionists.

This is what we get from the GOP on a daily basis. Nothing happens here in the House of Representatives. We know there is a problem. Historically, there has been a problem with health care and a lot of people not having insurance or having discriminatory practices or not being able to get on their parents' insurance policy. So we as Democrats came up with a solution, and that solution is working.

We have kids now—almost 6 million or 7 million kids—that are now on their parents' policies. We have a situation where we are plugging up the doughnut hole in Medicare for part D prescription drugs for seniors. We have all kinds of preventive care that is out there relative to women's health. And the list goes on and on. These things are happening. Beginning next year, most Americans will have health insurance.

What do I hear from the other side? They don't want solutions. I'll be honest with my colleagues: if you really care, why don't you make some suggestions, and maybe we can work together. Anything can be improved. I don't say that anything can't be improved.

But, no, they come on the floor, and what do they want to do? Just repeal it, which is not a solution. It basically would eliminate all the progress that we have made in terms of health care.

Yes, costs are not going up as much. And, yes, people are getting rebates if their insurance companies charge them too much. All these things are happening because of the Affordable Care Act.

All I hear from you is: no, obstructionism. No, we have to repeal this because this is such a terrible thing. Bringing in all these distractions about what the Secretary of Health and Human Services is doing.

This is not what you are elected to do. You are not elected to come here and just repeal things and say how bad everything is. You are supposed to come up with solutions. I never hear it from the other side of the aisle. I simply do not hear it, which is why I get very upset the 37th time, the 38th time we are going to vote on the same thing, which is repeal of the Affordable Care Act.

Mr. Speaker, I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, I yield myself 15 seconds to respond.

We trust our constituents and the American people. We don't need government control of this. Certainly we don't need the IRS policing our private health care information. There is nothing affordable about the Affordable Care Act, and that is why we are concerned.

At this point, I want to yield 1 minute to the chairman of our conference, Mrs. McMORRIS RODGERS, from Washington.

Mrs. McMORRIS RODGERS. Mr. Speaker, when President Obama's health care proposal became law, he told us that it would lower costs, improve quality, cover everyone with pre-existing conditions, and ensure that those under 26 would remain insured. But today, when we pull back the curtain, the American people see that this law has just made things worse.

The President promised that premiums would go down. In fact, he said families would see an average decrease in premiums by \$2,500. Instead, the average family has seen premiums go up by over \$3,000. And they are hitting young people hard, some facing increases up to 200 percent and many losing insurance.

The President promised those with preexisting health conditions would be covered. Unfortunately, just over 100,000 people enrolled in the program before he declared it ran out of money.

The President promised that his plan would lead to all Americans having health insurance. But CBO already estimates that 30 million people will still be uninsured even after the law is fully implemented.

We need to replace this policy with one that helps Americans.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to our chairman emeritus from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, this is a prodigious waste of the time of the House working on a bad piece of legislation. I rise today in strong opposition to the Patients' Rights Repeal Act.

My Republican colleagues are up for the 37th time with this nonsense, and they are fully determined to take away all of the rights that we have given under the Affordable Care Act to the people of the United States.

People are going to go back in the doughnut hole, courtesy of the Republicans. No longer will people be protected against being excluded from insurance because of preexisting conditions. And it is going to be possible now for insurance companies to kick people off insurance plans because they get sick while they have a policy. Kids are not going to go on their parents' policies after they are 26 if we pass this nonsensical legislation.

Einstein said that expecting a different result from things done over and over again is proof of insanity. Well,

this is insanity. But worse than that, it is a waste of time of the people in the Congress and the money of the United States citizens who pay our wages.

This is a bad proposal. Vote it down.

Mr. Speaker, it has often been said by many, including everyone from Albert Einstein to Benjamin Franklin, that the very definition of insanity is doing the same thing over and over and expecting different results.

We gather here in this Chamber today not to work on behalf of the American people, but instead to partake in our 37th round of insanity—repeal of a law that is already helping our struggling American families.

I ask my colleagues on the other side of the aisle: just what part of helping the American people are you opposed to? Are you content in this preposterous display that is, by its very definition, insanity?

You are reinstating the lifetime cap on coverage for people—including children—telling them there's nothing more that can be done for them, because their insurance provider said so.

You are ending the closing of the so-called "donut hole" and allowing millions of seniors to see increases in prescription drug costs, amounting to thousands and thousands of dollars in additional burdens on our seniors.

You are eliminating tax credits for more than 4 million American small businesses that stand to benefit from providing coverage for their workers, ensuring they can continue to work and provide for their business in good health and wellness.

You are telling the American people that it's fine for insurance companies to drop them from coverage just because they got sick.

You are returning our American children to the uncertain and vulnerable times when "pre-existing conditions" meant their life and livelihood was less important than the bottom lines of insurance executives.

You are denying care for 6.6 million young people who qualify to stay on their parents' plan until age 26. Is that your preferred way of protecting and promoting the future leaders of our nation?

My friends, all that this 37th repeal vote offers is yet another piece of evidence in proving the newfound insanity of this body, further emulating the "do-nothing" Congress that was the 112th.

This is not what we should be wasting our time with—this is nothing more than political posturing so House Freshmen can make the same foolish mistakes of their most immediate predecessors.

This is not a vote for the American people, rather it is a callous disregard for the health and well-being of those who continue to work, each and every day, to make our nation great, provide for their families and ask for nothing more than a fair shot at the American Dream.

I will remind my colleagues that the very best way of protecting the American Dream is by protecting the American people—the very best asset our country holds.

We should be doing the nation's business in a cooperative manner, not working to further divide all of us who are so deeply in need of bipartisanship and unity.

Today's insane and useless vote will bring the total amount of taxpayer dollars wasted on

hours upon hours of legislative attempts to repeal the Affordable Care Act to \$52.4 million dollars in just three years since it became the law of the land, and just one year since the Supreme Court upheld it and ensured the care and cost-saving measures that all American families deserve.

I ask you, my colleagues, to oppose this insane legislation, end this further waste of taxpayer dollars, and bring this body back to the honest and necessary job we owe to the people we're blessed to represent.

Mrs. BLACKBURN. Mr. Speaker, at this time, I yield 1 minute to the chairman of the Oversight and Investigation Subcommittee at Energy and Commerce, the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY of Pennsylvania. Mr. Speaker, the health care bill, indeed, has some good things in it: no lifetime cap, kids on their parents policy, people can't be denied, and some prevention. But good intentions do not guarantee good results.

Because of the guarantee of this bill, we were told it would lower costs; and we are now in a position where it may cost families more, and they won't be able to cover it.

On top of \$835 billion in taxes, our Energy and Commerce Committee did a study. Getting responses from 17 insurance companies, they reported there will be a 96 percent increase in cost for those getting a new policy, 73 percent for those keeping, and some will be as high as 413 percent. Some will see lower costs, but most Americans will see some increase in the health care costs.

That is a reason why we need to repeal this and get back to really reforming health care, keeping the good parts. But Americans cannot afford this. And when it is not affordable, it is not accessible care.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, here we are again voting for the 37th time to repeal the Affordable Care Act, a law the Supreme Court has deemed constitutional. This is nothing more than a feel-good moment for new Members of the GOP who didn't get to vote on repeal in the last Congress.

If the new standard for scheduling votes is to provide wish fulfillment for Members of Congress, then I have a few requests:

If we are going to vote almost 40 times to repeal health care coverage for millions of Americans, I would like to have the chance to vote against the Defense of Marriage Act 40 more times. I had the pleasure to vote against it in 1996. I am sure there is a new generation of Members who would like to vote against it, and I would like to do it again.

Furthermore, I regret being a teenager when the Civil Rights Act was voted on. I would like a chance to lend my support to that landmark law.

To be able to cast a vote to go to war against Nazi Germany would be very satisfying to me.

I have contributed to Social Security my whole life; and since my father was not a Member of Congress in 1932, I would like to vote on his behalf to support the creation of Social Security.

I was a student of history in my youth, and I feel very strongly that the Compromise of 1850 was the point of no return leading to the Civil War. I would like a chance to vote against it.

I ask that the Republican leadership add all of these to the agenda in the weeks to come.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 30 seconds.

Mr. ENGEL. Clearly, we have plenty of time available for wish fulfillment, rather than substantive measures such as the economy, immigration reform, and putting people back to work.

So I would like an opportunity to vote again on many different things as well.

□ 1510

Mrs. BLACKBURN. At this time, I yield 1 minute to a member of the Energy and Commerce Committee, the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, today, we are once again voting to totally repeal the Patient Protection and Affordable Care Act, ObamaCare.

Now, the most senior members of the Energy and Commerce Committee from the Democratic side stand up here and say this is the 37th time that we have voted for total repeal. No, it's the third time. We are voting for total repeal for a third time because Republicans and Democrats and 65 percent—young and old—of the people across this country demand total repeal. They know that they don't want the government taking over one-sixth of our economy and Washington bureaucrats imposing a massive tax increase on middle class Americans and small business owners.

As the government becomes more involved in health care, doctors and patients become further removed—more involved, further removed—from their own health care decisions, and this will result in a more expensive and a more dysfunctional system. Patients should have more control of their medical decisions, and reform should be driven at the State level rather than rushing through legislation that we have to read to find out what's in it. Now, Mr. Speaker, small businesswomen and men have to read a stack of rules and regulations 7-feet high to find out that, truly, the devil is in the details.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BLACKBURN. I yield the gentleman an additional 15 seconds.

Mr. GINGREY of Georgia. As both a physician and a taxpayer, fully repeal-

ing ObamaCare is my top priority, and I am proud that we will soon take yet another step toward this critically important goal.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to the Patients' Rights Repeal Act.

Here we go again, and my colleague from Georgia knows it: 37 times, counting today, that the Republican majority has tried to repeal the Affordable Care Act, a law that was upheld by the Supreme Court, a law that will help not only millions of uninsured but everyone with health insurance because the Affordable Care Act improves coverage.

"Repeal" means that insurance companies can once again deny coverage for preexisting conditions. It means college-aged dependent children will be kicked off their parents' insurance. Medicare beneficiaries will lose access to vital preventative screenings. Also, insurance company practices of the past, which frustrated the insured and drained their savings, will be allowed to return.

The Affordable Care Act means more than 80 percent of premium dollars are spent on health care. That was in the Affordable Care Act. The law prevents insurance companies from providing their executives extraordinary perks while failing to provide health care to their customers.

But this will never happen again. The repeal of the Affordable Care Act will not be successful. It wasn't successful the first 36 times. It won't be today. That's because the American people need it. The law isn't perfect. The medical device excise tax and the Independent Payment Advisory Board should be addressed. This majority refuses to work with our side to fix the problems. The American people want to see Congress work together to fix problems. What they don't want is more political theater.

Mrs. BLACKBURN. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a member of the committee.

Mr. BILIRAKIS. I support repealing the misnamed Affordable Care Act because it is a law that Americans cannot afford.

A recent report from the Energy and Commerce Committee shows that health insurance premiums for small businesses could rise by an astonishing 400 percent. For my home State of Florida, the report notes that individuals enrolled in some current plans could see increases of over 100 percent. In the small group market, we expect to see increases as well. This law is not affordable for individuals or small businesses. The health law tries to hide these new costs through subsidies and tax credits paid for through new taxes and cuts to Medicare.

We need to repeal this job-crushing, premium-rising, government-expanding law. I am proud to be a cosponsor of H.R. 45, and I support repealing this unaffordable act.

Mr. PALLONE. I yield myself such time as I may consume.

Mr. Speaker, I just want to set the record straight that there is no government takeover in the ACA, which is contrary to what my Republican colleagues are saying.

The ACA is built on expanding private sector coverage by improving options in the individual market and by encouraging employers to provide coverage. The claim that the ACA is a government takeover is totally unfounded. A system built on private insurance, private doctors and private hospitals is not a government takeover.

I yield now 1 minute to my colleague from California (Mrs. CAPPs).

Mrs. CAPPs. I thank my colleague for yielding.

Mr. Speaker, I rise today, yet again, in opposition to the Patients' Rights Repeal Act as 3 years and 37 repeal attempts later, the majority is still playing politics with the health care of real people.

Thanks to ObamaCare, 27 million American women now have access to preventative health screenings and health care without cost-sharing. They can receive cancer screenings, annual wellness physicals and contraceptives without extra costs. Seniors in my district saved an average of \$600 last year on prescriptions, and as we close the doughnut hole, the savings will be even greater and families no longer have to worry that their children will be denied insurance due to a preexisting condition.

Repeal would take away these benefits and protections, raising costs for families. It would return us to a broken system, all the while increasing the deficit. It is time to move on. Let's spend our time working on new solutions instead of repeatedly placing partisanship over progress. I urge the defeat of this bill.

Mrs. BLACKBURN. Mr. Speaker, at this time, I yield 1 minute to our chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON. I thank the gentlelady from Tennessee.

You've seen the TV commercial about oil filters where somebody brings their car in, and they haven't had their oil changed, and the guy says, Well, they could have paid me before by changing the oil filter or they can pay me later when they bring the car in.

That's why we're here today. We're going to repeal this Act. We can repeal it today or we can repeal it later, but it's going to be repealed.

My friends on the minority side talk about all the good things of it and act like there is no government interven-

tion. There is just a government mandate that you have to have insurance. There is a government mandate that employers have to provide it. There is a government mandate on what has to be included in that coverage. There is a government price control on the price of the premiums. Of course, there is a mandate that everybody in the country has to have insurance, and the IRS can enforce that as a penalty if, in fact, you choose not to participate in that mandated program. Other than that, there is no government involvement in this law.

So, my good friends, I would say: vote with us to repeal it now so we don't have to come back later next year or the year after when health care is in a shambles, and we will repeal it then.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

Today is actually an embarrassment. Today, for the 37th time, we vote to repeal the Affordable Care Act—a messaging vote that is surely dead on arrival when it reaches the Senate.

I would say to my good friend from Texas, you can repeal it in this House 37 more times, and it's going to be just as dead when it gets over to the Senate.

This is a waste of our time. A CBS analysis last year said that Congress spent 80 hours—2 full weeks of work—on repeal votes that cost the taxpayers \$48 million. Bryce Covert and Adam Peck of Think Progress estimated that, since then, we've spent an additional \$6 million, bringing the total to \$55 million on 37 symbolic votes to repeal the Affordable Care Act and waste our time here on the floor of the Congress. Just think what we could have done with \$55 million. We could make sure college students have access to Federal work study grants. We could keep low-income kids in preschool.

Quit wasting the taxpayers' money and this Congress' time. You should be ashamed of yourselves.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mrs. BLACKBURN. At this time, I yield 1 minute to one of our freshmen, the gentleman from Georgia (Mr. COLLINS).

□ 1520

Mr. COLLINS of Georgia. Mr. Speaker, I rise in strong support of H.R. 45, and I thank our leadership for bringing this legislation to the floor because

contrary to popular opinion, patients' rights were the ones in jeopardy a few years ago, and that's what we're restoring.

Architects of ObamaCare have said it is "so complicated and if it isn't done right the first time, it will just simply get worse."

By "done right," they really mean that the administration simply has to write enough of the right regulations.

Nearly 20,000 pages of ObamaCare-related regulations are already on the books, including 828 pages that were issued in a single day earlier this year. This tidal wave of regulations should be no surprise to anyone who bothered to read the health care bill before they voted on it.

With the truth of our economic condition and the real contents of the health care bill beginning to sink in, I don't believe there's a better time to consider repealing ObamaCare than right now.

Mr. Speaker, I strongly support this bill.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

Rather than more rhetoric, I challenge my Republican colleagues to explain to the American people why we should take away the benefits and protections that ObamaCare already provides and will provide; explain to the 125,000 young adults in Illinois that they have to get off their parents' policies, even if they're sick; explain to the 134,000 seniors in Illinois who have saved over \$235 million on their prescription drugs why we need them to pay more for their drugs; and explain to the 1.4 million Illinoisans who will finally have the opportunity to obtain quality, dependable health insurance coverage—sorry, politics trumps expanding their access to health services.

I urge my colleagues to take a stand for the health of the American public. Vote "no" to the Patients' Rights Repeal Act.

Mrs. BLACKBURN. At this time, I yield 1 minute to another of our freshmen, Mr. HOLDING of North Carolina.

Mr. HOLDING. Mr. Speaker, ObamaCare is bad policy for patients, for doctors, for seniors, for young folks, for small businesses, for medical technology and pharmaceutical companies, and for families.

Mr. Speaker, folks in my district tell me time and time again that they are most concerned about the increase in the cost of health care, and ObamaCare does nothing to address those concerns. In fact, recent reports have suggested exactly the opposite.

Mr. Speaker, I think Senator BAUCUS was dead on when he said that he sees a huge "train wreck" coming down the line in regards to ObamaCare.

ObamaCare was shuffled through Congress with back-room deals and false promises. American families deserve better. They deserve to make their own choices about health care, not the government. That is why I'm proud to rise today and join my colleagues in repealing this misguided and misnamed law.

Mr. PALLONE. Mr. Speaker, I now yield 3 minutes to our Democratic whip, Mr. HOYER from Maryland.

Mr. HOYER. Mr. Speaker, apparently the Republicans are opposed to ObamaCare.

I know that comes as a shock to America, so we need to tell them one more time or 37 times or maybe a 38th or 39th or 40th or 100th time.

I don't know how many times we have to replay the election. There was an election in which this was one of the principal issues, and the proponent of health care for all Americans was elected by most Americans.

Mr. Speaker, this vote, as we all know, is a waste of our time; it is, however, a political exercise. This will be the 37th vote to repeal health care reform since the Republicans took control of the House. It's exactly the same as the bill that we considered in July. That partisan bill was dead on arrival in the Senate, just as this one will be; and everybody knows it.

In fact, The New York Times reported that since 2011:

Republicans have spent no less than 15 percent of their time on the House floor on repeal in some way.

Since 2011, they've spent 15 percent of their time on this House floor trying to repeal health care for all Americans.

When President Obama was reelected after campaigning on the Affordable Care Act as a major first-term achievement with the unanimous opposition of Republican colleagues and after the Supreme Court said, yes, this is a constitutional exercise of the Congress' authority, Speaker BOEHNER said, "ObamaCare is the law of the land."

I had hoped that would be the end of wasted time and \$52.4 million in taxpayer money on legislation to nowhere that would strip away benefits for millions and millions of Americans. Sadly, however, this vote is more of the same.

It would increase out-of-pocket costs on preventive services for 105 million Americans, including 34 million seniors on Medicare and 71 million Americans covered under private plans.

It would allow insurance companies to reimpose arbitrary lifetime limits on coverage for more than 100 million people.

It would allow insurance companies once again to discriminate against and deny care to as many as 17 million children with preexisting conditions. CantorCare tried to reverse that and had to be pulled from this floor because even a Republican-sponsored attempt at dealing with preexisting conditions

was rejected by our Republican colleagues.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 30 seconds.

Mr. HOYER. Mr. Speaker, the clock will not be turned back. ObamaCare is the law of the land. Those are not my words, but Speaker BOEHNER's.

You say this vote is necessary so that freshman Members have a chance to get on record on a major issue. If they haven't gotten on record now, they're not going to get on record.

If that is the standard for getting a vote on the floor, then let us have a vote on replacing the sequester which you have denied freshmen the chance to vote on all year. That is what we ought to be spending our time on, getting our country on a sound fiscal path, creating jobs and growing our economy. Instead, we tread water; we waste time as we continue to debate for the 37th time the repeal of health care for all Americans.

Mrs. BLACKBURN. At this time, I yield 1 minute to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Mr. Speaker, this may be the 37th time that the House has taken up the repeal of ObamaCare, but this is my first time; and I and the constituents that sent me here want my vote recorded to repeal this poorly crafted, job-killing law.

Last week, colleges in my district graduated more than 2,000 students eager to enter our workforce. These week-old college graduates in my district will be met with real-life challenges immediately thanks to the President's health care law. Over 50 percent of recent college graduates are unemployed. Five years after the recession, national unemployment remains unacceptably high.

Seventy percent of small businesses cite the Affordable Care Act as a reason not to hire. Businesses large and small are considering cutting their workforce and reducing hours to avoid the requirements of the Affordable Care Act in January.

Working families in America are hurting, and the Affordable Care Act is adding to their pain. The CBO estimates that 30 percent of employers will stop offering employer-sponsored health insurance next year.

Mr. PALLONE. Mr. Speaker, I ask how much time remains on each side.

The SPEAKER pro tempore. The gentleman from New Jersey has 5¼ minutes, and the gentlewoman from Tennessee has 7½ minutes remaining.

Mr. PALLONE. Mr. Speaker, at this time I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, the Affordable Care Act is working for families and small businesses all across America.

Did you know that the Affordable Care Act provides tax credits to small businesses that offer health insurance to their employees and that over 360,000 small businesses have taken advantage of those tax credits so far and millions more remain eligible?

Speaking of young people, in the State of Florida alone, over 224,000 young people have been able to have health insurance because they've now been able to stay on their parents' policies.

□ 1530

Mr. Speaker, 1.3 million Floridians have received \$124 million in rebates from insurance companies, an average of \$168 per family, because of important consumer protection provisions in the law that say insurance companies can't charge families too much.

Medicare is stronger, the doughnut hole is closing, and the Affordable Care Act is a godsend to so many families who have preexisting conditions, whether it is cancer or diabetes or some other chronic condition.

To my Republican colleagues, let's come together to work on the economy and creating jobs rather than another *deja vu* of repealing health care and wasting time.

I urge everyone to vote "no" on the Patients' Rights Repeal Act.

Mrs. BLACKBURN. I yield myself 15 seconds to respond to a couple of things.

We are working on jobs. One of the items that concerns us is that, according to the CBO, implementation of the ObamaCare bill with its 13,000 pages, 7-foot tall tower of red tape would cost this economy 800,000 jobs. We also know that it's grown to being a \$2.6 trillion program.

At this time I yield 1 minute to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. Mr. Speaker, I rise to join a chorus of people who recognize the ineffectiveness of the Affordable Care Act which, frankly, Mr. Speaker, is not even affordable. The CBO also said that there's \$1.8 trillion now added to the cost of ObamaCare.

We've seen the impact on physicians. Physicians, particularly those with specialties, don't want to continue in their practice. People in medical school, they don't want to continue. People in undergraduate, they don't want to go to med school. There's a dearth, Mr. Speaker, of availability in the future of physicians.

We've seen premiums skyrocket. In North Carolina alone, premiums have increased 284 percent.

We've seen the impact of 7 million people now who cannot take their own personal health insurance that they were promised.

We've seen a risk pool that no longer has funding available.

Mr. Speaker, the American people deserve better, and we're going to work

hard to ensure that we have a competitive health care program that will deliver true health provisions for the American people.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act. That's right, America, the repeal of patients' rights, brought to you by the Republican majority of the House. It is the 37th vote to repeal ObamaCare.

While far from perfect, the Affordable Care Act was a serious attempt to solve a serious problem. By contrast, the legislation we are considering today is not serious, and the only problem it portends to solve is offering new Members of this body an opportunity to vote on a bill that isn't going anywhere.

I assure you, there's no lack of real problems for this body to address. As of March, the unemployment rate for most of my congressional district was at 7 percent. Does anyone in this Chamber think we should sit on our laurels with 7.3 percent unemployment? Instead of holding 37 votes to repeal the Affordable Care Act, is it too much to ask that we just hold one vote on the American Jobs Act, legislation that included both Democratic and Republican ideas that would put more money in the pockets of small businesses and put countless Americans back to work? These political votes are a foolish waste of time, and the American people deserve better.

In closing, I would urge my colleagues to oppose this blatantly political legislation and return to a focus on legislation that creates jobs, grows the economy, lays the foundation for sustainable prosperity, and doesn't strip away health care benefits for millions of Americans.

Mrs. BLACKBURN. Mr. Speaker, at this time I yield 2 minutes to the gentlelady from Minnesota (Mrs. BACHMANN), who is the author of H.R. 45.

Mrs. BACHMANN. Mr. Speaker, I thank the gentlelady from Tennessee who has been a champion for the repeal of ObamaCare for years and years.

Mr. Speaker, in light of the recent revelations that have just come out within this last week regarding the outrageous activities of the Internal Revenue Service pointed against the people of the United States, every American should be concerned about the negative consequences of this bill, ObamaCare.

The Supreme Court has ruled that ObamaCare is in fact a tax. Knowing that it's a tax, the logical conclusion is that the entity in the United States that will be tasked with enforcing tax policy is the IRS.

I'm a former Federal tax litigation attorney. I worked for the Treasury Department. We had only one client; it

was the IRS. The IRS is the only entity that enforces tax policy in the United States, and ObamaCare is enforced by the IRS—probably the most feared Federal agency in the United States Government. It concerns me. It should concern every single American listening to our voices today that the IRS has admitted this week that they directly targeted Americans, including Christians, including those who support the State of Israel, including those who are for jobs and less debt, including conservatives, Tea Partiers. They were targeted; why? Because of what they believe—their religious beliefs, their political beliefs—and the IRS targeted them for punishment, or for reward, depending upon how their ideas lined up with the administration's ideas.

You see, this dysfunctional implementation of ObamaCare and the ongoing assault on nonnegotiable constitutional liberties is enough to convince every single one of us who are the people's representatives to seek full repeal of this law. It's our job, Mr. Speaker, to defend liberty. We're all sworn to protect and defend the Constitution, and that's why, today, we have to end this horrible piece of legislation and stand up for people.

Mr. PALLONE. Mr. Speaker, I believe the other side has more time, and so at this time I reserve the balance of my time.

Mrs. BLACKBURN. At this time I yield 1 minute to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, I'm driven today to rise because I agree wholeheartedly with Senator MAX BAUCUS, that ObamaCare is a train wreck to our economy. As a proud cosponsor of H.R. 45, I unequivocally support a full repeal of this onerous law.

Since the Supreme Court has delineated it as a tax, it's clear that obligations or commitments to not raise taxes on the middle class have gone by the wayside. In fact, this will be one of the largest tax increases on the middle class known to man. In fact, there's a hidden tax in this bill on medical devices, lifesaving medical devices.

My mother, 90 years old, has a pacemaker, and that keeps her alive. The next time she gets one, she's going to have to pay a tax on that, and so is every other senior citizen who has a pacemaker. I think this is just flat out wrong.

Also, the Maricopa Community College district just recently reclassified 700 professors from full-time status to part-time status so they don't have to pay this onerous tax.

Mr. Speaker, this is a terrible bill. It needs to be repealed.

Mr. PALLONE. Mr. Speaker, the gentleman from Arizona keeps talking about the terrible things in the health care reform bill. But let me just say, in his State, if the ACA was repealed, that would mean in Arizona, drug costs

for over 65,000 seniors would have been \$102 million higher; 69,000 young adults would not have had coverage through their parents' plans; 917,000 women and 434,000 seniors and people with disabilities would not have had access to free preventive care; 414,000 people would not have received \$28 million in rebates from their insurance companies; and next year, 948,000 people will not have access to quality, dependable health insurance coverage.

And so these are the facts, the real problem that happens in the State of Arizona, if this bill were to pass and the health care reform were to be repealed.

I reserve the balance of my time.

Mrs. BLACKBURN. At this time I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I rise with a chorus of others in this whole notion of repealing ObamaCare primarily because of its financial impact. At the end of the day, if you look at the Government Accountability Office numbers, what they show is that there's \$6.2 trillion of cumulative impact here over the next 10 years. If you look at the Congressional Budget Office numbers, what they show is increasing numbers in \$800 billion increments. And, in fact, if you look at American tax reform studies, what they show are 20 new or raised levels of tax that go with this bill.

□ 1540

I think, more importantly, it turns on its head this whole notion of the Hippocratic Oath, which has been a 200-year tradition in this country of doctors working directly for a patient.

And finally, and I'd say most importantly, it turns upside down this American tradition of not having the government force on the consumers the notion of the purchase of a product. It's for that and many other reasons that I join again with a chorus of others in urging repeal of this bill.

Mr. PALLONE. Mr. Speaker, at this time I'd like to yield 1½ minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member of our Budget Committee.

Mr. VAN HOLLEN. Mr. Speaker, voting to repeal the Affordable Care Act for the 37th time is a waste of resources and another example of the refusal to focus on the important issues of jobs and the economy right now. It's also an example of bad budgeting.

One of the things I don't think our Republican colleagues have focused on is that their claim to have a balanced budget rests on the savings and the tax revenue in the ObamaCare bill. So if you repeal all of ObamaCare, which this bill says it wants to do, the Republican budget will immediately be out of balance in 10 years. Here's how it works:

If you look at the Republican budget, in 10 years, they claim that there's a \$7

billion surplus. But the reality is it also contains in it Medicare savings—we heard that issue demagogued during the last Presidential campaign—and it also includes ObamaCare revenue. And if you take out that over \$400 billion in Medicare savings and the revenue in ObamaCare, poof, the Republican budget is way out of balance.

And, Mr. Speaker, it's not just me saying that. Here's what The Heritage Foundation said. They also point out that the Republican budget depends on ObamaCare.

So, long story short, you can't have it both ways. You can't repeal ObamaCare and go home and tell people you did that and, at the same time, say you have a balanced budget.

Mrs. BLACKBURN. I yield 1 minute to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. I thank the gentlelady. I rise in support today of ObamaCare repeal.

I can't begin to highlight all the problems of ObamaCare in 1 minute, so I will instead focus on this simple fact: ObamaCare is the biggest assault on the 40-hour workweek in this country in a generation.

Under ObamaCare, government mandates and penalties kick in for every employee that works more than 30 hours a week. Employers can't afford ObamaCare's mandates and penalties, so they're scaling back the hours of their employees to less than 30 hours as a result. And that's bad for workers. It means many working moms will be forced to look for a second job to find the hours they need to pay their bills and feed their family.

In my hometown of Shelbyville, for example, it has already meant that some part-time teacher's aides must work less so the local school system doesn't go bankrupt. That's bad for teachers and students. And the problems are just beginning.

Mr. Speaker, it's time to repeal ObamaCare and restore the 40-hour workweek. Forty may be the new 30 when it comes to aging, but 30 is the new 40 when it comes to the ObamaCare workweek.

Mr. PALLONE. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from New Jersey has 1½ minutes remaining, and the gentlewoman from Tennessee has 1¼ minutes remaining.

Mr. PALLONE. I yield myself the balance of the time, Mr. Speaker.

Mr. Speaker, I just heard the gentleman from Indiana say, We can't do this; we can't do that. I mean, this is the problem with the other side of the aisle, with the Republican side of the aisle: they always believe that we can't do anything here in the House of Representatives.

The fact of the matter is that Democrats saw the problem. The problem

was discriminatory health insurance practices. The problem was young people not being able to get on their parents' insurance policies. The problem was women not being able to access health care and so many Americans, 40, 50 million Americans, that did not have health insurance.

And what did we do as Democrats?

We found a solution to the problem, which was the Affordable Care Act, and it was working. The discriminatory practices are going away. More and more people are going to have health insurance. Most Americans will have health insurance by the beginning of 2014. And the doughnut hole for prescriptions drugs for seniors is being closed. All these things are answers that the Democrats have brought through the Affordable Care Act for the problems that existed with our health care system.

And all I hear from the other side of the aisle is, We can't do this; we can't do that.

Well, we've done something. Don't just come here and tell us we have to repeal it. As I said before, if you have a solution, you want to work with us to improve things, that's fine; but don't come here for the 37th and 38th time and say, We're just going to repeal the Affordable Care Act.

You never come up with a positive solution to the problem. In this Congress, all we hear from the Republican side of the aisle is, We want to repeal everything; we want to waste time.

Don't continue to do this. This bill is a complete waste of time. It passes here, it goes to the Senate, and nothing happens.

Let's keep this bill, the Affordable Care Act, in place. It's doing wonderful things for the American people.

I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, I yield myself the balance of my time.

This law has become 13,000 pages of regulation. It has gone from costing \$800 billion to \$2.6 trillion.

It's so interesting to hear people talk about solutions and wanting government to do things. Mr. Speaker, the American people can solve so many of these problems. They know the answers do not come out of Washington, D.C. They come from our communities. They come from our State legislatures. They come, solutions come from employers that are fighting every single day to keep people employed.

One of the biggest impediments to job growth, indeed, including the 800,000 jobs this bill will cost us, this law, ObamaCare, costing us 800,000 jobs over the next 10 years, is keeping people working full-time.

We know what the problems are. We're saying, Look, admit it was a mistake. The American people don't want it. It's too expensive to afford. Let's get it off the books.

And we do come forward with solutions. We come forward with keeping

patient-centered, health care center-most for our constituents. That's what they want. They want options. They do not want regulation and mandates by the Federal Government, who can't seem to solve the problems that are in front of them right now, whether it's the IRS or anyone else.

Let's repeal this bill and pass H.R. 45.

I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Speaker, I rise today in strong support of H.R. 45, the legislation that will repeal the President's job-destroying health care law, and yield myself such time as I may consume.

Mr. Speaker, our Nation is mired in a jobs crisis, and the President's health care law is making it worse. Since ObamaCare was first enacted in 2010, Federal bureaucrats have written nearly 20,000 pages of new regulations—20,000 pages.

Colleagues on the other side of the aisle have talked about how many times we've tried to get rid of this menace and what's changed. Well, as we know, very famously, we had to pass the bill to find out what was in it, but even then we didn't know what was in it. We're now at 20,000 pages of regulations and still counting.

Meanwhile, America's job creators are struggling to manage the full effects of the law in their workplaces.

□ 1550

Ed Tubel has owned and operated Sonny's Real Pit Barbecue for more than 30 years. At a recent hearing in North Carolina, Mr. Tubel outlined the difficult choices he now faces, including higher prices for customers and fewer hours for workers. Brett Parker, vice chairman of Bowlmor Lanes of New York, testified in 2011 that his business may also have to shift workers to part-time hours in order to "protect existing jobs."

As chief human resources officer with Rowan-Cabarrus Community College, Tina Haynes stated the college must consider cutting the number of courses offered to students. She also described the health care law as a "massive administrative burden that comes with unanticipated costs." And Gail Johnson, president and CEO of an early childhood learning center, warned in 2011 that ObamaCare would "force entrepreneurs to invest less into growing their businesses" and slow the growth of small businesses.

These men and women live each day with the consequences of the health care law. No doubt, others across the country have similar stories to tell. There are a number of good reasons

why Congress should repeal the government takeover of health care. It is driving up the cost of care, and millions will lose the health care coverage they have and like. Yes, Mr. Speaker, if you like your coverage, you may not be able to keep it. According to CBO, at least 7 million people fall into that trap.

But for many Americans, one reason stands above the rest: jobs. Our Nation's workers and employers cannot afford the Democrats' job-destroying health care law. I urge my colleagues to vote "yes" on H.R. 45.

Mr. Speaker, I yield the balance of my time to the gentleman from Tennessee, Dr. ROE, and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Without objection, the gentleman from Tennessee will control the balance of the majority's time.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 4 minutes.

I rise today in opposition to the Patients' Rights Repeal Act. Mr. Speaker, we meet today for the 37th attempt to take away the basic health care rights from millions of Americans. Yet, despite all of these votes, the Affordable Care Act remains the law of the land. And it will remain the law of the land even after today's vote. That's a fact.

So why are we here for the 37th time? Are Republicans afraid that Americans are now able to get basic preventive health care screening with no copay? Are they afraid that Americans will now no longer be gouged or denied coverage because of preexisting conditions? Are Republicans fearful that the insurance companies can't cut off life-saving care just because somebody got sick? Because they can't do that now with the Affordable Care Act.

Why on Earth would anyone fear American families being put back in charge of their health care? But we're here, yet again, to satisfy the majority's needs to have another meaningless vote. This obsession with repeal by the majority is bordering on the absurd. It's time to move on, for goodness' sake. Open season is set to begin in 5 months. Americans without affordable insurance will be able to shop for plans in an open and transparent marketplace with the help of tax credits for those who qualify. Employers of small businesses will be able to shop for appropriate health care for their employees and for their businesses with the help of tax credits.

It's our duty as public servants to help our constituents navigate this new law, not spend our time obstructing it. That's how California has approached the reform. We've worked in a collaborative way with all of the stakeholders. And that's how the government should work, because they know that it will help families struggling to afford health insurance.

Take, for instance, a family of four making \$60,000 in California who buys their own insurance. Today, they pay some \$12,500 on average for insurance. That's more than \$1,000 a month. But starting in January, this family will save almost \$5,000 a year because of the Affordable Care Act. Think about what this family can do with that extra \$400 a month. It means paying your bills, it means saving money for your kids' education, it means repairing your car. This is what the Affordable Care Act can do. This is what ObamaCare does. This is what the Republicans are trying to hide from the American people.

Our country has been debating health care for more than a century. They keep saying there's other alternative solutions. It's funny that none of them came forward. None of them came forward during this debate with those alternative solutions, and health premiums were skyrocketing in double-digits year after year after year. For decades, we debated how to make sure all Americans have access to health care that won't bankrupt them if they get sick. For decades, we debated control of the national health spending by ensuring that everyone is covered. For decades, we debated how to control uncompensated care that cost families dearly. And it took the leadership of Speaker PELOSI and President Obama to bring positive change for families and businesses struggling under the weight of health care costs.

The fact of the matter is this plan currently today is working for millions of Americans, for millions of seniors, for millions of young Americans and for millions of young people born with preexisting conditions. That's what this legislation is about, lowering the cost of prescription drugs for senior citizens and making sure that people can get preventive care without copays. The Republicans want to yank that all away, and they don't have a plan to provide that health care security.

Interestingly enough, the other day in *The Wall Street Journal* was a full discussion about how this health care package is entrepreneurial because people who feel that they're job-locked will now be able to go out and start businesses because they know they'll have health care insurance for themselves or for their spouses or for the kids, and they'll be able to become the entrepreneurs they want to be. There's a discussion among large employers because people will leave and take their ideas and start their own businesses. That's what this health care enables Americans to do for the first time, not be locked into a job because of the fear of the insecurity of not having health care for your family and what that means.

This is an entrepreneurial act. This is liberating people. This is freeing people from the financial fear of the loss

of health care. Never again, with the passage of this legislation, will an American lose health care because they lost their job, because somebody died in their family or because a child was born with a preexisting condition. Never again. The Republicans don't have an alternative. They only have obstruction and repeal as part of their program.

I reserve the balance of my time.

Mr. ROE of Tennessee. I yield myself 2 minutes.

Today, I rise in strong support of H.R. 45, the repeal of a flawed health care reform bill.

I came to this body 4½ years ago understanding that the greatest problem with the American health care system was cost and access. I knew this because I practiced medicine in east Tennessee for 31 years. I also have been involved with health care reform in Tennessee beginning in 1993 with our attempt to reform our Medicaid program called TennCare. I knew here what not to do. ObamaCare is what not to do. We saw costs skyrocket, and we saw our then-Democratic Governor cut benefits and cut the rolls, therefore rationing care.

We need health care reform today in this country, but we need patient-centered health care reform where patients, their families, and their physicians make health care decisions, not government bureaucrats with 20,000 pages worth of rules or insurance companies.

Health care should not be a partisan issue. I, as a physician, have never seen a Republican or a Democrat heart attack. I have never operated on a Republican or Democrat cancer in my life.

We were made promises during the health care debate: your insurance premiums would go down, jobs would be created, and access would be expanded. What's really happened? Insurance premiums have skyrocketed by as much as 100 percent. We're looking at tax increases for individuals, taxes on productive companies, and taxes on life-saving medical devices. Small business owners are being forced to cut hours, delay investment, and stop hiring just to stay afloat. This comes at a time when families need more income to make ends meet, not less hours to work and higher insurance premiums.

Are patients getting lower costs? It's an emphatic "no." And maybe the biggest insult of all, the IRS will determine if your insurance coverage is adequate.

Mr. Speaker, I stand ready to repeal this flawed bill and work with my Democratic colleagues on health care reform that will truly work for the American people, and I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 4 minutes to the gentleman from New Jersey (Mr. ANDREWS.)

Mr. ANDREWS. I thank my friend for yielding.

It is right and good that people should passionately pursue their points of view in democratic debate. But it's also our obligation to work from the same set of facts. I have sat here and listened to my friends for the better part of an hour, and I do think it's important that we reflect a correct record on a lot of things, first of all, about the deficit. We have a neutral referee here on questions about spending and taxes called the Congressional Budget Office, and several Members on the other side have approvingly quoted what the CBO says on different things.

Here is what the CBO says about this law:

Repealing this law will add at least \$100 billion to the deficit.

Now, our friends disagree with that, but the referee that they hired, that we live by, says repeal of the law adds \$100 billion to the deficit.

We hear that health insurance premiums have gone up by an average of \$3,000 per year. I don't know the source of that claim. Someone should share that with us. But I do know this: the cost-control strategies in the new law which involve the establishment of a competitive insurance market so the insurance companies don't have huge market control hasn't taken effect yet and doesn't take effect until January 1 of 2014. This is characterized as government control of health care.

□ 1600

Here's what the law actually says: it says a person without health insurance can get a subsidy to choose among private insurance plans, like Blue Cross and Blue Shield, like Kaiser Permanente, and make their choice.

There is nothing in this law—and I would challenge any of my friends on the other side, Mr. Speaker, to show us one word that says that the doctor-patient relationship is in any way impeded or impaired by this law. They can't find those words because they're not there.

The bill is referred to as a job-killing health care law, right out of the polling and focus groups of the Republican Party. Here's the facts: in the months before the law was signed, the country was bleeding jobs; 750,000 jobs lost in the month of January of 2009 when the President was inaugurated. Since the law was signed, the private sector has added 3.5 million jobs. Now, you can argue, well, it would have been four and a half or five. Have that argument if you want. But since the law was signed, the number of jobs in the private sector has gone up by a lot, not down. That's what the private sector has done.

One of the gentlewomen referred to CBO saying 800,000 jobs are being lost. Apparently CBO is okay in that fact. Here's what that report really says: it

says that a lot of people who are older—in their late fifties and early sixties—who are working because they feel they have to work for health insurance are likely to take early retirement. That's where the 800,000 job difference comes from. That's what the report says if you read it.

We've heard ObamaCare is a tax. That is true. ObamaCare is a tax on two kinds of people—people with investment income in excess of about a quarter-million dollars and people who can afford health insurance, choose not to buy it, and choose to have our neighbors and our constituents who do buy health insurance pay their bills when they go to the emergency room. That is true.

We've heard we have to protect the Constitution. Well, we are protecting the Constitution. With all due respect, your side litigated this and lost. The Supreme Court of the United States heard the claim this is unconstitutional and said you were wrong.

Finally, we hear about the assault on the 40-hour workweek. Massachusetts, under a Governor named Romney, did something very similar to this law—imposed an employer mandate. Here's what happened in Massachusetts: while the rest of the country was shedding 3.6 percent of its full-time jobs, Massachusetts lost 2.8 percent of its full-time jobs.

The SPEAKER pro tempore (Ms. ROSLEHTINEN). The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman 30 seconds.

Mr. ANDREWS. I thank my friend. Massachusetts added nine-tenths of 1 percent of part-time jobs to the workforce. The country was 0.8. So if this bill is going to force all of these employers to drop their hours from full time to part time, why didn't it happen in Massachusetts?

This has been a fact-free debate up until this time. The country deserves better. The House deserves better. We should oppose this absent-minded repeal.

Mr. ROE of Tennessee. Madam Speaker, I yield myself 15 seconds.

I just left in my office the Tennessee insurance commissioner who said the first of January, the individual market, 40 to 75 percent higher premiums; the smaller-group market, 50 to 55 percent higher. Plans would be less rich, with higher copays, higher deductibles, young healthy males get a huge increase. Instead of having eight state-wide plans, we're now down to two and maybe one.

I now yield 1 minute to the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Earlier this week, I sent an online survey out to my constituents with one simple question: Do you support efforts to repeal ObamaCare? Thousands of Montanans responded, and by a 3-1 margin they

made it clear that ObamaCare needs to be repealed.

And as we speak, the American people are lighting up Twitter. Check it out yourself. They're tweeting about the harms of ObamaCare in three words. Actually, the hashtag is: ObamaCare in Three Words.

But while Americans are saying things like "job-crushing mandates" and "premiums are skyrocketing," 1 hour ago the White House tweeted back and said this: "Because. It's. Law." Well, I have three words for the White House: arrogance of power.

Madam Speaker, if the President is unwilling to listen to the voice of the people, then the House will, because this is the people's House. ObamaCare is a bad law, plain and simple.

I was elected to serve the people of Montana and represent their voice in this Congress, and that's what I'm doing today. Montanans have spoken loud and clear: they want this law repealed. That's why I will vote to repeal it.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

Today, if people want to talk about repealing health care reform, it's important that they talk about exactly what repeal means.

Repeal means that young people under 26 will have to get off their parents' policies.

Repeal means that seniors will have to suffer through the doughnut hole that we're in the process of closing.

Repeal means an end to tax cuts to small businesses who are providing health coverage for their employees.

Repeal means that next year all Americans who expect to be able to afford health insurance will not be able to afford it, and all Americans with preexisting conditions who expected to be able to buy health insurance at the standard rate will not be able to buy it.

Repeal means that those who think they will need health security if they switch jobs, they will lose that security when they switch jobs.

Repeal means an end to the laws against insurance abuses, like unreasonable rate increases and cancellation of policies when you most need them. There will be an end to that if we repeal.

If people want to talk about repealing the Affordable Care Act, they should talk about what's going to happen to young people, to those with preexisting conditions, to seniors in the doughnut hole, and the future affordability of health care.

Madam Speaker, we should not repeal the Affordable Care Act, we should oppose the legislation.

Mr. ROE of Tennessee. Madam Speaker, I now yield 2 minutes to my

good friend from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Madam Speaker, I rise today in strong opposition to ObamaCare for the reasons we've heard already here today. However, I would like to explain how this "train wreck" is affecting Indiana and costing good-paying Hoosier jobs.

Indiana is home to over 300 medical device companies, creating over 54,800 jobs that pay an average salary of \$59,706 per year, and the medical device industry provides \$50 billion to Indiana's economy.

Companies have already decided not to expand and many across the country have announced layoffs. The device tax is so dangerous that our friends in the U.S. Senate voted recently 79-20 to repeal the medical device tax, and last Congress the House voted in a bipartisan manner to repeal the tax.

Yet we've heard from the White House that the President doesn't support repeal because they need the money to support ObamaCare. This tax is a job killer and stifles innovation. It must be repealed.

ObamaCare is full of these types of examples. This near government takeover of our Nation's health care system is riddled with more taxes, burdensome regulations, and unintended consequences that are costing jobs and compromising the quality of health care available to Americans. Not to mention many full-time employees are being cut back to part time so that employers can comply with all the requirements of the law. My constituents are telling me that this is happening as we speak back in Indiana.

Before coming to the House, I practiced medicine for 15 years. That experience tells me that this law fails to help patients get access to quality, affordable health care, prevents businesses from expanding, and is not helping us create much needed jobs.

It also puts government bureaucrats between the patient and their doctor—government bureaucrats in an agency that is intrusive, untrustworthy and targeting American citizens based on politics. Yes, Madam Speaker, ObamaCare vastly expands the IRS and is dependent on the agency for its implementation. That's why I'm proud to stand here today with my colleagues to support our Nation's patients by voting to repeal this disastrous law so we can replace it with commonsense, patient-centered reforms.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

The U.S. Supreme Court's ruling upholding the health care bill was a historic win for this Nation's small busi-

nesses and their employees. In fact, 62 percent of all small businesses didn't have access to health insurance for themselves, their employees, and their families. That ruling proved that the Affordable Care Act was a good law.

□ 1610

The benefits small businesses are already seeing reiterate this fact, and yet we find ourselves voting again on repealing this landmark law. Once more we must vote on a bill that will not help a single small business invest, hire, or secure a loan. If you want to help small businesses, put people back to work.

In addition to the small business health care tax credit, which has already helped 360,000 small businesses providing health insurance to up to 2 million workers in this country, the medical loss ratio has ensured that businesses of all sizes were getting the most out of their premium dollars, saving them nearly \$321 million—money that they could put back into their companies.

The future of health reform holds more promise. Banning denials for pre-existing conditions reduces "job lock" and encourages more than 1.6 million prospective entrepreneurs to launch new companies.

At a small business hearing last month, Ms. Louisa McQueeney credited the ACA with providing her company "better coverage and greater peace of mind." The ACA will soon prohibit insurers from hiking rates on small firms without justification and end discrimination based on gender. So, I agree with Ms. McQueeney when she says, "Frankly, it can't come soon enough."

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. GEORGE MILLER of California. I yield the gentlewoman an additional 30 seconds.

Ms. VELÁZQUEZ. Contrary to beliefs, the ACA gives small businesses better access to quality coverage. Passage of today's bill would strip new protections that provide bargaining power to small companies. That is why I will continue to oppose any efforts repealing a law that is beneficial to millions of small firms, and I urge our colleagues to vote "no."

Mr. ROE of Tennessee. Madam Speaker, I now yield 2 minutes to the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. Madam Speaker, every time Cato the Elder spoke in the Roman Senate, he said, whatever the topic, "Carthage must be destroyed." As long as Carthage survived, the freedom and prosperity of the Roman people would never be secured.

As then with Carthage, so now with ObamaCare: as long as it remains on the books, the health, prosperity, and freedom of the American people will never be secure.

ObamaCare raids \$700 billion from Medicare, meaning seniors across Arkansas will have their health care rationed as doctors refuse to see new Medicare patients.

ObamaCare creates an unelected and unaccountable panel of bureaucrats to ration and deny needed medical care for Arizona seniors.

ObamaCare will cause insurance premiums to skyrocket by as much as 60 to 100 percent for Arkansas families.

ObamaCare raises 21 taxes by more than \$1 trillion and will cost at least \$1.7 trillion in the first decade alone.

ObamaCare violates our freedom of conscience by using taxpayer dollars to fund abortion.

ObamaCare is corrupt to its rotten core. The government has exempted hundreds of the President's cronies from the law. The Secretary of Health and Human Services is right now shaking down private companies for millions of dollars to promote ObamaCare.

And, of course, the IRS, expanded by 2,000 agents, will be the main enforcement agency for ObamaCare, the very IRS who we now know targets the President's political opponents for harassment and intimidation.

Madam Speaker, ObamaCare must be repealed. I urge the Congress to repeal this abominable law, and I urge the American people to vote out of office every politician who voted for it 3 years ago.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act. This is now number 37, the 37th time that we have debated this issue. We have now built up quite an archive of hysterical predictions by the Republicans during all these debates and 3 years of experience to see how those predictions have actually panned out.

Prediction number one, ObamaCare was going to kill Medicare Advantage plans. Has that happened? No. In 2013, this year, 14.5 million Americans have enrolled in Medicare Advantage plans, up from last year, which was 12.8 million. And while the enrollment is up, the cost has stayed flat, even. The monthly premium, average monthly premium for Medicare Advantage this year versus last year, went up \$1 a month.

Health savings accounts, the GOP said that ObamaCare would kill health savings accounts. This year, in 2013, health savings accounts have never been higher. 13.5 million Americans are in a health savings account, up from 11.4 million in January 2011. The President of the Health Savings Administrators was quoted recently as saying, "You're going to see an explosion of health savings accounts assets."

We have heard that it is going to kill jobs. We have already heard from Mr.

ANDREWS 6.7 million new private sector jobs have been created since March of 2010, many of them, by the way, in health care—over 800,000.

But, lastly, all the predictions about busting the budget and creating higher new costs. We heard yesterday from the Congressional Budget Office that Medicare cost growth has been at the most moderate level since Medicare was created in 1965. The index of per capita Medicare expenditure last month rose less than 1 percent, again, shattering records over the history of the Medicare program. And it is doing it the smart way, by greater oversight of fraud, by better coordination of care, by more preventive care such as giving seniors the prescription drugs that the Republican prescription drug program denied them back in 2003.

This program, like any program, can always be improved, and I have worked with Dr. ROE in terms of the IPAB repeal. Let's do that.

Let's stop wasting our time on a mindless repeal of measures that are working.

Mr. ROE of Tennessee. Madam Speaker, I now yield 1 minute to the gentleman from Pennsylvania, KEITH ROTHFUS.

Mr. ROTHFUS. Madam Speaker, I thank the gentleman from Tennessee for yielding.

I rise in support of H.R. 45.

President Obama made a lot of promises when pushing his health care law through Congress. He promised that it would make health care more affordable and accessible. He promised that if you liked your health care plan, you would be able to keep it. Western Pennsylvanians will tell you that President Obama has failed to keep these promises.

We recently saw one of these failures when the Community College of Allegheny County reduced the hours of many part-time employees because it could not afford the increased cost of health insurance. This is just one of the many sad side effects of a law that puts the government in the driver's seat of our health care system while taking patients and doctors along for the ride.

Western Pennsylvanians do not want a law that will turn a doctor's waiting room into the waiting room for the Department of Motor Vehicles. They want commonsense and patient-centered reform that makes health care more affordable and accessible for workers, seniors, and families.

Mr. GEORGE MILLER of California. I yield 1 minute to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

This is the 37th time Congress is wasting time attempting to repeal this law. My friends across the aisle could focus on putting this helpful and urgently needed law into effect.

Forty-one million more Americans will have the opportunity to get health care under this law. One in four of them are hardworking Latino Americans who want to protect their families and provide for them. They will finally be able to live without fear that they are not one illness away from going into bankruptcy. Now you want to take that promise away from them.

Earlier this year, my friends across the aisle committed themselves to engaging Hispanic Americans. How can they say they genuinely want to address our needs when they vote to destroy a law that is vastly going to represent 41 million Americans having access to health care and, of those, 10 million Latinos having access to health care?

A point of personal privilege, Madam Speaker. I would like to take the opportunity to thank my wife for being married to me for 21 years. Today is our anniversary, and here I am on the floor working. Hopefully, we will have some good work done today.

□ 1620

Mr. ROE of Tennessee. Madam Speaker, very briefly, Republicans and Democrats did vote to repeal the 1099 and the IPAB and to repeal the device tax and the CLASS Act. Then we hear we didn't have any solutions. There were 80 amendments to this bill. None of them were ruled germane to the bill. I had 10 amendments on which I wanted to work with the other side. The Republican substitute was voted on, which is an across-State-lines association of health plans actually funding high-risk pools for preexisting conditions, HSAs and consumer-driven, putting the patient in charge of health care decisions.

I now yield 1 minute to my good friend from South Carolina, JOE WILSON.

Mr. WILSON of South Carolina. Thank you, Dr. ROE, for yielding.

Today, House Republicans will vote for the 37th time to repeal or defund ObamaCare.

Prior to its deal-making passage in 2010, the National Federation of Independent Business, America's largest organization of small businesses, warned that the implementation of the government health care takeover would destroy 1.6 million jobs due to mandates and tax increases, crippling small businesses.

To make matters worse, at a time when our Nation is experiencing record unemployment, President Obama has called on the IRS, an agency currently in the midst of scandal, to hire thousands of new agents to enforce ObamaCare. Based on the recent reports, it is clear that the IRS should not be expanded to include the authorization of controlling health care for the American people.

Today's vote will give us an opportunity to repeal a crucial job-destroy-

ing bill that, in turn, will provide small businesses the certainty they need to begin hiring again and to put American families back to work. As a proud cosponsor, I urge my colleagues on both sides of the aisle to vote in favor of the bill.

Mr. GEORGE MILLER of California. May I inquire of the Chair how much time is available on both sides.

The SPEAKER pro tempore. The gentleman from California has 4½ minutes remaining, and the gentleman from Tennessee has 7¼ minutes remaining.

Mr. GEORGE MILLER of California. I reserve the balance of my time.

Mr. ROE of Tennessee. Madam Speaker, it is now my pleasure to yield 1 minute to the Republican Majority Leader, the gentleman from Virginia, ERIC CANTOR.

Mr. CANTOR. I thank the gentleman for the time.

Madam Speaker, today, I rise in support of the full repeal of ObamaCare.

Moms and dads across America are worried. They are worried about their health, the health of their kids, the health of their aging parents. They are struggling to understand how the new health care laws will affect their prescription prices, their emergency room visits, whether they can keep their doctors or, worse, whether they can keep their jobs.

These families want the best for themselves and their children, and so do we. House Republicans want patient-centered health care reform that lowers costs, increases access, makes the health care system easier to enter and easier to navigate. ObamaCare is not the answer.

While both parties agree that we must make health care more accessible, we in the majority fundamentally disagree that more government is the answer. Sweeping mandates on individuals and businesses will not improve our health care. We do not wish to see unelected, Federal bureaucrats come between patients and their doctors—limiting choices, lowering quality and raising costs.

Madam Speaker, this act, which is the ObamaCare law and which is set to be implemented 8 months from now, is a threat to American patients and their families. When this law was first debated in 2009 and signed in 2010, the White House promised the American people that ObamaCare would lower costs for families and businesses. That promise has been broken. Nothing could be further from the truth.

If you like the health care coverage you currently have, you really don't know if you will be able to keep it under ObamaCare. Many employers are delaying hiring decisions because of provisions outlined in the law, and people with preexisting conditions are now being denied the coverage the President promised. There are more complaints about the law than praise—and for good reason.

It is now projected that ObamaCare will send health care premiums skyrocketing in the individual and small group insurance markets. When fully enacted, this law is expected to pose new financial burdens on America's youngest adults and many working families. Moreover, due to the projected cuts to Medicare Advantage, many of our seniors will face a type of health care that they didn't bargain for. This act should not be considered a reform but a bureaucratic overreach that makes a mess out of our health care system and gives incredible power to the Internal Revenue Service.

President Obama has already signed seven bills originating in the House that repeal or defund parts of this health care law, but if we are serious in wanting to deliver real results for the people who sent us here, we should repeal ObamaCare and replace it with the health care that the American people desire.

Mr. GEORGE MILLER of California. I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Madam Speaker, I now yield 1 minute to my friend from North Carolina, RICHARD HUDSON.

Mr. HUDSON. Now, I don't have much in common with the leadership in the Senate, but today I stand in agreement with Senator MAX BAUCUS, who characterized the implementation of ObamaCare as a "train wreck."

Disasters occur when the government oversteps its bounds. We've seen it with ObamaCare, as it is the most egregious example. We've also seen this week what happens when Federal agencies target people for their political beliefs, and we've seen the same kind of overreach with violations of the First Amendment rights of reporters and journalists and in the failure to answer questions about the origins of the terrorist attack in Benghazi.

Legislatively, ObamaCare is the most egregious example of government overreach we have ever seen, and a disaster, ladies and gentlemen, is ensuing. Hardworking Americans are losing their jobs, families are paying more in taxes, and seniors are losing much-needed Medicare coverage—and this bill hasn't even been fully implemented yet.

Health care has always been and should always be a relationship between a patient and a doctor of one's choice, not a government mandate to be managed by faceless bureaucrats in Washington, D.C. The Federal Government has no authority to be the manager of the physical well-being of every American. I support its full repeal.

Mr. GEORGE MILLER of California. I continue to reserve the balance of my time.

Mr. ROE of Tennessee. May I inquire about the time.

The SPEAKER pro tempore. The gentleman from Tennessee has 5¾ minutes

remaining, and the gentleman from California has 4½ minutes remaining.

Mr. ROE of Tennessee. I now yield 1 minute to the gentleman from Texas, RANDY WEBER.

Mr. WEBER of Texas. I rise to implore Congress to listen to the American public and to pass H.R. 45.

If you think the Unaffordable Care Act is a good deal, then as an American you have to ask yourself:

Do you believe the IRS acts in your best interests? My conservative guess is: not on the best days.

Ask yourself: Were all of the events swirling around Benghazi shrouded in mystery or bathed in sunlight and transparency? Not on your life.

Ask yourself: Were the phone records of the AP reporters and the privacy that should have been afforded to them protected? Not on the best days.

Ask yourself: Is the government here to help? No.

The government that is in the process of bankrupting Social Security, of bankrupting the post office and that is on the verge of killing Medicare and Medicaid now wants to come tell us, Trust us. We're from the government. We're here to help.

Madam Speaker, I don't think the American public can afford that kind of trust or help. The answers are not here in Washington, D.C. They're back with Americans. Listen to the American public.

I am RANDY WEBER. Let's pass H.R. 45. That's the way I see it from where I sit.

Mr. GEORGE MILLER of California. I yield myself 2 minutes.

The previous speaker just said that we should listen to the American people. When the American people listen to the Congress of the United States, they assume that all of the Republicans in the country are against this health care bill and that all of the Democrats are for this health care bill.

Yet, if you look at the Kaiser Family Foundation's most recent poll on this, you'll find out that 96 percent of the Democrats and 83 percent of the Republicans support the tax credits for small business, which are now the law of the land, and 360,000 small businesses are getting those tax credits.

□ 1630

Ninety percent of the Democrats and 74 percent of the Republicans support closing the doughnut hole, and the doughnut hole is in the process of being closed. Democrats and Republicans agree in the country that this is a good deal.

Eighty-seven percent of the Democrats and 72 percent of the Republicans are excited about the creation of health care exchanges where they can go and shop for health care just as the Members of this Congress do in open season when they can pick and choose from different plans. In California,

there will be 33 plans offered by private health insurance companies that they can pick and choose from. They think that's a good idea. They think it's a great idea.

Eighty-four percent of the Democrats and 68 percent of the Republicans think it's a great idea that children will not be thrown off their parents' policy, as is the law today.

That's why you've only voted to repeal. On the first day you took the majority in this Congress, you voted to repeal and you instructed the committees to come up with an alternative. You've had 37 votes on repeal, and you've had no action by the committees on the alternative.

So you have a plan that is meeting the needs of American families, millions of Americans of all walks of life, small businesses, big businesses, employees at both, children, seniors, people with preexisting conditions, and your answer is to repeal, like that's progress.

No, that's not progress. That's the failure to have an alternative and creative thinking about how to deal with the health care problems of the American people. ObamaCare does that, the Affordable Care Act does that, and that's what this Congress did.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair would like to remind Members to address their remarks to the Chair.

Mr. ROE of Tennessee. Madam Speaker, I would now like to yield 1 minute to SCOTT PERRY of Pennsylvania.

Mr. PERRY. Madam Speaker, in 2010, this body was told by Speaker PELOSI that it needed to pass the bill so the American people could know what's in it. Well, Madam Speaker, if the American people would have known of the toxic consequences that ObamaCare would have, I'm certain they would not have allowed this legislation to be passed. I rise today to expose some of the ramifications that ObamaCare will have on Americans when it is fully implemented in 2014.

In my home State of Pennsylvania, premium rates in the individual market will increase by approximately 30 percent, and on a national level there will be a 73 percent rise in premium costs for those keeping insurance. For those interested in getting a new plan, you're going to see an average increase of 100 percent in cost compared to today.

Due to the employer mandate, as many as 20 million to 65 million Americans will likely lose their employer-sponsored health care.

Well, Madam Speaker, it's 3 years later, and we still don't know everything in this legislation, but we do know who's picking up the tab: hardworking families and job-creating small business owners.

Mr. GEORGE MILLER of California. I yield 1 minute to the minority leader.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I thank him for his leadership and that of Mr. LEVIN and Mr. WAXMAN as the chairs of the three committees when this legislation, so transformative in the lives of the American people, was passed by the House of Representatives and now for coming to the floor today—I don't know what the word is—to even counter some of the ridiculousness that is being said on the other side of the aisle in relationship to the Affordable Care Act. The fact is that what's happening today is the Patients' Rights Repeal Act. That's what they want to do is repeal patients' rights.

Why are they doing this? Do you think it's a good idea to do this on Women's Health Week, to repeal legislation that gives a wide range of free preventive services to women, protection being dropped for women when they are pregnant or when they are sick and they no longer will be charged higher premiums than men? Of course the Republicans want to repeal that today on Women's Health Week. But knowing soon that a woman will no longer be a preexisting medical condition is just one piece of it.

The fact is this is not a serious effort to repeal the act. That's not going to happen. What this is is another example of jobs evasion in several ways.

First of all, it is our job to come here and act for the good of the American people. Right now, the American people see that good as the creation of jobs. What is it, 134 days into this Congress and the Republican majority has yet to vote one bill out to create jobs? That's job evasion.

Here we are today with yet another one of their subterfuges. Let's not talk about jobs; let's use up time. What does it add up to? Up until now, it has been \$54 million and 43-some days spent on this, the 37th effort to repeal the Affordable Care Act.

What we should be doing is what the Republicans have asked for, regular order, to go to the budget table, to reconcile the differences between the House and the Senate so that we can put forth a budget that creates jobs, that reduces the deficit, that strengthens the middle class. Instead, we're wasting the taxpayers' dollars and time on legislation that is going to undermine protections for the American people when it comes to their health and well-being.

This bill today just gives us another opportunity for our side to talk about the transformative nature of the Affordable Care Act.

If there were no reason to pass such a bill, if everyone loved his or her own health care and health insurance premiums, if that were the case, we would still have had to pass the legislation

because the status quo in health care in our country was unsustainable from a financial standpoint. It was unsustainable for families, for individuals, for small businesses, and for corporate America.

The cost of health care was a competitiveness issue. As we try to retain our position as number one in the world—a competitive issue—the cost of health care was rising. It certainly was unsustainable for cities, States, and the Federal Government. Our budget could not sustain the rapid increase of health care to our budget.

That is why, when the Speaker asked, the nonpartisan Congressional Budget Office responded by informing House Republicans in a letter sent yesterday reiterating that repealing the Affordable Care Act would increase the deficit by \$109 billion over the next 10 years. They said that this is a figure that they had given the Speaker last July. There may be some little changes in it between now and then, but that was approximately where the figures were.

So if you want to reduce the deficit, you don't repeal the Affordable Care Act because you will increase the deficit by \$109 billion over the next 10 years. The purpose of the bill was not only to improve the quality of health care, increase accessibility to many more people and to lower the cost, but that in lowering the cost, it would reduce the deficit.

So it's a bill, and pretty soon many more Americans will be taking advantage of it. So far, over 100 million Americans have taken advantage of the preventive services and over 100 million Americans are no longer subjected to lifetime limits on their insurance coverage. That's a remarkable thing. Seniors who are in the doughnut hole have seen their prescription drug costs reduced by around \$6 billion. Right now young people can stay on their parents' insurance policy until they're 26 years old.

The list goes on and on about the preventive exams that are free to seniors. The list goes on and on about what benefits the action that the Republicans are taking today would repeal that are good for the health and well-being of the American people. This bill is not just about health care; it's about the good health of the American people.

□ 1640

It's about prevention. It's about wellness. It's about electronic medical records that will change everything in terms of access to care and the quality of your care because your records are wherever you are. It's entrepreneurial.

Our Founders, in their dedication, in their sacrifice, in their courage called for life, liberty, and the pursuit of happiness as goals of our new Republic, of our democracy; and this bill honors the

vows of our Founders in just that way—a healthier life, the liberty to pursue your happiness. If you're an artist or if you're a photographer or a writer, if you want to be self-employed, if you want to start a business, if you want to change jobs, whatever it is, you are no longer job-locked because you can only go as fast in reaching your passion and your aspirations as your health insurance program will take you.

If you have a child with a preexisting medical condition, or if you're concerned with being sick yourself, you no longer are confined in your pursuit of happiness by the cost of a health care premium or the ability to even get one. It is entrepreneurial.

We even see articles now, and, Mr. Chairman, you have pointed them out in the public media about young people, or not even young people, but people who want to leave companies and start their own businesses. They're waiting for this bill to be fully implemented so they have that freedom to go forth.

So while I think it is a waste of the public's time to take this bill up on the floor of the House, to hear my colleagues talk on the floor, you think either they don't know what they're talking about, or they do. But in either case, they're not presenting the facts about what this legislation does.

It is going to be right up there with Social Security and Medicare as pillars of economic and health security for the American people. It is going to make us more competitive internationally because our businesses will not have an anvil of the rising cost of health care. It reduces the deficit, improves the health and well-being of the American people. It's about the entrepreneurial spirit of America. It honors the vows of our Founders of life, liberty, and the pursuit of happiness.

This legislation should be rejected; and pretty soon more people, as they take advantage of the legislation, will see just how important it is to them individually and how important it is to the health and well-being of our country.

Mr. ROE of Tennessee. Madam Speaker, I now yield 1 minute to Mr. DOUG LAMALFA from California.

Mr. LAMALFA. Madam Speaker, I'm pleased to be able to join my colleague, Mrs. BACHMANN, on this legislation.

We do have a history in the past of repealing bills, such as Prohibition. It has been done, so this one would have near the same status in size by the time it's all done.

I'm from California. We know a lot about boondoggles in California, going back to high-speed rail and other issues like that. They call this the Affordable Care Act, and it's still being done with a straight face. Really? Price tag: it was advertised as \$900 billion. Now it's approaching \$2 trillion.

Jobs—48 percent of business owners are saying that they're holding off on new hires because of the ObamaCare health care takeover.

Taxes—again, affordable? There's over a trillion dollars in new taxes with more in sight. How are we calling this affordable?

We've had seven different measures to repeal portions of the Obama health care takeover, with more on the way.

And this part is really great: thousands of new IRS enforcers will be hired to help implement ObamaCare. Isn't that great. I ask you to support H.R. 45.

Mr. GEORGE MILLER of California. I yield the balance of my time, 1½ minutes, to the gentleman from New Jersey (Mr. ANDREWS) to close.

Mr. ANDREWS. Madam Speaker, on the east coast it's almost the end of the workday. And we know that somewhere a mom who stood on her feet all day in a retail store, or broken her back all day in a nursing home, will come home, and she will see that her son or her daughter isn't feeling very well, is too sick to eat dinner, can't seem to sleep through the night.

Most of us in this country have the privilege of taking that child to the pediatrician or to the emergency room right away. Right away. But for over 40 million people in this country, they don't have that privilege. She'll hesitate because she'll think, maybe my daughter will get better by the morning, because a trip to the emergency room for that family might also mean a trip to the bankruptcy court.

We are here today to honor her work, not disrespect it. Almost every day here the Wall Street bankers, the oil barons, the big shots get their way. Her day is coming on January 1, 2014, because for the first time in this country's history, we'll do more than talk about the fact that we honor her. We will honor her work and honor her family with affordable health insurance. That day is coming.

This charade won't stop it. No amount of misrepresentation will cease it. That day is coming. Her work will be honored. The Affordable Care Act will be implemented.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. ROE of Tennessee. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I came here 4½ years ago in a bipartisan way to work on health care reform which this country desperately needed. We've now had 3 years to look at the Affordable Care Act, and I wish the bill had done as everyone had described here today. I wish that it had done that. I wish that costs had gone down. I wish that businesses were hiring everybody because of this bill. I wish that taxes were not going up. But none of these are true. They

are. And I wish that we had debated this bill in an open manner here by regular order, the Senate version of the bill on this very floor of the House, which we did not.

So I asked our insurance commissioner today in Tennessee, if we did not pass this bill—and you just heard me say earlier in the debate about premiums going up 50-plus percent—I said if we did absolutely nothing, what would happen to rates in Tennessee? They would go up about 8 to 10 percent. We would be much better off in my State and around this country; and, again, I came here in a bipartisan way not to work on a partisan bill, which is what this is.

Madam Speaker, we need to repeal this bill and to replace it with patient-centered reforms that put patients and doctors back in charge of health care decisions.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 45, legislation to repeal ObamaCare. In March of 2010, then-Speaker PELOSI famously said, with respect to the President's health care law:

We have to pass the bill so that you can find out what's in it.

□ 1650

Well, Washington Democrats passed that bill, and virtually every week since has been an expensive, eye-opening experience.

Over the past 3 years, it's become clear that ObamaCare is irreparably flawed, fails to deliver on its promises and causes serious harm to our economy. The legislation before the House is the first step toward fixing all of these problems. We must first repeal this onerous law and then move forward and work with stakeholders to develop step-by-step, commonsense reforms that actually lower the cost of health care and respect the patient-doctor relationship.

The President's health care law is, at its core, a flawed policy. It puts the Federal Government precisely where it doesn't belong, between Americans and their doctors. Instead of families deciding what coverage is best for them, or families and employers deciding how much they can afford, this law has the Secretary of Health and Human Services and the IRS making those decisions.

ObamaCare also falls short of almost every one of the President's and congressional Democrats' promises for the law. It doesn't control costs, doesn't let Americans keep the insurance they

have and like, doesn't protect jobs, doesn't ensure seniors have access to their doctors and hospitals, and doesn't prevent 21 new tax increases, including more than a dozen that will hit middle class families. Simply put, it's a resounding failure.

If that wasn't enough, the health care law is causing serious harm to our economy at a time when it's struggling to climb out of the hole dug by the administration's failed economic policies.

We've received countless reports of businesses reluctant to hire, or shifting employees from full-time to part-time employment because of the steep costs associated with complying with the law. This is simply unacceptable. Well over 11 million Americans remain unemployed.

Madam Speaker, I urge my colleagues to join me in voting to repeal this burdensome law and continue working toward real reform that lowers costs and improves the quality of health care in this country.

I reserve the balance of my time.

Mr. LEVIN. I yield myself such time as I shall consume.

I rise today in opposition to the Patients' Rights Repeal Act.

Here we go again. This vote is more than just a sideshow. It's an embarrassing spectacle that has consumed House Republicans for more than 2 years, to the detriment of our economy and millions of Americans looking for work.

Republicans, on this, have their legislative heads in the sand and their feet in cement.

The Republicans are blind to the benefits that so many are already experiencing through ACA. It's already helping millions of Americans, with many millions more set to gain insurance coverage through the marketplaces next year.

With their feet in cement, 37 times House Republicans will have voted to repeal all or part of ObamaCare.

More than 50 million—50 million—taxpayer dollars have been spent by House Republicans through the dozens of hours Republicans have devoted to floor votes to try to repeal ObamaCare, which even Speaker BOEHNER acknowledged last year is the law of the land.

Since the beginning of 2011, Republicans have spent no less than 15 percent of their time on the House floor trying to repeal ObamaCare, when they know it would not happen.

Yet, not once this year, not once, have Republicans turned their focus toward job creation. What we have here, repeal, is a Republican obsession.

I reserve the balance of my time.

Mr. CAMP. At this time I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY), a distinguished member of the Ways and Means Committee.

Mr. BOUSTANY. Madam Speaker, as a physician with 30 years' experience,

clinical experience, I rise to vigorously oppose ObamaCare once again. We need to repeal this abomination. Why?

Just take a look at this chart. Where's the doctor, and where's the patient?

Well, look at the corner. Physician's way here in the corner. Patient's way over there.

And what's at the center of this?

The Department of Health and Human Services with the Secretary. And at the top, the IRS. And we all know what's going on with the IRS today. How can we trust an entity like that to enforce this abomination of a health law?

Doctors and patients deal with very personal information, very personal. That's why you have to preserve the sanctity of the doctor-patient relationship. And having all this between the doctor and the patient is basically a recipe for massive failure. That's why we must repeal it. That's why I stand with my colleagues to repeal it.

Let's do the right thing. Let's go step by step and get sensible, real reforms that will make Americans proud of their health care system.

Mr. LEVIN. I now yield 1 minute to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Madam Speaker, I think all of us came to this august body with the mandate that we should try to improve the quality of life for our constituents and, therefore, the United States, the people that made our country so great. Education, health care, jobs, these are the things we want to do.

But it's reached a point that this is no longer just putting Democrats in a political advantage. What it is doing is embarrassing the entire Congress, and I dare say, people in the country recognize that there's something wrong going on in Congress.

Now, those of you that have taken Civics 101 know that there is no intention to repeal this act.

People are waiting to get jobs. They're waiting, really, to get health care. And we're on the move for that.

I've been here over 4 decades, and darn it the devil, we've been trying to get universal care. We're almost there.

Now, if you're talking about repeal, it takes a majority of both Houses to pass this bill. The President's going to veto it. And you have to have two-thirds of both Houses in order to repeal. That is not going to happen, and you know it.

Mr. CAMP. I yield 1 minute to the gentleman from Georgia (Mr. PRICE), a distinguished member of the Ways and Means Committee.

Mr. PRICE of Georgia. Madam Speaker, I appreciate the Chair's leadership on this.

This law has been in place now for a little over 3 years. So, as a physician, let's look at the symptoms of this law.

Cost of premiums: increasing. Access to your doctor or your plan: already more difficult. Quality of health care going down because of Washington interference. Innovation: terribly affected, harming quality in this country. Choices for patients: decreased.

So let me get this straight. Increasing costs, less access, lower quality, less innovation, limiting your choices.

Madam Speaker, that's a life-threatening and terminal diagnosis.

It's time to repeal the ACA and adopt patient-centered health care, where patients and families and doctors make medical decisions, not Washington and the IRS.

Mr. LEVIN. I now yield 1½ minutes to the gentleman from Washington (Mr. MCDERMOTT), who's the ranking member on the Health Subcommittee.

Mr. MCDERMOTT. Well, Madam Speaker, it's Thursday. Everybody's going home. Got to have your press release ready.

So here we come. The thirty-seventh time they're going to try and repeal the Affordable Care Act.

Now, you've heard a lot of nonsense already in two speakers, absolute untruths told right here about killing jobs and about rising premiums.

Washington State put out their premiums yesterday, and their premiums for young people are down by 15 percent. All that hyperbole about going up 450 percent, or whatever we hear, is nonsense. It is simply fearmongering and, you know, the deficit comes down, insurance is more affordable and accessible and, at the most, 33 percent have been convinced by this stuff over here.

In my home State, people are ready and willing to do it. Our Governor went out and set it up, and we're going to go and do it.

Now, the only thing the Republicans are angry about is that ObamaCare's going to become the law. It's being implemented. It's going to be in place in October. It drives them nuts that they can't figure a way to stop it.

□ 1700

They've come out here once a month to try and repeal it over and over and over again, and they keep failing. That's pretty close to the definition of mental illness: doing the same thing over and over again and thinking you're going to get a different result. You are not going to get a different result. The fact is that this is about votes. We have a new crop of freshmen who are getting their campaigns ready, and they've got to have that check in the box that says, I voted against ObamaCare. Vote "no."

Mr. CAMP. Madam Speaker, I yield 1 minute to the distinguished member of the Ways and Means Committee, the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Madam Speaker, I thank the gentleman for yielding. I

stand here today outraged by the fact that the Internal Revenue Service has been targeting conservative groups since as early as 2010. This is not a Republican or Democrat issue. This is a First Amendment issue, one that should be a wake-up call about the dangers of the new, expansive powers afforded to the IRS under ObamaCare. No government agency, particularly one with such corruption and apparent disregard for the Constitution as the IRS, has any business accessing or monitoring Americans' personal health information.

As I speak here today, government bureaucrats are building the Federal data services hub, the largest personal information database ever created by the U.S. Government. And because of ObamaCare, five major government agencies are compiling information for the data hub, including the IRS, HHS, Department of Justice, Department of Homeland Security, and Social Security Administration.

What this hub means is that government bureaucrats are gaining unprecedented access and power over the American people's financial, health, and personal information through the implementation of ObamaCare.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CAMP. I yield the gentlewoman an additional 30 seconds.

Mrs. BLACK. The IRS scandal begs the question: How can President Obama and the congressional Democrats continue to support ObamaCare, a law that gives more power to the IRS? Ultimately, the IRS scandal is yet another example of why ObamaCare must be repealed—for the sake of our health care, our economy, and our constitutional freedoms.

Mr. LEVIN. I now yield 1 minute to the gentleman from Massachusetts, a distinguished member of our committee, Mr. NEAL.

Mr. NEAL. Madam Speaker, today I rise in opposition to the repeal of the Patients' Rights Act. Seventy-one million Americans have already taken advantage of this opportunity for preventive health care services, 100 million Americans no longer will have a lifetime limit on their health insurance program, and young adults can stay on their parents' health insurance until they're 26. Ninety-eight percent of the people of Massachusetts are insured. The number regularly polls in the high 70s for customer satisfaction.

Let me just state this with some degree of certainty: the best hospitals in the world are in Massachusetts. Arguably, the best doctors in the world are in Massachusetts. Certainly the best teaching hospitals in the world are in Massachusetts. They've made it work. People are happy with the plan. If you're going to get sick, I say this to my Republican friends, as well, I'm going to get you a spot in Massachusetts.

Here's the point that we ought to be discussing today: the implementation of this successful plan. And I want to say this today tongue-in-cheek, but also with some satisfaction, we should thank Governor Romney for working with a Democratic legislature to make sure that the model for the Affordable Care Act was in place.

Let me say that again: thank Governor Romney for helping to make sure this plan was successful.

Mr. CAMP. I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Madam Speaker, when ObamaCare was being debated, its champions and cheerleaders indicated it would create 4 million jobs, including 400,000 jobs almost immediately. I find it deeply disturbing, then, that when I travel back to my district in Indiana, I hear from constituents that jobs are already being lost and hours are being cut in anticipation of this law's implementation.

I've heard from numerous constituents who work low-wage, hourly jobs like school support employees: cafeteria workers, janitors, bus drivers and so on. They're being told that, due to ObamaCare's employer mandate, they will no longer be allowed to work more than 29 hours a week. ObamaCare's proponents have created an incredibly perverse incentive here. Who in their right mind endorses a law where the best business decision is to lay people off, and during a very down economy to boot?

If we're serious about addressing rising health care costs and putting Americans back to work, we should repeal this law, and repeal it now, and replace it with sustainable, bipartisan health care solutions.

Mr. LEVIN. I now yield 1 minute to another member of our committee, the distinguished gentleman from the State of Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I have an idea: What if The Heritage Foundation had an idea to reform our entire health care system? Even better, as Mr. NEAL says, what if that idea was piloted successfully by a Republican Governor in a Democratic State who would go on to become their nominee for President? What if that idea were brought to fruition nationally through the Affordable Care Act so it could provide American citizens, especially the uninsured and those with preexisting conditions, to become the focus of our energy and concern in Washington? An emphasis on wellness by seeking to enhance the best in the private sector, the best in the academic sector and the public health initiatives that have guided this great country of ours?

What if we do what the American people expect us to do, instead of quibbling over partisan issues—rolling up

our sleeves and coming together for a solution to the American people?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. LARSON of Connecticut. What if we come together, and instead of quibbling over the Affordable Care Act, we rolled up our sleeves and put the Nation to work? Every day we waste in ideological turmoil is another day lost in the opportunity to help the American people and the key, as Mr. RYAN states, to driving down our national debt. Come together with us, Republicans, solve this issue for America.

Mr. CAMP. At this time, I yield 1 minute to the distinguished gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Madam Speaker, I rise today to say it is time to pull ObamaCare out root by root. We all know that it increases premiums and squeezes the family budget. We know that it does not let you keep the plan that you have today. We all know that ObamaCare is crushing jobs and forcing many parents who have full-time jobs today into tomorrow's part-time jobs.

And now we have some new information as we prepare to vote. The chief enforcers of this law, the IRS, have been outed as partisan political operatives. They've harassed, bullied, and suppressed the political opponents of the Obama administration. And now they want to be in charge of our health care? Give me a break. I don't think so.

Members, this is your chance. This is your chance to weigh in on the IRS scandal. A vote to repeal is a vote to stop the IRS, but voting to keep ObamaCare is a vote to empower the IRS as the health care police of the United States. The choice is easy. Vote to take power away from the IRS, not to give them more.

Mr. LEVIN. I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I rise today in opposition to the Patients' Rights Repeal Act. Like a broken record repeating the same old, scratchy, sad verse, these Republicans cannot stop repeating their record of indifference to the health care crisis. They've given up on "repeal and replace" because all they ever cared about was the repeal part. As the Party of No, this year they have not advanced a single health care proposal as an alternative.

I only wish that the Affordable Care Act were as good as they think it is bad. But to the millions who have received refunds from insurance company monopolies for overcharging, to the millions who are no longer denied coverage by the fine print in an insurance policy they didn't write, to the seniors who are getting some help on their prescription drugs and preventive care, to the millions more who will be able to

finally apply in October for coverage they do not have now, and for the small businesses who will receive assistance in supplying their employees with the coverage they have been unable to afford in the past, you know, this ObamaCare works pretty well.

□ 1710

Together, we could make it better. We could make it more accessible for more individuals—like the many people in Texas who will be denied by Governor Perry's decision to refuse 100 percent of the cost of Medicaid protection. Together, we could provide more cost-effective care and do something more about spiraling health care costs. But really, the only true Republican alternative to ObamaCare is "nothing care."

Mr. CAMP. I yield 1 minute to the distinguished gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Madam Speaker, I rise today to urge support of H.R. 45, legislation that will repeal the President's massive and unaffordable health care law. As a doctor, I am extremely concerned with many different aspects of the bill, which is broad and overreaching.

When this law was passed, I was in northern Michigan treating patients and wondering how this bill would change the relationship between a doctor and his patients. I can tell you that after my 30 years of experience and after continuing to speak with doctors, nurses, hospital administrators, and patients across northern Michigan, there are innumerable problems with this law, and it needs to be repealed.

Thanks to ObamaCare, we will face severe problems with access to quality health care. We are looking at massive cuts to reimbursements to hospitals and other care providers, cuts that will end up limiting access to care.

ObamaCare does not fulfill the most basic promises that were used to pass this law. Health care costs have not gone down. My constituents are not able to "keep their plans."

These are just some of the reasons why I urge all of my colleagues to support this bill so we can work together to provide patient-centered reform that will reduce costs and expand access.

Mr. LEVIN. I now yield 2 minutes to another member of our committee, the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, I rise today in opposition and in support—in support—of the Patients' Rights Repeal Act.

Madam Speaker, you know we've gone through this many times. You've attempted in committee and subcommittee to try to undercut the patients' rights to health care, and it wasn't successful.

By the way, the IRS is not the individual agency that is the operative of

health care. Where in God's name did you get that from? There hasn't been much truth spoken today on the floor over there.

Whether in town halls or small group meetings, I ask this question when we talk about health care. I ask individuals to raise their hands if they're against, number one—you ought to raise your hands, too—closing the Medicare doughnut hole for seniors; are you for that or are you against it? Allowing children to stay on a family's health plan until they're 26 years of age; are you for that or are you against it? Ensuring Americans are not denied insurance for preexisting conditions; are you for that or are you against that? Or helping American families avoid medical bankruptcy.

Every meeting not one hand goes up. How many over there? Raise your hand. Free country. I'll wait 2 seconds. Maybe you didn't hear me.

In New Jersey, a report by the New Jersey Public Interest Research Group explained that by repealing health reform, employers would see health costs grow by more than \$3,000 a year and, most shocking, New Jersey would have 10,000 fewer jobs.

Let's get it straight. In conclusion, let me ask my colleagues, in voting, those who will vote for repeal, is the opposition willing to increase the deficit? Because you already used the money from the Health Care Act to pay your budget, or else it doesn't even balance in 50 years. Are they willing to give the power back to the insurance companies? You've got to ask that question.

We've come down to the skinny right now. This is down to the bare bones. Are you willing to allow premiums to escalate? Better ask yourself those questions.

The SPEAKER pro tempore. The Chair reminds the Members to address their remarks to the Chair and not to others in the second person.

Mr. CAMP. I yield 1 minute to the distinguished gentleman from Florida (Mr. RADEL).

Mr. RADEL. Heavy-handed government has been chipping away at our freedom and your freedom and your opportunity for generations, whether it's Big Government Democrat programs or, to be bipartisan, Big Government Republican programs. And that brings us to this debate today on the Affordable Care Act, which is not affordable and it is not about health care. It is about control.

Your freedom, your choices between you and your doctor no longer between you and your doctor. Someone from here in D.C., in some way, shape, or form will be involved in your most personal decisions. Freedom and opportunity, the freedom to choose insurers, insurance, and your doctor in a truly free market now gone.

This repeal is about your opportunity, which ObamaCare is already

taking away from you. I want you to have a job. I want you to work more than 39 hours a week.

This repeal is about your freedom. I want you to keep more money in your pocket. I want you to have low premiums. I want you to have a choice—your choice, not Washington, D.C.'s.

This Affordable Health Care Act is not affordable and it is not about health care. It's about control.

The SPEAKER pro tempore. The Chair reminds the Members to address their remarks to the Chair and not a perceived viewing audience.

Mr. LEVIN. Madam Speaker, may I inquire as to how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 9 minutes remaining, and the gentleman from Michigan (Mr. CAMP) has 10½ minutes remaining.

Mr. LEVIN. I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

We've heard a lot about the fact that this is the 37th vote to take away health care from hardworking Americans, but let me put that in context.

Under the Republican majority, we have spent over 56 hours on the floor debating repeal of the law of the land—and that doesn't even come close to capturing how much committee time, amendment debate, and general grandstanding has been spent on this bill.

Now, it is tempting, but I'm going to avoid illustrating this point with comparisons like telling you how many times you could have watched "Gone With the Wind" in that same amount of time—although, as a matter of fact, you could have watched it 15 times. What I want to talk about is what else we could have done with that 56 hours of Congress' time and energy:

We could have acted on a real jobs plan to get our economy moving;

We could have come together on a plan to avert the devastating sequester cuts that are hitting our Head Start programs, our cancer patients, and our military, just to name a few;

We could have moved forward on immigration reform, gun violence prevention, or infrastructure development, but we haven't.

Now, my colleagues on the Republican side of the aisle have been using a chart—an incomprehensible chart, something that no American can understand—to try to demonstrate how the Affordable Care Act works. Well, it just so happens I have a chart right here. This is the Republican plan to deal with the absence of the Affordable Care Act. It's right here. This is the chart. This is the chart right here. I will try to explain it to you. In fact, it's self-explanatory. They have no

plan. They have no plan to substitute the repeal of the Affordable Care Act. In fact, they haven't a plan for health care at all.

So, my colleagues, my colleagues, I just wish my colleagues on the other side of the aisle would spend as much time building America up as they've tried to tear it down because, frankly, my colleagues, I do give a darn.

Mr. CAMP. I yield 1 minute to the distinguished gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Madam Speaker, I rise today in support of H.R. 45 to repeal ObamaCare.

Madam Speaker, as a physician, I know our health care system is broken, but this form of Washington meddling only makes it worse. The President's law puts too much control in the hands of the Federal Government, creating a complex system that emphasizes government intrusion over actual patient care.

There is no reason for the IRS to play a role in our health care system, favoring one and punishing another. Medical decisions already cause deep anxiety in the lives of too many Americans. Why compound that with the weight of an audit?

Our goal should be simple: respect you as a patient and connect you to the doctor that you deserve. Patient-centered solutions place you, the patient, at the center of our health care system, simplifying your life, not pushing you to the corner of Big Government sprawl.

Madam Speaker, the American people deserve full repeal.

□ 1720

Mr. LEVIN. I now yield 2 minutes to another member of our committee, the gentleman from Illinois (Mr. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

As some of my colleagues on the other side prepare to vote in favor of this legislation, I want to make sure that the American people know that they are taking 13 million Americans' rebates that they got from insurance companies last summer, totaling at least \$1.1 million.

They will be voting to repudiate the fact that beginning last summer, millions of women began receiving free coverage for preventive services.

They will be voting to take away the fact that 17 million children with preexisting conditions can no longer be denied coverage by insurers.

And they will be voting to take away the coverage of 6.6 million young adults, who, up to age 26, are able to be on their parents' insurance coverage, half of whom without it would have no coverage at all.

They will actually be voting, Madam Speaker, to take America's health care backwards. We can't afford to go there.

I urge that we vote “no.”

Mr. CAMP. Madam Speaker, at this time, I yield to the distinguished chairman of the Health Subcommittee for the purposes of controlling the balance of our time.

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. BRADY) will control the time.

There was no objection.

Mr. BRADY of Texas. Madam Speaker, I yield 1½ minutes to a new leader in health care, the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Madam Speaker, I stand today to show my support for H.R. 45, the repeal of the largest legislative piece of malpractice ever passed through the Halls of Congress.

This one bill, the Patient Protection and Affordable Care Act, ObamaCare, has done more to disrupt our economy and bring uncertainty to the marketplace than anything I have witnessed.

My colleagues on the other side talk about jobs and no job creation on this side. We are working to create jobs here by repealing this bill. This is the number one job-killing bill in America, and it has rocked the engine that drives our economy—the business owner and the entrepreneur that create the jobs. Without jobs being created, the hardworking Americans will lose their jobs and they are going to lose their health care.

Instead of health care reform, Congress created a health care tax. It is a tax that will be paid by all Americans young, old, rich, or poor.

Today, in response to the people who have had enough, the White House declared this: “It’s the law.” My response on behalf of the people I represent is this: Not for long.

Mr. LEVIN. I now yield 2 minutes to another distinguished member of our committee, Mr. BLUMENAUER, from the State of Oregon.

Mr. BLUMENAUER. Madam Speaker, this is, as has been pointed out, the 37th attempt to repeal the health care reform. It has been my privilege to run 37 marathons in my career, but at least when you run a marathon you get someplace.

Millions of people are benefiting from the health care reform. Over a third of a million small businesses are getting tax credits to be able to help insure their employees. We are seeing aggressive efforts at better care, lower cost, eliminating lifetime limits, keeping young people on their parents’ insurance policies.

Madam Speaker, we are finding across America there are literally hundreds of thousands of people working on the implementation of this legislation. Is it perfect? I haven’t seen a perfect bill, especially one that is dealing with 17 percent of our economy. It is a dramatic improvement over what we have got. But instead of working with us to refine and improve over the

course of the last 4 years, we go through these pointless exercises without offering an alternative.

My friend, my colleague from New York (Mr. CROWLEY), had their plan: a blank piece of poster board. No specifics; no effort to come forward with something that would do a better job of meeting the needs of seniors’ prescription drug problems, young people, patient protection, lifetime limits, payment reform.

I will tell you, in Oregon I have met with thousands of professionals in the health care arena who are working cooperatively on making sure that Oregon is a model of how to do it right.

The health care reform train has left the station. We are not going to be repealing it today. We ought to be working to refine it in the future.

Mr. BRADY of Texas. I yield 1½ minutes to a new member of the Ways and Means Committee, a job creator, a businessman himself, who has had to deal with rising health care costs, the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the gentleman for yielding.

Madam Speaker, it is interesting to hear as we go through this tonight about just how important and how great a piece of legislation this is. I’ve got to tell you, there is an old saying out there: “Of all the words of mouth and pen, the saddest are what could have been.” This could have been a miraculous piece of legislation.

Wouldn’t it have been wonderful if both sides of the aisle had been able to work on it? Wouldn’t it have been wonderful to have some debate and some amendment on it? Wouldn’t it have been wonderful not to have to wait until midnight and shove it down the American people’s throat? And wouldn’t it have been wonderful for guys like me who have small businesses to be actually able to look at this and think to the future that, you know, I can actually plan?

ObamaCare is making this Nation sick. It is having a terrible effect on our economy. They keep people from hiring.

But do you know what it does, and it is the worst thing of all? It drives a wedge between business owners and business operators and their employees and their associates. That is the biggest problem. We are trying to make those people—the owners, the managers of the businesses—the bad guys.

Listen, the bad guy in this case is the United States Government. We have done something that is absolutely reprehensible. You cannot do that to people who make a living working with each other and then put them on opposite sides of a case. Better health care? Absolutely. Affordable, accessible? Absolutely. This piece of legislation did not do that.

I am intrigued by the amount of passion that we see now from the other

side when there was so little concern at the time it was crafted to even bring the providers to the table and ask their opinion. You talk about having a piece of legislation ready. It is law. We know it is law. But do you know what? We are not going to quit trying until we go to the will of the American people.

I will tell you all, please go out to your constituents, go out to the people who actually create the jobs and find out how difficult we have made it for them with this piece of legislation.

Mr. LEVIN. Madam Speaker, how much time is remaining on each side, please?

The SPEAKER pro tempore. The gentleman from Michigan has 3½ minutes remaining, and the gentleman from Texas has 6¾ minutes remaining.

Mr. LEVIN. Madam Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Alabama, a former district attorney, State legislator, and county commissioner, who understands how communities struggle with health care, Mr. BROOKS.

Mr. BROOKS of Alabama. Madam Speaker, I rise to proudly vote to repeal ObamaCare, the most dysfunctional law to ever pass United States Congress.

Why is ObamaCare dysfunctional? For the vast majority of Americans, ObamaCare guarantees worse health care at higher costs.

Why is ObamaCare dysfunctional? ObamaCare imposes 21 new taxes on America; thereby, according to the Congressional Budget Office, costing 800,000 Americans to lose their jobs.

In my home State of Alabama, just one of those tax increases imposes roughly \$200 million a year in higher tax burdens on Blue Cross/Blue Shield, costs that will translate into higher premiums for Alabama citizens.

Why is ObamaCare dysfunctional? Those 21 tax increases come nowhere close to paying for the increases in ObamaCare costs, thereby either denying health care to American citizens or forcing even higher taxes on already stressed family incomes.

□ 1730

Why is ObamaCare dysfunctional?

It gives Americans worse health care. Doctors and patients will largely be shut out of costly lifesaving health care decisions. Instead, Independent Payment Advisory Board bureaucrats will decide whether ObamaCare will pay for the treatments that save your life or risk ending it.

Why is ObamaCare dysfunctional?

It suppresses the research and development necessary for the discovery of the next generation of lifesaving diagnostic tools and medical cures.

Why is ObamaCare dysfunctional?

It drastically drives up health insurance premiums for Americans who work for a living.

Madam Speaker, while my friends across the aisle bemoan today's vote to protect Americans from a dysfunctional ObamaCare, I rejoice that Republicans in the House of Representatives say that when American lives are at stake, we will never give up, and we will never, never surrender.

Mr. LEVIN. I continue to reserve the balance of my time.

Mr. BRADY of Texas. At this time, Madam Speaker, I yield 1 minute to a long distinguished Member of this House and one who is very knowledgeable of health care and the costs to families and businesses, the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

In my role as chairman of the Health and Human Services Subcommittee of Appropriations, we oversee the budget for ObamaCare. I can tell you that the money is not there even for implementation. The request was for \$1.2 billion. Now it has accelerated up to \$1.7 billion, and there is no funding for it available. So here we are on the eve of the largest takeover of a private sector function in United States history, and the money is not there to implement it.

So what does the Secretary of HHS do? She goes to the private sector and says, We need to get money from you to implement ObamaCare.

Now, that is like the Mafia's shaking down businesses for protection money. I'm not saying at all that the Secretary would be trying to do that purposely, but it is similar to it. How can you ask people for money, whom you regulate, in order to implement a program that they're going to fall under? That is just repugnant to any American, and we can't let that happen.

The money is not there. We need to vote "no" and send this thing back to committee and look at it another day and in another way.

Mr. LEVIN. I now yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman for his time.

Madam Speaker, I rise today in opposition to the Patients' Rights Repeal Act.

I simply want to say thanks. My good friend Mr. CROWLEY indicated that there is no plan on the other side, but look at the list that I can give, and let me just emphasize Texas:

For the gentleman from the business community, 360,000 small businesses are using the health care tax credit for their workers that is provided by the health insurance under the Affordable Care Act;

There are 17 million children with preexisting conditions in the country who no longer can be denied coverage by insurers;

Then, of course, what we are finding out is those who treat those with can-

cer are suffering because there are cuts in Medicare and those cuts in Medicare are coming because of my friends on the other side. The Affordable Care Act will provide an umbrella for those who are in need;

Then we find out that Texas, itself, has 3.4 million women and over 1.8 million seniors and people with disabilities who are benefiting from the Affordable Care Act.

More importantly, we have articles that suggest that the poverty in Texas is going up and that Texas has the highest uninsured people in the Nation. How can people from Texas vote against this? How can they vote against this?

Madam Speaker, I rise in opposition to H.R. 45, the 37th attempt by House Republicans to repeal the Affordable Care Act. This bill is as bad as the previous 36 and has no chance of becoming law. And that is a good thing because the Affordable Care Act has and continues to be a life saver for millions of Americans.

The leadership of this Congress may want to give new members of Congress the opportunity to tell the people back home that they voted to repeal "Obamacare." Unfortunately, they are also causing anxiety in people who know that without the Affordable Care Act they have no other option for healthcare.

I believe it is important to remind new members of this body and those who are closely watching this debate that the Affordable Care Act is law. People living in each of the Congressional Districts represented in this body are benefiting from the Affordable Care Act.

Many of those most in need of the healthcare coverage provided by the Affordable Care Act live in the Districts of many of the new members of Congress. Texas, my own state, leads the list of states with the highest percentages of uninsured residents.

Those states with the highest percentage of uninsured are:

Texas with 28.8 percent; Louisiana with 24 percent; Nevada with 23.3 percent; California with 23.2 percent; Florida with 22.8 percent; Georgia with 22.5 percent; Arkansas with 21.9 percent; Mississippi with 21.7 percent, and Oklahoma with 21.4 percent.

The highest concentration of the uninsured is the poor. The Affordable Care Act provides at no or nearly no cost to states an option to enroll those living in or near poverty into their Medicaid program.

This option would help states in three ways—reduce the cost to states for those insured through Medicaid, reduce the numbers of poor persons without healthcare insurance and address the problem associated with the high cost of persons who arrive at local emergency rooms in need of very expensive critical care. Health care costs that result from emergency room ad hoc primary healthcare are unpaid medical expenses passed on to everyone.

The idea of everyone paying something towards their healthcare was a Republican idea that was put into practice in the State of Massachusetts by then Governor Mitt Romney six years ago. Today, Massachusetts has the lowest percentage of uninsured residents' and a

model for where every state could be in six years or less.

Just taking advantage of the Affordable Care Act's Medicaid option would help reduce the numbers of uninsured persons living in the United States.

Medicaid would provide the much needed support to our nation's most vulnerable by providing early diagnosis and treatment for chronic conditions. In many cases conditions could be caught prior to the onset of disease and allow medical professionals the opportunity to work with patients to avoid the major drivers of health care cost: diabetes, high blood pressure and obesity, which can lead to heart and arterial disease as well as kidney disease.

Many watching today's debate may wonder why this is an issue—money from the federal government that would reduce their state tax burden associated with Medicaid. The issue is governors who reject extending Medicaid coverage to their state's poor. The Governors in the States of Texas, Oklahoma, Louisiana, Alabama, Mississippi, Georgia, South Carolina, North Carolina, Maine, Wisconsin, Iowa, Idaho, and South Dakota need to hear from residents who want healthcare cost to be lower and more people covered.

As a resident of Texas and a Member of Congress representing a Congressional District in the state, I sent a letter to Governor Rick Perry in response to his letter of March 14, 2013, in which he re-affirmed his opposition to expanding the Medicaid program in Texas.

For all of the pro-business talk by the Governor over the last few months—his position on this issue will lead to higher local and state sales taxes; unduly burden local governments, and needlessly place the health and safety of millions of Texas children and adults at risk.

The infusion of federal funds associated with the state accessing the Affordable Care Act Medicaid option would increase economic out of Texas by \$67.9 billion.

A May 13, 2013, editorial in the Houston Chronicle titled "Medicaid costs driven by poverty," outlined why the Congress should be focused on ending the sequester and creating jobs if we are serious about reducing taxpayer dollars going to Medicaid.

Poverty is the reason for higher Medicaid costs—if we work to reduce poverty then Medicaid costs would decline.

Because of the Affordable Care Act, Americans are already seeing lower costs, better coverage, and patient protections that Republicans want to repeal:

13 million Americans benefited from \$1.1 billion in rebates sent to them from their health insurance companies last year.

105 million Americans have access to free preventive services, including 71 million Americans in private plans and 34 million seniors on Medicare.

Millions of women began receiving free coverage for comprehensive women's preventive services in August 2012.

100 million Americans no longer have a lifetime limit on healthcare coverage.

Nearly 17 million children with pre-existing conditions can no longer be denied coverage by insurers.

6.6 million young adults up to age 26 have health insurance through their parents' plan,

half of whom would be uninsured without this coverage.

6.3 million Seniors in the 'donut hole' have already saved \$6.1 billion on their prescription drugs.

3.2 million Seniors have access to free annual wellness visits under Medicare, and

360,000 small employers have already taken advantage of the Small Business Health Care Tax Credit to provide health insurance to 2 million workers.

Because of the Affordable Care Act 3.8 million people in Texas—including 2.2 million seniors on Medicare now receive preventative care services. Over 7 million Texans no longer have to fear lifetime limits on their healthcare insurance. Texas parents of 300,731 young adults can sleep easier at night knowing that their children can remain on their health insurance until age 26.

The protection provided by this law is a guarantee to 5 million Texas residents that their insurance companies will spend 80 percent of their premium dollars on healthcare, or customers will get a rebate from their insurance company.

In my State, there are 4,029 people who had no insurance because of pre-existing conditions, but today the Affordable Care Act has provided them with access to coverage. The Affordable Care Act means that many Texans are free of worry about having access to healthcare insurance.

However, the list of benefits from the Affordable Care Act is not completed. In 2014, the Affordable Care Act's final provisions will become available to our citizens. Insurance companies will be banned from:

Discriminating against anyone with a pre-existing condition;

Charging higher rates based on gender or health status;

Enforcing lifetime dollar limits; and

Enforcing annual dollar limits on health benefits.

In 2014, access to affordable healthcare for the self-employed or those who decide to purchase their own coverage will be easier because of Affordable Insurance Exchanges. There will be a one stop marketplace where consumers can do what Federal employees have done for decades—purchase insurance at reasonable rates from an insurer of their choice. This will assure that health care consumers can get the care that they need from the medical professionals they trust.

Another reason why I oppose this bill—I offered six amendments, but none of them were accepted by the Rules Committee. I will explain what my amendments would have done to improve this bill.

Jackson Lee Amendment Number 1 would have removed all of the bill text following the enacting clause of the legislation, which would have ended this exercise to repeal the Affordable Care Act. This legislation is so bad it cannot be salvaged and the United States would be better off without it.

Jackson Lee Amendment Number 2 would have ensured full Medicare reimbursement to all hospitals including physician-owned hospitals with at least 100 beds, provided they could produce reliable records to document their claims for reimbursement.

Jackson Lee Amendment Number 3 would have authorized additional funding to establish

Federally Qualified Health Centers (FQHCs). These centers are the last line of defense provided in the bill to make sure those living on the margins of society—the poorest of the poor had access to reliable healthcare. FQHC programs would be based in clinics, community-based health care centers and pro-active outreach programs that target the homeless or marginally housed with information on how to get access to good healthcare.

Jackson Lee Amendment Number 4 would have expanded state use of the Medicaid option of the Patient Protection and Affordable Care law when the uninsured rate of qualifying residents of a state exceeds 20 percent. States wishing to opt-out of Medicaid would have the option of submitting a plan to reduce the rate of uninsured to 20 percent or less to the Secretary of Health and Human Services. This amendment would have benefited Texas enormously since it leads the nation in uninsured residents at 28.8 percent. In fact Texas has held this number 1 ranking, of the State with the highest number of uninsured residents, for the last five consecutive years.

Jackson Lee Amendment Number 5 would have established a program to conduct studies of minority health disparities. The amendment directed the Secretary of Health and Human Services to submit an annual report of findings regarding minority health disparities and make recommendations on how disparities may be reduced.

Jackson Lee Amendment Number 6 expressed the Sense of the Congress that the Patient Protection and Affordable Care Act is law in the United States of America. The amendment enumerated each step that made it the law including a decision by the United States Supreme Court. The amendment then directed the Secretary of Health and Human Services to report to Congress on the impact of the law on those it is intended to help. The amendment would have not allowed this Congress to revisit repeal until it had research on the impact of the law to guide its further deliberation of repeal.

This Congress has work that needs to be done, and it has work that should be taken up to restore workers, their families and communities to sound economic health.

I urge my Colleagues to join me in voting no on the passage of this bill.

Mr. BRADY of Texas. Madam Speaker, I am honored to yield 1 minute to the author of the legislation that we are debating today, the gentlelady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from Texas.

This is a bill that is changing the course of American history, and it is why we need to repeal this bill today. I believe, Madam Speaker, that we will see this bill ultimately repealed.

Why? Because it is women who will be hurt under this bill; it is senior citizens who will be hurt under this bill; and it is little vulnerable children who will be hurt under this bill—as well as families, as well as employers. All of America is at the cusp of being negatively impacted.

Here is just one example: this bill was sold out of compassion. We wanted

people with preexisting conditions to find care, but the reality is less than 1 percent of those with preexisting conditions were able to receive the assistance when the door was slammed shut.

Why? We ran out of money.

That's what ObamaCare has delivered—a lot of promises that can't be fulfilled. Before we go forward with this train wreck, let's make sure it ends so we can bring about cures, so we can bring about better developments in health care. That's what we want—health care for American citizens.

Mr. LEVIN. How much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 2½ minutes remaining, and the gentleman from Texas has 2¾ minutes remaining.

Mr. LEVIN. I yield myself the balance of my time.

I am from Michigan, and 75 years ago, a predecessor brought forth ideas that at long last we would lift the shame of millions of Americans who go to bed without health care. Since that time, the numbers have grown. Today, there are over 50 million.

There was a reference to children. How many children today go to bed without a stitch of health care? Millions. How many women today go to bed without any health care coverage? We provided for seniors, and we have, so far, left most everybody out who needs some health care.

Then someone has the nerve to come forth and say there isn't enough money to implement—when Republicans won't provide that money. Someone comes forth here and says there isn't the money to cover those with preexisting conditions, and Republicans won't provide the money to provide further help for those people.

You talk about repeal and replace. The disgrace here is you're fixed on repeal, and you never have come forth to satisfy the needs and the conscience of the people of this country. That's a disgrace. This bill is a disgrace. The Republican conduct on this has been disgraceful.

I yield back the balance of my time.

Mr. BRADY of Texas. I yield myself such time as I may consume.

What is disgraceful are these thousands of pages of a bill that was rushed through this Congress with little chance to read it, laden with special interest provisions to buy off votes, while promises were made to the American people that their costs would go down, that they could keep their plans if they would like, and that the economy would boom. None of it happened, and Republicans were denied even one vote on the House floor to provide a real alternative. That's the disgrace.

Today, health care costs are going up. Independent experts say it could double in some States. Workers are finding out they can't keep their plans at work and that they'll be forced into

the exchange. Who can afford more expensive health care? Almost two out of three small businesses aren't hiring because of this legislation.

I toured a power plant in Conroe where the cost of ObamaCare is so high that it's the equivalent of building two new plants and of hiring 100 new workers. That won't happen. Local businesses are cutting jobs and cutting hours. One restaurant owner in Houston told his managers he will not hire another full-time worker—period. ObamaCare simply makes it too expensive.

When these concerns are voiced, what Democrats in Congress and the President say is, It's the law. Get over it. Just get over it.

The bottom line is that we are fighting to repeal ObamaCare because it will hurt too many patients, too many people, too many families. Bad laws should be stopped early before people get hurt.

Year in and year out we've wrestled with this Medicare formula to reimburse doctors. We got it wrong, and doctors and seniors are being hurt.

□ 1740

The alternative minimum tax has been a mess for years. The death tax, as well. Can you imagine how much pain we would have avoided if these bad laws had been stopped early before they hurt so many Americans?

Make no doubt about it, we needed health reform. But the President and Washington Democrats got it wrong. So let's repeal it now and replace it with real reforms that help patients, that help families, that help small businesses. Let's get government out of the office room, let's give patients real choices, and let's lower health care because ObamaCare, this Affordable Care Act, has failed on all of its promises.

Madam Speaker, I yield back the balance of my time.

Mr. LEWIS, Madam Speaker, it is unbelievable. With so much to be done—so much good that we could do—this Congress stops work to vote a 37th time to destroy health care reform. Thirty seven times! The voters have spoken. The Supreme Court has ruled. The Affordable Care Act is the law of the land and we will not go backwards.

The American people are counting on us to do what is right; what is just. We made a promise of health care to the American people. We must keep that promise. Vote no. Keep the promise of health care.

Mr. HOLT, Madam Speaker, I rise in strong opposition to H.R. 45, the "Patients' Rights Repeal Act."

Today's vote will mark the 37th time that this House will vote to repeal the Affordable Care Act. It was only ten months ago when I spoke in opposition to the same bill being considered today. I would like to remind my colleagues of what repealing health care reform would mean for the Central New Jerseyans whom I represent.

Take, for example, Matt from West Windsor. Matt wrote me, "I graduated from college this

past May and am currently working at a job with new health insurance. I have a pre-existing condition, and, shockingly, I truly would be without insurance and in big trouble if this legislation is reversed."

Carolyn from East Brunswick contacted me to say she had been laid off and her COBRA benefits were about to expire. Because of the Affordable Care Act, she could enroll at age 25 as a dependent on her father's Federal employee benefits plan.

Mary from Princeton wrote to me that her son "has cystic fibrosis and he would be subject to both the lifetime cap on benefits and the denial because of preexisting conditions were it not for the provisions of the health reform."

Matt, Carolyn, and Mary's examples are not just anecdotal: they are representative of the numerous affordable and comprehensive health coverage benefits that New Jerseyans have gained under health care reform—as well as what they stand to lose if the Affordable Care Act were repealed.

For example, in addition to Matt, who was able to gain coverage as result of health care reform despite his pre-existing conditions, 1,343 previously uninsured residents of New Jersey who were locked out of the coverage system because of a pre-existing condition are now insured through a new Pre-Existing Condition Insurance Plan, which receives funding from the Affordable Care Act.

Carolyn is one of more than 73,000 young adults in New Jersey who gained insurance coverage as a result of the health care law.

Mary and her son, along with 3 million other people in New Jersey, including 1.2 million women and 877,000 children, are free from worrying about lifetime limits on coverage thanks to health care reform.

Republicans here in the House may be able to point to a business owner who has concerns over a provision of the law, or an adult who resists purchasing health insurance, but the truth is, the law has something to offer for every American. The Affordable Care Act requires that insurance companies spend the majority of your premium on health care—not on CEO bonuses or administrative costs. The law requires that Medicare coverage includes preventive services—such as flu shots and mammograms—without any cost sharing for our seniors. Furthermore, the law prohibits insurance companies from dropping someone when they get sick, or charging women more than men for the same health coverage. If you repeal the law, you take away these important provisions that make our health care more accessible, affordable, comprehensive, and reliable.

One does not bring a proposal to a vote 37 times out of a rational, considered desire to improve the lives of the American people. You do it out of an irrational, ideological vendetta. But the problem with irrational vendettas is that they are so focused on ideology that they ignore human consequences.

Stop ignoring Matt. Don't punish Carolyn. Don't overlook Mary and her son. Let's stop this foolish vendetta and do the real work we were sent here to do.

Mr. HINOJOSA, Madam Speaker, we have millions of people out of work and a Republican majority that refuses to bring a real jobs

bill to the floor. We have record drought across the United States and in my home state of Texas, and a Republican majority that has refused to bring a 5 year farm bill to the floor. In fact the only thing this Republican majority knows how to do is waste the Americans people's time. Ever since Republicans took the majority, they have created the most unproductive congresses in our history. We recently spent two days to vote on a helium bill that could have been voted in 5 minutes. We are working in Washington this year for only 126 days. 126 days out of 365.

Instead of spending some of those precious work days on bills that can help Americans get back to work, we are here to vote for the 37th time to repeal Obamacare. This vote is a waste of time. This bill will never become law and they know that. They knew it the first 36 times we voted to repeal it, and they know it today, but Republican leadership needs to do it so the freshman tea party members can send out a press release and a fundraising email this weekend saying they voted to repeal it. Meanwhile in my district, farmers are struggling to grow crops, families are struggling to eat, and this Congress refuses to lift a finger to help them. They should be ashamed. Vote no on this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to express my opposition to H.R. 45, which would repeal the Patient Protection and Affordable Care Act. The Affordable Care Act has significantly improved access to health care for Americans, and I strongly support it.

Thanks to the Affordable Care Act, millions of Texans are already seeing lower health care costs and receiving better insurance coverage. Over 7.5 million Texans now have no lifetime limit on most health insurance benefits, which will protect them from having their insurance cut off if they require significant medical care.

The Affordable Care Act has lowered prescription drug costs for over 200,000 seniors in Texas by closing the gap in drug coverage known as the "donut hole." It has also allowed 357,000 young adults in Texas, who might otherwise be uninsured, to gain coverage through their parents' plan. Over 1.5 million consumers in Texas have received rebates from insurance companies because under the Affordable Care Act, insurers must spend at least 80 percent of premiums on medical care and quality improvement rather than CEO pay, profits, and administrative costs.

The Affordable Care Act also promotes equal treatment for women. Starting in 2014, insurers will not be allowed to charge women higher premiums than men simply because of their gender. Because of the Affordable Care Act, insured women are already able to receive critical preventive services such as mammograms, birth control, and well-woman visits without paying any out-of-pocket fees.

Today marks the 37th time that Republicans have voted to repeal or defund the Affordable Care Act. Unfortunately, Republicans seem to be treating the legislative calendar of the U.S. House of Representatives as a playing field for their political games. Instead, we should be working hard for the American people by passing legislation to create jobs, spur economic growth, and reform our broken immigration system.

The Affordable Care Act is the law of the land and it is working. Up to 17 million children with pre-existing conditions can no longer be denied health insurance, and nearly 13 million Americans have received \$1.1 billion in rebates from their insurance companies. Texans cannot afford to lose the crucial health benefits that the Affordable Care Act provides. That is why I plan to vote against H.R. 45 and all future efforts to repeal the Affordable Care Act. I am proud to stand with my colleagues and the President to support a health system that provides security, accountability, and peace of mind to Americans.

Mr. UPTON. Madam Speaker, since the law's passage over three years ago, the Energy and Commerce Committee has conducted rigorous oversight to educate the country on how the law impacts patients, providers, the economy, taxpayers, and states. At every turn, we have encountered an ugly reality filled with broken promises, rampant uncertainty, rising premiums, and harsh consequences on jobs and our economy.

The alarm bells over how Obamacare will unfold are getting louder by the day: costs are going up, insurers are warning about premium increases, and small businesses are struggling with the choice about whether they can provide employees with coverage. One of the law's chief architects and ally of the president even scolded the administration over the looming "train wreck."

But as we fast approach the law's full implementation, the Obama administration is in full propaganda mode, and the facts don't seem to matter. Last week the president publicly declared, "And whenever insurance premiums go up, you're being told it's because of Obamacare. Even though there is no evidence that that's the case."

Mr. President, we have plenty of evidence, and sadly millions of Americans nationwide, from recent college graduates to older adults, will not be able to afford the law's rate shock. We have the plans of some of the nation's leading insurers for 2014, and the looming rate shock will be devastating. One of the nation's leading insurance companies that insures millions of folks predicts premiums will nearly double for individuals getting a new plan, those keeping their insurance will see an average increase of 73 percent, and some individuals could see increases of as much as 413 percent. The last three years have been littered with the Obama administration's broken promises. Today we keep our promise to the American people as we continue working to repeal this disastrous experiment, and work towards real solutions.

Mr. GOODLATTE. Madam Speaker, ever since President Obama was first elected and chose to push through a federal takeover of America's health care system, House conservatives have led the charge to repeal the law commonly known as Obamacare and replace it with true reforms that will increase access and lower costs for consumers. With a string of broken promises from its authors and prominent backers, this law has already forced people off of the insurance they previously had, has increased premiums by thousands of dollars, and has reduced work hours for millions.

The fundamental question facing uninsured Americans was never, "how do we give the

federal government more power over our lives?" Yet government control over health care was what the Democrat majority provided. House Republicans offered alternatives that gave our constituents the peace of mind to know that a safety net would be in place for the least fortunate amongst us, and provided commonsense reforms to allow those uninsured or underinsured to get the insurance they needed at an affordable price. Unfortunately, what we got was a law that, as former Speaker PELOSI famously stated, "we have to pass the bill so that you can find out what is in it." Well, we've read the bill, and the tens of thousands of pages of regulations to enforce it, and I can tell you the backlash and opposition to the law continues to mount.

One small example of the absurdity of this law is provided by a constituent of mine who lives in Virginia. This small business owner has chosen to insure his employees for the last forty years, helping his employees afford the insurance they need to keep their families healthy. Because of Obamacare, this company is required to spend more than \$30,000 to re-enroll their current employees. Let me repeat that. Even though these employees already have health insurance, the company is required to pay a fee for each and every one of them, to enroll the employee back into the exact same plan. That \$30,000, which could have been used to hire new workers or grow the local economy, will now be sent to bureaucrats in Washington. Instead of health insurance for Main Street, this appears to be health insurance for K Street.

Today the House has a chance to stop growing the size of government, and to give power and freedom back to the American people. Instead of propping up health care exchanges, bureaucratic IPAB rationing panels, and mandates which cost Americans thousands of dollars each year, let's start over and focus on the real needs of access to care and reduced costs of insurance. We can all admit that our health insurance system can use strengthening, but this is not the way to do it. If you are serious about reforming the health insurance system in this country, then join me in voting to repeal Obamacare and send a message to the American people that we have heard their anger and outrage over this law and we will do what it takes to see it repealed.

Ms. CLARKE. Madam Speaker, I rise in strong opposition to H.R. 45—To Repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010. This legislation would completely repeal the Affordable Care Act, which was signed into law in 2010 and was declared constitutionally sound by the U.S. Supreme Court last year. The Affordable Care Act extends healthcare coverage to all Americans regardless of their gender, health condition or ability to pay.

It is a disgrace that this country, which is the wealthiest country in the world, denies universal healthcare coverage to its citizens. Repealing the Affordable Care Act will allow this disgrace to continue.

The Affordable Care Act is a good law. Because of the Affordable Care Act, Americans now have access to a wide variety of free preventive services; insurers can no longer drop

women from coverage when they become pregnant; Medicare is stronger due to some of the cost savings and other provisions in the act; Seniors are paying less for prescription drugs; Americans no longer face lifetime limits on care; and families are receiving rebates from insurance companies, when they unfairly inflate their costs.

In fact, thousands of people in my district, the 9th Congressional District of Brooklyn, New York, are already benefiting from the Affordable Care Act. An analysis done in March of 2012 showed that the health care reform law had already:

Provided 390 small businesses in my district with tax credits to help maintain or expand health care coverage for their employees;

Provided 5,100 young adults in my district with access to health insurance coverage under their parents' insurance plan;

Provided Medicare preventive services, at no costs to the patient, for 46,000 seniors in the district;

And, provided \$2.5 million in public health grants for community health centers, hospitals, doctors, and other healthcare providers in the district to improve the community's health.

I have always believed that healthcare is a fundamental right, not a privilege. And this is why I vehemently oppose H.R. 45—To Repeal the Patient Protection and Affordable Care Act. It is wrong, and it is a step backwards for our country.

Ms. ESHOO. Madam Speaker, the GOP needs to reorder its priorities. The American people want us to focus on jobs and strengthening our economy, instead of relitigating the past. Today is the 37th time the majority has taken up repealing patient protections for the American people. This is a very bad idea.

Since January 2011, the House has been in session and held votes on only 281 days. Forty-three of those days have been spent on repealing the Affordable Care Act alone. That's 15 percent of the American people's time spent solely on failed attempts to repeal the Affordable Care Act.

For the party that's seeking to cut their way to prosperity, consider this: based on the cost per day to run Congress, the Congressional Research Service calculated that the time spent attempting to repeal the health law has come with a \$52.4 million price tag for taxpayers. This money could restore the estimated \$41 million cut under sequestration to Meals on Wheels nutrition programs across the country. Or it could pay for nearly 7,000 children to participate in the Head Start program for a year.

Now, consider the benefits the American people have enjoyed since the Affordable Care Act became law: children no longer face discrimination due to pre-existing conditions; students and young adults are gaining coverage through their parents' plans; Medicare is stronger, and seniors are paying less for prescription drugs and getting better treatment at lower cost; Americans no longer face lifetime limits; families are receiving rebates from insurance companies; and women have access to a wide range of free preventive services.

Since the law was enacted in March 2010, over 800,000 jobs have been created in the health care industry. So when the GOP says the Affordable Care Act is "killing jobs," it's flat out wrong.

Repealing the Affordable Care Act would leave millions of Americans without vital patient protections and has cost the American people precious time and money. We should instead vote for legislation to create jobs, expand our economy, and strengthen the middle class.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 215, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. CAPPs. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mrs. CAPPs. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Capps moves to recommit the bill H.R. 45 to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of the bill the following new section:

SEC. 3. PRESERVING CERTAIN PATIENT BENEFIT PROTECTIONS FOR WOMEN AND THEIR FAMILIES, AS GUARANTEED UNDER CURRENT LAW.

(a) IN GENERAL.—Section 1 shall not apply with respect to the ACA women and families' patient benefit protection provisions described in subsection (b) until such date that all group health plans and health insurance issuers provide equivalent protections for women and their families as provided under all such provisions.

(b) ACA WOMEN AND FAMILIES' PATIENT BENEFIT PROTECTION PROVISIONS.—For purposes of subsection (a), ACA women and families' patient benefit protection provisions described in this subsection are the following, as such provisions would be in effect before application of section 1:

(1) PREVENTIVE HEALTH SERVICES COVERAGE WITHOUT COST SHARING.—Section 2713 of the Public Health Service Act (42 U.S.C. 300gg-13), relating to the coverage of preventive health services without cost sharing, including well-woman preventive care visits, breast cancer screening, mammography, screening for gestational diabetes, and screening for interpersonal and domestic violence.

(2) COVERAGE FOR INDIVIDUALS WITH PREEXISTING CONDITIONS.—Section 1101 of the Patient Protection and Affordable Care Act (42 U.S.C. 18001), relating to immediate access to insurance for uninsured individuals with a preexisting condition.

(3) ENSURING THAT CONSUMERS RECEIVE VALUE FOR THEIR PREMIUM PAYMENTS.—Section 2718 of the Public Health Service Act (42 U.S.C. 300gg-18), relating to the use of health insurance premiums primarily for health benefits rather than the administrative costs of insurance companies, including executive salaries and compensation.

(4) NO LIFETIME OR ANNUAL LIMITS.—Section 2711 of the Public Health Service Act (42 U.S.C. 300gg-11), relating to no lifetime or annual limits.

(5) PROHIBITION OF PREEXISTING CONDITION EXCLUSIONS FOR CHILDREN.—Section 2704 of the Public Health Service Act (42 U.S.C. 300gg-3), relating to the prohibition of preexisting condition exclusions or other discrimination based on health status, insofar as such section applies to enrollees who are under 19 years of age.

(6) COVERAGE OF ADULT CHILDREN UNTIL AGE 26.—Section 2714 of the Public Health Service Act (42 U.S.C. 300gg-14), relating to the extension of dependent coverage for adult children until age 26.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mrs. CAPPs. Madam Speaker, I rise today to offer the final and only amendment to this bill. And I want to be clear: passage of this amendment will not prevent the passage of the underlying bill. If it's adopted, my amendment will be incorporated into the bill, and the bill will be immediately voted upon.

My amendment would simply ensure that women and families do not lose the benefits they have already gained from ObamaCare in the event that the law is repealed.

These benefits are critical to keeping families healthy and identifying problems when they are easier and less costly to treat—benefits like the ability to get preventive health services without any copays.

Thanks to ObamaCare, no longer must women put off critical screenings like mammograms or colonoscopies because of the cost. And women are now able to be screened for domestic violence, gestational diabetes and receive other preventive care without worrying about whether they can pay for it. Millions of us have taken advantage of these potentially lifesaving screenings.

Similarly, young adults—the most uninsured age group in our country—now have the option of staying on their parents' insurance plan until they're 26. This is a real benefit, one that has already enabled 6.6 million young adults to keep their health insurance coverage as they begin to make their way in life.

On top of these benefits, we now have protections from some of the most abusive insurance company practices. For example, no longer can insurance companies cut off your care just because you're too expensive to treat. For too long, individuals who paid their premiums and followed the rules would still be cut off after hitting arbitrary lifetime or annual caps on coverage.

These are our friends, they're our neighbors who did nothing wrong. They just got sick or had a tragic accident. Now they are protected, knowing their insurance coverage will be there when they need it.

In addition, mothers no longer have to worry that their children with a preexisting condition, like autism or asthma, will be denied health care. And starting this January, no American

will be told that they cannot get coverage due to a preexisting condition.

All of these benefits have been secured while holding insurance companies accountable to use your premium dollars on actual health care, not on bonuses or advertising.

And all of these protections have been and would continue to be there for American families if my amendment passes.

You truly do not realize the importance of these protections until you or someone you love needs them. And that is exactly the case of Victoria Strong. She's a young mother living in my hometown of Santa Barbara, California.

Victoria's daughter, Gwendolyn, was diagnosed with a rare and extremely expensive disease when she was 6 months old. Despite the fact that she and her husband, Bill, had a good health insurance policy, one they paid thousands of dollars for each month, Victoria lived in constant fear that Gwendolyn would reach her lifetime policy limit before she even reached second grade, and because of her preexisting condition, Gwendolyn would then be uninsurable for the rest of her life.

I cannot imagine how difficult it was for young Victoria to not even know whether her child's basic health care needs would be covered or not in the future, and that's exactly what so many mothers faced before ObamaCare. But the elimination of lifetime caps on care has given Victoria peace of mind, and it's done the same for millions of mothers across this Nation.

That's exactly what ObamaCare is all about: fixing our broken health care system, fixing it for families like the Strong family, for women across this country, for their families. This law gets it right. And now we have one last vote to at least preserve the rights they already have.

I believe that all Americans would be better off if we in Congress worked to ensure swift implementation of the law instead of wasting time and taxpayer dollars debating repeal for yet the 37th time. But I think we can all agree that taking away existing insurance protections from everyday Americans is the wrong thing to do just because we are setting out to repeal.

I remember the numerous hearings and markups about this law, and there was great agreement on both sides of the aisle that these consumer protections were critical to improving our broken health care system. So no matter what you think of this bill, my amendment would guarantee that no American family loses the care they have paid for now just when they need it the most.

□ 1750

The law provides legal protection and peace of mind to the Strong family in

Santa Barbara and to all families like them across our Nation. Our families need this law; and if the majority is willing to vote for the 37th time to repeal it, they at least need to vote on this amendment. I urge my colleagues to vote "yes" on my motion.

I yield back the balance of my time.

Mrs. WALORSKI. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Indiana is recognized for 5 minutes.

Mrs. WALORSKI. Madam Speaker, my colleagues on the other side of the aisle can try as much as they would like today to distract the people from the real issue at hand. But the fact remains today that ObamaCare was bad policy when it was enacted, and it's getting worse the closer we get to its implementation.

When I hear from Hoosiers in the State of Indiana, from business owners trying to run companies to seniors seeking quality care options, I hear overwhelming uncertainty and concern, and ObamaCare is the driving force.

To protect Americans from this impending train wreck, I support full repeal of this law, which has been nothing more than a string of broken promises. Let's just quickly look at a few.

Broken promise number one: the President claimed that he would not sign a plan that adds one dime to our deficit. However, the nonpartisan Congressional Budget Office estimated that this bill adds almost \$2 trillion. After consecutive trillion-dollar deficits, our national debt is soaring towards \$17 trillion. It's time to stop spending money we simply don't have.

Broken promise number two: the President claimed that no family making less than \$250,000 a year will see their taxes increase. However, the Joint Committee on Taxation reports that ObamaCare includes 21 new or higher taxes that will cost taxpayers roughly \$1.1 trillion.

I recently had the chance to tour an orthopedic manufacturing company in my district in Mishawaka, Indiana. During this visit, I heard real-life stories from real-life employees about the taxes in ObamaCare. I was warned that the new medical device tax will prevent the company from creating good-paying jobs in Indiana for Hoosiers who are out of work. The reality is this tax will increase the cost of medical devices used by our senior citizens and our wounded warriors.

Broken promise number three: the President repeatedly claimed that his proposal could save families \$2,500 a year in health care premiums when, in fact, researchers from the Kaiser Family Foundation found that average family premiums have instead increased by over \$3,000 since 2008. If not repealed, this law will continue to increase premiums and eat away at the paychecks

of single moms and young families all across the country. The reality, Madam Speaker, this Affordable Care Act is not so affordable.

Broken promise number four: the President claimed he would protect Medicare. But instead of protecting Medicare and making it stronger, he raided \$716 billion from the program to fund his government takeover of our health. The millions of seniors who depend on Medicare deserve better. My mom, a Medicare beneficiary, deserves better.

Madam Speaker, we don't need this law, period. We don't need a law that tramples over our freedoms by allowing the government to make our personal health care choices. We don't need a law that restricts our access to quality and affordable health care. And we definitely don't need a law enforced by an agency actively targeting citizens with opposing political views.

I urge all of my colleagues to defeat the motion to recommit and stand today and repeal ObamaCare.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mrs. CAPPs. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 190, nays 230, not voting 13, as follows:

[Roll No. 153] YEAS—190

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Bralley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Ciilline
Clarke
Clay
Cleaver
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Enyart
Eshoo
Castor (FL)
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind

Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—230

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Buchshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Rigell
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita

Rooney	Simpson	Walden	Graves (MO)	McHenry	Rothfus	Moore	Richmond	Speier
Ros-Lehtinen	Smith (NE)	Walorski	Griffin (AR)	McIntyre	Royce	Moran	Roybal-Allard	Swalwell (CA)
Roskam	Smith (NJ)	Weber (TX)	Griffith (VA)	McKeon	Ryunan	Murphy (FL)	Ruiz	Takano
Ross	Smith (TX)	Webster (FL)	Grimm	McKinley	Ryan (WI)	Nadler	Ruppersberger	Thompson (CA)
Rothfus	Southerland	Wenstrup	Guthrie	McMorris	Salmon	Napolitano	Rush	Thompson (MS)
Royce	Stewart	Westmoreland	Hall	Rodgers	Sanford	Neal	Ryan (OH)	Tierney
Ryunan	Stivers	Whitfield	Hanna	Meadows	Scalise	Negrete McLeod	Sánchez, Linda T.	Titus
Ryan (WI)	Stockman	Williams	Harper	Meehan	Schock	Nolan	Sanchez, Loretta	Tonko
Salmon	Stutzman	Wilson (SC)	Harris	Messer	Schweikert	O'Rourke	Sarbanes	Tsongas
Sanford	Terry	Wittman	Hartzler	Mica	Scott, Austin	Owens	Schakowsky	Van Hollen
Scalise	Thompson (PA)	Wolf	Hastings (WA)	Miller (FL)	Sensenbrenner	Pallone	Schiff	Vargas
Schock	Thornberry	Womack	Heck (NV)	Miller (MI)	Sessions	Pascrell	Schneider	Veasey
Schweikert	Tiberi	Woodall	Hensarling	Miller, Gary	Shimkus	Pastor (AZ)	Schrader	Vela
Scott, Austin	Tipton	Yoder	Herrera Beutler	Mullin	Shuster	Payne	Schwartz	Velázquez
Sensenbrenner	Turner	Yoho	Holding	Mulvaney	Simpson	Pelosi	Scott (VA)	Vislosky
Sessions	Upton	Young (AK)	Hudson	Murphy (PA)	Smith (NE)	Perlmutter	Scott, David	Walz
Shimkus	Valadao	Young (FL)	Huelskamp	Neugebauer	Smith (NJ)	Peters (CA)	Serrano	Wasserman
Shuster	Walberg	Young (IN)	Huizenga (MI)	Noem	Smith (TX)	Peters (MI)	Sewell (AL)	Schultz

NOT VOTING—13

Campbell	Engel	McIntyre
Clyburn	Johnson, Sam	Quigley
Cole	Labrador	Wagner
Conyers	Lewis	
Duffy	Markey	

□ 1818

Messrs. BILIRAKIS, TERRY, CRAMER, DESJARLAIS, POSEY, HARPER, LUETKEMEYER, PETERSON, KINGSTON, HARRIS and ROSKAM changed their vote from “yea” to “nay.”

Messrs. OWENS, JEFFRIES, Ms. SINEMA, Mr. DOYLE, Ms. PINGREE of Maine, and Messrs. COOPER and THOMPSON of Mississippi changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ANDREWS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 195, not voting 9, as follows:

[Roll No. 154]

YEAS—229

Aderholt	Camp	Duncan (SC)
Alexander	Cantor	Duncan (TN)
Amash	Capito	Ellmers
Amodei	Carter	Farenthold
Bachmann	Cassidy	Fincher
Bachus	Chabot	Fitzpatrick
Barletta	Chaffetz	Fleischmann
Barr	Coble	Fleming
Barton	Coffman	Flores
Benishak	Cole	Forbes
Bentivolio	Collins (GA)	Fortenberry
Bilirakis	Collins (NY)	Fox
Bishop (UT)	Conaway	Franks (AZ)
Black	Cook	Frelinghuysen
Blackburn	Cotton	Gardner
Bonner	Cramer	Garrett
Boustany	Crawford	Gerlach
Brady (TX)	Crenshaw	Gibbs
Bridenstine	Culberson	Gibson
Brooks (AL)	Daines	Gingrey (GA)
Brooks (IN)	Davis, Rodney	Gohmert
Broun (GA)	Denham	Goodlatte
Buchanan	Dent	Gosar
Bucshon	DeSantis	Gowdy
Burgess	DesJarlais	Granger
Calvert	Diaz-Balart	Graves (GA)

Andrews	DeGette
Barber	Delaney
Barrow (GA)	DeLauro
Bass	DelBene
Beatty	Deutch
Becerra	Dingell
Bera (CA)	Doggett
Bishop (GA)	Doyle
Bishop (NY)	Duckworth
Blumenauer	Edwards
Bonamici	Ellison
Brady (PA)	Engel
Braley (IA)	Enyart
Brown (FL)	Eshoo
Brownley (CA)	Esty
Bustos	Farr
Butterfield	Fattah
Capps	Foster
Capuano	Frankel (FL)
Cárdenas	Fudge
Carney	Gabbard
Carson (IN)	Gallego
Cartwright	Garamendi
Castor (FL)	Garcia
Castro (TX)	Grayson
Chu	Green, Al
Cicilline	Green, Gene
Clarke	Grijalva
Clay	Gutierrez
Cleaver	Hahn
Cohen	Hanabusa
Connolly	Hastings (FL)
Conyers	Heck (WA)
Cooper	Higgins
Costa	Himes
Courtney	Hinojosa
Crowley	Holt
Cuellar	Honda
Cummings	Horsford
Davis (CA)	Hoyer
Davis, Danny	Huffman
DeFazio	Israel

NAYS—195

Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loeback
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George

NOT VOTING—9

Campbell	Johnson, Sam	Markey
Clyburn	Tipton	Quigley
Duffy	Labrador	Wagner
	Lewis	

□ 1826

Mr. GUTIERREZ changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. WAGNER. Mr. Speaker, on Thursday May 16, 2013, I was in St. Louis, Missouri celebrating children's graduations. My son, Stephen Wagner today graduated from Washington University in St. Louis, and my daughter, Mary Ruth Wagner, has a Baccalaureate Mass for Ursuline Academy.

Due to these lifetime events, I was unable to be in Washington, DC and vote on the legislative business of the day.

On Ordering the Previous Question for H. Res. 215, a resolution providing for consideration of H.R. 45 to repeal the Patient Protection and Affordable Care Act and health-care related provisions in the Health Care and Education Reconciliation Act of 2010, rollcall Vote No. 150, had I been present I would have voted “yes.”

On Adoption of H. Res. 215, a resolution providing for consideration of H.R. 45 to repeal the Patient Protection and Affordable Care Act and health-related provisions in the Health Care and Education Reconciliation Act of 2010, rollcall Vote No. 151, had I been present I would have voted “yes.”

On Approval of the Journal, rollcall Vote No. 152, had I been present I would have voted “yes.”

On Motion to Recommit with Instructions H.R. 45, rollcall Vote No. 153, had I been present I would have voted “no.”

On Passage of H.R. 45 to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, rollcall Vote No. 154, had I been present, I would have voted “yes.”

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 107

Mr. JONES. Madam Speaker, I ask unanimous consent that I might remove my name from H.R. 107 as a cosponsor.

The SPEAKER pro tempore (Mrs. BACHMANN). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

APPOINTMENT OF MEMBER TO BRITISH-AMERICAN INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2013, of the following Member on the part of the House to the British-American Interparliamentary Group:

Mr. CICILLINE, Rhode Island

APPOINTMENT OF MEMBERS TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, of the following Members on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WOLF, Virginia

Mr. PITTINGER, North Carolina

Mr. MEADOWS, North Carolina

HONORING CIPRIANO GARZA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate Cipriano Garza, who this Saturday will be joining the ranks of the select few members in the South Dade High School's Alumni Hall of Fame.

Throughout his life, Cip—as he is known—has achieved high levels of personal success and excelled in his profession, making him a great example of the diversity and ingenuity of the south Florida community.

During his senior year at South Dade High, Cip set new State and school records for the 100-yard dash at the State Championships while crossing the finish line barefoot.

As a son of migrant farm workers, Cip has used his unique perspective in working with Dade County Public Schools to create innovative educational programs and eradicate the school dropout rate among children of migrant farm workers.

In 1993, after being appointed a special assistant to the Secretary of the

Department of Housing and Urban Development, Cip became the first Mexican-American to receive a Presidential appointment in the State of Florida.

Cip's many accomplishments and dedication to the betterment of the community make him deserving of this great honor.

Congratulations to Cip Garza.

ACA REPEAL

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, today, for the 37th time, the Republicans set a vote to repeal the Affordable Care Act. Yet again, this is a waste of time and taxpayer resources on pure political posturing, rather than working hard on behalf of hardworking American taxpayers.

As a freshman Member, I can tell you where I stand, and that is in 100 percent pure full support of the Affordable Care Act.

Republicans have ignored real problems affecting our country and instead have chosen to attack the poor and most vulnerable. Millions of Americans are already enjoying protections and benefits under the law. In my State of Texas, over 300,000 young adults are able to stay under their parents' plan. Over 3 million women and 1.8 million senior citizens have access to preventative care. Many more will have insurance coverage once the insurance exchanges are in place for 2014.

Republicans constantly talk about requiring more efficiency and reducing redundancy in Federal Government. How about we start reducing redundancy right here in Congress? Let's move beyond messaging bills and into actual substantive legislation. Let's focus on jobs and grow the economy rather than wasting money on repealing the Affordable Care Act.

SO-CALLED AFFORDABLE CARE ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Americans want and need greater access to health care, and they deserve reforms that will lower costs and expand access, but without undermining quality and innovation.

These were the promises of the President's health care reform law. They were worthy goals. Unfortunately, they are not reality.

To the contrary, over the past 3 years, families and businesses have seen a 400 percent premium increase for health care. Patients are being denied coverage that physicians will not accept. Employers have slowed hiring under new costs and the fear of what is ahead.

This Congress has rescinded funding for or completely repealed eight separate provisions of the act are beginning to collapse under the weight of their own irreparable flaws. And even my Democratic colleagues have warned of the law's looming "train wreck."

Mr. Speaker, the American people deserve better. Full repeal of this flawed policy is the first step to enacting commonsense reforms to actually lower costs and expand access. Only then can we enact a law that can be truly called the "Affordable Care Act."

AUTOMATIC IRA ACT OF 2013

(Mr. NEAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEAL. Mr. Speaker, I want to talk about legislation that I have reintroduced—the Automatic IRA Act of 2013.

According to Boston College's Center for Retirement Research, the United States has a retirement income deficit of \$6.6 trillion.

One area I think we need to focus on is getting more low and middle-income workers into retirement savings.

It is estimated that 75 million workers—or half of American workers—have no employer-provided retirement plan or other opportunity to save for workplace contributions. The auto IRA is a commonsense solution to dramatically expand retirement savings in the United States.

Listen to this: this auto IRA proposal was jointly developed by myself, along with the Brookings Institution and The Heritage Foundation. It has garnered widespread support, including from AARP, the U.S. Black Chamber of Commerce, the Women's Institute for a Secure Retirement, and the Aspen Institute Initiative on Financial Security.

This is a commonsense piece of legislation that should be joined by both parties in advancing retirement opportunities for the American people.

PROMOTING OUR RELATIONSHIP WITH THE STATE OF ISRAEL

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise to encourage my colleagues to cosponsor legislation I have introduced to ensure that the State of Israel maintains its qualitative military edge.

Israel recently celebrated its 65th anniversary of independence.

Unfortunately, many of Israel's neighbors continue their relentless attacks against this Nation. While Iran pursues its nuclear program, it has launched cyber attacks against Israel.

Israel is under constant danger from both conventional and unconventional weapons. However, the current statutory definition of “qualitative military edge” does not include the threats posed by militia activity or cyber attacks.

These are very real threats against Israel and must be taken into account. H.R. 1992 updates the definition of “qualitative military edge” so that the asymmetric and cyber warfare are considered and would require a 2-year reporting process.

I look forward to working with my colleagues on the Foreign Affairs Committee to advance this legislation and to increase our special relationship with Israel. I appreciate the chairman of Foreign Affairs, Mr. ROYCE, for his support and cosponsorship.

And I also would like to thank my friend from across the aisle, Mr. SCHNEIDER, for his support. Good policy knows no party line, and I look forward to working together to move forward this legislation.

REGARDING THE PATIENTS’ RIGHTS REPEAL ACT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I wanted a moment to reflect. This was a very sad day for me. Having been here during the emotional time during the debate on the Affordable Care Act, remembering the long hours and the deliberation in the committees in regular order, the opportunity for Republicans to offer amendments, and then today for the 37th time this particular act has now hurt millions of Americans.

My State is number one. Today, Mr. Speaker, I wanted to call the roll and ask those citizens of those States to call their Senators. For how can you vote for such a repeal of the Patients’ Rights Act when Texas, Louisiana, Nevada, California, Florida, Georgia, Arkansas, Alaska, Mississippi, and Oklahoma all have uninsured over 20 percent, with Texas being 28.4 percent?

It is poverty that drives the need to expand Medicaid to my State, to my Governor. It is poverty that drives this. Whether you are poor, whether you are low-income, whether you are working middle class, the Affordable Care Act is to lift your boat to give you the opportunity to have preventive health care to be able to have access to doctors. Why would anybody vote to repeal the Patients’ Rights Act?

□ 1840

RESCUING AMERICANS FROM THE TRACKS OF HEALTH CARE DESTRUCTION

(Mr. GRIFFITH of Virginia asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. GRIFFITH of Virginia. Ladies and gentlemen, let me tell you why people would vote to repeal the Affordable Care Act. It has become very, very clear that no matter how well-intentioned it may have been, it will not work. Time after time, we are finding that the things that they told us just aren’t panning out to be true; and Senator MAX BAUCUS, one of the law’s main architects, recently described ObamaCare as a huge train wreck coming down.

We have a chance to save Americans from being casualties of the train wreck. We can yank them off the tracks. Today, I voted to show that I am trying to do just that.

I call on the United States Senate and the Senators to join us in rescuing the American people from the tracks of health care destruction.

SCANDALS IN WASHINGTON

The SPEAKER pro tempore (Mr. MEADOWS). Under the Speaker’s announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Thank you, Mr. Speaker.

In the past few weeks, it seems as if you can’t turn on the news without hearing of another drama, of another crisis in Washington undermining confidence in our government, whether it’s Benghazi, the IRS, the Department of Justice, or the Department of Health and Human Services. It’s hard to know what may be next.

Mr. Speaker, there is an age-old expression that goes like this: be careful to whom you give a gun and a badge.

Authority is a very delicate matter. A well-functioning government must ensure that those who are in positions of influence are committed to serving the public with impartiality and fairness. Recent revelations have done much to undermine the public trust.

Mr. Speaker, 8 months ago, our Ambassador to Libya was killed along with three other Americans. Not only is this an affront to America because we lost our Ambassador; it is also an attack on our Nation, and it undermines the international rule of law. The process by which we have tried to unpack the details of this attack has been careening all over the place. Even after several committee hearings on Benghazi, including a Foreign Affairs Committee hearing in which I participated last December, a core question remains unanswered:

Who said “stand down” when reinforcements were called for?

Now, there may be legitimate military and diplomatic reasoning here, but we simply need to know the answer to that question; or this could have

been a very serious mistake with the gravest of consequences.

In the past week, we’ve learned of discrimination against specific groups by the Internal Revenue Service. These reports are causing a firestorm across our country. Our sensitivities are rightly heightened when it comes to the collection of taxes. No one wants to pay taxes, but we must have a revenue-collecting agency in order to have a functioning Federal Government. It is unconscionable, though, that this agency targeted citizens because of their political or religious beliefs.

The IRS, of all agencies, must be held to the highest of high standards of fairness and impartiality. The reported actions seriously undermine the foundation of trust necessary between citizens and their government. That’s why, this week, the Taxpayer Non-discrimination and Protection Act was introduced with my support. The legislation puts meaningful penalties in place when this foundation of trust is violated, penalties that could include prison time.

Perhaps it’s also time for the IRS to implement a new policy. Everyone they are auditing, or perhaps have audited in the past 3 years, must be provided with a fuller explanation as to why they’re going through this process so as to ensure that there is no improper targeting of American citizens based upon their religious or political beliefs. Just this morning, a friend of mine texted me, and another one called me just yesterday, worried that the audits that were undertaken against them were due to their own political leanings and engagements.

Mr. Speaker, the real issue is this: Just how deep and wide is the mind-set that pervaded the IRS that did target Americans based upon their religious or political leanings?

On another issue, we are learning that the Department of Justice seized phone records of Associated Press reporters, including records of their personal phone lines. Now, the ability to wiretap and probe needs to be in place in narrow circumstances, but the wide-ranging nature of what happened raises a number of questions, questions that beg us to ask: How do we protect the freedom of the press?

Another problem that hasn’t been widely discussed is that the Department of Health and Human Services, in effect, is also targeting people based upon their beliefs. The Department is forcing Americans to pay for drugs and procedures that many find to be inconsistent with their deeply held, reasonable beliefs or their religious traditions. When the President introduced his health care plan, he told Americans that if they liked their health insurance, they could keep it. Now we are finding in some cases that you cannot keep your doctor, that you cannot keep your own health care plan, and now

you may not even be able to keep your own faith tradition. This is a form of coercion that sets up a false choice and is un-American.

All of these events are converging to erode confidence in Washington. Now, thankfully, many of these concerns actually cross the political aisle. There is bipartisan concern. These are American issues, and these events underscore why we actually do have a balance of power in Washington. There is an executive branch that enforces the law, and there is a legislative branch that writes the law. The legislative branch also has the duty to provide oversight over the executive branch, which is a duty that Congress now is rightly embracing.

It is important that in each instance here the truth is uncovered and that swift and appropriate actions are taken to help restore confidence in the impartiality, fairness, and competence of the Federal Government.

With that, Mr. Speaker, I yield back the balance of my time.

THE INNOCENT AND THE INCONVENIENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New Jersey (Mr. SMITH) is recognized for 55 minutes as the designee of the majority leader.

Mr. SMITH of New Jersey. I thank the Speaker.

With the recent murder conviction of abortion doctor Kermit Gosnell, we've got to encourage Americans to ask: How different, really, is Gosnell's house of horrors from abortions that occur in clinics throughout the United States? The tragic answer: not much. Not much at all.

Mr. Speaker, there are Kermit Gosnells all over America—predators, child abusers, exploiters of women. Some abortionists may have cleaner sheets than Gosnell did and better sterilized equipment and better trained accomplices, but what they do and what Gosnell did for four decades—kill babies and hurt women—is the same.

Will Americans ever be told the horrifying details as to how and how often abortionists dismember, decapitate, and chemically poison innocent babies?

Where is the outrage, Mr. Speaker, over the 55 million child victims who have been brutally killed by abortion over the last 40 years and over the millions of women who have been hurt physically, emotionally, and psychologically?

Why the appalling lack of compassion? Why the empathy deficit for the victims—women and children—by so many, including and especially by President Obama and Vice President BIDEN? Women and children deserve better.

Of course, Gosnell's trial isn't the first to rip the benign facade of legit-

imacy from the abortion industry. As far back as 1975, Dr. Kenneth Edelin was convicted by a jury in Boston of murdering an African American baby boy who was found dead and abandoned in the Boston City Hospital morgue.

□ 1850

An investigation that led to trial revealed that the child was yet another Kenneth Edelin victim. When the jury saw the picture of the dead baby, they were appalled and persuaded that indeed a homicide had occurred. Astonishingly, that conviction was subsequently overturned by the Massachusetts Supreme Court, which simply dismissed the murder as yet another legal abortion.

Mr. Speaker, how did Planned Parenthood react to the reversal of verdict? With euphoric celebration. Dr. Edelin, after all, was their guy. Years later, Dr. Edelin became the chairman of the board of Planned Parenthood Federation of America, and was even given the Margaret Sanger Award in 2008. And I would note parenthetically that in 2009, Planned Parenthood gave the Sanger Award to Hillary Clinton. And like Gosnell, not a single tear was shed by Dr. Kenneth Edelin or Planned Parenthood for the murdered child victim.

Last week, Mr. Speaker, an undercover investigative organization, Live Action, released more undercover videos that exposed the abortion industry's absolutely appalling and callous disregard for human life, human rights, and Federal law. Previously, Live Action aired several videos showing Planned Parenthood abortion clinic personnel advising women at several clinics throughout the country, including in my own home State of New Jersey, as to how to procure sex-selection abortions simply because the unborn child happened to be a little girl and other equally disturbing videos showing Planned Parenthood staffers who counsel and offer to arrange secret abortions for teenager sex trafficking victims.

One of those was in a Planned Parenthood where I went to high school in Perth Amboy. A very young Latina, 14, 15, posing as a woman who had been trafficked with a man that was posing as a pimp, talks—and I advise and ask people to watch those videos. Just go to Live Action. Google it, and you can find it. Watch how they say, We cannot only abort this young girl who has been trafficked—and I wrote, Mr. Speaker, the Trafficking Victims Protection Act of 2000 to combat this hideous modern-day exploitation mostly of women and children. And there's Planned Parenthood personnel saying how this young girl could get a secret abortion, be back out on the streets and, of course, further exploited by this person who purported to be a pimp.

The first call should have been to the police to have them arrested; instead,

they talked about how to get the secret abortion.

Live Action has released undercover videos showing a Bronx, New York, abortion counselor describing how, in violation of U.S. Federal law, a born-alive baby would be placed in a jar of toxic solution to ensure his or her death.

A D.C. abortionist is also captured on film who talks about leaving a baby born alive after a botched abortion simply to die due to the elements.

An Arizonan worker said that they would not resuscitate should a baby survive an abortion attempt.

This is not just violence against children; this is a violation of Federal law.

Live Action President Lila Rose has released yet another must-see video of a Maryland abortionist by the name of Dr. LeRoy Carhart, who compares a baby in the womb—you've got to watch this—to meat in a slow cooker and jokes about his abortion toolkit, complete with pickax and drill bit. I watched that, and I was sick. This man does so-called "legal abortions" right within range of this Nation's capital.

Mr. Speaker, some day—and I believe the day is fast approaching—Americans will look back and wonder how and why such a seemingly enlightened society, so blessed and endowed with education, advanced science, information, and wealth, opportunity could have so utterly failed to protect the innocent and the inconvenient. They will wonder how and why a Nobel Peace Prize winning President could also have simultaneously been the abortion President and Planned Parenthood's best friend, despite the tragic fact that Planned Parenthood is directly responsible for aborting over 6 million babies in their clinics.

History will not look favorably on today's abortion culture. We must instead work tirelessly to replace it with a culture of life. Women and children deserve no less.

I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Colorado (Mr. POLIS) is recognized for 60 minutes as the designee of the minority leader.

Mr. POLIS. Mr. Speaker, today I'm proud to rise in strong support of comprehensive immigration reform. There are many of my colleagues that have fought these battles long before I arrived in Congress, but today I join my colleagues, Democrats and Republicans, in strong support of comprehensive immigration reform.

Comprehensive immigration reform is the single most important thing we can do to grow our economy. It will also help make sure that our laws reflect our values as Americans. We are,

after all, a Nation of laws and a Nation of immigrants, and the two can and must be made consistent through comprehensive immigration reform.

I want to acknowledge the work of many of my colleagues both in the Senate and House in working towards this worthy goal. I've said in my district and here on the floor of Congress that never in my limited time here have I ever been more optimistic about getting immigration reform done than I am now.

Immigration reform is long overdue, and should this Congress fail to rise to the challenge, Mr. Speaker, the issue will not go away. There may be 10 million or 11 million people here without papers to be able to work, and that doesn't solve itself, so let's take this on. Let's take this on on behalf of the American people, on behalf of Americans of all ideologies, arm in arm with faith-based groups, with civil rights groups, with law enforcement, with the business community, all of whom have come to Washington and met with Members back home imploring on us the urgent need for action.

There is a strong economic argument about how immigration reform spurs innovation, helps create jobs. We need to also make sure employers play by the same set of rules and some employers don't benefit by dealing under the table in an illegal way. This happens today.

I've spoken out about some of the steps that States and Congress have taken in the absence of comprehensive immigration reform because those measures simply don't work. Let's take, for example, programs like 287(g) and Secure Communities. These draconian laws have actually made our communities less safe by making our immigrant communities less likely to report crimes. Failure to access health care makes our communities less safe by deteriorating public health.

A recent poll showed that almost 30 percent of U.S.-born Latinos, Americans, are scared to report a crime, even if they're a victim, out of fear that they'll be asked about their immigration status or the status of their family and friends. In order to begin to address this important public safety issue, we have to pass comprehensive immigration reform and restore trust to community policing across the country.

There is a political imperative facing the United States Congress because a vast majority of Americans want to see us pass comprehensive immigration reform. Over 70 percent—a majority of self-described conservatives, of liberals, of moderates, majorities of Democrats, of Republicans, Independents—83 percent of Americans support a pathway to citizenship for immigrants who pass a background test and want to learn English and play by the rules.

I've heard some of my colleagues say, Oh, why don't they get in line? Well, the truth of the matter is, Mr. Speaker, there is no line. Immigration reform is about creating a line. Of course, those who are here illegally will be in line behind those who are in the process legally. There's never been a question about that. But we need to create a line to have an orderly way of doing what is under the table and done extra legally today.

□ 1900

The American public wants us to act now and continues to demand that of this Congress, because the American people are wise. They know that nothing will help us grow our economy more, will shore up the budget deficit and the entitlement programs that we worry about, will reestablish the rule of law, will help us secure our borders and facilitate trade. Nothing will do that better than bipartisan, comprehensive immigration reform.

I'm proud to say that the Senate markup of immigration reform is now underway. As we move forward, we'll be talking out for and against various amendments that support or undermine our principles. I think what's critical is to protect a pathway to citizenship for 11 million aspiring Americans living in the shadows, and we need to make sure that there's a realistic way for that to happen.

Let me be clear: no version of comprehensive immigration reform confers citizenship on anybody. Citizenship is earned over time. This is about creating a line and a process by which people have provisional status, maybe some day a green card, and then maybe some day if they want to learn English and take the citizenship test and forgo their foreign allegiances, we'd be happy to have them as our American brothers and sisters. If other immigrants choose not to and choose to work here for a period of time legally and return to another country, that is fine, too. This country has been built by immigrants from across the world. My own great-grandparents came to these shores, and today, I have the deep honor of serving in the United States Congress.

We need to make sure that immigration reform keeps families together, strengthens our family-based visa program for future immigrants, has realistic wait times that are consistent with people's lives so that parents can be with their kids as they grow up. Nothing can be more inhumane than the way immigration laws play out today in our country where an American child, an American citizen, returning home from school might find that their mother or father is in an indefinite detention process, and not because of anything their kid did. Why? Maybe they had a taillight out. Maybe they were going 10 miles over the speed limit. Is that really a moral justifica-

tion for tearing up a strong family unit, Mr. Speaker?

I've met with many of these kids and I've met with their parents. We need to be a Congress that supports families. We need to be a Congress that helps parents have time to spend with their kids, make sure no kid has to worry about their parent, who has no criminal violation—we're only talking about civil violations, no criminal violation—and suddenly being missing for months or being sent to a country that the child might never even have been to.

There's a number of reasons in addition to the moral ones for immigration reform. Many of our fast-growing companies cry out for a skilled workforce. For America to be competitive, for innovative companies in the technology industry to be successful, for innovative companies in advanced manufacturing to be successful, we need to compete in the global talent pool. We are precluded. American companies are precluded from doing that today. And we wonder why jobs are being outsourced. Why are companies growing in India? Why are companies growing in England? Why are they growing overseas in Chile? Well, you know what? Many of those companies would rather grow here and hire people here, and our current laws prohibit them from doing so because they can't get the people they want.

I represent a district with two fine universities, great institutions: Colorado State University in Fort Collins, the University of Colorado at Boulder. Right down the road is the School of Mines in Colorado, DU. All these schools are educating the next generation of engineers, of mathematicians, of computer programmers, of scientists, some of whom are foreign nationals legally here on student visas. But once they're trained, once that young man from India, that young woman from France gets that advanced degree in computer science and a master's degree and is ready to go into a good job, guess what our government says? Our government says, Guess what, you've got to leave. You've got to take that job to France. You've got to take that job to India. You've got to take that job to Canada. Our government is saying we don't want that job in our country.

Well, Mr. Speaker, through comprehensive immigration reform, this Congress can make a statement that we do want that job here in America. We want to grow our economy stronger. We want to make sure that the people who have had the great benefit of learning at one of our premier institutions of higher education can employ their talents here to make our country stronger and grow our economy. That's what comprehensive immigration reform is all about.

I'm also optimistic that comprehensive immigration reform will provide a

new mechanism for entrepreneurs from across the world to start their companies here. Currently, there is no visa classification for somebody who has an idea, has some backing, venture capital investment, and wants to hire 10 or 20 people. And guess what. It's not just about the 10 or 20 people that they hire. It's about the potential for that company to employ thousands of people years down the road. And again, what does our government say? No, go start that company in Chile; go start that company in China or India.

Well, I'm sure all those countries need companies, too, Mr. Speaker; but I, as a Congressman, represent America, and I want that company here. I want it in my congressional district and in my State, but I'll be happy as long as it is in America. So let's provide a way, through a start-up visa, that an entrepreneur from anywhere in the world who has a great idea and that idea is validated by receiving a real investment can come start their company here in our country. Hire Americans; grow that company; bring value to consumers; create jobs; live the American Dream. That's what this country is all about. That's what this country is all about.

And let's talk about the dreamers, Mr. Speaker. These are young de facto Americans. Why de facto Americans? They know no other country. Maybe they were brought here when they were 2 or 5 or 1. They didn't violate any law in coming here. What does a 1-year-old know from the law. They grew up here. They played sports with your kids in school. They were cheerleaders with your kids in school. They got good grades. They're going to college. Guess what. They don't have any type of identification that allows them to work in this country. And technically, under the law, they would have to return to another country where they may not even speak the language or know anybody.

So while President Obama's deferred action program is a strong step in the right direction, and at least many of these dreamers no longer live in fear of indefinite detention and can go to work, that's only a 2-year timeout. Only Congress can provide a permanent status for these millions of de facto Americans who know no other country, are as American as you or me. American in fact; let's make them American in law. And that, too, should and must be a part of the comprehensive immigration reform package.

Our country is about family values and letting parents raise their kids without fear of government intervention, being able to live the American Dream. These are values that transcend our ideologies. These are values that conservative Americans and liberal Americans and moderate Americans can all agree on.

When I have town hall meetings in my district—and we always, as you can

imagine, Mr. Speaker, attract a broad ideological diversity, as many of us do across this country, everybody from the far right to far left to people in the middle—I always like to ask, Is anybody happy with immigration today? Does anybody here think we're doing a great job; everything's right? Not a single constituent anywhere along the ideological spectrum has raised their hand and said, Yes, we just need to keep doing what we're doing.

It ain't working. There are 11 million people here illegally. Countries are violating the law every day. Families are being torn apart. Taxpayers are on the hook. Let's change it. It ain't going to change unless we change it. It doesn't change itself.

States have tried to move forward with what they can. They can't solve it. Some States have looked into issuing State work permits or in-State tuition or how they can make sure that people have driver's insurance who don't have Federal paperwork. But look, they're just cleaning up after our mess. That's all the States can do. We need to fix this mess here in Washington. Only the United States Congress has the authority to restore credibility and integrity to our immigration law.

□ 1910

Americans of all stripes are joining the call for comprehensive immigration reform now, strengthening our border security, and facilitating legitimate trade and commerce across the border, employer enforcement, making sure that employers aren't let off the hook for hiring people who don't have the right to be here, making sure we have the workers we need to fuel our economy, all kinds of jobs that we need.

We talked about technology and programmers. Well, guess what? We also need people in the fields picking tomatoes, in the fields harvesting oranges. We need people who clean buildings at night. We're happy, we're always happy to have Americans do that.

I was meeting with a farmer in Larimer County a couple of months ago. He said he'd love to hire Americans. He's never been able to have an American who agreed to keep that job and do that backbreaking labor for more than a couple of weeks. He relies on immigrant labor. He wants us to pass comprehensive immigration reform that includes a way that they can have seasonal workers to meet the needs that they have in the field.

I'm joined by one of my colleagues from the great State of California. Congressman TAKANO, despite being a freshman, has quickly become a vocal advocate for immigrant families. He's shown a strong commitment and true leadership in seeing that comprehensive immigration reform passes in the 113th Congress.

I'm proud to welcome and yield time to my colleague from the State of California.

Mr. TAKANO. I thank the gentleman from Colorado for yielding time.

Even though the economy is improving and job creation levels are the highest they've been in 4 years, the top priority for all Members of Congress must be putting people back to work and strengthening the economy.

Despite what opponents of immigration reform say, the bill proposed in the Senate does just that; and, moreover, it strengthens Social Security.

One of the Republican architects of the Senate bill, Senator MARCO RUBIO, sent a letter to the Social Security Administration's chief actuary, asking for the net effect of comprehensive immigration reform on the Social Security trust fund.

In his reply, Chief Actuary Goss stated that they are developing 75-year estimates, but, quote, and this is Actuary Goss speaking, "overall, we anticipate that the net effect of this bill," meaning comprehensive immigration reform, "on the long-range Social Security actuarial balance, will be positive."

The actuary's office also states that over the next 10 years, comprehensive immigration reform will prevent 2 million illegal border crossings, create 3.2 million jobs, and increase the rate of growth on our gross domestic product by a third.

Opponents of immigration reform don't seem to understand that many of the undocumented immigrants in this Nation are already working. Yet because of their illegal status, they are forced into the underground economy, with no labor protections and no way to pay into the system.

Put plainly, undocumented immigrants are often paid cash under the table, and often drastically less than the minimum wage. Allowing these individuals to come out of the shadows and putting them on the pathway to citizenship brings them into the system, where they will pay taxes and receive basic protections against abuse.

For example, an undocumented worker in my district may only be making \$4 or \$5 an hour, instead of the California minimum wage of \$8 an hour. If comprehensive immigration reform is passed, he or she will be eligible for the minimum wage, which will, in turn, increase his buying power, raise revenues for businesses, and drive up wages for everyone else, thus increasing our annual GDP growth rate, as shown here on this chart.

Now, just to be clear, without comprehensive immigration reform, our annual growth rate will only be 4.5 percent. But with comprehensive immigration reform, our annual growth rate shoots up to 6.1 percent.

If the priority of this body is putting Americans back to work and strengthening our economy, then it must pass

comprehensive immigration reform that creates a pathway to citizenship and allows undocumented workers the ability to work under the same labor protections and pay into the same system as everyone else.

Mr. POLIS. I thank the gentleman from California for sharing that information.

What better way can we grow our economy, create jobs for Americans, reduce our national debt, reduce the deficit than if we simply accomplish comprehensive immigration reform.

Many colleagues on both sides of the aisle have expressed concerns about how we can make sure that Social Security is viable and there for young people when they retire. Well, guess what? Making sure that we have our younger new immigrants paying in will help make sure that occurs and that today's seniors and tomorrow's seniors will be taken care of in their old age.

I think that comprehensive immigration reform is absolutely critical towards job growth and creation. And the gentleman from California talked about the difference between a 6.1 and 4.5 percent growth. That represents millions of jobs, millions of jobs for Americans. That's what's at stake with this discussion.

I want to ask the gentleman from California to talk about how important jobs are in his district and how you'd benefit from that additional 2 percent growth. What would that mean to folks in Riverside and folks in California?

Mr. TAKANO. Well, a 2 percent growth rate could translate into a reduction of our current 11 percent unemployment rate in my district, which is located in Riverside County. We often, in the Inland Empire, as we call the region of California where I represent, we often lag behind the rest of the State when we are coming out of economic downturns.

What I find most interesting about Chief Actuary Goss's statement, his reply to Senator RUBIO's question was how comprehensive immigration reform will have a positive net effect on Social Security.

And if you think about that carefully, and you compare our Nation to, say, a nation such as Japan, where there is no inflow of immigration, and where the population is aging, or other advanced nations where there is no significant amount of immigration, and their populations are aging, they are facing tremendous stresses on the ways in which they are going to provide for their senior citizens.

It only makes sense that, to keep Social Security solvent, we want young, vibrant inflows of capable workers to pay the taxes that will support Social Security into the future.

Mr. POLIS. The gentleman from California has also been a leader in opposing the chained CPI adjustment to Social Security. Don't you think that

this immigration reform concept is a better way to shore up Social Security than trying to change the formula to a chained CPI?

Mr. TAKANO. I agree. That's a very good question. Chained CPI, as you know, was—many Americans may not know what chained CPI means. CPI is the consumer price index, and that's the way in which the increase in Social Security benefits are calculated.

There are some economists who've proposed something called chained CPI, which assumes that seniors could withstand a slight reduction in their benefits because they could substitute other goods and services that are cheaper.

But the main goods and services that senior citizens consume are health care and medicines and prescription drugs. Those goods and services they can count on increasing faster than the rate of inflation.

Let's look at how this immigration bill is going to work.

□ 1920

For the first 10 years, registered provisional status for the immigrants who have been previously undocumented would mean that people would be legal in this country, on legal status. They would be paying taxes, but they could not be drawing any Social Security benefits out. I personally have some problems with this. But under this current law, for 10 years, we would see millions of workers who are under the Social Security cap who would be paying into the Social Security Trust Fund, but none of them would be able to draw anything out for at least 10 years. You just do the simple back-of-the-envelope math, and you have to understand what an inflow of revenue that would be to the system.

Mr. POLIS. This comprehensive immigration reform helps two ways. One, there's more people paying in, young people. The second way is more economic growth, which means Social Security is funded through a payroll tax. So when you have more people working, lower unemployment, we talked about getting that rate in Riverside down from 11 percent to 9 percent to 8 percent to 6 percent. Everybody working is then paying in, and that also makes Social Security stronger.

So this argument about the critical economic growth engine that we need not only creates jobs today but helps ensure that tomorrow's seniors are taken care of in their old age.

Mr. TAKANO. Yes, it's a double benefit that many people may not have been aware of, a double positive effect on our economy. For many people it's counterintuitive to think that by reforming immigration and by giving legal status to undocumented immigrants to allow them to come out of the shadows and to be protected by our labor laws that that would have a net

positive effect on all wages, but it would. These people are already working, and they're working currently, many of them, at sub-minimum wage levels. If we bring them up to minimum wage, it will mean an even playing field for all workers. There's a kind of rising tide effect that lifts all boats.

Mr. POLIS. That's a good point because I, like yourself, I'm sure many of us sometimes hear from American workers. American workers say, hey, I'm frustrated because there are people that are here illegally working for less than minimum wage or working for cash. What I say to those American workers is, I say, that's exactly why we need comprehensive immigration reform. We need to make sure that people aren't allowed to compete under the table for cash. We're actually creating, by the failure of our own laws, an entire underground labor economy. And by the way, those workers aren't protected from abuse by their employers. Sometimes they do the work and they're not paid, and they can't sue.

I have some very exciting news to announce, to break some news. This just broke on CNN that the bipartisan House group has reached an agreement on immigration reform, announced by Republican Representative MARIO DIAZ-BALART. So I know that the group has been working for some time. Many of us have encouraged them and supported their work. We certainly hope to be able to see the bill soon.

So as the Senate continues the markup, hopefully there is a great additional dose of enthusiasm for us that it looks like here in the House our efforts will hopefully be moving forward as well on a bipartisan basis.

Mr. TAKANO. I associate myself with the gentleman's comments. I am very heartened by this announcement. I will, of course, temper my enthusiasm until I actually see the elements of this compromise. But what many folks here are saying on the Hill—which I'll reveal here on the floor of the House—is I think there is great hope on both sides of the aisle that if we can pass comprehensive immigration reform it will be evidence, the first evidence in a long time, that this body is functional and can work and that our government can do great things. So I am cautiously optimistic, and thank you for sharing that information.

Mr. POLIS. I thank the gentleman from California for his leadership on this issue. I agree that for Congress to ever be a trusted institution, it needs to solve problems. It needs to come up with practical, commonsense solutions. It's clear what that route is for immigration. It's not too different from what President Bush talked about that President Obama supports. It has long had bipartisan support. It's a comprehensive approach, not this piecemeal approach some talk about, oh, let's build a wall and then talk about

something else, or let's do something in high tech and then talk about something else. Look, those are band-aids and the patient is bleeding. I yield to the gentleman.

Mr. TAKANO. I agree. We need a holistic approach. I was very impressed that the AFL-CIO and the Chamber of Commerce were able to come together and sign off on what Senators, the Group of Eight in the Senate, had devised.

My goodness, if the Chamber of Commerce and AFL-CIO can come together, certainly Republicans and Democrats in this institution can come together, as well.

Mr. POLIS. Like yourself, obviously, I refrain from any particular comments about the House package until I see it, but I'm confident that with bipartisan support, like the Senate bill has, hopefully this House package will address a lot of these issues that you and I have discussed today, making families stronger, restoring the rule of law, reducing crime, creating economic growth and improving Social Security. Hopefully those benefits are included in this package, which I am very excited to examine and look at in the days and weeks ahead. Hopefully, we can join our colleagues on the other side of the Capitol in dealing with this critical issue.

Again, over 84 percent of the American people support a pathway to citizenship. You can't get 84 percent of the American people to agree on anything. And yet on this pathway for citizenship and immigration reform, you have 84 percent support.

I hope that Congress heeds that call. I know the gentleman from California (Mr. TAKANO) is a leader in getting our colleagues to hear that call. He is joined by many of our friends, and it will take all of us working hard to ensure that Congress lives up to the expectations that the American people are setting and takes the right course on this for our country and for economic growth. I yield to the gentleman.

Mr. TAKANO. Thank you for this time to share our vision for moving forward with the American people. I wake up each day excited to come to work, to work on their behalf. Despite our divisions, despite the rancor we see sometimes on the various cable shows, it's an enormous honor to serve in this institution, and it's a great honor to serve in this institution with the gentleman. I must bid adieu. I have to get going, but thank you so much.

Mr. POLIS. I thank the gentleman from California for highlighting the argument of economic growth and the critical nature of economic reform. I thank the gentleman.

Mr. Speaker, I would like to inquire as who how much time remains?

The SPEAKER pro tempore. The gentleman from Colorado has 27 minutes remaining.

Mr. POLIS. We have the unique opportunity here in the United States Congress to reflect the will of the American people. The will of the American people is clear in this regard. In my time here, seldom, if ever, have I seen an issue where 80 percent, 75 percent, 84 percent of the American people agree. And here we are, the faith community, the civil liberties community, the human rights community, the education community, the business community and the labor community all coming together to say, Congress, do something. And by the way, Congress, not do something like create some new program or do some new policy. It's, Congress, fix this. Only you can do it, Congress. The States can't do it. The States don't have control over this. Some nonprofit or private organization can't do it. Only the Federal Government and only the United States Congress can replace our broken immigration system with one that works for our country, one that reflects our country's need for human capital, for talent, for ideas and for innovation, one that helps make sure that we attract the best and brightest and hardest-working people from across the world to deploy their talents here to make our country stronger in a legal way, one that restores the trust with law enforcement, improves public safety in our communities, allows community policing and police officers to win the trust that's so critical for them to fight crime that affects all of our communities.

Mr. Speaker, I also rise today to talk about a commonsense issue that's received a lot of discussion in the press and continues to be on many of our minds, and that's how we can reduce violent crime in this country, gun violence and senseless murder and deaths that occur.

Now, this is no easy question. My focus here has always been improving education. I truly believe that improving our schools and making sure that our kids have access to the great opportunity that this country offers is the best way that we can reduce crime.

□ 1930

But we can do more, Mr. Speaker. We can do more in a commonsense way to make it harder for criminals to acquire weapons.

Now, how can we do this? Many States have already led the way. My home State of Colorado has long had a rule that has closed the gun show loophole and made sure that people that buy guns at gun shows have the same type of background check they would at a gun dealer. I think that's a commonsense rule that we should do nationally.

I also think we need a national way to make sure that when somebody buys a gun, that there's a background check. In doing so, we need to make

sure that there's no national registry of gun owners. We need to protect gun owners' privacy. We want to make sure it doesn't inconvenience law-abiding Americans who want to be able to buy guns at dealers—and have done so and will continue to do so. But this is easy to accomplish. The Senate discussed such a bill. I understand there are several proposals, as well, in this body. And I have seen data. This has broad support from the American people, and it should be a commonsense idea for many of us.

There are people in this country who have lost the right to bear arms because they've committed a crime—armed robbery or rape—and as part of a judicial sentence they have lost that right. They may have lost the right to vote as well. Now, you're not going to stop them from getting a knife or a gun—no law will stop them from doing that—but we should make it harder. We should make it so they can't just go to a gun show and buy a gun for cash. There should be a background check to make sure that the person buying the gun is a law-abiding American and has the right to do that. I think law-abiding Americans want to protect their Second Amendment rights and want to make sure that it's not abused by criminals. I think that's a common step measure that I call upon my colleagues on both sides of the aisle to take up and pass to help reduce violence in this country.

Mr. Speaker, I also want to talk about the urgent need to improve our schools. Across our country we have schools that many parents would be proud to send their kids to. We also have schools that continue to fail year after year, that anybody who has the means to have choice—meaning, they're able to afford to be able to drive their kids somewhere else or pay a private school tuition—would never send their kids to that school. Thus, families that are essentially forced to have their kids go to that school have no choice, have no alternative. It's incumbent upon our school districts, our States, and, yes, our Federal Government because we, too, fund part of public education through IDEA, special education, to ensure that those schools don't continue to operate the way that they have been.

That's why I introduced last session and will introduce again a school turnaround bill. This bill will help address the lowest 5 percent of schools, the bottom performing 5 percent. We're talking about high schools that are dropout factories, where half the kids that go in the front door in 9th grade don't graduate in 12th grade. We're losing half of them. And what options do you have in life to support yourself and your family if you don't have a high school degree? It's hard, and it's getting harder in the 21st century information economy, Mr. Speaker.

We need to turn around these schools, make the tough choices, empower the superintendents of those school districts to use the creativity that they have to turn those schools around. And we need to make sure that they take action. As I told one of our local superintendents in Colorado, our goal, through public policy at the Federal level, should be to give you, the superintendent, the flexibility for you to be able to do what works but not the flexibility to do nothing, because we know that in doing nothing we will fail to change models that fail.

And whether the model that works is turning it into a charter school or extending the learning day or closing it down and opening three new schools in the same building, there's a lot of options, and many more, that a superintendent can choose from and apply, depending on the community needs and the buy-in from parents and families, which are important to make any education reform work. But it's critical that they take action, because without taking action, they're guaranteed more of the same.

Mr. Speaker, I call upon my colleagues on both sides of the aisle to support comprehensive immigration reform today. In my time on the floor in the last hour—and I could continue for even longer to articulate all of the reasons why comprehensive immigration reform benefits our country. Whether one cares about the safety of our communities from crime, whether one cares about the public health and infectious disease, restoring the rule of law, securing our borders, preventing terrorism, growing our economy, high-skills jobs, making sure that our farmers can thrive and grow, making sure that families stay together so that their American kids can grow up in wholesome family homes, for all these reasons and more, I call upon my colleagues to support comprehensive immigration reform.

I thank the Speaker for the time, and I yield back the balance of my time.

CORE AMERICAN BELIEFS

The SPEAKER pro tempore (Mr. MULLIN). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Indiana (Mr. ROKITA) for 30 minutes.

Mr. ROKITA. I want to start out this evening by saying it's been a busy day here in the Capitol and it's been a busy week—some of it good, a lot of it not so good. But it caused me to come to the floor tonight to talk with my colleagues, talk with the Speaker about some of the things that really are our core values, not as Republicans or Democrats, but as Americans.

First of all, let me say that all of us—Republicans, Democrats, all Americans—believe in diversity, and we are here as a Congress in so many respects

to celebrate that diversity. A great, free Republic like this is going to have divergent views, divergent opinions. We're going to have diversity in just about everything we do, everything we say, everything we are, and that's okay. We are open to all races, genders, and other classifications.

We're a family. We're one big national family. And like any other family, we're going to have our struggles, we're going to have our disagreements. But, Mr. Speaker, I'm here to remind us all tonight that that's okay. That's what it means to be in a free Republic. Because the alternative is much, much worse. You see, the alternative is not being able to have diversity at all, not being able to have an opinion different than the commanders at all, not being able to have free speech or free association.

Mr. Speaker, like any family, we face issues that make it difficult—especially seemingly these days—to find consensus. And like any family, we need to have open and honest dialogue, preferably without yelling or judging each other.

Just like any other family, the neighbors down the street, so to speak, are going to be judging us, be watching us. We don't have to worry so much about them, just to make sure that we continue having our discussion in a respectful way.

Like I said, although we have severe disagreements over some issues, there are core things that we all should be about, regardless of our diversity otherwise. I want to go through some of those tonight.

For example, we believe in the power of the individual, not the power of government over the individual. This isn't a Republican theme, although I am a Republican. This is a constitutional theme. This is what our Founders fought for and wrote for in those two great documents we call the Declaration of Independence and the United States Constitution.

We believe, as Americans, that people are capable of making their own decisions—for example, about health care—much better than government can. And, Mr. Speaker, we saw a great debate on that very point just a few hours ago on the very floor of this very House. It is because individuals, families, and people can make decisions for themselves, regardless of whatever it is, better than the government can that I oppose this Affordable Care Act, that we oppose ObamaCare.

We believe that freedom is more when government is less—this is called the power of individualism over collectivism—and it's key, it's key to what this country has been successful about for over 200 years. But perhaps it's better to illustrate what I'm talking about when you realize what happens when freedom is absent.

I want you to take a look at this view from space. This is the Korean Pe-

ninsula, and here is the dividing line between North and South Korea.

□ 1940

It is obviously taken at night. And what you are seeing is an actual representation of the lights in both countries, lights generated from electricity by power plants, lights that in South Korea show bustling commerce, show vitality, show economic freedom, show individual freedom.

But look to North Korea. Almost complete darkness. Only one group of lights right around here. The capital city of North Korea where all the elites live, more specifically where all the government officials live, and more specifically than that where all the government officials in a closed tyrannical society live.

Freedom is more when government is less, when government is limited. We believe that the best way to ensure that government remains limited is to stop feeding it so much. Around here, the government's food, what it lives on, what it grows on day by day is money; what it grows on is our tax dollars. More and more these days it is also growing on the taxes of individuals who don't even exist yet, Mr. Speaker—the children of tomorrow. Yes, they are being taxed here today. It is called our nearly \$17 trillion worth of debt. And it is also represented by the \$100 trillion of debt that is on its way. I would like to get to that in a minute.

Mr. Speaker, we believe that money is the fruit of our labor. We believe that money is our property, the same way this suit is my property, the same way that the land and the homes that some of us may own are our property, the same way that a bicycle that we ride might be our property, so is our money. We believe that when government taxes us, they confiscate our property, and that that property is the fruit of our labor.

We can't forget that. I remember recently being in my district, and specifically in the city of Lafayette, a great place, and West Lafayette, home of Purdue University. And I was struck at a Rotary Club meeting when I used the term "confiscation" to describe what government does with our property in the form of taxation and got a good degree of pushback—very annoyed with me that I would use such a word to describe what government does—confiscation of our property—when clearly the government needs our money in order to function.

And that's true. Government absolutely has a valid role in a free society, as long as it remains in a limited form. And more and more, Mr. Speaker, what I see being debated here on this House floor, and when I see us enact in terms of laws some new laws, some laws that have been on the books for years, is government being involved in things

that the Constitution and the people and the free society do not require, in fact, should not have the government be doing.

We believe that individuals, families, communities are always better at making decisions for ourselves than government is. Today, some believe that just having more power over your life, if they could have that kind of control, it would be that much better.

For example, they believe they have the right to tell you what kind of light bulbs to buy, they believe that you should only be able to buy cars with certain gas mileage standards, they believe that they have a right to dictate what goes inside your child's lunchbox before they go to school, and at school they believe they have the right to make sure your child learns certain things, but also to make certain that they don't learn other things. They believe that they can make better health care decisions for you than you can. They believe through the EPA that they can tell you how much electricity to use. And under the guise of making things cleaner, they are simply controlling your life.

That is not America; that is not Americans. We believe the opposite. The Founders knew exactly that the opposite was true—that decisions are best made by individuals and communities at the local level.

Additionally, Mr. Speaker, we believe that government is the servant of the people and that people aren't the servants of government.

Right now, we in the House are fighting to hold the executive branch accountable for a possible cover-up in Benghazi. This is not only about lives being lost, but about trust being breached. The Obama administration lied about the cause—Islamic terrorism—then they tried to cover their tracks. And now they claim that those of us who are demanding the truth are the ones who are politicizing the situation.

The executive branch owes the people the truth. It is basic accountability. They are our servants; we are not theirs.

We also believe in the right of a free press. Unfortunately, right now we have a Department of Justice that tries to spy on and intimidate members of the press. We found out in recent days that through subpoenas, which is a government action, individual reporters' names, their cell phones, and their phone records have been compromised, have been taken by the Federal Government.

It is my opinion that this administration is simply afraid of being held accountable, whether it is by a free press or by this Congress. Now, the Founders knew that both the free press and Congress with oversight are necessary to prevent tyranny. That is why our job is so important today. That is

why Americans are expecting and counting on us to take the Benghazi investigation, to take the AP, as it is called, the Associated Press, investigation as far as it goes until we find out what the truth is.

Perhaps a fundamental right is the one of free speech. It is the one that is absolutely necessary in a free society. It is the one that is core and fundamental in our Bill of Rights.

But, today, Mr. Speaker, we have an IRS that is targeting groups of private citizens simply because of their political beliefs, violating their right of free speech and violating their right of free association. This is nothing more than an abuse of power. It violates the Constitution's guarantee of equal protection under the law and should frighten each one of us, regardless of political party.

I guarantee you this, Mr. Speaker, this American, along with many others in this Congress, is going to go as far as we need to go with this investigation in order to find the full truth. The government must remain a servant of the people and not the other way around.

Mr. Speaker, we believe in giving a hand up, not necessarily a handout, because we believe that hand up is what made America strong, while a handout is what basically caused other nations in history to fail, resulting ultimately in tyranny.

A government can't be all things to all people; it can't do everything for everybody. It has been tried before. This is not a new idea, Mr. Speaker. But every time it has been tried in our history, it has resulted in terrible tyranny or ultimate failure altogether.

Let me give you an example, Mr. Speaker. Approximately 48 million Americans are on food stamps, more than at any other point in our history. Now, I know we have been going through some tough times, but that is not because too few people are getting food stamps.

The government is handing out free cell phones; but welfare programs are supposed to be for the poorest of the poor, for those who need that hand up. We shouldn't be giving handouts.

Unfortunately, Mr. Speaker, we are. Just look at the facts. Under the Census Bureau's definition of "poor," 80 percent of poor households have air-conditioning. In 1970, only 36 percent of the entire U.S. population enjoyed air-conditioning. Ninety-two percent of poor households have a microwave. Nearly three-fourths have a car or truck, and 31 percent have two or more cars or trucks.

□ 1950

Nearly two-thirds have cable or satellite TV. Two-thirds have at least one DVD player, and 70 percent have a VCR. These are all poor households. These are mostly households that

would qualify also for food stamps and for other welfare programs. Half of them have a personal computer, and one in seven have two or more computers. Forty-three percent have Internet access. One-third has a wide-screen plasma or LCD TV.

Now, we are a giving Nation. We want to help out. Our volunteerism and our charity work are second to none in this entire world. It is actually part of our American exceptionalism. It is what makes us unique and different from any other place on this Earth. I'd like to know the American who thinks that given everything I've just listed that that fits his definition of "poor" and that that's whom we should be helping and not others who really, really need, again, that temporary hand up and not the permanent handout.

We believe in the freedom of individuals to make their own choices and also in the responsibility to live with the choices that they make. Perhaps more than anything else I've said here tonight, we are losing sight of that in this Congress, in this Federal Government.

The free enterprise system is a beautiful system. It's a wonderful system that rewards risks and rewards those who do useful work. Is it a perfect system? Absolutely not. Is it the best system ever devised by man to raise the condition of all men? Absolutely. Nothing in history has ever compared to it, and no experimentation that we are going to do now—mind you, they're not new experiments; these experiments have been tried—is going to make it any better. The free enterprise system absolutely works.

We believe that each generation should leave the next generation better off to enjoy life, to enjoy liberty, to enjoy the pursuit of happiness. Unfortunately, everyone knows on the floor of this House and elsewhere, day by day, that we are not leaving the next generation better off, that we are going to be the first generation in the history of this great Nation—based on the facts, based on our budget, based on our debt, based on our standard of living—that will not leave the next generation better off if we don't start living within our means again and if we don't stop printing and borrowing the money that we are to fund this beast called the Federal Government.

The Book of Proverbs commends hard work and enjoying the fruits of one's labor. With the money we earn, we provide for our families, and we can bless other people who are in need. Proverbs says: "A good man leaves an inheritance to his children's children." I can't think of a higher source to make the point. We are breaking the promise to the next generation.

The good news is that, again, these are our core values. They're not Republican core values necessarily, and they're not Democrat ones. They are

American ones. You might find things that sound like them in the Democratic Party platform. I know we practice them in the Republican Party platform, but, again, they're not ours—they're America's.

Everything I've said here tonight is defined explicitly in the Constitution—that great founding document that is, in my opinion, the core of our American exceptionalism. Now, when I say "American exceptionalism," it's not that I'm thinking about it as our President has thought about it. I don't mean to say that we are a country that judges others. I don't even mean to say that we are a country that thinks categorically we're better than everyone else. Like I said at the outset, we have our own struggles in this family, this national family, but the fact of the matter is we are different, and it's this document—this Constitution—that, in large part, sets off that difference. Here is why:

The Constitution and the core values it contains—the things that I've just recited—all represent the best ideas for self-governance that the world has ever known. Never before in world history have those ideas ever come together at the same time and in the same place except for in the United States Constitution. That's unique. That makes us exceptional.

Now, the President when asked about this said, Oh, yes, America is exceptional. We believe we are exceptional just like the Brits think they're exceptional and just like the Germans might think they're exceptional—entirely missing the point and lacking the understanding of the founding of this country.

I bring that up today, Mr. Speaker, to get the word out, to make a record in this House of Representatives, that that's not at all what this country was about. Again, it doesn't mean we're judging. It doesn't mean we think we are better. We are different, we are unique, and we are the best experiment in self-governance the world has ever known. The only thing that can mess that up, that can destroy that exceptionalism, is us. That's what brings me to the floor at 8 o'clock on a Thursday night. It's important stuff.

In my time remaining, I'd like to focus on this debt that I've mentioned a few times now. Of all the issues that we face, of all the issues that we can properly and rightfully alleviate as a Federal Government, as a Congress, it's this spending. That is one of our chartered things, one of our enumerated powers, to set a budget of this Federal Government's size and its spending levels—and we have failed.

As I talk with you tonight, we are nearly \$17 trillion in debt, but that's not even the half of it. The worst part, Mr. Speaker, is this red section—this \$100 trillion that's on the way in the next 25 or so years. Do you see how

vertical that line goes? The real fear is that, if we don't get our spending under control now, we might never be able to catch it. The fact of the matter is that the drivers of our debt—the social entitlement program of Medicaid, the health care program of Medicare, Social Security, the net interest we owe ourselves and other countries—mean that it's growing so fast we may never be able to catch it. That's a huge problem.

Now, the slides I'm showing the House tonight are not TODD ROKITA slides. They are the House Budget Committee slides. The Democrats on the House Budget Committee don't disagree with the data. There certainly is disagreement about how to fix the problem, but more and more every day, more astonishingly, I find out that many believe there is not a problem with that graph I just showed you. Here is what the Federal Government is spending its money on. I pulled out two pieces of the pie to show that that's what we vote on in terms of our budget: non-defense discretionary and defense discretionary.

We call this funding "discretionary" because we can dial it up or we can dial it down depending on our wishes and our votes here in this Congress and if the Senate agrees or doesn't. Then the President chimes in, albeit late—certainly not on time—with his budget, but it all focuses on not more than about 40 percent of our total Federal spending. The rest of it is all on autopilot. We don't get to dial it up or dial it down. I don't get to decide what the retirees in this country will get in terms of a Social Security check. I don't get to decide what services they're going to get or what fees their health care providers are going to pay for those services through Medicare. That's all decided in the underlying, substantive bills we've passed regarding those programs.

Unless we amend those programs, unless we amend that law, we will never get to what's driving most of our debt, representing about two-thirds of our Federal spending. Again, Social Security: \$768 billion per year; Medicare: \$466 billion per year; Medicaid: \$251 billion per year; the interest we owe ourselves and other countries for this debt: \$223 billion per year; other mandatory spending that I can't dial up or dial down nor can you, Mr. Speaker: \$547 billion per year—all on autopilot. Until we get to this, we will never get to reducing or to even stabilizing our debt. That's the problem.

□ 2000

Some people have asked about military spending. Some people have asked about cutting it more, even though we've had drastic cuts already. Some people have asked about foreign aid spending. Some people have asked about earmark spending and wouldn't that solve the problem.

I believe that all that should be looked at, including the military. This is a Republican saying that. I believe there is tremendous waste, fraud, and abuse in our military system. I think it's immoral to have that waste, fraud, and abuse and not get every possible dollar we can to the troops.

But having said that, even if we had no military, it would only solve 20 percent of our Federal spending; and, of course, one of our first constitutional duties is to provide for the common defense. A military is necessary. It needs to be run a lot better. And there's a lack of leadership right now amongst our military ranks. It's not leading when you come here to the Congress asking for more money for your pet projects and not doing what you can to eliminate the waste, fraud, and abuse in the military.

I know there's waste, fraud, and abuse in the military because they can't even be audited. It's not because there's a statute, Mr. Speaker, against them being audited. It's because they can't even bring themselves to an audit table to be audited. They're so big and they're so sloppy; they don't know what they spend their money on most of the time. That is wrong. That's wrong for our troops.

Regarding the social entitlement programs, regarding our health care programs, many folks come to me and say, Wait a minute, I paid into those programs. I've been paying into those programs through my paycheck all my life. Don't you dare call them "social entitlement programs." You know what? They're right. We do pay into these programs—most of us—through our working lives.

Here's another truth, and here's a more specific truth, Mr. Speaker. Look at this graph. On average, a couple who made \$71,000 or so per year through their working lives—this is about Medicare—will have paid in about 35 percent of what they're actually taking out of Medicare. And that 65 percent difference, Mr. Speaker, that comes out of our kids. That comes out of the grandchildren that don't exist yet. That's part of our national debt. That's part of the \$17 trillion and the \$100 trillion that's coming. That's what's wrong.

We are taxing the children of tomorrow who don't have any voice in this, except for mine, yours, and others who decide to stand for them. They don't have any voice in this. We're taxing them so, frankly, we can have more on our plate now. That's what's got to stop. It's got to stop with the debt ceiling that's going to come up probably for a vote this fall.

Which way will we go, Mr. Speaker? What will we do to ensure that the children of tomorrow don't have to pay for the bills of today? It will take courage. Frankly, it will take, Mr. Speaker, more than this Congress. We can't wait

for Washington to do this alone. We need the help of the people; and that's why I take to the floor tonight ultimately, Mr. Speaker, to get the word out.

I know that this American family, once they know the facts, once they know the truth, they will speak that truth to power. They will demand change; they will demand to live within their means again because that's what every American generation has done before, wanting the next one to be better off. That's what Americans today want too.

I tell this to you, Mr. Speaker, and all the Members of this House, that when there's a direct conflict between the people in the here and now and the people of tomorrow—those without a voice, those who don't exist yet—that's why they don't have the voice—when there's that direct conflict in terms of a vote on an issue, on a bill, at every turn we ought to be thinking about the kids. We ought to be thinking about the grandchildren; we ought to be thinking about those who don't yet exist. And we ought to vote for them, even if it means voting against us in the here and now.

And the debt ceiling is an opportunity to do that, because if and when we raise this debt ceiling, the amount we raise it by will simply be another tax on top of a debt that we've already given them.

What are we going to get for that? If they have to pay that tax, how can we ensure through reform that these programs and other items, that by the time they become an age of majority, that they won't have to pay that kind of debt load? That's the question before us.

Mr. Speaker, I thank you for the time. I thank this House for the time. I thank the staff for their work, and I look forward to talking with this House again about these issues throughout the summer.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SAM JOHNSON of Texas (at the request of Mr. CANTOR) for today and for the balance of the week on account of a minor surgery due to unforeseen medical reasons.

Mrs. WAGNER (at the request of Mr. CANTOR) for today and for the balance of the week on account of her son, Stephen Wagner's graduation from Washington University in St. Louis, Missouri.

ADJOURNMENT

Mr. ROKITA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 5 minutes p.m.),

the House adjourned until tomorrow, Friday, May 17, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1505. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the Department's support of the National Boy Scout Jamboree; to the Committee on Armed Services.

1506. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Native American Graves Protection and Repatriation Act Regulation [NPS-WASO-NAGPRA-11600; PPWOCRADN0-PCU00RP14.550000] (RIN: 1024-AD99) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1507. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Recreational Closure Authority Specific to Federal Waters Off Individual States for the Recreational Red Snapper Component of the Gulf of Mexico Reef Fish Fishery [Docket No.: 130213132-3132-01] (RIN: 0648-BD00) received May 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1508. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; False Killer Whale Take Reduction Plan [Docket No.: 110131070-2626-02] (RIN: 0648-BA30) received May 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1509. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Griffin, GA [Docket No.: FAA-2012-1219; Airspace Docket No. 12-ASO-43] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1510. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; West Palm Beach, FL [Docket No.: FAA-2012-0922; Airspace Docket No. 12-ASO-38] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1511. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Immokalee, FL [Docket No.: FAA-2012-1051; Airspace Docket No. 12-ASO-39] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1512. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2009-0288; Directorate Identifier 2008-NM-214-AD; Amendment 39-17435; AD 2013-08-18] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1513. A letter from the Paralegal Specialist, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0936; Directorate Identifier 2011-NM-269-AD; Amendment 39-17433; AD 2013-08-16] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1514. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1073; Directorate Identifier 2012-NM-078-AD; Amendment 39-17430; AD 2013-08-13] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1515. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0937; Directorate Identifier 2011-NM-270-AD; Amendment 39-17432; AD 2013-08-15] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1516. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2010-1303; Directorate Identifier 2010-SW-049-AD; Amendment 39-17434; AD 2013-08-17] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1517. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0631; Directorate Identifier 2011-SW-021-AD; Amendment 39-17282; AD 2012-25-01] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1518. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2009-0951; Directorate Identifier 2007-SW-52-AD; Amendment 39-17437; AD 2013-08-19] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PRICE of Georgia (for himself, Mr. WILSON of South Carolina, Mrs. BLACKBURN, Mr. CULBERSON, Mr. DUNCAN of Tennessee, Mr. WESTMORELAND, Mr. MCCLINTOCK, Mr. LONG, Mr. ROE of Tennessee, Mr. CASSIDY, Mr. SESSIONS, Mr. HARRIS, Mr. SCALISE, Mr. POMPEO, Mr. JONES, Mr. HUIZENGA of Michigan, Mr. COLLINS of Georgia, Mr. YODER, Mr. PITTENGER, Mr. CRAMER, Mr. LAMBORN, Mr. JOYCE, Mr. SALMON, Mr. HALL, Mr. CHABOT, Mr. DAINES, Mr. SAM JOHNSON of Texas, Mr. BROUN of Georgia, Mr. PERRY, Mr. MARCHANT, and Mr. COBLE):

H.R. 2009. A bill to prohibit the Secretary of the Treasury from enforcing the Patient

Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Ways and Means.

By Mr. BARR (for himself, Mr. FLEMING, Mr. WILSON of South Carolina, Mr. WENSTRUP, Mr. RICE of South Carolina, Mr. WEBER of Texas, Mr. HUIZENGA of Michigan, Mr. WESTMORELAND, Mr. PEARCE, Mr. COTTON, Mr. POSEY, and Mr. STUTZMAN):

H.R. 2010. A bill to amend the Patient Protection and Affordable Care Act to apply to Delegates and Resident Commissioners to the Congress, and to employees of committees and leadership offices of Congress, the requirement of such Act that the only health plans that the Federal Government may make available to Members of Congress and congressional staff are plans created or offered through an Exchange established under such Act; to the Committee on House Administration, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELANEY (for himself and Mr. RENACCI):

H.R. 2011. A bill to amend title 38, United States Code, to provide for a two-year extension of the Veterans' Advisory Committee on Education; to the Committee on Veterans' Affairs.

By Mr. PITTS (for himself, Mr. WHITFIELD, Ms. SCHAKOWSKY, and Ms. ESHOO):

H.R. 2012. A bill to improve the integrity and safety of interstate horseracing, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KING of Iowa (for himself and Mr. CHAFFETZ):

H.R. 2013. A bill to repeal the wage rate requirements commonly known as the Davis-Bacon Act; to the Committee on Education and the Workforce.

By Mr. AMASH (for himself, Ms. LOFGREN, Mr. MULVANEY, and Mr. POLIS):

H.R. 2014. A bill to repeal section 2703(c)(2)(C) of title 18, United States Code; to the Committee on the Judiciary.

By Mr. HORSFORD (for himself, Mr. AMODEI, Mr. HECK of Nevada, and Ms. TITUS):

H.R. 2015. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. BENISHEK (for himself, Ms. GABBARD, Mr. HANNA, and Ms. SINEMA):

H.R. 2016. A bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. BRADY of Pennsylvania (for himself, Ms. LOFGREN, and Mr. VARGAS):

H.R. 2017. A bill to amend the Help America Vote Act of 2002 to improve the operations of the Election Assistance Commission, and for other purposes; to the Committee on House Administration.

By Mr. STIVERS (for himself, Mr. TIBERI, and Mrs. BEATTY):

H.R. 2018. A bill to amend title 38, United States Code, to identify the persons who are eligible to request headstones or markers furnished by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARPER (for himself, Mr. COLE, Mr. WELCH, Mr. BARLETTA, Mr. HULTGREN, Ms. JENKINS, Mr. MEHAN, Mrs. WALORSKI, Mrs. MILLER of Michigan, Mr. BACHUS, Mr. MESSER, Mrs. MCMORRIS RODGERS, Mr. COLLINS of New York, Mr. COFFMAN, Mr. WEBSTER of Florida, and Mr. KLINE):

H.R. 2019. A bill to eliminate taxpayer financing of presidential campaigns and party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on House Administration, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself and Mr. ROSKAM):

H.R. 2020. A bill to amend the Higher Education Act of 1965 to require certain institutions of higher education to provide notice of tuition levels for students; to the Committee on Education and the Workforce.

By Mr. BROUN of Georgia (for himself, Mr. FINCHER, Mr. STOCKMAN, Mr. WILSON of South Carolina, Mr. FLEMING, Mrs. BLACKBURN, Mr. HARRIS, Mr. SOUTHERLAND, Mr. PEARCE, and Mr. WESTMORELAND):

H.R. 2021. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. HALL, Mr. BOUSTANY, and Mr. KELLY of Pennsylvania):

H.R. 2022. A bill to prohibit the implementation or enforcement of any requirement of the Patient Protection and Affordable Care Act until certifications are made that taxpayer information is not and will not be used for targeting any individual or group that provides information to the Internal Revenue Service for political reasons or on the basis of political views, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Ms. MATSUI, Mr. MARKEY, and Ms. SCHAKOWSKY):

H.R. 2023. A bill to direct the Secretary of Health and Human Services to develop a national strategic action plan to assist health professionals in preparing for and responding to the public health effects of climate change, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEUTCH:

H.R. 2024. A bill to amend title 35, United States Code, to require disclosure of ownership and transfers of ownership of patents, and for other purposes; to the Committee on the Judiciary.

By Mr. GOSAR:

H.R. 2025. A bill to amend the Internal Revenue Code of 1986 to require the termination of employment of IRS employees for discrimination against any taxpayer on basis of political affiliation, and for other purposes; to the Committee on Ways and Means.

By Ms. HERRERA BEUTLER (for herself, Mr. SCHRADER, Mr. BENISHEK, Mrs. MCMORRIS RODGERS, Mr.

RIBBLE, Mr. SIMPSON, Mr. THOMPSON of Pennsylvania, Mr. WALDEN, Mr. BISHOP of Georgia, Mr. LARSEN of Washington, Mr. RAHALL, Ms. SEWELL of Alabama, Mr. COTTON, Mr. DUNCAN of South Carolina, Mr. KINGSTON, Mr. JONES, Mr. MICHAUD, Mr. BARROW of Georgia, Mr. PETERSON, and Mr. HASTINGS of Washington):

H.R. 2026. A bill to amend the Federal Water Pollution Control Act to exempt certain silvicultural activities from national pollutant discharge elimination system permitting requirements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SAM JOHNSON of Texas (for himself, Mr. HINOJOSA, Mr. CARSON of Indiana, Ms. JACKSON LEE, Ms. JENKINS, Mr. MARCHANT, Mr. YOUNG of Indiana, Mr. BURGESS, and Mr. YODER):

H.R. 2027. A bill to amend section 1877 of the Social Security Act to modify the requirements for hospitals to qualify for the rural provider and hospital exception to physician ownership or investment prohibition in order to take into account hospitals that were under construction or development at the time of imposing such requirements, hospital expansions, and hospitals in financial distress, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS (for himself, Ms. ROSELEHTINEN, Mr. DOGGETT, Mr. RANGEL, Mr. MCDERMOTT, Mr. DANNY K. DAVIS of Illinois, Ms. BASS, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mrs. CHRISTENSEN, Mr. CICILLINE, Ms. CLARKE, Mr. CONNOLLY, Mr. CONYERS, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DEUTCH, Ms. EDWARDS, Mr. ELLISON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Ms. KUSTER, Mr. LANGEVIN, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. O'ROURKE, Ms. PELOSI, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SERRANO, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H.R. 2028. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved; to the Committee on Ways and Means.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2029. A bill to require the Secretary of Energy, in coordination with the Secretary of Labor, to establish a program to provide for workforce training and education, at community colleges, in sustainable energy; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. FARR, Ms.

CHU, Mr. MORAN, Mr. CONNOLLY, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, Ms. HAHN, Mr. RANGEL, Mr. GRIJALVA, Ms. NORTON, Ms. DEGETTE, and Mr. SCHIFF):

H.R. 2030. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself, Mr. WAXMAN, Ms. DELAURO, and Ms. SCHAKOWSKY):

H.R. 2031. A bill to amend title IV of the Public Health Service Act to expand the clinical trial registry data bank, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARKEY:

H.R. 2032. A bill to prohibit certain transfers of radioactive metal by the Department of Energy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself, Mr. MORAN, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. CONYERS, Mr. ELLISON, and Mr. JONES):

H.R. 2033. A bill to provide for medical neutrality and to establish accountability for violations of the principle of medical neutrality, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself, Ms. TSONGAS, Mr. PALAZZO, Mr. LIPINSKI, and Mr. CONYERS):

H.R. 2034. A bill to provide for the establishment and operation of Advanced Composites Development Centers; to the Committee on Science, Space, and Technology, and in addition to the Committees on Homeland Security, Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL:

H.R. 2035. A bill to amend the Internal Revenue Code of 1986 to expand personal saving and retirement savings coverage by enabling employees not covered by qualifying retirement plans to save for retirement through automatic IRA arrangements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE (for himself, Ms. BASS, Mr. LEWIS, Ms. ROYBALL-ALLARD, Ms. SLAUGHTER, and Mr. GRIJALVA):

H.R. 2036. A bill to amend part E of title IV of the Social Security Act to require States to help alien children in the child welfare system apply for all available forms of immigration relief, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER:

H.R. 2037. A bill to establish a demonstration grant program to recruit, train, deploy, and professionally support psychiatric physi-

cians in Indian health programs; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself, Mr. VARGAS, and Ms. MCCOLLUM):

H.R. 2038. A bill to amend the Food and Nutrition Act of 2008 to expand the eligibility of certain veterans while they have disability claims pending under title 38 of the United States Code; to the Committee on Agriculture.

By Ms. TITUS (for herself, Mrs. KIRKPATRICK, Mr. COLE, Mrs. NAPOLITANO, Ms. MCCOLLUM, Mrs. CHRISTENSEN, Mr. CÁRDENAS, and Mr. TAKANO):

H.R. 2039. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish headstones and markers for certain deceased veterans buried in veterans' cemeteries of Indian tribes; to the Committee on Veterans' Affairs.

By Mr. WELCH:

H.R. 2040. A bill to simplify the process for determining the need and eligibility of students for financial assistance under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself, Mr. SMITH of New Jersey, Mr. CONNOLLY, Mr. PITTS, Ms. LOFGREN, and Mr. SCHIFF):

H. Res. 218. A resolution calling on the Secretary of State to list the Socialist Republic of Vietnam as a "Country of Particular Concern" with respect to religious freedom; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

26. The SPEAKER presented a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 4 urging the Congress to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport; to the Committee on Armed Services.

27. Also, a memorial of the Senate of the State of North Dakota, relative to Senate Concurrent Resolution No. 4017 expressing opposition to the current form of the United Nations Arms Trade Treaty; to the Committee on Foreign Affairs.

28. Also, a memorial of the Senate of the Commonwealth of the Northern Mariana Islands, relative to Senate Resolution No. 18-09 asking the Governor to appoint a special representative for the purpose of commencing discussions on issues and matters that are currently affecting the relationship between the United States and the Northern Mariana Islands; to the Committee on Natural Resources.

29. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Joint Memorial No. 1 requesting that the Congress overturn the Department of Veterans Affairs regulation prohibiting the provision of service or therapy dogs for veterans with emotional and mental disabilities; to the Committee on Veterans' Affairs.

30. Also, a memorial of the House of Representatives of the State of Hawaii, relative

to House Concurrent Resolution No. 3 encouraging the Congress and the President that the congressional intent of the federal Uniform Controlled Substances Act is not to prohibit the production of industrial hemp; jointly to the Committees on the Judiciary and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PRICE of Georgia:

H.R. 2009.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article I of the Constitution. The bill stops the IRS implementation of the Patient Protection and Affordable Care Act, which exceeds the authority vested in Congress by the Constitution. Finally, the bill removes government intrusion into the doctor-patient relationship, which is protected by the Nine and Tenth Amendments to the Constitution.

By Mr. BARR:

H.R. 2010.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, which provides Congress the power to "regulate commerce with foreign Nations and among the several States."

By Mr. DELANEY:

H.R. 2011.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to law and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States, but All Duties, Imposts and Excises shall be uniform throught the United States . . .

By Mr. PITTS:

H.R. 2012.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 2013.

Congress has the power to enact this legislation pursuant to the following:

Because this legislation adjusts the formula the federal government uses to spend money on federal contracts, it is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.

By Mr. AMASH:

H.R. 2014.

Congress has the power to enact this legislation pursuant to the following:

The bill helps guarantee the rights secured by the First Amendment to the Constitution ("Congress shall make no law . . . abridging the freedom of speech, or of the press") and the Fourth Amendment to the Constitution ("The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated").

By Mr. HORSFORD:

H.R. 2015.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.
Article IV, Section 3, Clause 2.
Amendment V

By Mr. BENISHEK:

H.R. 2016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BRADY of Pennsylvania:

H.R. 2017.

Congress has the power to enact this legislation pursuant to the following:

Section 4 and Section 5 of Article I of the Constitution.

By Mr. STIVERS:

H.R. 2018.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 of the United States Constitution

By Mr. HARPER:

H.R. 2019.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

By Mr. CARTWRIGHT:

H.R. 2020.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)

By Mr. BROUN of Georgia:

H.R. 2021.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mrs. BLACK:

H.R. 2022.

Congress has the power to enact this legislation pursuant to the following:

The Fourth Amendment to the United States Constitution as well as Article 1, Section 8 of the United States Constitution which grants Congress the authority to lay and collect taxes and duties. It is the inherent duty of elected members of Congress to protect U.S. taxpayer information from misuse.

By Mrs. CAPPS:

H.R. 2023.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. DEUTCH:

H.R. 2024.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8(8) of the U.S. Constitution

By Mr. GOSAR:

H.R. 2025.

Congress has the power to enact this legislation pursuant to the following:

The 16th Amendment, Section 5; Article I, Section 8, Clauses 3 and 18 of the Constitution of the United States

By Ms. HERRERA BEUTLER:

H.R. 2026.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 2027.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. LEWIS:

H.R. 2028.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2029.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2030.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. MARKEY:

H.R. 2031.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MARKEY:

H.R. 2032.

Congress has the power to enact this legislation pursuant to the following:

Article I, § 8, clause 3

By Mr. MCDERMOTT:

H.R. 2033.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8—To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. MICHAUD:

H.R. 2034.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NEAL:

H.R. 2035.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. O'ROURKE:

H.R. 2036.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. SCHRADER:

H.R. 2037.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. SPEIER:

H.R. 2038.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Ms. TITUS:

H.R. 2039.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mr. WELCH:

H.R. 2040.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. SMITH of Texas.

H.R. 7: Mr. CRAWFORD, Mr. MARCHANT, Mr. ROGERS of Kentucky, Mr. CRAMER, and Mr. SCHOCK.

H.R. 12: Mr. KILMER and Mr. SEAN PATRICK MALONEY of New York.

H.R. 45: Mr. POMPEO and Mr. WITTMAN.

H.R. 164: Mr. RANGEL.

H.R. 184: Mr. WAXMAN.

H.R. 241: Mr. CRAWFORD.

H.R. 301: Mr. SMITH of Washington.

H.R. 322: Mr. LATHAM.

H.R. 354: Ms. SPEIER.

H.R. 358: Mr. CLAY, Mr. CARNEY, and Mr. PETERS of Michigan.

H.R. 367: Mr. MARCHANT.

H.R. 375: Mr. GARAMENDI.

H.R. 419: Mr. HASTINGS of Florida.

H.R. 433: Mr. HORSFORD.

H.R. 436: Mrs. LUMMIS, Mr. WITTMAN, Mr. MARCHANT, Mr. RADEL, Mr. BENTIVOLIO, Mr. JONES, Mr. GRIFFIN of Arkansas, Mr. CRAMER, and Mr. GRAVES of Missouri.

H.R. 451: Mr. DIAZ-BALART, Ms. CASTOR of Florida, and Mr. YOHO.

H.R. 485: Mr. ENGEL, Ms. MOORE, Ms. BROWN of Florida, Mr. GRAYSON, Mr. BISHOP of Georgia, Mr. DANNY K. DAVIS of Illinois, Ms. SEWELL of Alabama, Mr. JOHNSON of Georgia, Mrs. CAROLYN B. MALONEY of New York, Mr. THOMPSON of Mississippi, Mr. RUSH, and Mr. CARSON of Indiana.

H.R. 494: Mr. MCKEON, Mr. KLINE, Ms. KUSTER, and Mr. HUNTER.

H.R. 508: Mr. AUSTIN SCOTT of Georgia.

H.R. 526: Ms. TSONGAS and Mr. TONKO.

H.R. 580: Mr. DAVID SCOTT of Georgia and Mr. POE of Texas.

H.R. 630: Mr. SCHNEIDER, Mr. SWALWELL of California, Mr. GRAYSON, Mr. RUPPERSBERGER, Mr. JOHNSON of Georgia, and Mr. PIERLUISI.

H.R. 640: Mr. KING of New York.

H.R. 647: Mr. PERLMUTTER, Mr. DUFFY, Mr. MURPHY of Pennsylvania, and Ms. FRANKEL of Florida.

H.R. 655: Ms. SEWELL of Alabama.

H.R. 664: Mr. ENYART, Ms. LINDA T. SANCHEZ of California, Mr. SEAN PATRICK MALONEY of New York, Mr. VEASEY, Mr. SCOTT of Virginia, Mr. ENGEL, Ms. MENG, and Mrs. BUSTOS.

H.R. 671: Mr. TAKANO.

H.R. 685: Mr. ENYART.

H.R. 693: Mr. SMITH of Washington.

H.R. 708: Ms. SLAUGHTER.

H.R. 712: Mrs. LOWEY.

- H.R. 724: Mr. GIBSON, Mr. PETERSON, and Mr. PASCARELL.
 H.R. 728: Mr. BLUMENAUER.
 H.R. 732: Mr. SHIMKUS.
 H.R. 736: Ms. TITUS.
 H.R. 769: Mr. CARTWRIGHT.
 H.R. 792: Mr. BISHOP of Georgia.
 H.R. 798: Mr. LARSON of Connecticut.
 H.R. 811: Ms. SLAUGHTER.
 H.R. 846: Ms. HERRERA BEUTLER and Mr. WELCH.
 H.R. 850: Mr. THOMPSON of California, Mr. GRAYSON, Mr. GOWDY, and Mr. RANGEL.
 H.R. 888: Mr. GERLACH, Mr. BENTIVOLIO, and Mr. GUTHRIE.
 H.R. 904: Mr. AUSTIN SCOTT of Georgia, Mr. COURTNEY, and Mr. VAN HOLLEN.
 H.R. 920: Ms. TITUS.
 H.R. 940: Mr. LUCAS, Mr. RENACCI, Mr. HARPER, and Mr. WHITFIELD.
 H.R. 946: Mr. BISHOP of Utah and Mr. LATHAM.
 H.R. 949: Mr. VEASEY and Ms. PINGREE of Maine.
 H.R. 955: Mr. CARTWRIGHT.
 H.R. 963: Mr. VARGAS.
 H.R. 979: Mr. BACHUS and Mr. BARROW of Georgia.
 H.R. 983: Mr. PEARCE.
 H.R. 996: Ms. SHEA-PORTER.
 H.R. 1000: Mr. FARR and Ms. WATERS.
 H.R. 1009: Mrs. LOWEY.
 H.R. 1014: Ms. SINEMA, Mr. MICHAUD, Mr. OLSON, Mr. DEFazio, and Ms. PINGREE of Maine.
 H.R. 1020: Mr. LARSON of Connecticut, Mr. THOMPSON of Mississippi, Mr. FLEISCHMANN, and Mr. BARR.
 H.R. 1024: Mr. ROSKAM, Mr. NUNES, Mr. SCHNEIDER, and Mr. RICHMOND.
 H.R. 1029: Mr. CARTWRIGHT.
 H.R. 1122: Mr. WITTMAN.
 H.R. 1128: Mr. BACHUS.
 H.R. 1129: Mr. LOWENTHAL.
 H.R. 1151: Ms. FRANKEL of Florida, Mr. HASTINGS of Florida, and Mrs. BLACKBURN.
 H.R. 1153: Mr. QUIGLEY and Mr. ENYART.
 H.R. 1155: Mr. MEADOWS and Mr. SESSIONS.
 H.R. 1205: Mrs. BLACKBURN and Mr. JONES.
 H.R. 1209: Mr. BARBER, Mr. WESTMORELAND, Mr. COLE, and Mrs. LUMMIS.
 H.R. 1214: Mr. JONES, Mr. HUIZENGA of Michigan, Mr. SMITH of Nebraska, and Mr. RUNYAN.
 H.R. 1250: Mr. GUTHRIE, Mr. NUNES, Mr. OLSON, and Mr. MICHAUD.
 H.R. 1252: Mr. PETERSON, Mr. ISRAEL, Mr. GRIJALVA, Mr. FARENTHOLD, Mr. MCGOVERN, Mr. HINOJOSA, Mr. YOUNG of Alaska, Ms. CHU, and Mr. CONNOLLY.
 H.R. 1303: Mr. WELCH, Mr. GIBSON, Mr. GRIJALVA, Mr. JOHNSON of Ohio, and Mr. BURGESS.
 H.R. 1313: Mr. COURTNEY and Mr. NUNES.
 H.R. 1322: Mr. VISCLOSKEY.
 H.R. 1339: Mr. RAHALL.
 H.R. 1344: Ms. SHEA-PORTER, Mr. KING of New York, Mr. McCAUL, and Mr. HUDSON.
 H.R. 1346: Ms. WILSON of Florida.
 H.R. 1390: Mr. CARTWRIGHT.
 H.R. 1403: Mr. BISHOP of Georgia.
 H.R. 1416: Mr. KING of New York and Mr. AUSTIN SCOTT of Georgia.
 H.R. 1440: Mr. COHEN.
 H.R. 1441: Mr. PAULSEN.
 H.R. 1449: Mr. KINGSTON.
 H.R. 1451: Mr. OWENS.
 H.R. 1461: Mr. BISHOP of Utah and Mr. RICE of South Carolina.
 H.R. 1462: Mr. VEASEY, Mr. GINGREY of Georgia, and Ms. PINGREE of Maine.
 H.R. 1485: Mr. RODNEY DAVIS of Illinois and Mr. FRELINGHUYSEN.
 H.R. 1494: Mr. LARSON of Connecticut and Mr. RUSH.
 H.R. 1496: Mr. LANKFORD, Mr. BARROW of Georgia, and Mr. DAVID SCOTT of Georgia.
 H.R. 1509: Mr. STEWART.
 H.R. 1518: Mrs. MCCARTHY of New York, Mr. HASTINGS of Florida, Mr. SOUTHERLAND, and Mr. COURTNEY.
 H.R. 1523: Mr. HASTINGS of Florida.
 H.R. 1528: Mr. RADEL.
 H.R. 1529: Mr. VEASEY and Mr. O'ROURKE.
 H.R. 1554: Mr. FATTAH and Ms. FUDGE.
 H.R. 1555: Mr. FATTAH.
 H.R. 1556: Ms. CHU, Mr. FATTAH, Ms. BASS, and Mr. ELLISON.
 H.R. 1565: Mr. RYAN of Ohio, Mr. O'ROURKE, Ms. LORETTA SANCHEZ of California, Mrs. CHRISTENSEN, Mr. FALCOMAVAEGA, Mr. SABLAN, Mr. COSTA, Ms. BORDALLO, Mr. PIERLUISI, Mr. CASTRO of Texas, Mr. RICHMOND, and Ms. GABBARD.
 H.R. 1573: Mr. POCAN.
 H.R. 1588: Ms. TITUS and Mr. TAKANO.
 H.R. 1594: Mr. NUGENT, Mr. MARCHANT, and Mr. TERRY.
 H.R. 1595: Mr. POCAN, Mr. BARBER, and Mr. KENNEDY.
 H.R. 1598: Mr. COURTNEY.
 H.R. 1632: Mr. LABRADOR.
 H.R. 1652: Mr. COURTNEY.
 H.R. 1678: Mr. RICHMOND, Mr. CARSON of Indiana, and Mr. DUNCAN of Tennessee.
 H.R. 1692: Mr. COURTNEY and Mr. LARSON of Connecticut.
 H.R. 1706: Ms. ESHOO and Mr. JOHNSON of Georgia.
 H.R. 1708: Mr. KLINE.
 H.R. 1714: Mr. HASTINGS of Florida, Mr. O'ROURKE, and Mr. AL GREEN of Texas.
 H.R. 1726: Mr. HUIZENGA of Michigan.
 H.R. 1731: Mrs. NEGRETE MCLEOD, Mr. NADLER, Ms. TSONGAS, Mr. LANGEVIN, Ms. NORTON, Mr. CONYERS, Ms. ROYBAL-ALLARD, Mr. HOLT, Mr. BLUMENAUER, Mr. GRIJALVA, Ms. ESHOO, Mr. CUMMINGS, Mr. DEFazio, Mr. LYNCH, Mrs. CAPPAS, Ms. BONAMICI, Mr. CICILLINE, Mr. ELLISON, Mr. POLIS, Mr. TIERNEY, Ms. LEE of California, Mr. HIGGINS, Mr. CAPUANO, Mr. SCHIFF, Ms. BASS, Mr. MARKEY, Ms. EDWARDS, Ms. LINDA T. SANCHEZ of California, Mrs. DAVIS of California, and Mr. PASCARELL.
 H.R. 1738: Mr. JOHNSON of Georgia, Mr. ENYART, Mr. ELLISON, Mr. CONNOLLY, Mr. CASTRO of Texas, Ms. CLARKE, Mr. HUFFMAN, Mr. NEAL, and Mr. O'ROURKE.
 H.R. 1742: Mr. DELANEY.
 H.R. 1751: Mr. CARTWRIGHT.
 H.R. 1755: Mr. NEAL.
 H.R. 1761: Ms. SHEA-PORTER, Mr. BRALEY of Iowa, and Mr. LOEBSSACK.
 H.R. 1768: Mr. YOHO.
 H.R. 1771: Mr. COOK.
 H.R. 1780: Mr. HUIZENGA of Michigan and Mr. RYAN of Wisconsin.
 H.R. 1787: Mr. RIBBLE, Mr. HANNA, and Mr. OWENS.
 H.R. 1797: Mr. BARLETTA and Mr. LUCAS.
 H.R. 1799: Mr. PASTOR of Arizona.
 H.R. 1809: Mr. COOK.
 H.R. 1825: Mr. LATHAM and Mr. GINGREY of Georgia.
 H.R. 1830: Mr. HASTINGS of Florida, Mr. YODER, Mr. OWENS, Mr. McCAUL, Ms. HAHN, Ms. KAPTUR, Mr. CárDENAS, Mr. SCHOCK, Mr. RIBBLE, and Ms. FRANKEL of Florida.
 H.R. 1838: Mr. CONYERS and Ms. NORTON.
 H.R. 1845: Mr. COHEN.
 H.R. 1847: Mr. GOSAR and Mr. DESANTIS.
 H.R. 1848: Mr. RADEL, Mr. MEEHAN, and Mr. DUNCAN of Tennessee.
 H.R. 1851: Mr. VAN HOLLEN and Mrs. MCCARTHY of New York.
 H.R. 1854: Mr. SCOTT of Virginia.
 H.R. 1855: Ms. SCHAKOWSKY.
 H.R. 1856: Mr. SWALWELL of California and Mr. MULVANEY.
 H.R. 1864: Ms. FOXX, Ms. FUDGE, and Mr. PAULSEN.
 H.R. 1867: Ms. GABBARD, Mr. POCAN, Ms. PINGREE of Maine, Ms. SLAUGHTER, and Mr. GIBSON.
 H.R. 1874: Mr. FORBES.
 H.R. 1882: Mrs. MILLER of Michigan, Mr. FLORES, Mrs. ELLMERS, and Mr. JONES.
 H.R. 1892: Mr. DEFazio and Mr. HOLT.
 H.R. 1900: Mr. RADEL.
 H.R. 1902: Mr. FARR.
 H.R. 1904: Mr. PALAZZO, Mr. OLSON, Mr. COLE, Mrs. DAVIS of California, Mr. CASTRO of Texas, Mr. PETERS of California, and Mr. CARSON of Indiana.
 H.R. 1911: Mr. ROE of Tennessee, Mr. GRIFFIN of Arkansas, and Mr. MESSER.
 H.R. 1918: Mr. LARSON of Connecticut and Ms. MATSUI.
 H.R. 1933: Mr. RUSH and Ms. WILSON of Florida.
 H.R. 1940: Mr. WAXMAN and Ms. SHEA-PORTER.
 H.R. 1941: Mr. BEN RAY LUJÁN of New Mexico and Ms. WILSON of Florida.
 H.R. 1946: Mr. KENNEDY.
 H.R. 1950: Mr. COLLINS of New York, Mr. COTTON, Mrs. WALORSKI, Mr. MURPHY of Pennsylvania, Mr. AUSTIN SCOTT of Georgia, Mr. RUNYAN, Mr. BROUN of Georgia, Mr. MARINO, Mr. MCHENRY, Mr. FRANKS of Arizona, Mr. COBLE, and Mr. POE of Texas.
 H.R. 1961: Mr. WHITFIELD and Mr. MCKINLEY.
 H.R. 1963: Mr. TIPTON.
 H.R. 1971: Mrs. HARTZLER, Mr. ENYART, Mr. JONES, and Mr. PAULSEN.
 H.R. 1972: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H.R. 1976: Mr. MORAN.
 H.R. 1979: Ms. WATERS and Mr. YARMUTH.
 H.R. 1992: Mr. ROSKAM, Mr. RADEL, and Mr. WENSTRUP.
 H.R. 1995: Mr. RADEL.
 H.R. 2005: Mr. VARGAS.
 H.R. 2008: Mr. JONES.
 H. Con. Res. 27: Ms. KAPTUR and Ms. SCHWARTZ.
 H. Con. Res. 28: Mr. BERA of California and Mr. CARTWRIGHT.
 H. Con. Res. 34: Ms. TITUS.
 H. Res. 24: Mr. WITTMAN.
 H. Res. 36: Mr. FRELINGHUYSEN.
 H. Res. 104: Ms. KUSTER, Mr. VARGAS, Mrs. DAVIS of California, Mr. CASTRO of Texas, and Mr. ENYART.
 H. Res. 109: Mr. SMITH of Washington.
 H. Res. 131: Mr. STOCKMAN, Mr. COHEN, and Mr. WOLF.
 H. Res. 167: Mr. ROSKAM and Mr. SCOTT of Virginia.
 H. Res. 190: Ms. SHEA-PORTER and Mr. VEASEY.
 H. Res. 214: Mr. KINGSTON and Mr. BROUN of Georgia.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

- H.R. 107: Mr. JONES.
 H.R. 1550: Ms. SEWELL of Alabama.
 H. Res. 36: Mr. MICA.

PETITIONS, ETC.

Under clause 3 of rule XII, 17. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution 2013-28195 urging the Congress to support National Immigration Reform; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

DALE SOWARDS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize Dale Sowards of Manassa, Colorado. Mr. Sowards passed away on March 29, 2013 at his home, he was 95. A native and lifelong resident of Western Colorado, Mr. Sowards' story is one of public service and community involvement that lives on as an inspiration to us all.

Born in Manassa on May 7, 1917, Mr. Sowards went on to receive a degree in Forestry and Range Management from Colorado State University and on Christmas Eve of 1937, he married his high school sweetheart Orva Nielson. Following college, Mr. Sowards spent five years serving Colorado with the U.S. Forest Service. He went on to teach biology, chemistry, and agriculture in Manassa and later taught the farm training program at Adams State College.

Mr. Sowards' life in civil service began as a member of the Manassa school board, he later served the President of the Cumbres-La Manga Cattle Association and the Manassa Land and Irrigation Company for 16 years. Mr. Sowards went on to become County Commissioner and, in 1976, was chosen as the Most Outstanding Colorado Commissioner. That same year, he was elected President of the National Association of Counties' Western Region (NaCO). As a NaCO President, Mr. Sowards played a pivotal role in the passage of Payments-In-Lieu-of-Taxes, or PILT, legislation which compensates counties for the tax revenue lost by federal holdings of land. Counties use these funds for education, public safety, and infrastructure projects. In recognition of his efforts, NaCo's annual award for outstanding service of public lands bears his name.

Mr. Sowards was an active member of the Church of Jesus Christ of Latter-day Saints and served as Superintendent of the Sunday school late in his life. He is survived by two children in Manassa, 10 grandchildren and 15 great-grandchildren. Mr. Speaker, it is an honor to recognize Mr. Dale Sowards for his lifelong dedication to the people of Western Colorado.

RECOGNIZING THE WOOGMS MEMORIAL DAY PARADE

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the 50th anniversary of the Wel-

lington-Oakdale Old Glory Marching Society's Annual Memorial Day Parade, a patriotic tradition in Chicago's Lakeview neighborhood. This vibrant Chicago institution invites marchers of all ages to participate in Lakeview's only "do-it-yourself" parade, where everybody marches and nobody watches.

In 1963, Chicago resident Al Weisman began this annual tradition along with his son, Tony, and a half dozen friends marching around the block with an American flag. Today, the WOOGMS parade is led by Tony Weisman and regularly attracts more than 1,000 marchers. It is a wonderful way Chicagoans celebrate freedom and remember those who have served our country.

The WOOGMS parade's emphasis on inclusion and participation sets this wonderful event apart. Guided by Al Weisman's belief that children would rather participate in a parade than simply watch, the parade encourages Chicagoans of all ages to join in the parade and march; spectators are discouraged from sitting down and encouraged to participate. These annual parades attract parents, children and grandparents who are walking or riding strollers, bikes and wheelchairs down the parade route. Accompanied by the Jesse White Drum Corps, participants march towards St. Joseph's Hospital where they are greeted by welcoming volunteers.

As a longtime Lakeview resident, I've had the privilege of joining the WOOGMS parade since 1983. As the event has grown, so have the participants. It's been heartening to see the children who marched 30 years ago come back to join the WOOGMS parade with children of their own.

Mr. Speaker, I ask my colleagues to join with me in recognizing the WOOGMS parade as one of Chicago's most unique events. Let us look forward to another 50 years of continued success for this patriotic tradition.

IN HONOR OF THE STEWART HOME SCHOOL'S 120TH ANNIVERSARY

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. BARR. Mr. Speaker, I rise today to honor the Stewart Home School in Frankfort, Kentucky, and to congratulate them on their 120th Anniversary. The mission of the Stewart Home School is the complete and total care of special needs students, as well as the fulfillment of all their needs—physical, educational, social, vocational and spiritual.

Since 1893, Stewart Home School has provided a community where people live in a nurturing environment and participate in programs designed to specifically meet their individual needs. Their students pursue skills in self-sufficiency, academics, and vocational programs

in a setting that stimulates self-confidence and encourages personal happiness.

Stewart Home School occupies the historic campus of the old Kentucky Military Institute, and is now on the National Register of Historic Places. The school offers a one-of-a-kind community where those with intellectual disabilities are appreciated for the people they are.

The Stewart Home School embraces each student as an individual who desires meaningful activity, success, friendships, and acceptance, and strives to develop skills and talents in all areas of life.

Mr. Speaker, I ask that my colleagues join me in commending the Stewart Home School for the tireless efforts to improve the lives of their students and in congratulating them on their 120th anniversary. I extend my personal appreciation to the Stewart Home for all that they have done for our community. The Stewart Home School is a gem in the Sixth Congressional District of Kentucky, not only improving the lives of its students, but also bettering our Commonwealth.

DANIEL NEWMYER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize Mr. Daniel Newmyer of Center, Colorado. Mr. Newmyer is one of the many exceptional teachers in the great state of Colorado whose passion and dedication for his students make him a great example for educators everywhere and a strong community leader.

Mr. Newmyer graduated from the University of Colorado at Boulder with a degree in Science Administration and went on to receive a Master's degree from Regis University in Education. In 2009, he joined the Center Consolidated School District to teach math and science at Center High School. Since becoming a teacher, Mr. Newmyer has strived to bring science and math to life for his students, always looking for new and exciting ways to inspire his students.

Mr. Newmyer has received numerous awards and recognitions for his innovation in the classroom, and his dedication as an educator. This year, the Astronauts Memorial Foundation, NASA, and the Space Foundation jointly presented him with the Alan Shepard Technology in Education Award and Mr. Newmyer was named the San Luis Valley Teacher of the Year. Because of Mr. Newmyer's efforts, Center High School has become one of the top STEM schools in the state of Colorado. He has worked to procure grants to allow his students to participate in local, state, and national science and engineering competitions. He has also pioneered a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

computer-based learning system that uses flight simulators to boost math scores.

Mr. Newmyer is a perfect example of how technology can drive innovation in education. His creativity and hard work are an inspiration to teachers across the country. Mr. Speaker, it is an honor to recognize Daniel Newmyer for his dedication to his students and his outstanding accomplishments as an educator.

HONORING THE LIFE AND LEGACY
OF REV. NIMROD Q. REYNOLDS

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of Rev. Nimrod Q. Reynolds, a beloved Alabamian remembered for his remarkable display of bravery and courage in his attempt to integrate the Carnegie Library in Anniston, Alabama on September 15, 1963. Rev. Reynolds passed away on Sunday, May 12 at the age of 82. While I am deeply saddened by his passing I am comforted in knowing that his legacy is one that will live on through his contributions to the state of Alabama and this nation.

Rev. Reynolds was born on April 30, 1931 in Chambers County, Alabama. In 1949, he graduated from Chambers County High School and went on to obtain a degree from Clark College in Atlanta, Georgia. He later received a Masters Degree from the Interdenominational Theological Seminary. But while Rev. Reynolds understood the power of education, he is most remembered for his lifelong commitment to ministry.

At just 17 years old, Rev. Reynolds preached his first sermon at Macedonia Baptist Church in Five Points, Alabama. He went on to pastor First Baptist Church in Union Springs Alabama before becoming Pastor of Seventeenth Street Missionary Baptist Church in Anniston, Alabama. Rev. Reynolds would remain at Seventeenth Street for over 50 years.

In addition to serving as pastor of Seventeenth Street, Rev. Reynolds founded the Community Action Agency, an organization that was dedicated to addressing poverty in the local community. He came to Anniston in 1960 with a message that stressed the immediate importance of equality. In 1964, he hosted a mass meeting with Dr. Martin Luther King, Jr. and in 1967, his two children fully integrated Tenth St. Elementary. In 1972, he sued the Anniston City School Board and forced full integration of the school system. In 1976, he was elected the first black president of the Anniston City Board of Education. Through his historic efforts to integrate Anniston, Rev. Reynolds became a transformative figure. He would further solidify his place in history on September 15, 1963 when he walked up the steps of Anniston's Carnegie Library. His intent was simple yet complex during these turbulent times in southern states. Rev. Reynolds wanted simply to check out a book.

Instead, he along with others were met with an angry mob that savagely beat Reynolds.

The beating resulted in injuries that left him bedridden for days. However, because of his heroic efforts other clergymen returned to the library the day after his vicious attack and were successful in integrating the library. Ironically his beating occurred on the same day of the bombing of 16th Street Baptist Church in Birmingham, Alabama.

Anniston City leaders mapped out plans to slowly integrate the city to prevent violent demonstrations similar to those that had occurred in neighboring areas. But for Rev. Reynolds, the pace was unacceptable. As a result, in 1964 he galvanized yet another movement. Under his leadership, local ministers placed a one page ad in the local paper that read "We want our freedom and we want it now." The ad would be recorded in history books as the "Anniston Manifesto."

He went on to serve in countless leadership roles at various organizations aimed at meeting the needs of those in poverty and advancing the cause of blacks in Alabama and across this Nation. Today we honor him for his role in the story of America. We also remember him as a catalyst for change. As the first black woman elected to congress from Alabama I am humbled to stand before the nation and share his story of strength and courage.

Saying thank you to Rev. Reynolds seems woefully inadequate. But, we are truly grateful for the life of this extraordinary leader. On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in honoring the life and legacy of Rev. Nimrod Q. Reynolds.

HONORING THE 175TH ANNIVERSARY
OF SACRED HEART PARISH
IN OSAGE COUNTY, MO

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor the 175th anniversary of Sacred Heart Parish. I am proud to recognize one of the state's most historically rich Catholic communities, the Parishioners and Reverend Philip Niekamp of Sacred Heart of Rich Fountain in Osage County on Sunday May 26, 2013.

The Parish of the Sacred Heart in Rich Fountain traces its roots back to May 16, 1838, when the very first mass was celebrated by Father Ferdinand Helias; S.J., in the home of the John T. Struempf family at Struempf's Settlement. Father Helias nurtured this community for 10 years.

The town gets its name from a clear spring that was located nearby. During its early years Rich Fountain became known as Missouri's Bavaria due to the fact that some 25 Bavarian families sought to begin new lives here. Soon after, a number of families from Westfalen and the Rhineland Provinces of Germany joined them in the heart of the Osage River valley.

Sacred Heart's diverse group of parishioners has always been united by a faith in our creator and a strong community spirit.

Key events in the history of the Sacred Heart Parish include the construction of the

limestone church of the Sacred Heart in 1879 and the creation of the rectory in 1892, both of which were placed on the National Register of Historic Sites in 1982.

Resting on a slope of a hill these enormous buildings of native limestone have earned the village the title "Oberammergau of Osage County."

RECOGNIZING TERRY SANFORD
HIGH SCHOOL'S CENTENNIAL
GRADUATION

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize Terry Sanford High School of Fayetteville, NC as they celebrate their centennial graduation on June 6, 2013.

Recognized by US News and World Report for receiving the Silver Medal in the annual list of America's Best High Schools in 2006, as well as being ranked one of the top 25 high schools in North Carolina this year, Terry Sanford is a shining example of a school preparing our students for the challenges of the 21st Century.

Terry Sanford offers fourteen different Advanced Placement courses as well as a variety of honors courses. In addition, Terry Sanford is home to the School of Global Studies which offers a rigorous, liberal arts college preparatory education in order to promote academic excellence, global awareness, and cultural and social growth.

I would like to congratulate Terry Sanford High School and its staff for 100 years of excellence and I commend them for their outstanding service in North Carolina education.

IMPORTANCE OF HOME
HEALTHCARE

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. YOUNG of Indiana. Mr. Speaker, I rise to address the value of home healthcare to the people of Indiana's Ninth Congressional District. In addition to being a preferred place for care for most eligible seniors, home health consistently offers seniors the lowest cost venue. In Indiana alone, over 61,000 Medicare beneficiaries receive home health services from more than 8,000 Hoosiers who provide their care. Home health services, properly regulated, need to be encouraged rather than discouraged, to fulfill their mission of quality care for America's seniors and greater value for our Medicare program.

I appreciate the home health care community's efforts to develop their own proposal to weed out bad actors in their industry. One proposal that might save money within Medicare would place reasonable per-provider limitations on 60-day episodes of home care. Such limitations aim to ensure beneficiary access to

care and stop abusive billing practices that appear to exist in a small number of counties nationwide. MedPAC's March Report to Congress referenced 25 counties in the nation where a reasonable reduction in homecare utilization with an episode limit could achieve up to \$1 billion in savings per year.

A reasonable but stable reimbursement environment is necessary for homecare providers to continue accomplishing their mission. Since 2010, the homecare industry has been subjected to nearly \$70 billion in reimbursement cuts, 21% of their total funding. I have said time and again that our Medicare system needs broad reform to make it sustainable for future generations. We cannot continue to impose cut after cut on our providers and expect to fix the system without shifting more of the financial burden to our senior population or harming patient care. Working together to implement creative reforms like this, we will ensure that this valuable service continues to improve the lives of our seniors in their homes in Indiana and across the nation.

BLM PREVENTS JOB OPPORTUNITIES IN THE CENTRAL VALLEY

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. VALADAO. Mr. Speaker, this month, the United States Bureau of Land Management indefinitely cancelled all oil and natural gas lease sales in California. This includes 1,278 acres of prime oil and natural gas land in Kern and Fresno counties located in my District—California 21.

This land is part of the Monterey Shale Formation located in the Central Valley. The Monterey Shale contains 2/3 of our country's shale oil reserves—the equivalent of 15.4 billion barrels. If tapped, it could generate half a million jobs and generate \$4.5 billion in revenue. This would have a significant impact on my district which has faced chronic unemployment for years.

However, citing sequestration, BLM is suspending all future lease sales in California. The decision was made despite the fact that these leases provide significant revenue for the federal government.

This is just another example of the Administration using sequestration to further their environmental policy agenda at the expense of American families. BLM's efforts to prevent energy development are depriving my constituents of quality jobs and increasing energy prices for hardworking families across the country.

It is unacceptable that BLM is halting lease auctions in regions that have been used for oil and gas development for over a century. These auctions generate revenue for the federal government, reduce our nation's dependency on foreign oil, and lead to direct economic benefits as well as local job creation.

Thousands in the Central Valley remain unemployed as the job-creating opportunities within lease sales remain untapped. If we took advantage of these employment opportunities, small businesses would have more customers

and local government could direct more revenue dollars to public safety and education. Those of us in the Central Valley are proud of our energy and agriculture heritage.

It is time for Washington bureaucrats to get out of the way and let our valley flourish.

A TRIBUTE TO RECOGNIZE JULIUS KNAPP AND EVAN KWEREL ON RECEIVING PRESIDENTIAL RANK AWARDS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Ms. ESHOO. Mr. Speaker, I rise today to recognize Julius Knapp and Evan Kwerel on receiving Presidential Rank Awards. Every year the President confers these prestigious awards to a select group of career senior executives with the designation of Distinguished Executive, and Meritorious Executive.

Last month, Julius Knapp, Chief of the Federal Communications Commission's (FCC) Office of Engineering and Technology and a dedicated agency employee for nearly 39 years, received the Distinguished Executive Presidential Rank Award. This award recognizes Julius for his ongoing work to unleash new technological innovation.

Evan Kwerel, the FCC's Senior Economic Advisor and a 30-year agency employee, received the Meritorious Executive Presidential Rank Award. As the "father of FCC spectrum auctions," Evan was recognized for his keen economic analysis that has made an extraordinary impact on modern communications policy.

Mr. Speaker, I ask the entire House to join me in congratulating Julius Knapp and Evan Kwerel on receiving these very special awards and for their dedicated years of service to the Federal Communications Commission and to the people of our nation whom they have served in an exemplary fashion.

IN RECOGNITION OF LILLIAN KAFKA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize Lillian Kafka as she celebrates her ninetieth birthday this month.

Ms. Kafka, or "Libby" as she is referred to by her many friends, was born on May 18, 1923, to Louis and Mae Dubinsky of Sharon, Massachusetts. The Dubinsky family owned Sunset Lodge, a popular summer resort hotel on the idyllic shore of Lake Massapoag in Sharon. Ms. Kafka, along with her siblings Aaron and Edith, would often help their parents with the daily tasks of the family business. Upon the passing of Louis, the Dubinsky children helped their mother even more with running the hotel until it was sold to the Archdiocese of Boston several years later.

On June 18, 1944, Ms. Kafka celebrated her wedding to husband Milton Kafka at the Sun-

set Lodge, and the two remained happily married until Milton's passing in 2006. The Kafkas welcomed five children into their family: Louis, Millie, Benjamin, Kenneth, and Hirsch. Ms. Kafka has seen her family grow exponentially over the years, and is now the proud grandmother of twelve and great-grandmother of seventeen.

Today, Ms. Kafka stays quite active with her large family, and spends much time in particular with her great-grandchildren, who lovingly refer to her as "G.G." When she is not busy with family, music and theater take up most of her free time. Ms. Kafka is an active volunteer at the Sharon Community Theater and the Actors Collaborative. She has performed onstage at the Mansfield Music and Arts Society, and she now fills the role of the organization's official backstage hostess. Her love of volunteering and positive outlook are representative of the extraordinary person that Ms. Kafka is, and the entire community has benefited from her many accomplishments.

Mr. Speaker, I am proud to honor Lillian Kafka on this joyous occasion of her ninetieth birthday. She is an outstanding member of our community, and I ask that my colleagues join me in wishing her many more years of health and happiness.

RECOGNIZING RANDY JOYCE AS THE 2013 AIR FORCE ASSOCIATION TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Mr. Randy Joyce, the 2013 Air Force Association Teacher of the Year.

Mr. Joyce received his Bachelor of Science degree in Physical Education, with minors in Sports Medicine and Social Sciences, from the University of Mobile in 2000. Five years later, he earned a Certification in Gifted Education from the Okaloosa County Alternative Certification Program. He also is affiliated with the Air Force Association, the Civil Air Patrol, and the Okaloosa County Education Association. These achievements and affiliations prepared Mr. Joyce for his career in educating the students of Northwest Florida in the science, aviation, and aerospace fields.

For the last nine years, Mr. Joyce has been dedicated to serving the students of Crestview, Florida. Mr. Joyce began his teaching career at Richbourg Middle School. After five years at Richbourg, Mr. Joyce moved to Shoal River Middle School (SRMS) to teach classes in comprehensive sciences. He has spent the last six years teaching Aerospace and Aviation Science, a program in the Community High Okaloosa Institutes of Career Education (CHOICE) Aviation Institute. Mr. Joyce's dynamic and engaging teaching style has built tremendous interest in aviation studies at his school and has garnered him multiple nominations for the Teacher of the Year Award. This year, he has won that award.

A large part of Mr. Joyce's curriculum involves engaging his seventh and eighth grade

students with hands-on educational tools. For instance, his classes visit Pensacola Naval Air Station twice per year to experience the evolution of military aviation while witnessing the impact that aviation and aerospace have on their lives. Mr. Joyce also takes his students to Challenger Learning Center every year to better connect the students with the roles they can play in the future of space exploration. The students participate in numerous labs during the course of the year that begin with learning the basics of lift, drag, gravity, and thrust, and culminate with building their own rockets, complete with making their own fuel mixtures. These exercises and experiences instill an interest in exploring the frontiers of aerospace and aviation in the many students who participate in these courses.

Mr. Joyce has demonstrated his commitment to the success of each of his students. The growing student interest in his Aerospace and Aviation Science course has led Mr. Joyce to push for devoting an entire school day to aviation coursework. He also serves as the Wellness Coordinator and the Academic Team Sponsor at SRMS, which is a further testament to his tireless efforts to benefit his students.

On behalf of the United States Congress, I am proud to recognize Mr. Randy Joyce for his great achievements and honorable service. My wife Vicki joins me in wishing him all of the best for continued success.

RECENT DEVELOPMENTS IN THE INVESTIGATION OF THE MURDER OF HUMAN RIGHTS ATTORNEY PATRICK FINUCANE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing to assess progress on the unfulfilled British commitment—broken commitment, unless the British Government reverses course—in the Finucane collusion case, and how this affects the peace process in Northern Ireland.

In connection with the Good Friday peace agreement, the British Government promised to conduct public inquiries into the Finucane and three other cases where government collusion in a paramilitary murder was suspected. Subsequently the British government backtracked in regard to the Finucane case—the 1989 murder of human rights lawyer Patrick Finucane. The British backtracking came despite the recommendation to hold an inquiry, which, again, the British Government agreed to abide by, of the internationally respected jurist and former Canadian Supreme Court Justice Peter Cory in 2004.

I'd like to thank Judge Cory again, who testified about his recommendation, at a congressional hearing which I chaired in May of 2004. That is now nine years ago—and we are all still trying to get the British government to live up to its commitment. The Finucane family has testified at many hearings—Geraldine,

Patrick's widow, and his son John, his son Michael, who testified yesterday—going back sixteen years. And of course there have been many others—and all of these witnesses, advocates, and experts have advocated a full, independent, and public judicial inquiry into the police collusion with loyalist paramilitaries responsible for brutally murdering Pat Finucane.

Over these years the dedicated human rights activists and experts have established much of what happened, and, after facts have been established, the British Government has acknowledged many of them. In 2011 the British Government admitted that it did collude in the Finucane murder and apologized for it.

Much of the credit for this admission goes to the many of you who have done the work on all the reports that documented collusion, until it was pointless for the British Government to continue denying it.

So that is progress. But the work is not done because the British Government has reserved one final, yet massive injustice: it continues to protect those responsible for the murder of Pat Finucane. Prime Minister Cameron told the Finucane family that the government would not conduct the promised public inquiry into the collusion.

The deliberate decision not to proceed with a public inquiry is a glaring, public breach of faith. It is the source of enormous frustration to Patrick Finucane's family and friends. It resonates throughout Northern Ireland, calling into question the British Government's commitment to peace and reconciliation.

This is particularly sad because the British Government has taken so many other positive, truly honorable steps, many of which were painful for large sectors of British public and official opinion—such as the Bloody Sunday inquiry, released in 2010. To call all that into question by renegeing on the promised Finucane inquiry is a tragedy.

Most recently, in December 2012, Sir Desmond De Silva released a new report on collusion in the Finucane murder—really a review of existing case files rather than the gathering of new evidence that the promised inquiry would produce. The De Silva report detailed what Prime Minister Cameron admitted were “shocking” levels of state collusion in the murder, including that it was RUC officers who proposed the killing of Finucane, passed information to his killers, and obstructed the investigation, and that British domestic security had intelligence of the murder threats months before the actual crime yet took no steps to protect him.

It is admirable that Prime the Minister has admitted collusion and apologized for it, but it is really too much to admit a government crime and then to say it will not be investigated—particularly when the government has undertaken a commitment to do so. The question asks itself—after so many positive steps, is the British Government really going to diminish the good it's done since 1998 in order to protect the identity of people who share responsibility for a murder?

I'm sure Congress will continue to maintain a strong voice on this case, which goes to the core of human rights and rule of law.

IN HONOR OF GARDEN STATE PATHWAYS GRADUATES

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor the graduating students of the Garden State Pathways Program at Camden County College.

For the past two years, these remarkable students have acquired valuable expertise in career skills while experiencing a college campus atmosphere. The students graduating May 18, 2013 from the program are Ashley Cousins, Kevin Joseph Hillegas, Wesley Jay Johns, Austin Jarrett Parrish, Ashley M. Smollock, and Lucas Alexander Tavlas.

None of this, of course, would have been possible without the invaluable dedication of their teachers and mentors. The staff of the Garden State Pathways is headed by Ms. Bernadette Gismonde, who is the program coordinator. Her staff includes Ms. Bernadette Stettler, Administrative Assistant; Ms. Danielle Brittin, Job Coach; Ms. Hazel Thompson, Lead Mentor; and Ms. Joyce Howie, Assistant Mentor.

Mr. Speaker, I wish to congratulate these young men and women on the hard work they've put in and they have already accomplished. These students have bright futures ahead of them, and I wish them the best in all coming endeavors.

ATTACK ON THE U.S. CONSULATE IN BENGHAZI

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. MICA. Mr. Speaker, on March 21, 2013 I joined as a cosponsor of H. Res. 36 to establish a select committee to investigate and report on the attack on the U.S. Consulate in Benghazi. That action was taken to insure a thorough review of the loss of four American officials including our U.S. Ambassador and the Obama Administration's attempt to keep witnesses and information from Congress.

Fortunately, five committees in the U.S. House acted and produced a joint report on April 23, 2013. The House Government Oversight and Reform Committee, which has government-wide investigative powers and authority, has since begun a series of hearings to examine the Benghazi matter.

It is my belief with this thorough review underway, it is no longer necessary to pursue a select committee on this matter.

Therefore, I am withdrawing my cosponsorship of H. Res. 36.

With the extensive work now underway in the House Government Oversight Reform Committee, a select committee would delay, add cost and not benefit the urgent need to properly review the Benghazi matter.

CONGRATULATING JOE IRONSIDE

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate my friend Joe Ironside on his retirement as Directing Business Agent for District 6 of the Machinists Union, which includes Iowa, Illinois and Nebraska. Joe has been an influential and important leader for the Iowa labor community.

Joe began his career in 1972 at the old Iowa Steel and Iron Works factory in Cedar Rapids. Joe was initiated into the Machinists union in March of that year, and wore the badge for 41 years. In 1978, Joe went to Rockwell Goss where he was chief steward, committee person and committee chairperson. He was later elected Business Representative before assuming his current responsibilities. He also served as Vice President of the Iowa Federation of Labor.

Joe's leadership in the labor movement has been felt around the state of Iowa and across the country. He has been awarded numerous awards over the years including the Gary Ketchum Union Citizen of the Year Award. Anyone who knows Joe will tell you that he is a force to be reckoned with, and that he will be missed.

I'm proud to call Joe my constituent and my friend. I congratulate him on his successful career and more importantly for the work he has done to strengthen the labor movement and expand Iowa's middle class. I wish Joe and his wife Debbie all the best in their future plans.

THE INTRODUCTION OF THE
EVERY CHILD DESERVES A FAMILY ACT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. LEWIS. Mr. Speaker, I am proud to rise today with my good friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), to introduce the Every Child Deserves a Family Act in honor of National Foster Care Awareness Month. Our colleague, the gentlewoman from New York (Mrs. GILLIBRAND) will sponsor the companion legislation in the Senate.

First, I would like to thank my friend, my sister, Congresswoman ROS-LEHTINEN for being my partner in this important fight. I would also like to pay tribute to our former colleague, Congressman Stark, and the hard work of his staff, Jeff Hild, in first championing this important bill. I am fully committed to moving this landmark legislation across the finish line.

Last week, our constituents—including Philip McAdoo and his son Zaden from Atlanta—came to Washington, DC to highlight how essential a loving home can be to a child in need of support and understanding. Philip, his partner Sean Cavanaugh, and Zaden are a beautiful, loving, globe-trotting family; simply being with them just warms your heart. Their

story is the happy ending which every foster care youth and potential parent should have the opportunity to experience.

Today, there are more than 400,000 children in our foster care system, with over 104,000 of them waiting for a permanent family. There are ample "qualified" adoptive and foster parents who are overlooked. As result, far too many youth "age out" without any family to support and love them. This bill would fix this problem—saving money and heartache and restoring hope and happiness in the process.

The Every Child Deserves a Family Act is a simple and straightforward proposal. It would prohibit any entity that receives federal child welfare funds from discriminating against prospective adoptive or foster parents on the basis of their sexual orientation, gender identification, or marital status. This bill also prevents discrimination against foster care youth on the basis of the sexual orientation or gender identity.

Mr. Speaker, I fought too long and too hard against discrimination of every kind. This is a problem that is fixable. Our common-sense legislation is supported by nearly 100 child welfare, civil rights, GLBT advocacy, and faith-based organizations because it places the best interest of every child first.

Today, we are joined by over 50 Members of Congress in introducing this bill, and I hope all of my colleagues will join us in support of this good will effort. Simply said, the Every Child Deserves a Family Act is just the right thing to do.

RESOLVING INTERNATIONAL PARENTAL CHILD ABDUCTIONS TO NON-HAGUE CONVENTION COUNTRIES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. SMITH of New Jersey. Mr. Speaker, last week, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, which I chair, held a hearing focused on the persistent and devastating problem of international parental child abduction, which occurs when one parent unlawfully moves a child from his or her country of residence, often for the purpose of denying the other parent access to the child.

The damage to the child and the left behind parent is incalculable and too often life-long. The children especially are at risk of serious emotional and psychological problems and may experience anxiety, eating problems, nightmares, mood swings, sleep disturbances, aggressive behavior, resentment, guilt and fearfulness. These victims are American citizens who need the help of their government when normal legal processes are unavailable or fail.

In 1983, the United States ratified the Hague Convention on the Civil Aspects of International Child Abduction to try to address this serious issue. This Convention creates a civil framework for the quick return of abducted children, and for rights of access to

both parents. Absent extenuating circumstances, the child is to be returned within 6 weeks to their country of habitual residence for the courts there to decide on custody or to enforce any previous custody determinations.

The Convention has helped return many children, but it is far from a silver bullet. Even in countries where the Convention is allegedly working, only about 40 percent of children are returned. Other cases are "resolved," but too often with dubious application of the Convention.

Susceptible to abuse by taking parents or unwilling judges, the Convention has too often been stretched to provide cover for abduction rather than recovery of the child. Taking parents have figured out that they can drag out hearing after hearing, appeal after appeal for years until the courts can claim that, "Yes, the child should have been returned but that the child is settled in the new country now and does not have to be returned under an exception in the Convention."

Some Hague Convention signatories are simply not enforcing legitimate return orders. The State Department's 2012 Hague Convention Compliance Report highlights six countries—Argentina, Australia, France, Mexico, Netherlands, and Romania—for failing to enforce return orders. Other countries—Costa Rica, Guatemala, The Bahamas, Brazil, and Panama—are non-compliant with the Convention or showing patterns non-compliance.

In other words, abducted American children are not coming home from these countries and American families need other options.

The same is true for many countries that have not signed the Hague Convention. In 2012 alone, more than 634 children were abducted to countries that have not signed the Hague Convention—countries like Japan, Egypt, and India.

More than 300 children have suffered abduction from the United States to Japan since 1994. Congress does not know of a single case in which the Government of Japan has issued and enforced an order for the return of an abducted child to the United States. According to U.S. State Department statistics, the United States is monitoring 54 ongoing cases involving 74 children who were abducted from the United States to Japan and 21 additional children from the United States who may not have been abducted, but who are being denied access to their American parent.

Although Japan has recently taken steps to join the Hague Convention, Japan's ratification will not address current cases for return. Moreover, experts question whether the ratification includes reservations that will make it impossible for even new abduction cases to be resolved with returns.

The United States does not have a bilateral or other agreement with Japan to facilitate the return of American citizen children who are currently abducted-citizens like Jade and Michael Elias, whose father will testify before us today.

Under the Convention alone, if ratified by Japan, the best that American parents of currently abducted children can hope for is a visit with their child. Such visits are projected to be one hour long, once a month, in a secure facility—hardly dignified or unfettered.

Despite our multi-billion dollar investment in Egypt, neither the Mubarak government nor the Morsi government has seen fit to return abducted American citizen children Noor and Ramsey Bower. They, along with 30 other American children in Egypt, are forced to live without half of their culture, half of their identity, and without the love and guidance of an American parent who daily fights for their return. The United States does not have a bilateral agreement with Egypt to facilitate the return of American citizen children, and has so far been unwilling to make prioritization of these cases a condition for the continued funding of the Egyptian Government.

India also has been a source of immense frustration and grief for American parents. In 2012, 32 more children were abducted to India, bringing the total number to 78 open abduction cases involving 95 children. Although some Indian courts make "Hague-like" decisions to return some children, returns are uneven. Parents attempting to utilize India's courts for the return of abducted children report corruption and incessant delays. The United States does not have a bilateral agreement with India to facilitate the return of American citizen children Convention.

In the last Congress I introduced legislation—the Sean and David Goldman Child Abduction Prevention and Return Act—to impress upon both Hague and non-Hague Convention countries that the United States will not tolerate child abduction or have patience with countries that hide abductors behind the Hague Convention. The bill would empower the President and Department of State with new tools and authorities to secure the return of abducted American children.

When a country has shown a "pattern of non-cooperation" in resolving child abduction cases, the President will be able to respond decisively with a range of 18 actions and penalties. Based on past experience—particularly with the Goldman case in Brazil—we know that penalties manage to get the attention of other governments, and help them prioritize resolution.

The bill also calls for the State Department to work out memorandums of understanding with countries that have not signed the Hague Convention in order to create agreed-upon routes to abduction resolution between countries, rather than the never-ending and torturous maze American are currently forced to run.

The status quo is simply not adequate, while well meaning and sincere, current policy has failed far too many children and their left behind, broken hearted, parents. To combat the cruelty and exploitation of human trafficking, over a decade ago I authored the Trafficking Victims Protection Act. To tangibly assist abducted American children and their left behind parents I introduced "The Sean and David Goldman Child Abduction Prevention and Return Act" this week. The United States can and must do more to protect innocent American children and their left behind parents from the horrors of international child abduction.

IN HONOR OF THE VALLEY FORGE ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INC. AND THE 20-YEAR ANNIVERSARY OF THE PATRIOTS OF AFRICAN DESCENT MONUMENT

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. MEEHAN. Mr. Speaker, I rise to honor the Valley Forge Alumnae Chapter of Delta Sigma Theta Sorority, Inc. and the 20-year anniversary of the Patriots of African Descent Monument.

One hundred years ago, the Delta Sigma Theta Sorority started with 22 women at Howard University. Since then, it has grown to more than 300,000 members in 1,000 chapters worldwide. Today, more than one hundred dedicated alumna from the Valley Forge chapter live in and serve the greater Philadelphia area.

On May 18, 2013, the women of the Valley Forge Alumnae Chapter will pay tribute to the Patriots of African Descent with a wreath laying ceremony commemorating its 20th Anniversary. The Patriots of African Descent Monument, sponsored by the Valley Forge Alumnae chapter in 1993, pays tribute to the service and sacrifice African-American soldiers of the Continental Army provided to our young nation during the Valley Forge Encampment of 1777–1778 and throughout the Revolutionary War.

Mr. Speaker, I commend the Valley Forge Alumnae Chapter of Delta Sigma Theta Sorority for its continued efforts to honor African-American patriots who have served this country bravely and honorably.

IN RECOGNITION OF DON WOOTEN

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to say a few words about Don Wooten, a man I greatly admire and am honored to call a friend. Tonight, Don is being honored by Augustana College in Rock Island, his alma mater. Due to votes here in Washington, I won't be able to make it, but I want to talk about Don and what he has meant to me, and our community in Illinois.

Don is a former award-winning television reporter and producer. He has also been a teacher, a print columnist and has served on the board of numerous local and state organizations. Don went on to become a public servant, and served two terms in the Illinois State Senate. Afterward, he returned to his roots and founded WVIK radio station at Augustana College in 1980, where he still hosts two weekly radio programs at the ripe age of 85.

Don has been married for more than 50 years to Bernadette and they have 5 children and three grandchildren. As someone who spent years as a journalist herself and has now entered public service, I couldn't ask for

a better role model than Don Wooten. He has influenced so many over his life and is a true community leader.

Mr. Speaker, I want to congratulate Don, and I look forward to hearing his voice on the radio for many years to come.

TRIBUTE TO THE HONORABLE DR. IRENE H. BRODIE

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to a dedicated public servant from my district, The Honorable Dr. Irene H. Brodie, Mayor of the Village of Robbins. As Mayor Brodie retires after 24 years of service to the Village I wanted to take this opportunity to recognize her many achievements.

Irene Brodie began her career in Robbins as a teacher at Kellar Elementary School where she worked alongside her husband, J. Edmon Brodie, who served as the school's principal. Through her hard work and diligence she later became Assistant Principal at Turner Elementary School. In addition to her professional responsibilities, Brodie continued to be a loving and devoted wife and mother. While doing this, and in spite of her busy schedule, she earned her Doctorate in Education at Northeastern University in Fort Lauderdale, Florida

Now a recognized educator in the region, Dr. Brodie joined the staff of a small junior college that, at the time, had only a few buildings to accommodate its 12,000 students. After two years of serving as a professor, Dr. Brodie became the first African-American Dean at Moraine Valley Community College. During her tenure, Moraine Valley grew to become the second largest community college in Illinois with a student population that now numbers well over 30,000.

Despite her having left the field, Dr. Brodie's dedication to education has never ceased. She has hired, financially supported, tutored, counseled, and graduated hundreds of residents from Robbins and the surrounding communities. Additionally, under her tutelage, the Mayor's Scholarship Fund has funded tuition costs for hundreds of students through the years and her individual efforts have produced teachers, lawyers, doctors, engineers, and educators around the world. Her contributions to education were recognized when Moraine Valley named the "Dr. Irene H. Brodie Academic Skills Center" in her honor. This center serves as a critical area of academic enrichment for Moraine Valley students.

During her tenure at Moraine Valley, Brodie also served as Village Clerk for the Village of Robbins for 12 years. Her service there led her to be recognized as a leader by a group of constituents who asked her to lead Robbins as its Mayor. Her election as Mayor marked her retirement from Moraine Valley and a shift in her career from educator to elected leader.

Mr. Speaker, throughout her career Dr. Brodie has served in such leadership positions as Vice-President of the Illinois Municipal League, Executive Board Member and Assistant Secretary of the National Conference of

Black Mayors, and Chair of the Education and Scholarship Committee for the National Conference of Black Mayors. Additionally she has served as a member of the Metropolitan Mayors Caucus, numerous Gubernatorial Transition Teams, various state and federal advisory boards, and as a member of President Clinton's Environmental Think Tank Group.

In closing, Mr. Speaker, I would like to once again thank Mayor Brodie for her decades of service and congratulate her on her retirement.

A TRIBUTE TO IOWA'S CIVIL WAR
HEROES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor and recognize the invaluable contribution of Iowa's servicemembers during the United States Civil War as the Kinsman Monument in Council Bluffs, Iowa is rededicated on May 18, 2013. This event will mark the 150th anniversary of the passing of Colonel William H. Kinsman of Council Bluffs, for whom the monument is named.

Born in Canada in 1832, William Kinsman studied in New York and Cleveland before setting off for Iowa in 1858. After travelling across the entire state by foot, Colonel Kinsman settled in Council Bluffs, where he was admitted to the bar, taught school and wrote for the local press. He volunteered at the outbreak of the war and was elected a lieutenant under famed Iowa war hero General Grenville Dodge in Iowa's 4th Volunteer Infantry Regiment. Kinsman was ultimately promoted to the colonelcy of the 23rd Iowa Infantry following a stretch of valiant service, and in 1863 he and his troops joined General Grant's campaign to capture Vicksburg, Mississippi. On May 17 of that year, Colonel Kinsman fought and was mortally wounded in a pivotal battle at Big Black River Bridge that helped isolate the Confederates, leading to their eventual surrender in Vicksburg weeks later. Although Colonel Kinsman passed the following morning, he gave his life for our state, our country, and the cause of freedom.

Kinsman was interred on the battlefield, but nearly 40 years later in 1904, General Dodge, by then a former U.S. Congressman, secured the necessary financial resources to bring his remains home to Council Bluffs to be permanently laid to rest. Today, the Kinsman Monument reminds us of the sacrifice of Iowa's veterans during the Civil War and the strength of our nation's resolve.

Mr. Speaker, it is a great honor to represent the people of Iowa, the city of Council Bluffs, and the legacies of Colonel Kinsman and General Dodge in the United States Congress. Their stories represent just a fragment of Iowa's extensive contributions to this great country made by our selfless veterans and their family members. I invite my colleagues in the House to join me in thanking the Iowa Sons of Union Veterans of the Civil War for this historic ceremony, and I humbly express my unending gratitude to all of our nation's

veterans, servicemembers, and their families for their service and sacrifice.

HONORING ANDREW GOTZON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Andrew Gotzon. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1260, and earning the most prestigious award of Eagle Scout.

Andrew has been very active with his troop, participating in many scout activities. Over the many years Andrew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Andrew contributed to his community through his Eagle Scout project. Andrew cleaned and renovated 13 playgrounds, sanding off the old paint, applying a fresh coat of paint and cleaning up the playground area.

Mr. Speaker, I proudly ask you to join me in commending Andrew Gotzon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THE LEGACY OF SRI LANKA'S
CIVIL WAR

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. PRICE of North Carolina. Mr. Speaker, four years ago this week, the Sri Lankan military declared victory over the Liberation Tigers of Tamil Eelam (LTTE) after more than 25 years of conflict. Thus ended one of the most devastating civil wars of the century, offering hope of a brighter future for the Sri Lankan people characterized by peace, reconciliation, and economic prosperity.

Unfortunately, four years later this brighter future remains elusive for much of Sri Lanka's population. The Sri Lankan military's final offensive against the LTTE left hundreds of thousands of civilians—most of them Tamils—in a situation of forced relocation, humanitarian disaster, and precarious political rights. We have also learned that the government likely committed serious abuses during the fighting itself, leading to the death, torture, or disappearance of tens of thousands of Tamil civilians. A recent report by Human Rights Watch sheds a startling light on these abuses, documenting widespread and potentially systematic incidences of rape, torture, and sexual assault of Tamil detainees by Sri Lankan forces.

Since the end of the conflict, the Sri Lankan government has blatantly and repeatedly defied the demands of the international community and commonly accepted norms of justice and human rights by failing to reintegrate large

numbers of Tamil citizens in a timely manner, denying access by journalists and humanitarian organizations to conflict-affected areas, and detaining former combatants indefinitely without access to legal recourse. The government has also persistently rejected calls by a growing number of governments, international bodies, and human rights organizations for an independent investigation into potential war crimes. If the government truly has nothing to hide, why resist even this basic measure of accountability?

On this anniversary of the end of the 2009 conflict, I call on the government of Sri Lanka to act expeditiously to reintegrate Tamil civilians into their communities, provide ex-combatants with appropriate legal recourse and a path toward reintegration, and open its doors to a truly independent international investigation. I also call on our own government to redouble its efforts to pursue accountability for atrocities committed by all sides of this tragic conflict. In the meantime, I urge Congress to expand current conditions on aid to the Sri Lankan government to cover all forms of military assistance.

It is past time for the international community to finally bring an end to this dark chapter in Sri Lanka's history so that the Sri Lankan people can realize the future they so badly deserve.

RECOGNIZING IGANCIO "NASH"
CANTU FOR HIS DEDICATION TO
BETTERING THE LIVES OF PEOPLE
WITH DISABILITIES

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of Igancio "Nash" Cantu and his devotion to enriching the lives of people with disabilities in my district. Nash, a resident of Carrollton, TX who works as a Direct Support Professional (DSP) at Mosaic in Dallas, was recently named by the American Network for Community Options and Resources (ANCOR) as Texas' Direct Support Professional of the Year for 2013.

DSPs across the nation are vital in helping people with significant disabilities lead a healthier and more meaningful life. This award honors only those DSPs who have demonstrated an exemplary commitment to bettering the lives of the individuals they serve. Thanks to Nash's incredible work, the people he supports have a greater opportunity to participate and contribute in their community. I am extremely grateful to have Nash as a constituent and am very proud to recognize his devoted service to the people of my district and the state of Texas.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the amazing work of Igancio "Nash" Cantu. We must always honor those who devote themselves to enriching the lives of others.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained yesterday and missed roll No. 149. Had I been present, I would have voted "yea."

**HONORING MIKALA JOHOKU JOHN
JEFFERSON ZUBER**

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Mikala Johoku John Jefferson Zuber. Mikala is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Mikala has been very active with his troop, participating in many scout activities. Over the many years Mikala has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Mikala has earned the rank of Warrior in the Tribe of Mic-O-Say and the Four Star Religious Award. Mikala has also contributed to his community through his Eagle Scout project. Mikala constructed book shelves for Gracemor Elementary School in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Mikala Johoku John Jefferson Zuber for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. COOPER. Mr. Speaker, I was unable to be present for rollcall votes #144, #145, and #146 on Tuesday, May 14, 2013. I was attending a funeral. Had I been present, I would have voted "yea" on all three votes.

TRIBUTE TO MAXINE P. CLARKE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, in the Fourth Congressional District of Georgia, there are many individuals

who are called to contribute to the needs of our community through leadership and service; and

Whereas, Mrs. Maxine P. Clarke has answered that call by giving of herself as an educator at Dunaire Elementary School, and as a beloved wife, mother and friend; and

Whereas, Mrs. Clarke has been chosen as the 2013 Teacher of the Year, representing Dunaire Elementary School; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Mrs. Clarke is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Maxine P. Clarke for her leadership and service for our District and in recognition of this singular honor as 2013 Teacher of the Year at Dunaire Elementary School; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 2, 2013 as Mrs. Maxine P. Clarke Day in the 4th Congressional District.

Proclaimed, this 2nd day of May, 2013.

STATEMENT ON AZERBAIJAN
REPUBLIC DAY

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. HINOJOSA. Mr. Speaker, I ask my colleagues to join me in honoring the Republic of Azerbaijan in celebration of the 95th anniversary of Republic Day on May 28th. Later this year, Azerbaijan will also celebrate the 22nd anniversary of its freedom from the Soviet Union and the beginning of diplomatic relations with the United States.

Located at the crossroads of Western Asia and Eastern Europe, Azerbaijan was established in 1918 becoming the first democratic and secular republic in the Muslim world before being incorporated into the Soviet Union in 1920. The country regained its independence in 1991.

The U.S. and Azerbaijan have developed a strong relationship through the opening of Caspian energy sources for development by American companies, which has also allowed the country to emerge as an essential player in global energy security. The Baku-Tbilisi-Ceyhan pipeline project has become a vital part of delivering Caspian Sea resources to world markets and serves as a prime example of the development of the South Caucasus region.

Azerbaijan has continually assisted the United States on matters of international security, supporting and participating in operations in both Kosovo and Iraq as well as being actively engaged in Afghanistan. Azerbaijan has regularly facilitated landing and refueling oper-

ations for U.S. and NATO forces in the region. Furthermore, Azerbaijan offered strong and immediate aid to the United States directly following the devastating events of 9/11.

Again, it is my distinct pleasure to honor the Republic of Azerbaijan in celebration of the 95th anniversary of Republic Day, and to recognize the valuable bilateral relationship between the United States and Azerbaijan.

HONORING JAMES DOUGLAS
HOOTEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize James Douglas Hooten. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, James has earned the rank of Warrior in the Tribe of Mic-O-Say and the Four Star Religious Award. James has also contributed to his community through his Eagle Scout project. James designed and planted landscaping for an outdoor classroom at Davidson Elementary School in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending James Douglas Hooten for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,765,040,725,133.72. We've added \$6,138,163,676,220.64 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

INTRODUCTION OF STOP DECEPTIVE
ADVERTISING FOR WOMEN'S
SERVICES ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I am introducing important

legislation that will protect the rights of women seeking information on family planning services.

This week is National Women's Health Week, a weeklong effort to empower women to live happier, healthier lives. We want to encourage women to prioritize their health, but not deceive them about what medical options are available. Unfortunately, there are some centers that deliberately misinform or mislead women seeking information on family planning services. Called Crisis Pregnancy Centers (CPCs), they pose as sources of unbiased pregnancy counseling, using deceptive propaganda to dissuade women from considering comprehensive birth-control options or legal abortion. Fake reproductive health clinics entice women with unintended pregnancies through their doors under the pretense of providing the full range of reproductive options and services.

The Stop Deceptive Advertising for Women's Services Act directs the Federal Trade Commission to promulgate rules under the Federal Trade Commission Act, declaring it an unfair or deceptive act for an entity, such as a crisis pregnancy center, to advertise as a provider of abortion services if the entity does not provide abortion services.

Deception has no place when a woman is seeking information about her pregnancy. Working together we can help stop the fraud and confusion these Crisis Pregnancy Centers are perpetrating on the women of America.

CONCERNS REGARDING PROPOSED CUTS TO FUNDING FOR FOOD STAMPS

HON. ALBIO SIREs

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. SIREs. Mr. Speaker, I rise today to express my serious concern about the proposed cuts to funding for food stamps in the 2013 Farm Bill.

Food stamps are critical to the health and wellbeing of our Nation's most vulnerable populations. In my home State of New Jersey, nearly 870,000 households rely on this benefit to feed their families. Of that number, 45 percent are children and nearly 25 percent are either elderly or disabled adults.

As it stands, food stamp benefits average less than \$1.50 per person for each meal, and that number is already set to drop to about \$1.40 this fall when a temporary boost from the Recovery Act ends.

Every one of us knows how difficult it would be to feed their children or aging parents a nutritious meal for that amount of money. And yet, the farm bill would slash federal spending for food stamps by more than \$21 billion over the next decade, eliminating food assistance to nearly 2 million people.

I understand the need to bring our budget under control, but I encourage my colleagues to find a smarter path forward. Let us not balance the budget on the backs of those among us who are the most vulnerable.

HONORING TYLER TILTON-LAGERMANN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tyler Tilton-Lagermann. Tyler is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 393, and earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many scout activities. Over the many years Tyler has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Tyler contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Tyler Tilton-Lagermann for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING UCP OF CENTRAL FLORIDA'S GRAND OPENING OF THEIR NEW WEST ORANGE CAMPUS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to recognize that on May 1, 2013, UCP of Central Florida celebrated the grand opening of their new West Orange campus location in Winter Garden, Florida. UCP of Central Florida is a tuition free public charter school that seeks to serve our young people with disabilities. The communities and families of Central Florida are blessed to have an organization such as UCP of Central Florida that is dedicated to helping improve the lives of thousands of children.

The mission and vision of UCP of Central Florida to open their doors to children, with or without special needs, is to be commended and celebrated. UCP of Central Florida offers the necessary development tools, including counseling, educational services and specialized therapy programs, to help build a foundation of success for children and families. This organization has achieved remarkable results. I am grateful to all those involved with making this organization such a successful part of our community.

On behalf of the citizens of Central Florida, I am pleased to congratulate and recognize UCP of Central Florida on the grand opening of their new West Orange campus. I wish them many more successful years of providing quality care to the Central Florida community.

HONORING KBBF RADIO

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today along with my colleague, Congressman JARED HUFFMAN, to recognize and honor radio station KBBF 89.1 FM as it celebrates 40 years of operation.

KBBF was the first bilingual public radio station in the United States, launching its inaugural broadcast on May 31, 1973. Its success has led to the creation 35 other radio stations throughout the country that now serve their local Hispanic and Latino communities.

For 40 years, KBBF and its program hosts have delivered an ever-evolving level of service to Spanish and English speakers alike by providing a diverse mix of information, commentary and culture. Airtime is devoted to public affairs, news commentary, literature, financial and health news, youth and women's issues and news, indigenous programming and music from all over the world.

The radio station was founded by an eclectic group of individuals including a farm worker, a lawyer, a housewife, a college professor and a college student who wanted to provide cultural, educational and informational radio programming to a community that had historically been underrepresented in traditional radio formats.

The vision of a bilingual public radio station captured the imagination of both the local community and the Nation. The late United States Senator Ted Kennedy personally directed a helicopter to fly KBBF's antenna to the top of Mt. St. Helena, the finishing touch before broadcasts could begin.

Mr. Speaker, KBBF 89.1 FM Public Radio is a true pioneer in every sense of the word and it is therefore appropriate that we honor KBBF today on its 40th anniversary.

HONORING WILLIAM W. McCLANNAHAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize William W. McClannahan. William is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 393, and earning the most prestigious award of Eagle Scout.

William has been very active with his troop, participating in many scout activities. Over the many years William has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, William contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending William W. McClannahan for his accomplishments with the Boy Scouts of

America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF LIEUTENANT COMMANDER JOYCE ZONGRONE, U.S. NAVY (RETIRED)

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to honor Lieutenant Commander (LCDR) Joyce Zongrone, who retired after 35 years of courageous service in both the active and reserve service on June 30, 2008.

LCDR Joyce Zongrone has been consistently recognized throughout her career for her service in the Vietnam War, Operation Desert Storm, and the Global War on Terrorists. LCDR Zongrone originally earned her commission in 1974 after graduating Officer Candidate School in Newport, Rhode Island. She then went on to serve with great distinction, being awarded the Woman of Military Achievement Award by the San Diego Chapter of the U.S. Navy League for three consecutive years: 1975, 1976, and 1977.

LCDR Zongrone also received the U.S. Navy Commendation Medal for her service in Operation Restore Hope in Somalia and her duties as the Navy Central Command's liaison to General Colin Powell's Farewell Tour. LCDR Zongrone received a Coast Guard Unit Commendation for her development of a joint anti-submarine warfare curriculum for the Coast Guard and the Navy; and the Humanitarian Service Medal for Operation Babylift, a U.S. initiative that airlifted over 2,500 Vietnamese orphans out of Vietnam after the war.

In addition to her service to our great nation, once released from active duty by the U.S. Navy, LCDR Zongrone worked as a freelance producer, investigative reporter, technical writer for NASA, a teacher, and adjunct professor. In her post-military life, LCDR Zongrone won a Texas Gulf Coast Press Association Award, an Attaway Newspaper Group Color Photography Award, and was included in the 2005–2006 edition of Who's Who in American Teachers. Furthermore, due to her distinction and success, LCDR Zongrone currently serves on the Military Academy Selection Board of the Ninth Congressional District of Texas.

Mr. Speaker, I am blessed to have the opportunity to pay tribute to such a selfless veteran as LCDR Zongrone. For those of us who know LCDR Zongrone, we are always in awe of her intelligence and willingness to serve worthy causes. It is an honor to know that as Americans and freedom-loving people, we owe our liberty and security to brave individuals like LCDR Zongrone, who put their liberty and security at risk for us.

GIRLS OF STEEL ROBOTICS TEAM

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. DOYLE. Mr. Speaker, I rise today to congratulate the Girls of Steel robotics team on winning the Engineering Inspiration Award at the 2013 Pittsburgh Regional F.I.R.S.T. Robotics Competition.

This is the second year in a row in which they have won the Engineering Inspiration Award. This prestigious award, which recognizes the team's outstanding efforts to advance respect for the engineering profession, also qualified the team to compete at the F.I.R.S.T. Championship in St. Louis for the third year in a row. The championship is the final and largest competition of the robotics season and features teams from across the world.

F.I.R.S.T., which stands for "For Inspiration and Recognition of Science and Technology," is an organization dedicated to introducing our youth to the world of science and technology. This year alone, hundreds of thousands of students are gaining practical, team-based engineering experiences by participating in F.I.R.S.T.

As a founder and co-chair of the Congressional Robotics Caucus, I think competitions such as these are outstanding tools for getting students interested in careers in science, technology, engineering, and math. I believe our nation's future economic growth and prosperity depends upon getting young people interested and engaged in scientific pursuits, and I want to commend organizations like F.I.R.S.T. for the important work they do in that regard. The F.I.R.S.T. Robotics Competition instills a sense of pride in the individuals who participate in it and allows them to apply their natural creativity in the demanding and competitive field of robotics.

The Girls of Steel team is made up of 40 young women from high schools in and around the Pittsburgh area. In recognition of their hard work, intelligence, and teamwork, I want to mention each of these inspiring young ladies by name. They are Sonia Appasamy, Katie Ashwood, Tammy Bevilacqua, Elizabeth Bianchini, Britt Bovbjerg, Aaminah Bray, Grace Brueggman, Dakota Calvert, Abby Ceraso, Tristan Close-Abuyen, Claudia Contreras, Laurel Donatelli, Samantha Eppinger, Clarisa Espinoza-Delgado, Mackenzie Ferris, Naoka Gunawardena, Heather Harrington, Rosanne Harrison, Kathryn Hendrickson, Imani Horton, Campbell Konrad, Elizabeth Kysel, Sylvie Lee, Sophia Lee, Shana Leshko, Pragna Mannam, Genevieve Nieson, Raina Oravec, Simran Parwani, Korrin Resetar, Kaylyn Rocher, Alex Roth, Rachel Round, Katie Shreve, Lynn Urbina, Molly Urbina, Bryce Volk, Becca Volk, Giulia Watkins, and Natalie Young.

I also want to mention that one of the Girls of Steel—Naoka Gunawardena from The Ellis School—was one of two students at the Pittsburgh Regional who won the prestigious F.I.R.S.T. Dean's List Award, which recognizes student leaders who are outstanding at pursuing and achieving F.I.R.S.T.'s ideals.

I also want to express my appreciation to the staff of the Carnegie Mellon University

Field Robotics Center, which has mentored the Girls of Steel. As a result of their efforts, more young women are gaining real-world technological experiences which will certainly aid them in the future.

I congratulate the Girls of Steel and wish them continued success in their academic and professional pursuits.

HONORING JACOB SHIPLEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob Shipley. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 320, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jacob contributed to his community through his Eagle Scout project. Jacob researched and led a restoration of destroyed quail habitat on federal wetlands in northern Missouri.

Mr. Speaker, I proudly ask you to join me in commending Jacob Shipley for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF MEDICAL NEUTRALITY PROTECTION ACT OF 2013

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Medical Neutrality Protection Act of 2013, which is an updated version of the bill I introduced in the 112th Congress. I have been encouraged by the tremendous support that this bill received since then, including major human rights advocacy groups, medical professionals, U.S. government officials, and medics living abroad who have been persecuted while serving in times of civil unrest.

Since I first introduced this bill in July 2011, we have heard of widespread cases, particularly in the Middle East, where the independence of physicians and medics was severely hindered. Unfortunately, the situation remains dire. Many have been arrested, detained, interrogated, and even tortured for caring for the wounded. Countries that do this to their medical professionals do not deserve our military assistance.

This bill elevates the protection of medical professionals as a foreign policy priority for the U.S. Government so that countries that violate norms of medical neutrality will no longer be able to receive U.S. military assistance.

I first became aware of this issue back in the 1980s during the civil war in El Salvador. The conflict ended in the early 1990s with over 75,000 people killed, some of whom were medical workers who were caught in combat or working in refugee camps. Then, as now, I was concerned that the United States was not doing enough to stop government forces from harming medical workers, who are some of the only unbiased eyewitnesses that we have on the ground.

Protecting doctors and health care workers is a nonpartisan issue that should get broad support in Congress and our government.

I urge my colleagues to support this measure.

COMMEMORATING THE 1980
OLYMPIC MEDICAL STAFF

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to provide long-overdue recognition for a group of Americans who were denied the opportunity and honor of representing our country at the 1980 Olympic Games: the U.S. Olympic medical staff.

In response to the Soviet invasion of Afghanistan in 1979, the United States led a global effort to boycott the 1980 summer Olympic Games in Moscow. Sixty-five nations participated in the boycott, in an unprecedented display of international solidarity against Communist aggression.

Today, we look back at the 1980 Olympic boycott as a dramatic and triumphant moment in Cold War history. For the members of the U.S. Olympic team, however, it also represented a foregone opportunity to fulfill a once-in-a-lifetime dream of representing their country at the pinnacle of international athletic competition.

In recognition of the hard work, determination, and sacrifice of our Olympic athletes, the 96th Congress commissioned gold-plated medals to be minted for each member of the team. In July of 1980, Congress held a ceremony on the East Front Steps to hand-deliver the medals; more than 450 Olympic athletes were in attendance, as was President Jimmy Carter.

During the 110th Congress, it was brought to the attention of Congress that, because of a clerical interpretation, these Americans were not listed as recipients of the Congressional Gold Medal by the Clerk of the House. In response, former Representative Todd Tiahrt worked with the Clerk's office and the U.S. Olympic Committee to officially recognize the members of the 1980 Summer U.S. Olympic Team as recipients of the Congressional Gold Medal.

Unfortunately, this was not the only oversight on the part of Congress. Our athletes were not the only Americans affected by our government's decision to boycott the 1980 Summer Games; our Olympic medical and training personnel also lost the chance to represent their country on the world stage. Like our Olympic athletes, these medical and train-

ing professionals were leaders in their fields selected specifically for this honor, but they were never properly recognized for their contributions and their sacrifice.

As a small and belated gesture of gratitude, I stand here today, 33 years later, to recognize the following members of the 1980 U.S. Olympic medical staff for their service to our country: Physicians Tony Daly, Roy Bergman, Jerry Patmont, Doug Shaw, and Tim Taft (of my home State of North Carolina); and Athletic Trainers Bob Beeten, Sherry Babagian, Dave Blanchard, Tina Bonci, Chuck Demers, Tim Kerin, Mike Linkovich, Bob Moore, Al Ortolani, Tony Russo, Larry Standifer, Gail Weldon, and Troy Young.

IN MEMORY OF THE HONORABLE
LYDIA GARDNER

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. MICA. Mr. Speaker, I rise today to honor the life and accomplishments of a devoted public servant, a community leader and a special friend, Orange County Clerk of Courts Lydia Gardner. With her passing on May 8, 2013, her family has lost a loved one and our community and the State of Florida have lost a respected and accomplished leader.

Lydia was born in Michigan and graduated from the University of Michigan. She also attended Rollins College and the prestigious John F. Kennedy School of Government at Harvard University. However, it was with an early passion for politics that she won the position of Student Council President at Central High School in Grand Rapids, Michigan.

Prior to serving as Clerk of Courts, Mrs. Gardner distinguished herself as an educator, achieved success in real estate and as an executive with a Fortune 100 telecommunications company and was later elected as member and chairman of the Orange County School Board.

Lydia was first elected in 2000 and then a subsequent four terms as Orange County, Florida's Clerk of Courts. In 2008 her office received the Sterling Award for operational excellence awarded by the Governor. She has been appointed by the Florida Supreme Court to a number of special committees, most recently one to study privacy and court records. Lydia lent her support to causes important to her and the Central Florida community. She was a strong advocate for the mentally ill and was the recipient of the Central Florida Mental Health Association's Golden Bell Award. She played a key role in establishing the Domestic Violence Commission in Orange County, served on the Jail Oversight Committee, Juvenile Justice Commission as well as the Board of Directors for the Central Receiving Center. In addition, she has served on the Board of the Orlando Science Center and Winter Park Chamber of Commerce, which elected her chairman in 2003.

A devoted wife, mother and grandmother, she truly made an indelible mark on her family, community and our judicial system. My

deepest condolences are extended to her husband John, her son Chris and daughter Betsy. In addition, Lydia is remembered by her four grandchildren and three siblings. Mr. Speaker, I ask all Members of the U.S. House of Representatives join me in recognizing the distinguished life and service of Lydia Gardner.

RECOGNIZING THE WINNERS OF
THE NINTH ANNUAL TECHNOLOGY
AND ARTS COMPETITION HOSTED BY SAIC
AND THE COUNCIL FOR THE ARTS OF
HERNDON

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize and congratulate the participants and winners from the Council for the Arts of Herndon's Ninth Annual SAIC Technology and the Arts Competition.

The Technology and the Arts program grew out of a desire to offer computer savvy teens a way to showcase their abilities in an artistic format. The innovative program challenges students in all Fairfax and Arlington county high schools to create works of animation, digital art, digital music, and digital photography by blending technology and artistry into one cutting-edge masterpiece. Students submit entries at their schools, and teachers are tasked with selecting which works will be entered into the contest. Works are judged by professionals and experts in the field, and awards are given for first place through honorable mention in each category.

This program also showcases how creativity extends beyond the arts into a crucial component of our local and national economies. Technology has been the driving force behind Fairfax County's economic expansion for the past two decades. Knowledge-based enterprises directly employ more than 140,000 people in Fairfax County and some of the world's leading technology firms are headquartered here. America remains the world's leader in technology innovation primarily because of the creativity and ingenuity of these companies. This event is not just about art, it is also about laying the foundation for America's competitiveness in a global market place.

I am pleased to congratulate the following winners of the Technology and the Arts Competition and to enter their names into the CONGRESSIONAL RECORD:

SAIC Sponsor Award: Briana Bui—Taken By The Wind.

CAH Board of Director's Choice: Dean Dickinson Effects of Music.

Digital Art: 1st Place, Kelly Park—Bottle Memories, 2nd Place, Marvin Funes—Untitled, 3rd Place, Aileen Kenny—Bite Your Lip and Tell a Lie, Honorable Mention, J Lash—Found, Honorable Mention, Lauve Gladstone—Feather Brush, Honorable Mention, Dylan Staniszewski—Painting with Poison, Honorable Mention, Heather—Pham Dream, Honorable Mention, Kevin Jo—Jazz Player, Honorable Mention, Roya Sodeifi—Fourth, Honorable Mention, Tony Lunsford—Ticking Transformation.

Digital Photography: 1st Place, Dakota James—Spring Snow, 2nd Place, Wray Sinclair—Photography, 3rd Place, Kyle Kirkpatrick—Hit the Nail on the Head, Honorable Mention, Marisa Ross—Dryer.

Animation: 1st Place, Max Johnson—Dispense, 2nd Place, Samuel Eddy—Neerstorten, 3rd Place, Ian Jelliffe—Fat Lady Sings, Honorable Mention, Kevin Dang—A Day in the Life of a Pencil—Falls Church High School.

Mr. Speaker, I ask that my colleagues join me in congratulating this year's winners and thanking SAIC, the Council for the Arts of Herndon, as well as the educators, parents, and community partners for their support of these students and this competition.

HONORING HAGEN R. KIMSEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Hagen R. Kimsey. Hagen is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 10, and earning the most prestigious award of Eagle Scout.

Hagen has been very active with his troop, participating in many scout activities. Over the many years Hagen has been involved with scouting, he has not only earned 41 merit badges, but also the respect of his family, peers, and community. Most notably, Hagen contributed to his community through his Eagle Scout project. Hagen painted the physical therapy room at the United Cerebral Palsy of Northwest Missouri facility in St. Joseph, Missouri. Hagen's work allowed the facility to maintain its license and provide children with developmental disabilities an opportunity for physical activity.

Mr. Speaker, I proudly ask you to join me in commending Hagen R. Kimsey for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

REMEMBERING THE LIFE AND LEGACY OF MIKE CONDOLEON

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to recognize and honor the life of Michael J. "Mike" Condoleon, 81, who passed away March 27, 2013 at St. Joseph Health Center in the presence of his loving family. Mike was born the son of John M. and Angela Condoleon on Nov. 6, 1931, in Warren, Ohio.

Northeast Ohio is known for hard working, honest Americans that work day in and day out to help drive this nation; Mike was no exception to this. He proudly served our nation in the U.S. Army during both World War II and the Korean War. In the early 1960s, Mike was the proud owner and operator of the McKinley

Market. He also provided for his family while working at Penn Ohio Towel Co., St. Demetrius Community Center and most recently at Condo Inc.

Mike was a member of St. Demetrius Greek Orthodox Church and AHEPA Zeus 88. He found joy in reading, landscaping, doing home projects and studying history. Although Mike enjoyed these hobbies, none of them can compare to the love Mike had for his family. Mike is survived by his loving wife, Christina "Tina" Condoleon, whom he married August 18, 1963; three children, John (Tricia) Condoleon of Howland, Harry (Hollie) Condoleon of Algona, Iowa, and Angela (Steve) Zervas of Cortland; ten grandchildren, Kristin, Michael, Kurt, Caitlyn, Michael John, Nicholas, Gabriel and Laney Condoleon, Christopher and Melena Zervas; one sister, Peggy Kontos of Warren; and numerous nieces and nephews.

Mike's son John is my dear friend, Mr. Speaker. And I know how proud he was of his son and all of his family. I know that his children continue to pass on to their children the values and integrity they witnessed in their father. And isn't that what it is all about? That is why I am honored to take this opportunity to commemorate the life of Michael J. Condoleon. He will be remembered as a friend, a colleague and a mentor to many—but most importantly, he will be remembered as a loving husband, father, and grandfather. His contributions to this his family, our community and our nation will not be forgotten.

HONORING AND RECOGNIZING ST. MARY'S HIGH SCHOOL

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. CLEAVER. Mr. Speaker, I rise today in recognition of St. Mary's Bundschu Memorial High School, an historic and admirable educational institution that has been a proud part of my district for well over a century. At this time, I would like to join with my friends and neighbors to say goodbye and thank you to St. Mary's High School, recognizing all that the teachers, staff, and administration have done for generations of our community.

Few institutions can claim the vibrant history that St. Mary's can. It can trace its roots back to 1853, when Father Bernard Donnelly founded the school on a small plot of land, donated by Susan A. Hamilton. On this land was a small one and a half story building, which Father Donnelly converted into a school. From humble beginnings came bold and bountiful blessings.

At that time Independence, Missouri was the farthest point westward to which steamboats could travel on the Missouri River. It would be twelve more years before the city of Independence even opened its first public school, so St. Mary's served as the first public school for the frontier town. The children of merchants, explorers, and pioneers began their education together.

As the town grew, so did St. Mary's. Throughout its history—even in 1876 when

part of the building was destroyed by a cyclone—St. Mary's has served the students of this community. In 1946, the cornerstone of the co-educational St. Mary's High School was laid, and by the very next year, a new building was completed and accredited. By 1968, the school opened its doors wide, expanding enrollment to neighboring communities, from greater Independence and Sugar Creek, to Northeastern Kansas City, Blue Springs, Lee's Summit, Raytown, Buckner, Smithville, and Liberty.

Over the years, St. Mary's has dedicated itself to the education and development of young men and women, teaching them to realize their unique potential through an extensive curriculum, instructional excellence, global awareness, service and extra-curricular programs. Thousands of young adults spent their formative years learning and growing in the classroom, on the field, on the stage, and in the pews on North Main Street.

It is with these facts in mind that Mayor of Independence Don B. Reimal dedicated May 14, 2013, to be St. Mary's High School Day, recognizing the positive impact this school has had on the lives of all of us, and urging all citizens to join in promoting the welfare of all children and youth.

As this school year comes to a close, so too do the doors of St. Mary's. But what will go on in these days, months, and years to come, is the lasting legacy of education and experience, living on in the hearts and minds of St. Mary's alumni.

Mr. Speaker, it is my wish that this Congress pay tribute to this valued part of our community.

COMMEMORATING THE LIFE OF MAYO STUNTZ

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to commemorate the extraordinary life of one of Fairfax County's more iconic figures, Mayo Sturdevant Stuntz, who passed away May 9, at the age of 97. Mr. Stuntz not only witnessed the historical events that shaped our community, but he and his family also dedicated themselves to documenting, sharing, and preserving that history for future generations.

A native of Vienna, VA, Mr. Stuntz spent his early years serving his country. After graduating from Cornell University, he served with the U.S. Army for five years during World War II, where he was a member of the renowned Alamo Scouts reconnaissance unit based in the South Pacific. He went on to serve 25 years with the Central Intelligence Agency. Those accomplishments alone merit our great praise and thanks, but it was what Mr. Stuntz did during his retirement that will leave a lasting imprint on our community.

Mr. Stuntz inherited from his parents an interest in history that grew into a hobby and ultimately became his true passion. His family is steeped in Fairfax County and our nation's history. He was a descendent of a Hessian

soldier who came to the colonies during the Revolutionary War to fight for the British but wound up switching sides once he learned the impetus for the war. Mr. Stuntz also was a descendent of the Fitzhugh family, which traces its roots in America to the early 1600s. The family owned a large tract of what later became Fairfax County. At one point, the Fitzhughs were close family friends of George and Martha Washington, who had settled in eastern Fairfax, and another Fitzhugh descendant married Robert E. Lee.

Concerned with the disappearing character along the main street in Vienna that he recalled from his youth, Mr. Stuntz set out in the 1960s to photograph every house on Route 123 between Tysons Corner and Oakton. His wife, Connie, was soon pulled into the project, which eventually led the publishing of three books: "This Was Vienna," "This Was Tysons Corner," and "This Was Virginia." It was also during the mid-1960s that Mr. Stuntz was recruited to join the Fairfax Landmarks Preservation Committee, which would serve as a precursor to the Fairfax History Commission. In a 2005 oral history interview, he said his initial goal was to create a book of historical buildings and homes similar to one he had seen done in neighboring Arlington County. "I didn't realize Arlington is about one-tenth the size of Fairfax County, and I bit off a great deal to chew . . . and I'm still chewing."

All told, Mr. Stuntz spent 47 years on the Commission, chronicling and preserving our community's rich history and culture. In addition to the books he and his wife published, he regularly lectured in local classrooms and community centers. He readily acknowledged that he was not a trained historian, but his local knowledge went back a piece, and he understood the value in connecting the past with our present. It was those connections that continued to drive him, even in his later years, when he lost his sight.

I had the great pleasure of collaborating with Mr. Stuntz on Civil War preservation and a number of historic marker dedications during my tenure on the Fairfax County Board of Supervisors. You could not help but get carried along by his vast knowledge and passion for our local history. I was able to spend time with Mr. Stuntz earlier this spring when we celebrated the Freeman Store, a local Civil War landmark, being added to the National Register of Historic Places. It was particularly poignant for him as he was the first chairman of the Freeman House ad hoc Historical Commission. His daughter, Anne, is now president of the Commission's successor, Historic Vienna. As we reflected on this latest addition to his historic tally, he pulled me aside to ask me if I had purchased my plot at Flint Hill Cemetery. It is believed to be the oldest cemetery in Fairfax County, and Mr. Stuntz had served as president of the cemetery association for 50 years. He had long encouraged me to get a plot before they were all gone, and even now was still trying to close the deal. He was truly a character.

Mr. Stuntz is survived by his wife of 66 years, Connie, their three children, eight grandchildren, and one great grandchild.

Mr. Speaker, I ask my colleagues to join me and in commemorating the remarkable life of Mayo Stuntz for his tremendous service to our

country and community and in extending our deepest sympathies to his family. His strong connection and commitment to our community became a lifelong passion that has preserved milestones in our history for future generations and inspired others to pick up where he left off. He also was my friend, and I shall miss his smile and warm presence terribly.

HONORING DR. GENE JOHNSON

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. YODER. Mr. Speaker, I rise today to honor Dr. Gene Johnson, Superintendent of the Shawnee Mission School District in Johnson County Kansas, for his unwavering service to our country's greatest natural resource—our children. Dr. Johnson has tirelessly served the children of Kansas during his educational career as teacher, principal, administrative leader, and during the last five years as the Superintendent of one of the largest school districts in Kansas. He will be ending his life-long service in public education at the end of June.

During his time of leadership Dr. Johnson has led through the difficulties of economic challenge and a changing demographic in student population, while continuing to raise the bar of academic excellence and achievement—a great example of excellence in leadership through diversity. He has quietly and brilliantly led this national award winning school district in the increase of their International Baccalaureate programs in the high schools and Advanced Placement Courses; Signature Programs in Bio-Science/Medical Studies, Bio-Technology, Engineering, Legal Studies, Culinary Arts and others while strengthening focus on early childhood education and academic rigor in the Middle Schools.

Thank you, Dr. Johnson, for your servant leadership. You are a hero and champion, and we wish you the best in your retirement.

STRENGTH IN HONOR

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. RIGELL. Mr. Speaker, I rise today in honor of United States Navy SEAL Lt. Jason Redman. In September 2007, while in the midst of an intense fire fight to capture an Al Qaeda High Value Individual, he was severely wounded. Shot in the face and other parts of his body, he came very close to death. With the help of his devoted wife Erica, Lt. Redman has made a miraculous recovery. The one word he uses which embodies his life and attitude is OVERCOME! He and his wife have started up a new company in Virginia called Wounded Wear. Through their company they are devoted to providing clothing and other gear for those injured in combat. Their goal is to help make the transition easier for Amer-

ican wounded warriors and their families. Lt. Redman and his family make us all so very proud to be Americans and I ask that this poem penned in their honor by Albert Carey Caswell, be placed in the RECORD.

TO OVERCOME

STRENGTH IN HONOR

Strength!
Strength In Honor!
When, hearts caress!
All in life,
all in life and death!
But To Be The Best!
While, all in the throws of death!
All in these,
our most heroic of all quests!
All in those,
moments that which we have so left . . .
Will it be The Angel of Light,
or Angel of Death?
As somehow Jay . . .
you so fought onward . . . with all that you
had so left!
While, all in those darkest of all hours . . .
As upon your heart as was so showered,
the determination to so etch!
To so summon up the strength and power
. . .

TO OVERCOME!

To rise above,
all in this battle to which your heart had
now so come!
To somehow find the light,
from somewhere deep down inside!
As there you were Jay,
all in your SEAL OF HONOR,
as your courage out to all so cried!
All in this battle that you had so begun!
TO OVERCOME!
As upon you,
the dark hand of death would descend!
As you could so see its face,
and felt its hand!
When, life and death could not so wait!
As the tears ran down your most heroic face!
As you so said No to The Angel of Death,
as The Angel of Light came upon your
breath!

To so help you find the grace . . .
To so reach deep down from within . . .
To fine THE STRENGTH IN HONOR,
with but your faith to so begin!
TO OVERCOME!
As death so wanted you to own!
As you have gotten stronger,
as your gait has gotten longer!!
TO OVERCOME!
As this battle SEAL,
YOU HAVE SO WON!
Because NAVY SEALS,
are everything Superman wishes he could so
become!

As now you've rebuild your new life against
all odds,

TO OVERCOME!

Almost like a God!
All in this your most heroic song!
For a town called pity,
is not some where you so belong!
Halfway to Heaven,
halfway to death!
As inch by inch,
step by step!
As you Lt Redman,
quantum leaps you so leapt!
As with you we could not so keep pace,
as all out in front you've so won this race!
That race to recovery,
TO OVERCOME!
All in those most magnificent moments,
that your fine soul so stretched!
To win that battle,
to win that fight . . .

as to our world you so brought your light!
 For Faith and Courage,
 are but the words you so live by!
 And you wounded warrior,
 have so brought such tears even to The An-
 gels eyes!
 As you fine wife Erica so stood by your side,
 as upon her you could so rely!
 For some people are put upon this earth,
 to so teach us all what so comes first!
 To so show us all that even in the very
 worst!
 How to OVERCOME!
 As Thy Will Be Done,
 as On Earth As It Is In Heaven!
 ALL IN THEIR STRENGTH IN HONOR,
 TO SO SHINE LIKE THE MORNING SUN!
 TO SO OVERCOME!

HONORING THE SACRIFICE OF
 ARMY STAFF SERGEANT
 FRANCIS G. PHILLIPS IV

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 2013

Mr. MAFFEI. Mr. Speaker, it is with a heavy heart that I rise today to honor fallen Army Staff Sergeant Francis G. Phillips, IV, who made the ultimate sacrifice to protect and defend the freedoms of the United States of America. He was 28 years old.

This week, he returned home to Auburn, New York, and his family will lay him to rest next week at Arlington National Cemetery. Staff Sergeant Francis G. Phillips, IV was killed on May 4, 2013 in Maiwand, Afghanistan along with four other members of his unit when their vehicle was struck by an enemy improvised explosive device. Francis Phillips, or Frankie as he was affectionately called by his family, embodied the same values that

make this country extraordinary: Dedication, Honor and Pride.

Staff Sergeant Phillips, of Meridian, New York was assigned to the 1st Battalion, 36th Infantry, 1st Brigade Combat Team, 1st Armored Division, Fort Bliss, Texas. Francis joined the Army in 2004 and served one tour in Iraq and two previous tours in Afghanistan. This was Frankie's fourth deployment and third to Afghanistan.

Francis is survived by his wife and daughter, Christine and Sophia Phillips, El Paso, TX; his mother, Cherie Phillips and fiancé, Greg Race, Auburn; his dad, Francis "Frank" Phillips III, Lyons, NY; maternal grandmother, Jonnie Maxson-Manker, Springfield, Missouri; paternal grandparents, Betty Roberts, Seneca Falls, NY, Frank F. Phillips Jr., Savannah, NY; a brother, David Phillips, Auburn; a sister, Danielle Nicole Phillips, Land O'Lakes, FL; several aunts, uncles and cousins.

Mr. Speaker, in appreciation of this young man's love for country, who gave his life protecting this great nation, I ask this Honorable Body to join me in honoring the legacy of Army Staff Sergeant Francis G. Phillips, IV.

HOUSE OF REPRESENTATIVES—*Friday, May 17, 2013*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

Help us this day to draw closer to You so that, with Your Spirit and aware of Your presence among us, we may all face the tasks of this day.

Bless the Members of the people's House. Help them to think clearly, speak confidently, and act courageously in the belief that all noble service is based upon patience, truth, and love.

May these decisive days through which we are living make them genuine enough to maintain their integrity, great enough to be humble, and good enough to keep their faith, always regarding public office as a sacred trust. Give them the wisdom and the courage to fail not their fellow citizens nor You.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. McNERNEY) come forward and lead the House in the Pledge of Allegiance.

Mr. McNERNEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

THE CALL FOR A BASE REALIGNMENT AND CLOSURE COMMISSION

(Mr. COFFMAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, in a hearing before the House Armed Services Committee on April 25, I asked the Secretary of the Army, John McHugh, if he could give me an idea of what the excess capacity is for Army installations in the United States.

The Secretary informed me that the last study was done in 2004, and it found that the excess capacity was at 20 percent. He stated that the number would probably be much higher today but that he had no way of knowing since Congress had prohibited him from using any funds to study the issue further.

Mr. Speaker, I will move an amendment when the National Defense Authorization Act comes to the House floor that will direct the Secretary of Defense to determine what the current excess capacity is so that we will know the potential savings from doing another Base Realignment and Closure Commission.

I support the administration and its call for another Base Realignment and Closure Commission in 2015. Every dollar wasted in the Defense budget is a dollar that is not spent on defending our Nation.

I ask that my colleagues in the House support my amendment when it comes to the floor.

ABUSE OF POWER BY THE IRS

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, I rise on behalf of the folks in my district in Georgia who are witnessing a series of serious missteps in the Federal Government, giving rise to an unprecedented level of distrust in government.

This week, we learned that the Internal Revenue Service used inappropriate criteria to delay or stall conservative organizations applying for tax-exempt status. This is a totally unacceptable abuse of the power the IRS has in our government, and calls into question any future decisions made by that agency.

Trust in the Federal Government is already at an all-time low. To help regain any of that trust, it is essential that all personnel involved in this misuse of power be held accountable. We've got serious work to do in Congress, but this sort of trouble only

takes time and attention away from the work we need to do.

I urge my colleagues to investigate this matter swiftly and get on with the work we've been sent here to do.

NATIONAL POLICE WEEK

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. I rise today to honor the service and sacrifice of our Nation's police officers.

This week is Police Week, and I urge all Americans to take time and thank the men and women who keep us safe and to reflect on the heroes we have lost in the line of duty.

I am continually impressed and humbled by the devoted efforts of law enforcement officers in our communities. From tracking down criminals to conducting safety programs for our kids, our law enforcement officers work around the clock, routinely putting themselves in harm's way to keep us safe.

Sometimes officers make the ultimate sacrifice, leaving behind grieving loved ones and communities in mourning. At times like these, there are no words to adequately express the gratitude that we owe to our law enforcement.

To all of our police officers, our Nation is grateful for your bravery and integrity, and is indebted to your public service.

JACK PRATT

(Mr. ISRAEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISRAEL. Mr. Speaker, we who serve too often overlook the hard work and dedication of those who serve with us, the members of our staff. Today, I rise to recognize the dedication of Jack Pratt.

Jack is my chief of staff. Today, he departs for new responsibilities. I hired him on my very first day in Congress 12 years ago, and he rose through the ranks. More than almost anyone I know, I have depended on Jack in good times and in bad, through thick and thin.

Now, with a new baby in his life, he opens up a new chapter of his life. I wish him well and his wife, Kristin, and two kids, Callie and William.

Thank you, Jack Pratt, my chief of staff and my friend.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

THE “TRAIN WRECK” MUST BE STOPPED

□ 0910

DEPARTMENT OF DEFENSE FURLOUGHES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the House passed the 37th piece of legislation that replaces, repeals, or defunds the government health care takeover bill.

House Republicans warned the American people that the legislation’s effect would be devastating to patients, to health care providers, and to small businesses—destroying jobs.

In recent weeks, there has been bipartisan recognition of the failure of the government’s health care takeover. Senator MAX BAUCUS has warned that ObamaCare’s implementation will be a train wreck. Sadly, thousands of new IRS agents who deny free speech will now control health care.

The good news is that there is still time for repeal. The House has acted in the best interests of American families. It is my hope that the Senate will consider our efforts and pass legislation before it’s too late.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Congratulations, Candice Glover of St. Helena Island, South Carolina, for being the newest queen of “American Idol.”

LARGE SYNOPTIC SURVEY TELESCOPE

(Mr. McNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNERNEY. I rise today to talk about the Large Synoptic Survey Telescope. This is an exciting, unique public-private science project that is being developed in cooperation with the National Science Foundation, the Department of Energy’s Office of Science, and with a number of small companies.

The idea behind the LSST is very simple: take pictures of the entire southern sky and measure everything that moves or changes brightness, and after 10 years of operation, the LSST will allow us to catalog billions of stars, galaxies, and other interstellar objects. This database will address the most pressing questions in astronomy and physics, from potentially hazardous asteroids to the mysteries of dark matter and dark energy. The development of the LSST will push the boundaries of big science and computing.

I urge my colleagues to join me in recognizing the importance of public-private partnerships and their role in studying science, technology, engineering, and mathematics. Support for these projects is critical.

(Mr. WITTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN. Mr. Speaker, I rise for the folks in my district being furloughed because of indecision, political gamesmanship, and the failure to act in Washington.

Our Nation has no greater asset than the folks serving our Nation, including those who make up our Department of Defense, both military and civilian alike. Their dedication and service to our Nation is unwavering. Unfortunately, those same patriots have lived for months with the uncertainty of the sequester.

Many of those who have dedicated themselves to ensuring equipment is repaired and ready for our Armed Forces are being forced to step away from their lives. Even the children of our military families will not be spared. Teachers at DOD schools are being furloughed, too.

The administration had flexibility to make other choices. Furloughs are just one of the effects of compounding budget cuts on our Nation’s military, and it affects this Nation’s military readiness. There are smarter solutions to our Nation’s budget woes, and I voted for replacements for this short-sighted sequester.

Congress should not sit idly by. Let’s fix this.

STUDENT LOAN DEBT

(Mr. TIERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIERNEY. The student loan debt is a crisis in this country, Mr. Speaker. More and more students approach me in the district and post on my Facebook about their loan debt.

I would like to share an excerpt from the stories for those of my colleagues who may not fully appreciate why it’s so critical that we provide our students and families with relief.

Sharyn Lawler says this:

Please, Congressman Tierney, we need you and your colleagues to get to the crux of the student loan debt crisis ASAP. Many students end up paying double or triple what they actually borrowed to go to college. This is an outrage and seems out of sync with the original mission of the student loan program. People want to pay back fairly what they borrowed, but the system actually seems rigged to make that impossible.

Earlier this week, it was reported that the Federal Government will earn \$51 billion in profit from student loan borrowers this year, which exceeds the earnings of the Nation’s most profitable companies and is roughly equal to the combined income of the four largest U.S. banks by assets.

It’s time we stop using the Federal student loan program as a profit center for the government. We need to pass legislation that stops the doubling of the student loan interest rate by July 1 and turn our attention to the long-term solution that will help new borrowers as well as the estimated 37 million Americans that have existing student loan debt.

IRS SCANDAL

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILLIAMS. Mr. Speaker, it has been 2 bad weeks for the White House: Benghazi coverups by the State Department officials, massive intrusion into phone records by the Justice Department, and the forced resignation of acting IRS Commissioner Steven Miller and other top official, Joseph Grant, after one of the most unbelievable abuses of government power in recent years.

After the IRS admitted to targeting conservative groups with whose messages it disagrees, the American people were shocked by this politically motivated discrimination. No matter what party controls the White House, taxpayers deserve to be treated fairly.

President Obama promised an open and transparent government, yet these government lies show a complete disregard for the Constitution. In fact, the Constitution’s Equal Protection Clause requires that the government treat all entities in a similar, fair, and equal manner.

Let me be clear: no administration should ever use the IRS to target its political opponent—no way, no how. I will demand the administration be held accountable for this outrage.

This is the United States of America, Mr. Obama, not one of your European buddies.

JOBS, JOBS, JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it’s now been 866 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis.

That’s zero votes to address our Nation’s most pressing emergency. That’s zero votes to address the sequester policies that are making our job crisis immeasurably worse. Yet yesterday, the Republican Congress took its 37th vote to repeal the Affordable Care Act.

Mr. Speaker, this was not only a colossal waste of valuable time that could have been spent focusing on jobs legislation, it’s a further step in the wrong direction. By expanding access

to health care, the Affordable Care Act gives Americans more disposable income, creating more customers for our businesses and, in turn, more jobs.

It's time to bring the American Jobs Act to the floor. It deserves a vote.

Investigate Benghazi; investigate the AP leaks; investigate the IRS; but, Mr. Speaker, don't forget our focus, our crisis. Our mantra should be: jobs, jobs, jobs.

PROVIDING FOR CONSIDERATION OF H.R. 1062, SEC REGULATORY ACCOUNTABILITY ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 216 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 216

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1062) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-10. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gen-

tleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Worcester, Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. House Resolution 216 provides a structured rule for consideration of H.R. 1062. This rule provides for discussion and opportunities for every single Member of the majority and the minority to participate in this debate. We made in order every single germane amendment that was submitted to the Rules Committee on this issue.

Mr. Speaker, the legislation before us today is really quite simple. It is a commonsense solution to preventing unnecessary and overly burdensome government regulation, or perhaps an opportunity to understand why the government might be perpetrating a rule that would impact our free enterprise system. It requires the SEC to perform cost-benefit analysis before finalizing any major rule. It also prevents the implementation of the rule if the benefits do not outweigh the costs.

Through this bill, the American taxpayer will be protected from needless regulations that would impede economic growth without providing effective consumer protections. In other words, Mr. Speaker, we're here to ensure that the SEC provides balance with the rules and regulations that are in a major context when it issues these rules on the marketplace.

In January of 2011, President Obama signed an executive order directing all non-independent agencies, such as the Department of Energy, the Department of Education, and others, to abide by the same rules that we're providing for today in H.R. 1062. However, because it is an independent agency, the SEC is not required to follow the President's rules.

The legislation before us today creates parity and opportunity for Congress to work with an agency and other non-independent agencies on a better way for them to promulgate the rules that they do and show a balance in the marketplace, just like the President asked other government agencies to do.

□ 0920

Furthermore, this legislation in no way weakens consumer protections or

reduces accountability in the financial services industry. To the contrary, this proposal ensures that regulations issued by the SEC are effective and based on sound policy. Consumers and businesses alike will benefit from a reformed regulatory process.

So I urge my colleagues to vote "yes" on this rule and "yes" on the underlying legislation.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the distinguished chairman of the Rules Committee, my friend Mr. SESSIONS, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, here we go again, another day in the House where we're not focused on jobs, where we're not focused on healing our ailing economy, where we're not focused on the needs of the American people.

Yesterday, for the 37th time in 2½ years, this House passed a bill overturning the Affordable Care Act. For the 37th time, my Republican friends decided to take up time on this House floor supporting a meaningless, partisan bill to overturn a law that will dramatically improve the health care of millions of Americans and is already helping to lower our deficit. Perhaps one day they will wake up from their Tea Party fever-dream and move on to more important priorities.

Not only have they wasted time debating a bill that won't be considered in the Senate, let alone signed into law, they are willfully ignoring the budget process that they were so stridently defending just a few months ago. It's been 55 days since the Senate passed its budget resolution, yet the Republicans refuse to go to conference to finish their work. This is the same Republican Party that passed a bill that says Members of Congress cannot be paid if we don't produce a budget. Let me repeat: no budget, no pay. Yet the Republicans refuse to finish the budget. All this flip-flopping is giving me whiplash, Mr. Speaker.

And today, we are presented with a bill, along with a whopping three amendments made in order. So much for an open process. Whatever happened to open rules?

So let's take a look at today's bill. It is a bill that would require the Securities and Exchange Commission, the SEC, to conduct even more extensive cost-benefit analyses than it already does when proposing any rule or when issuing interpretive guidance. Who could be against cost-benefit analysis? That seems like a commonsense idea, one that has merit and should be considered by agencies.

Well, Mr. Speaker, here is where the devil is really in the details. The SEC already does cost-benefit analyses on these rulings and regulations. It is already happening. So what's the real purpose of this bill? Is there a problem

with the way the SEC is handling these cost-benefit analyses?

Mr. Speaker, this bill is really about putting more burdens on the SEC as they are attempting to fulfill their mandates under Dodd-Frank and do their job to protect investors. This bill places additional burdens on the SEC to meet these new requirements—and I'd like to point out—without providing any additional budget resources.

The nonpartisan Congressional Budget Office estimates that this bill will cost the SEC \$23 million over 5 years and will require the hiring of 20 additional staff. This is while sequestration is causing the Federal Government to shrink and agencies to furlough staff. In fact, right now sequestration is actually preventing the SEC from hiring any more additional staff, the same additional staff that would be needed to implement this bill if it were ever to become law.

I can only presume that the authors of this bill are attempting to bog the SEC down with additional, unnecessary, and redundant mandates in order to prevent the SEC from doing its job of protecting investors. This bill actually steers the SEC's work toward minimizing costs to big businesses and investment banks. That's what this does. How is that protecting the individual investor?

For the life of me, I cannot understand why the Republican leadership wants to undermine the efforts of this agency to protect the individual investor. We're coming out of a historic recession, the worst economic crisis since the Great Depression.

A big reason for the recession was the recklessness of investment banks and financial institutions. Millions of Americans lost money they had put into the stock market and entrusted to banks and financial institutions because of these institutions' reckless actions. We're talking about college savings, retirement accounts, and other nest eggs. Yet the Republican leadership would rather take the side of these reckless financial institutions that brought financial and economic ruin to our Nation, our communities, and our families than stand up and fight for the individual investor—the little guy. They'd rather fight for Wall Street than stand up for Main Street.

Mr. Speaker, that's not the right thing to do. We should pass a budget instead; we should pass the Van Hollen sequestration replacement bill; we should pass a jobs bill; but we should not be wasting our time on a bill that will punish individual investors in order to protect big banks.

Mr. Speaker, I urge my colleagues to vote "no" on the rule, and I urge my colleagues to vote "no" on the underlying bill. I urge my Republican friends to, some time soon, take up some legislation that's going to help put America back to work and get our economy back on the right track.

With that, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I appreciate my friend, the gentleman who brings up many good points about jobs, job creation, the ability for this Congress to be able to effectively hear from the American people about the issues and ideas that they're facing, come to resolution in this body, work with our friends in the Senate, and to get legislation to the President of the United States. I think that should be and has been what our goal is about, and it should be our goal also to find common ground.

What's interesting is that this piece of legislation that we're handling now actually went to the banking committee, Financial Services Committee, as an agreement we more or less thought would be a suspension item; in other words, a piece of legislation that there was widespread agreement on that it would be good to put in the rules as one of a group of pieces of legislation, this would be a good idea to have the SEC accept this as part of what they do when they issue a rule.

Now what's happened is it has turned into a larger fight as a result of us wanting to simply make sure that the rules that apply to other Federal agencies also apply to independent agencies. So we thought we were doing the right thing to come and work together, and it's fair, I guess, I assume, to do that, even though we are trying to talk about this rule today.

If we want to talk about the budget and things that are presently being evolved, then we need to listen to our Democratic friends about the budget. They're not happy because we passed in this House an opportunity to have a budget that in the next 10 years would balance, a balanced budget.

The gentleman PAUL RYAN, the chairman of the Budget Committee, came up to the Rules Committee and he spoke about how this President, every single year that Barack Obama is President, with the help of former Speaker NANCY PELOSI and the Democrats, raised spending, put rules and regulations on the American people that are causing the lowest level of job creation that we've had in over 40 years, a trillion-dollar deficit every single year. And even with this massive tax increase that was a signing bonus for the President that took place in December, we still are going to run a trillion-dollar deficit. So what my friends, the Democrats, said upstairs in the Rules Committee, what they're for is raising spending another trillion dollars and raising taxes another trillion dollars.

Mr. Speaker, I do understand there's widespread disagreement. There's widespread disagreement when our friends that control the Senate, the Democrats, want to do the exact same thing in their body to this country, raising

spending another trillion dollars, raising taxes another trillion dollars.

□ 0930

So they make a good point. Why won't we appoint conferees?

Well, Speaker PELOSI, back in 2009, took more than 2 months to do the exact same thing that they want us to do.

What is occurring is that our chairman, PAUL RYAN, is working with their chairman on the agreement of how they would go about doing their job of having a conference on the budget because, you see, when you start so far apart, of trying to balance the budget, trying to not put more rules and regulations and taxes on the American people to where they stand a better chance, not only of taking care of their own families, and providing for their children to go to college and to be able to pay for it, and to take care of their lifetime needs when they retire, that requires a basic sense of simply agreeing with what people are trying to do versus having the government come and provide a government-run health care system, having the government provide student loans, having the government expand government and take care of people endlessly.

And so there's two different visions, one of raising taxes \$1 trillion, raising spending \$1 trillion, which is what the Democrats want to do, versus trying to balance our budget, work our way out of problems, grow our economy, jobs, job creation and investment. That's what we're trying to do, and that's what Republicans talked about last month.

That's why we came forth with a budget when the Senate hadn't even done a budget, under Democrat leadership, for 4 years.

That's why we are leaders in Washington. Republicans are leaders in the House of Representatives. We maintain the control. We follow the order and listen to the American people of trying to make their lives better, not grow a government that will be out of control, like an Attorney General who, upon taking the oath of office, then decides when he does and when he does not want to make decisions, and whether he recuses himself; or whether you have an IRS that's out of control and in people's lives and making decisions that are politically based.

Mr. Speaker, this is the reason why we need a government that is smaller, more efficient, and does not have time or the inclination to become all things to all people, and to tell the American people what they will do and control our lives. That's why we're here today.

And, Mr. Speaker, I couldn't be happier than to say today we're on the floor trying to talk about what we thought was an idea that would be accepted by every single person in this body as a great idea.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'm a little bit confused. The gentleman from Texas says he wants a smaller government, yet the bill that he's proposing here that we discuss on the floor actually will cost the American taxpayers more.

CBO says we need an additional \$23 million for this additional bureaucracy that the gentleman has embraced. We're going to need to hire 20 new employees, according to CBO, in order to meet these new requirements.

So if you want a smaller government, here we are expanding government. But they're expanding government in a way that will hurt the little guy and protect Wall Street, which is to be expected.

Just one thing I want to say to make clear to my colleagues, in case anybody's a little bit confused here as well on the issue of the process. The way the process is supposed to work, when it comes to the budget, we pass a budget in the House, the Senate passes a budget in the Senate, then you go to conference and you work out the differences. And guess what? In a conference, you don't get everything you want, and we don't get everything we want, especially when there's a divided government, the way it is right now. Compromise is something that has to take place.

And so I would just take issue with the gentleman when he says that Republicans are leaders. Republicans aren't leaders. Republicans are obstructionists. You're holding everything up.

We're doing meaningless, sound-bite, press-release legislation day in and day out, not helping put one more American back to work, not alleviating any of the difficulties that the middle class is dealing with right now.

My friends are obstructing everything. They're holding things up. They're delaying the economic recovery. It is unconscionable that we are on the floor doing things that are going nowhere and that are helping no one.

With that, Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS), the ranking member of the Committee on Financial Services.

Ms. WATERS. Mr. MCGOVERN, I thank you so much for aptly describing what is happening on the floor today relative to the SEC.

Since its passage, Republicans have introduced dozens upon dozens of bills to undermine, repeal, or otherwise dismantle Dodd-Frank; and a prime example of that is what they're doing on this whole issue of cost-benefit analysis.

We're going to have on the floor today a bill that is going to pile more requirements on top of the SEC for economic analysis. We're going to have a bill whose real aim is to bog down the

SEC so that they won't be able to do their work, so that they won't be able to do their rulemaking, so that they won't be able to protect investors. This is absolutely unconscionable.

I can understand that there's a lot of disagreement with Dodd-Frank. I can understand that there are those on the opposite side of the aisle who are concerned about protecting the markets and not necessarily the investors.

But to come up with the kind of obstruction that we're seeing, not only legislatively, but going so far as to team up with their friends and go into court, as they have done on proxy access, and get a ruling against proxy access so that they can, basically, have this bill come to the floor today, where they put requirement on top of requirement, costing more money, as Mr. MCGOVERN has said, costing more time, and diverting the attention away from the work that the SEC should be doing.

I am particularly concerned about the Jobs Act, the jobs bill. Yes, on the jobs bill, we have a bipartisan effort, and many Democrats joined up with Republicans on this bill, even though there were some concerns about it, so that we could try and see if we could use a new approach to creating jobs. But that's going to get delayed because now they're attacking the SEC.

Mr. SESSIONS. Mr. Speaker, you know, I think it's very interesting that they're trying to argue that we're trying to get in the way of the SEC. Yet the SEC, in their rules and regulations, have put an impact on small business of \$1.75 trillion.

Mr. Speaker, what we're trying to do is apply the same principles and ideas that President Obama had to an agency that spends its life doing rules and regulations. And to say that doing their job correctly, with a balance, is something that we shouldn't require them to do is a silly argument.

That's like saying that Republicans and sequestration—when it was a President Obama idea. It is the President's idea. Sequestration—he's the one that proposed it. We're the ones that simply took him up on his idea. And he signed it into law.

They're arguing with themselves about the things which are good. Once again, the President initiated sequestration. We worked with the President as a back-stop. There we are.

The President issues this same ruling, asking agencies to please make sure they include cost-benefit analysis, but don't apply it later to someone who spends their life doing rules and regulations.

□ 0940

Mr. Speaker, it's an amazing world that we live in. We thought, the chairman of the Financial Services Committee, JEB HENSARLING, after testimony in meetings and in feedback thought, the SEC actually agreed with

this. We simply put it in as something they ought to be doing on a regular basis.

Now, Mr. Speaker, I have right now a gentleman from the committee who has spent time and heard the testimony and understands that this should be a piece of legislation that we all agree with because it's common sense.

I yield 6 minutes to the gentleman from North Carolina, a member of Financial Services, Mr. MCHENRY.

Mr. MCHENRY. Thank you, Mr. Chair.

This debate is actually really absolutely bizarre. President Obama asked for a cost-benefit analysis for independent regulatory agencies in an executive order. It's absolutely bizarre because the chairman of the SEC, then Mary Schapiro, committed in writing to Congressman GARRETT, Congressman ISSA, and me, committed in writing to a cost-benefit analysis. Chairman Schapiro even in September of 2011 agreed to a retrospective review of offering and reporting requirements and posting this on a Web page seeking public input.

So the complaints from the other side of the aisle seem absolutely bizarre because we have commitments. What we're trying to do is codify in law what was a process a former chairman of the SEC committed to. We want to make sure that this is not ad hoc, that it goes forward, that it's in the statute, and that it's clear. Why are we doing this? Well, we've heard from the other side of the aisle that we need to focus on investor protection.

There's the other part of the SEC which is supposed to foster capital formation. Now, what is capital formation? Capital formation is the capacity, or the ability, of a business to get the moneys they need to grow and employ more people and to offer more products or more services. It's the money a business needs, the investors of the business need, in order to grow and help get this economy moving. I thought that's what we're all about. We hear speech after speech from the President that's what he's all about. But we hear from the other side of the aisle that they don't like this approach because they're not focused on that, which is unfortunate.

The reason why we're putting this in statute is that the SEC too often just puts rules into place without consideration of the cost. Their process has never been formalized until the last 2 years of actually weighing both the costs and benefits of a rule. They simply say they're benefits. Well, we all know, and I hope the other side of the aisle would admit, that there is a cost to regulation. I would hope that they would admit that.

Now, I will give you an example: regulation A is the ability of small businesses to get capital from the public markets. Regulation A in 1998 gave 57

offerings through regulation A. It meant 58 businesses getting money from outside investors through this regulation. This is for the smaller size businesses. By 2001, you only had one take advantage of this regulation A to get moneys for their small- and medium-sized businesses.

Well, what happened? The market changed, but the SEC, because they were not obligated to, did not review their rules. They did not update their rules. They did not think about the cost of cutting off capital to small businesses that absolutely, desperately need this, mainly because of the changing nature of the economy and the impact of the awful Dodd-Frank act that has imposed enormous cost burdens on banks, and so we have less banks lending so businesses need a different opportunity to get money.

So what we're putting in place is a 5-year review of those rules so the SEC is forced to weigh both the costs and benefits of these regulations, and we can get this economy moving again and capital flowing again. That's what it's really all about. That's not a great deal of fuss; but we have folks on the other side of the aisle that simply want to make a fuss about that, which is unfortunate.

We need to be focused on capital formation. We need to be focused on making sure that we foster regulations and review regulations so that we can get this economy moving again. That's what this is all about.

I would say to my colleague on the other side of the aisle who raised the question of the cost of this, what this cost comes from is what the SEC says, right, that it's going to cost us additional money to review these regulations, implicitly saying that they have regulations on the books that they don't review, that they don't look back on a regular basis and see if they actually fit to the modern marketplace. And we have rules on the books that have been on the books for over 80 years. So I think it's high time we forced the SEC to do something that is responsible, that is right, and that even this President has called for.

I hope the folks on the other side of the aisle would join us in making sure that we have this bill pass on a unanimous basis. With that, I would also encourage us to pass this rule.

Mr. MCGOVERN. Mr. Speaker, talk about bizarre, the notion that a bill comes to the floor, that CBO, the non-partisan Congressional Budget Office, says is going to cost \$20 million, there will be a need for additional employees, and there's nothing in this bill that will cover those costs, and on top of that my friends who, by the way, embraced sequestration, that's your plan, I would say to my colleague from Texas. That's not the President's plan. It was the Members of this House led by the majority here that voted for it.

To everybody who doesn't like it over there, guess what? You're in charge. Fix it. Bring something to the floor and fix it. Mr. VAN HOLLEN has an alternative. You won't even let us bring it to the floor. So don't complain about something that you supported and you voted for and now you don't want to fix.

Just one other thing. I want to make it clear to my colleagues that this isn't about protecting small businesses. This is about protecting Wall Street, big banks, and big financial institutions. I get it, you know. That's nothing new coming from the other side of the aisle. But that's what this is about.

At this point, Mr. Speaker, I yield 5 minutes to the gentlewoman from New York, the distinguished ranking member of the Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the time.

With today's legislation, the majority is putting the interests of Wall Street, once again, before the welfare of the American people. Unfortunately, the majority's desire to give a helping hand to Wall Street is nothing new. In addition to today's legislation, the majority has repeatedly provided favors to a shadowy arm of Wall Street known as the political intelligence industry.

Over the last few weeks, The New York Times, The Washington Post, and The Wall Street Journal have all reported on a suspicious surge in stock prices caused by operatives in the political intelligence industry. On April 1, a political intelligence consultant sent an email to selected investors announcing a pending change in government policy that would benefit health insurance companies.

Shortly after that email was sent—actually 18 minutes before the stock market closed that day—stocks in three major health insurance companies skyrocketed by—hold the phone—\$660 million. In 18 minutes before the close of trading that day, three health industries got investments of \$660 million; and that occurred 30 minutes before the government announced its decision.

Now, earlier this week, we learned that the political intelligence consultant sent a subsequent email boasting to his lobbyist friend: "Did you see what I did to the stock market in the final 30 minutes of trading? I still want to buy you a drink."

Now, this is exactly the kind of questionable case that I have been fighting for 7 years, and we finally got the STOCK Act; but my point this morning is that the SEC has launched an investigation into this matter. There would be no cost-benefit whatever to having the SEC stop looking into this bill and what happened to the stock markets that day because of political intelligence so they can look back over an-

cient laws. There would be no cost-benefit having the SEC so tied up with that that they cannot regulate that which they are supposed to regulate had they done a better job. The recent financial disaster that cost us an awful lot and would have been a great benefit to stop was not caught in time.

□ 0950

The political intelligence industry walks the Halls of Congress every day looking to privately profit from the public trust. However, unlike lobbyists, there are no regulations to ensure they adhere to any ethical standard of behavior.

Months before I introduced the STOCK Act in 2006 there were suspicious Wall Street trades occurring immediately prior to the Senate Majority Leader announcing an important vote on asbestos liability legislation. It soon became apparent that nonpublic information regarding the legislation had been used to enrich stockholders, and the political intelligence industry was at the heart of the case.

We had a lonely battle, those of us—there were seven of us for three terms that cosponsored the bill. But in 2011, a television program called "60 Minutes" did an expose on insider trading by Congress. And overnight, just about—well, maybe by the end of the week, I'd say—we had 286 cosponsors in the House, including 99 Republican cosponsors.

As the bill gained popularity, I was promised a markup in the Financial Services Committee, but it was canceled, pulled out from under the chair. In the Senate, Senator GRASSLEY joined our cause. And when Senator Lieberman took it out of the Senate bill, Senator GRASSLEY had an amendment that passed the Senate, putting political intelligence back into the STOCK Act. However, it still had to come back to the House. And miraculously, political intelligence was removed once more to benefit Wall Street. It was put on the suspension calendar, completely unamendable. I could do nothing about it. It is very painful for me. At least I've been paying attention here to what I have seen happening since. So I promise you that we will come back again with it, but as I said, I'm pleased that the SEC is investigating this most recent case.

Two days ago, I tried to do an amendment on this particular bill to see if we could bring political intelligence back. It would have helped the SEC build the insider trading investigations, but the majority in the Rules Committee rejected my amendment and we go on today, as usual, without it.

We also go on today with a bill that's never going to go to the Senate. As I pointed out yesterday on our 38th try to repeal the health care bill, that cost us \$54 million on that particular bill alone, and every time that we have

tried to repeal it—\$54 million has been spent to try to repeal Medicare.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentle-lady 1 additional minute.

Ms. SLAUGHTER. CBS has said it costs about \$25 million to run the House. I really would like to find out how much House time we've paid and how many millions of dollars we've spent since this term started with bills like this, one House bill—one House bill that we know the Senate will never take up, will never become law. And if by some fluke they should, the President tells us that he will veto it—over and over and over again.

I could be mistaken with one or two things, but to the best of my recollection the only thing we've done here this term that got some action in both Houses was when we changed the FAA policy under sequestration. And I join my friend, Mr. MCGOVERN, to say what we should have done is do away with sequestration. Maybe the freshmen who wanted to vote again to repeal the health care bill might have gotten some joy out of lifting sequestration and letting cancer patients again get their treatment and children go to Head Start. I'd like to try to do it that way. Talk about cost benefit—that's a benefit. If we really want to worry about how much it cost and what we get from it, nothing could prove that better than to lift sequestration.

Mr. SESSIONS. Mr. Speaker, in order to balance out the time, I'm going to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend from Massachusetts.

I've got to say, listening to my friends on the other side of the aisle, they give revisionist history a bad name. They want us all to somehow forget how the recession began and on whose watch. It began under George W. Bush, not Barack Obama. It ended under Barack Obama.

My friend from Texas talks about the job loss. That was on George W. Bush's watch, when we were losing almost 700,000 jobs a month. On average, this year, we've been creating 208,000 jobs a month—and it would be more but for the Republican gutting of public sector investment that's already cost us 600,000 jobs and shaved a full point off unemployment. In other words, unemployment would be one point lower than it is today but for their efforts.

They want you to forget the Wall Street meltdown that required TARP—on their watch. Now they decry Dodd-Frank as if it caused the meltdown, that it is this hobnail boot on the jugular of the poor banking community and investment community and Wall Street, which, if removed, would unleash unparalleled economic activity—

the consumer and the investor, not so much.

Let's call this bill what it is—a naked attempt to undermine the investor and consumer protections of Dodd-Frank and tilt the table once again in favor of Wall Street, at the direct expense of Main Street investors.

This bill would render what should be the SEC's primary focus—investor protection—an ephemeral objective at best. Why else would this bill codify some of the best practices of the executive order, but then conveniently omit any assessment of the benefits accrued by greater investor protection?

They want you to believe the narrative that regulation only involves cost. But regulation also includes benefits to protect investors, to protect homeowners, to protect senior citizens. That's why AARP has expressed concern about this bill. That's why we should defeat the rule.

Mr. SESSIONS. You know, Mr. Speaker, what we're trying to do is to put in writing exactly what the gentleman talked about why are they promulgating the rule, what effects would their rule have, and why what they do makes sense and is in a balanced way. That's what we're trying to do here today. It makes sense to me. I wish it made sense to more people in this body.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just say that I think what's going on here is basically that my Republican friends are trying to expand the bureaucracy and potentially charge the American taxpayers \$23 million. But they're not going to provide the money, and so they're just going to bog down an agency that is designed to protect investors and consumers. I think that's the game here. This is about protecting big banks and Wall Street and big financial institutions. It's the same-old, same-old. This is nothing new for those who have been following the agenda of the House Republicans.

So, Mr. Speaker, I'm going to urge that we defeat the previous question. And if we defeat the previous question, I will offer an amendment to the rule to bring up H. Res. 174, Representative CHRIS VAN HOLLEN's resolution, telling the Speaker to appoint conferees to negotiate a compromise budget agreement with the Senate.

It has been 55 days since the Senate passed a budget. My Republican friends made a big deal about the fact that we shouldn't be paid unless we pass a budget. The House has passed a budget, the Senate has passed a budget, but my Republican friends don't want to go to conference because they don't believe in compromise.

So to discuss the importance of starting the budget negotiations with the Senate, I yield 5 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member of the Budget Committee.

Mr. VAN HOLLEN. I thank my friend from Massachusetts.

There has been a lot of talk on the floor this morning about the sequester and the negative impact it's having on the economy. I would remind my colleagues, as my friend from Massachusetts (Mr. MCGOVERN) did, that on four occasions the House Democrats have tried to bring to this floor for a vote a bill that would replace the sequester, end the disruption, and end the job loss that the Congressional Budget Office says is coming with the sequester.

This morning we're going to ask this House to take a simple vote on another resolution, and I'm going to read it because it's really simple. It says:

Resolved, that it is the sense of the House of Representatives that the Speaker should follow regular House procedure and immediately request a conference and appoint conferees to negotiate a fiscal year 2014 budget resolution agreement with the United States Senate.

Now, we all stood on this floor and heard our Republican colleagues criticize the United States Senate for 3 years because they did not have a budget. Well, guess what? The United States Senate passed a budget more than 53 days ago. But now what's happened is the Speaker of this House has refused to go to conference to negotiate a final budget.

We heard for weeks and weeks the mantra, "No budget, no pay." Apparently, that was a meaningless cry because as of right now there is no Federal budget and Members of the House and the Senate are still getting paid. Did you mean it or did you not mean it?

□ 1000

We heard complaints about how the President's budget was late this year. Guess what, Mr. Speaker? We are now way overdue in getting a resolution out of conference committee. If you look at the statute, the law, on the budget, it says the House and Senate are supposed to have completed conference action by April 15. We are way overdue. And the only reason we are overdue is because this House and the Speaker of this House refuses to appoint conferees.

The Senate Democrats on eight occasions, Mr. Speaker, have asked for unanimous consent in the Senate to go to conference, and they have been blocked over there. It is getting to be a little embarrassing to some of the Republican Senators.

I just want to show you a quote from Senator MCCAIN just the other day: "I think it's insane for Republicans, who complained for 4 years about HARRY REID not having a budget and now we're not going to agree to conferees. That is beyond comprehension for me."

And guess what, Mr. Speaker? This is getting beyond comprehension to the American people, saying one thing and doing another.

Here's some other Republican Senators:

Senator BOOZMAN: "I think we need to go to conference."

Senator WICKER: "I would say by the end of next week"—that's this coming week—"we probably should be ready to go to conference."

Senator COBURN: "I'm okay with going right now."

And on and on.

You would think our House Republican colleagues would begin to feel a little sense of that embarrassment as well, given the fact that they called for years to get a budget done and now are standing in the way of getting that exact budget done.

In fact, the Speaker of this House on multiple occasions has said we should go to conference on the budget, that that's how we resolve things in the regular order.

Here's what the Speaker said on "Meet the Press" back in March when we were all putting together our budgets, the Senate was putting together a budget and the House was putting together a budget: "It's time for us to get back to regular order here in Congress. When the House passes a bill, the Senate passes a bill; and if we disagree, we go to conference to resolve those differences."

The Speaker said this on multiple occasions.

I just want to read again from the resolution I'm asking this House to vote on this morning. It says simply: Resolved, that it is the sense of the House that the Speaker should follow regular House procedure and appoint the conferees that he told the country on national television he would do in order to make sure that we get on with the fundamental business of this country and pass a Federal budget. Not just a House budget, not just a Senate budget. Those things are meaningless by themselves. You've got to get a Federal budget.

It turns out that this "no budget, no pay" thing was really just a kind of "wink-wink" knowing, hey, the House can pass a budget, the Senate can pass a budget, but it doesn't actually get the job done.

Mr. Speaker, I just ask, let us have a vote to appoint conferees to get on with the Nation's business.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

We've turned this debate into some really commonsense ideas, and that is, that we ought to have a budget, which is what Republicans have said for years. I have no doubt in my mind that when Chairman PAUL RYAN of the House Budget Committee, when he is ready, when he feels like they have worked out an understanding with the chairman—

Mr. VAN HOLLEN. Will the gentleman yield on that point?

Mr. SESSIONS. I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. You mentioned Chairman RYAN and the chairman of

the Senate Budget Committee, PATTY MURRAY. Senator MURRAY was one of the people just the other day on the Senate floor asking for unanimous consent to go to conference, because she and Chairman RYAN are not in the process of trying to negotiate behind closed doors. We need to do this in the light of day. And she has asked, along with Senator REID, now eight times to go to conference. So why delay going to conference?

Mr. SESSIONS. I don't deal with Senator PATTY MURRAY very much, but I bet you she has an opportunity to call PAUL RYAN if that's what she wants.

Mr. VAN HOLLEN. Well, she has. She has said, Mr. Speaker, that she wants to go to conference right away, and that's why we're waiting for the Speaker in this House to go to conference.

Mr. SESSIONS. And I have every reason to believe that when PAUL RYAN and PATTY MURRAY work out the differences and decide these things, that that can happen.

Mr. VAN HOLLEN. I don't understand. You want them to work out a budget behind closed doors?

Mr. SESSIONS. I would remind the gentleman, I'm not involved in those conversations. I do know that this is part of your job as the ranking member. I respect that, and I would be in favor of it, because I, too, want us to have more of a unified budget, a clear understanding, an opportunity for us to understand what we're trying to do.

Regaining my time, I would say to the gentleman and to this body, I have every reason to believe that there can be opportunities for our two bodies to work together.

My last point: This "no budget, no pay," it worked. It worked, Mr. Speaker. It was the law. The President actually produced a budget.

Mr. VAN HOLLEN. Will the gentleman yield on that point?

Mr. SESSIONS. The House produced a budget. And the Senate produced a budget, which they had not done for 4 years. So for 4 years you didn't hear our friends screaming and yelling about what the Senate should do until a good idea took place, and that is, in essence, "no work, no budget, no pay."

Mr. VAN HOLLEN. Will the gentleman yield, because we don't have a budget right now.

Mr. SESSIONS. Do you know what? We didn't for 4 years either. We did not have a budget for 4 years. It is actually not required by law. We operated as two bodies—us, we in the House, trying to move forward with a budget that we did pass, and the Senate acting like it wasn't important.

I completely agree with the gentleman from Maryland. I think we should do it. That's why Republicans came up with the process of "no budget, no pay."

I think we will see very quickly an opportunity for the ideas around this

issue to materialize. We'll find out what the differences are, maybe why we haven't done it.

That's not what this bill is about today. I'll have the conversations. I'll be able to speak cogently. And I will tell you that the gentleman from Wisconsin (Mr. RYAN) and, I believe, because I know him well, the gentleman from Maryland should have a chance to keep doing their work because they believe it's part of the process.

So I offer nothing but accolades of the gentleman, the young gentleman, who is the ranking member of the Budget Committee. And he knows that. He knows what kind of a person I am. I would not say it if I didn't believe it.

But I did not come prepared today on this bill because it is not what it is germane about, and I will respond to him. As a Member of House Republican leadership, I will tell you that our Speaker is interested in moving this body through.

The gentleman from Ohio understands how important regular order is, how important doing budgets is, how making sure that the American people have a chance to know what we're doing. I mean, we actually read bills before we pass them, Mr. Speaker.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that this House goes to conference.

The SPEAKER pro tempore. Does the gentleman from Texas yield for that request?

Mr. SESSIONS. No, sir.

The SPEAKER pro tempore. The gentleman does not yield.

Mr. MCGOVERN. Mr. Speaker, I have a parliamentary inquiry. Under the rules of the House, would it be possible if the gentleman would yield for that request that we could go to conference?

The SPEAKER pro tempore. The gentleman from Texas would have to yield for any such request and the gentleman from Texas did not yield.

Mr. MCGOVERN. I think that says it all.

I am happy to yield to the gentleman from Maryland.

Mr. VAN HOLLEN. I thank my friend.

I thank my friend, the chairman of the Rules Committee as well. But the gentleman, the chairman of the Rules Committee, said the process worked, that "no budget, no pay" worked.

I would remind the gentleman, we don't have a budget as of right now. And, in fact, we are now out of compliance with our own law, which says that the conference committee should report the budget by April 15. I think we can check our calendars. We know it's way overdue. And the only thing that's stopping us from going to conference right now is the Speaker has refused to move forward on this.

□ 1010

As I indicated, eight times in the Senate, the Senate Majority Leader

and PATTY MURRAY, Senator MURRAY, the chairman of the Senate Budget Committee, have asked for unanimous consent to go to conference. So we could get on with this right now, as Mr. MCGOVERN suggested, if our Republican colleagues would allow us to offer a motion to go to conference by unanimous consent.

Mr. MCGOVERN. In reclaiming my time, Mr. Speaker, may I inquire of the gentleman from Texas how many more speakers he has.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman for asking. I have no additional speakers at this time.

Mr. MCGOVERN. I yield myself the balance of my time.

Again, I think what we have just witnessed kind of says it all. My Republican friends really do not have any intention of going to conference. They do not want to compromise. I think they were hoping maybe the Senate wouldn't come up with a budget and that they could have a talking point or a press release, but the Senate did come up with a budget. We have a budget here in the House that I strongly disagree with because I think it ruins our economy, but nonetheless, that's what the majority in this House voted for. We ought to go to conference, and we ought to be able to figure this out.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment to the rule, which would defeat the previous question, in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, let me just say in closing: another day and another meaningless piece of legislation that is going nowhere. It is a piece of legislation, quite frankly, that is geared toward helping big banks and big financial institutions at the expense of investors and small businesses. This is a bill that, again, I think, may make a nice press release for people who want to do big fundraisers, but at the end of the day, we are not doing anything to help the American people. We still have sequestration in place, there are people being furloughed, there are businesses that are losing contracts, there are people in the public and private sectors who are being laid off as a result of this.

By the way, sequestration is what my Republican friends embraced and voted for. So, when anyone comes to the floor here and says, Oh, we don't really like it, I would remind them that, as much as I hate to admit this, the Republicans are in charge of the House. They can bring a remedy to the floor any time they want to. Mr. VAN HOLLEN has offered on many, many occasions

an alternative to get us out of sequestration, but each time he offers it the Republican majority says "no." You don't even have the right to bring it to the floor. You can't even debate it on the floor. That's the answer that we're getting, and it is totally unacceptable.

I would urge my colleagues to vote "no" on the previous question so we can get Mr. VAN HOLLEN's resolution made in order so that we can go to conference and do something meaningful, and I would also urge a rejection of this bill.

I have to tell you, Mr. Speaker, that I think the American people are getting sick and tired of the majority in this House essentially rooting for this economy's demise so they can gain some political advantage. I think people are getting tired of it. They are hoping that we can come together in the spirit of compromise and get some things done—help put people back to work, help the average working family, help the middle class, help lift those in poverty out of poverty. They're hoping that we're going to do something serious and meaningful so that it will make a difference in their lives. We're not doing that, and it's a grave disappointment, I think, to people all over this country—to Democrats, Republicans, Independents alike.

So, again, I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule and on the bill, and I yield back the balance of my time.

Mr. SESSIONS. I yield myself the balance of my time.

Mr. Speaker, I am delighted to be on the floor today as we approach this issue about the Securities and Exchange Commission, the SEC, in that we would simply codify in the law an understanding that they would need to, as they have the task of addressing the large rules and regulations that they have—but not for every rule and regulation—put a cost-benefit analysis in their process. It makes sense.

I find it very amazing that our colleagues have taken this to the level that they have in trying to say that we're doing this to be for big banks and against the American people or consumers. That is a farfetched idea. It is about the rules and regulations that they talk about, just like government agencies would be required to have.

In a larger sense, here is why we are here today. Here is why Republicans are doing what we are doing with the budget, with a jobs bill that was passed by this body, why we are trying to talk about what we would do with sequestration—the President's idea. This House has passed numerous times information, our ideas, giving the President the ideas about how we think sequestration should work, a debt limit. We are faced with another debt limit vote here in our future. Two weeks ago, the House talked about how that

should be handled. That bill was completely mischaracterized.

The reason we are here is that, under Barack Obama and Democrats, our country is having a \$1 trillion deficit every year, and there is not one year in the future that they can point to in which we would balance our budget even for one year. If you cannot balance your budget, if you cannot control yourself—your spending habits, your insatiable appetite to grow government—then it means that we are on a dangerous trajectory.

Look at this, Mr. Speaker. This is history. This is what lies ahead. This is the demise for our children of America being a great Nation. This is why Republicans are down here. This is our past. This is our future. Republicans are here with ideas about balance, structure, working together—the SEC or other agencies working together—to the benefit of growing jobs, balance, things that make sense, instead of a government that's out of control with an IRS with a political agenda and with the Department of Justice abusing its powers that were invested in the Constitution's and the Bill of Rights' understanding of a balance.

This reminds me of a prior administration, under Richard Nixon, when he used the IRS and the Department of Justice to punish his enemies, people he disagreed with.

Mr. Speaker, we are here on a broad range of ideas, evidently, today. When I woke up, I thought it was just about a balanced rule for the SEC, for them to apply in their rules and regulations a chance to say "cost-benefit analysis" so that those to whom they provide regulations would understand and the SEC would understand for their some 175 lawyers and 50 economists who look at the marketplace. Let's balance this out. That's what I thought we were here for. Instead, I have learned today we are here to talk about the budget, that we are here to talk about sequestration, that we are here to talk about a lot of things which all embody themselves in: our country is in trouble.

We are in trouble because the President of the United States is for a bigger activist government, for a health care bill that will cause us to lose 2 million more jobs and will keep small business smaller. It will harm our future. Republicans are here simply with common sense and balance today just to talk about the SEC. I welcome the chance for my colleagues, as they have done today, to come to the floor.

The gentleman, Mr. VAN HOLLEN, is one of my closest friends on the Hill. He is a man who I work with on a regular basis, and I respect him. His ideas related to moving forward on the conference should be answered, and I anticipate they will. I simply came unprepared as to that answer today.

So, Mr. Speaker, as always, I will finish where I started and say Republicans are trying to provide leadership.

Our great Speaker, JOHN BOEHNER, does understand regular order and that it is important to read bills before you pass them.

□ 1020

We believe in coming to the floor and talking about ideas before problems occur. That's what we've been doing. That's what the Rules Committee is about. And the legislation that we have handled since January has been all about trying to work together to let the American people know we get it. We're going to balance what we do with their needs and desires to make sure that this country remains strong and is ready for its future because, Mr. Speaker, I, like you, have children who need our country to be prepared for the future.

Mr. Speaker, I ask my colleagues to vote "yes" on the rule and "yes" on the underlying legislation.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 216 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the House shall consider without intervention of any point of order the resolution (H. Res. 174) expressing the sense of the House of Representatives that the Speaker should immediately request a conference and appoint conferees to complete work on a fiscal year 2014 budget resolution with the Senate. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H. Res. 174.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitz-

gerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 181, not voting 30, as follows:

[Roll No. 155]

YEAS—222

Aderholt	Barr	Bonner
Alexander	Barton	Boustany
Amash	Benishek	Brady (TX)
Amodei	Bentivolio	Bridenstine
Bachmann	Bilirakis	Brooks (AL)
Bachus	Bishop (UT)	Brooks (IN)
Barber	Black	Broun (GA)
Barletta	Blackburn	Buchanan

Bucshon	Holding	Reed
Burgess	Hudson	Reichert
Calvert	Huelskamp	Renacci
Camp	Huizenga (MI)	Ribble
Cantor	Hultgren	Rice (SC)
Capito	Hunter	Rigell
Carter	Hurt	Roby
Cassidy	Issa	Roe (TN)
Chabot	Jenkins	Rogers (AL)
Chaffetz	Johnson (OH)	Rogers (KY)
Coble	Jones	Rogers (MI)
Coffman	Jordan	Rohrabacher
Cole	Joyce	Rokita
Collins (GA)	Kelly (PA)	Rooney
Collins (NY)	King (IA)	Ros-Lehtinen
Conaway	King (NY)	Roskam
Cook	Kingston	Ross
Cotton	Kinzinger (IL)	Rothfus
Cramer	Klme	Royce
Crawford	LaMalfa	Runyan
Crenshaw	Lamborn	Ryan (WI)
Culberson	Lance	Salmon
Davis, Rodney	Lankford	Sanford
Denham	Latham	Schock
Dent	Latta	Schweikert
DeSantis	LoBiondo	Scott, Austin
DesJarlais	Long	Sensenbrenner
Diaz-Balart	Lucas	Sessions
Duncan (SC)	Luetkemeyer	Shimkus
Duncan (TN)	Lummis	Shuster
Ellmers	Marchant	Simpson
Farenthold	Marino	Smith (NE)
Fincher	Massie	Smith (NJ)
Fitzpatrick	McCarthy (CA)	Smith (TX)
Fleischmann	McCaul	Southerland
Fleming	McClintock	Stewart
Flores	McHenry	Stivers
Forbes	McKeon	Stockman
Fortenberry	McKinley	Stutzman
Foxx	McMorris	Terry
Franks (AZ)	Rodgers	Thompson (PA)
Frelinghuysen	Meadows	Thornberry
Gardner	Meehan	Tiberi
Garrett	Messer	Tipton
Gerlach	Mica	Turner
Gibbs	Miller (FL)	Upton
Gibson	Miller (MI)	Valadao
Gohmert	Miller, Gary	Walberg
Goodlatte	Mullin	Walden
Gosar	Mulvaney	Walorski
Gowdy	Murphy (PA)	Weber (TX)
Granger	Neugebauer	Webster (FL)
Graves (GA)	Noem	Westmire
Graves (MO)	Nugent	Whitfield
Griffin (AR)	Nunes	Williams
Griffith (VA)	Nunnelee	Wilson (SC)
Grimm	Olson	Wittman
Guthrie	Paulsen	Wolf
Hall	Pearce	Womack
Hanna	Perry	Woodall
Harper	Petri	Yoder
Harris	Pittenger	Yoho
Hartzler	Pitts	Young (FL)
Hastings (WA)	Poe (TX)	Young (IN)
Heck (NV)	Posey	
Hensarling	Price (GA)	
Herrera Beutler	Radel	

NAYS—181

Andrews	Clay	Esty
Barrow (GA)	Cleaver	Farr
Bass	Cohen	Fattah
Beatty	Connolly	Foster
Becerra	Conyers	Frankel (FL)
Bera (CA)	Cooper	Fudge
Bishop (GA)	Costa	Gabbard
Bishop (NY)	Courtney	Gallego
Blumenauer	Crowley	Garamendi
Bonamici	Cuellar	Green, Al
Brady (PA)	Davis (CA)	Green, Gene
Braley (IA)	Davis, Danny	Grijalva
Brownley (CA)	DeFazio	Hahn
Bustos	DeGette	Hastings (FL)
Butterfield	Delaney	Heck (WA)
Capps	DeLauro	Himes
Capuano	DelBene	Holt
Cárdenas	Deutch	Honda
Carney	Dingell	Horsford
Carson (IN)	Doggett	Huffman
Cartwright	Doyle	Israel
Castor (FL)	Duckworth	Jackson Lee
Castro (TX)	Ellison	Jeffries
Chu	Engel	Johnson (GA)
Cicilline	Enyart	Johnson, E. B.
Clarke	Eshoo	Kaptur

Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lipinski
 Loebsock
 Lowenthal
 Lowey
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Maffei
 Maloney,
 Carolyn
 Maloney, Sean
 Matheson
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McNerney
 Meeks
 Meng

Michaud
 Miller, George
 Moore
 Moran
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Negrete McLeod
 O'Rourke
 Owens
 Pallone
 Pastor (AZ)
 Payne
 Perlmutter
 Peters (CA)
 Peters (MI)
 Peterson
 Pingree (ME)
 Pocan
 Polis
 Price (NC)
 Rahall
 Rangel
 Richmond
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff

Schneider
 Schrader
 Schwartz
 Scott (VA)
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Speier
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Tierney
 Titus
 Tonko
 Tsongas
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Yarmuth

Conaway
 Cook
 Cotton
 Cramer
 Crawford
 Crenshaw
 Culberson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Duncan (SC)
 Duncan (TN)
 Eilmlers
 Ferenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffith (AR)
 Griffith (VA)
 Grimm
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Heck (NV)
 Hensarling
 Herrera Beutler
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (OH)

Jones
 Jordan
 Joyce
 Kelly (PA)
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 LaMalfa
 Lamborn
 Lance
 Lankford
 Latham
 Latta
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Maffei
 Marchant
 Marino
 Massie
 McCarthy (CA)
 McCaul
 McClintock
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Paulsen
 Pearce
 Perry
 Petri
 Pittenger
 Pitts
 Poe (TX)
 Posey
 Price (GA)
 Radel
 Reed
 Reichert
 Renacci
 Ribble

Rice (SC)
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Royce
 Runyan
 Ryan (WI)
 Salmon
 Sanford
 Schock
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stewart
 Stivers
 Stockman
 Stutzman
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Valadao
 Walberg
 Walden
 Walorski
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westmoreland
 Whitfield
 Williams
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (FL)
 Young (IN)

Lowenthal
 Lowey
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Maloney,
 Carolyn
 Maloney, Sean
 Matheson
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McNerney
 Meeks
 Meng
 Michaud
 Miller, George
 Moore
 Moran
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Negrete McLeod
 O'Rourke
 Owens

Pallone
 Pastor (AZ)
 Payne
 Perlmutter
 Peters (CA)
 Peters (MI)
 Peterson
 Pingree (ME)
 Pocan
 Polis
 Price (NC)
 Rahall
 Rangel
 Richmond
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schwartz
 Scott (VA)
 Serrano
 Sewell (AL)

Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Speier
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Tierney
 Titus
 Tonko
 Tsongas
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Yarmuth

NOT VOTING—30

Brown (FL)
 Campbell
 Clyburn
 Cummings
 Daines
 Duffy
 Edwards
 Garcia
 Gingrey (GA)
 Grayson

Gutierrez
 Hanabusa
 Pascarell
 Hinojosa
 Hoyer
 Johnson, Sam
 Labrador
 Lewis
 Lofgren
 Markey

Nolan
 Palazzo
 Pascarell
 Pelosi
 Pompeo
 Quigley
 Scalise
 Scott, David
 Wagner
 Young (AK)

□ 1047

Mr. DEFAZIO and Ms. WILSON of Florida changed their vote from “yea” to “nay.”

Mr. WALBERG changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 180, not voting 30, as follows:

[Roll No. 156]
 AYES—223

Aderholt
 Alexander
 Amash
 Amodei
 Bachmann
 Bachus
 Barber
 Barletta
 Barr
 Barton
 Benishek
 Bentivolio
 Billirakis

Bishop (UT)
 Black
 Blackburn
 Bonner
 Boustany
 Brady (TX)
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Broun (GA)
 Buchanan
 Bucshon
 Burgess

Calvert
 Camp
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman
 Cole
 Collins (GA)
 Collins (NY)

NOES—180

Andrews
 Barrow (GA)
 Bass
 Beatty
 Becerra
 Bera (CA)
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Brady (PA)
 Braley (IA)
 Brownley (CA)
 Bustos
 Butterfield
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu
 Cicilline
 Clarke
 Clay
 Cleaver
 Cohen
 Connolly
 Conyers

Cooper
 Costa
 Courtney
 Crowley
 Cuellar
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Deutch
 Dingell
 Doggett
 Doyle
 Duckworth
 Ellison
 Engel
 Enyart
 Eshoo
 Esty
 Farr
 Fattah
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Green, Al

Green, Gene
 Grijalva
 Hahn
 Hastings (FL)
 Heck (WA)
 Himes
 Holt
 Honda
 Horsford
 Huffman
 Israel
 Jackson Lee
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lipinski
 Loebsock

NOT VOTING—30

Brown (FL)
 Campbell
 Clyburn
 Cummings
 Daines
 Duffy
 Edwards
 Garcia
 Gingrey (GA)
 Grayson

Gutierrez
 Hanabusa
 Higgins
 Hinojosa
 Hoyer
 Johnson, Sam
 Labrador
 Lewis
 Lofgren
 Markey

Nolan
 Palazzo
 Pascarell
 Pelosi
 Pompeo
 Quigley
 Rigell
 Scalise
 Scott, David
 Wagner

□ 1055

Mr. MAFFEI changed his vote from “no” to “aye.”

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SEC REGULATORY ACCOUNTABILITY ACT

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous material for the RECORD on H.R. 1062, the SEC Regulatory Accountability Act of 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection. The SPEAKER pro tempore. Pursuant to House Resolution 216 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1062.

The Chair appoints the gentleman from Georgia (Mr. WOODALL) to preside over the Committee of the Whole.

□ 1057

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1062) to

improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders, with Mr. WOODALL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to urge the adoption of H.R. 1062. This is a bill that technically is about something called cost-benefit analysis. I know to some that sounds a little bit like Ph.D. economics, but, Mr. Chairman, what it's really about is kitchen-table economics.

□ 1100

When I go home to the Fifth District of Texas, what I hear from my constituents is that they're insecure in their jobs—those who are lucky enough to have them.

We know that millions of our fellow citizens are unemployed, are underemployed; and those who are fortunate enough to have jobs wonder will they have them tomorrow.

We know again that we are in the Great Recession, the "non-recovery" recovery. So the impact of the regulations that are promulgated in Washington, D.C. has a huge impact on kitchen-table economics, on whether or not our constituents are going to be able to put gas in the car to take their children to school, whether or not they're going to be able to help an elderly parent with their medical bills, how they're going to put groceries on the table.

It is incumbent upon us, Mr. Chairman, to make sure that the rule-making authority—that this body helps grant the executive branch—at least has to take into account how their rulemaking impacts hardworking American citizens and those who wish to work hard.

So this is a very, very simple bill, Mr. Chairman. It simply says that the Securities and Exchange Commission has to adopt cost-benefit analysis to ensure that the advertised benefits of one of their rules is actually measured against the actual cost of what they're doing. This is vitally important.

Mr. Chairman, as you well know, this body had a vote yesterday to repeal the Affordable Care Act—or dare I say the Not So Affordable Care Act. And I'm curious, what would have happened had Congress had the benefit of the cost of this bill prior to that vote? What would have happened had we known that the Congressional Budget Office said that

we will have 800,000—almost 1 million—fewer jobs because of ObamaCare?

You know, when we took that vote, Mr. Chairman, all we had were the advertised benefits. But how come we didn't have the Congressional Budget Office report of the cost? That's just one example. Almost 1 million fewer jobs because nobody bothered to conduct cost-benefit analysis. It wasn't required at the time.

Now the President claims that we ought to have this. He issued an executive order—No. 13563—saying government agencies ought to do it, but then his administration issues a veto threat on this bill. I find that kind of interesting. So the President says he wants to do it; he's just not actually going to do it.

The SEC mission, among other things, is to ensure that we help form capital. You cannot have the benefits of capitalism and the free enterprise system without capital, capital formation. So it's necessary to ensure that we look at the cost of what we're doing.

Apparently, the SEC historically—again, notwithstanding that they claim they're going to do it. Most recently, we've had a unanimous decision of the D.C. Circuit Court of Appeals—unanimous decision—in the proxy access case that the SEC failed—and failed miserably—at ensuring cost-benefit analysis, also known as kitchen-table economics. How are the costs of their rulemaking going to impact hardworking Americans?

It's time to remedy this, Mr. Chairman. Our constituents demand it.

Again, I urge the adoption of H.R. 1062, and I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

I rise to strongly oppose H.R. 1062. This bill places significant additional requirements for economic analysis by the Securities and Exchange Commission, effectively bringing any efforts at rulemaking to a standstill.

Let's be clear: the purpose of this legislative effort is to stop implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act dead in its tracks. After losing in Congress, the fight against the Dodd-Frank Act moved to the courts, beginning with overturning the proxy access rules they adopted under authority provided by that act.

Although I agreed fully with the SEC's position, they went with their friends to court and the court found that the SEC did not meet its already significant requirements to conduct an economic analysis.

After the proxy access case was overturned, the SEC adopted improved standards for conducting cost-benefit analyses. These procedures were cited by the GAO just last December as having all of the elements of good regu-

latory analysis. Basically, what the GAO is saying is we took a look, we studied it, and they do a good job.

Nonetheless, the bill before us today adds even more requirements, tying up the SEC resources, and putting it at even greater risk for litigation for every rule, despite the assurances of my Republican colleagues that they're only applying the terms of an executive order to the SEC. That executive order explicitly protects agencies from lawsuits based on their economic analysis. H.R. 1062 has no such protection for the SEC.

The Commission is undertaking a valiant effort to finish the Dodd-Frank and Jobs Acts rule, even in the face of attempts by the majority to restrict their funding. As the SEC attempts to balance capital formation with the need to protect investors, this bill weights the scales heavily in favor of industry over investors. In fact, the words "investor protection" do not appear anywhere in this bill.

Even without this bill, we can count on industry lobbyists to sue the SEC anytime it sees a weakness in the justification supporting a rule, as they have in several other cases currently before the courts.

And this bill does not apply only to new rules. This is extraordinary—and I want to say this so everybody understands—this bill would require the Commission to review every rule-making ever issued—even those that have protected our securities markets since the Great Depression—1 year after the adoption of this bill, and then again every 5 years thereafter. As a result, the Commission will be forced to divert resources away from other key areas, such as enforcement.

This comes at a time when House Republicans want to hold SEC funding flat, despite the SEC's new responsibilities—the increase in the number of participants it oversees and the growth of complexity and the size of U.S. securities markets.

It is ironic that as House Republicans push this bill forward, they are also calling for the SEC to speed up its efforts on Jobs Act rules. This bill makes it impossible for the SEC to meet the very deadline we adopted just 2 days ago when we passed H.R. 701.

I urge my colleagues to oppose H.R. 1062, and I reserve the balance of my time.

Mr. HENSARLING. I yield myself 30 seconds, Mr. Chairman, just to say that, number one, in listening to my colleague, the ranking member, I'm just curious about this concern about litigation burdens. We certainly didn't see it, as she and many of her colleagues back the proxy access rule, and how many have refused to support medical liability reform. So I don't understand why the litigation burden concern is not there.

In addition, I notice that the SEC has sought comment in the past on rule-making to ensure that there is a retrospective look-back because markets change.

At this time, Mr. Chairman, I would like to yield 5 minutes to the chairman of the Subcommittee on Capital Markets and GSEs of the Financial Services Committee, the author of the legislation, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman.

I rise today obviously in support of H.R. 1062, the SEC Regulatory Accountability Act.

At a time when new regulation after new regulation is being proposed by this administration, it is critical that we restore some semblance of order to the regulatory process and ensure that our Nation's small businesses do not continue to drown in a sea of red tape. So this legislation specifically subjects the SEC to a more robust version of the President's own order, which requires and outlines an enhanced cost-benefit analysis requirement, as well as requires a review of existing regulations.

□ 1110

The SEC Regulatory Accountability Act will do what? It will enhance the SEC's existing economic analysis requirements for requiring the Commission to first identify the nature of the problem that would be addressed before issuing any new regulations.

While the SEC has already certain cost-benefit related requirements in current law relative to rulemaking, as indicated before, recent court decisions have vacated or remanded several of these and pointed out the deficiencies in the Commission's use of cost-benefit analysis.

For example, recently the SEC inspector general issued a report that expressed several concerns about the quality of their analysis. They found that none of the rulemaking examined attempted to quantify either benefits or costs, other than informational collection cost.

This bill will ensure that the benefits of any rulemaking outweigh the cost, and that both new and existing regulations are accessible, consistent, written in plain language, and easy to understand.

The legislation will also require the SEC to assess the cost and benefits of available regulatory alternatives, including the alternative of not regulating at all, and to choose the approach that basically gives us the best benefits.

Under the bill, the SEC shall evaluate whether a proposed regulation is inconsistent, incompatible, or duplicative of other Federal regulations, as well.

So because some rulemaking has been politicized in the past, the bill

then requires this cost-benefit analysis which I talk about will be performed by who? By the Commission's chief economist.

These are commonsense reforms. They are appropriate, especially given the fact that the Commission continues to struggle with this issue. For instance, as already pointed out in the recent unanimous decision of the D.C. Circuit Court of Appeals, which vacated the Commission's proxy access rule, the Court stated:

The Commission acted arbitrarily and capriciously for having failed once again adequately to assess the economic benefits of a new rule and inconsistently and opportunistically framed the costs and benefits of the rule.

The bill also includes, besides all this, a section that will provide a clearer post-implementation assessment of new regulations so that post-implementation cost-benefit analysis can also be done, in addition to the pre-implementation. This will be able to better inform the true impact of the major rules once they're in place.

Now, some of my colleagues on the other side of the aisle say these new requirements will be too costly and will open the SEC to a flood of additional lawsuits. No, no, no, no. This could be further from the truth. By having these robust standards, the rules will be drafted so well that they will be thoroughly done, they will not be struck down by the courts, and we will not have to wade through additional time and money defending them in court and then redrafting the rules, like the proxy access rule.

So in the end, this is a commonsense, pragmatic approach to our rulemaking process that should have been in place all along. And with our economy struggling now with unemployment above 7½ percent, we need to ensure that we're making it easier, not harder, for businesses to begin hiring again.

Clearly, Mr. Chairman, a stronger commitment to economic analysis by the SEC is absolutely essential to ensure reasonable rules do not unduly burden registered companies or negatively impact job creation.

Ms. WATERS. At this time, I would yield 2 minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I thank the lady for yielding and for her leadership.

I strongly oppose this bill because I believe it would in effect cripple the SEC just as it undertakes the immense task of implementing the essential Dodd-Frank reforms. May I remind my colleagues that this country lost \$12 trillion, according to some estimates, and it happened in part because regulators, like the SEC, were ill-equipped, underfunded, and did too little, too slowly.

The Republican bill comes in the guise of requiring the SEC to under-

take a cost-benefit analysis of regulations. But it is really a prescription for paralysis of the SEC's ability to protect our investors and our markets.

There is already a multilayered and highly effective cost-benefit analysis built into the SEC rulemaking process. Just look at the recent D.C. Circuit case where the court overturned an SEC proxy access rule and sent a message back to the SEC reminding them of all the cost-benefit analysis that they are required to do now by law. They stated they will vacate any rule if this is not done.

Already there is analysis required under the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act. And just for the SEC alone, in 1996, we passed the National Securities Market Improvement Act requiring a cost-benefit analysis.

It is already there, it is on the books, and it is enforced by our courts. So what is before us today? A hurdle. Let's do more. Let's require them to go back to 1933, review every rule, so they cannot do their important work of protecting the American taxpayer and our economy of derivatives fraud, other fraud, and other abuses to investors.

The CHAIR. The time of the gentlewoman has expired.

Mrs. CAROLYN B. MALONEY of New York. I'm just warming up. I think my colleagues have a lot to say. It is a prescription for paralysis. I urge a "no" vote for investor protection.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds just to say to my friend from New York that if this regime is so effective, why was there a unanimous decision in the D.C. Circuit Court of Appeals to say it was ineffective, and if it is already on the books then the worst thing that we have done is that we are being repetitive. I don't think that's such a great sin.

I now yield 2 minutes to the gentleman from Virginia, the vice chairman of the Capital Markets Subcommittee, Mr. HURT.

Mr. HURT. I thank the chairman for yielding and thank him for his leadership on this issue.

Mr. Chairman, I rise today in strong support of the bill that's being offered by Mr. GARRETT. This is a bill that will ensure the SEC will abide by simple cost-benefit analysis requirements.

All Federal agencies, but especially the SEC, affect the efficiency and the success of our Main Street businesses—our Main Street businesses across Virginia's Fifth District and all across this country. The SEC primarily exists to protect investors, maintain fair and efficient markets, and to facilitate capital formation. This positions the Commission as a critical component of our small businesses' ability to access the capital they need to grow jobs. If access to capital continues to be constrained by overly burdensome regulations, we will not see the economic

growth in the jobs that we need in my district and across the United States.

While it is critical that the SEC be able to promulgate certain rules to implement congressional legislation, it is also critical that Congress clearly set forth its legislative prerogatives. As Members of Congress, we must ensure that the rules that the SEC adopts are with good purpose and that they are not unduly adding more burdens on hardworking Americans at a time when our economy is struggling.

Indeed, I believe that all Federal agencies should be held accountable by the Congress to ensure that the cost of the rules that they promulgate will not be greater than the benefit of those rules to the American people.

Congressional oversight is our constitutional responsibility, and I'm proud to support this legislation to ensure that excessive Federal regulations are not unnecessarily hindering job creation at a time when the people across Virginia's Fifth District need jobs the most.

I urge passage of this good bill.

Ms. WATERS. I now yield 2 minutes to the gentlelady from Wisconsin, Representative GWEN MOORE.

Ms. MOORE. Mr. Chairman, I thank the gentlelady. Just let me say that a 2013 GAO study estimated that the financial crisis cost the U.S. economy a total of more than \$22 trillion—a crisis brought on by Wall Street deregulation that allowed firms and markets to operate unchecked and without accountability.

Supporters of this bill seek to ignore those lessons and bind the SEC to the myopic vision of deregulation that was completely discredited when it nearly caused a second Great Depression.

This bill raises intractable hurdles to regulation, making it impossible to protect investors, even in the presence of fraud. Instead, this bill requires the SEC to eliminate accountability for market participants, despite the systematic risk that it imposes.

Now, my dear colleagues on the other side, I've heard them wax on and on and on about a cost-benefit analysis. This bill focuses totally on the cost to market participants and talks nothing, nothing, nothing about the benefits of the SEC regulation in protecting investors and avoiding systemic risk, nothing about the value of preventing another financial meltdown.

□ 1120

The Republicans' cost-benefit rhetoric on this bill cloaks its reality, which is that this bill benefits Wall Street and costs taxpayers. Wall Street bemoans all regulations as too costly; yet they keep posting record profits and keep paying record bonuses.

I urge all of my colleagues to support those hurt by the financial crisis and to vote against this legislation.

Mr. HENSARLING. Mr. Chairman, at this time, I yield 1½ minutes to the

gentleman from Frog Jump, Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chairman, I rise today in support of the SEC Regulatory Accountability Act.

Title I of the JOBS Act was so important for smaller companies in trying to go public, because a lot of regulations come with the IPO process. If more and more of a company's resources have to be dedicated to government regulations, the company can't expand and create jobs. That's why we need a balanced approach to regulations.

Before I make any major decision, like every hardworking taxpayer, I use common sense. I evaluate the effect that decision will have on me, on my bank account, on my family, and so on. Why shouldn't the Federal Government ask itself those same questions? Shouldn't the SEC question if a regulation is good for business? Does it help capital formation? Will it do more harm than good or vice versa?

All we are asking the SEC to do is a simple economic analysis before issuing a potentially expensive regulatory action. I encourage my colleagues to join with me in supporting the SEC Regulatory Accountability Act.

Ms. WATERS. I yield 2 minutes to the gentleman from Minnesota, Representative ELLISON.

Mr. ELLISON. Mr. Chairman, we hear folks mentioning the need for families to have gas and to pay medical bills and to pay groceries—but wait a minute.

Didn't the Wall Street reform crisis of 2008 nearly destroy the American economy? Didn't it lead to 4 million foreclosures? Didn't it nearly wipe out billions of dollars in home value? Didn't it do all of these things? In 2008, didn't we see Wall Street fraudster Bernie Madoff rip off billions from investors and charities and retirees, which is something that the SEC has jurisdiction over?

So then, why now are we undermining Wall Street reform and the ability of the SEC to protect investors? Why are we gumming up the works and making it so much more difficult? I mean, the ink is barely dry on the bill, and they are already deconstructing it.

There is an interesting article I would ask all of us to take a look at. It's called, "He Who Makes the Rules," by Haley Edwards:

Barack Obama's biggest second-term challenge isn't guns or immigration. It's saving his biggest first-term achievements, like the Dodd-Frank law, from being dismembered by lobbyists and conservative jurists in the shadowy, Byzantine "rulemaking" process.

The fact is that we know what's going on here. We know what the game is. It has nothing to do with groceries or medical bills. It's about Wall Street's interests and its trying to expand even more in the area of bonuses and profitability, which it has so much

of already. Banks are enjoying their largest profits in history, and yet we are considering a bill that would undermine landmark Wall Street reform. This bill undermines the financial security for the American people and the economy.

Now, I am a firm believer in the American process of civil redress, but I also know that you can kick the door open and use strategic lawsuits simply to slow down and gum up the works. It's clear that that would be the effect of this particular piece of legislation, which is duplicative and which is unnecessary.

Vote "no" on H.R. 1062.

Mr. HENSARLING. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. PITTEMBER).

Mr. PITTEMBER. I rise today in support of H.R. 1062, the SEC Regulatory Accountability Act.

Mr. Chairman, we are coming out of and are still in the worst recession recovery since the 1930s. Our economic growth is at an anemic 2½ percent. We can't continue like this. It's all because we have got a very burdensome regulatory environment. What we need is a regular recovery, one in which they lift the burdensome and unnecessary regulations and allow businesses to grow and to create jobs. Why, in 1 month alone, over a million jobs were created.

That's why I support the Regulatory Accountability Act. It's very simple. It just requires a cost analysis of new legislation and new requirements for businesses before they're implemented and then post-adoptive analysis after they've been put into effect.

Mr. Chairman, we have 59 economists at the SEC today and 175 attorneys, all trying to justify their careers with new regulations that they are writing all the time. This has got to change. We need a positive business climate that will bring us out of the bondage of Washington micromanagement and that will allow hardworking Americans to create better jobs and find better jobs to support their families and provide for them.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut, Representative HIMES.

Mr. HIMES. Thank you, Madam Ranking Member, and thank you for your leadership of our side on this committee.

Mr. Chair, I rise in opposition to H.R. 1062.

I find it curious that Chairman HENSARLING, a man for whom I have a great deal of respect, frames this legislation in the context of the huge impact that financial regulation is supposedly having on jobs in his district and on jobs in this country.

I've read all of the economic reports from the Federal Reserve to economists on the left and the right, and not one of them says that our economy is

recovering slowly because of financial regulation. They talk about the austerity. They talk about the sequester as meaningfully reducing the number of jobs in this country. By the way, they're policies that Chairman HENSARLING's party has supported from moment one. They talk about Europe. They talk about housing. They talk about inadequate demand. Nobody says that financial regulation is materially impeding our recovery.

Curious that that's on the table.

Curious also that 2 days ago this House passes legislation to demand the SEC to speed up its rule writing on the JOBS Act, and today we are here to pass a measure that would actually slow down the SEC.

Curious. Why is that?

Curious that the other side, my friends in the Republican Party, have consistently sought to underfund the SEC at the very moment in history when we have added dramatically to their purview—the derivatives market, the mortgage market—that they now must regulate. Yet, in 2011, when they were first to assume these responsibilities, the Republicans sought to cut the SEC budget by \$300 million against what was ultimately paid for.

So what is really happening? If I may quote the chairman, what is this really about? None of that makes sense.

What this is really about is an ongoing ideological effort to tie the regulatory agencies up by cutting their budgets, by refusing to confirm their leadership, by imposing litigation hurdles and cost-benefit analyses ad nauseam such that they cannot do their job; and if they can't do their job, this country loses jobs.

Mr. HENSARLING. Mr. Chairman, at this time, I yield 1 minute to the chairman of the Financial Services and General Government Appropriations Subcommittee, the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. I thank the gentleman for the time, and I thank Mr. GARRETT for bringing this important piece of legislation before the House today.

As chairman of the Appropriations Subcommittee on Financial Services, my subcommittee has oversight of the budget of the SEC.

I think that Members would be interested in knowing that that budget has increased over 200 percent in the last decade and that the SEC this year is asking for a substantial increase, more than most agencies. So I think, if that is the case, then it's important that the SEC spends the money that they receive in the right way and that they set the right priorities.

It seems to me that, if rules and regulations are important and if they're necessary, then the cornerstone of that rulemaking process should be: What kind of impact is that going to have on the people in this country? What kind

of far-reaching impact is it going to have? How much does that cost? What are the benefits?

□ 1130

So far, the SEC hasn't quite gotten that right. The inspector general has said that, courts have said that, and all this bill does is simply say to the SEC what we would all agree is common sense. It's not a partisan idea. It's not a Democratic idea. It's not a Republican idea.

The CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 30 seconds.

Mr. CRENSHAW. All this bill does is say—not as an afterthought, but as the cornerstone to the rulemaking process—the SEC simply understands the economic impact it's going to have and there's a cost-benefit analysis done.

It's a good bill, and I urge its passage.

Ms. WATERS. I yield 2 minutes to the gentleman from Delaware (Mr. CARNEY).

Mr. CARNEY. Thank you, Ranking Member, for your leadership on efforts to strengthen the SEC and to beat back this legislation.

As a member of the Financial Services Committee, I had the privilege yesterday of meeting the new SEC chairman, Mary Jo White. I was very impressed.

I heard her describe her plans to take a tough, fair, and apolitical approach to regulating the financial sector. She wants to strengthen enforcement, she wants to oversee the markets through wise regulations that keep pace with technology, and she wants to complete the rulemaking progress for Dodd-Frank. We know how important each of those things is. She certainly has her work cut out for her, but it sounds like she knows just what the doctor ordered.

Unfortunately, today's bill threatens to distract Chairman White from her efforts to protect investors and to protect our financial system from another crisis. Today's bill piles needless requirements and bureaucratic burdens on an agency that's already got too much to do and that is underfunded.

A critical part of the SEC's mission is protecting investors. This bill protects banks from regulation. It does nothing for investors. In fact, it could hurt investors in the long term.

Chairman White has already committed to issuing rules in a thoughtful way that incorporates rigorous economic analysis, and she told us that yesterday.

The bill is also unnecessary. Regulating our financial sector and protecting American investors is a tall task as it is. We should be passing laws that make the SEC's job easier, not harder. We should be providing the SEC with the resources that it needs to do

that job, and that's why I urge my colleagues to oppose today's legislation.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to myself.

I would like to do a little factual cleanup here, Mr. Chairman, on some things that my Democratic colleagues have said.

I believe I understood my friend, the gentlelady from Wisconsin, to say nowhere in this bill is the word "benefits." First, I would say, number one, it is a 10-page bill, not a 2,000-page bill. And on the very first page, line 11, you read the word "benefits." If you turn to page 2—not page 2,000—page 2, line 3: "Utilize the Chief Economist to assess the costs and benefits." So let me correct that for the record.

Second of all, we had discussion about the failure of regulation and how this bill might lead to another Great Recession or financial crisis. I would point out to my friends that it was the failure to understand the cost of Fannie and Freddie, the failure to understand the cost of the affordable housing goals that put millions of our fellow citizens into homes that they could not afford to keep.

So maybe, just maybe, had this body and the other body realized the full cost of their folly and how it could not only bring this economy to its knees, that it could cause our fellow citizens to risk their meager lifesavings on homes they couldn't afford to keep, maybe had a cost-benefit analysis been in place at that time, we wouldn't have the suffering that we have today.

I would say to my friend from Connecticut, he is clearly talking to different economists and different job creators than I have because what I understand from them is that, frankly, we have trillions of dollars of capital sitting on the sidelines because of Dodd-Frank, because we have rulemaking that falls into two categories: those that create uncertainty and those that create certain harm.

Last, but not least, I actually have the numbers from CBO on the budget of the SEC. And I think if you examine them carefully, Mr. Chairman, you will discover that in a little over 10 years, this is an agency whose budget has increased 300 percent.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois, Representative FOSTER.

Mr. FOSTER. Mr. Chairman, I rise in opposition to this bill.

When my colleagues speak about the burdensome cost of regulations, I would like to remind them of the high cost of deregulation and inadequately funded regulators that we witnessed in 2008.

This bill would increase the operating costs of the SEC without any increase in the agency's budget. Just yesterday, the chairman of the SEC

warned the Financial Services Committee that this bill would divert resources from enforcing investor protections. And last year, former-SEC Chairman Schapiro said that a nearly identical bill would “significantly impede the SEC’s ability to administer the securities laws.”

I would remind my colleagues that the failure to administer the security laws and regulate our financial system has cost us \$16 trillion. That’s the amount that families in America lost during the financial crisis. That is more than \$50,000 for every man, woman, and child in the United States.

During the financial crisis, in the last 18 months of the Bush administration, the average American family lost a quarter of its net worth. Compare that to the onset of the Great Depression where families lost only about 12 percent of their net worth during a 5-year period. So by that measure, our last financial crisis was twice as big and twice as fast as the onset of the Great Depression.

But the cost of inadequate regulation does not stop there: \$1.6 billion, that’s the amount that disappeared from customer accounts at MF Global in 2011; \$17 billion, that’s the amount that in 2009 Bernie Madoff was convicted of scamming investors out of; \$1 trillion, that’s the amount of wealth that disappeared and reappeared in less than 20 minutes during the flash crash of 2010.

To put these figures in perspective, let’s consider and compare them to bank robberies. Every year, banks lose \$38 million to robberies; yet we spend \$24 billion every year on armed guards, vault doors, and FBI investigations. So for bank robberies, we spend 600 times more on prevention than on actual losses. Just imagine if we applied that same factor of 600 to investor losses from securities fraud and market manipulation. The budgets of our regulators would be hundreds of times larger than they are today. The cynic in me can only conclude that what’s really going on here is that the bank robbers just have really crummy lobbyists.

But seriously, if we can spend 600 times the amount of actual losses to prevent bank robberies, why will my colleagues not support the President’s request to spend one-ten-thousandth of the amount that families lost in the financial crisis on the SEC’s annual budget?

I challenge my colleagues who support this bill to commit to supporting the President’s request to increase the SEC’s budget. I remind them again of the high cost of inaction which led to far too many of our constituents losing their homes, their retirement funds, and their small businesses a few years ago.

By shortchanging the security of our financial markets, my colleagues are endorsing the same irresponsible path.

I urge my colleagues to oppose this bill.

Mr. HENSARLING. Mr. Chairman, I now proudly yield 1 minute to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman from Texas.

Mr. Chairman, I rise today to support the SEC Regulatory Accountability Act of 2013.

The American economy is hurting, and what we need is less government standing in the way of the private sector, not more. This act will bring about some commonsense reforms by requiring the SEC to review existing regulations, as well as preventing new and unnecessary ones that would only continue to slow economic growth and hurt businesses and families.

With job growth struggling and our already having experienced several years of high unemployment, we’ve got to make certain that we’re doing what we can to ensure that it’s easier, and not harder, for businesses to hire again.

□ 1140

This act will do just that by first clearly defining the root of a problem before trying to implement perhaps unjust and redundant burdens on America’s businesses.

This is an appropriate reform bill that should garner bipartisan support. The President’s own Jobs Council has advocated regulatory reform by focusing on streamlining the current system for permitting projects that can create jobs. That Jobs Council understood that regulations involving the Federal, State, and local level can lead to a tangled web of red tape and cause a bureaucratic nightmare. The current system will only continue to stunt economic growth, and this act is a much-needed step in the right direction.

I would like to thank the gentleman from New Jersey, Chairman GARRETT, as well as the chairman of the Financial Services Committee, the gentleman from Texas, for their leadership on this issue.

Mr. Chairman, I strongly support the passage of the bill, and I urge my colleagues in the House to do so as well.

Ms. WATERS. I yield 3 minutes to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. I thank Ranking Member WATERS for yielding.

Mr. Chairman, I rise today to join my colleagues in strong opposition to H.R. 1062, the SEC Regulatory Accountability Act.

Unfortunately, what we have before us today is nothing more than a thinly veiled attempt at paralyzing an agency under the guise of an otherwise worthy activity, which is cost-benefit analysis. Cost-benefit analysis is a good thing to do, but not under the terms of this bill.

Mr. Chairman, I don’t think that there is anybody in this body who is opposed to an honest, open, balanced, thorough, and truly objective cost-benefit analysis in the rulemaking process. On the contrary, we all agree that it is essential for creating good policy, as I said. However, the regime established in this bill is nothing but. Rather, the assumptions which would be codified into statute by this bill are worded in such a way as to prejudice the outcome of the analysis toward the side of not regulating at all in nearly every circumstance.

And while some in this body may think that this is a good thing, ask the Americans who were victims of the latest financial meltdown, many of whom are still suffering because of it. Ask them what they think, because the SEC, Mr. Chairman, is currently required to balance protection of investors with the maintenance of effective and efficient markets. This bill would do away with that balance by focusing solely on the cost to the industry and investor choice. Nowhere in the bill is investor protection, which is a part of the SEC’s core mission, even mentioned at all.

Moreover, I think it is crucial to point out that this bill does nothing to ease the strain on the SEC’s resources. Instead, it exacerbates the problem by slapping the SEC with a huge new administrative responsibility, all while they are still working, curiously, to implement Dodd-Frank and the Jobs Act, without giving them the resources to accomplish the task.

How on Earth do my colleagues who support this bill think that the SEC can produce the type of analysis they’re asking for—any analysis at all, for that matter—without the additional staff that even the CBO says they will be required to have? The problem is especially acute considering this bill would require going back and studying every rule in effect since the agency was first created way back in 1934. No other agency in the Federal Government is saddled with that kind of burden.

Mr. HENSARLING. Mr. Chairman, I yield myself 30 seconds to say to my friend from Georgia when he talks about the incredible burden of a retrospective look back, I would quote:

Because considerations of efficiency and competition in capital formation evolve over time, a retrospective analysis of the Commission’s rules and regulations is fully within the Commission’s statutory mandate.

That comes from the ABA.

I would also quote this as well:

The safety of workers’ retirement savings that are invested in the capital markets depend in large part on the Commission’s rules and regulations for the protection of the investors. To be effective, securities regulations must be continuously updated to address the emergence of new loopholes, abuses, and market failures.

AFL-CIO.

Mr. Chairman, how much time remains on both sides?

The CHAIR. The gentleman from Texas has 11½ minutes remaining. The gentlewoman from California has 10½ minutes remaining.

Mr. HENSARLING. I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington, Representative DENNY HECK.

Mr. HECK of Washington. I thank the ranking member.

Mr. Chair, I have a different take on this. I rise to oppose this bill not because it seeks to and would effectively undermine the ability of the SEC to function, although it certainly does that. Instead, I want to speak to those who are laboring under the impression that this is good legislation and are conservatives, because it is not good legislation, and it is not rooted in conservative principles.

Indeed, if red States tend to send more conservatives to this Chamber, then they would respect their conservatism by lighting up red, every one of them, when we get to final passage. Conservatives don't pass unnecessary legislation. And yesterday, when we had the privilege of having Mary Jo White, the new chair of the SEC before our committee, she was directly asked: Is this legislation necessary? She was unanimously confirmed, applauded by both sides of the aisle, all philosophies. She said:

Not only is it unnecessary, it's undesirable.

Conservatives don't enact unfunded mandates on State governments or local governments or on Federal agencies. This is a massive unfunded mandate.

And finally, true conservatives and a lot of the rest of us seek commonsense regulatory relief, especially for community banks and credit unions, not additional unnecessary, unfunded regulatory activity.

You know, Mr. Chair, we have several regulatory relief bills before our committee, not yet scheduled, not yet heard. Congresswoman CAPITO has H.R. 1553 to grant some regulatory relief to community banks and credit unions. Let's vote H.R. 1062 down and get on to the work of those bills and grant real regulatory relief if we seek to support the SEC in its mission to protect investors and promote fair, orderly, and efficient markets.

Mr. Chair, if you are a true conservative, you're going to vote "no" on H.R. 1062.

Mr. HENSARLING. Mr. Chairman, I would like to yield 1 minute to the author of the bill, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I was not going to speak again until, in fact, I was being lectured on what a true conservative is by the other side of the aisle, who gave us the over 2,000-page Dodd-Frank leg-

islation that has in fact stymied the economy, despite what the gentleman from Connecticut was saying before, that is setting literally trillions of dollars on the side, not being invested; that the unemployment rate hovers at high levels because of this stagnation in the economy because of the legislation.

To the other side of the aisle, to define what a true conservative is, a true conservative would actually read the bill, as other Members of the other side of the aisle have not done. Those who could not find simple words such as "benefit" when it is listed many times, those who could not find the benefits to investors when it's listed multiple times. A true conservative would understand what they're talking about when they come to the floor, Mr. Chairman. A true conservative would do what's in the best interest of the economy, of the investor, of the job seekers of this country, as well. A true conservative would support this legislation.

□ 1150

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

First, I have a number of communications that I will insert into the RECORD.

I have a Statement of Administration Policy from the Executive Office of the President; I have American Federation of Labor and Congress of Industrial Organizations; I have Americans for Financial Reform; I have AFSCME; and I also have California Public Employees Retirement System, all in opposition to this bill, and asking us to please oppose the bill.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, May 15, 2013.

STATEMENT OF ADMINISTRATION POLICY
H.R. 1062—SEC REGULATORY ACCOUNTABILITY
ACT

(Rep. Garrett, R-NJ, and 23 cosponsors)

The Securities and Exchange Commission (SEC) plays a critical role in protecting Americans' investments for retirement, higher education, and other personal savings while ensuring strong, efficient, safe financial activity that contributes to the Nation's economic health and job creation. While the Administration is firmly committed to smart and effective regulations that advance statutory goals in the most cost-effective and efficient manner, the Administration opposes passage of H.R. 1062. By adding burdensome and disruptive new procedures, H.R. 1062 would impede the ability of the SEC to protect investors, maintain orderly and efficient markets, and facilitate capital formation.

The Administration believes in the value of cost-benefit analysis. However, H.R. 1062 would add onerous procedures that would threaten the implementation of key reforms related to financial stability and investor protection. H.R. 1062 would direct the SEC to conduct time- and resource-intensive assessments after it adopts or amends major regulations before the impacts of the regulations

may have occurred or be known. The bill would add analytical requirements that could result in unnecessary delays in the rulemaking process, thereby undermining the ability of the SEC to effectively execute its statutory mandates.

The Administration is committed to a regulatory system that is informed by science, cost-justified, and consistent with economic growth. Through efforts including Executive Order 13579, "Regulation and Independent Regulatory Agencies," the Administration is taking important steps to encourage independent agencies to follow cost-saving and burden-reducing principles in their reviews of new regulations, and to examine their existing rules to identify those that should be modified, streamlined, or repealed.

AMERICAN FEDERATION OF LABOR
AND CONGRESS,

Washington, DC, May 6, 2013.

Hon. JEB HENSARLING,
Chairman, House Financial Services Committee,
Rayburn House Office Building, Wash-
ington, DC.

Hon. MAXINE WATERS,
Ranking Minority Member, House Education
and the Workforce Committee, Rayburn
House Office Building, Washington, DC.

DEAR CHAIRMAN HENSARLING AND RANKING
MINORITY MEMBER WATERS: On behalf of the
AFL-CIO, we urge you to oppose the "Busi-
ness Risk Mitigation and Price Stabilization
Act" (H.R. 634); the "Inter-Affiliate Swaps
Clarification Act" (H.R. 677); the "Swaps
Regulatory Improvement Act" (H.R. 992); the
"SEC Regulatory Accountability Act" (H.R.
1062); the "Swaps Jurisdiction Certainty
Act" (H.R. 1256); and the "Financial Com-
petitive Act" (H.R. 1341) all scheduled for
markup tomorrow. Each of these bills, if
passed, would undermine the framework
Congress put in place in the Dodd-Frank
Wall Street Reform and Consumer Protec-
tion Act of 2010 to prevent risky derivatives
trading from contributing to another global
financial crisis.

Reckless derivatives trading played a critical role in the 2008 financial crisis, turning the fallout from the crash of the domestic housing market into a global economic catastrophe. Whether measured in lost jobs and homes, lower earnings, eroding retirement security or devastated communities, working people paid a tremendous price for Wall Street's greed when the financial crisis hit.

The AFL-CIO strongly supports the common-sense protections put in place by Title VII of Dodd-Frank. Title VII creates basic structures that have existed in other, well-functioning financial markets for decades—clearinghouses to protect the safety and soundness of the market and its participants; exchanges and execution facilities to provide transparency; and business conduct standards to ensure that everyone plays fairly.

We oppose these bills because they would undermine the sensible framework for derivatives market regulation put in place by Dodd-Frank. One of these bills, H.R. 1062, would not only undermine derivatives regulation but would significantly undermine the SEC's ability to function by imposing substantial additional administrative burdens on the agency.

Less than five years have passed since the financial crisis wreaked havoc on the U.S. economy, yet Wall Street is back to raking in the profits while working people are struggling to get by. Now they are asking you to vote for bills that will allow them to return to the risky trading practices that caused the 2008 crisis.

We urge you to stand with the middle class and vote against these bills and preserve the basic derivatives market protections that Congress so sensibly put in place when it passed Dodd-Frank in 2010.

Sincerely,

WILLIAM SAMUEL, Director,
Government Affairs Department.

AMERICANS FOR FINANCIAL REFORM,

Washington, DC.

DEAR REPRESENTATIVE: On behalf of Americans for Financial Reform, we are writing to express our opposition to HR 1062, the "SEC Regulatory Accountability Act." This legislation would imperil the implementation of many important financial regulatory rules by adding numerous unnecessary procedural requirements to rulemakings by the Securities and Exchange Commission (SEC).

The SEC is already required to conduct economic analysis on every rule it passes, and to examine the effect of its rulemakings on capital formation, market efficiency, and competition. This legislation would add a lengthy list of additional cost-benefit requirements to these existing requirements. The new requirements in HR 1062 include a requirement to separately analyze the costs and benefits of the entire set of "available regulatory alternatives" in addition to the costs and benefits of the actual rule being considered. Since this set of alternatives may contain numerous possibilities, this requirement alone could add dozens of analyses prior to any new rulemaking. Even beyond this massive new requirement, the legislation also specifies a long list of additional analyses to be performed in connection with any new rulemaking, including analyses of the effect of new rules on market liquidity, investor choice, state and local governments, and other entities.

The requirements in this bill would force the agency to measure costs and benefits of a new rule before that rule was even implemented or market data resulting from the rule was available. They also include enormously broad and vague mandates such as determining whether a regulation imposes the 'least burden possible' among all possible regulatory options. A court could overturn the SEC's decision in any case where it found any one of the numerous analyses required here to be inadequate. The vagueness of mandates like the 'least burden possible' means that court challenges or court decisions could rest on claims that are essentially speculative and theoretical. These new mandates would not improve the quality of the regulatory process; they would stop it in its tracks.

The lengthy list of new requirements in this bill is transparently intended to create roadblocks in the way of passing any investor protection rule. The effect would be to halt the process of implementing rules under the Dodd-Frank Act—and potentially also rulemakings under more recent laws such as the JOBS Act. Indeed, HR 1062 would put significant pressure on the SEC to disregard congressional mandates by making the agency evaluate the need for regulations that Congress has unequivocally directed the SEC to write. Further, the numerous additional procedural and analytical requirements imposed by this bill come with no additional funding for the SEC. Asking the SEC to do so much more without additional resources would make the current regulatory delays at the SEC—evidenced by the numerous congressionally mandated deadlines it has missed—even worse.

Reforms that create accountability and transparency for Wall Street are crucial to

the well-being of our financial markets and to the protection of investors and market participants. But they will also change a very profitable status quo that earns a small group of Wall Street banks many billions of dollars each year. Financial industry special interests have every interest in blocking change. This legislation is a toolbox that would allow them to use legal challenges to do so indefinitely.

According to polling data, over 70 percent of Americans favor stronger rules and enforcement for big Wall Street banks and the financial services industry. A large majority also favor the Dodd-Frank Wall Street Reform Act. In the face of the public's demand for change, Congress must reject legislation such as HR 1062, which, regardless of its intentions, would hamper effective oversight of our financial markets.

Thank you for your consideration. For more information please contact AFR's Policy Director, Marcus Stanley.

Sincerely,

AMERICANS FOR FINANCIAL REFORM.

FOLLOWING ARE THE PARTNERS OF AMERICANS FOR FINANCIAL REFORM

All the organizations support the overall principles of AFR and are working for an accountable, fair and secure financial system. Not all of these organizations work on all of the issues covered by the coalition or have signed on to every statement.

AARP; A New Way Forward; AFL-CIO; AFSCME; Alliance For Justice; American Income Life Insurance; American Sustainable Business Council; Americans for Democratic Action, Inc.; Americans United for Change; Campaign for America's Future; Campaign Money; Center for Digital Democracy; Center for Economic and Policy Research; Center for Economic Progress; Center for Media and Democracy; Center for Responsible Lending; Center for Justice and Democracy; Center of Concern; Center for Effective Government; Change to Win; Clean Yield Asset Management.

Coastal Enterprises Inc.; Color of Change; Common Cause; Communications Workers of America; Community Development Transportation Lending Services; Consumer Action; Consumer Association Council; Consumers for Auto Safety and Reliability; Consumer Federation of America; Consumer Watchdog; Consumers Union; Corporation for Enterprise Development; CREDO Mobile; CTW Investment Group; Demos; Economic Policy Institute; Essential Action; Greenlining Institute; Good Business International; HNMA Funding Company.

Home Actions; Housing Counseling Services; Home Defender's League; Information Press; Institute for Global Communications; Institute for Policy Studies; Global Economy Project; International Brotherhood of Teamsters; Institute of Women's Policy Research; Krull & Company; Laborers' International Union of North America; Lawyers' Committee for Civil Rights Under Law; Main Street Alliance; Move On; NAACP; NASCAT; National Association of Consumer Advocates; National Association of Neighborhoods; National Community Reinvestment Coalition; National Consumer Law Center (on behalf of its low-income clients); National Consumers League; National Council of La Raza; National Council of Women's Organizations; National Fair Housing Alliance.

National Federation of Community Development Credit Unions; National Housing Resource Center; National Housing Trust; National Housing Trust Community Development Fund; National NeighborWorks Association; National Nurses United; National

People's Action; National Urban League; Next Step; OpenTheGovernment.org; Opportunity Finance Network; Partners for the Common Good; PICO National Network; Progress Now Action; Progressive States Network; Poverty and Race Research Action Council; Public Citizen; Sargent Shriver Center on Poverty Law; SEIU; State Voices; Taxpayers for Common Sense; The Association for Housing and Neighborhood Development; The Fuel Savers Club; The Leadership Conference on Civil and Human Rights; The Seminal; TICAS; U.S. Public Interest Research Group; UNITE HERE; United Food and Commercial Workers; United States Student Association; USAction; Veris Wealth Partners; Western States Center; We the People Now; Woodstock Institute; World Privacy Forum; UNET; Union Plus; Unitarian Universalists for a Just Economic Community.

LIST OF STATE AND LOCAL AFFILIATES

Alaska PIRG; Arizona PIRG; Arizona Advocacy Network; Arizonans For Responsible Lending; Association for Neighborhood and Housing Development NY; Audubon Partnership for Economic Development LDC, New York NY; BAC Funding Consortium Inc., Miami FL; Beech Capital Venture Corporation, Philadelphia PA; California PIRG; California Reinvestment Coalition; Century Housing Corporation, Culver City CA; CHANGER NY; Chautauqua Home Rehabilitation and Improvement Corporation (NY); Chicago Community Loan Fund, Chicago IL; Chicago Community Ventures, Chicago IL; Chicago Consumer Coalition; Citizen Potawatomi CDC, Shawnee OK; Colorado PIRG; Coalition on Homeless Housing in Ohio; Community Capital Fund, Bridgeport CT; Community Capital of Maryland, Baltimore MD.

Community Development Financial Institution of the Tohono O'odham Nation, Sells AZ; Community Redevelopment Loan and Investment Fund, Atlanta GA; Community Reinvestment Association of North Carolina; Community Resource Group, Fayetteville AR; Connecticut PIRG; Consumer Assistance Council; Cooper Square Committee (NYC); Cooperative Fund of New England, Wilmington NC; Corporacion de Desarrollo Economico de Ceiba, Ceiba PR; Delta Foundation, Inc., Greenville MS; Economic Opportunity Fund (EOF), Philadelphia PA; Empire Justice Center NY; Empowering and Strengthening Ohio's People (ESOP), Cleveland OH; Enterprises, Inc., Berea KY; Fair Housing Contact Service OH; Federation of Appalachian Housing; Fitness and Praise Youth Development, Inc., Baton Rouge LA; Florida Consumer Action Network; Florida PIRG; Funding Partners for Housing Solutions, Ft. Collins CO; Georgia PIRG; Grow Iowa Foundation, Greenfield IA; Homewise, Inc., Santa Fe NM; Idaho Nevada CDFI, Pocatello ID.

Idaho Chapter, National Association of Social Workers; Illinois PIRG; Impact Capital, Seattle WA; Indiana PIRG; Iowa PIRG; Iowa Citizens for Community Improvement; JobStart Chautauqua, Inc., Mayville NY; La Casa Federal Credit Union, Newark NJ; Low Income Investment Fund, San Francisco CA; Long Island Housing Services NY; MaineStream Finance, Bangor ME; Maryland PIRG; Massachusetts Consumers' Coalition; MASSPIRG; Massachusetts Fair Housing Center; Michigan PIRG; Midland Community Development Corporation, Midland TX; Midwest Minnesota Community Development Corporation, Detroit Lakes MN; Mile High Community Loan Fund, Denver CO; Missouri PIRG; Mortgage Recovery Service

Center of L.A.; Montana Community Development Corporation, Missoula MT.

Montana PIRG; Neighborhood Economic Development Advocacy Project; New Hampshire PIRG; New Jersey Community Capital, Trenton NJ; New Jersey Citizen Action; New Jersey PIRG; New Mexico PIRG; New York PIRG; New York City Aids Housing Network; New Yorkers for Responsible Lending; NOAH Community Development Fund, Inc., Boston MA; Nonprofit Finance Fund, New York NY; Nonprofits Assistance Fund, Minneapolis MN; North Carolina PIRG; Northside Community Development Fund, Pittsburgh PA; Ohio Capital Corporation for Housing, Columbus OH; Ohio PIRG; OligarchyUSA; Oregon State PIRG; Our Oregon; PennPIRG; Piedmont Housing Alliance, Charlottesville VA; Michigan PIRG.

Rocky Mountain Peace and Justice Center, CO; Rhode Island PIRG; Rural Community Assistance Corporation, West Sacramento CA; Rural Organizing Project OR; San Francisco Municipal Transportation Authority; Seattle Economic Development Fund; Community Capital Development; TexPIRG; The Fair Housing Council of Central New York; The Loan Fund, Albuquerque NM; Third Reconstruction Institute NC; Vermont PIRG; Village Capital Corporation, Cleveland OH; Virginia Citizens Consumer Council; Virginia Poverty Law Center; War on Poverty—Florida; WashPIRG; Westchester Residential Opportunities Inc.; Wigamig Owners Loan Fund, Inc., Lac du Flambeau WI; WISPIRG.

SMALL BUSINESSES

Blu; Bowden-Gill Environmental; Community MedPAC; Diversified Environmental Planning; Hayden & Craig, PLLC; Mid City Animal Hospital, Phoenix AZ; The Holographic Repatterning Institute at Austin; UNET.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,

Washington, DC, May 15, 2013.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I urge you to oppose the "SEC Regulatory Accountability Act" (H.R. 1062).

H.R. 1062 adds duplicative and unnecessary procedural requirements to SEC rulemaking and thereby delays and undermines the implementation of protections over America's financial markets. It weakens sensible safeguards enacted in the Dodd-Frank financial reforms, which Congress specifically designed to address the causes of the worst financial crises since the Great Depression. America is still recovering from the loss of 8 million jobs, sharply reduced housing prices and personal savings, and nationwide economic stagnation. Tens of millions of affected Americans demand stronger—not weaker—government protections over their investments, America's financial system, and our common economic future.

The SEC's current rulemaking process is already rigorous and thorough. They already are required to review the impact of rulemaking on capital formation, market efficiency, and competition; and to analyze the economics of its finalized rules. H.R. 1062 would move far beyond constructive analysis by requiring the SEC's final rule to list the reasons it did not incorporate specific industry group concerns related to potential costs or benefits. H.R. 1062 also requires the SEC to "assess the costs and benefits of available regulatory alternatives", which likely involves a vast array of options of marginal utility and will result in considerable delay.

Furthermore, within one year of enactment, H.R. 1062 would require the SEC to evaluate each and every one of its regulations for potential revision and implement this 100% review every five years thereafter. Despite these new burdens, H.R. 1062 fails to provide even one penny of additional funding. Rather than delaying the SEC's regulatory process under the guise of enhanced cost-benefit analysis, Congress should strengthen the SEC's process by investing additional resources to enhance expertise and effectiveness.

H.R. 1062 is simply another attempt to delay and defund federal oversight of America's financial system and federal protection of middle-class consumers and investors. AFSCME urges you to oppose this legislation and vote no on H.R. 1062.

Sincerely,

CHARLES M. LOVELESS,
Director of Federal Government Affairs.

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, INVESTMENT OFFICE,

Sacramento, CA, May 15, 2013.

Subject CalPERS Concerns with HR 1062

Members of the California Delegation,

House of Representatives, Washington, DC.

DEAR MEMBERS OF CONGRESS: On behalf of the California Public Employees' Retirement System (CalPERS), I am writing to express our strong concerns about the "SEC Regulatory Accountability Act" (HR 1062).

As the largest public pension fund in the United States, with approximately \$265 billion in global assets providing retirement security to more than 1.6 million public workers, retirees, their families, and beneficiaries, CalPERS is reliant upon effective and comprehensive market regulation designed to protect investors.

This legislation would threaten the efficient implementation of many important financial regulatory rules by imposing unnecessary requirements upon the Securities and Exchange Commission (Commission).

Although the Commission is already required to conduct economic analysis on every rule it adopts and to examine the effect of its rulemakings on capital formation, market efficiency, and competition, HR 1062 would create additional hurdles for the Commission. These include a requirement to analyze the costs and benefits of all "available regulatory alternatives" in addition to those of the underlying rule. This could require scores of additional, unnecessary economic analyses on hypothetical alternatives that are not before the Commission.

The proposed legislation would require the Commission to determine whether a regulation imposes the 'least burden possible' among all possible regulatory options—a virtual impossibility that would open up the Commission to legal challenges and competing economic analyses. Moreover, HR 1062 would require the Commission to defend every estimate and assumption before the DC Circuit and a failure to satisfy even one tangential analysis would threaten the validity of an otherwise reasonable regulation.

We fear the requirement to create a myriad of new economic analyses is intended to derail the efforts of the Commission to implement important legislation like the Dodd-Frank Wall Street Reform and Consumer Protection Act while its opponents continue to attempt to repeal or significantly water down important investor protections.

To be clear, long-term investors like CalPERS benefit from a strong economy and understand the motivations of those who say

that excessive regulation can impose a drag on the economy. However, we believe that having a robust financial regulatory system helps create confidence in our financial markets and encourages investments that help grow the economy.

Thank you for your consideration. If you have any questions, please do not hesitate to contact me or Don Marlais of Lussier, Gregor, Vienna & Associates—our federal representatives.

Sincerely,

ANNE SIMPSON,
*Senior Portfolio Manager, Investments,
Director of Global Governance.*

CONSUMER FEDERATION OF AMERICA,
May 16, 2013.

VOTE "NO" ON H.R. 1062

BILL WOULD HAMSTRING THE SEC AND IMPEDE FINANCIAL REFORM

DEAR REPRESENTATIVE: I am writing on behalf of the Consumer Federation of America (CFA) to express our strong opposition to H.R. 1062, the "SEC Regulatory Accountability Act," which is scheduled to come to the House floor for a vote tomorrow. H.R. 1062 is a regulatory "accountability" act only if you believe that the SEC's primary accountability should be to the securities firms it is supposed to regulate rather than to the public it is supposed to protect. At a time when the agency is already years behind schedule in implementing rules to address root causes of the financial crisis, and months past key deadlines for JOBS Act implementation, this bill would further slow the already glacial regulatory process and further empower Wall Street interests to derail needed reforms.

H.R. 1062 fails its own cost-benefit test. To begin with, its sponsors have failed to identify a problem in need of a legislative solution. The SEC already conducts economic analyses of its rules and is held to a very high standard by the courts in conducting that analysis. When the agency fails to meet that standard, industry groups have had no trouble over-turning its rules in court. Moreover, since the court overturned the proxy access rule, the SEC has adopted a new set of guidelines to ensure that its analysis meets the rigorous standard set in that court ruling. Those guidelines have been praised by the Government Accountability Office and by members of the House who have in the past been most critical of the SEC's cost-benefit analysis.

H.R. 1062's sponsors also appear to have ignored the significant costs of its proposed approach. The Congressional Budget Office recently estimated that the bill would cost \$23 million to implement. But this considerable sum covers only the cost of conducting the required cost-benefit analysis. It does not appear to include the significant additional legal costs the agency would face if this bill were to become law. One of the primary effects of this legislation would be to provide a whole new set of tools that industry groups could use to mount a legal challenge against rules that they oppose. In addition to further slowing the regulatory process, this would impose significant additional costs on the agency that are not accounted for in the CBO estimate or acknowledged by the bill's authors.

These costs would arise without providing additional benefits. Far from improving regulations, the most likely effect would be to further intimidate an agency that is already far too reluctant to stand up to powerful Wall Street interests. And, unless Congress were to appropriate the additional funds

needed to meet these costs, they would come at the expense of other important regulatory priorities—providing enhanced oversight of investment advisers, addressing market structure concerns, dealing with high frequency trading, or finalizing the Dodd-Frank and JOBS Act rules that are already so far behind schedule, to name just a few.

This is an ill-conceived bill that would make it more difficult for the SEC to fulfill its mandate to protect consumers, promote market integrity, and facilitate capital formation. We urge you to vote no on H.R. 1062.

Respectfully submitted,

BARBARA ROPER,
Director of Investor Protection.

NORTH AMERICAN SECURITIES
ADMINISTRATORS ASSOCIATION, INC.,
Washington, DC, May 6, 2013.

Re SEC Regulatory Accountability Act (H.R. 1062).

Hon. JEB HENSARLING,
*Chairman, House Financial Services Committee,
Rayburn House Office Building, Wash-
ington, DC.*

Hon. MAXINE WATERS,
*Ranking Member, House Financial Services
Committee, Rayburn House Office Building,
Washington, DC.*

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: On behalf of the North American Securities Administrators Association (NASAA), I am writing to express my opposition to H.R. 1062, the “SEC Regulatory Accountability Act.” This legislation would establish a significant number of additional cost-benefit analyses that the U.S. Securities and Exchange Commission (SEC) would be required to complete when issuing a new regulation. The burdensome new requirements enumerated in the bill will not only substantially impede the ability of the SEC to conduct rulemaking, but will also create standards that could conflict with the SEC’s investor protection mission.

Rulemaking processes to which the SEC and other federal regulators must adhere are set forth in the Administrative Procedure Act (APA) and other statutes. These processes require regulators engaged in rulemaking to perform economic and cost-benefit analyses of their proposed rules to “determine as best [as they] can the economic implications of the rule,” and “examine the relevant data and articulate a satisfactory explanation for [their] action, including a rational connection between the facts found and the choices made.” In addition to such mandates arising under the APA, the SEC has a unique obligation to consider the effect of a proposed rule upon “efficiency, competition, and capital formation,” and it has recently issued guidance to its rule writing staff on conducting proper economic analyses.

H.R. 1062 would require the SEC to conduct new and unreasonably extensive analyses prior to issuing a regulation. The SEC would be permitted to adopt a rule only upon a “reasoned determination” that the rule’s benefits justify its costs. The SEC must determine, and measure, the effectiveness of a rule even prior to its adoption and without assessing its ultimate impact on investor protection (which may not be easily quantifiable). The bill also requires the SEC to consider an unduly broad range of considerations before issuing a rule that are much more expansive, and in certain cases, vague than is currently required.

Upon issuing a final rule, H.R. 1062 requires the SEC to provide an explanation of the comments it received, and notably, requires

the SEC to explain why “industry group concerns” were not incorporated in the final rule. Although the bill explicitly mandates that the SEC address industry concerns, however, it does not contain a similar mandate for consumer or investor protection group concerns. This omission is arguably in direct conflict with the investor protection mandate of the SEC. Finally, the bill subjects the SEC to an ongoing assessment of any rules that are “outmoded, ineffective, insufficient, or excessively burdensome”—a list that could require the SEC to reexamine all of its existing rules.

State securities regulators appreciate the importance of the rigorous regulatory cost-benefit and cost-effectiveness analyses to which independent agency rules are subjected. The SEC is already subject to extensive and exacting cost-benefit analysis standards, and the new analytical hurdles imposed by H.R. 1062 could have a detrimental effect on the SEC’s ability to meet its regulatory mandate. Moreover, the costs of such additional hurdles (i.e., rulemaking delays, increased staffing demands, and additional taxpayer dollars) will likely outweigh the intended benefit that the expanded analyses are intended to provide.

NASAA is also concerned that misuse of these analyses could severely impair the ability of the SEC to conduct efficient, effective and timely rulemaking including rules required under the recently enacted JOBS Act, long overdue rulemaking mandated by the Dodd-Frank Act, and any future rules designed to protect investors and the public. The unintended consequence of H.R. 1062, if enacted, would be the derailment of important investor protections that are essential to a robust and stable capital marketplace.

In view of the bill’s burdensome cost-benefit analysis requirements, and harm that it may cause on the investing public, I respectfully urge you not to support H.R. 1062. Thank you for your consideration of my concerns. If you have any questions, please feel free to contact Michael Canning, Director of Policy, or Anya Coverman, Deputy Director of Policy, at the NASAA Corporate Office at (202) 737-0900.

Sincerely,

A. HEATH ABSHURE,
*NASAA President and Arkansas
Securities Commissioner.*

Mr. Chairman and Members, a lot has been said in this debate. A lot has been said about what this bill is and what it is not, and I’d like to clear up a few of the points.

First of all, before I go into clearing up some of these points, there’s been, I guess, some back and forth here about what is and what is not a conservative. And I’ve always thought that the conservatives fashioned themselves as saving money and reducing bureaucracy, rather than creating legislation that costs more money and creates bureaucracy. So I guess today we see that perhaps I was wrong about what I thought a real conservative was.

Let me go on to talk about the Republicans claiming that they’re just codifying the President’s executive order for more cost-benefit analysis. In fact, H.R. 1062 goes above and beyond the executive order by requiring the SEC to review all of its regulations, even those dating back to the Great Depression, within 1 year, and then

every 5 years after that. More bureaucracy, more money.

While the executive order protects agencies from litigation over their economic analysis, H.R. 1062 would give Wall Street lobbyists and traders dozens of new avenues to sue the SEC over every rulemaking. Not only did they go into the courts on proxy access; there are two other bills and I understand more that they’re planning. It will cost the SEC more money to deal with this litigation and this bureaucracy.

Importantly, H.R. 1062 would create confusion for the SEC because the bill requires the SEC to write rules that maximize the benefits, even when Congress tells them otherwise.

H.R. 1062 is not codifying the executive order but is, instead, aimed squarely at undermining Wall Street’s cop on the block. In writing the rules, the SEC is required to balance both investor protection and capital formation. One cannot take precedence over the other.

I’ve heard a lot of talk about capital formation here today. But they, in bringing this bill to the floor, are creating more bureaucracy and piling up more burdens and responsibility so that they impede the ability to do real capital formation.

And so, in addition to easing the ability of small companies to enter the public markets, the SEC has done much to make it easier for companies to raise the money they need privately.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I’m under the impression I have the right to close, so the gentledady has reserved. I will reserve until she is ready to close.

Ms. WATERS. Mr. Chair, how many minutes do I have left?

The CHAIR. The gentlewoman from California has 6 minutes remaining.

Ms. WATERS. I yield myself the balance of the time.

In closing, allow me to quote one of the Financial Services Committee members in a hearing yesterday, because I think it is so important for us to understand that the SEC is our cop on the block that has the responsibility for protecting investors.

Let us understand that my colleagues on the opposite side of the aisle are opposed to the SEC having an adequate budget. They do everything that they can to cut the budget, to deny the resources; but they keep adding on additional responsibilities, recognizing that the SEC has a tremendous load. Not only do they have all of the work, the cost-benefit analysis that they do on everything, but they have the responsibility of rulemaking for all of Dodd-Frank, which is the reform legislation that will cause us to eliminate risk and to protect our constituents and the citizens of this country.

But let me just say that yesterday, during a Financial Services Committee

hearing, Chairman Emeritus SPENCER BACHUS said that it would be penny-wise and pound foolish for there not to be a bipartisan agreement for raising the funding or increasing the funding for the SEC.

And I think that's important to get out there. They need more resources; and while we have this bill that's costing them more money to simply implement what they would like to do in H.R. 1062, they oppose giving additional resources.

In addition to that, let's talk about this court action. We mentioned early on that the SEC had been taken to court on proxy access. What are we talking about?

We're talking about the fact that the institutional investors, the ones who are responsible for investing the money so that the workers, the public workers, the firemen, the police, the teachers, all can have adequate retirement. And so our institutional investors wanted very much to ensure that the companies that they're investing in are managing these funds well, and they simply wanted the ability to place proxy access into the proxy materials so that they could nominate directors to the board to make sure that they're overseeing the money for all of our first responders and our employees.

Well, my friends on the opposite side of the aisle teamed with Wall Street and they went to court and they made this big case, and it was right here in Washington, D.C., in the district court. And they got an opinion. They got a ruling.

And so the SEC went back and it said, basically, to everybody, all of its employees, what have you, let's do even more. And on top of them not only saying let's do more and instruct the employees to do more, then they come with this bill and want to put more on top of that.

This is not about those people that Mr. HENSARLING referred to around the kitchen table talking about jobs. This is about protecting Wall Street. This is about tying up the SEC. This is about making sure the SEC is not able to carry out its responsibilities.

This, again, is about putting us all at risk. This is about not being about the investors, but being about the markets. This, again, is about protecting those who really need no protection, those who placed us at risk to begin with, those who not only placed us at risk, but would do it again if we allow them to do it.

I don't know why my friends on the opposite side of the aisle would be opposed to something like proxy access and then lined up in the courts again with other litigation, litigation that's going to take away precious dollars from the SEC that they need to protect us, to protect the investors.

But, no, they come to this floor and they simply describe this bill in ways

that it really is not. This is dangerous, it is irresponsible, it is not something that the people of this country would expect of people that they sent to Congress to represent them.

This, again—and we'll say it over and over again as it has been said by so many who have come here and testified today on this side of the aisle—this is about protecting Wall Street. This is about protecting those who simply want to find ways to keep the SEC from stopping them in their rule-making from doing things that will be harmful to the American public.

And so, Mr. Chairman and Members, I say to you we should all stop and think about this. And for all those who are listening, all of the Members on both sides of the aisle, we should think about our responsibility here today and understand what this bill is all about and vote "no," a resounding "no" on this bill.

Let us make sure that people are not saying a few years from now, oh, I'm sorry. I made a mistake. I should not have tied the hands of the SEC. I should have been more careful. I should not have listened to what was being said by the very people who caused us the problem in the first place.

I think if our Members stop and they listen and they pay attention that they're going to oppose this bill, even some on the opposite side of the aisle. And I think some of them know this. They know that they're being asked to support something that may not be in the best interest of their constituents, but they might want to go along with the leadership.

But it's not time to go along with the leadership. It's time to be independent. It's time to look at the facts and vote "no" on this bill.

I yield back the balance of my time.

□ 1200

Mr. HENSARLING. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from Texas has 10½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of the time, although I will alert my colleagues I do not intend to take it all.

Mr. Chairman, I find it somewhat interesting the great amount of wailing and gnashing of teeth that we have heard on this House floor for a very simple bill that weighs in at, frankly, less than 10 pages that simply requires a government agency to decide is there going to be a cost to our economy, is there going to be a loss of jobs as they pass a rule. It doesn't overturn their rules. It just says, before you make a rule, you've really got to think about kitchen-table economics. You've got to take a look at and understand how will this ultimately impact hardworking Americans who are struggling to pay their health care bills, struggling to put gas in the tank and who have economic insecurity due to this economy.

So I've heard a lot of furor here. I must admit I'm particularly entertained by those who care to lecture me on what it means to be a conservative. Maybe I'm not the world's expert, but there was a time in my career my fellow colleagues elected me the chairman of the Conservative Caucus of the House, known as the Republican Study Committee. And, Mr. Chairman, I have a certificate in my office that I proudly display from the Americans for Democratic Action where they say Congressman HENSARLING receives a zero percent liberal rating.

So I will certainly agree with my friends that, apparently, I don't know much about liberalism, but I do think I do know a few things about conservatism. So I'll come up with an informal agreement. We'll let you be the experts on what it means to be a liberal—and you're very good at it, to the best of my knowledge—and I will retain the expertise on how one votes conservative.

The next thing I would say, Mr. Chairman, is how fascinating it is to have so many of my colleagues say that this bill, on the one hand, is unnecessary, but, on the other hand, it's burdensome; on the one hand, it's redundant, but, on the other hand, it will stop the SEC in its tracks. Mr. Chairman, I just don't think you can quite have it both ways.

I notice when some can't argue the merits of a question, they tend to come up to question one's motivation, and we've got the usual Wall Street bogeymen to come in here. But what I want to know about is why, why would we not want to know, as some have estimated, that the Volcker rule promulgated by the SEC potentially could cost 1.1 million jobs in our Nation? And yet my colleagues from the other side of the aisle say, Shh, no, no, no, no, no. We don't want this information. We don't want it out. Just like we didn't want out the information that ObamaCare could cost us 1 million jobs.

And we see it every day. We get the headlines: people can't afford their health care, their premiums have gone up; people are getting laid off; people who had full-time jobs are going to part-time; and people who would have hired more people don't want to cross that 50-person threshold. And that's just ObamaCare. But, no, shh, we don't want—we don't want to know how this is going to impact hardworking Americans who have economic insecurity, millions who do not have jobs.

I am somewhat perplexed, Mr. Chairman, how such a simple bill that says all you've got to do is look at the cost—we're not imposing our numbers on them. We're just saying you've got to look at the cost of what you do. It's what families do; it is what job creators do; and, frankly, it's what the administration claimed they wanted to

do, and it's what the SEC claimed they wanted to do.

How many of my Democratic colleagues with their words say "yes" but very soon with their voting card are going to say "no"? No, we shouldn't know the cost of rulemaking. No, we just want to know what bureaucrats say the benefits are. But, you know, if people lose their jobs, well, que sera, sera. We just aren't going to—we don't want to know that ahead of time. Maybe we'll learn about it afterwards. Maybe we'll try to clean up the pieces, the shattered lives of people who lost their jobs.

Mr. Chairman, this is a false dichotomy set up by many of my colleagues on the other side of the aisle. The question is not between regulation and deregulation. The question is between smart regulation and dumb regulation. And smart regulation requires the rule makers to understand the cost of their rules to the average, hardworking American family. That's smart regulation. Dumb regulation is burying your head in the sand and saying, no, we don't want to know.

If we're so concerned about the burden on the SEC, if we're so concerned about the litigation burden, and if we're so concerned about the work burden and the rule burden, where's this same concern for the job creators of America? Where is that concern? You cannot help the job seeker by punishing the job creator, which is what so many of the different titles of Dodd-Frank do.

So at the end of the day, Mr. Chairman, this is as simple and as common sense as it could be. If you're going to pass a rule and you're going to tell us about the benefits, you've got to let us know what the costs are to the economy and to hardworking American families. It's common sense. We should adopt it. We should adopt it today.

I yield back the balance of my time.

Mr. DINGELL. Mr. Chair, I rise in strong opposition to H.R. 1062, the SEC Regulatory Accountability Act.

Today we are considering another in a long line of Republican bills that wish to supplant public interest considerations at regulatory agencies with cost-benefit analysis. H.R. 1062 would require the Securities and Exchange Commission, SEC, to perform a cost-benefit analysis when conducting new rulemakings. The bill would also mandate a cost-benefit review of existing SEC rules every five years without appropriating additional funds to that agency to do so. The net effect will be a regulatory agency tied in knots and incapable of carrying out the mission it was chartered to do: protect investors from fraud.

Mr. Chair, my father helped charter the SEC because Wall Street nearly destroyed this country's economy in 1929. After years of Republican-led efforts at deregulation, Wall Street came close to doing that again in 2007 and 2008, and we are only now starting to recover from that calamity. It grieves me that the House continues to consider legislation that

hamstrings the very agency meant to protect hard-working Americans from the types of rascality to which Wall Street seems inclined by nature.

I urge my colleagues not to repeat the past. Vote down this terrible bill and show you stand with the people, not Wall Street.

Mr. MARKEY. Mr. Chair, I rise today in opposition to this bill, H.R. 1062, the so-called SEC Regulatory Accountability Act.

This bill provides an extremely detailed list of factors that the Securities and Exchange Commission (SEC) will have to consider from now on in its rulemakings: every available alternative to a proposed regulation, market liquidity in the securities markets, and even whether the regulation "is tailored to impose the least burden on society, including market participants, individuals, businesses of differing sizes, and other entities (including State and local governmental entities)."

Yet, I notice that one phrase is missing from this list: investor protection.

Back in 1937, then SEC Chairman, and later Supreme Court Justice, William O. Douglas noted that:

We have got brokers' advocates; we have got Exchange advocates; we have got investment banker advocates; and WE are the investor's advocate.

That historically always has been the role of the SEC—to serve as the investor's advocate in our nation's securities markets. That is why Congress established the SEC, and why Congress has expanded its duties and responsibilities over the years. The goal of investor protection was similarly an animating force behind Democrats' efforts in the 111th Congress to enact the Dodd-Frank Wall Street Reform Act. Any bill that asks the SEC to look at myriad factors when developing regulations but not investor protection is off-course from the starting block. It's a bill whose compass is broken.

Yet, this is not just a bad bill. It's an unnecessary bill. Back in 1996, during the first Congress under Republican control in forty years, Democrats and Republicans came together to enact the National Securities Markets Improvement Act of 1996. This bill was authored by a conservative Republican from Texas (Rep. Fields), and supported by the then Chairman of the Committee (Mr. Bliley of Virginia). It was also supported by the Ranking Democrat of the Committee (Mr. DINGELL) and myself. As I said at the time, "when the history of this Congress is written, there is no question that this securities overhaul and the telecommunications overhaul will be at the top of the list in terms of constructive, productive use of this Congress." Among the reforms in this bipartisan bill was a requirement that: "Whenever pursuant to this title the Commission is engaged in rulemaking, or in the review of a rule of a self-regulatory organization, and is required to consider or determine whether an action is necessary or appropriate in the public interest, the Commission shall also consider, in addition to the protection of investors, whether the action will promote efficiency, competition, and capital formation."

The 1996 Act, which is current law, therefore makes sure that the SEC already is required to consider impacts on efficiency, competition and capital formation whenever it utilizes its inherent rulemaking powers to determine if an action is in the public interest.

But part of the deal that we reached back then on a bipartisan basis was that such an analysis could not be utilized to override the primary goal of the federal securities laws: investor protection. I see no reason why this House should throw out a good, bipartisan law for a clearly inferior update.

Yet, it is worth asking: given the requirements of existing law, exactly what purpose does this bill before us today actually serve?

I believe that this question has only one answer: to tie the SEC's hands and make it effectively impossible to release rules that help protect investors from depredations of rogue traders or dishonest Wall Street brokers. When Democrats in Congress enacted Dodd-Frank in 2010, we frequently included in that Act mandates that the SEC and other agencies issue various specific rules to regulate Wall Street. In many cases, Congress effectively gave the SEC a full, detailed directive for regulatory action and simply ordered the SEC to implement it. An example of this process can be found in Dodd-Frank Section 1504, which mandated in great detail how the SEC should promulgate a rule to require that companies disclose in their annual securities filings any payments they made to governments in connection with natural resource extraction projects. Notably, in many of those Dodd-Frank rules, Congress did not ask the SEC to consider the costs and benefits of a rule, because we in Congress already did so during the legislative process.

This bill makes that kind of legislating impossible. If this bill becomes law, any rulemaking mandated by Congress must receive cost benefit analysis, and if the costs are deemed by the SEC to outweigh the benefits, the rulemaking cannot be released.

And such outcomes—which should really be called agency vetoes, because they allow an agency to override a congressional mandate—are likely to happen because of the unfair playing field this bill sets up. Under this bill, the SEC will always have to consider the monetary costs to firms and liquidity, but the more amorphous dangers of not regulating—the risk of market crashes, the risk of bubbles, the risk of financial crises—are much harder to estimate. And even if the SEC does manage to get a good rule, by ordering the SEC to create an established record of why the options not taken might also be worthwhile, this bill forces the SEC to create a blueprint for Wall Street firms to fight the regulation in court. This bill will make what is already a difficult fight to protect Main Street from Wall Street even harder.

One thing is certain—this bill strongly biases the SEC against any regulation to protect investors regardless of the issue, and at a time where the American People are crying out for more regulations on Wall Street, not less. We need to ensure that the SEC continues to be the "Investor's Advocate." I therefore strongly urge my colleagues to vote no on this bill.

Mr. VAN HOLLEN. Mr. Chair, as someone who believes the federal government has a responsibility to set and enforce clear and transparent rules of the road for our markets to operate fairly, efficiently and effectively, I believe conducting cost-benefit analysis of proposed regulations is both appropriate and necessary. Moreover, I think rules and regulations should

be periodically reviewed—and eliminated or modified where needed—to ensure our markets are functioning optimally.

If that's what this legislation was about, it would have my support. It's not—which is why I will be opposing H.R. 1062 today.

Although you wouldn't know it from listening to my colleagues on the other side of the aisle, the Securities and Exchange Commission already performs—and is already required to perform—extensive economic analysis regarding the regulations it promulgates, including rigorous cost-benefit analysis. Furthermore, in addition to protecting investors, SEC rulemakings are also already required to “promote efficiency, competition and capital formation.” Indeed, entities ranging from the Chamber of Commerce to the Government Accountability Office have all recently validated the SEC's current staff guidance in this regard.

Unfortunately, rather than promoting clear and transparent rules of the road, arrived at through rigorous cost-benefit analysis, today's legislation is very plainly an effort to do the opposite—to block even the most carefully considered regulation by creating a “paralysis of analysis” at the Securities and Exchange Commission in order to undermine the Dodd-Frank Wall Street Reform law.

Mr. Chair, it was the absence of clear and transparent rules of the road that precipitated the Great Recession, and now that the economy has finally begun to heal, we are simply not going back to the conditions that created the crisis in the first place.

I urge a no vote.

Mr. BLUMENAUER. Mr. Chair, as an administrator and policymaker at the local, state, and federal levels, I have often seen the value of common-sense regulations. I have also seen the challenges associated with cumbersome regulations that can appear to be bureaucracy at its worst. While I am very open to discussing how we can make regulations more effective and efficient, I am extremely disappointed with the anti-regulatory agenda of the House leadership prevalent last Congress and again reflected this year in H.R. 1062, the SEC Regulatory Accountability Act.

H.R. 1062 would require the Securities and Exchange Commission, SEC, to add burdensome new procedures to regulatory processes that would unnecessarily delay the rulemaking process and consumer resources better directed to protecting consumers and ensuring a robust and effectively-regulated financial market.

I supported the passage of the Dodd-Frank Wall Street Reform Act to rein in Wall Street, end taxpayer bailouts of big banks, and protect consumers. Under this Act, the SEC was charged with regulating a number of previously unregulated or under-regulated Wall Street and financial service sector activities that led in large part to the 2008 crisis. This is a hugely important job. Putting an additional layer of bureaucracy on the rulemaking process will not benefit the American people or our economy.

It's time for Congress to move beyond a debate about repealing or preventing regulations and focus instead on how to make them more effective and efficient. I oppose this bill because—despite its title—it will slow the proc-

ess of putting in place effective financial regulations.

Mr. HOLT. Mr. Chair, I rise today in strong opposition to H.R. 1062, which should be called the “Wall Street Protection Act.” The intent of this legislation is to cripple the ability of the U.S. Securities and Exchange Commission, SEC, to do its job—to create rules which protect investors. The SEC is already federally mandated to conduct analyses of their proposed regulations. The hurdles set by this legislation are unrealistic and duplicative. Even worse, this legislation would create an environment with less effective regulations, leaving average American investors on their own. The cost to individual families and to our economy from unregulated misbehavior and malfeasance in our financial industries is high.

This Congress should not continue to waste time padding the pockets of Wall Street executives. Instead, this Congress needs to take action on today's real issues: creating jobs, encouraging Americans to make investments in their retirements, and protecting middle class families and consumers.

Mr. GRAYSON. Mr. Chair, the U.S. House of Representative has passed a bill called the SEC Regulatory Accountability Act (H.R. 1062). Congress intended with this legislation to ensure that the Securities and Exchange Commission consider the costs and benefits of its regulatory apparatus, and further intended for this legislation to protect investors and improve capital formation.

INTRODUCTION

The Securities Exchange Act of 1934 states that there is a compelling national public interest in the regulation and control of securities transactions occurring either on exchanges or over-the-counter to “protect interstate commerce, the national credit, the Federal taxing power, to protect and make more effective the national banking system and Federal Reserve System, and to insure the maintenance of fair and honest markets in such transactions.” Nothing in the HR 1062 is meant to undermine the implied statutory authority of the SEC to protect the national interest.

In this bill, Congress did not intend to change the well-established rule, set forth in Supreme Court precedent, that any court reviewing an agency rule under the Administrative Procedure Act must be deferential to the agency's judgment and must not substitute the court's judgment for that of the agency.

In this bill, Congress did not intend the SEC to determine whether regulation is warranted if Congress has required the SEC to promulgate a rule. In other words, Congress did not intend to grant the SEC any right or power to ignore Congress's rulemaking mandates. Similarly, in this bill, Congress did not intend to condition any SEC rulemaking on any type of cost-benefit analysis if Congress has required the SEC to promulgate a rule on a matter.

In this bill, Congress did not intend to overturn the SEC's longstanding duty, above all other responsibilities, to protect investors and ensure the integrity of our financial markets. Thus, Congress's intent here is that the SEC, when engaged in rulemaking, do what is necessary to maximize the protection of investors and the integrity of our markets, and only attempt to minimize burdens once the attainment of those goals has been assured.

The Securities Exchange Act of 1934 determines that a significant cost of a lack of regulation are as follows: “National emergencies, which produce widespread unemployment and the dislocation of trade, transportation, and industry, and which burden interstate commerce and adversely affect the general welfare, are precipitated, intensified, and prolonged by manipulation and sudden and unreasonable fluctuations of security prices and by excessive speculation on such exchanges and markets, and to meet such emergencies the Federal Government is put to such great expense as to burden the national credit.”

The most recent National Emergency was the financial crisis of 2007–2009. According to the Government Accountability Office, this crisis reduced economic activity and aggregate wealth of the United States by \$22 trillion. Congress, in passing this law, construed that this \$22 trillion number is the implied “benefit” of the SEC's regulatory apparatus. Congress intends the SEC to construe \$22 trillion as the benefit of its aggregate regulatory apparatus in any cost/benefit analysis, and to apply at least part of this \$22 trillion “benefit” as the benefit of any specific regulation. In any regulation in which the benefit of a specific rule or regulation is unclear, Congress intends for the SEC to consider the possibility of an averted National Emergency as a clear benefit.

The specific section of the Act amended by this bill grants to the Securities and Exchange Commission, the Federal Reserve Board of Governors, and other agencies the power “to make such rules and regulations as may be necessary or appropriate to implement the provisions of this chapter for which they are responsible or for the execution of the functions vested in them by this chapter.” Nothing in this bill shall be construed to limit the authority of these agencies to regulate the securities markets.

CONGRESSIONAL INTENT IN SPECIFIC PROVISIONS

In (e)(1)(A) of this bill, Congress mandated that the SEC consider the “nature and source of the problem that the proposed regulation is designed to address, as well as assess the significance of that problem” before issuing a regulation. Congress believes, consistent with systemic risk exceptions for open bank assistance, that the SEC may issue regulations to reduce systemic risk, and that such a rationale for a regulation is sufficient for a consideration of the nature and source of a problem, as well as determining its significance. Congress, consistent with the 1934 Act's reasoning around the prevention of National Emergencies, intended for the SEC to consider the maximum possible loss to investors and maximum possible decline in capital formation should a regulation not be promulgated. This maximum cost should include considering the possibility of another systemically risky event similar to the financial crisis of 2008, with its implied cost of \$22 trillion (according to the Government Accountability Office).

See also, e.g., Better Markets, The Cost of the Wall Street Collapse and Ongoing Economic Crisis Is More Than \$12.8 Trillion (Sept. 15, 2012), available at <http://bettermarkets.com/sites/default/files/Cost%20of%20The%20Crisis.pdf>. It is Congress's intent that when promulgating rules, the SEC must consider whether a rule will help prevent such an economic catastrophe from happening again.

In (e)(1)(B) of this bill, Congress intended the Chief Economist to make a determination of the implied cost to society of not issuing a regulation, and the burden to society implied by current business practices. In requiring the Chief Economist to assess “both qualitative and quantitative” costs and benefits, Congress intended the Chief Economist to take into account costs and benefits that are not easily quantified, and to give such unquantifiable benefits of financial regulation the same consideration as the quantifiable benefits. These unquantifiable benefits include, but are not limited to, the avoidance of investor losses, heightened transparency, greater systemic stability, the benefits of increased investor confidence in the integrity of the financial system and the overall economic system, and, above all, any risk of a collapse of the global financial system and prevention of another crippling financial crisis. As some commentators have observed, it is imperative that rule-making be conducted in a holistic way, one that accounts for the huge benefits that accrue when a collection of rules helps prevent financial crises or other widespread abuses. See *Better Markets, Setting the Record Straight on Cost-Benefit Analysis and Financial Reform at the SEC* (July 30, 2012), available at <http://bettermarkets.com/sites/default/files/CBA%20Report.pdf>.

In Sections (e)(1)(B) and (e)(2)(A) of this bill, Congress recognized that when members of the regulated industry do not provide data on the costs of regulation to the SEC, and when cost data is not otherwise available, the SEC has no obligation to develop its own studies or generate its own data. Congress agrees with the assessment of the courts, which have long held that no agency has to go to such lengths when assessing costs, and this bill does not alter this important limit on an agency’s duty.

In (e)(1)(C) of this bill, Congress intended that a determination that a regulation is intended to reduce systemic risk is a sufficient “explanation of why the regulation meets the regulatory objectives more effectively than the alternatives.” In this subsection, Congress intended the SEC to report on alternatives that it considered so as to provide a complete picture of the justification for the regulation; Congress did not intend to create a requirement that the SEC consider any minimum number of alternatives, or any alternatives at all.

In subsection (e)(1)(D) of the text added by this bill, Congress intended that any regulation should be easy to understand to the extent allowed by the subject matter of the regulation; Congress did not intend that regulations should be substantively simplified solely for ease of communication, or that a regulation might be invalid because of its complexity.

In (e)(2)(A) of this bill, Congress noted that, “in deciding whether and how to regulate, the Commission shall assess the costs and benefits of available regulatory alternatives, including the alternative of not regulating, and choose the approach that maximizes net benefits.” Congress believes that the avoidance of systemic risk and the attendant \$22 trillion cost of National Emergencies needs to be considered for any proposed regulation that the SEC determines is intended to reduce systemic risk.

In subsection (e)(2)(A)(ii) of the text added by this bill, Congress intended that the SEC, in identifying the regulation that imposes the “least burden on society,” should consider both the costs and benefits of the regulation itself, and should evaluate those burdens on society created by the regulation and those burdens on society that exist in the absence of regulation and would be mitigated by the proposed regulation. Congress intended the SEC to take into account not only the “cumulative costs of regulation,” but also the cumulative benefits of regulation.

Further, in subsection (e)(2)(A)(iii) of this bill, Congress intended that to “evaluate whether the regulation is consistent, incompatible, or duplicative of other Federal regulations” means to publish the regulation for comment in the Federal Register.

In (e)(3) of this bill, Congress intended that that phrase “industry group concerns” referenced in the second part of the paragraph also apply to the “consumer groups” referenced earlier in the same paragraph. Congress intended that Commission explain any changes resulting from comments by industry or consumer groups, and similarly requires them to give specific reasons if changes suggested by industry or consumer groups were not implemented. Congress intended “consumer groups” to mean groups that act in the public interest and provide a perspective that is generally a counterweight to industry financial interests and facilitating an appropriately diverse marketplace of ideas within the process of making and evaluating regulations. In addition, the SEC may explain a decision not to incorporate an industry group concern by citing an opposing concern raised by another commenter or by the SEC itself.

In (e)(4) of this bill, Congress intended for the Commission not only to take into account the “large burden of such regulation when compared to the benefit of such regulation,” but to also consider whether a regulation imposes only a relatively small burden when compared with its benefit, which could possibly warrant expansion, as is further indicated by references in same subsection that the Commission should determine whether regulations are “ineffective [or] insufficient” and should be “expand[ed].” In other words, Congress’s intent for Section (e)(4) of this bill was that when the SEC is reviewing its regulations, it will devote the same attention to strengthening and expanding rules that have become weak over time as it does to streamlining or repealing ineffective rules.

In the same paragraph, in determining whether any regulations are “outmoded, ineffective, insufficient, or excessively burdensome,” Congress intended that the Commission should be particularly attentive to the rapid pace of change in the financial industry and the securities markets and the new risks that are created in those markets, including risks to the financial system as a whole, to corporations that rely on those markets, and to investors in those markets. Congress intends that the Commission, in using this periodic review process to “modify, streamline, expand, or repeal” regulations, should proactively protect against new threats to the financial system and close loopholes that are opened up by financial innovation aimed primarily at evading regulation.

In (e)(5)(A)(ii) of this bill, Congress intends that the “quantitative and qualitative metrics” should include, where relevant, the prevention of financial crises and severe recessions caused by those crises, as well as the maintenance of individual investor confidence in the securities markets.

In (e)(5)(B) of this bill, Congress intends that the mandated assessment plan may be in whatever form the Commission deems appropriate for the regulation at issue, subject to the requirements of subsection (e)(5)(B)(i). In particular, some or all of the costs or benefits of the regulation may be qualitative and not reducible to quantitative figures, and the Commission may determine that no action will be taken on the regulation on the basis of qualitative factors included in the assessment.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–10. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “SEC Regulatory Accountability Act”.

SEC. 2. CONSIDERATION BY THE SECURITIES AND EXCHANGE COMMISSION OF THE COSTS AND BENEFITS OF ITS REGULATIONS AND CERTAIN OTHER AGENCY ACTIONS.

Section 23 of the Securities Exchange Act of 1934 (15 U.S.C. 78w) is amended by adding at the end the following:

“(e) CONSIDERATION OF COSTS AND BENEFITS.—

“(1) IN GENERAL.—Before issuing a regulation under the securities laws, as defined in section 3(a), the Commission shall—

“(A) clearly identify the nature and source of the problem that the proposed regulation is designed to address, as well as assess the significance of that problem, to enable assessment of whether any new regulation is warranted;

“(B) utilize the Chief Economist to assess the costs and benefits, both qualitative and quantitative, of the intended regulation and propose or adopt a regulation only on a reasoned determination that the benefits of the intended regulation justify the costs of the regulation;

“(C) identify and assess available alternatives to the regulation that were considered, including modification of an existing regulation, together with an explanation of why the regulation meets the regulatory objectives more effectively than the alternatives; and

“(D) ensure that any regulation is accessible, consistent, written in plain language, and easy to understand and shall measure, and seek to improve, the actual results of regulatory requirements.

“(2) CONSIDERATIONS AND ACTIONS.—

“(A) REQUIRED ACTIONS.—In deciding whether and how to regulate, the Commission shall assess the costs and benefits of available regulatory alternatives, including the alternative of not regulating, and choose the approach that maximizes net benefits. Specifically, the Commission shall—

“(i) consistent with the requirements of section 3(f) (15 U.S.C. 78c(f)), section 2(b) of the Securities Act of 1933 (15 U.S.C. 77b(b)), section 202(c) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(c)), and section 2(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(c)), consider whether the rulemaking will promote efficiency, competition, and capital formation;

“(ii) evaluate whether, consistent with obtaining regulatory objectives, the regulation is tailored to impose the least burden on society, including market participants, individuals, businesses of differing sizes, and other entities (including State and local governmental entities), taking into account, to the extent practicable, the cumulative costs of regulations; and

“(iii) evaluate whether the regulation is inconsistent, incompatible, or duplicative of other Federal regulations.

“(B) ADDITIONAL CONSIDERATIONS.—In addition, in making a reasoned determination of the costs and benefits of a potential regulation, the Commission shall, to the extent that each is relevant to the particular proposed regulation, take into consideration the impact of the regulation on—

“(i) investor choice;

“(ii) market liquidity in the securities markets; and

“(iii) small businesses.

“(3) EXPLANATION AND COMMENTS.—The Commission shall explain in its final rule the nature of comments that it received, including those from the industry or consumer groups concerning the potential costs or benefits of the proposed rule or proposed rule change, and shall provide a response to those comments in its final rule, including an explanation of any changes that were made in response to those comments and the reasons that the Commission did not incorporate those industry group concerns related to the potential costs or benefits in the final rule.

“(4) REVIEW OF EXISTING REGULATIONS.—Not later than 1 year after the date of enactment of the SEC Regulatory Accountability Act, and every 5 years thereafter, the Commission shall review its regulations to determine whether any such regulations are outmoded, ineffective, insufficient, or excessively burdensome, and shall modify, streamline, expand, or repeal them in accordance with such review. In reviewing any regulation (including, notwithstanding paragraph (6), a regulation issued in accordance with formal rulemaking provisions) that subjects issuers with a public float of \$250,000,000 or less to the attestation and reporting requirements of section 404(b) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7262(b)), the Commission shall specifically take into account the large burden of such regulation when compared to the benefit of such regulation.

“(5) POST-ADOPTION IMPACT ASSESSMENT.—

“(A) IN GENERAL.—Whenever the Commission adopts or amends a regulation designated as a ‘major rule’ within the meaning of section 804(2) of title 5, United States Code, it shall state, in its adopting release, the following:

“(i) The purposes and intended consequences of the regulation.

“(ii) Appropriate post-implementation quantitative and qualitative metrics to measure the economic impact of the regulation and to measure the extent to which the regulation has accomplished the stated purposes.

“(iii) The assessment plan that will be used, consistent with the requirements of subparagraph (B) and under the supervision of the Chief Economist of the Commission, to assess whether the regulation has achieved the stated purposes.

“(iv) Any unintended or negative consequences that the Commission foresees may result from the regulation.

“(B) REQUIREMENTS OF ASSESSMENT PLAN AND REPORT.—

“(i) REQUIREMENTS OF PLAN.—The assessment plan required under this paragraph shall consider the costs, benefits, and intended and unintended consequences of the regulation. The plan shall specify the data to be collected, the methods for collection and analysis of the data and a date for completion of the assessment.

“(ii) SUBMISSION AND PUBLICATION OF REPORT.—The Chief Economist shall submit the completed assessment report to the Commission no later than 2 years after the publication of the adopting release, unless the Commission, at the request of the Chief Economist, has published at least 90 days before such date a notice in the Federal Register extending the date and providing specific reasons why an extension is necessary. Within 7 days after submission to the Commission of the final assessment report, it shall be published in the Federal Register for notice and comment. Any material modification of the plan, as necessary to assess unforeseen aspects or consequences of the regulation, shall be promptly published in the Federal Register for notice and comment.

“(iii) DATA COLLECTION NOT SUBJECT TO NOTICE AND COMMENT REQUIREMENTS.—If the Commission has published its assessment plan for notice and comment, specifying the data to be collected and method of collection, at least 30 days prior to adoption of a final regulation or amendment, such collection of data shall not be subject to the notice and comment requirements in section 3506(c) of title 44, United States Code (commonly referred to as the Paperwork Reduction Act). Any material modifications of the plan that require collection of data not previously published for notice and comment shall also be exempt from such requirements if the Commission has published notice for comment in the Federal Register of the additional data to be collected, at least 30 days prior to initiation of data collection.

“(iv) FINAL ACTION.—Not later than 180 days after publication of the assessment report in the Federal Register, the Commission shall issue for notice and comment a proposal to amend or rescind the regulation, or publish a notice that the Commission has determined that no action will be taken on the regulation. Such a notice will be deemed a final agency action.

“(6) COVERED REGULATIONS AND OTHER AGENCY ACTIONS.—Solely as used in this subsection, the term ‘regulation’—

“(A) means an agency statement of general applicability and future effect that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency, including rules, orders of general applicability, interpretive releases, and other statements of general applicability that the agency intends to have the force and effect of law; and

“(B) does not include—

“(i) a regulation issued in accordance with the formal rulemaking provisions of section 556 or 557 of title 5, United States Code;

“(ii) a regulation that is limited to agency organization, management, or personnel matters;

“(iii) a regulation promulgated pursuant to statutory authority that expressly prohibits compliance with this provision; and

“(iv) a regulation that is certified by the agency to be an emergency action, if such certification is published in the Federal Register.”.

SEC. 3. SENSE OF CONGRESS RELATING TO OTHER REGULATORY ENTITIES.

It is the sense of the Congress that other regulatory entities, including the Public Company Accounting Oversight Board, the Municipal Securities Rulemaking Board, and any national securities association registered under section 15A of the Securities Exchange Act of 1934 (15

U.S.C. 78o-3) should also follow the requirements of section 23(e) of such Act, as added by this title.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113-60. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SESSIONS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-60.

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 25, add at the end the following: “The assessment plan shall include an analysis of any jobs added or lost as a result of the regulation, differentiating between public and private sector jobs.”

The CHAIR. Pursuant to House Resolution 216, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I yield myself such time as I may consume.

I believe that excessive government regulations are a significant barrier to private sector job growth and the creation of those jobs. House Republicans have made job creation a priority, and, as a result, we must work to ensure that the Federal Government reviews new regulations to ensure that their proposed benefit outweighs any potential economic harm.

My amendment today is simple. It requires the SEC to include an assessment of anticipated jobs gained or lost as a result of implementation of any major rule and to specify whether those jobs will come from the public or private sector.

Mr. Chairman, according to a study released by the Small Business Administration in 2010, Federal regulations cost small businesses \$1.75 trillion every year to comply. That is money which could be used by American companies to hire new employees or to reinvest in their own business. H.R. 1062 ensures that the Federal Government does not unnecessarily burden American companies with cumbersome regulations by guaranteeing that those regulations are appropriate and necessary. My amendment adds to this review process by making sure that we have a more comprehensive understanding of the economic impacts a regulation creates.

□ 1210

I believe that the amendment I offer today serves to strengthen the underlying legislation by insisting that the SEC begin to focus on job creation, specifically by enabling the private sector, not furthering a liberal agenda that is intentionally harming families, job creation, and small business across America.

I urge my colleagues to support my amendment. I support the underlying bill and legislation that the gentleman from New Jersey brings to the floor today.

I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I claim time in opposition to the amendment, although I do not oppose the amendment.

The CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

This amendment adds a requirement that the SEC analyze the number of jobs created or lost as a result of a new rule or order, while differentiating between public and private sector jobs.

Although this amendment is not by itself problematic, it layers one more requirement onto a bill already bursting with onerous cost-benefit requirements. And while counting the jobs created or lost because of a particular regulation is a noble goal, we have to view this goal in the context of the overall bill, which tips the scales heavily in favor of industry over investors, including the pension plans for millions of Americans.

The criteria by which the SEC would need to engage in cost-benefit analysis under H.R. 1062 would have the Commission make all decisions on the basis of whether the rules impose the least burden on “market participants.” In fact, nowhere in the bill are the words “investor protection” used, despite the fact that a central mission of the Securities and Exchange Commission is to protect investors.

Let’s be clear: H.R. 1062 is essentially a solution in search of a problem. This bill is not about refining the SEC’s cost-benefit analysis. The Commission, in fact, has already done that by adopting a new set of guidelines to ensure that its analysis meets the very high bar set in the decision overturning their proxy access rule. Instead, this bill is about making it easier for industry groups to overturn SEC regulations in the courts.

After the 2008 financial crisis, the public spoke; and they demanded that Congress stand up and legislate rules of the road to prevent another crisis. So we took action to regulate the over-the-counter derivatives market, improve corporate governance, implement the Volcker rule to stop commercial banks from gambling with deposi-

tor money, and to reform the credit ratings agencies that slapped AAA ratings onto toxic securities.

Having lost that battle here in Congress, the industry—with the help of some of my colleagues on the other side of the aisle—is now waging a new, quiet battle to have these regulations thrown out in court. H.R. 1062 abets that goal by making it significantly easier for the industry to win in court. This is a key differentiation from the President’s executive order on cost-benefit analysis, whose requirements cannot be used as a basis for litigation.

So, again, this amendment is harmless, but it amends what is a deeply problematic bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. HURT

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–60.

Mr. HURT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, beginning on line 7, strike “other regulatory entities, including”.

Page 10, beginning on line 8, strike “, the Municipal Securities Rulemaking Board, and any national securities association registered under section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o-3)”.

Page 10, after line 13, insert the following:
SEC. 4. ACCOUNTABILITY PROVISION RELATING TO OTHER REGULATORY ENTITIES.

A rule adopted by the Municipal Securities Rulemaking Board or any national securities association registered under section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o-3) shall not take effect unless the Securities and Exchange Commission determines that, in adopting such rule, the Board or association has complied with the requirements of section 23(e) of such Act, as added by section 2, in the same manner as is required by the Commission under such section 23(e).

The CHAIR. Pursuant to House Resolution 216, the gentleman from Virginia (Mr. HURT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. HURT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of my amendment to H.R. 1062, the SEC Regulatory Accountability Act, introduced by my friend, Chairman SCOTT GARRETT. His bill is an important step forward to ensure the SEC abides by the President’s executive order and also enhances the SEC’s existing cost-benefit analysis requirements.

My amendment ensures that rules adopted by the PCAOB, the MSRB, and other national securities associations under the purview of the SEC have the same requirements as the SEC itself

and requires the SEC to attest that these associations are in compliance with its own economic assessment standards.

These subordinate organizations can develop standards and rules that have the same effect as Federal regulations. As rules put forth by these organizations generally go through a final SEC rulemaking process, they should be subject also to that same cost-benefit analysis.

As we saw with the SEC’s proxy access rule that was thrown out by the D.C. Federal court for lack of a proper assessment of the rule’s economic costs, not only is this practice good governance, but it’s common sense.

In light of reports that the SEC is considering discretionary rulemakings that would impose additional unnecessary costs resulting in little or no benefit and being of questionable constitutionality, we must ensure that the SEC and the associations under its purview abide by sound economic analyses.

With our economy still struggling and many areas of Virginia’s Fifth District nearing double-digit unemployment, we must ensure that our regulations are making it easier for our businesses to access the capital they need to create the jobs in our communities.

I thank Chairman GARRETT for his work on this important issue, and I urge support for my amendment.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. I yield myself such time as I may consume.

Mr. Chairman, this amendment doubles down on all of the problems raised by H.R. 1062 by imposing the same burdensome cost-benefit analysis requirements on the Municipal Securities Rulemaking Board, or MSRB, and certain self-regulatory organizations as the underlying bill imposes on the SEC.

Beyond the problems caused by H.R. 1062, this amendment would further put individual citizens and taxpayers at risk by tying the hands of the MSRB, which is entrusted with regulating dealers of municipal securities, including city bond issuances.

The Wall Street Reform Act expanded the mission of the board to protect State and local governments and to regulate, for the first time in history, the individuals who provide municipalities with financial advice.

We had good reason to expand the mission and responsibilities of the MSRB under Dodd-Frank. Like many borrowers who were sold exotic mortgages based on the representations made by mortgage brokers in the lead-up to the financial crisis, we saw that many municipalities entered into complex financial instruments that they didn’t fully understand. At the same

time, we saw that many financial advisers to municipalities were involved in pay-to-play scandals and recommended unsuitable investments, particularly to small communities. The result was the imposition of substantial costs on taxpayers in communities across the country. The most high-profile example is the case of Jefferson County, Alabama, which entered into the largest municipal bankruptcy in history after a simple sewer bond financing deal ended with the county going broke over faulty interest rate derivatives.

This amendment will make it much more difficult for the MSRB to regulate the financial entities selling these derivative products to our small counties, cities, and towns.

But that's just one example. The amendment would impose similar onerous requirements on the Financial Industry Regulatory Authority—that is FINRA—the self-regulatory organization for broker-dealers, and the Public Companies Accounting Oversight Board, which regulates the auditing industry.

Again, this amendment doubles down on what is already a harmful bill by extending the same onerous requirements of self-regulatory organizations. I see no reason why the Congress would want to further tip the scales in favor of Wall Street over Main Street.

I reserve the balance of my time.

Mr. HURT. Mr. Chairman, I'm prepared to close and would like to insist on my right to do so.

I reserve the balance of my time.

Ms. WATERS. I yield the balance of my time to the gentleman from Georgia (Mr. DAVID SCOTT).

The CHAIR. The gentleman from Georgia is recognized for 2½ minutes.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, let me just clear the air on one important thing.

We know that there is a value for cost-benefit analysis. What we're saying is this is the wrong approach because they're not after cost-benefit analysis. They're after tying the hands of the Securities and Exchange Commission to lessen the regulations.

□ 1220

We have a bill, Mr. Chairman, which is a bipartisan bill by myself, along with Representative CONAWAY from Texas, a Republican, that is a more thoughtful, a more direct and beneficial way of cost-benefit analysis, because we do not have in that bill this very convoluting, confounding requirement of what we call look-back.

You've got to remember, the telling point about Mr. GARRETT's bill is that he requires that the SEC look back at every single rule for the last 80 years since 1934. There is no Federal agency that has even nearly that kind of burden and, on top of that, does not allocate one dime for any needed staff. It is, indeed, a burden.

So the point I want to make is that we understand when he says, okay, let's make sure that we have a cost and a benefit of what they're doing, yeah, we go along with that. But my bill, along with Representative CONAWAY, we digested this bill, we have passed this bill, our bill, which has a more reasonable approach to cost-benefit analysis out of the Agriculture Committee and will be before this House that has a better approach.

We're not opposed to this cost-benefit analysis, but we are opposed to this measure, which is designed to tie the hands of the SEC by allowing them and mandating that they look at every record, every rule all the way back to 1934.

Mr. HURT. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman from Virginia is recognized for 3 minutes.

Mr. HURT. I would just say a couple of things in closing. First, what this bill is not is a bill that does anything to amend or change the mandates of the SEC.

We know what those mandates are. They are to ensure fair markets, efficient markets. They are to facilitate capital formation and, finally, investor protection. They are all designed to work together. This bill does nothing to change that mandate. In fact, the bill, if you look at it, talks about cost-benefit analysis repeatedly throughout the entire bill.

I would suggest to you that investor protection includes liquid markets, formation of capital. If we want to protect investors, obviously we need to have healthy markets. That's what this bill ensures by requiring the SEC conduct the most simple, routine cost-benefit analysis, something that the President, by the way, has offered up and required of most Federal agencies that are affected by his executive order. This simply makes them a part of that.

In addition, the SEC chairman stated earlier that that was what her belief should be for the SEC in conducting the cost-benefit analysis. So this simply codifies, as is our responsibility as Members of Congress, to do just that.

With that in mind, I would ask that this body adopt our amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. HURT).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 3 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-60.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SENSE OF CONGRESS RELATING TO EXISTING REQUIREMENTS FOR ECONOMIC ANALYSES.

(a) FINDINGS.—Congress finds the following:

(1) As with other agencies, current law requires the Securities and Exchange Commission to conduct economic analyses pursuant to the Paperwork Reduction Act, the Congressional Review Act and the Regulatory Flexibility Act.

(2) In addition to the analyses required of all regulatory agencies, the Securities and Exchange Commission is also required to perform additional economic analyses pursuant to section 3(f) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(f)), section 2(b) of the Securities Act of 1933 (15 U.S.C. 77b(b)), section 202(c) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(c)), and section 2(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(c)), which provide that, where the Commission is engaged in rulemaking and is required to consider whether the rule is necessary or appropriate in the public interest, the Commission must also consider whether the rule will promote efficiency, competition, and capital formation.

(3) In the July 22, 2011 decision in *Business Roundtable v. SEC* (647 F.3d 1144), the United States Court of Appeals for the D.C. Circuit vacated the Commission's recently adopted proxy access rule, which would have provided a company shareholder or group of shareholders meeting certain minimum ownership thresholds and other requirements the ability to include in the company's proxy materials the shareholder(s)' nominee(s) for the company's board of directors. The court found that, because the Commission had not adequately addressed the likely economic consequences of the rule, its adoption of the rule was arbitrary and capricious.

(4) In March of 2012, the Securities and Exchange Commission revised and clarified its guidance on cost benefit analysis. In December of 2012 the Government Accountability Office issued a review of agencies' analysis and coordination of rules. The GAO found, "SEC's guidance defines the basic elements of good regulatory economic analysis in a manner that closely parallels the elements listed in Circular A-4: (1) a statement of the need for the proposed action; (2) the definition of a baseline against which to measure the likely economic consequences of the proposed regulation; (3) the identification of alternative regulatory approaches; and (4) an evaluation of the benefits and costs - both quantitative and qualitative - of the proposed action and the main alternatives."

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Securities and Exchange Commission is required pursuant to law to conduct economic analyses as part of its rulemakings. Further, the D.C. Circuit Court's recent decision in the *Business Roundtable* case makes clear that the economic analyses the Commission undertakes in connection with its rules are subject to meaningful judicial scrutiny.

The CHAIR. Pursuant to House Resolution 216, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. I thank the Chair, and I yield myself as much time as I may consume.

First, I would like to say that I am happy to work with Mr. GARRETT on a variety of issues. I respect his leadership. But I must respectfully and strongly disagree with him on this issue before us today.

It seems clear that the intended effect of the Republican bill is to cripple the SEC just as they undertake the very tough and important job of implementing the badly needed reforms we passed in Dodd-Frank.

May I remind my colleagues that we passed Dodd-Frank in response to the worst financial crisis in our lifetime, one in which we were at one point losing 700,000 jobs a month, and by some estimates the loss was well over \$12 trillion.

My amendment strikes the underlying bill and puts a sense of Congress in its place.

My amendment contains findings that very clearly lay out the cost-benefit analysis process that the SEC already has to go through in proposing or adopting a rule.

What this bill would do now, the Republican bill, is handcuff the SEC commissioners with unnecessary red tape so that the Commission will be unable to protect investors effectively.

Despite what the other side of the aisle is saying, there is already a multi-layered and effective cost-benefit analysis built into the SEC rulemaking process.

The SEC is already required by law to do cost-benefit analysis under the Paperwork Reduction Act and the Congressional Review Act and the Regulatory Flexibility Act, and for the SEC specifically under the National Securities Markets Improvement Act of 1996.

In fact, just last year, the GAO issued a report praising the SEC's guidance on cost-benefit analysis saying:

The basic elements of good regulatory economic analysis.

And in evaluating a recent proposal on swaps regulation, the cochairman of the Financial Services Department at Cadawalder wrote:

The SEC release contains the most detailed attempt at an economic analysis of the effect of the rules that I have seen from any agency.

But under this Republican bill, the SEC would have to divert its limited budget resources away from enforcement or examining the impact of worldwide derivatives markets only to duplicate things it is already doing.

This bill also says that every 5 years the SEC is required to do a cost-benefit analysis of every regulation it has ever issued on any subject going back some

80 years, back to day one in 1933. And it would have to magically do all of this without one additional red cent of additional funding to cover the cost of it.

If we want to highlight anything, we should be highlighting the extensive process that exists and the judicial scrutiny that it includes, which is what my amendment does.

The stated mission of the SEC is to protect investors; not give them more red tape; maintain fair, orderly, and efficient markets; and facilitate capital formation. Let's help them do that—not just make them jump through unnecessary, costly, and duplicative hoops.

The underlying bill, the Republican bill, is a prescription for paralysis of the SEC's ability to protect investors. I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GARRETT. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. Mr. Chairman, first of all, I appreciate the gentlelady's offer of an amendment here. I also appreciate the fact that the lady and I have often worked together on legislation in the past in our respective committee, but on this one I humbly disagree.

As she says, the amendment before us basically guts the bill and simply sets forth a sense of Congress.

□ 1230

Two points, one on policy and one on practicality.

On policy, if this were the gentlelady's idea that this is the way we should go on this piece of underlying legislation, as the ranking member of the subcommittee and as a member of the full committee, she had every opportunity in the world to come before the committee at the time and put this before us, at which time we could have had a full and complete debate on it.

Had we done so, we probably would have pointed out to her two things.

One, she makes reference to the D.C. Circuit Court's opinion on lines 14 through 18 of her case. Would that the D.C. Circuit Court had said that the SEC is doing a good job, that they had the authority to do so and that nothing else is necessary in going forward. If she had read the opinion, she would have known that that's not quite what they said.

The D.C. Circuit Court stated that the SEC, the Commission, acted arbitrarily and capriciously for having failed—note this—“once again”—so this is not the only time—but once again to adequately assess the economic effects of the new rule and, again, inconsistently and opportunistically framed cost benefits of the rule.

So the citation that she gives of the D.C. Circuit Court does not support her position but undermines her position. The D.C. Circuit basically supports our position that the SEC has failed, and that it has failed repeatedly to do what it should do, and that is why we have the legislation before you today.

And when she talks about red tape and unnecessary—well, that's not what the AFL-CIO says, and that's not what the American Bar Association says. The SEC did look at the issue of doing a retrospective look at this. They did so back over a year and a half ago, back in September of 2011, and they asked for input.

What did the AFL-CIO say about that?

To be effective, security regulations must be continuously updated to address the emergence of new loopholes, abuses and market failures.

Likewise, the American Bar Association also chimed in about the retrospective analysis, which is what the SEC could have been doing, should have been doing, didn't do, and that is what our bill will require them to do.

So I appreciate the gentlelady's efforts in this area, but I would recommend a “no” vote on her amendment.

I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. I would like to point out to my colleague that the circuit court decision underlines the point that I'm making in my amendment. It says clearly that there are cost-benefit analyses that are required by the SEC, and it made clear that there is a judicial review, that not only is analysis required, but you can always appeal to the court.

I yield my remaining time to the distinguished ranking member from the great State of California, MAXINE WATERS.

Ms. WATERS. Thank you very much.

Mr. Chairman and Members, I would like to thank the gentlelady from New York for bringing this amendment today. As a matter of fact, the opposite side should thank her, too, because she is giving them an opportunity to back out of this awful bill that will be harmful and that is ill-informed and to get on with just saying that her resolution would make good sense. So I am eager to support this amendment from the gentlelady from New York.

The amendment strikes all bill text and replaces it with a sense of Congress, reiterating all the economic analysis requirements already imposed on the SEC.

Specifically, current law requires the SEC to conduct economic analyses pursuant to the Paperwork Reduction Act, the Congressional Review Act and the Regulatory Flexibility Act, as well as additional cost-benefit analysis per the National Securities Markets Improvement Act.

The CHAIR. The time of the gentleman has expired.

Mr. GARRETT. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mrs. CAROLYN B. MALONEY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. GARRETT. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113-60 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. HURT of Virginia.

Amendment No. 3 by Mrs. CAROLYN B. MALONEY of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. HURT

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. HURT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 233, noes 163, not voting 37, as follows:

[Roll No. 157]

AYES—233

Aderholt	Bucshon	Diaz-Balart
Alexander	Burgess	Duncan (SC)
Amash	Calvert	Duncan (TN)
Amodei	Camp	Ellmers
Bachmann	Cantor	Farenthold
Bachus	Capito	Pincher
Barber	Carter	Fitzpatrick
Barletta	Cassidy	Fleischmann
Barr	Chabot	Fleming
Barrow (GA)	Chaffetz	Flores
Barton	Coffman	Forbes
Benishek	Cole	Fortenberry
Bentivolio	Collins (GA)	Foxx
Bera (CA)	Collins (NY)	Franks (AZ)
Bilirakis	Conaway	Frelinghuysen
Bishop (UT)	Cook	Gabbard
Black	Cotton	Gallego
Blackburn	Cramer	Gardner
Bonner	Crawford	Garrett
Boustany	Crenshaw	Gerlach
Brady (TX)	Cuellar	Gibbs
Bridenstine	Culberson	Gibson
Brooks (AL)	Davis, Rodney	Gohmert
Brooks (IN)	Denham	Goodlatte
Broun (GA)	Dent	Gosar
Buchanan	DeSantis	Gowdy

Granger	McCarthy (CA)
Graves (GA)	McCaul
Graves (MO)	McClintock
Griffin (AR)	McHenry
Griffith (VA)	McIntyre
Grimm	McKeon
Guthrie	McKinley
Hall	McMorris
Hanna	Rodgers
Harper	Meadows
Harris	Meehan
Hartzler	Messer
Hastings (WA)	Mica
Heck (NV)	Miller (FL)
Hensarling	Miller (MI)
Herrera Beutler	Miller, Gary
Holding	Mullin
Hudson	Mulvaney
Huelskamp	Murphy (PA)
Huizenga (MI)	Neugebauer
Hultgren	Noem
Hunter	Nugent
Hurt	Nunes
Issa	Nunnelee
Jenkins	Olson
Johnson (OH)	Owens
Jones	Paulsen
Jordan	Pearce
Joyce	Perry
Kelly (PA)	Petri
King (IA)	Pittenger
King (NY)	Pitts
Kingston	Poe (TX)
Kinzinger (IL)	Posey
Kline	Price (GA)
Kuster	Radel
LaMalfa	Rahall
Lamborn	Reed
Lance	Reichert
Lankford	Renacci
Latham	Ribble
Latta	Rice (SC)
LoBiondo	Rigell
Long	Roby
Lucas	Roe (TN)
Luetkemeyer	Rogers (KY)
Lummis	Rogers (MI)
Maffei	Rohrabacher
Marchant	Rokita
Marino	Rooney
Massie	Ros-Lehtinen
Matheson	Roskam

NOES—163

Andrews	Doggett
Bass	Doyle
Beatty	Duckworth
Becerra	Ellison
Bishop (GA)	Engel
Bishop (NY)	Enyart
Blumenauer	Eshoo
Bonamici	Esty
Brady (PA)	Farr
Bralley (IA)	Fattah
Brownley (CA)	Foster
Bustos	Frankel (FL)
Butterfield	Fudge
Capps	Garamendi
Capuano	Grayson
Cárdenas	Green, Al
Carney	Green, Gene
Carson (IN)	Grijalva
Cartwright	Hahn
Castor (FL)	Hastings (FL)
Castro (TX)	Heck (WA)
Chu	Himes
Cicilline	Honda
Clarke	Horsford
Clay	Huffman
Cleaver	Israel
Cohen	Jackson Lee
Connolly	Jeffries
Conyers	Johnson (GA)
Cooper	Johnson, E. B.
Costa	Kaptur
Courtney	Keating
Crowley	Kelly (IL)
Davis (CA)	Kennedy
Davis, Danny	Kildee
DeFazio	Kimmer
DeGette	Kind
Delaney	Langevin
DelBene	Larsen (WA)
Deutch	Larson (CT)
Dingell	Lee (CA)

Ross	Richmond	Serrano	Van Hollen
Rothfus	Roybal-Allard	Sewell (AL)	Vargas
Royce	Ruiz	Shea-Porter	Veasey
Runyan	Ruppersberger	Sherman	Vela
Ryan (WI)	Rush	Sires	Velázquez
Salmon	Ryan (OH)	Slaughter	Visclosky
Sanford	Sánchez, Linda	Smith (WA)	Walz
Schneider	T.	Speier	Wasserman
Schock	Sanchez, Loretta	Swalwell (CA)	Schultz
Schweikert	Schakowsky	Takano	Waters
Scott, Austin	Schiff	Thompson (CA)	Watt
Sensenbrenner	Schrader	Thompson (MS)	Waxman
Sessions	Schwartz	Tierney	Welch
Shimkus	Scott (VA)	Titus	Wilson (FL)
Shuster	Scott, David	Tonko	Yarmuth
Simpson			
Sinema			
Smith (NE)	Brown (FL)	Hanabusa	Palazzo
Smith (NJ)	Campbell	Higgins	Pascarell
Smith (TX)	Clyburn	Hinojosa	Pelosi
Southerland	Coble	Holt	Peters (MI)
Stewart	Cummings	Hoyer	Pompeo
Stivers	Daines	Johnson, Sam	Quigley
Stockman	DeLauro	Kirkpatrick	Rogers (AL)
Stutzman	DesJarlais	Labrador	Sarbanes
Terry	Duffy	Lewis	Scalise
Thompson (PA)	Edwards	Lofgren	Tsongas
Thornberry	Garcia	Markey	Wagner
Tiberi	Gingrey (GA)	Neal	
Tipton	Gutierrez	O'Rourke	
Turner			
Upton			
Valadao			
Walberg			
Walden			
Walorski			
Weber (TX)			
Webster (FL)			
Wenstrup			
Westmoreland			
Whitfield			
Williams			
Wilson (SC)			
Wittman			
Wolf			
Womack			
Woodall			
Yoder			
Yoho			
Young (AK)			
Young (FL)			
Young (IN)			

NOT VOTING—37

Brown (FL)	Hanabusa	Palazzo
Campbell	Higgins	Pascarell
Clyburn	Hinojosa	Pelosi
Coble	Holt	Peters (MI)
Cummings	Hoyer	Pompeo
Daines	Johnson, Sam	Quigley
DeLauro	Kirkpatrick	Rogers (AL)
DesJarlais	Labrador	Sarbanes
Duffy	Lewis	Scalise
Edwards	Lofgren	Tsongas
Garcia	Markey	Wagner
Gingrey (GA)	Neal	
Gutierrez	O'Rourke	

□ 1258

Messrs. CÁRDENAS, PETERS of California, and WELCH changed their vote from "aye" to "no."

Mrs. HARTZLER and Mr. CUELLAR changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mrs. CAROLYN B. MALONEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 233, not voting 35, as follows:

[Roll No. 158]

AYES—165

Andrews	Chu	Doggett
Bass	Cicilline	Doyle
Beatty	Clarke	Duckworth
Becerra	Clay	Ellison
Bishop (GA)	Cleaver	Engel
Bishop (NY)	Cohen	Enyart
Blumenauer	Connolly	Eshoo
Bonamici	Conyers	Esty
Brady (PA)	Cooper	Farr
Bralley (IA)	Costa	Fattah
Brownley (CA)	Courtney	Foster
Bustos	Crowley	Frankel (FL)
Butterfield	Davis (CA)	Fudge
Capps	Davis, Danny	Gabbard
Capuano	DeFazio	Garamendi
Cárdenas	DeGette	Grayson
Carney	Delaney	Green, Al
Carson (IN)	DeLauro	Green, Gene
Cartwright	DelBene	Grijalva
Castor (FL)	DesJarlais	Hahn
Castro (TX)	Deutch	Hastings (FL)

Heck (WA) McCollum
 Himes McDermott
 Honda McGovern
 Horsford McNeerney
 Huffman Meeks
 Israel Meng
 Jackson Lee Michaud
 Jeffries Miller, George
 Johnson (GA) Moore
 Johnson, E. B. Moran
 Kaptur Murphy (FL)
 Keating Nadler
 Kelly (IL) Napolitano
 Kennedy Negrete McLeod
 Kildee Nolan
 Kilmer O'Rourke
 Kind Pallone
 Kuster Pastor (AZ)
 Langevin Payne
 Larsen (WA) Perlmutter
 Larson (CT) Peterson
 Lee (CA) Pingree (ME)
 Levin Pocan
 Lipinski Polis
 Loebsack Price (NC)
 Lowenthal Rangel
 Lowey Richmond
 Lujan Grisham Roybal-Allard
 (NM) Ruiz
 Luján, Ben Ray Ruppertsberger
 (NM) Rush
 Lynch Ryan (OH)
 Maloney Sánchez, Linda
 T.
 Matsui Sanchez, Loretta
 McCarthy (NY) Schakowsky

Schiff Rice (SC)
 Schneider Rigell
 Schwartz Roby
 Scott (VA) Roe (TN)
 Serrano Rogers (KY)
 Sewell (AL) Rogers (MI)
 Shea-Porter Rohrabacher
 Sherman Rokita
 Sires Rooney
 Slaughter Ros-Lehtinen
 Smith (WA) Roskam
 Speier Stewart
 Swalwell (CA) Rothfus
 Takano Royce
 Thompson (CA) Runyan
 Thompson (MS) Ryan (WI)
 Tierney Salmon
 Titus Sanford
 Tonko Schock
 Tsongas Schrader
 Van Hollen Schweikert
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Yarmuth

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:
 Ms. Waters moves to recommit the bill H.R. 1062 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of the bill the following:
SEC. 4. PROTECTING THE PENSIONS OF WORKING AMERICANS AND PROHIBITING THE FRAUDULENT TAKEOVER OF AMERICAN COMPANIES.

Nothing in this Act, or the amendments made by this Act, shall limit the authority of the Securities and Exchange Commission, in carrying out the Commission's authority to enforce securities laws and ensure investor protections—

- (1) to protect the pension funds of firefighters, police officers, and teachers, or a pension fund of any retiree, against fraudulent and deceptive financial practices; or
- (2) to protect against the takeover of American businesses by non-U.S. persons, including government-owned corporations from China, that engage in reverse mergers with U.S. companies to gain quick access to U.S. markets, but defraud investors of billions of dollars.

Mr. GARRETT (during the reading). Mr. Speaker, I ask that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.
 The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of the motion.

Ms. WATERS. This is the final amendment to the bill, which would not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This motion ensures the ability of the SEC to continue to protect investors and enforce the securities laws. I want to emphasize that this motion does not stop the bill, but it does flag the very important ways in which we need to let the SEC act. The motion would ensure that the SEC can protect investors and enforce the securities laws in two specific areas:

First, the motion will ensure that this bill does not reduce the ability of the SEC to protect the pension plans of our firefighters and police, the people on whom we rely as our first responders, as well as the pension plans of teachers and other retirees against fraudulent and deceptive practices. Protecting investors is a core element of the SEC's mission and one that we ignore at our peril. This week is Police Officers Week. Do we really want to honor our men and women in service by stripping them of protections for their hard-earned and hard-won earnings? Mr. Speaker, these protections become ever more crucial as we rely increasingly on the securities markets for our retirement savings.

NOT VOTING—35

Brown (FL) Hanabusa
 Campbell Higgins
 Carter Hinojosa
 Clyburn Holt
 Coble Hoyer
 Cummings Johnson, Sam
 Daines Kirkpatrick
 Duffy Labrador
 Edwards Lewis
 Garcia Lofgren
 Gingrey (GA) Markey
 Gutierrez Neal
 Palazzo
 Pascrell
 Pelosi
 Peters (MI)
 Pompeo
 Quigley
 Rogers (AL)
 Sarbanes
 Scalise
 Scott, David
 Wagner

□ 1305

So the amendment was rejected.
 The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.
 The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1062) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders, and, pursuant to House Resolution 216, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute reported from the Committee of the Whole?

If not, the question is on the amendment.

The amendment was agreed to.
 The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. WATERS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. WATERS. In its current form, I am.

NOES—233

Aderholt Fincher
 Alexander Fitzpatrick
 Amash Fleischmann
 Amodei Fleming
 Bachmann Flores
 Bachus Forbes
 Barber Fortenberry
 Barletta Foxx
 Barr Franks (AZ)
 Barrow (GA) Frelinghuysen
 Barton Gallego
 Benishek Gardner
 Bentivolio Garrett
 Bera (CA) Gerlach
 Bilirakis Gibbs
 Bishop (UT) Gibson
 Black Gohmert
 Blackburn Goodlatte
 Bonner Gosar
 Boustany Gowdy
 Brady (TX) Granger
 Bridenstine Graves (GA)
 Brooks (AL) Graves (MO)
 Brooks (IN) Griffin (AR)
 Broun (GA) Griffith (VA)
 Buchanan Grimm
 Bucshon Guthrie
 Burgess Hall
 Calvert Hanna
 Camp Harper
 Cantor Harris
 Capito Hartzler
 Cassidy Hastings (WA)
 Chabot Heck (NV)
 Chaffetz Hensarling
 Coffman Herrera Beutler
 Cole Holding
 Collins (GA) Hudson
 Collins (NY) Huelskamp
 Conaway Huizenga (MI)
 Cook Hultgren
 Cotton Hunter
 Cramer Hurt
 Crawford Issa
 Crenshaw Jenkins
 Cuellar Johnson (OH)
 Culberson Jones
 Davis, Rodney Jordan
 Denham Joyce
 Dent Kelly (PA)
 DeSantis King (IA)
 Diaz-Balart King (NY)
 Dingell Kingston
 Duncan (SC) Kinzinger (IL)
 Duncan (TN) Kline
 Ellmers LaMalfa
 Farenthold Lamborn

Lance
 Lankford
 Latham
 Latta
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Maffei
 Maloney, Sean
 Marchant
 Marino
 Massie
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meadows
 Meehan
 Messer
 Hall
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Paulsen
 Pearce
 Perry
 Peters (CA)
 Petri
 Pittenger
 Pitts
 Poe (TX)
 Posey
 Price (GA)
 Radel
 Rahall
 Reed
 Reichert
 Renacci
 Ribble

Second, the motion to recommit focuses on protecting investors by ensuring that the SEC can protect against the takeover of American firms by foreign companies, particularly Chinese companies, that are using such mergers to access the investor funds in our capital markets without going through the SEC registration process. The SEC has had numerous enforcement actions against such companies which purchase a small company and merge it with a larger, often fraudulent, foreign company. It has worked hard to protect the savings of hardworking Americans, including union pension holders and other pensioners, from being disadvantaged by these Chinese firms that don't play by the same rules.

Both of these areas highlight the importance of SEC action to protect investors, particularly those preparing for retirement. With Americans increasingly dependent on the securities markets to protect their retirement savings, it is more critical than ever to ensure that we preserve the ability of the SEC to act.

Just yesterday, we heard from the SEC's new chairwoman, Mary Jo White. When we asked her about this bill, she said that she found it "very troubling." I don't imagine that a former prosecutor who took on the Mob and terrorists is easily troubled. Indeed, she said that she had already needed at least 45 new economists to meet the need for an expanded economic analysis under the SEC standards, but she couldn't hire them due to the sequester. This is troubling indeed.

Rather than helping the SEC to do its job better, we are cutting its budget and throwing up new roadblocks, like this bill. It is a mistake. I urge my colleagues to support this motion, and I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I rise in opposition.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. Mr. Speaker, I will be brief, and I will simply address both the process and the policy briefly.

On the process, I appreciate the gentlelady's bringing this amendment here to the floor today; but, as she knows, we were in committee for multiple hours hearing various amendments on the underlying legislation, and she had every opportunity to bring it before the entire committee at that time, and we could have had a full and complete debate and actual vote in the committee at that time. I am lost for a reason why she did not go through the regular order.

But, more specifically, to the merits of the underlying bill and the amendment, if there could be anything simpler or easier than what we are trying to do in the underlying bill, H.R. 1062, Mr. Speaker, let's be real. Mr. Speaker, all we're asking the SEC to do is this:

identify a problem first before you do a regulation, and then once you consider a regulation, consider all the alternatives that are out there, not just the initial one that comes forward. And then once you've passed that regulation, the next year and years after that, go back and reconsider them and make sure that they're being done effectively and they were the most efficient regulations for the economy. That's the underlying legislation, and that's why I encourage my Members to support the underlying bill.

To the MTR, what is the SEC charged to do? Three, basically, core provisions: investor protection, capital formation, and efficient markets. And perhaps to the point here, one of the most important is investor protection.

Who are we talking about when we're talking about investors? It's that single mom out there who is trying to raise a young girl and trying to put her into college and have money to do so. It's the young couple who wants to have financing to be able to buy their first home. It's the moms, dads, and our grandparents, the pensioners and the retirees who want to know that their investments are secure and that the markets are operating efficiently. To the point here with your amendment most specifically, yes, it's the cop on the beat, it's the fireman, and it's the union worker who wants to make sure that he's investing his time and efforts into our community and his investments are taken care of in an efficient operation in the markets on Wall Street and the markets as well.

That's what our bill does. All of them are taken care of in the underlying legislation. Your amendment basically says that we don't care as far as making sure the most efficient rules are concerned when it comes to the firefighters, the pensioners, or the teachers.

I'll close on this. If we want to honor the firefighters, if we want to honor the police officers, and if we want to honor the teachers and the pension funds, vote "no" on this MTR and vote "yes" on the final passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 217, not voting 37, as follows:

[Roll No. 159]

AYES—179

Andrews	Grayson	Pallone
Barber	Green, Al	Pastor (AZ)
Barrow (GA)	Green, Gene	Payne
Bass	Grijalva	Perlmutter
Beatty	Hahn	Peters (CA)
Becerra	Hastings (FL)	Peterson
Bera (CA)	Heck (WA)	Pingree (ME)
Bishop (GA)	Himes	Pocan
Bishop (NY)	Honda	Polis
Blumenauer	Horsford	Price (NC)
Bonamici	Huffman	Rahall
Brady (PA)	Israel	Rangel
Bralley (IA)	Jackson Lee	Richmond
Brownley (CA)	Jeffries	Roybal-Allard
Bustos	Johnson (GA)	Ruiz
Butterfield	Jones	Ruppersberger
Capps	Kaptur	Rush
Capuano	Keating	Ryan (OH)
Cárdenas	Kelly (IL)	Sánchez, Linda
Carney	Kennedy	T.
Carson (IN)	Kildee	Sanchez, Loretta
Cartwright	Kilmer	Schakowsky
Castor (FL)	Kind	Schiff
Castro (TX)	Kuster	Schneider
Chu	Langevin	Schrader
Ciulline	Larsen (WA)	Schwartz
Clarke	Larson (CT)	Scott (VA)
Clay	Lee (CA)	Scott, David
Cleaver	Levin	Serrano
Cohen	Lipinski	Sewell (AL)
Connolly	Loeb sack	Shea-Porter
Conyers	Lowenthal	Sherman
Cooper	Lowey	Sinema
Costa	Lujan Grisham	Sires
Courtney	(NM)	Slaughter
Crowley	Lujan, Ben Ray	Smith (WA)
Cuellar	(NM)	Speier
Davis (CA)	Lynch	Swalwell (CA)
Davis, Danny	Maffei	Takano
DeFazio	Maloney,	Thompson (CA)
DeGette	Carolyn	Thompson (MS)
Delaney	Maloney, Sean	Tierney
DeLauro	Matsui	Titus
DelBene	McCarthy (NY)	Tonko
Deutch	McCollum	Tsongas
Dingell	McDermott	Van Hollen
Doggett	McGovern	Vargas
Doyle	McIntyre	Veasey
Duckworth	McNerney	Vela
Ellison	Meeks	Velázquez
Engel	Meng	Visclosky
Enyart	Michaud	Walz
Eshoo	Miller, George	Wasserman
Esty	Moore	Schultz
Farr	Moran	Waters
Fattah	Murphy (FL)	Watt
Foster	Nadler	Waxman
Frankel (FL)	Napolitano	Welch
Fudge	Negrete McLeod	Wilson (FL)
Gabbard	Nolan	Yarmuth
Gallego	O'Rourke	
Garamendi	Owens	

NOES—217

Aderholt	Calvert	Duncan (TN)
Alexander	Camp	Ellmers
Amash	Cantor	Farenthold
Amodei	Capito	Fincher
Bachmann	Carter	Fitzpatrick
Bachus	Cassidy	Fleischmann
Barletta	Chabot	Fleming
Barr	Chaffetz	Flores
Benishek	Coffman	Forbes
Bentivolio	Collins (GA)	Fortenberry
Bilirakis	Collins (NY)	Foxo
Bishop (UT)	Conaway	Franks (AZ)
Black	Cook	Frelinghuysen
Blackburn	Cotton	Gardner
Bonner	Cramer	Garrett
Boustany	Crawford	Gerlach
Brady (TX)	Crenshaw	Gibbs
Bridenstine	Culberson	Gibson
Brooks (AL)	Davis, Rodney	Gohmert
Brooks (IN)	Denham	Goodlatte
Broun (GA)	Dent	Gosar
Buchanan	DeSantis	Gowdy
Bucshon	Diaz-Balart	Granger
Burgess	Duncan (SC)	Graves (GA)

Graves (MO)	McClintock	Royce	Barber	Guthrie	Pittenger	Esty	Lowey	Sánchez, Linda
Griffin (AR)	McHenry	Runyan	Barletta	Hall	Pitts	Farr	Lujan Grisham	T.
Griffith (VA)	McKeon	Ryan (WI)	Barr	Hanna	Poe (TX)	Fattah	(NM)	Sanchez, Loretta
Grimm	McKinley	Salmon	Barrow (GA)	Harper	Posey	Foster	Luján, Ben Ray	Schakowsky
Guthrie	McMorris	Sanford	Benishek	Harris	Price (GA)	Frankel (FL)	(NM)	Schiff
Hall	Rodgers	Schock	Bentivolio	Hartzler	Radel	Fudge	Lynch	Schwartz
Hanna	Meadows	Schweikert	Bera (CA)	Hastings (WA)	Rahall	Gabbard	Maloney,	Scott (VA)
Harper	Meehan	Scott, Austin	Bilirakis	Heck (NV)	Reed	Garamendi	Carolyn	Scott, David
Harris	Messer	Sensenbrenner	Bishop (UT)	Hensarling	Reichert	Grayson	Matsui	Sewell (AL)
Hartzler	Mica	Sessions	Herrera Beutler	Herrera Beutler	Renacci	Green, Al	McCarthy (NY)	Shea-Porter
Hastings (WA)	Miller (FL)	Shimkus	Blackburn	Holding	Ribble	Green, Gene	McCollum	Sherman
Heck (NV)	Miller (MI)	Shuster	Bonner	Hudson	Rice (SC)	Grijalva	McDermott	Sires
Hensarling	Miller, Gary	Simpson	Boustany	Huelskamp	Rigell	Hahn	McGovern	Slaughter
Herrera Beutler	Mullin	Smith (NE)	Brady (TX)	Huizenga (MI)	Roby	Hastings (FL)	McNerney	Smith (WA)
Holding	Mulvaney	Smith (NJ)	Bridenstine	Hultgren	Roe (TN)	Heck (WA)	Meeks	Speier
Hudson	Murphy (PA)	Smith (TX)	Brooks (AL)	Hunter	Rogers (KY)	Himes	Michaud	Swalwell (CA)
Huelskamp	Neugebauer	Southerland	Brooks (IN)	Hurt	Rogers (MI)	Honda	Miller, George	Takano
Huizenga (MI)	Noem	Stewart	Broun (GA)	Issa	Rohrabacher	Horsford	Moore	Thompson (CA)
Hultgren	Nugent	Stivers	Buchanan	Jenkins	Rokita	Huffman	Moran	Thompson (MS)
Hunter	Nunes	Stockman	Bucshon	Johnson (OH)	Rooney	Israel	Murphy (FL)	Tierney
Hurt	Nunnelee	Stutzman	Burgess	Jones	Ros-Lehtinen	Jackson Lee	Nadler	Titus
Issa	Olson	Terry	Calvert	Jordan	Roskam	Jeffries	Napolitano	Tonko
Jenkins	Paulsen	Thompson (PA)	Camp	Joyce	Ross	Johnson (GA)	Negrete McLeod	Tsongas
Johnson (OH)	Pearce	Thornberry	Cantor	Kelly (PA)	Rothfus	Johnson, E. B.	Nolan	O'Rourke
Jordan	Perry	Tiberi	Capito	King (IA)	Royce	Kaptur	O'Rourke	Van Hollen
Joyce	Petri	Tipton	Cárdenas	King (NY)	Ruiz	Keating	Pallone	Vargas
Kelly (PA)	Pittenger	Turner	Carter	Kingston	Runyan	Kelly (IL)	Pastor (AZ)	Veasey
King (IA)	Pitts	Upton	Cassidy	Kinzinger (IL)	Ryan (WI)	Kennedy	Payne	Vela
King (NY)	Poe (TX)	Valadao	Chabot	Kline	Salmon	Kildee	Perlmutter	Velázquez
Kingston	Posey	Walberg	Chaffetz	LaMalfa	Sanford	Kilmer	Peterson	Visclosky
Kinzinger (IL)	Price (GA)	Walden	Coffman	Lamborn	Schneider	Kind	Pingree (ME)	Walz
Kline	Radel	Walorski	Cole	Lance	Schock	Kuster	Pocan	Wasserman
LaMalfa	Reed	Weber (TX)	Collins (GA)	Schrader	Schrader	Langevin	Polis	Schultz
Lamborn	Reichert	Webster (FL)	Collins (NY)	Latham	Schweikert	Larsen (WA)	Price (NC)	Waters
Lance	Renacci	Westmoreland	Conaway	Latta	Scott, Austin	Larson (CT)	Rangel	Watt
Lankford	Ribble	Whitfield	Cook	LoBiondo	Sensenbrenner	Lee (CA)	Richmond	Waxman
Latham	Rice (SC)	Whitfield	Cotton	Long	Sessions	Levin	Roybal-Allard	Welch
Latta	Rigell	Williams	Cramer	Lucas	Shimkus	Lipinski	Ruppersberger	Wilson (FL)
LoBiondo	Roby	Wilson (SC)	Crawford	Luetkemeyer	Shuster	Loeb sack	Rush	Yarmuth
Long	Roe (TN)	Wittman	Crenshaw	Lummis	Simpson	Lowenthal	Ryan (OH)	
Lucas	Rogers (KY)	Wolf	Cuellar	Maffei	Sinema			
Luetkemeyer	Rogers (MI)	Womack	Culberson	Maloney, Sean	Smith (NE)			
Lummis	Rohrabacher	Woodall	Davis, Rodney	Marchant	Smith (NJ)			
Marchant	Rokita	Yoder	Denham	Marino	Smith (TX)			
Marino	Rooney	Yoho	Dent	Matheson	Southerland			
Massie	Ros-Lehtinen	Young (AK)	DeSantis	McCarthy (CA)	Stewart			
Matheson	Roskam	Young (FL)	Diaz-Balart	McCaul	Stivers			
McCarthy (CA)	Ross	Young (IN)	Duncan (SC)	McClintock	Stockman			
McCaul	Rothfus		Duncan (TN)	McHenry	Stutzman			

NOT VOTING—37

Barton	Gutierrez	Neal
Brown (FL)	Hanabusa	Palazzo
Campbell	Higgins	Pascrell
Clyburn	Hinojosa	Pelosi
Coble	Holt	Peters (MI)
Cole	Hoyer	Pompeo
Cummings	Johnson, E. B.	Quigley
Daines	Johnson, Sam	Rogers (AL)
DesJarlais	Kirkpatrick	Sarbanes
Duffy	Labrador	Scalise
Edwards	Lewis	Wagner
Garcia	Lofgren	
Gingrey (GA)	Markey	

□ 1322

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 161, not voting 37, as follows:

[Roll No. 160]

AYES—235

Aderholt	Amash	Bachmann
Alexander	Amodei	Bachus

NOES—161

Andrews	Carson (IN)	Davis (CA)
Bass	Cartwright	Davis, Danny
Beatty	Castor (FL)	DeFazio
Becerra	Castro (TX)	DeGette
Bishop (GA)	Chu	Delaney
Bishop (NY)	Cicilline	DeLauro
Blumenauer	Clarke	DelBene
Bonamici	Clay	Deutch
Brady (PA)	Cleaver	Dingell
Bralley (IA)	Cohen	Doggett
Brownley (CA)	Connolly	Doyle
Bustos	Conyers	Duckworth
Butterfield	Cooper	Ellison
Capps	Costa	Engel
Capuano	Courtney	Enyart
Carney	Crowley	Eshoo

Barton	Hanabusa	Palazzo
Brown (FL)	Higgins	Pascrell
Campbell	Hinojosa	Pelosi
Clyburn	Holt	Peters (MI)
Coble	Hoyer	Pompeo
Cummings	Johnson, Sam	Quigley
Daines	Kirkpatrick	Rogers (AL)
DesJarlais	Labrador	Sarbanes
Duffy	Lewis	Scalise
Edwards	Lofgren	Serrano
Garcia	Markey	Wagner
Gingrey (GA)	Meng	
Gutierrez	Neal	

NOT VOTING—37

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. WAGNER. Mr. Speaker, on Friday, May 17, 2013, I was in St. Louis, Missouri celebrating the graduation of my son, Stephen Wagner. Stephen is graduating from Washington University in St. Louis, and today was his commencement ceremony.

Due to this lifetime event, I was unable to be in Washington, DC to vote on the legislative business of the day.

On Ordering the Previous Question for H. Res. 216, a resolution providing for consideration of H.R. 1062, the SEC Regulatory Accountability Act, rollcall vote No. 155, had I been present I would have voted "yes."

On Adoption of H. Res. 216, a resolution providing for consideration of H.R. 1062, the SEC Regulatory Accountability Act, rollcall No. 156, had I been present I would have voted "yes."

On Adoption of the Amendment of Mr. HURT of Virginia, Amendment No. 2 to H.R. 1062, rollcall vote No. 157, had I been present I would have voted "yes."

On Adoption of the Amendment of Mrs. MALONEY of New York, Amendment No. 3 to

□ 1330

H.R. 1062, rollcall vote No. 158, had I been present I would have voted "no."

On the Motion to Recommit with Instructions H.R. 1062 rollcall vote No. 159, had I been present I would have voted "no."

On Passage of H.R. 1062, the SEC Regulatory Accountability Act, rollcall vote No. 160, had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes Friday, May 17. Had I been present, I would have voted "nay" on rollcall vote 155, "nay" on rollcall vote 156, "nay" on rollcall vote 157, "yea" on rollcall vote 158, "yea" on rollcall vote 159, and "nay" on rollcall vote 160.

PERSONAL EXPLANATION

Mrs. KIRKPATRICK. Mr. Speaker, due to family obligations today, May 17, 2013, I will miss certain votes related to H.R. 1062. Had I been present, I would have voted the following way:

Representative Hurt Amendment—I would have voted "no."

Representative Carolyn Maloney Amendment—I would have voted "yes."

Democratic Motion to Recommit H.R. 1062—I would have voted "yes."

On final passage of H.R. 1062—I would have voted "no."

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, today, May 17th, I missed several rollcall votes. Had I been present I would have voted:

"nay"—rollcall vote 155—On Ordering the Previous Question on H. Res. 216—Providing for consideration of H.R. 1062, the SEC Regulatory Accountability Act.

"nay"—rollcall vote 156—On Agreeing to the Resolution—H. Res. 216—Providing for consideration of H.R. 1062, the SEC Regulatory Accountability Act.

"nay"—rollcall vote 157—On Agreeing to the Amendment—Hurt of Virginia Amendment No. 2.

"aye"—rollcall Vote 158—On Agreeing to the Amendment—Carolyn Maloney of New York Amendment No. 3.

"aye"—rollcall vote 159—On Motion to Recommit with Instructions on H.R. 1062—To improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders.

"nay"—rollcall vote 160—On Passage of H.R. 1062—To improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders.

ADJOURNMENT TO MONDAY, MAY 20, 2013

Mr. YOHO. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

HONORING JUAN MANUEL SALVAT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise this afternoon to honor Juan Manuel Salvat, owner of Miami's first Spanish-language bookseller: Libreria Universal, which will sadly be closing after his retirement in June.

Having fled Castro's totalitarian grip, Juan Manuel was eager to rescue the essential works of the Cuban culture.

He sought to tell the story of the Cuban exile, and that is how in 1965 he founded Universal Publishing and its subsidiary, Universal Bookseller & Distributor.

Since then, this company has been dedicated to the distribution and publication of books from Hispanic and Cuban authors, including my father, Enrique Ros.

I thank Salvat for playing a major role in illustrating the road traveled by the exile community through the more than 1,600 published titles, while giving readers a deeper understanding of Cuba and Latin America's culture, history, politics, and literature. We will miss this great cultural leader.

CLIMATE CHANGE

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I implore my colleagues to address the global climate process.

A recent academic study found that 97 percent of scientists agree that human activity is mainly responsible for climate change. That same study concluded that the public has been misled into thinking that there is a difference in thinking among scientists on this, but 97 percent of scientists agree that this is a problem.

How much longer will science deniers and their supporters in Congress spread misinformation about the facts and the dangers of climate change? It is a fact that we have more carbon dioxide in our atmosphere than at any time in the past 3 million years.

As a member of the Safe Climate Caucus, I urge all of my colleagues to recognize the dangers of climate change and to come together and address this problem ASAP. We don't have much time to lose.

CONGRATULATING CANDICE GLOVER

(Mr. SANFORD asked and was given permission to address the House for 1 minute.)

Mr. SANFORD. Mr. Speaker, I have the pleasure of rising today to con-

gratulate Lowcountry native and St. Helena Island's own Candice Glover on winning the title of "American Idol." She is the daughter of John and Carole Glover. Candice is a graduate of Beaufort High School.

I think that her story ultimately is inspirational, because what she does is she teaches and reminds every one of us on the importance of this simple notion of trying, trying, and trying yet again. Because it was, in fact, on her third attempt that she actually made it, and it made all the difference.

I was there for "hero's welcome" just a couple of weeks ago in Beaufort, South Carolina, and I can only imagine the welcome that she will now receive. She was then one of three. She won it this week.

Her career is one that started at Oaks True Holiness Church back home at the age of 4 when she was singing literally to the Lord. It was only the beginning. And as South Carolina's new congressman from the First Congressional District, I speak for many who could not be more proud of Candice for, indeed, the way that she reminds every one of us of the importance of trying, trying, and trying yet again.

Congratulations, Candice.

KEYSTONE XL PIPELINE

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I rise today to share my grave concern about the Keystone XL pipeline and H.R. 3, the Northern Route Approval Act, which, unfortunately, passed through committee this past week. It will allow accelerated building of this pipeline and give certain advantages to a foreign country—Canada—against our citizens that otherwise would have rights to go to court, which are being deprived.

The world's foremost climatologist, former NASA scientist Dr. James Hansen, was one of the first scientists to warn of the dangers of burning carbon fuel. He has likened the building and the use of the Keystone XL pipeline to the lighting of the "fuse to the biggest carbon bomb on the planet," and nothing less.

Dr. Hansen warns that the completion of the Keystone XL pipeline will only reinforce our dependence on fossil fuels, not strengthen our Nation's energy independence, which has been argued by some on the other side.

By furthering our dependence on fossil fuels, we only push Earth farther and farther away from the point of no return. Just last week, the highest rating of carbon in our atmosphere ever was recorded in Hawaii—400 points. This portends a hotter summer even than the hottest summers we have ever faced on this planet.

Building a pipeline that carries the dirtiest of oils—tar sands—from Canada to the Gulf of Mexico on their way to China is exactly the opposite of addressing climate change in America. So, next week, I urge my colleagues to vote “no” on H.R. 3 in the interest of preserving our Earth for generations to come.

STUDENT LOAN BILL

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, for too long Congress has kicked the can down the road and avoided putting forward a long-term plan for college affordability. Yesterday, the House Education Committee took a strong step forward by strengthening our student loan programs and passing H.R. 1911, the Smarter Solutions for Students Act.

Absent congressional action, interest rates on student loans will double from 3.4 to 6.8 percent on July 1. This bill prevents this from happening and ends what has become an annual debate within Congress on how to set the rates for student loans, a process that has served neither students nor taxpayers.

H.R. 1911 builds on a proposal put forward by President Obama in his fiscal year 2014 budget request which would move to a market-based interest rate. The bill would allow students to take advantage of low interest rates but also protect them with reasonable rate caps during higher rate environments.

Mr. Speaker, I encourage my colleagues to join in support of this bill, which will offer students the lowest possible cost for higher education and ensure the solvency of these important programs.

□ 1340

REMARKABLE WOMEN OF WEST PALM BEACH, FLORIDA

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I rise to place in the CONGRESSIONAL RECORD the names of six phenomenal women who have positively influenced the lives of the people of my hometown of West Palm Beach, Florida:

Sheri Brooks, Renee Kessler and Ilene Silber, dynamic educators who have devoted their lives to the future of the youth of our community;

Sherry Hyman, an exceptional lawyer who has helped shape our county's physical environment;

Mona Reis, a courageous crusader for women's health and reproductive rights;

and Young Song, a brilliant architect whose projects bring joy to thousands of visitors each year.

Best yet, these phenomenal women have beautiful hearts and remarkable children.

IN HONOR OF THE SERVICE OF FIRE CHIEF KENNETH BRISCOE

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Mr. Speaker, I rise today to honor Lenoir Fire Chief Ken Briscoe as his term of president of the North Carolina Association of Fire Chiefs comes to an end this August.

It is a well-earned rest after serving 7 years and traveling across the State of North Carolina and the United States in representing more than 1,500 fire chiefs and 45,000 firefighters in North Carolina.

Chief Briscoe has been the fire chief for the city of Lenoir since 2004 and has worked in the fire service for over 35 years. During that time, his main focus has been improving the training and education of firefighters in North Carolina. Chief Briscoe will continue to serve on the board of directors as the past president of the North Carolina Association of Fire Chiefs.

Today, we honor his years of service and express our appreciation for his continued commitment to North Carolina firefighters. We are grateful to Chief Briscoe and to his fellow firefighters across North Carolina for their bravery and selfless dedication to protecting our communities in the face of danger.

OPPOSING THE REPEAL OF THE AFFORDABLE CARE ACT

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, instead of taking steps to create jobs and grow the economy, Republicans yesterday voted to repeal the Affordable Care Act for the 37th time.

The Affordable Care Act is working, and its benefits are being felt throughout the country, especially in my home State. Almost 525,000 New Mexicans now have access to free preventative services, such as mammograms, flu shots and colonoscopy screenings. Almost 19,000 seniors have benefited from lower prescription drug costs, and over 26,000 young adults in New Mexico can stay on their parents' insurance plans until they are 26.

So why in the world would we want to hurt seniors, women and young people by repealing the Affordable Care Act?

Let's not forget that the Affordable Care Act is a job creator. The Medicaid expansion alone will create 6,000 to

8,000 jobs in New Mexico and will pump more than \$5 billion into our economy over the next 6 years.

Mr. Speaker, let's stop trying to repeal the Affordable Care Act, and let's get back to work on behalf of the American people.

DIABETES

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, I stand before you today to address a mounting health crisis and on behalf of nearly 26 million Americans and 532,000 Kentuckians who suffer from diabetes.

This disease kills more Americans each year than breast cancer and AIDS combined and costs our Nation more than \$200 billion in health care expenses each year. Tragically, every 17 seconds, someone is diagnosed with diabetes, and current estimates project that, by 2050, as many as one in three Americans will suffer from diabetes.

We cannot sit idly by and accept the likelihood of this bleak future. Diabetes can be devastating, but it can be managed. Like most chronic diseases, diabetes can be attributed to poor behaviors, such as lack of physical activity, poor nutritional choices and other risky behaviors. By not only changing our behaviors but by improving access to education, proper diabetes care and continued funding for research to find a cure, we can truly make a positive, sustained change in the quality of life for millions of Americans.

REDEFINING THE NATION'S CAPITAL AS A FREE-STANDING FEDERAL AGENCY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. I thank you, Mr. Speaker.

I come to the floor to discuss a bill addressed only to my district, the District of Columbia, which will come to a hearing next Thursday in the Judiciary Subcommittee on the Constitution, chaired by Chairman TRENT FRANKS.

In point of fact, over the last month, there have been two such bills introduced in this House, bills that can only fairly be characterized as abuse of power. They are both directed against only one jurisdiction—my own district.

H.R. 7 would appear to be a Federal matter. That bill would make permanent the Hyde amendment, which annually passes this House every year, barring the use of Federal funds for abortion. Wherever you stand on abortion, at the very least, that is a Federal matter. In the very same bill however is an outrageous abuse. The bill

seeks to do the same for the District of Columbia, barring permanently the use of local funds—funds raised by local taxpayers—for abortions for low-income women. Local funds are similarly used for abortions for low income districts in districts across the United States because, after all, they are local funds. But H.R. 7 redefines the Nation's Capital which was given home rule in 1973, as a free-standing jurisdiction—instead of a Federal agency for purposes of abortion.

Imagine having your district defined as a Federal agency so that the Congress can make ideological points by overturning local legislation at will. Yep, this is still America. That bill is H.R. 946. As to the District of Columbia, it's simply an expanded way to interfere with the business of a local jurisdiction.

I must say that I think that H.R. 7 and H.R. 1797 I will discuss shortly do point to the bankruptcy of the Republican agenda in the 113th Congress essentially does what is done anyway every year with respect to abortion. It hasn't come to the floor yet.

□ 1350

It hasn't come to the floor yet, and indeed very few bills have come to the floor. Sometimes the House has a rule one day and the bill the next day when there was plenty of time on both days because the Republican House doesn't have any agenda and it has to stretch out what few bills it has to make it look like there's something that the House is doing. That's how the House is doing its business.

Now the House is into my business, however, when it deals with the district I represent, a district of 600,000 American citizens who you can bet your life are going to demand and always demand to be treated as full American citizens because that is exactly who we are. We will never accept overriding our rights—our local rights and our constitutional rights—in order to satisfy the agenda of this Member of Congress or that Member of Congress who is making a point for special interest groups or for others.

The bill that I want to primarily discuss, H.R. 1797, goes beyond the usual way in which the Congress—or at least the Republican Congress—seeks to interfere with the rights of the people of the District of Columbia. What they do generally is to take advantage of the fact that the district's own local taxpayer-raised funds have to come here essentially to be checked off and signed off, and Congress don't ever look at the budget. How could they? They don't know anything about a local jurisdiction's budget. But they do use the local budget to attach their own ideological stripes, and the usual one has to do with abortion.

H.R. 1797 uses the District of Columbia in yet a new way with a new abuse

because it goes beyond the low-income women for whom the district cannot spend its own local funds. Instead, H.R. 1797 goes after every woman in the District of Columbia because that bill essentially would make all abortions in the District of Columbia after 20 weeks illegal.

Don't talk about the obvious constitutional issue. I'll get to that in a minute.

H.R. 1797 seeks to regulate pregnancy and abortion—a local matter—with respect to only one jurisdiction, and it's a matter that usually involves a matter of principle. People who are “pro-life,” as they call themselves, have my respect, but this circumstance is the only example where I have seen them try to apply the principle only to one jurisdiction, leaving everybody else in the United States exempt from the so-called “principle.” If abortion should be denied after 20 weeks, as a matter of principle, then surely that principle should apply throughout the United States. There's a reason why it doesn't, and I will get to that.

First, I want to thank Chairman TRENT FRANKS for permitting me the courtesy of testifying next Thursday at the hearing of H.R. 1797 that affects only my district. He had two bills last year. This bill is a redux of the same bill that came to the floor and was defeated last year, and he also had another to permanently disallow local funds to be used to fund abortions for poor women in the District. On both of those bills, I was denied the right and the courtesy of testifying, although traditionally granted to Members, even though bills don't usually involve only one jurisdiction.

This bill is of great concern not only to me, but there's going to be a press conference next week indicating that the bill is viewed by women all over the United States as, of course, a vehicle to eliminate the reproductive rights of women across the country. The bill is fatally flawed in several obvious ways.

First, there is discriminatory treatment of the District of Columbia to its residents by banning abortions after 20 weeks only in the District of Columbia, as I've indicated. If barring abortion is a principle, it's a principle that as a matter of principle, would apply nationwide. But it's not applied nationwide in H.R. 1797 because the District is the one jurisdiction over which Congress has a modicum of control. Until the District becomes a State, the Congress can step in. But, of course, the Home Rule Act contemplates that in our democracy Congress would never step in, unless there was an abuse of Federal authority by the District of Columbia. This would be, on the contrary, an abuse of Federal power by the Congress of the United States were this bill to pass.

The bill discriminates against the District by picking out the District

among all the districts in the United States for unequal treatment. H.R. 1797 violates unabashedly *Roe v. Wade*, which allows abortion until viability as determined by a physician. *Roe* and all of its cases, all of the precedents that follow it, make it clear that viability cannot be determined by statute.

Roe v. Wade, 40 years ago, guaranteed the right of an abortion as a constitutional right. So you can expect that this is a matter that would be ultimately challenged. But the reason that the District is the vehicle used here is that the special interests obviously want a Federal imprimatur and don't have the guts to go get it by bringing a bill to the House floor that would apply to everybody. So they choose the bullying way, the easy way. You have a Federal imprimatur, if you can get the Congress to vote with respect to one jurisdiction because the Congress is Federal. Of course, the bill violates the Home Rule Act itself because while the Home Rule Act acknowledges the ultimate jurisdiction of the Congress, it clearly, in its terms, contemplates that the legislative power will go to the Council of the District of Columbia. There is no principled reason here to violate the local jurisdiction's local authority.

Here we have gone from the usual attack on low-income women by denying the city its authority to spend its own taxpayer-raised funds as it sees fit, to an attack on every woman of child-bearing age, every such family in the District of Columbia.

The bill goes further. It criminalizes abortion by making a physician subject to imprisonment for up to 2 years for abiding by *Roe v. Wade* and engaging in an abortion.

Then the bill has a truly bizarre section which gives new meaning to the word “extreme.” It allows any current or former health provider, who has ever treated a woman—and it doesn't say when that provider might have treated a woman, perhaps as a child, because it has no limit—but allows any former health provider to obtain an injunction against the abortion. The right to privacy, among others is absent.

□ 1400

This is a new low in extreme provisions that we have seen in the Congress from my Republican colleagues. The very idea of even introducing a bill that would deny the constitutional rights of only one jurisdiction is an outrage in and of itself. Sure, bills are introduced on this floor all the time that are, on their face, unconstitutional, but it is bullying to pick out one jurisdiction because you don't have the courage to come forward with a national law, a national bill. By no means, however, do we believe a national bill is appropriate.

This bill has also been introduced on the other side by Senator MIKE LEE of

Utah. Apparently someone asked him if there is a 20-week abortion bill in Utah or if Congress might introduce one for Utah. He was quick to say, no, they don't have such a bill in Utah, and he would oppose it if the Congress tried to enact one that applied to Utah. He would be for only if Utah itself enacted the bill. So here we have a Tea Party Republican in the Senate who applies his Tea Party principles against federal intervention except when it comes to the District of Columbia.

Anybody who thinks that we're going to stand here and let that happen without, in fact, protesting it and rallying Americans who believe in fairness do not know us very well. We refuse to be a vehicle for the extreme views or pet projects of some Republicans. They have their own outlets. They have the right to come to this floor and offer bills. They have the right to speak on this floor in any way they choose. We will not be a prop for those views.

The Republicans are the supposedly small government Tea Party party who are now using the big foot Federal Government against a single jurisdiction that doesn't have a vote on this floor, that could not vote for or against H.R. 1797 if it came to this floor. What kind of courage is that? It's a bully's path to making ideological points. If you have an ideological point, make it; don't use my district to do so.

The extreme right-wing of the Republican Party doesn't even want the Federal Government in what the Federal Government has always done, but now they've got the Federal Government in something that even they say the Federal Government should never be doing—interfering with the local rights of people to govern themselves locally.

This is a country in which there are wide differences on many subjects, perhaps none more so than the right to reproductive choice, but it is also a country that respects one another in the various States and localities where we live and do not try to reach over and somehow compel people in one jurisdiction to do as people in another jurisdiction do. That's the difference between this country, a Federal republic, and other countries, and it is a principle we mean to hold this Congress to.

There is the claim that, well, the District doesn't do enough restricting of abortion, so that's why we simply have to step in here. On the contrary, there are nine States that do not restrict abortions any more than the District does, and the District abides by *Roe v. Wade*. Yet this bill is directed against only one jurisdiction. Of course I take exception to the bill itself, but I take particular exception against being bullied by people outside my jurisdiction in order to satisfy their own personal philosophical concerns.

I can tell you this much: the notion that you can use the District and abuse its women on reproductive choice and

nobody else will care should have been put to rest last year. The kickoff of the Republican attack on reproductive rights was, in fact, this bill which went to the floor and failed, but Republicans didn't stop there. Going back to abortion was not enough. They went all the way back to contraception and, amazingly, made contraception a campaign issue in the last election. Well, I hope they have learned their lesson, because women put all of this together and showed what they thought about it in the Presidential election.

I am very grateful to women all over the country for how they responded specifically to this very bill, this 20-week abortion bill that applied only to the District of Columbia. They were not fooled for a moment. Women across the United States wrote thousands of emails and letters indicating that they understood this bill, the very same bill that was defeated last year, to be a vehicle for inroads into the reproductive rights of women across the United States. Far from ignoring it because, after all, it was only 600,000 D.C. residents. The women may live in California or Wyoming—we saw them writing from their States in large numbers, making it clear that they saw it for what it was, that special interest groups were going from State to State to pass anti-choice bills. They begin at personhood where there is absolutely no right to abortion or contraception because, in their view, life begins at conception. And then some have 6-week bills and there are other 20-week bills. They are all over the map. And by the way, they are quite divided because they are all over the map.

They have settled on 20-week abortion, however, for H.R. 1797, and we mean to do for this bill what we did last year—to turn it back, to make women all over the country understand it for what it is, just as they did last year, to see that the only way to resist these attacks is to be as persistent as our opponents are in coming back to attack women using the women of the District of Columbia.

The women of my district are the chosen vehicle, but the targets are a national campaign against the reproductive rights of women in the Nation. They can't come to the floor, or they won't, with a broadside attack on the reproductive rights of women. So they do the cowardly thing and come against the District of Columbia because of the technical jurisdiction that, of course I can see the Congress has, but no principled Congress would ever use its federal power against a local jurisdiction.

□ 1410

Therefore I come to the floor this afternoon to put all on notice that you can come as many times as you want and as many ways as you want, but I represent 600,000 taxpaying Americans,

and they insist that they are equal to Americans everywhere else.

For 100 years they did not have any rights. They didn't have the right to vote for President. They didn't have the right for a local government. For 100 years they were ruled by three commissioners appointed by the President.

During the civil rights era, the Congress became ashamed of having a local jurisdiction that was its Nation's Capital, that did not have the same rights as other people in the United States, not even a local government, a mayor or a city council who could enact legislation affecting the local population, although this population had been paying Federal income taxes ever since our country has been collecting income taxes. And our residents have fought and died in every war our country has ever fought, including the war that created the United States of America.

American citizens in a jurisdiction as old and historic as the Nation's Capital is, will not have our citizenship rights taken away lightly, and we will not be used and abused by Members of this Congress, whatever their party.

Our Union is not perfect, but it strives to be. It can become perfect only when it hears about its imperfections. There is no imperfection greater than having Members of Congress focus on one jurisdiction that does not have the same ability to defend itself as every other jurisdiction.

It is hard enough to see Members of Congress come down and vote on the District's local appropriation, which they had nothing to do with collecting, but which is still a part of what is allowed in the Congress. But it is disgraceful to see one issue picked out and one jurisdiction alone targeted.

If you feel strongly about your issue, step up and air your issue in the way this House allows. And I ask that whatever the Congress does, that it ask itself when it deals with the District of Columbia, is the action consistent with the principles that you profess on this floor time and again?

I ask reconsideration of any such attempts in the future. There is no possible way that any self-respecting jurisdiction would accept discriminatory treatment.

And so, Mr. Speaker, I put the Congress on notice, we will never—we do not accept the discriminatory treatment in the Franks bill, H.R. 1797 or in the bill that I discussed previously, H.R. 7, to bar abortions in Federal legislation permanently, which somehow tucks the District into a bill on federal funds.

We do not accept and never will accept second-class treatment by the Congress of the United States. We will always protest it, and we will always find a way to find the solid ground that American citizens must stand on to protect their rights.

I yield back the balance of my time.

REFLECTIONS ON ABORTION AND
THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it's my privilege to be recognized to address you here on the floor of the House of Representatives.

And listening to the gentlelady from the District of Columbia, of course, a different opinion comes to mind, and that would be that, regardless of the discussion about the supposed anti-choice bill here, I didn't hear much discussion about "Dr." and I put that in quotes, "Kermit Gosnell," who has been convicted of murdering babies while they're struggling after they're born, while they're squirming, while they're gurgling, while they're crying and "snipping the necks of babies."

At least the jury has concluded that that is murder, and now it's come down to this point where society needs to ask the question, what's the difference between that baby that's born because he induced early labor to bring that baby into the fresh air, what's the difference between that baby and the same baby or maybe a twin that's 12 inches away?

And I would say there's no distinction from a moral perspective. That little innocent baby is alive, a unique human life that needs to be protected in all of its forms. And that's the argument that's going on here.

You'll not hear people on the other side of this argument bring up the brutal and bloody and ghoulish and ghastly Gosnell, but you will hear the argument about choice because that sanitizes this argument, and it tends to scrub the image out of our minds that we get when we think of that cruel Gosnell, who has now plea-bargained himself into life in the penitentiary without the possibility of parole in an effort to avoid the death penalty.

But think of this, Mr. Speaker. He executed, we don't know how many babies, hundreds, perhaps thousands of babies, many of them struggling for life. We don't know how many.

He did that, he gets to spend the rest of his life, three squares a day in a cell with exercise time and reading material, and that's supposedly justice in this society.

And the gentlelady from the District of Columbia talks about not having the right to vote, not having the voice of representation. There is a constitutional foundation for that, and the early people that put this Constitution together wrote in the original document how to establish the District of Columbia. Part of it was formed out of Maryland; part was formed out of Virginia.

And if it's their determination that they want to be part of that senatorial

representation, then we just simply draw a circle around this Federal complex, and the balance of that can revert back to either Maryland or Virginia, and there's your representation.

But I would make a point about representation that is far more important than the dialogue that the gentlelady from the District has brought out within this last half hour or so, and that's this point, that if those babies that have been aborted since *Roe v. Wade*, if they had choice, rather than the mothers having choice, if they had a vote, if they had representation, if they could magically come alive today, 53 million of them, and if they had the right to vote, and all of the districts across America where those babies have been aborted, we would have, by now, easily seen the end of *Roe v. Wade*, and this debate would not be taking place.

□ 1420

This society would have a full respect and an appreciation and a reverence for innocent, unborn human life if those voices of the silenced could be heard in a vote. That's the contradiction that is the undercurrent of this discussion that's been presented to us, Mr. Speaker.

CLIMATE CHANGE

Mr. KING of Iowa. I have a couple of random things to clean up on before I get to the topic that I came here to discuss. But I can't resist bringing up a resolution that emerged in my attention today, H. Con. Res. 36. It's a concurrent resolution. It is introduced by Representative LEE of California, and it is for herself, Mr. ELLISON, Mrs. CAPPS, Mr. JOHNSON, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. HONDA, Mr. ISRAEL, Mrs. CAROLYN MALONEY, Ms. MCCOLLUM, Ms. SCHAKOWSKY and Ms. SPEIER. These are the names of the original cosponsors. This resolution catches my attention, Mr. Speaker. It says this:

Recognizing the disparate impact of climate change on women and the efforts of women globally to address climate change.

Now, that was news to me. I hadn't considered the idea that if the climate is changing—they think they know why but they dare not have that debate any longer because the data was fraudulent—but now they're suggesting that the Earth is getting warmer, that it is man's fault, and it's women that are disparately impacted by it. I hadn't seen such a theory, Mr. Speaker.

And it goes on to say "whereas." It has a whole series of whereases, as we know in a resolution.

Whereas, women in the United States are the linchpin of families.

I agree that women are the linchpins of families, and it would be better if we had more men who were playing a more significant role. I don't think that is the position of the authors of this resolution. But it goes to say:

Whereas, climate change contributes to the workload and stress on women farmers.

They suggest that women produce 80 percent of the food in the developing countries. Maybe. That would be a surprise to me. It says:

Whereas, women will be disproportionately facing harmful impacts for climate change.

Different from men, for example?

Whereas, epidemics such as malaria are expected to worsen and spread due to variations in climate, putting women at risk.

Malaria discriminates on the basis of gender, Mr. Speaker? That also is news to me.

As I read down through this resolution, the resolution on the disparate impact of climate change on women, this is the one that caught my attention above all others, Mr. Speaker. I'll quote from the resolution:

Whereas, food-insecure women with limited socioeconomic resources may be vulnerable to situations such as sex work, transactional sex and early marriage that put them at risk for HIV, STIs, unplanned pregnancy and poor reproductive health.

Climate change, Mr. Speaker? Who would have thought? Who would have thought that that temperature change, perhaps the humidity change, was going to bring about this kind of Earth-shaking discrimination on people based upon gender, or more technically, sex, Mr. Speaker?

I'll go on:

Whereas, women in the United States are also particularly affected by climate-related disasters such as Hurricane Katrina.

I went down there. I made four trips down to Hurricane Katrina, and men and women were both affected, children, too. I didn't ask them what their orientation was. I took it as when weather strikes, when a hurricane strikes, it universally affects everyone in the zone without regard to race, sex, creed, color, national origin or whatever your ethnicity might be. When a hurricane hits, it hits everybody.

Here is another whereas:

Despite a unique capacity and knowledge to promote and provide for adaptation to climate change, women are disparately impacted.

They encourage the use of gender-sensitive frameworks in developing policies to address climate change. So that's a little bit for our levity, Mr. Speaker. My constituents sometimes wonder why I come back from this town, and I have a little bit of trouble engaging in a debate and rebutting some of the things that come at me, I'm going to ask for a little help from around the countryside on how to actually rebut this argument. It's news to me. I appreciate your attention, Mr. Speaker.

ILLEGAL IMMIGRATION

Mr. KING of Iowa. I came to this floor, however, to address the situation of immigration and particularly illegal immigration.

The first thing is that the people that have advocated for open borders have, for years now, worked to conflate

the two terms “immigration” and “illegal immigration.” They did that, by the way, if you remember, with “health care” and “health insurance.” When they conflated those two terms, what they did was they blurred the topic so they can say, anti-immigrant Congressman—I don’t want to use a last name because I can’t think of one, we don’t have any in these 435—X, Y or Z, “anti-immigrant” when they really mean someone who upholds the rule of law.

We have them from many of the States, but not from every State. We have one who has stood up and defended the rule of law since well before he arrived in this Congress, and he hails from the State of South Carolina. He happens to be the lead deadeye in the entire United States Congress, the man who brought the shooting trophy home again to the House of Representatives Republicans, and a man whom I have known since he was one of a group of about seven who ran in the primary in South Carolina for his congressional seat.

I’d like to yield to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Iowa for his comments and his dedication to immigration reform in this country.

When I was running for Congress, I remember Congressman KING coming to South Carolina and attending some of my events where we talked about immigration and we talked about the border. So I applaud the gentleman for his past work on that. I look forward to continuing our efforts.

The past 2 weeks, the discussion in Washington has been about trust. It’s been about trust, whether we’re talking about the false and misleading talking points that were used by the administration in Benghazi, the wire-tapping of reporters, specifically the AP, by the Justice Department or the IRS illegally targeting conservative groups, and the public trust in our government is rightfully at an all-time low.

So when we’re debating immigration reform, obviously trust is the number one issue on people’s minds because they know that the government often promises to do things but never follows through. And that is the case when we’re talking about immigration. We’re talking about the laws that are already on the books that I’ll talk about in just a few minutes. But people have made it very, very clear, Americans have made it very clear that they want two main things. They want us to secure our border—primarily we’re talking about our southern borders where the issue seems to be at hand today—but they want our borders secured, and they don’t want amnesty.

They don’t want to give away citizenship rights to folks who have bro-

ken the laws to come here because what happens is you water down what it means to be a United States citizen when you just *carte blanche* give those citizenship rights away to folks that are lawbreakers, that have broken the law to come here, regardless of how honorable and well intentioned their reasons for coming here are. They still broke the sovereign laws of the United States of America by crossing that border without permission and without legal immigration paperwork. They have broken the United States law.

What’s interesting is that currently almost half the people in the United States who are here illegally didn’t walk across a southern border or they didn’t walk across a northern border. They came here legally. They applied in their host country, their home country, at a United States consulate or a United States embassy, and they asked permission to come to the United States either as a tourist here on vacation, or they asked to come here to attend one of our fine universities in this country under an F-1 student visa, or they came here on some sort of work visa. They probably flew into this country through an airport or got off a ship.

We know something about them. America, these visa overstays, people that came here legally, they had those interviews, we know who they are, we have their name, we have what they were coming here to do, and usually we have a last known address for that person. Folks, this is low-hanging fruit. And if we’re going to talk about addressing illegal immigration in this country, we ought to first address the visa overstays. We ought to first address, America, the folks that came in this country legally, they asked permission to come here, and we granted them that permission. And then they just decided—and I understand their deciding because this is a great country—but they just decided they liked it so much they decided to stay.

How do we know that? Well, we really don’t know that they either have or have not left the country because this Nation has a failed exit system. We have an entry system where we know when they come into this country from another country under a visa where we granted them permission, but we really don’t know when they leave. Japan knows when you leave that country if you’re there as an immigrant or you’re there as a tourist. Other countries do, as well.

Currently over half or almost half of all our illegal aliens in this country came here legally. And we’re not doing enough about it. We’re not enforcing the laws that are on the books, and that doesn’t do anything to build what I talked about in the beginning, and that is the people’s trust.

□ 1430

And then you throw in the fact that the Immigration and Customs Enforcement—ICE, we call it—they just released thousands of detainees, people that they had detained for immigration violation. They just opened the door and let them go, many of whom had criminal records. This was a pre-response to the sequester.

Before the sequester actually kicked in, across-the-board budget cuts, our immigration enforcement officials decided, You know what? We’re going to go ahead and apply sequester because we don’t want to do our jobs. We don’t want to detain these people. We’re going to open the doggone jail cells and we’re going to let them go. Take that, guys in Congress. We’re doing the sequester the way we want to do it. And they let these people go, many of whom, Americans, have criminal records, and they’re on the streets now. That doesn’t do anything to build the people’s trust, not a thing. We’re talking about trust.

We’ve got to secure our border. We’ve got to enforce the current immigration laws that we have. We don’t need some comprehensive immigration reform package. We already have the laws on the books that deal with immigration issues in this country, and we are not enforcing those. So why are we going to create a whole other set of laws and then fail also to enforce those? If our government can’t first prove that our legal immigration system works and that they can enforce the laws that are currently on the books, then why in the world would we believe that adding more stress to the system will improve things?

I think visa overstays are low-hanging fruit in the immigration debate. It’s the canary in the coal mine. If we can’t trust the Federal Government to enforce those existing laws of a list of people whom we know a lot about, then how do we expect the government to do what we’re talking about government having to do in the new immigration bill?

So I talked about entry/exit. We need to fix that. You need to be aware, America, that we need to know when people come here illegally and we need to know when they leave our country. When they don’t leave our country in that allotted time that they’re allowed to come in, we grant them permission, then we need to go knock on their door at their last known address—at that university, at that hotel that they put down that they were going to be staying at, at that place of business that they were granted a work visa to come here to work at. We need to pay them a visit. That’s low-hanging fruit.

We don’t have to chase footprints in the desert. We know who these people are. They didn’t just come across the border on their own. We know who they are. So that builds trust.

I ask people, Mr. KING, around my district, what does a secure border really look like? They struggle with that definition of a secure border, what that truly looks like in their mind's eye. I do as well. But the first thing I think of is concrete, steel, and barbed wire, a fully secured border where we control who comes across. We control it through natural ports of entry.

But I realize—I've been to the border. I realize that's not feasible. Concrete, steel, and barbed wire doesn't work in a lot of the mountainous areas in Arizona. I get that. But a lot more concrete, steel, and barbed wire, a lot more fencing, vehicle barriers, or what-not, that will basically push the bad guys, the folks, the smugglers and others who want to come into this country, into corridors. We can more actively enforce those corridors to apprehend those people when they do cross our border illegally. That works.

Congress believed it worked in 2006, because in 2006 we passed the Secure Fence Act. We already have a law on the books that decides that we're going to build a secure fence on our southern border. 2006. It's 2013. Seven years ago, we decided we were going to secure our border. What have we done about it? We've got several hundred miles of fencing out of a several-thousand-mile border. We need to build more fencing. And I realize, before the American people, that fencing isn't an answer, but fencing is a great start. So let's do that.

Then we need commonsense reform to our current immigration system. I talk to farmers in my district who are concerned about the comprehensive immigration reform package that we're working on. In fact, the farmers in my district work with farmers all over this country to deal with the guest worker program for agriculture, and they were able to get the American Farm Bureau and some of the other farmers to finally agree on some language. I'm all for that.

I think we need to expand the legal guest worker programs for this country—that's my personal opinion—to provide legal workers to the necessary industry, whether it's agriculture or others. I'm going to focus on agriculture because that's what's on my mind today. But a legal immigration system that provides the workers—whether it's H-2A or H-2B—some sort of new program that increases the number of legal workers that come here, and we get biometric data, we get a thumbprint from them, and it's not transferable. That paperwork is solid for that individual. You have some sort of tie-in with the employer so the employer has some ownership, so to speak, of that record, that they asked for that employee, that employee is gainfully working with them. And when that employee decides to go to work for somebody else, that employer

notifies the government, Hey, he's not working for me anymore, but he did go work for XYZ company. XYZ company says, Yes, he's a worker in my facility.

Let's continue that. These are commonsense approaches that we need to talk about in this country before we grant amnesty, before we grant citizenship rights to folks who broke our laws.

And that word "amnesty," Mr. KING, is thrown around way too much up here, and it gets watered down in the eyes of the Americans. But what it means, it means that everything that you're granted in the United States Constitution as a citizen of this country, what it means to be an American citizen, gets watered down when we give those citizenship rights away to people who broke our laws coming here. That's what it means. We need to remember that in this debate about immigration reform that, No amnesty, guys, no amnesty; and then let's approach a secure border.

Let's talk about the low-hanging fruit of the illegals that are here that we granted them permission. Let's deal with those issues. That's half the problem right off the bat. We stem the flow of others coming here so we're not adding to those numbers, and then that other 50 percent that aren't visa holders we can start dealing with at that point in time. These are simple things, Mr. KING, that we have got to deal with.

Every time we've granted amnesty in the past, we've regretted it as a Nation. We've regretted it. We've truly regretted it because we've failed to truly secure our borders. We've failed to truly reform the system. And every amnesty that's happened before—rewarding lawlessness and those who break the laws—has only encouraged more lawlessness and more illegal immigration. It's time to stop that cycle.

Mr. KING of Iowa. Reclaiming my time, I appreciate the gentleman from South Carolina coming here and delivering a perspective on the rule of law that we need so badly.

I am a bit flabbergasted by the lack of the ability to reason by some of my colleagues, and that's on both sides of the aisle. It seems a little more rational on the other side of the aisle—I'll say, in fact, a lot more rational because there's a huge political gain on their side. On our side of the aisle, two plus two doesn't seem to add up to four for them. They come up with some number like 3.0, which would be Teddy Kennedy's amnesty bill 3.0. We had the '86 Amnesty Act, which was amnesty 1.0, and that was Teddy Kennedy involved in that, too.

Ronald Reagan let me down in 1986. He only let me down twice in 8 years, but they were a couple of pretty big times. This one, I think that he was influenced by the people who surrounded him and, out of a sense of decency and

compassion, signed the 1986 Amnesty Act, all the while knowing it was going to erode the rule of law but judging that of all of the commitments that were made that there would be enforcement, that the trade-off was worth it. I remember him saying that to us. I remember Ronald Reagan being honest with the American people, and he called it the Amnesty Act. He didn't call it the Comprehensive Reform Act. He called it "amnesty" because that's what it was.

Now, I appreciate the definition of the gentleman from South Carolina. I hadn't heard that definition before: all the rights embodied in the Constitution, granting all of those rights to someone who is here illegally would be amnesty.

I've defined it this way. It's not a contradictory definition. It's a definition that I have long used. To grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crime. It's a pardon and a reward. And I don't know why they came here, necessarily. We don't know. They might have come for a job—many did. Some came to trade in contraband; some came to live with their families and not to work. But the presence in the United States that's unlawful becomes lawful with amnesty, and the path to the reason they came here is opened. They didn't all come to be citizens and they didn't all come for a job. 42.5 percent of them are working in America today, not 100 percent. That's a little better than five out of 12 that are actually working.

We should also remember that 80 to 90 percent, according to the Drug Enforcement Agency, 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico. Mexico doesn't produce them all, but 80 to 90 percent flow from or through Mexico.

□ 1440

That's a huge number, and the price for that is in the tens of billions of dollars to this society.

I yield to the gentleman.

Mr. DUNCAN of South Carolina. You mentioned the folks that are coming from Mexico. I was recently down at the King Ranch in Texas, which is eastern Texas—830 acres, a larger ranch than the whole State of Rhode Island. They own their own security force, Mr. KING. I was talking with the security force about the illegals that are coming into this country that travel. They traverse the King Ranch.

One thing he said, a term that he used, was OTM. I had to ask him what that was. And he said, Other than Mexicans. And I said, Well, I thought that was a little bit harsh. And he said, Well, what that means is they're not Mexican, they're not Honduran, they're not Nicaraguan, they're not Guatemalan. They are African, Middle Eastern, and Asian. And I said, you're kidding me? He said, No. He said, Congressman, we have apprehended folks

that were Middle Eastern that didn't speak Spanish or English, that spoke Farsi—Africans or Orientals or Asians that were here that have come across.

And it took me aback, because I started to think, well, I know that the Latin Americans, the Hispanics that are coming, are generally coming for work to provide for their families. I've been to Guatemala; I've been to Mexico. I understand that desire to come to America and chase that American Dream that I'm living today and try to make a reality and future for your children. But these were people other than that.

And so being on the Homeland Security Committee and Foreign Affairs Committee, I'm concerned that we've got others coming here from those parts of the world—Africa, the Middle East, and Asia. What are they coming here for?

And I'm reminded that Iran and its special Revolutionary Guard Quds Force hatched a plan to deal with the drug cartels to help them assist them to come across our southern border into this country into this very town to assassinate the Ambassador from Saudi Arabia at a restaurant in Washington. They were trying to utilize connections with the drug cartel in Mexico to come across our poor southern border.

And so when I hear that we've got Africans or Middle Easterners or Asians coming into this country, I have to remember as an American, understanding the homeland security nature, I have to wonder what they're coming for. And I also wonder if we had a truly secure border, would we be seeing that.

So I thank the gentleman for mentioning that other than Mexicans, others that are coming or may be coming into this country. I believe they are coming into this country. What are they coming for? We need to ask ourselves that question.

Mr. KING of Iowa. Reclaiming my time, I appreciate the gentleman from South Carolina bringing this up. I, too, have spent a respectable amount of time on the border. I've gone down there and sat at night next to the border fence—no lights, no night-vision goggles—just listening to the sounds of the fence creaking, listening to the vehicles coming in through the mesquite, the doors open, the doors close, the packs get dropped on the ground, they pick them up, they whisper, they come back across the desert, and come through the fence. You can put your ear down on the steel post and it transmits that sound. As they flow through, you understand that the flow across this border isn't just where I'm sitting that night, but it's in many locations across the border.

We had testimony before the Immigration Subcommittee from the Border Patrol where they said they thought they, perhaps, interdicted 25 percent of

those that attempted to cross the border—25 percent. And if you look at those numbers they had interdicted that year, the number was equivalent to—if you do their formula—11,000 people a night. That meant 4 million people a year that were coming across our southern border; 11,000 a night, Mr. Speaker.

So I asked that question of one of my friends from Texas. He happens to be on the Judiciary Committee and is a member of the Immigration Subcommittee—Congressman TED POE of Texas. He always pays attention to what went on with Santa Anna and the Battle of the Alamo. He can quote to you Colonel Travis' letter.

I asked him, What was the size of Santa Anna's army when they invaded Texas? And he said 5,000 to 6,000. Now, think of that, Mr. Speaker. Twice the size of Santa Anna's army—11,000 people a night, every night. Now, that's at the peak. Probably it's half that by now, more likely now, although it's increased over the last few months since we've had this dialogue on immigration that's going on and those border crossings are up dramatically. But during the lull, we still had the equivalent of Santa Anna's army come across our southern border every night.

We're not alarmed by that, when 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico? And all of the pain and the price and the heartache that comes from that? No, it's not all the fault of the people that are south of here. We have an illegal drug consumption and demand in this country that is a magnet for those illegal drugs, and that's something for this society and our culture to address.

I don't deny that, Mr. Speaker. In fact, when I go to Mexico to have my dialogue with the Mexican members of their Congress, I just start out the dialogue with that, because otherwise they're going to remind me that America's demand for drugs has brought about a lot of violence on both sides of the border, particularly the southern side of the border.

The numbers of fatalities in this drug war and Mexico over the last 6 or 7 years number 50,000 to 70,000 people killed in that. That's a tremendous amount of carnage. And it does include those victims of the Fast and Furious fiasco that we still haven't put entirely to bed, Mr. Speaker.

But the price for open borders is high. It's high in blood, it's high in treasure, it's high in the value to our families and our society. And Drug Enforcement tells me when I ask them: If magically everybody that's illegally in America woke up in their home country tomorrow morning—magically, of course—what would happen to the illegal drug distribution system in the United States? Their answer: It would immediately stop. All of it would be

suspended overnight in that hypothetical scenario if magically all those here illegally woke up where they could live legally. Because at least one link in every illegal drug distribution chain in America is a link from someone that's unlawfully present in the United States, is an illegal alien, and likely a criminal alien. At least one link. In many cases, it's every link.

The Mexican drug cartels control the illegal drug distribution in all of our major cities in America, also most all of our minor cities in America. When I see the number of those cities, it's so appalling. The scope of it is so broad that I'm reluctant to say so into the public record because it seems beyond reality when you think back 20 years when it was localized within some of the cities in the South and Southwest—mostly Southwest—and now it's pervasive across the entire country. They've taken over the illegal drug distribution in America, and at the cost of tens of thousands of lives in Mexico, at the cost of many lives here in the United States. A high price for that.

As the gentleman from South Carolina says, fences are not the only answer, but they're a great start. And I have long said that we should build on the southern border a fence, a wall, and a fence so that we can have a couple of zones in between them that are no man's land in an area where the Border Patrol can respond when a fence is breached and be there to interdict so that we can assure people: don't bother to try, we're going to be there to enforce the law.

That's what a smart and sane country would do. And I'm not suggesting, Mr. Speaker, that we need to build 2,000 miles of fence, although there's 1,960 miles of double fencing to go. I'm just suggesting that we build a fence, a wall and a fence—a triple fence—with two no man's land zones, and build it until they stop going around the end. As the gentleman from South Carolina suggested, some of it's a little mountainous, some of it's a little rocky, and so you would build a fence where it's practical. And if they climb the mountain—I'll tell you that it's not impossible to build a fence on a mountainside either. We can build it on a vertical face if we need to. I don't know if we can build it quite upside down if we need to, but I don't think it calls for that. I spent my life in the construction business, and we spent our life moving dirt and building fence and setting up structural concrete and doing underground utilities and many other things.

At one point, I came to the floor and designed and demonstrated really the simplicity of building the kind of barrier that would be effective. And if you think that it's not, take a look at Israel that's put up a fencing system. And, yes, it takes monitoring, and it takes guard towers along the way, and

it takes the virtual support so that you reduce the amount of manpower that's necessary.

But we've grown this manpower on the southern border dramatically over the last decade. And the results that we get are directly proportional to the will of the Chief Executive Officer to enforce the law. And we're spending at least \$6 million a mile on our southern border—\$6 million on 2,000 miles.

Now, I'm going to boil this down so it gets a little more simple for some of the Members in this Congress, because the scope of that is beyond their imagination. How do you build a 2,000-mile fence? And, again, I didn't say we needed to do that. We build it until they stop going around the end.

□ 1450

I remind them that the Great Wall of China was finished, connected together, in about 245 B.C. It's 5,500 miles long, and it's wide at the top, and they march armies down the top of that Great Wall of China. So, if they could accomplish that in 245 B.C., we can accomplish a much smaller endeavor here, with a much simpler structure with some modern technology with it, and in an efficient way. We did the Manhattan Project in a short period of time. You can't convince me we cannot build a barrier on the southern border that's effective and \$6 million a mile. Here is the equation.

I live out in the countryside, and there is a mile of gravel going in four directions from the corner I live on. Now, if I just take one of those miles—and I would think that Janet Napolitano would assign me to provide the security for that mile and pay me \$6 million to guard that mile for a year. What a lucrative contract that would be, wouldn't it? Now it's a 10-year contract, so it's a \$60 million contract to guard 1 mile of gravel road in Iowa. There is more population along that gravel road—and there isn't much—than there is along much of the southern border. So the pressure on that might be in proportion to the urgency that people wanted to get across.

I, myself, wouldn't hire even more boots on the ground. I would take some of that \$6 million a mile. I'd start out, maybe, in the first year by taking \$2 million of the \$6 million and I'd build myself a wall. Then maybe the next year I'd take another 1½ or so million and I'd build a couple of fences, one on either side of that wall. Then I'd put a little bit of technology on top, and after about 2 to 3 years, even just in tightening down my budget for my manpower, my boots on the ground—because you're always going to need some guards there and some Humvees and some retirement and benefits packages to go along with that and uniform costs and all—I would take about a third of that budget and roll it into infrastructure. In about 2 to 2½

years, I would have a fence, a wall and a fence built and a patrol road built in between those and in between the no man's land, and I'd have the modern devices up at the top. We would have video cameras so, if anybody breached that fence, wall and fence, even at the first barrier, video cameras with infrared would zero in on that location, and we would deploy our boots on the ground to that location.

As soon as people figured out that we were going to have 100 percent security on my mile of road—remember, I've got a \$60 million contract. I can perform with a high degree of efficiency, far higher than we're getting right now. As soon as people figured out that we were going to respond and that it didn't pay to cut or to try to climb over or to try to dig under because we were going to be there with our vibration sensors and with our new technology, then we would have 100 percent efficiency along those stretches of the border.

I would take some of that money for the next year and the next year. Then I would widen our legal ports of entry, and I would add a little manpower to those legal ports of entry so that we could move the legal traffic through and still monitor it even more effectively than we do today at those ports of entry. That's what a rational nation would do, and that would then shut off the bleeding at the border.

There is a lot of pressure from the illegal drugs coming into America. Something greater than \$60 billion a year would be the street value of illegal drugs in this country. When I first came to this Congress, the DEA couldn't tell me what that number was. In fact, I don't think they'll still tell me what the number was. That number is more published from the news media than it is from the people who are supposed to know the answer to that question. With that pressure from those illegal drugs, they'll find another way into America until the demand is shut off. I can tell you that we could raise the price of illegal drugs in America, the street price, by locking down and stopping the bleeding at our southern border. Then they'll have to find another way to get it in, and the price will go up. When the price goes up, fewer people use it.

So that would be a helpful thing, but we can shut off the bleeding at the border, Mr. Speaker. Then we need to shut off the jobs magnet.

Now, there is a bill that we had a hearing on just yesterday in the immigration committee, and it's a bill that has been drafted by Mr. LAMAR SMITH of Texas, who is one of our lead voices on immigration enforcement in this Congress, perhaps the lead voice. He has done an awful lot to introduce and to see to it that in 1996 there was immigration reform legislation that was passed that has an extremely useful utility today, and I'm glad he is here to

defend the basis of that language: making E-Verify mandatory so that government employers, government contractors and all new hires in the private sector, too, would need to be verified under E-Verify, which is the Internet-based system where you punch in the I-9 data. I call it name, rank, and serial number.

It will go out into that database and come back and tell you if it can affirm that the individual identified by that data can lawfully work in the United States. Now, it doesn't verify that the biometrics of the individual who applied with that information match the biometrics of that Social Security number. It just says, with this Social Security number and the data that is associated with it, someone can work under that. We can't identify necessarily of applicant A and applicant B which one it might be if they're using the same data, but it's a good step in the right direction to make E-Verify mandatory, but it falls short in a couple of categories.

One of them is that it leaves the existing law that prohibits an employer from using E-Verify on current employees. Now, why would you do that? If an employer has a reasonable suspicion that someone is unlawfully working for their company, wouldn't we want them to go on the Internet and check that applicant to see if they verify to be lawfully able to work in the United States? I would want them to do that. If they're sitting in the break room and if one of their employees said, Ah, you know, I'm an illegal immigrant, and I duped you, and you can't do a thing about it, that employer may be able to report them to ICE, and maybe something happens, but they are prohibited by current law from going on that Internet, accessing E-Verify and running that employee through to verify and then taking action accordingly.

Some of the people who are advocating for this E-Verify bill say, Well, we have to protect employers from potential liability. They could be accused of discriminating against someone. I'd point out that that computer doesn't know race, ethnicity. It might know national origin, but you didn't get to queue it for that. There is no query for that. You put in the information—name, rank, and serial number—as I said, and it only comes back to you and says "confirmed" or "can't confirm." That's all you know. So I don't know how someone uses the E-Verify to discriminate on the basis of race, ethnicity, national origin, language barrier, whatever it might be. They make that decision when they hire. If H.R. is interviewing someone, then in all of the things that go along with an interview, they can sort all that out in their own heads and make their decisions. If they've already hired someone, if that individual has worked for them for

years, then they've made their decision on whether they're going to discriminate or not. That's an entirely separate question from E-Verify's usefulness.

I think we need to encourage employers to clean up their workforce, and by doing so, we should allow them to use E-Verify on current employees, especially if there is reasonable suspicion. I wrote a drug testing bill in Iowa that uses that standard, and it has not even been tested in court it's so solid. If there is reasonable suspicion to point to one person out of your workforce—if they don't meet the standards of work, if they cross a line by being chronically late, if their eyes are bloodshot and their work is slow, if they're temperamental and those things or erratic—we have an officer who is trained in that capacity, and he can say, You're going in for a drug test because we want to make sure that we have a drug-free workplace.

That's a responsible thing for an employer to do. It's also responsible for an employer to want to have a legal workforce. It's what we'd encourage employers to do, but the law discourages them from utilizing the tools that they have. I'll be advocating strongly to change that component in E-Verify if it moves forward in this Congress.

The second thing is it preempts local government from utilizing E-Verify as a means of requirement for enforcement. It just simply says that the Federal Government is going to have the exclusive authority to regulate and enforce E-Verify. Well, that would be fine if they actually enforced, but, Mr. Speaker, you know I have very little confidence in the Federal Government's will to enforce E-Verify. There will be those who will comply because it's the law—they will be good citizens, and some will be very good corporate citizens—but we are not going to have the kind of enforcement that's necessary so that it's universal.

I know. I've lived through this. Ronald Reagan wanted to enforce the '86 Amnesty Act, the I-9 forms. I got those I-9 forms. We had applicants come into the office. I made sure that they carefully filled out those applications according to the law, and we took the copies of the support documents that were necessary, and we carefully kept those I-9 forms and associated documents in our files for the day that INS would show up and say, I want to see all of your job applicants and all of your hires and all of your employees to verify if you have followed the '86 Amnesty Act law compliance terms for I-9.

□ 1500

They didn't show up in my office. They didn't show up in thousands of employers' offices. If the enforcement wasn't there after the 1986 Amnesty Act, why in the world would we think there would be enforcement there with

a President who has suspended immigration law because it's his whim and is for a President who has defied his own oath of office to take care that the laws be faithfully executed?

He even gave a little talk—I was going to call it a lecture, but I think it was a talk—to a high school group here in Washington, D.C. The date was March 28. I think it was 2011. But I know the date. They had advocated to him that he should, by executive order, establish the DREAM Act. So the President answered correctly. He said, I don't have the authority to do that. Congress passes the laws. I, as the executive branch, carry them out, and then the court system rules as to the intent of the legislation and the constitutionality of it.

That's the kind of explanation you would get from a former adjunct constitutional law professor, which Barack Obama is at the University of Chicago, a simple and clear answer. He gave it to the high school students and then defied his own explanation and defied his own oath of office just a little more than a year later when the President had a press conference within a couple hours of the time that Janet Napolitano, the Secretary of Homeland Security, and Director John Morton issued the Morton memos and the memo from the executive branch that set up four classes of people—not individuals, but four classes of people. It said we're going to exempt them from immigration law. And seven different times in that memo, Janet Napolitano's memo, they referenced on an individual basis, on an individual basis. I could repeat it five more times. They wrote it in there because they understand that constitutionally they have prosecutorial discretion to decide where to implement the resources for prosecution, and they can't prosecute everybody, but they have an obligation to take care that the laws be faithfully executed.

So the courts have carved out, after years of litigation, this term called "prosecutorial discretion," but it can only be applied on an individual basis only, which is why that memo has seven references to an individual basis only in it, but it doesn't apply to individuals. They carved out four groups of people exempt from immigration law. And then to add insult to constitutional injury, the President also created a work permit out of thin air.

All of the visas that we have, all of the lawful precedents that exist in the United States, other than natural-born citizens, is all a product of Congress. It's interpreted that Congress has the full authority to establish immigration law. So we've set up visa this and visa that—temporary, permanent, a lawful permanent residence status green card. We set up the conditions for naturalization. But the President wanted one more. He wanted a work permit for the people he granted amnesty to by

executive edict, and that's what he did in an unconstitutional fashion.

We've litigated that in court, and a judge in Texas has upheld 9 of 10 arguments. The 10th argument has been sent back, and he said to the government, Rewrite that. It is essentially unintelligible, and I don't want to rule on it until you try to straighten it out. It's like getting a term paper that a portion of it is so bad that you can't even give it a grade. Go rewrite it and come back to it.

So I'm hopeful and optimistic that all 10 of those arguments will be supported by the Federal judge. Now, if that follows through to the United States Supreme Court, I expect they will litigate this out to either the end of the Obama administration or in conclusion at the Supreme Court.

I would be astonished if the Supreme Court would conclude that the President has the authority to identify groups of people and waive the application of the law against groups of people and declare prosecutorial discretion to apply to groups rather than individuals. I would be astonished if the Supreme Court would rule that the President can manufacture immigration work permits or a lawful presence out of thin air.

There's no reason for article I, then. Congress would have no function if the President could just write the laws, waive the laws, do whatever. That's what a king does. That's not what a President does. The damage to our constitutional structure and system has been appalling, and I don't know that it's settled into this society yet, Mr. Speaker.

But the President has violated the Constitution and his own oath of office, and it's been litigated in court for the first round. It might be a long march to the Supreme Court. But we are on the correct constitutional grounds with this case, and the lead plaintiff is Chris Crane, the President of the ICE union, where the executive edict actually orders ICE to disobey the law. They take an oath to take care that the law is being faithfully executed, as well, Mr. Speaker.

Then we have the situation of how do we shut off the jobs magnet if they're not going to enforce E-Verify. In fact, if they prohibit employers from using E-Verify, how do they expect them ever to clean up the illegal workforce?

I have a simple bill that's been introduced in the last two or three Congresses. It's called the New IDEA Act. There aren't very many new ideas in this Congress. I think I actually just was able to get one passed in an amendment in the farm bill here a couple of nights ago, a new idea. But this is a new idea on immigration, and it is now about 5 or 6 years old. New IDEA.

The acronym "IDEA" stands for Illegal Deduction Elimination Act. It brings the IRS into this equation and

declares that wages and benefits paid to illegals are not tax deductible for Federal income tax purposes. It gives the employer safe harbor if they use E-Verify. It grants them the authority to use it on current employees. And then the IRS, who would not be accelerating their audits but simply during a normal audit, they would punch in that I-9 data that I mentioned earlier into the E-Verify for the employees for the company they were auditing. And if they kick those employees out as unlawful to work in the United States, the IRS then would say to the employer, You're going to have 72 hours to cure this, but we're not going to let you deduct the wages and benefits paid to illegals.

Why should those wages be deductible, especially when we give the employer safe harbor?

So the result of that would be your \$10-an-hour illegal would take the wages that are paid, they would come off the Schedule C, they'd go back into the gross receipts, and they'd show up at the bottom as taxable income. So if you paid a million dollars out in wages to people who are working unlawfully in the United States as an employer, then that million dollars would become a taxable income rather than a business expense.

The net equivalent is this: a \$10-an-hour illegal, after you add the interest and the penalty and the tax liability—I think I calculated that as 36 percent—comes to about \$16 an hour. Now it's a business decision, Mr. Speaker. Now the employer takes a look at that and thinks, Just a minute now. I've got a discount on this cheap labor at 10 bucks an hour, but I've also got this contingent liability of another 6 bucks an hour if the IRS shows up; and if they show up this year, at 6 bucks an hour, but if they wait another year and they audit me for the past 2 years, now it's 12 bucks an hour. And there's a 6-year statute of limitations on this. So your \$6 an hour becomes 6 years of liability. Now it's \$36 an hour over 6 years. At some point it is compelling, and as an employer you decide, I'm going to clean up my workforce. I'm going to use E-Verify, and I'm going to get through this point where my workforce is legal.

So two simple things can be done. One is build a fence, a wall and a fence on the southern border. We can do it with the money we have. And if you gave me Janet Napolitano's job and a President that didn't tie my hands behind my back, I can do it with the resources we are committing to it now. And we could pass New IDEA, the New Illegal Deduction Elimination Act; let the IRS come into this equation, provide an incentive for employers to make a positive decision to clean up their workforce. It shuts down the jobs magnet. Then people make decisions as to how much opportunity there is here

in America. That means there's more opportunity for Americans.

We have 100 million Americans of working age who are simply not in the workforce because we have created a cradle-to-grave welfare system that is an incentive for people to stay home rather than to go to work. We can't always blame them for that decision. Some dumb decisions were made here on the floor of the House of Representatives and the United States Senate, but none of them is as dumb as the one that seems to be emerging from the United States Senate today or maybe is churning around in a House gang of eight.

This bill that is moving through both Chambers is the largest, most expensive amnesty bill that's had credibility and momentum in the history of this country. It is the always is, always was, and always will be amnesty bill.

□ 1510

If you is in America, amnesty will always be available to you. If you was in America, it sends an invitation that says: Apply—we didn't meant to deport you. Come on back, y'all, ya' hear. We didn't mean it. And if you ever get into America, if you will be in America, you're going to get amnesty some day, too. That's what they're saying.

And a Nation cannot be a nation if it doesn't have borders. If we don't secure those borders and determine what comes and goes across those borders, we lose our sovereignty. And if we don't put Americans back to work and give them opportunity, we're wasting a massive amount of human capital. And that wasting of human capital then diminishes our potential as a nation.

And we have this workforce in this country that is oversupplied in the unskilled and low-skilled categories. And so the more people we bring in that are unskilled, the more it's going to suppress the wages in the unskilled and low-skilled jobs. The high-skilled pays pretty good and has pretty good benefits, and they contribute. They're net contributors. But people that are here unlawfully, those who are in America who are high school dropouts, they're not. They're a net drain on the Treasury. This group of 11.5 million which is the subject of this bill, which is likely to be 33 million or more, this group can never be net contributors to our economy, not in a single year of their lifetime, and neither can the next generation compensate for that loss. That's \$6.3 trillion, according to Robert Rector of the Heritage Foundation.

So, Mr. Speaker, I hope that there are a lot of people that realize the magnitude of this colossal proposed mistake, and I hope that the good judgment and the constitutional sound thinking and the good conscience that comes from the American people, as manifested in the United States Senate and the House of Representatives—and

that we put an end to any kind of an idea of an amnesty bill and restore the rule of law and restore American opportunity and do what's good for America. That's our job. That's our oath. It's the patriotic thing to do.

With that, Mr. Speaker, I yield back the balance of my time.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE STABILIZATION OF IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-30)

The SPEAKER pro tempore (Mr. KING of Iowa) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, is to continue in effect beyond May 22, 2013.

Obstacles to the continued reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to the stabilization of Iraq.

BARACK OBAMA,
THE WHITE HOUSE, May 17, 2013.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without

May 17, 2013

7161

objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REP-
RESENTATIVES,

Washington, DC, May 17, 2013.

Hon. JOHN BOEHNER, *Speaker of the House,*
House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: I have enclosed a copy of the resolution adopted by the Committee on Transportation and Infrastructure on May 16, 2013. Pursuant to section 3307 of

Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider a resolution to authorize an alteration project included in the General Services Administration's FY2013 Capital Investment and Leasing Program.

Our Committee continues to work to cut waste and the cost of federal property. The resolution authorizes \$10 million to reconfigure the existing federal courthouse in Greenbelt, Maryland in lieu of the original plan to construct a new \$128 million annex, saving the taxpayer \$118 million. This resolu-

tion is in line with the Committee's goal of decreasing the Judiciary's real estate footprint and increasing the utilization of existing courthouses.

I have enclosed a copy of the resolution adopted by the Committee on Transportation and Infrastructure on May 16, 2013.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosure.

There was no objection.

COMMITTEE RESOLUTION**ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD
PMD-0232-GR13**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for alterations to the Southern Maryland U.S. Courthouse at 6500 Cherrywood Lane, Greenbelt, MD in lieu of a design of a courthouse expansion, at a proposed cost of \$10,000,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: May 16, 2013

A handwritten signature in black ink, appearing to read "Bill Shuster", with a stylized flourish at the end.

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD**

Prospectus Number: PMD-0232-GR13
Congressional District: 05

Project Summary

The U.S. General Services Administration (GSA) proposes alterations to the Southern Maryland U.S. Courthouse at 6500 Cherrywood Lane, Greenbelt, MD. Through Public Law 111-117, Congress approved \$10,000,000 for design of a courthouse expansion. This prospectus proposes alteration of the courthouse in lieu of the originally planned expansion of the existing building by 260,000 gross square feet (gsf).

Major Work Items

Exterior closure, roofing, interior alterations, plumbing, fire protection, electrical, selective demolition, and HVAC.

Project Budget

Design and Review	\$1,300,000
Estimated Construction Cost (ECC)	\$7,700,000
Management and Inspection (M&I)	\$1,000,000
Estimated Total Project Cost* (ETPC)	\$10,000,000

* The Judiciary will provide an additional \$4.5 million in reimbursable funds to cover the design, construction, and management and inspection for 1 courtroom and 4 chambers.

Authorization Requested (Design, ECC, and M&I)..... \$10,000,000¹

Funding Requested \$0²

Prior Authority and Funding (Alteration of Southern Maryland U.S. Courthouse)

None

¹ The original project for expansion (new construction line item) of the Southern Maryland U.S. Courthouse was funded for design at \$10,000,000 in FY 2010 (PL 111-117). Although no funds are being requested in this prospectus, its approval is needed for this alteration project. Concurrently, GSA will request to reprogram the \$10,000,000 from the new construction line item to this alteration project.

² Same as note #1.

GSA

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**PROSPECTUS – ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD**

Prospectus Number: PMD-0232-GR13
Congressional District: 05

Prior Authority and Funding (New construction line item for expansion of Southern Maryland U.S. Courthouse)

The House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works authorized \$10,000,000 for design on November 5, 2009, and February 4, 2010, respectively.

Congress appropriated \$10,000,000 for FY 2010 (Public Law 111-117).

Prior Prospectus-Level Projects in Building (past 10 years)

None

Schedule

	Start	End
Design and Construction	FY 2012	2015

Building

The Southern Maryland U.S. Courthouse is a four-story, 297,331 gsf building completed in 1994 with 50 inside parking spaces. The building is of modern design with concrete and steel construction. The site also includes a two-story parking structure for 484 spaces.

Tenant Agencies

Bankruptcy Court; Circuit Library; District Court; U.S. Marshal Service; trial preparation space for Office of U.S. Attorneys; Pretrial Services; a House of Representatives office, and GSA Public Buildings Service.

GSA

PBS

**PROSPECTUS – ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD**

Prospectus Number: PMD-0232-GR13
Congressional District: 05

Proposed Project

GSA will reconfigure existing space in the building to accommodate the need for one additional Magistrate (Civil Violations Bureau) courtroom, five new chambers and associated support space, for a more efficient building layout. The U.S. Attorney’s Office (USAO) plans to relocate to leased space in September 2012. Space vacated by the USAO on the fourth floor will be renovated to create new judges’ chambers and associated support staff space. The existing first floor cafeteria will be downsized and relocated to create room for a new CVB courtroom and supporting spaces. This will result in the courts satisfying their mission within the existing building footprint, therefore eliminating the need for the previously planned new construction project. Approximately 2,100 gsf will be added to the building to accommodate new traffic and circulation patterns resulting from changes in first floor configuration. The new entrance will shift the security station and scanning equipment to a secure location before visitors enter the first floor atrium and first floor courtroom.

Major Work Items

Exterior Closure	\$367,000
Roofing	\$576,000
Interior Alterations	\$3,307,000
Plumbing	\$476,000
Fire Protection	\$329,000
Electrical	\$445,000
Selective Demolition	\$600,000
HVAC	<u>\$1,600,000</u>
Total ECC	\$7,700,000

Justification

For several years, the Judiciary’s Five-Year Courthouse Project Plan included a project to expand the existing courthouse in Southern Maryland. Design for the expansion (a new construction line item) was funded in FY 2010. Requirements for the original expansion project were largely driven by the projected need for courtrooms and chambers for incoming judges. Committee resolutions in FY 2010 limited the number of courtrooms to 12. The proposed change in scope (alteration within building) meets judiciary courtroom sharing policies and requirements are reduced due to the planned permanent relocation of the USAO to leased space.

GSA

PBS

**PROSPECTUS – ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD**

Prospectus Number: PMD-0232-GR13
Congressional District: 05

The court's southern division has grown rapidly since the existing building opened and needs more space to accommodate current and future growth. The Judiciary reports that the Southern Maryland U.S. Courthouse's CVB docket is one of the judiciary's largest petty offence and misdemeanor dockets in the country, requiring dedicated courtroom space to handle the large volume. A courtroom will be constructed for the CVB on the first floor, which currently shares courtroom space with the magistrate judge on an upper floor. Once the CVB courtroom is constructed, by 2015, there will be 12 courtrooms for 15 judges. The CVB courtroom, used by a magistrate judge, will have limited availability to other judges since it is forecast to be used for the large volume of CVB dockets. Five chambers will be constructed for three senior district judges, one magistrate judge, and one bankruptcy judge. One magistrate judge and one bankruptcy judge, plus their staff, are temporarily housed in various unconsolidated spaces around the building, including a conference room, library and attorney witness rooms, which will revert to their originally intended uses after proposed chambers are constructed.

A reconfigured and expanded entrance is needed to handle the revised first floor traffic pattern due to the new high volume CVB courtroom, additional chambers, and office space being constructed.

These recommended changes to the project scope are the result of Committee resolutions limiting the number of courtrooms and courtroom sharing policies issued by the Judicial Conference. The proposed project reflects senior district and magistrate judge sharing policies and does not include courtrooms for projected new judgeships. Bankruptcy judges will not be sharing courtrooms at this time since three bankruptcy courtrooms currently exist. The proposed renovations to the Southern Maryland U.S. Courthouse will meet the court requirements through 2020. The reconfiguration of existing space in the Courthouse will house a reduced court program while reducing taxpayer costs. With issuance of the Judiciary's Five-Year Courthouse Project Plan for FYs 2013-2017, construction of a new facility/expansion in Greenbelt, MD, has been removed from the plan.

Explanation of Changes

The project authorized by the House and Senate Committees was for a new courthouse annex, and stipulated use of energy efficient and renewable systems and reports about such systems. This project is renovation of the existing Courthouse to provide for space needs of the tenants including a new entrance and reconfigured lobby, and changes to building systems to the extent that space renovations require system modifications.

GSA

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**PROSPECTUS – ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD**

Prospectus Number: PMD-0232-GR13
Congressional District: 05

Exceptions from the U.S Courts Design Guide (USCDG)

A courtroom of 2440 SF for the CVB docket is an exception to the USCDG 1800 SF magistrate judge courtroom, and was approved by the Judicial Conference on September 15, 2009. The larger courtroom, four witness-attorney rooms (100 SF each; USCDG provides two at 150 SF each) and 1700 SF waiting area (USCDG provides 400 SF) were approved by the Judicial Council for the 4th Circuit on March 22, 2007. The additional costs for the following exceptions are:

1. CVB Courtroom.....\$258,000
2. Four witness Attorney Rooms for CVB Courtroom\$9,000
3. Public waiting area for the CVB Courtroom\$115,000

Pursuant to the House Committee on Transportation and Infrastructure resolution (San Diego, CA, Courthouse Annex, July 19, 2006) GSA concurs with these exceptions.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Chambers	Courtrooms ³	Chambers
District	5	5	6	8
Magistrate, inclusive of CVB Courtroom	3	4	3	4
Bankruptcy ⁴	3	3	3	3
Total	11	12	12	15

³The district court expects, in the very near future, to have 4 active district judges, 4 senior district judges, and 4 magistrate judges. With courtroom sharing 6 courtrooms for district judges and 3 for magistrate judges are required. The district court currently has 8 courtrooms in service, 5 are sized for use by district judges, and 3 are sized for use by magistrate judges. The construction of the new CVB courtroom will complete the 9 authorized courtrooms for use by the district court, although one will still be undersized (1888 SF vs 2400 SF).

⁴ One courtroom was added in previous years to satisfy the pressing need of the Bankruptcy Court. This courtroom can be repurposed in the future as the anticipated needs of the entire court change and evolve. The Bankruptcy Court courtrooms are not suitable for use by district or magistrate judges because of lack of access to the Marshals Service secured elevator and lack of space for jury functions.

GSA

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**PROSPECTUS – ALTERATION
SOUTHERN MARYLAND U.S. COURTHOUSE
GREENBELT, MD**

Prospectus Number: PMD-0232-GR13
Congressional District: 05

Summary of Energy Compliance

The project will integrate and implement sustainable design principles and energy efficiency efforts as seamlessly as possible into all aspects of both the design and construction process, if applicable

Alternatives Considered (30-year, present value costs)

There are no feasible alternatives to this project.

Recommendation


ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on Oct 25, 2012

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Acting Administrator, General Services Administration

ADMINISTRATION FAILURES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

I certainly appreciate and agree with the gentleman's concerns about the failure of the administration to secure the border. We are quite aware that the border did not get as secure as we would have hoped under the prior administration, but there is no excuse for not getting it done now, and especially when the claim is made that we'll secure the border when you basically give amnesty to people that were already here. That's like putting the cart in front of the horse as the cart is going off the cliff. It's a problem.

There are other problems, Mr. Speaker, as you've surely noted with regard to this administration. An article that came out today, May 17, from *The Daily Caller* points out that the homeland security guidelines advised deference to pro-sharia Muslim supremacists.

Of course, Mr. Speaker, we are familiar with the fact that Homeland Security has had reports warning their employees about the dangers of people that may be involved in such heinous activity as being classified as evangelical Christians, or as being concerned about the Constitution and that people should be following the Constitution, and concerned about people who may have Tea Party in their name.

Thank goodness the IRS was not around to help the Founders when they founded the country or otherwise they probably would have shot the Boston Tea Party participants. They would have killed off over half of the signers of the Declaration of Independence, and this country would have never gotten started, if this Homeland Security would have been around to be helpful, so called, to our Founders.

But in looking at the guidelines, this article says:

The Department of Homeland Security, which under Janet Napolitano has shown a keen interest in monitoring and warning about outspoken conservatives, takes a very different approach in monitoring political Islamists, according to a 2011 memo on protecting the free speech rights of pro-sharia Muslim supremacists. In a checklist obtained by *The Daily Caller* titled, "Countering Violent Extremism, Dos and Don'ts," the DHS Office of Civil Rights and Civil Liberties notifies local and national law enforcement officials that it is Obama administration policy to consider specifically Islamic criticism of the American system of government legitimate.

I must insert parenthetically, it is so interesting that people who believe the Constitution means exactly what it says are deemed by our Secretary Napolitano and her Homeland Security

as being threats to the country because they believe what the Founders did. How dare they.

□ 1520

And someone who believes the teachings of Jesus Christ is somehow to be feared—wow—because they may go into all the world baptizing them, making disciples. They may end up being like Mother Teresa and helping the poor and needy. They may actually do things without the government telling them they can do that, like Mother Teresa, just going in and helping.

Well, you've got to watch those evangelical Christians, if they are true Christians, if you're part of this Janet Napolitano Homeland Security Office.

The article points out this policy stands in stark contrast to the DHS Office of Intelligence and Analysis 2009 memo: "Right wing extremism, current economic and political climate fueling resurgence in radicalization and recruitment," which warned of the dangers posed by pro-life advocates, critics of same-sex marriage, and groups concerned with abiding by the U.S. Constitution, among others.

The advice of the do's and don'ts list is far more conciliatory. Don't use training that equates radical thought, religious expression, freedom to protest, or other constitutionally protected activity, including disliking the U.S. Government without being violent, the manual's authors write in a section on training being sensitive to constitutional values.

The manual, which was produced by an interagency working group from DHS and the National Counterterrorism Center advises:

Trainers who equate the desire for shari'a law with criminal activity violate basic tenets of the First Amendment.

And that is interesting. And it goes back to my point about how problematic it must have been for an FBI who've had their lexicon purged, where they can't really talk effectively about jihad because that might offend someone, even though it is critically important to know what someone believes about jihad.

Does an individual believe, as an Islamist, that jihad is just the internal changing of one's self into being more Islamic?

Or is jihad actually a violent jihad that, as the 9/11 bombers and killer believed, you kill as many innocent people, especially Americans, especially Jews, as you possibly can.

But this administration is concerned that to ask about jihad may certainly offend someone. And it was intriguing to inquire of our Attorney General, the highest law enforcement officer in the country, about just what the FBI did ask of Tamerlan Tsarnaev.

What did they find out that he believed about jihad?

What did they find out that he supported in the way of jihad?

What favorite authors did he have about jihad?

And the Attorney General didn't seem to know, but by the end of his testimony, he says, I don't—obviously I've said something untrue because, all of a sudden, now, even though he testified he didn't know what they really asked, all of a sudden, apparently he felt like he did know.

But here's the interesting chart to which the article was referring, very interesting. It's from the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties. And it is important to know, we call it countering violent extremism, just as Ms. Napolitano calls not countering terrorism, she had this set up as the Countering Violent Extremism Working Group, even though she couldn't previously answer my question as to how many members of the Muslim Brotherhood were part of her Homeland Security Countering Violent Extremism Working Group, or even her Homeland Security Advisory Group.

And I found it interesting that a publication in Egypt knows more about the Muslim Brotherhood members of this administration than our own Homeland Security Secretary knows. She didn't even know, when I asked her at a prior hearing, that there was a known member of a known terrorist group that had been allowed to go in the White House. But she did find out before she went before the Senate so she could say, oh, we vetted him three times. Well, yeah, probably about the way the FBI vetted Tamerlan and said, oh, there's nothing to see. We'll just move on here, which left him able to plot and plan to kill people, innocent people, men, women and children in Boston.

But it's interesting. When you look here, it says talking about the things you should not do, don't use training with a political agenda. This is not the time to try to persuade audiences, for example, on views about the Israeli-Palestinian conflict, reformation within Islam, or the proper role of Islam in majority Muslim nations.

Don't use trainers who answer primarily to interest groups. For example, trainers who are self-professed Muslim reformers may further an interest group agenda instead of delivering generally accepted, unbiased information.

Very interesting, you know, because if you can't inquire about what people truly believe about jihad, about radical Islam, about killing infidels, if you really can't get into the weeds on this thing, then how in the world do our officers know which Muslims will be good to have training and which ones won't be good to have training our own officers?

We do know from a couple of years ago when the administration stopped a seminar that was about to take place over at the CIA because there were

some people who had spent their lives studying radical Islam and were classified as experts around the country, unless perhaps you were part of the Organization of Islamic Council, who actually came up with the term “Islamaphobe” and pays money to major universities to have seminars and courses on Islamophobia and characterize people that way so that they can try to scare people away from talking about radical Islam.

But it's interesting though, I mean, this is our own Homeland Security. This is the kind of stuff that led one of our intelligence agents to tell me, Congressman, we are blinding our own ability to see the enemy that wants to kill and destroy us. We're blinding ourselves from our ability to see the people that want to destroy us.

And if we'd be more realistic, there would be people alive in Boston that are not.

When the Russian Government gives us a heads-up and says, this guy has become radicalized, that can't be normal. Man, this is a big deal. You'd better look thoroughly into it.

This is an outreach from the Russians. Hey, I'm not sure you realize just how radical this guy's become. It wasn't enough clues that he and his family got asylum from a country that they were comfortable going back to.

Wait a minute, if they got asylum, how in the world would any of their family be comfortable going back there? Perhaps they didn't need asylum.

Well, if they didn't need asylum, why don't we send them back?

Well, no, we wouldn't want to do that. Gosh, we might offend somebody that wants to kill us. Heaven help us if we were to offend somebody that wants to kill us.

Don't use training that equates radical thought, religious expression, freedom to protest, or other constitutionally protected activity with criminal activity. One can have radical thoughts, ideas, including disliking the U.S. Government, without being violent. For example, trainers who equate the desire for shari'a law with criminal activity violate basic tenets of the First Amendment.

Well, I would submit to whoever put together this chart, those who want to do away with our Constitution and, instead, impose shari'a law on all Americans, are acting with treasonous intent because you can't want to replace our Constitution with shari'a law and still be wanting the America where everyone has freedom to worship as they wish.

□ 1530

What you are wanting is the kind of situation that you now find in Afghanistan, where the last public Christian church had to close, or in Egypt as the Muslim Brotherhood has taken over

and Coptic Christians have been persecuted mercilessly, or in Iraq where you have radical Islamists in charge who find it is a crime to believe that Jesus is a savior, a crime worthy of going to prison. They believe sharia law is the law of the land in those countries. So anybody that wants to replace our Constitution with sharia law should be looked at by our Homeland Security as being a threat, and any plots or plans to replace our Constitution with sharia law should be looked on very carefully and not be given a pat on the back or invited in to give advice to the White House on speeches or to give advice on how to train our intelligence agents or to give advice on how to train FBI and Homeland Security agents. But this is exactly what this administration is doing.

And when you blind our intelligence agencies and you blind our protectors who are willing to lay down their lives for us to be free, when you blind them to their ability to see the enemy, then people get killed, and people that wanted to prevent it are left with guilty consciences because they wonder what could we have done more—and it's not their fault. It comes from the top of Homeland Security and the top of the Justice Department. And when it comes from the White House, as it did, to stop the seminar at the CIA, it comes from the very top. And the message is clear: We don't want to offend anyone who may be a radical Islamist because, gee, that might be bad. It's okay to offend evangelical Christians. Sure, they're the only group in America it's politically correct to persecute now.

It's okay to persecute anyone who believes what most of humanity has for most of mankind and particularly the Founders, the signers of the Declaration of Independence, those who represented each of the States at the Constitutional Convention. They believed marriage was between a man and a woman. However, today, according to this administration, anyone who believes in that same type of traditional marriage is to be hated, vilified, despised, persecuted and to be watched out for by our Homeland Security because they're a threat, because they want the freedom to believe in traditional marriage that was taught in the Bible, the kind of marriage that Jesus himself attended and performed, his first recorded miracle. Yet those of us who believe in that are to be vilified.

It's also amazing to me—I'm not pushing my beliefs on anyone else, but it's part of who I am as a Christian—there are people whose lifestyles I believe hurt them, hurt our society and degenerate our society. But I would give my life for them. As a Christian, I love them. I have no problem embracing them. I find it interesting that people who have come to hate me, and

Christians like me, they can't understand how you can disagree with a lifestyle or disagree so profoundly with a political belief and yet love them through and through as an individual. I hope and pray some day they'll understand.

But in the meantime, it is important if we're going to allow the people in our Federal Government who have sworn their lives to protecting all Americans, if we're going to allow them to do their job, they must be able to have a full, total and complete discussion on radical Islam that incorporates political belief from or into their religion and vice versa. And there are radical Islamists who want to destroy us; therefore, you have 9/11 of 2001, you have 9/11 of last year, you have 9/11 of the year before.

We've got to wake up. There's still time, but people have been killed needlessly. And this kind of stuff, this kind of political correctness that ends up making it okay through some of the other documents we've seen to go after evangelical Christians and to fear them and potentially persecute them, and as we've seen from the IRS, it's good to persecute Tea Parties. People at the low levels didn't make that up. They were encouraged, allowed to do the kind of things they were, otherwise it could not have gone as long and as widely as it did. But these days are very, very telling. Very telling.

Now, this is a helpful comment, note, too, that not all Arabs are Muslims and not all Muslims are Arabs. Yes, for example, there are Christian Arabs who are being persecuted in Egypt, in Iran, in Iraq, in Afghanistan and in places like Libya, where we helped radicals take over and people who just want to worship God are being persecuted. It is tragic what has happened and the blindness that has occurred.

It's embarrassing. It's particularly embarrassing when I embrace family members who have lost loved ones in Benghazi or 9/11 of 2001. One family member told me that Secretary Clinton advised them—what we now know is what at that time she knew very clearly, Benghazi was not about a video. She advised them, hey, we're going to get the guy that made that video, as if that was going to give them some comfort. They weren't out to kill someone. They weren't out to get somebody. But they do want justice. And it turned out, the Secretary knew at the time she said that that it wasn't about a video. It was part of confusing or attempting to confuse the issues and the mistakes that were made by this administration.

So it was worth noting, though, when we look at the IRS and the problems there, this article today by Labor Union Report Diary, May 16, yesterday, and it says:

Meet the partisan union behind the partisan Internal Revenue Service.

Where do the anti-sequester, Federal Government workers-turned-protesters work? They work at the Internal Revenue Service—and they are unionized.

And the article points out that:

As the scandal involving the IRS' targeting of conservatives and Tea Party groups consumes the news cycle for the moment and Barack Obama, who, so far, has claimed ignorance of the targeting, has thrown a sacrificial lamb out to appease journalists, that IRS agents targeted certain small-government, anti-tax groups should really not come as a surprise.

Beginning in 2009, Democrats and unions, including government unions, have spent the last several years demonizing Tea Party groups as well as other small government groups.

On Thursday, despite the escalating scandal, Barack Obama told reporters he did not see the need for a special prosecutor, saying "probes by Congress and the Justice Department should be able to figure out who was responsible for improperly targeting Tea Party groups when they applied for tax-exempt status."

□ 1540

While that may appease reporters from CNN and the mainstream media for the moment, one must wonder why there shouldn't be a special prosecutor to look into the wrongdoings of an agency with such vast powers over the American populace. Unless, of course, there is a smoking gun that people within the administration don't want discovered.

In December 2009, during the first term of his Presidency, in an effort to make the Federal Government more "union friendly," President Obama issued Executive Order 13522.

In short, as noted in 2011, Executive Order 13522 establishes "labor-management forums" between union bosses (who may or may not be Federal employees) and Federal agency management.

As part of the directives under Executive Order 13522, agency heads are to engage union bosses in "pre-decisional discussions" before decisions are made—and those discussions are to be secret and outside the purview of the Freedom of Information Act.

Pre-decisional discussions, by their nature, should be conducted confidentially among the parties to the discussions. This confidentiality is an essential ingredient in building the environment of mutual trust and respect necessary for the honest exchange of views and collaboration.

That was the position of the administration.

Coincidentally, among the agencies covered by Executive Order 13522 is the Internal Revenue Service, which is part of the Department of the Treasury, and whose agency employees are represented by the National Treasury Employees Union.

The fact that, under Executive Order 13522, Federal agencies are being co-managed by union bosses and it appears that the perpetrators of the IRS scandal are likely to be members of the IRS union makes one wonder how coordinated the attacks were—especially as four of the alleged perpetrators are claiming their bosses made them do it.

More importantly, if their bosses made them engage in potentially illegal activities, why didn't they go to their union to file a grievance?

Well, apparently, under the President's Executive Order 13522, the union

bosses and the agency heads are complicit in making these decisions, and making them secretly and privately while part of the most transparent administration in history—we were told it was going to be. The union bosses and the agency heads making decisions secretly beyond anything that anybody in America can get with a Freedom of Information Act request is just outrageous.

We need the transparency. And especially now that we know the most powerful, the most feared agency in America—the IRS—is being co-managed by union bosses, it's time to clean house. It's time to get back to smaller government, less intrusive government, and government that is truly of, by, and for the people.

With that, Mr. Speaker, I yield to the gentleman from Florida (Mr. YOHOO).

IMMIGRATION REFORM

Mr. YOHOO. Mr. Speaker, I'd like to thank the gentleman from Texas for yielding.

I'd like to address the floor on why we need immigration reform.

Washington has failed to lead on this issue for the last 30 years, and it has weakened American security and stressed our economy.

America deserves better. It's our duty and it's our responsibility to address this issue for the health, for the strength, and for the security of our Nation.

As the immigration debates come forward, our goals should not focus on what is best for this group or what is best for that group, or cater to this industry or cater to that industry. If we do that, we lose sight and we miss the mark on what really the focus should be on, and that is, what's best for America. If we focus on what is best for America and do what is best for America, then America wins. And if America wins, we all win, regardless of where you come from.

The real issue is to preserve the opportunity that if we nurture it and put forth that effort, it will grow into the American Dream. Isn't the American Dream what this is all about? The American Dream defines who we are as Americans. It is the very essence of what it means to be an American. It says that no matter where you come from or what your background is, if you're willing to work within the confines of the law and do that four-letter word called "work," you can achieve the American Dream.

The very issue that we're struggling with is the preservation of the American Dream and the opportunity in this country. If we lose that, we lose what America stands for. And that's what sets America apart from all other countries, it's the ability to achieve the American Dream.

As we move forward, let's keep in mind that if we do what's right for America, we will remain that shining

city on the hill that Ronald Reagan talked so eloquently about, that beacon of hope of what free men and women can accomplish in a society that protects our God-given rights with a Constitution that protects that. If we do that, we can guarantee that America will stay strong.

Mr. GOHMERT. Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUMMINGS (at the request of Ms. PELOSI) for today on account of district work.

Mrs. KIRKPATRICK (at the request of Ms. PELOSI) for today on account of daughter's college graduation.

Mr. LEWIS of Georgia (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. YOHOO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until Monday, May 20, 2013, at noon for morning-hour debate.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Robert B. Aderholt, Rodney Alexander, Justin Amash, Mark E. Amodei, Robert E. Andrews, Michele Bachmann, Spencer Bachus, Ron Barber, Lou Barletta, Garland "Andy" Barr, John Barrow, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Kerry L. Bentivolio, Ami Bera, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Diane Black, Marsha Blackburn, Earl Blumenauer, John A. Boehner, Suzanne Bonamici, Jo Bonner, Madeleine Z. Bordallo, Charles W. Boustany, Jr., Kevin Brady, Robert A. Brady, Bruce L. Braley, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Paul C. Broun, Corrine Brown, Julia Brownley, Vern Buchanan, Larry Bucshon, Michael C. Burgess, Cherie Bustos, G. K. Butterfield, Ken Calvert, Dave Camp, John Campbell, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Tony Cárdenas, John C. Carney, Jr., André Carson, John R. Carter, Matt Cartwright, Bill Cassidy, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Donna M. Christensen, Judy Chu, David N. Cicilline, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, K. Michael Conaway, Gerald E. Conolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Tom Cotton, Joe Courtney, Kevin Camer, Eric A. "Rick" Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Steve Daines, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney,

Rosa L. DeLauro, Suzan K. DelBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, John D. Dingell, Lloyd Doggett, Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Jo Ann Emerson*, Elliot L. Engel, William L. Enyart, Anna G. Eshoo, Elizabeth H. Esty, Eni F.H. Faleomavaega, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Pete P. Gallego, John Garamendi, Joe Garcia, Cory Gardner, Scott Garrett, Jim Gerlach, Bob Gibbs, Christopher P. Gibson, Phil Gingrey, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Kay Granger, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, Tim Griffin, H. Morgan Griffith, Raúl M. Grijalva, Michael G. Grimm, Brett Guthrie, Luis V. Gutierrez, Janice Hahn, Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Doc Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Brian Higgins, James A. Himes, Rubén Hinojosa, George Holding, Rush Holt, Michael M. Honda, Steven A. Horsford, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, William R. Keating, Mike Kelly, Robin L. Kelly, Joseph P. Kennedy, III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Jack Kingston, Adam Kinzinger, Ann Kirkpatrick, John Kline, Ann M. Kuster, Raúl R. Labrador, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, James Lankford, Rick Larsen, John B. Larson, Tom Latham, Robert E. Latta, Barbara Lee, Sander M. Levin, John Lewis, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Daniel B. Maffei, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Edward J. Markey, Thomas Massie, Jim Matheson, Doris O. Matsui, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, Mike McIntyre, Howard P. "Buck" McKeon, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Michael H. Michaud, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Gwen Moore, James P. Moran, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Gloria Negrete McLeod, Randy Neugebauer, Kristi L. Noem, Richard M. Nolan, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee, Pete Olson, Beto O'Rourke, William L. Owens, Steven M. Palazzo, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry,

Gary C. Peters, Scott H. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Mark Pocan, Ted Poe, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Trey Radel, Nick J. Rahall II, Charles B. Rangel, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, Jon Runyan, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Mark Sanford, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Bradley S. Schneider, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Schweikert, Austin Scott, David Scott, Robert C. "Bobby" Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Carol Shea-Porter, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Steve Southerland II, Jackie Speier, Chris Stewart, Steve Stivers, Steve Stockman, Marlin A. Stutzman, Eric Swalwell, Mark Takano, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, John F. Tierney, Scott R. Tipton, Dina Titus, Paul Tonko, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Jackie Walorski, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Melvin L. Watt, Henry A. Waxman, Randy K. Weber, Sr., Daniel Webster, Peter Welch, Brad R. Wenstrup, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, C.W. Bill Young, Don Young, Todd C. Young

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1519. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway; Wrightsville Beach, NC [Docket No.: USCG-2012-1082] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1520. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; West Palm Beach Triathlon Championship, Intracoastal Waterway; West Palm Beach, FL [Docket No.: USCG-2012-0552] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1521. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; Corp. Event Finale UHC, St. Thomas Harbor; St. Thomas, U.S.V.I. [Docket No.: USCG-2013-0086] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1522. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Blue Water Resort & Casino West Coast Nationals; Parker, AZ [Docket No.: USCG-2013-0095] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1523. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; V.I. Carnival Finale, St. Thomas Harbor; St. Thomas, U.S.V.I. [Docket No.: USCG-2013-0085] (RIN: 1625-AA00) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1524. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Moss Point Rockin' the Riverfront Festival; Robertson Lake & O'Leary Lake; Moss Point, MS [Docket No.: USCG-2013-0015] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1525. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; North Carolina Cut, Atlantic Intracoastal Waterway (AIWW), Wrightsville Beach, NC [Docket No.: USCG-2013-0197] (RIN: 1625-AA09) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1526. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone [Docket No.: USCG-2012-1084] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1527. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Tuscaloosa Dragon Boat Races; Black Warrior River; Tuscaloosa, AL [Docket No.: USCG-2013-0190] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1528. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 12th Annual Saltwater Classic; Port Canaveral Harbor; Port Canaveral, FL [Docket No.: USCG-2013-0200] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1529. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; XA The Experimental Agency Fireworks, Pier 34, East River, NY [Docket No.: USCG-2013-0208] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1530. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Displays in Captain of the

Port Long Island Sound Zone [Docket No.: USCG-2013-0227] (RIN: 1625-AA00) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1531. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0773; Directorate Identifier 2009-SW-71-AD; Amendment 39-17352; AD 2013-03-18] (RIN: 2120-AA64) received May 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1532. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries Airplanes [Docket No.: FAA-2013-0348; Directorate Identifier 2013-CE-005-AD; Amendment 39-17439; AD 2013-08-21] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1533. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2004-18033; Directorate Identifier 2004-CE-16-AD; Amendment 39-17400; AD 2004-21-08 R1] (RIN: 2120-AA64) received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 3. A bill to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes (Rept. 113-61 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3. A bill to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes (Rept. 113-61 Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3. A bill to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes (Rept. 113-61 Pt. 3). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 570. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans (Rept. 113-62). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 671. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for

other purposes; with amendments (Rept. 113-63). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1412. A bill to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes; with an amendment (Rept. 113-64). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 993. A bill to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah (Rept. 113-65). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1208. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes (Rept. 113-66). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1206. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes (Rept. 113-67). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1158. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area (Rept. 113-68). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1156. A bill to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes (Rept. 113-69). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 885. A bill to expand the boundary of San Antonio Missions National Historical Park, to conduct a study of potential land acquisitions, and for other purposes; with amendments (Rept. 113-70). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 934. A bill to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes (Rept. 113-71). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 674. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System (Rept. 113-72). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 723. A bill to amend the Wild and Scenic Rivers Act to

designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 113-73). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 829. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; with an amendment (Rept. 113-74). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 862. A bill to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960 (Rept. 113-75). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 876. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes (Rept. 113-76). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 126. A bill to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge (Rept. 113-77). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 251. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes (Rept. 113-78). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 330. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California (Rept. 113-79). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 462. A bill to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard (Rept. 113-80). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 520. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes (Rept. 113-81). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GUTHRIE (for himself, Mr. LOEBSACK, and Ms. JENKINS):

H.R. 2041. A bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans; to the Committee on Education and the Workforce.

By Mr. MCKINLEY (for himself, Mr. BEN RAY LUJÁN of New Mexico, Mr. CARSON of Indiana, and Mr. TONKO):

H.R. 2042. A bill to amend the Internal Revenue Code of 1986 to increase the rehabilitation credit for commercial buildings and to provide a rehabilitation credit for principal residences; to the Committee on Ways and Means.

By Mr. CICILLINE (for himself, Ms. WILSON of Florida, Mr. ENYART, Mr. WELCH, Ms. MCCOLLUM, Ms. HANABUSA, Mr. LANGEVIN, Mr. NADLER, and Mr. CONNOLLY):

H.R. 2043. A bill to provide for the establishment of a Commission on the Advancement of Social Enterprise; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself, Mr. DEFAZIO, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. MORAN, and Ms. SCHAKOWSKY):

H.R. 2044. A bill to prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING (for himself, Mr. ROONEY, Mr. CHABOT, Mr. CULBERSON, and Mr. BENISHEK):

H.R. 2045. A bill to prohibit officers and employees of the Internal Revenue Service from initiating any new audits for 180 days; to the Committee on Ways and Means.

By Mr. GIBBS (for himself and Mr. SCHWEIKERT):

H.R. 2046. A bill to protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ISRAEL (for himself and Mr. CARTWRIGHT):

H.R. 2047. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 2048. A bill to amend the Internal Revenue Code of 1986 to improve the dependent care credit by repealing the phasedown of the credit percentage; to the Committee on Ways and Means.

By Mr. POSEY:

H.R. 2049. A bill to ensure that all of Brevard County, Florida, is treated as a HUBZone, and for other purposes; to the Committee on Small Business.

By Mr. ROSS:

H.R. 2050. A bill to ensure the timely issuance of regulations by Federal agencies; to the Committee on Oversight and Government Reform.

By Mr. VEASEY (for himself, Mr. GENE GREEN of Texas, and Mr. GRIJALVA):

H.R. 2051. A bill to amend the Internal Revenue Code of 1986 to assist in the support of children living in poverty by allowing a refundable credit to grandparents of those chil-

dren for the purchase household items for the benefit of those children, and for other purposes; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself and Mr. KING of New York):

H.J. Res. 46. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; to the Committee on Ways and Means.

By Ms. BORDALLO (for herself, Mr. BERA of California, Mrs. CHRISTENSEN, Ms. CHU, Mr. FALDOMAVAEGA, Mr. GRIJALVA, Mr. HIMES, Ms. LEE of California, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. PETERS of California, Mr. PIERLUISI, Mr. RANGEL, Mr. SABLAN, Mr. SMITH of Washington, Ms. SPEIER, and Mr. TAKANO):

H. Res. 219. A resolution supporting the goals and ideals of National Asian and Pacific Islander HIV/AIDS Awareness Day; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida (for himself, Mr. LEWIS, Mr. CONNOLLY, Mr. FARR, Ms. NORTON, Mr. RUSH, Mr. ELLISON, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. BLUMENAUER, and Ms. BORDALLO):

H. Res. 220. A resolution expressing the sense of the House of Representatives regarding the contributions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. CICILLINE, Mr. POLIS, Mr. POCAN, Mr. MORAN, Mr. SEAN PATRICK MALONEY of New York, Mr. TAKANO, Ms. HAHN, Mr. ENGEL, Mr. SCHIFF, Ms. MCCOLLUM, Mr. PALLONE, Mr. VARGAS, Mr. SMITH of Washington, Mr. CARSON of Indiana, Mr. TONKO, Ms. SCHAKOWSKY, Mr. VEASEY, Ms. NORTON, Ms. KUSTER, Mr. LOWENTHAL, Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Mr. GUTIERREZ, and Mr. LARSEN of Washington):

H. Res. 221. A resolution supporting the goals and ideals of the International Day Against Homophobia and Transphobia; to the Committee on Foreign Affairs, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself, Mr. BOUTSTANY, Mr. CLEAVER, Mr. DEUTCH, Mr. ENGEL, Mr. FALDOMAVAEGA, Mr. FORTENBERRY, Mr. GRIMM, Mr. HASTINGS of Florida, Mrs. LOWEY, Mr. MORAN, Mr. SCHIFF, and Mr. WEBER of Texas):

H. Res. 222. A resolution recognizing the long-term partnership and friendship between the United States and the Hashemite Kingdom of Jordan, working together towards peace and security in the Middle East; to the Committee on Foreign Affairs.

By Mr. MORAN:

H. Res. 223. A resolution expressing the sense of the House of Representatives concerning the ongoing conflict in Syria and the urgent need for the Syrian Opposition Coalition and local coordinating committees in Syria to assume the responsibilities of governance including the establishment of institutions of transitional justice, and to guarantee the rights of all Syria's people, regardless of ethnic or religious affiliation; to the Committee on Foreign Affairs.

By Ms. WILSON of Florida (for herself, Ms. WATERS, Mr. CONYERS, Ms. CLARKE, and Ms. JACKSON LEE):

H. Res. 224. A resolution expressing the sense of the House of Representatives that a "Haitian-American Heritage Month" should be established in recognition of the contributions of the Haitian people to the history and culture of the United States; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GUTHRIE:

H.R. 2041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. MCKINLEY:

H.R. 2042.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. CICILLINE:

H.R. 2043.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. ELLISON:

H.R. 2044.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

Article 1, Section 8, Clause 3 of the United States Constitution

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. FLEMING:

H.R. 2045.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Amendment 16 of the U.S. Constitution, which grants Congress the power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. GIBBS:

H.R. 2046.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution and the Second Amendment which states: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. ISRAEL:

H.R. 2047.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. ISRAEL:
H.R. 2048.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. POSEY:

H.R. 2049.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ROSS:

H.R. 2050.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. VEASEY:

H.R. 2051.
Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Mr. CROWLEY:

H.J. Res. 46.
Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 3: Mr. LANKFORD.
- H.R. 7: Mr. HALL, Mr. PITTINGER, Mr. DESJARLAIS, and Mr. LUETKEMEYER.
- H.R. 25: Mr. ROONEY.
- H.R. 32: Mr. KENNEDY, Ms. MCCOLLUM, and Mr. CRAMER.
- H.R. 241: Mr. MULLIN.
- H.R. 311: Mr. FORTENBERRY.
- H.R. 312: Mr. SWALWELL of California.
- H.R. 333: Ms. KUSTER, Mr. KENNEDY, and Ms. DELBENE.
- H.R. 402: Mr. GIBBS.
- H.R. 419: Mr. FLORES.
- H.R. 430: Mrs. LOWEY.
- H.R. 474: Mr. NOLAN.
- H.R. 503: Mr. COTTON and Mr. HARRIS.
- H.R. 519: Ms. SHEA-PORTER, Mr. DANNY K. DAVIS of Illinois, Mr. COURTNEY, and Mr. JEFFRIES.
- H.R. 523: Mr. BRIDENSTINE, Mr. CRAWFORD, Mr. ADERHOLT, Mr. MURPHY of Florida, and Mrs. WAGNER.
- H.R. 524: Mr. YOUNG of Alaska.
- H.R. 594: Mr. POSEY.
- H.R. 627: Ms. DUCKWORTH.
- H.R. 644: Mr. GERLACH.
- H.R. 685: Mr. YOUNG of Indiana, Mr. MCCAUL, Mr. LAMALFA, and Mr. ROGERS of Kentucky.
- H.R. 693: Mr. CARTWRIGHT and Ms. FOX.
- H.R. 721: Mr. MILLER of Florida.
- H.R. 755: Mr. SAM JOHNSON of Texas, Mr. CARTER, Mr. MARCHANT, and Mr. WILLIAMS.

- H.R. 763: Mr. FLEMING, Mr. JORDAN, Mr. THOMPSON of Pennsylvania, Mr. MARINO, Mr. YOUNG of Alaska, Mr. AMODEI, Mr. MCKEON, Mr. COBLE, Mr. MURPHY of Florida, and Mr. CHAFFETZ.
- H.R. 808: Mr. LEWIS.
- H.R. 820: Mr. TIERNEY.
- H.R. 847: Mr. SERRANO and Ms. SHEA-PORTER.
- H.R. 875: Mr. HARRIS and Mr. JONES.
- H.R. 903: Mr. ROSKAM.
- H.R. 911: Mr. DUNCAN of Tennessee, Mr. VARGAS, Mr. SMITH of New Jersey, and Mr. PETERS of California.
- H.R. 915: Mr. HANNA.
- H.R. 924: Ms. MCCOLLUM.
- H.R. 938: Mr. LEVIN, Mr. RADEL, Mr. MCINTYRE, Mr. GINGREY of Georgia, Mr. HUELSKAMP, Mr. DEFazio, Mr. ROTHFUS, Mr. REED, Mr. KLINE, Mr. SAM JOHNSON of Texas, Mr. RANGEL, Mr. MILLER of Florida, Mr. CLEAVER, Mr. POMPEO, Mr. ROE of Tennessee, Mr. THOMPSON of California, and Mr. KILDEE.
- H.R. 942: Ms. SINEMA, Mr. MCGOVERN, Mr. PETERSON, Mrs. BLACKBURN, Mr. COFFMAN, Mr. CUMMINGS, Mr. NUNNELEE, and Mr. BUTTERFIELD.
- H.R. 956: Mr. LOEBSACK, Mr. KLINE, Mr. DOYLE, and Mr. CUMMINGS.
- H.R. 958: Mr. SWALWELL of California.
- H.R. 983: Mr. RICHMOND.
- H.R. 1015: Mr. CARSON of Indiana, Mr. POLIS, and Mr. THOMPSON of Pennsylvania.
- H.R. 1077: Ms. JENKINS, Mr. GENE GREEN of Texas, Mr. PAULSEN, Mr. BISHOP of Georgia, Mr. JOHNSON of Ohio, Mr. MARCHANT, Mr. FITZPATRICK, Mr. MATHESON, Mr. SENSENBRENNER, and Mr. COFFMAN.
- H.R. 1079: Mr. DEFazio.
- H.R. 1098: Mr. TONKO.
- H.R. 1124: Mr. VEASEY.
- H.R. 1125: Mr. RODNEY DAVIS of Illinois.
- H.R. 1129: Mr. RICE of South Carolina and Mr. LUETKEMEYER.
- H.R. 1140: Mr. DELANEY.
- H.R. 1145: Ms. ESHOO and Mr. SCHIFF.
- H.R. 1146: Mr. DESJARLAIS.
- H.R. 1151: Mr. HUIZENGA of Michigan and Mr. FLORES.
- H.R. 1155: Mr. PEARCE and Mr. GRAVES of Georgia.
- H.R. 1180: Mr. VELA, Mr. KILMER, and Mr. BISHOP of Georgia.
- H.R. 1205: Mr. GUTHRIE.
- H.R. 1214: Mr. CULBERSON.
- H.R. 1222: Mr. SABLAN.
- H.R. 1250: Ms. LORETTA SANCHEZ of California.
- H.R. 1288: Ms. BONAMICI, Mr. HORSFORD, and Ms. SHEA-PORTER.
- H.R. 1313: Mr. MULLIN.
- H.R. 1339: Mr. RIBBLE.
- H.R. 1344: Mr. O'ROURKE.
- H.R. 1346: Mr. HASTINGS of Florida.
- H.R. 1360: Mr. LATHAM.
- H.R. 1413: Mr. CARTWRIGHT and Ms. SHEA-PORTER.
- H.R. 1424: Mr. GARAMENDI and Mr. MICHAUD.
- H.R. 1427: Mr. ROGERS of Michigan.
- H.R. 1428: Ms. PINGREE of Maine and Mr. COURTNEY.
- H.R. 1441: Mr. FARENTHOLD.
- H.R. 1464: Mr. CARTWRIGHT.
- H.R. 1466: Mr. COURTNEY and Mr. CARTWRIGHT.
- H.R. 1475: Mr. BENTIVOLIO.
- H.R. 1502: Mr. YOHO.
- H.R. 1521: Ms. SCHWARTZ, Ms. FRANKEL of Florida, and Ms. LEE of California.
- H.R. 1528: Mr. RIGELL, Mr. GIBSON, Ms. JENKINS, and Mr. MCGOVERN.
- H.R. 1563: Mr. DENT, Mr. KELLY of Pennsylvania, Mr. WHITFIELD, Mr. MEEHAN, Mr. HOLDING, Mr. LOEBSACK, and Mr. BONNER.

- H.R. 1565: Mr. HORSFORD and Mr. RUIZ.
- H.R. 1566: Mr. STIVERS.
- H.R. 1573: Mr. DUNCAN of Tennessee.
- H.R. 1587: Mr. PERRY.
- H.R. 1588: Mr. O'ROURKE and Mr. LOWENTHAL.
- H.R. 1593: Mr. MAFFEI, Mrs. BUSTOS, Mr. COURTNEY, Mr. PASCRELL, Mr. RUIZ, Ms. KELLY of Illinois, and Mrs. BEATY.
- H.R. 1616: Mr. VAN HOLLEN and Mr. TONKO.
- H.R. 1626: Mr. HUIZENGA of Michigan.
- H.R. 1634: Mr. ROE of Florida.
- H.R. 1640: Mr. RUIZ.
- H.R. 1648: Ms. EDDIE BERNICE JOHNSON of Texas.
- H.R. 1652: Mr. YARMUTH.
- H.R. 1666: Mr. LATHAM.
- H.R. 1690: Mr. VALADAO, Mr. FITZPATRICK, and Mr. HASTINGS of Florida.
- H.R. 1701: Mr. LATHAM and Mr. NUGENT.
- H.R. 1703: Mr. ROE of Tennessee.
- H.R. 1726: Mr. GUTIERREZ.
- H.R. 1745: Mr. FITZPATRICK and Mr. COHEN.
- H.R. 1750: Mr. FARENTHOLD.
- H.R. 1756: Mr. ROSS, Ms. WILSON of Florida, Mr. ENYART, Mr. GIBSON, and Mr. GOHMERT.
- H.R. 1759: Mr. MURPHY of Florida.
- H.R. 1798: Mr. YOUNG of Florida and Mr. VARGAS.
- H.R. 1809: Mr. MURPHY of Florida.
- H.R. 1814: Mr. TONKO, Mr. BROUN of Georgia, Mr. COOPER, Mr. BRADY of Texas, Ms. TITUS, and Mr. COOK.
- H.R. 1823: Mr. HORSFORD, Mr. MATHESON, and Mr. GRIJALVA.
- H.R. 1825: Mr. FARENTHOLD and Mr. NUGENT.
- H.R. 1826: Mr. BURGESS.
- H.R. 1830: Mr. COURTNEY, Mr. HIMES, and Mr. REED.
- H.R. 1832: Mr. COHEN.
- H.R. 1847: Mr. JORDAN and Mr. BURGESS.
- H.R. 1861: Mr. HARRIS.
- H.R. 1864: Mr. FARENTHOLD, Mr. BARBER, Mr. COFFMAN, and Mrs. ELLMERS.
- H.R. 1869: Mrs. LUMMIS, Mr. LANKFORD, Mr. YOHO, Mr. RICE of South Carolina, Mrs. BLACKBURN, Mr. RIGELL, and Mr. YOUNG of Indiana.
- H.R. 1876: Mrs. KIRKPATRICK and Mr. POCAN.
- H.R. 1878: Mr. TONKO and Mr. KING of New York.
- H.R. 1883: Mr. PETERSON and Mr. WEBER of Texas.
- H.R. 1890: Mr. DEFazio, Ms. CHU, and Mrs. DAVIS of California.
- H.R. 1896: Mr. SCHOCK.
- H.R. 1907: Ms. HAHN and Mr. MARKEY.
- H.R. 1918: Mr. LUETKEMEYER and Mr. DOYLE.
- H.R. 1919: Mr. OLSON, Mr. LONG, and Mr. LATHAM.
- H.R. 1922: Mr. FINCHER.
- H.R. 1946: Mr. CICILLINE.
- H.R. 1950: Mr. MILLER of Florida, Mr. GUTHRIE, Mr. UPTON, Mr. FORBES, Mr. GRIFFITH of Virginia, and Mr. SENSENBRENNER.
- H.R. 1961: Mr. COHEN.
- H.R. 1971: Mr. AMODEI and Mr. NUNNELEE.
- H.R. 1972: Mr. GARDNER.
- H.R. 1975: Mr. LEWIS, Ms. FRANKEL of Florida, Mr. SWALWELL of California, and Mr. POLIS.
- H.R. 1979: Mr. CICILLINE.
- H.R. 1984: Mr. STIVERS.
- H.R. 1985: Mr. JOHNSON of Ohio.
- H.R. 1992: Mr. LANCE, Mr. PRICE of Georgia, Mr. MEADOWS, and Mr. LAMBORN.
- H.R. 1993: Mr. FRANKS of Arizona, Mrs. BLACKBURN, Mr. CULBERSON, Mr. JONES, Mr. NUNNELEE, Mr. MULLIN, Mr. LANKFORD, Mr. GRIFFITH of Virginia, Mr. HURT, Mr. BROUN of Georgia, Mrs. BACHMANN, Mr. HULTGREN,

Mr. SESSIONS, Mr. KING of Iowa, Mr. HOLDING, Mr. LOBIONDO, Mr. GIBSON, Mr. WILSON of South Carolina, Mr. FLEISCHMANN, Mrs. HARTZLER, Mr. WOMACK, Mr. POMPEO, Mr. WITTMAN, Mr. CALVERT, Mr. COOK, Mr. REICHERT, Mr. GOHMERT, Mr. NEUGEBAUER, Mr. PEARCE, Mr. THOMPSON of Pennsylvania, Mr. LAMBORN, Mr. RIGELL, Mr. WALBERG, Mr. POSEY, Mr. WEBSTER of Florida, Mr. CONAWAY, Mr. GRAVES of Missouri, Mr. HARPER, Mr. MCCLINTOCK, and Mr. COBLE.

H.R. 2000: Ms. CLARKE, Mr. HARRIS, Mr. TONKO, and Ms. FRANKEL of Florida.

H.R. 2002: Mr. RUSH, Mr. BONNER, Mr. OWENS, and Mr. FRELINGHUYSEN.

H.R. 2003: Ms. MCCOLLUM, Mr. GRIJALVA, Ms. NORTON, Ms. BORDALLO, and Mr. HASTINGS of Florida.

H.R. 2009: Mr. OLSON, Mr. ROHRABACHER, Mr. BUCSHON, Mr. BISHOP of Utah, Mr. COTTON, Mr. BENTIVOLIO, Mr. BRIDENSTINE, Mr. HECK of Nevada, Mr. ROONEY, Mr. HUELSKAMP, Mr. WALBERG, Mr. GOSAR, Mr. LANKFORD, and Mr. LUETKEMEYER.

H.R. 2010: Mrs. BROOKS of Indiana.

H.R. 2014: Mr. MASSIE, Mr. DUNCAN of South Carolina, Mr. GIBSON, Mr. HUELSKAMP, Mr. JONES, and Mr. GRIFFITH of Virginia.

H.R. 2025: Mr. SALMON and Mr. SCHWEIKERT.

H.R. 2026: Mr. YOUNG of Alaska and Mr. WESTMORELAND.

H.R. 2030: Ms. MOORE and Mr. CONYERS.

H.R. 2036: Ms. MOORE, Mr. POCAN, and Mr. DOGGETT.

H.J. Res. 44: Mr. CARTWRIGHT.

H. Con. Res. 3: Mr. MCCLINTOCK.

H. Con. Res. 16: Ms. SHEA-PORTER, Mr. RENACCI, and Mr. BARTON.

H. Con. Res. 34: Ms. CLARKE, Ms. KELLY of Illinois, Mrs. MCCARTHY of New York, and Mr. LARSEN of Washington.

H. Res. 35: Mr. HALL, Mr. KLINE, and Mr. GRAVES of Missouri.

H. Res. 104: Mrs. NAPOLITANO and Mr. CLEAVER.

H. Res. 106: Mr. ROHRABACHER.

H. Res. 118: Ms. WILSON of Florida.

H. Res. 182: Mr. COURTNEY.

H. Res. 206: Mr. NUNNELEE.

H. Res. 213: Mr. GRIJALVA, Ms. CHU, Mr. LYNCH, Mr. CAPUANO, Mr. COOPER, Mr. KIND, and Mr. VAN HOLLEN.

H. Res. 217: Mr. HUIZENGA of Michigan.

H. Res. 218: Mr. POE of Texas, Mr. MCGOVERN, and Mr. WOLF.

EXTENSIONS OF REMARKS

COMMENDING COLONEL JASON Q. BOHM FOR PERFORMANCE OF DUTIES AS DIRECTOR OF THE HOUSE MARINE LIAISON OFFICE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. BOEHNER. Mr. Speaker, I rise today to thank Colonel Jason Q. Bohm for the diligent and professional support he provided during his tenure as Director, Marine Corps Liaison Office to the United States House of Representatives. My staff and I have been fortunate to work with Jason over the last two years on various projects, but I want to highlight two specific issues.

Soon after Jason started in the liaison office in July 2011, he approached my office with ideas to improve the visibility of the annual Marine Corps Toys for Tots drive on the Hill. For the last two Christmases, we have been fortunate to have the conclusion of the drive end in my office and coincide with the annual U.S. Capitol Christmas Tree Lighting Ceremony and reception. This has allowed the House community of Members, staff, and guests to interact with local military families and to be active participants in the spirit of generosity and giving during the Christmas season.

In addition, Jason's team was instrumental in the successful Congressional Gold Medal Ceremony for the Montford Point Marines. The ceremony was a moving and fitting tribute to the honor, perseverance, and patriotism of the Marines who defied prejudice, hardship, and inequality to serve their country, and it was a timely and important reminder for all Americans that our freedom and values depend on those who are still answering the call to serve in dangerous places around the world, far from their families and loved ones.

I was personally able to get to know Jason during my January 2012 economic mission to Brazil, Colombia, and Mexico. The objectives of our delegation's visits to these nations were achieved successfully in part because of Jason's excellent work. I wish him and his lovely wife, Sonja, and their children, Ashley, Ethan, and Emily, the very best as Jason prepares to take command out in California. Semper Fi, Jason.

GUN VIOLENCE PREVENTION

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent to address the House for one minute.

Mr. Speaker, just last month, the United States Senate failed to move forward on legislation supported by 90 percent of Americans to require a background check for the sale of any firearm.

But while the Senate may have missed its opportunity, those of us committed to gun violence prevention are not giving up.

Since the horrific massacre in Newtown, Connecticut, more than 4,100 American men, women and children have lost their lives in gun-related incidents.

These tragedies have grown all too common in America—with the victims eulogized in our newspapers, their families left to feel unbearable grief, and yet time after time Washington has failed to act on their behalf.

But as President Obama has said, "This time it must be different." The American people want commonsense gun violence prevention laws, and it's now up to those of us in Congress to find the political courage to make the will of the people the law of the land.

We owe it to the families of Newtown and gun violence victims across our country to finally come together, not as Democrats or Republicans, but as Americans committed to ensuring that we can live in a society free from gun violence.

CONGRATULATING THE BUILDERS ASSOCIATION OF METROPOLITAN PITTSBURGH ON ITS 75TH ANNIVERSARY

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. ROTHFUS. Mr. Speaker, I rise today to congratulate the Builders Association of Metropolitan Pittsburgh (BAMP) on the seventy-fifth anniversary of its founding.

A group of Pittsburgh-area home builders founded BAMP in 1938 to "protect and promote the interests of general contractors engaged in the construction industry." The organization continues to promote home ownership and the improvement of the residential building industry in Western Pennsylvania. Today, BAMP is nationally recognized for its work in advocacy, education, and community service. BAMP represents nearly six hundred members today, including home builders, remodelers, trade contractors, suppliers, and licensed professionals. These small businesses support thousands of well-paying jobs for workers across Western Pennsylvania.

BAMP members are dedicated to and active in their communities. They have organized countless service projects and lent expertise, products, and services to build and improve homes for neighbors in need. BAMP has also sponsored National Association of Home Builders student chapters in eight local sec-

ondary-level career training centers to help young people prepare to enter the workforce.

Many of today's members are second-, third-, and even fourth-generation home builders and tradesmen. They are dedicated to their trade and take great pride in the work they do for customers in the same neighborhoods where they live and work.

Mr. Speaker, fellow members, please join me in congratulating the Builders Association of Metropolitan Pittsburgh, an important part of our community and one of the oldest and most respected home builder associations in the nation, on the seventy-fifth anniversary of its founding.

PAYING TRIBUTE TO COMMAND SERGEANT MAJOR OLIVIA S. WARNER FOR SERVICE TO OUR NATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to pay special tribute to Sergeant Major Olivia S. Warner, United States Army. Sergeant Major Warner left behind her hometown of Chicago, Illinois as an energetic young patriot and entered the Armed Forces in October of 1984. Olivia has provided unsurpassed and remarkable professionalism and exponential value to her beloved Nation ever since; we are all humbled by her service and devotion.

Sergeant Major Warner began her career in 1984 as a paralegal specialist stationed in Germany. Her relentless work ethic and commitment to excellence has driven and led her to a position as a Drill Sergeants Instructor where her exemplary conduct could be used to mentor and train the future warriors of the United States Army for generations to come.

As Olivia progressed throughout her illustrious and decorated career, she has excelled in a plethora of positions requiring great depth and responsibility; this has included expertly advising and managing the careers of subordinate soldiers as part of the Army Human Resource Command, as well as advising the Staff Judge Advocate for the United Nations; United States Forces Korea, and the historic 101st Airborne Division (Air Assault) located at Fort Campbell, Kentucky.

Olivia has demonstrated a natural ability to work efficiently and effectively, all while articulately directing others through periods of substantial uncertainty and duress in the defense of our Nation; especially during the last 11 years of conflict—the hallmarks of a true leader. As a result of her exemplary efforts and personal attributes, Sergeant Major Olivia S. Warner was hand selected by the 14th Sergeant Major of the Army, Sergeant Major of the Army Raymond F. Chandler III, to serve

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

as his Congressional Legislative Assistant to both the United States House of Representatives and Senate. Sergeant Major Warner is the first Sergeant Major in the history of the Army to serve in this role and capacity.

Staying true to form, Sergeant Major Warner has done an incredible job representing the United States Army at the strategic level to Members of Congress, senior executives in business and government, and their professional staffs. As all good things surely come to an end, the time has come for Sergeant Major Warner to move on from Capitol Hill, as she has been selected to serve in the office of the Inspector General at Fort Sam Houston, Texas. As she departs Washington, DC she will be surrounded by her husband, Army Sergeant Major (Retired) Keithly Warner, and her two wonderful children Dominique and Keith. Olivia will bring to her new post an unparalleled talent and capability supported by a loving and balanced family—a shining example of how the true strength of our Nation is built upon by the core professionalism of our Soldiers and their families.

IN RECOGNITION OF CAPEFLYER

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize and to celebrate the upcoming launch of the new CapeFlyer train route between Boston and Cape Cod.

The CapeFlyer train will make its first scheduled trip between Boston's South Station and Cape Cod on May 24, 2013. Created under a partnership between the Cape Cod Regional Transit Authority (CCRTA), the Massachusetts Department of Transportation (MassDOT), and the Massachusetts Bay Transportation Authority (MBTA), the CapeFlyer will be the first scheduled passenger rail service to reach the Cape since 1996, as well as the first to connect Cape Cod to Boston since the last train departed Boston's South Station at 5:34 p.m. on June 30, 1959. Between Memorial Day and Labor Day this summer, the train will run between Boston and the Cape every weekend, and will offer amenities to its passengers such as free WiFi service, concessions, and bicycle storage. Customers will have their choice of disembarking at either the historic Buzzards Bay Train Station or Hyannis Transportation Center, with further options to connect to numerous other destinations throughout the Cape.

The introduction of the CapeFlyer train will enable even more Massachusetts residents and visitors to make the most of all that Cape Cod has to offer, from its idyllic beaches and outdoor activities to its fine dining and shopping centers. The availability of rail service as an alternate mode of transportation will allow summer tourism on Cape Cod to remain high while reducing traffic congestion, making travel throughout the Cape easier and lowering local carbon emissions. The benefits that the CapeFlyer will bring to the region are numerous and diverse, and I have no doubt that it will prove to be a popular method of reaching the Cape.

Mr. Speaker, I am happy to recognize the CapeFlyer rail service upon its initial trip between Boston and Cape Cod, and I ask that my colleagues join me in welcoming this new rail line to the Massachusetts region.

CONGRATULATING MUIR OMNI
GRAPHICS ON 50 YEARS OF BUSI-
NESS IN CENTRAL ILLINOIS

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. SCHOCK. Mr. Speaker, I rise today to recognize a business in my hometown of Peoria, Illinois that is celebrating its 50th anniversary this year. Muir Omni Graphics started as a small family-owned silkscreen printing business. Today, they provide decals and logos for some of America's most well-known corporations, including Caterpillar, Verizon, AT&T, and the Chicago Transit Authority.

Don Muir had a vision in 1963 when he started Muir Omni Graphics. He saw a trend developing, with companies moving from hand-lettered markings to printed decals on their trucks and machinery. His first customers were Caterpillar Tractor Co., Montgomery Ward, a garbage disposal company, and Grim Reapers Motorcycle Club. By 1971, Muir was printing over one million decals and emblems every year and was the largest producer between Chicago and St. Louis.

The late 1970s and early 1980s were a difficult time for many businesses, and for the City of Peoria. While many businesses closed their doors and people moved out of Peoria, giving rise to the phrase, "Will the last one to leave Peoria please turn out the lights," Muir developed new business models to continue serving their clients. They not only weathered the economic downturn, but they thrived and were there in Peoria to welcome everyone back when prosperity returned.

Today, the great strength of Muir is that it is still run as a family business, and that family attitude extends beyond the Muirs themselves to their 42 employees. Muir is currently in the process of transitioning the business to employee ownership, demonstrating the great trust and confidence they have in their employees' abilities and knowledge.

I am honored today to be able to recognize this company for their half-century of service in Central Illinois. While they provide superior products and customer service to their clients, the story of Muir in a larger sense is a profoundly American story. The idea that a family in Peoria, Illinois can start a business that will then grow to become a part of the community and a profitable enterprise with global reach is the very essence of the American Dream.

Muir is not only a business presence in Peoria, however. Andrew Muir, the president of the company, has given back to his community in a variety of ways. As a member of the Peoria Public Schools Foundation Board of Directors, Andrew works to improve and enhance public education in Peoria through classroom grants. These grants have been used to purchase new technology, fund after-school art programs, and institute a drum pro-

gram for a primary school, among other things.

Under Andrew's leadership, Muir Omni Graphics sponsored the West Peoria Jamboree Family Fun Run, a community event that raises donations for the West Peoria Habitat for Humanity, West Peoria Volunteer Fire Department, Lion's Club and other organizations. Muir also donates wooden screen frames and kid-safe scrap products to local community art programs, allowing teachers to lead activities that encourage and stimulate creativity among their students. The company was awarded the Peoria County Recycling and Waste Reduction Award for their efforts to constructively reuse scraps and recycle unusable byproducts.

These examples of the community service Muir and its employees provide to Peoria are just the tip of the iceberg, but they are demonstrative of the philosophy of giving back that this extraordinary company exhibits.

I congratulate the team at Muir Omni Graphics for their sustained dedication to sound business practices and quality work. I am confident that the next 50 years will see more exciting developments from Muir and that they will continue to grow and thrive in Central Illinois. Businesses like Muir are what make Central Illinois an attractive place to live and work, and I wish them all the best as they move forward.

ARMY SERGEANT TIMOTHY L.
HAYSLETT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Army Sergeant Timothy L. Hayslett who passed away on November 15, 2003, while serving with the United States Army in Operation Iraqi Freedom.

Sergeant Hayslett was born on May 17, 1977, to Guy and Mary Hayslett. After graduating from Big Spring High School in Newville, Pennsylvania, he enlisted and was assigned to the Army's 1st Battalion, 37th Armored Regiment of the 1st Armored Division, based in Friedberg, Germany. A husband and father of two daughters, Sergeant Hayslett planned to dedicate his career to the military. Prior to his passing, he had already spent eight years serving in the Army and had recently re-enlisted.

Sergeant Hayslett deployed to Iraq in May 2003. On November 15, he was patrolling the city of Baghdad when a grenade was thrown into his Humvee. Sergeant Hayslett and two other soldiers inside the vehicle were injured from the blast of the IED. Ultimately, Sergeant Hayslett perished from the wounds sustained in this attack. He had been scheduled to return to Germany in December.

Mr. Speaker, the men and women who serve in our Nation's armed forces provide an invaluable service to sustain our country's freedom. Therefore, for his dedicated service and sacrifice to protect our great Nation, I commend Army Sergeant Timothy L. Hayslett.

HONORING "DO THE WRITE THING CHALLENGE" PARTICIPANTS IN JACKSON, TN

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. FINCHER. Mr. Speaker, I rise today to congratulate students from Jackson, TN who participated in the "Do the Write Thing Challenge." It was an honor to have these students visit me in Washington, DC.

The "Do the Write Thing Challenge" Program is geared toward students during some of their most trying years . . . middle school. This Program gives middle school students the opportunity to discuss and write about the violence they see in their communities, for some in their own homes and neighborhoods, and understand how it affects their lives. The goal is to help students recognize the causes of youth violence and make a commitment to do something about the problem.

I commend the efforts of the Jackson community and school system for working together to combat the destructive effects of youth violence. I am especially proud of all the students who joined the discussion by participating in the "Do the Write Thing Challenge" and made a commitment to be a positive force in their communities and pursue a path of success.

HONORING 11 CONGRESSIONAL CERTIFICATE OF MERIT WINNERS

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mrs. BACHMANN. Mr. Speaker, I rise today to honor the accomplished students who earned the Certificate of Congressional Merit for their exemplary citizenship and academic excellence. Eleven students from Minnesota's Sixth District were nominated by their schools for this prestigious award and it is a great privilege to be able to share their accomplishments with this Congress.

These students have shown that they can set and achieve goals, work as a team member or a leader, contribute to a larger cause, all while making time for study and friendships. They have made significant contributions to their schools and communities and stand out to faculty and staff as students that would never ask for recognition for their efforts.

I rise today, Mr. Speaker, to honor these eleven students for their successful high school careers and to wish them all the best in their bright futures: Alyssa Haus, Becker High School; Brianna Vickerman, Big Lake High School; Isaac Darland, Dassel-Cokato High School; Trey Soukup, Delano High School; Eric Rapheal, Forest Lake High School; Diane Wertish, Immaculate Conception Academy; Hannah Zipoy, Kimball Area High School; Emily Kirby, Legacy Christian Academy; Michael Witschen, Monticello High School; McKenzie van der Hagen, Rocori High School; Isaac Eickhoff, St. Cloud Christian School.

It was best said by beloved children's author, Dr. Seuss, "The more that you read, the more things you will know. The more that you learn, the more places you'll go." These students are the bright future we have to look forward to in Minnesota and in our Nation. We are looking forward to the successes they will have and the dreams they will follow and the places they will go.

RECOGNIZING JORDAN

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. MEEKS. Mr. Speaker, we were pleased to welcome the Hashemite King of Jordan, King Abdullah II bin al-Hussein to Washington a few weeks ago and I would like to take this opportunity to highlight the importance of our vital bilateral relationship. The United States and the Hashemite Kingdom of Jordan began their diplomatic relations in 1949, and have remained strong allies for over six decades. We collaborate closely with the Jordanians in multiple areas, including: security cooperation, economic development, humanitarian assistance and counterterrorism.

The timing of the King's visit is critical. The United States is working closely with Jordan to address the humanitarian crisis in Syria, which becomes increasingly dire with each passing day. Jordan is hosting approximately 500,000 refugees, and that number grows by 2,000-4,000 refugees a day. Jordan faces tremendous economic and humanitarian pressures in the face of regional challenges.

Stability and peace in the Middle East hinges on a strong strategic alliance between the United States and Jordan. Jordan plays an important role in the Middle East peace process, having signed the historic Jordan-Israel Peace Treaty in 1994, normalizing relations between Jordan and Israel and establishing a partnership toward peaceful relations. Jordan is a strong advocate for moving the peace process between the Israelis and Palestinians forward, often reiterating the need for negotiations and offering to serve as a mediator and host for peace talks.

Under the leadership of King Abdullah II, Jordan is the voice of moderation and progress in the Arab world, and recently implemented economic and political reforms. Now is the time to reaffirm the United States' commitment to and friendship with the people and Government of Jordan. Therefore, I am pleased to submit a resolution to recognize and highlight the long-term partnership and friendship between the United States and Jordan, working together towards peace and security in the Middle East.

REINTRODUCTION OF A RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES REGARDING THE CONTRIBUTIONS OF THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution expressing the sense of the House of Representatives regarding the contributions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

CITES was created in 1973 to ensure that international trade in wild plants and animals does not threaten their survival. Launched with a few signatory nations, CITES has now 178 parties that have an international obligation and responsibility to protect our planets' endangered animals and plants. Nearly 5,000 species of animals and 29,000 species of plants are protected by the Convention against over-exploitation through international trade. Adherence to these protective measures has benefited the conservation of animals and plants worldwide.

Unfortunately, more and more species are at risk of extinction and international trade, both legal and illegal, has exacerbated the dangers. International wildlife trade is estimated to be worth billions of dollars per year and to include hundreds of millions of live plants and animals and derived products such as food products, leather and fur, ornamentals, medicinal, and timber. Such high levels of exploitation of and trade in wild animals and plants, together with other factors such as habitat loss, are capable of bringing some species close to extinction.

Every two to three years, the parties of CITES meet at the Conference of the Parties to review the status of species in danger of extinction and establish trade restrictions. The 16th meeting of the Conference of the Parties was held in March 2013. Several proposals were submitted during the summit, some of them ensuring better protections for endangered species, others trying to downlist species and re-open trade. While proposals to up listing five valuable kinds of shark species were successfully adopted, proposals to establish stronger protections for the polar bear and other species were unfortunately rejected. I am saddened to see that economic interests have prevailed over species conservation, risking to bring species close to extinction. This is unacceptable.

My resolution will recognize the important contributions the Convention has made in regulating international trade in endangered species and protecting endangered species worldwide. It will also applaud the Convention's leadership in protecting the African elephants, five sharks and other endangered species. Lastly, the resolution will urge all parties to the Convention to collaborate effectively to curb excessive exploitation of species for international trade and to adopt stronger protections for several endangered species at the

17th meeting of the Conference of the Parties in South Africa in 2016.

Mr. Speaker, the United States has a moral obligation to protect endangered species and their natural habitat. Wild animals are a very important part of our commonly held natural resources and contribute to the diversity and stability of our environment. We must continue to maintain a balanced and healthy ecosystem that allows for the coexistence of both human beings and the world's most incredible species. It is essential to work with the international community to ensure the survival of these species. I believe that the stakes are too high to let national interests and differences hinder the future of our planet.

I urge my colleagues to join me in protecting wildlife and promoting environmental conservation across the globe by supporting this important resolution.

PERSONAL EXPLANATION

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. CARNEY. Mr. Speaker, on rollcall Nos. 147—"yes", 148—"yes", 149—"yes."

Had I been present, I would have voted "yes."

HONORING THE GILMAN BROTHERS COMPANY ON RECEIVING THE PRESIDENT'S "E" AWARD FOR ACHIEVING SIGNIFICANT EXPORT SUCCESSES

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to congratulate the Gilman family and the employees of the Gilman Brothers Company on receiving the President's "E" Award for achieving significant export successes.

The Gilman Brothers Company is based in Gilman, Connecticut and is one of North America's leading manufacturers of foamboard products for signage, display, and graphics. Since its founding in 1897, the company has since been instrumental in developing and introducing innovative products that fit the ever-changing needs of the visual industries. With over a century of rich history, the Gilman Brothers Company has been able to produce world-class and high quality products that are also environmentally friendly. Over the past few years, Gilman Brothers has won assistance from the U.S. Export Import Bank to expand their export sales abroad. I was pleased to tour their factory in 2010, and later that year Gilman Brothers joined me on a Connecticut Trade Mission to Israel. Through the contacts the company made in Israel, Gilman Brothers has been able to increase significantly their exports to Israel and other Middle Eastern countries.

The President's "E" Award was created by Executive Order of the President on Decem-

ber 5, 1961 to recognize persons, firms, or organizations which contribute significantly in the effort to increase United States exports. As a recipient of this prestigious award, the Gilman Brothers Company has proven to be one of the top export leaders in the country. Deputy Secretary of Commerce Rebecca Blank will present Gilman Brothers with the "E" Award on May 20, 2013.

The success of small and family-owned business like the Gilman Brothers Company in the international market demonstrates the dynamism of our nation's economy. Small businesses are key to our economic recovery and the successes of companies like the Gilman Brothers help move our economy forward. The Gilman family and their employees are true assets to our region and our state, and I ask my colleagues to join me in commending the Gilman Brothers Company on receiving this well-deserved award.

IN RECOGNITION OF DR. LARRY RIVERS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to Dr. Larry E. Rivers, the eighth president of The Fort Valley State University in Fort Valley, Georgia, who will be leaving after seven years as President of the school. He will be honored at a farewell reception on Saturday, May 18, 2013, at the C.W. Pettigrew Center on the FVSU campus.

Born in Sharon Hill, Pennsylvania, Dr. Rivers is an alumnus of Fort Valley State College (now University) with a Bachelor of Science degree in Social Science Education. He also earned a Master's in History from Villanova University, a Doctor of Arts degree in History and Curriculum Development from Carnegie-Mellon University, and a Doctor of Philosophy in History degree from Goldsmith's College of the University of London.

Before he was the President of The Fort Valley State University, Dr. Rivers taught history at Florida A&M University for more than twenty years, ultimately achieving the rank of "Distinguished University Professor," one of only two on campus. He also held a number of administrative appointments and was selected as Dean of the FAMU College of Arts and Sciences in 2002.

Mr. Speaker, Dr. Rivers has revolutionized The Fort Valley State University in many ways during his seven-year tenure as President. In the beginning, he certainly had his work cut out for him because the school faced budgetary issues, decreasing student enrollment, aging facilities and low staff morale. Today, a dramatic change can be seen throughout the school, particularly in increased enrollment numbers and several new completed construction projects.

Under Dr. Rivers' leadership, The FVSU has launched several projects including the construction of a \$16.8 million Academic, Science and Classroom Building; a \$9 million Wildcat Stadium; a \$6 million Student Amenities Building; a new seven-building residential complex,

a State Animal Facility for Emergencies (SAFE) Center, and several renovations to existing buildings.

Georgia Trend magazine has highlighted Dr. Rivers' strong leadership and The FVSU's rapid growth by naming Dr. Rivers among the "100 Most Influential Georgians" and The FVSU among the "Best Places to Work in Georgia" in 2008. The magazine also named Dr. Rivers as one of "Georgia's Top 25 Leaders" in September 2010. Ebony magazine has recognized Dr. Rivers as one of America's notable black leaders as well. In addition, Dr. Rivers' Slavery in Florida, Territorial Days to Emancipation, published in 2000, won three national awards. His subsequent publications have also received scholarly acclaim and honors.

One of the many things I admire most about Dr. Rivers is his unfailing dedication to The Fort Valley State University. After graduating from the school in 1973, he came back years later to take on the difficult challenge of turning the school around. And what a difference he has made! Enrollment for the 2012-2013 school year has almost doubled since he arrived in 2006. Previously, The FVSU was unranked by the U.S. News Media group, but the University made the list of "America's Best Black Colleges" four years in a row and was recognized by the 2013 U.S. News and World Report as the top public historically black college and university in Georgia.

The city of Fort Valley has also felt the earthquake of change emanating from The FVSU campus. City officials are preparing for the growth of the town of 8,600 residents and existing infrastructure is expanding to accommodate new residents and businesses in large part because of The FVSU.

Dr. Rivers has achieved many things in his life, but none of it would have been possible without the grace of God and his loving wife, the former Betty Hubbard, who has been an extraordinary engaging and dignified first lady to the University. Together, they reared two exceptional sons, Larry Omar and Linje Eugene, who like their parents, are achievers in their own right.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Dr. Larry E. Rivers for his seven outstanding years as President of The Fort Valley State University. His energizing leadership has helped to transform this school for the better to provide students with state-of-the-art classrooms and facilities, a fulfilling college experience, and a quality education, and the tools with which to attain successful and productive lives.

INTRODUCTION OF A RESOLUTION CALLING ON THE SYRIAN OPPOSITION COALITION TO OUTLINE PLAN FOR INCLUSION OF MINORITIES

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. MORAN. Mr. Speaker, the horror unleashed by the regime of Bashar al Assad in Syria has caused tremendous suffering, displacement and death. Tragically, this conflict

may endure for months to come. Assad has lost legitimacy with his own people and with the world, but he retains the military capacity to keep fighting. The fact that he retains chemical weapons and, as the Administration has averred, may have already used them on the battlefield, raises new concerns about the toll this conflict may yet take.

Mr. Speaker, we all are aware of the delicate mix of religious and cultural diversity that exists in Syria. That harmony persisted even when sectarian conflict—fomented in part by Bashar al Assad and his father Hafez before him—overwhelmed Syria's neighbors in Lebanon and Iraq. But in Syria, a delicate ethnic and religious balance held.

Now, however, it is becoming increasingly clear that Assad believes his best hope lies in shattering that harmony. He hopes that the atrocities committed by the shabiha, paramilitary gangs mostly drawn from Assad's own Alawite community, will implicate all of Syria's 2.3 million Alawites and bind their future to his.

This horrific strategy was recently employed on May 2 in the small, coastal village of Bayda. Assad's soldiers, accompanied by elements of shabiha, entered the mainly Sunni town and slaughtered scores of men, women and children.

By carrying out massacres like the one in Bayda, the regime hopes that Alawites, as well as other minorities seen as dependent on Assad's protection, will be inexorably tied to the regime. He hopes that his genocidal actions will lead to calls for revenge and, ultimately, to unbridled sectarian conflict. He will then claim to be the only power that can control the resulting chaos. This is the gamble of a desperate ruler, and we have to do what we can to frustrate his plan. In reality, those in Bashar al Assad's inner circle know he is steadily losing the support of Syria's people—including Alawites. We should encourage the opposition to accelerate that trend, and reach out to Syria's people with a vision of unity, peace and citizenship for all.

That is why I am introducing a resolution today calling on the Syrian Opposition Coalition to publicly outline a detailed vision of inclusion for all of Syria's people, including a guarantee that all Syrians—Alawites and others, will participate as equals in any new Syrian government. Such a statement, along with meaningful progress towards establishing institutions of transitional justice, will instill confidence among Syria's minorities, and help peel more Syrians away from the regime.

This revolution started as a peaceful and inclusive movement calling for an end to the undemocratic and corrupt system of government controlled by Assad. That is why many Alawites are already participating in the opposition. They can see a better future for Syria. We should encourage the opposition to make concrete that pluralistic, democratic vision.

INTRODUCTION OF A RESOLUTION SUPPORTING THE GOALS AND IDEALS OF NATIONAL ASIAN AND PACIFIC ISLANDER HIV/AIDS AWARENESS DAY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Ms. BORDALLO. Mr. Speaker, today I have reintroduced a resolution to honor the memory of 3,542 Asian Americans, Native Hawaiians, and Pacific Islanders we have lost to AIDS, and to recognize the 9,317 whom are still living with HIV/AIDS the United States. It supports the goals and ideals of National Asian and Pacific Islander HIV/AIDS Awareness Day, its observance, and, draws attention to the stigma and disparities that hinder proper treatment and prevention within these communities.

Asian Americans and Pacific Islanders comprise more than 40 different ethnic subgroups, speaking more than 100 languages and dialects. This resolution recognizes the importance of providing access to culturally- and linguistically- competent services, especially HIV testing. According to an analysis of data from the Centers for Disease Control and Prevention (CDC), Asian Americans and Pacific Islanders were the only racial/ethnic groups with a statistically significant increase in new HIV diagnoses. The CDC estimates that 37 percent of the HIV diagnoses among these communities progress to AIDS in less than 12 months. Additionally, the CDC estimates that 1 in 3 Asian Americans, Native Hawaiians, and Pacific Islanders living with HIV/AIDS are unaware they are infected.

Yet, with increasing rates of infection, they continue to have the lowest rates of access to HIV-testing services. Although there are a number of factors that contribute to increasing rates of infections, stigma and discrimination associated with an HIV/AIDS has proved to be a leading factor in low testing rates and increased risk-taking behaviors.

The observance of National Asian and Pacific Islander HIV/AIDS Awareness Day was established by the Banyan Tree Project, and began as a national campaign to raise awareness of the impact of the HIV/AIDS-related stigma and how it contributes to lower testing rates and greater risk-taking behaviors. Additionally, the work continues with the Asian and Pacific Islander American Health Forum who have worked nationally for more than 20 years, including in my home district of Guam, in helping to strengthen community-based organizations and programs responding to HIV/AIDS among Asian Americans, Native Hawaiians, and Pacific Islanders.

I look forward to working with my colleagues in addressing this need and advancing the larger cause of reducing HIV/AIDS-related stigmas and disparities in access to HIV prevention, testing and treatment. I would like to thank my colleagues, Congressman BERA, Congresswoman CHRISTENSEN, Congresswoman CHU, Congressman FALEOMAVEGA, Congressman GRIJALVA, Congressman HIMES, Congresswoman LEE, Congressman LOWENTHAL, Congresswoman MCCOLLUM,

Congressman SCOTT PETERS, Congressman PIERLUISI, Congressman RANGEL, Congressman SABLAN, Congressman ADAM SMITH, Congresswoman SPEIER, and Congressman TAKANO, for their support as original co-sponsors of this resolution.

TRIBUTE TO HOWARD BROOKS

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. RUNYAN. Mr. Speaker, I rise to pay tribute to a true American hero, Mr. Howard Brooks. Mr. Brooks is a constituent of New Jersey's Third Congressional District, and I thank him for his courageous and dedicated service to our nation.

Howard Brooks, born and raised in Eastern Tennessee, joined the Navy on September 3, 1939, the very same day Hitler invaded Poland. Mr. Brooks was serving as a 3rd class electrician's mate on the heavy cruiser USS *Houston* when it was sunk by a Japanese battle fleet in the Battle of Sunda Strait.

After receiving orders to abandon ship, he spent three days in the water before his life raft washed ashore, where he and fellow survivors were captured by the Japanese. Mr. Brooks spent 3½ years as a prisoner of war, and was among those forced to build the Burma Railway. Of the 1,068 crewmen, he was among just 291 sailors who survived the sinking of the USS *Houston* and the years of brutal captivity that followed.

After the war ended and Mr. Brooks returned home, he graduated from the University of Rhode Island in 1952. He retired from his career as an electrical engineer in 1981. He has been married for over forty years, and has two sons. Just last year, on the 70th anniversary of the sinking of the USS *Houston*, Mr. Brooks attended a memorial service in Sam Houston Park, Houston, Texas.

At 93 years old, Mr. Howard Brooks continues to serve our nation by sharing his life's story, and ensuring that this time in our country's history is never forgotten. His valiant and courageous service to our country deserves our nation's deepest gratitude.

It is my honor to represent Mr. Howard Brooks in the House of Representatives. It is an even greater honor to have this opportunity to publicly thank him for his dedicated and courageous service to our nation.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. COLE. Mr. Speaker, I was unavoidably detained and missed rollcall No. 152 and No. 153. Had I been present, I would have voted "aye" on rollcall No. 152 and "nay" on rollcall No. 153.

PLEBISCITES ON THE STATEHOOD
QUESTION FOR PUERTO RICO

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, I have had the privilege to visit Puerto Rico three times over the years and have enjoyed many visits and meetings with citizens and officials of Puerto Rico when they have come to Washington. I believe that Puerto Rico is a beautiful island, but more importantly it has many wonderful people.

I have been involved in the issue of statehood for Puerto Rico for many years. While I love Puerto Rico and its people, I do not believe any place should become another state unless an overwhelming majority of its citizens support statehood. This is certainly not the case in Puerto Rico at this time. In fact, support for statehood in Puerto Rico has consistently remained at around less than half the population.

I appreciate very much the contributions of Puerto Rico and its citizens to our Country, and I especially admire and respect the service of many Puerto Ricans in the U.S. military.

I hope that the U.S. and Puerto Rico continue to have the closest possible ties. When the economy of Puerto Rico is strong, trade with the U.S. increases creating jobs in both places. What is good for the U.S. is generally also good for Puerto Rico, and vice versa.

I am always willing to consider and occasionally even support the right of the citizens of Puerto Rico to have referenda or plebiscites on the statehood question. It would be foolish and too expensive to have such a vote every year, but certainly I would not object to having such a vote once every few years.

However, my main goal would be to make sure that such a plebiscite be conducted in the fairest way possible. I, and many, many others, felt that the most recent plebiscite was skewed in a way to tilt the election toward statehood.

Now, I am told both the House of Representatives and Senate of Puerto Rico have passed a resolution stating that the plebiscite held on November 6, 2012 portrayed a false majority in favor of statehood and prevented an accurate vote on the option of commonwealth status.

I want to make absolutely sure that any future plebiscite on the question of statehood be conducted in the fairest way possible and certainly not in a way biased toward any particular outcome.

I want to help do everything possible so that everyone can work together to help foster economic growth for those of us in the 50 states, as well as for our friends, the citizens of Puerto Rico.

THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF PUERTO RICO
COMMONWEALTH OF PUERTO RICO

THE CAPITOL

WE, EDUARDO BHATIA-GAUTIER, PRESIDENT OF THE SENATE, AND JAIME R. PERELLÓ-BORRÁS, SPEAKER OF THE HOUSE OF REPRESENTATIVES,

CERTIFY

That the Senate of Puerto Rico and the House of Representatives of Puerto Rico ap-

proved in final vote Senate Concurrent Resolution No. 24, introduced by Messrs. Nadal-Power and Rosa-Rodríguez and Co-sponsors Messrs. Fas-Alzamora, Tirado-Rivera, Bhatia-Gautier, Dalmau-Santiago, Torres-Torres; Mmes. López-León, González-López; Messrs. Nieves-Pérez, Pereira-Castillo, Rivera-Filomeno, Rodríguez-González, Rodríguez-Otero, Rodríguez-Valle, Ruiz-Nieves, Suárez-Cáceres, and Vargas-Morales and that the same reads as follows:

CONCURRENT RESOLUTION

To inform the President and the Congress of the United States on the results of the plebiscite held on November 6, 2012, and support the request of the President of the United States of America for Congress to appropriate \$2.5 million for the State Elections Commission of Puerto Rico for a congressionally-sponsored plebiscite after conducting the appropriate voter education campaign, which incorporates all options, including the enhanced Commonwealth, based on the principles of fairness and equality; to authorize the disbursement of funds; and for other purposes.

STATEMENT OF MOTIVES

On November 6, 2012 a plebiscite was held in Puerto Rico along with the general elections. The results of such plebiscite were inconclusive because none of the options on Puerto Rico's political status received a majority of the votes. Said plebiscite consisted of two separate questions, formulated by the preceding pro-statehood government administration, which favored statehood for Puerto Rico, in order to portray a false majority in favor of statehood and prevent such formula from competing against the Commonwealth option, which had been favored by the people of Puerto Rico in all previously-held plebiscites.

The results were the following: to the first question which asked voters whether or not Puerto Rico should maintain its current form of political status, nine hundred seventy thousand nine hundred ten (970,910), that is, fifty-one point seven percent (51.7%) of the people voted "NO"; whereas eight hundred twenty-eight thousand seventy-seven (828,077), that is, forty-four point one percent (44.1%) of the people voted "YES." However, a total of sixty-seven thousand two hundred sixty-seven (67,267) voters cast a blank ballot, which accounted for three point six percent (3.6%) of voters.

The second question asked voters to choose from options that excluded the current political status. Statehood received eight hundred thirty-four thousand one hundred ninety-one (834,191), or forty-four point four percent (44.4%) of the votes cast; Sovereign Free Associated State received four hundred fifty-four thousand seven hundred sixty-eight (454,768), or twenty-four point three percent (24.3%) of the votes cast; and Independence received seventy four thousand eight hundred ninety-five (74,895), or four percent (4) of the votes cast. However, this second question received a total of four hundred ninety-eight thousand six hundred four (498,604) blank votes, which accounted for twenty-six point five percent (26.5%) of the votes cast. These results should not surprise us, since the preceding Legislative Assembly approved the plebiscite disregarding the procedural and substantive consensus required to legitimize any plebiscite held.

The Party that supported the Commonwealth option, which was the political opposition at the time, objected this process arguing that it was contrary to the provisions of H.R. 2499, as amended and approved by the

United States House of Representatives, which included the Commonwealth among the options in the second question. Moreover, it stated that the process had also been criticized by the White House because it was designed with the intent to conceal the true expression of the people of Puerto Rico.

Commonwealth supporters employed two methods to express their opposition to the plebiscite as designed. On the one hand, the Governing Board of the Party supporting the Commonwealth option adopted a resolution asking voters to protest the process by casting a blank ballot. On the other hand, a significant number of pro-Commonwealth leaders openly conducted campaigns in favor of the Sovereign Free Associated State option.

There is no doubt that the voters who wish to express their dissatisfaction with the proposals or the candidates in a ballot, traditionally do so by spoiling their ballots, casting a blank ballot, or voting for a fictional character.

If the United States Congress wants to know the amount of Puerto Rican voters against statehood for Puerto Rico, the blank ballots should be taken into account because such votes clearly express the intent of voters not favoring that option. Thus, it should be understood that votes cast in favor of statehood did not exceed forty-four point four percent (44.4%), which shows a two percent (2%) decrease in the historical peak such option achieved in 1998. In other words, fifty-five point six percent (55.6%) of Puerto Rican voters rejected Statehood in the 2012 plebiscite.

In 1998, the pro-statehood party had also designed a unilateral and exclusionary plebiscite; nonetheless, voters had the option to vote for "None of the Above." The "None of the Above" option received fifty point three percent (50.3%) of the votes cast, followed by Statehood and Independence, which received forty-six point five percent (46.5%) and two point five percent (2.5%) of the votes cast, respectively. The results of the 1998 plebiscite were consistent with those of the 1993 plebiscite, in which the Commonwealth option received forty-eight point six percent (48.6%) of the votes cast, whereas Statehood and Independence received forty-six point three percent (46.3%) and four point four percent (4.4%) of the votes cast, respectively. The only other event of this kind held since the establishment of the Commonwealth of Puerto Rico in 1952, took place in 1967. In the 1967 plebiscite, the Commonwealth received sixty point three percent (60.3%) of the votes cast, while Statehood received thirty-nine percent (39%).

Unfortunately, the preceding government administration in Puerto Rico whose term ended in December 2012, failed to sponsor a process that included the recommendations of the Task Force on Puerto Rico's Status appointed by President Barack Obama. Such Task Force proposed—on the Report released in March 2011—various methods to ask Puerto Ricans about their political status in a manner that is fair for the supporters of all options. Furthermore, the preceding government administration missed the opportunity to address the issue of Puerto Rico's political status in an inclusive and responsible manner.

On April 10, 2013, President Barack Obama included in the budget proposal for the Fiscal Year 2014, an appropriation of \$2.5 million to the State Elections Commission in order to conduct a voter education campaign and a plebiscite which would include all constitutionally viable status options. This action taken by the President of the United States

demonstrates that the plebiscite designed by the preceding government administration lacks all legitimacy or credibility before the government of the United States of America.

In light of the history of the imposed and exclusionary plebiscites held in Puerto Rico, that only attest to our people's division with regard to this issue, it is necessary to inform the President and the Congress of the United States about the true results of the plebiscite held on November 6, 2012.

BE IT RESOLVED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.—To inform the President and the Congress of the United States on the results of the plebiscite held on November 6, 2012, and support the request of the President of the United States of America for Congress to appropriate \$2.5 million for the State Elections Commission of Puerto Rico for a congressionally-sponsored plebiscite after conducting the appropriate voter education campaign, which incorporates all options, including the enhanced Commonwealth, based on the principles of fairness and equality; to authorize the disbursement of funds; and for other purposes.

Section 2.—The results of the 2012 plebiscite were the following: in the first question, which asked voters whether or not Puerto Rico should continue to have its current form of political status, the "NO" option received fifty-three point nine percent (53.9%) of the votes cast, whereas the "YES" option received forty-six percent (46%). The results of the second question, which asked voters to choose from the options that did not included the current status, were the following: the statehood option received forty-four point four percent (44.4%) of the votes cast (834,191); the "sovereign free associated state" received twenty-four point three percent (24.3%) of the votes cast (454,768); the independence option received four percent (4%) of the votes cast (74,895), and blank ballots accounted for twenty-six point five percent (26.5%) of the votes cast (498,604).

Section 3.—The foregoing shows that the representations made before the United States Congress stating that the statehood option was favored by the majority of Puerto Ricans, does not accurately reflect the results of the plebiscite on Puerto Rico's status held on November 6, 2012.

Section 4.—A copy of this Concurrent Resolution shall be delivered to the President, the Vice President, and the Secretary of State of the United States, to all the Members of the 113th United States Congress, as well as to all pertinent government and non-governmental organizations, human rights organizations, and the local, national, and international media, among others.

Section 5.—A certified copy of this Concurrent Resolution shall be translated into English and delivered by the Secretary of the Senate and the Clerk of the House of Representatives of Puerto Rico to the members of the United States Congress.

Section 6.—This Concurrent Resolution shall take effect immediately after its approval.

In witness whereof we hereunto sign and affix the Seal of the Senate and the House of Representatives of Puerto Rico. Issued this Tuesday, 14th of May of 2013, at our offices at the Capitol Building, San Juan, Puerto Rico.

THE DEEPEST OF THE DEEP IN HONOR OF AN AMERICAN HERO SSG TRAVIS MILLS BRAVO TROOP 4/73 CAVALRY 82ND AIRBORNE THE UNITED STATES ARMY

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. WALBERG. Mr. Speaker, I rise today in honor to recognize SSG Travis Mills of Bravo Troop 4/73 Cavalry 82nd Airborne, of The United States Army. An American hero if ever there was one. On April 10, 2012, while out on patrol with his troops in Mialand Province Afghanistan he almost lost his life during an IED explosion. Travis is the fourth Wounded Warrior to lose all of his limbs. He is known for leading his men in combat, where they go he goes! And since arriving at Walter Reed Hospital, he has inspired all of his fellow wounded warriors, spending many hours up on the ward and throughout the complex leading them to recovery. His can do attitude and great sense of humor makes you proud to be an American. Any parent would be proud to call him his or her son. Also his wonderful wife Kelsey, who adds new meaning to that song "Stand by your man". And their beautiful child Chloe, have given Travis so much to live for! I submit this poem penned in his honor by Albert Carey Caswell.

THE DEEPEST OF THE DEEP

The . . .
The Deepest . . .
The Deepest of The Deep!
And on that morning Travis when you awoke . . .
Oh what to you, your fine heart so spoke . . .
While, lying there without much hope!
As when you so realized,
that this was not a bad dream . . .
and somehow you must so find a way to so cope!
As the tears rolled down upon your most courageous face,
as the Angels up in Heaven so too cried and prayed . . .
and to you so spoke!
As somehow all in that darkness of most evil war,
Travis you so found the hope!
All with but your most amazing grace,
to somehow to someday so cope!
And to so accept God's Will,
as the tears ran down your most brilliant face!
As it was your faith Travis,
that which you so invoked!
As you so came to such a place!
Where only,
but The Deepest of The Deep can so face!
And for all of them BRAVO,
one day heaven so awaits!
That which,
so helped you to wipe all of those tears away . . .
as you so began your most heroic climb on that day!
All in what your fine heart and soul,
so had to say!
All in what Travis,
you so gave!
The Deepest of The Deep!
To so fight on,

but to so live another day!
As all around you we'd so weep!
As we so looked upon your most courageous face,
and into your most beautiful of all eyes so very deep!
As there we so saw something,
something so very precious and oh so very sweet!
Something,
that to this day wise men still so seek!
Was but,
The Deepest!
Was But The Deepest of The Deep!
All in what so comes from within ones heart,
that which so heroically so beats!
And all within ones soul,
so very deep!
Is but The Deepest of The Deep!
As it was there Travis,
that you so chose to live or die!
As it was there Travis,
all in that hospital bed as you so lie . . .
As your fine wife so began to cry!
As your family so asked why?
As when,
your soul so took flight!
As you were Airborne,
2nd to none!
To so lift us all up,
and cast your most heroic light!
As once before Travis,
you so stood so tall before us almost like a God!
As now without arms and legs,
an even greater person we now saw!
As we so began to cry!
Get up or give in,
for only this you could so decide!
As Travis you so dug in deep!
To so become one of,
The Deepest of The Deep!
As somehow Travis you so kept hope alive!
All on your most heroic path,
as you so began your climb!
As soon,
we all so realized . . .
that you were now more than a man!
As this battle you would so win!
Uncommon Courage,
something so very brilliant that can only come from so deep within!
Is but The Deepest of The Deep My Friends!
As Travis you so chose life,
as all around us you'd so cast your light!
As all for Chloe your most beautiful little child,
and Kelsey your most devoted loving wife . . .
As you would take that hill!
As you would so win that fight!
For you Travis,
you are Pure!
Pure Michigan,
for that's so for sure!
As day by day . . .
And night by night!
Upon, this world you would so cast your light!
As the mountains you would so climb!
For we all have valleys,
into which we may fall!
But, all in that moment of truth . . .
will we so be the ones so standing tall?
To somehow rise up above it all!
And come out of all of that darkness,
to become a true champion and so answer courage's call!
When against all odd's,
upon our hearts it all so depends!
As you Travis so remind us all,
of that one fine thing!
Of what The Deepest of The Deep Can So Bring!

But, what so lies all in our such hearts of
courage full!
Would we so be the ones to so find such
strength,
all in such darkness to so stand tall?
All in these our darkest of days of nights,
to so bring such tears to the Angels eyes!
Bravo!
As Travis,
your fine heart went Airborne!
As up in Heaven your valor,
so too made our Lord cry!
As you so taught us all,
that anything is possible when hearts decide!
Yea Travis,
you are Pure!
Pure Michigan,
and that's for sure!
As a leader of men,
who so gallantly marched off to war!
And came back home,
and yet to us all gave so much more!
Whose heart and soul, and body and
mind . . .
are but now all of folklore!
As Travis,
your courage makes us all so weep!
As we will follow,
as you lead!
As into the future,
as up with you we will all so try to keep!
For you are pure Michigan,
For you are Travis,
are but The Deepest of The Deep!
And so is your fine wife Kelsey,
so very sweet!
For Travis,
men like you up in Heaven our Lord shall
keep!
And . . .
And On . . .
That Morning When You Woke!
As to you your fine heart so spoke!
As The Deep . . .
The Deepest of The Deep!

By Albert Carey Caswell.

IN APPRECIATION OF STAFF
MEMBER WARREN TRYON

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. BACHUS. Mr. Speaker, in Congress, there are some legislative staff professionals who are known for their policy expertise. Others are recognized for their ability to build political alliances and move legislation. Still others are noted for their ability to manage a staff and develop relationships. It is rare to find all of those qualities in a single staff member, but I have been most fortunate to have one in Warren Tryon.

As Warren prepares to leave Capitol Hill after 20 years of public service, I am pleased to have this opportunity to publicly express my gratitude for his advice, loyalty, and friendship. Warren has a keen insight into the inner workings of the House, the movement of legislation, and the way Members think and achieve their goals. The privilege that I was given to serve as Chairman of the House Financial Services Committee would not have happened without the contributions that Warren made to my talented staff team.

Warren joined me in 2000 and his loyal service has spanned some of the most mo-

mentous events in our nation's financial sector since the 1930s: 9/11, the accounting scandals at Enron and other major companies, and the financial crisis of 2008 and subsequent legislative response. He performed with distinction as my Deputy Chief of Staff on the Financial Services Committee. Warren's ability to learn about an issue, seek out all opinions, and provide me with his honest opinion served this Congress and our nation well during these stressful times.

Warren can take pride in his role in helping to pass hallmark legislation including federal deposit insurance reform, the Fair and Accurate Credit Transactions Act, the money laundering provisions in the PATRIOT Act, Check 21, and the JOBS Act.

Warren's personal story is both fascinating and uniquely American. The son of a U.S. diplomat, Warren spent a portion of his early childhood in Thailand. Raised in a family of Democrats, like many young people in the early 1980s he was inspired by the leadership and conservatism of President Ronald Reagan. His journey took him from being a Republican student leader at the University of Vermont to presidential campaign work and then legislative staff work for Senator Slade Gordon, Representative Linda Smith, and Representative Rick Hill.

But a listing of resume accomplishments, impressive as they are, cannot begin to capture Warren's pure inimitability. With a distinctive laugh that ought to be trademarked and the seeming ability to be in three places at the same time, Warren has sometimes been referred to—only partly in jest—as the “mayor” of Capitol Hill. There are Members of Congress, myself included who would like to have his name recognition. What this speaks to, in a serious vein, is his ability to form personal friendships across any line, his reputation for always being willing to provide help and offer advice, and the fact that he is just a fun person to be around.

As Warren prepares for a new chapter in his career, I know that his delightful wife Emily and his entire family are justifiably proud of his achievements. The great admiration that he has earned from so many in the Capitol Hill community is a reminder that, whatever, the policy and political divisions, Congress is still a place where personal relationships matter. When you treat others with respect, civility, and friendship, it comes back your way many times over.

IT'S TIME FOR RECONCILIATION IN
SRI LANKA

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. CHABOT. Mr. Speaker, May 18th marks the 4th anniversary of the end of a brutal 26 year civil war in Sri Lanka—a war which claimed tens of thousands of lives and cost the Sri Lankan economy billions of dollars.

Four years later, many in Sri Lanka still suffer from the lingering effects of that war. Many have not been able to return to their homes. Land mines are still being cleared, and minor-

ity Tamils have yet to be fully integrated into local affairs.

It is my hope, and the hope of most Sri Lankans, I believe, that political reconciliation can finally come to Sri Lanka and that the battle-scarred nation can enter a new era where former combatants live in harmony. But that reconciliation can only come if a legitimate mechanism for reconciliation and accountability is established. True reconciliation, Mr. Speaker, will come not from government edict but from the establishment of an equal justice system with full respect for the rule of law.

OLD TOWN SPRING

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. POE of Texas. Mr. Speaker, driving around Houston, there's an endless amount of things that you can do. You can take in an Astros game, visit some of the best museums in the world, or if you're feeling a bit adventurous, kayak Buffalo Bayou. But, if sometimes you just need to get away from the big city life, Old Town Spring is an excellent option.

At one time, Old Town Spring played a vital role in Texas. It was first settled by the Orcoquisac Indians, who depended on the abundant resources they found there. Then, Spanish and French traders arrived. They too recognized the importance of the region and established trading posts that worked closely with the natives.

In 1836, Texas won its independence from Mexico. With this independence came droves of new colonists seeking to make a living in the wide open spaces of Texas. This influx of colonists led to the city of Houston being founded in 1836, just months after independence. Ten years later, the great Republic of Texas became the 28th State of these United States.

The entrance of Texas into the Union brought even more people to the City of Houston and the surrounding regions, such as Spring. This flood of people only increased in the 1870's when railroad tracks were laid, connecting Houston to the rest of the United States. It was at this time that Spring, Texas got its name. Railroad workers building the line to Houston arrived in the area at the end of an extremely harsh winter. In their excitement at the end of winter, they dubbed their new home Camp Spring. Luckily for us, the “camp” part was dropped in 1873 when an official settlement for railroad workers was established by the I.&G.N. Railroad. A bustling railroad town was born.

For the next 50 years, Spring continued to grow. In 1901, it became a crossroads for two railways. As a major railroad switchyard, Spring began to attract businesses of all sorts. Unfortunately, this attraction soon faded when the town was dealt a series of devastating blows. In 1923 the railroad moved its headquarters from Spring to Houston. This move forced local businesses to move or close their doors. Those that stayed were soon put out of business by the Great Depression.

After years of quiet, businesses slowly started coming back to the town in the 1960's with

the oil boom in Houston. Through growth and investment the area began to resemble itself once again. Since 1980, one section of Spring, Old Town Spring, has been very popular. It is continually voted as one of the top attractions in Texas every year. Through its Victorian style buildings and turn of the century feel, Old Town Spring harkens back to the days when the railroad dominated the landscape of the west.

Today, Old Town Spring features hundreds of mom and pop shops and restaurants, which provide great places to shop for antiques or simply to bathe in the nostalgia of times past. These small businesses exude a sense of family and tradition that wouldn't be possible without them. Thus, Old Town Spring stands not only as a vibrant reminder of the storied past of the area, but also as an impressive example of how family owned small businesses must be kept alive. Without them, exciting events like the Texas Crawfish and Music Festival, held annually in Old Town Spring, wouldn't be possible. Ultimately, if we want to preserve treasured pieces of Texas history, like Old Town Spring, we must fight to keep small businesses alive.

And that's just the way it is.

HONORING ART IN THE SQUARE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. MARCHANT. Mr. Speaker, I am proud to recognize the Art in the Square festival in Southlake, Texas, for its remarkable influence and impact on North Texas.

The Art in the Square festival was founded by the non-profit Southlake Women's Club in 2000. Each year, the club hosts the spring festival at the Southlake Town Square where it is annually attended by tens of thousands of visitors and over 140 artists. The art festival has grown considerably over the years, and recently it was ranked as the 8th best arts festival in the United States by Arts Fair Sourcebook.

The primary objective of Art in the Square is to provide local artists with an environment in which to share their work with the North Texas community. However, the underlying objective is to support young aspiring artists and charitable organizations serving women and families in North Texas. Over a period of 13 years, Art in the Square has astonishingly generated over \$1,700,000 to assist people in need.

Art in the Square is an amazing accomplishment that benefits the North Texas community in numerous ways. Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing Art in the Square for its ongoing accomplishment of providing our community and country such a wonderful arts festival.

NEW DIRECTIONS AND ITS PROGRAM LIFE LINE

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. RICE of South Carolina. Mr. Speaker, before coming to Washington, I was involved in many organizations working to better the community, including being president of the Myrtle Beach Haven Homeless Shelter. For this reason, the organization New Directions, which gives aid to the homeless in the city of Myrtle Beach, SC, is close to my heart. New Directions provides services to sustain the homeless person and give him or her means to become self-reliant.

Life Line is a new program being implemented by New Directions. Life Line's emergency shelter accommodates women and children that have experienced domestic violence. The shelter aids in helping its residents create a new life and get back on their feet. It opened April 12, 2013 and has helped twenty-six women and children thus far.

I am fully supportive of New Directions and its program Life Line. Mr. Speaker, I deeply appreciate the work that they do to protect and help the homeless and victims of domestic violence.

THE OCCASION OF THE DETROIT HISTORICAL SOCIETY'S GRAND REOPENING OF THE DOSSIN GREAT LAKES MUSEUM

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to congratulate the Detroit Historical Society as its members gather to celebrate the grand re-opening of the Dossin Great Lakes Museum on Belle Isle in Detroit, Michigan.

Founded ninety-two years ago, the Detroit Historical Society was formed with the mission of ensuring that the Detroit region's unique history and contributions to our nation are preserved for future generations. In 1928, the Historical Society founded the Detroit Historical Museum and has been the driving force behind the fundraising and volunteer recruitment efforts that have been essential to its continuing operations. Just recently, in 2006, the Historical Society reclaimed responsibility for the day-to-day operations of the Museum and its collections, which contain more than 250,000 artifacts. These artifacts not only showcase important pieces of Americana, but also remind us of Detroit's roles as a crucial center for American industrial innovation, a linchpin in the Arsenal of Democracy and a birthplace of uniquely American music, like Motown.

In 2009, the Detroit Historical Society launched its Past>Forward Campaign, which has raised the resources necessary to expand the exhibits and educational offerings provided by the Detroit Historical Museum. This campaign is also the key source of support for the

renovation of the Dossin Great Lakes Museum, which showcases the story of the Great Lakes and how they have impacted the development of Greater Detroit.

Founded in 1949, the Dossin Great Lakes Museum provides visitors with an array of exhibits that highlight Michigan's rich maritime history, going back more than three hundred years. Among its permanent exhibits, the Dossin Museum allows visitors a chance to see the anchor of the legendary *S.S. Edmund Fitzgerald*. When the Dossin Museum re-opens this month, thanks to the hard work of the Detroit Historical Society and its Past>Forward Campaign, it will include a new permanent exhibit titled *Built by the River*. *Built by the River* tells the story of the Detroit River and how this incredible natural resource has shaped the City of Detroit and the Southeast Michigan region, serving as the epicenter of a commercial and manufacturing revolution in the United States.

Mr. Speaker, as a fifth-generation Michigander, I am proud of the work the Detroit Historical Society is doing to preserve and educate residents and visitors on the important role Detroit has played in our nation's history. I congratulate its members on the grand re-opening of the Dossin Great Lakes Museum and look forward to our continued work together in the endeavor to revitalize Southeast Michigan.

CONGRATULATIONS TO THE GRANT HIGH SCHOOL CONSTITUTION TEAM, WINNERS OF THE NATIONAL "WE THE PEOPLE" COMPETITION THIS YEAR

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. BLUMENAUER. Mr. Speaker, I want to congratulate the Grant High School Constitution Team from Portland, Oregon, winners of the national "We the People" Competition this year. Last month, 1400 students from high schools across 45 states and the District of Columbia came to our nation's capital to be tested on their knowledge of the Constitution, American legal history, and the role of the citizen in participatory government.

Since the Constitution's Bicentennial, the "We the People" Competition has emphasized the importance of civic education and involvement, and has pushed students to develop a deep knowledge of our government and a passion for our nation's principles. I continue to be greatly impressed by the students with whom I have had the good fortune to meet and watch in competition. They possess a nuanced understanding of the Constitution and a conviction in the strength of our representative government that is rare, even here in Congress.

Sadly, Congress has cut all funding for this national program, and continues to greatly underfund public education across the board. As a result of sequestration cuts, Oregon alone will lose \$10.2 million in funding for primary and secondary education. The "We the People" Competition is exactly the type of program this Congress should be supporting—an

investment that educates and grows our next generation of leaders and engaged citizens.

I applaud the students from Grant High School, the largest public high school in Portland, who overcame perennial budget cuts and teacher shortages to achieve a remarkable feat in winning this prestigious competition. They should serve as an inspiration to all of us and a reminder of the importance of civic education.

This year's winning team, led by teacher David Lickey, was made up of the following students: Leah Alpern, Ella Ben-Zaken, Allen Chan, Annelies Cowan, Jane Crabtree, Claire Eldredge-Burns, Nina Greene, Nate Grein, Morgan Grover, Ada Harris, Madeleine Kaczmarowski, Parkes Kedrick, James Knudsen, Kathleen Kohl, Miriam Kohn, Mac Larsen, Anna Learn, Lauren Meininger, Anayeli Nieves-Alvez, Emily Olsen, Adam Penrose, Ricky Rojas-Echenique, Austin Shaff, Mariah Shriner, Gaelen Snell, Halley Steiner, Jake Stein-Ross, Jacob Sutter, Simon Swifter, Daniel Thatcher, Dylan Tingley, Emily Turner, Grace Williams, and Kendall Wynde.

I would also like to recognize We the People Oregon State Coordinators Marilyn Cover and Barbara Rost, who for many years have been responsible for implementing this outstanding academic program through the Classroom Law Project in Portland, Oregon.

HONORING RICHARD COPELAND

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. ELLISON. Mr. Speaker, I rise today to congratulate Richard Copeland on being named the Minnesota Entrepreneurial Success of the Year by the U.S. Small Business Administration. Mr. Copeland is the CEO of THOR Construction, a major force in the construction industry that is doing business across the United States and around the world.

The success of THOR Construction has resulted from the vision, innovation and hard work of Mr. Copeland, who started Thor Construction in 1980. It has grown from a one man firm to become one of the largest, most successful minority owned construction businesses, employing hundreds of people in seven offices across the country. THOR Construction is a known and trusted commodity in the construction industry, specializing in construction management, general contracting, design-build, consulting, and concrete.

Mr. Copeland's efforts have been well recognized. He received a lifetime achievement award from the National Minority Contractors Association in 2005, and was inducted into the Metropolitan Economic Development Association's Entrepreneurial Hall of Fame in 2006. Mr. Copeland's leadership, business acumen, and ability to bring top talent to Thor Construction have made the company one of the largest African-American owned business in the nation.

In addition to his company's success, Mr. Copeland has been a selfless contributor to our community through his philanthropic work and personal mentoring of entrepreneurs of

color. He has directed Thor Construction to invest in underutilized communities and has employed minority-owned and women-owned subcontractors on projects, aiding in the expansion of their businesses. In addition, he has been a staunch promoter of women and minority-owned entrepreneurs by providing mentoring and contractual opportunities and has participated in a host of civic events promoting diversity.

I commend Mr. Copeland on his award and for his contributions as both an employer and an exemplary member of the community.

IN RECOGNITION OF JANE E. OPPENHEIM FOR DEDICATED AND SELFLESS SERVICE TO THE COMMUNITY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Jane E. Oppenheim, who will be honored Sunday, May 19, 2013 by the B'nai B'rith Amos Lodge No. 136 Scranton, Pennsylvania in recognition of her charitable efforts, community activism and advocacy for education.

Through her service over the years, Jane has merited numerous awards and honors, three of which include The Martha Wollerton Award for the Greatest Contribution to the Overall Welfare of the Community, the National Philanthropy Day Lifetime Achievement Award, and EOTC's Mighty Oak Award. Jane was also the recipient of the Roseanne Alperin Award from the Junior League of Scranton and the Scranton Area Foundation.

Jane has long been a champion of education. Chairing the University of Scranton's President's Board of Regents, Jane attained an honorary doctoral degree and the University's Frank O'Hara award. As a member of the Board of Trustees of Keystone College, Jane's role was instrumental in establishing the Oppenheim Family Children's Center. The Center provides high quality pre-kindergarten education and serves as a great resource for Keystone's early education programs. She is also a member of the steering committee for The Gathering, Keystone's nationally acclaimed literacy conference.

Over the years, Jane has additionally been involved with and extended her support to numerous community organizations including the NEPA Philharmonic, Family Service of Lackawanna County, Community Medical Center and the Scranton/Lackawanna Human Development Agency. She is a member of Scranton Area Foundation Board of Governors and has served the United Way of Lackawanna and Wayne Counties in various capacities for many years.

Jane is also an honorary Life Board Member of Voluntary Action Center, A Sustaining Member of Junior League of Scranton and a recipient of the League Award for Volunteer Service and Leadership. She serves on the Everhart Museum Board and on the City of Scranton's Human Relations Commission. Jane was among the first Scranton Council of

Literary Advancement Volunteers for Literacy and the catalyst for SCOLA's community giving initiatives. In 2009, Jane was named the Association of Fundraising Professional's Outstanding Philanthropist.

An alumna of Hunter College, Jane continued her education at Columbia University, where she earned her master's degree in English. Jane is a trustee of the Hunter College Foundation and board member of Hunter Alumni Association. She received a prestigious Hunter College Alumni Award for Community Service and was named to Hunter's "Hall of Fame" for outstanding community service.

Jane's selflessness has served as a guiding light for many to follow. I am sure that her actions have inspired others to devote themselves to the task of helping others, and I thank her for all the good she has done for the greater Scranton area and the people of north-eastern Pennsylvania.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,734,808,644,648.07. We've added \$6,107,931,595,734.99 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN HONOR OF MARIANNE M. JONES ON HER SERVICE AS EXECUTIVE DIRECTOR OF THE NEW HAMPSHIRE WOMEN'S FUND SINCE 2003

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Ms. KUSTER. Mr. Speaker, I rise today in recognition of the tenth anniversary of Marianne M. Jones' tenure as the Executive Director of the Women's Fund of New Hampshire. Ms. Jones and the Women's Fund have long been synonymous, and it is with great pride and respect that I join others in honoring the person and the organization she has led.

Marianne Jones joined the Women's Fund with extensive leadership experience in philanthropy and nonprofit management. She has brought her grant making, fundraising, and long-range, strategic planning expertise to the organization, enabling it to establish such innovative strategies as Giving Circles, Venture Philanthropy, and sophisticated media relations.

The Women's Fund was founded in 1999, inspired by a desire among 42 generous women and men to transform philanthropy from charitable giving to strategic investing in New Hampshire's women and girls. The Women's Fund originated in a passion to address

the serious challenges facing women and girls in New Hampshire: a lack of child care and elder care, homelessness, domestic and sexual abuse, low wages, lack of access to comprehensive healthcare, and little job training opportunities. Over the last 15 years, the Women’s Fund has grown to award over a million dollars to more than 250 non-profit programs throughout the state.

The Women’s Fund creatively brings together change-makers and grant-makers to support solutions to these societal challenges. As a public foundation focusing all of its resources on New Hampshire’s women and girls, the Women’s Fund impacts over 25,000 residents of New Hampshire each year.

One of its particularly inspiring commitments is to assist “justice-involved women”, those women who encounter the criminal justice system, whether in half-way houses, county jails or the state prison. To assist these women in taking steps towards fulfilling, productive lives, the Women’s Fund recently published a comprehensive resource brochure that contains community information on a host of topics. The guide contains statewide contact and other information on services such as child care, clothing and food, crisis centers, recovery, housing, health care, transportation and others. While originally conceived as a resource guide for women upon their release from incarceration, the brochure is useful to a number of female populations, such as single mothers, women in the process of divorce, unemployed women, among others. Therefore, the Women’s Fund entitled it: Community Re-

source Guide: Services for New Hampshire Women in Transition.

Marianne Jones has been a tireless leader in encouraging philanthropy and in targeting the public’s generosity to improve the lives of women and girls in New Hampshire. She is an advocate for social justice and a pioneer in bringing creativity and expression to those women, children and families in New Hampshire who represent the majority of people affected by poverty, domestic and sexual violence, unequal pay, job discrimination and a lack of access to adequate health care. She is a role model for all of us and a treasure to the State.

HONORING THE 75TH ANNIVERSARY OF THE BUILDERS ASSOCIATION OF METROPOLITAN PITTSBURGH

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 17, 2013

Mr. DOYLE. Mr. Speaker, I rise today to recognize Builders Association of Metropolitan Pittsburgh, which is celebrating its 75th anniversary of serving the region’s housing needs tonight.

The Builders Association of Metropolitan Pittsburgh—“BAMP”—is one of the oldest builders associations in the country. Founded in 1938 by a group of South Hills builders as the Home Builders Association of Allegheny

County, it has grown to serve the home building and related industries in all the counties of southwestern Pennsylvania. BAMP was a founding member of a group of local associations that established the National Association of Home Builders (NAHB) in 1942, and the Pennsylvania Builders Association (PBA) in 1952.

BAMP members, past and present, have a long history of service to the home building industry and its trade association at the local, state and national levels. It boasts the only member from Pennsylvania to have ever served as President of NAHB—J. Roger Glunt in 1993—who was also inducted as a member of the National Housing Hall of Fame. Several of its others members have served as president of the state association as well as on state and national governmental agencies of importance to housing. Even more are leaders in the communities in which they build and live, in my district in Southwestern Pennsylvania. Many of today’s members are second, third and, in some instances, fourth generation home builders and tradesmen.

In service to their community, members of BAMP give individually and collectively in an effort to improving our community and helping our neighbors in need. BAMP has organized countless community service projects throughout its 75 years of existence, lending its members’ expertise to building or repairing community assets as well as helping to improve homes for citizens in need of assistance.

I wish to congratulate them on their 75th anniversary.

SENATE—Monday, May 20, 2013

The Senate met at 2 p.m. and was called to order by the Honorable TIM KAINE, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, because You are our shepherd, we face the future with confidence. Keep our Senators humble as they seek to serve You and country. May they never forget Your kindness to them and this land we love. Remind them that You alone are the source of their strength and the shelter where they can find safety. Listen to their prayers and answer them, supplying all their needs according to the richness of Your grace and mercy. Lord, strengthen them for each challenge as You bless them in their going out and coming in. May they overcome cynicism with civility in all their relationships.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TIM KAINE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 20, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM KAINE, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. KAINE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a

period of morning business until 3 p.m. today. At 3 p.m. the Senate will begin consideration of S. 954, which is the farm bill. At 5 p.m. the Senate will proceed to executive session to consider two U.S. district court nominations: the Chappell nomination, from Florida, and the McShane nomination, from Oregon. At about 5:30 there will be up to two rollcall votes on confirmation of these nominations.

THE FARM BILL

Mr. REID. Mr. President, Democrats and the tea party-driven Republicans differ on many things, so it is remarkable and encouraging to see how well Senator STABENOW and Senator COCHRAN, the chairman and ranking member of the Senate Agriculture Committee, worked as a team to bring the ag jobs bill to the floor. Their work has been exemplary, some would say old-fashioned—the way things used to be.

The committee members included many of the amendments that were adopted last year when the Senate considered and passed a farm bill. As we will remember, it went to the House, and of course they did nothing. The committee did this in an effort to expedite the floor process which begins today. I hope their cooperative spirit guides our work on this important legislation.

American farmers are counting on us, but so is the economy. Despite uncertain economic times, America's farms and ranches are the most productive in the world, exporting about \$150 billion worth of products last year and supporting 16 million private sector jobs. But to keep American farms strong, Congress must pass a strong farm bill. The legislation before this body will create jobs, cut taxpayer subsidies, and reduce the deficit. The bill includes important reforms to farm and food stamp programs and saves more than \$23 billion, which we will use to reduce the deficit. It will give farmers the certainty they need to maintain the largest trade surplus in any sector of our economy.

Helping American farmers thrive is an important part of our work getting the economy on firm footing again. Again, I commend Senators STABENOW and COCHRAN for their leadership on this important issue.

While the Senate has taken a lot of bipartisan action on the agriculture jobs bill, it has seen no progress on the important budget. Senate Republicans still refuse to allow us to negotiate with our House counterparts on a compromise that respects both parties'

principles. It has now been 58 days since the Senate passed its budget, 58 days waiting for the Republicans to say: OK, let's try to work out our differences.

They have been talking for a couple of years now: What is wrong with the Senate? We don't follow regular order.

What does that mean? We don't follow the principles we have always followed.

They say they want to pass a budget so we can get to regular order. I guess they thought we could not pass a budget, because we passed one and now they refuse to go to conference. I think the main reason they are afraid to do that is that under the rules in the House, if we go to conference, the House Democrats—who are kept out of everything—have the right by rule of the House of Representatives to offer what they call motions to instruct, to say don't cut Medicare, don't continue to whack little kids who are trying to get an education with the Head Start Program, don't cut NIH programs. They can force the Republicans to vote on that matter. I think that is what it is all about.

It has been 58 days since the Senate passed its commonsense, progrowth budget, but my Republican colleagues have objected time and time again to a conference with the House. The only explanation Republicans have given for endless obstruction is this: They refuse to negotiate unless we agree in advance to let them win. I am not making that up. That is true. Republicans refuse to go to conference unless Democrats adopt policies that were soundly rejected by the American people last November. It is a very bizarre way to negotiate. Meanwhile, the country inches closer and closer to yet another crisis—defaulting on the Nation's legitimate bills. They put off compromise until the last moment so they can use the debt limit as a bargaining chip. They hope to exploit concessions such as more tax breaks for the wealthy, hurting middle-class families; more concessions in Draconian cuts to Medicare, which, of course, hurts the elderly; stark concessions with cuts to Head Start, hurting little kids or they hope to extort concessions on more cuts to the National Institutes of Health, which hurts us all.

In fact, House Republicans met last week to decide what ransom they would demand to avoid a catastrophic default on this Nation's debts. One House Republican called it a laundry list of conditions. On the list—repealing the landmark health care reform. On the list—restricting women's health

choices. On the list—more Draconian cuts to programs that are keeping American families strong.

Despite the political pain they caused themselves last time they held hostage the full faith and credit of the United States, they are again headed down that same path. This time they are suggesting that government should skip payments to the troops, to veterans, to Medicare recipients, and more. Why? So we can pay China first. I am not making this up. That is what they want to do. Their plan would hurt our national security, our economic security, and it would not prevent default. The Republican approach—default on the bills—is irresponsible, extreme, and really senseless. By now they should know that it is compromise, not political hostage-taking, that will set our Nation on the road to fiscal responsibility.

RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

McSHANE NOMINATION

Mr. WYDEN. Mr. President, I am pleased that the Senate will be voting on the confirmation of Judge Michael McShane today to serve as U.S. district court judge for the District of Oregon.

Judge McShane is a product of the judicial selection committee that I have organized at home in Oregon. Senator MERKLEY has been in full support of this effort. Judge McShane is coming forward for consideration by the Senate as a result of the work of that special judicial selection committee made up of individuals with a variety of different philosophical views, and I am very pleased that the President has seen fit to send Judge McShane's name to the Senate.

In a sentence, Judge McShane has a heart for people, a head for the law,

and a high-minded sense of justice. I start by way of saying he certainly has outstanding academic credentials. He was a magna cum laude graduate from Gonzaga University. He attended the Northwestern School of Law at Lewis and Clark College where he graduated in the top 10 percent of his class, and his accomplishments in the courtroom have earned him very high ratings by the American Bar Association.

From an academic standpoint, Judge McShane is clearly qualified for this position. What I feel particularly strongly about—and what was evidently very important to our judicial selection committee—is that he has been an extraordinary member of our community.

He always steps up when asked to help his community. For instance, he stepped up when he was called and asked to be an advocate for inner-city and HIV-positive youngsters. While in these various leadership and volunteer roles, he has always come forward, not just to help but also to come up with innovative approaches in terms of his work with kids. We especially see this in his advocacy for at-risk youngsters in the Job Corps Program.

Judge McShane brings these young people into his courtroom as interns to help with the day-to-day operations where they are given the opportunity to see the inner workings of our judicial system. In many instances Judge McShane literally guides them through the process and sets about to make it possible for them to be involved in ways we normally would not think of when we are looking at the role of a judge.

For example, in many cases Judge McShane buys sport coats and khakis for these youngsters who might otherwise feel uncomfortable in a courtroom setting. Judge McShane, in his own words, has been known to say: I want to make sure those young people have a chance to “blossom.” Those are the words he uses. He makes it possible for them to get the sport coats and khakis with his own money so they can participate in this unique training.

This past year he was awarded the 2012 Oregon State Bar President's Public Service Award for his service to the community. He is involved in the Northwestern School of Law mentoring program, and in 2009 he was named the law school's Mentor of the Year.

Also, through the classroom law project Judge McShane presides over Summer Law Camp for inner-city kids. On top of that, Judge McShane plays an important role as a foster—and now adoptive—parent through the Oregon Department of Human Services.

We looked at that kind of community caring, and we said this is truly an exceptional individual. We juxtaposed that wonderful record of community service alongside of his legal track record.

Judge McShane began his legal career as an attorney with the Metropolitan Public Defender's Office in Portland. We all understand the importance of public defenders. In 1997, as a result of his good work, he was appointed by the Oregon Supreme Court as a full-time pro tem judge. For the last decade he has been an adjunct professor at his alma mater, the Northwestern School of Law at Lewis and Clark College, where he teaches trial advocacy and the criminal practice seminar.

Among the many reasons I believe he is academically and professionally very qualified to be a judge is because his litigation experience includes both complex criminal and civil cases. He is the senior member of the Multnomah County Circuit Court's Death Penalty Panel and presided over more capital cases than any other sitting judge in our State. He has been a proven advocate for evidence-based sentencing, and he has a proof-based sentencing model for driving under the influence of intoxicants offenders that has now become the standard in Multnomah County.

It is for all of those reasons—especially his track record in terms of community service as well as those outstanding professional experiences starting as a public defender and teaching in the classroom—that I am very hopeful the Senate will agree with me on a bipartisan basis that Judge McShane is qualified to serve as the U.S. district court judge for the District of Oregon.

As I indicated, Judge McShane has a heart for people, a head for the law, and a high-minded sense of justice. We have a long history in our State, as I think the President pro tempore of the Senate is aware, of some of those who have been part of our network of distinguished judges, and I have every confidence Judge McShane will join that list.

I thank Senate Judiciary Committee Chairman LEAHY and Ranking Member GRASSLEY for advancing Judge McShane's confirmation through the committee. I also wish to thank Leader REID and Minority Leader McCONNELL for bringing this nomination to the floor, and I look forward to the vote we will have later today.

I hope my colleagues, on a bipartisan basis, will vote to confirm Judge Michael McShane as U.S. district court judge for the District of Oregon.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING
BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

AGRICULTURE REFORM, FOOD,
AND JOBS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. 954, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Mr. President, I wish to thank our majority leader, Republican leader, and all the Members for allowing us in the Senate to move forward today on this very important bill. I want to thank my ranking member Senator THAD COCHRAN for his friendship and his leadership. I want to thank all of the members of the committee for working together to write this important legislation. Also, I want to thank our staffs on both sides of the aisle. We have excellent staffs who have worked together, and I know we will continue to work together as we move this legislation through.

Our bill, the Agriculture Reform, Food, and Jobs Act of 2013, is critical to the 16 million Americans whose jobs rely on a strong agricultural economy. Agriculture has been one of the bright spots as our economy is getting back on track. In fact, it is one of the few areas where we actually have a trade surplus, where we are exporting more than we are importing. This means jobs for us in America.

The farm bill is a jobs bill. It is a jobs bill, a trade bill, a reform bill, a conservation bill, and it is a kitchen table bill. Thanks to the farm bill, families all across America will sit down around a table tonight and enjoy the bounty of the world's safest, most abundant, and most affordable food supply. Those who need temporary help to feed their families during an economic crisis will get help as well. This is a bill that reflects our best values as Americans.

It is easy to take agriculture for granted. It is easy for many of us to forget the food we eat doesn't come from the supermarket, as some folks may think. The food we eat comes from the skill and the efforts of the men and women who work hard from sunrise to sunset, day in and day out, to put food on our tables. Too often I believe we take them for granted as well. Most of us don't have to worry about how many days it has been since the last rainfall or whether it is going to freeze in May after the fruit trees are blooming. Most of us don't have to worry about decisions and weather conditions around the world and how they affect our livelihood here at home.

That is why we have what we call the farm bill. We have a farm bill because farmers are in the riskiest business in the world. We saw that last year as our country was in the grip of the worst drought in generations. We saw this as ranchers had to cull their herds because they couldn't get enough food or water for their cattle. We saw all across the country that farmers lost their crops in late spring freezes that wiped out cherry and apple crops in Michigan and other parts of the country. That is why the top goal of the agriculture reform bill is risk management. We are reforming farm programs, ending direct payments and other subsidies that have no relationship to risk and instead giving farmers market-based risk management tools. That is the hallmark of this farm bill.

We want to make sure a farm that has been passed on for generations doesn't face bankruptcy because of a drought or other events outside the farmer's control. We also want to make sure that when there is a drought we are conserving our precious soil and water resources. When it comes to conservation, the farm bill is risk management for the whole country. Conservation programs in the farm bill make sure our soil doesn't blow away and our waters aren't polluted by runoff.

In many parts of the country last year we had a drought that was worse than the Dust Bowl, but we didn't have a dust bowl. We didn't have out-of-control erosion, and that is because the farm bill did what it was supposed to do in conservation. Soil stayed on the ground. It is easy to take that for granted as well.

The farm bill is our country's largest investment in land and water conservation on private lands, and the farm bill gives farmers tools to strengthen wildlife habitat. I had the opportunity this weekend, with my gracious host, the Senator from Mississippi, to visit a wildlife preserve program and wetlands preserve program, and Senator COCHRAN is responsible for those parts of the farm bill. We had an opportunity to go out on a beautiful piece of flat land in the Mississippi delta and see where ducks were coming back, quail were coming back, and habitat was beginning to flourish because of efforts to support these important resources for the future. The farmer involved in the property said he felt he was in partnership with the USDA and making a commitment for his children and future generations through conservation. This is a real source of pride for us as we look at this 5-year farm bill.

I am pleased the bill before us includes a new historic agreement between conservation groups and commodity groups around conservation and crop insurance. These folks from very different perspectives sat down together, listened to one another, and worked out an agreement that will pre-

serve land and water resources for generations to come.

The farm bill helps farmers improve 1.9 million acres of land for wildlife habitat. Healthy wildlife habitat and clean fishable waters are not only good for our environment but they also support hunting, fishing, and all the other great outdoor recreation which benefits our economy and creates jobs. We just plain have fun doing it in Michigan. In fact, outdoor recreation supports over 6 million jobs alone. That is a big deal.

We also continue our support for specialty crops, fruits, vegetables, and those crops that make up about half of the cash receipts of our country. Organic agriculture is a growing part of agriculture. We expand farmers markets in local food hubs to encourage schools and businesses to support their local farmers by purchasing locally grown food and creating more local jobs. We expand the availability of fresh fruits and vegetables that are so essential in schools and community food programs.

We also strengthen rural development financing for small businesses. Once you get outside of the cities in Michigan and all across our country, every single community in Michigan, outside of our big cities, gets support for jobs through something we call rural development, financing for small businesses, for water and sewer projects, road projects, housing efforts for families, a whole wide variety of things we do through this economic arm in the USDA called rural development.

We also expand the energy title to encourage support for new jobs in biobased manufacturing, which is an exciting new effort. In addition to biofuels, we now can use agricultural products and byproducts to replace petroleum and other chemicals in manufacturing. There is a huge new opportunity for jobs, as well as supporting our environment by doing these things. There is no doubt that the farm bill is a jobs bill.

This bill also continues to focus on the issue that has taken so much of our time this year, last year, and the year before, and that is cutting the deficit and getting our Nation's fiscal house back in order. We get rid of unnecessary subsidies such as the Direct Payment Program that sends a check to folks regardless of whether they are even farming a particular crop anymore, streamlining programs to cut redtape, and cracking down on fraud and abuse. In fact, we eliminate over 100 different programs or authorizations that either were duplicating something else or didn't make sense to do anymore. I think that is the way we ought to be cutting spending and creating savings.

Altogether, including the cuts that took effect already this year, we are

able to cut spending by about \$24 billion. That is more than double the cuts proposed by the Simpson-Bowles Commission and last year's Gang of Six that worked on deficit reduction. And I want to underscore that this is four times—four times—more than is required by the arbitrary across-the-board sequestration cuts. So we in agriculture take a back seat to no one in our commitment to doing our part in making tough decisions and setting priorities to reduce the deficit.

This bill represents the most significant reform of American agriculture in decades, in my judgment. We are putting caps on payments to farmers and closing loopholes that allowed people who were not actually farming to receive payments. We are strengthening crop insurance, which we heard from farmers was the No. 1 risk management tool for them. It is important we strengthen it and protect it as we move through this process.

The agriculture reform bill includes disaster assistance for our ranchers and farmers as well who cannot receive crop insurance—livestock owners and others in areas that cannot receive crop insurance.

We made sure our food assistance programs are accountable, that there is integrity in our programs, so we continue to build on the integrity that is already there by cracking down on abuses and misuse. We made sure our changes would not remove one single needy family. It is not about hurting folks, it is about making sure there is not abuse, and that is what we address.

Let me say when we look at crop insurance, it is there for disasters for our farmers, and it goes up when there are a lot of disasters. That is when there is cost. Then it goes down when things are going better, and it is the same for food assistance for families. Costs go up during bad times, as we have seen over the last number of years, but now CBO tells us those costs are going down. Why? Because the economy is getting better and people are able to go back to work. That is how it is supposed to work, and that is how it is working.

Last year we in the Senate passed a farm bill with strong bipartisan support. We didn't take the 16 million Americans who work in agriculture for granted, we didn't take our land and water resources for granted, and we stood for families all across the country who had fallen on hard times.

Unfortunately, at that time the House of Representatives did not follow our lead. They allowed the farm bill to expire at the end of last year, which is why we are here again working through this process.

I appreciate the way we have gotten to this point in a bipartisan way. We have worked very hard to make sure every part of agriculture is addressed in terms of their needs and the risk management tools in this bill.

I thank my colleague from Mississippi Senator COCHRAN, who is the ranking member of our committee. He and his staff have worked diligently and in a bipartisan way, and that has allowed us to get to this point. So I thank him for that.

I am looking forward to working with colleagues to pass this bill as soon as possible, and we look forward to working with colleagues on amendments throughout this week.

I see my distinguished colleague, our ranking member, is here, and I will turn to him in just a moment. I do want to place one amendment in order at this point, and then we can proceed with our discussions. This is an amendment we have cleared on both sides on behalf of Senator CANTWELL.

AMENDMENT NO. 919

Mr. President, I call up amendment No. 919.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for Ms. CANTWELL, proposes an amendment No. 919.

Ms. STABENOW. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow Indian tribes to participate in certain soil and water conservation programs)

At the end of subtitle F of title II, add the following:

SEC. 25. SOIL AND WATER RESOURCE CONSERVATION.

(a) CONGRESSIONAL POLICY AND DECLARATION OF PURPOSE.—Section 4 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2003) is amended—

(1) in subsection (b), by inserting “and tribal” after “State” each place it appears; and

(2) in subsection (c)(2), by inserting “, tribal,” after “State”.

(b) CONTINUING APPRAISAL OF SOIL, WATER, AND RELATED RESOURCES.—Section 5 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2004) is amended—

(1) in subsection (a)(4), by striking “and State” and inserting “, State, and tribal”;

(2) in subsection (b), by inserting “, tribal” after “State” each place it appears; and

(3) in subsection (c)—

(A) by striking “State soil” and inserting “State and tribal soil”; and

(B) by striking “local” and inserting “local, tribal.”

(c) SOIL AND WATER CONSERVATION PROGRAM.—Section 6(a) of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2005(a)) is amended—

(1) by inserting “, tribal” after “State” each place it appears; and

(2) by inserting “, tribal,” after “private”.

(d) UTILIZATION OF AVAILABLE INFORMATION AND DATA.—Section 9 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2008) is amended by inserting “, tribal” after “State”.

Ms. STABENOW. Mr. President, I now take the opportunity to turn to

my friend, a great agricultural leader in the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am flattered by the kind remarks of the distinguished Senator from Michigan and am pleased and honored to serve with her on the Senate Agriculture Committee. She chairs that committee with a sense of responsibility for the subject matter, which is very important to our Nation's farmers and all consumers in America as well, but also to the fellow members of our committee—Republicans and Democrats—who serve on the committee and who have worked together to put a bill before the Senate that continues to authorize programs of the Federal Government that benefit landowners and those who work to conserve the resources of soil and water that help nurture our great agricultural sector that produces a bountiful amount of fruits and vegetables and marketable commodities that are sold in international trade at competitive prices.

It is a great success story. I am tempted to say a great American success story because it truly is. It is the backbone of our Nation's economy. So it is serious business at the same time it provides jobs, food to eat, grain to harvest, to export, and cotton and the fibers that come from it that clothe and dress millions of people in our Nation and around the world. So bringing this bill to the floor is a point of achievement, and with gratitude we point out the leadership of the distinguished chairman.

We have enjoyed her strong leadership and her keen sense of awareness of how to manage legislation such as this and present it to the Senate, as she has just done, and that is quite impressive. We are very fortunate to have her serving in this capacity.

We have recommended a bill that contains some major reforms of the farm programs that come within the jurisdiction of our committee. For example, the bill reduces authorized spending by \$24 billion. It includes \$6 billion in sequestration cuts. These represent real savings. We know we have been confronting a deficit crisis, a fiscal policy management crisis, and this bill does its part.

With the authority it has over the law governing the subject matter, we have moved to eliminate direct payments to farmers, which has amounted in the past to \$40 billion. There are reforms in this legislation of the crop insurance title. The bill recommends adoption of reforms that limit payments to producers. Conservation programs have been streamlined in this legislation and consolidated.

The committee has crafted reforms in the nutrition title to eliminate waste, fraud, and abuse in the Supplemental Nutrition Assistance Program.

These are big challenges, and these challenges have been met with a recognition that there are people who need the support of programs such as this—schoolchildren who are attending school and getting the benefit of a reduced price and, in some cases, free meals at school. This has made major contributions to the quality of work and the degree and level of education that children are able to absorb and benefit from, and it is tied to these programs.

The committee has dealt with conservation, as I have mentioned, the Supplemental Nutrition Assistance Program, and throughout the bill we see reflected a broad bipartisan level of support and an approach that accommodates interests represented by all the members of our committee. So I think we have produced, with the leadership of the chairman, a responsible but fair bill, and I am pleased to recommend to the Senate that it should approve the bill. It deserves our support.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise today to discuss one of the most important and significant reforms of our Nation's agriculture in decades. The Agriculture Reform, Food, and JOBS Act of 2013, known around here as the farm bill, is the product of months and months of policy discussions and late-night deliberations, with special thanks to the chairman of the committee, Senator STABENOW from Michigan, and the ranking member, Senator COCHRAN of Mississippi. I thank them both for their good work, and also a special thanks to Katharine Ferguson in my office for her good work on this legislation.

There is a reason people across the country—farmers and business owners, faith leaders, and county commissioners—are paying attention to this legislation. It is a farm bill, it is a food bill, it is a nutrition bill, it is an economic development bill, it is a rural development bill, and it is a conservation bill all in one. In my State one out of seven jobs is related to food and agriculture. To keep our economy moving forward, the farm bill must remain a priority in Congress.

We did our job last year on this legislation. Unfortunately, the House of Representatives didn't, but I think this year it will when we pass overwhelmingly a similar bill to the one which passed by a vote of 64 to 35 last year.

The bill saves more than \$20 billion while maintaining important investments in conservation and nutrition, renewable energy and agricultural research, which is so important to my State, to rural development, to broadband, and all that farm legislation can in fact do for rural development.

In the last 2 years the Senate has considered reform bills that have done

more than any farm bill literally in 20 years. We have eliminated direct payments and recoupled eligibility for crop insurance with the expectation that farmers do right by the land.

The work of Chairwoman STABENOW and Ranking Member COCHRAN in committee to keep that coalition together, linking crop insurance with conservation, was especially important. We set tight limits on the amount of support any individual producer can receive.

There is obviously more that can be done, but this bill takes important strides in reforming our farm program. It will increase efforts to improve water quality in Lake Erie—one of the five Great Lakes with the greatest body of fresh water anywhere in the world. It is even perhaps more important to the State of Michigan, the chairwoman's State, than even mine. It will help small towns such as Bryan, Bucyrus, and Bellaire make strategic economic development investments to jumpstart their local economies.

The bill continues efforts to make sure all Americans have enough to eat and access to affordable, healthy, and fresh food.

This is a forward-looking bill, and I was pleased to support it in committee and hope to work with Senate colleagues of both parties in the coming days to make slight improvements as it moves forward.

The centerpiece of the bill's deficit reduction efforts is rooted in reform of the farm safety net. The era of direct payments made annually regardless of need is over.

Across Ohio and the Nation we have heard crop insurance is the most important tool farmers have for managing risk, so this bill improves and preserves crop insurance. We know what that meant last year, particularly as drought hit States such as Ohio and, more severely, States west of my State.

Farmers have said they want a leaner, more efficient market-oriented farm safety net. Taxpayers deserve that too. Last year, Senator THUNE, a Republican from South Dakota, and Senators DURBIN and Lugar and I proposed the Aggregate Risk and Revenue Management Program, ARRM, streamlining the farm safety net to make it more market oriented.

Instead, the new Agriculture Risk Coverage Program will work with crop insurance to provide farmers the tools they need to manage risk—making payments only when farmers need them most. This program is market oriented, relying on current data. It is more responsive to farmers' needs and is more responsive to taxpayers.

The bill reforms a number of longstanding unjustifiable practices. For the first time this farm bill ends payments to landowners who have nothing to do with farm management. It ends payments to millionaires and puts a

firm cap on how much support any farmer can receive from the direct farm support programs each year. This so-called conservation compliance provision reflects a landmark agreement put forward by a number of key commodity and conservation interests and stakeholders.

People who are going to receive federally subsidized crop insurance need to show they are meeting basic conservation requirements. Again, the days of subsidies without conditions and subsidies without responsibility are over. It is an example of what can happen when groups with different perspectives—the commodities farmers and the conservationists—come together to listen to each other. By re-linking crop insurance subsidies with good environmental practices, this bill makes our farm safety net more defensible and protects our natural resources.

As I said, this farm bill takes great strides toward better, leaner, smart farm policy, but it is also a work in process. A key difference between this year's bill versus the one we passed last year is the inclusion of the Adverse Market Payments Program—the AMP Program—that, to be candid, is something important to southern growers but not in line with what I believe Ohioans want to see and what I hear from Ohio farmers.

I worked closely with colleagues from the middle of the country to make sure this AMP Program is as market-oriented as possible, but it was a battle not wholly won and something I want to see modified. We cannot have farm programs in one part of the country become more market-oriented while others do not.

The Agriculture Reform, Food, and Jobs Act supports farmers but also provide a lifesaving safety net to American families who have fallen on hard times. The SNAP program now serves 47 million Americans, more than half of whom are children and seniors. Along with unemployment insurance, SNAP is the primary form of assistance we provide Americans who have fallen on tough times. Just understand and be certain that many of these families are people with full-time and part-time jobs who simply do not make enough money to get along.

Some of my colleagues will point out the rapid increase in SNAP enrollment over the past few years. This is to be expected since it mirrors the downturn in the economy, the unemployment levels, and the fact that for 10 years most people in this country have not had a raise. As costs go up, it hits the lowest income people the hardest. That is the biggest reason people have relied on food stamps. This is evidence that SNAP is working. As our economy is recovering, SNAP enrollment will decrease.

More telling is that today some 50 million Americans still live under the

Federal poverty level. The number of Americans who rely on SNAP tells me we should not be gutting, we should not be undercutting, as a number of my colleagues in the House of Representatives want to do. We should not be cutting Federal nutrition programs. What we should be doing is enacting better economic policies that create jobs and reduce inequality and enable Americans to put food on the table without assistance.

This bill cuts \$4 billion from SNAP. That is already \$4 billion too much. I appreciate the chairwoman's efforts to make that \$4 billion cut as painless as possible in terms of benefits SNAP beneficiaries receive. Again, most of these—a huge number of these SNAP beneficiaries are in working families. A huge number of them are children. A huge number of them are senior citizens. It goes without saying that a bill with the level of the cuts to SNAP—some \$20 billion included in the House bill—will not get my support and will not pass muster in the Senate.

While we also work to preserve SNAP, we can make sure our nutrition programs are smarter. The farm bill makes important strides toward aligning our food and our farm and our economic policy. Agriculture has always been an important engine of economic growth. I said at the outset that one out of seven jobs in my State is related to agriculture and food. Shortening the supply chain benefits farmers and families, meaning that the more people eat what is grown locally, the better it is for the economy, the better it is for their health, and the better it is for the environment. It helps keep money in the local economy and helps build the economy, especially of rural communities in my State and across the country.

This farm bill affects every American every day. It is a deficit reduction bill, it is a jobs bill, and it is a bipartisan economic relief bill. I again commend Chairwoman STABENOW and Ranking Member COCHRAN for their work in drafting this legislation. I especially appreciate the staff of individual members of the committee, their staffs, for their work.

I urge my colleagues to work together and break the impasse that keeps us from making progress on this legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Before the Senator from Ohio leaves, I want to thank him. He has been an invaluable member of our committee. We would not have the agricultural risk coverage portion and the yield loss coverage portion in this bill were it not for his work, he and Senator THUNE working together. We used their bill as the basis for this.

He has also been the champion of rural development. We have invest-

ments in rural development we would not have had without his involvement, as well as other efforts in the energy title and throughout the bill. I thank him. We are very lucky to have him as a member of the committee.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to call up the Feinstein-McCain amendment No. 923 and make it pending.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. STABENOW. Mr. President, reserving the right to object, I just indicated to the Senator from Arizona that while I have no objection to having a vote on his amendment, I ask that he not proceed with his request at this time. We have an amendment that is pending, and we also have a number of crop insurance amendments we want to do together. I will not object to voting on his amendment, there is no attempt not to do that, but at this point I do object to having his amendment as the pending amendment.

I ask my colleague through the Chair if he would be willing to work with us. I will commit to having a vote on his amendment. This is not an attempt to not vote on his amendment. The ranking member and I have talked, and we are certainly committed to voting on the Senator's amendment; however, we would like to have an opportunity to set up how we will be voting on a series of amendments.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, if I heard the Senator correctly, she committed to a vote on this amendment, correct?

Ms. STABENOW. That is correct.

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Does that mean we would vote on this early on?

Ms. STABENOW. I don't know the exact timing of the vote. There is no attempt to delay. We are just getting started at this point. I will be happy to work with the Senator from Arizona. We are certainly not trying to postpone it to be the last vote. We can cer-

tainly do it earlier rather than later, but we would like to have some flexibility to look at a group of amendments we might vote on which relate to the same subject area.

I believe I can speak on behalf of the ranking member in saying we are committed to a vote on the amendment and want to work with Senator MCCAIN as to a time.

Mr. MCCAIN. I thank the distinguished manager.

Since I have the floor, I would like to make a brief statement about the amendment. I understand the objection, and I would rely on the good offices of the manager of the bill, as well as the ranking member, that we would have a vote early on in regard to this amendment and not at the last minute when we are trying to complete the votes on the amendments to the bill.

The amendment by Senator FEINSTEIN and me would eliminate taxpayer-subsidized crop insurance for tobacco. The Congressional Budget Office estimates this amendment would save taxpayers \$333 million. Again, that is the estimate of the Congressional Budget Office.

It might surprise Americans to know that despite efforts to end traditional farm subsidies for tobacco producers, government handouts for tobacco lives on in the form of highly subsidized crop insurance. Since 2004 we have spent more than \$276 million on insurance subsidies for tobacco. This is in addition to the \$10 billion financed under the tobacco buyout law the Congress passed a decade ago. That law was paid for by assessments on cigarette manufacturers, and it was meant to wean tobacco growers from farm subsidies by buying out their growing quotas. Well, it turns out that Joe Camel's nose has been under the tent all this time in the form of these hidden crop insurance subsidies.

As my colleagues know, crop insurance in general has a dubious reputation as a "safety net" for farmers because it largely insures against revenue loss instead of crop loss due to weather or pests. According to the Congressional Research Service, taxpayers spend about \$14 billion a year to subsidize about 60 percent of the cost of crop insurance premiums. The Federal Government also reimburses private crop insurance companies for about 25 percent of their "administrative and operating" costs.

We have identified eight types of tobacco that are eligible for crop insurance: tobacco Maryland, tobacco flue cured, tobacco fire cured, tobacco dark air, tobacco cigar wrapper, tobacco cigar filler, tobacco cigar binder, and tobacco burley. All of these crops remain extremely profitable even without their old farm subsidies.

According to reports by the Wall Street Journal and CNBC, tobacco is 10 times more profitable than corn and

most American tobacco is exported. In fact, the value of American tobacco is at a 10-year high since Congress ended traditional tobacco subsidies. It makes no sense to subsidize tobacco insurance considering how well the free market system is working for tobacco producers.

I will have a longer statement on this, Mr. President.

Last year the eight separate tobacco insurance products cost \$34.7 billion in taxpayer subsidies. The USDA—Department of Agriculture—data shows that more than \$276 million in taxpayer subsidies has been spent on this tobacco subsidy program since 2004.

According to the Centers for Disease Control and Prevention, cigarette smoking adds \$96 billion to domestic health care expenses and costs the American economy \$97 billion in loss productivity annually. Secondhand smoke adds another \$10 billion in health care costs and lost productivity.

Clearly, we should be doing nothing to subsidize production of tobacco. I am not saying we should ban the growth of tobacco in America; that is a decision farmers and the market make. But for us to continue to subsidize when these enormous costs are borne by the American people in terms of our health and our economy—it is time we ended it.

I thank the distinguished manager and ranking member for their commitment to having an up-or-down vote on this amendment.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I would like to take a moment this afternoon to talk about the importance of crop insurance as a risk management tool. I think we will probably have a lot of discussion on the floor about crop insurance, but, as I said, as a matter of policy, we are moving away from direct subsidies. We certainly have not subsidized tobacco growers for a long time, and I would not support doing that.

In general, we are moving away from that into an insurance model where the cost is shared between the Federal Government and growers. We want as many growers as possible to purchase crop insurance rather than have a disaster and then want us to pass a disaster assistance bill. I might add that we didn't have to do that this last time around despite the worst drought in 50, 60, 70 years because the crop insurance worked this last year. Crop insurance

covered the losses. It is a very important public-private sector process and partnership.

One of my concerns about carving it up, having limits or removing one crop over another is that we have been moving away from a general policy of insurance. Going down the road, I think that would have a lot of implications and farmers in general would have great concern about that.

I have a tremendous amount of sympathy and, in fact, agreement with the distinguished Senator from Arizona. I sympathize with what my colleague was saying about tobacco as far as the harm to health and so on. When we look overall at crop insurance, the good news is that less than 1 percent of that whole program—I think substantially less than 1 percent—covers tobacco, so that is a good thing.

The larger question for farmers and all of us across the country is, Are we going to make a commitment broadly to the No. 1 risk management tool for them? Are we going to make sure that as we say we are not going to do subsidies anymore, we listen to what they are saying about having a crop insurance system?

There are parallels between that and flood insurance. So as people are proposing various limits on crop insurance, I think it is important to ask would we put that on other types of insurance, such as flood insurance risks or other things. Insurance deals with risks, and it is more about encouraging farmers to have a stake in the game and to be able to cover part of that risk with their own dollars rather than other types of policies we have debated about subsidies.

As we go forward, there will be a lot of different discussions about crop insurance, and I would ask colleagues to join with us in resisting efforts to eliminate or limit what is a public-private insurance system that is, frankly, working very well.

We are so proud that all of the farm organizations and commodity groups—just about all of them—come together to work with the conservation groups and environmentalists. They say that together they are going to both support an insurance model—a risk management model broadly as a matter of policy for agriculture—and they are also going to support linking that to conservation packages. So as a farmer receives that partnership—the piece we kick in—with that brings a commitment for conservation practices for our land, our soil, our water, and so on.

This is very important. This was not the case in the last farm bill or the farm bill before. We have not seen that kind of link, and now they have come together and said they support crop insurance broadly as an insurance model without limits that have been proposed by various people. In return for that, whether it is a very large farm or a

small farm, the broad public benefit of having conservation compliance outweighs much of what we are hearing about in terms of the limits being proposed. In terms of the public good, we should have crop insurance that gives this alliance of crop insurance and conservation compliance.

This is a historic agreement, and I stand by that agreement with all of the Members. I believe that whether we are talking about large farmers or small farmers, this is a very important policy, and we need to have conservation compliance involved across the board in our efforts as we expand crop insurance.

We will have a lot of discussion and a lot of debate on this issue. I think it is very tempting to look at one particular crop—certainly a crop that has a lot of health risks related to it and that we have a lot of concerns about in other venues—and say let's just eliminate one crop.

The challenge with that, of course, is as a policy for insurance, there will be deep opposition and concern coming from agriculture—from farmers, large and small, across the country—about starting down that road no matter how noble the cause in terms of the concern about the risks of that particular crop. So we look forward to more discussion, but I think it is very important to put a broad lens on this. We have moved away from subsidies that come regardless of good times or bad, whether they are needed or not, and have moved to a system where we are asking farmers to put some skin in the game. We are saying: You have to get crop insurance; you have to be a part of paying for it, and you don't get any help unless there is a disaster; there is no payout unless there is a disaster. As we move to that broad cornerstone, I hope we can keep that in place and not see efforts that will weaken it around the edges.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. GILLIBRAND). Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I further ask unanimous consent to speak for perhaps as long as but probably shorter than 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, every week that we are here, I try to remind the body of the damage carbon pollution is doing to our atmosphere and oceans, try to awaken us to our duty. I have done it more than 30

times now. I have tried to kick out the underpinnings of any argument that the deniers could stand on.

I have kicked out the scientific so-called denial argument, which actually properly belongs in the category of falsehood, not argument. I have kicked out the economic denial argument, pointing out that in a proper market, the costs of carbon must be in the price of carbon. I even tried to kick out the religious denial argument, showing that the belief that God will just tidy up after us, however stupidly we behave, runs counter to history and counter to Biblical text.

So today let's take a crack at the political argument. How wise is it for the Republican Party to wed itself to the deniers and proclaim that climate change is a hoax?

Make no mistake, that is the Republican position. The consensus Republican position and the default Republican position is that climate change is a hoax. It has been said right on this floor and in committees and, as far as I know, not one Republican Senator has stood afterwards in this Chamber to say: Wait a minute. Not so fast. That is actually not the case. Any Republican Senator who disagrees, please, come to the floor and articulate a Republican position other than that climate change is a hoax.

This Chamber looks relatively empty, but on C-SPAN lots of people are watching, and lots of Republicans are watching. Yet not one Republican, over all 30 speeches, has ever gotten back to me, even quietly on the side, to say: You know what. This is really getting serious. Let's see if we can work on this together.

An iron curtain of denial has fallen around the Republican Party. So let me respectfully ask my Republican colleagues: What are you thinking? How do you imagine this ends?

More than 95 percent of climate scientists are convinced that human carbon pollution is causing massive and unprecedented changes to our atmosphere and oceans. You want to go with the 5 percent, and you think that is going to be a winning strategy?

Moreover, it turns out that a lot of those 5 percenters are on the payroll of the polluters. You know that. It is public knowledge. Some of those payroll scientists are the same people who denied acid rain, who denied the dangers of tobacco.

You still like those odds? Those are the folks to whom you really want to hitch your Republican wagons? You have to know they are not telling the truth. So where does this go? What is the endgame?

Our planet has had a run of at least 800,000 years, with levels of carbon dioxide in the atmosphere between 170 and 300 parts per million. That is measurement not theory—800,000 years. Homo sapiens have only been around

for about 200,000 years, so that 800,000 years—8,000 centuries—takes us back a ways. Madam President, 800,000 years, between 170 and 300 parts per million, and in just the last 50 years, we have blown out of that range and have now hit 400 parts per million and climbing. You really want to be on the side of “nothing is going on here”? Really?

Have you noticed the floods and wildfires and droughts and superstorms and tornadoes and blizzards and temperature records? Have you noticed those warming, rising seas? Have you noticed species invading new territories and miles of dead pine forests in the Rockies and Arctic sea ice disappearing?

Do you understand that carbon in the atmosphere gets absorbed by the sea and that is a law of science and is not debatable? Do you understand that because they are absorbing the carbon, the oceans are getting more acidic—30 percent more acidic already and climbing?

Do you understand that is a measurement, not a theory? It is one thing to be the party that stands against science. Are you really also going to be the party that stands against measurement? Do you know the measurement is showing the oceans are not just becoming more acidic, they are becoming more acidic at the fastest rate recorded in a geologic record of 50 million years?

Have you not heard about the coral reefs, those incubators of our oceans, bleaching out and dying off, with almost 20 percent gone already worldwide? If you are a denier, look around. Do you think the news is getting better for you?

Let me ask my Republican friends, what is your best bet on whether this climate and oceans problem gets better or worse in the next 20 or 40 years? Seriously. Your party's reputation is on the line here. All the chips. Tell me how you are going to bet. Do you want to bet the reputation of the Republican Party that suddenly this is all going to magically start getting better? Because that is what you are doing right now.

Let me ask you this: What are the young people of today going to think when they are 37 or 57 and it is worse, maybe a lot worse? What are they going to think about the Republican Party then, that you took the 5-percent bet with their futures; that you went with the polluters over the scientists? Young people are already out there asking their universities to divest from coal, as they divested from the evils of apartheid and the dangers of tobacco. Good luck with the youth vote when you lock in with the coal merchants. By the way, the youth vote grows. It grows up and it sticks around.

How is it going to look for the Republican Party when the historical records show, because facts have a funny way of coming out, that the

campaign to fool the public on climate change was as phony and dishonest as the campaign to fool the public on acid rain and the campaign to fool the public on tobacco, when the historical record discloses that 5 percent wasn't even real, and was actually a scam paid for by the polluters? You, your great party, with young American's futures in the balance, took sides with the scam.

If that is the state of play for young voters as they come of age, why would those young people ever trust the Republican Party on anything else ever again?

Speaking of taking sides, have you noticed who is left on your side? The Koch brothers, billionaire polluters; the big oil companies, the biggest polluters in the world; the coal barons with their legacy of pollution, strip mining, mountaintop removal, and safety violations that kill their miners. That is a fine cast to be surrounded by.

But wait, you say, there is more. There is the Heartland Institute, and the Institute for Energy Research, and the American Enterprise Institute, the American Legislative Exchange Council, and the Heritage Foundation. There are many organizations. Right. Like the heads of Hydra, they may look like many, but, as you know, in reality, it is all the same beast. It is all the same scheme. It is all the same money behind the scheme. You can name those front organizations and many more, but none of it is real. They are all part of the same cheesy vaudeville show put on by the big polluters.

Do you, I ask my Republican friends, want to lash yourself to that operation, to go down with that ship? The great Republican Party, the party of Abraham Lincoln and Theodore Roosevelt, branding itself as the one that gave it all to protect a gang of scheming polluters? That is where you are headed.

Look who is on the other side on record against you seeing through that nonsense. How about the Joint Chiefs of Staff, our military leaders? How about the U.S. Conference of Catholic Bishops? How about NASA? NASA is driving a vehicle as big as an SUV around on the surface of Mars right now. They sent it there. To Mars. They landed it there safely. Now they are driving it around on Mars. Do you think those scientists might know what they are talking about? How about every legitimate American scientific professional society, about 30 strong? How about major American corporations such as Walmart, Ford, Apple, Coca-Cola? How about global insurance and reinsurance businesses such as Lloyds of London and Munich Re, whose businesses depend on accurate risk models?

Indeed, today, Frank Nutter, the president of the Reinsurance Association of America, is reported as saying:

Insurance is heavily dependent on scientific thought. It is not as amenable to politicized scientific thought.

So I ask my Republican friends, whose side do you like in this? In this corner, the Joint Chiefs, the bishops, Walmart, Ford, Apple, Coke, NASA, 30 top scientific organizations, the top insurers and reinsurers, and, by the way, several thousand legitimate others. In that corner, the polluting industry and a screen of sketchy organizations they fund. Let's be serious. Do you want to bet the reputation of the Republican Party that the polluters are the ones we should count on here? Because that is what you are doing. For what? To protect market share for the polluters. That is your upside. The reputation of the party hangs in the balance and your upside is market share for polluters.

Look, I am willing to do a carbon pollution fee that sets the market in balance and returns every single dollar to the American people. No new agencies; no new taxes; no bigger government; every dollar back; a balanced market with the costs included in the price the way they are supposed to be, which will make better energy choices, increase jobs, and prevent pollution.

Yes, that does mean less market share for the polluters as new technologies emerge—that is actually the point—but every single dollar back in Americans' pockets. By the way, three-quarters of the American people believe climate change is real and that we need to do something about it.

You may have a question for me: Why do you care? Why do you, SHELDON WHITEHOUSE, Democrat of Rhode Island, care if we Republicans run off the climate cliff like a bunch of proverbial lemmings and disgrace ourselves?

I will tell you why. We are stuck in this together. We are stuck in this together.

When cyclones tear up Oklahoma, hurricanes swamp Alabama, and wildfires scorch Texas, you come to us, the rest of the country, for billions of dollars to recover. The damage your polluters and deniers are doing doesn't just hit Oklahoma, Alabama, and Texas; it hits Rhode Island with floods and storms, it hits Oregon with acidified seas, and it hits Montana with dying forests. Like it or not, we are in this together. You drag America with you to your fate.

I want this future: I want a Republican Party that has returned to its senses, is strong, and is a worthy adversary in a strong America that has done right by its people and the world. That is what I want. I don't want this future. I don't want a Republican Party disgraced, that lets its extremists run it off the cliff. I don't want America suffering from grave, economic, environmental, and diplomatic damage because we failed, because we didn't wake up and do our duty for our

people, and because we didn't lead the world.

I do not want that future, but that is where we are headed. I will keep reaching out and calling out, ever hopeful you will wake up before it is too late, both for you and for the rest of us.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Before we move on to other business this evening in the Senate, I would like to encourage all of our Senators to submit whatever amendments they have so we can begin to work through them. We want to work diligently through the amendments and be able to move, obviously, as quickly as possible within reason to be able to put together votes. We would ask all of our colleagues, if they do have amendments, to let us know what they are and to file them as soon as possible so we can begin working on those amendments.

I believe Senator COCHRAN and I are both in agreement. We are anxious to get going and are looking forward to working with colleagues to vote on and dispose of amendments.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. I am pleased to join the distinguished chairman.

I urge Senators who do have amendments to come to the floor and offer those amendments so we can proceed to complete action on this bill in a reasonable amount of time. We don't want to cut everybody off. Everybody has a right to be heard on whatever subject they wish to bring before the Senate.

We do have some Senators whom we know have amendments that are relevant to the issue before us. We are hopeful we can consider all of them and give them the kind of attention they deserve.

Ms. STABENOW. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF SHERI POLSTER CHAPPELL TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

NOMINATION OF MICHAEL J. MCSHANE TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Sheri Polster Chappell, of Florida, to be United States District Judge for the Middle District of Florida, and Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Madam President, it has now been almost 6 months since the horrible shooting in my State of Connecticut at Sandy Hook Elementary where 20 6- and 7-year-old children lost their lives, and another 6 adults, who were protecting them, perished as well.

We all believed we were going to do something about it here on the floor of the Senate. We thought we were going to come to our senses and finally realize it is in part the laws of this Nation that allow for this kind of senseless killing, whether it be in mass numbers in places such as Sandy Hook or Aurora or Tucson or at the Sikh temple in the State of the Presiding Officer or in just the everyday, average gun violence that has become background noise to this Nation.

It is not just about bad people doing bad things; it is also about the laws of this Nation that have allowed for this to happen because we don't have background checks on every gun purchase so that criminals do not get guns. We still allow for dangerous military-style weapons, such as the AR-15 and 100-round drums of ammunition to be carried on the streets of this country. We don't even have a Federal law saying it is illegal to traffic in guns, taking them out of gun shows and gun stores and then going out and selling them on the streets as straw purchasers to people who shouldn't have bought them in the first place. We had 55 votes in the Senate to do something about that, but we didn't have 60 votes, which is the law of the land here these days.

I have promised to come down here every week and do something rather

simple, which is to tell the stories of the dozens of people who are killed every single day by guns, because it is their stories that will eventually move this place to action. I know this place has enough empathy, enough compassion to not be so callous as to allow month after month to go by and do nothing about the 4,243 people, as of today, since Newtown who have died in this country at the hands of gun violence.

Let me cite that number again. Since the massacre at Sandy Hook, where 28 people died, including the gunman and his mother, 4,243 people have died due to gun violence.

I want to spend the next couple of minutes before we get back to the debate on these nominations telling the stories of a few of these people.

On May 15, 2013, about a week ago, five different people were shot in Detroit. Halfway through May and there have been 73 shootings in Detroit, MI. Ten people have been killed, with 8 of the shooting victims being 17 years old or younger.

On that day, May 15, five people were shot. A 24-year-old man opened fire after a pretty simple verbal altercation on the street. What happened, apparently, was that one parent of one child told the other kids to go home for some reason. Something had happened at their house. That youth returned to the house with some of his family members, including the 24-year-old man who got so upset over this simple altercation about a mom asking some kids to leave her house that he opened fire, killing Allmeter Walls and wounding the others.

It was a pretty bloody 24-hour period in Detroit, where 12 people were shot on that day from 6 a.m. on Wednesday until 6 a.m. on Thursday. There were 73 shootings halfway through May in 1 city alone.

On May 15 as well, Newark police said that an 18-year-old high school student, a senior, at Weequahic High School in Newark, NJ, was killed. He had signed himself out of school because he wasn't feeling well, and he was shot.

Councilman Ras Baraka, who is also the principal of another high school, said: "We are outgunned and outmanned here on the street." There are so many guns on the streets of Newark that principals and law enforcement feel outgunned and outmanned.

Of the young student who was killed, one of his friends said: "He was a good kid. When he was little, we used to play pool and video games around here."

In Bridgeport, CT, just before sunrise on Mother's Day, police found 22-year-old Robert Rivera dead in his car from perhaps a dozen bullet wounds. "He was one in a million," a friend said. "No one will ever be like him." Chino

was his nickname. He was a good kid. His friend said, "The good die young here." He was 22 years old and was killed in a spray of bullets in his car in Bridgeport, CT.

These are the ones we don't hear that much about because they are in the local papers. But we know there are also these mass killings as well, and before I yield the floor, I want to talk about a handful of victims from the State of the Presiding Officer who were killed at a Sikh temple when someone walked in, in August 2012, and opened fire, because people should know who these victims are as well. There are victims of everyday gun violence, but we have had a string of mass shootings in this country which will not end until we do something about it.

Paramjit Kaur lived for her children. She spent 11 hours a day, 6 days a week in production at a medical devices firm in order to provide for her children. She was praying inside the temple when she learned of the active shooter outside the temple. Instead of being afraid, she showed great courage, bowed down and prayed one last time before she was shot.

Satwant Singh Kaleka was the founder and president of that Sikh temple. He worked 18 hours a day at his family's gas station to provide for his family. His hard work as a small businessman paid off and he acquired eight stations by the end of his career. His attempts to thwart the gunman with a small dull knife gave the group of women, including his mother, a chance to escape.

Suveg Singh Khattrra, a former dairy farmer in northern India, came to the United States for a better life. He was a humble and loving man who was a constant presence at the temple. He was a man of habit, waking every morning at 4:30 a.m. to watch a live broadcast from India and engage in readings from the holy book. He died at 84.

Prakash Singh was a pious man with a great sense of humor. He stayed in the priest quarters in the temple, and was excited about the fact he was about to get an apartment outside the temple. They were due to move into their new home at the end of August, a few weeks after he was killed.

Then the two brothers, Ranjit and Sita Singh. They were brothers and Sikh priests who left their families behind to move to Oak Creek for a better life. Ranjit was the more outgoing of the two. His responsibility was to take care of every visitor who came through those doors. But his younger brother Sita was just as fun loving and would wake up every morning at 5 a.m. to read the Sikh holy book. His specialty was to make sure everyone who walked into that temple had enough to eat.

All perished at that Sikh temple. These things are going to happen again. There is going to be another

mass atrocity. And there will continue to be these shootings in Detroit and Bridgeport and Newark if we don't do something about it on this floor. I know we have important business, whether it be the farm bill this week or our hopeful attempt at passing immigration reform, but as soon as that is done, hopefully, we will get to come back to this issue of gun violence, because if we don't, these everyday urban stories will mount and there will be another mass shooting somewhere across this country.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I would say to my colleague from Connecticut: Amen.

And I would say to my colleague from Oregon: Thank you for your courtesy in letting me go ahead, in light of the fact we have a Federal judge coming up for a vote at 5:30.

I am very grateful to the Judiciary Committee—to both the Democrats and the Republicans—in allowing us to vote, and I urgently implore we confirm Judge Sheri Polster Chappell to the United States District Court for the Middle District of Florida.

While I rise to speak in favor of Judge Chappell, I want to express my concern for the growing partisanship that is dragging down our efforts to fill these judicial vacancies across the Nation. In the past we have had qualified consensus judicial nominees who would be confirmed in weeks, if not in days. Unfortunately, even the judicial nominees who have the support of both Senators from the State—and sometimes, as is the case of Florida where we have the Republican Senator, Senator RUBIO, and myself, the Democratic Senator—we are still finding the judges are being held up. We are experiencing waiting months for an up-or-down vote only to then have them confirmed overwhelmingly.

Mr. LEAHY. Will the Senator yield on that point?

Mr. NELSON. Of course, I yield to the distinguished chairman of the committee.

Mr. LEAHY. I would say to my dear friend, the senior Senator from Florida, I share his frustration. We put these judges through the Senate Judiciary Committee often with a unanimous vote and then they wait here months and months to get a vote on the floor. As the distinguished Senator from Florida noted, that vote is then virtually unanimous.

This effort where if somebody is nominated by President Obama they must be blocked, even if it is somebody everyone supports, is totally unfair to the President, it is completely unfair to the country, but it is devastating to the judiciary because good men and women are not going to be willing to take nominations or appointments to

be a Federal judge if they think they are going to wait month after month after month or even a year before they go on the bench.

I appreciate the statement of the distinguished senior Senator from Florida and I share his frustration.

Mr. NELSON. I thank the chairman of the Judiciary Committee. A good example—this isn't even a Federal district judge, this is court of appeals—we confirmed the judge 94 to 5, when we finally got a vote. That was Judge Adalberto Jordan, the first Cuban-American-born judge, from Miami, to serve on the U.S. court of appeals. The Eleventh Circuit is one of the busiest circuits in the country. It encompasses the Southeastern United States. He was unanimously reported out of the Judiciary Committee, but he was blocked by a filibuster of judicial nominees after 4 months of waiting on the Executive Calendar.

Obviously, with a vote of 94 to 5, he was eminently qualified. He was not controversial. He had the support of Senator RUBIO and myself, a unanimous vote in the Judiciary Committee. Yet his nomination was filibustered.

In addition, highly qualified district court judge nominees are facing the same partisan delays. Obviously, these nominees ought to get confirmed without the needless obstacles, facing potential cloture motions, just to receive an up-or-down vote. I am told the majority leader has had to file cloture on as many as 20 of the Federal district court nominees since 2009. It is an indication that we are clearly going in the wrong direction in this Senate.

I will give one other example. Here the judge we are about to confirm—and before the chairman came in I thanked him profusely, and the Republicans on the Judiciary Committee, for bringing Judge Chappell up for a vote today. There is no controversy over Judge Chappell. She has the support of Senator RUBIO and myself. She was voted out of the Judiciary Committee twice unanimously. It is a judicial vacancy emergency declared in the Middle District of Florida.

She is waiting. Today is the 329th day.

She was originally nominated during the 112th Congress, but it has taken 329 days to get us to this point today.

Judge Chappell earned her Bachelor of Arts degree at the University of Wisconsin and her juris doctor at Nova Southeastern University. Judge Chappell is serving as a United States Magistrate Judge for the Middle District of Florida, where she has been since 2003.

Prior to which she served as a county court judge in the Twentieth Judicial Circuit of Florida and she began her legal career as prosecutor in Fort Myers. Judge Chappell has also been an active member of the community. She has served on the Florida Prosecuting Attorneys Association, the Domestic

Violence Task Force, and the truancy board. Judge Chappell is a true public servant and she will make a fine district court judge.

As of May 20, 2013, according to the United States Administrative Office of the Courts, there are 34 judicial emergency vacancies across this Nation. Florida is home to four empty benches—two in the middle district of Florida and two in the southern district of Florida. In total there are 84 judicial vacancies waiting to be filled and 28 nominees stuck in the pipeline waiting for confirmation. These delays in filling vacancies mean that courts are overburdened. It also means that our citizens are seeing their day in court delayed.

The public is concerned as these delays are further exacerbating the problem facing the courts. In fact, these delays are a scathing indictment of the lack of cooperation and growing partisan nature of process for confirming judicial nominations. These delays undermine the public trust and are illustrative of the stranglehold that partisanship has on Washington and on the rest of the country.

We cannot have that. It is time to confirm Judge Polster Chappell and move with purpose on the rest of these nominations so we can get our courts fully staffed and the judicial system working how it is supposed to.

I again thank the Judiciary Committee for bringing up Judge Chappell, but it cannot keep going on like this. I hope we are going to see some reform and movement quickly.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Today the Senate will finally be allowed to vote on the nominations of Judge Sheri Chappell and Judge Michael McShane. For Judge Chappell in particular, this day is long overdue. She was nominated almost a year ago, and was one of the 11 nominees who Senate Republicans refused to vote on before the end of the last Congress. They delayed her confirmation even though she had the support of every single Republican on the Judiciary Committee, and the bipartisan support of her home state Senators, Senator NELSON and Senator RUBIO. They delayed her confirmation even though she is nominated to fill a judicial emergency vacancy that has been vacant for over 400 days. When I say that President Obama's qualified, consensus nominees have faced unprecedented levels of delay and obstruction, this is precisely what I have been talking about.

Even the Wall Street Journal has taken notice. In an article last week, Gerald Seib wrote that the obstruction even of consensus district court nominees is an example of “the Senate's inability to pull out of partisan ruts and get beyond an epidemic of filibusters.” While only a few years ago Senate Re-

publicans insisted that filibusters of judicial nominees were unconstitutional, or that they should be reserved for “extraordinary circumstances,” this article notes that they “decided in recent years that it is acceptable to mount filibusters not only in exceptional cases but to stop even the most routine business.” I ask unanimous consent that this article be printed in the RECORD at the conclusion of my statement.

Senate Republicans claim that they have blocked only two of President Obama's nominees, but they are not being fair in that characterization. They blocked nominees like Robert Chatigny and Louis Butler by refusing to allow the Senate to vote on them. They blocked nominees like Victoria Nourse, Arvo Mikkanen, and Elissa Cadish by refusing to return blue slips. They even blocked Steve Six by rescinding the blue slips after the nominee had already had a hearing. This reminds me of the way they pocket filibustered dozens of President Clinton's nominees. While as Chairman I have protected the rights of home State Senators, that right does not extend to allowing them to shirk responsibility for it. In all, President Obama has had a significantly lower percentage of his circuit and district nominees confirmed at this point in his time in office than President Bush did at the same point in his presidency.

Senate Republicans who take such pride in the number of nominees being confirmed this year ignore how many, like Judge Chappell, were needlessly delayed from confirmation last year and what they have done during the last 4 years. That is why even after the 17 confirmations this year, we remain nearly 20 confirmations behind the pace we set for President Bush's circuit and district nominees, and vacancies remain nearly twice as high as they were at this point during President Bush's second term. For all their self-congratulatory statements they cannot refute the following: We are not even keeping up with attrition. Vacancies have increased, not decreased, since the start of this year. President Obama's judicial nominees have faced unprecedented delays and obstruction by Senate Republicans. We have yet to finish the work that could and should have been completed last year. There are still a dozen judicial nominees being denied confirmation.

A recent report by the nonpartisan Congressional Research Service compares the whole of President Obama's first term to the whole of President Bush's first term, and the contrast could not be more clear. The median Senate floor wait time for President Obama's district nominees was 5 times longer than for President Bush's. President Obama's circuit nominees faced even longer delays, and their median wait time was 7.3 times longer than for

President Bush's circuit nominees. The comparison is even worse if we look just at nominees who were reported and confirmed unanimously. President Bush's unanimously confirmed circuit nominees had a median wait time of just 14 days. Compare that to the 130.5 days for President Obama's unanimous nominees. That is more than 9 times longer. Even the nonpartisan CRS calls this a "notable change." There is no good reason for such unprecedented delays, but those are the facts.

The confirmations in the last few months do not change the reality of what has happened over the last four years. If a baseball player goes 0-for-9, and then gets a hit, we do not say he is an all-star because he is batting 1.000 in his last at bat. We recognize that he is just 1-for-10, and not a very good hitter.

So while I welcome the confirmations this year, I note both that 13 of the 17 could and should have been confirmed last year and that there are another dozen nominees pending before the Senate, including two who also could have been confirmed last year. We can and must do more for Americans who look to our courts for justice. They deserve better than long delays and empty courtrooms. With 10 percent of our Federal bench vacant, and a backlog of nominees on the Senate Executive Calendar, it is clear that the Senate is not doing what it should on nominations.

It is also ridiculous to complain that the Senate does not have nominees when Mark Barnett, Claire Kelly, Sheri Chappell, Michael McShane, Nitza Quinones Alejandro, Luis Restrepo, Jeffrey Schmehl, Kenneth Gonzales, Gregory Phillips, Sri Srinivasan, Ray Chen, and Jennifer Dorsey are awaiting confirmation.

In addition, Senate Republicans need to take responsibility for not working with the President to fill vacancies. It is disingenuous of Republican Senators not to work with President Obama to pick nominees and then blame the President for the lack of nominees. I was interested to hear one Senate Republican argue that if Senators do not get recommendations in "expeditiously enough," the President "has the prerogative to nominate someone and then we have the responsibility to act on it." Before President Obama had made a single judicial nomination, all Senate Republicans sent him a letter threatening to filibuster his nominees if he did not consult Republican home state Senators. So the recent statement was either a complete reversal in position, or baiting a trap to then block any nominees the President sends to us.

Some Republican Senators have been willing to work with the President to find nominees in their States. We recently received nominations for district court vacancies in Alabama and

Tennessee, and I hope to schedule those nominees for hearings soon. In Pennsylvania, the Republican Senator is now working with Senator CASEY to find nominees that they both support. In fact, three such nominees are pending before the Senate now, and they would fill three of the six current vacancies in the Eastern District of Pennsylvania. The nominees have been pending before the Senate for over 2 months after being reported unanimously, and I hope Senate Republicans will allow us to complete action on them before the Memorial Day recess.

I remain deeply concerned about the impact of sequestration on our Federal courts and our legal system. After 4 years in which Senate Republicans have forced our courts to operate shorthanded, with 10 percent or more of judgeships vacant, these harsh spending cuts are the last thing we should be doing. I continue to hear from judges and other members of the legal community about the damage of sequestration.

The Judicial Conference, whose presiding officer is Chief Justice Roberts, wrote last week to request emergency funding for fiscal 2013 in order to "address critical needs resulting from sequestration cuts." These indiscriminate cuts have left our Federal judiciary "confronting an unprecedented fiscal crisis that could seriously compromise the Constitutional mission of the United States courts." Members of the bar have written in support of this request, stating that "budget cuts have forced diminished court staffing, court closures, compromised security, and lengthy trial delays." They rightly note that "it is people's lives that are adversely changed" by these unnecessary cuts. I ask unanimous consent that both letters be printed in the RECORD at the conclusion of my statement. I hope Senators read these letters and take these concerns seriously, and that we can come together to meet our responsibilities to our coequal branch and to the 310 million Americans we all serve.

Judge Sheri Polster Chappell is nominated to a judicial emergency vacancy on the U.S. District Court for the Middle District of Florida, where she has been serving since 2003 as a Federal Magistrate Judge. Prior to her appointment to the Federal bench, she worked as a Lee County Court Judge, as an Assistant State Attorney in the Twentieth Judicial Circuit of Florida, where she was the first female county office head, and as an instructor at the Southwest Florida Criminal Justice Academy. Judge Chappell was reported unanimously last year and again 2 months ago. The Middle District of Florida has a second judicial emergency vacancy, and it is unfortunate that the Senate is not being allowed to consider the nominee to that seat, as well. Judge Brian Davis received unani-

mously the ABA Standing Committee on the Federal Judiciary's highest rating of "well qualified," and was reported favorably almost 1 year ago.

Judge Michael McShane is nominated to a judicial emergency vacancy on the U.S. District Court for the District of Oregon. Currently a Circuit Court Judge on the Multnomah County Circuit Court, Judge McShane has served as a State court judge for over 15 years. He previously served as a Circuit Judge Pro Tem on the Multnomah County Circuit Court. Prior to becoming a judge, Judge McShane spent his entire 9-year legal career as a trial attorney in the Metropolitan Public Defender's Office in Portland, OR. Judge McShane has the support of his home State Senators, Senator WYDEN and Senator MERKLEY, and was reported unanimously by the Judiciary Committee over 2 months ago.

Senate Republicans have a long way to go to match the record of cooperation on consensus nominees that Senate Democrats established during the Bush administration. After today's votes, 10 more judicial nominees remain pending, and all but one were reported unanimously. All Senate Democrats are ready to vote on each of them to allow them to get to work for the American people. We can make real progress for our Federal courts and the American people if Senate Republicans are willing to join us.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 14, 2013]

OPEN JUDGESHIPS SHOW D.C. DYSFUNCTION

(By Gerald F. Seib)

Jill Pryor of Georgia and Rosemary Marquez of Arizona aren't exactly household names, but they share a distinction with national importance: Both have been waiting exactly 689 days for the Senate to act on their nominations to become federal judges.

Yet they aren't even the most extreme examples of Washington's inability to perform one of its most basic functions, filling the federal judiciary across the land. All told, 85 federal judgeships sit vacant, meaning some 10% of the federal judiciary is empty—and this at a time when those who run the court system think there actually should be new judicial posts created because of an escalating workload.

Openings on two of the nation's most important federal appeals courts—the Ninth Circuit in the West and the D.C. Circuit in Washington—have been unfilled since 2005.

There is no current nominee for either seat, not since President Barack Obama's choice for the D.C. slot gave up in frustration after Republican filibusters put her nomination in limbo for 2½ years.

The Obama administration must shoulder some blame for this predicament. It has been slower than its predecessors to vet and nominate judicial candidates.

But the lion's share of the blame lies with the Senate, a body that's becoming an embarrassment to itself and that increasingly infects the rest of government with its paralysis.

Traditionally, the first step in the process of picking federal judicial nominees is for

senators to recommend to the White House candidates to fill vacancies in their home states; the process slows when home-state senators of different parties can't agree.

Senators then can quietly decline to endorse a nominee, or put an unpublicized "hold" on nominees they disapprove of, or can stop a nomination by simply threatening a filibuster.

In today's partisan environment, all those tactics are at work.

"There always was a bit of back and forth between the parties on nominations generally, and judicial nominations specifically," says Caroline Fredrickson, a former Senate aide and now president of the American Constitution Society, a left-leaning organization that tracks judicial nominations. "But it's become so extreme that I think we are in a completely different situation now."

This problem persists even though the Senate has confirmed more than a dozen judges in the past couple of months. That progress has served mostly to keep the number of vacancies below 100; judges still aren't being confirmed fast enough to keep up with the rate of attrition as older judges retire.

In recent days, more attention has been devoted to the Senate's unwillingness to confirm Obama administration nominations for senior executive-branch positions, including Thomas Perez as labor secretary and Gina McCarthy as Environmental Protection Agency administrator. Republican senators have buried the nominees with written questions and refused to show up for committee votes on them.

Yet the backlog of judicial vacancies is a more long-standing problem and a better illustration of the Senate's inability to pull out of partisan ruts and get beyond an epidemic of filibusters.

Both parties know that, while cabinet secretaries come and go, federal judges stay on the scene for years, even decades. So the party out of power is reluctant to let a president fill the judiciary with nominees of his political persuasion, if leaving the positions unfilled creates at least the chance that the opposition party will be able to put a judge of its liking into place a few years hence.

This political temptation wouldn't matter so much if senators hadn't also decided in recent years that it is acceptable to mount filibusters not only in exceptional cases but to stop even the most routine business.

Thus, the country now is in the bizarre position of having a chief justice, John Roberts, on the Supreme Court for almost eight years—while his previous position on the D.C. Circuit Court of Appeals has sat empty for the entire time.

This problem has been building for years. A recent study by the nonpartisan Congressional Research Service shows that even noncontroversial judicial appointments—those that ultimately got bipartisan support and easily passed the Senate—are having to wait longer for confirmation across the past four presidencies of both parties.

As Republicans note, Democrats set the stage for today's problems by filibustering George W. Bush's judicial nominees. Now the problem has grown worse in the Obama years, as Republicans turn the tables and bottle up Democratic nominations.

The study found that 35.7% of George W. Bush's noncontroversial circuit-court nominees had to wait more than 200 days for confirmation—up from 22.2% for Bill Clinton. During the Obama presidency, that percentage has soared to 63.6%. No Obama circuit-court nominee has been confirmed in less than 100 days.

What's more, previously only more-sensitive appeals-court nominations were filibustered; now it's also less-sensitive district-court nominations.

It has been clear for a while that Washington has trouble getting big things done. Judicial vacancies show it doesn't do the smaller ones so well either.

DRI,

Chicago, IL, May 16, 2013.

Senator PATRICK LEAHY,
Chairman, Senate Judiciary Committee, Dirksen
Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY: The operations of the federal judiciary are essential to maintaining the rule of law in this country, the foundation for much of our economic life. This lies in peril now as budget cuts have forced diminished court staffing, court closures, compromised security, and lengthy trial delays. This, of course, means that justice is delayed. Since criminal trials must take priority, already lengthy delays in civil trials become even longer. Perhaps thousands of businesses will not survive the abeyance of lengthy uncertainty over the outcome of litigation. We talk of the effect on justice, we talk of the effect on businesses but, at bottom, it is people's lives that are adversely changed.

The U.S. Judicial Conference and the Administrative Office of the U.S. Courts have petitioned for emergency funding of \$73 million that would replace only a small portion of the \$350 million in cuts forced upon them by sequestration. The 22,000 members of DRI—The Voice of the Defense Bar with one voice wholeheartedly support their petition and urge that you take whatever action is necessary to realize its fulfillment.

DRI will remain at the disposal of Congressional and White House leaders to provide any expertise or support needed to move funding forward.

Sincerely,

MARY MASSARON ROSS,

DRI President.

JUDICIAL CONFERENCE
OF THE UNITED STATES,
Washington, DC, May 14, 2013.

Hon. SYLVIA MATHEWS BURWELL,
Director, Office of Management and Budget,
17th Street NW, Washington, DC.

DEAR DIRECTOR BURWELL: We write on behalf of the Judicial Conference of the United States to inform the Administration of the Judiciary's decision to seek \$72.9 million in fiscal year 2013 emergency supplemental appropriations to address critical needs resulting from sequestration cuts. The supplemental request includes \$31.5 million for the Courts Salaries and Expenses account, and \$41.4 million for the Defender Services account. In accordance with 31 U.S.C. 1107, we respectfully request that the President transmit the Judiciary's supplemental requirements to Congress promptly and without change. A detailed summary of this supplemental request is included in Enclosure 1. A funding table and the proposed legislative language are included in Enclosure 2.

Final enacted appropriations for fiscal year 2013, after sequestration cuts are applied, reduce Judiciary funding overall by nearly \$350 million below fiscal year 2012 discretionary appropriations. Emergency measures have been implemented throughout the federal court system to address the drastically reduced funding levels under sequestration, but the federal courts do not have the flexibility to absorb such a large cut. The impacts of sequestration are com-

pounded by the fact that 100 percent of the cuts must be absorbed with only six months remaining in the fiscal year. Unlike some Executive Branch entities, the Judiciary has little flexibility to move funds between appropriation accounts to lessen the effects of sequestration. There are no lower-priority programs to reduce in order to transfer funds to other Judiciary accounts.

Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 allows for statutory spending caps to be exceeded under certain conditions, including if Congress and the President designate funding as an emergency requirement. The Judiciary is confronting an unprecedented fiscal crisis that could seriously compromise the Constitutional mission of the United States courts. We believe our supplemental request meets the threshold for receiving an emergency designation.

The Judiciary's emergency actions to date do not constitute a solution to the budget crisis facing the federal courts as a result of sequestration. Instead, these actions represent a conscientious effort to mitigate the adverse impact of sequestration on court operations in an attempt to ensure continued access to justice for the citizens of this country. However, sequestration cuts have created an unprecedented financial crisis that is impacting all facets of federal court operations.

Finally, we note that Executive Branch agencies with criminal justice responsibilities have had the flexibility and resources to address their fiscal year 2013 sequestration cuts. As a result, these agencies—which directly impact the workload of the Judiciary—have been able to avoid furloughs. While the Judiciary has the authority to transfer funds between appropriation accounts, it does not have the available funding flexibility needed to do so. Instead, we must ask Congress to approve a supplemental appropriation.

Please feel free to contact us if you have any questions regarding this supplemental appropriations request.

Sincerely,

JULIA S. GIBBONS,
Chair, Judicial Conference,
Committee on the Budget.
THOMAS F. HOGAN,
Secretary, Judicial
Conference of the
U.S.

SUMMARY OF JUDICIARY FISCAL YEAR 2013
EMERGENCY SUPPLEMENTAL REQUEST
COURTS SALARIES AND EXPENSES

The Courts Salaries and Expenses account funds the bulk of federal court operations including the operations of the appellate, district, and bankruptcy courts, and probation and pretrial services offices. This account was cut \$239 million below fiscal year 2012 levels under sequestration. Given the decentralized nature of the federal court system, individual courts will decide how to absorb the majority of cuts required by sequestration. To mitigate the impact of sequestration on employees, the courts have slashed non-salary budgets but even with these reductions, on a national level, up to 1,000 court employees could be laid off over the remainder of the fiscal year and thousands of employees face furloughs. These staffing losses will come on top of the nearly 2,200 probation and pretrial services officers and clerks' office staff the courts have already lost since the end of July 2011, a 10 percent loss of staff. Cuts to clerks' office staffing

will result in the slower processing of civil and bankruptcy cases which will impact individuals, small businesses, and corporations seeking to resolve disputes in the federal courts.

Sequestration cuts will also impact public safety. Our probation and pretrial services officers are federal law enforcement officers that supervise defendants awaiting trial and offenders on post-conviction release. Cuts to officer staffing levels mean less deterrence, detection, and response to possible resumed criminal activity by federal defendants and offenders in the community. In addition, funding to support GPS and other electronic monitoring of potentially dangerous defendants and offenders has been cut 20 percent. Equivalent cuts to funding for drug testing, substance abuse and mental health treatment of federal defendants and offenders have also been made, increasing further the risk to public safety.

Of the \$31.5 million in fiscal year 2013 supplemental funding requested for Courts Salaries and Expenses, \$18.5 million will be used to avoid further staffing cuts and furloughs in clerks of court and probation and pretrial services offices during the fourth quarter of fiscal year 2013. This funding will save the jobs of approximately 500 court employees and avoid 14,400 planned furlough days for 3,300 court employees. The remaining \$13.0 million will restore half of the sequestration cuts to drug testing, substance abuse, and mental health treatment services for defendants awaiting trial and offenders released from prison. Timely diagnosis and treatment

of drug and mental health conditions is critical to defendants/offenders successfully completing their terms of release and ensuring community safety.

DEFENDER SERVICES

The Judiciary's Defender Services program provides financially eligible federal defendants with defense counsel and related services that, under the Sixth Amendment and the Criminal Justice Act, the government must fund in order to prosecute cases. Program costs are essentially comprised of compensation to federal defender organization (FDO) staff, payments to private "panel" attorneys, case related expenses (expert witnesses, interpreters, investigations, etc.), space rent, and other fixed costs. Consequently, the primary options for absorbing the \$52 million sequestration cut are reducing FDO staffing levels and/or deferring payments to private panel attorneys. Reducing FDO staff results in appointments being shifted to panel attorneys thus increasing those costs, and deferring panel attorney payments into fiscal year 2014 only adds to fiscal year 2014 appropriations requirements. Absent supplemental funding, the Judiciary will need to suspend payments to private panel attorneys for the last 15 business days (3 weeks) of the fiscal year, and FDOs will need to further reduce costs through staffing cuts and by furloughing employees for a national average of approximately 15 days for the remainder of the fiscal year.

We are aware that the U.S. Department of Justice is not furloughing staff so we anticipate the pace at which criminal cases requir-

ing appointment of defense counsel will continue unabated, while resources in the Defender Services program are diminishing. Between October 2012 and April 2013, FDOs downsized by 113 employees and other employees were furloughed. Further FDO cuts and the anticipated suspension of panel attorney payments will create the real possibility that panel attorneys may decline to accept Criminal Justice Act appointments in cases that otherwise would have been represented by FDOs. Delays in the cases moving forward may result in violations of constitutional and statutory speedy trial mandates resulting in criminal cases being dismissed.

Of the \$41.4 million in supplemental funding requested for Defender Services, \$27.7 million is required to avoid deferring payments to private attorneys for the last 15 business days (3 weeks) of the fiscal year. To address staffing losses, \$8.7 million is needed to avoid further staffing cuts and furloughs in FDOs during the fourth quarter of fiscal year 2013. This funding will save the jobs of approximately 50 employees and avoid 9,600 planned furlough days for 1,700 FDO employees. The remaining \$5.0 million is for projected defense representation and related expert costs for high-threat trials, including high-threat cases in New York and Boston that, absent sequestration, the Defender Services program would have been able to absorb without the need for supplemental funding.

FEDERAL JUDICIARY—FY 2013 SUPPLEMENTAL APPROPRIATIONS REQUEST
(\$000)

Appropriation Account	FY 2012		FY 2013			
	FY 2012 Enacted Approp.	FY 2013 Full Year CR (P.L. 113-6) ¹	FY 2013 Sequestration Cut ²	FY 2013 Available Appropriation	FY 2013 Supplemental Request	FY 2013 Revised Appropriation
U.S. Supreme Court:						
Salaries & Expenses	74,819	74,684	(3,653)	71,030	—	71,030
Care of Building and Grounds	8,159	8,143	(410)	7,732	—	7,732
U.S. Court of Appeals for the Federal Circuit	32,511	32,462	(1,509)	30,953	—	30,953
U.S. Court of International Trade	21,447	21,405	(992)	20,412	—	20,412
Courts of Appeals, District Courts & Other Judicial Services (CADCOIS):						
Salaries & Expenses						
Direct	5,015,000	5,015,955	(239,114)	4,776,841	31,500	4,808,341
Vaccine Injury Fund	5,000	4,990	—	4,990	—	4,990
Total	5,020,000	5,020,945	(239,114)	4,781,831	31,500	4,813,331
Defender Services	1,031,000	1,037,920	(51,865)	986,055	41,400	1,027,455
Fees of Jurors & Commissioners	51,908	51,804	(2,611)	49,193	—	49,193
Court Security	500,000	499,000	(25,153)	473,847	—	473,847
Subtotal, CADCOIS	6,602,908	6,609,670	(318,744)	6,290,926	72,900	6,363,826
Administrative Office	82,909	82,743	(4,171)	78,572	—	78,572
Federal Judicial Center	27,000	26,946	(1,358)	25,588	—	25,588
Judicial Retirement Funds (mandatory)	103,768	125,464	—	125,464	—	125,464
U.S. Sentencing Commission	16,500	16,467	(830)	15,637	—	15,637
Total, The Judiciary	6,970,021	6,997,983	(331,668)	6,666,314	72,900	6,739,214
Sequestration to Judiciary Fees			(13,974)			
Total Judiciary Sequestration			(345,642)			

¹ Reflects Judiciary appropriations included in the FY 2013 full year CR (P.L. 113-6) as well as the reduction associated with the 0.2 percent across-the-board rescission.
² Reflects sequestration cuts calculated by the Office of Management and Budget on March 1, 2013.

FEDERAL JUDICIARY FY 2013 SUPPLEMENTAL APPROPRIATIONS REQUEST
COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES
SALARIES AND EXPENSES

Bill Language

For an additional amount for 'Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses,' \$31,500,000, for emergency expenses of the courts for the fiscal year ending September 30, 2013, including amounts necessary to minimize staffing reductions and furloughs, and for drug testing, drug treatment, and mental health treatment services of offenders and defendants in the probation and pretrial services

program. Provided, That the amount provided herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Justification

\$18.5 million will be used to avoid further staffing cuts and furloughs in clerks of court and probation and pretrial services offices during the fourth quarter of fiscal year 2013. This funding will save the jobs of approximately 500 court employees and avoid 14,400 planned furlough days for 3,300 court employees.

\$13.0 million will restore half of the sequestration cuts to drug testing, substance abuse, and mental health treatment services for defendants awaiting trial and offenders released from prison. Timely diagnosis and treatment of drug and mental health conditions is critical to defendants/offenders successfully completing their terms of release and ensuring community safety.

DEFENDER SERVICES

Bill Language

For an additional amount for 'Courts of Appeals, District Courts, and Other Judicial Services, Defender Services,' \$41,400,000, for

emergency expenses related to the representation of defendants under the Criminal Justice Act for the fiscal year ending September 30, 2013, including amounts necessary to minimize staffing reductions and furloughs in federal defender organizations, for the compensation and reimbursement of panel attorneys and experts, and for representation costs associated with high-threat trials. Provided, That the amount provided herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Justification

\$27.7 million is required to avoid deferring payments to private attorneys representing indigent defendants under the Criminal Justice Act for the last 15 business days (3 weeks) of the fiscal year. Without additional funding, sequestration cuts will necessitate that these expenses shift to fiscal year 2014. These costs were not included in the Judiciary's fiscal year 2014 budget request to Congress.

\$8.7 million will avoid further staffing cuts through layoffs, buyouts and early outs, and furloughs in federal defender organizations during the fourth quarter of fiscal year 2013. This funding will save the jobs of approximately 50 employees and avoid 9,600 planned furlough days for 1,700 federal defender organization employees.

The remaining \$5.0 million is for projected defense representation and related expert costs for high-threat trials, including high-threat cases in New York and Boston that, absent sequestration, the Defender Services program would have been able to absorb without the need for supplemental funding.

Mr. LEAHY. I yield to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I rise to speak to the nomination of Michael McShane to serve on the U.S. district court of Eugene. Judge McShane is an exceptionally qualified nominee and will make a terrific addition to the Federal bench in Oregon. Over his entire career, Judge McShane has demonstrated a tremendous commitment to the law, to public service, and to our State.

He came to Oregon 30 years ago to serve communities through the Jesuit Volunteer Corps. The Jesuit Volunteer Corps, known as JVC, is folks, often graduating from college, who dedicate 1 year of direct service to the poor, simple living, and spiritual community. They work in locations such as food banks and local church programs, to work with at-risk youth and work of this nature. They work directly to help make the world a better place and do so in an exceptional manner. Anyone who comes out of college and dedicates 1 year to such an effort certainly starts in a very sound place.

Since that time, Judge McShane has remained deeply dedicated both to Oregon and to serving those in our society most in need. After graduating from Lewis & Clark Law School, Judge McShane went to work as a public defender in Portland. For more than 10 years, he represented those who other-

wise would have no voice in our legal system. After his time as a public defender, he went to work on the circuit court, first as a judge pro tem and then simply as a judge.

In the approximately 15 years he served on the circuit court, Judge McShane has developed an excellent reputation for fairness, thoroughness, and accuracy.

He also continued to serve in the community as a foster parent and adjunct law professor at Lewis & Clark College. In one letter of support I received, a member of the Portland law community summed up his nomination by saying:

What stands out to me is that Judge McShane lives and conducts his personal life with the same integrity, honor, compassion and diligence as he displays as a judge.

Judge McShane will make an excellent addition to the U.S. district court. I urge my colleagues present tonight to join in support for his nomination.

I yield the floor.

Mr. GRASSLEY. Mr. President, before we vote on the nominees today, I want to update my colleagues on where we stand with judicial confirmations. After tonight, the Senate will have confirmed 190 district and circuit nominees; we have defeated two. That's 190-2; which is a .990 batting average. That is an outstanding record. Who can complain about achieving 99 percent?

So far this year, the Senate has confirmed 17 nominees. Today, if Judge Chappell and Judge McShane are confirmed, we confirm the eighteenth and nineteenth nominees. At this stage in President Bush's second term, only 4 were confirmed. That is a record of 19 to 4.

This President is being treated exceptionally fairly.

The President has recently submitted a few new nominations. I know I have been reminding him that we can't do anything about vacancies without him first sending up nominees.

But again, even with the recent nominations, 58 of 82 nominations still have no nominee. And for judicial emergencies, only 6 of 32 vacancies have a nominee.

So I just wanted to set the record straight before we vote on these nominees. I expect they will both be confirmed tonight and I congratulate them on their confirmations.

Judge Chappell received her B.A. from the University of Wisconsin—Madison in 1984 and her J.D. from Nova Southeastern University Law School in 1987. Upon graduation, Judge Chappell became an assistant State Attorney in the Fort Myers Misdemeanor Division. In 1988, she began prosecuting felony cases including crimes against children, drugs, property crimes, and crimes against persons. In 1991, she was promoted to office head of the Hendry and Glades County office where she prosecuted cases and supervised the at-

torneys, secretaries, and investigators. From 1993 until 1998, she acted as the supervisor of the Fort Myers Circuit Court Trial Division where she served as chair of the hiring committee and created a training course for new assistant state attorneys. From 1998 to 2000, Judge Chappell served as the office head of the Charlotte County office.

In 2000, Judge Chappell was appointed by then-Governor Jeb Bush as a Lee County Court judge for the Twentieth Judicial Circuit. In 2002, she was elected to serve a 6-year term for this position. There, she had jurisdiction over misdemeanor cases and civil disputes involving \$15,000 or less. She resigned in 2003 due to her selection as a United States magistrate judge for the Middle District of Florida. There she handles criminal and civil dockets.

According to her questionnaire, Judge Chappell has presided over approximately 519 cases that have gone to verdict or judgment.

The American Bar Association's Standing Committee on the Federal Judiciary gave her a Unanimous "Qualified" rating.

Judge McShane received his B.A. from Gonzaga University in 1983 and his J.D. from Northwestern School of Law at Lewis and Clark College in 1988. For the first 9 years of his law career, Judge McShane worked as a public defender in Portland, OR, representing indigent clients facing criminal prosecution, the majority accused of felonies. During this time, he held the positions of Senior Felony Attorney and Misdemeanor Supervisor. According to his questionnaire, as a practicing attorney, Judge McShane tried over 500 trials to verdict.

In 1997, Judge McShane was appointed as a Multnomah County Circuit Court judge pro tem by then-Chief Justice of the Oregon Supreme Court, Wallace Carson. He presided over misdemeanor trials, criminal arraignments, traffic matters, stalking protective orders, probation hearings, small claims, and forcible entry and detainer matters.

In 2001, Judge McShane was appointed to the Multnomah County Circuit Court by then-Governor John A. Kitzhaber. In 2002, he was elected to the position and re-elected in 2008. He served as a trial judge with general jurisdiction and presided over criminal and civil matters. In 2012, he was assigned to the family law bench. According to his questionnaire, Judge McShane has presided over thousands of cases, of which approximately 1,600 cases went to verdict.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a Majority "Qualified" and Minority "Well Qualified" rating.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COWAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNIS. Mr. President, we yield all time on our side.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Sheri Polster Chappell, of Florida, to be United States District Judge for the Middle District of Florida?

Mr. JOHANNIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Ms. LANDRIEU) would each vote "yea."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Kentucky (Mr. PAUL), the Senator from South Carolina (Mr. SCOTT), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from South Carolina (Mr. SCOTT) would have voted "yea."

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 128 Ex.]

YEAS—90

Ayotte	Cornyn	Johnson (SD)
Baldwin	Cowan	Johnson (WI)
Barrasso	Crapo	Kaine
Baucus	Cruz	King
Begich	Donnelly	Kirk
Bennet	Durbin	Klobuchar
Blumenthal	Enzi	Leahy
Blunt	Feinstein	Lee
Boozman	Fischer	Levin
Boxer	Flake	Manchin
Brown	Franken	McCain
Burr	Gillibrand	McCaskill
Cantwell	Graham	McConnell
Cardin	Grassley	Menendez
Carper	Hagan	Merkley
Casey	Harkin	Mikulski
Chambliss	Hatch	Moran
Coats	Heinrich	Murkowski
Coburn	Heller	Murphy
Cochran	Hirono	Murray
Collins	Inhofe	Nelson
Coons	Isakson	Portman
Corker	Johannis	Reed

Reid	Schumer	Toomey
Risch	Sessions	Udall (CO)
Roberts	Shaheen	Udall (NM)
Rockefeller	Shelby	Warner
Rubio	Stabenow	Warren
Sanders	Tester	Whitehouse
Schatz	Thune	Wyden

NOT VOTING—10

Alexander	Lautenberg	Vitter
Heitkamp	Paul	Wicker
Hoeben	Pryor	
Landrieu	Scott	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from New Jersey.

MORNING BUSINESS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that there be a period of morning business until 7 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that upon the conclusion of my remarks Senator BOXER be recognized for her remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, let me thank the distinguished Senator from California for her courtesy in allowing me to move forward first.

THOUGHTS AND PRAYERS FOR THE PEOPLE OF OKLAHOMA

Mr. MENENDEZ. Mr. President, before I begin, let me offer my thoughts and prayers for the people of Oklahoma, who are in the middle of a devastating disaster. We in New Jersey know what that kind of devastation can mean, and our hearts go out to the victims and their families who have lost everything.

PEREZ NOMINATION

Mr. MENENDEZ. Mr. President, I rise today to reiterate my strong support for Tom Perez, a man eminently

qualified to serve our country as the next Secretary of Labor.

I am pleased that the Senate Health, Education, Labor, and Pensions Committee voted last Thursday to favorably report Mr. Perez's nomination to the full Senate. But we must remember this step forward came only after weeks of delay.

This is the week we should have been on this floor debating and voting on the confirmation of Tom Perez, but we are not. Instead, delaying tactics on this and other nominees have now needlessly, pointlessly pushed this debate into next month.

Let me state for the record that the obstruction we have seen thus far in the confirmation process is completely unacceptable and, for the sake of the American people, for the sake of good governance, it must end.

It does not stop at the Department of Labor. Republicans have refused to take up nominees at the National Labor Relations Board, threatening the operation of this critical agency. It appears any agency that stands up for workers' rights is under attack. Let's just do the job the American people sent us here to do.

Tom Perez is a quintessential public servant, but apparently that is not enough for my colleagues on the other side. He is a consensus builder, but that is not enough. As secretary of labor in Maryland, he brought together the chamber of commerce and Maryland labor unions to make sure that workers received the level of wages and benefits they deserved and that businesses had the skilled workforce they needed, but that experience of bringing both sides together is not enough. It is not enough that he is the Assistant Attorney General for the Civil Rights Division of the Department of Justice, where he increased prosecutions of human trafficking by 40 percent, won \$50 million for armed services members whose homes were improperly foreclosed on while they served, and settled the three largest fair lending cases in the history of the Fair Housing Act, recovering more money for victims in 2012 than in the previous 23 years combined. But none of those accomplishments on human trafficking, on servicemembers, on people who were abused in fair housing—that is not enough. It is not enough that he spent his entire career in public service. It is not enough to be a Brown University graduate or have a master's in public policy from the Kennedy School or a juris doctorate from Harvard Law.

The truth is that my friends on the other side are looking to block his nomination because Tom Perez is not enough of a Republican to pass muster. He is too much of an advocate for people with disabilities, achieving the largest ever disability-based housing discrimination settlement. He is too much of a civil rights champion. He obtained the first convictions under the

Matthew Shepard and James Byrd Hate Crimes Prevention Act. He has been a strong supporter of ending discrimination on the basis of sexual orientation. They seem to hate the Civil Rights Division, but who could deny the importance of their work?

Tom Perez is just too much for my friends on the other side who want to block this nominee and insist on obstructing, obfuscating, and politicizing everything that comes before the Congress. The fact is that this is not even about Tom Perez. It is about rendering government helpless and standing in the way of any effort to govern.

Tom Perez is a good man. He is qualified and competent. He is a professional public servant nominated by the President and already confirmed by the Senate to the post he holds today. I endorsed Tom Perez after meeting him. I continue to stand firmly by him as a nominee. But what I will not stand for is Republicans blocking his nomination for no valid reason, without any real objection, only an ideological objection to allowing this President or this Congress to govern or to at least select a Cabinet that will help us do so, and in this case particularly the Department of Labor that stands for working men and women of this country.

I said, when the President nominated him, he was an outstanding nominee to be the Secretary of Labor. He has "dedicated his career to championing the rights of workers and all Americans, and I am confident he will continue to do the same if confirmed."

I also marvel that I listen to all the election postmortem about how the Republican Party has to reach out to Hispanic Americans in this country, how they have to do a better job of engaging them and selling their vision of America. This is the President's first nominee for this second term of a Hispanic American who is eminently qualified.

To try to stop this nominee is reverting back to the same old failed political strategies during the last election. It is unfortunate that the President's first Hispanic choice for his second-term Cabinet comes under such attack, no valid attack. It does not have to be that way. Mr. Perez deserves an up-or-down vote, and he deserves to be swiftly confirmed as the next Secretary of Labor.

To my friends on the other side, I would say to you it is time to stop the obstructionism. I would say to you the empty rhetoric and baseless objections to Tom Perez's nomination are not going to serve you well in the Hispanic community. You should allow, as I have heard so many times—give us an up-or-down vote—an up-or-down vote. Working families in this country, those who depend upon the Labor Department to have a sense of fairness and justice, deserve an up-or-down vote. Hispanic Americans who want to see

someone from that community represented in the President's Cabinet want to see an up-or-down vote. That is what justice would be all about.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before my friend from New Jersey leaves the floor, I wish to thank him for leading a letter regarding this important nomination. We need a Secretary of Labor. We had a wonderful Secretary of Labor, Hilda Solis. The reason it is so essential is we now see that the middle class is essentially collapsing, even though we are coming out of the worst recession since the Great Depression because of the leadership of our President and those of us who tried to help him. We need a head of the Department of Labor to make sure everybody gets a fair chance. I wish to thank my friend. He makes a very important point about Republican obstructionism.

After the election, they sat around, all of them, and said: Oh, my goodness. We have to do better with Hispanics. We have to do better with women.

Who are the two people they are holding up with all their might at this point—and I hope they end it—Mr. Perez and Gina McCarthy, a woman who deserves a promotion just as Mr. Perez deserves a promotion. They can say all they want that they are reaching out to minorities and women, but then they are blocking promotions of people who are outstanding Americans. I wished to say that before my friend left the floor.

FACING THE ISSUES

Mrs. BOXER. My colleagues on the other side of the aisle are focused on several issues, which they call scandals. I would like to address those and then talk about issues that seem to be falling through the cracks while they focus on "gotcha" politics; they are going to get the President.

I think we will start with the IRS. It is wrong to target any group for scrutiny whether they are on the right or on the left, if it is a tea party group or a liberal church. We have seen this with the IRS over the years. As a matter of fact, I looked back to see how many of my Republican friends stood up and talked about going after the IRS and straightening them out when they went after the NAACP or when they went after a liberal church in Pasadena in Congressman SCHIFF's district. The fact is they got exercised when they went after the tea party. OK. I hear you. I am with you. What is important is so is the President.

If this President says: I agree with you, they say: We didn't hear you.

They just want to fight. I have friends where sometimes we are having a debate, and all of a sudden a bright light goes on and I will say, you know

what, I think you are right. Sometimes they keep on arguing.

The President said this is an outrage, and he has already made sure people are being fired. We are going to make sure we straighten things out at the IRS.

Let's focus on how to fix it, not how to make it into a "gotcha" political issue. We also have Republican outrage over the Justice Department seeking the phone records of the Associated Press.

I, myself, believe freedom of the press is one of the most important freedoms we have. I don't like to see phone records of reporters subpoenaed in secret.

I was once a reporter and had a lot of confidential sources. I wrote for a very good weekly magazine called the PacificSun. I did in-depth stories on all kinds of issues. People would talk to me, and they knew I would never say who they were and who was giving background.

The thought of having the government take a look at these records without telling the press is bad. Guess what. The President agrees it is bad. The President said we need a law, a media shield law. Guess what else. We had a vote on this in 2008. It was 51 to 43 with all Democrats supporting the media shield law and all Republicans, save 5, voting to filibuster, so the bill was killed.

How do they then say this is horrible when they themselves, Republicans, blocked us from protecting the media?

I believe this is an important issue we should work on together, but it shouldn't be made into a political "gotcha." We should fix it and move on. Let's take up a media shield law again. This time the Republicans shouldn't filibuster since they are all over this question, and let's get going.

Then we look at Benghazi. I am on the Foreign Relations Committee. I sit next to the chairman. I sat next to John Kerry. I sat through all the hearings where Hillary Clinton, the Secretary of State, said: This was a tragedy. These were my friends who were killed. I take full responsibility.

She ordered an independent investigation. It came back and guess what it said. We need to spend more defending our outposts.

Guess who started cutting embassy security, who initiated it. The Republicans in the House.

I think if they are looking to blame someone, why don't they look in the mirror for starters.

Again, let's fix the problem. I am supporting a bill that will authorize funding for key items identified by the independent review board Secretary Clinton put together. It will deal with a number of pieces they recommend. It requires, among others, detailed reports from the State Department on how they are progressing toward implementing the recommendations, and it

requires the identification of the most high-security threats.

I understand why we would look at losing four brave Americans as a tragedy. It is a tragedy. Don't politicize it.

Where were the Republicans when we lost 4,000 Americans in Iraq, injured 10 times as many. Where were they? Where was their indignation at that? Based on false premises, that war was a war of choice, not a war of necessity.

We have all of this swirling around Washington and we look at the American people and we say what is it they want us to do. Sure, we should conduct oversight. I am all for it. Let's solve those problems, but let's move to the issues that matter.

I will tell you what matters most in California: jobs, jobs, jobs, the economy, the economy, the economy. We just moved off a double-digit unemployment rate. For the first time in a long time we are below 10 percent. It means we have to keep our eye on this economy. We have to make the investments that matter. Restore some of the mindless cuts that were made with the sequester while we see this deficit going down.

That is another point. All the howling from the Republicans about how this President doesn't care about deficit reduction, we are witnessing deficit reduction. We are witnessing the housing market come back. We are witnessing a lot of good. Just think of what we could witness if we came together, sat down with this President and inked a whole new plan for this economy, for deficit reduction.

We have to do the farm bill. We just did the water resources bill. Let the House get it done. We did the Marketplace Fairness Act. Let the House get it done.

Republicans, I say to them—they are not here—rhetorically, help us pass a budget. They are blocking the budget. They went around the country campaigning against Democrats saying we didn't pass a budget. Then we passed a budget and now they will not finish the job, which means making sure we get conferees appointed. Bring the two bills together, the House and the Senate, compromise on that, and get the budget done. There is no budget. They will not let us do it.

Endlessly, they bash the President. Immigration reform, my colleagues are doing an incredible job in the Judiciary Committee, very difficult—sensible gun laws, background checks, things that matter to people.

Working on the farm bill, I hope we get it done this week. Last time it died in the House. I have a message for my House friends. Please, do your oversight but do something for the people that they are asking us to do. Get a budget, get a farm bill, get a Marketplace Fairness Act. Work on restoring the mindless cuts so we can have more jobs. These are the things that have to

be done. Background checks. We didn't get it here. It was very close. It would be great if they did something in the House.

This week I believe we are voting on Richard Cordray to head the Consumer Financial Protection Bureau. We have to protect the middle class.

Today I read the paper about some new instrument that has been thought of by Wall Street that would go to people and say give us the proceeds of your pension plan, and we will give you a lump sum. Maybe that is great, but it sounds risky to me. We need someone who is out there protecting the consumers, particularly in banking and housing. I hope we get Richard Cordray done.

I thought Senator MENENDEZ was brilliant the way he explained why Thomas Perez deserves to be head of Department of Labor.

I wish to spend a couple of minutes on Gina McCarthy. She has a history of bipartisanship. She worked for not one, not two, not three but four Republican Governors: Republican Governor of Connecticut Jodi Rell, Republican Governor of Massachusetts Paul Cellucci, Republican Governor of Massachusetts Jane Swift, Republican Governor of Massachusetts Mitt Romney. She worked for four Republican Governors. She is not enough qualified for my friends on the other side. She was confirmed here without a dissenting vote for her current position. What more do they want? She worked for four Republicans and one Democrat, Barack Obama. What more do they want?

This is what Christie Todd Whitman said about the Republican boycott: They walked out. They have since returned to the table. I was happy, but when they walked out of that meeting, they didn't come to the meeting, and we couldn't mark her up the first time we tried. She said: They looked like sore losers when they walked out. If they don't object to the person and what they have done in the past, and they don't with Gina, then they have even less grounds to hold up this nominee.

Jane Swift, who was a former Republican Governor of Massachusetts, said it was disgraceful.

I don't get it. Ms. McCarthy answered 1,000 of their questions. Then when I approach my friends on the other side and say, you asked her a thousand questions, their answer was: Well, we only cared about five. Then why did you ask her a thousand questions? She had to sit there, exhausted, answering every single question.

Now Senator VITTER says I don't know what I will do. I might let it go and not filibuster, but then I might filibuster or I might wind up voting for her. Well, you know, the time for all this contemplation has passed. The woman is qualified. The President deserves his Cabinet, he deserves an EPA

Administrator. He made a bipartisan choice in Gina. Gina was brilliant when we had our hearing. Enough already. Please, it is time to have a vote up or down on Gina McCarthy.

We have a lot of work to do. I mentioned a few. How about the latest threat from the Republicans? They decided they are not sure they are going to raise the debt ceiling so they now have a bill where they lay out who would get paid first when we default on our debt. And guess what, America: It is not you. It is China. Before we pay America's business or American bondholders, we are going to pay China.

So when you look at where we are going with this debt ceiling, the last time they held it up it cost us \$19 billion—\$19 billion over 10 years—because they played games, even though when Ronald Reagan was President he said: Don't even go there. Of course, I am paraphrasing. But he said even the thought of not raising the debt ceiling and not paying our debts is dangerous for our Nation.

Yet now the Republicans have a bill that we call "Pay China First." That is what it is about. They would pay China and other foreign bondholders before we pay our troops, our disabled and retired veterans, doctors and hospitals that treat Medicare patients, and before we pay American businesses that are contractors.

I understand they had a meeting to discuss this further, and they were so excited about it—what hostages they could hold—they talked about proposals that threaten a woman's right to choose, tax breaks for the wealthy, and repealing ObamaCare. They have already tried it 37 times. And cutting Medicare.

What are they thinking over there? Pay our bills. Don't let this country's credit be downgraded again.

I tell you something, if that is what they do, they do not deserve to get their salary. I have a bill that would say if we default on our obligations by not raising the debt ceiling we should give up our pay. I don't know what they are doing over there other than playing politics, and it is dangerous.

We know they do not care for our President, but he is the President. Show a little respect for the office. Show a little respect for what he has on his shoulders. Show a little respect for what he has already accomplished, and accept the fact that when there is trouble he doesn't hide in the corner. He says: You are right, I want to fix it. Let's fix it together.

CLIMATE CHANGE

I have gone over just some of the issues we have to look at, but I am going to close with one very big issue that no one, except a handful of Senators, seems to care about, and that is climate change.

I have to say it is shocking to me that as this planet enters a planetary

emergency, where we are as close as we can be to carbon concentrations of almost 400 parts per million, which is the danger zone, I still don't see anyone here saying to me, as chairman of the Environment and Public Works Committee, let's get a bill to the floor. Oh, no. Oh, no. So we are burning up.

I am going to read a little bit from what I thought was a very well-done piece in Politico, and I am going to read parts of it, but I ask unanimous consent to have printed in the RECORD the entire Politico article I am about to read from.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico Pro, May 10, 2013]

SCIENTISTS ALARMED AS CO₂ PASSES THRESHOLD

(By Andrew Restuccia)

The amount of heat-trapping carbon dioxide in the atmosphere passed a symbolic milestone this week, scientists announced Friday, reaching levels that haven't prevailed on the Earth since long before human civilization began.

The long-expected announcement by the National Oceanic and Atmospheric Administration—that CO₂ concentrations had finally hit 400 parts per million at a key measuring station in Hawaii—means little by itself. But it's a sign that time is slipping away to head off or lessen the rising sea levels, worsening storms, species die-offs and other fallout from global warming, scientists and climate activists warned.

Still, there are few signs that Washington will emerge from its deep snooze on the issue.

Congress remains unable to pass serious legislation to tackle climate change. Efforts to reach a major binding international climate change treaty have sputtered. And while the Obama administration has made some strides in lowering greenhouse gas emissions, including increasing fuel-efficiency standards for cars, climate experts say much more needs to be done—and fast.

"We've never been here before, certainly not while human beings were on the planet," said Melanie Fitzpatrick, climate scientist at the Union of Concerned Scientists, estimating that it's been 3 million–5 million years since the planet has had such high carbon dioxide levels.

"The carbon dioxide concentration in the atmosphere is like the thermostat in your house. Every time you turn it up, we are essentially turning up the heat in the planet," said Jon Hoekstra, chief scientist at the World Wildlife Fund. "We're essentially baking ourselves in, perhaps quite literally."

NOAA said the daily mean CO₂ concentration was 400.03 ppm on Thursday at Mauna Loa, Hawaii, the world's oldest continuous carbon dioxide measurement station. That was the first time the figure had crossed 400 ppm there since measurements began at the site in 1958, the agency said.

NOAA said last year that sites in the Arctic had already reached 400 ppm, but measurements from the facility in Hawaii are closely watched as an indicator of broader trends on the planet.

"It's unprecedented," said James Butler, director of the Global Monitoring Division of NOAA's Earth System Research Laboratory. "Hitting 400 is just saying, 'Folks, we haven't addressed this yet.'"

Butler said the planet hasn't seen atmospheric levels of carbon dioxide this high since the Pliocene era, between 2.5 million and 5 million years ago. He said the global average temperature will probably reach 400 ppm in one or two years.

Scientists warn that continued increases could result in catastrophe. A federal report released earlier this year, for example, said 5 million Americans living in low-lying areas could be affected by sea-level rise in the coming decades.

And global emissions appear poised to continue soaring. Not only has the CO₂ concentration risen over the decades, NOAA said, but the rate of increase has been accelerating—"from about 0.7 ppm per year in the late 1950s to 2.1 ppm per year during the last 10 years."

"Before the Industrial Revolution in the 19th century, global average CO₂ was about 280 ppm," NOAA said in a statement Friday. "During the last 800,000 years, CO₂ fluctuated between about 180 ppm during ice ages and 280 ppm during interglacial warm periods. Today's rate of increase is more than 100 times faster than the increase that occurred when the last ice age ended."

The surge in atmospheric carbon dioxide emissions shows that federal and global policies to curb global warming aren't even close to adequate, said Dan Lashof, director of the climate and clean air program at the National Resources Defense Council.

"It's a very black and white record of what we're doing to the atmosphere. The bottom line for climate policy can be measured by the CO₂ concentration we're observing in the atmosphere," Lashof said.

Bill McKibben, founder of 350.org—an activist group that has led the call for lowering carbon dioxide in the atmosphere to 350 ppm—called the measurement "one more grim milestone."

"Somewhere between 350 and 400 ppm the Arctic melted, and the ocean turned 30 percent more acidic," he said. "And the country's political leaders took no action even remotely commensurate with the scale of the crisis. Let's hope we can build this movement strong enough that that changes before we add another 50 ppm."

Environmental groups used the 400 ppm milestone to revive their long-standing demands for action.

"What we're looking at is really an opportunity for a wake-up call for people," Fitzpatrick said. "We really need to come up with solutions. And they're out there. We just need to implement them."

But bitter partisanship in Washington has proven that policymakers face massive hurdles in their push to tackle the problem. Brad Johnson, campaign manager of the climate activist group Forecast the Facts, painted a bleak picture of the political landscape.

"We must respond with urgent resolve to end this uncontrolled experiment on our only home," he said in a statement. "Yet the Republican Party maintains climate change denial as a central tenet of their party platform, and President Obama refuses to admit the threat projects like the Keystone XL tar sands pipeline pose to our future survival."

Still, some expressed hope that recent events like the droughts that hammered much of the country and Hurricane Sandy will build support for action.

"At what point do we as a society say this is more than we can put up with?" Hoekstra asked.

Mrs. BOXER. This is from an article dated May 10 from Politico:

The amount of heat-trapping carbon dioxide in the atmosphere passed a symbolic milestone this week, scientists announced Friday, reaching levels that haven't prevailed on the Earth since long before human civilization began.

Let me say that again. Is anybody listening to this? Scientists said:

The amount of heat-trapping carbon in the atmosphere passed a symbolic milestone this week, reaching levels that haven't prevailed on the Earth since long before human civilization began.

Do you know who said that? NOAA, the National Oceanic and Atmospheric Administration.

... CO₂ concentrations had finally hit 400 parts per million at a key measuring station in Hawaii. ... Still, there are few signs that Washington will emerge from its deep snooze on the issue.

How right on. They are all sleeping, except for a handful of us. Wake up to this.

Congress remains unable to pass serious legislation to tackle climate change.

Melanie Fitzpatrick, climate scientist at the Union of Concerned Scientists, was quoted in the article saying:

... it's been 3 million to 5 million years since the planet has had such high carbon dioxide levels. We've never been here before, certainly not while human beings were on the planet.

She goes on. Oh, no, this is Jon Hoekstra of the Wildlife Fund.

The carbon dioxide concentration in the atmosphere is like the thermostat in your house. Every time you turn it up, we are essentially turning up the heat in the planet.

James Butler, Director of Global Monitoring of NOAA's Earth System Research Lab, was quoted as saying:

It is unprecedented. Hitting 400 is just like saying, "Folks, we haven't addressed this yet." The planet hasn't seen atmospheric levels of carbon dioxide this high since the Pliocene era, between 2.5 million and 5 million years ago. The global average temperature will reach 400 parts per million in 1 or 2 years.

The article continues:

Scientists warn that continued increase could result in catastrophe. ... 5 million Americans living in low-lying areas who could be affected by sea level rise.

It goes on and on. Hoekstra ends his quote with:

At what point as a society do we say this is more than we can put up with?

I will tell you why we are not doing anything. Special interest: Big oil, big coal, big polluters. They do not want to address this. For their short-term profit they do not to want address this. It is sad, the control they have here. Special interests have a lot of control, whether it is the NRA stopping us from doing something 90 percent of the people want, such as background checks, or it is big polluters—big polluters who don't want us to do anything about this issue for their short-term benefit.

When they are all gone and people are suffering in our country, our

grandkids and great-grandkids are going to say: What was my great-grandma thinking? What was my great-grandpa doing? We see what is happening in the weather. Just look out the window. We see it.

Mr. President, I have discussed the latest scientific information that is available to us, including a front-page story in *USA Today*, on March 1, that spotlighted the impacts of climate change unfolding around us. The story was part of a year-long series called "Why You Should Sweat Climate Change," and it described how climate disruption is happening all around us.

I have also talked about a report entitled the "2013 High Risk List" that was released by the Government Accountability Office—GAO—a government watchdog agency. That report told us how climate disruption and the increased frequency and intensity of extreme weather events, such as Superstorm Sandy, threaten our Nation's financial security.

Another aspect of climate change that I have discussed is its impact on public health in the U.S. and China, which has experienced the harmful health effects from air pollution due to its rapid industrialization over the past few decades.

Today I will discuss how climate disruption poses a risk to our national security in several ways. It has serious implications on national security planning, it places additional burdens on the U.S. military, and it affects our military readiness.

We have been told by a number of military leaders and defense experts, such as former Secretary of State George Schultz under President Reagan, that climate change is a fact and we must address it as a national security priority.

It is a priority that we simply cannot ignore. An open letter was signed by 38 former high-ranking Republicans, Democrats, and Independents—including 17 former Senators and Congress members, 9 retired generals and admirals, and Cabinet officials from the Nixon, Ford, Carter, Reagan, Bush (41), Clinton, and Bush (43) administrations. The letter was turned into an ad highlighting that.

Look at this chart.

"The cost of inaction will be staggering." This is a February 25, 2013, Partnership for a Secure America ad.

Some of our most senior military leaders have already told us that climate disruption will have significant impacts on national security.

According to the Chief of U.S. Pacific forces:

The significant upheaval from climate change 'is probably the most likely thing . . . that will cripple the security environment . . . Navy Admiral Samuel J. Locklear, III, "Chief of US Pacific forces calls climate biggest worry,"

That is from the *Boston Globe*, March 9, 2013.

There are a broad range of risks associated with the impacts of climate change, such as drought and lack of drinking water supplies, which can contribute to military crises around the world. These threats must be factored into our national security planning and operations.

According to President Obama's National Security Advisor, the environmental impacts of climate change are clear:

[T]he danger from climate change is real, urgent, and severe. The change wrought by a warming planet will lead to new conflicts over refugees and resources; new suffering from drought and famine; catastrophic natural disasters; and the degradation of land across the globe.

That is from Tom Donilon, National Security Advisor, April 24, 2013.

In March, the Director of National Intelligence, James Clapper, reported to the Senate that climate change and extreme weather will create water scarcity, disrupt food supplies, and harm energy infrastructure in ways that will raise global risks of instability and aggravated regional tensions.

This is from the March 12, 2013, Worldwide Threat Assessment of the U.S. Intelligence Community, report to the Senate Select Committee on Intelligence.

While climate change alone does not cause conflict, it can accelerate instability, increase the threat of international military crises, and hinder our ability to combat terrorism. According to the Department of Defense's Defense Science Board:

Climate change effects, particularly those related to water and food and security, can erode the legitimacy of fragile states and create conditions terrorists and extremists seek to exploit. Therefore, they are significant factors in combating terrorism.

This is from "Trends and Implications of Climate Change for National and International Security," Department of Defense's Defense Science Board, October 2011.

Climate disruption is also placing an additional burden on our military, because it impacts the type of missions that must be planned for and undertaken. Climate change is increasing the frequency and intensity of extreme weather events, and when a weather disaster occurs, our Armed Forces mobilize to provide humanitarian assistance to local communities and families in need.

We saw this happen with Superstorm Sandy, which wiped out entire communities in just a few hours. In response, our soldiers came to the rescue of people on the east coast who were impacted by Sandy's storm surge. These types of humanitarian missions—

whether it is in the U.S. or overseas—place additional burdens on our brave men and women in uniform.

Disasters such as Sandy that harm our civilian infrastructure, such as airports, ports, and electric grids, also create national security issues, because they can affect military readiness.

In addition to civilian infrastructure, Superstorm Sandy caused tremendous damage to our military facilities. A portion of the \$60 billion Sandy emergency relief package that Congress passed earlier this year went toward repairing and replacing damaged Federal military assets, including: Fort Dix in New Jersey; Norfolk Naval Station in Virginia; Dover Air Force Base in Delaware; and the Coast Guard Academy campus in Connecticut.

The U.S. military has almost 300,000 buildings valued at \$590 billion—much of which is at risk because of climate change. In January, DoD stated:

In many ways, coastal military installations have been on the front lines of climate change.

In fact, 10 percent of DoD coastal installations and facilities are located at or near sea level. According to the National Intelligence Council, more than 30 U.S. military installations were already facing elevated risks from storm surges and rising sea levels. These installations include

Eglin Air Force base, located on the Gulf of Mexico in the Florida panhandle—this facility faces storm surges and sea level rise; and

Norfolk Naval Station and the neighboring Newport News shipyard—the location where we build aircraft carriers. These facilities are also threatened by storm surges and sea level rise.

The U.S. military is not alone in viewing climate change as a threat. A recent study found that over 70 percent of nations surveyed around the world view climate change as a national security threat.

This is from the American Security Project: *Global Security Defense Index on Climate Change*, March 21, 2013.

Countries around the world recognize that climate change is a national security threat, but it is the U.S. military that must take a leading role. As one of America's retired military leaders, former U.S. Navy Vice Admiral Lee Gunn, stated:

Climate Change poses a clear and present danger to the United States of America . . . The imperative, then, is for leadership and action on a global scale. The United States must act. The United States must lead.

This is from the November 1, 2012, "Climate Change and the Homeland," American Security Project.

I could not agree more. We must follow the analysis and advice of our Nation's military leaders and national security experts to protect the American people by addressing the dangerous threat posed by climate disruption.

I want to show a few charts about what people are saying, and then I will stop.

"The cost of inaction will be staggering." This ran in March.

The effects of climate change in the world's most vulnerable regions present a serious threat to American national security. Countries least able to adapt to or mitigate the impacts of climate change will suffer the most, but the resulting crisis will quickly become a burden on U.S. priorities. Both the Department of Defense and State Department have identified climate change as a serious risk to American security and an agent of instability.

This is a very bipartisan group. It is actually mostly Republicans on this, of people saying do something about this. Our national security is at stake.

When there are refugees who are run out of their country, what is going to happen to the world? There already are climate refugees. There is a movie called "Climate Refugees."

"Danger from climate change is real, urgent and severe."

The change wrought by a warming planet will lead to new conflicts over refugees and resources; new suffering from drought and famine; catastrophic natural disasters; and the degradation of land across the globe.

That is a quote from Tom Donilon, National Security Adviser. So this is a national security issue.

How could the polluters have so much power to overwhelm our national security people? But that is where it is. That is where it is.

"Climate change can hinder ability to combat terrorism."

Climate change effects, particularly those related to water and food and security . . . can create conditions terrorists and extremists seek to exploit. Therefore, they are significant factors in combating terrorism.

That was the Department of Defense, October 2011. Department of Defense. National security advisers. The CIA has been telling us this for a long time. We have to act. We have to act.

I have to say there are a number of my colleagues here—a small number—who feel the way I do. We are all pushing hard. Senator SANDERS and I have a bill, the Sanders-Boxer bill, that would put a price on carbon. Carbon could cost us the planet. The least we can do is put a little charge on it so people move to clean energy—clean energy.

Take the issue of the Keystone Pipeline. It is a big controversy. People say, let's just do it. Well, you ought to see what will come out of that in terms of carbon pollution. It will undo all the good we did from fuel economy. And the oil won't stay here. They have a waste disposal problem with it. But it is a little bit inconvenient.

Remember when Vice President Gore wrote the book "Inconvenient Truth." It is a little inconvenient for us. We don't want to know about it because it is hard to deal with. But we can do it.

In California, we are beginning to see more and more solar rooftops, more

and more clean power, and the jobs that are coming with it are extraordinary. We can do this. This is the greatest Nation in the world, but we are kind of held hostage to the big polluters. We have to say that we have to act for the safety of the people.

We are hearing it. We are hearing it from our national defense department, we are hearing it from George Shultz, who was the former Secretary of State under President Reagan. He says it is a national priority that shouldn't be ignored. Cabinet officials from the Nixon, Ford, Carter, Reagan, and Bush—41 from Clinton and 43 from Bush—wrote a letter to us. And Navy ADM Samuel Locklear, III, Chief of U.S. Pacific Forces, calls climate "our biggest worry."

That is what he said.

The significant upheaval climate change "is probably the most likely thing . . . that will cripple the security environment. . . ."

This is a Navy man.

There are a broad range of risks associated with the impacts of climate change, such as drought and lack of drinking water supplies, which can contribute to military crises around the world.

This is what the Director of National Intelligence, James Clapper, said:

. . . extreme weather will create water scarcity, disrupt food supplies, and harm energy infrastructure in ways that will raise the global risks of instability and aggravated regional tensions.

It goes on. The entire national defense establishment is speaking with one voice. We also wanted them to tell us what would happen to our military facilities. Many of them—300,000 buildings valued at \$590 billion are at risk because of climate change. Those are coastal military installations.

We are dealing with a lot of infrastructure. Norfolk Naval Station, neighboring Newport News shipyard where they build the aircraft carriers, they are threatened by storm surges and sea level rise.

I have come to the floor now three or four times to keep raising these different issues. Tonight I am talking about national security, but we also saw terrible tornadoes in Oklahoma—horrible. I send my condolences to the people who lost loved ones. This is climate change. This is climate change. We were warned about extreme weather—not just hot weather but extreme weather.

When I had the gavel years ago—it has been a while—the scientists started to agree that we would start to see extreme weather. People said: What do you mean? Do you mean it is going to get hot? Yes, it is going to get hot, but we are also going to have snow in the summer in some places. We are going to have terrible storms and tornadoes and all the rest.

We need to protect our people. That is our No. 1 obligation. We have to deal with this threat that is upon us. It is

going to get worse and worse through the years.

I certainly hope—and I pray over it—that people will wake up to this and we will start to have support for moving together and at the end of the day it is a win-win-win. We will help save our planet. We will create good-paying jobs right here in America as we move toward clean energy. We will see fewer people with asthma, and we will have a more healthy population.

At the end of the day we will help those in the transition who have to pay a little bit more for their energy. We have it all figured out, how to do that, and no one will be hurt. But right now—I am a very straight from the shoulder person—I can tell you it is not happening, but I feel an obligation to my grandkids to be here every Monday I can be here to put in the RECORD the problems we are facing.

IMMIGRATION

Mr. LEAHY. Mr. President, over the past several weeks the Senate Judiciary Committee has considered the Border Security, Economic Opportunity, and Immigration Modernization Act. In addition to the three hearings the Committee held this year on the need for comprehensive immigration reform, the Committee held an additional three hearings specifically on this legislative proposal after it was introduced. In those legislative hearings we received testimony from 26 witnesses, including the Secretary of Homeland Security, Secretary Napolitano, who spoke at length about the bill would make our country safer and help address the current problems in our immigration system.

The Judiciary Committee has benefited from more process and transparency than any previous Committee consideration of immigration reform. In 1985, the Judiciary Committee Subcommittee on Immigration held three hearings on the Immigration Control and Reform Act and heard testimony from 14 witnesses. In 2006 and 2007, the last two times the Senate tried to enact comprehensive immigration reform, the Republican chairman of the Judiciary Committee held no hearings on his legislative proposal or the McCain-Kennedy proposal or the Kyl-Kennedy formulation.

In 2006, the Republican chairman circulated his legislative proposal just one week before the Committee met to make opening statements. He then revised his legislation and circulated it barely 2 days before the Committee met to begin debate and consider amendments. This year, the Judiciary Committee received the bill text on April 17, and after a period of more than 3 weeks to consider it and draft amendments we began our consideration of amendments to the bill on May 9.

During the Committees consideration of the Immigration Reform and Control Act in 1986 the Committee met four times. We are holding our fourth day of markup today. It is my hope that the Committee will complete our consideration of the bill on Wednesday after 6, extended days of consideration. In 1985, the Committee debated only 11 amendments, adopting 7. The Committee sent the bill to the Senate on as 12-5 vote.

In 2006, the Committee met five times to consider amendments to the Chairman's Securing America's Borders bill, conducted 60 votes and adopted 54 amendments. The bill was then reported to the Senate on a vote of 12 to 6. In 2007, the bill was not considered by the Judiciary Committee at all before floor consideration.

Already this year the Committee has met for 4 days to consider amendments to the Border Security, Economic Opportunity, and Immigration Modernization Act. During just the first three executive sessions, the Committee has considered 99 amendments. Of those 50—more than half—were offered by the Republican minority. During those first 3 days, the Committee debated and voted to accept 67 amendments to the bill. That is already more amendments than were debated in 2006 and 6 times as many amendments as were debated in 1986. Of those accepted, 20 were offered by Republican members. That includes several amendments sponsored by Senator GRASSLEY, Senator CORNYN and a few sponsored by Senator SESSIONS. The Committee has acted in a bipartisan way to accept amendments authored by Senators from both sides of the aisle and by Senators who are proponents of the bill and some by Senators who can fairly be considered opponents of the bill.

The Committee will continue its consideration of the legislation after tonight's votes. As of 4:30 today, we have considered an additional 45 amendments, including 22 offered by Republicans, and 23 offered by Democrats.

One example of the Committee's bipartisan efforts to improve this legislation was offered by Senators HATCH, COONS and KLOBUCHAR, which will increase certain immigration fees and provide 70 percent of the funds collected to the states to improve and enhance the economic competitiveness of the United States by improving science, technology, engineering, and mathematics education and training in the United States. Senator SCHUMER offered a second degree amendment which would direct some of this funding to promote STEM education in groups that are underrepresented in the sciences, such as women and racial minorities. Both amendments were accepted by the Committee by unanimous consent.

The Committee also unanimously approved my amendment to permanently authorize and further strengthen the

EB-5 Regional Center Program which will benefit the economy. The United States Citizenship and Immigration Services—USCIS—estimates that the EB-5 Regional Center Program has created tens of thousands of American jobs and has attracted more than \$1 billion in investment in communities all across the United States since 2006.

These amendments are just a few of the many offered to promote jobs and innovation in the non-immigration visa provisions in Title IV of the bill. Other bipartisan proposals to provide assistance for American workers to apply for jobs in the technology sector and establish employee reporting requirements to address potential abuse of the visa system have also been adopted.

The Committee has voted to accept amendments offered by nearly every member of the minority on the Judiciary Committee. Senators GRASSLEY, HATCH, SESSIONS, GRAHAM, CORNYN, LEE, and FLAKE have all offered amendments adopted by the Committee to improve the bill. Senators FEINSTEIN, WHITEHOUSE, KLOBUCHAR, FRANKEN, COONS, BLUMENTHAL and HIRONO have also contributed important amendments to improve the legislation. With the adoption of these amendments, the Committee demonstrated its ability to act in a bipartisan manner to improve this historic legislation.

In an unprecedented effort to achieve transparency during the Judiciary Committee's public proceedings, and to ensure the American people could follow the Committee's consideration of the bill, I made public all 301 amendments filed on Tuesday, May 7, by posting them on the Judiciary Committee's website. In real time, as the Committee accepts or rejects amendments, the Committee's website is updated to reflect which amendments are modified, accepted or fail.

The Judiciary Committee's mark up of the Border Security, Economic Opportunity, and Immigration Modernization Act is not yet finished but we have completed work on two of the four titles of the bill as well as the important "trigger" provisions. We have been able to focus our extensive consideration of this complex bill for three weeks and still achieve a fair and transparent process for Committee consideration. With the help of the Senators who serve so diligently on the Judiciary Committee from both sides of the aisle, I hope by the end of this week that the Committee will have completed its consideration of the legislation and that we will report a comprehensive immigration reform bill to the Senate with the recommendation that it be considered and passed. I look forward to bringing this legislation before the full Senate at the beginning of our next work period.

I note, I hope we will finish that this week. We will go very late tonight,

very late tomorrow night, very late Wednesday night, all day Thursday, and all day Friday, if necessary, until we get it finished.

THE FARM BILL

Mr. LEAHY. Mr. President, last week, the Senate Agriculture Committee once again reported to the full Senate a bipartisan farm bill, and I am pleased the Senate has turned to its consideration this week. I compliment the distinguished chair, Senator STABENOW, who has done Herculean duties. The bill before us represents nearly 2 years of hard work to satisfy the widely varied agricultural interests of this country, while supporting food assistance programs for those in need. The Agriculture Reform, Food and Jobs Act will save \$23 billion over 10 years, which is remarkable given the fiscal restraints we face, and was overwhelmingly supported by the members of the agriculture committee by a vote of 15-5.

Unfortunately, due to the House's inaction on the Senate-passed bill last year, many farm bill programs expired, while others were temporarily extended at the end of the year, making it all the more imperative that we work together now to ensure we move ahead with a bill in the next few months. I was glad that in December we were able to delay and prevent the "dairy cliff" from roiling markets worldwide and inflating dairy prices, which would have wreaked havoc in the marketplace and on our farms. But the short-term extension of the Farm Bill is no rational way to legislate, and the last-minute extension left dozens of critical agriculture programs stranded without funding. We must not repeat that process.

The bill before us contains many of the same improvements included in the 2012 Senate-passed bill, while making important updates to reflect new fiscal realities and maintaining the integrity of the policies we worked so hard to pass last year. The Agriculture Reform, Food and Jobs Act makes an investment in American agriculture that will benefit our producers, our dairy farmers, our rural communities, our Main Street businesses, taxpayers, and consumers, all while reducing the deficit by \$23 billion.

Every Farm Bill is important to the Green Mountain State and to all the states of our nation as a matter of national security. Very few countries can boast that they can feed themselves. We have the ability to nourish 320-plus million Americans. This represents an important part of our national security.

Agriculture is a pillar of Vermont's economy and of our Nation's economy. So it is with this farm bill that we have produced in the Senate Committee on Agriculture, Nutrition, and

Forestry. One of many key components of this bill, in terms of Vermont and Vermont's economy, is a significant dairy reform proposal that offers the best hope in decades of helping producers and consumers step off the dangerous rollercoaster of wild price swings in the markets in which dairy farmers must sell their time-sensitive products. I believe this is key to our consideration of a farm bill, and I know it is what farmers in Vermont are watching closely; I have been hearing from them regularly in strong support of stabilization and margin insurance working in tandem. We simply must protect our dairy farmers from the volatility of turbulent price swings with a financially sound risk management program to help farmers manage risk and margin volatility, and do so without driving up the cost to the government.

As the author of the Organic Foods Production Act, I am extremely pleased this bill continues to make strong improvements for organic agriculture. I am also pleased that the bill once again includes a policy to give the National Organic Program much-needed authority to effectively protect and enforce organic integrity. In addition to enforcing the integrity of the organic brand, I am committed to seeing that this bill treats all farmers fairly. We made great strides last year in making improvements to crop insurance so that it will adequately compensate organic producers for their losses. Similar changes are needed in the Environmental Quality Incentive Program to eliminate the unfair lower payment limit applied solely to organic farmers seeking to enroll in the program's Organic Initiative.

Another important compromise in this bill is found in the trade title, where the proposal expands the success of the Local and Regional Food Aid Procurement pilot program from the 2008 farm bill, and also increases the funds available to support strategic prepositioning, which brings food aid commodities to at-risk regions before food emergencies strike. I look forward to working with Senators to find further improvements in how we can best provide emergency food aid and international development programs that have the flexibility to react quickly in times of emergency, avoid disrupting local markets, and increase efficiency so we can save money and feed more people.

This legislation also includes support for vital anti-hunger programs such as the Supplemental Nutrition Assistance Program, SNAP, and the Emergency Food Assistance Program. Unfortunately, with so many Americans still struggling to put food on the table, nutrition assistance and emergency feeding programs have become even more crucial. The bill also contains initiatives to encourage better health, in-

creased access to local foods, nutrition for children and seniors, and to support self-sufficiency and food security in our Nation's low-income communities while tackling the difficult problem of "food deserts." I am also pleased that Chairwoman STABENOW included language I offered as an amendment in committee last year to make it easier for SNAP participants to buy local foods through a Community Supported Agriculture Share, CSA, membership.

But at a time when more Americans than ever before are at risk of going hungry and food pantry shelves across the country are bare, these programs could be made even stronger by dedicating more resources to help the neediest among us. I hope during our consideration of this bill we can work to increase support for the Emergency Food Assistance Program, SNAP employment and training programs, and community food projects to the level included in last year's farm bill. These programs are essential in our communities, and I hope we can invest as much in these programs this year as we did last year.

I am disappointed, however, that the bill before the Senate today once again includes \$4 billion in cuts to the SNAP program, which will predominately come from northeastern States. I understand this cut is part of a larger compromise on behalf of Chairwoman STABENOW, who has been a strong supporter of these nutrition assistance programs. Ensuring these programs can continue to serve Vermonters and all Americans in need is a key part to enacting a strong farm bill for this country.

This is why I am particularly concerned about the bill the House will consider which includes five times the cuts to nutrition assistance as the Senate bill, and \$4 billion more than the House included in their committee bill last year. These cuts will needlessly eliminate millions of low-income Americans from this program. The House bill would mean that several thousand children would lose eligibility for free school lunches. In Vermont, one in five children lives in food insecure homes and I know that number is even higher in some other States. It is shameful for any child in this country to go hungry and I hope the Senate will continue to oppose these draconian cuts to nutrition assistance.

The Senate agriculture committee's chairwoman and ranking member, and both of their staffs, should be applauded for the great work they have done to swiftly move this bipartisan bill through committee and now onto the Senate floor in record speed. I hope the Senate can once again move forward in a bipartisan way to pass the farm bill this week, and I hope the House moves forward as well so we might reconcile our differences before

the expiration in September of the current short-term extension.

KENTUCKY MILITARY ORDER OF THE PURPLE HEART

Mr. MCCONNELL. Mr. President, I rise today to honor the men and women of the Commonwealth of Kentucky's Military Order of the Purple Heart, MOPH. Membership in the MOPH is reserved for combat-wounded veterans who have been awarded the Purple Heart for their service in the U.S. Armed Forces. The members of the Kentucky MOPH have made extraordinary contributions and sacrifices in defense of the United States. Their brave and valiant actions during combat have been vital to preserving the freedom and way of life that Americans continue to enjoy today. I applaud the members of the Kentucky MOPH not only for their service to the United States but also for their steadfast commitment to their fellow combat-wounded veterans and to all of our Nation's veterans and their families.

On June 1, 2013, the Kentucky MOPH will gather in Paducah, KY, for its annual convention. In anticipation of this gathering, I would like to draw attention to two noteworthy milestones the Kentucky MOPH celebrates this year. January 2, 2013, marked the 70th anniversary of the Louisville, KY, Bluegrass Chapter 146 of the MOPH, and the Department of Kentucky MOPH will celebrate its 25th anniversary on October 22, 2013. At this time, I ask my colleagues in the Senate to join me in extending gratitude and commendations to members of the Commonwealth of Kentucky's Military Order of the Purple Heart for their dedication and service to America's military and America's veterans. America has the greatest military in the world, and the MOPH serves as a vital support system to veterans that make this a reality.

TRIBUTE TO STEVE NEWBERRY

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a longtime friend and a fixture of the broadcasting industry in Kentucky and nationally, Mr. Steve Newberry. For more than 25 years, Steve, a resident of Hiseville, KY, has been a leader in Kentucky radio. He has earned the respect and admiration of his peers in the Commonwealth and throughout the country many times over. I am sad to note that next month, Steve will complete his service on the board of directors of the National Association of Broadcasters.

Over the course of his career, Steve has helped lead radio and television broadcasters on a national level, and he has had a significant impact on the broadcasting industry. This was recognized when in 2011 Steve received from his peers the prestigious National Radio Award, which is given annually

to an outstanding leader in the radio industry.

Steve loved radio from an early age. He began his broadcasting career at the age of 14, when he got a job working at the local radio station in his hometown of Glasgow, KY. His parents were supportive of Steve's dream and drove him to work at that first job.

By the age of 21, Steve owned his first radio station. When he bought it, it was a 250-watt AM station that only broadcast in the daytime. Steve soon upgraded it to 500 watts and 24 hours of broadcasting a day.

Steve attended the University of Kentucky, where he received a bachelor's degree in telecommunications. While completing his senior year, he bought WKVE, an AM station in Cave City. Today he is the president and CEO of Commonwealth Broadcasting, based in Glasgow, and owns and operates 22 radio stations throughout the Bluegrass State.

As his business grew, Steve became more and more engaged in broadcasting industry matters. He was first elected to the board of directors of the National Association of Broadcasters, NAB, in 1999. He would go on to serve as part of the board's leadership, chairman of the board, and ultimately as the NAB joint board chairman, the association's top industry leadership post. Steve also served on the board of directors and executive committees for the Radio Advertising Bureau.

Steve's community service in Kentucky is equally impressive. He has served as the chairman of the Authority for Kentucky Educational Television and has worked with the Glasgow-Barren County Industrial Development Economic Authority, the Glasgow Rotary Club, and the Glasgow-Barren County Boys & Girls Club.

Steve is a past president of the Kentucky Broadcasters Association and in 2009 received their highest honor, the Distinguished Kentuckian Award. And as I already stated, Mr. President, in 2011 he received the very high honor from his peers of the prestigious National Radio Award.

It is the Commonwealth's loss that in June, Steve will end his service on the NAB board of directors. Whatever endeavors may lay ahead for him, I know he will dispatch them with the same success that has marked his career to date. I am sure his family, including his wife Vickie and his son Walker, are very proud of him.

Steve Newberry is one of Kentucky's finest broadcasters and a man of integrity. I know my colleagues in the Senate join me in congratulating him for his dedication to the radio profession, to his community, and to the Commonwealth of Kentucky.

THE FAMILY ACT

Mrs. GILLIBRAND. Mr. President, building a family is an exciting mile-

stone in the lives of millions of American families. Unfortunately, the road towards conceiving a child is often difficult and painful for the nearly 7 million Americans diagnosed with the disease of infertility.

Earlier this month, men and women across the country shared their stories during National Infertility Awareness Week. This movement, organized by RESOLVE: The National Infertility Association, brings attention to the disease of infertility and encourages the public to take charge of their reproductive health. Let me take this opportunity to commend RESOLVE for its work providing community and giving voice to women and men experiencing infertility.

Over the last few decades, significant medical advancements, such as in vitro fertilization, have provided a solution for some who would be parents. However, the high cost to undergo infertility care often poses an additional barrier for couples to overcome. It costs more than \$12,000 for a couple to undergo one cycle of infertility treatment and insurance coverage is often dismal. For some patients, multiple cycles are required to achieve a successful pregnancy outcome. Federal Government insurance plans do not specifically cover infertility treatments and only 15 States offer any level of coverage.

I have introduced a bill that would alleviate some of the costs associated with infertility care. The Family Act (S. 881) creates a Federal tax credit for individuals who are diagnosed with infertility by a licensed physician. A tax credit will help make this vital patient care more accessible and affordable to those who lack insurance coverage for these services.

I hope you will join me by becoming a cosponsor of The Family Act. This is a necessary step towards ensuring that all of our citizens have the ability to raise a family, without compromising their financial future.

TRIBUTE TO JANE HOLL LUTE

Mr. CARPER. Mr. President, I rise today to express my deep gratitude and best wishes to Ms. Jane Holl Lute for her service as Deputy Secretary of the Department of Homeland Security, DHS, over the past 4 years.

Ms. Lute arrived at DHS in April 2009 with an already impressive public service record that included over 30 years of distinguished service, including time in the U.S. Army during Operation Desert Storm. She served on the National Security Council staff under both President George H.W. Bush and President Bill Clinton. Ms. Lute held senior-level positions within the United Nations, UN, where she oversaw logistical and administrative support to UN peacekeeping operations worldwide and coordinated efforts to build sustainable peace in countries emerg-

ing from violent conflict. Her record of achievement extends to her academic accomplishments. She holds a Ph.D. in political science from Stanford University and a J.D. from Georgetown University. I would be remiss if I did not mention that she achieved many of these extraordinary accomplishments as a single mother. Impressive indeed.

As Deputy Secretary of DHS, Ms. Lute has served as the Department's second-highest official and chief operating officer, responsible for the day-to-day business and management of the third largest department in the Federal Government of the United States. Comprised of more than 240,000 employees and operating with an annual budget of over \$56 billion, DHS works to secure our Nation, while enhancing Federal, State, and local capabilities to prepare for, respond to, and recover from threats and disasters of all kinds.

Throughout the past 4 years, Ms. Lute has committed herself wholeheartedly to the mission set forth in DHS's Quadrennial Homeland Security Review, QHSR, which is to ensure that our Nation is a safe, secure, and resilient place where the American way of life can thrive. Against a backdrop of continued and evolving threats and hazards of all kinds, Ms. Lute has worked determinedly to fulfill the challenging and wide-ranging mission of the Department.

To that end, Ms. Lute has worked closely with the many partners in both the public and the private sector who play an essential role in keeping our Nation safe. This includes all levels of government, law enforcement, private industry, and most importantly, individuals and communities, who have proven time and time again that they are our greatest allies and the key to our success. This bottom-up approach to homeland security reflects the manner in which Ms. Lute has helped lead DHS during her time at the Department. As I see it, her focus has always closely mirrored two of my core values—to figure out the right thing to do and do it, as well as to focus on excellence in everything we do.

Under Ms. Lute's leadership, DHS also made significant progress in aligning operations with smart and efficient strategy through publication of the QHSR, the Nation's first ever comprehensive review of America's strategy for homeland security, followed by the Bottom-Up Review, which is DHS's effort to align programmatic activities and organizational structure with the mission sets and goals identified in the QHSR.

In her role as Deputy Secretary at DHS, Ms. Lute made it a priority to institute the sound management practices that have helped place DHS on solid financial, programmatic, strategic, and organizational footing. Perhaps most notably, Ms. Lute's efforts helped DHS earn a qualified audit opinion on all Fiscal Year 2012 financial

statements, a first for the Department and in record time for such a large and new department. Ms. Lute also helped to implement the framework for Integrated Investment Life Cycle Management to ensure that the DHS budget of nearly \$60 billion is spent wisely and efficiently.

Like a true leader, Ms. Lute has the vision to plan ahead and address future challenges. One of Ms. Lute's hallmark achievements at DHS has been her early focus in the area of cybersecurity. As Ms. Lute has said herself, it is impossible to imagine a safe, secure, and resilient Nation without a safe, secure, and resilient cyberspace. In particular, Ms. Lute oversaw all Departmental efforts to strengthen the nation's cybersecurity, including policy, planning, operations, and budget. Through the numerous transitions in the Department's cyber governance structure, Ms. Lute was a steady, reliable, informed, and persistent voice on cyber matters, and she helped ensure that cyberspace would remain civilian space.

In order to ensure our Nation's success in cybersecurity, Ms. Lute personally led the implementation effort to improve the Department's ability to build a world-class cybersecurity workforce and to ensure a strong pipeline of talent for the future. Ms. Lute also helped promote a Continuous Diagnostics and Monitoring capability, which will enable Federal agencies and other organizations to see and respond to day-to-day cyber threats. These efforts and others have contributed directly to a stronger national cyber ecosystem.

Ms. Lute's accomplishments are not limited to domestic operations. Her familiarity with international negotiation was of great value to DHS and her efforts abroad have helped enhance security practices here at home. As the lead negotiator for the U.S. Passenger Name Record Agreement with the European Union, she secured a landmark new data-sharing agreement with the European Union that increased the security of air travel while protecting civil liberties and privacy. In these negotiations, she bridged fundamental differences between how Europeans and Americans view privacy through tenacity and perseverance. These same traits are seen in her approach to the Department's bilateral relations as well. She expanded cooperation with our British and German allies through the Joint Contact Group and Security Cooperation Group, forged stronger ties with India through the Homeland Security Dialogue, and she opened the door to frank discussions with China over cyber and port security.

The commitment to secure our Nation and create a more resilient America is a goal that is shared not only among Members of Congress and the men and women of the Department of

Homeland Security, but also among everyday citizens. That security is ensured by the men and women who step forward each day and say "Send Me." Ms. Lute once told me this is the very credo the men and women of DHS embrace in every crisis. So today, I sincerely thank Deputy Secretary Lute for her public service and for her extraordinary service over 3 decades to keep our Nation safe. She leaves behind a strong legacy of "just get it done" leadership, paving the path for future leaders and employees at DHS. I, for one, will remember her fondly for her commitment to ensuring American homeland security and for living DHS's "Send Me" attitude. Jane Holl Lute is a role model for us all.

HANES MAGNET MIDDLE SCHOOL

Mr. BURR. Mr. President, today I wish to congratulate Hanes Magnet Middle School in Winston-Salem, NC, for being recognized as the top magnet school in the country. On May 7, 2013, Hanes was awarded the prestigious Dr. Ronald P. Simpson School of Merit Excellence Award, which recognizes one school for innovative programming, academic achievement, and promoting diversity. Hanes Magnet School, which focuses on science, technology, engineering and mathematics, or STEM, has worked within the Winston-Salem community to provide real world application of STEM, taking students out of the classroom for innovative, hands-on application of STEM. This approach has increased student engagement, and I believe achievement within the school overall.

Hanes has only been a magnet school for 6 years but in that time has seen large increases in enrollment, matched by equally impressive gains in its achievement data. Magnet schools like Hanes provide parents with expanded options for their child's education—options that will ensure students aren't confined to schools that might not be serving their individual needs. For that reason, I am proud of the success Hanes has achieved as recognized by this award. Congratulations to principal Melita Wise, the parents, students, and everyone else at Hanes for this award. It is well deserved.

ADDITIONAL STATEMENTS

HAVERHILL, NEW HAMPSHIRE

• Ms. AYOTTE. Mr. President, today I wish to honor Haverhill, NH—a town in Grafton County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this special milestone.

Haverhill is comprised of the villages of Woodsville, Pike, North Haverhill, and the historic town center at Haver-

hill Corner. The village of North Haverhill is the county seat of Grafton County. The Bedell Bridge State Park, Black Mountain State Forest, Kinder Memorial Forest, and the Oliverian Valley Wildlife Preserve are all located in Haverhill.

Haverhill was granted a charter by Governor Benning Wentworth on May 18, 1763. A veteran of the French and Indian War, CPT John Hazen originally oversaw and settled Haverhill, naming it after his birthplace in Massachusetts.

The population has grown to over 4,600 residents. The patriotism and commitment of the people of Haverhill is reflected in part by their record of service in defense of our Nation.

Some of Haverhill's most notable residents have included U.S. Senator and New Hampshire Governor, Henry W. Keyes; U.S. Congressmen Noah Davis and Jonathan H. Rowell; and professional baseball players Chad Paranto and Bob Smith.

As sturdy and resilient as the people who built it, Haverhill is home to the Haverhill-Bath Covered Bridge. Completed in 1829, it is the oldest Town Lattice Truss Saltbox covered bridge in the United States.

Haverhill is also home to the Museum of American Weather. This unique institution chronicles the history of four unique New England weather events.

Haverhill is a place that has contributed much to the life and spirit of the State of New Hampshire. I am pleased to extend my warm regards to the people of Haverhill as they celebrate the town's 250th anniversary. •

TRIBUTE TO BETSY BROWN

• Mr. BLUNT. Mr. President, today I wish to honor Betsy Brown, the Director of the Smithsonian Art Museum. Betsy will be honored Thursday evening at the Frederic E. Church Award Gala in New York for "transforming the perception of American Art."

Betsy and I became friends years ago over—you guessed it—American Art. She has always been more than gracious with her time, her great stories, and her expertise. I am an American History teacher by trade, but Betsy has taught me a great deal about the intersection of American Art and American History.

Under Betsy Brown's leadership, the Smithsonian American Art Museum has undergone a \$250 million renovation. She has taken the Smithsonian's work far afield through new media, distance learning, and her lectures. And there is nothing better than a walk through a Betsy-curated exhibit.

Despite all of her professional and academic success, Betsy has never lost touch with her native Kansas, and she and I have had a lot of fun over the

years talking about Thomas Hart Benton, a native Missouri artist and the great nephew of the first Senator from Missouri, and discussing other “middle America” artists.

My wife Abby and I are so grateful for Betsy’s friendship, and we congratulate her on the Frederic E. Church Award—an honor she will no doubt receive Thursday with her typical Midwestern humility, but one we know she deserves.●

TRIBUTE TO SERGEANT CHARLES HARRIS

● Mr. MANCHIN. Mr. President, today I wish to honor an American hero—SGT Charles Harris of the U.S. Army 2nd Infantry 3rd Brigade. This May 30, just 3 days after our Nation’s Memorial Day salute to America’s fallen heroes, Sergeant Harris will observe the 1-year anniversary of his “Alive Day.” That is the inspiring way our wounded warriors describe the day they were injured—wounded but alive, they celebrate their second chance at life.

It was on May 30, 2012, that Sergeant Harris lost his legs and almost his life in an IED explosion in Afghanistan. And over the past year, he has come so far and so fast in his recovery at Walter Reed Army Hospital, where I first met him. With the help of his family and his devoted mother Lisa, who has been at his side throughout his recovery, he has come back from the dead. Family and loved ones are the unsung heroes in all of America’s wars—and the best medicine for a faster recovery.

Charles has a dream, and it is coming true: He is building a home in West Virginia, and he will live the rest of his life there, in what he calls almost Heaven. We are honored that such a great American has chosen to make his home in our beautiful State. He will be welcomed warmly to one of the most patriotic States in our Nation.

To celebrate Sergeant Harris’s “coming home” to a place he has never been before and to honor his heroism, sacrifice, and determination, I ask that a poem written by Albert Caswell of West Virginia be printed in the RECORD.

Mr. President, I urge all my Senate colleagues to take time to read this warm tribute to such an inspiring hero and to congratulate him on the anniversary of his “Alive Day.”

And may God grant him, his mother, and all of his friends many more anniversaries in the years ahead.

There being no objection, the material was printed in the RECORD, as follows:

2nd TO NONE

2nd . . .
2nd to none . . .
The 2nd Infantry are how our wars
are won . . .
2nd ID, Men of iron and might,
who all out in times of war their fine souls
do so ignite!

But for The Greater Good,
all in what they so could!
Who so lock and load,
and so live by such a code!
Of Strength In Honor,
as do all of those!
The 2nd Infantry,
as they so make history!
Wherever they so go!
The ones who love our Nation so!
With Boots on the ground!
As they kick all of those doors down!
As their most valiant hearts so explode!
One fine fighting machine!
Who so heroically come upon the battle
scene!
With Boots on the ground!
As where they will be found!
As one and all,
as their brave hearts so sound!
As we hear their great hearts pound!
The grunts on the ground!
Who shall not let our Nation down!
Where would this our Nation so be,
if but not for all of these?
And one such fine son of liberty,
his name is Sargent Charles Harris . . . he!
Is part of that magnificent 2nd Infantry!
From that golden state,
when he could not so wait to serve his Coun-
try Tis of Thee!
As it was out on patrol,
as when we almost lost this brave soul . . .
While, in an IED blast . . .
it looked like he would not so last . . .
Losing his two legs,
as he so cheated death on that day!
But with his light,
as he so came out of all of that darkness
some way!
To recovery . . .
For when he so awoke,
and so saw that all that he so had left was
but hope!
His fine to heart to him so spoke!
Of being, The Being The Best!
All in what he must now so invoke,
all on this his future quest!
With what he now has so left!
And with your devoted Mother Lisa by your
side,
helping you so pass that test!
For already Charles in your short life,
you have scaled to the highest of all heights!
To places where few of us will sight!
As with your courage our Nation you have so
blessed!
To So Teach Us!
To So Beseech Us!
To So Reach Us,
all in your most magnificent quest!
For you are 2nd to none!
And you are one of America’s most brightest
of all sons!
As you so make the Angels tears so run!
As your heart would so crest!
Moments are that we so have!
To change the world,
to hearts so grab!
To make a difference with it all!
For men of honor like Charles,
who so hear that most noble call!
And so go off to war!
All of our freedoms so insure!
Who are 2nd to none,
now that is so for sure!
As up ahead but lies so much more!
Because, your going almost to Heaven soon!
to West Virginia to live the rest of your life
as you like to so croon!
To live a long and happy live,
as there you are shooting for the moon!
And without such inspirational men as you,
heroes like Charles from of 2nd ID where
would we all so be?

For one thing is so true,
there 2nd to none!●

2013 PRIDE FOUNDATION SCHOLARS

● Mrs. MURRAY. Mr. President, today I wish to recognize the 2013 Pride Foundation Scholars—a remarkable group of 89 students who share incredible perseverance, a strong desire to give back, and a focus on how education can improve their lives and their communities.

Pride Foundation plays a crucial role in encouraging and supporting the next generation of leaders in the LGBT community. Students who have been stigmatized because of their sexual orientation or gender identity sometimes do not receive the support they need from their families and communities, and too often, individuals of great promise give up on their dreams because they do not believe success is possible.

Over the past 20 years, Pride Foundation has worked to lift up future leaders by giving over \$3 million in educational scholarships to LGBT and allied students in Washington, Alaska, Idaho, Montana, and Oregon. They have provided these students with financial support, mentorship opportunities, and a community that focuses on generosity, encouragement, and acceptance. As Pride Foundation marks the 20th anniversary of their scholarship program and honors these students at the 2013 Scholarship Celebration Reception, I wish to congratulate this year’s scholars on all their achievements.

Pride Foundation’s longstanding determination to help students succeed mirrors the LGBT community’s tireless efforts in the fight for equality. And as we commemorate this year’s Pride Month, we should look back and celebrate the tremendous strides that we have made toward equality in Washington State and across the Northwest.

I join with many in Washington State in congratulating this year’s Pride Foundation Scholars on all they have achieved so far. I look forward to seeing all they will accomplish as leaders in their communities. Although we have a long way to go to move our country in the right direction, working together we have accomplished so much. I am proud to stand up and fight for the LGBT community, and I will continue to make sure that your stories are heard in the Senate. Again, congratulations to the 2013 Pride Foundation Scholars. I look forward to seeing all you will accomplish in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13303 OF MAY 22, 2003, WITH RESPECT TO THE STABILIZATION OF IRAQ, RECEIVED DURING ADJOURNMENT OF THE SENATE ON MAY 17, 2013—PM 10

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, is to continue in effect beyond May 22, 2013.

Obstacles to the continued reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to the stabilization of Iraq.

BARACK OBAMA.
THE WHITE HOUSE, May 17, 2013.

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2013, the Speaker appoints the following Member of the House of Representatives to the British-American Interparliamentary Group: Mr. CICILLINE of Rhode Island.

The message also announced that pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. WOLF of Virginia, Mr. PITTINGER of North Carolina, and Mr. MEADOWS of North Carolina.

At 6:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 45. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

H.R. 1062. An act to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1062. An act to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEE (for himself, Mr. VITTER, Mr. PAUL, Mr. CORNYN, Mr. CHAMBLISS, Mr. CRUZ, Ms. AYOTTE, Mr. COBURN, Mr. RISCH, Mr. INHOFE, Mr. CRAPO, Mr. ENZI, Mr. HATCH, Mr. BOOZMAN, Mr. GRASSLEY, Mr. WICKER, Mr. MCCONNELL, Mr. BLUNT, Mr. JOHNSON of Wisconsin, Mr. SESSIONS, and Mr. BARRASSO):

S. 988. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Relations.

By Mr. SCHATZ:

S. 989. A bill to eliminate the prerequisite of direct appropriations relating to collection of health data and to modify standards for measuring sexual orientation and gender identity; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 990. A bill to extend the Iraqi and Afghan Special Immigrant Visa Programs by 1 year; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 991. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax by insurance companies through reinsurance with non-taxed affiliates; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself, Mr. VITTER, Mr. BAUCUS, and Mr. BARRASSO):
S. Res. 149. A resolution designating the week of May 19 through May 25, 2013, as "National Public Works Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 116

At the request of Mr. REED, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 119

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 170

At the request of Ms. MURKOWSKI, the names of the Senator from Nevada (Mr. HELLER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 294

At the request of Mr. TESTER, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 316

At the request of Mr. SANDERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 368

At the request of Mr. HEINRICH, the name of the Senator from Idaho (Mr.

CRAPO) was added as a cosponsor of S. 368, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 381

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders," for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 403

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 420

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to long-standing regulatory rule.

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 420, *supra*.

S. 452

At the request of Mr. FRANKEN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 460

At the request of Mr. HARKIN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 462

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 466

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 466, a bill to assist low-income individuals in obtaining recommended dental care.

S. 520

At the request of Mr. BEGICH, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 520, a bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes.

S. 534

At the request of Mr. TESTER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 562

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 576

At the request of Mr. JOHANNIS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 576, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 619

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 619, a bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 679

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 742

At the request of Mr. CARDIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 750

At the request of Mr. CARDIN, his name was added as a cosponsor of S. 750, a bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses.

S. 751

At the request of Mr. COATS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 751, a bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm.

S. 774

At the request of Mr. JOHNSON of South Dakota, his name was added as a cosponsor of S. 774, a bill to require the Comptroller General of the United States to submit a report to Congress on the effectiveness of the Federal Communications Commission's universal service reforms.

S. 783

At the request of Mr. WYDEN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Ohio (Mr. PORTMAN) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 892

At the request of Mr. KIRK, the names of the Senator from Virginia (Mr. WARNER), the Senator from Nebraska (Mrs. FISCHER), the Senator from Washington (Ms. CANTWELL) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 897

At the request of Ms. WARREN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the

2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 921

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 921, a bill to amend chapter 301 of title 49, United States Code, to prohibit the rental of motor vehicles that contain a defect related to motor vehicle safety, and for other purposes.

S. 937

At the request of Mr. FLAKE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 937, a bill to prohibit the Internal Revenue Service from applying disproportionate scrutiny to applicants for tax-exempt status based on ideology, and for other purposes.

S. 941

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 941, a bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 953

At the request of Mr. REED, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 960

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 960, a bill to foster stability in Syria, and for other purposes.

S. 962

At the request of Mr. HELLER, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 962, a bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts.

S. 964

At the request of Mrs. MCCASKILL, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 964, a bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes.

S. 968

At the request of Mr. UDALL of Colorado, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 968, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 149—DESIGNATING THE WEEK OF MAY 19 THROUGH MAY 25, 2013, AS “NATIONAL PUBLIC WORKS WEEK”

Mrs. BOXER (for herself, Mr. VITTER, Mr. BAUCUS, and Mr. BARRASSO) submitted the following resolution; which was considered and agreed to:

S. RES. 149

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 19 through May 25, 2013, as “National Public Works Week”;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 919. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018.

SA 920. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 921. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 922. Mr. BARRASSO (for himself, Mr. UDALL of Colorado, Mr. HELLER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 923. Mrs. FEINSTEIN (for herself and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 924. Mr. VITTER (for himself, Mr. INHOFE, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 925. Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINÉ, and Mr. HELLER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 926. Mrs. SHAHEEN (for herself and Mr. TOOMEY) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 927. Mr. HELLER (for himself, Mr. RUBIO, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 928. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 929. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 930. Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. COWAN, Mr. LAUTENBERG, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 931. Mrs. GILLIBRAND (for herself, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. COWAN, Mr. REED, Mr. BLUMENTHAL, Mr. WYDEN, Mr. CASEY, Mr. KING, Mr. SCHUMER, Ms. WARREN, Mrs. MURRAY, Mrs. BOXER, Mr. SANDERS, Ms. BALDWIN, Mr. MURPHY, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 932. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 933. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 934. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 935. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 936. Mr. BEGICH (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 937. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 938. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 939. Mrs. GILLIBRAND (for herself and Mr. COWAN) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 940. Mrs. GILLIBRAND (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 941. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 942. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 943. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 944. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 945. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 946. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 947. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 948. Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 949. Mr. ROBERTS (for himself, Ms. AYOTTE, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 950. Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 951. Mrs. BOXER (for Mr. HARKIN) proposed an amendment to the bill S. 309, to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

SA 952. Mr. WYDEN (for himself, Mr. MCCONNELL, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 953. Mr. DURBIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 919. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; as follows:

At the end of subtitle F of title II, add the following:

SEC. 25 . . . SOIL AND WATER RESOURCE CONSERVATION.

(a) CONGRESSIONAL POLICY AND DECLARATION OF PURPOSE.—Section 4 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2003) is amended—

(1) in subsection (b), by inserting “and tribal” after “State” each place it appears; and

(2) in subsection (c)(2), by inserting “, tribal,” after “State”.

(b) CONTINUING APPRAISAL OF SOIL, WATER, AND RELATED RESOURCES.—Section 5 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2004) is amended—

(1) in subsection (a)(4), by striking “and State” and inserting “, State, and tribal”;

(2) in subsection (b), by inserting “, tribal” after “State” each place it appears; and

(3) in subsection (c)—

(A) by striking “State soil” and inserting “State and tribal soil”; and

(B) by striking “local” and inserting “local, tribal,”.

(c) SOIL AND WATER CONSERVATION PROGRAM.—Section 6(a) of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2005(a)) is amended—

(1) by inserting “, tribal” after “State” each place it appears; and

(2) by inserting “, tribal,” after “private”.

(d) UTILIZATION OF AVAILABLE INFORMATION AND DATA.—Section 9 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2008) is amended by inserting “, tribal” after “State”.

SA 920. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 845, strike line 21 and all that follows through page 846, line 4, and insert the following:

(iv) by striking clause (iii) and inserting the following:

“(iii)(I) agree to complete buildout of the broadband service described in the application by not later than 3 years after the initial date on which proceeds from the loan made or guaranteed under this section is made available; or

“(II) for tribal utilities that serve tribal trust land, trust allotted land, and non-Indian fee land within reservation boundaries, agree to complete buildout of the broadband service described in the application by not later than 5 years after the initial date on which proceeds from the loan made or guaranteed under this section is made available.”;

SA 921. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1096, between lines 15 and 16, insert the following:

SEC. 110 . . . MARKET LOSS PILOT ENDORSEMENT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

“(i) MARKET LOSS PILOT ENDORSEMENT PROGRAM.—

“(1) IN GENERAL.—To the extent practicable starting with the 2014 reinsurance year, notwithstanding section 508(a)(1), the Corporation shall establish and carry out a market loss pilot endorsement program for producers of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)) that covers losses due to—

“(A) a quarantine imposed under Federal law, pursuant to the terms of which the commodity is destroyed or otherwise unable to be marketed or otherwise used for its intended purpose (as determined by the Secretary); or

“(B) a naturally occurring, unintentional outbreak of a pathogen of public health concern (as determined by the Secretary) that results in inadequate market price.

“(2) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under paragraph (1) if, as determined by the Board, the policy or plan of insurance—

“(A) protects the interest of producers;

“(B) is actuarially sound; and

“(C) requires the payment of premiums and administrative fees by a producer obtaining the insurance.”.

SA 922. Mr. BARRASSO (for himself, Mr. UDALL of Colorado, Mr. HELLER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 83 . . . GOOD NEIGHBOR AGREEMENTS.

(1) DEFINITIONS.—In this section:

(a) ELIGIBLE STATE.—The term “eligible State” means a State that contains National Forest System land or Bureau of Land Management land.

(2) SECRETARY.—The term “Secretary” means—

(A) the Secretary of Agriculture, with respect to National Forest System land; or

(B) the Secretary of the Interior, with respect to Bureau of Land Management land.

(3) STATE FORESTER.—The term “State forester” means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

(1) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration and protection services described in paragraph (2) on National Forest System land or Bureau of Land Management land, as applicable, in the eligible State.

(2) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration and protection services referred to in paragraph (1) include the conduct of—

(A) activities to treat insect infested trees;

(B) activities to reduce hazardous fuels; and

(C) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(3) STATE AS AGENT.—Except as provided in paragraph (6), a cooperative agreement or contract entered into under paragraph (1) may authorize the State forester to serve as the agent for the Secretary in providing the restoration and protection services authorized under paragraph (1).

(4) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration and protection services authorized under a cooperative agreement or contract entered into under paragraph (1).

(5) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under paragraph (1).

(6) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the

National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration and protection services to be provided under this section by a State forester on National Forest System land or Bureau of Land Management land, as applicable, shall not be delegated to a State forester or any other officer or employee of the eligible State.

(7) APPLICABLE LAW.—Any employee, contractor, or subcontractor performing activities under a cooperative agreement or contract entered into under paragraph (1) shall be subject to the labor standards required under applicable State or local law.

SA 923. Mrs. FEINSTEIN (for herself and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 11 . . . PROHIBITION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION FOR TOBACCO.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)(2)) is amended by adding at the end the following:

“(9) PROHIBITION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION FOR TOBACCO.—

“(A) IN GENERAL.—Effective beginning with the 2015 reinsurance year, notwithstanding any other provision of this subtitle, the Corporation shall not pay any portion of the premium for a policy or plan of insurance for tobacco under this subtitle.

“(B) DEFICIT REDUCTION.—Any savings realized as a result of subparagraph (A) shall be deposited in the Treasury and used for Federal budget deficit reduction.”.

SA 924. Mr. VITTER (for himself, Mr. INHOFE, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . PROHIBITION ON LIFELINE SUPPORT FOR COMMERCIAL MOBILE SERVICE.

(a) IN GENERAL.—A provider of commercial mobile service may not receive universal service support under sections 214(e) and 254 of the Communications Act of 1934 (47 U.S.C. 214(e); 254) for the provision of such service through the Lifeline program of the Federal Communications Commission.

(b) COMMERCIAL MOBILE SERVICE DEFINED.—In this section, the term “commercial mobile service” has the meaning given such term in section 332(d)(1) of the Communications Act of 1934 (47 U.S.C. 332(d)(1)).

SA 925. Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINE, and Mr. HELLER) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In title I, strike subtitle C and insert the following:

Subtitle C—Sugar Reform

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(1) in paragraph (4), by striking “and” after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) 18 cents per pound for raw cane sugar for each of the 2014 through 2018 crop years.”.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2012” and inserting “2018”.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking “2012” and inserting “2018”.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking “2012” and inserting “2018”; and

(B) in subparagraph (B), by inserting “at reasonable prices” after “stocks”; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “but” after the semicolon at the end and inserting “and”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.”.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “but” after the semicolon at the end and inserting “and”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.”; and

(B) in paragraph (2)(B), by inserting “at reasonable prices” after “market”; and

(2) in subsection (g)(1)—

(A) by striking “ADJUSTMENTS.—” and all that follows through “Subject to subparagraph (B), the” and inserting “ADJUSTMENTS.—The”; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

“(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

“(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

“(2) the relative competitiveness of domestically produced and imported foods containing sugar.”.

(d) ADMINISTRATION OF TARIFF RATE QUOTAS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

“SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

“(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

“(b) ADJUSTMENT.—

“(1) IN GENERAL.—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

“(2) ENDING STOCKS.—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

“(3) MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.—

“(A) IN GENERAL.—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

“(i) unreasonably high prices; or

“(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

“(B) ANNOUNCEMENT.—The Secretary shall publicly announce any establishment of a target under this paragraph.

“(4) CONSIDERATIONS.—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

“(c) TEMPORARY TRANSFER OF QUOTAS.—

“(1) IN GENERAL.—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

“(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

“(3) TRANSFERS TEMPORARY.—

“(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

“(B) FOLLOWING QUOTA YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.”

(e) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking “2012” and inserting “2018”.

Strike section 9008 and insert the following:

SEC. 9008. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) IN GENERAL.—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting “and” after the semicolon at the end;

(B) in clause (ii), by striking “; and” at the end and inserting a period; and

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking “, except for” and all that follows through “of 2002”.

SA 926. Mrs. SHAHEEN (for herself and Mr. TOOMEY) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In section 1603, strike “(d) APPLICATION.—The amendments made by this” and insert the following:

(d) LIMITATION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)(2)) is amended by adding at the end the following:

“(9) LIMITATION.—

“(A) IN GENERAL.—Notwithstanding any other provision of this title, the total amount of premium paid by the Corporation on behalf of a person or legal entity, directly or indirectly, with respect to all policies issued to the person or legal entity under this title for a crop year shall be limited to a maximum of \$50,000.

“(B) RELATIONSHIP TO OTHER LAW.—To the maximum extent practicable, the Corporation shall carry out this paragraph in accordance with sections 1001 through 1001F of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.).”

(e) APPLICATION.—The amendments made by this

SA 927. Mr. HELLER (for himself, Mr. RUBIO, Mr. INHOFE, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, insert the following:

SEC. 12213. PROHIBITION ON TRANSFER OF FUNDS FOR HEALTH CARE REFORM IMPLEMENTATION BY IRS.

(a) IN GENERAL.—Title III of division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6) is amended by adding at the end the following new section:

“SEC. 1315. Notwithstanding any other provision of this Act, none of the amounts made available in the Patient Protection and Affordable Care Act (Public Law 111-148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) shall be appropriated to the Internal Revenue Service for the purpose of carrying out any provisions of, or amendments made by, such Acts. No amount shall be appropriated to the Internal Revenue Service under this Act for such purpose.”

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) none of the amounts made available in the Patient Protection and Affordable Care Act (Public Law 111-148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) should be appropriated

to the Internal Revenue Service for the purpose of carrying out any provisions of, or amendments made by, such Acts in fiscal year 2014 or thereafter; and

(2) no amounts appropriated to the Internal Revenue Service, from whatever source, for fiscal year 2014 or thereafter should be used to implement, enforce, or carry out the provisions of, or amendments made by, such Acts.

SA 928. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 840, strike line 22 and all that follows through page 849, line 18, and insert the following:

“(3) RURAL AREA.—The term ‘rural area’ means any area described in section 3002 of the Consolidated Farm and Rural Development Act.

“(4) ULTRA-HIGH SPEED SERVICE.—The term ‘ultra-high speed service’ means broadband service operating at a 1 gigabit per second downstream transmission capacity.”

(3) in subsection (c)—

(A) in the subsection heading, by striking “LOANS AND” and inserting “GRANTS, LOANS, AND”;

(B) in paragraph (1), by inserting “make grants and” after “Secretary shall”;

(C) by striking paragraph (2) and inserting the following:

“(2) PRIORITY.—

“(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

“(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

“(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

“(I) certified by the affected community, city, county, or designee; or

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable; and

“(iii) provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees under paragraph (1).

“(B) OTHER.—After giving priority to the applicants described in subparagraph (A), the Secretary shall then give priority to projects that serve rural communities—

“(i) with a population of less than 20,000 permanent residents;

“(ii) experiencing outmigration;

“(iii) with a high percentage of low-income residents; and

“(iv) that are isolated from other significant population centers.”;

(D) by adding at the end the following:

“(3) GRANT AMOUNTS.—

“(A) ELIGIBILITY.—To be eligible for a grant under this section, the project that is

the subject of the grant shall be carried out in a rural area.

“(B) MAXIMUM.—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

“(C) GRANT RATE.—The Secretary shall establish the grant rate for each project in accordance with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

- “(i) remote locations;
- “(ii) low community populations;
- “(iii) low income levels;
- “(iv) developed the applications of the communities with the participation of combinations of stakeholders, including—
 - “(I) State, local, and tribal governments;
 - “(II) nonprofit institutions;
 - “(III) institutions of higher education;
 - “(IV) private entities; and
 - “(V) philanthropic organizations; and

“(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

“(D) SECRETARIAL AUTHORITY TO ADJUST.—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).”;

(4) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”;

(ii) by striking clause (i) and inserting the following:

“(i) demonstrate the ability—

“(I) to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e); or

“(II) to carry out a project under paragraph (4)(B)(ii);”;

(iii) in clause (ii), by striking “a loan application” and inserting “an application”; and

(iv) in clause (iii)—

(I) by striking “the loan application” and inserting “the application”; and

(II) by striking “proceeds from the loan made or guaranteed under this section are” and inserting “assistance under this section is”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(bb) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”;

(II) in clause (i), by striking “is offered broadband service by not more than 1 incumbent service provider” and inserting “are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)”; and

(III) in clause (ii), by striking “3” and inserting “2”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) ADJUSTMENTS.—

“(i) INCREASE.—The Secretary may increase the household percentage requirement under subparagraph (A)(i) if—

“(I) more than 25 percent of the costs of the project are funded by grants made under this section; or

“(II) the proposed service territory includes 1 or more communities with a population in excess of 20,000.

“(ii) REDUCTION.—The Secretary may reduce the household percentage requirement under subparagraph (A)(i)—

“(I) to not less than 15 percent, if the proposed service territory does not have a population in excess of 5,000 people; or

“(II) to not less than 18 percent, if the proposed service territory does not have a population in excess of 7,500 people.”; and

(iii) in subparagraph (C)—

(I) in the subparagraph heading, by striking “3” and inserting “2”;

(II) in clause (i), by inserting “the minimum acceptable level of broadband service established under subsection (e) in” after “service to”; and

(III) by striking clause (ii) and inserting the following:

“(ii) EXCEPTIONS.—Clause (i) shall not apply if—

“(I) the applicant is eligible for funding under another title of this Act; or

“(II) the project is being carried out under paragraph (4)(B)(ii), unless an incumbent service provider is providing ultra-high speed service as of the date of an application for assistance submitted to the Secretary under this section.”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (B), by adding at the end the following:

“(iii) INFORMATION.—Information submitted under this subparagraph shall be—

“(I) certified by the affected community, city, county, or designee; and

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—

(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) IN GENERAL.—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “loan or” and inserting “grant, loan, or”; and

(iii) by adding at the end the following:

“(B) PILOT PROGRAMS.—The Secretary shall carry out pilot programs under which the Secretary shall provide grants, loans, or loan guarantees under this section to eligible entities, including interested entities described in subparagraph (A)—

“(i) to address areas that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e); or

“(ii) for the purposes of providing a proposed service territory with ultra-high speed service, subject to the conditions that—

“(I) not more than 5 projects, and not more than 1 project in any State, shall be carried out under this clause during the period beginning on the date of enactment of this Act and ending on September 30, 2018;

“(II) for each fiscal year, not more than 10 percent of the funds made available under subsection (1) shall be used to carry out this clause;

“(III) for each fiscal year, not more than 20 percent of the funds made available under subclause (II) shall be used for any 1 project; and

“(IV) paragraph (2)(A)(i) shall apply to the project, unless—

“(aa) the Secretary determines that no other project in the State is funded under this section; and

“(bb) no application for any other project that could be funded under this section, other than under this clause, is pending in the State.”;

SA 929. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 172, between lines 11 and 12, insert the following:

SEC. 16 . OVERSIGHT.

(a) IN GENERAL.—The Secretary shall—

(1) recoup overpayments associated with fraud or abuse under any program carried out by the Secretary; and

(2) use any funds recouped under paragraph (1) to fund a program for stricter oversight of all programs of the Department of Agriculture.

(b) ADMINISTRATION.—The Secretary shall—

(1) initially carry out subsection (a) using existing funds of the Department; and

(2) continue carrying out subsection (a) using any funds recouped under that subsection, which shall be available for that purpose and the purpose described in subsection (a)(2) without further appropriation.

SA 930. Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. COWAN, Mr. LAUTENBERG, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1034, between lines 17 and 18, insert the following:

SEC. 100 . FARMED SHELLFISH AS SPECIALTY CROPS.

Section 3(1) of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended by inserting “farmed shellfish,” after “fruits.”

SA 931. Mrs. GILLIBRAND (for herself, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. COWAN, Mr. REED, Mr. BLUMENTHAL, Mr. WYDEN, Mr. CASEY, Mr. KING, Mr. SCHUMER, Ms. WARREN, Mrs. MURRAY, Mrs. BOXER, Mr. SANDERS, Ms. BALDWIN, Mr. MURPHY, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 355, strike line 8 and all that follows through page 357, line 15.

On page 1065, after line 25, add the following:

SEC. 11011. ANNUAL LIMITATION ON DELIVERY EXPENSES AND REDUCED RATE OF RETURN.

(a) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following:

“(G) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Beginning with the 2014 reinsurance year, the amount paid by the Corporation to reimburse approved insurance providers and agents for the administrative and operating costs of the approved insurance providers and agents shall not exceed \$924,000,000 per year.”.

(b) REDUCED RATE OF RETURN.—Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) (as amended by section 11011) is amended by adding at the end the following:

“(G) REDUCED RATE OF RETURN.—Beginning with the 2014 reinsurance year, the Standard Reinsurance Agreement shall be adjusted to ensure a projected rate of return for the approved insurance producers not to exceed 12 percent, as determined by the Corporation.”.

SA 932. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. ____ . SENSE OF THE SENATE REGARDING CHARITABLE CONTRIBUTIONS OF WILD GAME MEAT.

It is the sense of the Senate that Congress should enact legislation that—

(1) allows fees incurred for the processing of wild game meat to be taken into account in determining the amount allowable as a tax deduction for any charitable contribution of such wild game meat; and

(2) exempts from income fees received by meat processors from charitable organizations for the processing of wild game meat donated to such charitable organizations.

SA 933. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SEAFOOD MARKETING AND DEVELOPMENT.

(a) SHORT TITLE.—This section may be cited as the “National Seafood Marketing and Development Act of 2013”.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress makes the following findings:

(A) The fishery resources of the United States are valuable and renewable natural resources that provide a major source of employment and contribute significantly to the food supply, economy, and health of the United States.

(B) Increased consumption of seafood would provide significant nutritional and health benefits for many people in the United States and help to reduce childhood obesity.

(C) The fishery resources of the United States are not fully developed and utilized because of underdeveloped markets.

(D) United States seafood companies have the potential to expand their contribution to interstate and foreign commerce, favorably affecting the balance of trade.

(E) A national program for marketing seafood is needed to realize the full potential of the fishery resources of the United States and to assure that the people of the United States benefit from the employment, food supply, and revenue that could be generated by such realization.

(2) PURPOSES.—The purposes of this section are—

(A) to improve and expand markets for seafood and strengthen the competitive position of the United States in domestic and international markets;

(B) to encourage the sustainable development and utilization of the seafood resources of the United States through enhancement of markets, promotion, and public education;

(C) to assist growers, harvesters, and processors in improving the safety, traceability, quality, marketability, and sustainability of United States seafood products;

(D) to assist growers, harvesters, and processors of United States seafood products in the development and promotion of markets for seafood and improve coordination of their marketing activities; and

(E) to educate and inform consumers about the nutritional and health benefits of seafood.

(c) DEFINITIONS.—In this section:

(1) BOARD.—The term “Board” means a Regional Seafood Marketing Board established under subsection (d).

(2) CONSUMER EDUCATION.—The term “consumer education” means actions undertaken to inform consumers on matters related to the consumption of seafood products.

(3) FUND.—The term “Fund” means the National Seafood Marketing and Development Fund established by subsection (e).

(4) GROWER.—The term “grower” means any person in the business of growing or farming seafood.

(5) HARVESTER.—The term “harvester” means any person in the business of harvesting seafood from the wild.

(6) MARKETER.—The term “marketer” means any person in the business of selling seafood in the wholesale, retail, or restaurant trade, but whose primary business function is not the processing or packaging of seafood in preparation for sale.

(7) MARKETING AND PROMOTION.—The term “marketing and promotion” means an activity aimed at encouraging the consumption of seafood or expanding or maintaining commercial markets for seafood.

(8) PERSON.—The term “person” means any individual, group of individuals, partnership, corporation, association, cooperative, or any private entity organized or existing under the laws of the United States or any State, commonwealth, territory, or possession of the United States.

(9) PROCESSOR.—The term “processor” means any person in the business of preparing or packaging seafood (including seafood of the processor’s own harvesting) for sale.

(10) RESEARCH.—The term “research” means any study or project designed to advance the image, desirability, usage, marketability, production, or quality of seafood.

(11) SEAFOOD.—The term “seafood” means farm-raised and wild-caught fish or shellfish harvested in the United States or by a United States flagged vessel for human consumption.

(12) SEAFOOD INDUSTRY.—The term “seafood industry” means harvesters, marketers, growers, processors, and persons providing them with goods and services.

(13) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Commerce.

(14) UNITED STATES.—The term “United States”, when used in the geographic sense, means the several States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory, possession, or commonwealth of the United States.

(d) REGIONAL SEAFOOD MARKETING BOARDS.—

(1) ESTABLISHMENT OF REGIONAL SEAFOOD MARKETING BOARDS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish Regional Seafood Marketing Boards as follows:

(A) NORTHEAST ATLANTIC BOARD.—The Northeast Atlantic Board shall consist of the following members:

(i) Twelve members from Maine, New Hampshire, Massachusetts, Rhode Island, or Connecticut.

(ii) One member from Vermont, Minnesota, Wisconsin, Illinois, Michigan, Indiana, or Ohio.

(B) MID AND SOUTH ATLANTIC BOARD.—The Mid and South Atlantic Board shall consist of the following members:

(i) Twelve members from New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, or Georgia.

(ii) One member from West Virginia, Kentucky, or Tennessee.

(C) GULF AND CARIBBEAN BOARD.—The Gulf and Caribbean Board shall consist of the following members:

(i) Twelve members from Florida, Alabama, Mississippi, Louisiana, Texas, Puerto Rico, or the territory of the Virgin Islands.

(ii) One member from Oklahoma, Arkansas, Missouri, Iowa, Nebraska, or Kansas.

(D) PACIFIC BOARD.—The Pacific Board shall consist of the following members:

(i) Twelve members from Idaho, Washington, Oregon, or California.

(ii) One member from Arizona, Nevada, New Mexico, Utah, Colorado, Wyoming, Montana, North Dakota, or South Dakota.

(E) WEST AND NORTH PACIFIC BOARD.—The West and North Pacific Board shall consist of thirteen members from Alaska, Hawaii, Guam, or American Samoa.

(2) APPOINTMENT OF MEMBERS.—

(A) NOMINATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall solicit nominations for members of each Board from the public.

(B) CONSULTATION.—Prior to appointing an individual to the Board, the Secretary shall consult with and seek the recommendations of the Governors of the States in the geographical area of the Board.

(C) APPOINTMENT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall appoint the members of each Board from among the nominees received under paragraph (1) and the recommendations received under paragraph (2).

(D) MEMBER EXPERTISE.—The Secretary shall ensure that the members of each Board fairly reflect the expertise and interest of the seafood industry located in the geographical area of the Board, and that the members of each Board include the following:

(i) Three individuals with experience in harvesting.

(ii) Two individuals with experience in processing, including one having experience with large processors and one having experience with small processors.

(iii) One individual with experience in transportation and logistics.

(iv) One individual with experience in mass market food distribution.

(v) One individual with experience in mass market food retail or food service.

(vi) One individual with experience in the marketing of seafood.

(vii) One individual recommended by a regional or State seafood marketing organization.

(viii) One individual with experience in growing seafood.

(ix) Two individuals that represent the general public and are familiar with the seafood industry as a whole.

(E) MEMBER TERMS.—

(i) IN GENERAL.—The term for a member of a Board shall be 3 years unless the Secretary designates a shorter term to provide for staggered expirations of terms of office.

(ii) TERM LIMITS.—No member of a Board may serve more than 3 consecutive terms, except that a member may continue to serve on a Board beyond that member's term until a successor is appointed.

(3) VACANCIES.—

(A) REMOVAL.—A Board may remove a member from the Board for failure to attend 3 consecutive Board meetings without reasonable excuse, or for other cause by not less than a vote of $\frac{2}{3}$ of the members of the Board.

(B) EFFECT OF VACANCY.—A vacancy shall not affect the ability of a Board to function.

(C) SUBSEQUENT APPOINTMENT.—A vacancy on a Board shall be filled by the manner in which the original appointment was made.

(4) PER DIEM AND EXPENSES.—A member of a Board shall serve without compensation, but shall be reimbursed in accordance with section 5703 of title 5, United States Code, for reasonable travel costs and expenses incurred in performing duties as a member of a Board.

(5) CHAIRMAN.—Each Board shall elect a chairman by a majority of those voting if a quorum is present.

(6) QUORUM.—A simple majority of members of a Board shall constitute a quorum, but a lesser number may hold hearings.

(7) EXECUTIVE DIRECTOR, STAFF, ADMINISTRATIVE ASSISTANCE.—

(A) EXECUTIVE DIRECTOR.—

(i) IN GENERAL.—A Board may employ and determine the salary of an executive director, but such salary shall not exceed level II of the Executive Schedule under section 5313 of title 5, United States Code.

(ii) SELECTION CRITERIA.—The individual selected as the executive director shall have demonstrated expertise in the marketing and promotion of food products.

(B) STAFF.—With the approval of the Board, the executive director may select and employ additional staff as necessary without regard to the provisions of title 5, United States Code.

(C) ADMINISTRATIVE ASSISTANCE.—The Secretary shall provide each Board such administrative assistance as requested by the Board for purposes of its initial organization and operation.

(8) NATIONAL COORDINATING COMMITTEE.—

(A) ESTABLISHMENT.—The chairman and 2 members of each Board shall establish a National Coordinating Committee—

(i) to exchange information and, if appropriate, coordinate the activities of the Boards; and

(ii) to conduct other business consistent with the policies and purposes of this Act.

(B) MEETING.—The National Coordinating Committee shall meet at least once each year.

(9) VOLUNTARY PAYMENTS.—Any person may make a voluntary payment to the Secretary to assist a Board in carrying out their marketing plans. Such payments shall be disbursed to the appropriate Board from the Fund.

(10) ANNUAL MARKETING PLAN.—

(A) REQUIREMENT FOR PLAN.—Each Board may prepare an annual marketing plan that describes the consumer education, research,

and other marketing activities of the Board for the following year, including the selection procedures and criteria the Board plans to use for the solicitation and awarding of grants and its plans to coordinate its activities with those of the other Boards established under this Act. Plans may include marketing activities that reference a particular brand or trade name, and may include projects designed to promote the consumption or purchase of a specific seafood species or group of similar seafood.

(B) PURPOSE.—The purpose of each annual marketing plan shall be to—

(i) increase consumer demand for seafood;

(ii) encourage, expand, or improve the marketing and utilization of seafood; and

(iii) improve consumer education, research, and other marketing activities regarding seafood.

(11) ACCOUNTING.—

(A) RECORDS.—Each Board shall maintain accounting records of the receipt and disbursement of all funds of the Board, which shall be subject to the review of the Secretary.

(B) REPORTS.—Each Board shall submit to the Secretary an annual report that describes each expenditure of the Board.

(C) MAINTENANCE OF FUNDS.—Each Board shall keep the amounts distributed to it from the Fund on deposit in appropriate interest-bearing accounts that shall be established by the Board or invested in obligations of, or guaranteed by, the United States. Any revenue accruing from such deposits and investments shall be available to the Board for carrying out its marketing plans.

(12) LIMITATIONS ON DECEPTIVE OR NEGATIVE MARKETING.—Consumer education and other marketing and promotion activities of a Board shall avoid use of deceptive or negative acts or practices on behalf of seafood or with respect to the quality, value, or use of any competing seafood product or group of products.

(13) GRANTS.—

(A) REQUIREMENT TO MAKE.—Each Board shall make grants to persons to carry out projects subject to such terms and conditions as the Board may require, consistent with the purposes of this Act and any marketing plan the Board has adopted.

(B) COST-SHARING.—A grant made by a Board under paragraph (1) may not exceed 50 percent of the total estimated cost of the project. The remaining 50 percent shall be provided by the grantee, which may include the value of in-kind contributions from the grantee.

(C) AWARD.—Each Board shall award at least 10 percent of the grant funds awarded by the Board under this paragraph each year to minority-owned, veteran-owned, or small businesses.

(14) CONFLICT OF INTEREST.—The conflict of interest and recusal provisions set forth in section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(j)) shall apply to any decision by the Board and to all members of the Board as if each member of the Board is an affected individual within the meaning of such section 302(j), except that in addition to the disclosure requirements of section 302(j)(2)(C) of such Act, (16 U.S.C. 1852(j)(2)(C)), each Board member shall disclose any financial interest or relationship in an organization or with an individual that is applying for funding from the Board held by the Board member, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other representative.

(e) NATIONAL SEAFOOD MARKETING AND DEVELOPMENT FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the National Seafood Marketing and Development Fund.

(2) EXCLUSIVE USE OF FUND.—Notwithstanding any other provision of law, all amounts in the Fund shall be used exclusively by the Secretary for making grants to the Boards under this Act and no such amount shall be transferred from the Fund for any other purpose.

(3) DISTRIBUTION OF AMOUNTS.—

(A) IN GENERAL.—The amount available in the Fund for each fiscal year shall be disbursed by the Secretary for such fiscal year to the Boards as follows:

(i) Eighty percent of such amount in the Fund shall be distributed equally among the Boards.

(ii) Twenty percent shall be distributed to the Boards based on a ratio of the total pounds of seafood harvested in the geographical area of each Board to the total pounds of seafood harvested in the United States.

(B) RATIO CALCULATION.—The ratio referred to in clause (ii) shall be calculated by the Secretary every 3 years using data collected by the Secretary and the Secretary of Agriculture.

(4) FUNDING UNDER THE SALTONSTALL-KENNEDY ACT.—

(A) IN GENERAL.—Section 2(b)(1) of the Act of August 11, 1939 (15 U.S.C. 713c-3(b)(1)) is amended—

(i) in subparagraph (A)(iv), by striking “and” at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon and “and”; and

(iii) by adding at the end the following:

“(C) the provision of moneys to the National Seafood Marketing and Development Fund established under subsection (e) of the National Seafood Marketing and Development Act of 2013.”

(B) ALLOCATION OF FUNDS UNDER THE SALTONSTALL-KENNEDY ACT.—Section 2(e)(1) of the Act of August 11, 1939 (15 U.S.C. 713c-3(e)(1)) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) For each fiscal year prior to fiscal year 2014:

“(i) The Secretary shall use no less than 60 percent of such moneys to make direct industry assistance grants to develop the United States fisheries and to expand domestic and foreign markets for United States fishery products pursuant to subsection (c).

“(ii) The Secretary shall use the balance of the moneys in the fund to finance those activities of the National Marine Fisheries Service which are directly related to development of the United States fisheries pursuant to subsection (d).

“(B) For fiscal year 2014 and each subsequent fiscal year:

“(i) The Secretary shall use no less than 60 percent of such moneys that are available after the amount described in clause (ii) is provided to make direct industry assistance grants to develop the United States fisheries and to expand domestic and foreign markets for United States fishery products pursuant to subsection (c).

“(ii) For the National Seafood Marketing and Development Fund established under subsection (e) of the National Seafood Marketing and Development Act of 2013, \$20,000,000 for each fiscal year

“(iii) The Secretary shall use the balance of the moneys in the fund after the amounts

described in clauses (i) and (ii) are made available to finance those activities of the National Marine Fisheries Service which are directly related to development of the United States fisheries pursuant to subsection (d).”.

SA 934. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Prohibition on Sale of Genetically Altered Salmon

SEC. 12301. PROHIBITION ON SALE OF GENETICALLY ALTERED SALMON.

(a) PROHIBITION.—It shall be unlawful for a person—

(1) to ship, transport, offer for sale, sell, or purchase a covered fish, or a product containing covered fish, in interstate or foreign commerce;

(2) to have custody, control, or possession of, with the intent to ship, transport, offer for sale, sell, or purchase a covered fish, or a product containing covered fish, in interstate or foreign commerce;

(3) to release a covered fish into a natural environment; or

(4) to have custody, control, or possession of a covered fish with the intent to release it into a natural environment.

(b) EXCEPTION.—Subsection (a) shall not apply to a fish, fish part, or product—

(1) under confined use, or intended for confined use, for scientific research;

(2) collected for the purpose of enforcing this subtitle; or

(3) if the Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the Director of the U.S. Fish and Wildlife Service and any other Federal, State, or tribal entity the Under Secretary considers appropriate, reviews any application requesting an action by a department or agency of the Federal government to permit an act prohibited under subsection (a), including any environmental assessment prepared as part of that application, and—

(A) prepares a finding of no significant impact in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) finds the application to be consistent with an environmental impact statement prepared by the Under Secretary in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) that includes—

(i) an environmental risk analysis that assesses the potential direct and indirect impacts from escapement of covered fish on wild and cultured fish stocks and environments that may be exposed to such covered fish;

(ii) a failure mode and effects analysis that quantitatively assesses the best- and worst-case probabilities of failure of each applicable confinement technique;

(iii) an assessment of the costs of control or eradication of escaped covered fish; and

(iv) an assessment of the potential economic damage in terms of loss of production or sales to relevant wild and cultured fish stocks and environments from the escapement of covered fish.

(c) ENVIRONMENTAL IMPACT CONSIDERATIONS.—

(1) NOTICE.—Each agency, department, or other unit of the Federal government shall promptly notify the Under Secretary of Com-

merce for Oceans and Atmosphere when an action involving covered fish, or a product containing covered fish is first identified.

(2) ENSURING COMPLIANCE.—The Under Secretary of Commerce for Oceans and Atmosphere, in cooperation with each Federal, State, or tribal entity that the Under Secretary considers appropriate, may monitor any mitigation measures proposed under subsection (b)(3) to ensure implementation and compliance therewith.

(3) PROVISIONS AS COMPLEMENTARY.—The provisions of this subtitle are in addition to, and shall not affect the operation of, other Federal, State, or local laws regulating a covered fish, or a product containing covered fish.

(4) RULES AND REGULATIONS.—The Secretary shall prescribe such rules and regulations as the Secretary considers necessary to carry out the provisions of this subtitle.

SEC. 12302. ENFORCEMENT AND PENALTIES.

(a) ENFORCEMENT.—The Secretary of Commerce may enforce section 12301 in the same manner, by the same means, and with the same jurisdiction, powers, and duties provided under sections 308, 309, 310, and 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, and 1861).

(b) PENALTIES.—A person who violates section 12301 shall be subject to the penalties, and entitled to the privileges and immunities, under sections 308, 309, 310, and 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, and 1861).

SEC. 12303. REPORT ON RISKS TO WILD FISH STOCKS.

Not later than 180 days after the date of enactment of this Act, the Under Secretary of Commerce for Oceans and Atmosphere shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives the report under section 1007 of the Food and Drug Administration Amendments Act of 2007 (21 U.S.C. 2106).

SEC. 12304. DEFINITIONS.

In this subtitle:

(1) CONFINED USE.—The term “confined use” means any operation, undertaken within a secured, land-based facility, that involves a covered fish controlled by specific measures that effectively prevent the covered fish from having contact with and impact on the external environment, including biological and physical confinement measures.

(2) COVERED FISH.—The term “covered fish” means a salmon or other anadromous or marine fish, live or dead, including the gametes, fertilized eggs, offspring, and descendants thereof, that is modified or produced through the application of recombinant deoxyribonucleic acid (DNA) technologies, using DNA from an organism’s own genome or that of another species, which overcome natural physiological reproductive barriers and which are not techniques used in traditional breeding and selection.

(3) FINDING OF NO SIGNIFICANT IMPACT.—The term “finding of no significant impact” has the meaning given the term in section 1508.13 of title 40, Code of Federal Regulations.

(4) PRODUCT.—The term “product” means an item manufactured or produced for sale or use as food.

SA 935. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018;

which was ordered to lie on the table; as follows:

On page 11, strike lines 1 through 3, and insert the following:

SEC. 2. DEFINITION.

In this Act:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

SA 936. Mr. BEGICH (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SECTION 110 . DISCLOSURE IN THE PUBLIC INTEREST.

Section 502(c)(2) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (C) and (D) respectively; and

(2) by inserting before subparagraph (C) (as so redesignated) the following:

“(A) DISCLOSURE IN THE PUBLIC INTEREST.—Notwithstanding paragraph (1) or any other provision of law, except as provided in subparagraph (B), the Secretary shall on an annual basis make available to the public—

“(i)(I) the name of each individual or entity who obtained a federally subsidized crop insurance, livestock, or forage policy or plan of insurance during the previous fiscal year;

“(II) the amount of premium subsidy received by the individual or entity from the Corporation; and

“(III) the amount of any Federal portion of indemnities paid in the event of a loss during that fiscal year for each policy associated with that individual or entity; and

“(ii) for each private insurance provider, by name—

“(I) the underwriting gains earned through participation in the federally subsidized crop insurance program; and

“(II) the amount paid under this subtitle for—

“(aa) administrative and operating expenses;

“(bb) any Federal portion of indemnities and reinsurance; and

“(cc) any other purpose.

“(B) LIMITATION.—The Secretary shall not disclose information pertaining to individuals and entities covered by a catastrophic risk protection plan offered under section 508(b).”.

SA 937. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 634, between lines 6 and 7, insert the following:

“SEC. 3504. HOUSING FOR EDUCATORS, PUBLIC SAFETY OFFICERS, AND MEDICAL PROVIDERS.

“(a) DEFINITIONS.—In this section:

“(1) EDUCATOR.—The term ‘educator’ means an individual who—

“(A) is employed full-time as a teacher, principal, or administrator by—

“(i) a public elementary school or secondary school that provides direct services

to students in grades prekindergarten through grade 12, or a Head Start program; and

“(ii) meets the appropriate teaching certification or licensure requirements of the State for the position in which the individual is employed; or

“(B) is employed full-time as a librarian, a career guidance or counseling provider, an education aide, or in another instructional or administrative position for a public elementary school or secondary school.

“(2) MEDICAL PROVIDER.—The term ‘medical provider’ means—

“(A) a licensed doctor of medicine or osteopathy;

“(B) an American Indian, Alaska Native, or Native Hawaiian recognized as a traditional healing practitioner;

“(C) a health care provider that—

“(i) is licensed or certified under Federal or State law, as applicable; and

“(ii) is providing services that are eligible for coverage under a plan under the Federal Employees Health Benefits Program under chapter 89 of title 5, United States Code;

“(D) a provider authorized under section 119 of the Indian Health Care Improvement Act (25 U.S.C. 1616); or

“(E) any other individual that the Secretary determines is capable of providing health care services.

“(3) PUBLIC SAFETY OFFICER.—The term ‘public safety officer’ means an individual who is employed full-time—

“(A) as a law enforcement officer by a law enforcement agency of the Federal Government, a State, a unit of general local government, or an Indian tribe; or

“(B) as a firefighter by a fire department of the Federal Government, a State, a unit of general local government, or an Indian tribe.

“(4) QUALIFIED COMMUNITY.—The term ‘qualified community’ means any open country, or any place, town, village, or city—

“(A) that is not part of or associated with an urban area; and

“(B) that—

“(i) has a population of not more than 2,500; or

“(ii)(I) has a population of not more than 10,000; and

“(II) is not accessible by a motor vehicle, as defined in section 30102 of title 49, United States Code.

“(5) QUALIFIED HOUSING.—The term ‘qualified housing’ means housing for educators, public safety officers, or medical providers that is located in a qualified community.

“(6) QUALIFIED PROJECT.—The term ‘qualified project’ means—

“(A) the construction, modernization, renovation, or repair of qualified housing;

“(B) the payment of interest on bonds or other financing instruments (excluding instruments used for refinancing) that are issued for the construction, modernization, renovation, or repair of qualified housing;

“(C) the repayment of a loan used—

“(i) for the construction, modernization, renovation, or repair of qualified housing; or

“(ii) to purchase real property on which qualified housing will be constructed;

“(D) purchasing or leasing real property on which qualified housing will be constructed, renovated, modernized, or repaired; or

“(E) any other activity normally associated with the construction, modernization, renovation, or repair of qualified housing, as determined by the Secretary.

“(7) EDUCATIONAL SERVICE AGENCY, ELEMENTARY SCHOOL, LOCAL EDUCATIONAL AGENCY, SECONDARY SCHOOL, STATE EDUCATIONAL AGENCY.—The terms ‘educational service

agency’, ‘elementary school’, ‘local educational agency’, ‘secondary school’, and ‘State educational agency’ have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(b) GRANTS.—The Secretary may make a grant to an applicant to carry out a qualified project.

“(c) LOAN GUARANTEES.—The Secretary may guarantee a loan made to an applicant for the construction, modernization, renovation, or repair of qualified housing.

“(d) FINANCING MECHANISMS.—The Secretary may make payments of interest on bonds, loans, or other financial instruments (other than financial instruments used for refinancing) that are issued to an applicant for a qualified project.

“(e) APPLICATION.—An applicant that desires a grant, loan guarantee, or payment of interest under this section shall submit to the Secretary an application that—

“(1) indicates whether the qualified housing for which the grant, loan guarantee, or payment of interest is sought is located in a qualified community;

“(2) identifies the applicant;

“(3) indicates whether the applicant prefers to receive a grant, loan guarantee, or payment of interest under this section;

“(4) describes how the applicant would ensure the adequate maintenance of qualified housing assisted under this section;

“(5) demonstrates a need for qualified housing in a qualified community, which may include a deficiency of affordable housing, a deficiency of habitable housing, or the need to modernize, renovate, or repair housing;

“(6) describes the expected impact of the grant, loan guarantee, or payment of interest on—

“(A) educators, public safety officers, and medical providers in a qualified community, including the impact on recruitment and retention of educators, public safety officers, and medical providers; and

“(B) the economy of a qualified community, including—

“(i) any plans to use small business concerns for the construction, modernization, renovation, or repair of qualified housing; and

“(ii) the short- and long-term impact on the rate of employment in the qualified community; and

“(7) describes how the applicant would ensure that qualified housing assisted under this section is used for educators, public safety officers, and medical providers.

“(f) INPUT FROM STATE DIRECTOR OF RURAL DEVELOPMENT.—The State Director of Rural Development for a State may submit to the Secretary an evaluation of any application for a qualified project in the State for which an application for assistance under this section is submitted and the Secretary shall take into consideration the evaluation in determining whether to provide assistance.

“(g) PRIORITY.—In awarding grants and making loan guarantees and payments of interest under this section, the Secretary shall give priority to an applicant that is—

“(1) a State educational agency or local educational agency;

“(2) an educational service agency;

“(3) a State or local housing authority;

“(4) an Indian tribe or tribal organization;

“(5) a tribally designated housing entity;

“(6) a local government; or

“(7) a consortium of any of the entities described in paragraphs (1) through (6).

“(h) LIMITATION.—The Secretary may provide assistance to the same applicant under only 1 of subsections (b), (c), and (d).

“(i) REQUIREMENT.—As a condition of eligibility for a grant, loan guarantee, or payment of interest under this section, at least 1 named applicant shall be required to maintain ownership of the qualified housing that is the subject of the grant, loan guarantee, or payment of interest during the greater of—

“(1) 15 years; or

“(2) the period of the loan for which a loan guarantee or payment of interest is made under this section.

“(j) REPORTING.—

“(1) BY APPLICANTS.—Not later than 2 years after the date on which an applicant receives a grant, loan guarantee, or payment of interest under this section, the applicant shall submit to the Secretary a report that—

“(A) describes how the grant, loan guarantee, or payment of interest was used; and

“(B) contains an estimate of the number of jobs created or maintained by use of the grant, loan guarantee, or payment of interest.

“(2) BY GAO.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report evaluating the program under this section.

“(k) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for fiscal year 2014, and each fiscal year thereafter.

“(2) AVAILABILITY.—Any amounts appropriated to carry out this section shall remain available for obligation by the Secretary during the 3-year period beginning on the date of the appropriation.

“(3) USE OF FUNDS.—Of any amounts appropriated for a fiscal year to carry out this section, the Secretary shall use—

“(A) not less than 50 percent to make grants under this section;

“(B) not more than 5 percent to carry out national activities under this section, including providing technical assistance and conducting outreach to qualified communities; and

“(C) any amounts not expended in accordance with subparagraphs (A) and (B) to make loan guarantees and payments of interest under this section.

SA 938. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. DENALI COMMISSION REAUTHORIZATION.

(a) SHORT TITLE.—This section may be cited as the ‘Denali Commission Reauthorization Act of 2013’.

(b) ESTABLISHMENT OF COMMISSION.—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) MEMBERSHIP.—

“(1) COMPOSITION.—The Commission shall be composed of 7 members with a Statewide perspective and knowledge regarding rural Alaska matters (including transportation, health, education and training, energy, economic development, community and regional planning, design, construction, and maintenance of rural infrastructure, workforce development, and communication infrastructure and systems), of whom—

“(A) 5 shall be appointed by the Secretary of Commerce (referred to in this title as the ‘Secretary’), of whom—

“(i) 1 shall represent the views and perspectives of an organized labor or vocational training group within the State of Alaska;

“(ii) 1 shall represent the views and perspectives of Native Corporations (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602));

“(iii) 1 shall have experience relating to project management and construction in rural Alaska;

“(iv) 1 shall represent the views and perspectives of rural local government interests in the State of Alaska; and

“(v) 1 shall represent the views and perspectives of rural tribal interests in the State of Alaska;

“(B) 1 shall be the Governor of the State of Alaska or an individual selected by the Secretary from nominations submitted by the Governor; and

“(C) 1 shall be the Federal Cochairperson of the Commission, to be appointed by the Secretary in accordance with paragraph (3).

“(2) DATE OF APPOINTMENTS.—The appointments of the members of the Commission under subparagraphs (A) and (B) of paragraph (1) shall be made not later than 90 days after the date of enactment of the Denali Commission Reauthorization Act of 2013.

“(3) FEDERAL COCHAIRPERSON.—

“(A) RECOMMENDATIONS.—Not later than 30 days after the date of appointment of the members of the Commission described in paragraph (2), those members shall submit to the Secretary recommendations for an individual to serve as Federal Cochairperson of the Commission under paragraph (1)(C).

“(B) SELECTION.—

“(i) IN GENERAL.—Not later than 60 days after the date of receipt of the recommendations under subparagraph (A), the Secretary shall appoint an individual to serve as Federal Cochairperson of the Commission.

“(ii) CONSIDERATION.—In appointing the Federal Cochairperson under clause (i), the Secretary may take into consideration, but shall not be required to select, any individual recommended under subparagraph (A).

“(C) TREATMENT.—The Federal Cochairperson shall be a nonvoting member of the Commission.

“(D) VACANCY.—

“(i) IN GENERAL.—Any vacancy in the position of Federal Cochairperson shall be filled in the same manner as the original appointment.

“(ii) INTERIM FEDERAL COCHAIRPERSON.—Before vacating the position of Federal Cochairperson, the Federal Cochairperson shall appoint to serve as Interim Federal Cochairperson, for the period beginning on the date on which the vacancy in the position of Federal Cochairperson occurs and ending on the date on which a new Federal Cochairperson is appointed under clause (i), the staff member of the Commission with the most seniority.

“(4) STATUS.—No member of the Commission (other than the Federal Cochairperson) shall be considered to be an employee of the Federal Government for any purpose.”; and

(2) in subsection (c)—

(A) in the first sentence, by striking “The Federal Cochairperson” and inserting the following:

“(1) FEDERAL COCHAIRPERSON.—The Federal Cochairperson”; and

(B) by striking the second and third sentences and inserting the following:

“(2) MEMBERS.—

“(A) TERMS.—A member of the Commission shall be appointed for a term of 4 years, except that, of the members first appointed—

“(i) the members appointed under clauses (ii) and (iv) of subsection (b)(1)(A) shall be appointed for terms of 3 years; and

“(ii) the members appointed under clauses (i) and (iii) of subsection (b)(1)(A) shall be appointed for terms of 2 years.

“(B) VACANCIES.—

“(i) IN GENERAL.—A vacancy in the Commission—

“(I) shall not affect the powers of the Commission;

“(II) shall be filled in the manner in which the original appointment was made; and

“(III) shall be subject to any conditions that applied with respect to the original appointment.

“(ii) FILLING UNEXPIRED TERM.—An individual selected to fill a vacancy shall be appointed for the unexpired term of the member replaced.

“(C) EXPIRATION.—The term of any member shall not expire before the date on which the successor of the member takes office.”.

(c) FUNDING REQUIREMENTS; DUTIES.—Section 304 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended to read as follows:

“SEC. 304. FUNDING REQUIREMENTS; DUTIES.

“(a) COST SHARE.—

“(1) IN GENERAL.—In carrying out any construction project or activity under this Act, the Commission shall require a cost share of—

“(A) up to 50 percent of the total cost of the construction project or activity; or

“(B) for a construction project or activity carried out in a distressed community (as determined by the department of labor and workforce development of the State of Alaska or by the Commission), up to 20 percent of the total cost of the construction project or activity.

“(2) PRECONSTRUCTION PROCEDURES.—The cost-share requirements under paragraph (1) shall not apply with respect to preconstruction procedures.

“(b) PUBLIC COMMENTS.—The Commission members and the Federal Cochairperson shall seek comments from rural Alaska communities and other stakeholder groups regarding rural development needs.

“(c) DUTIES.—The members of the Commission shall—

“(1) advise the Commission regarding coordinated infrastructure planning (including annual and multiyear strategies) among and for—

“(A) rural Alaska communities;

“(B) the State of Alaska;

“(C) Federal agencies; and

“(D) other governmental and nongovernmental entities;

“(2) establish a list of priorities of the Commission for rural Alaska communities on an annual basis, including funding recommendations and the means by which the recommendations—

“(A) address multiyear strategies; and

“(B) are coordinated with—

“(i) rural Alaska communities;

“(ii) the State of Alaska;

“(iii) Federal agencies; and

“(iv) other government and nongovernmental entities;

“(3) review ongoing and completed Commission-funded projects and programs for compliance with stated objectives and outcomes; and

“(4) examine Commission-funded projects and programs—

“(A) for consistency and standardization; and

“(B) to determine a means of improving the management and success of future Commission-funded projects and programs.

“(d) OPERATIONAL MATTERS.—The Federal Cochairperson (and not the members of the Commission) shall be responsible for Commission operational matters, including budgetary matters.”.

(d) POWERS OF COMMISSION.—Section 305 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended by striking subsection (d) and inserting the following:

“(d) DETAIL OF FEDERAL EMPLOYEES; AGREEMENTS, GRANTS, AND PAYMENTS.—

“(1) DETAIL OF FEDERAL EMPLOYEES.—Any employee of the Federal Government may be detailed to the Commission—

“(A) without reimbursement; and

“(B) without interruption or loss of civil service status or privilege.

“(2) AGREEMENTS, GRANTS, AND PAYMENTS.—The Commission, acting through the Federal Cochairperson, may enter into contracts and cooperative agreements, award grants, and make payments necessary to carry out the purposes of the Commission.”.

(e) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Section 306 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended by striking subsection (a) and inserting the following:

“(a) COMPENSATION OF MEMBERS.—

“(1) IN GENERAL.—Subject to paragraph (2), the members of the Commission shall serve without compensation.

“(2) FEDERAL COCHAIRPERSON.—The Federal Cochairperson shall be compensated at the annual rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.”.

(2) TRAVEL EXPENSES.—Section 306(b) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(A) by striking “The members” and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), the members”; and

(B) by adding at the end the following:

“(2) WAIVER.—A member of the Commission may waive all or any portion of the travel expenses provided to the member under paragraph (1).”.

(3) INSPECTOR GENERAL.—Section 306 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended by striking subsection (h) and inserting the following:

“(h) INSPECTOR GENERAL.—The Commission shall use the services of the Inspector General of the Department of Commerce.”.

(f) REAUTHORIZATION.—The first section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (relating to authorization of appropriations) is amended by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—There are authorized to be appropriated to the Commission such sums as are necessary to carry out this title, in accordance with the purposes of this title, for fiscal year 2014 and each fiscal year thereafter.”.

(g) REPEALS.—

(1) IN GENERAL.—

(A) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—Section 308 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is repealed.

(B) ECONOMIC DEVELOPMENT COMMITTEE.—The second section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public

Law 105-277) (relating to the Economic Development Committee) is repealed.

(h) BUDGET COMMITTEE.—The Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as amended by subsection (g)(1)) is amended by inserting after section 307 the following:

“SEC. 308. BUDGET COMMITTEE.

“(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Denali Commission Reauthorization Act of 2013, the Federal Cochairperson shall establish a Budget Committee to serve the Commission.

“(b) MEMBERSHIP.—The Budget Committee shall be composed of 3 members, of whom—

“(1) 1 shall be the Governor of the State of Alaska or a member of the Commission selected in accordance with section 303(b)(1)(B);

“(2) 1 shall be a Federal employee or detailee with expertise in the Federal budget process, to be selected by the Federal Cochairperson; and

“(3) 1 shall be a member of the Commission, to be selected by the members of the Commission.

“(c) DUTIES.—The Budget Committee shall—

“(1) review the operating budget of the Commission; and

“(2) make appropriate recommendations to the Federal Cochairperson.

“(d) COMPENSATION OF MEMBERS.—

“(1) IN GENERAL.—The members of the Budget Committee shall serve without compensation.

“(2) TRAVEL EXPENSES.—The members of the Budget Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Budget Committee.”.

(i) CONFORMING AMENDMENTS.—

(1) Section 307 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended by striking subsection (c) and inserting the following:

“(c) DEMONSTRATION HEALTH PROJECTS.—

“(1) IN GENERAL.—To demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health and Human Services may make interagency transfers to the Commission to plan, construct, and equip demonstration health, nutrition, and child care projects, including hospitals, health care clinics, and mental health facilities (including drug and alcohol treatment centers).

“(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.”.

(2) Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “the Denali Commission,”.

SA 939. Mrs. GILLIBRAND (for herself and Mr. COWAN) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42 . PURCHASE OF HALAL AND KOSHER FOOD FOR EMERGENCY FOOD ASSISTANCE PROGRAM.

Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by adding at the end the following:

“(h) KOSHER AND HALAL FOOD.—As soon as practicable after the date of enactment of this subsection, the Secretary shall finalize and implement a plan—

“(1) to increase the purchase of Kosher and Halal food from food manufacturers with a Kosher or Halal certification to carry out the program established under this Act if the Kosher and Halal food purchased is cost neutral as compared to food that is not from food manufacturers with a Kosher or Halal certification; and

“(2) to modify the labeling of the commodities list used to carry out the program in a manner that enables Kosher and Halal food bank operators to identify which commodities to obtain from local food banks.”.

SA 940. Mrs. GILLIBRAND (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 121 . ANTIMICROBIAL DRUG USE RESEARCH AND EDUCATION GRANTS.

(a) IN GENERAL.—The Secretary shall make available competitive research and education grants for the purpose of improving the knowledge and study of antimicrobial drug use in agriculture and antimicrobial resistance, including—

(1) antimicrobial use practices in major food animal species and the correlation of the practices to antimicrobial resistance trends;

(2) roles and associations that disease incidence and infection control have in antimicrobial use practices and trends;

(3) development of better veterinary diagnostics, infection control, preventative practices, housing, or husbandry, or other techniques to reduce the need for antimicrobial drug use; and

(4) identification of effective and scalable techniques that improve animal health and reduce antimicrobial drug use, including, at a minimum, genetics, diet, husbandry, and hygiene.

(b) ADMINISTRATION.—Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) shall apply with respect to the making of grants under this section.

(c) FUNDING.—Of amounts made available to the Secretary in appropriations Acts for programs and purposes relating to the purposes of this section, the Secretary shall use to carry out this section such sums as the Secretary determines to be appropriate for each of fiscal years 2014 through 2018.

SA 941. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 42 . INTERIM PROGRAM TO IMPROVE FOOD SAFETY.

(a) PURPOSES.—The purposes of this section are—

(1) to ensure the effective use of resources, and program fidelity, to support food safety, interstate commerce, and the integrity of the United States meat supply for export markets; and

(2) to remedy repeated program failures described in documents, including—

(A) the audit report of the Inspector General of the Department of Agriculture numbered 24601-0001-41;

(B) the management challenges report of the Office of the Inspector General of the Department dated 2011; and

(C) the reports of the Government Accountability Office numbered—

(i) 10-203;

(ii) 04-247; and

(iii) 02-902.

(b) DEFINITIONS.—In this section:

(1) AFFECTED SUPERVISOR.—The term “affected supervisor” means an individual serving as, or in any similar capacity as, an inspector-in-charge or an administrator of a food safety program of the Department—

(A) onsite at a facility of the Department; or

(B) at the circuit or regional level.

(2) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Assistant Secretary for Administration.

(c) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an interim program to improve food safety, under which the Secretary shall appoint a public health examiner to ensure the integrity of the food safety programs of the Department.

(d) DUTIES OF PUBLIC HEALTH EXAMINER.—

(1) IN GENERAL.—In carrying out the program under this section, the public health examiner shall—

(A) evaluate, and modify as necessary, the process in effect on the date of enactment of this Act for evaluating the performance of affected supervisors;

(B) employ—

(i) objective, independent individuals with expertise in public health to serve as evaluators of affected supervisors; and

(ii) such additional staff as the public health examiner determines to be necessary to carry out the program;

(C) ensure the use by affected supervisors of objective, data-driven implementation metrics, as applicable, including—

(i) proper, complete, and valid documentation;

(ii) proper enforcement in response to serious and repeat offenses; and

(iii) the provision of proper correlation, supervision, and mission support for onsite personnel;

(D) provide appropriate professional development, reassignment, or other disposition of affected supervisors with a pattern of failing to implement program policies to ensure proper response to significant noncompliance issues;

(E) improve applicable management controls within the Department, including in the Public Health Information System;

(F) to the maximum extent practicable, reduce subjectivity in program implementation; and

(G) terminate the provision of payment awards under the public health human resources system of the Department for affected supervisors against whom the public health examiner or an evaluator employed under subparagraph (B) has identified any serious program implementation failure, until—

(i) each such failure is completely resolved;
 (ii) effective corrective actions have been implemented with respect to each such failure; and

(iii) the public health examiner submits to the Committees on Appropriations, Agriculture, Nutrition, and Forestry, and Homeland Security and Governmental Affairs of the Senate, and the Committees on Appropriations, Agriculture, and Homeland Security of the House of Representatives, a report describing the corrective actions.

(2) USE OF SAVINGS.—Any amounts saved by the Federal Government as a result of the termination of payment awards under paragraph (1)(G) shall be transferred to the Secretary for use in carrying out the program under this section.

(e) SUNSET.—

(1) IN GENERAL.—The program under this section shall terminate on the date that is 4 years after the date of establishment of the program.

(2) FINAL REPORT.—Not later than 54 months after the date of establishment of the program under this section, the Comptroller General of the United States shall submit to Congress a final report describing the results of the program.

(f) FUNDING.—The Secretary shall use to carry out this section for each applicable fiscal year—

(1) not less than \$2,500,000 of the amounts made available to the Secretary in appropriations Acts for programs and purposes relating to the Food Safety Inspection Service and the Office of Food Safety; and

(2) the amounts transferred to the Secretary under subsection (d)(2).

SA 942. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12 AUDIT OF THE PUBLIC HEALTH HUMAN RESOURCES SYSTEM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall commence an audit of the pay-for-performance project of the Food Safety and Inspection Service, the Public Health Human Resources System, to determine—

(1) if the program was properly and consistently implemented;

(2) if the program was effective; and

(3) to what extent there was waste, fraud, abuse, or mismanagement of funds in the program.

(b) REPORT.—On completion of the audit required by subsection (a), the Comptroller General of the United States shall submit to Congress a report containing the results of the audit.

SA 943. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 877, after line 18, insert the following:

SEC. 6208. GAO REPORT ON UNIVERSAL SERVICE REFORMS.

(a) PURPOSE.—The purpose of the report required under subsection (b) is to aid Congress in monitoring and measuring the effects of a

series of reforms by the Federal Communications Commission (in this section referred to as the “FCC”) intended to promote the availability and affordability of broadband service throughout the United States.

(b) REPORT.—The Comptroller General of the United States shall prepare a report providing detailed measurements, statistics, and metrics with respect to—

(1) the progress of implementation of the reforms adopted in the FCC’s Report and Order and Further Notice of Proposed Rule-making adopted on October 27, 2011 (FCC 11-161) (in this section referred to as the “Order”);

(2) the effects, if any, of such reforms on retail end user rates during the applicable calendar year for—

(A) local voice telephony services (including any subscriber line charges and access recovery charges assessed by carriers upon purchasers of such services);

(B) interconnected VoIP services;

(C) long distance voice services;

(D) mobile wireless voice services;

(E) bundles of voice telephony or VoIP services (such as local and long distance voice packages);

(F) fixed broadband Internet access services; and

(G) mobile broadband Internet access services;

(3) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) to consumers (including both residential and business users) located in rural areas and urban areas;

(4) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) as between incumbent local exchange carriers subject to price cap regulation and those subject to rate-of-return regulation;

(5) the effects, if any, of those reforms adopted in the Order on average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, during the applicable calendar year;

(6) any disparities or trends detectable during the applicable calendar year with respect to the relative average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, in rural areas and urban areas;

(7) the effects, if any, of those reforms adopted in the Order on the magnitude and pace of investments in broadband-capable networks in rural areas, including such investments financed by the Department of Agriculture’s Rural Utilities Service under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.);

(8) any disparities or trends detectable during the applicable calendar year with respect to the relative magnitude and pace of investments in broadband-capable networks in rural areas and urban areas;

(9) any disparities or trends detectable during the applicable calendar year with respect to the magnitude and pace of investments in broadband-capable networks in areas served by carriers subject to price cap regulation and areas served by carriers subject to rate-of-return regulation;

(10) the effects, if any, of those reforms adopted in the Order on adoption of broadband Internet access services by end users; and

(11) the effects, if any, of such reforms on State universal service funds or other State universal service initiatives, including carrier-of-last-resort requirements that may be enforced by any State.

(c) TIMING.—On or before December 31, 2013, and annually thereafter for the following 5 calendar years, the Comptroller General shall submit the report required under subsection (b) to the following:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(3) The Committee on Energy and Commerce of the House of Representatives.

(4) The Committee on Agriculture of the House of Representatives.

(d) DATA INCLUSION.—The report required under subsection (b) shall include all data that the Comptroller General deems relevant to and supportive of any conclusions drawn with respect to the effects of the FCC’s reforms and any disparities or trends detected in the items subject to the report.

SA 944. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1064, after line 21, add the following:

SEC. 11 AUTOMATIC REVIEWS OF LARGE CLAIMS.

Section 508(j) of the Federal Crop Insurance Act (7 U.S.C. 1508(j)) is amended by adding at the end the following:

“(6) REVIEWS.—For the purpose of automatic reviews of large claims under this section, the Corporation shall establish the loss threshold at \$50,000.”.

SA 945. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 269, between lines 3 and 4, insert the following:

“(c) SELECTION CRITERIA.—Notwithstanding any other provision of this subtitle, for an eligible activity identified in subparagraph (B) or (E) of section 1271A(2), the Secretary shall not consider prior irrigation history when—

“(1) selecting eligible partners under section 1271B; or

“(2) entering into contracts with producers under section 1271C.”.

SA 946. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. TERMINATION OF THE PARTNERSHIP FOR NUTRITION ASSISTANCE INITIATIVE.

Effective on the date of the enactment of this Act, the memorandum of understanding entered into on July 22, 2004, by the Secretary and the Secretary of Foreign Affairs of the Republic of Mexico and known as the “Partnership for Nutrition Assistance Initiative” is terminated and shall have no force or effect of law.

SA 947. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

After section 4002, insert the following:

SEC. 4003. SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended by adding at the end the following:

“(o) SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS.—

“(1) DEFINITION OF SATISFACTORY IMMIGRATION STATUS.—In this subsection, the term ‘satisfactory immigration status’ means an immigration status under which an individual is eligible for benefits under the supplemental nutrition assistance program, if the individual otherwise meets the requirements of this Act.

“(2) DECLARATION.—

“(A) IN GENERAL.—As a condition of eligibility for the supplemental nutrition assistance program, the Secretary shall require each head of a household seeking to participate in the program to submit to the applicable State agency a written declaration in accordance with subparagraph (B), which the head of household shall sign under penalty of perjury.

“(B) CONTENTS.—The head of household shall certify in the written declaration under subparagraph (A) that each member of the household is—

“(i) national of the United States (as that term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); or

“(ii) in a satisfactory immigration status.

“(3) DOCUMENTATION.—

“(A) NATIONALS OF THE UNITED STATES.—Subject to subparagraph (B), for each member of a household for which a certification is made under clause (i) of paragraph (2)(B), the head of household shall submit to the State agency administering the supplemental nutrition assistance program documentation demonstrating that each such member is a national of the United States that is—

“(i) a document showing birth in the United States;

“(ii) a United States consular report of birth;

“(iii) a United States passport;

“(iv) a Certificate of Naturalization; or

“(v) a Certificate of Citizenship.

“(B) SATISFACTORY IMMIGRATION STATUS.—Subject to subparagraph (B), for each member of a household for which a certification is made under clause (ii) of paragraph (2)(B), the head of household shall submit to the State agency administering the supplemental nutrition assistance program—

“(i) alien registration documentation or other proof of immigration registration issued by the Secretary of Homeland Security that contains—

“(I) the alien admission number of the individual; and

“(II) the alien file number of the individual; or

“(ii) any other document that the State agency determines constitutes reasonable evidence of a satisfactory immigration status.

“(C) ADULT HOUSEHOLD MEMBERS.—An individual who is 18 years of age or older and who is a member of a household for which a certification is made under clause (i) or (ii) of paragraph (2)(B) shall submit to the State

agency the documentation described in subparagraph (A) or (B) on such individual’s own behalf.

“(4) SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM.—For documentation described in paragraph (3)(B), the State agency to which the documentation is submitted shall use the alien admission number or alien file number of the individual to verify the immigration status of the individual using the Systematic Alien Verification for Entitlements Program of the United States Citizenship and Immigration Services.”.

SA 948. Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 355, between lines 7 and 8, insert the following:

SEC. 40 . . . RESTORING PROGRAM INTEGRITY TO CATEGORICAL ELIGIBILITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—The second sentence of section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended by striking “receives benefits under a State program” and inserting “receives assistance (as defined in section 260.31 of title 45, Code of Federal Regulations, as in effect on January 1, 2013) under a State program”.

(b) RESOURCES.—Section 5(j) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(j)) is amended by striking “receives benefits under a State program” and inserting “receives assistance (as defined in section 260.31 of title 45, Code of Federal Regulations, as in effect on January 1, 2013) under a State program”.

Beginning on page 355, strike line 8 and all that follows through page 357, line 15, and insert the following:

SEC. 4002. ELIMINATING THE LOW-INCOME HOME ENERGY ASSISTANCE LOOPHOLE.

(a) IN GENERAL.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (d)(11)(A), by striking “(other than)” and all that follows through “(et seq.)” and inserting “(other than payments or allowances made under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or any payments under any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i) of that Act (42 U.S.C. 609(a)(7)(B)(1)))”;

(2) in subsection (e)(6)(C), by striking clause (iv); and

(3) in subsection (k)—

(A) in paragraph (2)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraphs (D) through (G) as subparagraphs (C) through (F), respectively; and

(iii) by striking paragraph (4).

(b) CONFORMING AMENDMENTS.—Section 2605(f) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)) is amended—

(1) in paragraph (1), by striking “(1)”; and

(2) by striking paragraph (2).

Beginning on page 379, strike line 15 and all that follows through page 380, line 15, and insert the following:

SEC. 4011. ELIMINATING STATE BONUSES.

(a) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

(b) CONFORMING AMENDMENTS.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(1) in subsection (c)—

(A) in the first sentence of paragraph (4), by striking “payment error rate” and all that follows through “subsection (d)” and inserting “liability amount or new investment amount under paragraph (1) or payment error rate”; and

(B) in the first sentence of paragraph (5), by striking “payment error rate” and all that follows through “subsection (d)” and inserting “liability amount or new investment amount under paragraph (1) or payment error rate”; and

(2) in subsection (i)(1), by striking “subsection (d)(1)” and inserting “subsection (c)(2)”.

SEC. 4012. ELIMINATING DUPLICATIVE EMPLOYMENT AND TRAINING.

(a) FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (h).

(b) ADMINISTRATIVE COST-SHARING.—

(1) IN GENERAL.—Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the first sentence, in the matter preceding paragraph (1), by inserting “(other than a program carried out under section 6(d)(4))” after “supplemental nutrition assistance program”.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking “(g), (h)(2), or (h)(3)” and inserting “or (g)”.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended by striking “(g), (h)(2), and (h)(3)” and inserting “and (g)”.

(c) WORKFARE.—

(1) IN GENERAL.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is amended by striking “or (g)(1)”.

On page 385, strike lines 19 through 22 and insert the following:

SEC. 4016. ELIMINATING THE NUTRITION EDUCATION GRANT PROGRAM.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is repealed.

On page 390, between lines 17 and 18, insert the following:

SEC. 4019. TERMINATING AN INCREASE IN BENEFITS.

Section 101(a) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 120; 124 Stat. 2394; 124 Stat. 3265) is amended by striking paragraph (2) and inserting the following:

“(2) TERMINATION.—The authority provided by this subsection shall terminate after September 1, 2013.”.

SA 949. Mr. ROBERTS (for himself, Ms. AYOTTE, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 4002 and insert the following:

SEC. 4002. ELIMINATING THE LOW-INCOME HOME ENERGY ASSISTANCE LOOPHOLE.

(a) IN GENERAL.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (d)(11)(A), by striking “(other than” and all that follows through “et seq.)” and inserting “(other than payments or allowances made under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or any payments under any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i) of that Act (42 U.S.C. 609(a)(7)(B)(1)))”;

(2) in subsection (e)(6)(C), by striking clause (iv); and

(3) in subsection (k)—

(A) in paragraph (2)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraphs (D) through (G) as subparagraphs (C) through (F), respectively; and

(iii) by striking paragraph (4).

(b) CONFORMING AMENDMENTS.—Section 2605(f) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)) is amended—

(1) in paragraph (1), by striking “(1)”; and

(2) by striking paragraph (2).

SA 950. Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 4012 and insert the following:

SEC. 4012. ELIMINATING DUPLICATIVE EMPLOYMENT AND TRAINING.

(a) FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.—Section 16 of Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (h).

(b) ADMINISTRATIVE COST-SHARING.—

(1) IN GENERAL.—Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the first sentence, in the matter preceding paragraph (1), by inserting “(other than a program carried out under section 6(d)(4))” after “supplemental nutrition assistance program”.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking “(g), (h)(2), or (h)(3)” and inserting “or (g)”.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended is amended by striking “, (g), (h)(2), and (h)(3)” and inserting “and (g)”.

(c) WORKFARE.—

(1) IN GENERAL.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is amended by striking “or (g)(1)”.

SA 951. Mrs. BOXER (for Mr. HARKIN) proposed an amendment to the bill S. 309, to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; as follows:

On page 15, line 5, strike “dyes” and insert “dies”.

On page 15, line 6, insert before the period the following: “, and amounts received from

the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund”.

On page 15, strike line 10 and all that follows through line 20.

SA 952. Mr. WYDEN (for himself, Mr. MCCONNELL, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, insert the following:

Subtitle _____—Industrial Hemp Farming Act

SECTION 12. SHORT TITLE.

This title may be cited as the “Industrial Hemp Farming Act of 2013”.

SEC. 12. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking “(16) The” and inserting “(16)(A) The”; and

(B) by adding at the end the following:

“(B) The term ‘marihuana’ does not include industrial hemp.”; and

(2) by adding at the end the following:

“(57) The term ‘industrial hemp’ means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.”.

SEC. 12. INDUSTRIAL HEMP DETERMINATION BY STATES.

Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

“(i) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes *Cannabis sativa* L. for purposes of making industrial hemp in accordance with State law, the *Cannabis sativa* L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).”.

SA 953. Mr. DURBIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 11. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service

Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

NOTICE OF HEARING

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU, Mr. President, the Committee on Small Business and Entrepreneurship will meet on May 22, 2013, at 10 a.m. in room 428A Russell Senate Office Building to hold a roundtable entitled “Bridging the Skills Gap: How the STEM Education Pipeline Can Develop a High-Skilled American Workforce for Small Business.”

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. WYDEN, Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 20, 2013, at 10 a.m., in SH-216 of the Dirksen Senate Office Building, to continue its executive business meeting.

The PRESIDING OFFICER. Without objection, it is ordered.

PRIVILEGES OF THE FLOOR

Ms. STABENOW. Mr. President, I ask unanimous consent that Kevin Norton, a detailee to our committee, Heather Arnold, John Newton, and Eric Hansen, fellows for the committee, be granted floor privileges for the remainder of the debate on S. 954, the Agriculture Reform, Food, and Jobs Act of 2013.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent that Nona McCoy and Kevin Batteh, who have been detailed to my staff, be granted the privilege of the floor for the remainder of the farm bill debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT
AGREEMENT—S. RES. 65

Mr. REID. Mr. President, I ask unanimous consent that at 4 p.m. on Wednesday, May 22, the Senate proceed to the consideration of Calendar No. 43, S. Res. 65; that there be 60 minutes for debate equally divided and controlled in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote in relation to the resolution; that if the resolution is agreed to, the preamble be agreed to and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AWARDING A CONGRESSIONAL
GOLD MEDAL

Mrs. BOXER. Mr. President, I ask unanimous consent the Banking Committee be discharged from further consideration of S. 309 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 309) to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

There being no objection, the Senate proceeded to consider the bill.

Mrs. BOXER. I ask unanimous consent the Harkin amendment, which is at the desk, be agreed to, the bill as amended be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 951) was agreed to, as follows:

(Purpose: To make technical corrections)

On page 15, line 5, strike "dyes" and insert "dies".

On page 15, line 6, insert before the period the following: ", and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund".

On page 15, strike line 10 and all that follows through line 20.

The bill (S. 309), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The unpaid volunteer members of the Civil Air Patrol (hereafter in this Act referred to as the "CAP") during World War II provided extraordinary humanitarian, combat, and national services during a critical time of need for the Nation.

(2) During the war, CAP members used their own aircraft to perform a myriad of essential tasks for the military and the Nation within the United States, including attacks on enemy submarines off the Atlantic and Gulf of Mexico coasts of the United States.

(3) This extraordinary national service set the stage for the post-war CAP to become a valuable nonprofit, public service organization chartered by Congress and designated the Auxiliary of the United States Air Force that provides essential emergency, operational, and public services to communities, States, the Federal Government, and the military.

(4) The CAP was established on December 1, 1941, initially as a part of the Office of Civil Defense, by air-minded citizens one week before the surprise attack on Pearl Harbor, Hawaii, out of the desire of civil airmen of the country to be mobilized with their equipment in the common defense of the Nation.

(5) Within days of the start of the war, the German Navy started a massive submarine offensive, known as Operation Drumbeat, off the east coast of the United States against oil tankers and other critical shipping that threatened the overall war effort.

(6) Neither the Navy nor the Army had enough aircraft, ships, or other resources to adequately patrol and protect the shipping along the Atlantic and Gulf of Mexico coasts of the United States, and many ships were torpedoed and sunk, often within sight of civilians on shore, including 52 tankers sunk between January and March 1942.

(7) At that time General George Marshall remarked that "[t]he losses by submarines off our Atlantic seaboard and in the Caribbean now threaten our entire war effort".

(8) From the beginning CAP leaders urged the military to use its services to patrol coastal waters but met with great resistance because of the nonmilitary status of CAP civilian pilots.

(9) Finally, in response to the ever-increasing submarine attacks, the Tanker Committee of the Petroleum Industry War Council urged the Navy Department and the War Department to consider the use of the CAP to help patrol the sea lanes off the coasts of the United States.

(10) While the Navy initially rejected this suggestion, the Army decided it had merit, and the Civil Air Patrol Coastal Patrol began in March 1942.

(11) Oil companies and other organizations provided funds to help pay for some CAP operations, including vitally needed shore ra-

dios that were used to monitor patrol missions.

(12) By late March 1942, the Navy also began to use the services of the CAP.

(13) Starting with 3 bases located in Delaware, Florida, and New Jersey, CAP aircrews (ranging in age from 18 to over 80) immediately started to spot enemy submarines as well as lifeboats, bodies, and wreckage.

(14) Within 15 minutes of starting his patrol on the first Coastal Patrol flight, a pilot had sighted a torpedoed tanker and was coordinating rescue operations.

(15) Eventually 21 bases, ranging from Bar Harbor, Maine, to Brownsville, Texas, were set up for the CAP to patrol the Atlantic and Gulf of Mexico coasts of the United States, with 40,000 volunteers eventually participating.

(16) The CAP used a wide range of civilian-owned aircraft, mainly light-weight, single-engine aircraft manufactured by Cessna, Beech, Waco, Fairchild, Stinson, Piper, Taylorcraft, and Sikorsky, among others, as well as some twin engine aircraft, such as the Grumman Widgeon.

(17) Most of these aircraft were painted in their civilian prewar colors (red, yellow, or blue, for example) and carried special markings (a blue circle with a white triangle) to identify them as CAP aircraft.

(18) Patrols were conducted up to 100 miles off shore, generally with 2 aircraft flying together, in aircraft often equipped with only a compass for navigation and a single radio for communication.

(19) Due to the critical nature of the situation, CAP operations were conducted in bad weather as well as good, often when the military was unable to fly, and in all seasons, including the winter, when ditching an aircraft in cold water would likely mean certain death to the aircrew.

(20) Personal emergency equipment was often lacking, particularly during early patrols where inner tubes and kapok duck hunter vests were carried as flotation devices, since ocean worthy wet suits, life vests, and life rafts were unavailable.

(21) The initial purpose of the Coastal Patrol was to spot submarines, report their position to the military, and force them to dive below the surface, which limited their operating speed and maneuverability and reduced their ability to detect and attack shipping, because attacks against shipping were conducted while the submarines were surfaced.

(22) It immediately became apparent that there were opportunities for CAP pilots to attack submarines, such as when a Florida CAP aircrew came across a surfaced submarine that quickly stranded itself on a sand bar. However, the aircrew could not get any assistance from armed military aircraft before the submarine freed itself.

(23) Finally, after several instances when the military could not respond in a timely manner, a decision was made by the military to arm CAP aircraft with 50- and 100-pound bombs, and to arm some larger twin-engine aircraft with 325-pound depth charges.

(24) The arming of CAP aircraft dramatically changed the mission for these civilian aircrews and resulted in more than 57 attacks on enemy submarines.

(25) While CAP volunteers received \$8 a day flight reimbursement for costs incurred, their patrols were accomplished at a great economic cost to many CAP members who—

(A) used their own aircraft and other equipment in defense of the Nation;

(B) paid for much of their own aircraft maintenance and hangar use; and

(C) often lived in the beginning in primitive conditions along the coast, including old

barns and chicken coops converted for sleeping.

(26) More importantly, the CAP Coastal Patrol service came at the high cost of 26 fatalities, 7 serious injuries, and 90 aircraft lost.

(27) At the conclusion of the 18-month Coastal Patrol, the heroic CAP aircrews would be credited with—

(A) 2 submarines possibly damaged or destroyed;

(B) 57 submarines attacked;

(C) 82 bombs dropped against submarines;

(D) 173 radio reports of submarine positions (with a number of credited assists for kills made by military units);

(E) 17 floating mines reported;

(F) 36 dead bodies reported;

(G) 91 vessels in distress reported;

(H) 363 survivors in distress reported;

(I) 836 irregularities noted;

(J) 1,036 special investigations at sea or along the coast;

(K) 5,684 convoy missions as aerial escorts for Navy ships;

(L) 86,685 total missions flown;

(M) 244,600 total flight hours logged; and

(N) more than 24,000,000 total miles flown.

(28) It is believed that at least one high-level German Navy Officer credited CAP as one reason that submarine attacks moved away from the United States when he concluded that “[i]t was because of those damned little red and yellow planes!”.

(29) The CAP was dismissed from coastal missions with little thanks in August 1943 when the Navy took over the mission completely and ordered CAP to stand down.

(30) While the Coastal Patrol was ongoing, CAP was also establishing itself as a vital wartime service to the military, States, and communities nationwide by performing a wide range of missions including, among others—

(A) border patrol;

(B) forest and fire patrols;

(C) military courier flights for mail, repair and replacement parts, and urgent military deliveries;

(D) emergency transportation of military personnel;

(E) target towing (with live ammunition being fired at the targets and seven lives being lost) and searchlight tracking training missions;

(F) missing aircraft and personnel searches;

(G) air and ground search and rescue for missing aircraft and personnel;

(H) radar and aircraft warning system training flights;

(I) aerial inspections of camouflaged military and civilian facilities;

(J) aerial inspections of city and town blackout conditions;

(K) simulated bombing attacks on cities and facilities to test air defenses and early warning;

(L) aerial searches for scrap metal materials;

(M) river and lake patrols, including aerial surveys for ice in the Great Lakes;

(N) support of war bond drives;

(O) management and guard duties at hundreds of airports;

(P) support for State and local emergencies such as natural and manmade disasters;

(Q) predator control;

(R) rescue of livestock during floods and blizzards;

(S) recruiting for the Army Air Force;

(T) initial flight screening and orientation flights for potential military recruits;

(U) mercy missions, including the airlift of plasma to central blood banks;

(V) nationwide emergency communications services; and

(W) a cadet youth program which provided aviation and military training for tens of thousands.

(31) The CAP flew more than 500,000 hours on these additional missions, including—

(A) 20,500 missions involving target towing (with live ammunition) and gun/searchlight tracking which resulted in 7 deaths, 5 serious injuries, and the loss of 25 aircraft;

(B) a courier service involving 3 major Air Force Commands over a 2-year period carrying more than 3,500,000 pounds of vital cargo and 543 passengers;

(C) southern border patrol flying more than 30,000 hours and reporting 7,000 unusual sightings including a vehicle (that was apprehended) with 2 enemy agents attempting to enter the country;

(D) a week in February 1945 during which CAP units rescued seven missing Army and Navy pilots; and

(E) a State in which the CAP flew 790 hours on forest fire patrol missions and reported 576 fires to authorities during a single year.

(32) On April 29, 1943, the CAP was transferred to the Army Air Forces, thus beginning its long association with the United States Air Force.

(33) Hundreds of CAP-trained women pilots joined military women's units including the Women's Air Force Service Pilots (WASP) program.

(34) Many members of the WASP program joined or rejoined the CAP during the post-war period because it provided women opportunities to fly and continue to serve the Nation that were severely lacking elsewhere.

(35) Due to the exceptional emphasis on safety, unit and pilot training and discipline, and the organization of the CAP, by the end of the war a total of only 64 CAP members had died in service and only 150 aircraft had been lost (including its Coastal Patrol losses from early in the war).

(36) It is estimated that up to 100,000 civilians (including youth in its cadet program) participated in the CAP in a wide range of staff and operational positions, and that CAP aircrews flew a total of approximately 750,000 hours during the war, most of which were in their personal aircraft and often at risk to their lives.

(37) After the war, at a CAP dinner for Congress, a quorum of both Houses attended with the Speaker of the House of Representatives and the President thanking CAP for its service.

(38) While air medals were issued for some of those participating in the Coastal Patrol, little other recognition was forthcoming for the myriad of services CAP volunteers provided during the war.

(39) Despite some misguided efforts to end the CAP at the end of the war, the organization had proved its capabilities to the Nation and strengthened its ties with the Air Force and Congress.

(40) In 1946, Congress chartered the CAP as a nonprofit, public service organization and in 1948 made the CAP an Auxiliary of the United States Air Force.

(41) Today, the CAP conducts many of the same missions it performed during World War II, including a vital role in homeland security.

(42) The CAP's wartime service was highly unusual and extraordinary, due to the unpaid civilian status of its members, the use of privately owned aircraft and personal funds by many of its members, the myriad of humanitarian and national missions flown for the Nation, and the fact that for 18

months, during a time of great need for the United States, the CAP flew combat-related missions in support of military operations off the Atlantic and Gulf of Mexico coasts.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD.—

(1) AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the World War II members of the Civil Air Patrol collectively, in recognition of the military service and exemplary record of the Civil Air Patrol during World War II.

(2) DESIGN AND STRIKING.—For the purposes of the award referred to in paragraph (1), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(3) SMITHSONIAN INSTITUTION.—

(A) IN GENERAL.—Following the award of the gold medal referred to in paragraph (1) in honor of all of its World War II members of the Civil Air Patrol, the gold medal shall be given to the Smithsonian Institution, where it shall be displayed as appropriate and made available for research.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under this paragraph available for display elsewhere, particularly at other locations associated with the Civil Air Patrol.

(b) DUPLICATE MEDALS.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

(c) NATIONAL MEDALS.—Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

NATIONAL PUBLIC WORKS WEEK

Mrs. BOXER. I ask unanimous consent the Senate proceed to the consideration of S. Res. 149, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 149) designating the week of May 19 through May 25, 2013, as “National Public Works Week.”

There being no objection, the Senate proceeded to consider the resolution.

Mrs. BOXER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 149) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR TUESDAY, MAY 21,
2013

Mrs. BOXER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, May 21, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of S. 954, the farm bill; and that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mrs. BOXER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Tuesday, May 21, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

JON M. HOLLADAY, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE, VICE EVAN J. SEGAL.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. CURTIS M. SCAPAROTTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARION GARCIA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. HECTOR LOPEZ

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DEBORAH P. HAVEN

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 2013:

THE JUDICIARY

SHERI POLSTER CHAPPELL, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON.

HOUSE OF REPRESENTATIVES—Monday, May 20, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 20, 2013.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BENTIVOLIO) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Almighty God of the universe, we give You thanks for giving us another day.

We pray for the gift of wisdom to all with great responsibility in the people's House for the leadership of our Nation.

May all the Members have the vision of a world where respect and understanding are the marks of civility and honor and integrity are the marks of one's character.

Raise up, O God, women and men from every nation who will lead toward the paths of peace and whose good judgment will heal the hurt between all peoples.

Bless us this day and every day, and may all that is done within these hallowed Halls be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. BROOKS of Alabama. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BROOKS of Alabama. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

KEYSTONE WILL CREATE JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, time and time again, the President and the liberal-controlled Senate have disregarded initiatives to create jobs.

This week, the House will vote on an all-of-the-above energy policy that will create 20,000 shovel-ready jobs, 100,000 additional jobs, and invest \$20 billion into our struggling economy, working with Canada, America's best energy partner.

For over a year and a half, the current administration has blocked efforts to build the Keystone pipeline. On numerous occasions, the President has claimed to support an all-of-the-above energy plan; however, his actions do not match his words.

This project directly affects families across our great Nation. In South Carolina's Second Congressional District, Michelin Tire Corporation in Lexington produces earthmover tires at \$60,000 each, 12 feet high, used in Alberta, Canada, and MTU Diesel of Tognum America in Graniteville manufactures engines for oil sand recovery.

It is my hope that my colleagues will join in voting for this legislation, which will help put American families back to work.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SEQUESTRATION EFFECTS

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, last week, the Secretary of Defense, Chuck Hagel, announced that the furloughs of civilian DOD employees will be 11 days for the balance of this fiscal year. This decision, driven by sequestration, is damaging and degrading the military readiness of our country. These are individuals who provide critical services for the men and women in uniform who serve all across America and all across the world.

Sequestration is acting like a slow-acting poison, which is now affecting the economy. Moody's Investor Services announced last week that it will take a full point off of GDP growth this year and will result in, over time, the loss of 700,000 jobs.

It is time for this institution to focus on this self-inflicted damage that Congress caused by not turning off sequester as previous Congresses back in the eighties and nineties did when sequestration was in effect.

We should stop wasting our time on repeal debates for health care—37 times as of last week—and focus on what's really important in the immediate future. It's to turn off sequester. It is time for the leadership of this House to stop wasting our time and get focused on the issue that matters the most to the American people.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

GANG OF 8 BILL PUTS SAFETY OF CITIZENS AT RISK

(Mr. BROOKS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. BROOKS of Alabama. Mr. Speaker, the Senate amnesty bill gives amnesty to illegal aliens regardless of public safety and the danger to American citizens. For example, the Department of Homeland Security must waive misdemeanor criminal convictions when determining amnesty eligibility. That means crimes like assault, vehicular homicide, possession of drug manufacturing equipment, DUI, and sex offenses. Even gangsters get amnesty.

Chris Crane, President of the National Immigration and Customs Enforcement Council, says:

The idea that we're going to give known gang members the opportunity to renounce their affiliation—and believe them—and then give them legal status in our country is outrageous.

Letting illegal alien criminals stay in America is outrageous, yet amnesty for criminals is exactly what the President and Senate Gang of 8 advocate.

Mr. Speaker, this amnesty bill is so bad it should be renamed the "Loopholes for Criminals Act."

BOY SCOUTS OF AMERICA

(Mr. BRIDENSTINE asked and was given permission to address the House for 1 minute.)

Mr. BRIDENSTINE. I rise today as an Eagle Scout and one who has a stake in the future of our scouting programs.

Some of us in America still believe in the concept of sexual morality, that sex is intended for one man and one woman within the institution of marriage. Organizations that hold this philosophy and promote it among our youth should be commended—or at least, you would think, tolerated.

Unfortunately, the intolerant left bullies and browbeats private organizations like the Boy Scouts into accepting their philosophy. Notice, they didn't start their own organization; they went after the Boy Scouts of America.

The left's agenda is not about tolerance and it's not about diversity of thought. It's about promoting a world view of relativism, where there is no right and wrong, then using the full force of the government to silence opposition and reshape organizations like the Boy Scouts into instruments for social change.

To my friends on the left, this is not tolerance.

But here's the good news about true tolerance: the most tolerant One of all has the ability to redeem us all.

HONORING PRIVATE FIRST CLASS CODY TOWSE

(Mr. CHAFFETZ asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. CHAFFETZ. Mr. Speaker, I stand to honor Private First Class Cody Towse, whose life was lost in Afghanistan. America lost one of its best and Utah lost one of our best.

This is a young soldier who had dedicated his life to helping save others. At the age of 18, he went to become an EMT and then a firefighter, and later joined the Army. He had recently won the Army Combat Medic Ribbon for saving another life under fire. As a bomb went off near Kandahar, he went to rush to the person who was injured, when a second bomb went off that took his life.

Today, I stand to honor him and all the men and women who serve and sacrifice for this country, for the United States of America. May God bless them, and may God bless the United States of America.

□ 1410

THE EPA CONTINUES ITS WAR ON ASTHMATICS

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, people going to the Environmental Protection Agency's Web site find that May is National Asthma Month. Many people might be surprised to know that starting January 1, 2012, the Environmental Protection Agency has prevented the sale of the only over-the-counter asthma inhaler upon which millions of Americans have relied for emergency asthma treatment.

What is most alarming is that this inhaler was taken off the market not because it was unsafe or ineffective for treating asthma—it had been around for 50 years safely and effectively treating acute asthma attacks—but the Environmental Protection Agency claimed that the miniscule amount of chlorofluorocarbon contained was creating a hole in the ozone. Mr. Speaker, I respectfully submit that the Nation's asthmatics are not causing a hole in the ozone layer.

When these inhalers were taken offline, we were told that the Food and Drug Administration would quickly approve a substitute inhaler; but here we are months and months and months later with no inhaler in sight.

What has been the response of the EPA? They've been dismissive of Congress' concerns.

I urge people to contact their Member of Congress to bring back these inhalers that have served so many people so well for so long.

SENATE IMMIGRATION BILL HELPS ILLEGAL IMMIGRANTS, NOT AMERICANS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, sometimes it's hard to believe that the immigration debate is taking place in the United States of America.

Those who favor the Senate immigration bill talk a lot about helping foreign workers and undocumented immigrants, but you never hear them talk about helping American workers and American taxpayers. They can't, because the immigration bill will cost many American workers their jobs or decrease their wages. That's what happens when you give work permits to 10 million illegal immigrants.

As for the cost of additional government services, the American taxpayer picks up that bill—about \$43 billion every year.

The air is coming out of the Senate bill fast. It doesn't secure the border, and it hurts American workers and taxpayers.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 20, 2013.

Hon. JOHN A. BOEHNER,
*Speaker, The Capitol, House of Representatives,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 20, 2013 at 11:33 a.m.:

That the Senate passed S. 982.

Appointments:

Commission on Security and Cooperation in Europe (Helsinki).

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1703

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 5 o'clock and 3 minutes p.m.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 20, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 20, 2013 at 1:42 p.m.:

That the Senate agreed to S. Con. Res. 16. With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

STOLEN VALOR ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 258) to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stolen Valor Act of 2013”.

SEC. 2. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.

(a) IN GENERAL.—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “wears,”; and

(2) so that subsection (b) reads as follows: “(b) FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both.”.

(b) ADDITION OF CERTAIN OTHER MEDALS.—Section 704(d) of title 18, United States Code, is amended—

(1) by striking “If a decoration” and inserting the following:

“(1) IN GENERAL.—If a decoration”;

(2) by inserting “a combat badge,” after “1129 of title 10,”; and

(3) by adding at the end the following:

“(2) COMBAT BADGE DEFINED.—In this subsection, the term ‘combat badge’ means a Combat Infantryman’s Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal.”.

(c) CONFORMING AMENDMENT.—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking “or (b)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 258, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

This Nation is blessed with many valiant men and women who have dedicated their lives to military service. My home State of Georgia has no shortage of these heroes, including Technical Sergeant Barry Duffield, who serves as a bomb disposal technician in the Georgia Guard’s 116th Air Control Wing.

While deployed to Afghanistan, Sergeant Duffield’s job was to oversee teams responsible for an incredibly dangerous job—neutralizing improvised explosive devices, or IEDs. Sergeant Duffield and his colleagues successfully completed 52 missions and helped destroy more than 1,200 pounds of enemy explosives. On January 7, 2013, Sergeant Duffield was awarded the Purple Heart for injuries he suffered during an IED detonation while deployed to Afghanistan in 2011. Sergeant Duffield also earned the Bronze Star and the Air Force Combat Action Medal for his valor during the same deployment.

The Purple Heart is one of the oldest and most recognized American military medals—dating back to 1782 when George Washington created what was then called the Badge of Military Merit to award “any singularly meritorious action” by a member of the military. Today, the Purple Heart is awarded to servicemembers like Sergeant Duffield who were killed or wounded by enemy action.

For almost 100 years, it has been a Federal crime to wear, manufacture, or sell military decorations or medals without proper authorization. In spite of this, many people have fraudulently claimed to be the recipient of military decorations, and this has unfortunately increased in recent years. In just one

State, 600 people claimed on tax forms to be a recipient of the Medal of Honor in 1 year, even though at the time there were only 132 recipients alive nationwide.

To address this increase of fraudulent claims, in 2006 Congress enacted the Stolen Valor Act. This important law expands the penalties for falsely representing oneself as a recipient of any medal or honor authorized by Congress for the armed services.

In June 2012, the Supreme Court held in a case called *U.S. v. Alvarez* that the Stolen Valor Act inappropriately criminalized speech protected by the First Amendment. Specifically, the Court held that lying, even about having received a military decoration, is, by itself, protected speech. The Court, however, did note in this same case:

In periods of war and peace alike, public recognition of valor and noble sacrifice by men and women in uniform reinforces the pride and national resolve that the military relies upon to fulfill its mission.

The Court also provided that false claims about military decorations demean the high purpose of such awards. This harm alone does not overcome the high level of scrutiny afforded protected speech. However, the Court did find:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well established that the government may restrict speech without affronting the First Amendment.

H.R. 258, the Stolen Valor Act of 2013, narrows the law to make it a crime when people falsely claim to be a recipient of military decorations in order to carry out a fraud. The bill rewrites the statute to prohibit holding oneself out to be a recipient of certain military decorations or medals with the intent to obtain money, property, or other tangible benefit. The penalty is limited to fraudulent claims related only to the Congressional Medal of Honor and those decorations or medals listed in the statute, including the Purple Heart.

This legislation enjoys strong bipartisan support, and a similar bill was passed by the House with overwhelming support last Congress. I urge my colleagues to join me in support of H.R. 258, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 258, the Stolen Valor Act of 2013. H.R. 258 is an important bill because it upholds the integrity of military medals and decorations as well as corrects a constitutional flaw in a statute intended to protect the integrity of these honors.

Without question, all of those who serve our Nation deserve to be honored, and those who have gone beyond their

peers in serving our Nation deserve special recognition. It is especially appropriate that we consider this bill just before Memorial Day, a special day when we remember and honor the sacrifice of those who died serving our country in the military.

One way in which our Nation recognizes the outstanding bravery and sacrifice of servicemembers is to award these dedicated men and women special medals and decorations.

□ 1710

Recipients of these distinctions often have received serious injuries or made supreme sacrifices defending our Nation. To ensure that these honors bestowed on these recipients are not diminished, Congress must do all within its power to prevent anyone from falsely claiming that they have received these medals or decorations.

While that was the goal of the original Stolen Valor Act enacted in 2006, the Supreme Court, in 2012, found that the breadth and scope of that legislation ran afoul of the First Amendment's free speech protections. In that case, Justice Kennedy wrote that while "few may find the respondent's statements anything but contemptible, his right to make those statements is protected by the Constitution's guarantee of freedom of speech and expression."

But Justice Kennedy, in writing that opinion, also set out certain parameters he suggested that would pass constitutional muster should Congress seek to rewrite the legislation. He advised:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well-established that the government may restrict speech without affronting the First Amendment.

The text of H.R. 258 was crafted to carefully comply with that guidance. As drafted, the bill prohibits individuals from fraudulently representing themselves as recipients of a narrow group of special military honors in order to obtain money, property, or other tangible benefits. H.R. 258 ensures that anyone who falsely represents that they have been awarded these honors in order to benefit in some material way will be subject to criminal sanction.

I support the bill because it protects the honor of our military medals and decorations, while also respecting the First Amendment. I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I'm now pleased to yield as much time as he may consume to the gentleman from Nevada (Mr. HECK), the sponsor of this legislation and a tireless advocate for servicemen and -women.

Mr. HECK of Nevada. I thank the gentleman for yielding.

Mr. Speaker, I rise today to urge my colleagues to join with me in restoring the honor and valor of our military heroes by passing H.R. 258, the Stolen Valor Act of 2013.

On June 28, 2012, the U.S. Supreme Court struck down the Stolen Valor Act of 2005, concluding that the broad nature of the law infringed upon the guaranteed protection of free speech provided by the First Amendment of our Constitution. The Court determined that the act "sought to control and suppress all false statements on this one subject, without regard as to whether the lie was made for the purpose of material gain."

However, in concurring with the decision of the plurality, Justice Breyer stated that a "more finely tailored statute that shows the false statement caused specific harm, or was at least material, could significantly reduce the threat of First Amendment harm, while permitting the statute to achieve its important protective objective."

Mr. Speaker, that's exactly what my legislation does. The Stolen Valor Act of 2013 resolves these constitutional issues by clearly defining that the objective of the law is to target and punish those who misrepresent their service with the intent of profiting personally or financially.

Defining the intent helps ensure that this law will pass constitutional scrutiny while, at the same time, achieving its primary objective, which is to preserve the honor and integrity of military service and awards.

In 2006, every Member of both the House and the Senate clearly understood the need to protect the integrity and honor of military service and demonstrated that by unanimously passing the Stolen Valor Act in each Chamber.

That body understood that the proliferation of false claims occurring at the time cheapened the integrity of the military awards system and threatened the trust and honor bestowed upon military servicemembers and veterans by this Nation.

Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2006. The need is just as strong today as it was last year when this body passed the 2012 Stolen Valor legislation 410-3. The need will be just as strong as long as there are individuals who continue to lie about service in order to gain notoriety, profit personally and professionally, and to receive benefits reserved for those who fought in defense of this Nation.

This House has the opportunity to once again show our servicemembers and veterans that we value the sanctity of their sacrifice while, at the same time, protecting the constitutional rights that they've fought so hard to protect.

This past Saturday was Armed Forces Day, and a week from today is

Memorial Day. Mr. Speaker, what better way to show our support for our brave servicemen and -women than by passing this legislation before us today?

H.R. 258 enjoys broad bipartisan support, with 124 cosponsors, and is supported by numerous veterans service organizations, including the Veterans of Foreign Wars, the Association of the U.S. Navy, the Fleet Reserve Association, the National Association for Uniformed Services, the National Guard Association of the United States, the Association of the United States Army, the Military Officers Association of America, the Military Order of the Purple Heart, and AMVETS.

I want to thank Chairman GOODLATTE and Ranking Member CONYERS for moving this important legislation through the Judiciary Committee.

I urge my colleagues to support H.R. 258.

Mr. SCOTT of Virginia. Mr. Speaker, this is an important piece of legislation. I appreciate the gentleman from Nevada bringing this forward and moving it forward as we go ahead. I would, at this point, urge all my colleagues to vote "yes."

I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise in support of the Stolen Valor Act (H.R. 258).

This bill would amend the federal criminal code to rewrite provisions relating to fraudulent claims about military service to be subjected to a fine, imprisonment, or both.

This would apply to an individual who, with intent to obtain money, property, or other tangible benefits, fraudulently holds himself or herself out to be a recipient of a military medal.

This bill was passed with overwhelming support in the previous Congress, but was found by the Supreme Court to violate the first Amendment. I commend Rep. HECK for making the necessary changes and trying again.

The men and women of our Armed Forces unselfishly answer the call of duty to defend our freedom. Congress should not allow anyone to capitalize on their accomplishments.

I urge my colleagues to stand with our Brave Men and Women and support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 258.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION AND SAFETY OF MARITIME NAVIGATION ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1073) to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013”.

TITLE I—SAFETY OF MARITIME NAVIGATION

SEC. 101. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking “a ship flying the flag of the United States” and inserting “a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)”;

(B) in paragraph (1)(A)(ii), by inserting “, including the territorial seas” after “in the United States”;

(C) in paragraph (1)(A)(iii), by inserting “, by a United States corporation or legal entity,” after “by a national of the United States”;

(2) in subsection (c), by striking “section 2(c)” and inserting “section 13(c)”;

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c):

“(d) **DEFINITIONS.**—As used in this section, section 2280a, section 2281, and section 2281a, the term—

“(1) ‘applicable treaty’ means—

“(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

“(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

“(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

“(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

“(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

“(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

“(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March

“(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

“(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

“(2) ‘armed conflict’ does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

“(3) ‘biological weapon’ means—

“(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

“(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

“(4) ‘chemical weapon’ means, together or separately—

“(A) toxic chemicals and their precursors, except where intended for—

“(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

“(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

“(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

“(iv) law enforcement including domestic riot control purposes, as long as the types and quantities are consistent with such purposes;

“(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

“(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

“(5) ‘covered ship’ means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country’s territorial sea with an adjacent country;

“(6) ‘explosive material’ has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

“(7) ‘infrastructure facility’ has the meaning given the term in section 2332f(e)(5) of this title;

“(8) ‘international organization’ has the meaning given the term in section 831(f)(3) of this title;

“(9) ‘military forces of a state’ means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

“(10) ‘national of the United States’ has the meaning stated in section 101(a)(22) of U.S.C. 1101(a)(22);

“(11) ‘Non-Proliferation Treaty’ means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

“(12) ‘Non-Proliferation Treaty State Party’ means any State Party to the Non-

Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

“(13) ‘Nuclear Weapon State Party to the Non-Proliferation Treaty’ means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

“(14) ‘place of public use’ has the meaning given the term in section 2332f(e)(6) of this title;

“(15) ‘precursor’ has the meaning given the term in section 229F(6)(A) of this title;

“(16) ‘public transport system’ has the meaning given the term in section 2332f(e)(7) of this title;

“(17) ‘serious injury or damage’ means—

“(A) serious bodily injury,

“(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

“(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

“(18) ‘ship’ means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

“(19) ‘source material’ has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

“(20) ‘special fissionable material’ has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

“(21) ‘territorial sea of the United States’ means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

“(22) ‘toxic chemical’ has the meaning given the term in section 229F(8)(A) of this title;

“(23) ‘transport’ means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

“(24) ‘United States’, when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.”; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

“(e) **EXCEPTIONS.**—This section shall not apply to—

“(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

“(2) activities undertaken by military forces of a state in the exercise of their official duties.

“(f) **DELIVERY OF SUSPECTED OFFENDER.**—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention

for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

“(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

“(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.”

SEC. 102. NEW SECTION 2280a OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

“§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

“(a) OFFENSES.—

“(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

“(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

“(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

“(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

“(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

“(B) transports on board a ship—

“(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

“(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

“(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

“(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

“(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

“(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

“(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

“(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

“(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

“(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

“(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

“(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

“(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraphs (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

“(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

“(E) attempts to do any act prohibited under subparagraphs (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2), shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

“(2) THREATS.—A person who threatens, with apparent determination and will to

carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

“(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

“(1) in the case of a covered ship, if—

“(A) such activity is committed—

“(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

“(ii) in the United States, including the territorial seas; or

“(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

“(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

“(C) the offender is later found in the United States after such activity is committed;

“(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

“(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

“(c) EXCEPTIONS.—This section shall not apply to—

“(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

“(2) activities undertaken by military forces of a state in the exercise of their official duties.

“(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

“(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.”

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

“2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.”

SEC. 103. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking “section 2(c)” and inserting “section 13(c)”;

(2) in subsection (d), by striking the definitions of “national of the United States,” “territorial sea of the United States,” and “United States”; and

(3) by inserting after subsection (d) the following:

“(e) EXCEPTIONS.—This section does not apply to—

“(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

“(2) activities undertaken by military forces of a state in the exercise of their official duties.”

SEC. 104. NEW SECTION 2281a OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

“§ 2281a. Additional offenses against maritime fixed platforms

“(a) OFFENSES.—

“(1) IN GENERAL.—A person who unlawfully and intentionally—

“(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

“(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

“(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

“(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

“(C) attempts or conspires to do anything prohibited under subparagraphs (A) or (B), shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

“(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

“(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

“(1) such activity is committed against or on board a fixed platform—

“(A) that is located on the continental shelf of the United States;

“(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

“(C) in an attempt to compel the United States to do or abstain from doing any act;

“(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

“(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

“(c) EXCEPTIONS.—This section does not apply to—

“(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

“(2) activities undertaken by military forces of a state in the exercise of their official duties.

“(d) DEFINITIONS.—In this section—

“(1) ‘continental shelf’ means the sea-bed and subsoil of the submarine areas that extend beyond a country’s territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

“(2) ‘fixed platform’ means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.”

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

“2281a. Additional offenses against maritime fixed platforms.”

SEC. 105. ANCILLARY MEASURE.

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting “2280a (relating to maritime safety),” before “2281”, and by striking “2281” and inserting “2281 through 2281a”.

TITLE II—PREVENTION OF NUCLEAR TERRORISM

SEC. 201. NEW SECTION 2332i OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

“§ 2332i. Acts of nuclear terrorism

“(a) OFFENSES.—

“(1) IN GENERAL.—Whoever knowingly and unlawfully—

“(A) possesses radioactive material or makes or possesses a device—

“(i) with the intent to cause death or serious bodily injury; or

“(ii) with the intent to cause substantial damage to property or the environment; or

“(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

“(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

“(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

“(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act, shall be punished as prescribed in subsection (c).

“(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

“(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraphs (1) or (2) shall be punished as prescribed in subsection (c).

“(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

“(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

“(2) the prohibited conduct takes place outside of the United States and—

“(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

“(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

“(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

“(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

“(4) a perpetrator of the prohibited conduct is found in the United States.

“(c) PENALTIES.—Whoever violates this section shall be fined not more than \$2,000,000 and shall be imprisoned for any term of years or for life.

“(d) NONAPPLICABILITY.—This section does not apply to—

“(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

“(2) activities undertaken by military forces of a state in the exercise of their official duties.

“(e) DEFINITIONS.—As used in this section, the term—

“(1) ‘armed conflict’ has the meaning given that term in section 2332f(e)(11) of this title;

“(2) ‘device’ means:

“(A) any nuclear explosive device; or

“(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

“(3) ‘international organization’ has the meaning given that term in section 831(f)(3) of this title;

“(4) ‘military forces of a state’ means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

“(5) ‘national of the United States’ has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

“(6) ‘nuclear facility’ means:

“(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

“(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

“(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

“(7) ‘nuclear material’ has the meaning given that term in section 831(f)(1) of this title;

“(8) ‘radioactive material’ means nuclear material and other radioactive substances

that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

“(9) ‘serious bodily injury’ has the meaning given that term in section 831(f)(4) of this title;

“(10) ‘state’ has the same meaning as that term has under international law, and includes all political subdivisions thereof;

“(11) ‘state or government facility’ has the meaning given that term in section 2332f(e)(3) of this title;

“(12) ‘United States corporation or legal entity’ means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

“(13) ‘vessel’ has the meaning given that term in section 1502(19) of title 33; and

“(14) ‘vessel of the United States’ has the meaning given that term in section 70502 of title 46.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after section 2332h the following: “2332i. Acts of nuclear terrorism.”

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting “2332i (relating to acts of nuclear terrorism),” before “2339 (relating to harboring terrorists)”.

SEC. 202. AMENDMENT TO SECTION 831 OF TITLE 18 OF THE UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as (4) through (9);

(2) by inserting after paragraph (2) the following:

“(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;”;

(3) in paragraph (8), as redesignated, by striking “an offense under paragraph (1), (2), (3), or (4)” and inserting “any act prohibited under paragraphs (1) through (5);” and

(4) in paragraph (9), as redesignated, by striking “an offense under paragraph (1), (2), (3), or (4)” and inserting “any act prohibited under paragraphs (1) through (7);”

(b) in subsection (b)—

(1) in paragraph (1), by striking “(7)” and inserting “(8);” and

(2) in paragraph (2), by striking “(8)” and inserting “(9);”

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after “United States” the following: “or a stateless person whose habitual residence is in the United States”;

(2) by striking paragraph (5);

(3) in paragraph (4), by striking “or” at the end; and

(4) by inserting after paragraph (4), the following:

“(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under

United States law, at the time the offense is committed;

“(6) the offense is committed outside the United States and against any state or government facility of the United States; or

“(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.”;

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

(e) by inserting after subsection (c):

“(d) NONAPPLICABILITY.—This section does not apply to—

“(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

“(2) activities undertaken by military forces of a state in the exercise of their official duties.”; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking “and” at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

“(8) the term ‘armed conflict’ has the meaning given that term in section 2332f(e)(11) of this title;

“(9) the term ‘military forces of a state’ means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

“(10) the term ‘state’ has the same meaning as that term has under international law, and includes all political subdivisions thereof;

“(11) the term ‘state or government facility’ has the meaning given that term in section 2332f(e)(3) of this title; and

“(12) the term ‘vessel of the United States’ has the meaning given that term in section 70502 of title 46.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1073, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Crime Subcommittee and the bill’s sponsor.

Mr. SENSENBRENNER. I thank the gentleman from Georgia for yielding.

I sponsored this legislation to improve the ability to protect the United States from terrorist attacks, including attacks using weapons of mass de-

struction or attacks involving ships and maritime platforms.

H.R. 1073 implements obligations of four multilateral counterterrorism treaties. Full ratification of the underlying treaties will not be achieved until Congress amends existing criminal provisions of the United States Code.

This legislation was prepared in full cooperation with our Democratic colleagues on the committee, following months of work by committee staff in consultation with the Departments of Justice and State.

The importance of this bipartisan legislation is evidenced by those who have joined me as original cosponsors: the gentleman from Virginia, Judiciary Committee Chairman BOB GOODLATTE; Ranking Member JOHN CONYERS; and Crime Subcommittee Ranking Member BOBBY SCOTT.

Two of these treaties concern nuclear and radiological materials, the sabotage of nuclear facilities, and the protection of nuclear facilities and materials used for peaceful purposes. The other two treaties relate to the use or targeting of ships or maritime platforms as a part of a terrorist attack, transporting of certain materials by ship for terrorist purposes, and the transport of terrorists by ship, among other things.

The International Convention for the Suppression of Acts of Nuclear Terrorism was signed by President Bush on behalf of the United States on September 14, 2005. It requires the U.S. to criminalize certain unlawful acts relating to the possession and use of radioactive material and radiological dispersal devices and damage to nuclear facilities.

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An amendment to the Convention on the Physical Protection of Nuclear Material, which was adopted at a diplomatic conference on July 25, 2005, requires the U.S. to criminalize nuclear smuggling and sabotage of nuclear facilities. The 2005 Protocol to the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation requires parties to criminalize the use or targeting of a ship or a fixed maritime platform in an act of terrorism. The Protocol forbids certain maritime terrorism acts and the maritime transport of biological, chemical, or nuclear weapons, or their components, delivery means, or materials under specified circumstances. It also forbids the maritime transport of terrorist fugitives. The 2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf criminalizes terrorist acts involving a fixed maritime platform.

To combat these types of terrorist threats effectively, we need both a comprehensive domestic legal framework and a broad international legal

framework to facilitate international cooperation. Existing law may cover certain obligations under these treaties, but in order to fully comply and ultimately ratify the treaties, parties to the agreements are required to criminalize certain conduct and to fulfill extradition requirements and other obligations relating to international cooperation.

Parties to the underlying treaties are required to criminalize certain acts committed by persons who possess or use radioactive material or a nuclear device. And parties are obligated to “extradite or prosecute” alleged offenders. As they relate to maritime terrorism, the underlying treaties treat vessels and fixed maritime platforms as a potential means of conducting terrorism activity and not just as objects of terrorist activity.

Both the Bush and Obama administrations support ratification of these agreements, which have already received Senate advice and consent. Advancing this legislation strengthens international cooperation and information-sharing, and will ensure that the United States stays at the forefront of global counterterrorism and counterproliferation efforts. These measures are consistent with our domestic efforts to improve homeland security and to promote better international cooperation.

It is my hope the Senate will act swiftly to pass this legislation so that these important multilateral agreements can finally be ratified. I encourage my colleagues to vote in favor of this legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1073, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act. This bipartisan legislation, which was reported favorably by the Judiciary Committee in March, is nearly identical to legislation that the House passed by voice vote in the last Congress.

H.R. 1073 amends the Federal Criminal Code to conform our laws to our Nation’s obligations under four international treaties that are part of an important effort to update international law for the post-September 11th era. Two of the treaties, the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention for the Physical Protection of Nuclear Material, require party nations to better protect nuclear materials and to punish acts of nuclear terrorism.

Two other treaties, amendments to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and the Protocol for Suppression of Unlawful Acts Against the Safety of Fixed Platforms, address the use of ships and fixed plat-

forms in terrorist attacks, as well as the transport of weapons, weapons delivery systems, and the transport of terrorist fugitives by sea.

The United States signed these treaties in 2005, and the Senate passed resolutions of advice and consent on all four in 2008. We cannot ratify these agreements, however, until Congress amends the Federal Criminal Code to bring it in line with our new obligations. H.R. 1073 does just that—and nothing more. It amends title 18 of the United States Code to explicitly prohibit acts of terrorism involving radioactive material, provide new security requirements for the use and storage of nuclear materials, and address the use of ships and offshore platforms in terrorist attacks.

With the cooperation of the Justice Department, this bill does not include previously proposed language that was outside the scope of the underlying treaties. For example, the original version proposed by the administration included an expansion of the scope of conduct subject to the death penalty, new wiretap predicates, and authorization for the President to conduct similar agreements in the future without congressional approval. There is no need to argue about these controversial provisions in order to implement the underlying treaties, and those unrelated initiatives have been removed in this version of the bill. So I’m grateful for the spirit of cooperation in which the bill before us has been drafted.

The resulting bipartisan proposal has the full support of the Obama administration. I’m pleased to join my colleagues, the gentleman from Wisconsin, the chair of the Subcommittee on Crime, Mr. SENSENBRENNER, along with Ranking Member CONYERS and Chairman GOODLATTE.

I urge my colleagues to support H.R. 1073. I have one additional speaker, so I will reserve the balance of my time.

Mr. COLLINS of Georgia. I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Let me thank the ranking member and let me thank the gentleman, Mr. SENSENBRENNER, who brought this bill before us. I rise in support of the bill, and I wanted to use this occasion to make some additional comments.

We recognize that the proliferation of nuclear weapons is the greatest threat that our country faces. I took a trip with Chairman YOUNG to visit the International Atomic Energy Agency in Vienna, Austria, looking at the weapons development program in Iran. This is a big issue that the Congress has got to pay a lot of attention to.

But I also wanted to take a minute as a member of the Energy Appropriations Subcommittee to talk about the

administration’s request on both nonproliferation and modernization. The nonproliferation request is flatlined. The weapons modernization, which is important as relates to our obligations and agreements relative to the START treaty, is well funded. But we think there are some gaps in terms of the planning. And we need to understand more fully, in terms of both the B-61 and the W-76, where we’re headed in terms of the long-term package.

So this bill is important because it deals with terrorism threats in terms of nuclear weapons. Part of dealing with that is to make sure that we continue the work of Senators Nunn and Lugar in nonproliferation. It’s also important for our country to modernize our weapons, and to do that with a full understanding that we cannot do that on a year-to-year basis. We have to have a long-term plan and understand the entire package.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1073, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013, is bipartisan legislation to ratify certain counterterrorism treaty obligations. This legislation was reported by voice vote from the Judiciary Committee last month. Similar legislation was unanimously reported by the committee and passed the House by voice vote also last Congress.

Terrorism and the proliferation of weapons of mass destruction do not recognize international boundaries. These treaties are important tools in the fight against terrorism. Each one builds on an existing treaty to which the United States is a party. The treaties and this legislation complement important U.S. priorities to prevent nuclear terrorism, counterproliferation of weapons of mass destruction, and counterterrorism initiatives. Enacting this legislation will reinforce the United States’ leadership role in promoting these and other counterterrorism treaties and will likely prompt other countries to join.

□ 1730

In addition to bolstering broad security and proliferation-prevention goals, these protocols help to promote implementation of certain sanctions against rogue regimes that are hostile to U.S. interests.

I commend Chairman GOODLATTE and Ranking Member CONYERS, along with the sponsor of H.R. 1073, Crime Subcommittee Chairman SENSENBRENNER, and Ranking Member SCOTT for their commitment to this important legislation.

I urge my colleagues to join me in passing H.R. 1073 today, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 1073.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H.R. 258, by the yeas and nays;

H.R. 1073, by the yeas and nays;

Approval of the Journal, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

STOLEN VALOR ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 258) to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 390, nays 3, not voting 40, as follows:

[Roll No. 161]

YEAS—390

Aderholt	Edwards	Labrador
Andrews	Ellison	LaMalfa
Bachmann	Ellmers	Lamborn
Bachus	Engel	Lance
Barber	Enyart	Langevin
Barletta	Eshoo	Lankford
Barr	Esty	Larsen (WA)
Barrow (GA)	Farenthold	Larsen (CT)
Barton	Farr	Latham
Bass	Fattah	Latta
Beatty	Fincher	Lee (CA)
Becerra	Fitzpatrick	Levin
Bentivolio	Fleischmann	Lewis
Bera (CA)	Fleming	Lipinski
Bilirakis	Flores	LoBiondo
Bishop (GA)	Forbes	Loeb
Bishop (NY)	Portenberry	Lofgren
Bishop (UT)	Foster	Long
Black	Poxx	Lowenthal
Blumenauer	Frankel (FL)	Lowey
Bonamici	Franks (AZ)	Lucas
Bonner	Frelinghuysen	Luetkemeyer
Boustany	Fudge	Lujan Grisham
Brady (PA)	Gabbard	(NM)
Brady (TX)	Garamendi	Lujan, Ben Ray
Bralley (IA)	Garcia	(NM)
Bridenstine	Gardner	Lummis
Brooks (AL)	Garrett	Maffei
Brooks (IN)	Gerlach	Maloney,
Brownley (CA)	Gibbs	Carolyn
Bucshon	Gibson	Maloney, Sean
Burgess	Goodlatte	Marino
Bustos	Gosar	Matheson
Butterfield	Gowdy	Matsui
Calvert	Granger	McCarthy (CA)
Camp	Graves (GA)	McClintock
Campbell	Graves (MO)	McCollum
Cantor	Grayson	McGovern
Capito	Green, Al	McHenry
Capps	Green, Gene	McIntyre
Carney	Griffin (AR)	McKinley
Carson (IN)	Griffith (VA)	McMorris
Carter	Grimm	Rodgers
Cartwright	Guthrie	McNerney
Castor (FL)	Gutierrez	Meadows
Castro (TX)	Hahn	Meehan
Chabot	Hall	Meeks
Chaffetz	Hanabusa	Meng
Chu	Hanna	Messer
Cicilline	Harper	Mica
Clarke	Harris	Michaud
Clay	Hastings (FL)	Miller (FL)
Cleaver	Hastings (WA)	Miller (MI)
Coble	Heck (NV)	Miller, Gary
Coffman	Higgins	Miller, George
Cohen	Himes	Moore
Collins (GA)	Hinojosa	Moran
Collins (NY)	Holding	Mullin
Conaway	Holt	Mulvaney
Connolly	Honda	Murphy (FL)
Conyers	Horsford	Murphy (PA)
Cook	Hoyer	Nadler
Cooper	Hudson	Napolitano
Costa	Huffman	Neal
Cotton	Huizenga (MI)	Negrete McLeod
Courtney	Hultgren	Neugebauer
Crawford	Hunter	Noem
Crenshaw	Hurt	Nolan
Crowley	Israel	Nugent
Cuellar	Issa	Nunes
Culberson	Jackson Lee	Nunnelee
Cummings	Jeffries	O'Rourke
Daines	Jenkins	Olson
Davis (CA)	Johnson (GA)	Owens
Davis, Danny	Johnson (OH)	Pallone
Davis, Rodney	Johnson, E. B.	Pascarell
DeFazio	Jones	Paulsen
DeGette	Jordan	Payne
Delaney	Joyce	Pearce
DeLauro	Kaptur	Pelosi
DelBene	Keating	Perlmutter
Denham	Kelly (IL)	Perry
Dent	Kelly (PA)	Peters (CA)
DeSantis	Kennedy	Peters (MI)
DesJarlais	Kildee	Peterson
Deutch	Kilmer	Petri
Dingell	Kind	Pittenger
Doyle	King (IA)	Pitts
Duckworth	King (NY)	Pocan
Duffy	Kinzinger (IL)	Poe (TX)
Duncan (SC)	Kirkpatrick	Polis
Duncan (TN)	Kline	Pompeo
	Kuster	Posey

Price (GA)	Schneider	Titus
Price (NC)	Schock	Tonko
Quigley	Schrader	Tsongas
Radel	Schwartz	Turner
Rahall	Schweikert	Upton
Rangel	Scott (VA)	Valadao
Reed	Scott, Austin	Van Hollen
Reichert	Scott, David	Vargas
Renacci	Sensenbrenner	Veasey
Ribble	Serrano	Vela
Rice (SC)	Sessions	Velázquez
Richmond	Sewell (AL)	Visclosky
Rigell	Shea-Porter	Wagner
Roby	Sherman	Walberg
Roe (TN)	Shimkus	Walden
Rogers (AL)	Shuster	Walorski
Rogers (KY)	Simpson	Walz
Rogers (MI)	Sinema	Wasserman
Rokita	Sires	Schultz
Rooney	Slaughter	Watt
Ros-Lehtinen	Smith (NE)	Waxman
Roskam	Smith (NJ)	Weber (TX)
Ross	Smith (TX)	Webster (FL)
Rothfus	Smith (WA)	Welch
Roybal-Allard	Southerland	Wenstrup
Royce	Speier	Westmoreland
Ruiz	Stewart	Whitfield
Runyan	Stivers	Williams
Ruppersberger	Stockman	Wilson (FL)
Rush	Stutzman	Wilson (SC)
Ryan (OH)	Swalwell (CA)	Wittman
Ryan (WI)	Takano	Wolf
Salmon	Terry	Womack
Sánchez, Linda	Thompson (CA)	Woodall
T.	Thompson (PA)	Yarmuth
Sanford	Thornberry	Yoder
Sarbanes	Tiberi	Yoho
Scalise	Tierney	Young (FL)
Schakowsky	Tipton	Young (IN)

NAYS—3

Amash Broun (GA) Massie

NOT VOTING—40

Alexander	Gingrey (GA)	McCauley
Amodei	Gohmert	McDermott
Benishek	Grijalva	McKeon
Blackburn	Hartzler	Palazzo
Brown (FL)	Heck (WA)	Pastor (AZ)
Capuano	Hensarling	Pingree (ME)
Cárdenas	Herrera Beutler	Rohrabacher
Cassidy	Huelskamp	Sanchez, Loretta
Clyburn	Johnson, Sam	Schiff
Cole	Kingston	Thompson (MS)
Cramer	Lynch	Waters
Diaz-Balart	Marchant	Young (AK)
Doggett	Markey	
Gallego	McCarthy (NY)	

□ 1857

Ms. BASS and Mr. COTTON changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "An Act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals."

A motion to reconsider was laid on the table.

NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION AND SAFETY OF MARITIME NAVIGATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1073) to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and

for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 3, not voting 40, as follows:

[Roll No. 162]

YEAS—390

Aderholt	Davis, Rodney	Horsford
Andrews	DeFazio	Hoyer
Bachmann	DeGette	Hudson
Bachus	Delaney	Huffman
Barber	DeLauro	Huizenga (MI)
Barletta	DelBene	Hultgren
Barr	Denham	Hunter
Barrow (GA)	Dent	Hurt
Barton	DeSantis	Israel
Bass	DesJarlais	Issa
Beatty	Deutch	Jackson Lee
Becerra	Dingell	Jeffries
Bentivolio	Doyle	Jenkins
Bera (CA)	Duckworth	Johnson (GA)
Bilirakis	Duffy	Johnson (OH)
Bishop (GA)	Duncan (SC)	Johnson, E. B.
Bishop (NY)	Duncan (TN)	Jones
Bishop (UT)	Edwards	Jordan
Black	Ellison	Joyce
Blumenauer	Ellmers	Kaptur
Bonamici	Engel	Keating
Bonner	Enyart	Kelly (IL)
Boustany	Eshoo	Kelly (PA)
Brady (PA)	Esty	Kennedy
Brady (TX)	Farenthold	Kildee
Braley (IA)	Farr	Kilmer
Bridenstine	Fattah	Kind
Brooks (AL)	Fincher	King (IA)
Brooks (IN)	Fitzpatrick	King (NY)
Brown (GA)	Fleischmann	Kinzinger (IL)
Brownley (CA)	Fleming	Kirkpatrick
Buchanan	Flores	Kline
Bucshon	Forbes	Kuster
Burgess	Fortenberry	Labrador
Bustos	Foster	LaMalfa
Butterfield	Fox	Lamborn
Calvert	Frankel (FL)	Lance
Camp	Franks (AZ)	Langevin
Campbell	Frelinghuysen	Lankford
Cantor	Fudge	Larsen (WA)
Capito	Gabbard	Larson (CT)
Capps	Garamendi	Latham
Carney	Garcia	Latta
Carson (IN)	Gardner	Lee (CA)
Carter	Garrett	Levin
Cartwright	Gerlach	Lewis
Castor (FL)	Gibbs	Lipinski
Castro (TX)	Gibson	LoBiondo
Chabot	Goodlatte	Loeb sack
Chaffetz	Gosar	Lofgren
Chu	Gowdy	Long
Cicilline	Granger	Lowenthal
Clarke	Graves (GA)	Loyde
Clay	Graves (MO)	Lucas
Cleaver	Grayson	Luetkemeyer
Coble	Green, Al	Lujan Grisham
Coffman	Green, Gene	(NM)
Cohen	Griffin (AR)	Lujan, Ben Ray
Collins (GA)	Griffith (VA)	(NM)
Collins (NY)	Grimm	Lummis
Conaway	Guthrie	Maffei
Connolly	Gutierrez	Maloney
Conyers	Hahn	Carolyn
Cook	Hall	Maloney, Sean
Cooper	Hanabusa	Marino
Costa	Hanna	Matheson
Cotton	Harper	Matsui
Courtney	Harris	McCarthy (CA)
Crawford	Hastings (FL)	McCarthy (NY)
Crenshaw	Hastings (WA)	McClintock
Crowley	Heck (NV)	McCollum
Cuellar	Higgins	McGovern
Culberson	Himes	McHenry
Cummings	Hinojosa	McIntyre
Daines	Holding	McKinley
Davis (CA)	Holt	McMorris
Davis, Danny	Honda	Rodgers

McNerney	Rangel	Smith (NJ)
Meadows	Reed	Smith (TX)
Meehan	Reichert	Smith (WA)
Meeks	Renacci	Southerland
Meng	Ribble	Speier
Messer	Rice (SC)	Stewart
Mica	Richmond	Stivers
Michaud	Rigell	Stutzman
Miller (FL)	Roby	Swalwell (CA)
Miller (MI)	Roe (TN)	Takano
Miller, Gary	Rogers (AL)	Terry
Miller, George	Rogers (KY)	Thompson (CA)
Moore	Rogers (MI)	Thompson (PA)
Moran	Rokita	Thornberry
Mullin	Rooney	Tiberi
Mulvaney	Ros-Lehtinen	Tierney
Murphy (FL)	Roskam	Tipton
Murphy (PA)	Ross	Titus
Nadler	Rothfus	Tonko
Napolitano	Roybal-Allard	Tsongas
Neal	Royce	Turner
Negrete McLeod	Ruiz	Upton
Neugebauer	Runyan	Valadao
Noem	Ruppersberger	Van Hollen
Nolan	Rush	Vargas
Nunes	Ryan (OH)	Veasey
Nunes	Ryan (WI)	Vela
Nunnelee	Salmon	Velázquez
O'Rourke	Sánchez, Linda	Visclosky
Olson	T.	Wagner
Owens	Sanford	Walberg
Pallone	Sarbanes	Walden
Pascarell	Scalise	Walorski
Paulsen	Schakowsky	Walz
Payne	Schneider	Wasserman
Pearce	Schock	Schultz
Pelosi	Schrader	Watt
Perlmutter	Schwartz	Waxman
Perry	Schweikert	Weber (TX)
Peters (CA)	Scott (VA)	Webster (FL)
Peters (MI)	Scott, Austin	Welch
Peterson	Scott, David	Westrup
Petri	Sensenbrenner	Westmoreland
Pittenger	Serrano	Whitfield
Pitts	Sessions	Williams
Pocan	Sewell (AL)	Wilson (FL)
Poe (TX)	Shea-Porter	Wilson (SC)
Polis	Sherman	Wittman
Pompeo	Shimkus	Wolf
Posey	Shuster	Womack
Price (GA)	Simpson	Woodall
Price (NC)	Sinema	Yarmuth
Quigley	Sires	Yoho
Radel	Slaughter	Young (FL)
Rahall	Smith (NE)	Young (IN)

NAYS—3

Amash
Massie
Stockman

NOT VOTING—40

Alexander	Gingrey (GA)	McDermott
Amodei	Gohmert	McKeon
Benishek	Grijalva	Palazzo
Blackburn	Hartzler	Pastor (AZ)
Brown (FL)	Heck (WA)	Pingree (ME)
Capuano	Hensarling	Rohrabacher
Cárdenas	Herrera Beutler	Sanchez, Loretta
Cassidy	Huelskamp	Schiff
Clyburn	Johnson, Sam	Thompson (MS)
Cole	Kingston	Waters
Cramer	Lynch	Yoder
Diaz-Balart	Lowe	Young (AK)
Doggett	Marchant	
Gallego	Markey	
	McCauley	

□ 1905

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAMALFA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 262, nays 125, answered "present" 1, not voting 45, as follows:

[Roll No. 163]

YEAS—262

Aderholt	Eshoo	Maloney
Bachmann	Esty	Carolyn
Bachus	Farenthold	Marino
Barber	Farr	Massie
Barletta	Fattah	Matsui
Barrow (GA)	Fincher	McCarthy (CA)
Barton	Fleischmann	McCarthy (NY)
Bass	Fortenberry	McClintock
Beatty	Foster	McCollum
Becerra	Frankel (FL)	McHenry
Bentivolio	Franks (AZ)	McKinley
Bera (CA)	Frelinghuysen	McMorris
Bilirakis	Fudge	Rodgers
Bishop (NY)	Gabbard	McNerney
Bishop (UT)	Garrett	Meadows
Black	Gibbs	Meehan
Blumenauer	Goodlatte	Meng
Bonamici	Gosar	Mica
Boustany	Gowdy	Michaud
Brady (TX)	Granger	Miller (MI)
Braley (IA)	Grayson	Miller, Gary
Bridenstine	Grimm	Moran
Brooks (AL)	Guthrie	Mullin
Brooks (IN)	Gutiérrez	Murphy (FL)
Brownley (CA)	Hahn	Nadler
Buchanan	Hall	Napolitano
Bucshon	Hanabusa	Neugebauer
Bustos	Harper	Noem
Butterfield	Harris	Nolan
Calvert	Hastings (FL)	Nunes
Camp	Hastings (WA)	Nunnelee
Campbell	Higgins	O'Rourke
Cantor	Himes	Olson
Capito	Hinojosa	Pascarell
Capps	Holt	Pelosi
Carney	Horsford	Perlmutter
Carson (IN)	Huffman	Petri
Carter	Carter	Pocan
Castro (TX)	Hunter	Polis
Chabot	Hurt	Pompeo
Chaffetz	Israel	Posey
Cicilline	Issa	Price (NC)
Clay	Jackson Lee	Quigley
Cleaver	Jeffries	Rangel
Coble	Johnson (GA)	Rice (SC)
Coffman	Kaptur	Richmond
Cohen	Kelly (IL)	Roby
Collins (GA)	Kelly (PA)	Rogers (AL)
Collins (NY)	Kennedy	Rogers (KY)
Conaway	Cook	Rogers (MI)
Connolly	Cooper	Rokita
Conyers	Crawford	Roskam
Cook	Crenshaw	Ross
Cooper	Cuellar	Rothfus
Costa	Culberson	Roybal-Allard
Cotton	Daines	Royce
Courtney	Davis (CA)	Ruiz
Crawford	Davis, Danny	Runyan
Crenshaw	DeGette	Ruppersberger
Crowley	Delaney	Ryan (WI)
Cuellar	DeLauro	Sanford
Culberson	DelBene	Scalise
Cummings	Dent	Schneider
Daines	DesJarlais	Schrader
Davis (CA)	Deutch	Schwartz
Davis, Danny	Dingell	Schweikert
	Doyle	Scott (VA)
	Duncan (SC)	Scott, Austin
	Duncan (TN)	Luetkemeyer
	Edwards	Lujan Grisham
	Ellison	(NM)
	Ellmers	Lujan, Ben Ray
	Engel	(NM)
	Enyart	Lummis

Sherman	Tierney	Weber (TX)
Shimkus	Titus	Weber (FL)
Shuster	Tonko	Welch
Simpson	Upton	Wenstrup
Sinema	Vargas	Westmoreland
Smith (NE)	Vela	Whitfield
Smith (NJ)	Velázquez	Williams
Smith (TX)	Wagner	Wilson (FL)
Smith (WA)	Walden	Wilson (SC)
Speier	Walorski	Wolf
Stewart	Walz	Womack
Stutzman	Wasserman	Yarmuth
Swalwell (CA)	Schultz	Yoho
Takano	Watt	Young (FL)
Thornberry	Waxman	Young (IN)

NAYS—125

Amash	Holding	Peters (CA)
Andrews	Honda	Peters (MI)
Barr	Hoyer	Peterson
Bonner	Hudson	Pittenger
Brady (PA)	Huizenga (MI)	Pitts
Broun (GA)	Jenkins	Poe (TX)
Burgess	Johnson (OH)	Price (GA)
Castor (FL)	Johnson, E. B.	Radel
Chu	Jones	Bahall
Clarke	Jordan	Reed
Coffman	Joyce	Reichert
Collins (GA)	Keating	Renacci
Connolly	Kilmer	Ribble
Costa	Kind	Rigell
Cotton	Kinzinger (IL)	Roe (TN)
Courtney	Kirkpatrick	Rooney
Crowley	Lance	Ros-Lehtinen
Cummings	Langevin	Ryan (OH)
Davis, Rodney	Latham	Salmon
DeFazio	Lee (CA)	Sánchez, Linda
Denham	Lewis	T.
DeSantis	LoBiondo	Sarbanes
Duckworth	Maffei	Schakowsky
Duffy	Maloney, Sean	Schock
Fitzpatrick	Matheson	Slaughter
Fleming	McGovern	Southerland
Flores	McIntyre	Stivers
Forbes	Meeks	Stockman
Fox	Messer	Terry
Garamendi	Miller (FL)	Thompson (CA)
Garcia	Miller, George	Thompson (PA)
Gardner	Moore	Tiberi
Gerlach	Mulvaney	Tipton
Gibson	Murphy (PA)	Turner
Graves (GA)	Neal	Valadao
Graves (MO)	Negrete McLeod	Van Hollen
Green, Al	Nugent	Veasey
Green, Gene	Pallone	Visclosky
Griffin (AR)	Paulsen	Walberg
Griffith (VA)	Payne	Wittman
Hanna	Pearce	Woodall
Heck (NV)	Perry	Yoder

ANSWERED "PRESENT"—1

Owens

NOT VOTING—45

Alexander	Galleo	McCaul
Amodi	Gingrey (GA)	McDermott
Benishek	Gohmert	McKeon
Bishop (GA)	Grijalva	Palazzo
Blackburn	Hartzler	Pastor (AZ)
Brown (FL)	Heck (WA)	Pingree (ME)
Capuano	Hensarling	Rohrabacher
Cárdenas	Herrera Beutler	Rush
Cartwright	Huelskamp	Sanchez, Loretta
Cassidy	Johnson, Sam	Schiff
Clyburn	Kingston	Sires
Cole	Larsen (WA)	Thompson (MS)
Cramer	Lynch	Tsongas
Diaz-Balart	Marchant	Waters
Doggett	Markey	Young (AK)

□ 1914

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. BARBER. Mr. Speaker, during rollcall vote No. 163 on approving the Journal, I mistakenly recorded my vote as "yea" when I should have voted "no."

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. GRAYSON. Mr. Speaker, I rise to give notice of a question of the privileges of the House pursuant to rule IX. The form of my resolution is as follows:

Resolved, That the House of Representatives shall not consider H.R. 3, the "Northern Route Approval Act" because: (1) it violates Rule XXI of the House, and (2) it affects the dignity and integrity of the proceedings of the House since it is unconstitutional.

The SPEAKER pro tempore (Mr. RICE of South Carolina). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the unnumbered resolution noticed by the gentleman from Florida will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 1920

WE NEED THE KEYSTONE PIPELINE

(Mrs. CAPITO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPITO. Mr. Speaker, this Wednesday, the House will vote to approve the Keystone XL pipeline. This vote will come after more than 1,700 days since the application for the project was filed. Despite the outpouring of support from the American people, the President continues to delay the approval of the Keystone pipeline, which would directly create 20,000 jobs and lead to \$7 billion in spending. The President keeps dragging his feet.

Business and labor organizations have joined together to support the Keystone project because it will bring jobs to American workers. West Virginians support the Keystone pipeline. The permitting delay that is standing in the way of the Keystone project demonstrates that this administration and its environmental agenda will put everything ahead of our Nation's economy and jobs for working Americans.

Mr. Speaker, an energy economy is a jobs economy, and I hope my colleagues will join me in fighting back against the administration's anti-energy agenda. Passing H.R. 3 would mean more American jobs and move us closer towards energy independence.

STUDENT LOANS

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, student loan debt in the United States now exceeds \$1 trillion, higher than our country's total credit card debt; and unless Congress acts, on July 1, Federal student loans will double, rising from 3.4 percent to 6.8 percent. This increase in student loan rates would be unbearable for many undergraduate students and future students. It also will keep them out of the middle class.

The middle class as we know right now is shrinking. If you're in the middle class today, you're making approximately \$5,000 less than you were 10 years ago, and you have nearly \$25,000 more in personal debt. Access to education powers the innovation economy and will increase and grow our middle class. Unfortunately, H.R. 1911, the Republican student loan plan to come to the floor this week, will only make college more expensive. The Republican's Make College More Expensive Plan will make loan rates variable, going as high as 8.5 percent. Their plan essentially will build a great wall around our middle class.

We must deal with the student loan crisis now. Instead of increasing student loan rates for students, Congress should be helping students by keeping student loan rates low and increasing the student loan rate interest deduction. Let's tear down this wall that will keep our students from the middle class and not increase the student loan rate.

LOWER LEVEL OPERATIVES BLAMED

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Benghazi bungled—propagandacrats misled citizens—change talking points 12 times. People die. White House denies knowledge. Lower-level operatives blamed.

IRS intimidates, targets, and audits conservative opposition groups. White House denies knowledge. Lower-level operatives blamed.

Government snoopers secretly seize phone records of 100 journalists to locate their sources. White House denies knowledge. Lower-level operatives blamed.

ATF smuggles guns to Mexican drug lords. White House denies knowledge. Attorney General held in contempt of Congress for with "holdering" evidence. Lower-level operatives blamed.

Meanwhile, the President self-righteously proclaims citizens should trust his government. Americans distrust and fear government, especially the

“Infernal Revenue Service,” because the President professes ignorance of actions of lower-level malcontents, then doesn’t adequately hold them accountable. Heads need to roll. People need to be fired. Others need to go to the jailhouse. That’s what Americans expect of the so-called most transparent administration in history. Then this administration that is incredible with words can earn credibility with its deeds.

And that’s just the way it is.

SAFE CLIMATE CAUCUS

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, while the public is split 50-50 on whether the science of climate change is settled, there is overwhelming agreement—over 97 percent—among climate scientists that the human activity of this Earth is causing climate change.

Imagine if we compare that percentage to the medical field. If 97 percent of 100 doctors told you that you have cancer, would you refuse to take treatment?

Whether one believes that humans are contributing to climate change is in some ways irrelevant because we are certainly paying for its effect. The Federal Government spent \$96 billion in 2012 to clean up after extreme weather events. That’s nearly three times the amount paid by private insurers. That is more than we spend on transportation or education.

Though many have yet to embrace the facts that climate research has found, we must take action to mitigate these growing costs. As Ben Franklin once said: an ounce of prevention is worth a pound of cure.

SEVERE TORNADOES HIT OKLAHOMA

(Mr. GRIFFITH of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRIFFITH of Virginia. Mr. Speaker, I yield to the gentleman from Oklahoma.

Mr. BRIDENSTINE. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of Oklahomans who even as we speak this evening are laboring to find and rescue all those affected by this afternoon’s severe tornadoes in Moore and other areas in the great State of Oklahoma. At this time, we don’t know the full extent of the damage and the potential human toll, but we are inspired. We’re inspired by those who are sparing no effort to assist their neighbors and even many people they don’t know.

Disasters like the Moore tornado bring out the best in the people of

Oklahoma. I pray for each victim of these storms, for all of the emergency first responders and the ordinary citizens who are stepping forward to help in any way they can. We are grateful for everyone working to secure the affected area and to account for every man, woman, and child.

STANDING WITH ADVOCATES FOR HUMAN RIGHTS IN CHINA

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, it has been 1 year since human rights activists Chen Guangcheng and his wife, Yuan Weijing, arrived in the United States of America. I recently had the honor of meeting both Chen and Yuan. They are heroes in the cause of human rights, and their story of fighting forced abortion and sterilization in the People’s Republic of China has captivated and inspired all those who love freedom.

Their courageous stand has not come without a personal price. Chen and Yuan’s extended family in China has been subject to continued harassment. It is time for this to stop. Respect for human life and freedom are universal aspirations, and Chen and Yuan serve as witnesses to these transcendent values.

I encourage Beijing to protect Chen Guangcheng’s family and all those who serve as advocates for freedom and human rights.

RECOGNIZING OPPORTUNITY PARTNERS FOR 60 YEARS OF SERVING MINNESOTA

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate a long time Minnesota nonprofit organization, Opportunity Partners, for serving the needs of developmentally disabled adults for 60 years. The latest statistics reveal that only 33 percent of Americans aged 18 to 64 with disabilities are employed.

The founders of Opportunity Partners recognized the many challenges the disabled encounter when trying to integrate into the workforce, so they acted, creating an organization that gives ongoing support to people with disabilities, helping them lead independent and fulfilling lives.

In 1953, Opportunity Partners was serving 15 teens with disabilities. And now today, the organization is reaching over 1,700 people and equipping them with the work skills and the training these individuals need to gain successful employment.

I have toured this amazing operation myself. I have seen first hand the lives

that are impacted and affected by Opportunity Partners. The staff and the volunteers are dedicated to empowering others through a simple, but powerful, mission—to help those with disabilities to live, learn, and work.

Mr. Speaker, I want to send my congratulations and a thank you to all those at Opportunity Partners for serving Minnesota.

□ 1930

LET’S BUILD THE KEYSTONE XL PIPELINE TODAY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, “Job killers win, American workers lose” is how the Laborers’ International Union of North America, a rare critic of the administration, summed up the President’s 2011 call to block the Keystone XL pipeline.

The move, they said, would “inflict a potentially fatal delay to a project that is not just a pipeline, but is a lifeline for thousands of desperate working men and women.”

And what of America’s energy needs or diplomatic priorities? By cutting access to North American oil, it is American consumers who will continue to suffer, not the Canadian company seeking to permit the Keystone pipeline.

TransCanada’s chief executive noted “If Keystone XL dies, Americans will still wake up the next morning and continue to import 10 million barrels of oil from repressive nations, without the benefit of thousands of jobs and long-term energy security.”

When jobs and affordable North American energy are at stake, Americans deserve better than groundless delays from the President. Let’s build the pipeline today.

LET’S STAND UP AND BE OF HELP

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I know that many of our colleagues in the tornado corridor are not here today. I want to offer my deepest concern and prayers as the recovery begins, and pray for those who’ve lost their lives, some, of course, in north Texas, and of course now in the area in Oklahoma.

This is a devastating time with these enormous tornados, as evidenced by a quote by Bill Bunting of the National Oceanic and Atmospheric Administration’s Storm Prediction Center, who told CNN, our worst fears are becoming realized this afternoon.

I hope that we will be able to find all of those who have been harmed safely, and all of those who are missing.

But, Mr. Speaker, the most important part is that the Nation needs to

stand up and be of help. This is time, frankly, for bipartisanship to take the highest level, and partisanship to end. It's time to end this sequester. There's too much need in this country.

And I hope that we will be able to serve all of those who are now suffering from across America because that is what this Congress needs to do.

IT'S TIME TO FISH OR CUT BAIT

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICE of South Carolina. I rise in support of the Keystone pipeline. The Keystone pipeline represents 40,000 American jobs. It's been under study for 1,700 days—5 years.

It is a project that could drive down the cost of energy, cut our imports from our enemies in half. It could invigorate our economy, and yet, we continue to study and study. We could study this program for decades, and we'll never resolve all the issues.

It's time to move forward. We're the greatest country on Earth. Nobody can beat us if we stand toe-to-toe, but we've got a noose of regulation around our own necks, and we're strangling ourselves.

It's time to fish or cut bait. Let's make a decision. Let's move forward with this very valuable project.

NO LABELS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. RIBBLE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. RIBBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RIBBLE. Mr. Speaker, I'm proud and honored to lead this discussion on the House floor this evening. I organized this Special Order to show the American people that there are Members of Congress who can have a civilized conversation and who actually want to solve problems.

Everyone here tonight is a member of the organization No Labels. As you can see, we're all wearing orange pins as a symbol of our solidarity. These problem-solver pins represent a lot about who we are and who we want to be as legislators. Instead of wasting time fighting, we're committed to fixing what's broken here in Washington.

Being identified as either a Republican or Democrat says a lot about each of our values and our ideologies, but it's not the sum total of who we are. I am proud to be a Republican and have a conservative voting record, and that supports my beliefs.

But just because there's an R or D after someone's name should not automatically make them enemies. It's possible to find ways to work together, and all of us are here tonight as proof of that.

I recently introduced a biennial budgeting bill that has both Democrat and Republican cosponsors. This is just one of many examples that show that both sides of the aisle can get behind legislation that will help better our economy.

Unfortunately, Congress has come to a point where problems are not getting solved because too many are yelling and not enough are listening. I was taught that the best way to attack a problem is putting all possible solutions on the table and having a conversation about the pros and cons of each.

Nowadays in Washington, the meaning of solution has become a euphemism for undercutting the other party. Sound bites have replaced conversations, which has made attacking others easier and more widespread.

It seems like every time you turn on the television or open a newspaper, there's some headline about Republicans and Democrats spewing vitriol at each other, or playing another round of the never-ending blame game.

This type of behavior and unwillingness to work on solving problems must end in order for our country to move forward, and that's why we're all here tonight, to show that Washington doesn't have to function this way.

All of us came to Congress because we wanted to do our part to make our country better and to help our constituents back home. And coming together on the House floor is a small way to reaffirm our dedication to the American people and let them know that we'll work for their best interest.

This evening you'll hear from both Democrats and Republicans who are committed to problem-solving. I'm proud to say that these people are not just my colleagues but they're my friends. And while we don't see eye to eye on everything, we have all made it a point to put a stop to the spiteful tone that has become the norm here in Washington, and to actually have a real conversation with one another. And tonight the American people watching get to be a part of that.

With that, I'd like to yield to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. I thank my good friend from Wisconsin.

Mr. Speaker, I'm proud to stand here tonight as a member of this Problem Solvers Coalition. The coalition offers

a common ground for lawmakers to make government work better and to negotiate solutions without the blinders of partisan talking points.

Our country has a history, during difficult times, times more difficult than these, times of great political strife, of coming together, rank-and-file Americans and legislators alike.

During the early days of our Republic, Thomas Jefferson wrote a letter to his friend, Edward Rutledge, and he said this:

You and I have seen warm debate and high political passions. But gentlemen of different politics would then speak to each other. It is not so now. Men who have been intimate all their lives cross the street to avoid meeting, and turn their heads the other way lest they should be obliged to tip their hat.

Well, we, as Americans, made it through those difficult times, and eventually this hall was populated by people who were prepared to tip their hat.

During this time in our history, we too need to be hat tippers. We need more hat tippers in the U.S. Congress. We need more statesmen, more men and women who are prepared to root out waste, to improve the performance of our largest programs of government, to modulate our discourse.

We need to recognize that our public disagreements aren't always about ends; sometimes they're merely about means.

So I invite my colleagues to join this coalition of problem solvers. Let's work together, Republican and Democrat. Let's work together for the common good for the future of this country.

□ 1940

Mr. RIBBLE. I appreciate the gentleman's comments. Thank you for being here tonight.

I now yield to the gentleman from Florida (Mr. MURPHY).

Mr. MURPHY of Florida. Mr. Speaker, I ran for Congress on a pledge of bipartisanship. I ran on behalf of citizens who were disappointed in their leaders in Washington who focus on partisan bickering rather than problem solving.

In my first days in Congress, I was also disappointed in Washington. I was disappointed that everything in D.C. was separated by party affiliation. This is why one of my first actions as a freshman was to join the No Labels Problem Solvers group, of which I am now proudly a cochair.

Mr. Speaker, No Labels has offered a way for Members of both parties to get to know each other. Simply put, it's easier to solve problems when you know the person you're working with. However, No Labels does more than break down barriers. It helps build trust between Members that is necessary to solve problems.

Many of the fiscal problems we face today developed over many decades. Fixing these problems will take steady,

committed work. No, we won't agree on everything, but I am optimistic. I'm optimistic because more and more leaders are focusing on problem solving rather than partisanship. I've already seen more bipartisanship and substantive action in this Congress than many in recent memory. In fact, I've seen an overwhelming amount of bills introduced by No Labels members, with both Republicans and Democrats as lead sponsors.

We must urge and support our leaders to go big to solve the fiscal issues we face. We must push for a grand bargain. We need long-term solutions, not short-term political gimmicks.

Unfortunately, a number of scandals have contributed to one of the biggest problems our country faces: a lack of trust in government. The public sees their leaders focusing on beltway intrigue rather than pragmatic solutions. Mr. Speaker, that is why I invite more of my colleagues to join me in this group to work together to solve problems and to restore the trust of the American people. There is no ideological litmus test to join this group. What is required is a willingness to respect one another and resolve to work together to solve problems. No Labels is doing just that—fix, not fight.

Mr. RIBBLE. I thank the gentleman for his comments.

I now yield to a very good friend of mine, the gentleman from Oregon, Mr. KURT SCHRADER.

Mr. SCHRADER. I thank the gentleman from Wisconsin.

We've collaborated on a number of endeavors, most recently in the Ag Committee. There was great bipartisan debate in the Agriculture Committee. I commend to those late-night insomniacs for their 11-hour viewing enjoyment, come watch how a real committee should work in the Congress of the United States, where there's give-and-take, people hold strong positions, but at the end of the day the process moves forward.

I would like to echo my friend and colleague's comments here. The Problem Solvers caucus, of which we're all members, is an outgrowth of the No Labels movement that's been going on for several years. Late last year, No Labels approached a number of us in Congress about getting together and were we truly interested in solving problems.

I think the thing that got all of our attention is it wasn't giving up who you were, it wasn't giving up your philosophy. We have extreme right members, we have extreme left members, and we've got some of our centrists, or as my colleagues like to call it, squishy people, in the middle. And that's not a bad thing, necessarily.

But what we are all about is solving problems, not dealing with the minutia, the differences that we have, dealing with all these one-off issues that

our constituents don't send us to Congress to deal with, but we are trying to deal with bigger issues. The GAO, or General Accounting Office, sends us information every year about things that should be fixed in Congress—non-partisan, bipartisan issues that we should be addressing. The No Labels group is starting to pick those things up.

As the gentleman from Florida talked about, there's a plethora of issues upon which we can agree. The mark of a true statesman, I think, is not focusing on what you disagree on with your colleagues but what you can agree on. I think that, and some of the bigger issues that, hopefully, we'll go forward on and the No Labels group will be attacking, you'll see us also start to look at some of the reforms of the process.

I alluded to the Ag Committee the other day. There are ways to make this process work here and make America proud and, as we've heard so far, restore faith in your government once again.

Mr. RIBBLE. I thank the gentleman.

When I first came here it was interesting how few places there were where both parties could get together and talk about issues. It just didn't really exist. And those of us that have decided to get together and talk, we've never asked anyone to lay down their own personal beliefs or ideologies, but we did ask for them to stand up and defend them and to speak about them and to encourage others and to, most importantly, listen to each other and to try to learn why we believe what we believe.

I'd like to now yield to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, I want to join my colleagues today to affirm our collective effort to put aside partisanship wherever possible and seek the solutions our country needs.

As I meet with constituents across Colorado's Sixth Congressional District, I constantly hear the refrain, What is Congress doing to help our country? The people of Aurora, Colorado, and the surrounding communities in my district want to know what is being done to fix the economy, to generate jobs, to care for our veterans, and to defend our Nation. They don't ask about the current beltway infighting. They want to know what is being done about our debt and to help with their children's schools.

I'm glad to stand here today and repeat the message that Members of Congress need to put aside partisan agendas and seek solutions together.

Mr. RIBBLE. I thank the gentleman.

I would now like to yield to the gentleman from New York (Mr. MALONEY).

Mr. SEAN PATRICK MALONEY of New York. I want to join my colleagues in commending the terrific work of the No Labels group.

I, like others, came to Congress not to fight but to fix problems. And I've always thought there's so much work to do, if we just start working on the things we agree about, we'll all be tired at the end of the day and we won't have time to fight. And it's in that spirit that we've approached our work, many of us that are new to Congress, and I think we're seeing results.

The last Congress was content to have an argument about a farm bill. And as my colleague noted, we're working in a bipartisan way to bring one to the floor and to get results for the American people. The last Congress was content to give us the sequester, but a bunch of us working across the aisle in this Congress are more interested in implementing the nonpartisan recommendations of the GAO to help us cut government waste that we can all agree shouldn't be there. We've agreed on things like no budget, no pay. We've agreed on things in a bipartisan way like the Violence Against Women Act. These are delivering real results for real families.

I represent the Hudson Valley of New York, and I'm proud to say that we've got one of the largest chapters of the No Labels group in Westchester. I didn't come here to be part of the red team or the blue team. I didn't come here to fight. I came here to find solutions and to get results for my constituents and the people who pay the bills, the taxpayers. And I'm encouraged and delighted that there are so many friends across the aisle in the Republican Party who want to do the same thing. I think if we can get more of our colleagues to join us, we can create a real movement in this Congress and we can start a new day.

It may be too soon to say that we've turned the corner, but I believe we've made an important start. I'm committed to continuing to work across the aisle to get results.

Mr. RIBBLE. That's encouraging to all of us. I appreciate your comments.

I now yield to the gentleman from Michigan (Mr. BENTIVOLIO).

Mr. BENTIVOLIO. Mr. Speaker, I would like to echo what my friend, Congressman REID RIBBLE, said a moment ago. The people of southeastern Michigan sent me here to solve the problems affecting our great Nation. The Problem Solvers coalition offers a chance to break the partisan gridlock by bringing Democrats and Republicans together to focus on good governance. Our coalition meets regularly to find commonsense solutions because Washington's inability to work together has put the future of our children and grandchildren in jeopardy.

More than two centuries, Members of the first Congress were summoned to uphold and defend the Constitution. The proudest boast then in the civilized world was, "I am an American." Today, we must ensure that being an

American makes you the envy of the world.

□ 1950

I recognize that we all have different viewpoints. I understand that this is a contentious time in Congress—different viewpoints clash, sometimes rightfully so. However, I do think that there is one goal that everyone here has—to hand the next generation a country that is in better condition than when we found it. We must strive valiantly, and we must dare greatly to solve problems here in Washington by working together to find common ground.

We all have been sent here to serve the people, and I urge my colleagues to join the Problem Solvers Coalition and to start doing the work of the people. Thank you, and God bless you.

Mr. RIBBLE. I thank the gentleman for your comments.

I now yield to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. I thank my colleague for yielding.

It's a pleasure to join my colleagues on both sides of the aisle to discuss No Labels.

You know, I think one thing that hasn't been mentioned tonight is the fact that it's about "no labels." We're going to get away from Democrat, Republican, liberal, conservative. This is about bringing people together to try to reach consensus and solve problems. Because when you really think about it, our political dialogue in this country has been reduced too often to this notion where there are only two points of view, only two ways to look at an issue: all Democrats think one way; all Republicans think the other. There's no other way to look at an issue.

Well, as we all know, life generally is not that simple; and it's important for us to constructively come together in a way where we act as Representatives, because our system of government is not a parliamentary system where just two points of view are to be discussed. Our system of government is a representative system of government. We have 435 people in the House of Representatives who all can bring a point of view to the table to try to solve problems and make progress. That's why I'm pleased to be associated and participating with the No Labels group.

I'm pleased that across the country people are signing up to join ad citizen activists for No Labels as well. It tells you where the country wants us to go as an institution—no more bickering, no more playing the blame game. Let's sit down and let's try to work together to get things done.

Mr. RIBBLE. I thank the gentleman. I would like to yield to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. I thank my friend for yielding.

You know, the one thing that I hear more than anything else when I travel back home to Pennsylvania is the frustration with Washington and the massive divide that they see that prevents us from solving real problems, from solving American problems. And as I've heard from my colleagues here tonight, that feeling is not limited to my communities of Bucks County and Montgomery County, Pennsylvania.

It doesn't take much to see that our Nation is facing some pretty serious problems. It's long been clear to me that we need lawmakers to come together and put aside politics and do what we were elected to do, which is to solve problems.

When I served as a local official back home in Bucks County, Pennsylvania, on a bipartisan board, it didn't take long to figure out that there was no Republican way or Democratic way to fix a bridge or to care for an abused or abandoned or neglected child. It was just the right way to do it.

So now, as a member of the No Labels Problem Solvers, I'm proud to be part of the solution and to enthusiastically subscribe to our motto, which is "Stop Fighting and Start Fixing." Once we cross the so-called "political divide" and talk to each other, we readily find common ground, balance, and ultimately solutions.

I was proud to be an early proponent of the No Labels initiative No Budget No Pay, which passed the House recently and yielded real results—the first budget resolution from the Senate in 4 years.

Recently, I wrote an editorial piece with my colleague, Representative CHERI BUSTOS, that highlighted the importance of bipartisan problem-solving to address wasteful government spending and advance commonsense legislation that we can all agree upon.

We must restore faith in our elected leaders. The public's trust has been shaken—and rightly so. As we've seen lately, partisan politics tarnishes everything from national security to tax enforcement. We can no longer afford partisan politics as usual, so we're here to be problem-solvers, going forward to get something done for the good of the people, and there's no time to waste.

Mr. RIBBLE. Indeed, there's no time to waste.

I yield to the gentlelady from Illinois (Mrs. BUSTOS).

Mrs. BUSTOS. I thank the gentleman from Wisconsin.

Far too often, people tend to focus on our differences instead of what brings us together. Despite what we all may hear, common ground does exist among lawmakers from opposing sides.

Although the group we call No Labels is made up of Democrats and Republicans, what unites the 68 of us making up this group is the idea that work can and should get done in Washington.

The people of each of our regions in the United States sent us to the Na-

tion's Capital not to position and posture, but to use common sense and compromise to move our country forward. That is why I joined the bipartisan No Labels group and have been identified as a "congressional problem solver."

No Labels is the only bipartisan, bicameral group in Congress and is made up of liberals, moderates, conservatives. Yes, the left, the right, and the middle coming together. While we surely don't agree on every issue, there are plenty of areas that we can find to achieve results for the people who we represent.

Let me just share a recent example. I'm a member of the House Ag Committee, and last week we completed an exercise in bipartisanship by working together to pass, by a large margin, a 5-year farm bill. The Republican chairman, FRANK LUCAS, and the Democratic ranking member, COLLIN PETERSON, and the entire committee were civil, accommodating, and worked well together. It was refreshing. In fact, nine of my fellow congressional problem solvers on both Democratic and Republican sides are on the Ag Committee with me.

Although we didn't agree on every aspect of the bill and I believe there still is room for improvements, we all come from different regions of the country where people expect their elected officials to put politics aside and do their job. Period.

Last year, Congress wasn't able to get its act together and pass a 5-year farm bill, so instead had to resort to a short-term extension that expires in a matter of months. I am hopeful that this year will be different.

The family farmers I talk with back home in Illinois want the security and stability that come with a 5-year farm bill so they can plan for future growth and investments and continue to provide the food our Nation—and the world also—depends on.

If we approached more issues on a bipartisan basis like we did on the Ag Committee and like we do in No Labels, Congress would be more productive and the American people would be better off. I'm committed to working with my No Labels colleagues to achieve this goal of bipartisanship and urge all Members of Congress to join us in this pursuit.

Mr. RIBBLE. I thank the gentlelady. I'd like to yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I thank the gentleman, and I thank the Speaker for allowing me to address the House tonight regarding the Problem Solvers group. I, too, am a proud member of this group—a group of Republicans and Democrats who I think have really one thing in common more than anything else; it's a group of Members of Congress who believe we have an affirmative obligation to govern. That is, we're trying to

find a way to get to “yes” on some of the big issues of the day because the problems are huge.

Clearly, when the country sees a lot of the mindless bickering and fighting that goes on here, it does not inspire confidence, and it certainly does contribute to greater uncertainty. And while nobody here is checking their ideologies or their philosophies at the door, people understand that we must be practical and pragmatic at times to try to find a solution to a common problem. That doesn't mean we'll always get to a solution; sometimes we will and sometimes we won't. But you know what, it's important that we try. I think that's what this group is about, trying to find solutions to the big problems of the day—not running away from them, not hiding, not each side running to their safe camp and then ignoring the problem and hoping that somebody else at a later date will deal with it.

What I'm most proud about with this group is that many of these Members have demonstrated political courage on both sides of the aisle and have stood up time and again to try to do the right thing for the good of the country.

Like everybody else here, too, I hear from my constituents. My constituents are very much alarmed by what they're seeing happening in Washington. They think that we're in warring camps; no one likes each other and no one gets along, but worst of all, no one is trying, no one is trying to solve the great problems of the day.

I'm really pleased, as has been mentioned previously, that this Problem Solvers group, the first issue out of the box for us was No Budget No Pay—an idea that originated with this organization. And sure enough, within fairly short order, it became law. It's a step. It's an important step. I'm proud that this group was part of it. I know over time, in the near future, this organization will be coming up with more ideas that we can present to the American people in a way that I think they will find very helpful and very useful.

So again, I just want to commend my colleagues on both sides of the aisle, many of whom I call friends. We're all friends who are really trying to do the right thing. So I just wanted to say thank you, and I commend the efforts. We need more of this, not less of it.

Mr. RIBBLE. I thank the gentleman.

It is now a privilege of mine to yield to my friend from Georgia (Mr. BARROW).

□ 2000

Mr. BARROW of Georgia. I thank the gentleman from Wisconsin for the time, but more importantly I thank him for the leadership he is showing in this common endeavor.

I want to echo what my good friend, Congressman DENT, just said, but I want to make an additional point. The

folks in Georgia sent me to Washington to help get things done, not get caught up in scoring political points. They are fed up with the hyperpartisanship in Congress, and that's why I've joined this group.

The scandals at the IRS and the Justice Department contribute to one of the biggest problems in our country right now. Americans don't trust their government to do the right thing. The goal of this group is to strengthen the faith that folks have in government.

The Problem Solvers coalition offers a chance to break the gridlock by getting Democrats and Republicans focused on actually getting things done in Congress. Unlike some folks, we don't think “compromise” is a dirty word.

Washington's refusal to respect and work with one another means we are failing this generation and the next generation. No Labels offers a common ground for lawmakers to make government work better and negotiate solutions without the blinders of partisan talking points.

We have real problems that are crying out for compromise right now, and we all just can't sit here arguing just to get us through the next election. If we continue with that approach, we won't be doing this country and the folks we represent any good down the road.

Mr. Speaker, my Bible says:

A good name is rather to be chosen than great riches, and loving favor more than silver or gold.

I believe that both parties have a great deal to contribute to this country's past, have a great deal to be proud of in their path, and they have a lot to contribute to our country's future. But the label, the name, the good name that folks are looking for is “problem solver.” That is the name that brings us together. That is the name that describes our function. That is why I'm proud to support this group and its work.

Mr. RIBBLE. Mr. Speaker, with that, I would like to yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman from Wisconsin, my friend, for yielding, and want to really echo the comments of my friend from Georgia (Mr. BARROW).

I first came to Washington to serve in the House a little more than 2 years ago after spending 8 years as mayor of the city of Providence. When you're a mayor of a city or town, you are a problem solver. You have lots of issues that come before you, lots of decisions to make, but most importantly, you have to get things done. You don't have a Republican pothole or a Democratic tree that needs to be cut. You just have things that need to be done and action that needs to be taken.

The men and women and families of Rhode Island's First Congressional Dis-

trict didn't send me to Congress to score political points or engage in political games. They sent me here to get things done, to confront the challenges facing our country and my State.

I'm very proud to be a founding member of the Problem Solvers of No Labels, a coalition that's offering a venue for Republicans and Democrats to come together, to work together, to find solutions to, most importantly, govern our Nation.

And really importantly, as my friend from Wisconsin said, we have people in No Labels who come from a whole range of different ideologies, who feel very passionately about issues that are important to them and to their constituents and make the case in very, very spirited discussions. But we come to it with a willingness to listen to each other, to consider each other's views, to engage in civil discourse and, most importantly, come to it with a commitment to try to solve problems, to work together to grow our economy, responsibly cut the deficit, protect critical programs like Social Security and Medicare.

There's no question that in the last few years Washington has stopped working the way it should. Republicans and Democrats have grown more concerned with 30-second ads than serving our constituents. Washington has failed to do its job.

There are real problems facing our country. We need to start working together again in the spirit of bipartisanship that has defined our Nation over the years through global conflict, economic depression, and even fierce internal political debates.

We have always come together to get things done and to act in the best interest of our country. I know that's what No Labels is committed to, that's what we're committed to on both sides of the aisle as part of Problem Solvers, and I urge all my colleagues to join us in this effort.

Mr. RIBBLE. I thank the gentleman for his comments.

Mr. Speaker, with that, I would like to yield to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. Thank you very much for yielding.

I want to thank the gentleman from Wisconsin for his leadership in the No Label Problem Solving group, and I really enjoy working with you.

I came to Congress after serving in the Maine Legislature for 22 years—a place where Democrats, Independents, and Republicans did work together to get things done.

The House Veterans' Affairs Committee also works on a bipartisan basis, and I'm proud to serve on the committee. Chairman MILLER and myself work very well together, along with our committee members, to try to find solutions to the problems that our veterans are facing today. We are doing

it in a nonpartisan way, and that's how things should work.

However, I do remain concerned about Congress, and Washington as a whole. There is too much division, gamesmanship, and too little cooperation. But the group that you see here tonight on this floor that I'm speaking of is a group that actually gives me hope, a group of individuals, Republicans, Democrats, from all different facets of life, from different parts of the country, that are willing to sit down and work together to get things done.

I'm very proud to join my fellow Problem Solvers because it's long past time to work together and get things done for the American people.

Mr. RIBBLE. I remember very clearly, Mr. Speaker, I had been in Congress only a few days—the President of the United States came into this Chamber for the State of the Union address—and my good friend from Maine invited me to sit with him. We began a relationship there and continued to work together throughout these last few years.

Thank you very much for coming to the floor tonight.

With that, I would like to yield to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Mr. Speaker, as I travel around my district, I've witnessed firsthand many of the problems my constituents face on a daily basis—water shortages, difficulty pursuing a higher education, and high unemployment. While there are many ways to address each of these issues—and we may not always agree on the best course of action—one thing is clear: Americans are sick of the gridlock in Washington.

Congress cannot continue to be sidetracked by political games and at the same time expect real progress to be made. We must put aside our political differences and, as leaders, come together to do what's best for our constituents—the American people.

That's why I joined the Problem Solvers coalition. The group is made up of both Republicans and Democrats, alike, who are committed to focusing on policy, not politics. We meet on a regular basis to discuss, debate, and find common ground on the most pressing issues of our day. It is only through a mutual understanding and respect that we will begin to address the serious issues our Nation faces and move forward together.

Mr. RIBBLE. I thank the gentleman for his comments.

Mr. Speaker, with that, I would like to yield to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Thank you, Mr. RIBBLE, and thank you for conducting this hour this evening.

As I travel around my district in upstate New York, which forms the convergence of Vermont, Quebec, and New

York, I hear a couple of questions from my constituents. The first is about jobs, and the second is why can't you fellows work together?

No Labels is a big part of that answer. We must work at the process of discussing issues, of gathering facts—and I want to repeat that, of gathering facts—then discussing those facts, and then reaching compromise. That is what the American people sent us here to do. That is why I came to Congress 3½ years ago.

We all recognize that no one—no party, no group—has a monopoly on good ideas, nor on the facts. I urge all of my colleagues in Congress to work with us so that we will develop the kind of relationships, the kind of action, the kind of motivation that allows us to work for our friends and neighbors at home, those whom we call constituents.

□ 2010

Mr. RIBBLE. I thank the gentleman for his comments.

With that, I'd like to yield to the gentleman from California (Mr. BERA).

Mr. BERA of California. Thank you to my colleague from Wisconsin for organizing this, and thank you to my colleague from New York.

I am honored to be here with colleagues from both sides of the aisle. As you've heard us talking about the Problem Solvers, that's what we're elected to do—to solve problems. One of the first organizations I joined when I got here was the No Labels organization. One of the first bills that I had the honor of cosponsoring was the No Budget, No Pay legislation. What a novel idea—putting together a budget. That was a bill that was an idea that came out of the Problem Solvers. We sponsored that bill, we put it forth, and lo and behold, the House of Representatives has a budget, the Senate has a budget, and the President has a budget.

We've got to continue moving forward, and that is exactly what this organization allows us to do. It brings Democrats and Republicans together to have a conversation, to listen to one another and to solve problems. We're not going to agree on everything. In fact, in divided government, it isn't necessary that we agree on everything. You want to have all the ideas, but we're not asking anyone to give up their convictions. What we are asking, though, is for us to listen to one another, to hear the ideas that are being put out there and then to find common ground so we can start working together on that common ground, moving forward and addressing the challenges that our Nation faces.

We don't have to look too far back in our history to see how this works. The great Speaker, Tip O'Neill, was able to work together with President Ronald Reagan to not only address some of our debt and deficit but to also strengthen

Social Security. President Bill Clinton was able to work with Speaker Newt Gingrich to not only balance our budget but to create budget surpluses.

Now, the American people expect us to start working together. I grew up in a country that always talked about what we could do, that focused on the challenge of the day. It is time that we start coming together as Democrats and Republicans, and it's time we start solving problems. That's why I'm so glad to be here and to be a member of the Problem Solvers and a cochair of the Problem Solvers.

Mr. RIBBLE. I thank the gentleman.

I would now like to yield to the gentlelady from Hawaii (Ms. GABBARD).

Ms. GABBARD. I would like to thank my colleague from Wisconsin for leading this effort and for his leadership in bringing together Members from all parts of the country that represent many diverse viewpoints.

I know, for me, one thing that I often hear every time I go home is a sense of frustration from constituents, from people within my community, who ask: Why can't Congress get anything done? What are you doing to take action for the American people? Is there hope, is there any way to fix this mess that we seem to be in?

I was talking with some of my Republican colleagues, new Members, and I found that the answer that we were giving people when they expressed their frustrations was the same. And that was, the hope that we see every day as we do our work here lies in the fact that, collectively, we recognize that we have a mandate from those in our communities to work together, to do the people's work and to remember every single day that the most important thing we share in common is that we serve at the pleasure of our constituents as Representatives, as voices for the people.

To me, that's really what this Problem Solvers Caucus is all about. It's about Democrats and Republicans coming together, finding these practical, real solutions that will allow us to make true progress in the spirit of service. As my colleagues know, I often talk about how this is what we in Hawaii call the spirit of aloha: when you can have a conversation with someone with whom you may disagree on some issues but whom you can respect, whom you can listen to sincerely and have a true conversation with to come up with the best idea and the best solution on how we can serve the people.

Earlier today, I had the opportunity to go with some of my colleagues, a bipartisan group of us new Members, to the Tomb of the Unknown Soldier. We laid a wreath there at the tomb, as we head into Memorial Day, and we had an opportunity to reflect on the great sacrifices that have been made in the history of our country, and it personally gave me the opportunity to remember

some of the sacrifices that my friends and battle buddies have made. It reminded me of what our responsibility is, which is to honor them, and it reminded me that there are no labels when you're in a foxhole, that there are no labels when you're walking on a patrol, and that, when these great heroes are out serving our country, there is no label identifying their party affiliations, their religious practices, the communities that they come from, because they understand it's about one team, one fight, serving one awesome Nation.

That's our responsibility here—to serve in that same spirit and recognize we have many problems that need to be solved now, not next month or next year or after the next election cycle, but that we have to stand up, honor them and work together to find our common ground and pursue these commonsense solutions. If we do that, then we will truly honor them, and we will embrace the trust that has been placed with us.

Mr. RIBBLE. I thank the gentlelady, and I thank her for mentioning our veterans.

My own father left the mainland in 1945, and the first place he went was to Pearl Harbor on the Island of Oahu, in your home State, before he went into the Pacific Theater. I can't help but think that he would have wanted this very thing to have happened here in that we would actually come here and spend our time honoring the sacrifices that those men and women made and finding solutions for the American people, making the American Nation a better place to live and work, to study and grow up and excel, and to become the type of people we can become.

So thank you very much for your comments today.

Now I would like to yield to a good friend of mine from Illinois, a Chicago Bears fan himself, Mr. LIPINSKI.

Mr. LIPINSKI. I want to thank Mr. REID RIBBLE for yielding, and I want to stand here on the Republican side of the well to just express how important it is that we stand here together.

As Mr. RIBBLE just mentioned in talking about our veterans, yesterday I was at an early Memorial Day commemoration. The people there weren't talking about Democrats and Republicans. We were talking about those men and women who had given their lives for our country—standing together, fighting together to maintain our freedom.

Today, we see too much division here in Washington. Now, my background is in engineering. Engineers are problem solvers, so I came to Congress 8-plus years ago determined to solve problems. As our Nation's problems have gotten bigger, Congress has gotten smaller, not smaller in size and certainly not smaller in ego, but smaller in the capacity to get things done. My

constituents certainly see this. What they want to see is Washington working together to help with job creation, to work on reducing our debt and to work on solving the many other problems that we face. Instead, they see fighting in Washington.

Now, where I come from on the southwest side of Chicago, in the bungalow belt, we know that when we are sent to do a job there is a bottom line—get the job done. Businesses, families, organizations know, if they're going to survive, they must solve problems. It's time for Washington to get this because we must come together to face these big issues, and that's what Problem Solvers and No Labels are all about—coming together. Not to lose the fact that we are Democrats and Republicans, liberals or conservatives, but to work to solve problems.

We must do this. If we do not, we will be failing the American people—failing our constituents, those who have sent us here. If we do come together, we can work to solve some of these problems and make sure that America's brightest and best days are still ahead of us. The American people are counting on us.

So I am glad to stand here with my colleagues on both sides of the aisle, and I thank Mr. RIBBLE for leading us here tonight to say we are united to solve problems. We are no labels. We're not going to solve the problems overnight, but this is where we need to start to let the American people know that there are Members of Congress, there are people in Washington who want to work together and solve these problems. I pledge my support to my colleagues here, and we are going to work together as America's brightest days are yet to come.

□ 2020

Mr. RIBBLE. I thank the gentleman for his comments. And I just have to say if a Green Bay Packer fan like myself, Mr. Speaker, and a Chicago Bear fan like Representative LIPINSKI can get together and talk about things—if we can talk about that, we can talk about anything.

In fact, around Christmastime 2009, is when I became convinced about possibly running for Congress for the first time. I'm in my second term, Mr. Speaker. I came here to this Chamber not just to represent the citizens of northeast Wisconsin, but I came here because I believe that the fabric of trust between the American people and this government has been torn. But fabric torn can be mended. It can be mended by common thread that binds us together not as Republicans and Democrats, men and women, but common thread that binds us together as Americans.

Common thread can only be used if it's found; common thread can only be found if you seek it.

One of the reasons that I feel we sometimes can't repair this torn fabric is because it's so difficult to find the common ground. But common ground, indeed, can be found when representatives are willing to seek it out.

Mr. Speaker, our Founders established a representative Republic and instructed us. They said that if we can find agreement, do those things. But if we couldn't find agreement, they warned us as well. They said, Where you can't find agreement, it might be best for you not to do those things until you can, in fact, find agreement.

So we have to go out and we have to look for it, and I could talk to my Republican colleagues every single day. In many respects, it's like preaching to the choir, and I think that preaching to the choir is a fine thing. I mean, you often preach to the choir because you want them to sing. The fact of the matter is I have agreement with my Republican colleagues on most things—not everything, but most things. So therefore I must go and talk to my colleagues on the other side of the aisle.

The fastest way to mend that torn fabric is by meeting people, by building trust, by taking the time to understand them and then seeking the areas of common ground, to find the common thread that binds us together, and when we find that, we can begin to repair the torn fabric between the American people and its government. It's really what we've been sent here to do.

We've been sent here to find and solve problems, not to fight about them. Disagreement will happen. In fact, you can look historically into this Chamber, and there's been a lot of disagreement. It dates back to the beginning of our Nation's founding. There's also been a lot of agreement.

Think about the differences from 1787 to today. Think about the America that exists today. Much of it exists because the men and women who were sent by the citizens of their districts to lead came here, and through statesman-like qualities, were willing to lead. They had the courage to make tough decisions and then lead this country to the place that it is today.

I am filled with hope about America. I'm filled with hope because of the colleagues that I work with here. I'm filled with hope, Mr. Speaker, because of men like you.

Mr. Speaker, I thank my colleagues for their time, and I yield back the balance of my time.

CBC HOUR: HIGHER EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members

be given 5 days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is an honor and a privilege to once again have this opportunity to anchor the CBC Special Order along with my very distinguished colleague, my good friend from the Silver State, Representative STEVEN HORSFORD, where for the next 60 minutes during this hour of power, members of the Congressional Black Caucus will have an opportunity to speak directly to the American people about the issues facing higher education here in America.

We are at a crisis moment as it relates to our capacity to make sure that we can provide an affordable college education to as many Americans as possible. The problem that we in this country confront is twofold. First, the cost of a college education keeps going up, but the amount of financial aid available to younger Americans keeps coming down. As a result, higher education is increasingly out of reach, particularly for low-income Americans or working families or the sons and daughters of the middle class.

A college education is a pathway to the American Dream. The fact that it's increasingly out of reach is incredibly problematic for this great country. Compounding that fact secondarily is the reality that the amount of student loan debt for younger Americans has increased exponentially. If the Congress does not act in advance of July 1, then the interest rate for federally subsidized student loans will double in its amount. It will increase from its current rate of 3.4 percent to 6.8 percent. This increase will impact more than 7 million younger Americans. It's a crisis that we must confront.

The CBC today will lay out a vision for how we can deal with the immediate crisis that we confront that's approaching as we march toward July 1, as well as ideas for tackling the broader issue of college affordability. Many of our members will also lay out the problems with the GOP approach as represented in H.R. 1911, which will only make the problem worse—not better.

We're pleased that so many of my distinguished colleagues have joined us today to participate in this Special Order. To get us started is our eloquent and dynamic leader, the chairperson of the Congressional Black Caucus, Representative MARCIA FUDGE.

Ms. FUDGE. I thank the gentleman for yielding, and I want to thank my colleagues, Congressman JEFFRIES and Congressman HORSFORD, for once again leading the Congressional Black Caucus Special Order. I cannot think of a more timely topic for today's Special Order as once again our youth are facing a student loan crisis.

Mr. Speaker, George Washington Carver once said, "Education is the key to unlock the golden door of freedom." Nowhere is this truer in this country, where we know for a fact that access to a quality education is the ladder to a better and richer tomorrow. Providing access to education is in America's very DNA, and it goes back to when two of our Founding Fathers, Benjamin Franklin and Thomas Jefferson, established State universities.

This tradition continued in 1862 when President Lincoln signed the Morrill Land-Grant Acts to create land-grant colleges, an effort to promote higher education for working class citizens. Nearly 100 years later, President Lyndon Johnson signed the Higher Education Act of 1965, and thus the Pell Grant was created.

Today, an affordable college education is more important than ever in this country's history. In the next decade, 63 percent of all jobs will require at least some post-secondary education. And in order to compete for jobs in the future, our children must be equipped and not saddled with debt. Congress has a duty to ensure that Federal education assistance is both affordable and accessible.

On July 1, if Congress does not act, rates for college students taking out subsidized Department of Education loans are scheduled to double from 3.4 percent to 6.8 percent. Unfortunately, Mr. Speaker, this week the House, the place affectionately referred to as the "people's House"—believe it or not—will consider a bill that would do more harm than good.

□ 2030

My colleagues on the other side of the aisle will bring the so-called Smarter Solutions for Students Act to the House floor. This bill is not a smart solution. In fact, it is not a solution at all. It actually makes it more expensive for students and parents than if Congress did nothing and let the interest rates just double.

To be clear, I want to ensure Americans know exactly what Republicans are proposing. The Congressional Budget Office found that this bill will cost students and parents \$3.7 billion in additional student loan interest, and those charges will be over a 10-year period. So why propose such a bill? Why would Members of Congress in the people's House claim this is a good bill? Believe it or not, this legislation is an attempt to move closer to a balanced budget on the backs of college students. The true purpose of this legislation is to squeeze out revenue to pay down the Federal debt.

Yes, we will vote on a bill this week that seeks to decrease the Federal deficit on the backs of a generation already being called "generation jobless." Yet, still no jobs bill. This legislation totally ignores the fact that stu-

dent loan delinquency and default rates are already exceedingly high. Due to the recession and unemployment, nearly 20 percent of student loan borrowers were 90 days or more behind in payments at the end of 2012. So why increase it more?

In addition to the student loan crisis, I have to mention the Department of Education PLUS loan crisis, another crisis that is breathing down the backs of college students. Over the last few years, thousands of students have been sent home from college because their PLUS loans were denied after the student year commenced. HBCUs have lost millions in revenue.

The CBC recently met with Secretary Duncan and requested that the Department reverse course to stop the bleeding. As a result, the Department is sending out notifications in an effort to get students back into school, and hearings will be held around the country this month and next month.

College presidents, students, and parents must speak up and demand a change. The CBC will continue to push back and speak out as the future of student loan programs are debated. We will not stand by and watch Congress or the Department of Education hurt our students' chances at a better tomorrow. Not on our watch.

Mr. JEFFRIES. I thank you, Chairwoman FUDGE, for so eloquently laying out both the history in this great country of investing in higher education, whether it is the private school context or in the public school context, but making sure consistently that our young people are prepared for the challenges of the modern day economy, which will increasingly require a college degree, if not a graduate degree and significant training. That is why we at the CBC feel it is important to make sure that we make college more affordable, not less affordable, as the GOP proposal would do.

We have also been joined by a very distinguished colleague from the Lone Star State who has been a tremendous champion on this issue and on many others in the Congress, and so I now yield to Representative SHEILA JACKSON LEE from the great city of Houston.

Ms. JACKSON LEE. Allow me to thank both of my very good friends, the gentleman from New York and the gentleman from Nevada, for really answering the call of the First Amendment. The First Amendment guarantees the freedom of speech, but I think the most important part of speech is information. Thank you for the opportunity to share with our colleagues and share with America the pending crisis.

If I might just quote from an article in the Houston Chronicle by a writer in the early part of February, Mike Tolson, that said:

Like a hurricane churning across the Gulf of Mexico, the looming Federal sequestration threatens everything in its path. If the

deep and automatic Federal budget cuts actually take place, there will be damage somewhere—perhaps a lot of somewheres.

So today we're standing on the floor of the House embracing some of the historic comments as relates to the African American community and other minority communities about the value of education. How many of us have been told by our parents that it was the door, the key, to opportunities? How many of us recognized it by listening to the words of Dr. Benjamin Mays, who was a leading voice at Morehouse and an educator, who always spoke of the slaves rising from the ashes, to be educated, to do good? And the debate between Booker T. Washington and W.E.B. DuBois. It was a question of The Talented Tenth, but it was also a question of those who could pull their buckets up where they stand, to be artisans, carpenters, painters, and others. But it was to learn something, to be educated.

Today I stand sadly on this floor, Mr. JEFFRIES, and acknowledge that as I speak, one of my boards is having a meeting. They are a school district, not higher education as we talk about tonight, but it plays into this because there is a siege upon education in America. That board and that community, the North Forest Independent School District, is fighting with every breath in their body to keep from closing after they've succeeded in reaching all of the goals that were given to them by the Texas education agency. But our Governor, Governor Rick Perry, is opposed to their survival. Our commissioner, Commissioner Michael Williams, is opposed to their survival. And as well, what a contrast, when just a few days ago he saved another school district, not African American, with the same proposal North Forest has.

So I stand on the floor today to join you and acknowledge: is the siege continuing? It seems to be, because right now our friends, our Republican friends, this House, refuses to have a conference on the budget. A conference on the budget might put us in a better position than what we will be doing today, H.R. 1911. It might put us in a better position than what the Department of Education, unfortunately, has had to do with the reconfiguration on the parent PLUS loans.

I ask why the budget conference has not been called? Why are we on the backs of people who are suffering and who want to get an education? Why are we on the backs of those, like in north Texas, who are suffering from tornadoes or the disaster today, where we don't know how many lives have been lost? Why are we suffering? Why don't we have a budget conference? Why are we suffering when we recognize how much education provides? I thank you, Mr. HORSFORD, for this initiative to show what it means to get an education. This is what our parents told us.

Less than a high school diploma, weekly earnings \$451; high school diploma or GED—and I spoke to a group that got a GED, \$638, congratulations to them. A bachelor's degree, \$1,053. And a professional degree, \$1,655.

This is a 2012 document, and I just want to call out these numbers of unemployment. They're higher when you don't have a high school education, almost 15 percent and growing; 10 percent for a high school education; and of course the numbers go down.

So it is of great concern that we now are facing legislation that is going to take the fat—oh, let me just stop and say that. Somebody says fat, they say: Oh, yeah, we want to take the fat out. That is going to go to the bone of individuals who are simply trying to get an education.

Sequestration is cutting NASA. It is cutting education programs. I just met some people on an airplane who said that all my programs from Rice University in science have been wiped out because of sequestration. Now my friends want to bring H.R. 1911, rather than listening to what we can do here today.

I introduced H.R. 900 with JOHN CONYERS and a number of other Members who said, let's end sequestration. If we end sequestration, we wouldn't have to bring up H.R. 1911.

Let me just say these few words as I discuss these boards very quickly. Right now it is noted that student borrowing is widespread, and more than \$100 billion in Federal education loans are distributed every year. What that means is that is the debt we are putting on the children of America. A historically black college like Texas Southern University in Houston, 81 percent of the students receive some form of student assistance. They received \$85 million in student financial aid. In terms of student loan debt, 92 percent of those students are African Americans; 85 percent are Hispanic students—this is overall—and 85 percent are Native Americans students; 82 percent are multiracial students; and 77 percent are white students.

□ 2040

Last year I introduced the College Literacy Finance and Economics Act of 2011 to help our students manage their debt; but now we find ourselves facing an uphill battle, and that is the introduction of this legislation that I believe is probably the worst that we could ever have. Let me explain it to you and see what H.R. 1911 does.

We're right now at 3.4 percent. That looks like it's reasonable. If this bill passes this week, by July 1, we will be up to 6.8 percent—excuse me. By July 1, if we don't do anything, we'll be 6.8 percent, \$8,880 in interest to be paid. But if we pass H.R. 1911, we'll be at \$10,109 in interest. Isn't this a disgrace, a shame on a Nation that encourages

our young people, whether they go in business or not, to get an education?

And then as Mr. JEFFRIES mentioned, the Congressional Black Caucus has taken on the burden of a horrific burden that has been put on our parents, something called Parent Plus. In fact, I was looking at the numbers from Texas Southern University, who said they lost 450 students—and they don't know if they've got all the numbers—because the Parent Plus loan program caused students to drop out by the thousands across America. By the thousands.

I want to thank the Congressional Black Caucus and our chairwoman, Chairwoman FUDGE, for waking up this issue, along with our members on the Education Committee from the Congressional Black Caucus, because this is what is happening under the Parent Plus program.

Already bad under current law, in terms of the interest paid, \$27,956. But look what will happen under H.R. 1911. It would force parents to pay 28 percent more on their loan, \$35,848.

A debt on parents is a debt on the children. If the parents got ill, if the parents lost their jobs, if the parents had other children to take care of, and that one student that they invested in and they loved, trying to get the others to come up behind them, parents meaning well, doing well, and you're going to burden them with this burden on top of that, the student that is trying to increase their income.

So I would simply say that we're facing tragedy in our country with bad weather, but we're facing a tsunami of disaster on the floor of the House with the lack of a budget, with a sequester that is now getting into the seams of our life by causing enormous debt and legislative initiatives that are unwise and devastating.

And so I'd ask today that we move on the budget conference. And I ask the Speaker to bring up H.R. 900, a simple sentence. It says: to remove the sequestration from the 2011 Budget Act and go back to regular order.

Many of us are looking at amendments offered by the gentleman from Connecticut (Mr. COURTNEY), whose legislation we supported last year. But we want anything but this devastating bill that is going to snatch the opportunity and the dignity of education from those who are trying.

I close on the remarks of President Obama as he spoke to the historic Morehouse College this past Sunday, thank him for visiting with those young men. And he talked about a young man who had a rough upbringing, a difficult upbringing, and he congratulated that young man because that young man had now graduated Phi Beta Kappa from Morehouse College and is going on to Harvard Law School.

I can assure you that that young man had his own sticktoitiveness, but also that the young men in those colleges

like Morehouse have loans and depend upon financial aid, generally speaking.

And so what Mr. Obama conveyed to those young men, that the sky is the limit, that there should be no obstacles in front of you; don't blame anyone else; keep climbing up the ladder.

And we stand here on the floor this week to snatch the very promise of education out of the hands of those students, no matter what race they are, snatch it out of their hands with a devastating, crafty, expensive, trickery such as H.R. 1911.

I pray, as I go to my seat, I pray that wisdom will take charge, and that Members of Congress will come together and defeat H.R. 1911 and put on the floor of the House the legislation that has been offered by many on this side of the aisle, to be able to ensure that those individuals, parents and children, continue to claim the American Dream no matter where you walk from, no matter what story you have to tell, no matter what your racial or ethnic background is.

I'm glad that the CBC is standing here today to tell our story and to speak for America. I thank the gentleman for his courtesy.

Mr. JEFFRIES. I thank the distinguished gentlelady from the great State of Texas for laying out in very clear terms the two different visions that exist here in the House of Representatives as it relates to how to deal with access to higher education. The CBC vision is a clear one. We want to increase opportunity to a college degree because we recognize that it's a great way to the American Dream. The other side, unfortunately, has put forth a plan that will help snatch that opportunity away, make it more expensive, increase the debt burden.

And unfortunately, this one particular issue, as it relates to the student loan dynamic, fits within a broader dichotomy as to how we approach dealing with the problems in America. We believe in a balanced approach that invests in America and education and prepares our young people for the challenges of the 21st century economy. But the other side seems to have taken the approach that they're going to balance the budget on the backs of the most vulnerable here in America, and that includes young people who are trying to pursue a college education.

That's what their budget proposal says. Take away \$168 billion in higher education funding, and then, at the same time, when, on July 1, student loan rates may double, put forth a bill that has been articulated to have made the problem worse if, in fact, it is ever enacted into law.

We're pleased that we've been joined, once again by my distinguished co-anchor, STEVEN HORSFORD, who represents the great State of Nevada, and so I now yield to my good friend, Congressman HORSFORD.

Mr. HORSFORD. To the coanchor, to my friend and colleague, the gentleman from New York, Representative JEFFRIES, I appreciate your leadership and the leadership of the Congressional Black Caucus in focusing this hour on such an important issue as the cost, the increasing cost of attending higher education in this country.

You know, Mr. Speaker, this week, graduations are being held across the country. Families are celebrating the achievement of students who have worked hard for the last 4 years or more to earn their degree. So I find it ironic that on this week when Americans are celebrating the achievement of students who have worked so hard that my colleagues on the other side would propose such a hypocritical piece of legislation as H.R. 1911.

H.R. 1911 is nothing but a bait-and-switch scheme that makes attending college more expensive. Can you imagine that? Proposing a piece of legislation that costs the American people more to go to college? People are already struggling to go to college as it is.

According to the CBO estimates, Federal student interest rates will be higher than current fixed rates for millions of borrowers. That means that if you're financing your college now, it's likely you will be paying more once you graduate under the Republican plan than you would today.

H.R. 1911 makes student loan interest rates change year to year, based on the 10-year Treasury note marked up by 2.5 percent to 4.5 percent. So to be plain, when next year's freshmen graduate and start having to repay their loans in 2017, their interest rate on that loan taken out in their freshman year is projected to be 7.4 percent, more than double today's current 3.4 percent rate for subsidized Stafford loans.

□ 2050

For a freshman starting college this fall who borrows the maximum annual loan under the Department of Education, their subsidized and unsubsidized loan programs, they will pay about \$2,000 more in interest under H.R. 1911.

Now, why is this so appalling? We recently learned that this year alone the Department of Education is expected to make \$51 billion in profit off students financing their education. Some of you may ask, How is it that the Department of Education is making a \$51 billion profit when American families and students are struggling to even pay the tuition costs that they have? We teach our children that it's important to save, to be responsible with their money, and to get a good education. But with the system set up the way it is right now, those goals are mutually exclusive.

How are students supposed to save? When will they be able to pay off a

record \$1.1 trillion in debt that they are saddled with now? It was just reported that there is more debt on student loans than there are credit card payments in America. How do they begin to consider to plan their lives, to prepare to buy a home, when they're trapped under a mountain of debt?

I have students that come to me when we have Congress on our college campuses and they express great fear and trepidation about their future. They're working so hard. I have single parents who are literally taking every dollar from the two jobs that they work to be able to afford their college tuition. I cannot go back to them and tell them that my colleagues on the other side propose a bill that makes the college costs for their loans double. It's unacceptable. It's unacceptable when companies like JPMorgan Chase, Bank of America, Citigroup, and Wells Fargo reported a combined profit of \$51.9 billion and the Department of Education has the same amount of profit as those four companies combined.

And so, Mr. Speaker, my colleagues in the Congressional Black Caucus, I have got to say that we've got to tackle H.R. 1911. We have to figure out a way to come up with amendments to keep the interest rates on college loans at 3.4 percent, as they are now, or to ensure that they're capped at a level that is predictable for students. But we also have to address this other underlying issue. It is not fair to American students that they are working harder and harder, that their families are struggling; and yet there's a billion-dollar profit that's going to the Department of Education. There's a \$51 billion profit that comes back and goes to the Treasury to pay down the debt, and yet corporations continue to get tax incentives and corporate subsidies.

Enough is enough, Mr. Speaker. Enough is enough. When are we going to require major corporations to do their part? Enough is enough. College students in America have worked too hard. Families have struggled for too long. The hope of a college education that so many people strive for is costing more and more, and now my colleagues on the other side want it to cost even more. And so we're here tonight to say, no, that is not going to happen. Not on our watch. And we're going to fight and work hard until it does not.

I've got two questions to my colleague, and then I'm going to yield back. I tweeted out #CBCTalks and I asked constituents to send in a question or two that I could respond to. I was asked by a constituent, David Webb, a counselor, Wouldn't increasing the student loan interest rate discourage minorities' ability to go to college? Absolutely. The answer to that is yes. If the cost to attend college and take out loans for college will double—it's

already too high now—too many students are foregoing their chance to get a college education because they can't afford it. This will just make it worse.

I was also asked by a constituent, Troy Amaro, if H.R. 1330 is passed by using the 10-10 scenario, what happens to the rest of the debt that is unpaid? I want to thank him for his question. I know we are working on the Student Loan Fairness Act, which offers a 10-10 repayment plan that would require borrowers to make 10 years of payment on their Federal student loans at a 10 percent rate of their discretionary income. And then once that period is done, the loan would be forgiven.

Those are the types of solutions that we need to be working on so that college can be more affordable for the American student and the American family. And to my coanchor and to the members of the Congressional Black Caucus, I'm hopeful that we will continue to raise our voice on this issue and to make it clear that the proposal by our colleagues on the other side, H.R. 1991, is not a solution. It is costing the American people more for college at a time when they can least afford it.

Mr. JEFFRIES. I thank the distinguished gentleman for raising some very eloquent points and doing it in such a thoughtful and passionate way. These are solutions, Mr. Speaker, that we really should be discussing in the context of a conference committee to come to some resolution around the budget.

For about 4 years, Members of the other side of the aisle were complaining about the absence of regular order, but this year we passed a budget in the House of Representatives in March. The Senate then passed their budget plan in the same month. The President came back in April, after we got back from recess, and presented his budget. The next step in regular order, which the House GOP has been asking for for 4 years, would be to appoint conferees so the Senate and the House can sit down and work it out and discuss some of the solutions that Representative HORSFORD and other Representatives of the American people have put forth to deal with our economic situation, make higher education more affordable, and provide businesses with the certainty that they need.

And so the question is, What is the House GOP afraid of? Why haven't you appointed conferees so we can sit down and have a discussion to work out the issues and the problems that are confronting the American people?

We've been joined by another distinguished member of the freshman class, one of the newest Members of the House of Representatives, Representative ROBIN KELLY from the great State of Illinois.

Ms. KELLY of Illinois. Thank you for your leadership, Congressman JEFFRIES.

This weekend, three students very close to me celebrated their college graduations: Brace Clement at the University of Wisconsin, Amelia Lumpkin at Davidson College, and Whitney Horn at the Illinois Institute of Technology. These three young people represent the best and brightest this country has to offer.

□ 2100

Congratulations Brace, Amelia, and Whitney. I am extremely proud of you. They are just three of the thousands of students across the country who celebrated their college graduations this weekend. It's a joyous time, but for some it's also a nervous time because more students than ever are walking across the stage weighed down by student loan debt.

The cost of a college degree has increased by more than 1,000 percent in the last 30 years, according to a report by the Center for American Progress. Two-thirds of students who earn 4-year degrees graduate with an average student loan debt of more than \$25,000, according to the report. Today, 37 million students are facing student loan debt, and the total student loan debt burden tops \$1.1 trillion.

The mounting student debt is stunting the growth of a generation of graduates who are facing a tough job market and high student loan payments, or putting off key milestones, such as buying a house or starting a family, which further stifles the country's economic recovery.

The problem is most acute among students of color, with 81 percent of African American students graduating in debt compared to 64 percent of White students. And not only are more Black students graduating with debt, they are graduating with higher levels of debt. According to the report, 27 percent of Black bachelor degree recipients have more than \$30,000 in debt, compared to 16 percent of their White counterparts. It is against this backdrop that student loan rates are set to double on July 1.

A Republican bill being considered this week would have student loan interest rates change year to year, based on a 10-year Treasury note, a move that could push rates as high as 7.4 percent. This is unacceptable.

Raising interest rates on student loans will be pricing our students out of the American Dream. At a time when a college degree is more vital than ever to national and global competitiveness, we will be putting the goals of attaining a degree further out of reach of our young people, particularly young people of color.

Our students, many of whom have graduated to find themselves unemployed or underemployed, are already struggling to pay back loans at the current rate level and are facing years—and, in some cases, decades—of

loan payments ahead. Raising the rates on students who are already struggling to make ends meet is just wrong, counterproductive, and will have a chilling effect on future generations of students who will be forced to forego an education due to skyrocketing costs. We should be opening more avenues to a college education for young people, not slamming the door shut in their faces.

I agree with my colleagues that a two-step approach is needed to address the student loan crisis. We should first freeze the current rate, 3.4 percent, on subsidized Stafford loans for the next 2 years and keep other educational loan rates steady to remove the immediate fear of students and their families of the impending rate increase. We should then investigate longer-term solutions to the student loan problem as part of a comprehensive approach to addressing our Nation's mounting student debt, escalating college costs, and broken financial aid system as a whole.

In investigating options for increasing college affordability, I agree with the notion that we should, at the very least, be open to giving our students the same interest rates we extend to banks. Our young people deserve the same backing and support. It is not only the right thing to do, but the investment in our students will net a much bigger payoff for our Nation for generations to come.

Mr. JEFFRIES. I thank the gentleman for her very insightful comments.

You know, it's interesting, as Representative KELLY pointed out, when the economy collapsed in 2008, it created a situation where many younger Americans entered into the job market and confronted increased difficulty in securing employment in their area of study or in any other area of study. So it doesn't make a lot of sense to many of us that, as we still continue to deal with a fragile economic recovery, why in the world would we shoulder these young Americans with an increased student loan debt burden in the face of an already difficult job market? That's a question that our friends on the other side of the aisle are going to have to answer this week, and I don't think that the American people will like what they have to say in that regard.

We're pleased that we've been joined by the very distinguished gentleman from the great State of Virginia, someone who has spearheaded the CBC effort as it relates to our compassionate and strong and responsible budget. I'm pleased to yield to Representative BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding time, and I thank him for holding this important Special Order as we talk about college education and making it affordable.

We know that a college education is extremely important to young people. It can transform their entire lives and

open opportunities that are not available to those without a college education.

We know that the good jobs require education. Ninety percent of the good-paying jobs in the future will require education past the high school level—and not necessarily a 4-year college, but some education and training past the high school level. Of course, that would include college. There's an old adage that the more you learn, the more you earn; the more education you get, the more likely you are to have a much higher income.

Now, we know that the benefits of a decent education not only accrue to the individual, but also to the community; because those communities that have a well-educated constituency are much less likely to have to suffer as much crime or pay as much for social services as those communities that do not invest in education.

And our national economic competitiveness depends on an educated workforce. We're not going to be able to compete, for example, on low wages if people around the world will work for much lower wages. You don't have to be near your customers or even near your coworkers anymore. We've got delivery. You can deliver things all over the world. And if you can work across the hall from your coworkers, you can work across the globe from your coworkers with a computer and a modem and the Internet and everything else.

The reason that businesses want to locate in the United States is because they know they can get a well-educated, well-trained workforce. And if we allow people to fail to reach their full potential, we will not be achieving our full economic competitiveness.

So we know the benefits of education, particularly a college education. And we know that some young people are looking at the high interest rates and the cost of education and are calculating that it's not worth it. There can be nothing worse for our Nation than to have young people fail to achieve their full potential because they cannot afford a college education.

Several years ago, in 2007, Congress passed a cut in the interest rate on student loans to make college more affordable, cutting the interest rate in half, from 6.8 percent to 3.4 percent, for 5 years. At the end of 5 years, last year, we extended it for another year; but on July 1, in just a few weeks, that interest rate will double back to 6.8 percent if we don't do anything.

Last week, the Education and Workforce Committee considered legislation to deal with the interest rate. Unfortunately, the bill recommended by the Republican side of the aisle was actually so bad that, according to the Congressional Research Service, students would actually be better off if we just did nothing and let the interest rate double to 6.8 percent rather than take

that variable interest rate that they had, with the extra fees and everything else along with it. We would be better off if we just let the interest rate double.

You're asking young people to sign up for a variable interest rate. When they sign up, they have no idea what the interest rate will be later on; but the Congressional Research Service said, based on projections, that they would be better off with the 6.8 percent rate than what they're going to end up with under the Republican bill.

What we should do is protect the present 3.4 percent interest rate for students. It's reasonable, and it makes college much more affordable. Or, if you're going to have a variable interest rate, have it at a low rate similar to what we're charging businesses and what they're able to borrow money at, with the protection against increases so you're no worse off with the legislation than you are today.

We can help students afford college, but not with the bill that the Education and Workforce Committee considered because that's actually worse than just letting the interest rate double.

We owe it to our young people, we owe it to our next generation, and we owe it to our Nation to make sure that our students get the best education that they can, and making college affordable is part of that challenge. We need to make college affordable, and we need to make sure we defeat the bill that was reported by the Education and Workforce Committee because that's actually worse than doing nothing.

Again, I thank you for holding the Special Order and doing what we can to make college affordable.

□ 2110

Mr. JEFFRIES. Thank you so much, Representative SCOTT, certainly for your eloquent and thoughtful observations, and for pointing out what really is a very interesting fact as it relates to what we're doing here in Washington, D.C., this week. If we just simply did nothing, if we all went back to our districts and didn't act in advance of the student loan rate doubling on July 1, that we would actually be better off going back home and doing nothing than if we acted upon the GOP proposal, H.R. 1911, which independently and objectively has been proven to show that it would make the situation, which is bad, now worse for millions and millions and millions of American students. That's why so many of our constituents are cynical about a lot of the things that happen down here in Washington, D.C.

We've been joined by another distinguished member of the freshman class, someone who herself had a very prominent career prior to arriving here in the House of Representatives in higher education, as well as a leader in the Ohio legislature.

I'm pleased to yield now to the distinguished gentlelady from Ohio, Representative JOYCE BEATTY.

Mrs. BEATTY. Mr. Speaker, let me also join my colleagues in thanking Mr. JEFFRIES and Mr. HORSFORD for leading the Congressional Black Caucus' important discussion about rising burdens of student loans on our families and on our economy.

Higher education is a major part of the American Dream. I know as a college graduate and I know as a senior administrator at a university, access to higher education must continue to be an option for the American Dream to continue to be a reality.

The increasing financial burden higher education is placing on students, families, and the economy is unsustainable and threatens our country's economic progress. According to the Federal Reserve Bank of New York, almost 13 percent of student loan borrowers of all ages owe more than \$50,000, and nearly 4 percent owe more than \$100,000. These debts are often beyond the students' ability to repay, which is demonstrated by the fact that delinquency and default rates are soaring.

This week, the Smarter Solutions for Students Act, H.R. 1911, will come to the floor. Unfortunately, it is partisan legislation and is not a sufficient solution to address our Nation's student loan crisis; and it is certainly worth repeating, as you have heard and you will repeatedly hear. In fact, it makes students worse off than if nothing is done to stop the increasing variable interest rates.

This bill actually would increase the cost of student loans for borrowers, discourage the use of Federal loans, and exacerbate the country's troubling student debt problem. Under this bill, interest rates for student loans will balloon over the next 10 years, costing students and their parents almost \$4 billion in additional loan interest charges.

As a former college administrator with numerous colleges in my district, I believe pursuing higher education is one of the best personal and professional investments one can make in your future. With the tens of thousands of students within my district, the impact of the student loan crisis is monumental for my community.

That is why I have cosponsored several pieces of legislation that will work to decrease the fiscal strain higher education can place on students. I've cosponsored the Student Loan Fairness Act, sponsored by Representative BASS, which is legislation designed to lend a helping hand to those struggling under massive amounts of student loans. This legislation actually caps interest rates for Federal loans and improves and expands public service loan forgiveness and creates a 10-10 loan repayment plan.

We must—we must keep our education loan rates stable, responsible, and affordable. We must find a solution that will allow college students to benefit from the 3.4 percent interest rates on subsidized Stafford loans. We must advance legislation that includes student loan reform in a way that provides realistic opportunities for our students to secure good jobs and pay off their student loans without falling into financial crisis.

I will continue to advocate for better ways to lessen the financial burden of higher education for all students in this country. Our Nation's students and families deserve an affordable education.

Mr. JEFFRIES. I thank the distinguished gentlelady from Ohio for her great leadership on this issue.

Mr. Speaker, would you be so kind as to let us know how many minutes are remaining in today's Special Order.

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. JEFFRIES. Thank you, Mr. Speaker.

We've been joined now by another dynamic member of the freshman class, who arrived a couple of months earlier than the rest of us. He has gotten off to a tremendous start. I now yield to my distinguished colleague from the Garden State, the always nattily dressed Representative DONALD PAYNE, Jr.

Mr. PAYNE. Mr. Speaker, I want to thank my colleagues for anchoring tonight's CBC Special Order on student loans and thank Congressman JEFFRIES for that kind observation.

Access to quality education is the basis the American Dream. In 1965, the Higher Education Act was passed by Congress and signed into law by President Lyndon Baines Johnson, a former rural schoolhouse teacher, who fully understood that education is the great equalizer.

Since then, student aid in this country has been a springboard that gives hardworking students with low- to moderate-income the opportunity to realize their goals and transcend economic status. The Federal Pell Grant program helps more than 9 million students get to and through college. Unfortunately, while Pell Grants cover a significant portion of tuition, currently it pays for less than one-third of a student's tuition at most 4-year public colleges.

Given rising tuition costs and the decline in family incomes, the importance of financial aid has only increased with time. The cost of college tuition in the U.S. has increased by more than 1,000 percent—yes, 1,000 percent—since the 1980s. This is more than the growth in the consumer price index. At the same time, the Federal Pell Grant is covering an even smaller percentage of the overall college cost.

As a result, the success of our graduates is being hampered by mounting

debt. Two-thirds of college seniors who graduated in 2011 accumulated more than \$26,000 in student loan debt. And I am increasingly concerned about New Jersey's graduates, who hold the 10th highest debt among college students in our Nation.

And while the cost of an education rises and the amount of the student debt skyrockets, young people struggle to find work. They've done everything we've asked them to do. They've worked hard, they've gotten an education, but unemployment for young college graduates remains at 8.8 percent.

So our graduates' dreams of making it on their own are stifled. They are forced to put their lives on hold, move back home with their parents, and pinch pennies to pay off their mounting debt. Not only does this debt negatively impact the quality of life for our young people, but it weakens our economy and our workforce as well. Financial constraints caused by student loan debt discourage recent graduates from pursuing public service jobs in medical fields that serve our seniors in low-income communities.

Yet knowing all of this, my Republican colleagues have been working overtime to exacerbate the problem and make college even less affordable.

□ 2120

The 2014 budget eliminates mandating funding for Pell Grants and freezes the maximum grant for 10 years while also cutting eligibility; and as of July 1, Federal student loan rates are set to double. Instead of adopting efforts to keep interest rates low for young people in a volatile economic environment, my Republican colleagues have introduced a bill—and are voting on it this week—that can increase rates far beyond this July increase. As I like to call it, it's the Making College More Expensive Act.

Mr. Speaker, I beg your patience as I go through a little rudimentary arithmetic.

Right now, student loan interest rates are fixed at 3.4 percent, meaning a student pays about \$4,000 in interest payments on a 5-year loan. If we do nothing and let the interest rate expire this July, rates will double to 6.8 percent, and a student will pay nearly \$9,000—more than the double—on the same 5-year loan. Now, if we do what the Republicans want us to do and pass their bill this week, student loan interest rates will skyrocket to an estimated 7.4 percent, and the same student would pay \$10,000 in interest. In other words, if we do absolutely nothing—nothing at all—it would be better than if we pass the Republicans' proposed bill in the House.

Now, I'm not suggesting that we do nothing—this body must act—but it is a sad reality when doing nothing is better than going along with what the

Republicans are pushing. Rather than invest in our future leaders and entrepreneurs of America, they propose to balance the budget on the backs of low- to moderate-income students. I fear that, by ignoring a generation buried under debt, we will cripple this country's future.

This great Nation is supposed to be a land of opportunity for all regardless of what you look like or where you come from. Throughout our history, the opportunities afforded to people of various backgrounds have built this Nation, creating a large and thriving middle class. Access to education has been the catalyst to this growth. As we look to our future, it is critical that we place education at the forefront of the plans for our success. We can start by stopping the doubling of student loan interest rates and by once again making a college education affordable for all of those who want one.

Mr. JEFFRIES. I thank the distinguished gentleman from New Jersey.

As we close, this chart really illustrates the magnitude of the collective problem confronting younger Americans in the United States of America. The student loan debt burden has now exceeded \$1 trillion. Now, in this Chamber, we hear a lot about the debt crisis facing America, but we have a student loan debt crisis that must be addressed.

I yield to my good friend, the gentleman from Nevada, STEVEN HORSFORD, for his thoughts on this matter.

Mr. HORSFORD. Thank you, Representative JEFFRIES.

This chart and this number should alarm every American family. As you just indicated, in this body there are those on the other side of the aisle who talk about not burdening the next generation with a debt that they cannot afford to pay. It is for us, as leaders, to do our job now so that they don't have to bear that burden in the next generation. This is why this issue is so fundamental and why we must get this policy right, so that we don't burden the next generation of students.

We have increasing numbers who are low-income and who now have that opportunity for the first time ever to go to college. We have increasing numbers who are minority students, first-generation students who need to pursue their educations without the burden of a \$1 trillion debt from taking out student loans. The Huffington Post reported recently that the spread between what the government pays to borrow and what it charges students creates a profit this fiscal year of more than 36 cents off every dollar lent to borrowers.

So the question is: Why are our colleagues on the other side proposing a measure to increase interest rates on students and families?

That money does not go to the Department of Education, Mr. Speaker.

That money goes to the Treasury, which goes to pay down the Federal debt. So the proposal on the other side actually charges students, an increasing number of low-income and minority students, more money in order to pay down the Federal debt so that the other side can keep corporate tax breaks for Big Oil, big banks, and millionaires. That's what this fundamentally comes down to. It's why every American should be concerned with this policy, and why we're coming up with a Democratic alternative worthy of support.

Mr. JEFFRIES. I thank the distinguished gentleman.

We will continue to do all that we can to make college affordable for every single American.

Mr. Speaker, I yield back the balance of my time.

Mr. VEASEY. Mr. Speaker, once again, we have been pushed to a political standoff over an important issue that affects the future of our nation. On July 1, college students will see the interest rates on their federal loans double. College is becoming less and less affordable each day, and the bill the majority has offered for a vote this week, H.R. 1911 the Smarter Solutions for Students Act, provides no reprieve for college students. In fact, if this bill becomes law, it would make college more expensive for students and their parents than if Congress did nothing and let the interest rates double. It shouldn't be titled the Smarter Solutions Act, but rather, the Making College More Expensive Act.

It is not simply rhetoric or a baseless claim to state that the Republican bill will increase the cost of college. The Congressional Research Service looked at different scenarios where a student or their parent would use a federal loan in order to pay for college and how much that loan would cost under the Republican plan if rates were frozen at 3.4 percent, and if rates were allowed to double to 6.8 percent. Based on projected interest rates, CRS found that the Republican-led H.R. 1911 would increase interest payments under each scenario. If we look at one particular scenario, a student who borrowed the maximum amount of subsidized and unsubsidized loans for five years would see their interest payments increase over the lifetime of the loan by 14.5 percent, compared to allowing fares to double. The Republican plan would cost an astounding 45 percent more than if we froze current interest rates at 3.4 percent.

The Congressional Budget Office also looked at the total cost of H.R. 1911 for families looking to send their sons and daughters to college. They found that over 10 years, H.R. 1911 would cost working families an additional \$3.7 billion in interest payments. The federal government should not be in the business of profiting off of the backs of students and their parents. We should be helping them pursue a higher education, not squeezing them for every penny they have.

Let's work together on a common sense proposal that makes federal loans affordable and allows young people to obtain a degree without burdening them with insurmountable student debt. We need real solutions that will

help young Americans succeed and make our country stronger.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. HERRERA BEUTLER (at the request of Mr. CANTOR) for today and the balance of the week on account of an urgent personal family matter.

Mr. CLYBURN (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 743. An act to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT

Mr. HORSFORD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 21, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1534. A letter from the PRAB Branch Chief, Department of Agriculture, transmitting the Department's final rule — Supplemental Nutritional Assistance Program: Nutrition Education and Obesity Prevention Grant Program (RIN: 0584-AE07) received April 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1535. A communication from the President of the United States, transmitting FY 2014 Budget Amendments for the Departments of Agriculture, Defense, Health and Human Services, Housing and Urban Development, the Interior, Justice, State, and Transportation, as well as Other International Programs, the National Aeronautics and Space Administration, and the Federal Trade Commission; (H. Doc. No. 113-31); to the Committee on Appropriations and ordered to be printed.

1536. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 12 officers to wear the authorized insignia of the grade of major general or brigadier general; to the Committee on Armed Services.

1537. A letter from the Assistant Secretary of the Army, Manpower and Reserve Affairs, Department of Defense, transmitting the Department's Report on the Recruiter Incentive Pay Pilot Program, pursuant to Section 681 of the National Defense Authorization Act for 2006; to the Committee on Armed Services.

1538. A letter from the Under Secretary, Department of Defense, transmitting the De-

partment's report presenting the specific amount of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2014; to the Committee on Armed Services.

1539. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ethiopian Airlines Enterprise, SC of Addis Ababa, Ethiopia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1540. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Air China Limited (Air China), Beijing, China pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1541. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Contractor Legal Management Requirements; Acquisition Regulations (RIN: 1990-AA37) received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1542. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commissions final rule — Connect America Fund; Developing an Unified Intercarrier Compensation Regime; Joint Petition of Price Cap Holding Companies for Conversation of Average schedule Affiliates to Price Cap Regulation and for Limited Waiver Relief; Consolidated Communications Companies Tariff F.C.C. No. 2; Frontier Telephone Companies Tariff F.C.C. No. 10; Windstream Telephone System Tariff F.C.C. No. 7 [WC Docket No.: 10-90] [CC Docket No.: 01-92] [WC Docket No.: 12-63] [Transmittal No.: 41] [Transmittal No.: 28] [Transmittal No.: 57] received May 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1543. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 90 of the Commission's Rules [WP Docket No.: 07-100] received May 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1544. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commissions final rule — Final License Renewal Interim Staff Guidance: Wall Thinning Due to Erosion Mechanisms [LR-ISG-2012-01] received May 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1545. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-28, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1546. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the heading "Loan Guarantees to Israel" in Chapter 5 of Title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Pub. L. 108-11); to the Committee on Foreign Affairs.

1547. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-70, "Deputy

Mayor for Planning and Economic Development Limited Grant-Making Authority Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1548. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-68, "Department of Health Grant-Making Authority Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1549. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-69, "Health Benefit Exchange Authority Establishment Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

1550. A letter from the Secretary, Department of Education, transmitting FY 2012 Annual Performance Report and FY 2014 Annual Performance Plan; to the Committee on Oversight and Government Reform.

1551. A letter from the Acting Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1552. A letter from the Librarian, Library of Congress, transmitting the Annual Report of the Library of Congress, for the fiscal year 2012, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

1553. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Disclosure of Returns and Return Information to Designee of Taxpayer [TD 9618] (RIN: 1545-BJ19) received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1554. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual Price Inflation Adjustment for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223 of the Internal Revenue Code (Rev. Proc. 2013-25) received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1555. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Services final rule — Updating of Employer Identification Numbers (RIN: 1545-BK02) [TD 9617] received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1556. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — IIR-Electric Generation Assets Units of Property (Rev. Proc. 2013-24) received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1557. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revised Exhibit: Acknowledgement Letter Voluntary Correction Program (VCP) Submissions (Announcement 2013-21) received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KLINE: Committee on Education and the Workforce. H.R. 1911. A bill to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013; with an amendment (Rept. 113-82, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 1949. A bill to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level; with an amendment (Rept. 113-83). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 258. A bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals (Rept. 113-84). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1073. A bill to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes (Rept. 113-85). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 271. A bill to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes (Rept. 113-86). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1417. A bill to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes; with an amendment (Rept. 113-87). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 1911 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TERRY (for himself, Ms. SCHAKOWSKY, Mr. ROSKAM, and Mr. BARROW of Georgia):

H.R. 2052. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report to Congress on ways to increase the global competitiveness of the United States in attracting foreign direct investment; to the Committee on Energy and Commerce.

By Mr. BRADY of Texas (for himself, Mr. REED, Mr. TIBERI, Mr. ROSKAM, Mr. BUCHANAN, Mr. SCHOCK, Mr. KELLY of Pennsylvania, Mr. RENACCI, and Mr. GRIFFITH of Virginia):

H.R. 2053. A bill to amend title XVIII of the Social Security Act to apply budget neutrality on a State-specific basis in the cal-

ulation of the Medicare hospital wage index floor for non-rural areas; to the Committee on Ways and Means.

By Mr. NEAL (for himself and Mr. PASCRELL):

H.R. 2054. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax by insurance companies through reinsurance with non-taxed affiliates; to the Committee on Ways and Means.

By Mr. ROE of Tennessee (for himself, Mr. DENHAM, Mr. FLORES, Mr. BISHOP of New York, Mr. JOHNSON of Ohio, Mr. RODNEY DAVIS of Illinois, and Mr. THOMPSON of Pennsylvania):

H.R. 2055. A bill to establish a prize program to award a prize and contract for the development of a fully-integrated electronic health records program for use by the Department of Defense and the Department of Veterans Affairs; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHWARTZ (for herself, Mr. PETERS of California, Mr. BARBER, Mr. BERA of California, Ms. BROWNLEY of California, Mr. CÁRDENAS, Mr. CARNEY, Mrs. CHRISTENSEN, Mr. COHEN, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DOYLE, Mr. ENYART, Mr. FATTAH, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HECK of Washington, Mr. HIGGINS, Ms. NORTON, Mr. LOEBSACK, Mr. LOWENTHAL, Mr. MICHAUD, Mr. MURPHY of Florida, Mrs. NAPOLITANO, Mr. O'ROURKE, Mr. RAHALL, Mr. RUIZ, Mr. RUSH, Mr. RYAN of Ohio, Mr. SCOTT of Virginia, Ms. SINEMA, Mr. SIREN, Mr. SWALWELL of California, Mr. TAKANO, Mr. VARGAS, Mr. VEASEY, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. JONES, Ms. JACKSON LEE, and Mr. BISHOP of New York):

H.R. 2056. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans, to improve the coordination of veteran job training services between the Department of Labor, the Department of Veteran Affairs, and the Department of Defense, to require transparency for Executive departments in meeting the Government-wide goals for contracting with small business concerns owned and controlled by service-disabled veterans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, Armed Services, Small Business, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUTHERLAND:

H.R. 2057. A bill to remove from the John H. Chafee Coastal Barrier Resources System the areas comprising Bay County Unit P-31P in Florida; to the Committee on Natural Resources.

By Ms. SPEIER (for herself, Mr. RANGEL, Ms. LEE of California, Mr. MORAN, Ms. BORDALLO, Mr. MCCAUL, and Mr. VAN HOLLEN):

H.R. 2058. A bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes; to the Committee on Energy and Commerce.

By Ms. TSONGAS (for herself, Mr. TURNER, Mr. KEATING, Ms. BROWN of Florida, Ms. KUSTER, Ms. SLAUGHTER, Mr.

RUNYAN, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. GRIJALVA, Mr. CONYERS, Ms. PINGREE of Maine, Mr. JOHNSON of Ohio, and Ms. JACKSON LEE):

H.R. 2059. A bill to amend title 10, United States Code, to ensure the issuance of regulations applicable to the Coast Guard regarding consideration of a request for a permanent change of station or unit transfer submitted by a member of the Coast Guard who is the victim of a sexual assault; to the Committee on Armed Services.

By Mr. VAN HOLLEN:

H.R. 2060. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to restore for the remainder of fiscal year 2013 budgetary resources sequestered on March 1, 2013, for that fiscal year, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H. Res. 225. A resolution raising a question of the privileges of the House; to the Committee on Rules.

By Mr. DANNY K. DAVIS of Illinois:

H. Res. 226. A resolution expressing support for the designation of the fourth week in April as "Every Kid Healthy Week"; to the Committee on Energy and Commerce.

By Mr. VALADAO (for himself, Mr. SCHIFF, Mr. PALLONE, and Mr. GRIMM):

H. Res. 227. A resolution calling on the President to work toward equitable, constructive, stable, and durable Armenian-Turkish relations based upon the Republic of Turkey's full acknowledgment of the facts and ongoing consequences of the Armenian Genocide, and a fair, just, and comprehensive international resolution of this crime against humanity; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TERRY:

H.R. 2052.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 2053.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. NEAL:

H.R. 2054.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. ROE of Tennessee:

H.R. 2055.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority for this bill derives from Article I, section 8 of the Constitution of the United States.

By Ms. SCHWARTZ:

H.R. 2056.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SOUTHERLAND:

H.R. 2057.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. SPEIER:

H.R. 2058.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Ms. TSONGAS:

H.R. 2059.

Congress has the power to enact this legislation pursuant to the following:

Military Regulation: Article I, Section 8, Clauses 14 and 18

To make Rules for the Government and Regulation and naval Forces; and

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. VAN HOLLEN:

H.R. 2060.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 & 18; and Article 1, Section 9, Clause 7 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 148: Mrs. BUSTOS.

H.R. 155: Mr. ENYART, Ms. MCCOLLUM, Mr. PETERSON, Mr. YOUNG of Alaska, and Mr. HIMES.

H.R. 164: Ms. FUDGE, Mr. ROSS, Mr. SCHOCK, and Mr. RUIZ.

H.R. 184: Mr. JOHNSON of Ohio.

H.R. 207: Mr. WALDEN.

H.R. 241: Mr. NUNNELEE.

H.R. 258: Mr. CALVERT, Mr. KEATING, and Mr. ROONEY.

H.R. 262: Mr. GERLACH.

H.R. 292: Mr. BUTTERFIELD, Ms. BROWN of Florida, Ms. EDWARDS, and Ms. WATERS.

H.R. 341: Ms. SCHAKOWSKY.

H.R. 362: Mr. BUTTERFIELD.

H.R. 363: Mr. BUTTERFIELD.

H.R. 366: Mr. KINGSTON and Mr. COHEN.

H.R. 451: Mr. MURPHY of Florida.

H.R. 460: Mrs. DAVIS of California.

H.R. 499: Mr. CAPUANO.

H.R. 556: Mr. JOHNSON of Ohio.

H.R. 569: Mr. GIBSON, Mr. BUCHANAN, and Mrs. BEATTY.

H.R. 574: Mr. LATHAM.

H.R. 612: Mr. FLEISCHMANN.

H.R. 664: Mr. DEFazio, Ms. BROWN of Florida, Mr. SIREN, and Mr. HOYER.

H.R. 679: Mr. BISHOP of New York, Mr. CLEAVER, and Mr. LARSON of Connecticut.

H.R. 685: Mr. NUNNELEE, Mr. ROHRBACHER, and Mr. BRIDENSTINE.

H.R. 688: Ms. WILSON of Florida.

H.R. 698: Ms. NORTON.

H.R. 755: Mr. ENYART and Mr. LOWENTHAL.

H.R. 769: Mr. CASTRO of Texas, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mrs. NEGRETE MCLEOD.

H.R. 778: Ms. WILSON of Florida.

H.R. 787: Mr. FITZPATRICK and Mr. PAULSEN.

H.R. 799: Mr. COURTNEY.

H.R. 850: Mr. HOLT, Mr. HUFFMAN, Mr. ROONEY, Mrs. NOEM, Mr. CUELLAR, and Mrs. BACHMANN.

H.R. 855: Mrs. BEATTY.

H.R. 871: Mr. CONYERS, Ms. CLARKE, Mr. COHEN, Mr. FARR, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. JACKSON LEE, Mr. POLIS, and Ms. SCHAKOWSKY.

H.R. 872: Mr. CONYERS, Ms. CLARKE, Mr. COHEN, Mr. FARR, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. JACKSON LEE, Mr. POLIS, and Ms. SCHAKOWSKY.

H.R. 873: Mr. CONYERS, Ms. CLARKE, Mr. COHEN, Mr. FARR, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mr. JONES, Ms. LEE of California, Ms. JACKSON LEE, Mr. POLIS, and Ms. SCHAKOWSKY.

H.R. 875: Mr. DEFazio.

H.R. 888: Mr. HUIZENGA of Michigan.

H.R. 920: Mr. POLIS.

H.R. 940: Mr. GUTHRIE, Mr. CHAFFETZ, Mr. SMITH of Texas, Mr. SALMON, Mr. COBLE, Mr. BARR, Mr. SHIMKUS, Mr. UPTON, Mr. CULBERSON, Mr. BILIRAKIS, and Mr. YOUNG of Indiana.

H.R. 948: Mr. KELLY of Pennsylvania.

H.R. 961: Mrs. MCCARTHY of New York and Mrs. CAPPS.

H.R. 975: Ms. SCHAKOWSKY and Mr. FITZPATRICK.

H.R. 983: Mr. HUFFMAN.

H.R. 986: Mr. PETERSON.

H.R. 1020: Mr. REED, Ms. GRANGER, Mrs. CAPITO, and Mr. OLSON.

H.R. 1024: Mr. PETERSON, Mr. RADEL, and Mr. KING of Iowa.

H.R. 1040: Mr. ROONEY.

H.R. 1091: Mr. WILSON of South Carolina.

H.R. 1150: Mr. BLUMENAUER, Mr. LEVIN, Ms. SCHAKOWSKY, and Mr. CICCILLINE.

H.R. 1151: Mrs. HARTZLER.

H.R. 1154: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1174: Mr. MEADOWS.

H.R. 1176: Mr. BURGESS.

H.R. 1213: Ms. CLARKE.

H.R. 1214: Mr. JOHNSON of Ohio.

H.R. 1252: Mrs. KIRKPATRICK, Mrs. DAVIS of California, and Mr. WALDEN.

H.R. 1286: Mr. CARTWRIGHT.

H.R. 1290: Mr. PETERSON.

H.R. 1303: Mrs. BROOKS of Indiana.

H.R. 1340: Ms. KAPTUR.

H.R. 1344: Mr. KILMER, Mrs. BROOKS of Indiana, and Mr. SCHNEIDER.

H.R. 1346: Mr. RANGEL.

H.R. 1380: Ms. SLAUGHTER, Mr. BENTIVOLIO, and Mrs. BUSTOS.

H.R. 1389: Mr. KENNEDY.

H.R. 1438: Mr. CARTWRIGHT.

H.R. 1492: Mr. YOUNG of Alaska.

H.R. 1518: Ms. DELAURO, Ms. LORETTA SANCHEZ of California, Mr. PASCRELL, and Mr. FORBES.

H.R. 1520: Mr. POSEY.

H.R. 1527: Mr. HUFFMAN.

H.R. 1572: Mr. LATTA.

H.R. 1577: Mr. BURGESS.

H.R. 1632: Mr. MCKINLEY.

H.R. 1696: Mr. COURTNEY.

- H.R. 1701: Mr. ROGERS of Alabama.
 H.R. 1717: Mr. VISCLOSKEY, Mr. RUSH, Mr. BONNER, Mr. ROONEY, Mr. BISHOP of New York, Mr. COBLE, Ms. TSONGAS, Mr. TERRY, Mr. MURPHY of Pennsylvania, Mr. ROGERS of Kentucky, Mr. GINGREY of Georgia, Mr. MATHESON, Mr. MILLER of Florida, Mr. MASSIE, Mr. NUGENT, and Ms. DUCKWORTH.
 H.R. 1729: Mr. GRIJALVA, Mr. LEWIS, Mr. WALZ, Mr. MURPHY of Florida, Mr. VEASEY, Mr. RUIZ, Mrs. NEGRETE MCLEOD, and Ms. MOORE.
 H.R. 1733: Mr. SCHOCK.
 H.R. 1734: Mr. MURPHY of Florida, Ms. MENG, and Mr. JOHNSON of Georgia.
 H.R. 1735: Mr. LONG, Mr. WESTMORELAND, Mr. OLSON, and Mr. FARENTHOLD.
 H.R. 1737: Mr. COURTNEY.
 H.R. 1772: Mr. SMITH of New Jersey and Mr. CULBERSON.
 H.R. 1795: Mr. TIERNEY, Mr. COURTNEY, Ms. BROWNLEY of California, Mr. SCHOCK, Mr. WELCH, Mr. MCGOVERN, Mrs. CAPPS, and Mr. CUMMINGS.
 H.R. 1797: Mr. MARCHANT, Mr. RAHALL, Mr. LUETKEMEYER, and Mr. SENSENBRENNER.
 H.R. 1805: Ms. LEE of California, Mr. SEAN PATRICK MALONEY of New York, Mr. KILMER, Mr. POCAN, Mr. RUIZ, Ms. TITUS, Mr. VARGAS, and Ms. FRANKEL of Florida.
 H.R. 1809: Mrs. NEGRETE MCLEOD.
 H.R. 1814: Mr. RIGELL, Mr. OLSON, Mr. KINGSTON, and Ms. LOFGREN.
 H.R. 1825: Mr. KING of Iowa and Mr. HUELSKAMP.
 H.R. 1827: Ms. SCHAKOWSKY.
 H.R. 1838: Ms. MATSUI.
 H.R. 1840: Mr. KENNEDY.
 H.R. 1845: Mrs. DAVIS of California and Mr. PAYNE.
 H.R. 1847: Mrs. HARTZLER.
 H.R. 1848: Mr. MARCHANT, Mr. JOHNSON of Ohio, Mr. MASSIE, Mr. MEADOWS, and Mr. RIBBLE.
 H.R. 1852: Mr. POLIS, Mr. MULVANEY, Mr. LANCE, Mr. GOWDY, Mr. DUNCAN of South Carolina, Mr. MEEHAN, Mr. DENT, Mr. ROKITA, Mr. SOUTHERLAND, Mr. FLEISCHMANN, Mr. AMASH, Mr. JOHNSON of Georgia, Mrs. HARTZLER, Mr. THOMPSON of Mississippi, Mr. RODNEY DAVIS of Illinois, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. NUGENT, Mr. BARTON, Mr. KINGSTON, Mrs. BLACKBURN, Mr. BARR, Mr. POMPEO, Mr. CULBERSON, Mr. FLEMING, Mr. RICE of South Carolina, Mr. YOHO, Mr. BRIDENSTINE, Mr. WEBER of Texas, Mr. HARRIS, Mr. HUELSKAMP, Mr. STOCKMAN, and Mr. HUIZENGA of Michigan.
 H.R. 1867: Ms. MCCOLLUM, Mr. RUSH, Mr. LOBONDO, Mr. JOHNSON of Ohio, Mr. MILLER of Florida, and Mr. COFFMAN.
 H.R. 1870: Mrs. BLACK.
 H.R. 1874: Mr. MCCLINTOCK.
 H.R. 1882: Mr. PITTENGER.
 H.R. 1891: Mr. MARKEY, Mr. GRIJALVA, and Mr. LEWIS.
 H.R. 1908: Mr. CRAWFORD.
 H.R. 1911: Mr. THOMPSON of Pennsylvania.
 H.R. 1916: Mr. KING of Iowa.
 H.R. 1962: Mr. MARKEY, Mr. RICHMOND, Mr. PASCRELL, Ms. JACKSON LEE, Ms. LOFGREN, Mr. COHEN, Mr. JOHNSON of Georgia, Ms. CHU, Mr. DEUTCH, Mr. COBLE, and Mr. NADLER.
 H.R. 1963: Mr. LAMALFA and Mr. CRAMER.
 H.R. 1971: Mr. WOMACK and Mr. BACHUS.
 H.R. 1979: Mrs. LOWEY, Mr. CONYERS, Mr. GRAYSON, and Mr. GRIJALVA.
 H.R. 1982: Mr. SCHOCK, Mr. BUCHANAN, and Mr. ROSKAM.
 H.R. 2000: Mr. BUTTERFIELD.
 H.R. 2009: Mr. NEUGEBAUER, Mr. BARR, Mr. PITTS, Mr. SMITH of Texas, Mrs. WALORSKI, Mr. COLE, Mr. CRAWFORD, Mr. FINCHER, and Mr. AUSTIN SCOTT of Georgia.
 H.R. 2010: Mr. ROSS.
 H.R. 2016: Mrs. LOWEY, Mr. LOEBSACK, Ms. HANABUSA, and Mr. BISHOP of New York.
 H.R. 2020: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HANNA, Mr. FATTAH, Mr. GARCIA, Mr. KELLY of Pennsylvania, Mr. DEFazio, Mr. CONNOLLY, Mr. THOMPSON of California, Mrs. LOWEY, Mr. CASSIDY, Ms. SCHAKOWSKY, Mr. JOHNSON of Georgia, Mr. MORAN, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, Mr. LARSON of Connecticut, Mr. CLAY, Ms. KAPTUR, and Mr. PAYNE.
 H.R. 2022: Mrs. BLACKBURN, Mr. ROE of Tennessee, and Mr. AUSTIN SCOTT of Georgia.
 H.R. 2036: Mr. HORSFORD and Mr. POLIS.
 H.R. 2044: Ms. SLAUGHTER.
 H.J. Res. 20: Mr. CONYERS.
 H.J. Res. 21: Mr. CONYERS.
 H. Res. 109: Mr. KING of New York and Mr. MORAN.
 H. Res. 112: Mr. VEASEY, Mr. SCHIFF, Mr. COSTA, and Ms. CLARKE.
 H. Res. 156: Mr. SMITH of Washington.
 H. Res. 167: Mr. MCGOVERN and Mr. DUFFY.
 H. Res. 190: Mr. HIMES.
 H. Res. 206: Mr. JOHNSON of Ohio.
 H. Res. 211: Mr. FARR.
 H. Res. 212: Mr. PERRY.
 H. Res. 213: Mr. NEAL, Ms. CASTOR of Florida, Mr. O'ROURKE, Mr. DEFazio, Mrs. LOWEY, Mr. CASTRO of Texas, Mr. HASTINGS of Florida, and Mr. HONDA.
 H. Res. 214: Mr. BRIDENSTINE.
 H. Res. 218: Ms. LORETTA SANCHEZ of California.

EXTENSIONS OF REMARKS

CONGRATULATING THE NORTH CATAWBA FIRE AND RESCUE DEPARTMENT ON THEIR 55TH ANNIVERSARY

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. MEADOWS. Mr. Speaker, I rise today to congratulate the members of the North Catawba Fire and Rescue Department as they mark their 55th anniversary.

Committed and hardworking firefighters play a vital role in keeping our homes, businesses, and public places safe from the threat of deadly fires.

The residents of North Catawba take comfort in knowing that these men and women are nearby in the event of an emergency.

Mr. Speaker, on behalf of the 11th District of North Carolina, I congratulate the brave men and woman of North Catawba Fire and Rescue Department who are devoted to protecting lives. This sacrifice truly exemplifies the spirit of America.

HONORING MASTER HARVEY GOLDBLATT—PIERSON COLLEGE, YALE UNIVERSITY

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to honor Master Harvey Goldblatt, a devoted educator who is affectionately known to students, alumni, and parents as simply, Master G.

After 19 years of dedicated service as the Master of Pierson College, Professor Goldblatt will step down from this position, but will continue as the Chair of the Department of Slavic Languages and Literatures.

The Masters of Yale's residential colleges are responsible for all aspects of its operation—ensuring students have a place to live, study, and dine together. Master G was transformational for Pierson College and worked hard to enrich the student experience. Whether it was supporting their research, immersing them in other cultures, or taking the time to greet each student by name—Master G was a tireless advocate for their best interests.

Originally from Hamilton, Ontario, Master G received a Bachelor's Degree in Russian from McGill University in 1969. During his studies at McGill, Master G was the first North American to study abroad in the Soviet Union. He received a Master's in 1972 and a Ph.D. in 1978 in Slavic Languages and Literatures, both from Yale University.

Master G shared with the students, parents, and alumni of Pierson College his time, en-

ergy, and a strong devotion to their shared community. In return, they have asked me to express their gratitude to him for being a beloved friend and mentor.

We thank Professor Goldblatt for his continued service to Yale and look forward to meeting the next generation of young thinkers and leaders who will follow in his good example.

THIRTEEN AMERICANS RECEIVING APPOINTMENTS TO THE U.S. MILITARY ACADEMIES

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. GARDNER. Mr. Speaker, I rise today to recognize 13 young Americans from my district that all received appointments to the prestigious U.S. military academies. As these young men and women prepare for their graduation from high school and look forward to the opportunities and challenges that they will face in the coming years, I would like to take a moment to pause and reflect on what they have already accomplished.

This year's group of appointees is made up of Eagle Scouts, team captains, talented musicians, and passionate stewards of the community. Their teachers, coaches, and neighbors have described members of this class as exceptionally hard workers, both in the classroom and on the playing field. Collectively, they averaged a 4.06 GPA.

Through all of their activities, two qualities have shined brightest: Leadership and Integrity. These qualities will serve them well as they grow into tomorrow's leaders in the Armed Forces and beyond.

The members of this group are truly among the best and brightest of our country. Their numerous achievements, dedication to America, and their limitless potential for future greatness have renewed my faith and belief that America's best days lie ahead.

Please join me in wishing these young adults success in all their future endeavors.

MATTHEW RANSELL, HONORED FOR HIS COMMITMENT TO VOLUNTEER AT BAY PINES VETERANS AFFAIRS HEALTHCARE SYSTEM

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. YOUNG of Florida. Mr. Speaker, today I would like to pay tribute to Mr. Matthew Ransdell for his commitment to serving our wounded veterans. Over the past two years

he has committed countless hours serving our wounded Veterans at Bay Pines Veterans Affairs Healthcare System (VAHCS). While volunteering, he brings joy and happiness to everyone that he meets and works with.

Bay Pines VAHCS provides excellent health, psychiatric and extended care services for over 100,000 Veterans a year as they return home and integrate back into civilian life. Bay Pines is made up of nine facilities along Florida's west coast, and provides outstanding healthcare to Florida's Veterans. The 3,500 staff members and 1,500 volunteers have made it possible for the men and women that have served this nation in uniform to obtain the best possible care.

Matthew is just one of those 1,500 volunteers, but he stands out for his exceptional service to the facility and its patients. He has dedicated over 1,000 hours of his time, in the past two years, to volunteering. During this time spent, he has created thousands of smiles for both patients and staff. He makes people smile with anything from a simple thumbs up to his signature "happy dance" that he has perfected in his time at Bay Pines VAHCS. Everyone, from patients to VA directors, dances with him. In addition to bringing vast amounts of happiness, he works in the Voluntary Service storage room by organizing and delivering robes, books, shirts, and toiletries to Veterans in the medical center.

I would like to recognize Matthew as a patriotic and incredible man who continues his part to serve the country. He has found a way to share his gifts of love and cheerfulness with the men and women who have selflessly put their lives on the line for our freedom. For this, I would ask all my colleagues to join me in thanking and commending Matthew for his service and dedication to our Nation's heroes.

HIGH PERFORMING BUILDING WEEK

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. GRIMM. Mr. Speaker, this week, architects, code officials, homebuilders, architects, engineers and representatives from the building trades will convene in Washington to celebrate High-Performance Building week.

The annual event features briefings, meetings, and other educational opportunities to showcase and promote the good work being done to construct and maintain buildings that are more resilient, use less energy, and mitigate their impact on the environment.

As a member of the High-Performance Building Congressional Caucus, I know that building owners and operators work hard to find new creative ways to minimize the impact that rising energy costs have on their operations.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Many of these owners and operators are beginning to see the fruits of their labor, as improved designs of new buildings, and smart retrofits of existing buildings, free up capital and allow managers to commit more resources to their core operations, rather than to utility bills.

One of the easiest, most cost effective ways to improve building performance is to ensure that proper insulation is installed in a building.

While most of us think that insulation is only for our walls and attics, thermal insulation for piping and equipment, known as mechanical insulation, is a vital component for commercial and industrial applications.

In an effort to address this issue, I introduced H.R. 184, the Mechanical Insulation Installation Incentive Act of 2013. This legislation is designed to incentivize commercial and industrial facility owners to make their buildings and facilities more efficient and put people back to work.

According to the National Insulation Association, improved insulation for piping and mechanical components in commercial and industrial settings will help business save more than \$4.8 billion a year.

These improvements will also save resources to the tune of more than 82 million barrels of oil, or 19 million tons of coal.

I ask all my colleagues to consider supporting H.R. 184. It's a commonsense bill that will save money, improve facility operations, put people to work, and help our buildings and facilities perform to a higher standard.

Mr. Speaker, in closing I would like to acknowledge the hard work that our nation's architects, engineers, and building professionals do to improve the condition of our homes, schools, and businesses.

CONGRATULATING JERRY WOLFE ON HIS DESIGNATION AS BELOVED MAN OF THE EASTERN BAND OF CHEROKEE INDIANS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. MEADOWS. Mr. Speaker, I rise today to congratulate Cherokee Tribal Elder Jerry Wolfe, a decorated World War II D-Day veteran who was recently named a Beloved Man of the Eastern Band of Cherokee Indians.

This is the first time since the early 1800s that a Cherokee man has been awarded this special status.

Historically, Beloved Men and Beloved Women have been revered even above Tribal Chiefs due to the strong example they set for all members of the Tribe.

Mr. Wolfe joined the U.S. Navy at age 18 and devoted six years to defending his country. On D-Day, he served on a landing craft at Omaha Beach, France, and later deployed to Pearl Harbor.

Assigned to the USS *Missouri*, Mr. Wolfe witnessed the peace treaty signed by U.S. and Japanese officials to end the Pacific theater of World War II.

Mr. Wolfe currently works part-time at the Museum of the Cherokee, sharing his knowl-

edge of Cherokee culture. His service at the museum is yet another testament to his lifelong commitment to service.

Mr. Wolfe has been widely recognized for his dedication to cultural preservation. He received the North Carolina Folk Heritage Award in 2003 and the Brown-Hudson Folklore Award from the North Carolina Folklore Society in 2010.

Mr. Speaker, on behalf of the entire 11th District of North Carolina, I congratulate Mr. Wolfe on his lifetime of achievement and thank him for his service to the Eastern Band of Cherokee Indians and to our Nation.

4 YEAR ANNIVERSARY OF THE CIVIL WAR IN SRI LANKA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. HONDA. Mr. Speaker, I rise today to mark the 4th anniversary of the end of the tragic civil war in Sri Lanka that has cost many lives and destroyed many futures.

As Sri Lanka and its people slowly begin to return to normalcy, there is still much that the government of Sri Lanka must do to achieve true peace. While the war has ended, the conflict between its people still goes on. In particular, I am troubled that not enough progress is being made towards true political reconciliation. The deaths of thousands of civilians, on both sides, during the war must be investigated and addressed to truly begin the process of healing.

In addition, it is important to recognize that the Tamils must be integrated and become full and valued citizens of the country for true reconciliation to occur; this includes preventing forced displacement and the uprooting of families and communities from their homes. The U.S.-sponsored resolution that passed the United Nations Human Rights Council this March that urged the Sri Lankan government to credibly and independently investigate the allegations of international human rights violations is a good first step.

I urge the government of Sri Lanka to work with the international community and the United Nations to adopt an international mechanism towards reconciliation for all people.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,734,808,644,648.07. We've added \$6,110,451,189,734,235.05 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. STEVE SCALISE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. SCALISE. Mr. Speaker, I rise today regarding my absence from the House on Friday, May 17. During this time, I was home attending my daughter's kindergarten graduation ceremony. I would like to submit how I would have voted had I been in attendance for the following votes:

Rollcall No. 155, on Ordering the Previous Question on H. Res. 216, a resolution providing for consideration of H.R. 1062. I would have voted "yea."

Rollcall No. 156, on the Adoption of H. Res. 216, a resolution providing for consideration of H.R. 1062. I would have voted "yea."

Rollcall No. 157, on Agreeing to Amendment No. 2. I would have voted "yea."

Rollcall No. 158, on Agreeing to Amendment No. 3. I would have voted "no."

Rollcall No. 159, on the Motion to Recommit H.R. 1062 with instructions. I would have voted "no."

Rollcall No. 160, on Passage of H.R. 1062, the SEC Regulatory Accountability Act. I would have voted "yea."

INTRODUCTION OF LEGISLATION TO ADDRESS THE TAX AVOIDANCE PROBLEM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. NEAL. Mr. Speaker, today I am pleased to come before the House to introduce legislation ending a current law loophole that allows foreign insurance groups to strip their U.S. income into tax havens to avoid U.S. tax and gain a competitive advantage over American companies. I am pleased to be joined in my efforts by Senator MENEZES, who is introducing the Senate companion bill.

Many foreign-based insurance companies are using affiliate reinsurance to shift their U.S. reserves into tax havens overseas, thereby avoiding U.S. tax on their investment income. This provides these companies with a significant unfair competitive advantage over U.S.-based companies, which must pay tax on their investment income. To take advantage of this loophole, several U.S. companies have "inverted" into tax havens and numerous other companies have been formed offshore. And, absent effective legislation, industry experts have predicted that capital migration will continue to grow, stating that "redomestication offshore will be a competitive necessity for many U.S. primary 'specialty' insurers." As we grapple with significant budget challenges in the years to come, it is essential that we not allow the continued migration of capital overseas and erosion of our tax base. Clearly, at a time when we are considering a move to a territorial system with base erosion rules applicable to U.S. companies, we must also have "credible" rules to prevent base erosion by foreign companies doing business in the U.S.

There have been previous attempts to address the tax avoidance problem resulting from reinsurance between related entities. Congress first recognized the problem of excessive reinsurance in 1984 and provided specific authority to Treasury under Section 845 of the Tax Code to reallocate items and make adjustments in reinsurance transactions in order to prevent tax avoidance or evasion. In 2003, the Bush Treasury Department testified before Congress that the existing mechanisms were not sufficient. In 2004, Congress amended Section 845 to expand the authority of Treasury to not only reallocate among the parties to a reinsurance agreement but also to recharacterize items within or related to the agreement. Congress specifically cited the concern that these reinsurance transactions were being used inappropriately among U.S. and foreign related parties for tax evasion. Unfortunately, as recent data shows, this grant of expanded authority to Treasury has not stemmed the tide of capital moving offshore to take advantage of the tax benefit.

Since 1996, the amount of reinsurance sent to offshore affiliates has grown dramatically, from a total of \$4 billion ceded in 1996 to \$33 billion in 2011, including nearly \$20 billion to Bermuda affiliates and over \$7 billion to Swiss affiliates. Use of this affiliate reinsurance provides foreign insurance groups with a significant market advantage over U.S. companies in writing direct insurance here in the U.S. Over the same period, we have seen a doubling in the growth of market share of direct premiums written by groups domiciled outside the U.S., from 5.1 percent to 11.1 percent, representing \$57 billion in direct premiums written in 2011. Again, Bermuda-based companies represent the bulk of this growth, rising from 0.1 percent to 3 percent, although it peaked at 4% before some companies moved from Bermuda to Switzerland seeking protection under the tax treaties. And it should be noted that during this time, the percentage of premiums ceded to affiliates of non-U.S. based companies has grown from 13 percent to 57 percent. Bermuda is not the only jurisdiction favorable for reinsurance. In fact, one company moved from the Cayman Islands to Switzerland citing "the security of a network of tax treaties," among other benefits.

A coalition of 13 of the largest U.S.-based insurance and reinsurance companies has been formed to express their concerns to Congress. They recently wrote to the House Ways and Means Committee's working groups urging passage of my proposed legislation because, as they wrote, "This loophole provides foreign-controlled insurers a significant tax advantage over their domestic competitors in attracting capital to write U.S. business. Our tax system should not favor foreign-owned groups over domestic insurers in selling insurance here at home." With more than 150,000 employees and a trillion dollars in assets here in the U.S., I believe it is a message of concern that we should heed.

But it is not only the harm to our tax base that should concern us. According to a 2010 investigative report in the Sarasota Herald-Tribune entitled "How Bermuda Rigs Insurance Rates in Florida," for which the reporter won a Pulitzer Prize, "Two-thirds of property insurance premiums now leave Florida as un-

regulated payments to largely offshore reinsurers . . . without rate control or consumer oversight." It clearly cannot be good for us to lose regulatory control over our U.S. insurance industry.

That is why I am again filing legislation to end the Bermuda reinsurance loophole. This proposal has been developed working with the tax experts at both the Treasury Department and the staff of the Joint Committee on Taxation to address concerns that have been raised with prior versions of the bill and develop a balanced approach to address this loophole. The proposal is consistent with our trade agreements and our tax treaties.

Specifically, the proposal I am filing today uses a common-sense approach to combat earnings stripping through the use of affiliate reinsurance. It will effectively defer the deduction for premiums paid to the offshore affiliate until the insured event occurs—thereby restricting any tax benefit from shifting reserves and associated investment income overseas. This is accomplished by denying an upfront deduction for any foreign affiliate reinsurance (if the premium is not subject to U.S. tax) and then excluding from income any reinsurance recovered (as well as any ceding commission received), where the premium deduction for that reinsurance has been disallowed. This "deduction deferral" proposal is similar to one contained in the Administration's budget this year.

The bill allows foreign groups to avoid the deduction disallowance by electing to be subject to U.S. tax with respect to the premiums and net investment income from affiliate reinsurance of U.S. risk. Special rules are provided to allow for foreign tax credits to avoid double taxation. This ensures a level-playing field, treating U.S. insurers and foreign-based insurers alike.

The legislation provides Treasury with the authority to carry out or prevent the avoidance of the provisions of this bill.

A fuller technical explanation of the bill can be found on my website.

It is important to note that the bill I am reintroducing today does not impact third party reinsurance, which adds needed capacity to the market. Third party reinsurance is a fundamental business technique for risk management and is to be fostered. Rather, the bill is targeted solely at reinsurance among affiliates, which adds no additional capacity to the market and is often used for tax avoidance. The LECG group, a respected global expert services and consulting firm, says that this fact alone causes opponents' claims regarding potential adverse effects on capacity and pricing to be untrue.

LECG also found it highly unlikely that foreign groups would stop providing coverage in the U.S. market if they are required to compete on a level playing field with domestic competitors. But, even if they did, the rest of the market would quickly replace any capacity. In a recent Boston Globe piece, an independent S&P credit ratings analyst and reinsurance market expert reached the same conclusion, saying that any effects on capacity and pricing would be minor. The foreign companies' "interest in the US market will not change. The US is the largest reinsurance market in the world," she said.

Ending this unintended tax subsidy for foreign insurance companies will stop the capital flight at the expense of American taxpayers and restore competitive balance for domestic companies. In explaining the Administration's proposal, the Treasury Department expressed similar concern over the current competitive balance, stating "Reinsurance transactions with affiliates that are not subject to U.S. federal income tax on insurance income can result in substantial U.S. tax advantages over similar transactions with entities that are subject to tax in the United States."

Closing this loophole does not impose a new tax. It merely ensures that foreign-owned companies pay the same tax as American companies on their earnings from doing business here in the United States. Congress never would consciously subsidize foreign-owned companies over their American competitors in order to serve the domestic market. Thus, there is no reason an unintended subsidy should be allowed to continue. I agree with the U.S. companies. "It is time to close this loophole to protect our tax base and place our U.S. and foreign-based insurers on a level-playing field."

Mr. Speaker, I appreciate the opportunity to address the House on this important matter and I assure my colleagues that I will continue my efforts to combat offshore tax avoidance, regardless of what industry is impacted.

CONNECTICUT'S CHILDREN—
MOURNING THE YOUNG LIVES
LOST TO SENSELESS VIOLENCE

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to speak out against the senseless violence that engulfs our communities and across the nation.

America's greatest strength comes from its rich diversity of culture, race, ethnicity, religion and perspectives. Separately, these are the threads that define who we are as individuals. Pull these threads together, and they create a tapestry of who we are as a nation. Let us never forget that there are two threads each of us living in this moment, no matter our background, share in common: the invisible bond of citizenship and the experience of childhood.

However, far too many children living in this nation never have the chance to know a true childhood.

In my mind, a true childhood is a time in our lives where we have enough. Enough love to know we have value, enough food to allow us to never know hunger, and enough supports in our communities to better ensure our health and safety. These are but a few of the important elements that a child needs enough of in order to better ensure a healthy and successful adulthood.

Americans from every walk of life have together mourned the loss of the innocent children who died on December 12, 2013, and rightfully so. We mourned the lives lost from the shootings in Phoenix, Aurora, Columbine and Virginia Tech. For our nation's children

who are trying to grow up in our nation's urban settings, the opportunity to realize adulthood is placed in jeopardy because of gun violence on a daily basis.

In the last 12 years in Connecticut, 94 children have died from gun violence. In that same span of time, more than 924 were injured and maimed by firearms. The majority of these firearm injuries and deaths occurred in Hartford, New Haven, and Bridgeport.

The children and youth who die each day in our cities from gun violence are every bit as precious, every bit as deeply loved and missed as any child who dies anywhere else in our nation.

I stand here today on the floor of the House to ask my colleagues to join me in recognizing the 20 lives senselessly cut short by gun violence the last 18 months in the city of Hartford.

Today, here in the United States House of Representatives, we mourn the loss of:

- Jimmy Narvaez-Gonzalez 07/20/2012.
- Eric Perez 07/22/2012.
- Benjamin Grate 07/23/2012.
- Errol Campbell 08/14/2012.
- Johnny Armstong 08/27/2012.
- Esmerito Perez Mendez 09/24/2012.
- Ramon Perez 09/24/2012.
- Sonja Rivera 09/27/2012.
- Omar Santana 10/05/2012.
- Shane Oliver 10/20/2012.
- Verall "Anthony" Hampton 11/11/2012.
- Ricardo Arroyo 12/03/2012.
- Jazzy Delgado 12/23/2012.
- Sawaire Kirchindath 02/28/2013.
- Kwante Feliciano 03/25/2013.
- Kelly Cooper 03/25/2013.
- Jimmy Q. Roberson 04/03/2013.
- Kelly McCaskill Coupe 04/25/2013.
- Shaman Jenkins 04/28/2013.
- Javar Pretson 05/05/2013.

In the words of Senior Pastor, Stephen Camp of the Faith Congregational Church in Hartford, "We pray for those parents and relatives who grieve still for the loss of their loved ones taken by senseless violence . . . these victims whom we remember, leave mothers and parents who search still for God's hope and God's assurance."

May all of our actions in this Congress reflect the hope of these parents, and parents everywhere who pray that no other mother or father knows what it means to mourn a child lost to senseless violence.

PERSONAL EXPLANATION

HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. POMPEO. Mr. Speaker, on May 17, I missed rollcall votes numbered 155, 156, 157, 158, 159, and 160 because I was in Kansas.

Rollcall No. 155 was a vote on the Previous Question. Had I been present I would have voted "yes."

Rollcall No. 156 was a vote on the rule for H.R. 1062, the SEC Regulatory and Accountability Act. Had I been present I would have voted "yes."

Rollcall No. 157 was a vote on an amendment to H.R. 1062 offered by Representative

HURT to express the sense of Congress that rules adopted by the Public Company Accounting Oversight Board (PCAOB) comply with the same standards required of the SEC, and requires the SEC to ensure that any rules adopted by the Municipal Securities Rulemaking Board (MSRB), and other national securities associations comply with the standards set forth in the bill. Had I been present I would have voted "yes."

Rollcall No. 158 was a vote on an amendment to H.R. 1062 offered by Representative MALONEY to strike all text after the enacting clause and insert findings and a sense of Congress that the SEC is already required to conduct economic analysis as part of its rulemaking. Had I been present I would have voted "no."

Rollcall No. 159 was a vote on a motion to recommit H.R. 1062. Had I been present I would have voted "no."

Rollcall No. 160 was a vote on passage of H.R. 1062. Had I been present I would have voted "yes."

HONORING GRADUATING HIGH SCHOOL SENIORS FOR DECIDING TO SERVE THE UNITED STATES OF AMERICA AS MEMBERS OF THE ARMED FORCES

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor fifty-four high school seniors in Camden County for their commendable decision to enlist in the United States Armed Forces. Of these fifty-four, twenty have joined the Army: Kristina King, Leroy Jones, Thomas Harkin, Kristopher Ponce, Laura Aune, Page Scarretto, Anthony Andrews, Michael Whelan, Cordeiro Dougherty, Travis Daniels, Jose Acevedo, Marco Medina, Samuel Adames, Harley Marks, Spencer Barber, Quiomy Abelaria, Fernando Santiago, Zachariah Gill, Michael Brown, and Isaiah Johnson. Four have joined the Navy: Dioned Gonzalez-Cabral, James Lewis, Linh Tran, and Petrell Vereen. Three have joined the Air Force: Brandon Nataro, Salvatore Mannino, and Kyle Bedwell. Twenty-three have joined the Marine Corps: Joseph Rodano Jr., Richard Sheldon, Adam Dobson, Christopher Taylor, Andrew Morgan, Tristen Boggs, Kevin Dickson, Christian Dobush, David Groff, Timothy Leadley, Allen Reid, Gregory Sycz, Walter Holloway, Detaniel Jackson, Garrett Mercer, Jose Baez-Claudio, Pabel Arrizaga, David Pellot, Jesus Ortega, Justin Benejan, Eric Regensberger, Roy Ensign, and Evan Magargel. And four have joined the New Jersey National Guard: Tucker Patten, Trinidad Rodolfo, Alicea Yolanda, and Brendann Murphy. All fifty-four will also be recognized on May 21st at "Our Community Salutes of South Jersey."

Later this month, these young men and women will join their classmates in celebration of graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees, they instead have chosen to dedicate themselves to mili-

tary service in defense of our country. They should rest assured that the full support and resources of this chamber, and of the American people, are with them in whatever challenges may lie ahead.

It is thanks to the dedication of untold numbers of patriots like these fifty-four that we are able to meet here today, in the House of Representatives, and openly debate the best solutions to the many and diverse problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a fractious world.

Mr. Speaker, their decision to serve our country will not go unrecognized. I want to personally thank these fifty-four graduating seniors for the selflessness and courage that they have shown by volunteering to risk their lives in defense of others. We owe them, along with all those who serve our country, a deep debt of gratitude.

HONORING PFC CODY TOWSE

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. CHAFFETZ. Mr. Speaker, I rise today to honor a dedicated soldier and American hero who died tragically while aiding a fellow soldier in Afghanistan. While responding to an injury from a roadside bomb, Army medic PFC Cody Towse was killed when a second roadside bomb detonated. Three other brave soldiers also lost their lives during the incident.

Only 21 years old, PFC Towse had recently earned an Army Combat Medic Ribbon for saving another life under fire. His family was not surprised to learn he died in an act of service, treating the injuries of another. We honor his service and sacrifice to our safety and security.

Known as the "Candy Doctor" by Afghan children in the Kandahar region, PFC Towse had earned a reputation for spreading joy in the form of candy. When he turned 21 on May 8, he asked his family to send over more candy for him to share.

A Class of 2010 graduate of Utah's Salem High School, Towse loved to help people, choosing to become an EMT the day he turned 18. He later became a firefighter, but ultimately joined the military, where he felt he could use his training and skills to save lives. He did save lives, even at the cost of losing his own. He dreamed of one day becoming a LifeFlight medic. Towse carried on a proud and honorable tradition as he comes from a military family dating back to World War II.

We honor the tremendous personal sacrifice of PFC Towse's family. He leaves behind his parents, Jim and Jamie Towse, two brothers, 20-year-old Will and 14-year-old Christian, and a sister Callan who is 17. The Towse family has endured a terrible tragedy and made an extraordinary sacrifice on behalf of all Americans and we are forever thankful.

Today, I ask all Members of Congress to join me as we honor the life and legacy of Army PFC Andy Towse, as well as each man and woman in our Armed Services. They put

themselves in harm's way and toil daily to hold back the forces of terrorism. I also ask that we recognize the sacrifice and burdens these families bear on behalf of each of us. We owe a deep debt of gratitude to the many men and women who have given their lives to preserve our freedom.

RECOGNITION OF CAMEROON'S
NATIONAL DAY

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. RUSH. Mr. Speaker, I rise today to recognize the Republic of Cameroon as it celebrates its National Day today, May 20th. Known by many as "Africa in Miniature," Cameroon represents within its borders the whole of Africa's wondrous geographic diversity. This Central African nation, a strong ally of the United States, has made important strides both politically and economically over the past year.

For example, last month, on April 14th, Cameroon held its first Senatorial elections, fulfilling its Constitutional requirement to sit an upper house of its National Assembly. This new legislative body, which commenced its first session last week, reinforces the steps Cameroon has taken on its path to a full and vibrant democracy.

On the economic front, Cameroon has also made important strides on its road toward responsible development by joining the Kimberley Process and working toward validation under the Extractive Industries Transparency Initiative. In January of this year, the Government approved the establishment of two new financial institutions to strengthen the financing of small and medium rural enterprises in Cameroon.

Mr. Speaker, it must also be noted that Cameroon also represents the collective African desire to enhance bilateral trade with the United States and last month, I cosponsored legislation that would do just that. Among other things, H.R. 1777 would create jobs in the United States by increasing U.S. exports to Africa by at least 200 percent in real dollar value within 10 years. This legislation complements the African Growth and Opportunity Act (AGOA), a system that reinforces African reform efforts and provides improved U.S. market access for African countries.

African countries such as Cameroon benefit from AGOA in part because it helps build an economic foundation upon which a broader bilateral relationship can be built, and I urge my colleagues to support renewal of this important legislation before it expires in 2015.

While Cameroon continues to make measured progress, challenges remain. Nevertheless, I am encouraged by the engagement that exists between our two nations, as it will help the Government of Cameroon consolidate its democratic gains and economic growth, both of which create a brighter future for the people of Cameroon.

Once again, Mr. Speaker, I would like to express my best wishes to the people of Cameroon as they celebrate their National Day.

PERSONAL EXPLANATION

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. DESJARLAIS. Mr. Speaker, at the conclusion of congressional business on Friday, May 17th, I was unable to cast three rollcall votes and voted erroneously on one amendment due in order to travel back to Tennessee in time to make it to my son's high school graduation ceremonies. On rollcall vote No. 157, Representative HURT's amendment to H.R. 1062, I am recorded as not being present. I would like the RECORD to show that I would have voted in favor of this amendment. Next, I mistakenly voted in favor of rollcall vote No. 158 thinking the vote was still open for the rollcall vote No. 157, and I would like the RECORD to indicate I intended to vote against rollcall vote No. 158. Lastly, I would like the RECORD to indicate that I would have voted against rollcall vote No. 159, the motion to recommit with instructions and would have voted in favor of rollcall vote No. 160, passage of H.R. 1062.

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 2013

Mr. LEWIS. Mr. Speaker, I was unable to cast rollcall votes on the afternoon of May 16th and all day on May 17th. Had I been present, I would have cast the following votes:

On rollcall 153, I would have voted "yes."
On rollcall 154, I would have voted "no."
On rollcall 155, I would have voted "no."
On rollcall 156, I would have voted "no."
On rollcall 157, I would have voted "no."
On rollcall 158, I would have voted "yes."
On rollcall 159, I would have voted "yes."
On rollcall 160, I would have voted "no."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 21, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 22

9 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold closed hearings to examine proposed budget estimates for fiscal year 2014 for the Army. SD-192

9:30 a.m.
Committee on Appropriations
Subcommittee on Department of the Interior, Environment, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the United States Forest Service. SD-124

10 a.m.
Committee on Finance
To hold hearings to examine S. 662, to reauthorize trade facilitation and trade enforcement functions and activities. SD-215

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 959, to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs, S. 957, to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, the nominations of Mark Gaston Pearce, of New York, Richard F. Griffin, Jr., of the District of Columbia, Sharon Block, of the District of Columbia, Harry I. Johnson III, of Virginia, and Philip Andrew Miscimarra, of Illinois, all to be a Member of the National Labor Relations Board, and any pending nominations. SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine performance management and congressional oversight, focusing on 380 recommendations to reduce overlap and duplication. SD-342

Committee on Small Business and Entrepreneurship

To hold hearings to examine how the Science, Technology, Engineering, and Mathematics (STEM) Education Pipeline can develop a high-skilled American workforce for small business, focusing on bridging the skills gap. SR-428A

Joint Economic Committee

To hold hearings to examine the current economic outlook. SD-G50

10:30 a.m.

Committee on Foreign Relations
Subcommittee on International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps
To hold hearings to examine different perspectives on international development. SD-419

2 p.m.
 Committee on Homeland Security and Governmental Affairs
 To hold an oversight hearing to examine business practices of durable medical equipment companies. SD-342

Special Committee on Aging
 To hold hearings to examine the Medicare prescription drug program, focusing on 10 years later. SD-366

2:30 p.m.
 Committee on the Budget
 To hold hearings to examine supporting broad-based economic growth and fiscal responsibility through tax reform. SD-608

Committee on Commerce, Science, and Transportation
 To hold hearings to examine the nomination of Anthony Renard Foxx, of North Carolina, to be Secretary of Transportation. SR-253

Committee on Environment and Public Works
 Subcommittee on Water and Wildlife
 To hold hearings to examine nutrient trading and water quality. SD-406

MAY 23

9 a.m.
 Committee on Environment and Public Works
 To hold hearings to examine the nomination of Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission. SD-406

10 a.m.
 Committee on Appropriations
 Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
 To hold hearings to examine proposed budget estimates for fiscal year 2014 for various agencies within the Department of Agriculture. SD-124

Committee on Energy and Natural Resources
 To hold hearings to examine the extraction of gas from shale, focusing on current practices within the industry and environmental concerns to be addressed. SH-216

Committee on Foreign Relations
 To hold hearings to examine United States-European Union economic relations, focusing on crisis and opportunity. SD-419

Committee on Homeland Security and Governmental Affairs
 Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce
 To hold hearings to examine improving Federal health care in rural America, focusing on developing the workforce and building partnerships. SD-342

Committee on the Judiciary
 Business meeting to consider S. 744, to provide for comprehensive immigration reform, and the nominations of Patri-

cia E. Campbell-Smith, of the District of Columbia, and Elaine D. Kaplan, of the District of Columbia, both to be a Judge of the United States Court of Federal Claims, and Charles R. Breyer, of California, Rachel Elise Barkow, of New York, and William H. Pryor, Jr., of Alabama, all to be a Member of the United States Sentencing Commission. SH-216

10:30 a.m.
 Committee on the Judiciary
 To hold hearings to examine the nominations of Derek Anthony West, of California, to be Associate Attorney General, Department of Justice, and Valerie E. Caproni, of the District of Columbia, and Vernon S. Broderick, both to be a United States District Judge for the Southern District of New York. SD-226

11 a.m.
 Committee on Commerce, Science, and Transportation
 To hold hearings to examine the nomination of Penny Pritzker, of Illinois, to be Secretary of Commerce. SR-253

2:30 p.m.
 Select Committee on Intelligence
 To hold closed hearings to examine certain intelligence matters. SH-219

JUNE 4

2:30 p.m.
 Committee on Commerce, Science, and Transportation
 Subcommittee on Communications, Technology, and the Internet
 To hold hearings to examine the state of wireless communications. SR-253

10 a.m.
 Committee on Veterans' Affairs
 To hold hearings to examine pending benefits legislation. SR-418

JUNE 5

JUNE 11

9:30 a.m.
 Committee on Armed Services
 Subcommittee on Airland
 Business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

11 a.m.
 Committee on Armed Services
 Subcommittee on Readiness and Management Support
 Business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

2 p.m.
 Committee on Armed Services
 Subcommittee on Personnel
 Business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the pro-

posed National Defense Authorization Act for fiscal year 2014. SD-G50

3:30 p.m.
 Committee on Armed Services
 Subcommittee on Strategic Forces
 Closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A

6 p.m.
 Committee on Armed Services
 Subcommittee on Emerging Threats and Capabilities
 Closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A

JUNE 12

9:30 a.m.
 Committee on Armed Services
 Subcommittee on SeaPower
 Closed business meeting to mark up those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-222

2:30 p.m.
 Committee on Armed Services
 Closed business meeting to mark up the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 13

9:30 a.m.
 Committee on Armed Services
 Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 14

9:30 a.m.
 Committee on Armed Services
 Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 20

10 a.m.
 Committee on Energy and Natural Resources
 To hold an oversight hearing to examine water resource issues in the Klamath River Basin. SD-366

POSTPONEMENTS

MAY 22

3 p.m.
 Committee on Foreign Relations
 To hold hearings to examine the nominations of Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso, and Catherine M. Russell, of the District of Columbia, to be Ambassador at Large for Global Women's Issues, both of the Department of State. SD-419

HOUSE OF REPRESENTATIVES—Tuesday, May 21, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 21, 2013.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CONGRESSIONAL FOSTER YOUTH SHADOW DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. BASS) for 5 minutes.

Ms. BASS. Thank you, Mr. Speaker.

First and foremost, let me say that my heart goes out to all of those in Oklahoma who experienced a terrible tragedy yesterday, and I know I look forward to working with my colleagues to ensure that they get everything that they need to recover.

On another note, I rise today to celebrate the second annual Congressional Foster Youth Shadow Day. Today, we are joined in the Halls of the U.S. Capitol by over 50 foster youth and alumni from across the country. They've been paired with Members of Congress as job shadows to get a behind-the-scenes look at the inner workings of the House of Representatives. The young leaders will attend hearings, join meetings, and participate in media interviews.

As we welcome these young leaders and recognize National Foster Care Month throughout the month of May, we are reminded that foster youth far too often experience traumatic

incidences of abuse and neglect and are separated from their homes and siblings. Yet, even in the face of these challenges, the resiliency of foster youth remains strong.

The young foster youth here today are no different. They were selected to participate in Congressional Foster Youth Shadow Day based on their leadership and commitment to improving the lives of foster youth and families across the Nation.

Today, I'm honored to recognize and celebrate an incredible young woman with whom I have the privilege of sharing my morning. Marcelina Valenzuela is 24 years old and grew up in Los Angeles. She spent 7 years in the California foster care system. She entered foster care at birth due to drug addiction of her mother. She left foster care at age 4 only to return at age 15 because of ongoing neglect and abuse. Like far too many foster youth, she struggled with her education, sibling separation, and mental health because of the constant moving and upheaval while in foster care. Yet she was able to overcome these obstacles.

Now Marcelina actively works with organizations such as FosterClub, the National Foster Youth Action Network, and Foster Care Alumni of America to improve and reform the foster care system so that younger generations may not have to repeat the struggles and challenges that she faced.

Today, Marcelina has custody of her two younger sisters, ages 14 and 16. She's only 24. Her ultimate goal is to finish school and then build a career around improving the foster care system. In fact, she hopes to open up her own nonprofit that focuses on helping youth coming out of the juvenile justice system.

In honor of Marcelina's courage and tenacity, let us commit to doing what we can to ensure that 400,000-plus foster youth across the country have the opportunities, love, and families they deserve. As a first step, I invite my colleagues to join the Congressional Caucus on Foster Youth and to cosponsor the bipartisan resolution in recognition of May as National Foster Care Month.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, thank you very much. I am back on the floor

again to talk about the failed policy in Afghanistan.

This poster beside me, Mr. Speaker, is a cartoon that I got from the paper, and it says, "CIA ATM." Mr. Speaker, 2 weeks ago, The New York Times broke an article, a story that the CIA, over the last 10 years, has been giving hundreds of millions of dollars to Karzai, and I want to quote what Karzai said in that article. Karzai said he was assured that the CIA would continue delivering bags of cash—bags of cash—going to Karzai, the corrupt leader, in Afghanistan.

Mr. Speaker, what really makes this cartoon sad is in the background is an American soldier, and what he is thinking as Karzai is taking his cash money away from the CIA ATM machine, the soldier is thinking, "I'd like to make a quick withdrawal from here."

I hope that during the debate in July on the appropriations bill dealing with the Defense Department that we will start passing amendments that say we need to stop this out-of-control spending in Afghanistan with very little accountability.

I am one that agrees with my party and some of the Democrats that we need to hold hearings on Benghazi and the Internal Revenue Service. But I have written to the leadership of the Armed Services Committee and the subcommittee chairmen asking for a hearing on this out-of-control waste in Afghanistan. Not only did the CIA acknowledge that they have been giving tens of millions of dollars in cash to Karzai for 10 years, but, Mr. Speaker, we are also authorizing \$8 billion a month to go to Afghanistan. We are holding no hearings on the waste, fraud, and abuse in Afghanistan.

I hope that after we get through the appropriations process that we will start holding hearings. It's not fair to the American people that we borrow money from China to send to Karzai in Afghanistan. And, Mr. Speaker, we all know that Karzai is not going to survive. The Taliban, whom we are fighting, who are killing Americans today, will be the future leaders of Afghanistan. Every expert that I've spoken to, military and nonmilitary, has said that the Taliban, which primarily is made up of Pashtuns—that's the largest tribe of Afghanistan—in time, they will be the leaders of Afghanistan.

It is time for this Congress to wake up and join the American people. Seventy-five percent of the American people say, We want out of Afghanistan.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

We want to bring our troops home. We want to stop wasting money.

So, Mr. Speaker, before I close, I would also like to reiterate this cartoon. It's Karzai standing at a CIA ATM machine. He's got bags of cash down at his feet, and the little guy has a credit card that he's going to put into the machine, like we all do here in America to get money from our own accounts. But he's not getting it from his own account; he's getting it from the CIA account. And then I see this poor soldier standing behind him who's saying, "I'd like to make a quick withdrawal from here."

Mr. Speaker, I ask God to please bless our men and women in uniform. I ask God to hold in His arms those families who've given a child dying for freedom in Iraq and Afghanistan. I ask God to please bless the House and Senate, that we will do what is right in the eyes of God. I ask God to please bless the President, that he will do what is right in the eyes of God. And three times I will ask, God, please, God, please, God, please continue to bless America.

REMEMBERING THE WORDS OF HARVEY MILK

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. TAKANO) for 5 minutes.

Mr. TAKANO. Mr. Speaker, I, too, along with my colleague from California, Congresswoman BASS, express my sorrow for the victims of the terrible tragedy in Oklahoma, and I stand ready to work with my friends across the aisle to do all we can to alleviate the tragedy.

Mr. Speaker:

Somewhere in Des Moines or San Antonio there is a young gay person who all of a sudden realizes that he or she is gay; knows that if their parents find out they will be tossed out of the house, their classmates will taunt the child, and the Anita Bryants and John Briggs are doing their part on TV. And that child has several options: staying in the closet and suicide.

And then one day that child might open the paper that says, "Homosexual elected in San Francisco," and there are two new options: the option is to go to California, or stay in San Antonio and fight. Two days after I was elected, I got a phone call and the voice was quite young. It was from Altoona, Pennsylvania. And the person said, "Thanks."

And you've got to elect gay people, so that thousands upon thousands like that child know that there is hope for a better world; there is hope for a better tomorrow.

Without hope, not only gays, but those who are Blacks, the Asians, the disabled, the seniors, the us's: without hope, the us's give up. I know that you can't live on hope alone, but without it, life is not worth living. And you, and you, and you, and you have got to give them hope.

□ 1010

Those words, Mr. Speaker, were spoken by Harvey Milk. It is with tremen-

dous honor and gratitude that I enter them into the CONGRESSIONAL RECORD on his behalf and all of the "us's" in our Nation.

YUCCA MOUNTAIN AND SCIENTIFIC INTEGRITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, there's good news in our pursuit of a repository to hold our Nation's spent nuclear fuel and nuclear waste, although it went largely unreported.

Officials from both the Department of Energy and the Nuclear Regulatory Commission have publicly admitted that neither agency has identified any technical issues that would prevent us from being able to develop a safe repository at Yucca Mountain in Nevada. This admission came during a recent hearing before the Energy and Water Appropriations Subcommittee in response to a question from my friend and colleague, Mr. FRELINGHUYSEN, the subcommittee chairman.

To stakeholders in the nuclear waste debate, this fact should come as no surprise. Why else would Greg Jaczko, Senator REID's former staffer, abuse his authority as NRC chairman and deceive his Commission colleagues to scuttle publication of the agency's safety review?

If Yucca Mountain were as scientifically flawed as Senator REID says it is, then he would have benefited by having the agency's conclusions released publicly. Instead, Senator REID got a promise from President Obama to shut down the program.

President Obama obliged, with no basis other than the cryptic statements about Yucca Mountain being "unworkable." Meanwhile, Senator REID's protege, Mr. Jaczko, made sure the NRC's independent technical conclusions never saw the light of day.

These actions have been challenged in court. The State attorneys general for both Washington and South Carolina, together with the National Association of Regulatory Utility Commissioners, Aiken County, South Carolina, and Nye County, Nevada, have all alleged that the NRC has violated the Nuclear Waste Policy Act by ceasing its review of the Yucca Mountain license application, which is mandated under the law. The case is currently before the District of Columbia Circuit Court of Appeals.

When President Obama took office, he said that this administration would "restore scientific integrity in government decisionmaking."

Shortly after taking office, he issued a Presidential Memorandum stating:

Political officials should not suppress or alter scientific or technological findings and conclusions. If scientific and technological information is developed and used by the

Federal Government, it should ordinarily be made available to the public.

Except for information that is properly restricted from disclosure, each agency should make available to the public the scientific and technical findings or conclusions considered or relied upon in policy decisions.

The public must be confident that public officials will not conceal or distort the scientific findings that are relevant to policy choices.

He reaffirmed these statements recently when addressing the National Academies of Science:

In all the sciences, we've got to make sure that we are supporting the idea that they're not subject to politics, that they're not skewed by an agenda, that, as I said before, we make sure that we go where the evidence leads us.

Mr. Speaker, I find it very difficult to reconcile these pronouncements with the Yucca Mountain situation as it stands today. Electricity consumers and taxpayers have invested \$15 billion to find a safe disposal site for our Nation's civilian spent fuel and the nuclear waste left over from the Cold War. After investing 30 years and \$15 billion in Yucca Mountain, they deserve, at a minimum, for the independent nuclear safety regulator, the NRC, to release its conclusions on whether the site is safe or not.

Given the admissions from these DOE and NRC officials, it appears we have found a safe solution to our Nation's nuclear waste problem: Yucca Mountain. The bad news is that this administration would rather play politics than solve the problem. Transparency and scientific integrity should not be debased into political buzz words easily cast aside for the sake of political favors.

Mr. Speaker, the American people deserve better. They deserve to know the truth about Yucca Mountain. It's outrageous that they must go to court to get it.

PUT ASIDE POLITICS FOR DISASTER RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 5 minutes.

Mr. LARSON of Connecticut. Mr. Speaker, our hearts go out to the people of Oklahoma and our colleague, Representative TOM COLE, whose district has been devastated by the latest catastrophe that has befallen our country.

I recall the great courage of TOM COLE on this floor and in his conference, putting aside politics and ideology and voting for relief after Hurricane Sandy. As the death toll rises and the search and rescue valiantly continues, let us not just offer our prayers, as much as they are needed and welcomed, but let us act as united citizens and send, with all due speed, relief for the people of Oklahoma.

Disasters and tragedies should never be about ideology or politics or geographic locale. When Americans are in need of help, this Congress needs to respond. That is who we are as a people. That's what leads us to become a more perfect union.

Any American befallen by tragedy or national disaster needs the assistance of their Nation and their fellow Americans. Let us act in this Congress before we leave. Before we go on an extended break, let us take action on behalf of the citizens of Oklahoma.

Let us put aside and let us damn politics and ideology and act on behalf of the American people and these people of Oklahoma who are enduring so much through this natural disaster.

God bless America.

HONORING THE 200TH-PLUS ANNIVERSARY OF THE SEATAACK COMMUNITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. RIGELL) for 5 minutes.

Mr. RIGELL. Mr. Speaker, this morning I consider it a joy and really a special privilege to rise today to honor the 200th-plus anniversary of the Seataack community, the oldest African American community in the United States.

The community, named for the sea attack of the coast by the British Navy, is a stalwart in Hampton Roads, steadfastly protecting civil rights and promoting the African American community. Throughout its proud history, the Seataack community has stood for doing what is right in the face of adversity.

Going back to the early 1800s, Seataack fishermen braved the rough waters of the Atlantic to save the passengers of a ship that had wrecked off the coast. The men of Seataack have fought in every major American war, including serving as air raid wardens in World War II to protect the citizens of Virginia Beach from potential airstrikes.

And when the Seataack community needed a fire department, the Seataack veterans from World War II came together to build the first fire department owned and operated by African Americans.

Even in its early days, Mr. Speaker, Seataack has shown a commitment to educating its youth. In 1908, Seataack parents formed their first school at Mount Olive Baptist Church, and a few years later formed the Seataack Public School League. Later, the community provided the land for the Seataack Elementary School. And today, Seataack continues its commitment to education by providing funding for college students.

Mr. Speaker, I am truly honored to represent this amazing community within my district. Their continuous

hard work to promote education, civil rights, and a safe Hampton Roads community is nothing short of admirable.

□ 1020

In October 2011 and October 2012, the community celebrated 200-plus years of being a vibrant, active, engaged, and historical community. Thanks to the contributions of the community historian, whom I have gotten to know and greatly respect, Sadie Shaw, a pre-eminent holder of all the history of the wonderful community, because of her and so many others, the legacy of the historical community of Seataack will continue to be perpetuated for generations to come.

I congratulate them as the legacy continues. We ask that God continue to bless that wonderful community and this wonderful country that we're privileged to live in.

EXTENDING SYMPATHY TO THE PEOPLE OF OKLAHOMA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, it's with great sadness that I rise today to extend sympathy to the people of Oklahoma, and especially to our colleague, Congressman COLE, and his constituents who have been affected by the tornado. We just heard our President talk about how our prayers and our deeds are with the people of the community. We also just heard Mr. LARSON talk about our acting immediately to provide the assistance to the people there; and to the extent that Congress can act quickly upon that, we should.

We've seen natural disasters come and go. They're all terrible. The loss of life is tragic, as well as the loss of homes and belongings. It's very hard to see how people can be made whole, but we are always hopeful that they will be. People say, Where do you find hope in a situation like that? It sits there comfortably between faith—we believe, and therefore we have hope—and the charity of others, that we can work together to come through this.

Whether it's earthquakes in California, storms in the Northeast, or hurricanes in the South, like Katrina, it's always tragic. There's something especially deeply saddening about what happened in Oklahoma City. It reminded me immediately of something that I carry in my heart.

I went to Italy as a representative of President Carter in 1980. It was a congressional delegation to deliver U.S. assistance following an earthquake in southern Italy. In one small town in the mountains that we visited, the roof of the church collapsed. And what was tragic about it that resembles what happened in Oklahoma is that in that church that day was the first grade. They were practicing for First Holy

Communion. So every 7-year-old child in that village was a casualty. Every one died.

And so when there's loss of life, of course, it's always tragic. Everyone is a valuable life. But when every 7-year-old in the village dies, it just does something to your psyche. It's so sad. You grieve so deeply. It's so hard to console people. And it's sad to see what happened to the school in Oklahoma City. Twenty little children lost their lives, each one of them precious, all of them the future of the community. How deep the grief must be there. We must try to help wipe the tears away from that community. So many little children.

It was a beautiful sight to see the first responders trying to dig people out—and successfully. There was a picture today of a little boy pulled out from the rubble. Teachers made a valiant effort to cover children so that falling debris did not harm those who were still alive. And so whether it was first responders or teachers or families, it was a community coming together. This community has suffered a great loss of lives, a horrible loss of homes. What was a home became debris in a matter of minutes.

And so I hope that we all know what our responsibility is, because these children are America's children. Those that died have such an impact on the community. We must all appreciate the depth of the grief, the depth of the tragedy that has befallen. I'll never, ever forget the desperate look in the eyes of the people in the village of the mountains of Italy. As I said, we're always hopeful through prayer, which gives us strength; faith, which gives us hope; and the charity of others, which helps us to go forward.

So I hope it is a comfort to the people of the region that their loss is one that is shared and mourned by our entire country, definitely in this Congress of the United States, and across the world. Whatever is in our power to be helpful to them, we will do—and we will do it quickly. Most importantly, they will always and ever be in our prayers.

GIVE US THEIR NAMES

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, one of the most disturbing aspects of the unfolding scandal involving the misuse of the IRS is what can only be described as an insatiable appetite for names, names, and more names.

Conservative groups—and only conservative groups—seeking to organize under section 501 were subjected to pages of intrusive and irrelevant questions but with a common theme: give us their names. Give us the names of

your volunteers. Give us the names of your donors and your family members and your business associates. Give us the names of speakers and audience participants in your meetings.

One man applying to form a group to educate teenagers in constitutional principles was told to turn over the names of his students. As he told a reporter, Can you imagine my responsibility to parents if I disclosed the names of their children to the IRS?

This tactic was not limited to new applications. The venerable Leadership Institute, which has been schooling young people in constitutional principles for 40 years, was put through a year-long audit. The IRS wasn't only interested in financial information, they wanted the names of the students and their college interns and the names of anyone who had subsequently hired these young people. And when the IRS wasn't demanding the names of ordinary Americans or asking what they were reading or thinking or saying, in some cases applicants were given names and told to reveal what they knew about these people.

Mr. Speaker, these are facts that are undisputed by the administration and its apologists. For a period of more than 2 years, these questions were put to Americans whose political opinions had been singled out by one of the most powerful and feared agencies of the Federal Government.

What I would like to know is why? Why did the IRS demand lists of names of thousands of Americans whose only common characteristic is that they disagreed with this administration? Where are these lists now? With whom were they shared? Who wanted to know these names? What possible use would the IRS have to track the names of high school students who simply wanted to learn about their Constitution? But most importantly, what were these names used for and what are they being used for?

I don't have an answer to these questions, but I find their implications deeply disturbing; and they must be answered during the course of the investigations now underway, and they must be answered in full and with certainty.

□ 1030

I cannot conceive of the reasons why the Federal Government would be so interested in compiling such lists; but we know for a fact that they were, and that fact is undisputed. What we don't know is why; and knowing the answer to that question and the other questions raised by this undisputed fact is absolutely essential to a society that values its freedom of speech, its freedom of assembly, its freedom of press, and its freedom of conscience.

We know the ancillary effect of these illegal demands. They dried up donations to these conservative groups.

They heavily suppressed volunteer activities. We know some lists were leaked to liberal publications like The Huffington Post and ProPublica. What we don't know is what was the direct purpose of gathering these names.

The administration's spokesman this weekend said the law is irrelevant and called it a distraction. Well, on the contrary, this strikes at the very foundation of a free society, the rule of law, and the right of the people to question the policies of their government without fear of retribution or intimidation.

Seventy-five years ago, Winston Churchill warned of a "state of society where men may not speak their minds, where children denounced their parents to the police, where a businessman or small shopkeeper ruins his competitor by telling tales about his private opinions."

If it is possible that we have taken even a single step down the road that leads to such places, then that situation should occupy our full and undistracted attention until it is fully and completely rectified, new safeguards are erected against its recurrence, and those responsible are held fully accountable.

MAXIMIZING OPTIMAL MATERNITY SERVICES FOR THE 21ST CENTURY ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to challenge my colleagues to make optimal maternity outcomes a priority in our country.

Tragically, childbirth in this wealthiest of nations has significantly greater risks for mothers and babies when compared to almost all other developed nations.

In the U.S., more than two women die every day from pregnancy-related causes, and more than one-third of all women who give birth experience some type of complication with an adverse effect on their health. These tragedies are most often found in communities of color.

Regrettably, mothers aren't the only victims of our maternity care system. Sadly, out of every 1,000 babies born in the United States, nearly seven babies die. Particularly disturbing is that since 1991, premature birth—the leading cause of low birth rate and infant mortality—has actually increased in our country by more than 30 percent. Adding to this concern is that the U.S. spends more than double of any country in the world on maternity care and still ranks far behind most developed countries in maternal and infant outcomes. Clearly, something must be done to protect mothers and babies.

While it is important to continue studying the causes, we already know

many factors that contribute to poor birth outcomes and to high costs. One well-established factor is that current U.S. medical practice does not follow the vast body of research that exists on the best evidence-based maternity care. This includes the research of credible studies showing that multiple noninvasive maternity practices can produce considerable improvement in birth outcomes without detrimental side effects to mother or baby.

Two examples of these noninvasive and relatively simple practices significantly underused during pregnancy are group models of prenatal care and smoking cessation programs. Unfortunately, the U.S. also has a widespread overuse of Cesarean sections and scheduled inductions. The overuse of these practices, which are beneficial only in limited situations, has been associated with complications that jeopardize the health of mother and baby and with longer hospital stays and multiple costly procedures.

These tragically poor childbirth outcomes and high costs must no longer be tolerated in our country. Therefore, this week I am introducing the Maximizing Optimal Maternity Services for the 21st Century Act, better known as the MOMS Act. This bill will create a coordinating committee to ensure that Federal agencies are on the same page in promoting the best evidence-based maternity practices in their programs. And it will facilitate across maternity professions collaboration in the education of a diverse maternity care workforce. In addition, the MOMS Act authorizes grant programs for professional organizations to recruit and retain minority maternity care providers.

The MOMS Act also establishes an online database to make available the best evidence-based maternity care information to women and families, and it authorizes a consumer education campaign focused on how to achieve the healthiest maternity outcomes.

The MOMS for the 21st Century Act further expands research on the best maternity practices and on the identification of the geographic areas that lack adequate maternity health care providers.

Mr. Speaker, we can and must do better for our mothers and newborns. As a country, we must reach beyond our self-imposed boundaries and embrace a cost-effective, evidence-based model of maternity care that reflects our values and saves the lives of mothers and babies.

I urge my colleagues to join me in this effort by cosponsoring and helping to pass the MOMS for the 21st Century Act.

HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, there are probably very few issues that touch Americans, families, our States, and small businesses more personally than health care.

This House has dealt numerous times with addressing the Affordable Care Act. But when we talk about it on that very personal level—of a mom taking a sick child down to visit the doctor, to a senior citizen who's counting on that hospital being able to be there, to be able to deliver the care that they need—we need to recognize that the overarching view that Washington typically performs when passing a bill and delivering it to the American people, that it has very real consequences, very real impacts.

In my district in rural Colorado—and in fact throughout rural America—there is a looming health care crisis that is just on the horizon. That ability to be able to go to the doctor, to be able to have a hospital that's going to be there to be able to provide the service that's necessary—they're feeling that real impact right now at home.

We've had a lot of discussion about that big, overarching bill: the IPAB boards that are going to be making the medical choices for our senior citizens—indeed for all Americans—rather than that choice being made between the doctor and the patient; about the State mandates that are coming through; the Medicare payment cuts; higher health costs; the budget that is now going to be estimated at \$1.76 trillion in costs over a 10-year period, and rising, on a struggling American economy, on struggling families and small businesses; the 150 new boards that are being established; the better than 12,000 pages of new regulations that our hospitals, our doctors, and our families are going to have to be dealing with; and the short form, to simply be able to fill out and be able to apply for the Affordable Care Act, 21 pages just to be able to get insurance.

We need, Mr. Speaker, to be talking about those real impacts, not from the 30,000-foot view, but on the ground at home.

I recently went to Delta Memorial Hospital in my district, a small community hospital that's proud of their service. In fact, they've had multiple surveys that went through and rated their service among the best. They are now being challenged by the Affordable Care Act in terms of that health care delivery.

They have a program called the Recovery Audit Contracts conducted by individual companies that don't even have to have health care background, but they're going back in and reassessing costs. And they're having to pay back money now, money that they simply do not have.

We're seeing reimbursements to doctors drop at Delta Memorial Hospital, making it harder for the physicians to be able to deliver that service.

These are small hospitals. They don't have big HR departments; they're there for the health of the community. But they are seeing real challenges in being able to continue. In fact, in many of our rural hospitals, they're beginning to wonder if they're going to be able to continue to deliver that service.

□ 1040

I've talked to doctors in Delta, Montrose, Grand Junction, Pueblo, throughout my entire district, who are frustrated that they are now seeing their reimbursements—money that they need to have to be able to conduct their business—being cut by the Federal Government, the Federal Government determining what the value of that service is going to be and saying you can afford it. That's not real life.

What we are seeing now are senior citizens who just became senior citizens by the virtue of a birthday over the last few months, they cannot find a doctor who is willing to take Medicare, simply because they can no longer afford it.

We have a system, Mr. Speaker, that completely forgot the original premise that every American, I believe, can agree on. We need to have real reform, but we need to go back to that initial premise of affordability and accessibility. The Affordable Care Act fails on both levels.

We are seeing right now, in my home State of Colorado, estimates for individual insurance policies this year are going to go up an estimated 23 percent or more. Small businesses, who are trying to provide group insurance, are seeing their costs going up this year estimated better than 17 percent.

Have we achieved more affordability, as was promised? We have not.

When we are talking about that accessibility issue, when that senior citizen in Delta, Colorado, walks into a doctor's office and is told that they aren't accepting any new patients, are we achieving that accessibility? We are not.

Mr. Speaker, we need to go back to that original premise, because so many small businesses right now that would like to be able to deliver that service are feeling the impact. I have a friend who owns several small Pizza Huts throughout the West, and she is dealing with those additional costs that are hurting her business and her ability to be able to deliver that real service for her employees.

We have a challenge in this country, Mr. Speaker, and it can and will be addressed if we will go back to that original premise of affordability and accessibility. The Affordable Care Act fails on both points.

Let's roll up our sleeves and get the job done for the American people.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until noon today.

Accordingly (at 10 o'clock and 42 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Pastor Mark Turner, South Valley Community Church, Gilroy, California, offered the following prayer:

Heavenly Father, what an incredible honor it must be for these men and women gathered in this Chamber today to represent the entire population of this country. I pray that they would not only feel the magnitude of this responsibility, but that You would give them the strength of character to carry out that responsibility in an honorable and Christ-like way.

I pray, too, for the guardians of freedom on duty today all around the globe, the men and women of our Armed Forces. May You sustain them and keep them safe. May we as a Nation never forget the tremendous sacrifice they have made on our behalf to ensure our freedom and democracy.

May it be upon these Members of this House that the lantern of hope and the light of liberty continue to burn bright in this land we call America.

Finally, Lord, it is with heavy hearts that we stand here today, each one of us assembled in this Chamber pray for the families in Oklahoma who have been affected by the devastating tornado that struck yesterday. Comfort those who have lost loved ones, strengthen rescue workers and emergency personnel, and may neighbor reach out to neighbor to assist in the healing and rebuilding process.

As the eyes of the world are upon the residents of Oklahoma, let them demonstrate dependence upon You and help them to display the resilience, the resolve, and the American spirit that made their State and this Nation so great.

We pray these things in Jesus' name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. CARTWRIGHT)

come forward and lead the House in the Pledge of Allegiance.

Mr. CARTWRIGHT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING PASTOR MARK TURNER

The SPEAKER. Without objection, the gentlewoman from California (Ms. LOFGREN) is recognized for 1 minute.

There was no objection.

Ms. LOFGREN. Mr. Speaker, it is my privilege to introduce Pastor Mark Turner of South Valley Community Church in Gilroy, California, as our guest who delivered this morning's opening prayer.

Over a decade ago, Pastor Turner left his career to answer a higher calling to serve his fellow persons in the ministry. In serving others, Pastor Turner has become a respected leader in our community, making a difference in people's everyday lives.

Working with local partners and businesses, Pastor Turner and hundreds of volunteers serve our community through outreach projects that feed children, seniors, and underprivileged residents. They help local children through programs that encourage them to be active and strive for success, and they bring compassion and services to people in need.

Answering a call to serve something larger than one's self is a trait we deeply admire and value as Americans. So it is a pleasure to welcome Pastor Turner to our Nation's Capitol today and to thank him for his service to our community and our country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MEADOWS). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

HOLDING GOVERNMENT ACCOUNTABLE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker and my colleagues, our hearts go out today to those in Oklahoma who are suffering as a result of this storm. I've asked that the flags here in the Capitol complex be lowered to half staff in honor of the victims of this terrible tragedy.

Mr. Speaker and my colleagues, this House is going to continue to be focused on the issue of jobs. It's the number one issue of concern to our fellow citizens. We're going to continue to be focused on the things that get in the way of job creation in our country.

Most notably, this week we will work on trying to get the Keystone pipeline approved that will create some 20,000 direct jobs and over 100,000 indirect jobs, and trying to make sure that those who have student loans won't see their interest rates double. That will be the work of the House this week.

But in addition to that, we have a responsibility to the American people to provide oversight of the executive branch. I think Americans understand and my colleagues understand that the American people deserve the truth. Whether it's Benghazi, whether it's the IRS, whether it's the Justice Department investigating journalists, the Congress of the United States and the American people need to know what the truth is—to hold this administration accountable.

Those of us in public office understand that our job is to serve the American people, and not the other way around.

SEQUESTRATION EFFECTS IN PENNSYLVANIA

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, over the past few weeks, newspapers in my district in Pennsylvania have reported that local housing authorities are facing a "nightmare" due to sequestration cuts in HUD, the Department of Housing and Urban Development. Mr. Speaker, fewer people are going to be able to access housing as a result of this Congress' nightmare policies.

In Northampton County, Pennsylvania, alone, 85 people are going to have to leave the section 8 voucher program through turnover or there will be evictions. In Luzerne County, Pennsylvania, 900 people will be removed from the program's waiting list.

Our social safety net is disappearing. And what happens if these people fall into homelessness? According to HUD, the annual cost of a shelter bed funded by the Emergency Shelter Grants program is approximately \$8,067 more than the average annual cost of a section 8 voucher. This Congress is being penny-wise and pound-foolish.

HONORING SERGEANT FIRST CLASS JEFFREY BAKER

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAWFORD. Mr. Speaker, last week, the EOD community lost one of its best and brightest. Sergeant First Class Jeffrey Baker was killed 1 week ago today in an IED explosion that killed four of his fellow soldiers and injured multiple others. Sergeant First Class Baker was assigned to the 766th

EOD Company out of Fort Stewart, Georgia, and was serving in Sanjaray, Afghanistan, at the time of his death.

EOD soldiers, sailors, airmen, and marines are the preeminent explosive experts in our Armed Forces. Our joint EOD forces lead the fight against the use of IEDs and protect their fellow servicemembers and our interests both at home and abroad.

Too often, the lives of these brave men and women are claimed by the very devices they are trained to neutralize. Sergeant First Class Baker gave his life along with four of his fellow soldiers in defense of our freedoms. It's important that we honor their sacrifice and the sacrifices of those who came before them.

Next week, as the Nation honors the veterans who have given their lives for this country, it's important that we take time to recognize the risks our troops take on our behalf every day and the need to support our veterans and their families.

Jeffrey Baker was from Hesperia, California, and was just 29 years old. He is survived by his wife and his young daughter. My thoughts and prayers are with Jeffrey's entire family, the families of his fellow soldiers who were killed, and the soldiers recovering from the blast.

God bless our Armed Forces, and God bless America.

WELCOMING LONGABERGER POTTERY BACK TO U.S.

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, as a member of the House Democrats' Make It In America Working Group, I was pleased to attend a ceremony yesterday welcoming Longaberger Pottery to Niagara Ceramics Corporation in Buffalo.

In 2005, Longaberger moved its production line to China. Its return will create 22 American jobs. Under CEO Tammy Longaberger, this fifth-generation family business manufactures in the true American artisan tradition.

This story is further evidence that we are approaching what the writer Charles Fishman calls "the insourcing boom." American companies are reconsidering their decisions to move operations overseas. The issues of rising transportation costs, quality control, and the productivity of American workers is driving this trend. Congress should be working to ensure the new trend becomes a sustainable, large-scale movement.

And austerity is exactly the wrong response. We should be investing in our infrastructure, in education, and in science. We should adopt the House Democrats' Make It In America agenda, including legislation that replaces tax breaks for moving jobs overseas

with incentives for bringing them home.

□ 1210

LANCE CORPORAL JOSHUA C. TAYLOR MEMORIAL POST OFFICE BUILDING

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, I rise today to announce legislation I introduced that will designate the post office in Marietta, Ohio, as the Lance Corporal Joshua C. Taylor Memorial Post Office Building.

Lance Corporal Joshua Taylor is a true American hero who lost his life on March 18 in an explosion during a training exercise at the Hawthorne Army Depot in Nevada.

From an early age, Josh had dreamed of serving his country and becoming a marine. He entered the Marine Corps upon graduating from Marietta High School in 2010. After basic training, Josh was stationed in Camp Lejeune, North Carolina, and specialized in mortar weaponry. He honorably served tours of duty in Afghanistan and Kuwait.

In addition to being a dedicated marine, Josh was an exceptional individual. He will be remembered for his gentle spirit, unfailing love, and his love for his family.

Dedicating the Marietta Post Office for Josh Taylor serves as a small tribute to honor and remember the life of a remarkable young man and the sacrifice he made for America.

BUDGET AND SEQUESTER

(Ms. FUDGE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FUDGE. Mr. Speaker, our economy is improving, the national debt is going down faster than expected, and yet sequestration is still in effect and causing real and long-reaching harm in our communities. Republicans appear prepared to sacrifice our country's economic growth, sacrifice job creation, in favor of sequester cuts.

What happened to the Members on the other side all the last term asking, "Where are the jobs?" Now I'm asking, Where are the jobs?

Mr. Speaker, the sequester is slashing jobs, cutting education, and starving research. All this happens while my counterparts feel comfortable to stand idly by instead of appointing conferees to work out the differences between the House and Senate budget proposals and coming up with a plan that grows the economy and responsibly reduces the deficit.

The American people need Congress to act in a big way, and we need to act now.

IRS SCANDAL

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, to my colleague who just spoke, I say she's going to have an opportunity with voting on the Keystone XL bill to address the jobs issue this week.

But let me talk about this most recent IRS scandal. I have a local, well-respected attorney named Tad Armstrong in my district, who founded the Constitution study group called Earn It, Learn It or Lose It.

He applied for a tax-exempt status in August of 2010. In October of 2010, Cincinnati headquarters called with a lot of questions. It wasn't until October of 2011 that he received an 11-page rejection letter.

He hired an accountant to try to appeal. He told the accountant that his appeal was probably denied because he was teaching about the Constitution. She laughed at that. But after this most recent IRS story broke, she called back and said, "My goodness, you are right."

I quote Tad in saying: "Here you have Jay Carney saying the President is a staunch defender of the First Amendment. I can't help but be reminded several times the President saying the Constitution is outdated and gets in his way."

PEACE OFFICERS MEMORIAL DAY

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, in 1962, President Kennedy established Peace Officers Memorial Day to honor the sacrifices made by officers who died in the line of duty.

Last week, during this year's Peace Officers Memorial Day, I was privileged to meet Elisa and Miguel Garcia, who recently lost their first-born son, El Paso Police Officer Angel David Garcia. It was Officer Garcia's lifelong dream to serve our Nation in the city of El Paso, a dream he pursued with enthusiasm and dedication. Tragically, only 9 months after he joined the force, Officer Garcia was killed while on patrol this last December.

Officer Garcia dedicated his life to making El Paso and our Nation a better and safer place. He was both a Marine reservist and a patrol officer with the El Paso Police Department, and he was a loving older brother to his sister, Allyson, and to his brother, Mickey.

Angel Garcia's selfless service serves as an example to all of us. On behalf of all El Pasoans, I thank Officer Garcia and all those who serve our communities in law enforcement. Our community is proud to remember him as one of our finest.

MORE AMERICAN ENERGY MEANS MORE AMERICAN JOBS

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, the President seems to be getting a lot of information from the news rather than from his own administration lately. He says he was unaware of the IRS targeting conservatives, unaware of the Department of Justice seizing reporters' phone records, and unaware of the HHS Secretary fundraising for ObamaCare until he saw it on the news.

The next story the President should read will be about our bipartisan solution to create jobs and greater energy security for America—the Keystone XL pipeline. It really is incomprehensible that the President, after 1,700 days, would continue to stand in the way of the largest shovel-ready project in this country.

It's really this simple: more American energy means more American jobs. With millions of hardworking Americans out of work, gas prices skyrocketing, and China outcompeting the United States for access to Canada's oil supply, we need the Keystone XL pipeline.

It is time to put hardworking American families ahead of politics and focus on real solutions.

OKLAHOMA TORNADO

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I rise today on behalf of my constituents in the State of Hawaii as we all express our deepest condolences to those who have been impacted by the horrific tornado that hit Oklahoma yesterday. The destruction has been absolutely heartbreaking, and there really are no words that can adequately provide comfort during a time like this.

However, it is important for all of us to send a message of solidarity to those who have lost their loved ones, who have lost their children, lost their homes, and those who are still searching for their children, family, and friends in the rubble. Know that your country stands with you, your country grieves with you, and we are committed to doing what it takes to make sure that you have the support to rebuild.

The strength of our Nation lies in our unity, especially in these times of great need. Now is the time, as we go about our business here in the people's House, where we must stand as one, united to help our brothers and sisters in Oklahoma, provide them with assistance, prayers, and support as their recovery and rebuilding process begins.

□ 1220

GETTING AMERICANS BACK TO WORK

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. I rise today because I want to get Americans back to work.

When I was a little girl on the farm in Kettle Falls, Washington, my parents used to tell me, "Cathy, life isn't always fair."

But, you see, the difference was the things that weren't fair were outside of my control. Years later, we have a President who likes to talk a lot about fairness, but what he fails to mention is what isn't fair.

It isn't fair that this administration continues to make life harder for Americans all across this country—whether it's paying the bills at the end of the month, higher health care costs, higher gas prices, or an economy that's struggling with the smallest workforce participation rate since 1979. It is unfair for Washington to continue down a path that isn't working.

This week, we are voting to clear the way for the Keystone pipeline. It will create at least 20,000 new jobs from construction alone. It's just one piece of a true all-of-the-above energy plan. Keystone will put people back to work immediately while reducing our dependence on foreign oil and adding billions of dollars to our economy.

It is time for the President to stop talking about fairness and to actually start supporting it, and he can start by signing the Keystone project into law and get Americans to work all across this country.

CLIMATE CHANGE

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today to call attention to the growing threats that climate change poses to public health.

Increasingly, severe and frequent weather events and heat waves not only threaten people's health and safety but also jeopardize our food crop production and the availability of clean drinking water. Foodborne illnesses, asthma, and cardiovascular disease are expected to worsen in a changing climate.

Despite these anticipated impacts, however, most American health professionals do not have the tools they need to prepare for the changing needs of their patients, and climate change's threats to human health will only escalate with every day that we fail to take action.

That's why last week I reintroduced the Climate Change Health Protection

and Promotion Act, which will help health professionals prepare for and respond to the public health impacts of climate change.

Mr. Speaker, we cannot continue to turn a blind eye to the impacts of climate change, especially when it comes to the health of our friends, our neighbors, and our families. I hope we can work together to pass this and other commonsense measures to address the critical issue of changes to our climate.

GETTING RICH OFF MEDICARE

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of Tennessee. Mr. Speaker, some people and companies are getting rich off Medicare.

Washington Post columnist Charles Lane wrote about power wheelchair suppliers who are reimbursed as much as \$5,000 for a basic chair that costs them \$700 and sells at ordinary retail for \$2,500.

In addition, hospitals are charging wildly varying prices for the same procedures. George Washington University Hospital averages \$115,000 for a patient on a ventilator while Providence Hospital in the same city averages \$53,000 for the same service. In St. Augustine, Florida, one hospital typically billed \$40,000 to remove a gallbladder, using minimally invasive surgery, and another hospital in Orange Park, Florida, charged \$91,000. In one hospital in Dallas, the average bill for treating ordinary pneumonia was \$14,610 while another charged \$48,000.

I do not want to see one poor person denied any necessary medical treatment. However, we should not treat Medicare and Medicaid as holy and untouchable and allow many hospitals, medical providers, and suppliers to get filthy rich off government medicine.

LET'S PUT AMERICA TO WORK

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. I rise today to once again urge House leadership and the majority party in the House to refocus on what should be our top priority—jobs and the long-term economic stability of our Nation.

Each day, we report to our constituents that economic growth and putting Americans back to work is job one in Congress; yet very rarely does our agenda reflect that priority in this House. In fact, the request to name conferees to complete the budget process to grow jobs and grow the economy doesn't get heeded over and over again.

We are putting more and more people to work each month, but I have no

doubt that we can do better. As I talk to neighbors and friends back home, unemployment remains their top concern. Instead, many in this Chamber are plotting to take the debt ceiling hostage. We already know the dire consequences from that act.

The bottom line is this: jobs and economic growth are our constituents' top concerns, and they should be ours as well. We can and must do better. Let's put America to work.

NATIONAL FOSTER CARE MONTH

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, it is with great joy that I have shadowing me today a girl named Desirae, and she is with me as a foster child. It was one of the greatest honors of my life to serve as a foster mother to 23 great kids. May is Foster Care Month. There are 400,000 children in the United States who need a foster parent. We need more foster parents.

She and I have been talking about the news of the day so far. We talked about the tragedy in Oklahoma and how our former colleague, now-Governor Mary Fallin, is working so beautifully, together with the staff in Oklahoma, to meet the needs of the tragedy that is occurring. We talked about gas prices being \$4.30 a gallon and how building the Keystone pipeline will provide new jobs.

Foster children need love. They need stability. They need to be a part of the fabric of this Nation. Let's make them a priority in this country.

THE DISTURBING SILENCE TO THE SEQUESTER

(Ms. MENG asked and was given permission to address the House for 1 minute.)

Ms. MENG. To me, what has been more shocking than the sequester, itself, has been the response to it, or lack thereof, on the part of House leadership.

Are they listening to those on our streets and in our neighborhoods? Maybe the country is simply numbed by its repugnance of this Congress and the last.

The sequester harms the American people, particularly the middle class and our children. My district in Queens, New York, is decidedly and truly middle class; and every day constituents tell me how the sequester is hurting their families and their futures. It will cost America over 750,000 jobs this year, including police, firefighters, public defenders, and border agents.

We need to come to a compromise on a real spending plan that will increase revenue rather than slashing critical

programs. The American people need us to speak up for our priorities and our values. The silence is disturbing. The sequester is not okay.

THE IRS SCANDAL

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. The deliberate targeting of conservative groups by the IRS is inexcusable, and it raises serious red flags about the agency's abuse of power.

Mr. Speaker, what we see here is an institutional arrogance within the IRS. The American people should be able to trust that the agency responsible for collecting their hard-earned tax dollars will not discriminate against them based on their values or political views. While the Obama administration would have us believe that the IRS' targeting of conservative groups was the result of an increase in the number of non-profit applications, the data clearly reveal this to be simply untrue.

As if the targeting of conservative groups weren't bad enough, the IRS will also soon become the enforcer of ObamaCare—with the very same person previously in charge of the tax-exempt division at the IRS now in charge of the ObamaCare enforcement division.

Mr. Speaker, we need accountability from this agency and this administration. The American people demand it.

IMMIGRATION REFORM

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, for the first time in recent history, Congress has a real opportunity to pass comprehensive legislation to fix our broken immigration system.

Legislation being backed by a bipartisan group of Senators has done what many previous proposals have failed to do, and that is to gain broad support and to balance the needs of all of the interests of our country. I have been working closely with Members on both sides of the aisle in the House and in the Senate and with agricultural organizations and farm workers to make sure that the concerns of California's agricultural communities are met. The Senate's plan provides a legal and stable workforce for agricultural and critical protections for those who work very hard every day to put safe, healthy food on our Nation's dinner tables. Without these provisions, it would have been a deal-breaker for our valley.

Naysayers might say it's time to wait, but that's motivated simply by political interests, not reality. It's time for immigration reform now. It's

time for the House to act and to come together. It's time to pass this bipartisan effort to fix America's broken immigration system.

□ 1230

THE KEYSTONE PIPELINE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, it's been almost 5 years since the application to build the Keystone XL pipeline was filed. It's also been almost 5 years that Americans have been waiting for the jobs and energy security Keystone would provide. How much longer will President Obama make us wait?

American families expect our government to pursue the least expensive, most reliable domestic energy. Jobless Americans expect that their President won't stand in the way of economic relief. But on both fronts, President Obama's choice to cede to environmental special interests and block the Keystone pipeline in 2011 did the opposite. It denied thousands of jobless Americans the chance at high-paying work and blocked a direct connection between refineries in Texas and affordable energy in Canada.

But what's more audacious about the President's economically indefensible action is the fact that it is groundless. The President's own State Department concluded "no significant" environmental damage would be caused by Keystone's completion.

The Keystone pipeline has jobs to offer. Why is the President turning those jobs away?

JOBS, JOBS, JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 870 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis.

Mr. Speaker, this is not an exaggeration to say that unemployment is a matter of life and death. In a new study, researchers at Oxford and Stanford found that approximately 4,750 suicides in the United States between 2007 and 2010 were attributed to unemployment.

Now here in America, the sequester is slated to cut billions in nutrition subsidies, medical research, cancer clinics, low-income heating, and other lifesaving services. If we continue to cut jobs because of the sequester, Mr. Speaker, the facts are clear: the sequester kills.

Mr. Speaker, it's time to bring H.R. 900, the Cancel the Sequester Act, to the floor for a vote. It is time to turn

our attention back to jobs with the President's American Jobs Act.

Our mantra, Mr. Speaker, should be: job, jobs, jobs.

AMERICAN ENERGY PRODUCTION

(Mr. MILLER of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of Florida. Mr. Speaker, our economy continues to struggle, with nearly 12 million of our fellow Americans remaining out of work. Why, then, does the President still insist on standing in the way of creating new jobs by expanding America's energy sector by using all of our valuable resources—water, wind, solar, gas, and oil?

More American energy production would create jobs and grow our economy, in addition to lowering energy costs for hardworking Americans and strengthening our national security. These are the kind of goals that all Americans, Republican and Democrat, should be able to get behind.

But this President is clearly not serious about creating new jobs. He still has refused to approve the Keystone pipeline which would create 20,000 new jobs in America right away. It's been over 1,700 days. We've waited long enough. It's time to build the pipeline. It's time to create jobs.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 21, 2013.

Hon. JOHN A. BOEHNER,
*Speaker, The Capitol, House of Representatives,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 21, 2013 at 9:45 a.m.:

That the Senate passed S. 309.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

IMPROVING JOB OPPORTUNITIES FOR VETERANS ACT OF 2013

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1412) to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1412

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Job Opportunities for Veterans Act of 2013".

SEC. 2. AUTHORITY TO INCREASE AVAILABILITY OF PRIVATE SECTOR ON-JOB TRAINING PROGRAMS.

During the four-year period beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out section 3677(b)(1)(A) of title 38, United States Code, by substituting "75 per centum" for "85 per centum".

SEC. 3. ON-JOB TRAINING AT FEDERAL DEPARTMENTS AND AGENCIES.

Beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into agreements with the heads of other Federal departments and agencies to operate programs of training on the job under section 3677 of title 38, United States Code, to train eligible veterans or persons to perform skills necessary for employment by the department or agency operating the program.

SEC. 4. EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking "November 30, 2016" and inserting "December 31, 2016".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

H.R. 1412, as amended, is another product of the House Committee on Veterans' Affairs' work to improve the effectiveness of GI Bill benefits for veterans.

I want to express my appreciation to the Subcommittee Chairman BILL FLORES, Ranking Member MARK TAKANO, and our new full committee Ranking Member MIKE MICHAUD for working with us to bring this amended bill to the full House.

In general, H.R. 1412, as amended, responds to concerns about how to ensure that veterans make the best use of their hard-earned GI Bill benefits. Specifically, H.R. 1412 improves the GI Bill's on-the-job training option that offers veterans the opportunity to gain work experience and at the same time

offers employers a lower cost while the veteran undergoes their training.

The bill, as amended, has two major sections. Section 2 would reduce the final required training salary of a veteran engaged with an employer's on-the-job training apprenticeship program from the current 85 percent of the fully trained wage for the job to 75 percent. This new requirement would be put in place for a period of 4 years, following the effective date of this section. The temporary decrease in the wage requirement will provide more employers the flexibility to offer OJT programs when they otherwise would not have been able to do so.

Section 3 would direct the Department of Veterans Affairs to conclude agreements with other Federal agencies to have them further participate in the OJT program. If we're going to ask private employers to offer more opportunities to our veterans, the Federal Government ought to lead by example.

Mr. Speaker, this bill is another step in reducing the unemployment rate among our veterans and is fully paid for. I greatly appreciate the bipartisan manner in which our colleagues have worked to reach an accord on the final provisions of this bill, and I encourage all Members to support the bill.

With that, I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank the chairman of the full committee for all his hard work and for working in a bipartisan manner not only on this piece of legislation but all of the bills that we've been dealing with in the committee this Congress.

I rise today in support of H.R. 1412, as amended, the Improving Job Opportunities for Veterans Act of 2013. I want to thank Mr. COFFMAN for introducing this legislation. I also want to thank committee Chairman MILLER and subcommittee Chairman Mr. FLORES and Ranking Member TAKANO for their leadership in assisting and bringing this bill before us today.

In these challenging employment markets, we need to use all available means to assist our veterans in obtaining the training that they need to find a good paying job. H.R. 1412 assists veterans by improving and increasing the VA's on-the-job training and apprenticeship programs.

In these programs, a veteran employee's salary is paid in part by the employer and in part by the VA, with not less than 50 percent being paid by the program. As a veteran completes the apprenticeship and becomes a fully qualified employee, the employer pays an increasing percentage of the salary, eventually assuming all of it.

H.R. 1412 reduces slightly the percentage of the salary the employer pays near the end of the training pro-

gram. This eases the burden on the employers and is an incentive to employers to increase the number of veterans in the program. The Veterans' Affairs Committee will be closely monitoring this program to ensure that more veterans are being offered training opportunities as a result.

□ 1240

Mr. Speaker, we know that on-the-job training and apprenticeship is a highly efficient and cost-effective means of connecting veterans with meaningful, long-term employment. This is good for both veterans and employers. H.R. 1412 enhances the opportunities for both, making it easier for companies to employ veterans and for veterans to find new jobs and careers.

Unfortunately, however, too few employers know about this program and how to connect to it. As we pass this legislation, I encourage the VA to do more to inform employers and veterans about the benefits of this program.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time I'm pleased to yield such time as he may consume to the gentleman from Colorado (Mr. COFFMAN), the author of the bill and a stalwart supporter of America's veterans.

Mr. COFFMAN. Mr. Speaker, I would like to thank Chairman MILLER and Ranking Member MICHAUD for their leadership on the committee. Their efforts to advance this important bill will help veterans who are returning from Iraq and Afghanistan find jobs.

As a member of the House Committee on Veterans' Affairs and as a Marine Corps combat veteran myself, it is important to me and to our country that we take care of those who have served this Nation after they come home from war.

Our veterans have great skills when it comes to working as a member of a team and getting the job done; but, unfortunately, in many instances, their technical skills aren't readily transferable to civilian occupations. The Bureau of Labor Statistics stated that the unemployment rate for Iraq and Afghanistan war veterans between the ages of 20 and 24 was 19 percent in April. This is why I am happy to have my legislation, H.R. 1412, the Improving Job Opportunities for Veterans Act of 2013, on the floor today for a vote.

This legislation seeks to increase the availability of on-the-job training and apprenticeship programs to help veterans make the transition into the civilian workforce. This legislation will build on an existing, yet little known and underutilized, on-the-job training program that allows veterans to use their educational benefits they earned through their military service to learn a trade or skill by participating in an approved apprenticeship or on-the-job training program.

There are two pillars of this legislation. The first is it will decrease the final percentage of the veteran's salary paid by the employer from 85 to 75 percent as a means to further incentivize employers to participate. Secondly, the legislation will expand this training program by requiring the VA to enter into agreements with other Federal agencies to expand on-the-job training opportunities throughout the Federal Government.

This legislation will be a great tool for both private sector and Federal employers to hire our veterans who are struggling to make that transition from the military to the civilian workforce. Employers in Colorado have already explained to me how beneficial this legislation can be for their operations because they know that hiring veterans is a proven bonus. They know that veterans are hardworking, team-oriented, and quick learners who are capable of gaining highly technical skills that are prevalent in many industries today.

For example, the CEO of Tri-State Generation in Colorado, based in my home district, told me that the Improving Job Opportunities for Veterans Act will add to his company's existing outreach to our veterans. Currently, they employ 150 veterans. Now they will do even more. I applaud their efforts and of other companies who want to hire vets.

I hope this bill helps employers connect to the great pool of talent of those returning from military service.

Mr. MICHAUD. Mr. Speaker, at this time I yield such time as he may consume to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank the gentleman from Maine for yielding.

I rise today to support the increased job opportunities embodied in H.R. 1412 and the changes it makes to the on-the-job training and apprenticeship programs at the Department of Veterans Affairs. I want to thank the gentleman from Colorado (Mr. COFFMAN) for introducing this bill and the Veterans' Affairs Committee leadership, Chairman MILLER, Ranking Member MICHAUD, and subcommittee Chairman FLORES for moving this bill through committee.

This legislation will expand access for veterans to on-the-job training and apprenticeships, and assist employers in hiring veterans who have shown time and again that their real-world experience, leadership, and countless other skills are great resources for American companies. By reducing the percentage of salary paid to a veteran participating in one of these programs, this bill would make it more attractive for companies to hire veterans doing on-the-job training and apprenticeships.

It is our hope that these opportunities will help bridge the employment

gaps veterans are currently experiencing. Unfortunately, it is also clear from our subcommittee work that the Department of Veterans Affairs could be doing a better job advertising this great benefit. The more veterans and employers know about these benefits, the more opportunities veterans can have in the job market.

I am proud to support this legislation and urge my colleagues from both sides of the aisle to support it as well.

Mr. Speaker, I am very proud of the bipartisan spirit of the Veterans' Affairs Committee.

Mr. MILLER of Florida. Mr. Speaker, we have no more speakers at this time, and so if Mr. MICHAUD is ready to close, we are prepared to close.

Mr. MICHAUD. Mr. Speaker, I, too, have no further Members who wish to speak, but I do want to, in closing, emphasize that veterans are an asset to any organization, whether it is in the private or public sector. They make the organization better, and they improve the bottom line. This bill is very timely and is very important for our veterans.

I also want to thank, once again, Mr. TAKANO for his leadership on this issue. In his life before he became a Member of Congress, he was in the community college system, and he knows about training and how important apprenticeship programs are. So I encourage my colleagues to support this legislation.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, once again I encourage all Members to support H.R. 1412, as amended.

I yield back the balance of my time.

Mrs. KIRKPATRICK. Mr. Speaker, today, I rise in support of H.R. 1412, The Improving Job Opportunities for Veterans Act.

This bipartisan bill helps our Nation's veterans get the training they need to build a stronger future.

It improves and increases the awareness and availability of on-the-job training and apprenticeship programs.

After all they have sacrificed for our country, we should do our part to ensure veterans have good training and good job opportunities.

I thank my colleagues from both sides of the aisle—Mr. COFFMAN and Mr. TAKANO—for introducing this bill.

Helping our veterans isn't a partisan issue—it's a national responsibility.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 1412, the "Improving Job Opportunities for Veterans Act of 2013." There are over 800,000 veterans unemployed, or unable to find work in the United States, and the number is rising every year. If our brave men and women are to serve at home and abroad, it is our moral obligation to help ensure they can successfully transition into the workforce. For this reason I support the legislation before us.

H.R. 1412 would extend for one month an expiring provision of law that limits pensions paid to certain veterans who are receiving

Medicaid coverage in Medicaid-approved nursing homes. The bill also would modify the conditions for veterans to receive education benefit payments from the Department of Veterans Affairs (VA) for participating in on-the-job training and require VA to enter into agreements with other federal agencies to promote on-the-job training opportunities for veterans.

The Improving Job Opportunities for Veterans Act will reduce the final OJT/Apprenticeship salary requirements that employers pay of the normal wage from 85% to 75% to encourage employers to offer more OJT/Apprenticeship training for an additional 4 years. The bill also requires other Federal agencies to enter into agreements with the Department of Veterans Affairs to hire veterans using the OJT/Apprenticeship benefit and extends reduced pension benefits for certain veterans in Medicaid funded nursing homes.

If enacted, CBO estimates that, on net, the bill would decrease direct spending by \$14 million over the next five years and by \$12 million over the next ten years. Because the bill would affect direct spending, pay-as-you-go procedures apply. Enacting H.R. 1412 would not affect revenues. In addition, implementing H.R. 1412 would have an insignificant effect on discretionary spending.

Mr. Speaker, instead of returning home to their loving families, friends, and loved ones, 12 percent of veterans—about 1 in 8—are returning home to find unemployment lines. We owe it to these men and women who selflessly served our nation to help them change their condition for the better. The legislation before us, H.R. 1412, is a step in the right direction for veterans across the country and for many of the 35,000 veterans of the Iraq and Afghanistan Wars who live in the Houston metropolitan area.

Mr. Speaker, I urge all my colleagues to join with me in supporting H.R. 1412, the "Job Opportunities for Veterans Act of 2013."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 1412, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AMERICAN HEROES COLA ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 570) to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Heroes COLA Act”.

SEC. 2. AUTOMATIC ANNUAL INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) INDEXING TO SOCIAL SECURITY INCREASES.—Section 5312 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in paragraph (2), as such amounts were in effect immediately before the date of such increase in benefit amounts payable under title II of the Social Security Act, by the same percentage as the percentage by which such benefit amounts are increased, but only if such percentage increase is calculated using the Bureau of Labor Statistics Consumer Price Index for Urban Wage Earners and Clerical Workers.

“(2) The dollar amounts to be increased pursuant to paragraph (1) are the following:

“(A) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts in effect under section 1114 of this title.

“(B) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under section 1115(1) of this title.

“(C) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of this title.

“(D) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts in effect under subsections (a) through (d) of section 1311 of such title.

“(E) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts in effect under sections 1313(a) and 1314 of such title.

“(3) Whenever there is an increase under paragraph (1) in amounts in effect for the payment of disability compensation and dependency and indemnity compensation, the Secretary shall publish such amounts, as increased pursuant to such paragraph, in the Federal Register at the same time as the material required by section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) is published by reason of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

“(4) During the period beginning on the date of the enactment of this subsection and ending on September 30, 2018, each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

“(5) The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of this title.”

(b) EFFECTIVE DATE.—Subsection (d) of section 5312 of title 38, United States Code, as added by subsection (a) of this section, shall take effect on December 1, 2014.

SEC. 3. INCREASE IN RATE OF SPECIAL MONTHLY COMPENSATION FOR SEVERELY INJURED VETERANS.

(a) INCREASE.—

(1) IN GENERAL.—Section 1114(r) of title 38, United States Code, is amended—

(A) in paragraph (1), by striking “\$2,002” and inserting “\$3,163”; and

(B) in paragraph (2), by striking “\$2,983” and inserting “\$4,713”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on December 1, 2014.

(b) TEMPORARY RATES.—During the period beginning on December 1, 2014, and ending on September 30, 2018, section 1114(r) of title 38, United States Code, as amended by subsection (a), shall be applied—

(1) in paragraph (1), by substituting “\$2,742” for “\$3,163”; and

(2) in paragraph (2), by substituting “\$4085” for “\$4,713”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

□ 1250

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and add any extraneous material that they may have on H.R. 570, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

The author of the underlying bill, Mr. RUNYAN of New Jersey, has put forward a bipartisan proposal to make permanent the veterans cost-of-living adjustment. Currently, Congress must adopt annual COLA bills to ensure that payments to disabled veterans and survivors do not erode due to inflation.

Mr. RUNYAN's bill, which my amendment incorporates, would make this annual, and sometimes dangerously delayed, practice a thing of the past. A coalition of veterans groups expressed strong concern with some other elements of the underlying bill, which my amendment now seeks to address.

First, the concern was expressed that the bill would permanently extend the 20-year practice of rounding veterans COLA increases down to the next lower whole dollar. The Congressional Budget Office estimates that extending the round-down authority saves, relative to the baseline, over \$1.3 billion over a 10-year period.

The veterans coalition was concerned about the cumulative effect that the permanent round-down would have, as well as the moral principle associated with logging savings on the backs of our disabled veterans.

To meet that concern, I worked with our ranking member to, first, sunset

the round-down authority after 5 years, and second, we agreed with the committee's markup to find a way to reinvest savings associated with the round-down by improving benefits for other disabled veterans.

I am pleased to announce that my amendment contains such an improvement that it is now enthusiastically supported by the veterans groups.

Our bipartisan work would significantly increase the special monthly compensation payments made to our most severely disabled veterans by 30 percent through the year 2018, then 50 percent thereafter. This is a payment that goes to support catastrophically disabled veterans who are in need of aid and attendance. These are veterans who are missing limbs, totally blind, deaf, or who are so disabled that they require the need of special care in the home, all as a result of their military service.

Clearly, it's our duty to ensure that these most deserving service-disabled veterans are well-cared for, and my amendment to H.R. 570 will be a significant step in that direction.

And finally, the service organizations were concerned about the potential application of the so-called chained CPI at some point in the future that could potentially affect veterans COLAs. To allay that concern, my amendment specifies that the permanent veterans COLA only would be continued to the extent that the current inflationary index that is used now, the CPI for urban wage earners and clerical workers, continues in force.

I'm very pleased to say that, with the changes in my amendment, we now have a bill that can be supported by the veterans it is intended to benefit.

With that, I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 570, as amended, the American Heroes COLA Act.

I wish to thank Mr. RUNYAN, the sponsor of H.R. 570, and the chairman of the Disability Assistance and Memorial Affairs Subcommittee, as well as Ms. TITUS, our subcommittee ranking member, for their hard work on this measure.

I'd also like to thank Chairman MILLER for working closely with me, and with the veterans groups, to make the key improvements in this particular bill.

H.R. 570 would permanently index the annual veterans cost-of-living adjustment, or COLA, to the increase provided to Social Security beneficiaries, but only if the Social Security COLA continues to be determined using the current methodologies.

This guards against automatically passing on any decrease to veterans that result from any future actions to implement a chained CPI regime.

Second, H.R. 570 extends a COLA round-down provision set to expire this year for 5 years, instead of making it permanent. This round-down provision was implemented many years ago as a means of budget savings, and many veterans groups voiced opposition to making such a decrease permanent.

Third, the savings generated from the round-down extension will be reinvested in veterans programs, namely, increasing the monthly amount provided to some of our veterans most in need of assistance and care.

H.R. 570 would increase the amount of what is called a "special monthly compensation" paid to catastrophically disabled veterans in need of aid and attendance. This monthly amount would be increased from \$2,002 to \$3,163, and for those most in need of care from \$2,983 to \$4,713. These final payments would be phased in to comply with PAYGO requirements.

H.R. 570, as amended, is a good bill, and I urge my colleagues to support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time I'm happy to yield such time as he might consume to the gentleman from New Jersey (Mr. RUNYAN), the chairman of the Subcommittee on Disability Assistance and Memorial Affairs.

Mr. RUNYAN. Chairman MILLER, thank you and Ranking Member Mr. MICHAUD for bringing this bill to the floor.

H.R. 570 is the American Heroes COLA Act. This bill, which I introduced at the beginning of the 113th Congress, seeks to make permanent the annual increase to veterans disability compensation rates and other benefits by tying these increases to the cost-of-living adjustments for Social Security benefits.

With the passage of this act, veterans will no longer again have to depend on congressional action to receive an increase to the cost-of-living adjustment they have more than earned through their service. Instead, these increases will become automatic from year to year.

As chairman of the Subcommittee on Disability Assistance and Memorial Affairs, I am honored again to sponsor this legislation. I'm proud to have our subcommittee ranking member, Ms. TITUS, as the lead cosponsor of the bill.

Mr. Speaker, I also support the amendment offered by Chairman MILLER of the Committee on Veterans' Affairs to use the savings generated by H.R. 570 to increase the rate of special monthly compensation paid to our most tragically wounded veterans, and I encourage all Members to support H.R. 570.

Mr. MICHAUD. Mr. Speaker, at this time I'd like to yield 4 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Thank you, Ranking Member MICHAUD, for yielding and for your work and leadership on this critical issue that affects our Nation's heroes.

I support the American Heroes COLA Act, H.R. 570, which I introduced, along with my colleague and subcommittee chairman, JOHN RUNYAN. This is important legislation that will protect our disabled veterans and their families' financial security.

Unlike with Social Security COLA increases, which are calculated automatically, Congress must act each year to provide veterans with their COLA increases they need and deserve. Our Nation's heroes should receive their full compensation payment each year as well in a timely fashion, removed from the occasional logjam here on Capitol Hill. Their livelihood should not be held hostage by political forces.

Nevada's veterans have struggled during this tough economic climate. Their rates of unemployment and homelessness are disproportionately high, and as the cost of living has increased, so have their problems. And I know this is true of veterans around the country.

By permanently adjusting benefits to include automatic cost-of-living increases we are providing critical peace of mind to those who have bravely served our country. They will have the knowledge of knowing that assistance will be there.

Chairman RUNYAN and I have worked closely to improve this legislation since we first introduced the bill in February, and I fully support the amended version we are considering today. Changes concerning the round-down practice and the chained CPI are changes that will strengthen the bill.

I appreciate also the input we received from a number of veterans service organizations and believe that this improved version of the legislation clearly addresses their concerns.

In effect, H.R. 570 will direct the VA to increase rates of disability compensation for veterans with service-connected disabilities, as well as the rates of dependency and indemnity compensation for the survivors of veterans with specific service-connected claims.

The bill will protect veterans benefits from deteriorating over time as the costs of housing, medicine, food and clothing and utilities all increase.

□ 1300

I want to echo Ranking Member MICHAUD's sentiments regarding the importance of having these adjustments occur annually, regularly, and dependably. It's essential that Congress provide for the needs of our heroes, the brave men and women who answered the call to serve in our armed services, and for their families as well.

I thank Chairman MILLER and Chairman RUNYAN for their work on this im-

portant issue, and I urge my colleagues to support the American Heroes COLA Act.

Mr. MILLER of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. O'ROURKE).

Mr. O'ROURKE. I would also like to thank the chair of the subcommittee and the ranking member for sponsoring this legislation and the chairman and ranking member of the full committee for bringing it forward. I'm pleased to be a cosponsor of the American Heroes COLA Act.

Yesterday, I had the opportunity to visit Arlington National Cemetery with other Members of Congress and had the opportunity to place a wreath on the Tomb of the Unknown Soldier. This incredibly moving and grounding experience reminded me of the ultimate sacrifice given by so many of our veterans.

For those who return from service wounded or develop disabilities as they age, veterans benefits are what allow them and their families to live in some level of comfort. These modest benefits are often the difference between paying the mortgage and putting food on the table or going without. The legislation before us offers veterans security and guarantees that cost-of-living adjustments will happen automatically and not depend on yearly congressional approval.

In addition, H.R. 570 will substantially increase benefits for the most severely disabled veterans receiving special monthly compensation. The bill also protects veterans from benefits cuts should a chained CPI be adopted for Social Security. While I oppose adoption of the chained CPI for Social Security, I think it is important we act now to take the issue off the table for veterans benefits.

I represent thousands of El Paso veterans who have served our country and rely on VA benefits to make ends meet. They deserve the security of knowing those benefits will be adjusted when their cost of living rises.

I urge all of my colleagues to support this legislation.

Mr. MILLER of Florida. Mr. Speaker, we have no further requests for time. We're prepared to close, if the ranking member is as well.

Mr. MICHAUD. In closing, Mr. Speaker, H.R. 570, as amended, is a solid piece of legislation that the veterans service organizations support, that the committee supports, and I would urge my colleagues to support this bill.

With that, Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I once again urge all of my colleagues to support H.R. 570, as amended, and I yield back the balance of my time.

Mrs. KIRKPATRICK. Mr. Speaker, today, I rise in support of H.R. 570, the American Heroes Cola Act.

I am proud to cosponsor this bipartisan bill because it helps our Nation's veterans.

More specifically, it helps veterans with service-related disabilities.

H.R. 570 would make their annual cost-of-living adjustments automatic for their disability compensation.

Making this process automatic would finally allow veterans to count on their cost of living adjustment every year instead of waiting around on Congress.

I thank my colleagues from both sides of the aisle—Mr. RUNYON and Ms. TITUS—for introducing this bill.

Helping our veterans isn't a partisan issue—it's a national responsibility.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 570, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes."

A motion to reconsider was laid on the table.

AWARDING CONGRESSIONAL GOLD MEDAL TO FIRST SPECIAL SERVICE FORCE

Mr. COTTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 324) to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) The First Special Service Force (the "Force"), a military unit composed of volunteers from the United States and Canada, was activated in July 1942 at Fort Harrison near Helena, Montana.

(2) The Force was initially intended to target military and industrial installations that were supporting the German war effort, including important hydroelectric plants, which would severely limit the production of strategic materials used by the Axis powers.

(3) From July 1942 through June 1943, volunteers of the Force trained in hazardous, arctic conditions in the mountains of western Montana, and in the waterways of Camp Bradford, Virginia.

(4) The combat echelon of the Force totaled 1,800 soldiers, half from the United States and half from Canada.

(5) The Force also contained a service battalion, composed of 800 members from the United States, that provided important support for the combat troops.

(6) A special bond developed between the Canadian and United States soldiers, who were not segregated by country, although the commander of the Force was a United States colonel.

(7) The Force was the only unit formed during World War II that consisted of troops from Canada and the United States.

(8) In October 1943, the Force went to Italy, where it fought in battles south of Cassino, including Monte La Difensa and Monte Majo, two mountain peaks that were a critical anchor of the German defense line.

(9) During the night of December 3, 1943, the Force ascended to the top of the precipitous face of Monte La Difensa, where the Force suffered heavy casualties and overcame fierce resistance to overtake the German line.

(10) After the battle for La Difensa, the Force continued to fight tough battles at high altitudes, in rugged terrain, and in severe weather.

(11) After battles on the strongly defended Italian peaks of Sammucro, Vischiataro, and Remetanea, the size of the Force had been reduced from 1,800 soldiers to fewer than 500.

(12) For 4 months in 1944, the Force engaged in raids and aggressive patrols at the Anzio Beachhead.

(13) On June 4, 1944, members of the Force were among the first Allied troops to liberate Rome.

(14) After liberating Rome, the Force moved to southern Italy and prepared to assist in the liberation of France.

(15) During the early morning of August 15, 1944, members of the Force made silent landings on Les Iles D'Hyeres, small islands in the Mediterranean Sea along the southern coast of France.

(16) The Force faced a sustained and withering assault from the German garrisons as the Force progressed from the islands to the Franco-Italian border.

(17) After the Allied forces secured the Franco-Italian border, the United States Army ordered the disbandment of the Force on December 5, 1944, in Nice, France.

(18) During 251 days of combat, the Force suffered 2,314 casualties, or 134 percent of its authorized strength, captured thousands of prisoners, won 5 United States campaign stars and 8 Canadian battle honors, and never failed a mission.

(19) The United States is forever indebted to the acts of bravery and selflessness of the troops of the Force, who risked their lives for the cause of freedom.

(20) The efforts of the Force along the seas and skies of Europe were critical in repelling the advance of Nazi Germany and liberating numerous communities in France and Italy.

(21) The bond between the members of the Force from the United States and those from Canada has endured over the decades, as the members meet every year for a reunion, alternating between the United States and Canada.

(22) The traditions and honors exhibited by the Force are carried on by 2 outstanding active units of 2 great democracies, the Special Forces of the United States and the Canadian Special Operations Regiment.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the Presi-

dent pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of the Congress, of a gold medal of appropriate design to the First Special Service Force, collectively, in recognition of their dedicated service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) AWARD OF MEDAL.—Following the award of the gold medal in honor of the First Special Service Force under subsection (a), the medal shall be given to the First Special Service Force Association in Helena, Montana, where it shall be available for display or temporary loan to be displayed elsewhere, particularly at other appropriate locations associated with the First Special Service Force, including Fort William Henry Harrison in Helena, Montana.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medal, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. COTTON) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. COTTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 324, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. COTTON. Mr. Speaker, I yield myself such time as I may consume.

I rise today to seek swift approval of H.R. 324, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force in recognition of its superior service during World War II. The bill, introduced by my colleague from Florida (Mr. MILLER), has 324 cosponsors, befitting the storied history of this unit.

Mr. Speaker, the bravery and valor of the Army Special Forces, more commonly known as the Green Berets, are well known to most Americans. But many don't realize that this unit was born out of the First Special Service Force and the courageous soldiers that fought with it during World War II. The award of the Congressional Gold Medal in recognition of their heroic

service will help ensure that this unit attains the historical recognition it deserves.

Formed in 1942 to take on the hardest jobs in the most adverse conditions, the First Special Service Force was composed of American and Canadian soldiers. The unit fought bravely in the Italian Apennine Mountains against elite German units—the 104th Panzer Grenadiers and the Hermann Goering Paratroops—who were defending Hitler's Gustav Line south of Rome. They defeated German forces at Monte La Difensa after fighting south of the center of the line at Monte Cassino and participated in the successful assault of Monte La Remetanea and several nearby mountains. Sadly, of the 1,800 of the First Special Service Forces fighting soldiers and their 800 support troops, there were 2,300 casualties suffered in the 250 combat days before the unit was disbanded in December of 1944.

Mr. Speaker, the men of the Special Forces fought with their faces blackened by their own boot polish. They were so feared that the Nazi defenders called them the Black Devils and the unit took that name as its own, calling itself the Devil's Brigade. Proud of their strength and bravery, Special Forces soldiers left cards with their patch insignia and the phrase "The Worst is Yet to Come" on corpses in enemy territory.

Following World War II, a permanent elite unit was formed based on the experiences of the Special Forces and OSS operatives during the war. Today, that unit has evolved into the Army's Green Berets and a similar unit in Canada, the Special Operations Regiment.

Today, we hear stories of brave men and women in uniform defending freedom around the world. I've seen some of this awe-inspiring bravery firsthand in both Iraq and Afghanistan as a soldier myself. But as we hail our soldiers of today, let us remember the heroism and bravery of the Greatest Generation during World War II. This legislation authorizes the striking and award of a single gold medal that will go to the First Special Service Force Association in Helena, Montana, the original training site of the First Special Force, and the sale of bronze duplicates of that medal.

I ask for immediate passage of this legislation, and I reserve the balance of my time.

COMMITTEE ON
HOUSE ADMINISTRATION,
Washington, DC, May 20, 2013.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
Rayburn House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN HENSARLING: I write to you concerning the jurisdictional interest of the Committee on House Administration in H.R. 324, to grant the Congressional Gold Medal, collectively, to the First Special Service Force in recognition of its superior service during World War II. The bill, as introduced in the House on January 18, 2013, contains

provisions that fall within the jurisdiction of the Committee on House Administration.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner, and accordingly, I will waive Committee consideration of provisions that fall within the Committee's jurisdiction. However, agreeing to waive jurisdiction over these amendments should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on House Administration.

Additionally, the Committee on House Administration expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 324 for provisions within the Committee's jurisdiction.

I ask that a copy of this letter and your response be placed in the Congressional Record during any floor consideration of H.R. 324.

I look forward to working with you on matters of mutual concern.

Sincerely,

CANDICE S. MILLER,
Chairman.

COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 21, 2013.
Hon. CANDICE S. MILLER,
Chairman, Committee on House Administration,
Longworth House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN MILLER: Thank you for your May 20 letter regarding H.R. 324, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

I am most appreciative of your decision to forego consideration of H.R. 324 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on House Administration is in no way waiving its jurisdiction over any subject matter contained in the bill that falls within its jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 324.

Sincerely,

JEB HENSARLING,
Chairman.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today to give great support for H.R. 324.

Let me say, Mr. Speaker, at the outset that the Congressional Gold Medal is our highest honor; and there is no greater recipient that we can give this honor to than the First Special Service Forces, known as the Devil's Brigade. They were courageous. They risked their lives. As a matter of fact, they were the unit that led the liberation of France and Italy from the Nazis with daring, with courage, with skill. So it is very important for us to stand here today and to give great recognition to this unit.

There is a special bond between Canada and the United States, and that

special bond started in World War II. For it was the first unit—and the only unit—where two nations, Canada and the United States, formed a force that accomplished what many felt was impossible.

□ 1310

You know, the Lord Jesus Christ said that there is no greater love—no greater love—that you can show than one who would give his life for another.

What a great honor this is, Mr. Speaker. I am just proud to join with my colleague, Mr. MILLER from Florida—my good friend—and Mr. COTTON from Arkansas to give this recognition, this high nobility of purpose to the first unit.

Today, Mr. Speaker, we are proud to have our Navy SEALs, our Green Berets, our Special Ops, those special soldiers who go where many times few others would go. But the foundation of that was the Devil's Brigade.

I can just imagine that Nazi soldier who wrote that note, scared out of his wits when he called them the "Black Devils," when they would go and put shoe polish on their faces so that they could be expertly disguised to go in and to help to liberate Europe from Nazi Germany.

So it is with great pleasure that I stand here to join my colleagues in urging unanimous passage of this extraordinary legislation to honor this extraordinary group of soldiers.

I reserve the balance of my time.

Mr. COTTON. I appreciate that reference to John 15:13, "Greater love hath no man than this, that he lay down his life for his friend." Certainly, many members of the Devil's Brigade did that, as they do today in our Special Forces.

Now, Mr. Speaker, I yield as much time as he may consume to the gentleman from Florida (Mr. MILLER), the sponsor of this legislation.

Mr. MILLER of Florida. I thank the gentleman for yielding. I also thank my friend, Mr. SCOTT, for his kind words. I also want to thank Chairman HENSARLING and Ranking Member WATERS and Subcommittee Chairman CAMPBELL, with his Ranking Member CLAY, all the members of the Financial Services Committee and the House leadership for their support in bringing to the floor here today H.R. 324. It is a bill that grants the Congressional Gold Medal to the members of the First Special Service Force.

I also want to thank the members of the First Special Service Force Association, specifically Mr. Bill Woon for his advocacy, and for the association's efforts in continuing to spread the inspirational story of a truly heroic group of American and Canadian servicemen.

I would be remiss not to thank Congressman AL GREEN of Texas and Congresswoman DEBBIE WASSERMAN

SCHULTZ of Florida for encouraging support from their caucus members for this broad bipartisan piece of legislation, and the 324 Members of this body who have cosponsored the bill.

I join my colleagues today in support of a bill that bestows upon the First Special Service Force the Congressional Gold Medal. It's Congress' highest expression of national appreciation for distinguished achievement and contributions for their superior service during World War II.

The First Special Service Force was a covert World War II military unit born through the efforts of President Franklin Roosevelt and Prime Minister Winston Churchill. The Force conducted ultrahigh-risk military missions in Italy and in France. Once sent into action, the First Special Service Force never failed a combat mission.

The First Special Service Force achieved remarkable success in battle and contributed prominently in the liberation of Italy and France. Most notably, the Force conducted battles south of Cassino, including Monte La Difensa and Monte Majo, two mountain peaks critical to the German defensive line.

During the night of December 3, 1943, the Force ascended to the top of the precipitous face of Monte La Difensa, where the Force suffered heavy casualties and overcame fierce resistance to overtake the German line.

The First Special Service Force lost a total of 2,314 men, which was 134 percent of the original combat force. These heroic servicemen represent the breadth of intrepidity and courage, and they have earned our country's deepest gratitude and highest praise.

Though many of the brave troops of the First Special Service Force have been lost to us, this gold medal is an important step in immortalizing their service and honoring the forefathers of today's Special Forces.

With just 6 days remaining until Memorial Day, I cannot think of a more appropriate way to honor the heroism and sacrifice of the warriors of the First Special Service Force, and I urge all of my colleagues to support this important piece of legislation.

To all of the men and women who have guarded our great Nation in the name of protecting and defending liberty that we hold so dear, we say thank you. And to all of those who have given the ultimate sacrifice, may you forever remain in our hearts and in our prayers.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I have no further speakers. I'll just take this opportunity to join all of us in the Congress of the United States to salute the First Special Service Force for the outstanding work that they have done.

I urge unanimous passage on this legislation, and I yield back the balance of my time.

Mr. COTTON. I yield myself the balance of my time.

I join my colleagues, the gentleman from Georgia and the gentleman from Florida, in urging unanimous passage of this very important legislation the week before Memorial Day to honor the Devil's Brigade.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. COTTON) that the House suspend the rules and pass the bill, H.R. 324, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COTTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HELPING HEROES FLY ACT

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1344) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1344

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Helping Heroes Fly Act".

SEC. 2. OPERATIONS CENTER PROGRAM FOR SEVERELY INJURED OR DISABLED MEMBERS OF THE ARMED FORCES AND SEVERELY INJURED OR DISABLED VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 449 of title 49, United States Code, is amended by adding at the end the following new section:

"§ 44927. Expedited screening for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans

"(a) PASSENGER SCREENING.—The Assistant Secretary, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and organizations that advocate on behalf of members of the Armed Forces and veterans, including organizations that advocate on behalf of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, shall develop and implement a process to facilitate the ease of travel and to the extent possible provide expedited passenger screening services for severely injured or disabled members of the Armed Forces, severely injured or disabled veterans, and their accompanying family members or nonmedical attendants. Such process shall be designed to protect the pri-

vacy of the individual being screened to the maximum extent practicable.

"(b) OPERATIONS CENTER.—As part of the process required under subsection (a), the Assistant Secretary shall maintain an operations center to provide support and facilitate the movement of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans through screening prior to boarding a passenger aircraft operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation. Such operations center shall be operational at all times.

"(c) PROTOCOLS.—The Assistant Secretary shall—

"(1) establish and publish protocols, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and organizations that advocate on behalf of members of the Armed Forces and veterans, including organizations that advocate on behalf of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, under which a severely injured or disabled member of the Armed Forces or severely injured or disabled veteran, or the family member or other representative of such a member or veteran, may contact the operations center maintained under subsection (b) and request expedited screening services described in subsection (a) for the member or veteran; and

"(2) upon receipt of such a request, require such operations center to notify the appropriate Federal security director of the request to facilitate the expedited passenger screening services described in subsection (a) for the member or veteran.

"(d) TRAINING.—The Assistant Secretary shall integrate training on the protocols established under subsection (c) into the training provided to all employees who will provide the screening services described in subsection (a).

"(e) RULE OF CONSTRUCTION.—Nothing in this section affects the authority of the Assistant Secretary to require additional screening of a severely injured or disabled member of the Armed Forces, a severely injured or disabled veteran, or their accompanying family members or nonmedical attendants, if intelligence, law enforcement, or other information indicates that additional screening is necessary.

"(f) REPORT.—Not later than one year after the date of the enactment of this section, and annually thereafter, the Assistant Secretary shall submit to Congress a report on the implementation of this section. Each such report shall include each of the following:

"(1) Information on the training provided under subsection (d).

"(2) Information on the consultations between the Assistant Secretary and organizations that advocate on behalf of members of the Armed Forces and veterans as described in subsection (a).

"(3) The number of people who accessed the operations center during the period covered by the report.

"(4) Such other information as the Assistant Secretary determines is appropriate."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 44926 the following new item:

"44927. Expedited screening for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

Indiana (Mrs. BROOKS) and the gentlewoman from Hawaii (Ms. GABBARD) each will control 20 minutes.

The Chair recognizes the gentlewoman from Indiana.

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

As a member of the Committee on Homeland Security's Transportation Security Subcommittee, I am proud to be a cosponsor of this commonsense piece of legislation that will increase accessibility and privacy for our wounded warriors at airport checkpoints.

□ 1320

This legislation directs TSA to develop and implement a process to facilitate the ease of travel and, to the extent possible, provide expedited screening through our Nation's airports for severely injured or disabled members of our Armed Forces and veterans. The last thing our heroes need is to face unnecessary scrutiny or hassle, or be forced to answer endless questions about their conditions, when all they want to do is board a plane to fly home to their loved ones or maybe to a job interview.

This bill would ensure that our wounded warriors—those dedicated men and women who have been severely injured while fighting to protect our Nation—are treated with the highest dignity and respect when traveling through our Nation's airports.

I was pleased to find out that shortly after Administrator Pistole testified before the Transportation Security Subcommittee on TSA's efforts to advance risk-based security, TSA began to offer expedited screening services to severely injured members of the Armed Forces and veterans, provided they contact the TSA in advance of traveling. While I support TSA's newly adopted protocols, I feel this bill is necessary because it codifies current TSA policy and ensures that it will remain intact during future administrations.

Mr. Speaker, this bill not only benefits severely injured and disabled members of the United States Armed Forces, veterans, and their accompanying families, but it also supports the TSA administrator's intent to develop a more risk-based method of screening for all passengers.

Expedited travel for our military heroes is an important step toward rea-

sonable transportation security reforms that will allow us to focus precious taxpayer dollars on the unknown travelers and the real threats.

As we look forward to this upcoming Memorial Day, let us honor the all-too-often painful sacrifices our wounded warriors have made for our Nation by adopting this important and commonsense piece of legislation.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Ms. GABBARD. Mr. Speaker, I rise in strong support of 1344, the Helping Heroes Fly Act, and yield myself such time as I may consume.

In response to documented grievances my fellow servicemembers made because of various challenges and trying experiences that they went through at airport checkpoints across the country, I introduced the Helping Heroes Fly Act to ensure that the Transportation Security Administration—working alongside veterans advocacy organizations—develop sensible screening policies that honor and respect the service and sacrifice of our Nation's injured and disabled heroes.

On March 27 of this year, just a few days after this legislation was introduced, the Transportation Security Administration made an announcement of some improvements that they have made in this area as they took steps to expedite airport screening for severely injured members of our Armed Forces. With these changes, individuals can presently request assistance ahead of time and move through security checkpoints without having to remove their shoes, light outerwear, jackets, or hats. Taking off a jacket—while maybe a simple inconvenience for you and I—can be a very physically challenging task for someone who, for example, has lost the use of an arm.

While this announcement was a good step, it didn't go nearly far enough, as there are still more improvements that need to be made. As I've spoken with wounded warriors and listened to their experiences, I've heard stories that have been varied and included things like having to take off a prosthetic leg, putting the leg through the X-ray machine, and then having to balance on one leg going through the full body scan without help from anyone.

This is unacceptable. Severely injured and disabled Active Duty and veterans both experience widely varied screening protocols among different airports, and even among screeners in the same airport. This makes it very hard for a wounded warrior to anticipate and prepare what will be required of them, to make sure that they are ready physically and mentally. Again, this may not seem like much to us, but to someone—a trained and hardened warrior—learning to adjust to these severe injuries, it can sometimes be difficult and can be the difference be-

tween a smooth and dignified screening experience or one that is filled with frustration, shame, and pain for the injured servicemember and delays for all people waiting in that screening line.

Another issue that frequently has come up has been privacy. Veterans have shared with me their own experiences of having to take off prosthetics, despite TSA guidance that it's not necessary. And in the instances where extra screening of these prosthetics is necessary, it has been done in public view, even when clothing needs to be removed.

No one—no one—should be required to remove their shirt or pants in public, nor should scans of sensitive or private areas be viewed by other airline passengers. Again, this has been already a humiliating, shameful experience for some veterans when there's absolutely no requirement or necessity for it.

The Disabled American Veterans have spoken in strong support of this legislation stating:

At some airports, our amputee members receive relaxed screening, while at others these screenings are horrific. Perhaps it is TSA's purpose to make screenings unpredictable. Some screenings have required these amputees to expose their prostheses when they lack the ability to reposition their clothing, and TSA agents are not allowed to help them, nor do they allow spouses or traveling companions to enter search areas to assist the amputees.

Our objective with this legislation is to ensure consistent treatment by screeners, greater attention to privacy concerns, and consulting with these advocacy organizations who speak for our wounded warriors to ensure they have a voice in the process.

This bill before us today, the Helping Heroes Fly Act, achieves these improvements by requiring TSA to take into account the privacy of the individual being screened. It also mandates training of screening officers on the expedited protocols to make sure that no matter where you travel, no matter what city you are in, you will have consistent screening procedures so you know what to expect. TSA is also required to consult with these advocacy organizations to make sure that as these changes are implemented, that the unique needs of our wounded warriors are implemented to the best of its ability.

To ensure these changes over the long term, this legislation requires regular reporting to Congress, as well as maintenance of the TSA's operations center that these wounded warriors and veterans can contact for assistance as they prepare to travel.

Mr. Speaker, as you well know, members of our U.S. Armed Forces are entrusted to protect the security of our country with their lives. By definition, these individuals pose very little risk

to aviation security and should be consistently screened in a manner befitting and honoring their service and sacrifice.

I urge my colleagues to ensure our Nation's wounded warriors are treated respectfully, and urge them to vote "yes" in support of H.R. 1344.

I reserve the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. I appreciate you yielding on this. And I appreciate not only the gentlewoman from Indiana, but the gentlewoman from Hawaii for bringing this legislation.

I bring a little bit different perspective to this. As a chaplain in the military and working with our heroes who have been wounded and coming from bodies that were strong and healthy and vibrant to a situation in which now they're put in a position that they've never been in, in some ways a dependency, and counseling in those roles and seeing them having to go through this process, which is inconsistent and frankly unfair, I think this is the reason I strongly support this legislation.

But I also support it from a different perspective. Having a daughter who has been in a wheelchair since she was able to walk—as we call it, "roll"—she's never known anything different. And so we've had to adjust over time, and she's adjusted in ways of going through screenings and going through processes like that.

But when you balance what our wounded warriors have done, heroes who came home who had healthy bodies and now have bodies that are not healthy, this is something that will provide them a measure of dignity—and it is an honor to stand here and support this legislation—because I believe that an inconsistency in this area is an inconsistency in what we believe as Americans in what those men and women have done for us.

We have to remember that in times of war now it is not like it used to be where these men and women would actually have died on the battlefield. Now they're coming home. They're coming home to lead productive lives, great lives, because of the sacrifices that they have made. It is time that we—and this legislation proves this—stand for them in the fairness that they deserve for what they have given to us.

I congratulate the gentlewoman from Hawaii and also the gentlewoman from Indiana for sponsoring this. I look forward to voting for it, and encourage my colleagues to do so.

□ 1330

Ms. GABBARD. Mr. Speaker, I yield such time as she may consume to the ranking member of the Subcommittee on Border and Maritime Security of

the Committee on Homeland Security, the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I am so pleased to be able to come to the floor today as we approach the week that we memorialize those fallen heroes and as well, at the same time, acknowledge those who yet live who have served and who are wounded. Even today, as we stand on the floor in the backdrop of enormous tragedies among our civilian population in Oklahoma over the last couple of days and in Texas and elsewhere, this is a very important legislative initiative.

As the former ranking member and chair of the Subcommittee on Transportation Security and as a cosponsor, I rise in strong support of H.R. 1344, the Helping Heroes Fly Act of 2013.

I congratulate my new colleague for this outstanding legislation, Ms. GABBARD from Hawaii; and to the manager, thank you very much. It is important, and I am glad we are standing here together in a bipartisan manner.

I support this legislation because it eases and facilitates the expedited passenger screening at airports for servicemembers who are severely injured or disabled, along with their families. Of course, the thoughtfulness in introducing this legislation is appreciated because it is necessary legislation. I thank you for indicating that, even as the TSA, of which we have oversight, is formulating policies, it's good to codify it, to make it law, because these heroes deserve their law.

The Helping Heroes Fly Act requires the Transportation Security Administration to maintain an operations center to provide support and to facilitate the movement of these disabled servicemembers and veterans, and it requires the TSA to publish protocol so disabled servicemembers and veterans and their families will be able to contact the operations center and request expedited screening. The bill also requires that these protocols be integrated into the training of TSA agents.

Now, I know that there are many home ports, if you will, for our returning heroes. I happen to know that Texas has had a very large number of our men and women go to Iraq and Afghanistan and to places beyond. I've been to Hawaii and know the transition there of many who are on R&R, coming from places around the world, and I know that it is a place where many come home because it was their home, and, yes, they come home disabled, with prostheses and other wounds, that require their privacy. I am glad that this bill acknowledges, not only that they are heroes, but that they are desirous and deserving of the respect—why don't I say an admiration and commendation and respect again—of those who would expedite their going into a secured area.

Mr. Speaker, more than 2.2 million veterans—one in 10—have been disabled

or seriously wounded in the service of our Nation; and disabled veterans typically find it much harder, by some estimates twice as hard, to readjust to civilian life. The least we can do for these heroes is to make it a little less burdensome and difficult to navigate the obstacles, barriers, and checkpoints that have been erected in the aftermath of 9/11 to enhance the security of air travel—and rightly so.

Most of these inconveniences are necessary but are no less burdensome to those who have suffered physical disabilities in defending the Nation from those who would make air travel dangerous and deadly. Let's give them respect for what they have done to secure the homeland and to make us safer. The legislation before us strikes an appropriate balance between these competing interests.

I have seen the operation of TSA and TSO officers and some of what they call these "specialty officers." Allow me to thank you publicly for the work you have already done and for the sensitivity you've had.

I've seen these soldiers, these heroes, coming home at DCA and at Dulles. I've certainly seen them in the airports in Texas. I've seen them in their uniforms. I've seen them, as I said, disabled, and I've seen them with families. I saw one young man who was wandering in my airport. He was, obviously, in uniform, but had not a good day. I don't know what might have been impacting him, but we stopped, and I hailed an officer in uniform, a TSO officer, and said, You won't be alone now. We're going to find out where you need to go.

One of the factors of this particular legislative initiative that is good is that, wherever you land, sometimes it may not be your home airport—every airport is different—and I think they work themselves up to make sure that they make it exciting and confusing.

Thank you for the Helping Heroes Fly Act to help improve airport security screening processes for wounded and severely disabled servicemembers, but also thank you for giving them a helping hand. You are helping the veterans as well. This authorizes a Wounded Warrior Screening program and requires the TSA to maintain an operations center. These improvements will facilitate and expedite air travel for our disabled veterans and servicemembers. More importantly, they will help our Nation's heroes to be shown the respect, as I said earlier, and the appreciation of a Nation that is so grateful.

Mr. Speaker, I strongly support this legislation, and I urge all of my colleagues to join me in voting for the Helping Heroes Fly Act of 2013. I am glad to be back in the well again in this week of honoring our soldiers and those who have fallen, and I am delighted for the leadership of my colleague on the Homeland Security Committee and of the manager on this

great bill, and I hope that we have a very strong vote.

Mr. Speaker, as a member and former chair of the Homeland Security Subcommittee on Transportation Security, and a cosponsor, I rise in strong support of H.R. 1344, the "Helping Heroes Fly Act of 2013." I support this legislation because it eases and facilitates expedited passenger screening at airports for service members who are severely injured or disabled, along with their families. I thank my colleague, Congresswoman GABBARD of Hawaii, for introducing this thoughtful and necessary legislation.

The Helping Heroes Fly Act requires Transportation Security Administration to maintain an operations center to provide support and facilitate the movement of these disabled service members and veterans, and it requires TSA to publish protocols so disabled service members and veterans, and their families, will be able to contact the operations center and request expedited screening. The bill also requires that these protocols be integrated into the training of TSA agents.

Mr. Speaker, more than 2.2 million Veterans, one in ten, have been disabled or seriously wounded in the service of our nation. And disabled veterans typically find it much harder, by some estimates twice as hard, to readjust to civilian life. The least we can do for these heroes is to make it a little less burdensome and difficult to navigate the obstacles, barriers, and checkpoints that have been erected in the aftermath of 9/11 to enhance the security of air travel. Most of these inconveniences are necessary but no less burdensome to those who suffered physical disabilities defending the nation from those who would make air travel dangerous and deadly. The legislation before us strikes an appropriate balance between these competing interests.

The Helping Heroes Fly Act improves airport security screening processes for wounded and severely disabled service members and veterans; authorizes a Wounded Warrior Screening Program and requires TSA to maintain an Operations Center. These improvements will facilitate and expedite air travel for our disabled veterans and service members. More importantly, they help that our nation's heroes are shown the respect and appreciation of a grateful nation.

Mr. Speaker, I strongly support H.R. 1344, and urge all my colleagues to join me in voting for the Helping Heroes Fly Act of 2013.

Mrs. BROOKS of Indiana. Mr. Speaker, I am very pleased to yield 2 minutes to a distinguished gentleman who has also served his country admirably in the military and is someone who serves on the Homeland Security Committee with Congresswoman GABBARD and me, the distinguished gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. I would like to start out by thanking the genteladies from Indiana and, of course, from Hawaii for this very significant and impactful legislation. It is particularly a privilege to speak in favor of this knowing that Ms. GABBARD is from Hawaii and, today, currently serves as a comrade in arms just like me.

The TSA started an expedited free screening program in 2011 called PreCheck, but just recently expanded the program to include Active Duty members of the military and most recently, just this March, to severely injured members of the military.

As a matter of fact, there is a Member of this House who was severely injured, and I served right along with her soldiers. I flew with those soldiers in Iraq myself. Many of these injured soldiers and servicemembers want to continue to serve. They want to—that's their calling in life—but they cannot for their own good and for the good of the mission, but their hearts are in the right place. So while it's great that the TSA has recognized severely injured members of the military in that regard, what about these veterans who want to serve but cannot continue to serve? This bill rightfully extends similar benefits to severely injured or disabled veterans and members of the Armed Forces.

Increased and more stringent security is understandable in the wake of 9/11, and it's kind of a bitter irony that many of these members who have been severely injured joined just because of those events. Now how ironic is it that they are caught up in this web of security for the injuries they received because they answered the call of their country?

Servicemembers I know don't ask for special recognition or any recognition for being soldiers or servicemembers and certainly not for the injuries they have received as a result of their service. So I stand in very strong support of this legislation, and I urge all of my colleagues to vote "yes" on this bill.

Ms. GABBARD. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Mr. Speaker, I rise to support H.R. 1344, the Helping Heroes Fly Act.

I am a proud sponsor of this bipartisan legislation introduced by my friend Congresswoman GABBARD. Congresswoman GABBARD is a person who knows a thing or two about what it's like to be a combat veteran who comes back from the battlefield and who has to use our airports. Fortunately, she is back in one piece, but we know all too well that many of our veterans are not, and this bill eases their ability to move through our airports.

It would extend benefits through TSA screenings at airports, benefits similar to the expedited PreCheck program, to severely injured or disabled veterans and to members of the armed services who fly. As it stands now, many of our Nation's wounded warriors report that screening protocols aren't properly standardized at airports around the Nation. Consistent treatment by screeners would help create certainty for the newly injured and give greater attention to addressing

their privacy concerns. Despite TSA guidance to the contrary, some veterans report having been required to take off prosthetics in public view during screenings. This is a difficult process that our injured and veterans should not have to endure.

□ 1340

In January, I met with Staff Sergeant Jason Ross from Livermore, California, in my district. Sergeant Ross was severely injured by an IED while honorably serving in Afghanistan and lost both of his legs. This bill would help ease the transition back home for wounded warriors and heroes like Sergeant Ross.

The continued sacrifice and selfless service of our Nation's heroes, a group Sergeant Ross exemplifies with distinction, is immeasurable. That's why we as a Nation must live up to our responsibilities to properly support the men and women of our Armed Forces when they return home. We must leave no soldier behind, and we owe our troops more than just "thank you for your service."

Today, it is too easy to spend money, and we've spent over a billion dollars a year recruiting people into our armed services while we're not doing enough to take care of them and keep the promises we make, whether it's providing GI funding or making sure that disability claims are taken care of. Currently, the average wait time for a disability claim ranges between 316 and 327 days. This is far too long.

The Oakland VA, which serves the veterans of my district, has one of the worst backlogs in the Nation. At a time when our wounded warriors are left waiting so long to receive the care that they have rightly earned, helping to ensure our Nation's heroes are able to travel seamlessly and without hindrance when they return home is a step we must take.

I want to thank again my colleague, Congresswoman GABBARD from Hawaii, for sponsoring this bill. I'll always support legislation that helps our returning servicemembers and their families receive the care and thanks they were promised and have earned.

I urge my colleagues to vote for the Helping Heroes Fly Act.

Mrs. BROOKS of Indiana. Mr. Speaker, I have no further speakers. If the gentleman from Hawaii has no further speakers, I'm prepared to close once the gentleman does.

Ms. GABBARD. Mr. Speaker, I yield myself such time as I may consume.

It's been an honor to stand here on the floor today in a bipartisan manner with my colleagues.

I want to thank the gentleman from Indiana for managing this and her strong support and advocacy for this issue, which is symbolic of us taking action to honor our heroes, especially as we head into Memorial Day.

You've heard from many Members why this is a good bill and why it should pass. It's been subject to scrutiny by all the stakeholders, and it has resulted in a bill that will be efficient and effective.

One example of steps we have taken to make sure that this is an efficient bill is making sure that, as we provide training as a central requirement to make sure that consistency in all airports exists, the provision requiring employee training was modified to make it clear that only screening personnel who participate in these expedited services will be mandatory—required to be trained under this bill—as opposed to requiring every single employee of the TSA to be trained, even when their job has nothing to do with passenger screening responsibilities. This modification ensures that the department's limited resources are spent in the most efficient manner, while also ensuring the consistent policies and treatment that are our objectives of this legislation.

I'd like to take a moment to highlight the support that this bill has gotten from veteran organizations. In addition to the Disabled American Veterans, I also have letters of support from the Wounded Warrior Project, the American Legion, and the Paralyzed Veterans of America. The Wounded Warrior Project sums it up perfectly, as they say:

Wounded warriors should not have to sacrifice their privacy, encounter conflicting screening policies and procedures, or be subject to significant travel delays. We welcome the steps proposed in H.R. 1344 to foster expedited screening and to protect the privacy of our wounded warriors going through this process. We also commend the proposal to require the TSA to continue to consult with veterans' service organizations as they develop these improved screening processes.

Mr. Speaker, before yielding back, I just want to take a moment to thank the chairman of the committee, Mr. MCCAUL, and the ranking member, BENNIE THOMPSON, whose strong support for this bill allowed it to move very quickly and to be considered here on the floor here today. Subcommittee Chairman Mr. HUDSON and Ranking Member RICHMOND, as well as SHEILA JACKSON LEE, along with my colleague, Mrs. BROOKS from Indiana, have also been incredible champions and supporters. Last but not least, I would like to take a moment to recognize senior professional staff Brian Turbyfill, who has been invaluable in providing his assistance in guiding this bill through the process.

Mr. Speaker, this is a commonsense measure that aligns with the intelligence-driven, risked-based approach to security that TSA is striving for. It addresses a clearly identified problem and provides a solution that will serve and honor the sacrifices of our Nation's selfless heroes and great servant leaders.

I ask my colleagues to support this bill, and I yield back the balance of my time.

WOUNDED WARRIOR PROJECT,
Washington, DC, April 8, 2013.

Hon. TULSI GABBARD,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN GABBARD: As an organization whose mission is to honor and empower wounded warriors, Wounded Warrior Project (WWP) is committed to assisting service members and veterans thrive within the community. For wounded veterans living with prosthetics or other service-connected conditions, airport screening is often a frustrating, degrading, and lengthy process. With that concern, we welcome the introduction of the Helping Heroes Fly Act, H.R. 1344, and the improvements it proposes to screen these men and women in a manner befitting their service.

Wounded warriors should not have to sacrifice their privacy, encounter conflicting screening policies and procedures, or be subject to significant travel delays. We welcome the steps proposed in H.R. 1344 to foster expedited screening and to protect the privacy of warriors going through the screening process. We also commend the proposal to require the Transportation Security Administration to consult with veterans' service organizations in the development of improved screening.

We look forward to working with you to advance this legislation and toward improving the airport screening process for those who have served.

Sincerely,

CHARLIE ABELL,
EVP for Government Affairs.

THE AMERICAN LEGION,
Washington, DC, April 24, 2013.

Hon. MICHAEL T. MCCAUL,
Chairman, Homeland Security Committee, Ford
House Office Building, Washington, DC.

Hon. BENNIE G. THOMPSON,
Ranking Member, Homeland Security Committee,
House of Representatives, Ford
House Office Building, Washington, DC.

DEAR CHAIRMAN MCCAUL AND RANKING MEMBER THOMPSON: On behalf of the 2.4 million members of The American Legion I express our support for H.R. 1344, the Helping Heroes Fly Act. This bill will ensure our nation's wounded warriors and veterans are consistently screened in a manner befitting their service and sacrifice. This bill is supported by The American Legion's National Resolution No. 14 which encourages airport courtesy to military personnel.

Although the Transportation Security Administration (TSA) has announced it will offer expedited screening to severely injured servicemembers, there are still issues that need to be addressed which will be resolved with this legislation. The legislation makes the following improvements:

Requires TSA to provide privacy for the individual being screened;

Requires TSA to consult with advocacy groups;

Mandates TSA training on expedited screening protocols;

Requires TSA to maintain an operations center that wounded warriors and veterans can contact for assistance in advance of flying; and

Requires TSA to report to Congress on its progress implementing the screening process.

Thank you for your support of our nation's servicemembers, veterans, and their families.

Respectfully,

JAMES E. "JIM" KOUTZ,
National Commander.

PARALYZED VETERANS OF AMERICA,
Washington, DC, April 18, 2013.

Hon. MICHAEL T. MCCAUL,
Chairman, House Committee on Homeland Security,
Ford House Office Building, Washington, DC.

Hon. BENNIE G. THOMPSON,
Ranking Member, House Committee on Homeland Security,
Ford House Office Building,
Washington, DC.

DEAR CHAIRMAN MCCAUL AND RANKING MEMBER THOMPSON: On behalf of Paralyzed Veterans of America (PVA), I write to support H.R. 1344, the bipartisan "Helping Heroes Fly Act", which was introduced by Representatives Tulsi Gabbard (D-HI), David P. Joyce (R-OH), and Cedric L. Richmond (D-LA) and referred to the Subcommittee on Transportation Security on April 1, 2013.

H.R. 1344 authorizes the Transportation Security Administration's (TSA) Wounded Warrior Screening Program, which facilitates and expedites the screening of severely injured or disabled members of the Armed Forces and veterans at our nation's airports. TSA recently announced efforts to ease the security screening process for people with disabilities, but the program may still have inconsistencies in how its protocols are implemented and leaves privacy concerns and stakeholder input lacking. The "Helping Heroes Fly Act" addresses these shortcomings by, among other things, requiring consultation between TSA and advocacy groups like PVA, which will allow us to share our veterans' screening experiences and guarantee that their concerns are heard. Further, the bill mandates that TSA make every effort to protect the privacy of wounded warriors and ensure that our nation's heroes are shown their due respect and appreciation.

While some paralyzed veterans may not need the assistance provided by the program, we have had reports from our members that greatly appreciate the service offered. One member recently reported that a TSA officer unexpectedly met him at the gate on arrival in Milwaukee, managed his luggage and even helped him jump the battery in his car—greatly reducing the time and anxiety he would have otherwise encountered.

Every one of our veterans appreciates TSA's and the Committee on Homeland Security's attention to this matter. We encourage your support of this legislation and urge you to see that it receives consideration in the House of Representatives.

Sincerely,

BILL LAWSON,
National President,
Paralyzed Veterans of America.

DISABLED AMERICAN VETERANS,
Washington, DC, April 9, 2013.

Hon. MICHAEL T. MCCAUL,
Chairman, House Committee on Homeland Security,
Ford House Office Building, Washington, DC.

Hon. BENNIE G. THOMPSON,
Ranking Member, House Committee on Homeland Security,
Ford House Office Building,
Washington, DC.

DEAR CHAIRMAN MCCAUL AND RANKING MEMBER THOMPSON: I am writing on behalf of the DAV, a congressionally chartered national veterans service organization with 1.2 million members, all of whom were wounded

or injured as a result of active duty in the United States Armed Forces. The DAV is dedicated to a single purpose: empowering veterans to lead high-quality lives with respect and dignity. We accomplish this by ensuring that veterans and their families can access the full range of benefits available to them; fighting for the interests of America's injured heroes on Capitol Hill; and educating the public about the great sacrifices and needs of veterans transitioning back to civilian life.

H.R. 1344, the Helping Heroes Fly Act, would direct the Assistant Secretary of Homeland Security, Transportation Security Administration (TSA), to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans.

With many of the members of DAV suffering from the loss of limbs due to their wartime service in defense of our nation, we are finding it increasingly difficult to understand the screening policies of the TSA affecting those with prosthetic limbs, wheelchairs and scooters boarding aircraft.

While TSA offers a variety of outstanding services, such as Notification Cards, TSA Cares, pat-down screening, multiple types of imaging and metal detection screening, and the compassionate TSA Military Severely Injured Program, amputees are not exempt from additional screening when necessary. In fact, screenings experienced by our members lack uniformity, understanding and compassion.

At some airports, our amputee members receive relaxed screening, while at others these screenings are horrific. Perhaps it is TSA's purpose to make screenings unpredictable. Some screenings have required these amputees to expose their prostheses when they lack the ability to reposition their clothing, and TSA agents are not allowed to help them, nor do they allow spouses or traveling companions to enter search areas to assist the amputees.

We applaud Representatives Gabbard, Richmond, and Joyce for introducing this legislation and for their continued support of America's wounded and injured veterans. While the DAV does not have a specific resolution from our members on this subject, it would be beneficial to many of our members. Accordingly, we support the passage of this legislation. I look forward to working with you and your staff to continue the DAV mission of empowering veterans to lead high-quality lives.

Sincerely,

BARRY A. JESINOSKI,
Executive Director,
Washington Headquarters.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

On behalf of myself, as well as Congressman MCCAUL, the chair of the Homeland Security Committee, we would like to commend Congresswoman GABBARD of Hawaii not only for her service in moving this issue, but for her military service. I'm very proud to be serving with her, and we are so pleased that this is being done in such a bipartisan manner. The Congresswoman from Hawaii and I have enjoyed a new strong friendship, and I hope there are many more bills to come that we can work on together.

I must say that we know that there are so many brave men and women

throughout this country who have been severely injured while fighting. In fact, according to the Employment and Disability Institute at Cornell University, there are 6,800 working-age civilian veterans in Indiana, alone, who have had the most severe service-connected disability rating.

And this past weekend when I was out at the Indianapolis Motor Speedway in honor of Armed Forces Day on Sunday and as we swore in the young men and women who have agreed to step up and serve in the National Guard and they were reporting to basic training that day, I knew that this bill was on the House floor this week. It was quite emotional to see these young men and women who we know between them and their families are providing the most incredible sacrifice. I am just very pleased that we are working on this bill in this manner.

To sit by while one of these heroes—and to me, all of these young 18-year-olds to 22-year-olds that I saw in front of me are heroes. We pray that they will not be injured. But those who are injured and who provide that incredible sacrifice cannot be treated like potential enemies here at home, and particularly at our airports. It should put us all to shame. Our wounded warriors are a special group of citizens in this country. They are a trusted group of citizens, and we can and must do more to treat them as such and to recognize their commitment to our Nation. With the Memorial Day holiday fast approaching, this bill is a timely tribute to their sacrifice.

I must also say that this weekend at the Indianapolis 500, before the race, it is the most moving ceremony when our armed services march down Pit Lane, and the quarter of a million people that will be there say it is probably the most moving ceremony they have ever witnessed. So we look not only for safety this weekend at our race, but it is a wonderful reminder of the incredible sacrifice all of the men and women in the military give day in and day out.

I urge my colleagues to vote in favor of H.R. 1344, as amended, and I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in strong support of H.R. 1344, the "Helping Heroes Fly Act."

Mr. Speaker, at the outset, I would like to commend the gentlewoman from Hawaii, Representative GABBARD, for introducing this thoughtful, bipartisan legislation.

I also commend the Chairman of the Committee on Homeland Security, the gentleman from Texas, Mr. MCCAUL, for working diligently to have this bill receive timely consideration by the House.

We owe a great debt to the women and men who have served to defend our freedom.

Those who were injured or rendered disabled because of their service, in particular, deserve our deepest gratitude and respect.

They deserve to be treated with the upmost respect and dignity upon their return home.

Unfortunately, when it comes to flying domestically, all too often, the security screening experience for injured and disabled veterans is anything but respectful and dignified.

H.R. 1344, the "Helping Heroes Fly Act," seeks to improve the screening experience for these brave men and women by requiring the Transportation Security Administration to develop and implement a process to facilitate the ease of travel and provide expedited screening to these members of the Armed Forces and veterans.

It specifically requires consultation with organizations like the Wounded Warrior Project, American Legion, and Paralyzed Veterans of America that advocate on behalf of service members and veterans.

Importantly, to help ensure consistency across the aviation security system, it also requires training for screeners on the protocols for screening injured and disabled service members and veterans.

Passage of this legislation is the right thing to do to for those who sacrificed and were injured while serving our nation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. BROOKS) that the House suspend the rules and pass the bill, H.R. 1344, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. GABBARD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FREEDOM TO FISH ACT

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 982) to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 982

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to Fish Act".

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this Act:

(1) RESTRICTED AREA.—The term "restricted area" means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established in accordance with chapter 10 of the regulation entitled "Project Operations: Navigation and Dredging Operations and Maintenance Policies", published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

(b) **EXISTING RESTRICTED AREA.**—If the Secretary has established a restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the day before the date of enactment of this Act, the Secretary shall—

(1) cease implementing and enforcing the restricted area until the date that is 2 years after the date of enactment of this Act; and

(2) remove any permanent physical barriers constructed in connection with the restricted area.

(c) **ESTABLISHING NEW RESTRICTED AREA.**—If, on or after the date of enactment of this Act, the Secretary establishes any restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters;

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing the restricted area;

(3) not implement or enforce the restricted area until the date that is 2 years after the date of enactment of this Act; and

(4) not take any action to establish a permanent physical barrier in connection with the restricted area.

(d) **EXCLUSIONS.**—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier.

(e) **ENFORCEMENT.**—

(1) **IN GENERAL.**—Enforcement of a restricted area shall be the sole responsibility of the State in which the restricted area is located.

(2) **EXISTING AUTHORITIES.**—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved December 22, 1944 (16 U.S.C. 460d).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1350

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend and include extraneous materials on S. 982.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

S. 982, the Freedom to Fish Act, would prohibit the Corps of Engineers from restricting public access in the vicinity of the 10 dams on the Cumberland River in Kentucky and Tennessee. This bill, this legislation, was introduced in the Senate by the leader, Senator MCCONNELL, and also by Senator RAND PAUL of Kentucky, and our

own in-House version authored by our colleague, ED WHITFIELD from Kentucky.

The bill provides for a 2-year moratorium to give the public, the two States, and the Corps of Engineers more time to carefully review conditions at these facilities, and to deal with the immediate threat to fishing, tourism, and the economy.

I applaud our leadership for bringing this legislation to the floor today. This is an excellent example of Congress exercising our constitutional authority to oversee Federal agencies. Far too often, the executive branch and the Federal bureaucracy operate without input and guidance from Congress. My colleagues on the floor of this House every day criticize rules, regulations, and actions by unelected bureaucrats that hurt our districts, our constituents, and our economy. Congress has the right, the constitutional duty, to oversee Federal agencies and provide them with clear guidance and direction.

As chairman of the Transportation and Infrastructure Committee, problems with the Army Corps of Engineers are frequently brought to my attention by my colleagues from both sides of the aisle, Republicans and Democrats. I am pleased to work whenever possible to address these issues with clear guidance from Congress.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

The pending measure was introduced in the Senate on May 16 of this year, 2013, and passed the very same day. While the bill is apparently a Senate-revised version of the legislation introduced in February of 2013, no committee hearings or markups were held on either bill.

Since 1996, the Army Corps of Engineers has been required to establish restricted areas for hazardous waters upstream and downstream of all Corps dams. As written, S. 982 would revise the current agency policy and would also prohibit the Army Corps of Engineers from establishing any restricted areas in hazardous waters at dams and other structures in the Cumberland River basin for a period of 2 years, and also require them to remove any physical barriers that already exist to prevent access to the hazardous areas. If after the 2-year moratorium, the Corps decided to implement new restricted areas around these dams and other structures, it would continue to be prohibited from erecting any physical barriers to prevent people from entering hazardous areas.

Mr. Speaker, I have serious concerns over this legislation because it does pose risks for public safety and national security. Currently, the Corps restricts access to certain areas above

and below the dams of the Cumberland River basin in order to keep people from being sucked into the spill waste or from having their boats swamped or sunk by unplanned releases from the hydropower units, which are very much un-timed. The reason they do this is very simple: to prevent people from drowning and to restrict access to Federal dams that would be targets for terrorism or destruction. Without full-time law enforcement patrols, areas above and below dams are not constantly monitored, and the Corps has not been able to alert and rescue people who get into trouble. They have to base it on people who are in boats nearby to help effect a rescue. Fourteen people drowned in the last few years, and there have been 20 near misses where there is no Corps staff to help.

In fact, according to a report by WRCB-TV in Chattanooga, Tennessee, there have been three fatalities in the hazardous waters immediately downstream of those dams on the Cumberland River. The waters are so hazardous at these locations that wearing a life jacket is ineffective. And I repeat: ineffective.

To legislatively preclude a Federal agency from protecting public health and national security seems a very unwise course of action, and I have significant concerns about the precedent that would be set by this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the author of the House version of this bill.

Mr. WHITFIELD. Chairman SHUSTER, I want to thank you and Ranking Member NAPOLITANO for agreeing to bring this important legislation to the floor. I will tell you, last September the Army Corps of Engineers made a decision that at the 10 dams located on the Cumberland River, they would put up a barrier of fishing near these dams in the tailwaters.

Despite opposition from the Governors of Tennessee and Kentucky, the Fish and Wildlife Services of Kentucky and Tennessee, Senator ALEXANDER, Senator CORKER, Congressman JIM COOPER, MARSHA BLACKBURN of Tennessee, STEVE FINCHER, myself, RAND PAUL, MITCH MCCONNELL and others—we wrote letters to the Corps. We had public meetings with the Corps. We sent petitions to the Corps. We had phone calls with the Corps, and asked them to delay the implementation, primarily because of the sequestration and the amount of money that it would take to put these barriers up, which would be almost \$3 million.

Despite our best efforts, and we had meetings at which 400 to 500 people attended, they refused to delay the implementation. So I rise today to support this Senate bill because it delays the implementation for 2 years.

I want to thank the gentlelady for bringing up the safety issue. All of us are very much concerned about the safety issue. But I would like to point out that in the 42 years of the history of these dams on the Cumberland River in Tennessee and Kentucky, there have been 881 drownings in the collective lakes and waters not including the area immediately around the dam. There have only been 14 drownings—and any drowning is too many—but in 42 years around the dam where they are focused on, there have been 14 drownings. I might say that of those 14 drownings, five of them occurred on the banks; two of them were of unknown causes; three were because people were not even wearing life jackets; three were because they were wearing the life jackets improperly; and only one drowning occurred in 42 years where the person was wearing the life jacket properly.

So I would say to the Corps, the real safety issue relates to the collective waters not around the dams. Of course, we all are very much concerned about protecting the homeland, homeland security, and I will tell you in these very rural areas of Tennessee and Kentucky where these dams are located, many people are out there fishing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHUSTER. I yield the gentleman an additional minute.

Mr. WHITFIELD. I thank the gentleman.

These are very rural areas. I will tell you that the Fish and Wildlife Service provides a great deal of protection and enforcement of broken laws in this area. Many of these people are quite familiar with each other, and I'm not going to be able to address the homeland security issue in detail, except to say that it is enforced. Many of the people who fish there through the fishing competitions and for the economic growth know each other.

But on the safety issue, I would just say 14 drownings in 42 years around the dam itself, 881 in other areas, and so we're not asking that this be a permanent restriction. We are simply asking the Corps to work with the Governors, the Fish and Wildlife Services of both States, the Senate and House, and local county judges to address it in a more permanent way.

So I would respectfully request that you approve the Senate bill, which would simply delay this for 2 years for additional study.

□ 1400

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I might consume to say it'd be nice to know why the Army Corps has not really been effective in getting back to the parties that have asked for information and working with them; and it would be very much interesting to know wheth-

er or not it's because of sequestration or budget or whatever, but we might delve into it later.

I yield 3 minutes to the gentleman from Tennessee, Congressman COOPER.

Mr. COOPER. I thank the gentlelady for yielding.

This is a completely bipartisan measure, and I hope that we have an overwhelming vote in support of it.

The Freedom to Fish Act is a very responsible piece of legislation put forward in the Senate by my colleague, Senator LAMAR ALEXANDER.

In the hearing on the Senate side, Senator FEINSTEIN pointed out to the Army Corps of Engineers' witness how reasonable Senator ALEXANDER was trying to be, how reasonable this approach was. So I think we can say with some certainty that this is something that should be overwhelmingly supported by this House.

For my colleagues, the Cumberland River is perhaps unknown to you. It's a beautiful river. Every elected official that I'm aware of in our area, Democrat and Republican, supports this legislation.

Safety is an issue, but so is overreaching by our friends at the Corps. Occasionally they're a little bit tone deaf, especially if they get transferred in and out a little bit too quickly.

This is an amazing little way to fish here, below the dams. Some of you not realizing, you think fish is this big or this big. Some of these fish are 30 and 40 pounds.

This is a magnificent recreational resource that has been unfairly harmed by proposed Corps actions and by, really, an official who will be soon moving away from our area and living in another part of the country. He's a fine gentleman, but this is an opportunity for us to reclaim our local rights, our traditions, our freedom to fish.

I would urge colleagues on both sides of the aisle to have a little common sense here. Support S. 982. It's a very reasonable approach to trying to solve this problem, solving this dispute with the Corps. Support S. 982.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I do rise today to support this legislation and to support the sportsmen from Tennessee and Kentucky. And as you can see, this is an issue where there is bipartisan agreement.

One of my constituents said it so well. They're so frustrated with this situation, and we've heard from so many of them on it. And they said, you know, you can turn on the TV any night and you see government overreach, whether it's the IRS admitting that they have targeted conservative groups or DOJ wiretapping reporters. And then you get home to Tennessee and, at the local level, what you see is the Corps of Engineers coming in and

saying, well, by the way, we're going to change something, and you're not going to be able to fish.

Fishing in Tennessee is a tradition. It is a favorite pastime. Sportsmen have been fishing along this beautiful Cumberland River for years. As Mr. COOPER said, it is a beautiful place to be. And since the dams were built, I have to tell you, there are now generations of Tennesseans, you will see families out together fishing. We have about 900,000 registered anglers in our State, and I have to tell you, I think our office has heard from almost every one of them on this issue. They have been very persistent.

One thing I would want my colleagues to know is that our sportsmen in our State are wonderful stewards of conserving our natural resources and the great outdoors, and they exercise personal responsibility and great care in protecting their favorite place to go fishing.

It is really to the disbelief of the Army Corps of Engineers that we already know when it is safe or not to go fish in these tailwaters. So what we're saying is let's right this wrong, and let's allow individuals to get back and enjoy the Freedom to Fish Act. Pass it today.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself the balance of the time.

I really appreciate the information from my colleagues on the other side. It is only for 2 years, which is time enough to be able to have the Corps and the individual participants be able to come to some agreement.

The fact that there is, according to my colleague, no fishing, I think it's only in certain areas, which would be at the lip of the dam and below the dam where the spill is where there is danger of boats getting swamped, and so it is something that we need to look forward and see what happens.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, spring is upon us, a season that is important to several of Kentucky's signature industries. Not only does spring signify horse racing and the Kentucky Derby, but it also marks the beginning of the adventure and outdoor tourism season as well.

Tourism is an \$11.7 billion signature industry in my State, employing over 166,000 Kentuckians and accounting for 1 in 10 jobs across the Commonwealth. A major part of Kentucky tourism stems from one of America's favorite pastimes—fishing.

In my district, the Kentucky River is enjoyed by many, many, as it stretches from the Daniel Boone National Forest and meanders through horse farms in the central Bluegrass, specifically in Woodford and Franklin Counties.

Fishermen especially enjoy fishing in the Kentucky River's tailwaters surrounding locks and dams, areas notorious for having an abundance of fish. Unfortunately, the Army Corps of Engineers has decided to prohibit tailwater fishing in a sister river just south of my district, the Cumberland River, where many of my constituents travel to engage in their favorite pastime.

This is yet another example of government overreach, where this time the government is telling us how to fish in water systems that have been safely utilized for generations. We must not allow the Corps to set a precedent for regulating how Kentuckians and Americans alike spend their time outdoors.

As our fragile economy continues to recover, my constituents tell me that they plan on sticking closer to home to recreate this spring and summer. Overregulation of fishing is a deterrent to family time and harms our local businesses that depend on the revenue from seasonal recreation and tourism.

I ask my colleagues to join me in support of the Freedom to Fish Act, which places a 2-year moratorium on the Corps' plan to restrict access to tailwaters in the Cumberland River.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHUSTER. I yield the gentleman an additional 30 seconds.

Mr. BARR. This will allow us time to implement a permanent plan to halt Army Corps from setting a precedent of restricting access to any tailwaters going forward.

I'm an original cosponsor of this legislation—and I applaud the leadership of Mr. WHITFIELD, my colleague from Kentucky—and that does exactly this: protect fishermen in rural economies and Americans' right to choose how they recreate.

Mr. SHUSTER. Mr. Speaker, it's now a great pleasure for me to yield 2 minutes to the gentleman from Frog Jump, Tennessee (Mr. FINCHER).

Mr. FINCHER. Thank you, Mr. Chairman, for yielding.

I have had the privilege of fishing actually on the Cumberland River at Barkley Dam. My grandfather took me many times to fish there. And how this would work, and why it's such a good fishing spot is, when they would release the water from the top of the dam and when it would come under and come in the back of the dam, the waters would roll up, and the big fish that we talk about would roll up off the bottom, and that's why the fishing is so good.

And it's like we don't have enough things to do in Washington that we're dealing with this issue today. I want to thank Mr. WHITFIELD for bringing this up, but commonsense solutions to problems are what we should be talking about. And the Corps, in many re-

spects, they do good work, but bringing this up, stopping the fishing from occurring at the dams and on the rivers, the Cumberland River in specific, is ridiculous.

We need to get down to the business of America—let's let people fish where they've always fished, like my grandfather took me to Barkley Dam over and over and over, time and time again—and get to the real issues.

I urge my colleagues to support this legislation today, and let's give the power back to the people—commonsense solutions for real problems.

□ 1410

Mr. SHUSTER. Mr. Speaker, in closing, once again, I just want to applaud our leadership for bringing this legislation to the floor today. As I said earlier, this is an excellent opportunity, excellent example for Congress to exercise our constitutional authority over these Federal agencies.

With that, I would urge all my colleagues to join in supporting this important legislation, S. 982, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, S. 982.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF EMANCIPATION HALL FOR UNVEILING OF STATUE OF FREDERICK DOUGLASS

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring), That

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF FREDERICK DOUGLASS STATUE.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 19, 2013, to unveil a statue of Frederick Douglass.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from the District of Columbia

(Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of Senate Concurrent Resolution 16, authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass, a great abolitionist. Frederick Douglass is a pivotal figure in American history who had an unyielding dedication to equal rights, the abolition of slavery, and the enhancement of women's suffrage. His brave actions and compelling writings inspired and forever changed this grateful Nation.

Born into slavery, Frederick Douglass escaped to New York in 1838 disguised as a free uniformed sailor. Upon achieving his own freedom, he quickly and unwaveringly turned his life's mission to seeking freedom, justice, and equality for all. Frederick Douglass inspired in African Americans the fundamental that one's achievement cannot be limited by one's color and that the American Dream is within reach for all Americans, regardless of race.

Over a century has passed since his death, and yet his contribution to American society is very much alive today. His tireless dedication, brilliant words, and inclusive vision of humanity continue to inspire people of all races. In considering the remarkable achievements of Frederick Douglass and his contributions to our rich history, his presence within the United States Capitol will honor this institution and serve as endearing testimony to this Nation's struggle for freedom and for equality.

I want to thank the Senator from the State of New York, Mr. SCHUMER, for introducing this concurrent resolution, as well as my colleague, Ms. NORTON from the District of Columbia, for her work on this, and I would certainly urge my colleagues to support it.

I reserve the balance of my time.

Ms. NORTON. I rise in strong support of Senate Concurrent Resolution 16.

I would like to begin by thanking Chairman MILLER for her help in bringing this resolution to the floor. I also thank Ranking Member BRADY for his longstanding commitment to placing a District of Columbia statue in the United States Capitol. When he chaired the committee, it approved my bill that would have given the District two statues in the Capitol, the usual practice. But, we are pleased to have our

first statue and are grateful to the House leadership for permitting this bill on the floor today. We especially thank Senators SCHUMER and DURBIN for their help in getting this resolution, as well as the bill authorizing the placement of the Douglass statue in the Capitol, passed in the Senate. The District of Columbia has no Senators so we're fortunate we have distinguished allies like Senators SCHUMER and DURBIN.

Like the residents of the 50 States, the residents of the District of Columbia have fought and died in all our Nation's wars and have always paid Federal income taxes. Unlike the residents of the 50 States, however, District of Columbia residents are still fighting for their equal rights as American citizens. Since 2002, one component of that fight has been to have statues representing the District of Columbia placed in the Capitol, like the States, which fulfill every obligation of citizenship, as the District does.

D.C. residents chose Douglass to represent them in the Capitol not only because he is one of the great international icons of human and civil rights; but for us, Douglass is especially important because he was not content to rest on his historic national achievements alone. He knew where he lived and was deeply involved in the civic and political affairs of the District of Columbia.

Douglass, a strong Republican, served as Recorder of Deeds of the District of Columbia, as United States Marshal here, as a member of the D.C. Council—its upper chamber then—appointed by the Republican president at the time, Ulysses S. Grant. Douglass was also a member of the Board of Trustees of Howard University for 24 years. Douglass made his home in the Anacostia neighborhood of southeast Washington, which is now the Frederick Douglass National Historic Site, administered by the National Park Service.

In choosing Douglass, it was important to our residents that Douglass also dedicated himself to securing self-government and voting rights for the residents of the District of Columbia. Many Americans may not know that D.C. residents have only rarely had even nonvoting representation in the Congress, or a local government, and even today have no vote on the floor of the House and no Senators, although our residents pay Federal income taxes like everybody else and fight in all the Nation's wars like everybody else. The city had both home rule and a delegate for a brief period during Reconstruction and then was without any home rule government or any representation in the Congress for over 100 years, until the 1970s.

In his autobiography, "The Life and Times of Frederick Douglass," Douglass commented on the unequal polit-

ical status of his hometown, the District of Columbia, and of its residents. Most of what Douglass wrote in the 19th century holds true today.

I am quoting Douglass from his autobiography:

These people are outside of the United States. They occupy neutral ground and have no political existence. They have neither voice nor vote in all the practical politics of the United States. They are hardly to be called citizens of the United States. Practically, they are aliens, not citizens but subjects. The District of Columbia is the one spot where there is no government for the people, of the people, and by the people. Its citizens submit to rulers whom they have had no choice in selecting. They obey laws which they had no voice in making. They have plenty of taxation but no representation.

□ 1420

In the great questions of politics in the country they can march with neither army, but are relegated to the position of neutrals. I have nothing to say in favor of this anomalous condition of the people of the District of Columbia, and hardly think that it ought to be or will be much longer.

Mr. Douglass did not mince his words.

The Douglass statue in our Capitol will recognize the universality of his dedication to human rights and democratic rights. His statue in the Capitol will remind District of Columbia residents that they, too, will partake of these values one day. His statue will offer the same pride that other citizens of our country experience when they come to the Capitol and see memorials that commemorate the efforts of their residents and their significant contributions. And the Douglass statue offers other Americans the opportunity to see the residents of their Nation's Capital honored as well in their Capitol.

Mr. Speaker, I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, again I want to thank my colleague from the District of Columbia for her very eloquent words. We are all looking forward to the unveiling of the statue of this remarkable American that is such a critical component of our proud history.

With that, I would urge all of my colleagues to support this Senate concurrent resolution, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of S. Con. Res. 16, which authorizes the use of Emancipation Hall for the unveiling of a statute of Frederick Douglass. It is fitting and proper that Emancipation Hall is the venue for the dedication of a memorial to one of this nation's greatest abolitionists and orators, and one of the closest friends and advisors of the Great Emancipator himself, Abraham Lincoln.

Frederick Douglass was born Frederick Augustus Washington Bailey near Easton, Maryland, on February 18, 1818, and lived the first 20 years of his life as a slave before escaping

to freedom in 1838 through the Underground Railroad. With the assistance of abolitionists, he resettled in New Bedford, Massachusetts and changed his name to avoid recapture by fugitive slave bounty hunters.

Frederick Douglass had no formal education but he recognized the power of education and taught himself to read and write. He would go on to become the publisher of "The North Star," a leading abolitionist newspaper, whose motto was "Right is of no Sex—Truth is of no Color—God is the Father of us all, and we are all brethren."

Frederick Douglass also authored one of the seminal works in American history, the influential autobiography "Narrative of the Life of Frederick Douglass, an American Slave," which explained with unsurpassed eloquence how slavery corrupts the human spirit and robs both master and slave of their freedom.

Frederick Douglass devoted his life to the struggle for freedom, human dignity, and the full measure of civil and human rights for all men and women, famously observing that "where there is no struggle, there is no progress; power concedes nothing without demand. It never has and never will."

Frederick Douglass was also one of America's greatest orators. He was the only African American to attend the first women's rights convention in 1848 at Seneca Falls, New York, where he spoke powerfully and forcefully in favor of women's suffrage. In his moving address, he said that he could not accept the right to vote as a black man if women could not also claim that right and suggested that the world would be a better place if women were involved in the political sphere:

In this denial of the right to participate in government, not merely the degradation of woman and the perpetuation of a great injustice happens, but the maiming and repudiation of one-half of the moral and intellectual power of the government of the world.

On July 5, 1852, Frederick Douglass delivered the address for which he is perhaps best known. The theme of that address to the Ladies of the Rochester Anti-Slavery Sewing Society was "What to the slave is the 4th of July?" In that speech, he described in stark and vivid detail the gap between America's principles and practices, its aspirations and the actual condition of people's lives, especially those persons of African descent. In answering the question, "What to the slave is your 4th of July," he said:

[A] day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciations of tyrants, brass fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade, and solemnity, are, to him, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages.

But Frederick Douglass was not bitter at America, he was determined to make her better. And he did through his writings, lectures, speeches, and civic activism. Most of all, the bond of friendship he forged with President Lincoln helped the nation summon the will to

accept civil war as the price to be paid to abolish American slavery and emancipate from bondage millions of slaves and their descendants.

On April 14, 1876, the eleventh anniversary of the Lincoln's assassination, Frederick Douglass was the keynote speaker at the dedication of the Freedmen's Monument in Memory of Abraham Lincoln in the City of Washington, in which the Great Abolitionist spoke for all former slaves in paying tribute to the Great Emancipator:

Despite the mist and haze that surrounded him; we saw him . . . in the light of the stern logic of great events, and in view of that divinity which shapes our ends . . . we came to the conclusion that the hour and the man of our redemption had somehow met in the person of Abraham Lincoln. [He] was at the head of a great movement, and was in living and earnest sympathy with that movement, which, in the nature of things, must go on until slavery should be utterly and forever abolished in the United States.

After the Civil War, Frederick served as U.S. Marshal for the District of Columbia and later as the first African American Recorder of Deeds. In 1888 at the Republican National Convention, he became the first African-American to receive a vote for nomination as president of the United States by one of the major parties. From 1889 to 1891, Frederick Douglass served his country as Minister-Resident and Consul-General to Haiti. He died in Washington, D.C. on February 20, 1895, at the age of 77.

Mr. Speaker, the life of Frederick Douglass affirms what is great about our country. Here was a man who overcame the conditions of his birth and the disadvantages of his race to become one of the towering figures of his age. His life proves that Margaret Mead was right when she said:

Never doubt that a small group of thoughtful committed citizens can change the world; indeed, it's the only thing that ever has.

With the unveiling of the statute in memory of Frederick Douglass, fittingly located in Emancipation Hall of the U.S. Capitol, the story of this great man who led such a consequential life will be made known to all who visit for generations to come.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 16.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. GRAYSON. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore (Mr. SIMPSON). The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the House of Representatives shall not consider H.R. 3, the 'Northern

Route Approval Act' because: (1) it violates Rule XXI of the House, and (2) it affects the dignity and integrity of the proceedings of the House since it is unconstitutional.

The SPEAKER pro tempore. Does the gentleman from Florida wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Mr. GRAYSON. Yes.

The SPEAKER pro tempore. The gentleman from Florida is recognized for that purpose.

Mr. GRAYSON. I rise today to address H.R. 3, the Northern Route Approval Act, and my resolution raising a question of privilege regarding the matter.

Please note that this is a privileged motion and therefore outside the scope of the Rules Committee's jurisdiction regarding "the order of business of the House" under rule X. Rather, this is a question of privilege "affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings" pursuant to rule IX. It is not invoked to "effect a change in the rules or their interpretation" as prescribed by House Rules and Manual at page 420.

Consideration of this bill exceeds "the rights of the House collectively" and brings into question the "dignity and the integrity of the proceedings" of the House of Representatives under House rule IX because, first, it is unconstitutional, and second, it is an earmark.

I presented this matter to the full House in H. Res. 225 as a question of privilege last night, and I noticed the question immediately following the only vote series of the day.

Mr. Speaker, pursuant to rule IX of the House you must now make your determination as to whether or not this is an appropriate "question of privilege" and hold a vote on the resolution offered before the House. Before that happens, I would like to address the two claims I have made against the bill offered by the gentleman from Nebraska, and then I will outline the reasons why I feel you should find in favor of my question of privilege.

H.R. 3 is unconstitutional. "The Constitution does not permit Congress to execute the laws."

The above is taken from the Supreme Court's ruling in *Bowsher v. Synar*. The bill before us violates this principle. Congress creates the laws, and it's up to the Executive to execute the laws.

Under section 3 of this bill, however, "the final environmental impact statement issued by the Secretary of State on August 26, 2011" and "the Presidential permit required for the pipeline described in the application filed on May 4, 2012" —

The SPEAKER pro tempore. The gentleman must confine his remarks to

whether the resolution qualifies as a question of privilege.

Mr. GRAYSON. I believe I have. May I continue?

The SPEAKER pro tempore. The gentleman may not debate the underlying bill but must confine himself to the matter of privilege.

Mr. GRAYSON. Respectfully, Mr. Chairman, I think they are inextricably entwined. I don't see how I can do one without the other.

May I continue?

The SPEAKER pro tempore. The gentleman may proceed in order.

Mr. GRAYSON. "by TransCanada Keystone Pipeline, L.P. to the Department of State as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska Governor" shall "be considered or deemed to satisfy all requirements of the National Environmental Policy Act of 1969 and the National Historic Preservation Act." This is a clear attempt by this body to execute the law of the land, and that is proscribed by the Constitution.

Again, Mr. Speaker, the Executive must execute the laws. H.R. 3 runs afoul of this requirement. The Supreme Court held in *Bowsher v. Synar* that interpreting a law enacted by Congress to implement the legislative mandate is the very essence of "execution of the law," and that's exactly what is being proposed here and forbidden by the Constitution.

The exercise of judgment in the bill before us concerning facts that affect application of statute —

The SPEAKER pro tempore. The gentleman's remarks should be confined to the question of privileges of the House. The gentleman's remarks address the underlying bill, which is not before the House currently. If the gentleman is unwilling to confine his remarks to the question of privilege, the Chair is prepared to rule.

Mr. GRAYSON. Mr. Speaker, it's not a question of whether I'm willing to. As I indicated before, the two are inextricably linked.

The SPEAKER pro tempore. The Chair would remind the gentleman that there are two different questions. One is the merits of the measure that the gentleman keeps trying to propose in his remarks; the other is the question of privilege. The debate is on the question of privilege, whether this resolution constitutes a question of privilege.

Mr. GRAYSON. I understand that. But I don't think that the Chair can properly be informed of that question without the material that I'm providing to the Chair right now.

The SPEAKER pro tempore. The gentleman may proceed in order.

Mr. GRAYSON. Thank you.

The Supreme Court held in *Bowsher v. Synar* that “interpreting a law enacted by Congress to implement the legislative mandate is the very essence of ‘execution’ of the law,” and that’s exactly what is being proposed here.

The exercise of judgment in the bill before us concerning facts that affect application of statute constitutes execution of the law. It is an unconstitutional act that this body should not entertain. It violates separation of powers and violates the principle underlying the prohibition of bills of attainder.

Statements are deemed by this bill to be in compliance with laws the Executive has been tasked with executing—the National Environmental Policy Act of 1969, known as NEPA, and the National Historic Preservation Act. If you see section 3 of H.R. 3, it’s referenced there. This is an impermissible execution of the law.

Congress, through this bill, is attempting to apply the facts of the Keystone XL pipeline environmental impact statement to the body of law and deciding that they comply. This is unconstitutional and brings into question the “dignity and the integrity of proceedings” of the House.

The SPEAKER pro tempore. The Chair will give the gentleman one more opportunity. The question of constitutionality is not the same as a question of privileges of the House. The gentleman should confine himself to the question of privileges of the House. And if the gentleman is unprepared to do so, the Chair is prepared to rule.

Mr. GRAYSON. Mr. Chairman, the last words that I just said were that this offends the “dignity and the integrity of the proceedings” of the House. This relates directly to the matter before the Chair.

May I proceed?

The SPEAKER pro tempore. The gentleman may proceed on the question of privilege, and the Chair believes the gentleman knows the difference.

□ 1430

Mr. GRAYSON. Mr. Speaker, I stand by what I just said.

May I proceed?

The SPEAKER pro tempore. The gentleman may proceed, but the Chair is prepared to rule if the gentleman strays off the course of the question of privilege.

Mr. GRAYSON. Again, Mr. Speaker, I don’t believe you can properly do that without being fully informed as to the facts here.

May I proceed?

The SPEAKER pro tempore. The gentleman may proceed in order.

Mr. GRAYSON. Apparently, we are no longer satisfied with writing the laws. We have now taken it upon ourselves to execute them as well. This discredits the institution, not only within the Federal Government—com-

plicating our constitutional relationship with both the executive and the judicial branches—but also in the eyes of the American people. We must not allow the House to be degraded this way.

Even when the facts of the bill are examined, this measure fails. The bill states that the environmental impact statement satisfies NEPA. That environmental impact statement, however, was for a different project—the Keystone XL Pipeline as proposed in 2009, a pipeline that would have terminated in the Gulf Coast.

The SPEAKER pro tempore. The Chair has heard sufficient argument. The argument that the gentleman is making is proper for the merits of the proposed legislation but not on the question of privilege. The Chair will rule.

The gentleman from Florida seeks to offer this resolution as a question of the privileges of the House under rule IX. The resolution proposes a special order of business with regard to a specified legislative measure. Specifically, it mandates that a measure not be considered by the House because it is unconstitutional and violates a rule of the House.

To qualify as a question of privilege, a resolution must affect the rights of the House collectively, its safety, dignity, or integrity of its proceedings. In evaluating the resolution under the standards of rule IX, the Chair is guided by a fundamental principle illuminated by annotations of precedent in section 706 of the House Rules and Manual, to wit: that a question of the privileges of the House may not be invoked to effect a change in the rules or standing orders of the House or their interpretation, nor to prescribe a special order of business for the House.

The averment that this resolution presents a question of the privileges of the House under rule IX embodies precisely the contrary principle, under which each individual Member of the House would constitute a virtual Rules Committee, able to place before the House at any time whatever proposed order of business he or she might deem advisable based on allegations of unconstitutionality or violations of the rules. In such an environment, anything could be privileged; so nothing would enjoy true privilege.

Accordingly, under the long and well-settled line of precedent, as elucidated most recently by the ruling of August 10, 2010, the Chair finds that such a resolution does not affect the rights of the House collectively, its safety, dignity, or the integrity of its proceedings within the meaning of clause 1 of rule IX and, therefore, does not qualify as a question of the privileges of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1412, by the yeas and nays;

H.R. 324, by the yeas and nays;

H.R. 1344, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

IMPROVING JOB OPPORTUNITIES FOR VETERANS ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1412) to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 164]

YEAS—416

Aderholt	Capito	Delaney
Alexander	Capps	DeLauro
Amash	Capuano	DelBene
Amodei	Cárdenas	Denham
Andrews	Carney	Dent
Bachmann	Carson (IN)	DeSantis
Bachus	Carter	DesJarlais
Barber	Cartwright	Deutch
Barletta	Cassidy	Dingell
Barr	Castor (FL)	Doggett
Barrow (GA)	Castro (TX)	Doyle
Barton	Chabot	Duckworth
Bass	Chaffetz	Duffy
Beatty	Chu	Duncan (SC)
Becerra	Cicilline	Duncan (TN)
Benishek	Clarke	Edwards
Bentivolio	Clay	Ellison
Bera (CA)	Cleaver	Ellmers
Bilirakis	Coble	Enyart
Bishop (GA)	Coffman	Eshoo
Bishop (NY)	Cohen	Esty
Bishop (UT)	Collins (GA)	Farenthold
Black	Collins (NY)	Farr
Blackburn	Conaway	Fattah
Blumenauer	Connolly	Fincher
Bonamici	Conyers	Fitzpatrick
Bonner	Cook	Fleischmann
Boustany	Cooper	Fleming
Brady (TX)	Costa	Flores
Bralley (IA)	Cotton	Forbes
Brooks (AL)	Courtney	Fortenberry
Brooks (IN)	Cramer	Foster
Broun (GA)	Crawford	Fox
Brown (FL)	Crenshaw	Frankel (FL)
Brownley (CA)	Crowley	Franks (AZ)
Buchanan	Cuellar	Frelinghuysen
Bucshon	Culberson	Fudge
Burgess	Cummings	Gabbard
Bustos	Daines	Gallego
Butterfield	Davis (CA)	Garamendi
Calvert	Davis, Danny	Garcia
Camp	Davis, Rodney	Gardner
Campbell	DeFazio	Garrett
Cantor	DeGette	Gerlach

Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis

Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney

Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Scalise
Schakowsky
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Moran
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack

Woodall
Yarmuth
Yoder
Yoho
NOT VOTING—17
Hartzler
Hastings (FL)
Herrera Beutler
Hudson
Lankford
Lucas
Brady (PA)
Bridenstine
Clyburn
Cole
Diaz-Balart
Engel
Blumenauer
Bonamici
Bonner
Boustany
Brady (TX)
Brachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishak
Benitivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn

Young (FL)
Young (IN)
Markey
Mullin
Peters (CA)
Sarbanes
Young (AK)
1458
Messrs. DUNCAN of South Carolina
and CONYERS changed their vote from
“nay” to “yea.”
So (two-thirds being in the affirma-
tive) the rules were suspended and the
bill, as amended, was passed.
The result of the vote was announced
as above recorded.
A motion to reconsider was laid on
the table.
Stated for:
Mr. PETERS of California. Mr. Speaker, on
rollcall No. 164, I inserted card and voted—
light turned green but did not register. On this
vote, I would have voted “yea.”
Mr. COLE. Mr. Speaker, on rollcall No. 164,
(H.R. 1412—Improving Job Opportunities for
Veterans) had I been present, I would have
voted “yea.”

Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford

Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis

Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Scalise
Schakowsky
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema

AWARDING CONGRESSIONAL GOLD MEDAL TO FIRST SPECIAL SERVICE FORCE

The SPEAKER pro tempore (Mr. MEADOWS). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 324) to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. COTTON) that the House suspend the rules and pass the bill.

This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 165]
YEAS—415

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishak
Benitivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (TX)
Brachmann
Bachus
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Coble
Coffman
Cohen
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper

Sires	Titus	Waxman	Blumenauer	Foxx	Lofgren	Roby	Sensenbrenner	Valadao
Slaughter	Tonko	Weber (TX)	Bonamici	Frankel (FL)	Long	Roe (TN)	Serrano	Van Hollen
Smith (NE)	Tsongas	Webster (FL)	Bonner	Franks (AZ)	Lowenthal	Rogers (AL)	Sessions	Vargas
Smith (NJ)	Turner	Welch	Boustany	Frelinghuysen	Lowey	Rogers (KY)	Sewell (AL)	Veasey
Smith (TX)	Upton	Wenstrup	Brady (TX)	Fudge	Luetkemeyer	Rogers (MI)	Shea-Porter	Vela
Smith (WA)	Valadao	Westmoreland	Braley (IA)	Gabbard	Lujan Grisham	Rohrabacher	Sherman	Velázquez
Southerland	Van Hollen	Whitfield	Brooks (AL)	Gallego	(NM)	Rokita	Shimkus	Visclosky
Speier	Vargas	Williams	Brooks (IN)	Garamendi	Lummis	Rooney	Simpson	Wagner
Stewart	Veasey	Wilson (FL)	Broun (GA)	Garcia	Lynch	Ros-Lehtinen	Sinema	Walberg
Stivers	Vela	Wilson (SC)	Brown (FL)	Gardner	Maffei	Roskam	Sires	Walden
Stutzman	Velázquez	Wittman	Brownley (CA)	Garrett	Maloney,	Ross	Slaughter	Walorski
Swalwell (CA)	Visclosky	Wolf	Buchanan	Gerlach	Carolyn	Rothfus	Smith (NE)	Walz
Takano	Wagner	Womack	Bucshon	Gibbs	Maloney, Sean	Roybal-Allard	Smith (NJ)	Wasserman
Terry	Walberg	Woodall	Burgess	Gibson	Marchant	Royce	Smith (TX)	Schultz
Thompson (CA)	Walden	Yarmuth	Bustos	Gingrey (GA)	Marino	Ruiz	Smith (WA)	Waters
Thompson (MS)	Walorski	Yoder	Butterfield	Gohmert	Massie	Runyan	Southerland	Watt
Thompson (PA)	Walz	Yoho	Calvert	Goodlatte	Matheson	Ruppersberger	Speier	Waxman
Thornberry	Wasserman	Young (FL)	Camp	Gosar	Matsui	Rush	Stewart	Weber (TX)
Tiberi	Schultz	Young (IN)	Campbell	Gowdy	McCarthy (CA)	Ryan (OH)	Stivers	Webster (FL)
Tierney	Waters		Cantor	Granger	McCarthy (NY)	Ryan (WI)	Stockman	Welch
Tipton	Watt		Capito	Graves (MO)	McCaul	Salmon	Stutzman	Wenstrup

NOT VOTING—18

Brady (PA)	Hartzler	Lucas
Bridenstine	Hastings (FL)	Markey
Clyburn	Herrera Beutler	Mullin
Cole	Hudson	Sarbanes
Diaz-Balart	King (IA)	Stockman
Engel	Lankford	Young (AK)

□ 1506

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COLE. Mr. Speaker, on rollcall No. 165, (H.R. 324—To grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II, as amended) had I been present, I would have voted “yea.”

HELPING HEROES FLY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1344) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. BROOKS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 20, as follows:

[Roll No. 166]

YEAS—413

Aderholt	Barletta	Bentivolio
Alexander	Barr	Bera (CA)
Amash	Barrow (GA)	Bilirakis
Amodei	Barton	Bishop (GA)
Andrews	Bass	Bishop (NY)
Bachmann	Beatty	Bishop (UT)
Bachus	Becerra	Black
Barber	Benishek	Blackburn

Blumenauer	Bonamici	Bonmer	Boustany	Brady (TX)	Braley (IA)	Brooks (AL)	Brooks (IN)	Broun (GA)	Brown (FL)	Brownley (CA)	Buchanan	Bucshon	Burgess	Gibson	Gingrey (GA)	Gohmert	Goodlatte	Gosar	Gowdy	Granger	Graves (MO)	Grayson	Green, Al	Green, Gene	Griffin (AR)	Griffith (VA)	Grijalva	Grimm	Guthrie	Gutierrez	Hahn	Hall	Hanabusa	Hanna	Harper	Harris	Hastings (WA)	Heck (NV)	Heck (WA)	Hensarling	Higgins	Himes	Hinojosa	Holding	Holt	Honda	Horsford	Hoyer	Huelskamp	Huffman	Huizenga (MI)	Hultgren	Hunter	Hurt	Israel	Issa	Jackson Lee	Jeffries	Jenkins	Johnson (GA)	Johnson (OH)	Johnson, E. B.	Johnson, Sam	Jones	Jordan	Joyce	Kaptur	Keating	Kelly (IL)	Kelly (PA)	Kennedy	Kildee	Kilmer	Kind	King (IA)	King (NY)	Kingston	Kinzinger (IL)	Kirkpatrick	Kline	Kuster	Labrador	LaMalfa	Lamborn	Lance	Langevin	Larsen (WA)	Larson (CT)	Latham	Latta	Lee (CA)	Levin	Lewis	Lipinski	LoBiondo	Loeb
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Lowenthal	Lowey	Luetkemeyer	Lujan Grisham	(NM)	Lummis	Lynch	Maffei	Maloney,	Carolyn	Maloney, Sean	Marchant	Marino	Massie	Matheson	Matsui	McCarthy (CA)	McCarthy (NY)	McCaul	McClintock	McCollum	McDermott	McGovern	McHenry	McIntyre	McKeon	McKinley	McMorris	Rodgers	McNerney	Meadows	Meehan	Meeke	Meng	Messer	Mica	Michaud	Miller (FL)	Miller (MI)	Miller, Gary	Miller, George	Moore	Moran	Mulvaney	Murphy (FL)	Murphy (PA)	Nadler	Napolitano	Neal	Negrete McLeod	Neugebauer	Noem	Nolan	Nugent	Nunes	Nunnelee	O'Rourke	Olson	Owens	Palazzo	Pallone	Pascrell	Pastor (AZ)	Paulsen	Payne	Pearce	Pelosi	Perlmutter	Perry	Peters (CA)	Peters (MI)	Peterson	Petri	Pingree (ME)	Pittenger	Pitts	Pocan	Poe (TX)	Polis	Pompeo	Posey	Price (GA)	Price (NC)	Quigley	Radel	Rahall	Rangel	Reed	Reichert	Renacci	Ribble	Rice (SC)	Richmond	Rigell
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NOT VOTING—20

Brady (PA)	Hastings (FL)	Mullin
Bridenstine	Herrera Beutler	Sarbanes
Clyburn	Hudson	Shuster
Cole	Lankford	Young (AK)
Diaz-Balart	Lucas	Young (FL)
Engel	Lujan, Ben Ray	
Graves (GA)	(NM)	
Hartzler	Markey	

□ 1513

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COLE. Mr. Speaker, on rollcall No. 166, (H.R. 1344—Helping Heroes Fly Act, as amended) had I been present, I would have voted “yea.”

GENERAL LEAVE

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1412, as amended.

The SPEAKER pro tempore (Mr. ROTHFUS). Is there objection to the request of the gentleman from California?

There was no objection.

THE GOVERNMENT MAY BE READING THE PEOPLE'S EMAILS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, big, snoopy government agencies can read emails that are over 180 days old without a person's knowledge or consent.

That is just wrong. It takes a warrant to eavesdrop phone conversations, but no warrant required to peruse a person's email?

If Peeping Tom-crats can't listen to phones without a warrant, they shouldn't be able to read emails. That's why Congresswoman LOFGREN, Congresswoman DELBENE, and I introduced the Online Communications and Geolocation Protection Act. It would require a search warrant to seize a person's email.

When a person mails a letter, the government cannot open the mail from the time it is placed in the mailbox, travels throughout the fruited plain, and ends up in another mailbox. The law protects the privacy of this snail mail.

When a person sends an email through cyberspace, the government should not be allowed to seize the content without a search warrant. At a time when we see more and more government invasion of privacy, Congress should ensure that government does not press the delete button and eliminate the Constitution.

And that's just the way it is.

ONLINE SALES TAX

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, innovative small businesses all across New Hampshire are using the Internet to reach new markets, create good jobs, and grow our economy.

Congress should be working to create an environment that helps these companies expand and hire, not adding new bureaucratic barriers and red tape that will impede growth. But that's exactly what the so-called Marketplace Fairness Act would do.

This legislation would force online retailers to collect sales taxes on behalf of over 9,000 taxing jurisdictions nationwide, creating a web of bureaucracy that would stifle small businesses.

Later this week, I will return home to New Hampshire to hear how this tax would impact Granite State entrepreneurs. I urge my colleagues to do the same in their States and to stand up for small businesses by opposing this misguided legislation.

□ 1520

IN MEMORY OF CHRISTOPHER LOREK AND STEPHEN SHAW

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise to honor two brave Federal law enforcement officers who lost their lives during a training accident last Friday.

Christopher Lorek and Stephen Shaw were both members of the FBI's Hostage Rescue Team. This elite unit has taken part in more than 800 hostage situations over the last two decades. Members of the Hostage Rescue Team dedicate their lives to training for critical terrorist, hostage, and criminal situations. Most recently, the team successfully rescued a 5-year-old boy held hostage by a 65-year-old man in Alabama.

Both Christopher Lorek and Stephen Shaw spent many years serving their Nation by putting themselves at risk for others who were in danger. Tragically, they died during a maritime counterterrorism exercise their team was performing off the coast of Virginia Beach.

Both these men leave behind young families, and our thoughts and prayers are with their loved ones during this difficult time.

CENTENNIAL ANNIVERSARY OF CARROLLTON, TEXAS

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, I rise today to recognize and celebrate the centennial of the city of Carrollton, Texas.

The city of Carrollton was incorporated 100 years ago, on June 14, 1913. Carrollton has truly blossomed into a prosperous and exemplary city. From a population of 1,610 in 1950, it has grown now to over 130,000 residents and is home to thousands of successful businesses.

I'm proud to say that my family has been able to be part of this great history. It was my privilege to serve as mayor of Carrollton from 1984 to 1986. My brother Ronnie served for years as a city council member. Currently, my son Matthew has the honor of being the city's mayor.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the 100th anniversary of the incorporation of the city of Carrollton, Texas.

HONORING OUR VETERANS

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, Memorial Day is a day our grateful Nation devotes to observing the extraordinary sacrifices paid by so many brave military men and women. Those who served so honorably died to protect the values and ideals on which our country was built, and we will never forget them.

Mr. Speaker, while we continue to work on behalf of the American people

here in Washington, let us remember we work for people outside the beltway, many of whom are still searching for employment. With the unemployment rate for post-9/11 veterans at 9.2 percent, I'm heartbroken when reminded of veterans who come back from deployments abroad and cannot find work back home.

This Memorial Day weekend, let us remember to always honor those so devoted to their country that they gave their lives; and let us honor those veterans who defend us on the front lines abroad by putting these brave men and women first in line at home to find a job, provide for their families, and to realize the American Dream.

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from North Carolina (Mr. JONES) is recognized for 60 minutes as the designee of the majority leader.

Mr. JONES. Mr. Speaker, 13 years ago, on April 8, 2000, 19 marines lost their lives in a tragic plane crash at Marana Regional Airport in Arizona. The Marine Corps attributed partial blame for the crash to error on the part of the pilot, Lieutenant Colonel John Brow, and the copilot, Major Brooks Gruber. The Corps' decision to assign blame to the pilots has been a point of controversy ever since the year 2000.

Mr. Speaker, 2 years after the accident, I received a letter from Major Gruber's wife, Connie, who actually lives in the district that I represent, the home of Camp Lejeune Marine Base and New River Air Station. I will quote from her letter to me that I received in 2000:

I contacted you in hopes that leaders of integrity, free of bias, would have both the intelligence and the courage it takes to decide the facts for themselves. If you do that, you will agree the "human factor/pilot error" findings should not stand as it is in military history. Again, I respectfully ask you for your support. Please do not simply pass this matter along to General Jones without offering the support my husband and his comrades deserve. Please remember, these 19 marines can no longer speak for themselves. I certainly am not afraid to speak for them, and I believe someone has to. Even though it is easier put to rest and forgotten, please join me in doing the right thing by taking the time to address this important issue.

Mr. Speaker, she further stated:

With so many wrongs in the world we cannot make right, I ask that you prayerfully consider an injustice that you can help make right. I realize you alone may not be able to amend the report, but you can certainly support my efforts to permanently remove this black mark from my husband's honorable military service record. Military leaders continue to refuse to amend this report, but I am certain that there must be other means of making this change. Given the controversy of this aircraft and the Marine

Corps' vested interest, surely there is an unbiased, ethical way to rightfully absolve these pilots. Please help me by not only forwarding my request but also by supporting it.

Mr. Speaker, I hold up now a photograph of the V-22 Osprey. The Osprey is a very unique plane. At the time of this accident in the year 2000, it was an experimental plane. These two pilots, John Brow and Brooks Gruber, were not experimental pilots. They had no training in flying an experimental plane. This plane itself should never have been asked to do what was done that night. In fact, Secretary of Defense Dick Cheney was trying to eliminate the V-22 program. I was in Congress at the time, and I remember vividly that it was a major fight here in Congress as to whether we were going to fund the V-22 program or not fund the program.

Again, Secretary of Defense Cheney wanted to scrap the program. The Marine Corps wanted the V-22. They were convinced this was a plane that they needed desperately. There were two pilots, one of Nighthawk 71, which was the lead plane that actually landed without too much trouble, even though it did have a hard landing, and in the second plane behind them was Nighthawk 72. That was the plane that crashed and killed 19 marines.

Since receiving Connie Gruber's letter, I have done everything in my power over the last 12 years to clear the names of Lieutenant Colonel John Brow and Major Brooks Gruber. What has frustrated me was the Marine Corps will not acknowledge that these pilots could not be and should not be held at fault because they had no training in the V-22.

There was an issue known as vortex ring state. Mr. Speaker, anyone that flies, particularly helicopters, would understand that term, "vortex ring state." But at the time of this accident, Bell-Boeing, who produced this V-22, and the Marine Corps had no idea of how pilots would react to vortex ring state with the V-22.

Mr. Speaker, I have brought a little model to the floor, with the approval of the House, that will show that the plane can go from a helicopter mode to a plane mode, where it flies just like a regular plane. But at this point, again, Bell-Boeing and also the Marine Corps did not understand vortex ring state and how it could impact this plane. When this plane is coming down, following behind, Nighthawk 72, what happened was that the vortex ring state really made this plane just flip over, and the plane crashed and 19 marines were burned to death.

□ 1530

Mr. Speaker, the wives of these two pilots, John Brow and Brooks Gruber, all they're asking—the lawsuits are over. Bell-Boeing has been sued for millions and millions of dollars—it

hasn't been disclosed, so no one knows the exact figure. But I can tell you, after talking to the attorney for Connie Gruber and Trish Brow, that the lawsuits are over. I've spoken to Brian Alexander, who handled the lawsuits for 17 of the 19 families in New York. He said the lawsuits are over.

So basically all we're asking the Marine Corps to do is to please just issue a letter to Connie and Trish that clearly states that: Your husband, flying this V-22, was not prepared on how to handle vortex ring state because Bell-Boeing and we, the Marine Corps, did not understand it either, so how can we train pilots if we don't understand what we're trying to train them in.

So, therefore, it's been a very frustrating 10 or 12 years of trying to get the Marine Corps to bring peace to John Brow and Brooks Gruber.

Mr. Speaker, Rich Whittle, with whom I've had many conversations, wrote the book called "The Dream Machine." It's the history of the V-22 and all the problems it's had along the way and all the fights that we've had in Congress and outside of Congress to make this plane a reality for the Marine Corps. But something I want to read from his book, "The Dream Machine." We're talking about vortex ring state, Mr. Speaker:

Where the actual line existed for the Osprey was something the program's developmental test pilots had not determined, though hundreds of test flights to explore that part of the Osprey's envelope had been planned.

They had planned, Mr. Speaker, to have hundreds of tests, but it further states:

Nolan Schmidt, the Osprey program manager and a Marine Corps colonel at the time, told me years later that those tests were scrapped in 1998 to save time and money. The Navy Department was going to cut the Osprey program's budget for the coming fiscal year by \$100 million, Schmidt said. After consulting with the Boeing engineer in charge of flight-testing, Philip Dunford, Schmidt said, the program managers decided they could save about \$50 million and a lot of time if they didn't do all the tests planned for the Osprey at high rates of descent.

Mr. Speaker, again, these pilots in Nighthawk 72, following behind Nighthawk 71, were descending, and yet no one knew what the parameters were—the pilots did not know the parameters, the Marine Corps did not know the parameters, and neither did Bell-Boeing. So how in the world could these pilots be held responsible? It is absolutely unfair.

I can honestly tell you at the time I knew General McCorkle. He was the general that oversaw marine aviation. His assistant at the time was Brigadier General Amos, who now is the Commandant of the Marine Corps. They knew at the time that the V-22 was under tremendous pressure by Secretary of Defense Cheney to scrap the program.

Sadly I say this—because I know both these gentlemen, they're very fine fellows, but I will say this: that dead men can't talk. These two pilots had no one to speak for them but their wives—Connie Gruber down in Jacksonville, North Carolina, and Trish Brow over in Maryland. And they have children. Trish has two young boys and Connie has a beautiful little girl named Brook.

Mr. Speaker, that's why this has become an obsession with me, quite frankly. I'm not an expert in flying, I know nothing about how to keep a plane in the air to be honest with you. But Mr. Speaker, I have had so many people to join me in this effort, and one of those people is an expert named Rex Rivolo. In fact, he was working with the V-22 program when he was in the Department of Defense, and I want to read his comments, Mr. Speaker, for the RECORD:

The failure of the manufacturer, Bell-Boeing, and the Navy to characterize the slow-speed, high rate of descent handling qualities of the V-22 through flight testing, the failure to describe them for the air crew and the failure to provide an adequate warning system in the aircraft were the causes of the mishap—not air crew error.

Following the mishap and my discovery of the facts, I became very vocal within the V-22 community in my attempt to clear the air crew of blame. However, it quickly became clear that the community well-understood the causes but was committed to placing the blame on the air crew, as blaming the aircraft at this time would have jeopardized the MV-22 Program, which was, and remains, the highest priority of the U.S. Marine Corps.

Mr. Speaker, that in itself is so sad, that this expert, an engineering expert in aerodynamics, would make this kind of statement, but I just read it for the RECORD, Mr. Speaker. He knew and he knows that at that time these two men, who had no one to defend them, had to take the blame to save the program.

Mr. Speaker, America's greatness is because we are a country of integrity and honesty. I've done research on this and found out that people that knew these men, that flew with them—their fellow marines—would tell you today that John Brow and Brooks Gruber were not prepared for what happened—and no other one who flew a V-22 at the time understood vortex ring state and how to react to it.

Mr. Speaker, now that the program has been saved, there is no reason that the Marine Corps cannot give a letter to Connie Gruber and Trish Brow clearly stating that at the time, April 8, 2000, that we, the Marine Corps, and Bell-Boeing, the manufacturer, we did not understand vortex ring state because no one had done the testing because they cut the programs, they cut the testing.

Mr. Speaker, truthfully, what is so ironic, shortly after this crash on April 8, Bell-Boeing paid Tom MacDonald, an experimental pilot who spent over 700

hours flying the V-22 time after time, time after time and getting it into the vortex ring state and then figuring out how the pilot should react to it. Mr. Speaker, because of that work by Tom MacDonald, we now have warning systems in the V-22 that pilots, when they get into vortex ring state, the warning system starts lighting up on the panel. They hear a sound in the headphones that says “sink, sink, sink.” So they know exactly how to handle vortex ring state. But John Brow and Brooks Gruber did not know how to handle vortex ring state.

I continue to call on the Marine Corps to do what is right. The Corps has one of the greatest respects of the American people because of integrity and courage. Well, Mr. Commandant, the right thing to do is to prove integrity and courage by giving the two wives one paragraph.

Mr. Speaker, further, I’ve had so many people to help with this effort. The Assistant Secretary of Defense and the director of operational test and evaluation at the time of the crash in 2000 was Philip Coyle. He has joined in this effort with Rex Rivolo. And I read what Philip Coyle said:

There is a rush to blame pilots, and to cite factors that relate to pilot performance, rather than cite the true root causes of accidents. The design and detailed engineering in an aircraft or vehicle often is at the root cause of an accident. If a particular make or model of automobile was crashing too often, say Toyota or Chevy, people wouldn’t blame the drivers; they would say that something is wrong with the automobile. The Marine Corps has always seems to blame the pilots.

Mr. Speaker, this is why this has become a passion for me personally. And I could not be where I am today without so many experts—I mentioned two today, Phil Coyle and Rex Rivolo—who have joined me. I want to mention Jim Schafer. Jim’s call name was “Trigger.” He was actually in the air at the time of this plane crash. He saw his friends go down and burn.

Mr. Speaker, this is not right for these two wives to carry the pain now almost 13 years—April 8 of 2000, and we’ve already passed April 8 of 2013. All they’re asking the Marine Corps for is a simple letter to just state: At the time, we did not understand, Bell-Boeing didn’t understand, so, therefore, we couldn’t train your husbands. So, therefore, your husbands could not have known how to react.

Now they have all these warning systems that I just mentioned a moment ago.

Mr. Speaker, I am not going to let this go. In fact, I have a meeting with the Secretary of Defense, Chuck Hagel, on the 10th of July—he has already confirmed the date. I have accumulated so much information on this issue that I probably could have a small library that people could come in and research this accident. But I have great respect for Chuck Hagel. I re-

member him as a Senator when I came out against the Iraq war and I was getting beaten up down in my own district down in eastern North Carolina. I did not know Senator Hagel at the time, but he called me up and left word. I returned his call. He said, “Congressman, you’re right, Iraq was an unnecessary war, I want to meet with you.” So I went over and met with him, Mr. Speaker. He had his staff spend weeks to show me maps on Iraq and the fact that there were never weapons of mass destruction.

□ 1540

For that I’m of the firm belief that I will meet with him for 30 minutes—that’s all he could give me—and I think he will understand that this is not about me, WALTER JONES. This is about honor, this is about respect; and the two dead pilots deserve this, Mr. Speaker.

Just a few more points, Mr. Speaker, before I close. Curt Weldon, when they were fighting this program—Secretary Cheney was fighting this program—in ’98, ’99, and 2000, especially after this crash, the one man in the Congress, Mr. Speaker—and I was here at the time and I can attest to this—was Curt Weldon, a Congressman from Pennsylvania, who took on the administration, that took on Dick Cheney and said, we’ve got to have this program, we’ve got to have this program for the Marine Corps, the Marine Corps wants the V-22, and this is their present and this is their future plane.

Curt Weldon now, Mr. Speaker, has joined me, and I want to share from a letter. Curt Weldon, these are his words:

I have found it outrageous that the Marine Corps has willingly failed to fully clarify the improper characterization that pilot errors may have contributed to the tragic accident of Nighthawk 72. I join with Lieutenant Colonel Ron Radich, Retired United States Marine Corps, a member of the JAG Investigation Team for the April 8, 2000, MV-22 accident in his assessment that “it would be morally wrong” to place the blame on the pilots of Nighthawk 72. Everyone, save the most senior leadership of the United States Marine Corps, has acknowledged that the Marine Corps must formally acknowledge the facts and summaries of the investigations and publicly and clearly restore the outstanding commitments and reputation of these two brave marines—there can be no wavering and no innuendo—facts are facts.

You have my unwavering support to appear at any public event and/or congressional hearing to set the record straight regarding the need for United States Marine Corps leadership to stop “playing games” and once and for all correct the public record regarding the Nighthawk 72 incident and fully clear the names of these two American heroes.

Mr. Speaker, I want to read that one more time, just to close, by Curt Weldon, a former United States Congressman, who fought and saved the V-22 program for the Marine Corps. He saved the program.

You have my unwavering support to appear at any public event and/or congressional

hearing to set the record straight regarding the need for United States Marine Corps leadership to stop “playing games” and once and for all correct the public record regarding the Nighthawk 72 incident and fully clear the names of these two American heroes.

Mr. Speaker, there are so many people who have joined me in this effort. I’m going to name a few. The three investigators, now retired, but at the time Colonel Mike Morgan, a helicopter pilot himself; a lawyer, Phil Stackhouse; and Lieutenant Colonel Ron Radich, who I just made reference to in Curt Weldon’s statement.

These three men were sent to Arizona the day after the accident. Mr. Speaker, they were sent there to investigate the wreckage, the burned wreckage that killed 19 marines. All three of these men, Mr. Speaker, have joined me in strong letters to clear the names of John Brow and Brooks Gruber.

I made reference earlier to Colonel Jim Shafer, a V-22 pilot, friends of these two pilots. He also has joined in saying that at the time we did not understand vortex ring state, at the time we did not understand how vortex ring state would impact on the V-22 Osprey. Mr. Speaker, again, I hold this up because the Osprey is a unique plane. It goes from a helicopter mode until it goes to like a plane just flying with the propellers in front of it, and then it goes back up. But Jim Shafer has said that John Brow and Brooks Gruber do not deserve the blame for this accident.

I made reference to Dr. Rex Rivolo in my comments earlier, Mr. Speaker. He’s a strong proponent of clearing the pilots’ names.

Brian Alexander, I made reference that he had handled the lawsuits for 17 of the 19 families whose young sons were killed.

Jim Furman, who was the attorney for the two pilots, John Brow and Brooks Gruber, their families.

Eric Thorson, a former aircraft investigator for the United States Air Force, he’s actually joined us in this as well.

And I mentioned Phil Coyle, because Phil Coyle has said he was on the inside, he saw it. These pilots could not be held at fault because they were not to blame.

Danielle Brian, executive director, Project on Government Oversight, she’s joined in this effort.

And Bob Cox, a reporter for the Fort Worth Star.

Mr. Speaker, I will close in just a few minutes, because I want to thank the staff for staying on to give me this opportunity to talk about this issue.

I have made a promise to Connie Gruber in Jacksonville. Her husband, Brooks Gruber, is buried down in the cemetery, Veterans Cemetery in Jacksonville, North Carolina. I have met Trish Brow and her two boys, Mark and Matthew. I’ve taken them to lunch here in the Members’ dining room. Both those ladies have my promise, Mr.

Speaker, that if we ever get just one paragraph, that I would like to go to the cemetery at Arlington and stand there with Trish and Matthew and Mark and say: "Colonel, rest in peace. You will never be blamed again for this accident because you were not at fault."

Then I want to go to the cemetery in Jacksonville, North Carolina, with Connie and her little girl, Brooke. Brooke was a baby when her daddy was killed. She's a beautiful little girl of 12 now, I guess soon to be 13. She never knew her daddy. She has just seen pictures of him holding her as a little baby and smiling at her. That just made it very, very special.

These two men deserve in the eyes of God to be cleared. I am not the smartest man in Congress, and I do not profess to be one; but God gave me a big heart, and he put this on me almost 13 years ago. And what I have found out, Mr. Speaker, is we are right. We are right. The Marine Corps is wrong in this situation. The experts who helped develop the V-22 have said: We are right and the Marine Corps is wrong. Curt Weldon who fought so valiantly to save the program deserves the credit. He's joined and said these two men deserve to be cleared.

Mr. Speaker, I remember vividly a quote from Voltaire:

To the living we owe respect, to the dead we owe the truth.

That's all this is all about, the truth that these two marines were not trained, did not understand, nor did Bell-Boeing, nor did the Marine Corps. They were not trained as to how to handle the vortex ring state.

We have gotten a little bit further in the last year, but recently the Marine Corps rejected a letter that the wives had signed off on if they could change two words. And the two words are the same word, the word "solely," the word "solely." The pilots are not "solely" at fault.

Mr. Speaker, that bothers me because I know, and the Marine Corps knows, that they were not trained. Now, if they had been trained as to how to react and respond to vortex ring state in the V-22, then I might be able to accept that word "solely." But how in the world can you say that pilots who were not trained because Bell-Boeing did not know how to handle vortex ring state in the V-22, the Marine Corps did not understand it, so if they didn't understand it and they didn't train the pilots, how could they be "solely" responsible?

□ 1550

That is absolutely unacceptable to the wives, and it is unacceptable to me. So therefore, again, Mr. Speaker, I am going to meet with Secretary Hagel on the 10th of July. I will be prepared. I only have 30 minutes, but that's fine. I know he's a busy man with all of the

problems facing our military and the world; but if he'll give me 30 minutes, I will show him in 20 minutes why these pilots should not be held responsible for this accident.

Mr. Speaker, I want to thank you and the staff for giving me this extra time. This is one of these things that is a religion with me. I don't fly much. I've been in a few small planes, and I cannot imagine the panic of these two fellows, knowing that they've got 17 young marines, privates and corporals, sitting in the back of this plane and how they must have felt. I don't know. God knows their hearts, because He was with them when they went down, but all I can think of is the panic of something you had not been trained to handle, the panic of, What do we do now?

Brooks, John, what do we do now? We've got seconds, seconds.

And then the plane flips and burns.

I ask God to touch the hearts of the United States Marine Corps and of the commandant. The commandant now is a fine gentleman—I know him, and I have respect for him—but he was there the day and the night of this crash.

The whole reason for this mission was to show the anti-V-22s and Secretary Dick Cheney that this was a remarkable plane, this V-22 Osprey, because they could show how they could descend so quickly and recover some Americans that would be held by terrorists. That was the mission they were on in Marana, Arizona—to show the world that this plane was unique and that it could land and descend quickly and hit the ground and get these people out. Well, the problem was that no one understood the parameters of this plane and how it should descend; so, therefore, these 19 marines were killed.

Mr. Speaker, I hope to be back on the floor right after the Memorial Day break before I meet with the Secretary of Defense, Chuck Hagel, and talk about this again. I believe sincerely that we are all stronger people and better people when we admit we've made a mistake, and when an organization that the American people love so much like the Marine Corps—and I love the Marine Corps, but quite frankly, when they will not give Connie and Trish a little paragraph, like I have already said three times today, which clearly states that their husbands were not at fault, it is very disappointing to say the least.

Mr. Speaker, in closing, as I do on the floor when I think about all of our men and women overseas in Afghanistan and Iraq, I am going to ask God to please bless our men and women in uniform and to please bless the families of our men and women in uniform.

I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

I am going to ask at this time that God touch the hearts of the United

States Marine Corps to give peace to the families of John Brow and Brooks Gruber.

I will ask God to please bless the House and Senate, that we will do what is right in the eyes of God for God's people today and God's people tomorrow.

I will ask God to please bless the President of the United States of America, that he will do what is right in the eyes of God for God's people today and God's people tomorrow.

And three times I will say, God, please, God, please, God, please, continue to bless America.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1703

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BURGESS) at 5 o'clock and 3 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3, NORTHERN ROUTE APPROVAL ACT

Mr. WEBSTER of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 113-88) on the resolution (H. Res. 228) providing for consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM THE HONORABLE JIM COSTA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JIM COSTA, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 20, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the California Workers' Compensation Appeals Board, regarding a third-party workers' compensation matter.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JIM COSTA,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DIAZ-BALART (at the request of Mr. CANTOR) for May 20 through May 22 on account of a death in the family.

Mr. COLE (at the request of Mr. CANTOR) for today and the balance of the week on account of inspecting damage in the district from the recent tornadoes.

Mr. CLYBURN (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. WEBSTER of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 22, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2013 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Darrell Issa	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
Hon. John Mica	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
Hon. Raul Labrador	1/11	1/12	Morocco		262.00						262.00
	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
Hon. Scott DesJarlais	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
Hon. Blake Farenthold	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
Hon. Tim Walberg	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
	1/12	1/13	Spain		276.00						276.00
Hon. Paul Gosar	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
Linda Good	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
Adam Fromm	1/11	1/12	Morocco		262.00						262.00
	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
	1/8	1/10	Cyprus		508.00						508.00
Carlos Uriarte	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
	1/12	1/13	Spain		276.00						276.00
	1/5	1/7	Turkey		860.00						860.00
	1/7	1/8	Israel		498.00						498.00
Delegation Expenses	1/8	1/10	Cyprus		508.00						508.00
	1/10	1/11	Algeria		372.00						372.00
	1/11	1/12	Morocco		262.00						262.00
Committee total					27,760.00		3,498.41		19,957.66		51,216.07

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1558. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral James G. Stavridis, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

1559. A letter from the Assistant Secretary, Department of the Treasury, transmitting the Department's annual report on material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings during the period January 1, 2012 through December 31, 2012, pursuant to 31 U.S.C. 3121 nt. Public Law 103-202, section 202; to the Committee on Financial Services.

1560. A letter from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Consumer Financial Civil Penalty Fund [Docket No.: CFPB-2013-0011] (RIN: 3170-AA38) received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1561. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Oswego County, NY, et al.) [Docket ID: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8283] received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1562. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Duval County, NY, et al.); [Docket ID: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8281] received May 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1563. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Wayne County, PA, et al.); [Docket ID: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8279] received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1564. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2007 and 2008", pursuant to Section 811A of the Native American Programs Act of 1974; to the Committee on Education and the Workforce.

1565. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1566. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on the International Atomic Energy Agency (IAEA) Activities in countries described in Section 307(a) of the Foreign Assistance Act; to the Committee on Foreign Affairs.

1567. A letter from the Secretary, Department of the Treasury, transmitting as re-

quired by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

1568. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

1569. A letter from the Acting Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1570. A letter from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report on the activities of the Office of Inspector General of the Farm Credit Administration for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1571. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the 2012 management report and statement of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1572. A letter from the Division Chief, Regulatory Affairs, Department of the Interior, transmitting the Department's final rule — Segregation of Lands—Renewable Energy [LLW0301000.L13400000] (RIN: 1004-AE19) received April 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1573. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC638) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1574. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC582) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1575. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC605) received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1576. A letter from the Federal Register Liaison, National Aeronautics and Space Administration, transmitting the Administration's final rule — Boards and Committees [Docket No.: NASA-2013-0001] (RIN: 2700-AD82) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

1577. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Amendments to the Rules on Determining Hearing Appearances [Docket No.: SSA 2007-0044] (RIN: 0960-AH40) received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER of Florida: Committee on Rules. House Resolution 228. Resolution providing for consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes (Rept. 113-88). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA (for himself and Mr. CUMMINGS):

H.R. 2061. A bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Ohio (for himself, Mr. JOYCE, Mr. CHABOT, Mr. RYAN of Ohio, Mr. JORDAN, Mr. TIBERI, Mr. GIBBS, Mr. TURNER, Mr. STIVERS, Ms. KAPTUR, Mr. RENACCI, Mr. WENSTRUP, Mr. LATTA, Mrs. BEATTY, and Ms. FUDGE):

H.R. 2062. A bill to designate the facility of the United States Postal Service located at 275 Front Street in Marietta, Ohio, as the "Lance Corporal Joshua C. Taylor Memorial Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BILLIRAKIS:

H.R. 2063. A bill to amend title 38, United States Code, to improve the health care provided to veterans of World War II at facilities of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. WASSERMAN SCHULTZ (for herself, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. JOYCE, Mr. SCHNEIDER, and Mr. WAXMAN):

H.R. 2064. A bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life; to the Committee on Education and the Workforce.

By Mr. MCKINLEY (for himself and Mrs. NAPOLITANO):

H.R. 2065. A bill to amend title 38, United States Code, to require recipients of per diem payments from the Secretary of Veterans Affairs for the provision of services for

homeless veterans to comply with codes relevant to operations and level of care provided, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DENHAM (for himself, Mr. COHEN, Mr. GRIMM, and Mr. CAMPBELL):

H.R. 2066. A bill to require Amtrak to propose a pet policy that allows passengers to transport domesticated cats and dogs on certain Amtrak trains, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MEADOWS:

H.R. 2067. A bill to amend title 5, United States Code, to make permanent the authority of the Secretary of the Treasury to establish a separate compensation and performance management system with respect to persons holding critical scientific, technical, or professional positions within the Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury; to the Committee on Oversight and Government Reform.

By Mrs. LUMMIS (for herself, Mr. DEFAZIO, and Mr. AMODEI):

H.R. 2068. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Natural Resources.

By Mr. BENISHEK:

H.R. 2069. A bill to amend the Tribally Controlled Colleges and Universities Assistance Act of 1978 to authorize the Secretary of the Interior to waive certain eligibility requirements; to the Committee on Education and the Workforce.

By Mr. BISHOP of New York (for himself, Mr. WALZ, Mr. LANGEVIN, Mr. RAHALL, Mr. YARMUTH, Mrs. MCCARTHY of New York, Mr. VAN HOLLEN, Mr. TIERNEY, Ms. KUSTER, and Mr. CICILLINE):

H.R. 2070. A bill to protect consumers from price-gouging of gasoline and other fuels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BENISHEK:

H.R. 2071. A bill to prohibit the use of any Federal funds to finalize, implement, or enforce the proposed rule entitled "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption"; to the Committee on Energy and Commerce.

By Mr. BENISHEK:

H.R. 2072. A bill to amend title 38, United States Code, to improve the accountability of the Secretary of Veterans Affairs to the Inspector General of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BRADY of Texas (for himself, Mrs. CAPPS, Mr. KING of New York, Ms. NORTON, Mr. ROSKAM, Mr. COSTA, and Mr. BISHOP of New York):

H.R. 2073. A bill to direct the Secretary of Health and Human Services to establish an interagency coordinating committee on pulmonary hypertension to develop recommendations to advance research, increase awareness and education, and improve health and health care, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself, Mr. DEFAZIO, Mr. MORAN, and Mr. CAMPBELL):

H.R. 2074. A bill to direct the Secretary of Agriculture, acting through the Animal and Plant Health Inspection Service, to submit to Congress, and make available to the public on the Internet, a report on the animals killed under the Wildlife Services program of

the Animal and Plant Health Inspection Service; to the Committee on Agriculture.

By Mr. ENGEL:

H.R. 2075. A bill to enhance the energy security of the United States, reduce dependence on imported oil, improve the energy efficiency of the transportation sector, and reduce emissions through the expansion of grid supported transportation; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLINE (for himself, Mr. WALZ, Mrs. BACHMANN, Mr. PETERSON, and Mr. ELLISON):

H.R. 2076. A bill to direct the Secretary of Defense to conduct a review of the Integrated Disability Evaluation System of the Armed Forces and to submit to Congress a report on such system; to the Committee on Armed Services.

By Mr. PERLMUTTER (for himself, Mr. WELCH, Ms. BONAMICI, Mr. RICHMOND, Mr. GRIJALVA, Mr. RANGEL, Mr. KEATING, Mr. CICILLINE, Ms. TSONGAS, Mr. RUSH, Mr. DINGELL, Mr. COFFMAN, Mr. MCGOVERN, Mr. HOLT, Ms. NORTON, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Ms. SHEA-PORTER, Mr. POLIS, Ms. SPEIER, Mr. SCHWEIKERT, Mr. DEFAZIO, Mr. MCNERNEY, Mr. VAN HOLLEN, Mr. ENYART, Ms. PINGREE of Maine, Mr. CLAY, Mr. COHEN, Mr. LEWIS, Mr. TONKO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GARAMENDI, Mrs. CAPPS, Mr. YARMUTH, Mr. BRALEY of Iowa, Mr. DOYLE, and Ms. HAHN):

H.R. 2077. A bill to prohibit employers from compelling or coercing any person to authorize access to a protected computer, and for other purposes; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 2078. A bill to amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RADEL (for himself and Mr. SALMON):

H.R. 2079. A bill to provide for a three-year extension of the authority of the Secretary of Veterans Affairs to provide for the conduct of medical disability examinations by contract physicians; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER:

H.R. 2080. A bill to provide for the admission to the United States of certain Tibetans; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 2081. A bill to secure unrestricted reliable energy for American consumption and transmission; to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS (for himself and Mr. COLLINS of New York):

H. Con. Res. 37. Concurrent resolution expressing the sense of Congress that a site in Arlington National Cemetery should be pro-

vided for a memorial marker to honor the memory of the 14 members of the Army's 24th Infantry Division who have received the Medal of Honor; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. COLE):

H. Res. 229. A resolution calling for Syrian President Bashar al-Assad and others to be tried before the International Criminal Court for committing war crimes and crimes against humanity; to the Committee on Foreign Affairs.

By Mr. PERLMUTTER (for himself, Mr. BRALEY of Iowa, and Mr. RIGELL):

H. Res. 230. A resolution to recognize and honor our nation's veterans on the 70th anniversaries of World War II battles; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PETRI introduced a bill (H.R. 2082) to authorize and request the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; which was referred to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ISSA:

H.R. 2061.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. JOHNSON of Ohio:

H.R. 2062.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to establish post offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 2063.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause XII-XIV of the Constitution of the United States, which gives Congress the authority to:

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

By Ms. WASSERMAN SCHULTZ:

H.R. 2064.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. MCKINLEY:

H.R. 2065.

Congress has the power to enact this legislation pursuant to the following:

The bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States" pursuant to Article I, section 8 of the United States Constitution.

By Mr. DENHAM:

H.R. 2066.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. MEADOWS:

H.R. 2067.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mrs. LUMMIS:

H.R. 2068.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

By Mr. BENISHEK:

H.R. 2069.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, clause 3, the Commerce Clause.

By Mr. BISHOP of New York:

H.R. 2070.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BENISHEK:

H.R. 2071.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution—

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

In addition, Congress has the power to enact this legislation pursuant to the following: Clause 18 of section 8 of article I of the Constitution—

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BENISHEK:

H.R. 2072.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 2073.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. DAVIS of California:

H.R. 2074.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ENGEL:

H.R. 2075.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. KLINE:

H.R. 2076.

Congress has the power to enact this legislation pursuant to the following:

This legislation directs the Secretary of Defense to conduct a comprehensive review of the backlog of cases in the Integrated Disability Evaluation System and report to the Congress on the Department of Defense's plan to improve the system and resolve all pending cases ensuring our servicemembers injured in defense of our nation are provided the care they need. Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. PERLMUTTER:

H.R. 2077.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 clause 3 of the United States Constitution.

By Mr. QUIGLEY:

H.R. 2078.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RADEL:

H.R. 2079.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 12, 13, and 14, which grants Congress the power to raise and support an Army, to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces.

By Mr. SENSENBRENNER:

H.R. 2080.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. THORNBERRY:

H.R. 2081.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

Mr. PETRI:

H.R. 2082.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I

H.R. 7: Mr. FORBES, Mr. ROSS, Mr. TERRY, and Mr. STOCKMAN.

H.R. 43: Mr. DUNCAN of Tennessee.

H.R. 55: Mr. SMITH of New Jersey.

H.R. 164: Mr. KEATING, Mr. STOCKMAN, and Mr. GUTIERREZ.

H.R. 184: Mr. JOYCE.

H.R. 241: Mr. YOHO and Mr. VALADAO.

H.R. 269: Mr. LOEBBACH.

H.R. 292: Mr. PASTOR of Arizona.

H.R. 324: Mr. KILMER and Mr. CARTWRIGHT.

H.R. 351: Mr. COFFMAN.

H.R. 358: Mr. OWENS and Mr. RENACCI.

H.R. 435: Mr. SMITH of Washington.

H.R. 451: Mr. ROONEY and Ms. ROS-LEHTINEN.

H.R. 508: Mr. VALADAO.

H.R. 530: Ms. FRANKEL of Florida.

H.R. 596: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CRAMER, and Mr. CONNOLLY.

H.R. 630: Mr. MEEKS, Mr. DEUTCH, Mr. HIMES, Mrs. NEGRETE MCLEOD, Mrs. CAPPS, and Mr. CICILLINE.

H.R. 647: Mr. SCHNEIDER.

H.R. 664: Mr. COLLINS of New York.

H.R. 675: Mr. MCDERMOTT.

H.R. 676: Mr. DANNY K. DAVIS of Illinois.

H.R. 679: Mrs. LUMMIS.

H.R. 685: Mr. LANCE, Mr. SALMON, Mr. WALBERG, and Mr. BRADY of Pennsylvania.

H.R. 686: Mr. GRAVES of Missouri, Mr. TERRY, Mr. ELLISON, and Mr. COURTNEY.

H.R. 693: Mr. KIND and Mrs. BROOKS of Indiana.

H.R. 708: Mr. GENE GREEN of Texas.

H.R. 721: Mr. WHITFIELD and Mr. ROGERS of Michigan.

H.R. 736: Mr. CÁRDENAS and Mr. HUFFMAN.

H.R. 755: Mr. RIBBLE.

H.R. 792: Mr. TURNER.

H.R. 846: Mr. LOWENTHAL and Mr. MARINO.

H.R. 850: Mr. THOMPSON of Pennsylvania, Mr. SCOTT of Virginia, Mr. LEWIS, Mr. CASTRO of Texas, and Mr. BUTTERFIELD.

H.R. 851: Ms. KAPTUR.

H.R. 900: Mr. MARKEY.

H.R. 911: Mr. DAINES.

H.R. 958: Mr. HIMES.

H.R. 961: Mr. KEATING, Mr. PALLONE, Mr. RUPPERSBERGER, and Ms. DELAURO.

H.R. 975: Mr. KILMER and Mrs. LOWEY.

H.R. 1000: Mr. MEEKS and Mr. POCAN.

H.R. 1008: Mr. CARTWRIGHT and Mr. RUPPERSBERGER.

H.R. 1015: Mr. BENTIVOLIO.

H.R. 1029: Ms. KAPTUR.

H.R. 1074: Mr. PETERS of Michigan, Mr. VEASEY, and Mrs. CAPITO.

H.R. 1091: Mr. NUGENT.

H.R. 1093: Ms. KAPTUR, Ms. ROS-LEHTINEN, Ms. DELBENE, and Mr. DEFAZIO.

H.R. 1094: Mrs. DAVIS of California, Mr. DOGGETT, Mrs. MCCARTHY of New York, and Ms. MATSUI.

H.R. 1125: Mr. YODER.

H.R. 1129: Mr. LATHAM and Mr. PASCRELL.

H.R. 1130: Ms. BONAMICI.

H.R. 1146: Mr. MORAN, Mr. GUTHRIE, Mr. BEN RAY LUJÁN of New Mexico, and Mr. KIND.

H.R. 1199: Mr. RUNYAN.

H.R. 1209: Mr. LATTI, Mr. BISHOP of Georgia, Mr. TAKANO, and Mr. KILMER.

H.R. 1252: Mr. POCAN, Mrs. MCCARTHY of New York, Mr. BISHOP of New York, and Mr. MCINTYRE.

H.R. 1255: Mr. RIBBLE and Mr. MATHESON.

H.R. 1274: Mr. MORAN and Mr. MICHAUD.

H.R. 1286: Mr. DOYLE.

H.R. 1288: Mr. TAKANO.

H.R. 1313: Mr. LANKFORD.

H.R. 1339: Ms. MOORE.

H.R. 1354: Mr. HIMES.

H.R. 1355: Mr. PEARCE and Mr. BROUN of Georgia.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 1416: Mr. LATHAM, Mr. NUNNELEE, and Mr. HIMES.
- H.R. 1421: Mr. FATTAH, Mr. GENE GREEN of Texas, Mr. HINOJOSA, Mr. VEASEY, Mr. CUELLAR, and Mr. SWALWELL of California.
- H.R. 1424: Mr. PAYNE.
- H.R. 1449: Mr. RODNEY DAVIS of Illinois and Mr. PALAZZO.
- H.R. 1453: Mr. COHEN.
- H.R. 1485: Mr. ANDREWS, Mr. KING of New York, Mr. SIRES, and Mr. LANCE.
- H.R. 1496: Mr. GUTHRIE and Mrs. BROOKS of Indiana.
- H.R. 1506: Ms. EDDIE BERNICE JOHNSON of Texas.
- H.R. 1528: Mr. COURTNEY, Mr. DESJARLAIS, Mr. GARDNER, Mr. MASSIE, Mr. YODER, and Mr. SALMON.
- H.R. 1538: Ms. LEE of California.
- H.R. 1553: Mr. MURPHY of Florida, Mr. GIBBS, Mr. RODNEY DAVIS of Illinois, Mr. PAULSEN, Mr. RICHMOND, Mr. NUGENT, Mrs. HARTZLER, and Mr. NUNNELEE.
- H.R. 1566: Mr. HASTINGS of Florida.
- H.R. 1588: Ms. EDWARDS.
- H.R. 1589: Mr. COURTNEY.
- H.R. 1590: Mr. WITTMAN.
- H.R. 1593: Mr. BARBER, Mr. CARNEY, Mr. VAN HOLLEN, Mr. BISHOP of New York, Mr. HINOJOSA, Mr. HORSFORD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PETERS of Michigan, Ms. SLAUGHTER, and Mr. YARMUTH.
- H.R. 1620: Mrs. KIRKPATRICK.
- H.R. 1624: Ms. NORTON.
- H.R. 1642: Mr. DELANEY and Mr. RENACCI.
- H.R. 1643: Mr. DELANEY.
- H.R. 1652: Ms. LORETTA SANCHEZ of California, Ms. SHEA-PORTER, Mrs. KIRKPATRICK, Mr. JOHNSON of Georgia, and Mr. MCNERNEY.
- H.R. 1696: Mr. QUIGLEY.
- H.R. 1701: Mr. BURGESS and Mr. BROOKS of Alabama.
- H.R. 1708: Mr. MARCHANT.
- H.R. 1725: Mr. SCOTT of Virginia, Ms. MCCOLLUM, Mr. VEASEY, Mr. DANNY K. DAVIS of Illinois, Mr. HECK of Washington, Mr. O'ROURKE, Ms. PINGREE of Maine, Mr. HUFFMAN, and Mr. KIND.
- H.R. 1726: Ms. BROWN of Florida and Mr. CRENSHAW.
- H.R. 1731: Mrs. NAPOLITANO and Ms. HAHN.
- H.R. 1739: Mrs. CHRISTENSEN, Ms. FRANKEL of Florida, Mr. SEAN PATRICK MALONEY of New York, Mr. TIERNEY, Mr. COHEN, and Mr. CLAY.
- H.R. 1742: Mr. OWENS.
- H.R. 1748: Mr. TAKANO.
- H.R. 1750: Mr. RODNEY DAVIS of Illinois and Mr. WALBERG.
- H.R. 1756: Mr. BENTIVOLIO.
- H.R. 1768: Mr. BENTIVOLIO.
- H.R. 1771: Mr. ROSKAM.
- H.R. 1781: Mr. KINZINGER of Illinois.
- H.R. 1787: Mrs. CAPITO and Mr. COURTNEY.
- H.R. 1789: Mr. HOLDING.
- H.R. 1797: Mr. PITTINGER, Mr. DAINES, Mr. WOMACK, Mr. MCINTYRE, and Mrs. ELLMERS.
- H.R. 1798: Mr. WITTMAN.
- H.R. 1801: Mr. LANGEVIN, Mr. HUFFMAN, Mr. WITTMAN, and Ms. BONAMICI.
- H.R. 1809: Mr. BISHOP of New York and Mr. WAXMAN.
- H.R. 1823: Mr. HUFFMAN and Mr. LARSEN of Washington.
- H.R. 1825: Mrs. MILLER of Michigan, Mr. LATTA, Mr. DUNCAN of Tennessee, Mr. ALEXANDER, Mr. RODNEY DAVIS of Illinois, and Mr. WITTMAN.
- H.R. 1826: Mr. SAM JOHNSON of Texas.
- H.R. 1830: Mr. TIERNEY, Mr. KENNEDY, Ms. SHEA-PORTER, Mr. VAN HOLLEN, Mr. RANGEL, Mr. WITTMAN, Ms. ESHOO, Mr. MICHAUD, Ms. DELAURO, and Ms. ROYBAL-ALLARD.
- H.R. 1833: Mr. GRIJALVA.
- H.R. 1851: Ms. LINDA T. SÁNCHEZ of California and Ms. LOFGREN.
- H.R. 1857: Mr. RYAN of Ohio.
- H.R. 1867: Mr. LAMBORN, Mr. LOEBSACK, and Mr. BISHOP of New York.
- H.R. 1869: Mr. HARRIS, Mr. GRAVES of Georgia, Mr. FLORES, Mr. LIPINSKI, and Mr. WILLIAMS.
- H.R. 1871: Mr. AMASH.
- H.R. 1875: Ms. MCCOLLUM.
- H.R. 1893: Mr. SABLAN and Mr. PETERS of Michigan.
- H.R. 1896: Mr. PAULSEN.
- H.R. 1904: Mr. NUNNELEE, Mr. ENYART, Ms. BORDALLO, Mr. COURTNEY, and Mr. KILMER.
- H.R. 1910: Mr. PAYNE.
- H.R. 1915: Mr. PAYNE.
- H.R. 1918: Mrs. WAGNER, Mr. KING of Iowa, and Mr. LATTA.
- H.R. 1919: Mr. VALADAO.
- H.R. 1920: Mr. VELA.
- H.R. 1922: Mr. BURGESS.
- H.R. 1943: Ms. LOFGREN.
- H.R. 1950: Mr. NEUGEBAUER.
- H.R. 1953: Mr. MURPHY of Florida.
- H.R. 1961: Mr. ENYART.
- H.R. 1962: Mr. JEFFRIES, Mr. FARENTHOLD, and Mr. SCOTT of Virginia.
- H.R. 1980: Mr. RUIZ, Mr. PALAZZO, Mr. KLINE, Mr. VISCLOSKEY, Mr. SEAN PATRICK MALONEY of New York, Ms. LEE of California, Mrs. MCCARTHY of New York, and Mrs. CAROLYN B. MALONEY of New York.
- H.R. 1982: Mr. BRALEY of Iowa.
- H.R. 1992: Mr. GRIMM and Mr. WEBER of Texas.
- H.R. 2002: Mr. LARSEN of Washington and Mr. NUNNELEE.
- H.R. 2004: Mr. WALDEN and Mr. YOUNG of Alaska.
- H.R. 2010: Mr. LONG, Mr. JOYCE, and Mr. STOCKMAN.
- H.R. 2014: Mr. DUNCAN of Tennessee.
- H.R. 2016: Ms. KUSTER and Ms. MCCOLLUM.
- H.R. 2020: Mr. CARNEY, Ms. TITUS, Mr. RYAN of Ohio, Mr. VARGAS, Mr. DOYLE, and Mr. ELLISON.
- H.R. 2025: Mr. FARENTHOLD.
- H.R. 2026: Mr. AUSTIN SCOTT of Georgia.
- H.R. 2027: Mr. ROKITA.
- H.R. 2036: Ms. WILSON of Florida.
- H.R. 2053: Mr. JONES and Mr. SAM JOHNSON of Texas.
- H. Con. Res. 34: Mrs. NEGRETE MCLEOD, Mr. WAXMAN, and Ms. LOFGREN.
- H. Res. 36: Mr. YOHO.
- H. Res. 71: Mr. LAMBORN.
- H. Res. 90: Mr. VELA, Mrs. CAPPS, Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Ms. CASTOR of Florida, Mr. HORSFORD, Mr. WATT, and Mrs. DAVIS of California.
- H. Res. 104: Mr. TAKANO and Mr. CARNEY.
- H. Res. 109: Ms. ESHOO.
- H. Res. 174: Mrs. BUSTOS.
- H. Res. 190: Mr. RANGEL, Mr. TAKANO, and Mrs. LOWEY.
- H. Res. 200: Mr. ISRAEL and Mr. TAKANO.
- H. Res. 221: Mr. HUFFMAN, Mrs. DAVIS of California, Mr. MARKEY, and Mr. RANGEL.

SENATE—Tuesday, May 21, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, we honor Your wonderful Name. The angels bow before You; Heaven and Earth adore You. Your voice echoes over the oceans and thunders above the roar of the raging sea.

We pray today, O God, for the families of the dozens killed in the massive tornado in Oklahoma. Bring healing to the injured and comfort to those who mourn.

Today, may our Senators honor You with worthy service. By their words and actions, empower them to glorify Your Name. Lord, guide them with Your loving providence, as they trust in Your wisdom and might. May they commit themselves to Your will and leave the results to You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 21, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

OKLAHOMA TORNADOES

Mr. REID. Mr. President, yesterday afternoon I called home to check to see how things were going, visited with my wife a little bit.

She said: You can't imagine what I am watching on TV. It is hard to watch.

She was talking about the terrible storm that hit Oklahoma, the devastation and deaths, the injuries. She tried to explain to me. It was hard to relate even though she was watching it on TV. Homes were destroyed, schools were destroyed, even elementary schools were destroyed.

I think what Landra did was she described how all of America feels and felt upon watching it. Our hearts go out to the families whose loved ones were lost. The extent of that we don't know. We are still waiting. Those missing in the devastating tornadoes in Oklahoma, we feel so sad for them. Our thoughts are with those who were affected by this tragedy, and so many people have been affected. Families are still searching for their family members, their children.

I recognize and commend the heroic efforts of the first responders who rushed to the scene and have been working tirelessly to help those who were injured. They worked all night. Of course, they are still searching for the missing. I commend the efforts of neighbors, everyday citizens, young and old, who have been heroic in helping.

Although we may not know the extent of the damage now, we will continue to do everything in our power to help the people of Oklahoma as they recover from these terrible tornadoes, these acts of nature. I will stand vigilant today and tomorrow, ready to help as more storms threaten the region.

Every Federal resource will be made available to help the communities affected by this tragedy. I look forward to hearing the President—his speech will start momentarily—on the disaster. I am pleased that FEMA Administrator Craig Fugate is already in Oklahoma assessing the extent of the damage and deciding how the Federal Government can best assist.

I will continue to monitor the search and rescue efforts. Whenever tragedy strikes any part of our Nation, it really strikes us all. I pledge to the people of Oklahoma my continued support, our continued support, as they begin to recover from this awful storm.

SCHEDULE

Mr. REID. Following leader remarks today the Senate will be in a period of

morning business for 1 hour. The majority will control the first half, the Republicans the final half. Upon conclusion of morning business, the Senate will resume consideration of S. 954, the farm bill. I spoke to Chairman STABENOW last night. She indicated that she believes there is an opportunity to finish the bill, even this week. I certainly hope that is the case. The Senate will recess from 12:30 to 2:15 today to allow for our weekly caucus meetings.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

OKLAHOMA DISASTER

Mr. MCCONNELL. Mr. President, we are all thinking today about the tragic loss of life in Oklahoma yesterday, so this morning I would like to take a moment to express my condolences to all who lost family and friends in this horrible disaster. It has been a truly heartbreaking loss of life—dozens injured and killed yesterday, including many children. The tornado that tore through Moore flattened entire neighborhoods and destroyed at least two elementary schools—Briarwood and Plaza Towers—just as students were about to be released for their last week of school before the summer recess. I don't think any of us can comprehend the searing grief of their parents. I am told that two crews from the Louisville Red Cross recently left for Oklahoma to help those who are now suffering.

Kentuckians understand the terrible toll these storms can take. Just last March I toured the wreckage after a deadly tornado in West Liberty, KY, where churches, businesses, and schools were reduced to rubble and where several Kentuckians lost their life. I remember full well the tornado that went through my hometown of Louisville back in the 1970s. It knocked down every house on my parents' street. My mother was in the basement, and mercifully it skipped over our house for some reason but leveled all the houses across the street and the ones next door. It is very hard to accurately describe the devastation a storm such as this leaves in its wake.

As first responders continue to dig through the rubble in Moore, I fear we will hear a lot more bad news in the days ahead. That said, I am sure we will also hear stories of hope and self-sacrifice, as we almost always do when

tragedies such as this strike—of strangers shielding strangers, of neighbors helping others rebuild, of volunteers working through the night to sift through the debris to find survivors.

As we have seen time and time again in recent years, Americans are at their best when called upon to help each other in tragic circumstances, and this circumstance can hardly be more tragic. So we in the Senate offer our heartfelt prayers to those affected by this terrible storm. We offer our gratitude to the first responders. We offer our encouragement to Governor Fallin and the many Federal, State, and local officials who are working hard to assist in the recovery and who will aid in the rebuilding of homes and schools and families and lives.

WELCOMING BURMA'S PRESIDENT

Later this morning the majority leader and I will welcome the leader of Burma, Thein Sein. He will be here to discuss the reform in that country and our bilateral relationship. Later today I will have more to say about the reform movement in Burma.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for Cantwell) amendment No. 919, to allow Indian tribes to participate in certain soil and water conservation programs.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. We are now going to resume discussion on the farm bill, but before doing that I see one of the distinguished members of our committee on the floor who I know would like to make some other comments. But I just wish to thank her in advance for her leadership. We are so excited and pleased to have the Senator from North Dakota on the Agriculture Committee.

Having had a chance to be in North Dakota—and she has said it to me a thousand times, so it is burned into my memory—90 percent of the land in North Dakota is in agriculture, and so she reminds me of that every day. She has been a key person in helping us bring this farm bill to the floor. So before proceeding on the Agriculture Reform, Food and Jobs Act, I would ask that Senator HEITKAMP be recognized.

The PRESIDING OFFICER. The Senator from North Dakota.

TRIBUTE TO BRAD HEJTMANEK

Ms. HEITKAMP. Mr. President, on the floor of the Senate Senators often come to praise a local university football team that just won a championship or a famous coach who is retiring or maybe even a famous politician who has passed away. Today I come to the floor of the Senate to thank a man who will never be written about in the history books or even known outside of my small hometown of Mantador, ND. Brad Hejtmanek's life and his accomplishments were pretty modest by national standards, but nevertheless, for the people of my small hometown, Brad was something special.

Brad was a standout high school athlete, a veteran, a softball coach, a National Guardsman, a coworker, a husband, a father, a gardener, and a friend. For most of his adult life, Brad was the mayor of Mantador—not exactly the most glamorous of jobs. Mantador runs exclusively on volunteer labor.

For years he made sure the city water and sewer were working, the Christmas tree got decorated, that barking dogs were attended to, that the garbage got picked up, the roads got fixed, and abandoned lots did not get overrun with weeds and junk.

For years Brad got to do the great ceremonies incumbent of a small-town mayor. For example, after I was elected attorney general of North Dakota, Brad presented me with the key to the city. This was no ceremonial key; it was the real deal. I wondered for months after getting that key what that key actually opened, until one day I got a call from Brad asking me if I could send the key back. You see, the key was actually to the town dump and spring cleaning was coming. But that was Brad.

You can't look anywhere in Mantador and not see his impact. One can go to the small ballpark and re-

member that Brad organized the National Guard to come and clean out the old grove of trees, look to the large VFW and remember that Brad recruited folks to come and help build it, look to the fire hall and remember the games of pickup baseball we played when we were kids, look to the Mantador grade school and remember that Brad was the kid who always took the dare, the kid who always organized the pickup football games, and that every kid in grade school knew the lyrics to the "Marine Corps Hymn" because Brad made sure at every choir practice we sang it not only once but twice.

Men and women such as Brad Hejtmanek are the unsung heroes of our democracy. They step up and volunteer when their country and their community need them. They are friends when a person needs a friend, and they never forget where they came from. So even though he will never have a chapter in a history book, he will always have a place in the hearts of the people of Mantador. In my book that is an honor unequalled.

Thank you, Brad, for all you did for your country and your small town. Godspeed, my friend. I and all of Mantador will miss you.

I ask unanimous consent to have his obituary printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BRADLEY C. HEJTMANEK

Bradley C. Hejtmanek, 59, of Mantador, ND passed away Thursday, May 16, 2013 at Sanford Health in Fargo, ND, surrounded by his family and friends. Funeral mass will be Tuesday, May 21, 2013 at 10:30 a.m. at Sts. Peter & Paul Catholic Church in Mantador, ND with Fr. Peter Anderl officiating and burial in Calvary Cemetery, Mantador with military honors by the Hankinson American Legion Post #88 and the Mantador VFW Post #9317 and the North Dakota National Guard. Visitation will be Monday from 3:00 p.m. to 7:00 p.m. with a prayer service at 7:00 p.m. all at the church, and Tuesday morning one hour prior to the service at the church.

Brad was born on April 14, 1954 in Breckenridge, MN, the son of Joseph & Marcella (Havlena) Hejtmanek. He attended school in Mantador and graduated from Hankinson in 1972. He earned his associate degree from Chaminade University, Honolulu, Hawaii in 1976.

Brad was very active in Mantador & the surrounding area. He enjoyed all sports, especially the Twins, Vikings, Wild & UND hockey. He enjoyed time spent with family & friends, reading, t.v. & of course, popcorn.

He is survived by his wife, Karen, 2 sons, Doug (Chaska Guemmer) & Jason (Bri Huotari), granddaughter, Aubrey, 2 brothers, Richard (Ann), Jay (Denise), a sister, Joy (Mike) Schreder, several nieces & nephews, father-in-law, George Thompson, 2 brothers-in-law, Terry (Kathy) Thompson & Brian Thompson.

He was preceded in death by his parents, brother, Douglas, nephew, Joseph & mother-in-law, Janice Thompson.

Frank Family Funeral Home, Hankinson, ND is in charge of the arrangements.

In-line guestbook: www.frankfamilyfuneralhome.com

The PRESIDING OFFICER. The Senator from Michigan.

ORDER FOR MOMENT OF SILENCE

Ms. STABENOW. Mr. President, first, I would I ask unanimous consent that at 12 noon today the Senate observe a moment of silence for the victims of the tornado in Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, we know we have other colleagues who will be coming to the floor to talk about the very important jobs bill, reform bill, and food bill we have in front of us—a conservation bill as well—but I just wish to take a moment to say to our colleagues, if there are amendments they have, as we are moving through the bill—and we are doing our best to finish this by the end of the week or certainly get as close as we can—we are very interested in working with colleagues to get to their amendments. We would appreciate it if they would let us know what they are and bring them down so we can be working with them on any of their amendments.

We are very proud of the product we have in front of the Senate right now. There are 16 million people who work in agriculture. I would say that is a jobs bill. I think it is probably the biggest jobs bill we will have in front of the Senate—agricultural jobs directly with those who are producing the food, who are producing the equipment for our food, and who are doing all the pieces around food production and processing and the efforts in trade around the globe, where we are proud to say agriculture is No. 1 in creating a trade surplus for our country. Other countries are looking to us. There are 7 billion mouths to feed in the world today, and American agriculture is at the front of the line feeding families and supporting efforts around the globe. We know that number is growing every day and the leadership of American agriculture is going to be even more important in that process.

We also know this is a bill that conserves our land, our water, our air, and our forests. This is the piece of legislation that focuses on conservation for working lands—lands that are owned by someone in this country, which is the majority of land, and there are incredibly important partnership efforts that go on. The farm bill improves 1.9 million acres of fish and wildlife habitat. That is why our conservation title is supported by over 650 conservation and environmental groups all across the country.

We have the same conservation title we had last year, and I am very pleased to say the House also has adopted the structure of reform we have in our bill. It is very similar in the House and Senate bills on conservation, and so this is

a real landmark piece of legislation as it relates to preserving our soil, our land, our water, our air, and our forests, and it is a commitment we make as Americans to future generations.

We have also added in this legislation a commitment brought to us by the commodity farm groups and environmental and conservation groups to make sure, when farmers are using critically needed tools such as crop insurance—which is the mainstay for farmers now, buying crop insurance and hoping, in fact, they do not have to get a payout because it means they have had a loss or a disaster; that it is now the foundation of what we are doing to support farmers across the country—they have agreed to tie compliance for conservation practices to crop insurance, which is a very important policy. This is a historic agreement between agricultural groups and conservation and environmental groups. As a result of their agreement and their urging, we have added that to this bill, which is a very significant addition and strengthens what we are already doing on conservation.

We make a strong nutrition commitment to families. We make sure every family who currently qualifies for nutrition assistance in our country continues to receive that assistance. We create savings by looking at areas where there has been abuse or misuse by a few States on one policy and by individuals or retailers in other areas and we tighten that up so we have more integrity in the process. We make it clear we stand with families who need help; we stand with families who find their own personal disaster because of the economy, just as we stand with farmers for a strong crop insurance program when a farmer has a disaster as well, but we do make sure there is integrity in the programs, which is very important.

We have had at least two cases in Michigan where two people won the lottery and continued on food assistance—pretty outrageous. And we make sure that cannot happen again. There have been abuses in other areas, where retailers have allowed people to turn in their food assistance cards for money for drugs or other illegal activities, and we make sure we clamp down on that. We have gone through the bill and we address misuse, waste, fraud, and abuse in every part of the farm programs but certainly in this area as well. So we can stand before our colleagues and say this is about making sure folks who have worked all their lives, who have paid taxes all their lives, who suddenly find themselves, through no fault of their own, in a situation where they need some temporary food help are able to get that help for their family.

The good news is those dollars—that part of the farm bill—are actually decreasing. The costs are going down and not because we are cutting back on

support for families but because the economy is improving, so more people are going back to work and don't need the temporary help. That is the way we should be reducing the costs, and that is in fact what we do.

I am also very pleased with the fact we focus on rural development and reforms that are very significant and very important. Right now, there are actually 11 different definitions of the term "rural." We had local mayors and county supervisors and village residents come to us and say: We appreciate the fact that rural development funds allow us to provide financing for our businesses and water and sewer projects and housing projects and road projects, but could you just give us one definition, rather than trying to figure out 11 different ways to define rural. It may sound simple, but it wasn't simple. But we did actually get it down to one definition, and we have streamlined the process and the paperwork so communities, small towns, and folks who support and need rural economic development help can get that with a minimal amount of paperwork.

We have done that through this entire bill. Frankly, I truly believe that if, in every part of government, we did what we have done in agricultural programs, we would not only be doing what the public wants but we would balance the budget. We have 100 different programs or authorizations we have eliminated because they didn't make sense anymore. They were duplicative, not wise spending for taxpayers—things such as direct subsidy payments for farmers that did not make sense, cutting from 23 conservation programs to 13 and putting them in 4 different subject areas with a lot of flexibility so we can stretch it out and get more bang for our buck and do a better job without in any way reducing the commitment to conservation.

We have gone through the entire farm bill and made tough decisions, smart decisions. We have saved about \$24 billion—more than even we did last year—while having a set of policies that is broadly supported in the conservation community and the agricultural community and the energy community and those who represent small towns across this country. We did it, again, by making tough decisions and by working together on a bipartisan basis.

I am proud that even though these arbitrary, across-the-board cuts called sequester, cuts that make no sense—even though those cuts would require \$6 billion in cuts in agricultural programs, we have been willing, voluntarily, to come up with four times that level of cuts. We ask for your support for a set of policies that works better, that streamlines the system, that cuts back on that which does not make sense to do but strengthens the priorities that are important for economic

growth, for families, for conservation, for communities all across this country.

We are willing and have done our part to step up and meet the challenges of deficit reduction, of balancing our Federal budget, but keeping our commitment to our farmers and ranchers who have the most risky jobs in the world. As I said yesterday, nobody else has to worry about whether it is going to rain or not rain—too much rain, no rain; whether it is going to freeze, as it did in northern Michigan after the cherry blossoms came on the trees and the freeze wiped everything out.

Nobody else is in a business where they cannot control the most important factor, which is the weather. We have certainly seen the havoc the weather has played on families across this country, including what happened yesterday in Oklahoma.

We stand here proudly to say we support an effort that is creating reform, that is saving money, that is standing up for the folks who have helped create the most affordable and safest food supply in the world—America’s farmers and ranchers. We stand here supporting American families who need to make sure that when times are tough the very best of America’s values are in place, which is to make sure they have the ability to put food on the table for their families.

I believe we have others who will be coming to the floor. At the moment I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Ms. STABENOW. I ask unanimous consent that following a moment of silence at noon today, the Senate proceed to a vote in relation to Cantwell amendment No. 919; that upon disposition of the Cantwell amendment, Senator GILLIBRAND be recognized.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Ms. STABENOW. We are also working on a Sessions amendment No. 945, which we had hoped to line up as well. I understand there is an additional modification being made. If that modification is agreeable to both sides, it is our intention to adopt that amendment, as modified, prior to the caucus meetings.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, there will now be a moment of silence for the victims of the tornadoes in Oklahoma.

(Moment of silence.)

AMENDMENT NO. 919

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 919, offered by the Senator from Washington, Ms. CANTWELL.

The Senator from Michigan.

Ms. STABENOW. Let me indicate that this amendment would require tribes to be included in the development of Resource Conservation Act appraisals. It is something that is supported by Senator COCHRAN and me.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 8, as follows:

[Rollcall Vote No. 129 Leg.]

YEAS—87

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Graham	Nelson
Begich	Grassley	Portman
Bennet	Hagan	Pryor
Blumenthal	Harkin	Reed
Blunt	Hatch	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Thune
Corker	Manchin	Udall (CO)
Cowan	McCain	Udall (NM)
Crapo	McCaskill	Warner
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Feinstein	Mikulski	Wyden

NAYS—8

Cornyn	Kirk	Rubio
Cruz	Lee	Toomey
Johnson (WI)	Paul	

NOT VOTING—5

Coburn	Inhofe	Vitter
Heinrich	Lautenberg	

The amendment (No. 919) was agreed to.

Ms. STABENOW. I move to reconsider the vote and to lay that motion upon the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 931

Mrs. GILLIBRAND. Madam President, I call up my amendment No. 931 for a vote at a time to be determined by the manager of the bill.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from New York [Mrs. GILLIBRAND], for herself, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. COWAN, Mr. REED, Mr. BLUMENTHAL, Mr. WYDEN, Mr. CASEY, Mr. KING, Mr. SCHUMER, Ms. WARREN, Mrs. MURRAY, Mrs. BOXER, Mr. SANDERS, Ms. BALDWIN, Mr. MURPHY, and Mr. MENENDEZ, proposes an amendment numbered 931.

Mrs. GILLIBRAND. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike a reduction in the supplemental nutrition assistance program, with an offset that limits crop insurance reimbursements to providers)

Beginning on page 355, strike line 8 and all that follows through page 357, line 15.

On page 1065, after line 25, add the following:

SEC. 11011. ANNUAL LIMITATION ON DELIVERY EXPENSES AND REDUCED RATE OF RETURN.

(a) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following: “(G) ANNUAL LIMITATION ON DELIVERY EXPENSES.—Beginning with the 2014 reinsurance year, the amount paid by the Corporation to reimburse approved insurance providers and agents for the administrative and operating costs of the approved insurance providers and agents shall not exceed \$924,000,000 per year.”

(b) REDUCED RATE OF RETURN.—Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) (as amended by section 11011) is amended by adding at the end the following:

“(G) REDUCED RATE OF RETURN.—Beginning with the 2014 reinsurance year, the Standard Reinsurance Agreement shall be adjusted to ensure a projected rate of return for the approved insurance producers not to exceed 12 percent, as determined by the Corporation.”

Mrs. GILLIBRAND. I yield to the chairman of the committee for other business.

Ms. STABENOW. I thank the Senator.

Madam President, we have a great start here with our first vote.

AMENDMENT NO. 945, AS MODIFIED

Ms. STABENOW. Before proceeding with Senator GILLIBRAND’s amendment, I ask unanimous consent that the Sessions amendment No. 945, with

the changes at the desk, as modified, be agreed to.

The amendment, as modified, was agreed to, as follows:

(Purpose: To clarify eligibility criteria for agricultural irrigation assistance)

On page 263, between lines 20 and 21, insert the following:

“(iii) IRRIGATION.—In States where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary, the Secretary shall not limit eligibility under section 1271B or this section on the basis of prior irrigation history.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 931

Mrs. GILLIBRAND. I rise today to urge my colleagues on both sides of the aisle to join my effort to fight off the proposed \$4 billion worth of cuts to SNAP, better known as food stamps.

I ask that my amendment, No. 931, be called up for a vote at a time determined by the manager of the bill.

When Congress proposes to cut the food stamp program, it is not a nameless, faceless person looking for a hand-out who suffers—it is hungry children, hardworking adults, seniors on fixed incomes, veterans, active-duty servicemembers fighting our wars, and the families who stand by them.

I heard from a single mom in Queens, working full time at a supermarket, doing all she could to make ends meet but still struggles in this very tough economy. Her son came home one day from school with a bag in his hand and told her he saved his lunch for their dinner, and that he asked his best friend if he could have his sandwich to bring home for his brother. Obviously that mother broke down in tears. She needs food stamp assistance.

I heard from a senior in Washington Heights in New York City. She receives a limited fixed income, not enough to live on. She relies on SNAP to pay for food and for some peace of mind. Without that help, putting food on the table will become impossible.

I have heard from veterans all across the country who are making their voices heard to prevent these cuts, such as one very brave veteran from Colorado Springs. He served in Iraq, but was declared medically unfit to continue his service. He was released from the military and returned home. As he was looking for a job and waited for the VA to activate his benefits, he relied on SNAP to help his family make ends meet. Going from active duty to food stamps, he described, was a culture shock. It was never his plan to go on food stamps. Without that little bit of support, this veteran, his wife, and his children would have needlessly suffered. Today he is back on his feet working full time, but the program was there for him when he needed it, as it should be.

These are the people who rely on this critically needed assistance to put food

on the table and who stand to lose if Congress follows through with these deep cuts to SNAP. Half of all food stamp recipients are children, 8 percent are seniors, and 1.4 million veteran households receive food stamps. There are some of you here who would have us believe that these children, seniors, and veterans are gaming the system just to take advantage of taxpayers. The fact is, it is less than 1 percent of every dollar that goes into this program that is wasted, less than 1 percent is evidence of fraud. Imagine if we had that level of efficiency anywhere else in government.

In fact, SNAP keeps our economy moving. This money goes straight to the grocery stores, the store clerks, the truckers who haul the food, and producers all across the country. Sixteen cents of every SNAP dollar actually goes right back to the farmer who grew the crop, according to the USDA. When we cut \$4 billion from SNAP, it means there is \$90 less a month going to half a million households. To folks in this Chamber, \$90 a month may not seem like a lot of money, but for a struggling family that is a week's worth of groceries. Imagine telling your children they can't eat the last week of every month. Imagine telling your child at night when he says to you: Mommy, I am still hungry, that there is nothing you can do about it.

As a mother, as a lawmaker, watching a child, a senior, and a brave veteran going hungry is something I will not stand for, and neither should anyone else in this body. Clearly we have to reduce the debt and the deficit, but hardworking parents, their children, seniors, troops, and veterans are just trying to keep the lights on, trying to make ends meet, trying to put food on the table. They did not spend this Nation into debt, and we should not be trying to balance the budget on their back. They deserve better from us. These are the wrong priorities for America.

Instead, the amendment I am proposing would reduce a real source of waste in this budget, and that is corporate welfare for large corporations that do not need it, including insurance companies that are based in Bermuda, Australia, and Switzerland.

My amendment already has the support and advocacy of a third of this body. Thirty-three Senators have signed a letter saying do not cut food stamps, because it protects half a million struggling Americans who too often do not have a voice in Washington when they desperately need it. It makes modest cuts to an already overgenerous corporate welfare system. It is common sense. Standing by those who are suffering is the core. It is a core value of who we are as Americans.

If it is in your heart, and if you believe feeding hungry children is the right thing to do, then stand with us.

Stand with America's veterans. Stand with the AARP and America's seniors. Stand with struggling families and children all across this Nation. Let's keep food on the tables of people who need it. When we do, America will be stronger, and this body will be stronger.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:41 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. The Senator from Vermont.

COST OF GASOLINE

Mr. SANDERS. Madam President, I will hold off asking that the pending amendment be set aside until the manager is here. At this time I will address an enormously important national issue, an issue even more important to rural America; that is, the skyrocketing cost of gasoline at the pump, and oil in general, which is causing enormous hardship for the American consumer, small businesses, truckers, airlines, and fuel dealers.

The bottom line is in Vermont and all over this country people are paying an arm and a leg for a gallon of gas and for home heating oil, and it is a very serious economic problem for the individual consumer and for the entire economy at large. In fact, as we continue to struggle to get out of this terrible recession, high oil and gas prices are enormously detrimental to the entire economic recovery process.

These rapidly increasing prices are particularly harmful to rural America where working people often are forced to travel 50 to 100 miles to their jobs and back. If people are paying \$3.80 for a gallon of gas, that adds up, and it is money coming right out of their wallets.

Over the last 5 months the national average price for a gallon of gasoline has gone up by more than 41 cents at the pump, even—and this is the important point to make—as U.S. oil inventories reach a three-decade high, and demand for gasoline is lower than it was 4 years ago when prices averaged less than \$2.30 a gallon. In other words, what we learned in elementary school about supply and demand and pricing—the foundation of capitalism, if you like—is when there is a lot of supply and limited demand, prices should go down. Right now, there is a lot of supply, less demand, and prices are going up, and I think we need to know why

because this impacts our entire economy and millions and millions of consumers.

Our goal must be to do everything we can to make sure oil and gas prices are transparent and free from fraud, manipulation, abuse, and excessive speculation. Let the principles of supply and demand work. Let's eliminate fraud, manipulation, abuse, and excessive speculation, which is exactly what we are experiencing right now.

That is why I will be offering two important amendments that deal with these issues. Both of these amendments are within the jurisdiction of the Agriculture, Nutrition, and Forestry Committee, which is obviously why I am offering them on this bill.

The first amendment, No. 963, requires the Commodity Futures Trading Commission, CFTC, and the Oil and Gas Price Fraud Working Group to conduct a 6-month investigation to determine whether any company or individual in the United States has manipulated the price of gasoline, crude oil, heating oil, diesel fuel, or jet fuel. Such an investigation is already taking place by regulators in Europe.

On May 14, 2013, just 1 week ago, the European Commission announced it was investigating allegations that several companies—including BP, Shell and Statoil—"may have colluded in reporting distorted prices to a Price Reporting Agency to manipulate the published prices for a number of oil and biofuel products."

I know RON WYDEN, chairman of the Energy and Natural Resources Committee, is also looking at this issue—perhaps in a slightly different way—and I applaud him for doing that. But this amendment basically says right now the European Commission believes there may be fraud among the major oil companies. If that is true in Europe, it may well be true in the United States. So I want the CFTC to investigate that as well.

Amendment No. 963 requires the CFTC to work with European regulators to determine if any company or individual in the United States provided inaccurate information to a price reporting agency for the purpose of manipulating the published prices of gasoline or oil; secondly, to refer any illegal activities to the proper authorities for prosecution; third, to report its findings within 6 months; and lastly, to publish recommendations on its Web site on how to make sure the pricing of gasoline, crude oil, heating oil, diesel fuel, and jet fuel becomes more transparent, open, and free from manipulation, fraud, abuse, or excessive speculation.

The third largest oil company in Europe has estimated that as much as 80 percent of all crude oil product transactions are linked to prices published by Platts, a private price reporting agency, while just 20 percent are linked

to trades on the New York Mercantile Exchange or ICE Futures in Europe. In order to calculate prices, Platts depends on oil companies and Wall Street speculators to voluntarily provide details on bids, offers, and transactions for various crude oil and petroleum commodities.

So that is one of the issues we want to take a hard look at to make sure we end those manipulations. The other issue I want to take a hard look at is the issue of speculation on the oil futures market. What we know right now is, according to the CFTC, approximately 80 percent of the oil futures market is controlled not by end users—not by fuel dealers, not by airline companies, not by people who actually use fuel—but by Wall Street speculators. So that is the issue my second amendment deals with.

This amendment addresses an issue that was not satisfactorily addressed in Dodd-Frank, where we attempted to deal with the issue of excessive speculation on the oil futures market. Amendment No. 964 requires the CFTC to use all of its authority, including its emergency powers, within 30 days to address this very important issue.

Once again the American people are at their wits end in trying to understand why oil prices go up despite the fact we have sufficient supply and lack of demand. I am not just speaking for myself but many economists also when I say I believe one of the major reasons for this significantly high price has to do with speculation—speculation on Wall Street.

This amendment requires the CFTC to use all its authority—again, including its emergency powers, which is not what we have done in the past—within 30 days to do the following: to implement position limits to eliminate, prevent, or diminish excessive oil speculation as required by the Dodd-Frank Act, and to immediately curb excessive oil speculation to ensure that oil and gas prices are based on the fundamentals of supply and demand.

As I mentioned earlier, price is supposed to be determined by the amount of supply and the amount of demand. Supply now is very high, demand is relatively low, and so we should be seeing a decline in oil prices rather than an increase. Further, the International Energy Agency recently projected the global supply of oil will surge by 8.4 million barrels a day over the next 5 years, significantly faster than demand, and nearly two-thirds of the increase in oil supply will be in North America. So if you are looking at an abundance of supply and limited demand, we have every reason in the world to believe gas prices at the pump, oil prices in general, should go down. If they are not going down, we have to ask why. Many of us believe this has to do with excessive Wall Street speculation on the oil futures market.

While we cannot ignore the fact that big oil companies have been gouging consumers at the pump for years and have made over \$1 trillion in profit over the past decade, there is mounting evidence that high gasoline prices have less to do with supply and demand and more to do with Wall Street speculation jacking up oil and gas prices in the energy futures market. Ten years ago—and this is a very important point for people to understand—10 years ago speculators only controlled—"only" is probably the wrong word, but they controlled about 30 to 40 percent of the oil futures market. Today Wall Street speculators control at least 80 percent of the market. In a 10-year period, we have seen Wall Street speculation double on the energy futures market.

What does this mean in terms of oil prices? Everything in the world. The function of Wall Street speculation has nothing to do with using oil, everything to do with making a profit, driving prices higher. This is not just BERNIE SANDERS talking. There is now a growing consensus that excessive speculation on the oil futures market is driving up oil prices. ExxonMobil, Goldman Sachs, the IMF, the St. Louis Federal Reserve, the American Trucking Association, Delta Airlines, the Petroleum Marketers Association of America, the New England Fuel Institute and many other groups—the Consumer Federation of America—have all agreed that excessive oil speculation significantly increases oil and gas prices.

Interestingly enough, Goldman Sachs—not one of my favorite institutions but perhaps the largest speculator on Wall Street—came out with a report indicating that excessive oil speculation is costing Americans 56 cents a gallon at the pump. Goldman Sachs, speculator, they themselves estimating that excessive speculation is costing 56 cents a gallon at the pump for the average consumer, and that may be a conservative estimate.

A few years ago the CEO of ExxonMobil, again not one of my favorite companies, testified at a Senate hearing that excessive speculation contributed as much as 40 percent to the cost of a barrel of oil.

Saudi Arabia, the largest exporter of oil in the world, told the Bush administration back in 2008 during the last major spike in oil prices that speculation has contributed as much as 40 percent to a barrel of oil.

Gary Gensler, the chairman of the CFTC, has stated publicly that oil speculators now control between 80 to 87 percent of the energy futures market, a figure that has more than doubled over the past decade. In other words, the vast majority of oil on the futures market is not controlled by people who actually use the product but people whose only function in life being in the oil futures market is to

make as much quick profit as they possibly can.

Let me give just a list of a few of the oil speculators and how much oil they were trading on June 30, 2008, when the price of oil was over \$140 a barrel and gas prices were over \$4 a gallon. Goldman Sachs bought and sold over 863 million barrels of oil, Morgan Stanley bought and sold over 632 million barrels of oil, Bank of America bought and sold over 112 million barrels of oil, Lehman Brothers, Merrill Lynch, et cetera.

What we have to understand is that to a very significant degree, pricing of oil has nothing to do with supply and demand, nothing to do with end users who actually buy the product, and everything to do with Wall Street speculation. Sadly, the spike in oil and gasoline prices was totally avoidable. The Dodd-Frank Wall Street Reform and Consumer Protection Act required the Commodity Futures Trading Commission to impose strict limits on the amount of oil that Wall Street speculators could trade in the energy futures market by January 17, 2011, 2½ years ago.

Unfortunately, the CFTC has been unable to implement position limits due to opposition on Wall Street and a ruling of the DC district court which is now under appeal.

This amendment directs the CFTC to utilize all its authority, including its emergency powers, to curb excessive oil speculation within 30 days. We are not going to drag this on for another 5 years. The emergency directive in this amendment is virtually identical to bipartisan legislation that overwhelmingly passed the House of Representatives by a vote of 402 to 19, during a similar crisis in 2008.

Let me conclude by saying that millions of consumers are hurting as a result of excessive speculation. People are paying much more at the pump than they should for gasoline. This issue impacts our entire economy. It is time that we did something to that. I say to my colleagues: I call up amendments numbers 963 and 964, and ask for their immediate consideration.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. Reserving the right to object, Madam President.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first, I thank the Senator from Vermont for raising all these issues that are so important for the American people. At this point in time, we do have an amendment that is pending, the amendment of Senator GILLIBRAND. We do not have unanimous consent in order to set that aside so I would have to, at the moment, object to setting it aside, but I assure the Senator I wish to have an opportunity to talk to him about these issues.

Mr. SANDERS. I look forward to talking to the Senator from Michigan, but I do want her to know this is an enormously important amendment for the people of Vermont and the people of America. We want action. I think we have brought forth an amendment which, in fact, can end up substantially lowering the price of oil and gas at the pump and I will pursue this vigorously.

Ms. STABENOW. I object.
The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.
Mr. HOEVEN. Madam President, I rise to speak on the farm bill.

The PRESIDING OFFICER. The Senator is recognized.

Mr. HOEVEN. I rise to speak on behalf of the Agriculture Reform, Food, and Jobs Act of 2013, a 5-year farm bill. This bill saves more than \$24 billion to help reduce our deficit and our debt, it streamlines farm programs to make them more efficient, and it ensures that our farmers and ranchers continue to have good risk management tools, particularly crop insurance.

It is vitally important to so many facets of our national interests. It is important to food, of course, but also to fuel, to fiber, to rural development, agriculture research, and many other areas. It touches the life of every single American in some of the most basic ways.

This year the farm bill is moving through the Senate because we have already debated and passed more than 90 percent of this bill in the last session. A lot of this bill we worked on very hard in the last session and passed it through this body with a big bipartisan vote.

Unfortunately, the House was not able to pass their version so we were not able to go to conference and finish the job. This year we need to do that.

This farm bill, again, 90 percent-plus we voted on in this body last session. We had a big bipartisan vote to pass it. We need to do that again. We need to get into conference with the House, and we need to get this done for farmers and ranchers and for the benefit of all Americans.

Last week we passed a bill out of the Senate Agriculture Committee, on which I serve, where I had the opportunity to help craft it—again, building on the product that we put together last year when we voted it out of committee with a big bipartisan vote. The House also passed its version of a farm bill out of their Agriculture Committee last week. They are looking to bring their bill to the House floor in June. We are hopeful they will pass it in June, but we need to be ready. We need to have ours done. I think we can show real leadership on this issue and be ready to get into conference with the House and get this important work done.

The Senate version we passed supports our farmers and ranchers in sub-

stantive and sensible ways. It gives them the necessary risk management tools and ensures that Americans, all Americans, continue to enjoy the highest quality, lowest cost food supply, not just in the world but in the history of the world.

Among the provisions of the commodity title is the no-cost Sugar Program. I wish to take just a few minutes to talk about the Sugar Program and its importance in the context of this farm bill. The Sugar Program warrants discussion because some Members—I believe certainly with the best of intentions—want to actually weaken this vitally important program. But weakening our current sugar policy would accomplish nothing. In fact, it would subject our producers, consumers, and industries to a distorted world market. Further, it would threaten more than 140,000 jobs in 22 States that depend on a vibrant, competitive sugar industry.

The world's sugar market is not a free market. Make no mistake, it is not a free market in any conventional sense of the term. I can tell you now, foreign governments heavily protect and subsidize their sugar producers. For example, Brazil spends between \$2 and \$3 billion per year to subsidize its producers. Mexico literally owns one-fifth of its industry and subsidizes the rest.

Our sugar farmers, along with the rest of America's farmers and ranchers, have told foreign competitors, time and again, we are ready to compete in a truly freely market, but we will not and must not unilaterally disarm, nor will dismantling the Sugar Program result in lower costs to consumers and American businesses. Once you factor in transportation costs, the world price of sugar is higher than the price in the United States.

Sugar prices are not only higher in Brazil and Mexico, they are higher worldwide. If we do away with sugar policy altogether and subject producers strictly to a distorted global market, what we will see is not lower prices but rather extreme volatility in the global sugar market.

Not only are sugar prices lower in the United States and elsewhere, but the cost of sugar in most products is tiny. For example, in a Hershey's chocolate bar it is less than 2 percent of the cost. Further, it should be noted that sugar prices have fallen by more than 50 percent in the last 2 years, but candy prices at the store are not seeing the same level of reduction at all.

The truth is, if consumers are paying higher costs, it is because of labor and health care costs in the United States, not because of the cost of sugar.

For 10 years now, sugar policy has operated at zero cost to the American taxpayer because our farmers are efficient and competitive and because American sugar policy has always made sure they were playing on a level

playing field. As a result, consumers in this country enjoy more affordable sugar than elsewhere in the world and American consumers enjoy a safe and reliable homegrown source. The bottom line is that sugar policy is cost-effective and fair and it should be retained in the commodity title of the farm bill.

But I would like to turn, again, to the broader legislation. Good farm policy benefits every single American. As I said, we have the lowest cost, highest quality food supply in the world thanks to our farmers and ranchers and thanks to good farm policy. How do we put a value on our safe, abundant, nutritious, dependable food supply? It is invaluable. By any standard it is invaluable. Just consider the benefits that this farm bill provides.

The farm bill is a job creator and it helps our economy. Agriculture supports 16 million jobs in the United States and contributes billions of dollars to the national economy. Year in and year out we sell more food and fiber than we buy from abroad. Further, American agriculture produces a financial surplus. Through relentless innovation, best practices, and good stewardship of the land, American agriculture creates a positive balance of trade.

The farm bill saves money to help reduce the deficit and the debt. Think how important that is.

The 2013 farm bill, like the farm bill we passed last year, provides more than \$24 billion in savings—more than is required by sequestration—to help address the Nation's deficit and debt. Farmers and ranchers are stepping up and doing their part.

The farm bill also provides a strong market-based safety net for the producers. The safety net in the 2013 farm bill focuses on enhanced crop insurance; that is what they have asked for and that is the focus—not direct payments. Direct payments are limited. It enhances crop insurance with the inclusion of a new product called the supplemental coverage option, SCO. The SCO enables purchasers to purchase a supplemental policy beyond their individual farm-based policy, thereby creating an additional level of risk management.

The bill also includes the Agriculture Risk Coverage or ARC Program that provides assistance for shallow loss or multiple-year losses, which again helps our farmers to better manage risk. They are business people and they need to manage their risks.

Let's not forget the farm bill strengthens our national security. Our country doesn't have to depend on other countries for our food supply—countries that don't necessarily share our interests or values—and that makes us safer. The fact is we are secure in that most basic, vital necessity—our food supply.

The farm bill is about so many things that are important to the people of America. This is about all Americans. Again, I say good farm policy benefits every single American. We have the highest quality, lowest cost food supply in the world thanks to our farmers, ranchers, and good farm policy.

This is about 16 million jobs in this country which are supported by agriculture. This is about a positive balance of trade which helps build our economy. This is about \$24 billion in savings where agriculture is stepping up and not only doing its share but more than its share to help with the deficit and debt. In the most fundamental ways, a good farm bill makes America stronger, safer, and more secure. We need to pass this farm bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I am pleased to congratulate my friend from North Dakota for his statement and his discussion of the content of this farm bill. He was one of the active members of our committee who participated in the markup sessions, attended the hearings in preparation for writing a farm bill, and helped to shape the consensus that is reflected in the final work product. Senator HOEVEN is a very valuable member of our committee, and I commend and thank my colleague from North Dakota for his contributions to this process.

He very accurately describes that this is a consensus product. It is not a partisan bill; it is not meant to make anybody or any section or any commodity group look good or feel good because of favors done in this bill. This is truly to serve the interests of our good and great country and help improve our trading opportunities in agricultural commodities that are produced on our farms throughout the United States.

I think it is going to serve the interests of not only agriculture but the American citizen and, broadly speaking, much of this success is due to the contributions made by the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank the distinguished Senator from Mississippi for his kind comments and also for his leadership on the Agriculture Committee as our ranking member. I wanted to express my appreciation.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, it should come as no surprise that two Senators from the great State of North Dakota stand today and talk about the importance of American agriculture. Ninety percent of the land we have in

North Dakota is engaged in production agriculture. As much as we have heard—and it is all true—about this great economic renaissance we are having in our State, agriculture is still No. 1.

Every year American farmers—North Dakota farmers—bet. They bet on good weather, good prices, that the crop will grow, and they spend millions of dollars on that bet. They are the biggest gamblers in the history of the world, and they are asking for a farm bill that gives them a little bit of risk help and makes sure when they plant, they know that maybe they have a chance to get cost of production back out.

Why is that important? It is important because who is going to take that risk on behalf of the American people, on behalf of a global and worldwide supply of food? Who is going to take that risk if we don't help a little bit?

Today in America almost every State which has an agricultural base is doing a little bit better because agriculture has led the way. Agriculture has aided this economy. States with an agriculture base have a much lower rate of unemployment, and they have been leading the way on our trade deficit.

It cannot be overstated how significant this farm bill is not only to States such as North Dakota but to every State and every economy in this Union. There are 16 million jobs which hang in the balance. They are waiting for this body—the Congress—to give some assurance, to pass a farm bill.

I applaud both the ranking member and the committee chair for their excellent work. No bill which comes out of a committee with diverse opinions is absolutely perfect where everyone will agree on everything in the bill, but it is part of the great American compromise we have been talking about and striving for in this body. We are working to move the issues forward and do what Americans sent us here to do. We are here to deliberate, discuss, debate, and compromise, and that is what this bill is about.

Every piece of this bill is important. Every piece is a linchpin to make sure we pass a farm bill. We are going to hear a lot in the next couple of days about the Sugar Program. I will talk broadly about the other provisions of the bill tomorrow on this floor, but I want to spend today talking a little bit about the Sugar Program within the farm bill because it is absolutely significant and important.

I know Senator HOEVEN outlined some of the statistics we talk about when we talk about sugar. The U.S. sugar policy defends more than 142,000 jobs—not just in North Dakota, Minnesota, Florida, and Hawaii, but in 22 States. It defends those jobs from unfair foreign competition, and it results in nearly \$20 billion in annual economic activity in the United States.

Of course, many of these jobs are in North Dakota. We grow a lot of sugar

beets in the Red River Valley, we process a lot of sugar beets in the Red River Valley, and those processing jobs are the value-added jobs that led the way to a value-added economy in our State. We are pretty protective of our sugar economy.

In many rural communities sugar is the linchpin of the local economy. Make no mistake that if we bend to the reforms we will hear talked about or bend to the ideas some have today about the Sugar Program, we will lose our domestic sugar industry. Why? Because we cannot compete. Make no mistake about that.

I am not saying our producers cannot produce or compete with producers from other parts of the world if the playing field is level. In fact, not only can we compete, we can best them. However, the sugar playing field is not level. Other countries have subsidized their sugar programs for years. More than 120 countries actually produce sugar. Every one of them intervenes to defend their producers from global crisis where surplus sugar is dumped. No one could survive at historic world-level prices without these government interventions. If our farmers could go head to head with their foreign counterparts, they would robustly compete and, I believe, capture much of the market. Unfortunately, with Federal subsidization and protections in place, a fair fight is not available to our American sugar beet and sugar cane growers. Opponents of the Sugar Program would have us do one thing: Unilaterally disarm and surrender our market to foreign producers.

For over two decades, from 1989 to 2008—and I want everyone to remember the date of 2008—the average world cost of sugar production averaged about 51 percent more than the world price.

Let me say that again: The world average cost of sugar production averaged 51 percent more than the sugar price. How does that happen? How does anyone produce a product that costs more than they sell it for? They are subsidized, which means sugar producers have received support from governments that allow them to stay in business even when their production costs exceed the price.

In order for those sugar industries to survive, governments in foreign countries provide some buffer to the world market with a wide variety of import tariffs, nontariff import barriers, price and income supports, and direct and indirect subsidies.

We have heard that sugar prices are too high, and if we eliminate the Sugar Program—the risk program for our sugar growers—that sugar prices would drop. Food corporation opponents say the U.S. sugar price is too high. They further argue that high sugar prices threaten their competitiveness given foreign competition for processed foods.

The truth is that sugar prices have held relatively stable over the course of the last three decades. This cannot be said about most other agricultural commodities. Imagine if we were debating today about \$2-a-bushel corn.

U.S. raw sugar prices have dropped by more than half since the fall of 2011. Prices are now below the average price of the 1980s, below the average of the 1990s, and below the average of the decade of 2000.

Our sugar farmers have struggled for decades and many have not have survived. Since 1985, more than half of the sugar beet and sugar cane operations shut down. It is hard to survive in 2013 when the price they get for their product is the same price they would have received in 1980.

The amendment we are going to be debating here will drive the U.S. sugar price down even further, which will allow more subsidized sugar to flow into our market and put our sugar farmers out of business.

If we look at all of the commodities that are in the farm bill—look at every piece of that compromised bill—and start singling out one commodity for special treatment—let's forget for a minute we are talking about sugar. Let's talk about dairy. Would a sugar bill survive if we were to eliminate the dairy program? Would a farm bill survive if we were to eliminate the dairy program?

Our concern today is that this industry is critical to our food security but also, importantly, it is critical to the compromise of the farm bill itself. This is a farm bill that supports over 16 million jobs in an economy that struggles except on the farm. These programs have worked.

As someone who is from North Dakota, I have lived through bad farm bills. My producers have lived through bad farm bills. The last 5 to 6 years have been an enormous improvement, not only to market-driven techniques but it has been an enormous improvement in allowing our producers to make the market decisions they are going to make, but also get the help that is going to give them surety.

When a small North Dakota producer—and I am not exaggerating—spends \$1 million putting a crop in the ground, they do that for their family, they do that for their State, but they also do it for the country and for the world because they know the American farmer feeds the world and it is a pretty important job.

So I say, let the compromise stay. Let the bill stay intact. Let's move this bill forward, let's get it into conference with the House, and for once let's tell the American people we can get something done in Congress. Let's tell them we can respond to the needs of this country and move our country forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we appreciate the comments of the distinguished Senator from North Dakota. Also, it is a pleasure to welcome her as a new member of our committee. She took an active part in the development of this bill, and we appreciate her contributions.

I see no other Senators seeking recognition at this time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 948

Mr. ROBERTS. Mr. President, I ask unanimous consent to set aside the pending amendment to call up amendment No. 948.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. ROBERTS], for himself, Mr. THUNE, and Mr. JOHANNIS, proposes an amendment numbered 948.

Mr. ROBERTS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve and extend certain nutrition programs)

On page 355, between lines 7 and 8, insert the following:

SEC. 40 . RESTORING PROGRAM INTEGRITY TO CATEGORICAL ELIGIBILITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—The second sentence of section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended by striking “receives benefits under a State program” and inserting “receives assistance (as defined in section 260.31 of title 45, Code of Federal Regulations, as in effect on January 1, 2013) under a State program”.

(b) RESOURCES.—Section 5(j) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(j)) is amended by striking “receives benefits under a State program” and inserting “receives assistance (as defined in section 260.31 of title 45, Code of Federal Regulations, as in effect on January 1, 2013) under a State program”.

Beginning on page 355, strike line 8 and all that follows through page 357, line 15, and insert the following:

SEC. 4002. ELIMINATING THE LOW-INCOME HOME ENERGY ASSISTANCE LOOPHOLE.

(a) IN GENERAL.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (d)(11)(A), by striking “(other than” and all that follows through “et seq.)” and inserting “(other than payments or allowances made under part A of title IV of the Social Security Act (42 U.S.C.

601 et seq.) or any payments under any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i) of that Act (42 U.S.C. 609(a)(7)(B)(1)))”;

(2) in subsection (e)(6)(C), by striking clause (iv); and

(3) in subsection (k)—

(A) in paragraph (2)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraphs (D) through (G) as subparagraphs (C) through (F), respectively; and

(iii) by striking paragraph (4).

(b) CONFORMING AMENDMENTS.—Section 2605(f) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)) is amended—

(1) in paragraph (1), by striking “(1)”;

(2) by striking paragraph (2).

Beginning on page 379, strike line 15 and all that follows through page 380, line 15, and insert the following:

SEC. 4011. ELIMINATING STATE BONUSES.

(a) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

(b) CONFORMING AMENDMENTS.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(1) in subsection (c)—

(A) in the first sentence of paragraph (4), by striking “payment error rate” and all that follows through “subsection (d)” and inserting “liability amount or new investment amount under paragraph (1) or payment error rate”; and

(B) in the first sentence of paragraph (5), by striking “payment error rate” and all that follows through “subsection (d)” and inserting “liability amount or new investment amount under paragraph (1) or payment error rate”; and

(2) in subsection (i)(1), by striking “subsection (d)(1)” and inserting “subsection (c)(2)”.

SEC. 4012. ELIMINATING DUPLICATIVE EMPLOYMENT AND TRAINING.

(a) FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (h).

(b) ADMINISTRATIVE COST-SHARING.—

(1) IN GENERAL.—Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the first sentence, in the matter preceding paragraph (1), by inserting “(other than a program carried out under section 6(d)(4))” after “supplemental nutrition assistance program”.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking “(g), (h)(2), or (h)(3)” and inserting “(g)”.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended by striking “(g), (h)(2), and (h)(3)” and inserting “and (g)”.

(c) WORKFARE.—

(1) IN GENERAL.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is amended by striking “or (g)(1)”.

On page 385, strike lines 19 through 22 and insert the following:

SEC. 4016. ELIMINATING THE NUTRITION EDUCATION GRANT PROGRAM.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is repealed.

On page 390, between lines 17 and 18, insert the following:

SEC. 4019. TERMINATING AN INCREASE IN BENEFITS.

Section 101(a) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 120; 124 Stat. 2394; 124 Stat. 3265) is amended by striking paragraph (2) and inserting the following:

“(2) TERMINATION.—The authority provided by this subsection shall terminate after September 1, 2013.”.

Mr. ROBERTS. Mr. President, this is Roberts amendment No. 948. This amendment would help rein in the largest expenditure within the Department of Agriculture budget—the Supplemental Nutrition Assistance Program, SNAP, more commonly known as food stamps.

The Senate Agriculture Committee included minimal savings under food stamps—around \$4 billion over the 10-year budget window. I know people have different views, but I would say that it is certainly minimal. I think we could have done more in committee last week. I introduced an amendment at that time. I withdrew it to make sure we could get this to the floor. We must do much more in a responsible manner. Look at the House Agriculture Committee, which marked up a farm bill with over \$20 billion in savings from SNAP. That bill was marked up and passed with bipartisan support as of last week.

We can restore integrity to the program while providing benefits to those truly in need and save approximately an additional \$30 billion. Note that I say “while providing benefits to those truly in need.” I am not proposing a dramatic change in the policy of nutrition programs, such as block-granting programs to States. That would represent a dramatic change. Instead, this amendment enforces the principles of good government and restores SNAP and spending to much more responsible levels.

Also, SNAP was exempted from the across-the-board cuts known as sequestration. However, it is clear there are several areas within the program that could provide significant savings that were left untouched.

First, the amendment eliminates the LIHEAP loophole. Let me be clear. Eliminating the LIHEAP loophole does not affect SNAP eligibility for anyone using SNAP; it only decreases SNAP benefits for those who would not otherwise qualify for the higher SNAP benefit amounts.

But at least 17 States, with all due respect, are gaming the system by designing their Low-Income Home Energy Assistance Program—LIHEAP—to exploit SNAP. Let me explain. The LIHEAP loophole works like this: Participating State agencies annually issue extremely low LIHEAP benefits

to qualify otherwise ineligible households for standard utility allowances, which result in increased monthly SNAP benefits. For example, today a State agency can issue \$1—only \$1—annually in LIHEAP benefits to increase monthly SNAP benefits an average of \$90—that is \$1,080 per year—for households that do not otherwise pay out-of-pocket utility bills.

If you completely eliminate the LIHEAP loophole, as my legislation does, it will save taxpayers a total of \$12 billion—\$8 billion additional compared to the current version of the farm bill.

We also tie categorical eligibility to cash assistance, eliminating a loophole that States are exploiting by offering TANF-provided informational brochures and informational 1-800 numbers to maximize SNAP enrollment and the corresponding increase in Federal food benefits.

Categorical eligibility, simply known as Cat-El, was designed to help streamline the administration of SNAP by allowing households to be certified as eligible for SNAP food benefits without evaluating household assets or gross income. 42 States are exploiting an unintended loophole of the TANF-provided informational brochures and informational 1-800 numbers to maximize SNAP enrollment and the corresponding increase in Federal food benefits and the cost. These States, with all due respect, are also gaming the system to bring otherwise ineligible SNAP participants into the program.

In an ongoing effort to streamline government programs, we should eliminate the duplicative SNAP Employment and Training Program and the SNAP Nutrition Education Grants Program. Combined, these two programs cost over \$8 billion and do not represent any direct food benefits—any direct food benefits.

This amendment also ends the Department of Agriculture practice of giving \$48 million in awards every year to State agencies for basically doing their job. Currently, bonuses are given to States for best program access—signing up as many people for SNAP as possible; most improved program access—how many more people signed up for SNAP compared to the previous year; and best application processing timelines—handling applications within required guidelines. The bonuses are not even required to be used for SNAP administration. A recipient State may choose to use the funding for any State priority.

Finally, the amendment terminates the ongoing stimulus, enacted by the American Recovery and Reinvestment Act of 2009, which provided extra funding to increase monthly SNAP food benefits. I really understand the importance of domestic food assistance programs for many hard-working Americans, including many Kansans. As

chairman of the House Agriculture Committee some years ago, we worked very hard to save the Food Stamp Program and prevent any kinds of efforts to simply do away with it or send it back to States because of the very things I have talked about.

My goal is simple: to restore integrity to the Supplemental Nutrition Assistance Program in a commonsense and comprehensive manner. Enacting this package of reforms will allow the Federal Government to continue to help those who truly need SNAP food benefits and assistance. I encourage my colleagues to support this amendment and these reforms for the benefit of all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I inquire of the chairwoman if I might be able to speak for about 5 or 10 minutes.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President.

Certainly we want to hear from the distinguished Senator from Montana. I know the Senator from South Dakota has been waiting for some time as well, and we had asked him to wait until Senator ROBERTS had offered his amendment. I am not sure of the time the Senator from South Dakota is requesting right now, but certainly we want to hear from both of the Senators.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, does the Senator from Michigan want to lock in a time agreement on the votes?

Ms. STABENOW. It appears at this moment we are going to have to have a little bit more time before we do that, but I thank the Senator.

Mr. THUNE. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAGEDY IN OKLAHOMA

Mr. THUNE. Mr. President, I first want to start with just a word about the tragedy in Oklahoma. Our thoughts and prayers are with the families impacted by yesterday's devastating storms, as well as the first responders and volunteers who rushed to the scene. I hope all Americans will continue to keep them in their thoughts and prayers and be looking for ways in which they can pitch in and help in this very tragic situation.

LONG-TERM BUDGET CHALLENGES

Mr. President, I come to the floor today to talk about the long-term budget challenges facing the country and the impact those challenges are going to have on jobs, economic growth, and future generations if we do not control spending.

Last week the Congressional Budget Office released its updated budget pro-

jections, and in conjunction with that they released an analysis of the President's 2014 budget.

Once again, the CBO report underscores the long-term budget challenges facing this country. If you listen to many of the politicians here in Washington, DC, and commentators on the Democratic side reacting to the Congressional Budget Office report, you would have heard claims that the deficit and debt crisis facing this country is solved and that no further deficit reduction is needed. In fact, President Obama took to the airwaves recently in his radio address and boasted about the deficits "shrinking at the fastest rate in decades."

These claims about last week's Congressional Budget Office report strike me as odd, particularly because the details of the report tell a different story. According to the CBO, the deficit for 2013 is projected to be \$642 billion or 4 percent of the Nation's gross domestic product.

While the deficit may be down from its record trillion dollar-plus levels, the national debt, which is already at \$16.7 trillion, continues to grow at an alarming rate—\$642 billion this year alone. While it is encouraging that the deficit this year will be smaller than it was originally projected, part of those savings are due to unexpected repayments from Fannie Mae and Freddie Mac and the revenue increases from January's fiscal cliff agreement.

The fact of the matter is a deficit 4 percent the size of the economy is nearly double the historic average. Over the next 10 years covered in the CBO's baseline projections, the national debt will grow by nearly \$9 trillion to over \$25 trillion.

To put that number in perspective, the country is projected to rack up over \$2 billion in debt every single day over the next decade, at which point our national debt will exceed \$25 trillion. This assumes the sequester remains in place. Publicly held debt will remain above 70 percent of GDP, which is much higher than the historic average of 39 percent. CBO projects that publicly held debt will continue on an upward path beyond the next decade.

This growth is driven by spending, not revenue. The CBO report confirms that revenues are projected to grow by 45.9 percent in the 8 years after the year 2015, while overall spending will grow at 55 percent during that time period, despite the fact that inflation will be 19.5 percent and economic growth 24.9 percent during that time period. Those are CBO estimates about economic growth, inflation, spending, and debt over the course of the next decade.

In other words, revenues are going up but spending is projected to grow at nearly three times the rate of inflation, meaning we have a spending problem, not a revenue problem. In fact, revenues will reach 19.1 percent of GDP

by the year 2023, which is well above the historic average of 17.9 percent since the end of World War II. Spending, on the other hand, will continue to grow even with the sequester, driven largely by increases in mandatory spending. Mandatory spending on programs such as Medicare is projected to grow by 79 percent from today's level over the next 10 years. Federal health care programs, including ObamaCare, are driving the surge in mandatory spending. Federal health care spending is projected to double over the next decade as the health insurance exchange subsidies kick in beginning next year. Medicare and other programs continue to grow without needed reforms to save and strengthen them.

Spending on mandatory programs and interest on the debt will consume nearly three-quarters of all Federal spending over the next 10 years, leaving little room to pay for all discretionary programs including, I might add, national defense.

To slow the rapid rise in debt this country is experiencing, we have to control the largest driver of that debt, which is spending and, in particular, mandatory entitlement spending. The alternative is a crippling national debt that is bad for the economy, bad for jobs, bad for our national security, and bad for our children and grandchildren.

According to the nonpartisan Congressional Budget Office, "Such high and rising debt later in the coming decade would have serious negative consequences." The report goes on to say: "Moreover, because Federal borrowing reduces national saving, over time the capital stock would be smaller and total wages would be lower . . ."

The CBO also warns that such high levels of debt increase the risk of a fiscal crisis. The threat the rising national debt poses to our economy is real. It will impact the American people, and it will impact our economy in very real ways. It will slow economic growth, meaning fewer jobs. It will drive up interest rates, making it more expensive to borrow money to pay for a college education or to buy a home.

It is inevitable that the national debt is going to have to be addressed at some point. The question is whether we address it directly or continue kicking the can down the road, which will only make our problems much more difficult to solve.

The Congressional Budget Office also projected in their update last week that interest spending—the amount we spend to finance our debt—is going to increase dramatically over the next several years. In fact, interest costs on prior deficit spending are going to grow from \$223 billion today to \$823 billion in 2023, an increase of 369 percent. Net interest costs will surpass the base defense budget in 2019, 6 years from now. Think about that. We are going to spend more in interest on the debt 6

years from now than we spend on national security, on our national defense. That is how fast the interest is going to eat up every other area of the budget.

I would hope we will be able to take this CBO report and not greet it with great fanfare and be slapping high fives because for 1 year the deficit was reduced by a couple of hundred billion over what it was supposed to be, but, rather, recognize that with \$642 billion this year and a Federal debt that is going to be at \$25 trillion at the end of this decade and interest payments that will exceed the amount we spend on national security, we have a serious debt crisis in this country that needs to be addressed.

It is my wish that Members of Congress on both sides of the aisle and our Democratic colleagues will work with us and that the President will step forward and acknowledge we have a debt crisis. It is not a debt crisis somewhere out there in the future, it is a debt crisis today that needs to be dealt with. The CBO update, rather than alleviating that concern, puts the fine point that we need to act, and we need to act now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, Thomas Jefferson once said: "Far and away the best prize that life offers is the chance to work hard at work worth doing."

I know many Montana farmers and ranchers who understand that exactly. They know what Jefferson meant. They work the soils and tend their herds month after month, often through natural disasters such as the drought we had in 2012. It is hard work, but they do it because it is work worth doing. The dirt under their nails and the sweat on their brow puts food on our tables every day. The farm bill supports that effort, the bill before us this afternoon. It is work worth doing.

Make no mistake, the farm bill is a jobs bill. It supports 16 million American jobs every year. In my State of Montana, one in every five jobs is tied to agriculture. Those jobs are counting on us to get this bill done.

As we work to tackle the debt, it is important to remember the farm bill cuts spending by \$23 billion. The farm bill is part of the solution, not part of the problem. Under the leadership of Chairwoman STABENOW and Ranking Member COCHRAN, we have crafted a true reform farm bill. We worked with farmers and ranchers across the country to create a farm policy that works for producers and taxpayers both. It provides support that is needed when they actually experience a loss.

As Will Rogers notably said: "The farmer has to be an optimist or he wouldn't still be a farmer."

Farming is capital intensive. Farmers work with paper-thin profit mar-

gins. Even the best farmer is left at the mercy of weather and chance.

The drought last year is an example of the risk farmers face. USDA predicts that 80 percent of agricultural land experienced drought in 2012, making it one of the most expensive droughts in a generation. In Montana that means 48 of 56 counties with parched crops and empty fields. The revenue program in this bill, combined with the crop insurance products we have fine-tuned over the decades, will help farmers survive disasters such as this and prepare to put food on America's tables when weather or market conditions improve.

Anyone who has been to Montana knows we have the best-tasting beef in the world too—or at least we think so. For the last year our ranchers have weathered this drought with no support. With hay and water in short supply, they have been forced to thin their herds. Thinning herds means lost jobs in Montana, because 50 percent of our economy is tied to agriculture, and about 35 percent of our total agriculture proceeds come from cattle and calf sales.

Livestock disaster assistance keeps our ranchers in business until the rain starts falling again. That is why I created these programs in 2008, and that is why I fought so hard to make them permanent in this bill—to finally provide our ranchers with certainty they can take to the bank. In the last farm bill they were not permanent and caused almost another disaster. I thank the chairman and ranking member for working with me to extend that livestock disaster with limited funds.

We did not stop there. We did not stop with reforming the farm bill. We saved \$6 billion from in the conservation title without compromising the policy. We did this by consolidating 23 existing programs, bringing a tight network of efficient and streamlined conservation programs.

I made sure we protected the working lands programs, which contribute to substantial conservation improvements but still allow for productive use of the land.

In the forestry title, we permanently authorized stewardship contracting. This is so important to the western one-third of our State. This will help the timber industry sustainably harvest more trees. Anyone in western Montana will tell you that means jobs.

We also included support to combat the bark beetle epidemic that has killed over 6 million acres of Montana forests. Senator BENNET and I worked together to make sure those dead trees can be harvested more quickly before the wood wastes or burns. With fire season already well underway in Montana, this investment is more important than ever.

I was also extremely proud of our work to help veterans find jobs in farming. Forty-five percent of our serv-

icemembers come from rural areas. This is a national statistic, so farming is a natural fit for veterans looking to return home to a rural way of life.

In the nutrition title, I am proud to say we kept the fundamentals of the food stamp program intact so low-income families have their safety net in place as the economy continues to improve. We even found a way to trump up spending for TEFAP, which provides emergency food for needy families.

In Montana, agriculture is a way of life. It is our biggest industry. Our 29,300 farms produce billions of dollars worth of quality wheat, barley, peas, and lentils—to say nothing of our livestock. Our ranchers have 2.5 million head of cattle, which means there are more cows in Montana than people.

The farm bill is not just for producers. It also provides funding for rural businesses, from Miles City, to Glendive, to Libby. The farm bill offers opportunities for Montanans of all walks of life.

The same is true all across America. Our farm policy contributes to security in American agriculture, and that is why we spend less on food than any other country in the world. We spend less than any other developed country in the world. Americans spend less than 7 percent of their disposable income to feed their families. That compares with almost 25 percent in 1930.

Our producers put food on tables around the world. In 2012, agricultural exports reached \$136 billion, with a surplus of \$32 billion—literally growing wealth from our fertile soils.

Like any small business owner, farmers and ranchers all across Montana tell me the No. 1 thing they want is certainty. Operating under short-term extensions leaves millions of Americans' agricultural jobs stuck in limbo. Farmers and ranchers need certainty they can take to the bank. That is why they need this 5-year farm bill. If we can get this bill passed, we are on the road to moving away from these short-term extensions—which do no one any good—and moving to longer term legislation which does everybody a lot more good. I hope we can get this bill passed, it is so important.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I am going to proceed on my leader time.

The PRESIDING OFFICER. The Senator has that right.

BURMESE SANCTIONS

Mr. MCCONNELL. For the past two decades, I have been coming to the Senate floor to condemn acts of the Burmese regime against its own people. For the past decade, for these same reasons, I have sponsored legislation to impose sanctions on the Burmese Government.

Beginning in 2003, import sanctions have been renewed annually through

the Burmese Freedom and Democracy Act. This act was later enhanced in 2008 through the Tom Lantos Block Burmese JADE Act, a measure I also cosponsored.

Today, however, I come to the floor with a different message. After having given the matter a great deal of thought and review, I do not believe Congress should reauthorize these import sanctions.

Let me repeat that. I do not believe the Burma sanctions should be renewed for another year. There are several reasons why.

First, the objective of the sanctions effort is to change the behavior of the Burmese Government. To a significant extent that has actually taken place. As a result of the new Burmese Government's actions in the past 2½ years, Daw Aung San Suu Kyi, the Nobel Peace Prize Laureate, has been freed from house arrest, has been permitted to travel abroad, and has been elected to office as a member of Parliament.

A free and fair by-election was held in Burma last year. Scores of political prisoners have been released. A freer form of government has begun to take root. I strongly believe the import sanctions we previously enacted were instrumental in promoting these reforms. They helped deny the previous military junta the legitimacy it had craved.

These positive changes, many of which I saw for myself during my visit to Burma in January 2012, should be acknowledged, and we do acknowledge them. As Suu Kyi herself said last fall during her visit to the United States, "the sanctions need to be removed."

Second, I believe renewing sanctions would be a slap in the face to Burmese reformers and would embolden those within Burma who want to slow or reverse the reform movement. We should be strengthening the hand of these reformists to show the "fence sitters" that reform will be met with positive action by the United States. The administration has extended an olive branch to the new Burmese Government, and I believe it is time for Congress to do the same. Burmese citizens should not be made to feel that Congress will maintain sanctions no matter what they do.

Third, after renewal of the import ban last year, the administration waived most of the sanctions in response to the recent reforms. So as a practical matter—as a practical matter—even if the ban were renewed, its effect would be largely nullified through an administration waiver—a waiver, by the way, I support.

Let me emphasize a few points. By choosing not to renew the import ban, no one should fall under the misimpression that Congress would be giving up its leverage with respect to Burma. The current restrictions on importation of Burmese jade and rubies

are likely to remain in place even without the renewal of sanctions. This is because the administration enjoys authority under other statutes to continue to limit the importation of Burmese gems. So, again, as a practical matter, the restrictions on Burma would be little different without the sanctions than they are right now under the sanctions we renewed last year, considering the fact the sanctions were waived last year anyway.

Moreover, there are other sanctions, apart from the law I was just talking about, which would remain permanent. They include the authority to freeze assets and the authority to deny visas to bad Burmese actors. Even if the import ban is not reauthorized, these provisions remain on the books.

In addition, a variety of other sanctions that expressly name Burma remain in effect and still require outright repeal or modification. They include provisions within the fiscal year 1997 foreign operations appropriations bill, the Customs and Trade Act of 1990, and the Foreign Assistance Act.

If the Burmese Government continues to support political and economic reform, then at a later date Congress can consider whether these permanent restrictions warrant removal or modification.

Beyond the realm of trade, there are other statutes of general application that sanction Burma due to concerns over human trafficking, counter-narcotics, and religious freedom, to name just a few such issues. Burma must take positive action in order to no longer qualify for sanctions under those measures as well. So, again, legislative leverage would remain even without the renewal of this law.

There also remains the annual appropriations process as Congress considers how much and what types of aid Burma should receive in the first place. For instance, there is some indication that Burma wants to improve its military-to-military relationship with us. Frankly, I think that is a good idea, and such programs and contacts provide additional tools for congressional oversight and action.

The European Union and Australia have also removed most of their sanctions against Burma. Congress, in choosing not to renew trade sanctions, would ensure that American companies remain on equal footing with their western competitors and bring greater certainty to those U.S. firms which are considering investment in Burma.

Finally, if Burma backslides, Congress can always reconsider the sanctions.

As a Congress, we need to be realistic about the fundamental challenges facing Burma on its road to reform. The country faces major challenges on many fronts stemming from a half century of bad governance and economic mismanagement. In this post-junta pe-

riod the Burmese people need our help, and bilateral trade can do just that. It can help improve Burmese lives and show the people of Burma that a move toward greater political openness under a new government brings with it tangible benefits in their daily lives.

A Burmese Government that is more representative of its people and reforming economically will be positioned to contribute to ASEAN regional stability and grow increasingly independent within the region.

While I am pleased with the progress we have already seen, I would note I am not—repeat, not—fully satisfied with the progress Burma has made so far. Much more needs to be done. The 2015 elections will be a vital indicator of how strong the reform movement is within Burma.

In my view there are several other important benchmarks we will need to see achieved going forward. For example, all parties within Burma must work to reduce the clashes between the military and ethnic minority groups and begin political dialogue toward peaceful reconciliation. All parties within Burma need to work to diminish sectarian strife between Buddhists and Muslims. Any arms trade between North Korea and Burma needs to stop—now.

The Burmese constitution also needs amending in several areas. For example, provisions specifically designed to exclude Suu Kyi from running for President need to be changed. Complete and unconditional release of political prisoners needs to be undertaken. The military should increasingly be brought under civilian control. Finally, other reforms in progress involving enhanced rule of law, protection of private property, and government accountability need to take place.

I make this appeal to my colleagues in light of the visit of Burmese President Thein Sein to Washington this week. This is an important visit reflecting many of the dramatic changes that have taken place in Burma. It follows on the heels of Daw Aung Suu Kyi's landmark visit last fall and President Obama's visit to Burma last year.

Many of us who have followed Burma for years—in my case, two decades—never thought we would see this reform come to this troubled country. This is an important moment. I believe it is time for Congress to take responsible action to continue to promote progress by encouraging those who are risking much—very much—within Burma while still leaving in place other sanctions in order to encourage further reform. A decision not to renew the sanctions is an important step in that direction. To do otherwise could send the wrong signal to the wrong people.

So as a Congress, let's continue to vigorously support democracy and

peaceful reconciliation in Burma, but let's do so by taking a positive step forward with regard to our sanctions policy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I see my friend from Louisiana wishing to speak, but I have a unanimous consent request first.

I ask unanimous consent that at 4:05—5 minutes after 4—the Senate proceed to a vote in relation to the Roberts amendment, No. 948; that there be no second-degree amendments in order to the amendment prior to the vote; that the time until 4:05 be divided with 10 minutes for Senator VITTER and the remaining time to be equally divided on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to present two amendments I have filed on this farm bill, and I will be pushing hard for votes on them right now. I hope these get a full and extensive debate and a vote. They are relevant and related to the farm bill in significant ways.

The first amendment is with regard to the free government cell phone program, and of course that uses as criteria for eligibility the food stamp program and other benefit programs, so it is directly related to that aspect of the farm bill.

Mr. President, as you know, this program has been exploding almost without limit, and I have some fundamental concerns about it. My fundamental concerns are pretty simple and pretty basic. They come down to two things: First of all, I think the whole program is an entitlement mentality gone wild; that we have started the notion that folks are entitled to the government, the taxpayer, providing them almost everything under the sun; and, secondly, and not unrelated, there has been widespread fraud and abuse in this program, and I am convinced it is at the core of this program and can't be scrubbed out.

What is the program we are talking about? Well, it is the free government cell phone program. It was started in 2008, and in just those few years since then it has grown from \$143 million that year, which itself is a significant amount of money, to nearly \$2 billion now—an elevenfold increase. This program is paid for by you and by me. It is paid for through our land line and cell phone bills. We all get a charge on our bills. So if you actually pay your phone bill, land line, and/or cell phone, you get a charge and you pay that charge and that is what funds this program. So ratepayers, taxpayers, citizens, millions upon millions around the country pay for this program.

The FCC itself—and the FCC is in charge of the program—estimates that about 270,000 beneficiaries have more than one of these free government cell phones. That is interesting, that is important because that is completely against the law and against the rules—completely prohibited. The FCC also says the top five companies that benefit from the program could not confirm the eligibility of 41 percent of the folks they signed up. This is from a report in 2011. The FCC did some spot-checking and found that 41 percent of the folks these companies signed up couldn't be confirmed as eligible.

This has led one of my colleagues, CLAIRE MCCASKILL, Democrat of Missouri, to say the program is rife for fraud, with a "history of extreme waste and abuse." That is what my objections are all about—rampant waste and abuse and a general entitlement mentality that I think has gone too far.

The amendment I offer on this bill, which is at the desk, would simply and completely end the program with regard to free government cell phones. Someone might argue: Oh, these programs are being fixed. We are making great strides.

Well, I was interested in seeing how far we have come, so this very weekend I was talking to a friend of mine back in Louisiana, Clarence, and he was interested in that too. So Monday—yesterday—he decided to go to one of these outlets that advertises free government cell phones and just see what his experience was.

So he walked in and simply told the truth; that he was interested in getting a free government cell phone. He was asked: Are you now on any government benefit program, such as food stamps?

He answered truthfully: No. He said: I have a job. I don't make a lot of money. That was the truth.

He was asked to produce two things: a driver's license and a pay stub. He showed the people at the counter both of those things. They looked at them. Interestingly, they certainly didn't make any copies. They certainly didn't create any documentation because that could potentially get them in trouble.

They looked at his documents and gave him a form he had to sign once, and then they immediately gave him a free government cell phone. The phone was on, it worked immediately, it had minutes on it that he could immediately use. He walked out of that storefront in less than 10 minutes with a free government cell phone.

He then looked up the precise eligibility criteria of the program, which he did not know before. Guess what. Surprise, surprise. He did not qualify. He should never have gotten one. So he is returning it today. It will also be interesting to see how long that phone is kept on even after he returns it because the provider gets \$9.25 from the ratepayer and the taxpayer and the FCC every month for that account.

This is his, Clarence's, free government cell phone. This is his receipt. The charge is zero, absolutely free, and completely contrary to all of the rules of the program, which is why he is returning it today.

We have serious spending and fiscal challenges in this country, but we have an even greater challenge, which is we have lost the faith and confidence of the American people. We have lost it because of this. We have lost it because there are tents popping out on every street corner. They are handing out these free government cell phones like candy. And why is that happening? Because the people handing out the phones have a vested interest in doing that, have a vested interest in not worrying about whether eligibility criteria are met because every time they hand out a phone they get \$9.25 per phone per month as long as they can sustain that gravy train.

They are the biggest welfare abusers of this—rich owners of companies who milk the system to get richer, whom I would call government welfare kings.

This abuse needs to stop. We need to recapture the confidence of the American people. My amendment would help do that.

I will also be presenting and pushing for a vote on an amendment to limit and bar certain people from receiving any food stamp benefits. Those are folks who have been convicted of violent and serious crimes such as violent rapists, pedophiles, and murderers. There is a misconception that ban is already in the law. In fact, it is not. In fact, the only ban that exists is for drug felons and in the law is an opt-out for States so the State can opt out of even that ban.

My second amendment is simple and straightforward. It would establish a complete ban in the program for anyone who has committed a violent rape, a crime of pedophilia or a murder. There would be no opt-out for States.

I hope we can form a bipartisan consensus around this basic idea and put that basic fundamental limitation in the law. I urge my colleagues to look at both of these amendments and support both of these amendments.

I yield the floor.

The PRESIDING OFFICER. There is 1 minute remaining. The Senator from Kansas.

Mr. ROBERTS. Mr. President, will the distinguished Presiding Officer please inform the Senator on how much time we have divided equally.

The PRESIDING OFFICER. There is 40 seconds.

Mr. ROBERTS. I ask unanimous consent that 2 minutes be granted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, this is an amendment I have worked on considerably, along with Senator THUNE, Senator JOHANNIS, others on the Agriculture Committee, and others as well.

We can restore integrity to the SNAP program while providing benefits to those truly in need. Let me emphasize that—while providing benefits to those truly in need. We are not touching those while we will save an additional \$31 billion; \$31 billion as compared to what? Compared to \$800 billion over 10 years. If we cannot at least make those kinds of savings, \$31 billion to \$800 billion, we have problems. I am not proposing a dramatic change in the policy of nutrition programs, such as block granting programs to States would represent; instead, this amendment would enforce the principles of good government and return SNAP spending to more responsible levels.

SNAP was exempted from across-the-board cuts known as sequestration. However, it is clear there are areas within the program that could provide significant savings that were left untouched. Enacting these reforms would allow the Federal Government to continue to help those who truly need Federal benefits and assistance but also enact needed reforms. Otherwise, food stamps and SNAP will continue to be a target. I don't want that. I think we can restore integrity to the program. I encourage my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise in strong opposition to this amendment. This goes way beyond what we have done in the committee, which is to focus on waste, fraud, and abuse and make sure there is integrity in the program, to make sure supplemental nutrition assistance goes to families who have been working hard all their lives, paying taxes, who fall on hard times and need some temporary help. This, in fact, would have a nine times higher cut than what we reported out of the committee on a bipartisan vote. It would undercut what we are trying to do in employment and training, which is so critical.

We all want people to have the opportunity to get back to work. We are seeing now, in the area of nutrition, the costs are now going down the way they should be, which is people are getting back to work and no longer needing the help. That is the way we should reduce it, in addition to tackling waste, fraud, and abuse, as we do in this bill.

I strongly urge my colleagues to vote no on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the Roberts amendment.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be. There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Oklahoma (Mr. COBURN) and the Senator from Oklahoma (Mr. INHOFE).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—40

Alexander	Flake	Paul
Ayotte	Graham	Portman
Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Scott
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

NAYS—58

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Cowan	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkeley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NOT VOTING—2

Coburn Inhofe

The amendment (No. 948) was rejected.

Ms. STABENOW. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 931

Ms. STABENOW. Mr. President, I ask unanimous consent that there now be 5 minutes equally divided prior to a vote in relation to the Gillibrand amendment No. 931; that there be no second-degree amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise in support of this amendment because when Congress proposes to cut the Food Stamp Program, it is not nameless, faceless people looking for a handout who suffer. It is children. It is veterans. It is Active-Duty service-members. It is hard-working adults. We have to stand by them in the way they

have stood by us. The reality of this amendment is that half of the recipients of food stamps are children, 8 percent are seniors, and 1.4 million veteran households receive food stamps.

Some of my colleagues believe this is some loophole we are closing, but the fact is these programs were designed for efficiency as part of welfare reform. When we put this LIHEAP program in place—the "heat and eat" program—it was to say families living in cold weather States that have high heating bills need extra money to put food on the table. This particular provision is for people in rental apartments who do not have a heating bill but are also having their heat included in their rent. These Governors in "heat and eat" States have said we want to make sure our recipients of food stamps are eligible for this benefit because they need it. Children, seniors, veterans, Active-Duty servicemembers deserve to have food on their table.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank the Presiding Officer.

No, no, no, no; we are not cutting anybody's benefits that the distinguished Senator from New York is talking about. This amendment would effectively shield over 80 percent of the farm bill from any deficit reduction and prevent the bill from addressing a serious breach in the nutrition program. The distinguished chairperson of the Agriculture Committee, the Senator from Michigan, already has included the provision in the bill. To say the chairperson is against food stamps for needy people is ridiculous.

It is important to note this amendment does more than create in a State what is called the LIHEAP loophole which we don't want; this amendment also cuts crop insurance. That is the No. 1 priority of American farmers today. It is one of the great success stories. It was developed as a way to help farmers manage their own risks, have skin in the game, and head off the need for costly, inefficient, ad hoc disaster programs. These types of cuts can be difficult to absorb. When we are in the third year of drought is not the time to change them.

I also wish to add the Senator from New York has been a champion of expanding crop insurance coverage for specialty crops, organic crops in her home State. I just think that perhaps she is misinforming.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Is there time remaining?

The PRESIDING OFFICER. There is 1 minute 9 seconds remaining.

Ms. STABENOW. Mr. President, I reluctantly rise in opposition. I am a full supporter of this program to make sure

families who find themselves in a situation beyond their control because of the economy, because of what has been happening to so many around the country, get the temporary help they need. What we have done in the farm bill is focus on those areas where there has been fraud or abuse or, in this case, misuse of actually a very good program to be able to provide assistance in terms of heat and food. But there are a few States—mine is one of them—that have gone beyond and are misusing a well-intended program.

I believe in fighting for the integrity of these programs so we can continue to fight for increased help for people who truly need it, and I believe what we have done in the bill meets the test of integrity and is defensible and addresses legitimate concerns raised about the misuse and fraud of programs.

So I ask my colleagues to oppose the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Rhode Island (Mr. WHITEHOUSE) is necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. WHITEHOUSE) would vote "yea."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 26, nays 70, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—26

Baldwin	Hirono	Reed
Begich	King	Reid
Blumenthal	Lautenberg	Sanders
Boxer	Leahy	Schatz
Brown	Levin	Schumer
Cantwell	Menendez	Udall (NM)
Casey	Merkley	Warren
Cowan	Murphy	Wyden
Gillibrand	Murray	

NAYS—70

Alexander	Carper	Cruz
Ayotte	Chambliss	Donnelly
Barrasso	Coats	Durbin
Baucus	Cochran	Enzi
Bennet	Collins	Feinstein
Blunt	Cooms	Fischer
Boozman	Corker	Flake
Burr	Cornyn	Franken
Cardin	Crapo	Graham

Grassley	Landrieu	Rubio
Hagan	Lee	Scott
Harkin	Manchin	Sessions
Hatch	McCain	Shaheen
Heinrich	McCaskill	Shelby
Heitkamp	McConnell	Stabenow
Heller	Mikulski	Tester
Hoeven	Moran	Thune
Isakson	Nelson	Toomey
Johanns	Paul	Udall (CO)
Johnson (SD)	Portman	Vitter
Johnson (WI)	Pryor	Warner
Kaine	Risch	Wicker
Kirk	Roberts	
Klobuchar	Rockefeller	

NOT VOTING—4

Coburn	Murkowski
Inhofe	Whitehouse

The amendment (No. 931) was rejected.

Mr. REID. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the time until 5:30 p.m. be for a period of morning business, with Senators allowed to speak for up to 10 minutes each during that time, and that at 5:30 p.m. Senator STABENOW be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST—
H. CON. RES. 25

Mrs. MURRAY. Mr. President, it has now been 59 days since the Senate and the House passed our budget resolutions. The American people are now expecting us to get together and do everything possible to bridge the partisan divide and come to a bipartisan deal. On this side the Senate Democrats are ready to get to work. Unfortunately, despite their focus over the past 2 years on the need to return to regular order, Republicans have been refusing to allow us to move to a bipartisan budget conference.

Many Republicans, including the ranking member on the Budget Committee, Senator SESSIONS, had been very clear up until recently that after the Senate engages in an open and fair budget markup process—and these are his words—"the work of conferencing must begin."

Minority Leader MCCONNELL said in January that if the Senate budget is different from the House budget, then "send it off to conference. That's how things used to work around here. We used to call it legislating." I could not agree more with Minority Leader MCCONNELL's words from back in January. Over the past few weeks we have tried to move to conference eight times, and each time Senate Republicans have stood and said no.

They have managed to stall for weeks now, but their excuses for not wanting to move to conference are changing. At first Republicans told us that we needed "a framework" before they would allow us to move to conference, although they never explained what that meant. And, frankly, a budget is a framework. Then the story changed, and they told us they would only let us move to conference if we made certain guarantees about the outcome. Then last week the story changed again, and Senate Republicans claimed that despite the fact that we engaged in a fair and open budget process in the Senate less than 2 months ago, they think we need a do-over, with another 50 hours of debate on top of the 50 hours we have already done and another round of unlimited amendments on top of the unlimited amendments that were moved already.

This is absurd. First of all, to claim that regular order involves a second full Senate budget debate is simply not true. The Senate has never been forced to go through a full debate and open amendment process twice just to get to conference—not one case. Completely unprecedented. In fact, every single time since 1994 that the Senate moved to conference, it was done by unanimous consent, with bipartisan support, which is the way it ought to be done.

Second of all, the Senate engaged in a full and open debate in which any Member could offer any budget amendment they wanted to. We did that a few months ago. I know all of my colleagues remember this. I certainly remember this.

I would be happy to quote some of what was said about the process if any reminders are needed because as that debate came to a close in the wee hours of the morning, Minority Leader MCCONNELL said the Senate had just engaged in "an open and complete and full debate." He continued and said, "I know everyone is exhausted, and people may not feel it at the moment, but this is one of the Senate's finest days in recent years, and I commend everyone who has participated in this extraordinary debate."

My ranking member, Senator SESSIONS, said the Budget Committee markup was "an open process" where "everybody had the ability to offer amendments."

Senator SESSIONS said on the floor, as debate was wrapping up, he was thankful that the Republicans had "free ability to speak and debate" and for "helping us move a lot of amendments fairly and equitably tonight."

There is no question the Senate engaged in a fair and open and lengthy debate about the budget before we passed it. There is absolutely no good reason to ask that we do this all over unless the intention is to simply stall the process and push us closer to a crisis.

Instead of scrambling to find new excuses for their budget conference flipflops, I hope Senate Republicans realize their opposition to bipartisan negotiations is not sustainable and will not allow us to get to the table and move on this matter.

I know there are Members who do not agree with the budget that was passed. They will have another opportunity to fight for changes in a bipartisan conference, which is how we do this. That is the responsible and appropriate path forward, and I hope the Senate Republican leaders decide to move back to the position they maintained just a few months ago. I know a number of our colleagues on the Republican side have said to me privately and in public that they believe we should move to conference. I hope we can do that. The challenges before our country in terms of our debt and deficit and the investments that need to be made and the certainty that Americans are looking to us for cannot be completed until we go to conference and work out our differences and come back and move this forward.

I hope this time when I ask for unanimous consent to go to conference Senate Republicans will join with us so the American people can see an open conference move to a debate and solve this very challenging problem we have in front of us.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and that the chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

The PRESIDING OFFICER (Ms. WARREN). Is there objection?

The Senator from Kentucky.

Mr. PAUL. Reserving the right to object, it has now been 59 days that the opposition has been trying to orchestrate a backroom deal to raise the debt ceiling. Raising the debt ceiling is an incredibly important debate and shouldn't be done in the back room by a few people. It shouldn't be done through parliamentary trickery or chicanery. It should be done out in the full and open and under the ordinary rules of the Senate.

We are now borrowing \$40,000 every second, \$4 billion a day. We must borrow from China to run the ordinary functions of our government. In fact, it is worse. We borrow from China to send money to China. We borrow money from China to send money to Pakistan. We build bridges in Pakistan with

money borrowed from China. It can't go on. No American family can continue to spend money endlessly that they don't have.

All we are asking is for a common-sense resolution that says we can't keep borrowing.

What I ask is unanimous consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit. I ask that as a unanimous consent request.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I will reserve the right to object to the modification, and I will object in just a moment.

I would like to point out to my colleagues on this side of the aisle that for 4 years—for 4 years—we complained about the fact that the majority leader, whom I see on the floor, refused to bring a budget to the floor of the Senate. Then, in what most of us believe was a proud moment—I thought it was a pretty tiring experience at my age, voting all night—we approved or disapproved of 70 meaningless amendments.

The fact is, we did a budget. All of us patted ourselves on the back, and we were so proud that we did the budget. By golly, now we will move with the House of Representatives and we will have a budget and, hopefully, at least begin negotiations with the House of Representatives, in which the majority is Republicans—not Democrats, Republicans. We would decide we were going to do that. Now we are going to, according to the objection and the unanimous consent that was just asked for, in an unprecedented way, put restrictions on the conferees.

The way we usually do it is what I am about to do; that is, we instruct the conferees. We don't require the conferees because that is why we appoint conferees, and that is why we approve or disapprove of the result of that conference. That is how our laws are made, and that is how our budgets are made.

What do we keep doing? What do we on my side of the aisle keep doing? We don't want a budget unless we put requirements on the conferees that are absolutely out of line and unprecedented.

All I say to my colleagues is, can't we, after all those hours—I forget what hour in the morning it was—after all those votes, after all that debate and all that discussion, we came up with a budget and now we will not go to conference, why is that?

I will object to the modification the Senator from Kentucky just asked for in a moment, but I would first ask consent that the original request by the Senator from Washington include two motions: to instruct the conferees, one related to the debt limit, and one related to taxes. That is the way we

should do business in the Senate. It is instructions to the conferees.

The Senator from Washington may not like those instructions, but the fact is that is the way we do business, not require the conferees to take certain measures. If my colleagues on this side of the aisle think we are helping our cause as fiscal conservatives by blocking going to a conference on the budget—which every family in America has to be on because of certain requirements they demand—then we are not helping ourselves with the American people at all.

I will object to the modification proposed by the Senator from Kentucky.

I would first ask consent that the original request by the Senator from Washington include two motions to instruct the conferees: one related to the debt limit and one related to taxes.

The PRESIDING OFFICER. Is there objection to the request for further modification?

The Senator from Kentucky.

Mr. PAUL. Reserving the right to object, we are talking about two different issues. We have passed budgets year in and year out. We continue to pass budgets. Of course, the budgets on our side don't raise taxes; the budgets on the other side raise taxes by \$1 trillion. There are parliamentary rules for how we address separate issues such as the debt ceiling.

What we are concerned about, and all we are asking the opposition to do—including opposition within both parties to do—is that the debt ceiling vote be a separate vote and that it not be stuck in the dead of night in a conference committee with very few people, selected by very few people. We have a big party on our side that can include people with many different opinions, some who are very concerned about the debt ceiling and the direction of our country and some who are concerned very much about the debt, so much so that our resilience will not flag. We will maintain the position that throwing our country into further debt is wrong for the country. I think most Americans can understand that.

We are \$16 trillion in debt. We are passing this debt on to our children. It is inexcusable. Somebody must make a stand. Several of us are making a stand—not against a budget but in saying we cannot keep raising the debt ceiling; we cannot keep adding debt to our country. This burden is going to be passed on to our kids and grandkids. We are making a stand, and so I object to a modification.

The PRESIDING OFFICER. Objection is heard. Is there objection to the original request?

Mr. PAUL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maine.

Ms. COLLINS. Madam President, I just want to associate myself with the

comments of the Senator from Arizona. It is accurate that no one on our side of the aisle supported the final budget.

The fact is, for the first time in years, a budget was brought to the Senate floor. Senator MURRAY presided over a very open process with debate and with plenty of opportunity for amendments to be offered. There is simply no reason the very reasonable approach suggested by Senator McCAIN that would allow us to go to conference should not be adopted.

We have called repeatedly for a return to regular order in this body. Regular order is going to conference. Both the House and the Senate have passed budget resolutions, and it is important that there be a conference committee to work out the differences, which are considerable, so that we will have a framework with binding allocations for the Appropriations Committees.

Mr. McCAIN. Will the Senator yield for a question, just one question?

Ms. COLLINS. I yield to the Senator.

Mr. McCAIN. Isn't it true that the people with whom the conference would be held on the other side of the Capitol happen to be a majority of our party? So we don't trust the majority party on the other side of the aisle to come to conference and not hold to the fiscal discipline we want to see happen; isn't that a little bit bizarre?

Ms. COLLINS. It certainly is ironic at the least. It is an opportunity for the Republican House to argue for its budget.

I voted against the final version of the Senate budget, but I think we should go to conference and try to work out an agreement. The instructions suggested by the Senator from Arizona are entirely reasonable.

Let's get on with the process. Let's do what the American people expect us to do; that is, to negotiate a conference report that then would be brought back to both Houses for consideration. That is what I urge my colleagues to do.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I, of course, admire—and have for many years now—the chairman of the Budget Committee. She is a renowned Senator. She is very good at what she does. We are very proud of her.

We have just heard something that is unusual. We heard my friend from Arizona—the Senator and I came together to Congress some 30-odd years ago—and another outstanding Senator, Ms. COLLINS from Maine, come up with a novel idea. It is kind of old-fashioned, but it is called regular order.

What they are saying we should do is go to conference. We have had in years past many motions to instruct. That is the way we used to do things around here. To get off-base on a debt ceiling matter has nothing to do with what we are doing. Let's go to conference. I don't know if when we go to conference

we will get anything out of it, but we are sure going to try.

That is what this is all about. I can't imagine why after 2 months—after 2 months—we can't go to conference and work something out.

The Republican leader has told me for a couple of years: Why don't we do our appropriations bills? We have the former chair of the Appropriations Committee, who is now the ranking member on the Agriculture Committee, he knows as much as anyone here about financial matters. He is a man who is a humble man, doesn't talk a lot—and I don't want to speak for him—but I think everyone here wants this institution to continue, wants us to do regular order.

I have heard this hue and cry for quite some time on the other side. I admire and appreciate very much the Senator from Arizona instigating old-fashioned regular order, which we need to do in this body a lot.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Reserving the right to object.

Mr. REID. There is nothing to object to.

Mr. CRUZ. The issue before this body is not a budget. The issue before this body is not going to conference. The issue before this body is one thing in particular: It is the debt ceiling and whether the Senate will be able to raise the debt ceiling using a procedural back door that would allow only 51 votes.

My friend from Nevada, my friend from Washington State, both of them could go to conference on the budget right now today if they would simply agree this budget would not be used as a back door to use a procedural trick to raise the debt limit—not on 60 votes but on 50 votes.

I commend their candor, because neither one of them is willing to make that representation, and that is commendable. But I would point out that nothing in the budget we debated raised the debt ceiling. I would suggest the American people are not interested in procedural games. I think they are tired of games by the Democrats and tired of games by the Republicans. What they are interested in is leadership in this body to address the enormous fiscal and economic challenges facing this country.

Our national debt is nearly \$17 trillion. It is larger than the size of our entire economy. In the last 4 years our economy has grown 0.9 percent a year, with 23 million people struggling to find jobs. This body should be debating every day how we get the economy moving, how we get people back to work, how we stop our unsustainable debt. Instead of doing that, 2 weeks ago we spent a week voting to add \$23 billion in new taxes to small retailers online, creating an Internet sales tax—

going backwards, killing economic growth and killing jobs.

This issue is very simple: Will the Senate allow a procedural back door to raise the debt ceiling and doing so while not fixing any of the problems?

My friends on the Democratic side of the aisle believe we should raise the debt ceiling with no conditions, with no changes, with no spending reforms, with no progrowth reforms, with nothing to stop this unsustainable spending. The President likewise has said: Raise the debt ceiling with no conditions. That is why, I would submit, the majority leader is not willing to agree: No, this budget conference report will not be used to raise the debt ceiling, because it is precisely the hope to do so. This body may well vote to raise the debt ceiling. But if this body votes to raise the debt ceiling, we should do so after a fair and open debate, where the issue is considered and where the threshold is the traditional 60-vote threshold and we can address what I think is imperative—that we fix the problem.

When I travel across the State of Texas, men and women stop me all the time and say: Enough of the games. Go up there, roll up your sleeves, work with each other and fix the problem. Getting a new credit card—jacking up the debt ceiling—with no spending reforms, no structural reforms, no progrowth reforms is a mistake and it is the wrong path.

Mr. PAUL. Will the Senator yield for a question?

Mrs. BOXER. Will the Senator yield for a question?

Mr. CRUZ. I will be happy to yield.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Here is the problem. The people in my State are saying the same thing: Roll up your sleeves and attack the problems. Because, guess what. I remember when this budget was balanced, when Bill Clinton was President. It took literally a few months before George W. Bush gave a tax break and put it on the credit card, two wars on the credit card, and the debt was off and running.

But put that aside, we are where we are. Does my friend not think if we could get into a conference—and I know a lot of us here have been in tough conferences—that is where we would roll up our sleeves? I say PATTY MURRAY and PAUL RYAN are ready to roll up their sleeves and get to work. Why would my friend want to give instructions—of course, I would love to give instructions. I would like to give instructions the richest of Americans pay the same effective tax rate as their secretaries. I would love to do that. I would love to order that, but I wouldn't do that.

Let PATTY MURRAY and PAUL RYAN and the respective committees get in there, in an open process, and come

back. Doesn't my friend understand what he is calling for, when he says roll up your sleeves and get to work, is exactly what Senators MURRAY, MCCAIN, COLLINS, and lots of us want to do, those of us who believe we need to use regular order? Can my friend comment on that?

Mr. CRUZ. I thank my friend from California for that question. She may well be right, that one of the reasons spending is out of control is that we no longer have Bill Clinton as President and a Republican Congress. Instead we have President Obama who has expanded spending more than any other President in modern times.

Mrs. BOXER. The Senator skipped over George W. Bush, who caused the deficits. But let's not argue that.

Mr. CRUZ. I thank my friend from California, but I have been quite vocal that both Democrats and Republicans have contributed to getting us in this mess, and we need leadership from both parties to turn it around.

I would note in the question the Senator from California raised, she did not say one word about not raising the debt ceiling using 51 votes. And everything else about this debate is all smoke. It is all about one thing, which is do we give an unlimited credit card to the Federal Government to raise the debt ceiling \$1 trillion, \$2 trillion, \$5 trillion, \$10 trillion.

If the result of reconciliation was raising the debt ceiling \$10 trillion, it would come back—

Mr. PAUL. Will the Senator yield for a question?

Mrs. BOXER. Will the Senator yield for one more question? Then I will yield the floor.

Mr. CRUZ. I am happy to yield as soon as I finish this point. I will be happy to yield after that.

Mrs. BOXER. I thank my friend.

Mr. CRUZ. If we went to a conference committee and it came back on reconciliation to raise the debt ceiling by \$10 trillion, then under reconciliation rules, 51 Senators—only the Democrats—could vote to do so, and the Republicans would be utterly silenced from participating in anything there. It may well be—

Mrs. MURRAY. Will the Senator yield for a question? Does the Senator expect the House of Representatives, a Republican majority in the House of Representatives, would not participate in that vote?

Mr. CRUZ. What I expect is that each of us is obliged to carry out our responsibility to defend the interests of our States. I have 26 million Texans who I am not willing to go to and say, if they ask me: Why did you go along with the procedural game to raise the debt ceiling, to allow Republicans in the Senate to be shut out, to give up any ability to force progrowth reforms, to get jobs back, to get the economy back, to get people working, why did you give up—

Mrs. MURRAY. Madam President, will the Senator yield for a question?

Does the Senator expect he would not have a vote at the end of a day after a conference comes back from the House of Representatives?

Mr. CRUZ. We may well have a vote, but if we had a vote—

Mrs. MURRAY. And isn't that a democratic process?

Mr. CRUZ. The vote would be a 51-vote threshold, which would mean—and my friends on the Democratic side of the aisle have been very explicit that in their collective judgment the debt ceiling should be raised with no conditions. Given that—

Mrs. MURRAY. Can the Senator answer my question? Does the Senator from Texas understand the House of Representatives also would have to pass this? They are a Republican majority.

And, by the way, we are not talking about whether we should pay the bills this country is already obliged to pay. We are talking about putting a budget framework forward for the next 10 years. We had a terrific debate about that and the Senator from Texas participated in that and offered amendments. He had an opportunity to do that.

The House of Representatives did the exact same thing. At the end of the day, the way a legislative democratic process works is the two bodies come together and it will have to pass whatever our conference agrees to with a majority of Republicans in the House and a majority in the Senate with Democrats. That is going to be where the Senator from Texas will have an opportunity to say yes or no to a conference.

So I don't understand the Senator saying he would not participate. He has a vote. That is how the Senate works.

Mr. CRUZ. I appreciate the efforts of my friend from Washington to defend the prerogative of the Republican House. What I would suggest is that each of us has a responsibility to our States.

Mrs. MURRAY. With your vote.

Mr. CRUZ. With our vote, but also to defend the ability to have our vote matter, to have it make a difference. Because if this procedural trick is allowed to go forward, what it would mean—this fight right now is the fight over the debt ceiling. Because what it would mean, if we go to a conference committee, as sure as night follows day, we would find ourselves in a month or two with a debt ceiling increase coming back and the Democrats in this body voting to raise the debt ceiling with no conditions whatsoever, which is what the President has asked for.

Mrs. BOXER. Will the Senator yield for a question? And I thank him so much.

Listen, let's cut through what is happening and tell me where I am wrong,

and I would respect the Senator's answer. The Senator represents a lot of folks, I represent 38 million, so we are two big States and we owe a lot to our people. That is for sure. What is happening here today is very clear. The Republicans, except for Senator MCCAIN and Senator COLLINS, who were here, are stopping us—this Nation—from having a budget, and they are saying their reason is that something might happen in the conference. Well, that is not the way we work in a democracy. Anything can happen at any moment.

Let's get into that conference. PAUL RYAN has a budget that I think is apocalyptic and that the Senator from Texas may well support. PATTY MURRAY has a budget that the Senator probably thinks is apocalyptic. They want to get into that conference and they want to work together. That is called democracy.

I will close with this and ask my friend to respond. Ronald Reagan supported raising the debt ceiling about 18 times. He put out a number of statements that were totally counter to my friend's. Ronald Reagan said—and I am paraphrasing, and I will get the exact quote and put it in the RECORD, as I have done in the past—even thinking about defaulting on the government's bills is enough to send shock waves through the country.

The last time the Republicans played that game it cost us \$19 billion. We cannot afford that. My friends say they are conservatives, but they are leading us down that road. I beg them to think about what they are doing. I beg them to have faith and trust in this democracy. I beg them to let the people who are very responsible in the House and in the Senate, who are on different wavelengths when it comes to this budget, get to work. And to quote my friend, let them get to the place where they can roll up their sleeves and get the job done.

I think by my friend's continuing presence to stop us from having a budget, he is doing a great disservice not only to this country but to his party.

That is it for me.

Mr. PAUL. Will the Senator yield for a question?

Mr. CRUZ. I will be glad to yield.

Mr. PAUL. This is a debate, and it is a good debate, because it is a debate about the debt ceiling. I am actually in favor of allowing the debt ceiling to go up under certain conditions where we reform things. I think it is unconscionable not to do anything, to simply say: Here is a blank check, keep doing what you have been doing.

We are running the country into the ground. We are borrowing \$40,000 a second. Should we not talk about reform in the process? Many of us supported last time around raising the debt ceiling in exchange for a balanced budget amendment. Seventy-five to 80 percent

of the public thinks we should balance our budget. They have to, why shouldn't we?

I would ask the Senator: Is he not hearing from his people at home that the debt ceiling should not be done in secret, that it should be done, and if it is going to be done, it should be attached to significant budgetary reform?

Mr. CRUZ. I thank my friend from Kentucky, and that is exactly what I am hearing from men and women throughout Texas.

I would note for the Senator from California and the Senator from Washington that I respect the sincerity of their beliefs, that they genuinely believe the Democratic budget passed by this body is the proper course for this country; that the proper course is to raise taxes yet another \$1 trillion on top of the \$1.7 trillion that taxes have already increased. They genuinely believe the proper course is never to balance the budget and allow massive deficits to extend into perpetuity.

I respect the sincerity of their views, but at the same time I believe those views are inconsistent with the best interests of this country; that the best interests of this country are to restore economic growth, are to get back to historic levels of growth that allow small businesses to thrive and, in particular, allow the most vulnerable among us to work and to achieve the American dream.

In the last 4 years, under President Obama, we have had 4 consecutive years of less than 1 percent average growth in the economy. I refer to this period as the "great stagnation." The people who have been hurt the most during the great stagnation have been young people, have been Hispanics, African Americans, and single moms. Right now, if we look at unemployment, unemployment for those without a high school degree is over 11 percent, for Hispanics it is nearly 10 percent, for African Americans it is nearly 14 percent, and for young people it is over 25 percent.

When this country has massive spending, massive debt, massive regulation, and massive taxes, the result is that small businesses are strangled and die, and the people who lose their jobs are the single moms who are struggling to provide for their kids at home, like so many moms now seeing their hours forcibly reduced to 29 hours a week because of the burdens of ObamaCare. I believe we have an obligation to the American people to focus every day on turning the economy around, on getting jobs back, and stopping our unsustainable debt.

My friend from California made reference to the prospect of a default. I absolutely agree the United States should never, ever, ever default on its debt, and that is the reason why I strongly support the legislation intro-

duced by the Senator from Pennsylvania, PAT TOOMEY, the Default Prevention Act, which says: In the event the debt ceiling is not raised, the United States will always pay its debts, pay the interest on its debts, so we never default.

I would note my friends on the other side of the aisle right now could join together in taking default off the table entirely.

(Several Senators addressed the Chair.)

Mrs. MURRAY. I ask the Senator to yield for one final question. I know they want to keep talking.

Mr. CRUZ. I am happy to yield to the Senator from Washington.

Mrs. MURRAY. The irony of this is really astounding. By objecting to us going to conference, the Senate Republicans who are objecting are actually putting us right in the position of being in the place where the debt ceiling, by virtue of timing, will have to—may be part of the budget conference because the House of Representatives wants to appoint conferees and have a budget done fairly quickly once they appoint conferees because they have told us they do not want to go through a series of votes as we all did. I think it is 20 days. If my colleagues object to going to conference at this point—

The PRESIDING OFFICER. Now 5:30 having arrived—

Mrs. MURRAY. I ask for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. By objecting to going to conference right now, what Senate Republicans who are objecting are doing is pushing us to a place where the debt limit, by virtue of timing, may be a part of the discussion. I ask the Senators to think about what they are doing by their objection, in forcing us into that position, and suggest that by allowing us to go to conference—we will have a better chance of not—

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. The hour of 5:30 having arrived, the Chair recognizes the Senator from Michigan.

AMENDMENT NO. 998

Ms. STABENOW. I call for regular order.

The PRESIDING OFFICER. S. 954 is the pending business.

Ms. STABENOW. On behalf of Senator LEAHY, I call up amendment No. 998.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [MS. STABENOW], for Mr. LEAHY, proposes an amendment numbered 998.

Ms. STABENOW. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

Ms. STABENOW. Madam President, we have made great progress today. I thank colleagues for their work today bringing forth amendments. We will continue to work with Members as we go forward tomorrow, putting together a number of votes to bring before the body. We are working hard to do everything possible to complete this legislation by the end of the week. I think we are on a good track.

I announce on behalf of the two leaders that there will be no more votes this evening.

MORNING BUSINESS

Ms. STABENOW. I ask unanimous consent that the Senate proceed to a period of morning business until 6:30, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

TRAGEDY IN OKLAHOMA

Ms. LANDRIEU. Madam President, I really appreciate the hard work of the Senators from Michigan and Mississippi, moving a farm bill through the Senate. It is one of the most important bills we will take up this year. Action on this bill is long overdue. I am very hopeful we can continue to make progress and produce a bill that is excellent for every region of our country. Of course, representing the South, we always like to have special attention given to our agricultural needs. The Senator from Michigan certainly has been attuned to the farmers in rural communities in Louisiana. We appreciate her leadership.

I come to the floor today, though, just for a few moments to speak about the tragedy unfolding in Oklahoma, in Moore, OK, a city that was devastated—portions of the city in the suburban areas—by a horrible tornado, one of the largest to hit our Nation in quite some time. While I do not know all of the details, I understand that it was a very high level tornado that stayed on the ground for almost 40 minutes. This was miles wide and created a terrible path of destruction. There are, of course, adults and children who lost their lives. Recovery and rescue is still underway as I speak. I am certain that the delegations—both the Senate and House Members from Oklahoma—are doing everything they can, working with the Governor and local officials, to provide as much support as they will need.

I come to the floor as the chair of the Subcommittee on Homeland Security and I come to the floor as a Senator

who unfortunately has had a lot of experience in disasters to say how proud I am that there is about \$11 billion available, without the requirement or necessity of an offset, for the people of Oklahoma. This was a battle that was fought over a year ago, led by Senator HARRY REID and me and others. This arrangement was made in the Budget Control Act so that there would be a significant pot of money set aside in the event that disasters such as this happened, whether it was a tornado or an earthquake or a fire or a flood. It has happened again.

We don't know exactly when these disasters are going to happen. We don't know the exact nature of them. But we most certainly know from past experience and everything that our science tells us about the changes in the atmosphere that they are going to happen and that they are likely going to get worse. That is why I have been very focused on this issue.

I am proud of this Senate, Republicans and Democrats, but I am very proud of the support of the Democratic leaders on this bill to say now is not the time—not this afternoon, not tomorrow morning, not Friday, not Monday—to be debating offsets for victims of the Oklahoma tornado. After a disaster, our citizens do not need or want a debate on funding. What they want is help, and they are going to get it from the committee I chair.

Our people suffered so much in Katrina, Rita, and Gustav. I have watched the east coast have to recover from Irene and from Sandy. I have seen horrible tornadoes in Missouri. The last thing people want when they are digging their loved ones out of rubble and preparing, unfortunately, for funerals that are going to have to occur after what happened—the last thing they want to see Congress do is debate about how and when we are going to pay for this disaster. We are going to send them the money they need to recover.

I want to say this to Senator COBURN, my good friend who is not on the floor—I do respect his consistency on this issue. Even when a tornado hit his State, he is still calling for offsets. He has been consistent, but in my view he has been consistently wrong. There will be no offsets. There is no need for offsets. I will not support offsets. The majority of Democrats, if not the entire Democratic caucus, will not support offsets for Americans in need in disasters. What we are going to do is support appropriate help and sufficient help for them.

Let me say for the record that because of the Sandy supplemental—which I also fought for with my colleagues from the Northeast—we were able to put some reforms in that bill. It was not just “send the money and do what you will with it.” We sent money to the Northeast. We also sent them

new tools in a bigger, stronger toolbox to help them with a better recovery.

We have a lot more to do in the Northeast. That is a subject for another day. I realize they are in lots of difficulty. But we did send some new tools that will help, even with Oklahoma.

First, we sent them the ability to quickly establish mutually agreed upon estimates for project costs. That has been a real problem with recovery in the past, with local governments arguing one thing, the Feds offering something else. We now have a better, quicker process to agree on what the project costs to get it built more quickly. The project cost will be validated by an independent panel of experts protecting the taxpayer, which is important. Applicants are now allowed to consolidate projects in a common-sense way to build back smarter, reducing future recovery costs.

Most important for this disaster—we fought hard for this in Sandy—finally, there are some provisions in the recovery bill that will allow children to be the center of attention. Sadly, we have lost some children in this disaster. Sadly, many children were injured and probably thousands of children have been traumatized. But because of the new bill we passed under Sandy, there are some provisions to help.

In addition, families can receive daycare now through their supplemental, so the parents who are going to have to figure out a way to get back to work and rebuild their businesses and their communities and their houses can have some additional Federal childcare, which will help.

In addition, I think there are going to be more counselors on the ground helping children than in past disasters.

I see colleagues on the floor, so let me finish quickly.

We have implemented an automated family reunification database to ensure children are returned to parents. This is a relatively small place, well known. We do not believe there are any children whose whereabouts are unknown to their parents. All of the statistics, however, are not in of people missing, et cetera. But there are provisions right now at work with FEMA helping with family reunification. Coordinators are already on the ground specialized in looking out for the specific needs of children in disasters. I thank the coalition that worked with me for years to put that into place.

Again, there will be no offset. There is no reason to need an offset. We have the \$11 billion, thanks to the good work of many people in this Chamber and on the other side of this Capitol, to provide this funding for these disasters. I know FEMA is on the ground. They will do the best they can.

In this case, with tornado insurance, which is carried by many people in this area—I am doing a little bit more re-

search into whether it is mandatory or voluntary—with a combination of local help and State help and Federal help and private insurance and, of course, the great spirit of voluntarism, I am confident that after we finish this very sad recovery and shock this community is going through, that we will be able to help them build a stronger and more vibrant community of Moore, OK, in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

BUDGET CONFERENCE

Mr. LEE. Madam President, earlier today we were asked to give our consent to go to conference on the budget resolution. This is an important matter because we have now gone more than 4 years without a budget. This has been of great concern to many of us. I do not think there is one Member of this body who would not want Congress to pass a budget this year. We would like to see that happen. We need that.

We do, however, have a concern—some of us—with the request that we go to conference without certain assurances. Most important, we want a very simple assurance that any conference report that results from this conference will not be used to raise the debt limit. The reason for this is simple. This is an important matter. At a time when we have racked up about \$17 trillion in debt, we want some assurances that this important decision will be made under the regular order of the Senate; that the normal rules of the Senate will apply; that this will not be negotiated behind closed doors in a backroom deal. The American people deserve more. They demand more.

Those who may have questioned our motives in connection with this, I ask them a very simple question: Will you give us an assurance that you are not going to use the conference report to raise the debt limit? If they can answer that question to our satisfaction, if they can simply give me an assurance that is not what they are going to use it for, then I will gladly give my consent. So I invite that to be the topic of discussion.

All this begs the question. Why would they not give that assurance? What on Earth is wrong with the regular order? What on Earth is wrong with giving an assurance that, in connection with a conference report on a budget resolution, they would not be willing to say: If we are going to raise the debt limit, we are going to do it under the regular order.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I was going to talk about the tornadoes, but I will take a moment to respond to my colleague from Utah.

There are Members objecting to going to regular order on the budget,

and he is one of them. The Senator from Utah himself is objecting to regular order, which would allow us to go to conference on the budget. He was one of the critics when he was running for office. He made numerous statements while he was on his way to becoming a Senator by saying that the Senate and the House needed to have a budget.

Well, the House has passed a budget, the Senate has passed a budget. Yet the Senator from Utah is the one—along with the Senator from Kentucky, and I understand earlier today, the Senator from Arizona, Senator MCCAIN—objecting to going to conference to resolve the differences.

I know the Senator from Utah has read the Constitution, just as I have. The Constitution and the laws that created the Senate of the United States give great strength to the minority—and he is in the minority. However, nowhere in the Constitution does it say one Senator from one State has the right to write the rules and laws for the whole country. I read it lots of times, and I have never seen that. Evidently that is what the Senator from Utah wants. He said if we would just do what he wants, we could proceed.

Well, I have news for him and the Senators who are objecting. It is not about what they individually want. It is collectively what we want. We represent all the people of our country: Republicans, Democrats, conservatives, and liberals.

For 4 years this same group yelled and screamed about not having a budget. Now that we have a budget, they are yelling and screaming that they don't want to work out the differences. I honestly don't know how to please colleagues like this. We had to literally listen to them ranting and raving for years about how we didn't have a budget. We worked extra hard. At the time we said—and I was one of them—that technically they're right, we did not have a budget. As the Presiding Officer knows, we had something that was stronger than a budget. We had spending limits that had the real teeth of law.

What people might not realize is budgets are aspirations. Just as when someone does a budget at home, they can say: My budget this year is going to be set at \$25,000. It is an aspiration. They might spend a little more or a little less. There is no mechanism for control; it is just an outline, and that is important.

We thought what we had, as the Democratic leadership, is better than a budget. We had actual spending controls, but that wasn't enough for the Republicans. They knew we had spending controls, but they still went on "Fox News" and everywhere else explaining to people that we had no budget and inferred there were no controls. And that is patently false. We had

spending controls. We have spending controls now. We have spending limits which are agreed to by Republicans and Democrats, except there are a handful of Republicans who don't agree with those limits. They decided because they represent half of four States that they want their way or the highway, and now the whole Congress cannot go to a conference on a budget.

I don't understand this. I understand minority rights need to be protected. I understand it is important to make sure everyone's voice is heard. I understand everybody cannot get everything they want. I don't understand when my colleagues—the Senator from Utah, the Senator from Kentucky, and the Senator from Arizona—say: No, we can't go to a conference to work out the differences on the budget so the United States can move more quickly to a balanced budget. They have complained year after year that we didn't have a budget. It is the height of hypocrisy, and their position is completely unexplainable and unacceptable.

I am glad I was on the floor. I came to talk about the tornado, but I am glad I had a chance to make a statement for the RECORD about why not many—but there are a few—Republican leaders have stopped the entire budget process until they get their way exactly the way they want it. That is not the way our government works. We don't have kings anymore. We don't have dictators anymore. We don't have people with special powers. We are all humans, and we are all on equal footing. We are all elected to represent our constituents. No one in this Chamber is entitled to write the budget exactly the way they want it.

If I wanted to do something, I could say just as easily as he could: Well, I am going to object unless you promise me that X, Y, and Z are going to be in the budget. I could say that, as could the Senators who sit next to me, Senator SANDERS and Senator CARPER. Every Senator could say that. We all have things which are very important to us and our constituency, but if we act like that and we don't act in a mature and sensible way, we will never get anything done, and that is where we are now.

We have a handful of Republican Senators—maybe less than five, I don't know—who are objecting every day so we cannot take our budget to conference and have it reconciled. They have yelled at everybody for 4 years about how we didn't have a budget.

The only way we are going to get a budget is to go to conference, have regular order, and work out the differences in a public meeting with public votes. It cannot happen behind closed doors or in some back room somewhere. It has to take place in a public meeting, during a conference so we can talk about what programs or what levels of funding should be re-

duced, such as what revenues could potentially be raised. Then, according to our process, those directions are given to appropriations committees. At that point we can do our work on building an appropriation for defense, building an appropriation for education, building an appropriation for health, and for our veterans.

If we don't have a budget, we cannot even go to regular order on appropriations. As an appropriator, it is getting frustrating around here to not be able to go to a regular appropriations meeting and sit down as we used to do before this new crew showed up and talked about meeting our budget caps and how we wanted to allocate the taxpayer money in a public, open meeting instead of cramming things in an omnibus bill and doing deals in the middle of the night.

If they would let us get back to regular order and do the people's business, I promise that the people of Utah would be happy, the people of Arizona would be happy, and the people of Kentucky would be happy. They want us to get back to regular order so we can try to negotiate a budget that the majority—and not even the regular majority. We have to have 60 votes to do anything around here. Before a conference committee can come back, there has to be a broad understanding of what was going to be in that conference.

I have one final argument. I could understand a little trepidation on the part of the minority if they were not in control of the House, but the Republicans have control of the House, and the Democrats have control of the Senate. I mean, I could understand their concern if one party had the majority in both the Senate and the House. They might be concerned that what comes out of conference could get rammed down and the minority could be caught off balance. The minority controls the House. This is as fair a fight as they are going to have with one party controlling one and one party controlling the other.

Yes, the President is a Democrat, but he has indicated what I think is very open-minded support for entitlement reform when it is appropriate and additional revenues that are being raised. The President has not put any particular line in the sand that I am aware of. He has been quite reasonable, but he cannot sign a budget unless we can get it to his desk.

We have three or four Senators, if they can't get it exactly the way they want it, who are going to hold up everything. I don't think that is what the American people want, and I am disappointed in our colleagues.

I yield the floor.

TRIBUTE TO MARIE C. JOHNS

Ms. LANDRIEU. Madam President, next Friday, May 31, is my friend's—

Marie C. Johns—last day as the Deputy Administrator of the U.S. Small Business Administration. She has served the SBA and our country's small businesses with distinction since 2010, and I will miss working with her.

Her appointment to serve as the Deputy Administrator came at a critical time for U.S. small businesses, when the economy was recovering from the worst economic downturn since the Great Depression. The SBA needed great leadership, and she brought to the agency an impressive family history of entrepreneurship and professional accomplishments.

As she said during her confirmation hearing on May 19, 2010, “the spirit of entrepreneurship has been at the core of my professional and personal life.” She described the landscaping business her grandfather owned in Indianapolis, IN. And then later, after her uncle earned his degree in pharmacy at Howard University, her grandfather built a community pharmacy so that her uncle could practice as a pharmacist and serve the African-American community in Indianapolis. Marie built her own career in DC, starting as a first-level manager in telecommunications and retiring as the president of Verizon DC. During her 20 years in communications, she held numerous leadership positions, helping small businesses and entrepreneurs. To name just one, she served as the chair of the Small Business Committee for the DC Chamber of Commerce, helping small businesses obtain technical assistance and mentoring from larger firms.

During her time as the SBA Deputy Administrator, Marie and I have enjoyed a strong working relationship, which has allowed us, alongside Administrator Karen Mills, to achieve a number of substantial accomplishments. Most significantly, we passed the landmark Small Business Jobs Act of 2010 that provided billions of dollars of loans and investment capital to America's entrepreneurs. In 2011 and 2012, the SBA issued its first and second rounds of State Trade and Export Promotion, STEP, grants to 47 States and four territories. These STEP grants have maximized the Federal, State, and local resources to help small businesses export, which in turn has contributed to both business growth and job creation. And finally, we persevered and improved the women's contracting program to put women-owned small businesses on the same playing field with other contracting programs so that contracts to women are no longer capped at artificially low amounts. Recently, on May 8, marking her last time to testify before the Senate Small Business Committee, Marie testified on the important issue of minority women entrepreneurs and how essential they are to the larger economy. The testimony from that hearing was moving and educational and helped raise

awareness of this growing segment of job creators.

It has been an honor to work with Marie to provide help and support to the more than 28 million small businesses in this country. During her tenure, the SBA became a more effective Federal champion of small businesses by assisting these businesses to secure financing, technical assistance, training, and Federal contracts.

Ms. Johns now leaves the SBA with a strong performance record. This Nation's small businesses are in a better position because of her work. Her dedication to the improvement of the health of small businesses in the United States will always be appreciated. I thank her for her work and wish her well as she returns to her many civic duties.

RETIREMENT OF ADMIRAL JAMES STAVRIDIS

Mr. MCCAIN. Madam President, today I honor a superb leader, scholar, and warrior. After a lifetime of service to our Nation, ADM James G. Stavridis is retiring from the U.S. Navy and his position as Commander of the United States European Command. On this occasion, I believe it is fitting to recognize Admiral Stavridis' years of distinguished uniformed service to our Nation.

The admiral is a 1976 distinguished graduate of the U.S. Naval Academy. He has led at every level from command-at-sea to theater command. Admiral Stavridis has also served as a strategic planner for the Chief of Naval Operations and the Chairman of the Joint Chiefs of Staff, and as the senior military assistant to the Secretary of Defense. Prior to assuming command of the United States European Command, he commanded the U.S. Southern Command, focused on Latin America and the Caribbean. Admiral Stavridis assumed command of European Command on June 30, 2009, the first naval officer to hold this command.

Admiral Stavridis' contributions to scholarship are also notable. He has graduated with distinction from the Naval Academy, the Naval War College, the National War College, and the Fletcher School at Tufts University, where he earned a doctorate of philosophy in international relations. He has been frequently published by many publications, including Foreign Affairs, and the United States Naval Institute's Proceedings. Admiral Stavridis was even featured in a 2012 TED Global where he spoke about the future of global security.

His leadership has been consistently recognized formally and informally, to include the Battenberg Cup for the top ship in the Atlantic Fleet, and the John Paul Jones Award for inspirational leadership. Admiral Stavridis'

impact on the sailors and the fleet has been indelible. He is the author or co-author of seminal works on naval leadership, including “Command At Sea.” His impact on soldiers, sailors, airmen, and marines will continue well into the future.

Our Navy and our Nation will feel his absence. I join many past and present members of the Senate Armed Services Committee in my gratitude to ADM James Stavridis for his outstanding leadership and his unwavering support of servicemembers. I wish him and his wife Laura “fair winds and following seas.”

REMEMBERING DR. ELBERT B. SMITH

Mr. HARKIN. Madam President, with the recent death of Dr. Elbert B. Smith—known to his friends simply as “E.B.”—I lost a much beloved mentor, advisor, and friend.

Obituaries in the Washington Post and elsewhere have captured the essential facts of his life. Since 1990, he was professor emeritus at the University of Maryland. He served in the Navy in World War II, earned his master's degree and Ph.D. at the University of Chicago, and taught at Iowa State University, among other colleges, before joining the faculty at Maryland in 1968. Over the years, he also served as a Fulbright professor at the University of Tokyo and at Moscow State University, and elsewhere. He ran unsuccessfully for the U.S. Senate as a Democrat in Iowa in 1962 and again in 1966.

What those factual obituaries fail to capture is the spirit of this remarkable man—his personal warmth, his talent for friendship, his great love of history and scholarship, and his passion for progressive causes.

He was one of the most influential people in my life, beginning in my years as an undergraduate at Iowa State University, where he was a history professor. He inspired me to get involved in politics and public service. When he ran for the U.S. Senate in 1962, I got involved in his campaign. And what a campaign it was—an unconventional, insurgent, student-run campaign against the status quo. This was 6 years before Senator Eugene McCarthy ran a similar campaign for President.

While working on his campaign, I was also president of Young Democrats at Iowa State, and we had just passed a resolution urging the admission of Communist China to the United Nations. Of course, this could have been an embarrassment to the Smith campaign. But to his great credit, E.B. said: “That is your call, Tom, stick to your guns, I'll stand by you.” That is the kind of principled person he was.

During the campaign, E.B. went to Washington to have his endorsement

photograph taken with President Kennedy. There is a picture of E.B. presenting JFK with a copy of his scholarly biography of Senator Thomas Hart Benton, titled "Magnificent Missourian." The reason E.B. chose this gift, of course, was that Thomas Hart Benton was one of the eight Senators that Kennedy included in his book "Profiles in Courage."

E.B. lost that 1962 election, but only very narrowly, against the longtime incumbent Senator Bourke B. Hickenlooper. But that campaign was revealing of the kind of man he was: a straight-shooter, a person of great integrity, serious but with a sense of humor, a fighter for the little guy, standing up for civil rights and economic justice.

Fast forward a decade. In 1972, I was fresh out of law school. Ruth and I moved back to Ames, and, frankly, we were flat broke. E.B. allowed us to live rent free in a house that he owned in Ames. With that house as campaign headquarters, I ran for Congress again in 1972, with a student-run, insurgent campaign modeled after E.B.'s 1962 effort. I lost, but we did well enough to run again in 1974, and win.

When I arrived in Washington in late 1974 as a newly elected Representative, E.B. and his wife Jean were living in College Park, where he was teaching at the University of Maryland. My wife Ruth was serving then as Story County attorney, and had to stay back in Iowa. The Smiths generously allowed me to live with them for the next 3 years. I commuted back to Iowa on weekends.

From his days in the Navy, E.B. loved to sail and was an expert sailor. Many a time he took me out on the Chesapeake Bay on his boat. I always felt that he liked it best when the weather was cold and foul, with the rain pouring down. The rest of us would be huddled down below, and E.B. would be up top, steering the boat, having a great time. It reminded him fondly of his days as a Navy deck officer in the Atlantic during the war. Over the decades during my time here in Washington, one of my great joys has been my sailing outings with E.B.

Of course, the other great joy of E.B.'s life was Jean, his wife of 58 years, their five children, nine grandchildren, and eight great-grandchildren. After Jean died in 2002, E.B. found another wonderful partner—coincidentally, also named Jean—who filled his last years with much happiness.

E.B. Smith was a dear friend and an invaluable mentor. He imbued me with the ideal that politics and public service are honorable callings. He always said to me: Don't worry about losing, do what is right, stick up for your principles.

I feel truly blessed to have had the friendship and counsel of E.B. Smith for so many years. He touched not only

my life, but the lives of so many others all across the globe. He died one day short of his 93rd birthday, after a full, active, and accomplished life. Through his scholarship, generosity, and simple human decency, he made the world a better place.

ADDITIONAL STATEMENTS

OBSERVING POLYNESIAN FLAG DAY

• Mr. BEGICH. Madam President, I would like to take the time to recognize Polynesian Flag Day. This day commemorates the first raising of the American Flag on the Tutuila Island in American Samoa by the United States Navy on April 17, 1900.

An annual Polynesian Flag Day event was established to bring Polynesian elders, children families, friends, and communities together across Alaska to celebrate, respect, and share their culture and history together. Polynesian Flag Day is a time to recognize the Polynesian community's years of nationality, freedom, and honor, and to commend the service of Polynesian Americans who have fought and are fighting for the freedoms that we all hold dear.

This year marks the 8th Annual Polynesian Flag Day celebration in Alaska, highlighting a proud cultural exchange between Alaska and the Polynesian Islands. The Polynesian Association of Alaska promotes community building, fosters leadership skills for Alaskan youth, and helps cultivate an exchange of ideas and respect between elders and youth, further strengthening our communities.

I join the Alaska Polynesian community in celebrating the 8th Annual Polynesian Flag Day in Alaska.

Thank you for allowing me to take a moment to recognize this year's Polynesian Flag Day. •

TRIBUTE TO JOSEPH CARTER CORBIN

• Mr. PRYOR. Madam President, it is with the greatest pleasure that I wish to pay tribute to Professor Joseph Carter Corbin, founder and first president of the University of Arkansas at Pine Bluff.

Joseph Carter Corbin, an African-American educator, was born in 1833 in the town of Chillicothe, OH, to free parents, William and Susan Corbin. After earning two master's degrees from Ohio University, Joseph Corbin moved his family to Little Rock, AR in 1872, where he worked as a reporter for the Arkansas Republican.

Corbin quickly became a leader and strong advocate for public education in Arkansas. Within a year of moving to Little Rock, he was elected State superintendent of public instruction, be-

coming the highest elected African-American official in Arkansas during Reconstruction. As State superintendent, he signed the contract for construction of University Hall, which would become the first building at the University of Arkansas and known today as Old Main.

Joseph Corbin was instrumental in the adoption of legislation in the Arkansas State Assembly to establish Branch Normal College, the first African-American institution of higher education in Arkansas. He was appointed the first president of Branch Normal College in 1875, a position he would hold until his retirement in 1902.

Professor Corbin died on January 11, 1911, in Pine Bluff, AR. His dedication to improving education standards and higher learning in Arkansas continues to have a positive impact on our State. The University of Arkansas at Pine Bluff currently enrolls more than 3,100 students in undergraduate and postgraduate programs and continues to be one of Arkansas's premiere colleges. Arkansas has been fortunate to have had an educator of the caliber of Joseph Carter Corbin. •

MESSAGE FROM THE HOUSE

At 12:35 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 258. An act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

H.R. 1073. An act to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1073. An act to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 45. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

S. 1003. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 1004. A bill to permit voluntary economic activity.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-1549. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Dual and Multiple Associations of Persons Associated with Swap Dealers, Major Swap Participants and Other Commission Registrants" (RIN3038-AD66) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1550. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Streptomycin; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9385-3) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1551. A communication from the Chairman of the Nuclear Weapons Council, transmitting, pursuant to law, a report relative to the President's budget requests for the National Nuclear Security Administration for fiscal year 2014; to the Committee on Armed Services.

EC-1552. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2014; to the Committee on Armed Services.

EC-1553. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13405 of June 16, 2006, with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC-1554. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-1555. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report relative to material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings for the period of January 1, 2012 through December 31, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-1556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Heavy-Duty Engine and Vehicle, and Nonroad Technical Amendments" (FRL No. 9772-3) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Environment and Public Works.

EC-1557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; State Implementation Plan Miscellaneous Revisions" (FRL No. 9813-8) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Environment and Public Works.

EC-1558. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Transportation Conformity Revisions" (FRL No. 9814-5) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Environment and Public Works.

EC-1559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Revisions to Volatile Organic Compound Definition" (FRL No. 9814-3) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Environment and Public Works.

EC-1560. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "State Medicaid Fraud Control Units; Data Mining" (42 CFR Parts 1007.1, 1007.17, 1007.19 (e)(2)) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Finance.

EC-1561. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-057, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1562. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC-1563. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Immigrants Under the Immigration and Nationality Act, as Amended" (RIN1400-AC86) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Foreign Relations.

EC-1564. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to loan guarantees to Israel; to the Committee on Foreign Relations.

EC-1565. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0074-2013-0083); to the Committee on Foreign Relations.

EC-1566. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1567. A communication from the Deputy Assistant Administrator, Office of Diver-

sion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Temporary Placement of Three Synthetic Cannabinoids Into Schedule I" (Docket No. DEA-373) received in the Office of the President of the Senate on May 16, 2013; to the Committee on the Judiciary.

EC-1568. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Tentative Eligibility Determinations; Presumptive Eligibility for Psychosis and Other Mental Illness" (RIN2900-AN87) received in the Office of the President of the Senate on May 15, 2013; to the Committee on Veterans' Affairs.

EC-1569. A communication from the Deputy Chief of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of Section 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; et. al" (FCC 13-57) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1570. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund, High-Cost Universal Service Report" ((RIN3060-AF85) (DA 13-807)) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1571. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Telecommunications Carriers Eligible for Support; Lifeline and Link Up Reform" ((RIN3060-AF85) (FCC 13-44)) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1572. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund" ((RIN3060-AJ92) (DA 13-598)) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1573. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management; Framework Adjustment 50" (RIN0648-BC97) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1574. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures for the 2013 Tribal and Non-Tribal Fisheries for Pacific Whiting" (RIN0648-BC93) received in the Office of the

President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1575. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2013 and 2014 Atlantic Bluefish Specifications" (RIN0648-XC432) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1576. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 48" (RIN0648-BC27) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1577. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC581) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 330. A bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN (for herself and Mrs. FISCHER):

S. 992. A bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes; to the Committee on Armed Services.

By Mr. CORNYN:

S. 993. A bill to authorize and request the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself and Mr. PORTMAN):

S. 994. A bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOZMAN (for himself and Mr. DONNELLY):

S. 995. A bill to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 996. A bill to improve the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MIKULSKI (for herself, Mr. CARDIN, and Ms. STABENOW):

S. 997. A bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 998. A bill to amend the Older Americans Act of 1965 to establish a Home Care Consumer Bill of Rights, to establish State Home Care Ombudsman Programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mr. KIRK, Ms. MIKULSKI, and Mr. NELSON):

S. 999. A bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 1000. A bill to require the Director of the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. KIRK, Mr. CRUZ, Mr. BLUNT, Mr. ROBERTS, Mr. CHAMBLISS, Mr. RISCH, Mr. COATS, Mr. GRAHAM, Mr. WICKER, Mrs. FISCHER, Mr. BOOZMAN, Mr. CRAPO, Mr. ISAKSON, Mr. HOEVEN, Mr. RUBIO, and Mr. VITTER):

S. 1001. A bill to impose sanctions with respect to the Government of Iran; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself and Mr. ISAKSON):

S. 1002. A bill to enable Federal and State chartered banks and thrifts to meet the credit needs of home builders in the United States, and to provide liquidity and ensure stable credit in order to meet the need for new homes in the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COBURN (for himself, Mr. BURR, Mr. ALEXANDER, and Mr. ISAKSON):

S. 1003. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans; read the first time.

By Mr. PAUL:

S. 1004. A bill to permit voluntary economic activity; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HAGAN:

S. Res. 150. A resolution to designate the year 2013 as the "International Year of Statistics"; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. MCCAIN, and Mr. MENENDEZ):

S. Res. 151. A resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 287

At the request of Mr. BEGICH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 287, a bill to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 309

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 351

At the request of Mr. CORNYN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 403

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 420

At the request of Mr. ENZI, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 450

At the request of Mr. SHELBY, the name of the Senator from Texas (Mr.

CORNYN) was added as a cosponsor of S. 450, a bill to require enhanced economic analysis and justification of regulations proposed by certain Federal banking, housing, securities, and commodity regulators, and for other purposes.

S. 453

At the request of Mrs. HAGAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 453, a bill to require that certain Federal job training and career education programs give priority to programs that lead to an industry-recognized and nationally portable credential.

S. 462

At the request of Mrs. BOXER, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 475

At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 475, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 501

At the request of Mr. SCHUMER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 577

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 650, a bill to amend title XXVII of the

Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 674

At the request of Mr. HELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 754

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 754, a bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops.

S. 772

At the request of Mr. NELSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 772, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 774

At the request of Mr. BEGICH, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oregon (Mr. MERKLEY), the Senator from Minnesota (Mr. FRANKEN), the Senator from Wyoming (Mr. ENZI) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 774, a bill to require the Comptroller General of the United States to submit a report to Congress on the effectiveness of the Federal Communications Commission's universal service reforms.

S. 809

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 809, a bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contain genetically engineered ingredients be labeled accordingly.

S. 833

At the request of Mrs. MURRAY, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of S. 833, a bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 892

At the request of Mr. KIRK, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 895

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 895, a bill to improve the ability of the Food and Drug Administration to study the use of antimicrobial drugs in food-producing animals.

S. 919

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 919, a bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

S. 942

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 946

At the request of Mr. WICKER, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 946, a bill to prohibit taxpayer funded abortions, and for other purposes.

S. 955

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 955, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 962

At the request of Mr. HELLER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 962, a bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts.

S. 963

At the request of Mr. COBURN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 963, a bill preventing an unrealistic future Medicaid augmentation plan.

S. 979

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 979, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 980

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 980, a bill to provide for enhanced embassy security, and for other purposes.

S. 983

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 983, a bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from Montana (Mr. TESTER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Iowa (Mr. HARKIN), the Senator from Colorado (Mr. BENNET), the Senator from Washington (Mrs. MURRAY), the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. BAUCUS), the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. CON. RES. 12

At the request of Mr. ISAKSON, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of the Congress that our current tax incentives for retirement savings provide important benefits to Americans to help plan for a financially secure retirement.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 128

At the request of Mr. HARKIN, the names of the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. Res. 128, a resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

AMENDMENT NO. 922

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of amendment No. 922 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 923

At the request of Mrs. FEINSTEIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 923 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 925

At the request of Mrs. SHAHEEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 925 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 926

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 926 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 927

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 927 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 930

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Is-

land (Mr. REED) was added as a cosponsor of amendment No. 930 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 931

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Alaska (Mr. BEGICH) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of amendment No. 931 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 936

At the request of Mr. BEGICH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 936 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 939

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 939 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 940

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. REED) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 940 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 943

At the request of Mr. BEGICH, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 943 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself and Mrs. FISCHER):

S. 992. A bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes; to the Committee on Armed Services.

Ms. SHAHEEN. Mr. President, today, Senator FISCHER and I, rise today to speak about the alarming crisis of sexual assault within our nation's military.

Three particularly disturbing cases have arisen in recent weeks. First, an Air Force Lieutenant Colonel was arrested for sexual battery, and an Army

first sergeant is alleged to have engaged in sexual misconduct at Fort Flood. Finally, the Army also relieved a lieutenant colonel from his post for a domestic dispute that violated a stalking protection order. What is most concerning is that all were responsible for either handling sexual assault cases or managing policies pertaining to military sexual assault.

We have seen three incidents of this kind in a period of two weeks. The fact that the cases involved multiple services speaks volumes to the need to elevate all Sexual Assault Prevention Response, SAPR, jobs to the level of importance that they deserve. Given the challenge of addressing the sexual assault crisis, we need the best and brightest taking on these jobs in our military today.

We should take steps to ensure that these jobs are on par with those that the military values most. This will address one of the primary factors at the heart of the issue—the need for cultural change in the military. It starts with increasing the value of Sexual Assault Prevention and Response positions, and enforcing a rigorous application, intense record review and an interview process that screens applicants prior to selection for those duties.

While we appreciate Secretary Hagel's efforts to ensure that candidates for these jobs are rescreened, retrained and recertified, the bigger issue is making sure that there is a robust process in place to get the highest caliber candidates into all Sexual Assault Prevention and Response jobs at the start. We firmly believe that changes to the military justice system are critical, but we also believe that changing military culture will require transforming the process by which we fill these positions. It will also require holding the leadership accountable for selecting those individuals.

That is why, today, we are introducing legislation that will make the highest-level Sexual Assault Prevention and Response positions nominative ones.

Nominative jobs, also referred to as "high visibility," are given that designation because of the caliber of person needed to fill them. These are some of the most significant, challenging and highly desired positions in the military. Transitioning SAPR jobs to a nominative process enables direct leadership involvement from the commander, who would now hand-pick the person to fill the role. Furthermore, there is a level of prestige that comes with taking nominative jobs because they are recognized as premiere jobs within the organization. Applicants know up front that these jobs will be challenging and career-enhancing. As such, only the best of the best need apply.

This crisis has reached a breaking point that requires more than the tra-

ditional process for filling military positions. We can no longer be comfortable placing the service member in a SAPR position solely based upon individual career paths and personal aspirations. As proven over the last several weeks, there are holes in that process. We need to enact a stringent application, record review and interview process that holds leaders accountable for SAPR job selection and increases the likelihood of getting the best possible applicants.

There is a sense of urgency surrounding military sexual assault that requires answers now. Secretary Hagel was correct in saying, "Sexual assault has no place in the United States military" and that "the American people, including our service members, should expect a culture of absolutely no tolerance for this deplorable behavior." We could not agree more, but we are also of the belief that the change in culture with respect to sexual assault will require more than education and awareness training. Our military needs to develop a culture that gives preeminence to jobs related to sexual assault prevention.

We know that military leaders share our concerns and appreciate the leadership demonstrated thus far. We trust that they will also acknowledge the benefits of making SAPR jobs nominative positions. We hope my colleagues in the Senate will take up and pass this legislation as we attempt to address the scourge that is sexual assault in our military.

By Mr. CORNYN:

S. 993. A bill to authorize and request the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 993

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION AND REQUEST FOR AWARD OF MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING BATTLE OF THE BULGE.

(a) **AUTHORIZATION.**—The President is authorized and requested to award the Medal of Honor under section 3741 of title 10, United States Code, to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor described in subsection (b).

(b) **ACTION DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of

the Bulge, during World War II, when, as a first lieutenant in the 82d Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

(c) **WAIVER OF TIME LIMITATIONS.**—The award under subsection (a) may be made without regard to the time limitations specified in section 3744(b) of title 10, United States Code, or any other time limitation established by law or regulation with respect to the awarding of certain medals to persons who served in the Army.

By Mr. BOOZMAN (for himself and Mr. DONNELLY):

S. 995. A bill to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BOOZMAN. Mr. President, there is currently no national memorial dedicated to the valor and sacrifices made by those members of our Armed Forces who honorably fought, and in some cases made the ultimate sacrifice, in Operations Desert Shield and Desert Storm. For this reason, I am joining with Senator JOE DONNELLY to introduce the National Desert Storm and Desert Shield War Memorial Act." This legislation will authorize the establishment of a National Desert Storm and Desert Shield Memorial to honor the service and sacrifice of those who fought in Operations Desert Storm and Desert Shield.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Desert Storm and Desert Shield War Memorial Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **ASSOCIATION.**—The term "Association" means the National Desert Storm Memorial Association, a corporation that is—

(A) organized under the laws of the State of Arkansas; and

(B)(i) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

(ii) exempt from taxation under 501(a) of that Code.

(2) **MEMORIAL.**—The term "memorial" means the National Desert Storm and Desert Shield Memorial authorized to be established under section 3.

SEC. 3. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.

(a) **AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.**—The Association may establish the National Desert Storm and

Desert Shield Memorial as a commemorative work, on Federal land in the District of Columbia to commemorate and honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the memorial under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

(c) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the memorial under this section.

(2) RESPONSIBILITY OF ASSOCIATION.—The Association shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial.

(d) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the memorial under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the memorial, the Association shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

By Ms. MIKULSKI (for herself, Mr. CARDIN, and Ms. STABENOW):

S. 997. A bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. MIKULSKI. Mr. President, I rise today to introduce the Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act. As a social worker, I understand the critical role social workers have in the overall care of our population. Social workers can be found in every facet of community life—in hospitals, mental health clinics, senior centers, schools, and private agencies that serve individuals and families in need. They play a crucial role combating the social problems facing our nation and are essential providers in our health care system. Yet, there are not enough social workers to meet these needs.

The Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act provides research grants to social workers to train the next generation of social workers; creates a Social Work Reinvestment Commission; authorizes workplace improvement grants to identify workplace safety issues and workforce shortage challenges that need to be addressed to improve the services social workers provide in our communities; and makes grants available to community based

programs of excellence to identify, test, and replicate effective social work interventions. I am honored to introduce this bill named after two social visionaries, Dorothy I. Height and Whitney M. Young. Dorothy Height was a pioneer of the civil rights movement. Like me, she began her career as a case worker and continued to fight for social justice. Whitney Young, another trailblazer of the civil rights movement, also began his career transforming our social landscape as a social worker. He helped create President Johnson’s War on Poverty and served as President of the National Association of Social Workers.

I believe that social work is full of great opportunities, both to serve and to lead. Social work is about putting our values into action. Social workers are among our best and brightest, our most committed and compassionate. They are at the frontlines of providing care, often putting themselves in dangerous and violent situations. Social workers have the ability to provide psychological, emotional, and social support. Quite simply, the ability to change lives. As a social worker, I have been on the frontlines of helping people cope with issues in their everyday lives. I started off fighting for abused children, making sure they were placed in safe homes. I will continue to fight every day for our children, seniors, military personnel, and families on the floor of the United States Senate.

The Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act is supported by the National Association of Social Workers. I thank Senators STABENOW and CARDIN for co-sponsoring this bill.

By Mr. CORNYN (for himself, Mr. KIRK, Mr. CRUZ, Mr. BLUNT, Mr. ROBERTS, Mr. CHAMBLISS, Mr. RISCH, Mr. COATS, Mr. GRAHAM, Mr. WICKER, Mrs. FISCHER, Mr. BOOZMAN, Mr. CRAPO, Mr. ISAKSON, Mr. HOEVEN, Mr. RUBIO, and Mr. VITTER):

S. 1001. A bill to impose sanctions with respect to the Government of Iran; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1001

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Iran Export Embargo Act”.

SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO THE GOVERNMENT OF IRAN.

The Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.) is amended by inserting after section 1245 the following:

“SEC. 1245A. IMPOSITION OF SANCTIONS WITH RESPECT TO THE GOVERNMENT OF IRAN.

“(a) FINDINGS.—Congress makes the following findings:

“(1) The Government of Iran stands in violation of the United Nations Universal Declaration of Human Rights, adopted at Paris December 10, 1948, by denying its citizens basic freedoms, including the freedoms of expression, religion, and peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women.

“(2) The Government of Iran remains the leading state sponsor of terrorism in the world. That Government’s sponsorship of terrorism includes recent involvement in a terrorist attack in Bulgaria, a plot to blow up a cafe in Washington, D.C., a plot to assassinate United States officials in the Republic of Azerbaijan, and attempted terrorist attacks in Canada and the Republic of Georgia.

“(3) The Government of Iran stands in violation of United Nations Security Council Resolutions 1737 (2006), 1747 (2007), 1803 (2008), and 1929 (2010) by refusing to suspend proliferation-sensitive nuclear activities, including all enrichment-related and reprocessing activities and work on all heavy water-related projects.

“(4) The Government of Iran continues to develop ballistic missiles capable of threatening the interests and allies of the United States.

“(5) The Government of Iran stands in violation of United Nations Security Council Resolution 1701 (2006) by its continued transfer of arms to terrorist groups in southern Lebanon.

“(6) The Government of Iran continues to provide arms to terrorist groups in the Gaza Strip.

“(7) The Government of Iran continues to support the Government of Syria in carrying out human rights abuses and crimes against humanity against the people of Syria.

“(b) BLOCKING OF PROPERTY.—On and after the date that is 60 days after the date of the enactment of this Act, the President shall block and prohibit all transactions in all property and interests in property of a person described in subsection (f) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(c) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines has knowingly, on or after the date that is 60 days after the date of the enactment of this Act, conducted or facilitated a significant transaction with respect to the importation, sale, or transfer of goods or services from Iran on behalf of a person described in subsection (f).

“(d) IMPORTATION, SALE, OR TRANSFER OF GOODS AND SERVICES FROM IRAN.—The President shall impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to a person if the President determines that the person knowingly, on or after the date that is 60 days after the date of the enactment of this Act, imports, purchases, or transfers goods or services from a person described in subsection (f).

“(e) INSURANCE AND REINSURANCE.—

“(1) IN GENERAL.—The President shall impose sanctions pursuant to the International

Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to a person if the President determines that the person knowingly, on or after the date that is 60 days after the date of the enactment of this Act, provides underwriting services or insurance or reinsurance to a person described in subsection (f).

“(2) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under paragraph (1) with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for a person described in subsection (f).

“(f) PERSONS DESCRIBED.—A person described in this subsection is any of the following:

“(1) The state and the Government of Iran, or any political subdivision, agency, or instrumentality of that Government, including the Central Bank of Iran.

“(2) Any person owned or controlled, directly or indirectly, by that Government.

“(3) Any person acting or purporting to act, directly or indirectly, for or on behalf of that Government.

“(4) Any other person determined by the President to be described in paragraph (1), (2), or (3).

“(g) RULE OF CONSTRUCTION.—A person described in subsection (f) is subject to sanctions under this section without regard to whether the name of the person is published in the Federal Register or incorporated into the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

“(h) APPLICABILITY TO EXPORTS OF CRUDE OIL FROM IRAN.—Subsections (c) and (d) shall apply with respect to the exportation, importation, sale, or transfer of crude oil from Iran on and after the date that is 180 days after the date of the enactment of this Act.”

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 150—TO DESIGNATE THE YEAR 2013 AS THE “INTERNATIONAL YEAR OF STATISTICS”

Mrs. HAGAN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 150

Whereas more than 2,000 organizations worldwide have recognized 2013 as the International Year of Statistics, a global celebration and recognition of the contributions of statistical science to the well-being of humankind;

Whereas the science of statistics is vital to the improvement of human life because of the power of statistics to improve, enlighten, and understand;

Whereas statistics is the science of collecting, analyzing, and understanding data that permeates and bolsters all sciences;

Whereas statisticians contribute to the vitality and excellence of myriad aspects of United States society, including the economy, health care, security, commerce, education, and research;

Whereas rapidly increasing numbers of students in grades K through 16 and educators are recognizing the many benefits of statistical literacy as a collection of skills to intelligently cope with the requirements of citizenship, employment, and family;

Whereas statisticians contribute to smart and efficient government through the production of statistical data that informs on all aspects of our society, including population, labor, education, economy, transportation, health, energy, and crime;

Whereas the goals of the International Year of Statistics are to increase public awareness of the power and impact of statistics on all aspects of society, nurture statistics as a profession, especially among young people, and promote creativity and development in the sciences of probability and statistics; and

Whereas throughout the year, organizations in countries across the world will reach out to adults and children through symposia, conferences, demonstrations, workshops, contests, school activities, exhibitions, and other public events to increase awareness of the history and importance of statistics: Now, therefore, be it

Resolved, That the Senate—

(1) designates the year 2013 as the “International Year of Statistics”;

(2) supports the goals and ideals of the International Year of Statistics;

(3) recognizes the necessity of educating the public on the merits of the sciences, including statistics, and promoting interest in the sciences among the youth of the United States; and

(4) encourages the people of the United States to participate in the International Year of Statistics through participation in appropriate programs, activities, and ceremonies that call attention to the importance of statistics to the present and future well-being of the people of the United States.

SENATE RESOLUTION 151—URGING THE GOVERNMENT OF AFGHANISTAN TO ENSURE TRANSPARENT AND CREDIBLE PRESIDENTIAL AND PROVINCIAL ELECTIONS IN APRIL 2014 BY ADHERING TO INTERNATIONALLY ACCEPTED DEMOCRATIC STANDARDS, ESTABLISHING A TRANSPARENT ELECTORAL PROCESS, AND ENSURING SECURITY FOR VOTERS AND CANDIDATES

Mr. CASEY (for himself, Mr. McCAIN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 151

Whereas Afghanistan’s Independent Election Commission has affirmed that Afghanistan will hold presidential and provincial elections in April 2014 and parliamentary elections in 2015;

Whereas Afghanistan’s current electoral process was established in 2004 by the Constitution of Afghanistan;

Whereas the Tokyo Mutual Accountability Framework conditions some international assistance to Afghanistan on the holding of credible, inclusive, and transparent elections in 2014 and 2015, among other measures to improve governance;

Whereas Afghanistan lacks a comprehensive and accurate voter registry, and pre-

vious voter registration drives have resulted in duplicate or fraudulent registrations, according to a report by the National Democratic Institute;

Whereas security concerns and voter intimidation have impeded the ability of people in Afghanistan to cast votes reliably and safely in past elections;

Whereas Afghan women in particular are prevented from meaningful participation in the electoral process due to the security environment, the scarcity of female poll workers, and lack of awareness of women’s political rights and opportunities, according to the Free and Fair Election Foundation of Afghanistan;

Whereas Afghanistan’s 2009 presidential election was characterized by inadequate security for voters and candidates, low voter turnout, and widespread fraud, according to the National Democratic Institute;

Whereas Afghan officials, including President Karzai and Attorney General Mohammad Ishaq Aloko, disputed the results of Afghanistan’s 2010 parliamentary elections and established a Special Election Tribunal to investigate allegations of fraud;

Whereas, following the 2010 parliamentary elections, Democracy International’s Afghanistan Election Observation Mission concluded that comprehensive electoral reform is necessary to ensure a free, fair, and credible election process in 2014;

Whereas the Honorable Hamid Karzai is the first democratically elected president of modern Afghanistan and has served two terms in that position;

Whereas the Constitution of Afghanistan states, “No one can be elected as president for more than two terms.”;

Whereas President Karzai stated on January 11, 2013, alongside President Barack Obama, “The greatest of my achievements [. . .] will be a proper, well-organized, interference-free election in which the Afghan people can elect their next president.”;

Whereas, on several occasions since the late 1970s, civil war has broken out in Afghanistan over the legitimacy of the Afghan government;

Whereas United States taxpayers have invested more than \$89,500,000,000 in reconstruction and humanitarian assistance to Afghanistan since October 2001, according to the Special Inspector General for Afghanistan Reconstruction (SIGAR);

Whereas a democratically-elected and legitimate government that reflects the will of the Afghan people is in the vital security interests of Afghanistan, the United States, its partners in the NATO International Security Assistance Force (ISAF), and Afghanistan’s neighbors; and

Whereas the most critical milestone for Afghanistan’s future stability is a peaceful and credible transition of power through presidential elections in 2014: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that the electoral process in Afghanistan should be determined and led by Afghan actors, with support from the international community, and should not be subject to internal and external interference;

(2) expresses its strong support for credible, inclusive, and transparent presidential and provincial elections in April 2014;

(3) urges the Government of Afghanistan to conduct the elections in full accordance with the Constitution of Afghanistan, to include maintaining the quota for women’s parliamentary participation;

(4) honors the sacrifice of United States, coalition, and Afghan service members who

have been killed or injured since October 2001 in defense of the democratic rights of the Afghan people;

(5) recognizes the substantial investment made by the United States taxpayers in support of stability and democracy in Afghanistan;

(6) recognizes the contributions made by the government of President Hamid Karzai to the democratic progress of Afghanistan, including statements by President Karzai committing to hold presidential elections in 2014 and not seek a third term;

(7) recognizes that transparent and credible elections will safeguard the legitimacy of the next Afghan government and will help prevent future violence by groups that may be ready to contest a process perceived as rigged or dishonest;

(8) recognizes that a democratically-elected and legitimate government is as important to ensuring the long term stability of Afghanistan as the successful training and fielding of the Afghan National Security Forces;

(9) urges the Government of Afghanistan to recognize the independence and impartiality of the Independent Electoral Commission (IEC) and an elections complaints mechanism with clear jurisdiction over the final results, and urges all parties not to interfere with their deliberations;

(10) urges the Parliament of Afghanistan to pass legislation that will establish a consultative and inclusive process for appointing elections commissioners and allowing election disputes to be resolved transparently and fairly;

(11) urges the IEC to adopt measures to better mitigate fraud, include marginalized groups, and improve electoral transparency of the polling and counting process and communicate these measures clearly and consistently to the people of Afghanistan;

(12) urges the Government of Afghanistan to support a credible and effective electoral complaints mechanism whereby its members are perceived as impartial, it is given the ultimate authority on deciding whether a ballot or candidate is disqualified, and it has the time and resources to do its work;

(13) urges close and continuing communication between the IEC and the Afghan National Security Forces to identify and provide security for vulnerable areas of the country during the election period;

(14) urges the Afghan National Security Forces to make every necessary effort to ensure the safety of voters and candidates;

(15) expresses its support for the full participation of Afghan civil society in the election process; and

(16) urges the Secretary of State to condition financial, logistical, and political support for Afghanistan's 2014 elections based on the implementation of reforms in Afghanistan including—

(A) increased efforts to encourage women's participation in the electoral process, including provisions to ensure their full access to and security at polling stations;

(B) the implementation of measures to prevent fraudulent registration and manipulation of the voting or counting processes, including—

(i) establishment of processes to better control ballots;

(ii) vetting of and training for election officials; and

(iii) full accreditation of and access for international and domestic election observers; and

(C) prompt passage of legislation through the Parliament of Afghanistan that codifies

the authorities and independence of the IEC and an independent and impartial election complaints mechanism.

AMENDMENTS SUBMITTED AND PROPOSED

SA 954. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 955. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 956. Mr. MCCAIN (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. COBURN, Mrs. MURRAY, Mr. CRAPO, Mr. WARNER, Mr. RISCH, Mr. KIRK, Mr. INHOFE, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 957. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 958. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 959. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 960. Mr. INHOFE (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 961. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 962. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 963. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 964. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 965. Mr. SANDERS (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 966. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 967. Mr. CORKER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 968. Mr. GRASSLEY (for himself, Mr. JOHNSON of South Dakota, Mr. BROWN, Mr. ENZI, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 969. Mr. GRASSLEY (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 970. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 971. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 972. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 973. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 974. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 975. Ms. HIRONO (for herself and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 976. Mr. REED (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 977. Mr. COWAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 978. Mr. MERKLEY (for himself, Mr. TESTER, Mr. BLUMENTHAL, Mr. BEGICH, Mr. HEINRICH, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 979. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 980. Mr. COWAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 981. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 982. Mr. ENZI (for himself, Mr. JOHNSON of South Dakota, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 983. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 984. Mrs. FISCHER (for herself, Mr. CARPER, and Mr. JOHANN) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 985. Mr. THUNE (for himself, Mr. GRASSLEY, Mr. ROBERTS, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 986. Mr. CASEY (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 987. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 988. Mr. MORAN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 989. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 990. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the

bill S. 954, supra; which was ordered to lie on the table.

SA 991. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 992. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 993. Mr. ROCKEFELLER (for himself, Mr. TESTER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 994. Mr. VITTER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 995. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 996. Mr. PRYOR (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 997. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 998. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 954, supra.

SA 999. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1000. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1001. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1002. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1003. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1004. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1005. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1006. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1007. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1008. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1009. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1010. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1011. Mr. GRASSLEY (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1012. Mr. FLAKE (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1013. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1014. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1015. Mr. FLAKE (for himself, Mr. RISCH, Ms. COLLINS, Mr. CHAMBLISS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1016. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1017. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1018. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1019. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1020. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1021. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1022. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1023. Mr. COWAN (for himself, Ms. MURKOWSKI, Ms. COLLINS, Ms. WARREN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. BEGICH, Mr. LAUTENBERG, Mrs. SHAHEEN, Mr. REED, Mr. MURPHY, Mr. MENENDEZ, Mrs. GILLIBRAND, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1024. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1025. Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mr. BEGICH, Mr. HEINRICH, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1026. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1027. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1028. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1029. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him

to the bill S. 954, supra; which was ordered to lie on the table.

SA 1030. Mr. WHITEHOUSE (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. COWAN, and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1031. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1032. Mr. KING (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1033. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1034. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1035. Mr. KING (for himself, Ms. COLLINS, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1036. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1037. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1038. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1039. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1040. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 925 submitted by Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINE, and Mr. HELLER) and intended to be proposed to the bill S. 954, supra; which was ordered to lie on the table.

SA 1041. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1042. Mr. KING (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1043. Mr. PRYOR (for himself, Mr. COONS, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1044. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1045. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1046. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1047. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1048. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1049. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1050. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1051. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1052. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1053. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1054. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1055. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1056. Mr. VITTEr submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1057. Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. MERKLEY, Mrs. BOXER, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1058. Mr. WHITEHOUSE (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 954. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. DENALI COMMISSION REAUTHORIZATION.

The first section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (relating to authorization of appropriations)—

- (1) is redesignated as section 312; and
- (2) is amended by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—There are authorized to be appropriated to the Commission such sums as are necessary to carry out this title, in accordance with the purposes of this title, for fiscal year 2014 and each fiscal year thereafter.”.

SA 955. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment

intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1001, strike line 13 and insert the following:

“cal years 2014 through 2018.

“(6) LIMITATION ON USE OF FUNDS.—None of the amounts made available to carry out this section shall be used to construct, fund, install, or operate an ethanol blender pump or ethanol storage facility.”.

SA 956. Mr. MCCAIN (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. COBURN, Mrs. MURRAY, Mr. CRAPO, Mr. WARNER, Mr. RISCH, Mr. KIRK, Mr. INHOFE, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, insert the following:

SEC. 12 . . . REPEAL OF DUPLICATIVE CATFISH INSPECTION PROGRAM.

(a) IN GENERAL.—Effective on the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.), section 11016 of such Act (Public Law 110-246; 122 Stat. 2130) and the amendments made by such section are repealed.

(b) APPLICATION.—The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) shall be applied and administered as if section 11016 (Public Law 110-246; 122 Stat. 2130) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) and the amendments made by such section had not been enacted.

SA 957. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle D of title I, add the following:

SEC. 1482. INCLUSION OF CALIFORNIA AS SEPARATE MILK MARKETING ORDER.

(a) INCLUSION AUTHORIZED.—On the petition and approval of California dairy producers in the manner provided in section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary shall designate the State of California as a separate Federal milk marketing order.

(b) SPECIAL CONSIDERATIONS.—If designated under subsection (a), the order covering California shall have the right to reblend and distribute order receipts to recognize quota value.

SA 958. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122 . . . LISTING OF LESSER PRAIRIE CHICKENS.

Notwithstanding any other provision of law, the Secretary of the Interior, acting

through the United States Fish and Wildlife Service, shall not make a decision on listing, or list, Lesser Prairie Chickens under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) earlier than March 31, 2015.

SA 959. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 363, strike lines 7 through 12, and insert “(a)(1), by striking ‘; and (C)’ and inserting”.

SA 960. Mr. INHOFE (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 351, between lines 12 and 13, insert the following:

PART I—REAUTHORIZATION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

On page 390, between line 17 and 18, insert the following:

PART II—NUTRITION ASSISTANCE BLOCK GRANT PROGRAM

SEC. 4001A. NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2015 through 2022, the Secretary shall establish a nutrition assistance block grant program under which the Secretary shall make annual grants to each participating State that establishes a nutrition assistance program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State nutrition assistance program includes—

- (1) work requirements;
- (2) mandatory drug testing;
- (3) verification of citizenship or proof of lawful permanent residency of the United States; and
- (4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2013.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

- (1) the amount made available under section 4002A for the applicable fiscal year; and
- (2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by such section) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

- (1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the nutrition assistance program of

the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the nutrition assistance program of the State; and

(D) general statistics about participation in the nutrition assistance program.

(2) **AUDIT.**—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

(i) the results of the audit; and

(ii) the manner in which the State will carry out the supplemental nutrition assistance program in the State, including eligibility and fraud prevention requirements.

(e) **USE OF FUNDS.**—

(1) **IN GENERAL.**—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide nutrition assistance to the legal residents of the State.

(2) **AVAILABILITY OF FUNDS.**—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 4002A. FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this part—

(1) for fiscal year 2015, \$45,500,000,000;

(2) for fiscal year 2016, \$46,600,000,000;

(3) for fiscal year 2017, \$47,800,000,000;

(4) for fiscal year 2018, \$49,000,000,000;

(5) for fiscal year 2019, \$50,200,000,000;

(6) for fiscal year 2020, \$51,500,000,000;

(7) for fiscal year 2021, \$52,800,000,000; and

(8) for fiscal year 2022, \$54,100,000,000.

(b) **ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.**—

(1) **IN GENERAL.**—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (5) through (10) and inserting the following:

“(5) with respect to fiscal year 2016, for the discretionary category, \$1,131,500,000,000 in new budget authority;

“(6) with respect to fiscal year 2017, for the discretionary category, \$1,178,800,000,000 in new budget authority;

“(7) with respect to fiscal year 2018, for the discretionary category, \$1,205,000,000,000 in new budget authority;

“(8) with respect to fiscal year 2019, for the discretionary category, \$1,232,200,000,000 in new budget authority;

“(9) with respect to fiscal year 2020, for the discretionary category, \$1,259,500,000,000 in new budget authority; and

“(10) with respect to fiscal year 2021, for the discretionary category, \$1,286,800,000,000 in new budget authority.”.

(2) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901A) is amended—

(A) by striking the matter preceding paragraph (1) and inserting the following: “Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:”;

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking “paragraph (3)” and inserting “paragraph (1)”;

(E) in paragraph (3), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(F) in paragraph (4), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(G) in paragraph (5), as redesignated—

(i) by striking “paragraph (5)” each place it appears and inserting “paragraph (3)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(H) in paragraph (6), as redesignated—

(i) by striking “paragraph (4)” and inserting “paragraph (2)”;

(ii) by striking “paragraphs (5) and (6)” and inserting “paragraphs (3) and (4)”;

(I) in paragraph (7), as redesignated—

(i) by striking “paragraph (8)” and inserting “paragraph (6)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(J) in paragraph (9), as redesignated, by striking “paragraph (4)” and inserting “paragraph (2)”.

SEC. 4003A. REPEALS.

(a) **IN GENERAL.**—Effective September 30, 2014, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) **REPEAL OF MANDATORY FUNDING.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, effective September 30, 2014, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) **DIRECT SPENDING.**—Effective September 30, 2014, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding “and” at the end;

(B) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) **ENTITLEMENT AUTHORITY.**—Effective September 30, 2014, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking “means—” and all that follows through “the authority to make” and inserting “means the authority to make”;

(B) by striking “; and” and inserting a period; and

(C) by striking subparagraph (B).

(c) **RELATIONSHIP TO OTHER LAW.**—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the nutrition assistance block grant program under this part.

SEC. 4004A. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2014, no benefits shall be provided under the sup-

plemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

SA 961. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12. STATE OPTION OF NON-PARTICIPATION IN RENEWABLE FUEL STAND-ARD.

Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended by adding at the end the following:

“(vi) **ELECTION OF NON-PARTICIPATION BY STATE GOVERNMENT.**—

“(I) **IN GENERAL.**—For purposes of subparagraph (A), the applicable volume of renewable fuel as determined under this subparagraph shall be adjusted in accordance with this clause.

“(II) **REQUIREMENTS.**—On passage by a State legislature and signature by the Governor of the State of a law that elects to not participate in the applicable volume of renewable fuel in accordance with this clause, the Administrator shall allow a State to not participate in the applicable volume of renewable fuel determined under clause (i).

“(III) **REDUCTION.**—On the election of a State under subclause (II), the Administrator shall reduce the applicable volume of renewable fuel determined under clause (i) by the percentage that reflects the national gasoline consumption of the non-participating State that is attributable to that State.

“(IV) **CREDITS TO HOLD FUEL SALES HARMLESS.**—On the election of a State under subclause (II), the Administrator shall provide for the generation of credits for all gasoline (regardless of whether the gasoline is blended) provided through a fuel terminal in the State to be calculated as though the gasoline were blended with the maximum allowable ethanol content of gasoline allowed in that State to apply toward the applicable volume of renewable fuel determined under clause (i).”.

SA 962. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 169, strike line 17 and all that follows through page 170, line 16, and insert the following:

“(c) **DIRECTION, CONTROL, AND SUPPORT.**—

“(1) **IN GENERAL.**—The Director shall be free from the direction and control of any person other than the Secretary or the Deputy Secretary of Agriculture.

“(2) **ADMINISTRATIVE SUPPORT.**—The Division shall not receive administrative support (except on a reimbursable basis) from any agency other than the Office of the Secretary.

“(3) **PROHIBITION ON DELEGATION.**—The Secretary may not delegate to any other officer or employee of the Department, other than the Deputy Secretary of Agriculture or the Director, the authority of the Secretary with respect to the Division.”.

SA 963. Mr. SANDERS submitted an amendment intended to be proposed by

him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 CFTC INVESTIGATION ON ENERGY FUTURES AND SWAPS MARKETS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commodity Futures Trading Commission, in coordination with the Oil and Gas Price Fraud Working Group, shall carry out an investigation and submit to Congress a report on whether any United States participant in the energy futures or swaps markets has engaged in price-fixing or has provided inaccurate information to a price reporting agency for the purpose of manipulating the published prices of gasoline, crude oil, heating oil, diesel fuel, or jet fuel.

(b) COORDINATION.—In carrying out the investigation under subsection (a), the Commodity Futures Trading Commission shall coordinate with appropriate Federal agencies and European Union agencies.

(c) REPORT CONTENTS.—The report under subsection (a) shall—

(1) include recommendations on how to make the pricing of gasoline, crude oil, heating oil, diesel fuel, and jet fuel more transparent, open, and free from manipulation, fraud, abuse, or excessive speculation; and

(2) be published on a publicly accessible Internet site of the Commodity Futures Trading Commission.

(d) REFERRAL TO AUTHORITIES.—If the Commodity Futures Trading Commission finds that illegal price-fixing has occurred, the Commodity Futures Trading Commission shall report those findings, along with any evidence, to the proper authorities.

SA 964. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 COMMODITY FUTURES TRADING COMMISSION REGULATION OF ENERGY MARKETS.

(a) FINDINGS.—Congress finds that—
(1) in 1974, the Commodity Futures Trading Commission was established as an independent agency with a mandate—

(A) to enforce and administer the Commodity Exchange Act (7 U.S.C. 1 et seq.);

(B) to ensure market integrity;

(C) to protect market users from fraud and abusive trading practices; and

(D) to prevent and prosecute manipulation of the price of any commodity in interstate commerce;

(2) Congress declared in section 4a of the Commodity Exchange Act (7 U.S.C. 6a) that excessive speculation imposes an undue and unnecessary burden on interstate commerce;

(3) title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8301 et seq.) required the Commission to establish position limits “to diminish, eliminate, or prevent excessive speculation” for trading in crude oil, gasoline, heating oil, diesel fuel, jet fuel, and other physical commodity derivatives by January 17, 2011;

(4) according to an article published in *Forbes* on February 27, 2012, excessive oil speculation “translates out into a premium for gasoline at the pump of \$.56 a gallon” based on a 2012 report from Goldman Sachs;

(5) on May 10, 2013—

(A) the supply of finished motor gasoline in the United States was higher than the supply was on May 15, 2009, when the national average price for a gallon of regular unleaded gasoline was less than \$2.30; and

(B) demand for finished motor gasoline in the United States was lower than demand was on May 15, 2009;

(6) on May 17, 2013, the national average price of regular unleaded gasoline was \$3.62 a gallon, an increase of more \$1.30 per gallon as compared to 2009, when finished motor gasoline supplies were lower and demand was higher;

(7) the International Energy Agency forecast on May 14, 2013, that the global supply of oil will surge by 8,400,000 barrels per day over the subsequent 5-year period, a pace that is significantly faster than demand, with nearly ⅔ of that increase occurring in North America;

(8) on November 3, 2011, Gary Gensler, the Chairman of the Commodity Futures Trading Commission testified before the Senate Permanent Subcommittee on Investigations that “80 to 87 percent of the [oil futures] market” is dominated by “financial participants, swap dealers, hedge funds, and other financials,” a figure that has more than doubled over the prior decade;

(9) excessive oil and gasoline speculation is creating major market disturbances that prevent the market from accurately reflecting the forces of supply and demand; and

(10) the Commodity Futures Trading Commission has a responsibility—

(A) to ensure that the price discovery for oil and gasoline accurately reflects the fundamentals of supply and demand; and

(B) to take immediate action to implement strong and meaningful position limits to regulated exchange markets to eliminate excessive oil speculation.

(b) ACTIONS.—Notwithstanding any other provision of law, not later than 30 days after the date of enactment of this Act, the Commodity Futures Trading Commission shall use the authority of the Commission (including emergency powers, if necessary)—

(1) to implement position limits that diminish, eliminate, or prevent excessive speculation in the trading of crude oil, gasoline, heating oil, diesel fuel, jet fuel, and other physical commodity derivatives, as required under title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8301 et seq.); and

(2) to curb immediately the role of excessive speculation in any contract market within the jurisdiction and control of the Commission, on or through which energy futures or swaps are traded.

SA 965. Mr. SANDERS (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. CONSUMERS RIGHT TO KNOW ABOUT GENETICALLY ENGINEERED FOOD ACT.

(a) SHORT TITLE.—This section may be cited as the “Consumers Right to Know About Genetically Engineered Food Act”.

(b) FINDINGS.—Congress finds that—

(1) surveys of the American public consistently show that 90 percent or more of the people of the United States want genetically engineered to be labeled as such;

(2) a landmark public health study in Canada found that—

(A) 93 percent of pregnant women had detectable toxins from genetically engineered foods in their blood; and

(B) 80 percent of the babies of those women had detectable toxins in their umbilical cords;

(3) the tenth Amendment to the Constitution of the United States clearly reserves powers in the system of Federalism to the States or to the people; and

(4) States have the authority to require the labeling of foods produced through genetic engineering or derived from organisms that have been genetically engineered.

(c) DEFINITIONS.—In this section:

(1) GENETIC ENGINEERING.—

(A) IN GENERAL.—The term “genetic engineering” means a process that alters an organism at the molecular or cellular level by means that are not possible under natural conditions or processes.

(B) INCLUSIONS.—The term “genetic engineering” includes—

- (i) recombinant DNA and RNA techniques;
- (ii) cell fusion;
- (iii) microencapsulation;
- (iv) macroencapsulation;
- (v) gene deletion and doubling;
- (vi) introduction of a foreign gene; and
- (vii) changing the position of genes.

(C) EXCLUSIONS.—The term “genetic engineering” does not include any modification to an organism that consists exclusively of—

- (i) breeding;
- (ii) conjugation;
- (iii) fermentation;
- (iv) hybridization;
- (v) in vitro fertilization; or
- (vi) tissue culture.

(2) GENETICALLY ENGINEERED INGREDIENT.—The term “genetically engineered ingredient” means any ingredient in any food, beverage, or other edible product that—

(A) is, or is derived from, an organism that is produced through the intentional use of genetic engineering; or

(B) is, or is derived from, the progeny of intended sexual reproduction, asexual reproduction, or both of 1 or more organisms described in subparagraph (A).

(d) RIGHT TO KNOW.—Notwithstanding any other Federal law (including regulations), a State may require that any food, beverage, or other edible product offered for sale in that State have a label on the container or package of the food, beverage, or other edible product, indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

(e) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs and the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commissioner of Food and Drugs, in consultation with the Secretary of Agriculture, shall submit a report to Congress detailing the percentage of food and beverages sold in the United States that contain genetically engineered ingredients.

SA 966. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 993, line 20, strike “\$2,000,000” and insert “\$4,000,000”.

On page 994, line 1, strike "\$3,000,000" and insert "\$4,000,000".

On page 996, strike lines 14 and 15 and insert the following:

"(ii) \$69,000,000 for each of fiscal years 2015 through 2018.

On page 1001, line 7, strike "\$20,000,000" and insert "\$70,000,000".

On page 1001, line 12, strike "\$68,200,000" and insert "\$70,000,000".

On page 1002, line 6, strike "\$26,000,000" and insert "\$30,000,000".

On page 1019, line 9, strike "\$38,600,000" and insert "\$75,000,000".

On page 1019, strike line 17 and insert the following:

"(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$75,000,000 for each of fiscal years 2014 through 2018."

On page 1022, between lines 4 and 5, insert the following:

(e) MANDATORY FUNDING.—Section 9013 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113) is amended by adding at the end the following:

"(f) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018."

SA 967. Mr. CORKER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1022, between lines 8 and 9, insert the following:

SEC. 90. DOWNWARD ADJUSTMENT OF RENEWABLE FUEL VOLUME.

Section 211(o)(7)(D)(i) of the Clean Air Act (42 U.S.C. 7545(o)(7)(D)(i)) is amended in the second sentence—

(1) by striking "may also" and inserting "shall"; and

(2) by striking "or a lesser".

SA 968. Mr. GRASSLEY (for himself, Mr. JOHNSON of South Dakota, Mr. BROWN, Mr. ENZI, and Mr. JOHANNES) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 159, lines 23 and 24, strike "PEANUTS AND OTHER".

On page 160, beginning on line 3, strike "for—" and all that follows through "1 or more other" on line 5 and insert "for 1 or more".

SA 969. Mr. GRASSLEY (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12. SPECIAL COUNSEL FOR COMPETITION MATTERS.

Subtitle I of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7005) is amended by adding at the end the following:

"SEC. 286. OFFICE OF COMPETITION AND FAIR PRACTICES.

"(a) IN GENERAL.—There is established within the Department of Agriculture the Office of Competition and Fair Practices, headed by a Special Counsel for Competition Matters.

"(b) DUTIES.—The Special Counsel shall—

"(1) analyze mergers within the food and agricultural sectors, in consultation with the Chief Economist of the Department of Agriculture, the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, and the Chairman of the Federal Trade Commission; and

"(2) investigate and prosecute violations of the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.).

"(c) AUTHORIZATION FOR ADDITIONAL STAFF AND FUNDING.—

"(1) ADDITIONAL STAFF.—The Special Counsel shall hire sufficient employees (including antitrust and litigation attorneys, economists, and investigators) to appropriately carry out the responsibilities of the Office of Competition and Fair Practices under this Act.

"(2) AUTHORIZATION.—There are authorized to be appropriated such sums as are necessary to carry out paragraph (1)."

SA 970. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1125, after line 23, insert the following:

SEC. 12108. LIVESTOCK INFORMATION DISCLOSURE.

(a) FINDINGS.—Congress finds that—

(1) United States livestock producers supply a vital link in the food supply of the United States, which is listed as a critical infrastructure by the Secretary of Homeland Security;

(2) domestic terrorist attacks have occurred at livestock operations across the United States, endangering the lives and property of people of the United States;

(3) livestock operations in the United States are largely family owned and operated with most families living at the same location as the livestock operation;

(4) State governments and agencies are the primary authority in almost all States for the protection of water quality under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(5) State agencies maintain records on livestock operations and have the authority to address water quality issues where needed; and

(6) there is no discernible environmental or scientifically research-related need to create a database or other system of records of livestock operations in the United States by the Administrator.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term "Agency" means the Environmental Protection Agency.

(3) LIVESTOCK OPERATION.—The term "livestock operation" includes any operation involved in the raising or finishing of livestock and poultry.

(c) PROCUREMENT AND DISCLOSURE OF INFORMATION.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor or cooperator of the Agency, shall not disclose the information of any owner, operator, or employee of a livestock operation provided to the Agency by a livestock producer or a State agency in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any other law, including—

(i) names;

(ii) telephone numbers;

(iii) email addresses;

(iv) physical addresses;

(v) Global Positioning System coordinates;

or

(vi) other identifying information regarding the location of the owner, operator, or employee.

(2) EFFECT.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—

(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the livestock producer consents to the disclosure; or

(B) the authority of any State agency to collect information on livestock operations.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the livestock producer under paragraph (2)(A)(ii).

SA 971. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122. ANNUAL REPORT ON AGRICULTURAL CONSOLIDATION.

(a) DEFINITIONS.—In this section:

(1) MARKET SIZE.—The term "market size" includes the volume of the appropriate unit measurement of—

(A) slaughter volume (in head);

(B) purchasing volume (in bushels or hundredweight);

(C) processing volume (in metric tons or millions of pounds); and

(D) sales (in millions of pounds or dollars).

(2) NAICS CODE.—The term "NAICS code" means the appropriate code of the North American Industrial Classification System, including any subset of the code.

(3) NATIONAL MARKET SHARE.—The term "national market share", in terms of the appropriate agricultural sector or subsector, means total national sales and purchases of agricultural and food products.

(4) PARENT COMPANY.—The term "parent company" includes all subsidiaries and joint ventures of the parent company.

(b) ANNUAL REPORTS.—Not later than June 31, 2014, and each June 31 thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report that includes statistics related to the 4 largest firms in each of the agricultural sectors and subsectors described in subsection (c).

(c) CONTENTS.—Each report under subsection (b) shall include, with respect to the

prior calendar year, the parent company name, national market size, and national market share of the 4 largest firms in the following sectors and subsectors:

(1) Beef slaughter and packing (NAICS code 311611 for plants that solely slaughter beef cattle).

(2) Hog slaughter and packing (NAICS code 311611 for plants that solely slaughter hogs).

(3) Pork processing (NAICS code 311612 for plants that solely process swine meat).

(4) Broiler slaughter and processing (NAICS code 311615 for plants that solely slaughter and process broiler chickens for meat).

(5) Turkey slaughter and processing (NAICS code 311615 for plants that solely slaughter and process turkeys).

(6) Fluid milk processing (NAICS code 311511).

(7) Fluid milk handling (NAICS code 484220 for milk hauling and NAICS code 424430 for milk, fluid (except canned), merchant wholesalers).

(8) Grain and oilseed handling (NAICS code 424510 for grain elevators merchant wholesalers grain and soybeans merchant wholesalers).

(9) Wet corn milling (NAICS code 311221).

(10) Soybean crushing (NAICS code 311222).

(11) Wheat flour milling (NAICS code 311211).

(12) Ethanol production (fuel ethanol, wet mill process NAICS code 32519301).

(13) Commodity seed manufacturing and trait ownership for corn, soybeans, wheat and cotton, including—

(A) seed manufacturing (NAICS code 115114 for seed processing, post-harvest for propagation); and

(B) seed trait licensing (biotechnology research and development laboratories or services in agriculture NAICS code 541711 and agriculture research and development laboratories or services (except biotechnology research and development) NAICS code 541712).

(14) Fertilizer manufacturers, including—

(A) phosphatic fertilizer manufacturing (NAICS code 325312); and

(B) nitrogenous fertilizer manufacturing (NAICS code 325311).

(15) Herbicide manufacturers (NAICS code 325320).

(16) Frozen fruit and vegetable manufacturers (NAICS code 311411).

(17) Canned fruit and vegetable manufacturers (NAICS code 311421).

(18) Grocery retailers (NAICS code 445110).

(19) Hog stations or hog merchant wholesalers (NAICS code 424520 for firms that solely buy and sell hogs).

(20) Cattle sale barns or merchant wholesalers (NAICS code 424520 for firms that solely buy and sell cattle).

SA 972. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 934, strike lines 5 through 12, and insert the following:

(1) in subsection (a), by adding at the end the following:

“(3) DEFINITIONS.—In this section:
“(A) CONVENTIONAL BREEDING.—The term ‘conventional breeding’ means the development of new varieties of an organism through controlled mating and selection without the use of transgenic methods.
“(B) PUBLIC BREED.—The term ‘public breed’ means a breed that is the commercially available uniform end product of a publicly funded breeding program that—

“(i) has been sufficiently tested to demonstrate improved characteristics and stable performance; and

“(ii) remains in the public domain for research purposes.”

“(C) PUBLIC CULTIVAR.—The term ‘public cultivar’ means a cultivar that is the commercially available uniform end product of a publicly funded breeding program that—

“(i) has been sufficiently tested to demonstrate improved characteristics and stable performance; and

“(ii) remains in the public domain for research purposes.”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)(iii), by striking “conventional breeding, including cultivar and breed development,” and inserting “public cultivar development through conventional breeding with no requirement or preference for the use of marker-assisted or genomic selection methods, including”; and

(ii) in subparagraph (B)(iv), by striking “conventional breeding, including breed development,” and inserting “public breed development through conventional breeding with no requirement or preference for the use of marker-assisted or genomic selection methods, including”;

(B) in paragraph (4)(A), by inserting “, including by conducting each fiscal year at least 1 separate request for applications for grants for research on public cultivar development through conventional breeding as described in paragraph (2)” before the semicolon at the end; and

(C) in paragraph (11)(A)—

(i) in the matter preceding clause (i), by striking “2012” and inserting “2018”; and

(ii) in clause (i), by striking “integrated research” and all that follows through “; and” and inserting “integrated research, extension, and education activities; and”; and

(3) by adding at the end the following:

SA 973. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 177, strike line 15 and insert the following:

during each fiscal year.

“(3) RESERVATION.—Effective beginning in fiscal year 2015, the Secretary, to the maximum extent feasible, shall manage the conservation reserve to ensure that, on an annual basis, not less than 20.5 percent of land maintained in the program shall be—

“(A) described in subparagraphs (B) through (F) of subsection (b)(4); and

“(B) enrolled under—

“(i) the special conservation reserve enhancement program authority under section 1234(f)(4); or

“(ii) the pilot program for the enrollment of wetland and buffer acreage under section 1231B.”.

SA 974. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

“(j) COFFEE PLANT HEALTH INITIATIVE.—

“(1) ESTABLISHMENT.—The Secretary shall establish a coffee plant health initiative to address the critical needs of the coffee industry by—

“(A) developing and disseminating science-based tools and treatments to combat the coffee berry borer (*Hypothenemus hampei*); and

SEC. 42 . SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) DEFINITIONS.—In this section:

(1) FOOD SERVICE PROGRAM.—The term “food service program” includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f (b)));

(C) food service at a hospital or clinic; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE.—The terms “Indian” and “Indian tribe” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term “traditional food” means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term “traditional food” includes—

(i) wild game meat;

(ii) fish;

(iii) seafood; and

(iv) plants.

(b) PROGRAM.—Notwithstanding any other provision of law, on the request of a Governor of a State, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public facility or a nonprofit that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.

SA 975. Ms. HIRONO (for herself and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 902, line 13, strike “subsections (j) and (k)” and insert “subsections (k) and (l)”.

On page 918, strike line 7 and insert the following:

“2014 through 2018.

“(j) COFFEE PLANT HEALTH INITIATIVE.—

“(1) ESTABLISHMENT.—The Secretary shall establish a coffee plant health initiative to address the critical needs of the coffee industry by—

“(A) developing and disseminating science-based tools and treatments to combat the coffee berry borer (*Hypothenemus hampei*); and

“(B) establishing an area-wide integrated pest management program in areas affected by or areas at risk of being affected by the coffee berry borer.

“(2) ELIGIBLE ENTITIES.—The Secretary may carry out the coffee plant health initiative through—

“(A) Federal agencies, including the Agricultural Research Service and the National Institute of Food and Agriculture;

“(B) National Laboratories;

“(C) institutions of higher education;

“(D) research institutions or organizations;

“(E) private organizations or corporations;

“(F) State agricultural experiment stations;

“(G) individuals; or

“(H) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (G).

“(3) PROJECT GRANTS AND COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary shall—

“(A) enter into cooperative agreements with eligible entities, as appropriate; and

“(B) award grants on a competitive basis.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$2,000,000 for each of fiscal years 2014 through 2018.”;

On page 918, line 8, strike “subsection (j)” and insert “subsection (k)”.

On page 918, line 11, strike “subsection (k)” and insert “subsection (l)”.

SA 976. Mr. REED (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Student Loan Affordability Act
SEC. 12301. SHORT TITLE.

This subtitle may be cited as the “Student Loan Affordability Act”.

SEC. 12302. INTEREST RATE EXTENSION.

Section 455(b)(7)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking “and before July 1, 2013,” and inserting “and before July 1, 2015,”; and

(2) in clause (v), by striking “and before July 1, 2013,” and inserting “and before July 1, 2015,”.

SEC. 12303. MODIFICATIONS OF REQUIRED DISTRIBUTION RULES FOR PENSION PLANS.

(a) IN GENERAL.—Section 401(a)(9)(B) of the Internal Revenue Code of 1986 is amended to read as follows:

“(B) REQUIRED DISTRIBUTIONS WHERE EMPLOYEE DIES BEFORE ENTIRE INTEREST IS DISTRIBUTED.—

“(i) 5-YEAR GENERAL RULE.—A trust shall not constitute a qualified trust under this section unless the plan provides that, if an employee dies before the distribution of the employee’s interest (whether or not such distribution has begun in accordance with subparagraph (A)), the entire interest of the employee will be distributed within 5 years after the death of such employee.

“(ii) EXCEPTION FOR ELIGIBLE DESIGNATED BENEFICIARIES.—If—

“(I) any portion of the employee’s interest is payable to (or for the benefit of) an eligible designated beneficiary,

“(II) such portion will be distributed (in accordance with regulations) over the life of such eligible designated beneficiary (or over

a period not extending beyond the life expectancy of such beneficiary), and

“(III) such distributions begin not later than 1 year after the date of the employee’s death or such later date as the Secretary may by regulations prescribe,

then, for purposes of clause (i) and except as provided in clause (iv) or subparagraph (E)(iii), the portion referred to in subclause (I) shall be treated as distributed on the date on which such distributions begin.

“(iii) SPECIAL RULE FOR SURVIVING SPOUSE OF EMPLOYEE.—If the eligible designated beneficiary referred to in clause (ii)(I) is the surviving spouse of the employee—

“(I) the date on which the distributions are required to begin under clause (ii)(III) shall not be earlier than the date on which the employee would have attained age 70½, and

“(II) if the surviving spouse dies before the distributions to such spouse begin, this subparagraph shall be applied as if the surviving spouse were the employee.

“(iv) RULES UPON DEATH OF ELIGIBLE DESIGNATED BENEFICIARY.—If an eligible designated beneficiary dies before the portion of an employee’s interest described in clause (ii) is entirely distributed, clause (ii) shall not apply to any beneficiary of such eligible designated beneficiary and the remainder of such portion shall be distributed within 5 years after the death of such beneficiary.”.

(b) DEFINITION OF ELIGIBLE DESIGNATED BENEFICIARY.—Section 401(a)(9)(E) of the Internal Revenue Code of 1986 is amended to read as follows:

“(E) DEFINITIONS AND RULES RELATING TO DESIGNATED BENEFICIARY.—For purposes of this paragraph—

“(i) DESIGNATED BENEFICIARY.—The term ‘designated beneficiary’ means any individual designated as a beneficiary by the employee.

“(ii) ELIGIBLE DESIGNATED BENEFICIARY.—The term ‘eligible designated beneficiary’ means, with respect to any employee, any designated beneficiary who, as of the date of death of the employee, is—

“(I) the surviving spouse of the employee,

“(II) subject to clause (iii), a child of the employee who has not reached majority (within the meaning of subparagraph (F)),

“(III) disabled (within the meaning of section 72(m)(7)),

“(IV) a chronically ill individual (within the meaning of section 7702B(c)(2), except that the requirements of subparagraph (A)(i) thereof shall only be treated as met if there is a certification that, as of such date, the period of inability described in such subparagraph with respect to the individual is an indefinite one that is reasonably expected to be lengthy in nature), or

“(V) an individual not described in any of the preceding subparagraphs who is not more than 10 years younger than the employee.

“(iii) SPECIAL RULE FOR CHILDREN.—Subject to subparagraph (F), an individual described in clause (ii)(II) shall cease to be an eligible designated beneficiary as of the date the individual reaches majority and the requirement of subparagraph (B)(i) shall not be treated as met with respect to any remaining portion of an employee’s interest payable to the individual unless such portion is distributed within 5 years after such date.”.

(c) REQUIRED BEGINNING DATE.—Section 401(a)(9)(C) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(v) EMPLOYEES BECOMING 5-PERCENT OWNERS AFTER AGE 70½.—If an employee becomes a 5-percent owner (as defined in section 416) with respect to a plan year ending in a cal-

endar year after the calendar year in which the employee attains age 70½, then clause (i)(II) shall be applied by substituting the calendar year in which the employee became such an owner for the calendar year in which the employee retires.”.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in this subsection, the amendments made by this section shall apply to distributions with respect to employees who die after December 31, 2013.

(2) REQUIRED BEGINNING DATE.—

(A) IN GENERAL.—The amendment made by subsection (c) shall apply to employees becoming a 5-percent owner with respect to plan years ending in calendar years beginning before, on, or after the date of the enactment of this Act.

(B) SPECIAL RULE.—If—

(i) an employee became a 5-percent owner with respect to a plan year ending in a calendar year which began before January 1, 2013, and

(ii) the employee has not retired before calendar year 2014,

such employee shall be treated as having become a 5-percent owner with respect to a plan year ending in 2013 for purposes of applying section 401(a)(9)(C)(v) of the Internal Revenue Code of 1986 (as added by the amendment made by subsection (c)).

(3) EXCEPTION FOR CERTAIN BENEFICIARIES.—If a designated beneficiary of an employee who dies before January 1, 2014, dies after December 31, 2013—

(A) the amendments made by this section shall apply to any beneficiary of such designated beneficiary, and

(B) the designated beneficiary shall be treated as an eligible designated beneficiary for purposes of applying section 401(a)(9)(B)(iv) of such Code (as in effect after the amendments made by this section).

(4) EXCEPTION FOR CERTAIN EXISTING ANNUITY CONTRACTS.—

(A) IN GENERAL.—The amendments made by this section shall not apply to a qualified annuity which is a binding annuity contract in effect on the date of the enactment of this Act and at all times thereafter.

(B) QUALIFIED ANNUITY CONTRACT.—For purposes of this paragraph, the term “qualified annuity” means, with respect to an employee, an annuity—

(i) which is a commercial annuity (as defined in section 3405(e)(6) of such Code) or payable by a defined benefit plan,

(ii) under which the annuity payments are substantially equal periodic payments (not less frequently than annually) over the lives of such employee and a designated beneficiary (or over a period not extending beyond the life expectancy of such employee or the life expectancy of such employee and a designated beneficiary) in accordance with the regulations described in section 401(a)(9)(A)(ii) of such Code (as in effect before such amendments) and which meets the other requirements of this section 401(a)(9) of such Code (as so in effect) with respect to such payments, and

(iii) with respect to which—

(I) annuity payments to the employee have begun before January 1, 2014, and the employee has made an irrevocable election before such date as to the method and amount of the annuity payments to the employee or any designated beneficiaries, or

(II) if subclause (I) does not apply, the employee has made an irrevocable election before the date of the enactment of this Act as to the method and amount of the annuity

payments to the employee or any designated beneficiaries.

SEC. 12304. LIMITATION ON EARNINGS STRIPPING BY EXPATRIATED ENTITIES.

(a) IN GENERAL.—Subsection (j) of section 163 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraph (9) as paragraph (10), and

(2) by inserting after paragraph (8) the following new paragraph:

“(9) SPECIAL RULES FOR EXPATRIATED ENTITIES.—

“(A) IN GENERAL.—In the case of a corporation to which this subsection applies which is an expatriated entity, this subsection shall apply to such corporation with the following modifications:

“(i) Paragraph (2)(A) shall be applied without regard to clause (ii) thereof.

“(ii) Paragraph (1)(B) shall be applied—
“(I) without regard to the parenthetical, and

“(II) by substituting ‘in the 1st succeeding taxable year and in the 2nd through 10th succeeding taxable years to the extent not previously taken into account under this subparagraph’ for ‘in the succeeding taxable year’.

“(iii) Paragraph (2)(B) shall be applied—
“(I) without regard to clauses (ii) and (iii), and

“(II) by substituting ‘25 percent of the adjusted taxable income of the corporation for such taxable year’ for the matter of clause (i)(II) thereof.

“(B) EXPATRIATED ENTITY.—For purposes of this paragraph—

“(i) IN GENERAL.—With respect to a corporation and a taxable year, the term ‘expatriated entity’ has the meaning given such term by section 7874(a)(2), determined as if such section and the regulations under such section as in effect on the first day of such taxable year applied to all taxable years of the corporation beginning after July 10, 1989.

“(ii) EXCEPTION FOR SURROGATES TREATED AS A DOMESTIC CORPORATION.—The term ‘expatriated entity’ does not include a surrogate foreign corporation which is treated as a domestic corporation by reason of section 7874(b).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 12305. MODIFICATIONS RELATED TO THE OIL SPILL LIABILITY TRUST FUND.

(a) DEFINITION OF CRUDE OIL.—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) CRUDE OIL.—The term ‘crude oil’ includes crude oil condensates, natural gasoline, any bitumen or bituminous mixture, and any oil derived from a bitumen or bituminous mixture.”.

(b) REMOVING RESTRICTIONS RELATING TO OIL WELLS AND EXTRACTION METHODS.—Paragraph (2) of section 4612(a) of the Internal Revenue Code of 1986 is amended by striking “from a well located”.

(c) PERMANENT EXTENSION OF OIL SPILL LIABILITY TRUST FUND FINANCING RATE.—Section 4611(f) is amended by striking subsection (f).

(d) CLERICAL AMENDMENT.—Subclause (I) of section 4612(e)(2)(B)(ii) of the Internal Revenue Code of 1986 is amended by striking “transferred” and inserting “transferred”.

(e) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to crude oil and petroleum products received or entered during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SEC. 12306. RESERVING RESULTING SURPLUSES FOR DEFICIT REDUCTION.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SA 977. Mr. COWAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 914, between lines 13 and 14, insert the following:

“(i) SOIL AMENDMENT STUDY.—

“(1) IN GENERAL.—The Secretary shall conduct a study to assess which types of, and which practices associated with the use of, fertilizers, biostimulants, and soil amendments best achieve the goals described in paragraph (2).

“(2) GOALS.—The goals referred to in paragraph (1) are—

“(A) increasing organic matter content;

“(B) reducing atmospheric volatilization;

“(C) limiting or eliminating runoff or leaching into groundwater or other water sources; and

“(D) restoring beneficial bioactivity or healthy nutrients to the soil.

“(3) REPORT.—Not later than 1 year after the date of receipt of funds to carry out this subsection, the Secretary shall make publicly available and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) describes the results of the study; and

“(B) identifies the types of, and practices using, fertilizers, biostimulants, and soil amendments that best achieve the goals identified in paragraph (2).”.

SA 978. Mr. MERKLEY (for himself, Mr. TESTER, Mr. BLUMENTHAL, Mr. BEGICH, Mr. HEINRICH, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12 . . . PLANT PROTECTION ACT.

Division A of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6) is amended by striking section 735 (127 Stat. 231).

SA 979. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12 . . . STUDY ON THE ECONOMIC IMPACTS OF EXTREME WEATHER EVENTS AND CLIMATE CHANGE.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall conduct a study of the economic

impacts of extreme weather events and climate change on agriculture in the United States.

(b) REQUIREMENTS.—The study under subsection (a) shall—

(1) consider the economic impacts of extreme weather events and climate change during, as the Secretary determines to be appropriate—

(A) the initial short-term period beginning on the date of enactment of this Act; and

(B) a subsequent long-term period;

(2) include an analysis of the impacts of extreme weather events and climate change on—

(A) dairy, grain, meat and poultry, specialty crops (such as fruits, vegetables, wine, and maple syrup), forestry and forest products, and other agricultural products; and

(B) rural economies, including tourism and the ski industry; and

(3) use a range of sources for purposes of analyzing the economic impacts, including observations from, and the experience of, agriculture producers.

SA 980. Mr. COWAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 396, strike lines 8 through 12, and insert the following:

SEC. 4202. SENIOR FARMERS’ MARKET NUTRITION PROGRAM.

(a) IN GENERAL.—Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended—

(1) by striking “\$20,600,000” and inserting “\$25,000,000”; and

(2) by striking “2012” and inserting “2018”.

(b) OFFSET.—Out of any unobligated amounts that remain available to the Secretary under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), the Secretary shall use to carry out the program under section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) not more than \$22,000,000 for fiscal years 2013 through 2018.

SA 981. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1125, after line 23, add the following:

SEC. 121 . . . ALTERNATIVE MARKETING ARRANGEMENTS.

(a) DEFINITIONS.—Section 221 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635d) is amended—

(1) by redesignating paragraphs (1) through (8) as paragraphs (2) through (9), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) ALTERNATIVE MARKETING ARRANGEMENT.—The term ‘alternative marketing arrangement’ means the advance commitment of cattle for slaughter by any means—
“(A) other than a negotiated purchase or forward contract; and

“(B) that does not use a method for calculating price in which the price is determined at a future date.”.

(b) MANDATORY REPORTING FOR LIVE CATTLE.—Section 222(d)(1) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635e(d)(1)) is amended by adding at the end the following:

“(F) The quantity of cattle delivered under an alternative marketing arrangement that were slaughtered.”.

SA 982. Mr. ENZI (for himself, Mr. JOHNSON of South Dakota, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1084, strikes line 20 through 22 and insert the following:

SEC. 11. PACKERS AND POULTRY.

(a) LIMITATION ON USE OF ANTI-COMPETITIVE FORWARD CONTRACTS.—

(1) IN GENERAL.—Section 202 of the Packers and Stockyards Act, 1921 (7 U.S.C. 192), is amended—

(A) in subsection (g), by striking “or (e)” and inserting “(e), or (f)”;

(B) by redesignating subsections (f) and (g) as subsection (g) and (h), respectively;

(C) by inserting after subsection (e) the following:

“(f)(1) Except as provided in paragraph (2), use, in effectuating any sale of livestock, a forward contract that—

“(A) does not contain a firm base price that may be equated to a fixed dollar amount on the day on which the forward contract is entered into; or

“(B) is based on a formula price.

“(2) Paragraph (1) shall not apply to—

“(A) a cooperative or entity owned by a cooperative, if a majority of the ownership interest in the cooperative is held by active cooperative members that—

“(B) own, feed, or control livestock; and

“(C) provide the livestock to the cooperative for slaughter;

“(D) a packer that is not required to report to the Secretary on each reporting day (as defined in section 212 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635a)) information on the price and quantity of livestock purchased by the packer; or

“(E) a packer that owns 1 livestock processing plant.”.

(2) DEFINITIONS.—Section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)) is amended by adding at the end the following:

“(15) FIRM BASE PRICE.—The term ‘firm base price’ means a transaction using a reference price from an external source.

“(16) FORMULA PRICE.—

“(A) IN GENERAL.—The term ‘formula price’ means any price term that establishes a base from which a purchase price is calculated on the basis of a price that will not be determined or reported until a date after the day the forward price is established.

“(B) EXCLUSION.—The term ‘formula price’ does not include—

“(i) any price term that establishes a base from which a purchase price is calculated on the basis of a futures market price; or

“(ii) any adjustment to the base for quality, grade, or other factors relating to the value of livestock or livestock products that are readily verifiable market factors and are outside the control of the packer.

“(17) FORWARD CONTRACT.—The term ‘forward contract’ means an oral or written contract for the purchase of livestock that provides for the delivery of the livestock to a packer at a date that is more than 7 days after the date on which the contract is entered into, without regard to whether the contract is for—

“(A) a specified lot of livestock; or

“(B) a specified number of livestock over a certain period of time.”.

(b) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHIC DISEASE PROGRAM.—Section 522(c) of the Federal Crop Insurance Act (7

SA 983. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 134, line 13, before the period insert “using the weekly price reports of the Agricultural Marketing Service”.

SA 984. Mrs. FISCHER (for herself, Mr. CARPER, and Mr. JOHANNIS) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1050, after line 23, add the following:

SEC. 10013. IMPORTATION OF SEED.

Section 17(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 1360(c)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) IMPORTATION OF SEED.—For purposes of this subsection, seed, including treated seed, shall not be considered to be a pesticide or device.

“(3) APPLICABILITY.—Nothing in this subsection precludes or limits the authority of the Secretary of Agriculture with respect to the importation or movement of plants, plant products, or seeds under—

“(A) the Plant Protection Act (7 U.S.C. 7701 et seq.); and

“(B) the Federal Seed Act (7 U.S.C. 1551 et seq.).”.

SA 985. Mr. THUNE (for himself, Mr. GRASSLEY, Mr. ROBERTS, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 3 and all that follows through page 41, line 14, and insert the following:

SEC. 1107. AVAILABILITY OF ADVERSE MARKET PAYMENTS.

(a) PAYMENT REQUIRED.—For each of the 2014 through 2018 crop years for rice and peanuts, the Secretary shall make adverse market payments to producers on farms for which payment yields and base acres are established with respect to the rice and peanuts if the Secretary determines that the actual price for the rice or peanuts is less than the reference price for the rice or peanuts.

(b) ACTUAL PRICE.—

(1) PEANUTS.—Except as provided in paragraph (2), for purposes of subsection (a), the actual price for peanuts is equal to the higher of the following:

(A) The national average market price received by producers during the 12-month marketing year for the peanuts as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for the peanuts in effect for the applicable period under subtitle B.

(2) RICE.—In the case of long grain rice and medium grain rice, for purposes of sub-

section (a), the actual price for each type or class of rice is equal to the higher of the following:

(A) The national average market price received by producers during the 12-month marketing year for the type or class of rice, as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for the type or class of rice in effect for the applicable period under subtitle B.

(c) REFERENCE PRICE.—The reference price shall be—

(1) in the case of long and medium grain rice, \$13.30 per hundredweight; and

(2) in the case of peanuts, \$523.77 per ton.

(d) PAYMENT RATE.—The payment rate used to make adverse market payments with respect to rice and peanuts for a crop year shall be equal to the amount that—

(1) the reference price under subsection (c) for the rice or peanuts; exceeds

(2) the actual price determined under subsection (b) for the rice or peanuts.

(e) PAYMENT AMOUNT.—If adverse market payments are required to be paid under this section for any of the 2014 through 2018 crop years of rice or peanuts, the amount of the adverse market payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (d).

(2) The payment acres of the rice or peanuts on the farm.

(3) The payment yield for the rice or peanuts for the farm.

(f) TIME FOR PAYMENTS.—If the Secretary determines under subsection (a) that adverse market payments are required to be made under this section for the crop of rice or peanuts, beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the rice or peanuts, the Secretary shall make the adverse market payments for the crop.

SA 986. Mr. CASEY (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 447, strike line 10 and all that follows through page 460, line 18, and insert the following:

“(2) EXCEPTIONS.—In this subsection, the term ‘direct operating loan’ does not include—

“(A) a loan made to a youth under subsection (d); or

“(B) a microloan made to a beginning farmer or rancher or a veteran farmer or rancher (as defined in section 2501(e) of the Food Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).

“(3) WAIVERS.—

“(A) FARM OPERATIONS ON TRIBAL LAND.—The Secretary shall waive the limitation under paragraph (1)(C) for a direct loan made under this chapter to a farmer whose farm land is subject to the jurisdiction of an Indian tribe and whose loan is secured by 1 or more security instruments that are subject to the jurisdiction of an Indian tribe if the Secretary determines that commercial credit is not generally available for such farm operations.

“(B) OTHER FARM OPERATIONS.—On a case-by-case determination not subject to administrative appeal, the Secretary may grant a borrower a waiver, 1 time only for a period of 2 years, of the limitation under paragraph

(1)(C) for a direct operating loan if the borrower demonstrates to the satisfaction of the Secretary that—

“(i) the borrower has a viable farm operation;

“(ii) the borrower applied for commercial credit from at least 2 commercial lenders;

“(iii) the borrower was unable to obtain a commercial loan (including a loan guaranteed by the Secretary); and

“(iv) the borrower successfully has completed, or will complete within 1 year, borrower training under section 3419 (from which requirement the Secretary shall not grant a waiver under section 3419(f)).

“(d) YOUTH LOANS.—

“(1) IN GENERAL.—Notwithstanding subsection (b), except for citizenship and credit requirements, a loan may be made under this chapter to a youth who is a rural resident to enable the youth to operate an enterprise in connection with the participation in a youth organization, as determined by the Secretary.

“(2) FULL PERSONAL LIABILITY.—A youth receiving a loan under this subsection who executes a promissory note for the loan shall incur full personal liability for the indebtedness evidenced by the note, in accordance with the terms of the note, free of any disability of minority.

“(3) COSIGNER.—The Secretary may accept the personal liability of a cosigner of a promissory note for a loan under this subsection, in addition to the personal liability of the youth borrower.

“(4) YOUTH ENTERPRISES NOT FARMING.—The operation of an enterprise by a youth under this subsection shall not be considered the operation of a farm under this subtitle.

“(5) RELATION TO OTHER LOAN PROGRAMS.—Notwithstanding any other provision of law, if a borrower becomes delinquent with respect to a youth loan made under this subsection, the borrower shall not become ineligible, as a result of the delinquency, to receive loans and loan guarantees from the Federal government to pay for education expenses of the borrower.

“(e) PILOT LOAN PROGRAM TO SUPPORT HEALTHY FOODS FOR THE HUNGRY.—

“(1) DEFINITION OF GLEANER.—In this subsection, the term ‘gleaner’ means an entity that—

“(A) collects edible, surplus food that would be thrown away and distributes the food to agencies or nonprofit organizations that feed the hungry; or

“(B) harvests for free distribution to the needy, or for donation to agencies or nonprofit organizations for ultimate distribution to the needy, an agricultural crop that has been donated by the owner of the crop.

“(2) PROGRAM.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish, within the operating loan program established under this chapter, a pilot program under which the Secretary makes loans available to eligible entities to assist the entities in providing food to the hungry.

“(3) ELIGIBILITY.—In addition to any other person eligible under the terms and conditions of the operating loan program established under this chapter, gleaners shall be eligible to receive loans under this subsection.

“(4) LOAN AMOUNT.—

“(A) IN GENERAL.—Each loan issued under the program shall be in an amount of not less than \$500 and not more than \$5,000.

“(B) REDISTRIBUTION.—If the eligible recipients in a State do not use the full allocation of loans that are available to eligible re-

cipients in the State under this subsection, the Secretary may use any unused amounts to make loans available to eligible entities in other States in accordance with this subsection.

“(5) LOAN PROCESSING.—

“(A) IN GENERAL.—The Secretary shall process any loan application submitted under the program not later than 30 days after the date on which the application was submitted.

“(B) EXPEDITING APPLICATIONS.—The Secretary shall take any measure the Secretary determines necessary to expedite any application submitted under the program.

“(6) PAPERWORK REDUCTION.—The Secretary shall take measures to reduce any paperwork requirements for loans under the program.

“(7) PROGRAM INTEGRITY.—The Secretary shall take such actions as are necessary to ensure the integrity of the program established under this subsection.

“(8) MAXIMUM AMOUNT.—Of funds that are made available to carry out this chapter, the Secretary shall use to carry out this subsection a total amount of not more than \$500,000.

“(9) REPORT.—Not later than 180 days after the maximum amount of funds are used to carry out this subsection under paragraph (8), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the pilot program and the feasibility of expanding the program.

“SEC. 3202. PURPOSES OF LOANS.

“(a) DIRECT LOANS.—A direct loan (including a microloan as defined by the Secretary) may be made under this chapter only—

“(1) to pay the costs incident to reorganizing a farm for more profitable operation;

“(2) to purchase livestock, poultry, or farm equipment;

“(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

“(4) to finance land or water development, use, or conservation;

“(5) to pay loan closing costs;

“(6) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury in complying with the standard;

“(7) to train a limited-resource borrower receiving a loan under section 3106 in maintaining records of farming operations;

“(8) to train a borrower under section 3419;

“(9) to refinance the indebtedness of a borrower, if the borrower—

“(A) has refinanced a loan under this chapter not more than 4 times previously; and

“(B)(i) is a direct loan borrower under this subtitle at the time of the refinancing and has suffered a qualifying loss because of a natural or major disaster or emergency; or

“(ii) is refinancing a debt obtained from a creditor other than the Secretary;

“(10) to provide other farm or home needs, including family subsistence; or

“(11) to assist a farmer in the production of a locally or regionally produced agricultural food product (as defined in section

3601(e)(11)(A)), including to qualified producers engaged in direct-to-consumer marketing, direct-to-institution marketing, or direct-to-store marketing, business, or activities that produce a value-added agricultural product (as defined in section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(a))).

“(b) GUARANTEED LOANS.—A loan may be guaranteed under this chapter only—

“(1) to pay the costs incident to reorganizing a farm for more profitable operation;

“(2) to purchase livestock, poultry, or farm equipment;

“(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

“(4) to finance land or water development, use, or conservation;

“(5) to refinance indebtedness;

“(6) to pay loan closing costs;

“(7) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury due to compliance with the standard;

“(8) to train a borrower under section 3419;

or

“(9) to provide other farm or home needs, including family subsistence.

“(c) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

“(d) PRIVATE RESERVE.—

“(1) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may reserve a portion of any loan made under this chapter to be placed in an unsupervised bank account that may be used at the discretion of the borrower for the basic family needs of the borrower and the immediate family of the borrower.

“(2) LIMIT ON SIZE OF THE RESERVE.—The size of the reserve shall not exceed the lesser of—

“(A) 10 percent of the loan;

“(B) \$5,000; or

“(C) the amount needed to provide for the basic family needs of the borrower and the immediate family of the borrower for 3 calendar months.

“(e) LOANS TO LOCAL AND REGIONAL FOOD PRODUCERS.—

“(1) TRAINING.—The Secretary shall ensure that loan officers processing loans under subsection (a)(11) receive appropriate training to serve borrowers and potential borrowers engaged in local and regional food production.

“(2) VALUATION.—

“(A) IN GENERAL.—The Secretary shall develop ways to determine unit prices (or other appropriate forms of valuation) for crops and other agricultural products, the end use of which is intended to be in locally or regionally produced agricultural food products, to facilitate lending to local and regional food producers.

“(B) PRICE HISTORY.—The Secretary shall implement a mechanism for local and regional food producers to establish price history for the crops and other agricultural products produced by local and regional food producers.

“(3) OUTREACH.—The Secretary shall develop and implement an outreach strategy to engage and provide loan services to local and regional food producers.

“SEC. 3203. RESTRICTIONS ON LOANS.

“(a) REQUIREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not make or guarantee a loan under this chapter—

“(A) that would cause the total principal indebtedness outstanding at any 1 time for loans made under this chapter to any 1 borrower to exceed—

“(i)(I) in the case of a loan made by the Secretary, \$300,000; or

“(II) in the case of a loan guaranteed by the Secretary, \$700,000 (as modified under paragraph (2)); or

“(B) for the purchasing or leasing of land other than for cash rent, or for carrying on a land leasing or land purchasing program.

“(2) MODIFICATION.—The amount specified in paragraph (1)(A)(ii) shall be—

“(A) increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

“(B) reduced by the unpaid indebtedness of the borrower on loans under sections specified in section 3104 that are guaranteed by the Secretary.

“(3) MICROLOANS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may establish a program to make or guarantee microloans.

“(B) LIMITATION.—The Secretary shall not make or guarantee any microloan (as defined by the Secretary) under this chapter—

“(i) for an amount that is greater than \$35,000; or

“(ii) that would cause the total principal indebtedness outstanding at any 1 time for microloans made under this chapter to any 1 borrower to exceed \$70,000.

“(C) APPLICATIONS.—To the maximum extent practicable, the Secretary shall limit the administrative burdens and streamline the application and approval process for microloans under this paragraph.

“(D) COOPERATIVE LENDING PROJECTS.—

“(i) IN GENERAL.—Subject to clause (ii), the Secretary may contract with community-based and nongovernmental organizations, States, or other intermediaries, as the Secretary determines appropriate—

“(I) to make or guarantee a microloan under this paragraph; and

“(II) to provide business, financial, marketing, and credit management services to borrowers.

“(ii) REQUIREMENTS.—Before contracting with an entity described in clause (i), the Secretary shall—

“(I) review and approve—

“(aa) the loan loss reserve fund for microloans established by the entity; and

“(bb) the underwriting standards for microloans of the entity; and

“(II) establish such other requirements for contracting with the entity as the Secretary determines necessary.

“(iii) REVOLVING LOAN.—Under such conditions as the Secretary may require, an entity described in clause (i) that enters into a contract with the Secretary under this subparagraph may elect to convert the loan loss reserve fund for microloans established by the entity into a revolving loan fund to carry out the purposes of this subparagraph.

“(b) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Prices Paid By Farmers Index (as compiled by the National

Agricultural Statistics Service of the Department) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of that index (as so defined) for the 12-month period ending on August 31, 1996.

“SEC. 3204. TERMS OF LOANS.

“(a) PERSONAL LIABILITY.—A borrower of a loan made under this chapter shall secure the loan with the full personal liability of the borrower and such other security as the Secretary may prescribe.

“(b) INTEREST RATES.—

“(1) MAXIMUM RATE.—

“(A) IN GENERAL.—Except as provided in paragraphs (2) and (3), the interest rate on a loan made under this chapter (other than a guaranteed loan) shall be determined by the Secretary at a rate not to exceed the sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an additional charge not to exceed 1 percent, as determined by the Secretary.

“(B) ADJUSTMENT.—The sum obtained under subparagraph (A) shall be adjusted to the nearest $\frac{1}{8}$ of 1 percent.

“(2) GUARANTEED LOAN.—The interest rate on a guaranteed loan made under this chapter shall be such rate as may be agreed on by the borrower and the lender, but may not exceed any rate prescribed by the Secretary.

“(3) LOW INCOME LOAN.—The interest rate on a microloan to a beginning farmer or rancher or a veteran farmer or rancher (as defined in section 2501(e) of the Food Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) or a direct loan made under this chapter to a low-income, limited-resource borrower shall be determined by the Secretary at a rate that is not—

“(A) greater than the sum obtained by adding—

“(i) an amount that does not exceed $\frac{1}{2}$ of the current average market yield on outstanding marketable obligations of the United States with a maturity of 5 years; and

“(ii) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; or

“(B) less than 1.5 percent per year.

SA 987. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

After section 11024, insert the following:

SEC. 110 . ALFALFA CROP INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11024) is amended by adding at the end the following:

“(25) ALFALFA CROP INSURANCE POLICY.—

“(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure alfalfa.

“(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”.

SA 988. Mr. MORAN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, insert the following:

SEC. 12 . TRANSPORT AND DISPENSING OF CONTROLLED SUBSTANCES IN THE USUAL COURSE OF VETERINARY PRACTICE.

Section 302(e) of the Controlled Substances Act (21 U.S.C. 822(e)) is amended—

(1) by striking “(e)” and inserting “(e)(1)”; and

(2) by adding at the end the following:

“(2) Notwithstanding paragraph (1), a registrant who is a veterinarian shall not be required to have a separate registration in order to transport and dispense controlled substances in the usual course of veterinary practice at a site other than the registrant’s registered principal place of business or professional practice, so long as the site of dispensing is located in a State where the veterinarian is licensed to practice veterinary medicine.”.

SA 989. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

After section 4003, insert the following:

SEC. 4004. WORKFARE REQUIREMENT WAIVER.

Section 6(o)(4)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)(4)(A)) is amended—

(1) in clause (i), by striking “or” at end; and

(2) by striking clause (ii) and inserting the following:

“(ii) is designated as a labor surplus area by the Employment and Training Administration of the Department of Labor;

“(iii) is determined by the Unemployment Insurance Services of the Department of Labor as qualifying for extended unemployment benefits; or

“(iv) has a 24-month average unemployment rate that is 20 percent above the national average for the same 24-month period.”.

SA 990. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 4010 and insert the following:

SEC. 4010. QUALITY CONTROL.

(a) IN GENERAL.—Section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D)(i)(II), by inserting “except as provided in subparagraph (H),” before “require”; and

(B) by adding at the end the following:

“(H) STATES IN LIABILITY STATUS FOR A THIRD CONSECUTIVE FISCAL YEAR.—

“(i) IN GENERAL.—If a liability amount has been established for a State agency under subparagraph (C) for 3 or more consecutive fiscal years, the Secretary shall require the

State to pay the entire liability amount for those fiscal years.

“(ii) ALTERNATIVES TO FULL PAYMENT NOT AVAILABLE.—Subparagraph (D) shall not apply to a State agency described in clause (i).”; and

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following:

“(9) PENALTY FOR NEGATIVE ERROR RATE.—

“(A) DEFINITIONS.—In this paragraph:

“(i) AFFECTED STATE AGENCY.—The term ‘affected State agency’ means a State agency that maintains, for 2 or more consecutive fiscal years, a negative error rate that is more than 50 percent higher than the national average negative error rate, as determined by the Secretary.

“(ii) AVERAGE NEGATIVE ERROR RATE.—The term ‘average negative error rate’ means the product obtained by multiplying—

“(I) the negative error rate of a State agency; and

“(II) the proportion of the total negative caseload of that State agency for the fiscal year, as calculated under the quality control sample at the time of the notifications issued under subparagraph (C), as determined by the Secretary.

“(iii) NEGATIVE ERROR RATE.—

“(I) IN GENERAL.—The term ‘negative error rate’ means, for a State agency, the proportion that—

“(aa) the total number of actions erroneously taken by the State agency to deny applications or suspend or terminate benefits of a household participating in the supplemental nutrition assistance program established under this Act, as determined by the Secretary, in that fiscal year; bears to

“(bb) the total number of actions taken by the State agency to deny applications or suspend or terminate benefits of households participating in the supplemental nutrition assistance program established under this Act in that fiscal year.

“(II) EXCLUSIONS.—The term ‘negative error rate’ does not include—

“(aa) an error resulting from the application of regulations promulgated under this Act during the period—

“(AA) beginning on the date of enactment of this clause; and

“(BB) ending on the date that is 121 days after the date on which the regulation is implemented; and

“(bb) an error resulting from—

“(AA) the use by a State agency of correctly processed information concerning households or individuals received under a Federal program; or

“(BB) an action that is based on policy information that is approved or disseminated, in writing, by the Secretary or a designee of the Secretary.

“(B) PENALTY AMOUNT.—For fiscal year 2012 and each subsequent fiscal year, the amount of the penalty for an affected State agency shall be equal to 5 percent of the amount otherwise payable under subsection (a).

“(C) INFORMATION REPORTING BY STATES.—

“(i) IN GENERAL.—For each fiscal year, each State agency shall expeditiously submit to the Secretary data concerning the operations of the State agency sufficient for the Secretary to establish the negative error rate and penalty amount of the State agency.

“(ii) RELEVANT INFORMATION.—The Secretary may require a State agency to report any factors necessary to determine the negative error rate of the State agency.

“(iii) INFORMATION NOT REPORTED.—If a State agency fails to report information required by the Secretary, the Secretary may use any information, as the Secretary considers appropriate, to establish the negative error rate of the State agency for the applicable year.

“(iv) NATIONAL AVERAGE ERROR RATE.—If a State agency fails to report information required by the Secretary, the Secretary may use the national average negative error rate to establish the negative error rate for the State agency.

“(D) ANNOUNCEMENT OF ERROR RATES.—

“(i) CASE REVIEW.—Not later than May 31 of each fiscal year, the case review and all arbitration of State-Federal differences on negative error rates for the previous fiscal year shall be completed.

“(ii) DETERMINATION AND ANNOUNCEMENT.—Not later than June 30 of each fiscal year, the Secretary shall, for the previous fiscal year—

“(I) determine—

“(aa) final negative error rates;

“(bb) the national average negative error rate; and

“(cc) penalty amounts;

“(II) notify affected State agencies of the penalty amounts;

“(III) provide a copy of the notification under subclause (II) to the chief executive officer and the legislature of the affected State; and

“(IV) establish a claim against the State agency for the monetary penalty amount assessed against the State agency.

“(E) REVIEW.—

“(i) IN GENERAL.—For any fiscal year, if the Secretary imposes a penalty amount against a State agency under subparagraph (D)(ii), the following determinations of the Secretary shall be subject to administrative and judicial review:

“(I) The final negative error rate of the State agency.

“(II) A determination of the Secretary that the negative error rate of the State agency exceeds 50 percent of the national average negative error rate.

“(III) The monetary penalty amount assessed against the State agency.

“(ii) DETERMINATION NOT REVIEWABLE.—The national average negative error rate under this paragraph shall not be subject to administrative or judicial review.

“(F) PAYMENT OF PENALTY AMOUNT.—

“(i) IN GENERAL.—On completion of administrative and judicial review under subparagraph (E), an affected State agency shall pay to the Secretary the penalty amount designated under subparagraph (D)(ii), subject to the findings of the administrative or judicial review, not later than September 30 of the fiscal year for which the claim has been issued to the State agency.

“(ii) ALTERNATIVE METHOD OF COLLECTION.—

“(I) IN GENERAL.—If a State agency fails to make a payment under clause (i) by September 30 of the fiscal year for which the claim has been issued to the State agency, the Secretary may reduce any amount due to the State agency under any other provision of this Act by the amount of the monetary penalty established under subparagraph (D)(ii).

“(II) ACCRUAL OF INTEREST.—Interest on the amount owed shall not accrue until after September 30 of the applicable fiscal year.”.

SA 991. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNIS) submitted an amendment intended to be proposed

by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In section 4016, strike “Section 28(b)” and inserting the following:

(1) IN GENERAL.—Section 28(b)

In section 4016, add at the end the following:

(2) FUNDING.—Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is amended by striking subsection (d) and inserting the following:

“(d) FUNDING.—

“(1) IN GENERAL.—Of funds made available each fiscal year under section 18(a)(1), the Secretary shall make available to each State agency to carry out the nutrition education and obesity prevention grant program under this section—

“(A) for fiscal year 2013, an amount equal to \$5 per individual in the State enrolled in the supplemental nutrition assistance program; and

“(B) for fiscal year 2014 and each subsequent fiscal year, the applicable amount during the preceding fiscal year, as adjusted to reflect any increases for the 12-month period ending the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, per individual in the State enrolled in the supplemental nutrition assistance program.

“(2) TIMING OF DETERMINATION.—At the end of each fiscal year, the Secretary shall determine the total number of individuals in each State enrolled in the supplemental nutrition assistance program so as to determine appropriate funding levels for the coming fiscal year.”.

SA 992. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 351, between lines 12 and 13, insert the following:

SEC. 4001. ACCESS TO GROCERY DELIVERY FOR HOMEBOUND SENIORS AND INDIVIDUALS WITH DISABILITIES ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS.

(a) IN GENERAL.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (4) the following:

“(5) a public or private nonprofit food purchasing and delivery service that—

“(A) purchases food for, and delivers the food to, individuals who are—

“(i) unable to shop for food; and

“(ii) (I) not less than 60 years of age; or

“(II) individuals with disabilities;

“(B) clearly notifies the participating household at the time the household places a food order—

“(i) of any delivery fee associated with the food purchase and delivery provided to the household by the service; and

“(ii) that a delivery fee cannot be paid with benefits provided under the supplemental nutrition assistance program; and

“(C) sells food purchased for the household at the price paid by the service for the food without any additional cost markup.”.

(b) **ISSUANCE OF REGULATIONS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations that—

(1) establish criteria to identify a food purchasing and delivery service described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)); and

(2) establish procedures to ensure that the service—

(A) does not charge more for a food item than the price paid by the service for the food item;

(B) offers food delivery service at no or low cost to households under that Act;

(C) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of that Act (7 U.S.C. 2012);

(D) limits the purchase of food, and the delivery of the food, to households eligible to receive services described in section 3(p)(5) of that Act (as added by subsection (a)(3));

(E) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under that Act; and

(F) such other requirements as the Secretary considers appropriate.

(c) **LIMITATION.**—Before the issuance of regulations under subsection (b), the Secretary may not approve more than 20 food purchasing and delivery services described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)) to participate as retail food stores under the supplemental nutrition assistance program.

(d) **EFFECTIVE DATE.**—This section and the amendments made by this section take effect on the date that is 30 days after the date of the enactment of this Act.

SA 993. Mr. ROCKEFELLER (for himself, Mr. TESTER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12 . UNLAWFUL RETALIATION.

(a) **IN GENERAL.**—Subtitle A of title II of the Packers and Stockyards Act, 1921 (7 U.S.C. 191 et seq.), is amended by adding at the end the following:

“SEC. 211. UNLAWFUL RETALIATION.

“(1) **IN GENERAL.**—No packer, swine contractor, or live poultry dealer shall take retaliatory action in response to any lawful spoken or written expression, association, or action of a livestock producer, swine production contract grower, or poultry grower.

“(2) **TYPES OF LAWFUL EXPRESSION.**—The lawful expression referred to in paragraph (1) shall include communication with officials of a Federal agency or Members of Congress.”

(b) **DEFINITION OF RETALIATORY ACTION.**—Section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)), is amended by adding at the end the following:

“(15) **RETALIATORY ACTION.**—The term ‘retaliatory action’ means coercion, intimidation, or any other action carried out to achieve the disadvantage of any livestock producer, swine production contract grower, or poultry grower in the execution, termination, extension, or renewal of a contract involving livestock or poultry.”

(c) **CONFORMING AMENDMENTS.**—Section 411 of the Packers and Stockyards Act, 1921 (7 U.S.C. 228b-2) is amended—

(1) in subsection (a), in the first sentence, by inserting “, section 211,” after “section 207”; and

(2) in subsection (b), in the first sentence, by inserting “, section 211,” after “section 207”.

SA 994. Mr. VITTER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 . MINIMIZATION OF IMPACT OF ENDANGERED SPECIES LISTINGS AND DESIGNATIONS ON AGRICULTURAL LAND.

Section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) is amended by adding at the end the following:

“(j) **MINIMIZATION OF IMPACT OF ENDANGERED SPECIES LISTINGS AND DESIGNATIONS ON AGRICULTURAL LAND.**—

“(1) **IN GENERAL.**—Before any action is taken to list a species or designate critical habitat under this Act, the Secretary shall—

“(A) consult with the Secretary of Agriculture to identify all private agricultural land and land maintained by the Forest Service that could be adversely impacted by the listing or designation; and

“(B) prepare a report that describes the economic impacts of the listing or designation on land used for agricultural activities.

“(2) **ECONOMIC ANALYSES.**—In conducting economic analyses on the impact of the listing of species, or designation of critical habitat, described in paragraph (1), the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall—

“(A) conduct, and make available to the Secretary of the Interior and the public, separate economic analyses for—

“(i) private agricultural land; and

“(ii) land maintained by the Forest Service;

“(B) give landowners an opportunity for comment on the proposed listing or designation—

“(i) to obtain the input of the landowners; and

“(ii) to provide landowners the same opportunity to comment as other affected parties;

“(C) use sound and proven economic analysis tools in conducting the analyses, listing species, and designating habitat under this Act; and

“(D) make available on a public website—

“(i) a description of the total economic impact on agricultural land from all actual and potential listings and designations under this Act; and

“(ii) a map of all locations in the United States that are proposed for critical habitat designations.

“(3) **ACTUAL NOTICE.**—In listing species or designating habitat under this Act, the Secretary of the Interior shall, to the maximum extent practicable, provide actual notice to affected landowners and other parties.

“(4) **APPEALS.**—Before a species is listed or habitat is designated under this Act, the Secretary of Agriculture shall make available to affected landowners and other parties a description of all options that are available to appeal or obtain compensation from the listing or designation (including administrative and judicial options) against the Federal Government.

“(5) **TRESPASSING ON PRIVATE PROPERTY.**—

“(A) **IN GENERAL.**—If any person enters private land without the consent of the land-

owner to promote the purposes of this Act, any data obtained during or as a result of the trespass shall not be considered—

“(i) to be the best available science; or

“(ii) to meet the scientific quality standards issued under section 515 of the Treasury and General Government Appropriations Act, 2001 (Public Law 106-554; 114 Stat. 2763A-153) (commonly referred to as the ‘Data Quality Act’).

“(B) **AERIAL SURVEILLANCE.**—No science that is produced as a result of aerial surveillance of private land without the consent of the landowner shall be considered to meet the scientific quality standards described in subparagraph (A)(ii).”

SA 995. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . TAXPAYER NONDISCRIMINATION & PROTECTION ACT OF 2013.

(a) **SHORT TITLE.**—This section may be cited as the “Taxpayer Nondiscrimination & Protection Act of 2013”.

(b) **MISCONDUCT AGAINST TAXPAYERS BY INTERNAL REVENUE SERVICE EMPLOYEES.**—

(1) **CRIMINAL LIABILITY.**—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Misconduct against taxpayers by Internal Revenue Service employees

“Whoever being an employee of the Internal Revenue Service, knowingly engages, during the performance of that employee’s official duties, in an act or omission described in section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall be fined under this title or imprisoned not more than 5 years, or both.”

(2) **CLARIFICATION OF ACTS AND OMISSION CONSTITUTING MISCONDUCT.**—

(A) **RELEASE OF INFORMATION AND POLITICAL VIEWS.**—Section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 7804 note) is amended—

(i) in paragraph (9), by striking “; and” and inserting a semicolon;

(ii) in paragraph (10), by striking the period and inserting a semicolon;

(iii) by inserting at the end the following:

“(11) making decisions regarding enforcement actions or investigations, including decisions regarding their relative priority, based on factors related to political or social views, statements, or affiliations of a taxpayer; and

“(12) wilfully releasing confidential taxpayer information to members of the public.”

(B) **FIRST AMENDMENT PROTECTIONS.**—For purposes of section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 and section 250 of title 18, United States Code (as added by this section) the protections and guarantees afforded under the First Amendment of the Constitution of the United States to political speech and political expression shall not fail to be treated as rights under the Constitution of the United States referred to in section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998.

(3) **CLERICAL AMENDMENT.**—The table of sections for chapter 13 of title 18, United States Code, is amended by adding after the item relating to section 249 the following:

“250. Discriminatory misconduct against taxpayers by Federal officers and employees.”.

SA 996. Mr. PRYOR (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In section 1203(b)—

(1) strike “The Secretary” and insert the following:

“(1) IN GENERAL.—The Secretary”; and

(2) add at the end the following:

“(2) PERMITTED EXTENSIONS.—The Secretary may extend the term of a marketing assistance loan (including the loan rate) for any loan commodity if—

“(A) at the time the marketing loan is due—

“(i) the loan commodity is stored in a county for which—

“(I) a natural disaster is declared by the Secretary under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

“(II) a major disaster or emergency is designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

“(ii) the port used to ship the loan commodity is closed or restricted pursuant to a Coast Guard regulation;

“(B) the loan commodity is stored in the county described in subparagraph (A)(i);

“(C) the marketing loan is extended not more than 90 days;

“(D) the request for the extension is approved by the applicable State Director of the Farm Service Agency on an individual basis; and

“(E) the extension does not extend the term of the marketing assistance loan beyond July 31 of the applicable crop year.”.

SA 997. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1096, between lines 15 and 16, insert the following:

SEC. 110 . MARKET LOSS PILOT ENDORSEMENT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

“(i) MARKET LOSS PILOT ENDORSEMENT PROGRAM.—

“(1) IN GENERAL.—To the extent practicable starting with the 2014 reinsurance year, notwithstanding subsection (a)(1) and the limitation on premium increases in section 508(i)(1), the Corporation shall establish and carry out a market loss pilot endorsement program for producers of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)).

“(2) LOSSES COVERED.—The endorsement authorized under this subsection shall cover losses of a defined commodity due to—

“(A) a quarantine imposed under Federal law, pursuant to the terms of which the commodity is destroyed, may not be marketed, or otherwise may not be used for its intended purpose (as determined by the Secretary); or

“(B) a decline in the market price in response to a naturally occurring or accidental outbreak of a pathogen (as determined by the Secretary).

“(3) BUY-UP REQUIREMENT.—An endorsement authorized under this subsection shall be purchased as part of a policy or plan of insurance at the additional coverage level.

“(4) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under paragraph (1) if, as determined by the Board, the policy or plan of insurance—

“(A) protects the interest of producers;

“(B) is actuarially sound; and

“(C) requires the payment of premiums and administrative fees by a producer obtaining the insurance.”.

SA 998. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; as follows:

Beginning on page 840, strike line 22 and all that follows through page 849, line 18, and insert the following:

“(3) RURAL AREA.—The term ‘rural area’ means any area described in section 3002 of the Consolidated Farm and Rural Development Act.

“(4) ULTRA-HIGH SPEED SERVICE.—The term ‘ultra-high speed service’ means broadband service operating at a 1 gigabit per second downstream transmission capacity.”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “LOANS AND” and inserting “GRANTS, LOANS, AND”;

(B) in paragraph (1), by inserting “make grants and” after “Secretary shall”;

(C) by striking paragraph (2) and inserting the following:

“(2) PRIORITY.—

“(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

“(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

“(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

“(I) certified by the affected community, city, county, or designee; or

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable; and

“(iii) provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees under paragraph (1).

“(B) OTHER.—After giving priority to the applicants described in subparagraph (A), the Secretary shall then give priority to projects that serve rural communities—

“(i) with a population of less than 20,000 permanent residents;

“(ii) experiencing outmigration;

“(iii) with a high percentage of low-income residents; and

“(iv) that are isolated from other significant population centers.”; and

(D) by adding at the end the following:

“(3) GRANT AMOUNTS.—

“(A) ELIGIBILITY.—To be eligible for a grant under this section, the project that is the subject of the grant shall be carried out in a rural area.

“(B) MAXIMUM.—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

“(C) GRANT RATE.—The Secretary shall establish the grant rate for each project in accordance with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(i) remote locations;

“(ii) low community populations;

“(iii) low income levels;

“(iv) developed the applications of the communities with the participation of combinations of stakeholders, including—

“(I) State, local, and tribal governments;

“(II) nonprofit institutions;

“(III) institutions of higher education;

“(IV) private entities; and

“(V) philanthropic organizations; and

“(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

“(D) SECRETARIAL AUTHORITY TO ADJUST.—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).”;

(4) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”;

(ii) by striking clause (i) and inserting the following:

“(i) demonstrate the ability—

“(I) to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e); or

“(II) to carry out a project under paragraph (4)(B)(ii);”;

(iii) in clause (ii), by striking “a loan application” and inserting “an application”; and

(iv) in clause (iii)—

(I) by striking “the loan application” and inserting “the application”; and

(II) by striking “proceeds from the loan made or guaranteed under this section are” and inserting “assistance under this section is”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(bb) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”;

(II) in clause (i), by striking “is offered broadband service by not more than 1 incumbent service provider” and inserting “are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)”; and

(III) in clause (ii), by striking “3” and inserting “2”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) ADJUSTMENTS.—

“(i) INCREASE.—The Secretary may increase the household percentage requirement under subparagraph (A)(i) if—

“(I) more than 25 percent of the costs of the project are funded by grants made under this section; or

“(II) the proposed service territory includes 1 or more communities with a population in excess of 20,000.

“(ii) REDUCTION.—The Secretary may reduce the household percentage requirement under subparagraph (A)(i)—

“(I) to not less than 15 percent, if the proposed service territory does not have a population in excess of 5,000 people; or

“(II) to not less than 18 percent, if the proposed service territory does not have a population in excess of 7,500 people.”; and

(iii) in subparagraph (C)—

(I) in the subparagraph heading, by striking “3” and inserting “2”;

(II) in clause (i), by inserting “the minimum acceptable level of broadband service established under subsection (e) in” after “service to”; and

(III) by striking clause (ii) and inserting the following:

“(ii) EXCEPTIONS.—Clause (i) shall not apply if—

“(I) the applicant is eligible for funding under another title of this Act; or

“(II) the project is being carried out under paragraph (4)(B)(ii), unless an incumbent service provider is providing ultra-high speed service as of the date of an application for assistance submitted to the Secretary under this section.”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (B), by adding at the end the following:

“(iii) INFORMATION.—Information submitted under this subparagraph shall be—

“(I) certified by the affected community, city, county, or designee; and

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—

(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) IN GENERAL.—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “loan or” and inserting “grant, loan, or”; and

(iii) by adding at the end the following:

“(B) PILOT PROGRAMS.—The Secretary shall establish pilot programs under which the Secretary may, at the discretion of the Secretary, provide grants, loans, or loan guarantees under this section to eligible entities, including interested entities described in subparagraph (A)—

“(i) to address areas that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e); or

“(ii) for the purposes of providing a proposed service territory with ultra-high speed service, subject to the conditions that—

“(I) not more than 5 projects, and not more than 1 project in any State, shall be carried out under this clause during the period beginning on the date of enactment of this Act and ending on September 30, 2018;

“(II) for each fiscal year, not more than 10 percent of the funds made available under subsection (I) shall be used to carry out this clause;

“(III) for each fiscal year, not more than 20 percent of the funds made available under subclause (II) shall be used for any 1 project; and

“(IV) paragraph (2)(A)(i) shall apply to the project, unless—

“(aa) the Secretary determines that no other project in the State is funded under this section; and

“(bb) no application for any other project that could be funded under this section, other than under this clause, is pending in the State.”;

SA 999. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 11. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percent points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

SA 1000. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 15 and 16, insert the following:

SEC. 40. DEMONSTRATION PROJECTS TO PROHIBIT PURCHASES OF JUNK FOOD.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 4001(b)) is amended by adding at the end the following:

“(m) DEMONSTRATION PROJECT TO RESTRICT ELIGIBLE ITEMS.—

“(1) IN GENERAL.—A State may carry out a demonstration project to plan, design, develop, and implement a program in the State to eliminate purchases of junk food and other unhealthful items by redefining items that qualify as ‘food’ under section 3(k) if the Secretary approves a waiver request submitted by the State in accordance with paragraph (2).

“(2) APPROVAL OF WAIVER.—The Secretary shall approve any waiver to carry out a program under paragraph (1) if the Secretary determines that the waiver request submitted by the State includes—

“(A) a standard based on nutritional content for redefining items for eligibility under section 3(k) that—

“(i) is determined by the State to be clear, practical, and consistent in excluding certain items from eligibility as a food under section 3(k); and

“(ii) does not—

“(I) expand the number of items otherwise eligible under section 3(k); or

“(II) classify alcoholic beverages, tobacco, and hot foods or hot food products ready for immediate consumption as eligible under section 3(k);

“(B) a description of the cost of implementing the demonstration project in the State;

“(C) a description of the number of households participating in the program to be affected by the demonstration project;

“(D) a procedure for disseminating product eligibility information periodically to retailers;

“(E) a procedure to monitor and evaluate program operations, including impact on small businesses; and

“(F) a statement that the demonstration project does not intend to reduce the eligibility for, or amount of, benefits available under this Act.

“(3) EVALUATION.—Not later than 5 years after the date on which a demonstration is initiated under this subsection, the State shall submit to the Secretary a report that describes the effect of the demonstration project on—

“(A) the costs and benefits under the supplemental nutrition assistance program in the State; and

“(B) the access of individuals receiving benefits under the supplemental nutrition assistance program in the State to nutritious food.

“(4) TREATMENT.—A demonstration project under this subsection shall be considered to be a permissible project to test innovative welfare reform strategies under subsection (b)(1)(B)(ii)(III).”.

SA 1001. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 351, strike lines 11 and 12 and insert the following:

Subtitle A—Food Stamp Program

SEC. 4001. REPEAL OF RENAMING OF THE FOOD STAMP ACT OF 1977 AND THE FOOD STAMP PROGRAM.

(a) IN GENERAL.—Effective June 18, 2008, sections 4001 and 4002 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1853) and the amendments made by those sections are repealed.

(b) APPLICATION.—The Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) shall be applied and administered as if sections 4001 and 4002 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1853) and the amendments made by those sections had not been enacted.

In title IV—

(1) strike “Food and Nutrition Act of 2008” each place it appears and insert “Food Stamp Act of 1977”; and

(2) strike “supplemental nutrition assistance program” each place it appears and insert “food stamp program”.

SA 1002. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 19 and 20, insert the following:

SEC. 4014. PROMOTION AND ENROLLMENT.

Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) (as amended by section 4013) is amended by adding at the end the following:

“(g) LIMITATIONS ON USE RELATING TO PROMOTION AND ENROLLMENT.—

“(1) IN GENERAL.—Subject to paragraph (2), not more than 1 percent of the amounts made available to carry out this Act shall be used to promote increased participation and enrollment in the supplemental nutrition assistance program.

“(2) PROHIBITION ON USE FOR CERTAIN ACTIVITIES.—None of the amounts made available to carry out this Act shall be used for—

“(A) radio and television soap operas;

“(B) social events and parties, including bingo games; and

“(C) giveaways of toys, gift bags, pet toys, and animal food.”.

SA 1003. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122 . . . PROHIBITION ON FEDERAL FINANCIAL ASSISTANCE BY PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS.

(a) DEFINITION OF SERIOUSLY DELINQUENT TAX DEBT.—In this section:

(1) IN GENERAL.—The term “seriously delinquent tax debt” means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of that Code.

(2) EXCLUSIONS.—The term “seriously delinquent tax debt” does not include—

(A) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122 of Internal Revenue Code of 1986; and

(B) a debt with respect to which a collection due process hearing under section 6330 of that Code, or relief under subsection (a), (b), or (f) of section 6015 of that Code, is requested or pending.

(b) PROHIBITION.—Notwithstanding any other provision of this Act or an amendment made by this Act and subject to subsection (c), an individual or entity who has a seriously delinquent tax debt shall be ineligible to receive financial assistance (including any payment, loan, grant, contract, or subsidy) under this Act or an amendment made by this Act during the pendency of such seriously delinquent tax debt.

(c) LIMITATION.—Subsection (b) shall not apply to any benefits or assistance provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(d) REGULATIONS.—The Secretary of Agriculture, in conjunction with the Secretary of the Treasury, shall issue such regulations as the Secretary considers necessary to carry out this section.

SA 1004. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 168, strike line 9 and insert the following:

(b) CONSERVATION PROGRAMS.—Section 1001D(b)(2)(A) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(2)(A)) is amended—

(1) by striking “LIMITS.—” and all that follows through “clause (ii),” and inserting “LIMITS.—Notwithstanding any other provision of law,”; and

(2) by striking clause (ii).

(c) APPLICATION.—The amendments made by this

SA 1005. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42 . . . EVALUATION AND CONSOLIDATION OF DUPLICATIVE NUTRITION PROGRAMS.

(a) EVALUATION.—

(1) IN GENERAL.—Not later than June 1, 2014, the Secretary, the Assistant Secretary for Aging, and the Administrator of the Federal Emergency Management Agency, as appropriate, shall submit to Congress and post

on the public Internet website of the Department a report on the outcomes of the following programs:

(A) The child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

(B) The community food projects competitive grant program established under section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034).

(C) The Emergency Food and Shelter Program under title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.).

(D) The grants to American Indian, Alaska Native, and Native Hawaiian organizations for nutrition and supportive services program carried out under title VI of the Older Americans Act of 1965 (42 U.S.C. 3057 et seq.).

(E) The food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)).

(F) The fresh fruit and vegetable program established under section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a).

(G) The seniors farmers’ market nutrition program established under section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007).

(H) The summer food service program for children established under section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761).

(I) The emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.).

(J) The farmers’ market nutrition program established under section 17(m) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(m)).

(2) REQUIREMENTS.—

(A) DEFINITIONS.—In this paragraph:

(i) ADMINISTRATIVE EXPENSES.—

(I) IN GENERAL.—Except as provided in subclause (II), the term “administrative expenses” has the meaning given the term by the Director of the Office of Management and Budget under section 504(b)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (31 U.S.C. 1105 note; Public Law 111-85).

(II) INCLUSIONS.—The term “administrative expenses” include, with respect to an agency—

(aa) costs incurred by the agency and costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the agency; and

(bb) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the agency.

(ii) SERVICES.—

(I) IN GENERAL.—Subject to subclause (II), the term “services” has the meaning provided by the Director of the Office of Management and Budget.

(II) LIMITATION.—The term “services” shall be limited to activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans).

(B) REQUIREMENTS.—In evaluating the outcomes of programs for the report under paragraph (1), the Secretary, the Assistant Secretary for Aging, and the Administrator of the Federal Emergency Management Agency

shall, for each applicable program that is a subject of the report—

(i) determine the total administrative expenses of the program;

(ii) determine the expenditures for services for the program;

(iii) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(iv) estimate—

(I) the number of full-time employees who administer the program; and

(II) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program.

(b) ELIMINATIONS AND CONSOLIDATIONS.—

(1) COMMODITY SUPPLEMENTAL FOOD PROGRAM.—

(A) REPEAL.—Notwithstanding the amendments made by section 4012, section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is repealed.

(B) USE OF SAVINGS.—Amounts saved as a result of the repeal made by subparagraph (A) shall be made available, without further appropriation, to the Secretary to carry out the food assistance activities of other programs of the Department of Agriculture that the Comptroller General of the United States identified as having positive outcomes related to the goals of the programs in the report entitled “Domestic Food Assistance: Complex System Benefits Millions, but Additional Efforts Could Address Potential Inefficiency and Overlap among Smaller Programs (GAO-10-346)” and dated April 2010.

(2) SENIORS FARMERS’ MARKET NUTRITION PROGRAM.—

(A) REPEAL.—Notwithstanding the amendment made by section 4202, section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is repealed.

(B) INCOMPLETE AND ONGOING PROJECTS.—The Secretary shall continue to carry out any incomplete or ongoing projects previously carried out under the section repealed by subparagraph (A) through the farmers’ market nutrition program established under section 17(m) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(m)).

(C) USE OF SAVINGS.—Amounts saved as a result of the repeal made by subparagraph (A) shall be made available, without further appropriation, to the Secretary to carry out the food assistance activities of other programs of the Department of Agriculture that the Comptroller General of the United States identified as having positive outcomes related to the goals of the programs in the report entitled “Domestic Food Assistance: Complex System Benefits Millions, but Additional Efforts Could Address Potential Inefficiency and Overlap among Smaller Programs (GAO-10-346)” and dated April 2010.

(3) ELIMINATION OF DUPLICATIVE FUNCTIONS.—

(A) IN GENERAL.—The Secretary, in coordination with the Secretary of Health and Human Services, using the administrative authorities of the Secretaries, shall eliminate, consolidate, and streamline any overlapping or duplicative functions of the Secretaries in carrying out—

(i) section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));

(ii) title VI of the Older Americans Act of 1965 (42 U.S.C. 3057 et seq.); and

(iii) section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a).

(B) REPORTS.—The Secretary and the Secretary of Health and Human Services shall submit to Congress a report describing any legislative changes required to carry out subparagraph (A).

(4) REQUIREMENTS.—In carrying out this section, the Secretary shall ensure that—

(A) in repealing and consolidating programs, the eligibility, benefits, and services to existing clients are not interrupted or reduced; and

(B) in consolidating programs and making recommendations for further consolidations and eliminations, priority is given to continuing programs with the best outcomes that serve the most clients with the least amount of administrative costs.

(5) RECOMMENDATIONS FOR LEGISLATIVE CHANGES.—Not later than 150 days after the date of enactment of this Act, the Secretaries of Agriculture, Health and Human Services, and Homeland Security shall submit to Congress a report that identifies any legislative changes that 1 or more of the Secretaries determine to be necessary to further eliminate, consolidate, or streamline duplicative and overlapping functions identified in—

(A) the report of the Government Accountability Office entitled “Opportunities to Reduce Government Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue (GAO 11 318SP)” and dated March 2011;

(B) the testimony of the Government Accountability Office before the Subcommittee on Primary Health Aging, Senate Committee on Health, Education Labor, and Pensions entitled “Nutrition Assistance: Additional Efficiencies Could Improve Services to Older Adults (GAO-11-782T)” and dated June 2011; and

(C) the report of the Government Accountability Office entitled “Domestic Food Assistance: Complex System Benefits Millions, but Additional Efforts Could Address Potential Inefficiency and Overlap among Smaller Programs (GAO-10-346)” and dated April 2010.

SA 1006. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1037, strike lines 8 through 17 and insert the following:

“(3) REQUIREMENTS.—Not less than 80 percent of the amount made available for a fiscal year to carry out this section shall be used—

“(A) to increase access, availability and affordability of specialty crops for children, youth, families and others at risk, including specialty crops for meals served in schools and food banks;

“(B) to ensure or promote food safety;

“(C) to protect specialty crops from plant pests and disease; and

“(D) to produce specialty crops.

“(4) PROHIBITIONS.—None of the funds made available under this section may used—

“(A) to produce, purchase, promote, or market junk food or candy, including potato chips and chocolate;

“(B) to sponsor field days at, or attend, amusement parks or festivals;

“(C) to support pageants or tours by pageant winners; or

“(D) to promote, produce, or otherwise support crops that are ornamental in nature.”; and

(5) in subsection (1) (as redesignated by paragraph (3))—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) \$55,000,000 for fiscal year 2014 and each fiscal year thereafter.”.

SA 1007. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 332, strike lines 6 through 9, and insert the following:

SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.

Section 211(c) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)) is amended—

(1) in paragraph (1)(A)—

(A) by striking “and” after “2005.”; and

(B) by inserting “, and \$160,000,000 for each of fiscal years 2013 through 2018” after “2012.”; and

(2) by adding at the end the following:

“(3) PROHIBITION ON USE OF FUNDS FOR CERTAIN ACTIVITIES.—None of the funds made available to carry out this subsection shall be used for—

“(A) animal spa products;

“(B) reality television shows;

“(C) cat or dog food or other pet food;

“(D) wine tastings, beer festivals or beer award contests, beer tasting or beer school seminars, and tastings or seminars for alcohol of any kind (including whiskeys and distilled spirits); and

“(E) cheese award shows and contests.

“(4) TRAVEL-RELATED EXPENSES.—The Secretary shall annually disclose to Congress, and post on a public website, a description of all travel-related expenses incurred to carry out this subsection, including—

“(A) the purpose of the expenses;

“(B) the total costs incurred for travel-related activities for each fiscal year;

“(C) the number of participants and the affiliations of the participants; and

“(D) the destination and itinerary of each trip made to carry out this subsection.”.

SA 1008. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 6104 and insert the following:

SEC. 6104. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking “loans and” and inserting “grants, loans, and”;

(2) in subsection (b), by striking paragraph (3) and inserting the following:

“(3) RURAL AREA.—The term ‘rural area’ means any area described in section 3002 of the Consolidated Farm and Rural Development Act that does not have access to broadband service from any provider of broadband service.”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “LOANS AND” and inserting “GRANTS, LOANS, AND”;

(B) in paragraph (1), by inserting “make grants and” after “Secretary shall”;

(C) by striking paragraph (2) and inserting the following:

“(2) PRIORITY.—

“(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

“(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications;

“(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service, as—

“(I) certified by the affected community, city, county, or designee; or

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable; and

“(iii) provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees under paragraph (1).

“(B) OTHER.—After giving priority to the applicants described in subparagraph (A), the Secretary shall then give priority to projects that serve rural communities—

“(i) with a population of less than 20,000 permanent residents;

“(ii) experiencing outmigration;

“(iii) with a high percentage of low-income residents; and

“(iv) that are isolated from other significant population centers.”; and

(D) by adding at the end the following:

“(3) GRANT AMOUNTS.—

“(A) ELIGIBILITY.—To be eligible for a grant under this section, the project that is the subject of the grant shall be carried out in a rural area.

“(B) MAXIMUM.—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

“(C) GRANT RATE.—The Secretary shall establish the grant rate for each project in accordance with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(i) remote locations;

“(ii) low community populations;

“(iii) low income levels;

“(iv) developed the applications of the communities with the participation of combinations of stakeholders, including—

“(I) State, local, and tribal governments;

“(II) nonprofit institutions;

“(III) institutions of higher education;

“(IV) private entities; and

“(V) philanthropic organizations; and

“(v) targeted funding to provide broadband service in all or part of an unserved community that does not have residential broadband service.

“(D) SECRETARIAL AUTHORITY TO ADJUST.—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).”;

(4) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”;

(ii) by striking clause (i) and inserting the following:

“(i) demonstrate the ability to furnish or extend broadband service to all or part of an unserved rural area that does not have residential broadband service;”;

(iii) in clause (ii), by striking “a loan application” and inserting “an application”; and

(iv) in clause (iii)—

(I) by striking “the loan application” and inserting “the application”; and

(II) by striking “proceeds from the loan made or guaranteed under this section are” and inserting “assistance under this section is”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(bb) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”; and

(II) in clause (ii), by striking “3” and inserting “2”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) ADJUSTMENTS.—

“(i) INCREASE.—The Secretary may increase the household percentage requirement under subparagraph (A)(i) if—

“(I) more than 25 percent of the costs of the project are funded by grants made under this section; or

“(II) the proposed service territory includes 1 or more communities with a population in excess of 20,000.

“(ii) REDUCTION.—The Secretary may reduce the household percentage requirement under subparagraph (A)(i)—

“(I) to not less than 15 percent, if the proposed service territory does not have a population in excess of 5,000 people; or

“(II) to not less than 18 percent, if the proposed service territory does not have a population in excess of 7,500 people.”; and

(iii) in subparagraph (C), in the subparagraph heading, by striking “3” and inserting “2”; and

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (B), by adding at the end the following:

“(iii) INFORMATION.—Information submitted under this subparagraph shall be—

“(I) certified by the affected community, city, county, or designee; and

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—

(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) IN GENERAL.—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “loan or” and inserting “grant, loan, or”; and

(iii) by adding at the end the following:

“(B) PILOT PROGRAMS.—The Secretary may carry out pilot programs in conjunction with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) to address areas that do not have residential broadband service”;

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (C), by inserting “, and proportion relative to the service territory,” after “estimated number”;

(F) in paragraph (6), by striking “loan or” and inserting “grant, loan, or”;

(G) in paragraph (7), by striking “a loan application” and inserting “an application”; and

(H) by adding at the end the following:

“(8) TRANSPARENCY AND REPORTING.—The Secretary—

“(A) shall require any entity receiving assistance under this section to submit quarterly, in a format specified by the Secretary, a report that describes—

“(i) the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure); and

“(ii) the progress towards fulfilling the objectives for which the assistance was granted, including—

“(I) the number and location of residences and businesses that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

“(II) the speed of broadband service;

“(III) the price of broadband service;

“(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

“(V) any other metrics the Secretary determines to be appropriate;

“(B) shall maintain a fully searchable database, accessible on the Internet at no cost to the public, that contains, at a minimum—

“(i) a list of each entity that has applied for assistance under this section;

“(ii) a description of each application, including the status of each application;

“(iii) for each entity receiving assistance under this section—

“(I) the name of the entity;

“(II) the type of assistance being received;

“(III) the purpose for which the entity is receiving the assistance; and

“(IV) each quarterly report submitted under subparagraph (A); and

“(iv) such other information as is sufficient to allow the public to understand and monitor assistance provided under this section;

“(C) shall, in addition to other authority under applicable law, establish written procedures for all broadband programs administered by the Secretary that, to the maximum extent practicable—

“(i) recover funds from loan defaults;

“(ii) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

“(iii) consolidate and minimize overlap among the programs;

“(D) with respect to an application for assistance under this section, shall—

“(i) promptly post on the website of the Rural Utility Service—

“(I) an announcement that identifies—

“(aa) each applicant;

“(bb) the amount and type of support requested by each applicant; and

“(II) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

“(ii) provide not less than 15 days for broadband service providers to voluntarily submit information about the broadband services that the providers offer in the groups or tracts listed under clause (i)(II) so that the Secretary may assess whether the applications submitted meet the eligibility requirements under this section; and

“(iii) if no broadband service provider submits information under clause (ii), consider the number of providers in the group or tract to be established by reference to—

“(I) the most current National Broadband Map of the National Telecommunications and Information Administration; or

“(II) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts; and

“(E) may establish additional reporting and information requirements for any recipient of any assistance under this section so as to ensure compliance with this section.”;

(5) in subsection (f), by striking “make a loan or loan guarantee” and inserting “provide assistance”;

(6) in subsection (g), by striking paragraph (2) and inserting the following:

“(2) TERMS.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

“(A) consider whether the recipient would be serving an area that is unserved; and

“(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.”;

(7) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking “loan and loan guarantee”;

(B) in paragraph (1)—

(i) by inserting “grants and” after “number of”; and

(ii) by inserting “, including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas” before the semicolon at the end;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking “loan”; and

(ii) in subparagraph (B), by striking “loans and” and inserting “grants, loans, and”;

(D) in paragraph (3), by striking “loan”;

(E) in paragraph (5), by striking “and” at the end;

(F) in paragraph (6), by striking the period at the end and inserting “; and”; and

(G) by adding at the end the following:

“(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including facility upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.”; and

(8) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(9) by inserting after subsection (j) the following:

“(k) BROADBAND BUILDOUT DATA.—

“(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee—

“(A) for purposes of inclusion in the semi-annual updates to the National Broadband Map that is managed by the National Telecommunications and Information Administration (referred to in this subsection as the ‘Administration’); and

“(B) not later than 30 days after the earlier of—

“(i) the date of completion of any project milestone established by the Secretary; or

“(ii) the date of completion of the project.

“(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Secretary shall submit to the Administration any correction to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction from an elected or economic development official.

“(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

“(C) USE.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correct by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of make the grant or loan award decision.”;

(10) subsection (l) (as redesignated by paragraph (8))—

(A) in paragraph (1)—

(i) by striking “\$25,000,000” and inserting “\$50,000,000”; and

(ii) by striking “2012” and inserting “2018”; and

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) set aside at least 1 percent to be used for—

“(I) conducting oversight under this section; and

“(II) implementing accountability measures and related activities authorized under this section.”; and

(11) in subsection (m) (as redesignated by paragraph (8))—

(A) by striking “loan or” and inserting “grant, loan, or”; and

(B) by striking “2012” and inserting “2018”.

“(B) not later than 30 days after the earlier of—

“(i) the date of completion of any project milestone established by the Secretary; or

“(ii) the date of completion of the project.

“(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Secretary shall submit to the Administration any correction to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction from an elected or economic development official.

“(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

“(C) USE.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correct by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of make the grant or loan award decision.”;

(10) subsection (l) (as redesignated by paragraph (8))—

(A) in paragraph (1)—

(i) by striking “\$25,000,000” and inserting “\$50,000,000”; and

(ii) by striking “2012” and inserting “2018”; and

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) set aside at least 1 percent to be used for—

“(I) conducting oversight under this section; and

“(II) implementing accountability measures and related activities authorized under this section.”; and

(11) in subsection (m) (as redesignated by paragraph (8))—

(A) by striking “loan or” and inserting “grant, loan, or”; and

(B) by striking “2012” and inserting “2018”.

“(B) in paragraph (2)(A)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) set aside at least 1 percent to be used for—

“(I) conducting oversight under this section; and

“(II) implementing accountability measures and related activities authorized under this section.”; and

(11) in subsection (m) (as redesignated by paragraph (8))—

(A) by striking “loan or” and inserting “grant, loan, or”; and

(B) by striking “2012” and inserting “2018”.

“(B) by striking “2012” and inserting “2018”.

SA 1009. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize

agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 374, between lines 14 and 15, insert the following:

SEC. 4008. PROHIBITION ON CERTAIN USES OF EBT CARDS.

Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) (as amended by sections 4007(a) and 4018(e)) is amended by adding at the end the following:

“(15) RESTRICTION ON USE TO OBTAIN CASH BENEFITS.—An electronic benefit transfer card shall not be used to obtain cash benefits, including through an automated teller machine or through a cashback procedure at a cash register.”.

SA 1010. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . PROHIBITING REPLACEMENT OF ICD-9 WITH ICD-10 IN IMPLEMENTING HIPAA CODE SET STANDARDS.

(a) IN GENERAL.—The Secretary of Health and Human Services may not implement, administer, or enforce the regulations issued on January 16, 2009 (74 Federal Register 3328), the regulation issued on September 5, 2012 (77 Federal Register 54664), or any similar regulation, insofar as any such regulation provides for the replacement of ICD-9 with ICD-10 as a standard for code sets under section 1173(c) of the Social Security Act (42 U.S.C. 1320d-2(c)) and section 162.1002 of title 45, Code of Federal Regulations.

(b) GAO REPORT ON ICD-9 REPLACEMENT.—

(1) STUDY.—The Comptroller General of the United States, in consultation with stakeholders in the medical community, shall conduct a study to identify steps that can be taken to mitigate the disruption on health care providers resulting from a replacement of ICD-9 as such a standard.

(2) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General shall submit to each House of Congress a report on such study. Such report shall include such recommendations respecting such replacement and such legislative and administrative steps as may be appropriate to mitigate the disruption resulting from such replacement as the Comptroller General determines appropriate.

SA 1011. Mr. GRASSLEY (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1125, after line 23, insert the following:

SEC. 12108. LIVESTOCK INFORMATION DISCLOSURE.

(a) FINDINGS.—Congress finds that—

(1) United States livestock producers supply a vital link in the food supply of the United States, which is listed as a critical infrastructure by the Secretary of Homeland Security;

(2) domestic terrorist attacks have occurred at livestock operations across the United States, endangering the lives and property of people of the United States;

(3) livestock operations in the United States are largely family owned and operated with most families living at the same location as the livestock operation;

(4) State governments and agencies are the primary authority in almost all States for the protection of water quality under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(5) State agencies maintain records on livestock operations and have the authority to address water quality issues where needed; and

(6) there is no discernible environmental or scientifically research-related need to create a database or other system of records of livestock operations in the United States by the Administrator.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term “Agency” means the Environmental Protection Agency.

(3) LIVESTOCK OPERATION.—The term “livestock operation” includes any operation involved in the raising or finishing of livestock and poultry.

(c) PROCUREMENT AND DISCLOSURE OF INFORMATION.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor or cooperator of the Agency, shall not disclose the information of any owner, operator, or employee of a livestock operation provided to the Agency by a livestock producer or a State agency in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any other law, including—

- (i) names;
- (ii) telephone numbers;
- (iii) email addresses;
- (iv) physical addresses;
- (v) Global Positioning System coordinates; or
- (vi) other identifying information regarding the location of the owner, operator, or employee.

(2) EFFECT.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—

(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the livestock producer consents to the disclosure;

(B) the authority of any State agency to collect information on livestock operations; or

(C) the authority of the Agency to disclose the information on livestock operations to State governmental agencies.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the livestock producer under paragraph (2)(A)(ii).

SA 1012. Mr. FLAKE (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1065, strike lines 1 through 25.

SA 1013. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 110 . PROHIBITION ON PREMIUM SUBSIDY FOR HARVEST PRICE POLICIES.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)(2)) is amended by adding at the end the following:

“(9) PROHIBITION ON PREMIUM SUBSIDY FOR HARVEST PRICE POLICIES.—Notwithstanding any other provision of law and beginning with the 2014 reinsurance year, the Corporation may not pay any amount of premium subsidy in the case of a policy or plan of insurance that is based on the actual market price of an agricultural commodity at the time of harvest.”.

SA 1014. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

SEC. 110 . CROP INSURANCE SUBSIDY REDUCTION.

(a) REDUCTION IN SHARE OF CROP INSURANCE PREMIUM PAID BY FEDERAL CROP INSURANCE CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended—

- (1) in subparagraph (B)(i), by striking “67” and inserting “55”;
- (2) in subparagraph (E)(i), by striking “55” and inserting “24”;
- (3) in subparagraph (F)(i), by striking “48” and inserting “17”;
- (4) in subparagraph (G)(i), by striking “38” and inserting “13”;
- (5) by redesignating subparagraphs (C) through (G) as subparagraphs (G) through (K), respectively; and
- (6) by inserting after subparagraph (B) the following:

“(C) In the case of additional coverage equal to or greater than 55 percent, but less than 60 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 46 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

“(D) In the case of additional coverage equal to or greater than 60 percent, but less than 65 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 38 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

“(E) In the case of additional coverage equal to or greater than 65 percent, but less than 70 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 42 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

“(F) In the case of additional coverage equal to or greater than 70 percent, but less than 75 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 32 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.”.

(b) BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this section, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 1015. Mr. FLAKE (for himself, Mr. RISCH, Ms. COLLINS, Mr. CHAMBLISS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, insert the following:

SEC. 12213. PROHIBITION OF IDEOLOGY-BASED TARGETING.

(a) IN GENERAL.—The Internal Revenue Service is prohibited, within the exercise of its regulatory authority under the Internal Revenue Code of 1986 to review applications for exemption from taxation under section 501(a) of such Code, from developing or using any methodology that applies disproportionate scrutiny to any applicant based on the ideology expressed in the name or purpose of the organization.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Subparagraph (A) of section 7803(d)(2) of the Internal Revenue Code of 1986 is amended—

(A) by redesignating clauses (ii), (iii), and (iv) as clauses (iii), (iv), and (v), respectively, and

(B) by inserting after clause (i) the following new clause:

“(ii) the number of complaints during the period that allege disproportionate scrutiny

in the process of applying for exempt status under section 501(a) based on the ideology of the applicants;”.

(2) **EVALUATION OF COMPLAINTS.**—Paragraph (2) of section 7803(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) In the case of a complaint or allegation described in subparagraph (A)(ii), the report shall provide an evaluation of the source and the circumstances of such complaints, including a timeline of events, identification of any Internal Revenue Service employees involved in the case, and a determination of whether such scrutiny was related to the exercise of permitted political activities (as determined under subsection (c)(3) or (h), whichever is applicable, of section 501) by an applicant or exempt organization.”.

(3) **CONFORMING AMENDMENT.**—Subparagraph (B) of section 7803(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Clauses (iii) and (iv)” and inserting “Clauses (iv) and (v)”.

(4) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to reports submitted after the date which is 6 months after the date of the enactment of this Act.

SA 1016. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 9009 and insert the following:

SEC. 9009. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is repealed.

SA 1017. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike subtitles A and B of title II and insert the following:

SEC. 2001. REPEAL OF CONSERVATION RESERVE PROGRAM.

Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) is repealed.

SEC. 2002. REPEAL OF CONSERVATION STEWARDSHIP PROGRAM.

Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is repealed.

SA 1018. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 968, between lines 8 and 9, insert the following:

SEC. 8102. FOREST LEGACY PROGRAM.

(a) **IN GENERAL.**—Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 2A(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(c)) is amended—

(A) in paragraph (3), by inserting “and” after the semicolon;

(B) in paragraph (4), by striking “; and” and inserting a period; and

(C) by striking paragraph (5).

(2) Section 19(b)(2) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2113(b)(2)) is amended—

(A) in subparagraph (B), by inserting “and” after the semicolon;

(B) in subparagraph (C), by striking “; and” and inserting a period; and

(C) by striking subparagraph (D).

SA 1019. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122. TREATMENT OF INTRASTATE SPECIES.

(a) **DEFINITION OF INTRASTATE SPECIES.**—In this section, the term “intrastate species” means any species of plant or fish or wildlife (as those terms are defined in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532)) that is found entirely within the borders of a single State.

(b) **TREATMENT.**—An intrastate species shall not be—

(1) considered to be in interstate commerce; and

(2) subject to regulation under—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(B) any other provision of law under which regulatory authority is based on the power of Congress to regulate interstate commerce as enumerated in article I, section 8, clause 3 of the Constitution.

SA 1020. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SECTION 12. REINS ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Regulations From the Executive in Need of Scrutiny Act of 2013” or the “REINS Act”.

(b) **FINDINGS AND PURPOSE.**—

(1) **FINDINGS.**—Congress finds the following:

(A) Section 1 of article I of the United States Constitution grants all legislative powers to Congress.

(B) Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes.

(C) By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the people of the United States for the laws imposed upon them.

(2) **PURPOSE.**—The purpose of this section is to increase accountability for and transparency in the Federal regulatory process.

(c) **CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.**—Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

“Sec.

“801. Congressional review.

“802. Congressional approval procedure for major rules.

“803. Congressional disapproval procedure for nonmajor rules.

“804. Definitions.

“805. Judicial review.

“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“§ 801. Congressional review

“(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of Congress and to the Comptroller General a report containing—

“(i) a copy of the rule;

“(ii) a concise general statement relating to the rule;

“(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

“(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

“(v) the proposed effective date of the rule.

“(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any;

“(ii) the actions of the agency pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

“(iii) the actions of the agency pursuant to sections 1532, 1533, 1534, and 1535 of title 2, United States Code; and

“(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

“(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 802(b)(2). The report of the Comptroller General shall include an assessment of compliance by the agency with procedural steps required by paragraph (1)(B).

“(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General’s report under subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

“(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

“(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

“(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, sections 802 and 803 shall apply, in the succeeding session of Congress, to any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session; or

“(B) in the case of the House of Representatives, 60 legislative days before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day after the succeeding session of Congress first convenes; or

“(II) in the case of the House of Representatives, the 15th legislative day after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

“§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;

“(B) bears the following title: ‘Approving the rule submitted by _____ relating to _____.’ (The blank spaces being appropriately filled in);

“(C) includes after its resolving clause only the following: ‘That Congress approves the rule submitted by _____ relating to _____.’ (The blank spaces being appropriately filled in); and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or the designee of the majority leader) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within 3 legislative days; and

“(B) in the case of the Senate, within 3 session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the de-

bate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the House of Representatives, if the committee or committees to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee or committees shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for not fewer than 5 legislative days to call up the joint resolution for immediate consideration in the House without intervention of any point of order. When so called up, a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) For purposes of this subsection, the term ‘identical joint resolution’ means a joint resolution of the first House that proposes to approve the same major rule as a joint resolution of the second House.

“(2) If the second House receives from the first House a joint resolution, the Chair shall determine whether the joint resolution is an identical joint resolution.

“(3) If the second House receives an identical joint resolution—

“(A) the identical joint resolution shall not be referred to a committee; and

“(B) the procedure in the second House shall be the same as if no joint resolution had been received from the first house, except that the vote on final passage shall be on the identical joint resolution.

“(4) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

“(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

§ 803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).”

“(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.”

“(2) For purposes of this section, the term ‘submission or publication date’ means the later of the date on which—

“(A) the Congress receives the report submitted under section 801(a)(1); or

“(B) the nonmajor rule is published in the Federal Register, if so published.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

“(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

§ 804. Definitions

“For purposes of this chapter—

“(1) the term ‘Federal agency’ means any agency as that term is defined in section 551(1);

“(2) the term ‘major rule’ means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual effect on the economy of \$100,000,000 or more;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets;

“(3) the term ‘nonmajor rule’ means any rule that is not a major rule; and

“(4) the term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to agency management or personnel; or

“(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

§ 805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

“(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not—

“(1) be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule;

“(2) extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule; and

“(3) form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

§ 806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

§ 807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.”

(d) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following:

“(E) Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”

SA 1021. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, insert the following:

SEC. 12213. REPEAL OF ESTATE AND GENERATION-SKIPPING TRANSFER TAXES.

(a) ESTATE TAX REPEAL.—Subchapter C of chapter 11 of subtitle B of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 2210. TERMINATION.

“(a) IN GENERAL.—Except as provided in subsection (b), this chapter shall not apply to the estates of decedents dying on or after the date of the enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(b) CERTAIN DISTRIBUTIONS FROM QUALIFIED DOMESTIC TRUSTS.—In applying section 2056A with respect to the surviving spouse of a decedent dying before the date of the enactment of the Agriculture Reform, Food, and Jobs Act of 2013—

“(1) section 2056A(b)(1)(A) shall not apply to distributions made after the 10-year period beginning on such date, and

“(2) section 2056A(b)(1)(B) shall not apply on or after such date.”

(b) GENERATION-SKIPPING TRANSFER TAX REPEAL.—Subchapter G of chapter 13 of subtitle B of such Code is amended by adding at the end the following new section:

“SEC. 2664. TERMINATION.

“This chapter shall not apply to generation-skipping transfers on or after the date

of the enactment of the Agriculture Reform, Food, and Jobs Act of 2013.”.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter C of chapter 11 is amended by adding at the end the following new item:

“Sec. 2210. Termination.”.

(2) The table of sections for subchapter G of chapter 13 is amended by adding at the end the following new item:

“Sec. 2664. Termination.”.

(d) RESTORATION OF PRE-EGTRRA PROVISIONS NOT APPLICABLE.—

(1) IN GENERAL.—Section 301 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 shall not apply to estates of decedents dying, and transfers made, on or after the date of the enactment of this Act.

(2) EXCEPTION FOR STEPPED-UP BASIS.—Paragraph (1) shall not apply to the provisions of law amended by subtitle E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to carryover basis at death; other changes taking effect with repeal).

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to the estates of decedents dying, and generation-skipping transfers, after the date of the enactment of this Act.

SEC. 12214. MODIFICATIONS OF GIFT TAX.

(a) COMPUTATION OF GIFT TAX.—Subsection (a) of section 2502 of the Internal Revenue Code of 1986 is amended to read as follows:

“(a) COMPUTATION OF TAX.—

“(1) IN GENERAL.—The tax imposed by section 2501 for each calendar year shall be an amount equal to the excess of—

“(A) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for such calendar year and for each of the preceding calendar periods, over

“(B) a tentative tax, computed under paragraph (2), on the aggregate sum of the taxable gifts for each of the preceding calendar periods.

“(2) RATE SCHEDULE.—

“If the amount with respect to which the tentative tax to be computed is:	The tentative tax is:
Not over \$10,000	18% of such amount.
Over \$10,000 but not over \$20,000	\$1,800, plus 20% of the excess over \$10,000.
Over \$20,000 but not over \$40,000	\$3,800, plus 22% of the excess over \$20,000.
Over \$40,000 but not over \$60,000	\$8,200, plus 24% of the excess over \$40,000.
Over \$60,000 but not over \$80,000	\$13,000, plus 26% of the excess over \$60,000.
Over \$80,000 but not over \$100,000	\$18,200, plus 28% of the excess over \$80,000.
Over \$100,000 but not over \$150,000	\$23,800, plus 30% of the excess over \$100,000.
Over \$150,000 but not over \$250,000	\$38,800, plus 32% of the excess over \$150,000.
Over \$250,000 but not over \$500,000	\$70,800, plus 34% of the excess over \$250,000.
Over \$500,000	\$155,800, plus 35% of the excess of \$500,000.”.

(b) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Section 2511 (relating to transfers in general) is amended by adding at the end the following new subsection:

“(c) TREATMENT OF CERTAIN TRANSFERS IN TRUST.—Notwithstanding any other provision of this section and except as provided in regulations, a transfer in trust shall be treated as a taxable gift under section 2503, unless the trust is treated as wholly owned by the donor or the donor’s spouse under subparagraph E of part I of subchapter J of chapter 1.”.

(c) LIFETIME GIFT EXEMPTION.—Paragraph (1) of section 2505(a) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) the amount of the tentative tax which would be determined under the rate schedule set forth in section 2502(a)(2) if the amount with respect to which such tentative tax is to be computed were \$5,000,000, reduced by”.

(d) CONFORMING AMENDMENTS.—

(1) Section 2505(a) of such Code is amended by striking the last sentence.

(2) The heading for section 2505 of such Code is amended by striking “UNIFIED”.

(3) The item in the table of sections for subchapter A of chapter 12 of such Code relating to section 2505 is amended to read as follows:

“Sec. 2505. Credit against gift tax.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to gifts made on or after the date of the enactment of this Act.

(f) TRANSITION RULE.—

(1) IN GENERAL.—For purposes of applying sections 1015(d), 2502, and 2505 of the Internal Revenue Code of 1986, the calendar year in which this Act is enacted shall be treated as 2 separate calendar years one of which ends on the day before the date of the enactment of this Act and the other of which begins on such date of enactment.

(2) APPLICATION OF SECTION 2504(b).—For purposes of applying section 2504(b) of the Internal Revenue Code of 1986, the calendar year in which this Act is enacted shall be treated as one preceding calendar period.

SA 1022. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 968, between lines 8 and 9, insert the following:

SEC. 81. FOREST LEGACY PROGRAM.

Section 7(l) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c(l)) is amended by adding at the end the following:

“(4) STATE AUTHORIZATION.—

“(A) DEFINITION OF QUALIFIED ORGANIZATION.—In this paragraph, a ‘qualified organization’ means an organization—

“(i) defined in section 170(h)(3) of the Internal Revenue Code of 1986; and

“(ii) organized for 1 or more of the purposes described in section 170(h)(4)(A) of that Code.

“(B) AUTHORIZATION.—The Secretary shall, at the request of a State acting through the State lead agency, authorize the State to allow qualified organizations to acquire, hold, and manage conservation easements, using funds provided through grants to the State under this subsection, for purposes of the Forest Legacy Program in the State.

“(C) ELIGIBILITY.—To be eligible to acquire and manage conservation easements under this paragraph, a qualified organization shall demonstrate to the Secretary the abilities necessary to acquire, monitor, and enforce interests in forest land consistent with the Forest Legacy Program and the assessment of need for the State.

“(D) REVERSION.—

“(i) IN GENERAL.—If the Secretary, or a State acting through the State lead agency, makes any of the determinations described in clause (ii) with respect to a conservation easement acquired by a qualified organization under subparagraph (B)—

“(I) all right, title, and interest of the qualified organization in and to the conservation easement shall terminate; and

“(II) all right, title, and interest in and to the conservation easement shall revert to the State or other qualified designee approved by the State.

“(ii) DETERMINATIONS.—The determinations referred to in clause (i) are that—

“(I) the qualified organization is unable to carry out the responsibilities of the qualified organization under the Forest Legacy Program in the State with respect to the conservation easement;

“(II) the conservation easement has been modified or is being administered in a way that is inconsistent with the purposes of the Forest Legacy Program or the assessment of need for the State; or

“(III) the conservation easement has been conveyed to another person (other than a qualified organization approved by the State and the Secretary).”.

SA 1023. Mr. COWAN (for himself, Ms. MURKOWSKI, Ms. COLLINS, Ms. WARREN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. BEGICH, Mr. LAUTENBERG, Mrs. SHAHEEN, Mr. REED, Mr. MURPHY, Mr. MENENDEZ, Mrs. GILLIBRAND, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12213. SENSE OF CONGRESS ON FISHERY DISASTER ASSISTANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) Commercial, recreational, and subsistence fishing represents the livelihood of many hard-working people in the United States and, in 2011, fisheries supported more than 1,200,000 jobs in the United States.

(2) Seafood represents an important source of high quality, nutritious food for the people of the United States, who consumed 15 pounds of fish and shellfish in 2011 on average per capita.

(3) Commercial, recreational, and subsistence fishing is an integral part of the economic foundation for the coastal communities of the United States.

(4) Despite adhering to strict catch limits, many fishermen and historic fishing communities currently face extreme hardship as a result of dramatic declines in stocks due to natural disasters and undetermined causes.

(5) In 2012, using authority under the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4101 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 et seq.), the Secretary of Commerce declared fishery disasters with respect to the following:

(A) Mississippi oyster and blue crab, in response to flooding that occurred in 2011, damage from the oil spill in the Gulf of Mexico in 2010, and Hurricane Katrina.

(B) Northeast Multispecies (Groundfish) Fishery, for Rhode Island, Maine, Massachusetts, New Hampshire, New York, and Connecticut.

(C) Alaska Chinook salmon, for Chinook salmon fisheries in the Yukon River, Kuskokwin River, and Cook Inlet.

(D) New Jersey and New York, in response to Hurricane Sandy.

(E) American Samoa, for bottomfish.

(6) Whenever a disaster has been declared by the Federal Government, Congress has traditionally provided funding to assist those affected.

(7) Since 1994, Federal fishery failures have been declared on 29 occasions and nearly \$827,000,000 in Federal funding has been provided for fishery disaster relief.

(8) The Disaster Relief Appropriations Act, 2013 (division A of Public Law 113-2; 127 Stat. 4), did not include the funding for all fishery disasters declared in 2012 that was included in the Senate bill and those fisheries continue to face dire economic straits.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is important to support the commercial, recreational, and subsistence fishermen of the United States, who risk their lives to put food on the tables of the people of the United States and to support their communities;

(2) it is in the national interest to ensure that the important and storied United States fishing industry survives and thrives well into the future; and

(3) funds should be provided, as soon as possible, for the fishery disasters declared by the Secretary of Commerce in 2012 and any subsequent fishery disaster declarations.

SA 1024. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

SEC. 8304. CULTURAL HERITAGE AND COOPERATION.

Section 8102 of the Food, Conservation, and Energy Act of 2008 (25 U.S.C. 3052) is amended by striking paragraph (5) and inserting the following:

“(5) INDIAN TRIBE.—The term ‘Indian tribe’ means—

“(A) any Indian or Alaska Native tribe, band, nation, pueblo, village, or other community the name of which is included on a list published by the Secretary of the Interior pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994; or

“(B) any Indian group that has been formally recognized as an Indian tribe by a State.”.

SA 1025. Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mr. BEGICH, Mr. HEINRICH, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 ____ . SENSE OF THE SENATE CONCERNING THE LABELING OF GENETICALLY ENGINEERED FOODS.

(a) FINDINGS.—The Senate finds that—

(1) 64 countries, including the United Kingdom, South Korea, Japan, Brazil, Australia, India, China, all countries of the European Union, and other key United States trading partners, have laws or regulations mandating the disclosure of genetically engineered food on food labels;

(2) 26 States have introduced legislation in 2013 that would require the labeling of genetically engineered foods;

(3) the Food and Drug Administration requires the labeling of more than 3,000 ingredients, additives, and processes;

(4) the Food and Drug Administration has the statutory authority to require the labeling of genetically engineered foods; and

(5) the process of genetic engineering results in material changes to foods at the molecular level that have never occurred in traditional varieties and are determinative of food purchases by consumers.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should join the 64 other countries that have given consumers the right to know if the foods purchased to feed their families have been genetically engineered or contain genetically engineered ingredients.

SA 1026. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122 ____ . REPORT ON GMO LABELING.

Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs and in consultation with the Secretary of Agriculture, shall submit a report to Congress on the methods of labeling genetically engineered food (also referred to as “GMO”) in nations that require such labeling and the probable impacts of having differing State labeling laws in the absence of a Federal labeling standard with respect to genetically engineered food.

SA 1027. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12 ____ . PROTECTION OF HONEY BEES AND OTHER POLLINATORS.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall carry out such activities as the Secretary determines to be appropriate to protect and ensure the long-term viability of populations of honey bees, wild bees, and other beneficial insects of agricultural crops, horticultural plants, wild plants, and other plants, including—

(1) providing formal guidance relating to proposed agency actions that may threaten pollinator health or jeopardize the long-term viability of populations of pollinators;

(2) making use of the best available peer-reviewed science regarding environmental and chemical stressors on pollinator health; and

(3) regularly monitoring and reporting on the health and population status of managed and native pollinators including bees, birds, bats, and other species.

(b) INTERAGENCY TASK FORCE ON BEE HEALTH AND COMMERCIAL BEEKEEPING.—

(1) ESTABLISHMENT.—The Secretary shall establish an interagency task force—

(A) to coordinate Federal efforts carried out on or after the date of enactment of this Act to address the serious worldwide decline in bee health, especially honey bees and declining native bees; and

(B) to assess Federal efforts to mitigate pollinator losses and threats to the United States commercial beekeeping industry.

(2) MEMBERSHIP.—The task force established under this subsection shall be comprised of officials from—

(A) the Department of Agriculture;

(B) the Department of the Interior;

(C) the Environmental Protection Agency;

(D) the Food and Drug Administration; and

(E) the Department of Commerce.

(3) CONSULTATION.—The members of the task force established under this subsection shall consult with beekeeper, conservation, scientist, and agricultural stakeholders.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the task force established under subsection (b) shall submit to Congress a report that summarizes—

(1) Federal activities carried out pursuant to section 1672(h) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(h)) or any other provision of law (including regulations) to address bee decline; and

(2) international efforts to address the decline of managed honeybees and native pollinators.

(d) POLLINATOR RESEARCH LAB FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary, acting through the Administrator of the Agricultural Research Service, shall conduct feasibility studies regarding—

(A) establishing a new bee research laboratory; and

(B) modernizing existing honey bee research laboratories identified by the Agricultural Research Service in the capital investment strategy document dated 2012.

(2) CONSULTATION.—In conducting the feasibility studies under paragraph (1), the Secretary shall consult with—

(A) beekeeper, native bee, agricultural, research institution, and bee conservation stakeholders regarding new research laboratory needs under paragraph (1)(A); and

(B) commercial beekeepers regarding modernizing existing honey bee laboratories under paragraph (1)(B).

SA 1028. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 862, strike lines 10 through 12 and insert the following:

(2) by striking “25,000” and inserting

“35,000”; and

(3) by inserting after “families.” the following: “The Secretary may continue to classify such an area to be ‘rural’ or a ‘rural area’ if the Secretary determines that the area has a population in excess of 35,000, but not in excess of 50,000, is rural in character, and has a serious lack of mortgage credit for lower- and moderate-income families or lack of affordable housing, or a significant portion of the population of the area is employed in agriculture.”.

SA 1029. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12 ____ . SENSE OF THE SENATE CONCERNING CLIMATE CHANGE.

(a) FINDINGS.—The Senate finds that—

(1) evidence that human activity is contributing significantly to climate change is based on sound measurement practices and well-understood physics;

(2) measurements show that the acidity of the oceans has increased almost 30 percent since preindustrial times, at a rate that exceeds estimates of any rate in 50,000,000 years;

(3) almost 90 percent of scientists, almost 95 percent of active climate scientists, and more than 30 major scientific organizations think humans are significantly contributing to climate change;

(4) the harms of climate change to agriculture include more frequent and severe storms, more frequent flooding, worsening droughts, changes in the range of pests and invasive species, reduced agricultural productivity, damaging stress to livestock health, and reduced productivity of agricultural producers;

(5) the Government Accountability Office—
(A) has added the fiscal exposure of the Federal Government to climate change to the GAO High Risk list; and

(B) has included exposure through the Federal Crop Insurance Corporation as part of the risk;

(6) agriculture-related industry contributes almost 5 percent to the economy of the United States; and

(7) climate change presents a credible risk to—

(A) agriculture and forestry in the United States; and

(B) the infrastructure, health of the people, national security, and economy of the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the scientific evidence and consensus that supports the assertion that humans are contributing to climate change represents a credible risk to agriculture and related industries in the United States;

(2) the scientific evidence and consensus referred to in paragraph (1) is not product of a hoax or deception perpetrated on the people of the United States; and

(3) efforts to reduce carbon pollution and adapt to the effects of climate change are—

(A) economically prudent; and

(B) in the best security and fiscal interests of the United States.

SA 1030. Mr. WHITEHOUSE (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. COWAN, and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 462, between lines 2 and 3, insert the following:

“SEC. 32 . . . PILOT PROGRAM OPERATING LOANS TO COMMERCIAL FISHERMEN AND SHELLFISH FARMERS.

“(a) IN GENERAL.—In each of fiscal years 2014 through 2018, up to 1.5 percent of the funds made available to carry out this chapter for that fiscal year shall be used to carry out a pilot program to make and guarantee operating loans to individuals or entities primarily engaged in commercial fishing or shellfish farming—

“(1) to pay the costs incident to reorganizing a commercial fishing or shellfish farming business for more profitable operation;

“(2) to purchase commercial fishing or shellfish farming equipment to comply with regulatory requirements, meet management objectives identified by the managing agency, improve the quality of fishery resource harvests, or replace worn equipment;

“(3) to purchase fuel, bait, or to meet other essential commercial fishing or shellfish farming operating expenses;

“(4) to finance commercial fishery or shellfish farming permits;

“(5) to refinance indebtedness; or

“(6) to pay loan closing costs.

“(b) ELIGIBILITY.—A commercial fisherman, a shellfish farmer, or an individual holding a majority interest in an entity primarily engaged in commercial fishing or shellfish farming shall be eligible under this section only if the individual—

“(1) is a citizen of the United States;

“(2) has a record of experienced commercial fishing or shellfish farming that the Secretary determines is sufficient to ensure a reasonable prospect of success in the commercial fishing or shellfish farming operation proposed by the individual; and

“(3) is unable to obtain credit elsewhere.

“(c) CONSISTENCY WITH FISHERY MANAGEMENT OBJECTIVES.—Any loan under this section shall support activities or purchases consistent with the management objectives of the 1 or more fisheries or shellfish farms in which the eligible person described in subsection (b) participates, which the Secretary may determine through consultation with—

“(1) the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere; or

“(2) the appropriate State, local, or tribal fishery or shellfish farming management authorities.

“(d) EVALUATION.—Not later than April 1, 2016, the Secretary shall—

“(1) complete an evaluation of the pilot program; and

“(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing results of the evaluation.

SA 1031. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1076, between lines 17 and 18, insert the following:

SEC. 110 . . . CROP INSURANCE FRAUD.

Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended by adding at the end the following:

“(C) REVIEWS, COMPLIANCE, AND PROGRAM INTEGRITY.—For each of the 2014 and subsequent reinsurance years, the Corporation may use the insurance fund established under subsection (c), but not to exceed \$5,000,000 for each fiscal year, to pay the following:

“(i) Costs to reimburse expenses incurred for the review of policies, plans of insurance, and related materials and to assist the Corporation in maintaining program integrity.

“(ii) In addition to other available funds, costs incurred by the Risk Management Agency for compliance operations associated with activities authorized under this title.”.

SA 1032. Mr. KING (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 12 . . . STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED POULTRY AND MEAT ITEMS.

(a) MEAT ITEMS.—Section 501 of the Federal Meat Inspection Act (21 U.S.C. 683) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “that is located in a State that has enacted a mandatory State meat product inspection law that imposes ante mortem and post mortem inspection, reinspection, and sanitation requirements that are at least equal to those under this Act” before the period at the end; and

(B) by striking paragraph (5);

(2) by striking subsections (b) through (e) and inserting the following:

“(b) STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED MEAT ITEMS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law (including regulations), a State may enter into a memorandum of understanding with another State under which meat items from an eligible establishment in 1 State are sold in interstate commerce in the other State, in accordance with the requirements of paragraph (2).

“(2) REQUIREMENTS.—To be eligible to enter into a memorandum of understanding under paragraph (1), a State, acting through the appropriate State agency, shall receive a certification from the Secretary that—

“(A) the ante mortem and post mortem inspection, reinspection, and sanitation requirements of the State are at least equal to those under this Act; and

“(B) the State employs designated personnel to inspect meat items to be shipped by eligible establishments in interstate commerce.”;

(3) by redesignating subsection (f) as subsection (c);

(4) by striking subsections (g), (h), and (j); and

(5) by redesignating subsection (i) as subsection (d).

(b) POULTRY ITEMS.—Section 31 of the Poultry Products Inspection Act (21 U.S.C. 472) is amended—

(1) in subsection (a), by striking paragraph (5);

(2) by striking subsections (b) through (g) and inserting the following:

“(b) STATE MEMORANDA OF UNDERSTANDING REGARDING INTERSTATE SHIPMENT OF STATE-INSPECTED POULTRY ITEMS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law (including regulations), a State may enter into a memorandum of understanding with another State under which poultry items from an eligible establishment in 1 State are sold in interstate commerce in the other State, in accordance with the requirements of paragraph (2).

“(2) REQUIREMENTS.—To be eligible to enter into a memorandum of understanding under paragraph (1), a State, acting through the appropriate State agency, shall receive a certification from the Secretary that—

“(A) the ante mortem and post mortem inspection, reinspection, and sanitation requirements of the State are at least equal to those under this Act; and

“(B) the State employs designated personnel to inspect poultry items to be shipped by eligible establishments in interstate commerce.”;

(3) by redesignating subsection (h) as subsection (c); and

(4) by striking subsection (i).

SA 1033. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12 . . . SCIENTIFIC AND ECONOMIC ANALYSIS OF THE FDA FOOD SAFETY MODERNIZATION ACT.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) may not enforce any regulations promulgated under the FDA Food Safety Modernization Act (Public Law 111–353) until the Secretary publishes in the Federal Register the following:

(1) An analysis of the scientific information used in the final rule to implement the FDA Food Safety Modernization Act with a particular focus on—

(A) agricultural businesses of a variety of sizes;

(B) regional differences of agriculture production, processing, marketing, and value added production;

(C) agricultural businesses that are diverse livestock and produce producers;

(D) the impact on local food systems and the availability of local food; and

(E) what, if any, negative impact on the agricultural businesses and local food systems would be created, or exacerbated, by implementation of the FDA Food Safety Modernization Act.

(2) An analysis of the economic impact of the proposed final rule to implement the FDA Food Safety Modernization Act with a particular focus on—

(A) agricultural businesses of a variety of sizes;

(B) small and mid-sized value added food processors; and

(C) the availability of local foods in Farmers Markets, Community Supported Agriculture, restaurants, and food hubs.

(3) A plan to systematically evaluate the regulations by surveying farmers and processors and developing an ongoing process to evaluate and address business concerns.

(b) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Agriculture of the House of Representatives a report on the impact of implementation of the regulations promulgated under the FDA Food Safety Modernization Act.

SA 1034. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 12 . . . POULTRY PROCESSING AT CERTAIN FACILITIES.

(a) IN GENERAL.—Section 7 of the Poultry Products Inspection Act (21 U.S.C. 456) is amended by adding at the end the following:

“(c) PROCESSING AT CERTAIN FACILITIES.—

“(1) IN GENERAL.—Notwithstanding any other provision of law (including section 381.10(b)(2) of title 9, Code of Federal Regulations (as in effect on the date of enactment of this subsection)), a person that owns or

operates a facility described in paragraph (2) may enter into a lease or other agreement with any other person for the purpose of processing poultry of the other person at the facility—

“(A) subject to the condition that each person that is a party to the agreement has in place a hazard analysis and critical control points plan; and

“(B) regardless of whether the Secretary grants an exemption for the processing under section 15(c)(3) or any other provision of law (including regulations).

“(2) DESCRIPTION OF FACILITY.—A facility referred to in paragraph (1) is a facility that—

“(A) has been inspected in accordance with the requirements of this Act;

“(B) has a capacity of not more than 20,000 poultry; and

“(C) is not used by the owner or operator of the facility to the full capacity of the facility.”.

(b) CONFORMING AMENDMENT.—Section 15(c)(3)(B) of the Poultry Products Inspection Act (21 U.S.C. 464(c)(3)(B)) is amended by inserting “subject to section 7(c),” before “slaughters or processes”.

SA 1035. Mr. KING (for himself, Ms. COLLINS, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle F of title II, add the following:

SEC. 25 . . . FARM BUSINESS CENTERS.

(a) FINDINGS.—Congress finds that—

(1) Federal conservation programs, such as the Conservation Stewardship Program and the Environmental Quality Incentives Program—

(A) help farmers and landowners reduce soil erosion, enhance water supplies, improve water quality, and improve wildlife habitat; and

(B) represent the shared cost and responsibility of the Federal Government and farmers and landowners for conservation;

(2) much of the support provided by the programs described in paragraph (1) is in the form of technical support to help farmers and landowners achieve conservation goals;

(3)(A) section 14212(b)(1)(B) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 6932a(b)(1)(B)) provided for the closing of Farm Service Agency offices if the offices had 2 or fewer permanent full-time employees; but

(B) that provision failed to take into consideration that—

(i) some Farm Service Agency offices were colocated;

(ii) some Farm Service Agency programs were interdependent; and

(iii) that colocation and interdependence served as an advantage;

(4) reducing staff levels and closing Farm Service Agency and Natural Resources Conservation Service offices makes it more difficult for farmers and landowners to participate in Federal programs;

(5)(A) the State of Maine is increasing the number of new, small, and mid-sized farms in the State; and

(B) for many of those farms, access to technical assistance is critical for success; and

(6)(A) the policy of the Administrative and Financial Management office of the Department of Agriculture in effect on the date of enactment of this Act supports consolidation of offices of—

(i) the Farm Service Agency;

(ii) the Natural Resources Conservation Service offices; and

(iii) soil and water conservation districts; but

(B) that policy is undermined by other policies that do not evaluate the effect on the entire service system of a decision of such an agency to relocate staff or close an office, which often results in a cost shift to rural communities, farmers, and landowners.

(b) GUIDELINES.—As soon as practicable after the date of enactment of this Act, the Secretary shall publish guidelines—

(1) to encourage the colocation of offices of the Farm Service Agency, the Natural Resources Conservation Service, and soil and water conservation districts to establish “1-stop” farm business centers of the Department of Agriculture to increase efficiency, improve communication with agency and local government partners, and enhance service delivery to rural communities; and

(2) relating to the use of donated office space, on a full-time or part-time basis, from local governments and other appropriate entities.

SA 1036. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 378, between lines 15 and 16, insert the following:

SEC. 40 . . . DATA COLLECTION.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

“(v) DATA COLLECTION.—The Secretary shall compile data on incidences in which eligible households who are otherwise eligible to continue receiving benefits under the supplemental nutrition assistance program are determined to be ineligible and required to reapply for eligibility, whether through an administrative error or through the fault of the eligible household.”.

SA 1037. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 414, between lines 5 and 6, insert the following:

SEC. 42 . . . PILOT PROGRAM FOR HIGH-POVERTY SCHOOLS.

Section 18(h) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(h)) is amended—

(1) in paragraph (1)(B), in the matter preceding clause (i), by striking “5 States” and inserting “10 States”; and

(2) in paragraph (2), by striking “2015” and inserting “2020”.

SA 1038. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 378, between lines 15 and 16, insert the following:

SEC. 4 . . . SENIOR APPLICANT INTERVIEW WAIVER OPTION.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

“(v) SENIOR APPLICANT INTERVIEW WAIVER OPTION.—

“(1) IN GENERAL.—The Secretary shall give each participating State the option to carry out the supplemental nutrition assistance program in accordance with this Act but using a waiver of the eligibility interview for applicant households that consist of not more than 2 members, both of whom are over the age of 65.

“(2) PROHIBITION.—In the case of a participating State that elects to take the option described in paragraph (1), no applicant household described in that paragraph for which the eligibility interview is waived shall be denied benefits under the supplemental nutrition assistance program solely as a result of that waiver.

“(3) VERIFICATION.—If a participating State that elects to take the option described in paragraph (1) determines that any information on the application of an applicant household subject to a waiver is questionable, the applicable State agency may contact the applicant household directly or request additional verification of the questionable information.”.

SA 1039. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXII, add the following:

SEC. 12 PROHIBITION AGAINST FINALIZING, IMPLEMENTING, OR ENFORCING THE PROPOSED RULE ENTITLED “STANDARDS FOR THE GROWING, HARVESTING, PACKING, AND HOLDING OF PRODUCE FOR HUMAN CONSUMPTION”.

No Federal funds may be used to finalize, implement or enforce the proposed rule entitled “Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption” published by the Department of Health and Human Services on January 16, 2013 (78 Fed. Reg. 3503), or any successor or substantially similar rule.

SA 1040. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 925 submitted by Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINE, and Mr. HELLER) and intended to be proposed to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 5 of the amendment, line 14, before the period at the end insert “and eliminate the tariff-rate quotas for maple syrup and specialty syrups”.

SA 1041. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1220B.

SA 1042. Mr. KING (for himself and Mr. TESTER) submitted an amendment

intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12 EXEMPTIONS FROM REQUIREMENTS FOR HAZARD ANALYSIS AND RISK-BASED PREVENTIVE CONTROLS AND PRODUCE SAFETY.

(a) QUALIFIED.—Section 418(l)(1)(C)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350g(1)(1)(C)(ii)) is amended—

(1) in subclause (I), by striking “value of the food manufactured” each place such term appears and inserting “value of the food subject to the requirements of this section that is manufactured”; and

(2) in subclause (II), by striking “value of all food sold” and inserting “value of all food subject to the requirements of this section that is sold”.

(b) PRODUCE SAFETY AND PREVENTIVE CONTROLS.—Section 419(f)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350h(f)(1)) is amended—

(1) in subparagraph (A), by striking “food sold by” each place such term appears and inserting “food subject to the requirements of this section that is sold by”; and

(2) in subparagraph (B), by striking “value of all food sold” and inserting “value of all food subject to the requirements of this section that is sold”.

SA 1043. Mr. PRYOR (for himself, Mr. COONS, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1085, strike line 11 and all that follows through page 1086, line 17, and insert the following:

“(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy or other significant market disruptions; and

“(ii) a study to determine the feasibility of insuring poultry producers for a catastrophic event.

“(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

“(i) evaluate the market place for business disruption insurance that is available to poultry producers;

“(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruptions from integrator bankruptcy or other significant market disruptions; and

“(iii) analyze the costs to the Federal Government of a Federal business disruption insurance program for poultry producers.

“(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of—

“(i) the study carried out under subparagraph (B)(i); and

“(ii) the study carried out under subparagraph (B)(ii).

“(E) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under subsection 508(h) and approve the policy if the Board finds that the policy—

“(i) will likely result in a viable and marketable policy consistent with this subsection;

“(ii) would provide crop insurance coverage in a significantly improved form;

“(iii) adequately protects the interests of producers; and

“(iv) meets other requirements of this subtitle determined appropriate by the Board.”.

SA 1044. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 731, between lines 6 and 7, insert the following:

“SEC. 3708. LAND GRANT-MERCEDES.

“(a) FINDINGS.—Congress finds that—

“(1) Spanish and Mexican land grant-mercedes are part of a unique and important history in the southwest United States dating back to the 1600s and becoming incorporated into the United States through the Treaty of Peace, Friendship, Limits, and Settlement between the United States of America and the Mexican Republic, signed at Guadalupe Hidalgo February 2, 1848, and entered into force May 30, 1848 (9 Stat. 922) (commonly referred to as the ‘Treaty of Guadalupe Hidalgo’);

“(2) the years following the signing of that treaty resulted in a significant loss of land originally belonging to the land grant-mercedes due to manipulations and unfulfilled commitments;

“(3) the land grant-mercedes that are recognized as political subdivisions are in need of increased economic opportunities; and

“(4) the rural development programs of the Department of Agriculture are an appropriate venue for addressing the needs of the land grant-mercedes.

“(b) DEFINITIONS.—In this section:

“(1) LAND GRANT-MERCEDES.—The term ‘land grant-mercedes’ means land that was granted by the government of Spain or the government of Mexico to a community, town, colony, pueblo, or person for the purpose of establishing a community, town, colony, or pueblo.

“(2) LAND GRANT COUNCIL.—The term ‘Land Grant Council’ means an agency of the New Mexico State government established by law—

“(A) to provide support to land grants-mercedes in the State of New Mexico; and

“(B) to serve as a liaison between land grant-mercedes and other State agencies and the Federal government.

“(3) QUALIFIED LAND GRANT-MERCEDES.—The term ‘qualified land grant-mercedes’ means a land grant-mercedes recognized under a State law.

“(c) PROGRAM.—

“(1) IN GENERAL.—In addition to any other funds made available for similar purposes, the Secretary shall use funds set aside under paragraph (3) to provide grants to qualified land grant-mercedes and the Land Grant Council for the purpose of carrying out economic development initiatives under—

“(A) the Special Evaluation Assistance for Rural Communities and Households (SEARCH) program under section 3501(e)(6);

“(B) the community facility grant program under section 3502;

“(C) the program of rural business development grants and rural business enterprise grants under section 3601(a);

“(D) the rural microentrepreneur assistance program under section 3601(f)(2); and

“(E) the rural community development initiative.

“(2) FEDERAL SHARE.—Notwithstanding any other requirement of the programs described in paragraph (1), the Secretary shall make available to qualified land grant-mercedes grants under those programs at a Federal share of up to 100 percent.

“(3) SET ASIDE.—Notwithstanding any other provision of law, of amounts made available for a fiscal year for rural development programs of the Department of Agriculture, \$10,000,000 shall be used to carry out this section.”.

SA 1045. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12 . . . RECEIPT FOR SERVICE OR DENIAL OF SERVICE FROM CERTAIN DEPARTMENT OF AGRICULTURE AGENCIES.

Section 2501A(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279-1(e)) is amended by striking “and, at the time of the request, also requests a receipt”.

SA 1046. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 216, line 15, strike “and” at the end.

On page 217, strike line 21 and insert the following: habitat.”; and

(6) by adding at the end the following:

“(j) FUNDING FOR COMMUNITY IRRIGATION ASSOCIATIONS.—

“(1) DEFINITION OF ELIGIBLE COMMUNITY IRRIGATION ASSOCIATION.—In this subsection, the term ‘eligible community irrigation association’ means an irrigation association that—

“(A) is comprised of members who are eligible producers; and

“(B) is a local governmental entity that does not have the authority to impose taxes or levies.

“(2) ALTERNATIVE FUNDING ARRANGEMENT.—The Secretary may enter into alternative funding arrangements with eligible community irrigation associations if the Secretary determines that—

“(A) the goals and objectives of the program will be met by the arrangements; and

“(B) statutory limitations regarding contracts with individual producers will not be exceeded by any member of the irrigation association.”.

SA 1047. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 731, between lines 6 and 7, insert the following:

“SEC. 3708. FRONTIER COMMUNITIES ECONOMIC DEVELOPMENT.

“(a) DEFINITION OF FRONTIER COMMUNITY.—

“(1) IN GENERAL.—The Secretary, in consultation with the Director of the Bureau of the Census and the Administrator of the Economic Research Service, shall promulgate regulations to define, for purposes of this section, the term ‘frontier community’.

“(2) REQUIREMENTS.—The definition of ‘frontier community’ shall be based on a weighted matrix that uses population density, distance in miles and travel time in minutes from the nearest significant service center or market, and such other factors as the Secretary determines to be appropriate.

“(3) IDENTIFICATION.—The Secretary shall work with State executives, officials of non-metropolitan local governments, and officials of federally recognized Indian tribes, as appropriate, to identify communities that qualify as ‘frontier communities’ based on the weighted matrix.

“(4) RECONSIDERATION PROCESS.—The Secretary shall establish a reconsideration process under which a community that has not been designated as a ‘frontier community’ may petition for designation.

“(b) RESERVATION OF FUNDS FOR FRONTIER COMMUNITIES.—

“(1) IN GENERAL.—The Secretary shall reserve an amount of not less than 3 percent of all funds made available for a fiscal year for programs of the rural development mission area that provide grants, loans, or loan guarantees to communities, for the costs of making grants, loans, or loan guarantees to frontier communities in accordance with those programs and this section.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B) and notwithstanding any other provision of this title, in making a grant, loan, or loan guarantee to a frontier community using funds reserved under paragraph (1), the Secretary shall apply the terms and conditions of the applicable rural development program.

“(B) EXCEPTIONS.—The Secretary—

“(i) in the case of grants and regardless of cost-sharing requirements in the underlying program, may make available a grant of up to 100 percent Federal cost share to frontier communities;

“(ii) for purposes of scoring grant applications, may not consider whether a frontier community belongs to a regional partnership; and

“(iii) may not impose a minimum grant or loan amount requirement.

“(3) INSUFFICIENT APPLICATIONS.—If funds reserved under paragraph (1) remain available due to insufficient applications after the end of the 180-day period beginning on the date on which the funds are reserved, the Secretary shall use the funds for the purposes for which the funds were originally made available.

“(c) CAPACITY BUILDING, TECHNICAL ASSISTANCE, AND PROJECT PLANNING.—

“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

“(A) an association of counties;

“(B) a council of State and local governments;

“(C) a cooperative;

“(D) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

“(E) a public agency;

“(F) a community-based organization, intermediary organization, network, or coalition of community-based organizations that does not engage in activities prohibited under section 501(c)(3) of the Internal Revenue Code of 1986; or

“(G) a similar entity, as determined by the Secretary.

“(2) GRANTS.—The Secretary shall make available to eligible entities grants to facilitate greater capacity for frontier communities to plan projects and acquire and manage loans and grants made available through rural development programs of the Department and other funding sources.

“(3) PRIORITY.—In considering grant applications under this subsection, the Secretary shall give higher priority to an eligible entity that, as determined by the Secretary—

“(A) demonstrates an existing relationship with the frontier community intended to be served by the eligible entity; and

“(B) is a local organization or government entity.

“(4) RESERVATION OF FUNDS.—

“(A) IN GENERAL.—The Secretary shall reserve an amount of not more than 5 percent of all funds made available for programs of the rural development mission area for a fiscal year to make grants in accordance with this subsection.

“(B) INSUFFICIENT APPLICATIONS.—If funds reserved under subparagraph (A) remain available due to insufficient applications after the end of the 180-day period beginning on the date on which the funds are reserved, the Secretary shall use the funds for the purposes for which the funds were originally made available.”.

SA 1048. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 216, line 15, strike “and” at the end.

On page 217, strike line 21 and insert the following: habitat.”; and

(6) by adding at the end the following:

“(j) FUNDING FOR COMMUNITY IRRIGATION ASSOCIATIONS.—The Secretary may enter into alternative funding arrangements with the Acequia and Community Ditch Associations recognized by the State of New Mexico under Chapter 72, Articles 2 and 3, New Mexico Statutes Annotated 1978, if the Secretary determines that—

“(1) the goals and objectives of the program will be met by the arrangements; and

“(2) statutory limitations regarding contracts with individual producers will not be exceeded by any member of the Acequia and Community Ditch Associations.”.

SA 1049. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 216, line 15, strike “and” at the end.

On page 217, strike line 21 and insert the following: habitat.”; and

(6) in subsection (h)—

(A) by striking paragraph (1) and inserting the following:

“(1) AVAILABILITY OF PAYMENTS.—The Secretary may provide payments under this subsection to a producer for a water conservation or irrigation practice that promotes ground and surface water conservation on

the agricultural operation of the producer through—

“(A) improvements to irrigation systems;
“(B) enhancement of irrigation efficiencies;

“(C) conversion of the agricultural operation to—

“(i) the production of less water-intensive agricultural commodities; or

“(ii) dryland farming;

“(D) improvement of the storage and conservation of water through measures such as water banking and groundwater recharge;

“(E) enhancement of fish and wildlife habitat associated with irrigation systems including pivot corners and areas with irregular boundaries;

“(F) enhancement of in-stream flows in associated rivers and streams; or

“(G) establishment of other measures, as determined by the Secretary, that improve groundwater and surface water conservation in agricultural operations.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “or” at the end and inserting “and”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) any associated water savings remain in the original source of the water for the useful life of the practice.”; and

(C) by adding at the end the following:

“(3) DUTY OF PRODUCERS.—The Secretary may not provide payments to a producer for a water conservation or irrigation practice under this subsection unless the producer agrees not to use any associated water savings to bring new land, other than incidental land needed for efficient operations, under irrigated production, unless the producer is participating in a watershed-wide project that will effectively conserve water, as determined by the Secretary.”.

SA 1050. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 877, after line 18, insert the following:

SEC. 6208. GAO REPORT ON UNIVERSAL SERVICE REFORMS.

(a) PURPOSE.—The purpose of the report required under subsection (b) is to aid Congress in monitoring and measuring the effects of a series of reforms by the Federal Communications Commission (in this section referred to as the “FCC”) intended to promote the availability and affordability of broadband service throughout the United States.

(b) REPORT.—The Comptroller General of the United States shall prepare a report providing detailed measurements, statistics, and metrics with respect to—

(1) the progress of implementation of the reforms adopted in the FCC’s Report and Order and Further Notice of Proposed Rulemaking adopted on October 27, 2011 (FCC 11–161) (in this section referred to as the “Order”);

(2) the effects, if any, of such reforms on retail end user rates during the applicable calendar year for—

(A) local voice telephony services (including any subscriber line charges and access recovery charges assessed by carriers upon purchasers of such services);

(B) interconnected VoIP services;

(C) long distance voice services;

(D) mobile wireless voice services;

(E) bundles of voice telephony or VoIP services (such as local and long distance voice packages);

(F) fixed broadband Internet access services; and

(G) mobile broadband Internet access services;

(3) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) to consumers (including both residential and business users) located in rural areas and urban areas;

(4) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) as between incumbent local exchange carriers subject to price cap regulation and those subject to rate-of-return regulation;

(5) the effects, if any, of those reforms adopted in the Order on average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, during the applicable calendar year;

(6) any disparities or trends detectable during the applicable calendar year with respect to the relative average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, in rural areas and urban areas;

(7) the effects, if any, of those reforms adopted in the Order on the magnitude and pace of investments in broadband-capable networks in rural areas, including such investments financed by the Department of Agriculture’s Rural Utilities Service under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.);

(8) any disparities or trends detectable during the applicable calendar year with respect to the relative magnitude and pace of investments in broadband-capable networks in rural areas and urban areas;

(9) any disparities or trends detectable during the applicable calendar year with respect to the magnitude and pace of investments in broadband-capable networks in areas served by carriers subject to rate-of-return regulation;

(10) the effects, if any, of those reforms adopted in the Order on adoption of broadband Internet access services by end users; and

(11) the effects, if any, of such reforms on State universal service funds or other State universal service initiatives, including carrier-of-last-resort requirements that may be enforced by any State.

(c) TIMING.—On or before December 31, 2013, and annually thereafter for the following 5 calendar years, the Comptroller General shall submit the report required under subsection (b) to the following:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(3) The Committee on Energy and Commerce of the House of Representatives.

(4) The Committee on Agriculture of the House of Representatives.

(d) DATA INCLUSION.—The report required under subsection (b) shall include all data that the Comptroller General deems relevant to and supportive of any conclusions drawn with respect to the effects of the FCC’s reforms and any disparities or trends detected in the items subject to the report.

SA 1051. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 10004 and insert the following:

SEC. 10004. STUDY ON LOCAL FOOD PRODUCTION AND PROGRAM EVALUATION.

(a) IN GENERAL.—The Secretary shall—

(1) collect data on the production and marketing of locally or regionally produced agricultural food products;

(2) collect data on direct and indirect regulatory compliance costs affecting the production and marketing of locally or regionally produced agricultural food products;

(3) facilitate interagency collaboration and data sharing on programs related to local and regional food systems;

(4) monitor the effectiveness of programs designed to expand or facilitate local food systems;

(5) monitor barriers to local and regional market access due to Federal regulation of small-scale production; and

(6) evaluate how local food systems—

(A) contribute to improving community food security; and

(B) assist populations with limited access to healthy food.

(b) REQUIREMENTS.—In carrying out this section, the Secretary shall, at a minimum—

(1) collect and distribute comprehensive reporting of prices and volume of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, retail sales, and trend studies (including consumer purchasing patterns) of or on locally or regionally produced agricultural food products;

(3) evaluate the effectiveness of existing programs in growing local and regional food systems, including—

(A) the impact of local food systems on job creation and economic development;

(B) the level of participation in the Farmers’ Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;

(C) the ability for participants to leverage private capital and a synopsis of the places from which non-Federal funds are derived; and

(D) any additional resources required to aid in the development or expansion of local and regional food systems;

(4) evaluate the impact that Federal regulation of small commercial producers of fruits and vegetables intended for local and regional consumption may have on—

(A) local job creation and economic development;

(B) access to local and regional fruit and vegetable markets, including for new and beginning small commercial producers; and

(C) participation in—

(i) supplier networks;

(ii) high volume distribution systems; and

(iii) retail sales outlets;

(5) expand the Agricultural Resource Management Survey to include questions on locally or regionally produced agricultural food products; and

(6) seek to establish or expand private-public partnerships to facilitate, to the maximum extent practicable, the collection of

data on locally or regionally produced agricultural food products, including the development of a nationally coordinated and regionally balanced evaluation of the redevelopment of locally or regionally produced food systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress that has been made in implementing this section and identifying any additional needs and barriers related to developing local and regional food systems.

SA 1052. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 628, between lines 13 and 14, insert the following:

“SEC. 3502. RIGHTS-OF-WAY FOR RURAL WATER PROJECTS.

“The Secretary shall grant, issue, or renew rights-of-way without rental fees for any rural water project that is federally financed (including a project that receives Federal funds under this Act or from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) , if the water project would otherwise be eligible to be granted, issued, or renewed rights-of-way under section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)).

SA 1053. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12 _____ . ATTORNEY FEE PAYMENT TRACKING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) develop a system to track and report attorney fee payment information in accordance with subsections (b) and (c); and

(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the status of the implementation of the system.

(b) REQUIREMENTS.—The system described in subsection (a)(1) shall track for each case or administrative adjudication in which the Secretary or Department of Agriculture is a party—

(1) the case name;

(2) the party name;

(3) the amount of the claim;

(4) the date and amount of the award or payment of attorney fees; and

(5) the law (including regulations) under which the case was brought.

(c) ANNUAL REPORTS.—Each year, the Secretary shall submit to the Committees described in subsection (a)(2) a report containing the information described in subsection (b).

SA 1054. Mr. BOOZMAN submitted an amendment intended to be proposed by

him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XIII—FARM, RANCH, AND FOREST LAND PRIVATE PROPERTY PROTECTION ACT

SEC. 13001. SHORT TITLE.

This title may be cited as the “Farm, Ranch, and Forest Land Private Property Protection Act”.

SEC. 13002. FINDINGS.

(a) FINDINGS.—Congress finds the following:

(1) The founders realized the fundamental importance of property rights when they codified the Takings Clause of the Fifth Amendment to the Constitution, which requires that private property shall not be taken for public use, without just compensation.

(2) Rural lands are unique in that they are not traditionally considered high tax revenue-generating properties for State and local governments. In addition, farm, ranch, and forest land owners need to have long-term certainty regarding their property rights in order to make the investment decisions to commit land to these uses.

(3) Ownership rights in rural land are fundamental building blocks for our Nation’s agriculture industry, which continues to be one of the most important economic sectors of our economy.

(4) In the wake of the Supreme Court’s decision in *Kelo v. City of New London*, abuse of eminent domain is a threat to the property rights of all private property owners, including rural land owners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the use of eminent domain for the purpose of economic development is a threat to agricultural and other property in rural America and that the Congress should protect the property rights of Americans, including those who reside in rural areas. Property rights are central to liberty in this country and to our economy. The use of eminent domain to take farmland and other rural property for economic development threatens liberty, rural economies, and the economy of the United States. The taking of farmland and rural property will have a direct impact on existing irrigation and reclamation projects. Furthermore, the use of eminent domain to take rural private property for private commercial uses will force increasing numbers of activities from private property onto this Nation’s public lands, including its National forests, National parks and wildlife refuges. This increase can overburden the infrastructure of these lands, reducing the enjoyment of such lands for all citizens. Americans should not have to fear the government’s taking their homes, farms, or businesses to give to other persons. Governments should not abuse the power of eminent domain to force rural property owners from their land in order to develop rural land into industrial and commercial property. Congress has a duty to protect the property rights of rural Americans in the face of eminent domain abuse.

SEC. 13003. PROHIBITION ON EMINENT DOMAIN ABUSE BY STATES TO CONFISCATE FARM, RANCH, OR FOREST LAND.

(a) IN GENERAL.—No State or political subdivision of a State shall exercise its power of eminent domain over farm, ranch, or forest land, or allow the exercise of such power by any person or entity to which such power has been delegated, over property to be used for

economic development or over property that is used for economic development within 7 years after that exercise, if that State or political subdivision receives Federal economic development funds during any fiscal year in which the property is so used or intended to be used.

(b) INELIGIBILITY FOR FEDERAL FUNDS.—A violation of subsection (a) by a State or political subdivision shall render such State or political subdivision ineligible for any Federal economic development funds for a period of 2 fiscal years following a final judgment on the merits by a court of competent jurisdiction that such subsection has been violated, and any Federal agency charged with distributing those funds shall withhold them for such 2-year period, and any such funds distributed to such State or political subdivision shall be returned or reimbursed by such State or political subdivision to the appropriate Federal agency or authority of the Federal Government, or component thereof.

(c) OPPORTUNITY TO CURE VIOLATION.—A State or political subdivision shall not be ineligible for any Federal economic development funds under subsection (b) if such State or political subdivision returns all real property the taking of which was found by a court of competent jurisdiction to have constituted a violation of subsection (a) and replaces any other property destroyed and repairs any other property damaged as a result of such violation. In addition, the State must pay applicable penalties and interest to regain eligibility.

SEC. 13004. PROHIBITION ON EMINENT DOMAIN ABUSE BY THE FEDERAL GOVERNMENT TO CONFISCATE FARM, RANCH, OR FOREST LAND.

The Federal Government or any authority of the Federal Government shall not exercise its power of eminent domain over farm, ranch, or forest land to be used for economic development.

SEC. 13005. PRIVATE RIGHT OF ACTION.

(a) CAUSE OF ACTION.—Any (1) owner of private farm, ranch, or forest land whose property is subject to eminent domain who suffers injury as a result of a violation of any provision of this title with respect to that property, or (2) any tenant of property that is subject to eminent domain who suffers injury as a result of a violation of any provision of this title with respect to that property, may bring an action to enforce any provision of this title in the appropriate Federal or State court. A State shall not be immune under the 11th Amendment to the Constitution of the United States from any such action in a Federal or State court of competent jurisdiction. In such action, the defendant has the burden to show by clear and convincing evidence that the taking is not for economic development. Any such property owner or tenant may also seek an appropriate relief through a preliminary injunction or a temporary restraining order.

(b) LIMITATION ON BRINGING ACTION.—An action brought by a property owner or tenant under this title may be brought if the property is used for economic development following the conclusion of any condemnation proceedings condemning the property of such property owner or tenant, but shall not be brought later than seven years following the conclusion of any such proceedings.

(c) ATTORNEYS’ FEE AND OTHER COSTS.—In any action or proceeding under this title, the court shall allow a prevailing plaintiff a reasonable attorneys’ fee as part of the costs, and include expert fees as part of the attorneys’ fee.

SEC. 13006. REPORTING OF VIOLATIONS TO ATTORNEY GENERAL OR THE SECRETARY OF AGRICULTURE.

(a) **SUBMISSION OF REPORT TO ATTORNEY GENERAL.**—Any (1) owner of private farm, ranch, or forest land whose property is subject to eminent domain who suffers injury as a result of a violation of any provision of this title with respect to that property, or (2) any tenant of farm, ranch, or forest land that is subject to eminent domain who suffers injury as a result of a violation of any provision of this title with respect to that property, may report a violation by the Federal Government, any authority of the Federal Government, State, or political subdivision of a State to the Attorney General or the Secretary of Agriculture.

(b) **INVESTIGATION BY ATTORNEY GENERAL.**—Upon receiving a report of an alleged violation, the Secretary of Agriculture shall transmit the report to the Attorney General. Upon receiving a report of an alleged violation from either a property owner, tenant, or the Secretary of Agriculture, the Attorney General shall conduct an investigation, in cooperation with the Secretary of Agriculture, to determine whether a violation exists.

(c) **NOTIFICATION OF VIOLATION.**—If the Attorney General concludes that a violation does exist, then the Attorney General shall notify the Federal Government, authority of the Federal Government, State, or political subdivision of a State that the Attorney General has determined that it is in violation of the title. The notification shall further provide that the Federal Government, State, or political subdivision of a State has 90 days from the date of the notification to demonstrate to the Attorney General either that (1) it is not in violation of the title or (2) that it has cured its violation by returning all real property the taking of which the Attorney General finds to have constituted a violation of the title and replacing any other property destroyed and repairing any other property damaged as a result of such violation.

(d) **ATTORNEY GENERAL'S BRINGING OF ACTION TO ENFORCE TITLE.**—If, at the end of the 90-day period described in subsection (c), the Attorney General determines that the Federal Government, authority of the Federal Government, State, or political subdivision of a State is still violating the title or has not cured its violation as described in subsection (c), then the Attorney General will bring an action to enforce the title unless the property owner or tenant who reported the violation has already brought an action to enforce the title. In such a case, the Attorney General shall intervene if it determines that intervention is necessary in order to enforce the title. The Attorney General may file its lawsuit to enforce the title in the appropriate Federal or State court. A State shall not be immune under the 11th Amendment to the Constitution of the United States from any such action in a Federal or State court of competent jurisdiction. In such action, the defendant has the burden to show by clear and convincing evidence that the taking is not for economic development. The Attorney General may seek any appropriate relief through a preliminary injunction or a temporary restraining order.

(e) **LIMITATION ON BRINGING ACTION.**—An action brought by the Attorney General under this title may be brought if the property is used for economic development following the conclusion of any condemnation proceedings condemning the property of an owner or tenant who reports a violation of the title to the Attorney General, but shall

not be brought later than seven years following the conclusion of any such proceedings.

(f) **ATTORNEYS' FEE AND OTHER COSTS.**—In any action or proceeding under this title brought by the Attorney General, the court shall, if the Attorney General is a prevailing plaintiff, award the Attorney General a reasonable attorneys' fee as part of the costs, and include expert fees as part of the attorneys' fee.

SEC. 13007. NOTIFICATION BY ATTORNEY GENERAL.

(a) **NOTIFICATION TO STATES AND POLITICAL SUBDIVISIONS.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Attorney General shall provide to the chief executive officer of each State the text of this title and a description of the rights of property owners and tenants under this title.

(2) **LIST OF FEDERAL LAWS.**—Not later than 120 days after the date of enactment of this Act, the Attorney General shall compile a list of the Federal laws under which Federal economic development funds are distributed. The Attorney General shall compile annual revisions of such list as necessary. Such list and any successive revisions of such list shall be communicated by the Attorney General to the chief executive officer of each State and also made available on the Internet website maintained by the United States Department of Justice for use by the public and by the authorities in each State and political subdivisions of each State empowered to take private property and convert it to public use subject to just compensation for the taking.

(b) **NOTIFICATION TO PROPERTY OWNERS AND TENANTS.**—Not later than 30 days after the date of enactment of this Act, the Attorney General shall publish in the Federal Register and make available on the Internet website maintained by the United States Department of Justice a notice containing the text of this title and a description of the rights of property owners and tenants under this title.

SEC. 13008. NOTIFICATION BY SECRETARY OF AGRICULTURE.

Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register and make available on the Internet website maintained by the United States Department of Agriculture a notice containing the text of this title and a description of the rights of property owners and tenants under this title.

SEC. 13009. REPORTS.

(a) **BY ATTORNEY GENERAL.**—Not later than 1 year after the date of enactment of this Act, and every subsequent year thereafter, the Attorney General shall transmit a report identifying States or political subdivisions that have used eminent domain in violation of this title to the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives, to the Chairman and Ranking Member of the Committee on the Judiciary of the Senate, to the Chairman and Ranking Member of the Committee on Agriculture, Nutrition, and Forestry of the Senate, and to the Chairman and Ranking Member of the Committee of Agriculture of the House. The report shall—

(1) be developed in cooperation with the Secretary of Agriculture;

(2) identify all private rights of action brought as a result of a State's or political subdivision's violation of this title;

(3) identify all violations reported by property owners and tenants under section 13005(c);

(4) identify the percentage of minority residents compared to the surrounding non-minority residents and the median incomes of those impacted by a violation of this title;

(5) identify all lawsuits brought by the Attorney General under section 13005(d);

(6) identify all States or political subdivisions that have lost Federal economic development funds as a result of a violation of this title, as well as describe the type and amount of Federal economic development funds lost in each State or political subdivision and the Agency that is responsible for withholding such funds; and

(7) discuss all instances in which a State or political subdivision has cured a violation as described in section 13002(c).

(b) **DUTY OF STATES.**—Each State and local authority that is subject to a private right of action under this title shall have the duty to report to the Attorney General such information with respect to such State and local authorities as the Attorney General needs to make the report required under subsection (a).

SEC. 13010. DEFINITIONS.

In this title the following definitions apply:

(1) **ECONOMIC DEVELOPMENT.**—

(A) **IN GENERAL.**—The term “economic development” means taking private property, without the consent of the owner, and conveying or leasing such property from one private person or entity to another private person or entity for commercial enterprise carried on for profit, or to increase tax revenue, tax base, employment, or general economic health, except that such term shall not include—

(i) conveying private property—

(I) to public ownership, such as for a road, hospital, airport, or military base;

(II) to an entity, such as a common carrier, that makes the property available to the general public as of right, such as a railroad or public facility;

(III) for use as a road or other right of way or means, open to the public for transportation, whether free or by toll; and

(IV) for use as an aqueduct, flood control facility, pipeline, or similar use;

(ii) removing harmful uses of land provided such uses constitute an immediate threat to public health and safety;

(iii) leasing property to a private person or entity that occupies an incidental part of public property or a public facility, such as a retail establishment on the ground floor of a public building;

(iv) acquiring abandoned property;

(v) clearing defective chains of title;

(vi) taking private property for use by a public utility, including a utility providing electric, natural gas, telecommunications, water, and wastewater services, either directly to the public or indirectly through provision of such services at the wholesale level for resale to the public; and

(vii) redeveloping of a brownfield site as defined in the Small Business Liability Relief and Brownfields Revitalization Act (42 U.S.C. 9601(39)).

(B) **ABANDONED PROPERTY.**—In subparagraph (A)(iv), the term “abandoned property” means property—

(i) that has been substantially unoccupied or unused for any commercial, agricultural, residential, or conservation-oriented purpose for at least 1 year by a person with a legal or equitable right to occupy the property;

(ii) that has not been maintained; and

(iii) for which property taxes have not been paid for at least 2 years.

(2) FEDERAL ECONOMIC DEVELOPMENT FUNDS.—The term “Federal economic development funds” means any Federal funds distributed to or through States or political subdivisions of States under Federal laws designed to improve or increase the size of the economies of States or political subdivisions of States.

(3) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States.

SEC. 13011. SEVERABILITY AND EFFECTIVE DATE.

(a) SEVERABILITY.—The provisions of this title are severable. If any provision of this title, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of the title not so adjudicated.

(b) EFFECTIVE DATE.—This title shall take effect upon the first day of the first fiscal year that begins after the date of enactment of this Act, but shall not apply to any project for which condemnation proceedings have been initiated prior to the date of enactment.

SEC. 13012. SENSE OF CONGRESS.

It is the policy of the United States to encourage, support, and promote the private ownership of property and to ensure that the constitutional and other legal rights of private property owners are protected by the Federal Government.

SEC. 13013. BROAD CONSTRUCTION.

This title shall be construed in favor of a broad protection of private property rights, to the maximum extent permitted by the terms of this title and the Constitution.

SEC. 13014. LIMITATION ON STATUTORY CONSTRUCTION.

Nothing in this title may be construed to supersede, limit, or otherwise affect any provision of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

SEC. 13015. REPORT BY FEDERAL AGENCIES ON REGULATIONS AND PROCEDURES RELATING TO EMINENT DOMAIN.

Not later than 180 days after the date of enactment of this Act, the head of each Executive department and agency shall review all rules, regulations, and procedures and report to the Attorney General on the activities of that department or agency to bring its rules, regulations and procedures into compliance with this title.

SEC. 13016. DISPROPORTIONATE IMPACT ON MINORITIES.

If the court determines that a violation of this title has occurred, and that the violation has a disproportionately high impact on the poor or minorities, the Attorney General shall use reasonable efforts to locate and inform former owners and tenants of the violation and any remedies they may have.

SA 1055. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1113, line 8, strike “\$10,000,000” and insert “\$17,000,000”.

SA 1056. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, insert the following:

SEC. 4019. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) (as amended by section 4004) is amended by adding at the end the following:

“(s) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

“(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if the individual is convicted of—

“(A) aggravated sexual abuse under section 2241 of title 18, United States Code;

“(B) murder under section 1111 of title 18, United States Code;

“(C) an offense under chapter 110 of title 18, United States Code;

“(D) a Federal or State offense involving sexual assault, as defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

“(E) an offense under State law determined by the Attorney General to be substantially similar to an offense described in subparagraph (A), (B), or (C).

“(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.

“(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act, during the application process, to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).”.

SA 1057. Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. MERKLEY, Mrs. BOXER, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122. HEN HOUSING AND TREATMENT STANDARDS.

(a) DEFINITIONS.—Section 4 of the Egg Products Inspection Act (21 U.S.C. 1033) is amended—

(1) by redesignating subsection (a) as subsection (c);

(2) by redesignating subsections (b), (c), (d), (e), (f), and (g) as subsections (f), (g), (h), (i), (j), and (k), respectively;

(3) by redesignating subsections (h) and (i) as subsections (n) and (o), respectively;

(4) by redesignating subsections (j), (k), and (l) as subsections (r), (s), and (t), respectively;

(5) by redesignating subsections (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), and (z) as subsections (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), and (ii), respectively;

(6) by inserting before subsection (c), as redesignated by paragraph (1), the following new subsections:

“(a) The term ‘adequate environmental enrichments’ means adequate perch space, dust bathing or scratching areas, and nest space, as defined by the Secretary of Agriculture, based on the best available science, including the most recent studies available at the time that the Secretary defines the term.

“(b) The term ‘adequate housing-related labeling’ means a conspicuous, legible marking on the front or top of a package of eggs accurately indicating the type of housing that the egg-laying hens were provided during egg production, in 1 of the following formats:

“(1) ‘Eggs from free-range hens’ to indicate that the egg-laying hens from which the eggs or egg products were derived were, during egg production—

“(A) not housed in caging devices; and

“(B) provided with outdoor access.

“(2) ‘Eggs from cage-free hens’ to indicate that the egg-laying hens from which the eggs or egg products were derived were, during egg production, not housed in caging devices.

“(3) ‘Eggs from enriched cages’ to indicate that the egg-laying hens from which the eggs or egg products were derived were, during egg production, housed in caging devices that—

“(A) contain adequate environmental enrichments; and

“(B) provide the hens a minimum of 116 square inches of individual floor space per brown hen and 101 square inches of individual floor space per white hen.

“(4) ‘Eggs from caged hens’ to indicate that the egg-laying hens from which the eggs or egg products were derived were, during egg production, housed in caging devices that either—

“(A) do not contain adequate environmental enrichments; or

“(B) do not provide the hens a minimum of 116 square inches of individual floor space per brown hen and 101 square inches of individual floor space per white hen.”;

(7) by inserting after subsection (c), as redesignated by paragraph (1), the following new subsections:

“(d) The term ‘brown hen’ means a brown egg-laying hen used for commercial egg production.

“(e) The term ‘caging device’ means any cage, enclosure, or other device used for the housing of egg-laying hens for the production of eggs in commerce, but does not include an open barn or other fixed structure without internal caging devices.”;

(8) by inserting after subsection (k), as redesignated by paragraph (2), the following new subsections:

“(1) The term ‘egg-laying hen’ means any female domesticated chicken, including white hens and brown hens, used for the commercial production of eggs for human consumption.

“(m) The term ‘existing caging device’ means any caging device that was continuously in use for the production of eggs in commerce up through and including December 31, 2011.”;

(9) by inserting after subsection (o), as redesignated by paragraph (3), the following new subsections:

“(p) The term ‘feed-withdrawal molting’ means the practice of preventing food intake for the purpose of inducing egg-laying hens to molt.

“(q) The term ‘individual floor space’ means the amount of total floor space in a caging device available to each egg-laying hen in the device, which is calculated by measuring the total floor space of the caging device and dividing by the total number of egg-laying hens in the device.”;

(10) by inserting after subsection (t), as redesignated by paragraph (4), the following new subsection:

“(u) The term ‘new caging device’ means any caging device that was not continuously in use for the production of eggs in commerce on or before December 31, 2011.”; and

(11) by inserting at the end the following new subsections:

“(jj) The term ‘water-withdrawal molting’ means the practice of preventing water intake for the purpose of inducing egg-laying hens to molt.

“(kk) The term ‘white hen’ means a white egg-laying hen used for commercial egg production.”

(b) HOUSING AND TREATMENT OF EGG-LAYING HENS.—The Egg Products Inspection Act (21 U.S.C. 1031 et seq.) is amended by inserting after section 7 (21 U.S.C. 1036) the following new sections:

“SEC. 7A. HOUSING AND TREATMENT OF EGG-LAYING HENS.

“(a) ENVIRONMENTAL ENRICHMENTS.—

“(1) EXISTING CAGING DEVICES.—Beginning 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, all existing caging devices shall provide egg-laying hens housed therein adequate environmental enrichments.

“(2) NEW CAGING DEVICES.—Beginning 9 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, all new caging devices shall provide egg-laying hens housed therein adequate environmental enrichments.

“(3) CAGING DEVICES IN CALIFORNIA.—

“(A) NEW CAGING DEVICES.—All caging devices in California installed after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 shall provide egg-laying hens housed therein adequate environmental enrichments beginning 3 months after that date of enactment.

“(B) EXISTING CAGING DEVICES.—All caging devices in California installed before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 shall provide egg-laying hens housed therein adequate environmental enrichments beginning January 1, 2024.

“(b) FLOOR SPACE.—

“(1) EXISTING CAGING DEVICES.—All existing cages devices shall provide egg-laying hens housed therein—

“(A) beginning 4 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and until the date that is 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 76 square inches of individual floor space per brown hen and 67 square inches of individual floor space per white hen; and

“(B) beginning 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 144 square inches of individual floor space per brown hen and 124 square inches of individual floor space per white hen.

“(2) NEW CAGING DEVICES.—All new caging devices shall provide egg-laying hens housed therein—

“(A) beginning 3 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and until the date that is 6 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 90 square inches of individual floor space per brown hen and 78 square inches of individual floor space per white hen;

“(B) beginning 6 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and until the date that is 9 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 102 square inches of individual floor space per brown hen and 90 square inches of individual floor space per white hen;

“(C) beginning 9 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and until the date that is 12 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 116 square inches of individual floor space per brown hen and 101 square inches of individual floor space per white hen;

“(D) beginning 12 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and until the date that is 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 130 square inches of individual floor space per brown hen and 113 square inches of individual floor space per white hen; and

“(E) beginning 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, a minimum of 144 square inches of individual floor space per brown hen and 124 square inches of individual floor space per white hen.

“(3) CALIFORNIA CAGING DEVICES.—

“(A) EXISTING CAGING DEVICES.—All caging devices in California installed before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 shall provide egg-laying hens housed therein—

“(i) beginning January 1, 2015, and through December 31, 2023, a minimum of 134 square inches of individual floor space per brown hen and 116 square inches of individual floor space per white hen; and

“(ii) beginning January 1, 2024, a minimum of 144 square inches of individual floor space per brown hen and 124 square inches of individual floor space per white hen.

“(B) NEW CAGING DEVICES.—All caging devices in California installed after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 shall provide egg-laying hens housed therein—

“(i) beginning 3 months after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and through December 31, 2023, a minimum of 134 square inches of individual floor space per brown hen and 116 square inches of individual floor space per white hen; and

“(ii) beginning January 1, 2024, a minimum of 144 square inches of individual floor space per brown hen and 124 square inches of individual floor space per white hen.

“(c) AIR QUALITY.—

“(1) IN GENERAL.—Beginning 2 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, an egg handler shall provide all egg-laying hens under his ownership or control with acceptable air quality, which does not exceed more than 25 parts per million of ammonia during normal operations.

“(2) TEMPORARY EXCESS AMMONIA LEVELS ALLOWED.—Notwithstanding paragraph (1), an egg handler may provide egg-laying hens under the ownership or control of such handler with air quality containing more than 25 parts per million of ammonia for temporary periods as necessary because of extraordinary weather circumstances or other unusual circumstances.

“(d) FORCED MOLTING.—Beginning 2 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, no egg handler may subject any egg-laying hen under his ownership or control to feed-withdrawal or water-withdrawal molting.

“(e) EUTHANASIA.—Beginning 2 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, an egg handler shall provide, when necessary, all egg-laying hens under his ownership or control

with euthanasia that is humane and uses a method deemed ‘Acceptable’ by the American Veterinary Medical Association.

“(f) PROHIBITION ON NEW UNENRICHABLE CAGES.—No person shall build, construct, implement, or place into operation any new caging device for the production of eggs to be sold in commerce unless the device—

“(1) provides the egg-laying hens to be contained therein a minimum of 76 square inches of individual floor space per brown hen or 67 square inches of individual floor space per white hen; and

“(2) is capable of being adapted to accommodate adequate environmental enrichments.

“(g) EXEMPTIONS.—

“(1) RECENTLY-INSTALLED EXISTING CAGING DEVICES.—The requirements under subsections (a)(1) and (b)(1)(B) shall not apply to any existing caging device that was first placed into operation between January 1, 2008, and December 31, 2011. This exemption shall expire on December 31, 2029, at which time the requirements contained in subsections (a)(1) and (b)(1)(B) shall apply to all existing caging devices.

“(2) HENS ALREADY IN PRODUCTION.—The requirements under subsections (a)(1), (a)(2), (b)(1)(B), and (b)(2) shall not apply to any caging device containing egg-laying hens who are already in egg production on the date that such requirement takes effect. This exemption shall expire on the date that such egg-laying hens are removed from egg production.

“(3) SMALL PRODUCERS.—This section shall not apply to an egg handler who buys, sells, handles, or processes eggs or egg products solely from 1 flock of not more than 3,000 egg-laying hens.

“(4) EDUCATIONAL AND RESEARCH INSTITUTIONS.—The provisions of this section related to housing, treatment, or housing-related labeling shall not apply to egg production at an accredited educational or research institution, or to the purchase, sale, handling, or processing of eggs or egg products in connection with such production.

“(5) INDIVIDUAL ENCLOSURES.—The environmental enrichment requirements under subsection (a) shall not apply to any caging device that contains only 1 egg-laying hen.

“(6) OTHER LIVESTOCK OR POULTRY PRODUCTION.—This section shall apply only to commercial egg production. This section shall not apply to the production of pork, beef, turkey, dairy, broiler chicken, veal, or other livestock or poultry.

“SEC. 7B. PHASE-IN CONVERSION REQUIREMENTS.

“(a) NATIONAL CONVERSION REQUIREMENTS.—

“(1) FIRST CONVERSION PHASE.—Beginning 6 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, at least 25 percent of the egg-laying hens in commercial egg production shall be housed either in new caging devices or in existing caging devices that provide the hens contained therein with a minimum of 102 square inches of individual floor space per brown hen and 90 square inches of individual floor space per white hen.

“(2) SECOND CONVERSION PHASE.—Beginning 12 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, at least 55 percent of the egg-laying hens in commercial egg production shall be housed either in new caging devices or in existing caging devices that provide the hens contained therein with a minimum of 130 square inches of individual floor space per brown hen and 113 square inches of individual floor space per white hen.

“(3) FINAL CONVERSION PHASE.—Beginning December 31, 2029, all egg-laying hens confined in caging devices shall be provided adequate environmental enrichments and a minimum of 144 square inches of individual floor space per brown hen and 124 square inches of individual floor space per white hen.

“(b) CALIFORNIA CONVERSION REQUIREMENTS.—

“(1) FIRST CONVERSION PHASE.—Beginning 2 years and 6 months after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, at least 25 percent of the egg-laying hens in commercial egg production in California shall be provided adequate environmental enrichments and a minimum of 134 square inches of individual floor space per brown hen and 116 square inches of individual floor space per white hen.

“(2) SECOND CONVERSION PHASE.—Beginning 5 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, at least 50 percent of the egg-laying hens in commercial egg production in California shall be provided adequate environmental enrichments and a minimum of 134 square inches of individual floor space per brown hen and 116 square inches of individual floor space per white hen.

“(3) THIRD CONVERSION PHASE.—Beginning 7 years and 6 months after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, at least 75 percent of the egg-laying hens in commercial egg production in California shall be provided adequate environmental enrichments and a minimum of 134 square inches of individual floor space per brown hen and 116 square inches of individual floor space per white hen.

“(4) FINAL CONVERSION PHASE.—Beginning 10 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, all egg-laying hens in commercial egg production in California shall be provided adequate environmental enrichments and a minimum of 144 square inches of individual floor space per brown hen and 124 square inches of individual floor space per white hens.

“(c) COMPLIANCE.—

“(1) IN GENERAL.—At the end of 6 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall determine, after having reviewed and analyzed the results of an independent, national survey of caging devices, whether—

“(A) the requirements of subsection (a)(1) have been met; and

“(B) the requirements of subsection (b)(2) have been met.

“(2) REQUIREMENTS MET.—If the Secretary finds that the requirements of subsection (a)(1) have not been met, then beginning January 1, 2020, the floor space requirements (irrespective of the date such requirements expire) related to new caging devices contained in subsection (b)(2)(B) of section 7A shall apply to existing caging devices placed into operation prior to January 1, 1995.

“(3) REQUIREMENTS NOT MET.—If the Secretary finds that the requirements of subsection (b)(2) have not been met, then beginning 1 year from the date of the Secretary’s finding, the floor space and enrichments requirements (irrespective of the date such requirements come into force) contained in subsection (a)(3)(A) and subsection (b)(3)(B)(ii) of section 7A shall apply to all caging devices in California.

“(4) REPORT.—At the end of 12 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and again after December 31, 2029, the Secretary shall

submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on compliance with subsections (a) and (b).

“(5) RELATIONSHIP TO OTHER LAW.—Notwithstanding section 12, the remedies provided in this subsection shall be the exclusive remedies for violations of this section.”.

(c) INSPECTIONS.—Section 5 of the Egg Products Inspection Act (21 U.S.C. 1034) is amended—

(1) in subsection (d), in the first sentence, by inserting “(other than requirements with respect to housing, treatment, and housing-related labeling)” after “as he deems appropriate to assure compliance with such requirements”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “and”; and

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following new subparagraph:

“(B) are derived from egg-laying hens housed and treated in compliance with section 7A; and”; and

(iv) in subparagraph (C), as redesignated by clause (ii), by inserting “adequate housing-related labeling and” after “contain”;

(B) in paragraph (2), by striking “In the case of a shell egg packer” and inserting “In the cases of an egg handler with a flock of more than 3,000 egg-laying hens and a shell egg packer”;

(C) in paragraph (3), by inserting “(other than requirements with respect to housing, treatment, and housing-related labeling)” after “to ensure compliance with the requirements of paragraph (1)”; and

(D) in paragraph (4), by striking “with a flock of not more than 3,000 layers.” and inserting “who buys, sells, handles, or processes eggs or egg products solely from 1 flock of not more than 3,000 egg-laying hens.”.

(d) LABELING.—Section 7(a) of the Egg Products Inspection Act of 1970 (21 U.S.C. 1036(a)) is amended by inserting “adequate housing-related labeling,” after “plant where the products were processed.”.

(e) LIMITATION ON EXEMPTIONS BY SECRETARY.—Section 15(a) of the Egg Products Inspection Act of 1970 (21 U.S.C. 1044(a)) is amended in the matter preceding paragraph (1) by inserting “(not including subsection (c) of section 8)” after “exempt from specific provisions”.

(f) IMPORTS.—Section 17(a)(2) of the Egg Products Inspection Act of 1970 (21 U.S.C. 1046(a)(2)) is amended by striking “subdivision thereof and are labeled and packaged” and inserting “subdivision thereof; and no eggs or egg products capable of use as human food shall be imported into the United States unless they are produced, labeled, and packaged”.

(g) ENFORCEMENT OF HEN HOUSING AND TREATMENT STANDARDS.—Section 8 of the Egg Products Inspection Act (21 U.S.C. 1037) is amended—

(1) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively;

(2) by inserting after subsection (b) the following new subsection:

“(c)(1) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business or commerce any eggs or egg products derived from egg-laying hens housed or treated in violation of any provision of section 7A.

“(2) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for

transportation, in any business or commerce any eggs or egg products derived from egg-laying hens unless the container or package, including any immediate container, of the eggs or egg products, beginning 1 year after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, contains adequate housing-related labeling.

“(3) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business or commerce, in California, any eggs or egg products derived from egg-laying hens unless the egg-laying hens are provided floor space and enrichments equivalent to that required under subsections (a)(3) and (b)(3) of section 7A of this Act regardless of where the eggs are produced.”; and

(3) in subsection (e) (as redesignated by paragraph (1)), in the matter preceding paragraph (1), by inserting “7A,” after “section”.

(h) STATE AND LOCAL AUTHORITY.—Section 23 of the Egg Products Inspection Act (21 U.S.C. 1052) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by inserting after subsection (b) the following new subsection:

“(c) PROHIBITION AGAINST ADDITIONAL OR DIFFERENT REQUIREMENTS THAN FEDERAL REQUIREMENTS RELATED TO MINIMUM SPACE ALLOTMENTS FOR HOUSING EGG-LAYING HENS IN COMMERCIAL EGG PRODUCTION.—Requirements within the scope of this Act with respect to minimum floor space allotments or enrichments for egg-laying hens housed in commercial egg production which are in addition to or different than those made under this Act may not be imposed by any State or local jurisdiction. Otherwise the provisions of this Act shall not invalidate any law or other provisions of any State or other jurisdiction in the absence of a conflict with this Act.”; and

(3) by inserting after subsection (e) (as redesignated by subsection (a)) the following new subsection:

“(f) ROLE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE.—With respect to eggs produced, shipped, handled, transported, or received in California prior to the date that is 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall delegate to the California Department of Food and Agriculture the authority to enforce sections 7A(a)(3), 7A(b)(3), 8(c)(3), and 11.”.

(i) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

SA 1058. Mr. WHITEHOUSE (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 256, strike line 15 and insert the following:

(I) Climate change benefit projects, including—

(i) enhancing soil quality;

(ii) reducing greenhouse gas emissions; and

(iii) increasing resilience to rising temperatures, extreme weather events, and related climate changes.

(J) Other related activities that the Sec-

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, June 4, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to explore wildland fire management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to John_Assini@energy.senate.gov.

For further information, please contact Meghan Conklin (202) 224-8046 or John Assini (202) 224-9313.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, May 22, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. 959, Pharmaceutical Compounding Quality and Accountability Act; S. 957, Drug Supply Chain Security Act; the nomination of Mark Gaston Pearce, to be a Member of the National Labor Relations Board; the nomination of Richard F. Griffin, Jr., to be a Member of the National Labor Relations Board; the nomination of Sharon Block, to be a Member of the National Labor Relations Board; and the nomination of Harry I. Johnson III, to be a Member of the National Labor Relations Board.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on May 21, 2013, at 10:15 a.m. to conduct a hearing entitled "The Financial Stability Oversight Council Annual Report to Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources

be authorized to meet during the session of the Senate on May 21, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 21, 2013, at 10 a.m. in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "A Review of Criteria Used by the IRS to Identify 501(c)(4) Applications for Greater Scrutiny."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 21, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 21, 2013, at 2:45 p.m., to hold a Near Eastern and South and Central Asian Affairs subcommittee hearing entitled, "Prospects for Afghanistan's 2014 Elections."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 21, 2013, at 10:30 a.m., in SH-216 of the Hart Senate Office Building, to continue its executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 21, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 21, 2013, at 9:30 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "S. 921, The Raechel and Jacqueline Houck Safe Rental Car Act of 2013."

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Government Affairs be authorized to meet during the session of the Senate on May 21, 2013, at 9:30 a.m., to conduct a hearing entitled "Offshore Profit Shifting and the U.S. Tax Code—Part 2."

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES READ THE FIRST TIME—S. 1003, S. 1004, H.R. 45

Mr. REID. Madam President, I am told that three bills are at the desk. I would ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (S. 1003) to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

A bill (S. 1004) to permit voluntary economic activity.

A bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

Mr. REID. Madam President, I now ask for a second reading en bloc for each of these and I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for a second time the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, after consultation with the Chairman of the Committee on Armed Services, pursuant to the provisions of Public Law 112-239, the appointment of the following individuals to be members of the Military Compensation and Retirement Modernization Commission: the Honorable Bob Kerrey of Nebraska, and the Honorable Larry Pressler of South Dakota.

EXECUTIVE SESSION

NOMINATION OF SRIKANTH SRINIVASAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. REID. Madam President, I now move to proceed to executive session to consider Calendar No. 95.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Without objection, the motion is agreed to.

The clerk will report the nomination. The legislative clerk read as follows: Nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Bill Nelson, Christopher A. Coons, Amy Klobuchar, Tim Kaine, Jack Reed, Barbara A. Mikulski, Mark R. Warner, Sheldon Whitehouse, Sherrod Brown, Benjamin L. Cardin, Robert P. Casey, Jr., Tom Harkin, Bernard Sanders, Al Franken, Robert Menendez.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, we are moving forward. This will be the sixth or seventh year we have tried to fill vacancies on the DC Circuit. There are four vacancies there. I hope the President sends us some more names. I understand that will be the case maybe before the end of this week.

It is outrageous we have been stopped procedurally from doing the work of this country in filling these nominations in this very important court. We are going to have a cloture vote on this on Thursday, as we should do, and hopefully finish by the end of the week. If we get cloture, we will finish by the end of the week if we have to stay over another day or so.

ORDERS FOR WEDNESDAY, MAY 22, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, May 22, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate be in a period of morning busi-

ness for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 954, the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. We will continue to work through amendments on the farm bill tomorrow. Additionally, there will be a rollcall vote on S. Res. 65, the Iran sanctions resolution, at 5 p.m. tomorrow. There will be 1 hour of debate on that matter.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:35 p.m., adjourned until Wednesday, May 22, 2013, at 9:30 a.m.

EXTENSIONS OF REMARKS

ACKNOWLEDGING THE SERVICE OF
CHIEF MASTER SERGEANT
JAMES K. "KENNY" FOGLE

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. GUTHRIE. Mr. Speaker, I rise today in recognition of Chief Master Sergeant James K. "Kenny" Fogle.

Joining the U.S. Air Force in 1977, Chief Fogle began his active duty career serving as an Airborne Cryptologic Linguist. He was assigned to the Kadena Air Base in Okinawa, Japan. Chief Fogle logged more than 450 hours of flying time with the RC135 and earned the Air Medal during this tour.

Following his service with the U.S. Air Force, Chief Fogle enlisted in the Kentucky Air National Guard in several capacities. From 2000–2003, Chief Fogle served as the Senior Enlisted Advisor to the Assistant Adjutant General for Air, Brigadier General Rick Ash. Chief Fogle also served as Assistant to the Secretary of Transportation in Kentucky's Transportation Cabinet from 1988–2003.

Today, Chief Fogle serves as the Executive Director of the United Way of Nelson County. Chief Fogle's life of service has earned him many medals and ribbons, but perhaps most importantly, the gratitude of the Commonwealth of Kentucky.

As Memorial Day approaches, I'd like to acknowledge Chief Fogle for his military service and for continuing that service in his personal life. I join with Kentucky's Second District in thanking you for your service.

IN HONOR OF COACH JOHN
HERRINGTON'S RETIREMENT
FROM TEACHING

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to honor Mr. John Herrington and his lifelong commitment to Greater Detroit youth. Known to many in the community simply as "Coach" Mr. Herrington has spent half a century helping those who have crossed his path.

John Herrington distinguished himself as a standout student-athlete while attending Waterford Township High School, where he was President of his senior class and earned nine varsity letters in basketball, baseball, and football. Upon graduation he attended Central Michigan University where he played basketball and excelled in academics—graduating with a Bachelor of Science degree in Education and his teaching certificate in 1962.

While there, he met the love of his life and future wife, Fran—they were a team for 38 years until her passing in 2001.

In 1963, John became the head junior varsity football coach at North Farmington High School. He taught and coached there for six years until transferring to the newly opened Harrison High School in 1970 to teach history and be the head varsity football coach.

Mr. Speaker, Coach's overall football record is an astonishing 392 wins, 88 losses and one tie. He was also the Varsity baseball coach from 1971 to 2005, earning a record of 468 wins and 341 losses, along with 12 district championships, 4 regional titles and 2 state semi-final berths. Coach Harrison has won a record 13 Michigan High School Football Championships and 29 conference titles. In addition, he has helped hundreds of football players secure college football scholarships and seven of his former players have played in the National Football League.

Mr. Herrington is well known for crediting his players and assistant coaches for his success; however, a list of awards honoring him includes: induction into both the Michigan and National Coaches Association Halls of Fame, National Football Coach of the Year, and runner up for the NFL's Shula Award for Outstanding High School Football Coach.

Mr. Speaker, at the end of this school year John Herrington will retire from teaching. While coach Herrington's time as a teacher has ended; he will continue to be the head varsity football coach at Harrison High School. I would like to thank him for his many decades of selfless service as a teacher and wish him continued success as the head football coach at Harrison High School.

RECOGNIZING THE 40TH ANNIVERSARY OF BOYERTOWN AREA MULTI-SERVICE, INCORPORATED

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. GERLACH. Mr. Speaker, I rise today to congratulate the staff, volunteers and Board of Directors of Boyertown Area Multi-Service, Incorporated as the organization celebrates 40 years of providing outstanding services and guidance to seniors and individuals of all ages in need of an array of social services.

Since its opening in 1973, Boyertown Area Multi-Service, Incorporated has been true to its mission of providing resources and services to meet unfulfilled human and community needs in the greater Boyertown area.

The organization has been successful for four decades thanks to a strong partnership between caring neighbors and dedicated staff. In 2012, more than 400 volunteers gave nearly 42,000 hours of their time preparing and

serving meals to seniors as part of the Meals on Wheels and the Center at Spring Street programs, providing tax preparation services, driving individuals to medical appointments, coordinating the food pantry and Christmas assistance programs and helping individuals qualify for home heating assistance programs.

Constantly striving to improve and expand the services offered to community members in need, Boyertown Area Multi-Service, Incorporated embarked on an ambitious building project in 2004 and moved into their new home in January 2006. The new building houses the extremely popular Center at Spring Street, providing people 55 and older with opportunities for socialization, recreation, education, and nutrition.

Staff, volunteers, the Board of Directors and the community celebrated the organization's 40th anniversary during an open house on Saturday, May 18, 2013.

Mr. Speaker, I ask that my colleagues join me today in congratulating the staff, volunteers, Board of Directors and supporters of Boyertown Area Multi-Service, Incorporated as they commemorate this memorable milestone and in extending best wishes for continued success in providing exemplary service to seniors, families and anyone in need in the greater Boyertown Area.

HONORING GINGER BARNES, CEO,
UNITED SPACE ALLIANCE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. OLSON. Mr. Speaker, I rise today to honor a true leader in NASA's human spaceflight program. This individual is neither an astronaut nor a high-ranking NASA official, yet she has been deeply involved in our nation's achievements in space, and deserves public recognition.

Virginia Barnes, or Ginger to those of us who know her, has been CEO and President of the United Space Alliance for the past three years. United Space Alliance is the company that was tasked by NASA to operate the Space Shuttle. During her tenure, both NASA and United Space Alliance were under tremendous pressure to complete the remaining flights necessary to finish construction of the International Space Station, as well as manage the transition and closeout of the Space Shuttle Program. This was an immense challenge given the size of the workforce, assets, and facilities affected. Adding to this pressure was the vast public attention given to the Space Shuttle on its final flights after 30 years of service. This process forced America to accept the reality that we would not fly in space in our own spacecraft, for quite some time.

During this stressful and challenging period, Ginger guided the United Space Alliance with

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

steady resolve, and calm leadership balancing decisions on what was in the best interest of the Space Shuttle Program. Painful choices were made that affected workers and their families, many of whom had dedicated their entire careers to the Space Shuttle. Ginger handled this process with grace, care and consideration. Now that the last files have been boxed up, the Space Shuttle orbiters have been transferred to their final display locations, and the facilities have been mothballed or transitioned to other programs, Ginger's work on behalf of the Space Shuttle program is complete.

Thankfully, Ginger is not leaving the space program. She will be returning to the Boeing Corporation, where she worked for her entire career prior to assuming leadership at the United Space Alliance. Hopefully, she will have some more time to pursue her hobbies as a licensed commercial pilot and hot air balloonist, as well as spend time with her family. The space industry is lucky to be able to retain her exceptional knowledge and expertise as America embarks on our next space journey. I thank her for her service to our civil space program, and look forward to more accomplishments to come in the years ahead.

RECOGNIZING MR. CHARLIE HORHN FOR 20 YEARS OF INVALUABLE SERVICE RENDERED TO THE UNITED STATES HOUSE OF REPRESENTATIVES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today recognizing one of America's most dedicated public servants and one of Mississippi's strongest advocates; my friend and Director of Field Operations, Mr. Charlie Horhn. After 20 years of public service, Charlie is retiring from the United States House of Representatives.

A native son of Holmes County, Mississippi, born July 9, 1934, Charlie is the sixth of 10 children born from the union of Mr. Tommie & Mrs. Emma Lee Horhn. Charlie, like others who grew up during one of the most trying times in American history—the Great Depression, understands the value of hard work and dedication. His professional experiences can be cataloged from days chopping cotton to rendering years of invaluable service to the United States House of Representatives.

After marrying his childhood sweetheart, the late Mrs. Willistene Levy, Charlie began work as a metal polisher at Presto Manufacturing Company. There his natural knack for leadership quickly catapulted him to the office of local union president. Thereafter, he soon became an expert in union arbitration and negotiations and assumed an active role in voter registration activities being sponsored by the A. Phillip Randolph Institute.

Upon establishment, the well-versed, political savvy, Charlie Horhn became President of the Central Mississippi chapter of the A. Phillip Randolph Institute and later journeyed to become President on the State Chapter. These

opportunities ultimately gained him acclaim as a staunch politico throughout the State.

In 1990, Charlie was selected to serve as Assistant to the President of the Mississippi AFL-CIO, giving him leverage in improving employee and labor relations. His work impacted legislation and helped drive membership in the organization.

After an extensive stint in labor advocacy, Charlie became manager of my first congressional campaign for Mississippi's Second District seat during the special election in 1993. After successfully helping me attain office, Charlie was immediately appointed as Director of Field Offices. His leadership has helped countless Mississippi residents in attaining needed assistance.

Charlie was a loving husband and is the devoted father of five. His pathway to success can be largely attributed to his steadfast devotion to and compassion for the people of the State of Mississippi.

Mr. Speaker, I ask that you and our colleagues join me in honoring Mr. Charlie Horhn on 20 years of invaluable service to the United States Congress.

HONORING THE VETERANS OF THE MAY 21, 2013 JASPER COUNTY FREEDOM FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. LOEBSACK. Mr. Speaker, today, over 160 Iowa veterans from World War II, the Korean War, the Vietnam War, and the Vietnam era will travel to our nation's capital to visit the monuments that were built in their honor by a grateful nation. For many of these veterans, today will be the first time they will visit the capital and the first time that they will see their monuments.

On Sunday, they were given a warm send-off by their neighbors and friends from Newton and throughout Jasper County. They were escorted from the Newton Speedway to the send-off at Newton High School by one hundred motorcycle escorts. When the Freedom Flight arrives in Washington today, I can think of no greater honor than to be able to greet them and to personally thank Iowa's—and our nation's—heroes for their service to our country.

The Freedom Flight brings together three generations of veterans who will travel together and support one another throughout their trip. It also brings together veterans who were never given the homecoming they deserved. This trip, made possible by generous donations from Iowans, many of whom the veterans will never meet in person, demonstrates that we as a state and as a country will never forget the debt we owe those who have worn our nation's uniform. The veterans will be able to visit their monuments today because their fellow Iowans refused to let their service go unrecognized. That generosity is truly humbling and should inspire us all to continue to work each and every day on behalf of those who serve our nation.

I am tremendously proud to welcome the Jasper County Freedom Flight and Iowa's vet-

erans of World War II, the Korean War, the Vietnam War, and the Vietnam era to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

HONORING LAW ENFORCEMENT OFFICERS LOST IN THE LINE OF DUTY

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mrs. BLACKBURN. Mr. Speaker, there is an old American prayer asking the Almighty to bring "safety, honour, and welfare of thy people; that all things may be ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations." I rise today to honor the lives of those the Almighty used to bring peace, safety, and welfare.

On average, one law enforcement officer is killed in the line of duty every 57 hours. Since the first known line-of-duty death in 1791, more than 19,000 law enforcement officers have made the ultimate sacrifice.

There are those souls, Mr. Speaker, whose lights guide the way even after they are dimmed. During National Police Week, I ask my colleagues to join me in honoring those law enforcement officers lost in the line of duty. We join their families, friends, and communities in offering our condolences and prayers that the memory of those lost be cherished.

RECOGNIZING THE CAREER OF DANA EICHERT

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. GERLACH. Mr. Speaker, I rise today to honor Boyertown Area Multi-Service, Incorporated Executive Director Dana Eichert, who has faithfully and compassionately served senior citizens and people of all ages in need of social services in her community for nearly three decades.

Mrs. Eichert's distinguished career serving residents of the Boyertown area started in August 1985 when she became the Under 60's Case Manager at Boyertown Multi-Service, Incorporated. She took on additional responsibilities, worked tirelessly to improve the broad range of services delivered to individuals and constantly strived to strengthen relationships between the agency and the Boyertown community.

Mrs. Eichert became Executive Director of the agency in 1997. One of her major achievements in that role involved leading the effort to raise funds, construct and open a new building, providing modern office space for the agency's staff, and more importantly, a new home for the Center at Spring Street, which is a pleasant location where people 55 and older

gather to socialize, make new friends, enjoy meals, and participate in a variety of activities. Mrs. Eichert's outstanding leadership and dedication have earned the respect of the agency's staff, volunteers and Board of Directors, who have lauded her for creating an atmosphere where everyone feels as if they are part of one big family.

The Boyertown Area Multi-Service, Incorporated Board of Directors, staff, volunteers and others from the community celebrated Mrs. Eichert's extraordinary service and wished her well in retirement during an open house on Saturday, May 18, 2013.

Mr. Speaker, I ask that my colleagues join me today in recognizing the exemplary service and unwavering commitment to helping seniors and others in need that Dana Eichert has demonstrated during her nearly 28-year tenure with Boyertown Area Multi-Service, Incorporated.

HONORING THE CAREER OF
VERNA BAILEY

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Ms. BONAMICI. Mr. Speaker, I rise today to honor Verna Bailey, an exemplary public school principal who worked with distinction for decades in the district I am honored to represent. Since 1974, Verna has dedicated herself to the students, parents, and faculty of the Beaverton School District. Originally from Mississippi, Verna moved to the Pacific Northwest 40 years ago and promptly fell in love with Oregon and its residents. She earned a Master's Degree in Education at Lewis and Clark College, and she worked in several Beaverton schools during her exceptional career.

Verna Bailey is the daughter of a civil rights advocate, and the first African-American woman to attend and graduate from Ole' Miss. Her story is one of courage and bravery. Although many of us supported the civil rights movements of the 1950s and 1960s, Verna personally confronted hatred and prejudice on a daily basis, and she fought to earn what all of our students rightly deserve—a quality education. Verna Bailey stepped up to be one of the first so others behind her could follow her path. She showed the integrity and determination that solidified her place in our complicated American history.

Verna's past should and will be honored, but it is her 39-year history with the Beaverton School District that is her legacy. As an educator and administrator, Verna Bailey earned considerable praise and recognition. She contributed to the development of thousands of students, including my own children, who saw and respected her as a leader. It is my honor to congratulate Verna Bailey on her retirement and to thank her for a remarkable career and for her decades of dedication to our youth and our community. Her leadership, enthusiasm, and compassion will not be forgotten.

PERSONAL EXPLANATION

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. McCAUL. Mr. Speaker, I support passage of H.R. 258, the Stolen Valor Act of 2013 and H.R. 1073, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013. I was not present during votes in the House of Representatives on May 20, 2013 at the time these two bills came to the floor for a vote but would have voted in favor of their passage.

PENNSYLVANIA CLASSICAL
GUITARIST, JAY STEVESKEY,
PERFORMS THE WORKS OF A
SPANISH COMPOSER AND MEXI-
CAN COMPOSERS AT TWO RE-
CENT VENUES

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. CARTWRIGHT. Mr. Speaker, with a resemblance to Sir Paul McCartney, the persona of a John Denver, and the soul of guitarist John Williams, local classical guitarist Jay Steveskey is a study in contradictions—engaging yet nonchalant, ready-to-do-battle yet laid back, fanciful yet down-to-earth, personable yet aloof, worldly yet parochial, busy yet relaxed. At a recent concert at Covenant Presbyterian Church in Scranton in which he shared the stage with the well-heeled flutist Ed Wargo, Jay Steveskey performed a special guitar solo of Francisco Tarrega's "Recuerdos de la Alhambra." Translated as "Memories of Alhambra," a famous palace in Granada, Spain, the romantic-era piece is by far Tarrega's most famous work and is considered a study in the art of the tremolo.

Steveskey's rendering of this work was both touching and gripping with tremolos as heart-felt and bittersweet as a lovesick teenager. The rise and fall of the melodic line was produced fine and evenly to the point of exquisite perfection. His technique was masterful in the tradition of Segovia, who considered this piece to be one of his personal favorites of the solo guitar repertoire. Both Tarrega and Segovia must have been smiling down upon Steveskey with this elegant and finely impressionistic performance. Two weeks later, Steveskey was superbly at it once again, engagingly performing the music this time of Mexican composers at a special Cinco de Mayo concert at the Dietrich Theater in Tunkhannock. A study of sorts in Mexican folk music, the program began with a Mexican piece by Agustin Lara about the Spanish city of Granada and ended with Five Sketches of Mexico by Julio Cesar Oliva. In between was the music of Manuel Ponce and Ernesto Garcia de Leon. Steveskey's musicality had the ring of authenticity and was quite dolce at various times throughout the program. The "Seis Preludios Cortos" written by Manuel Ponce at the end of his life for the children of a fellow composer

was brooding and urgent as if the composer had a longing for Death. The "Sonatina Meridional" also by Manuel Ponce was the last piece written for his old friend, Andres Segovia, to whom he dedicated much of his career. The contemporary sketches of Mexico by Oliva were part of a set of twenty such impressionistic sketches with Steveskey performing two sets of five, for Cinco de Mayo. In keeping with the Cinco de Mayo theme of the program, Steveskey also performed the modernistic "Cinco Bosquejos" by Ernesto Garcia de Leon. Other brief pieces by Ponce such as "Estrellita," "Scherzino Mexicano," and "La Pajarera" rounded out the charmed performance.

Steveskey's nuanced sound was so honest and pure and full of lyricism that it could bring a grown hombre to tears. His overall performance was quite strong and very straightforward yet strewn with subtle touches here and there. His encore after the all-Mexican program was a well-known Mexican tune called "Maria Elena." As the words to the poetic song "Granada" go: "Granada, land of my dreams, mine becomes a gypsy song when I sing to you," Jay Steveskey has managed to capture the wayward and sensual soul of the Spanish-speaking people.

HONORING CHELSEA BROWN

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. HENSARLING. Mr. Speaker, today I thank Chelsea Brown for her years of service to me, my constituents, the House Republican Conference, the House Committee on Financial Services, and the United States Congress.

Chelsea is one of the most dedicated and loyal people I've had the honor of having on my staff since I was elected to Congress. Few, if any, individuals devoted more hours of their life to my legislative career and to the service of my constituents.

Chelsea joined my staff as a scheduler and office manager in January of 2007. As my colleagues appreciate, the job of a congressional scheduler is one of the most challenging assignments on the Hill. Throughout the years, Chelsea's proactive nature and attention to detail allowed me to maximize both my effectiveness as a legislator and my ability to spend more time with my family.

My children, Claire and Travis, can attest to the asset that Chelsea was to my team. She went out of her way to make my family feel welcome when they visited my office in Washington each summer, and I have no doubt that Claire and Travis will fondly remember how "Miss Chelsea" made visiting their dad's office such an enjoyable experience.

Because of her excellent work in my personal office, I asked Chelsea to join my staff at the House Republican Conference when I served as Chairman, and asked her to come along again when I became Chairman of the House Financial Services Committee. Regardless of the task at hand, Chelsea could always be trusted to get the job done, no matter what. Her strong character, discretion, and work

ethic have made her an asset to me over the last six years. I can assure you that she will be sorely missed.

Chelsea, thank you for your service and dedication to the cause of individual liberty, and thank you for being such an invaluable member of my team. I wish you the best of luck in your future personal and professional endeavors.

A TRIBUTE TO EAGLE SCOUTS
ALEXANDER AND ANDREW HAHN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Alexander and Andrew Hahn of Troop 729 in Treynor, Iowa for each achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Alex and Andrew completed their projects for the betterment of a local preschool in Treynor. Alex built a planter and walking path at the preschool, while Andy constructed kneeling pads and two covers and poured concrete around two sandpits in the play area. Together they also added mulch near the walking path, playground, and additional seating area. The work ethic Alex and Andrew have shown in their Eagle Projects, and every other project leading up to their Eagle Scout ranks, speaks volumes of their commitment to serving a cause greater than themselves and assisting their community.

Mr. Speaker, the example set by these young men and their supportive family demonstrates the rewards of hard work, dedication and perseverance. I invite my colleagues in the House to join me in congratulating the Hahn brothers on obtaining their Eagle Scout ranking, and I wish them continued success in their future education and career.

PERSONAL EXPLANATION

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. HUELSKAMP. Mr. Speaker, I was unavoidably detained by weather related flight delays on Monday, May 20, 2013 and missed rollcall votes 161, 162 and 163.

Had I been present, I would have voted as follows: "yea" on rollcall No. 161; "yea" on rollcall No. 162; "yea" on rollcall No. 163.

CHRISTOPHER SABBAGH

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Christopher Sabbagh is a senior at Kemper High School in Fort Bend County, Texas. His essay topic is: In your opinion, why is it important to be involved in the political process?

THE POWER OF ONE

This country was founded as a beacon of hope, a land of opportunity and freedom. Our nation is prosperous because of the unique form of government that attracts so many individuals from across the world. Every resident of the United States enters into a social contract between the people and the government. According to John Locke, the government's power derives from the, "consent of the governed." As citizens of America, it is important to be involved in the political process because we are all responsible for the actions of our government, just as our government is responsible for the protection of its citizens.

My parents emigrated from Lebanon to America believing opportunities for their children in a progressive nation would outweigh the sacrifice of leaving behind family, friends, and social stability. They were able to escape restrictive conditions in pursuit of better prospects and became actively involved in different aspects of their new community. Sadly, my parents' participation stopped at an integral duty in American democracy—voting.

As the 2012 Presidential Election neared, the importance of democratic participating became evident to me. Citizens across the nation would decide on a president to lead the nation for the next four years. This one person's decisions would affect the world's future, and we, the citizens of the United States, were entrusted with the final decision. Despite the enormity of this responsibility, many citizens, including my parents, would refrain from participating.

My teacher, Mrs. Naomi Brown, and I decided to confront this community issue and organized a voter registration festival in Sugar Land, Texas, titled "The Power of ONE: Because ONE Vote Matters." With the support of the Bezos Scholars Program and many other organizations, we registered a total of 618 citizens, including my mom and dad. My parents realized that they had escaped a place where credible elections were nonexistent, but here, they had the power to make a difference.

Ultimately, it is important to participate in the political process because it is our duty as American citizens to do so. A democracy is not effective unless there is a direct contribution from the populace. From presi-

dential elections to state, local, and school board elections, we have the responsibility and duty to place in power whoever we feel most competent. When we abstain from participating, we are essentially noncitizens. We have no voice in the government. We have no influence in decisions made for us. But through participating in the political process, all of these are made available to us. We become the gears that keep our country progressing.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. MARCHANT. Mr. Speaker, my flight yesterday to Washington, DC was unexpectedly diverted to Pittsburgh, Pennsylvania. I unexpectedly missed rollcall votes 161, 162, and 163.

On rollcall vote 161, passage of H.R. 258, Stolen Valor Act, I would have voted "yes."

On rollcall vote 162, passage of H.R. 1073, Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act, I would have voted "yes."

On rollcall vote 163, approving the journal, I would have voted "no."

PERSONAL EXPLANATION

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. BENISHEK. Mr. Speaker, yesterday I missed a vote on H.R. 258, "To amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals" due to a funeral. Had I been present, I would have voted "yea." In addition, I also missed a vote on H.R. 1073, "To amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes." Had I been present, I would have voted "yea."

RECOGNIZING MAY AS NATIONAL
FOSTER CARE MONTH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I am honored to rise today in recognition of May as National Foster Care Month. National Foster Care Month provides an opportunity to raise awareness for the hundreds of thousands of children and youth who are in our nation's foster care system. Each one of these individuals is part of a network of dedicated professionals, foster parents, and advocates who work 365 days a year, and for that they must be commended.

Furthermore, I believe that it is imperative we focus on the day-to-day successes of

these children and their allies. In March 2012, I was proud to host a listening tour through Broward and Miami-Dade counties to bring greater attention to the efforts of local communities striving to improve our foster care system.

As a member of the Congressional Caucus on Foster Youth, I am distinctly aware of the issues facing our child welfare system. Currently, there are over 400,000 children in our nation's foster care system, many of whom have serious emotional or medical problems. On average, these children wait three years for permanent families, with many aging out of foster care without the love and support from family. These children deserve permanent loving families, and it is our responsibility as legislators to create policy that will help to that improve their outcomes.

At times, the frailties and stark statistics of the foster care system can seem overwhelming. However, as I have seen from my own experience, when given a voice and a chance, foster youth are resilient, capable, and yearning for success. It is up to all of us to nurture the greatness in these youth.

Investing in our children's future is an investment in the future of our nation, and that is why I remain committed to working with my colleagues in Congress to move this country forward on issues critical to their success.

A TRIBUTE TO CAPTAIN GAVIN
KEITH SANDVIG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Army National Guard Captain Gavin Sandvig for being named a recipient of the 2013 General Douglas MacArthur Leadership Award by the United States Army. Captain Sandvig is one of only six National Guard Officers nationwide to receive this prestigious award.

The United States Army's General MacArthur Leadership Award is reserved for the most exemplary company grade officers in the nation who consistently demonstrate the ideals of "duty, honor, and country." The winners of this great distinction are invited to an award ceremony at the Pentagon in Washington, DC. There they are presented with a bronze bust of General MacArthur, an engraved timepiece, and a Commendation Memorandum by the Army Chief of Staff.

Before joining the Iowa Army National Guard in 1993, Captain Sandvig was raised in Eagle Grove, Iowa by his parents Wayne and Penny. He would go on to obtain his Bachelor of the Arts from Buena Vista University in Storm Lake and a Master's of Education from Graceland University in Lamoni amid his 20-year military career. In 2004, after 11 years as an enlisted soldier and attaining the rank of Staff Sergeant, Captain Sandvig accepted his officer commission and was sworn in as a 2nd Lieutenant before completing Ordnance Officer Basic Course in 2005 and his Captain's Career Course in 2008. Through his time with the Guard, he has supported his state and country

in multiple roles overseas, including a 2010 deployment to the rough terrain of north-eastern Afghanistan. Captain Sandvig has earned numerous decorations for his service over the last two decades, including the Bronze Star, the Army Commendation Award, the Army Achievement Medal, and the Army Achievement Award.

Beyond his normal service duties, Captain Sandvig has been involved in numerous organizations and activities to benefit several charitable organizations across Iowa. A resident of Ankeny with his wife Shannon and their sons Ben, Sam, and J.J., the Sandvig family has donated much of their time and money to organizations such as Veterans of Foreign Wars, the Juvenile Diabetes Research Foundation, United Way, Families of Iowa's Fallen, the American Legion, the American Cancer Society, Cub Scouts, Holy Trinity Lutheran Church, and various sport leagues in Ankeny. The Sandvig family has also donated financially to two separate families planning to adopt.

Mr. Speaker, it is clear that Captain Sandvig's professional and private conduct truly reflects the General MacArthur Leadership Award's emphasis on duty, honor, and country. In the words of General MacArthur: "Those three hallowed words reverently dictate what you ought to be, what you can be, what you will be. They are your rallying point to build courage . . . to regain faith . . . and to create hope . . ." I can think of no better recipient for this great award than Captain Sandvig. His efforts embody the Iowa spirit, and I am honored to represent him in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him for this achievement, thanking him and his family for their service and sacrifice, and wishing him continued success in the future. May God continue to watch over all of our soldiers and their families, across the world and here at home alike.

THE U.S. CONTRIBUTION TO THE
FIGHT AGAINST MALARIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. SMITH of New Jersey. Mr. Speaker, last week, I chaired a hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations that examined the United States' contribution to the global fight against malaria.

Leadership matters. In 2005, President George W. Bush established the President's Malaria Initiative (PMI) and targeted several African malaria endemic countries to receive over a billion dollars to mitigate and someday eradicate this killer disease. The positive consequences of that bold and compassionate initiative include over a million lives saved over the last decade.

The global impact of this disease is severe—yet we are making progress. The World Health Organization estimates that in 2010 there were 219 million malaria cases and

660,000 deaths. While still unconscionably high—every life is absolutely precious and of extraordinary importance—loss of life has declined from approximately 985,000 deaths in 2000.

Not surprisingly, malaria has a particularly devastating impact on the most vulnerable. Nearly 86% of those who die are children under five years of age living in Sub-Saharan Africa. Dr. Mark Dybul, Executive Director of the Global Fund to Fight AIDS and President George W. Bush's extraordinarily effective Global AIDS Coordinator, said that in "Africa alone, Malaria take the life of a child every minute" and pregnant women are also disproportionately afflicted with the disease. WHO emphasizes in its World Malaria Report 2012 that malaria is strongly associated with poverty. Countries in which a larger percentage of the population lives in poverty also have higher mortality rates from malaria. Children living in poorer populations and in rural areas have the highest parasite prevalence rates.

It is also important to note the extent to which the prevalence of malaria is concentrated. Eighty percent of malaria deaths occur in just 14 countries and almost 80% of cases occur in 17 countries. Over 40% of malaria deaths occur in two countries—the Democratic Republic of the Congo and Nigeria, and 40% of malaria cases are in the DRC, Nigeria, and India.

These high morbidity and mortality rates are not necessary—malaria is both preventable and treatable. We heard about the cost effective measures that are currently available and already having an impact or that are in the development process. And the United States, despite the current financial constraints, is making a significant contribution to the global fight against malaria. In addition to our contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, the United States provided \$871 million in anti-malaria assistance in FY2012, and the request for FY2014 is \$893 million.

But these levels, even when combined with contributions from other donors, fall short of the global need. So our question last week was: what are the major challenges going forward, and how we can best use our resources to meet those challenges, to save the most lives and to have the greatest impact in controlling, if not eradicating, this dreaded disease?

We also took a close look at several immediate threats to global efforts to combat malaria. On April 19th, the subcommittee that I chair held a hearing called "Meeting the Challenge of Drug-Resistant Diseases in Developing Countries." In his testimony at that hearing, Dr. Thomas Frieden, the Director of the Centers for Disease Control and Prevention, warned that in recent years, malaria infections in parts of Southeast Asia have been showing resistance to artemisinin drugs. These drugs are the last remaining class of anti-malarial drugs and form the basis of malaria treatment globally. If these resistant parasites manage to spread to sub-Saharan Africa, he stated that "the results could be devastating."

Insecticide-treated bed nets, which have an average useful life of two to three years, are an important, proven malaria prevention tool.

According to the World Health Organization, 150 million nets are needed each year to provide protection to the vulnerable populations in sub-Saharan Africa. For the past two years however, the supply has been considerably lower than this level, resulting in an estimated current shortfall of 77 million nets. The consequences, if not urgently addressed, could place entire populations, especially children, at risk of a dramatic malaria resurgence and death.

We were fortunate to have with us three distinguished experts who provided us with valuable insights into these challenges.

RECOGNITION OF THE MICHIGAN STATE CHAMPIONS OF THE "WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION" COMPETITION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. ROGERS of Michigan. Mr. Speaker, twenty-nine exceptionally bright students from Howell High School in Michigan won a competition on their knowledge of the Constitution. As the winners of this competition, they came to Washington, D.C. the last weekend in April to participate in the national finals of the "We the People . . . The Citizen and the Constitution" program.

The "We the People . . . The Citizen and the Constitution" program, administered by the Center for Civic Education, helps elementary and secondary students build a strong foundation of knowledge of the history and philosophical influences of the Constitution. The knowledge gained from this experience teaches the students about civic responsibility and how to enhance and uphold the democracy of this nation.

The final activity in this program, which took place April 27–29, gave students the opportunity to "testify" in a simulated congressional hearing. This experience allows them to utilize and demonstrate their understanding and teaches them how to evaluate, take, and defend positions on issues based on constitutional principles. I am happy to announce that the Howell High team won the Outstanding Unit Six award. Overall the team finished 16th in the nation with Unit One also placing in the top ten and Unit Two finishing 14th overall.

I am honored and proud to recognize the achievements of these students; they are Unit One: Heather Buja, Brody Kutt, Aaron Osborne; Unit Two: David Grusendorf, Lauren Lomasney, Nicole Trudeau, Jason Wisby; Unit Three: Ashley Carignan, Megan Isom, Jeremy Johnson, Sarah Kenney, Francesca Mettetal, Benjamin Schultz; Unit Four: Katherine Beard, Dillon Higgins, Adam Hukkala, Samantha Rineman, Christina Szkybalo, Jake Tholen; Unit Five: Michael Beard, Grant Bowman, Jarrid Rector-Brooks, Erika Seneca, Karsyn Tector; and Unit Six: Breanne Casper, Nadja Grauer, Abigail Harrington, Andreja Petrusis, Jonathon Reck. I also recognize Linda Start, the Michigan state coordinator for the "We the People . . ." program.

I would also like to applaud Mark Oglesby, the teacher who has led the Howell High School class to this national competition after eleven years of competing in the state of Michigan.

It was a pleasure to meet these students while they were here and I wish them the best in their future endeavors.

CARLEY GRABLE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Carley Grable is a senior at Lutheran South Academy in Harris County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

Oftentimes, in a nation where people have become relatively desensitized to the acts of the world, it is easy for one to simply fade into the crowd and become a follower. However, without adequate leaders, any nation, regardless of its stature, is destined for degradation. Warren Bennis once stated that, "Leadership is the capacity to translate vision into reality". American citizens need to get involved in even the simplest of ways in the political process because without the opinions and ideas of the people, the foundation of America crumbles.

One cannot completely understand something until they have immersed themselves into every facet of it. This proves to be axiomatic in the sense that numerous American citizens do not voice their opinions or take definitive sides on critical issues simply because of a lack of understanding of the political process. The American government is one of the most fascinating aspects of our nation purely because it was the first successful system of its kind. Nowhere else in the world had a group of people become so passionate about something and create something based on that passion that was functional and prosperous. In order for citizens to become the leaders that the nation so desperately needs, it is crucial that they educate themselves and become activists for the causes that they believe in.

Although, in the past century, the world as a whole has made great strides in ideas and technology, many people across the globe live in an isolated mindset concerning only themselves and their family or community. One may ponder the relationship between government and one's service to others in the world, however, I believe that if one is to truly make a difference in the world, one must become an active promoter of his/her beliefs. America's future calls for leaders who have a global perspective and are willing to work alongside others in a means of com-

promise and combination of ideals in order to attain a nation that is concerned with foreign affairs and is willing to use the functional facets of the US government and use them as a model to assist developing governments.

Since the age of Greeks and Trojans, leadership has been a quality that is cherished in society and is placed on a pedestal of honor if attained. The future of America relies on the upcoming generation to provide the knowledge and ideas that will evolve the already great nation into not only a force that remains highly influential in the economic world, but also one that shows compassion through its aid. The involvement with the political process is vital to the creation of new leaders of society because without experience, one is left with a nation led by people who formulate decisions based solely upon instinct, instead of intelligence. Edmund Burke noted that "no one could make a greater mistake than he who did nothing because he could only do a little". No amount of involvement in one's government is too small to make a difference.

HONORING THE VETERANS OF THE MAY 21, 2013 EASTERN IOWA HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. LOEBSACK. Mr. Speaker, today, ninety Iowa World War II and Korean War veterans will travel to our nation's capital. Accompanied by volunteer guardians, they will visit the monuments that were built in their honor.

For many, today will be the first time they will see the National World War II Memorial and the Korean War Veterans Memorial. I am deeply honored to join them for their visit to the National World War II Memorial to personally thank these heroes for their service to our nation and to pay tribute to the incredible sacrifice that they made for our country.

We owe these heroes a debt of gratitude. As a reminder of the service and sacrifice of the Greatest Generation, I am proud to have a piece of marble in my office from the quarry that was used to build the World War II Memorial. Our World War II and Korean War veterans rose to defend not just our nation, but the freedoms, democracy, and values that make our country the greatest nation on earth. They did so as one people and one country. Their sacrifices and determination in the face of great threats to our way of life are both humbling and inspiring.

The sheer magnitude of what the Greatest Generation accomplished, not just in war but in the peace that followed, continues to inspire us today. Their generation and our country did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, the Greatest Generation defended and then rebuilt our nation to make it even stronger. Their patriotism, service, and sacrifice not only defined their generation—they stand as a testament to the fortitude of our nation and the American people. Their legacy endures today.

I am tremendously proud to welcome the Eastern Iowa Honor Flight and Iowa's veterans of the Second World War and the Korean War to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

PERSONAL EXPLANATION

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. PASTOR of Arizona. Mr. Speaker, on rollcall Nos. 161—H.R. 258; 162—H.R. 1073; and 163—Approving the Journal, I was delayed by weather and my flight arrived late. Had I been present, I would have voted "yes."

INTRODUCTION OF THE TRANSPARENCY FOR LETHAL CONTROL ACT (TLC)

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce the Transparency for Lethal Control Act (TLC), legislation requiring the United States Department of Agriculture to publish clear and accessible information on animals killed through the Wildlife Services program of the Animal Health and Inspection Service.

The Wildlife Services program is responsible for intervening in situations when an animal is considered a threat or serious nuisance to humans. In some cases, animals are killed to fulfill this mission.

Efforts to gather adequate information regarding Wildlife Services operations have been difficult. The USDA has not made detailed data available to the public relating to where, why, how, and which animals have been killed. This lack of transparency and public reporting makes oversight impossible. The USDA could be acting inappropriately or recklessly and without this data, we can't know. That is why I am introducing legislation to require the USDA to publish kill data online by state, county (or other similar political subdivision), and municipality.

The killing of animals should not be a routine or reflexive government response. It should only be undertaken, if at all, after careful deliberation and under strict supervision. For that reason, the public and Congress need to have the opportunity for vigorous oversight to ensure that the USDA is acting appropriately and considering all cheaper and more humane alternatives.

Congress must improve oversight of the Wildlife Services program and ensure that the USDA is using tax dollars efficiently and appropriately. I urge passage of the Transparency for Lethal Control Act (TLC).

PERSONAL EXPLANATION

HON. DENNY HECK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. HECK of Washington. Mr. Speaker, I rise today regarding my absence from the House yesterday, Monday, May 20, 2013. Because of this absence, I missed three votes on the House floor and would like to submit how I would have voted had I been in attendance. The votes were:

Rollcall No. 161, on the Motion to Suspend the Rules and pass H.R. 258, the Stolen Valor Act. I would have voted "yea."

Rollcall No. 162, on the Motion to Suspend the Rules and pass H.R. 1073, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013. I would have voted "yea."

Rollcall No. 163, on Approval of the Journal. I would have voted "yea."

BRANDON PULLIG

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Brandon Pullig is a senior at Deer Park High School in Harris County, Texas. His essay topic is:

IN YOUR OPINION, WHAT ROLE SHOULD GOVERNMENT PLAY IN OUR LIVES?

Ever since the times of the philosopher John Locke to Revolutionary heroes such as Patrick Henry and Thomas Paine to the current President Barack Obama, people have had many different beliefs on how government should play a role in our lives. While there have been differing views since the start, there has been one thing in common: the explicit disagreement on the role of which government should follow. Yes, everyone believes their opinion is correct because that is the definition of a belief. However, I write today not to share why my beliefs are correct nor to express how the U.S. Government should be leading the nation, but to tell my Congress, the most powerful body of our government, what not to do.

Now, I digress momentarily to inform you that I am not a writer. I am not a literary mastermind who can reach into thin air, pick out the perfect sentence, and transfer it onto paper for all to read. No; I am but a worried 17 year-old, frightened for the future of our country. Thus being said, I apologize for my lack of professionalism and formality. When asked to write this, I saw it as

an opportunity to directly communicate with Congress and not as an assignment to write about my feelings whilst hiding behind fancy words causing a lack of personality. Ergo, I plead with you to listen to what I have to say and to take it to heart.

As a young man on the verge of becoming part of the "real world," leaving high school behind, I find it crucial that I involve myself into the world of government, trying to find what makes it tick. By doing so, I have found that our government is fantastic. The system our founding fathers established is the only reason we, as a nation, have survived the past 236 years. We have evolved the governmental process commendably as well. These facts do not, unfortunately, make up for the horrendous damage politics have caused. The concept of politics has torn apart our government. The lack of cooperation between the two major parties in the last decade and a half has been detrimental to the well being of our nation. Of course our government should tax, regulate trade, deal with foreign nations, create laws to protect the rights of the people, etc. Yet, we have fixated our beliefs so heavily on the ideals of one party or the other and I, as a concerned citizen, am tired of the gridlock that has been hopefully unintentionally created. I urge you to remember the prosperous years in which our nation's leaders, Congress, set aside their party and worked for the better good of all people. This may be hard to do because our minds have been corrupted into thinking black and white, but remember the generation—my generation—that must live with the mistakes made by the Republican and Democratic leaders who were too ignorant to look past their parties' beliefs and to accept what will benefit all. I write to defend my generation and for you to remember the true role of our government, which is to "establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of liberty to ourselves and our Posterity."

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 157 regarding the Hurt Amendment No. 2 to the "SEC Regulatory Accountability Act" (H.R. 1062). Had I been present, I would have voted "no."

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. SCHIFF. Mr. Speaker, on rollcall Nos. 161, 162, 163, had I been present, I would have voted "aye."

RECOGNIZING COL. JASON BOHM

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. JONES. Mr. Speaker, throughout the journey of life, we meet many people. Some of these people you will know for a lifetime, and some you will only know for a brief period. I have had the pleasure of knowing Colonel Jason Bohm, USMC, for a brief, but meaningful time.

Col. Bohm has served as the director of the Marine Corps liaison office for the U.S. House of Representatives for the past two years. Having the privilege to represent the Marines of Camp Lejeune and Cherry Point MCAS, I have worked with Col. Bohm on numerous occasions.

He has served as a knowledgeable advisor to me and my staff on various issues concerning active-duty Marines, veterans and military families. We have all found Col. Jason Bohm to be a man of integrity, sincerity, and a true friend to the Corps.

He has assisted me greatly with an issue that I have worked on for over 11 years, and I want to thank him for his interest and his tremendous efforts to help me in my mission of clearing the names of two pilots. For his assistance, I will always be grateful.

As a man of faith, I appreciate Col. Bohm's commitment to his faith and his family. His wife, Sonja, has offered unwavering support, along with their children Ashley, Ethan and Emily. I wish them all the best on their new journey to Camp Pendleton, California.

May God continue to bless the Bohm family, our men and women in uniform, and the United States of America.

FOOD ALLERGIES

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mrs. LOWEY. Mr. Speaker, approximately 15 million Americans have a food allergy, a life-altering and potentially life-threatening disease that affects one in every 13 children in the U.S. That's roughly two in every classroom. Food allergies among children increased by 50 percent from 1997–99 to 2009–11, according to a new report from the Centers for Disease Control & Prevention, and every three minutes, a food allergy reaction sends someone to the emergency room. The numbers are growing and becoming more serious—but there is no clear answer as to why.

The increased impact of food allergies is being felt in schools, playgrounds, restaurants, workplaces and emergency care facilities, and constitutes a growing public health issue with substantial financial, educational and medical implications. That is why I am speaking today to alert you that this week is Food Allergy Awareness Week.

Unfortunately, resources dedicated to identifying the source and a cure for food allergies has not kept pace with the increasing inci-

dence and its impact. Total governmental support, including the National Institutes of Health, amounts to less than \$30 million in food allergy research. Private sources, like Food Allergy Research and Education—a patient-centered advocacy and support organization—provide limited additional research support. That is less than \$2.00 in annual research funding for every American living with a potentially life-threatening food allergy.

Mr. Speaker, beyond government research support, the risk to individuals, especially children, of severe, life-threatening reactions also needs to be addressed and prepared for. While many children with known food allergies are permitted to bring their epinephrine auto-injectors to school, studies have shown that 25 percent of epinephrine administrations in schools involve individuals without a previously known allergy. Consequently, the availability of stock epinephrine—undesignated devices that are not prescribed to a particular student and that may be used in anaphylactic emergencies—is critical. Many students who will need epinephrine may have no known history of allergy to food, bee stings, latex and other allergens, and therefore would not have a prescription of their own.

As this health crisis continues to grow, other responses are becoming increasingly necessary. In addition to school personnel, restaurants and their staff need to be made aware of the risks, know how to properly prepare food to avoid allergic reactions, and how to respond in an emergency. Emergency responders need to be properly authorized, trained and equipped to recognize and administer treatment. And ultimately, epinephrine needs to become a standard of emergency first aid in public spaces, nationwide.

Mr. Speaker, 19 states have now passed legislation that would allow schools to stock emergency epinephrine auto-injectors for those instances. Congress has had before it legislation that would provide an incentive for states to require the stocking of this emergency medication for the children and staff who may be faced with this life-threatening situation, and I hope that that legislation will be revisited during this session.

It is critical for the public to appreciate the extent of the problem and, importantly, the severity of the disease. It is a health crisis that affects every race, age, income group and geographic area, and is growing dramatically. And what the public increasingly needs to understand is that this is not simply an inconvenient condition. As the recent tragic deaths of children in Utah, New Jersey and Massachusetts show, it is frequently a life-threatening disease. We hope that public understanding and appreciation is enhanced during Food Allergy Awareness Week.

ARIEL ZAGALA

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on

my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Ariel Zagala is a senior at Needville High School in Fort Bend County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

WHAT ROLE GOVERNMENT SHOULD HAVE?

George Washington once said, "Government is not a reason; it is not eloquence. It is force." This is relevant to me because I do believe government should show force, but not have power. The main role of the government should be the protection of the citizens rather than the complete dominance over the people. Our leaders need to set forth the rules that our founding fathers created for us to live by, but not hold our hands and walk us through life. One example would be protection. Ideally, the government's protection should consist of having someone available when needed or providing aid. In reality, the government's version of protection is tuning into our conversations and running surveillance on us. Government, appointed by the people, should make the rules and the people of a society should respect and abide by them. The nation's leaders should occasionally check to see how the nation is working and give motivation. However, the government should not dictate and attempt to control every aspect of life. One prime example would be gun control. Currently we have had numerous situations where people use guns to harm and in worse situations, kill as well. Some shootings include the Sandy Hook Shooting and the Theatre Massacre. The government does its job on stepping up and applying force by stopping the situation and persecuting the criminal. What they do not stop to realize is how sometimes they can be controlling in situations like these. By trying to take our weapons, they are stripping us of the Second Amendment and ultimately gaining power over society. There is a noticeable difference between force and power in that force means to influence, whereas power means having control over something. President Washington was right that government is a force, but overtime our government has blindly tried to consume power. Having a government is important for the country. They are a symbol of leadership and a sense of security. They are the voice and examples of who we are as a nation and show that to other nations. In conclusion, our government is a working progress. They provide the force but occasionally want power, but just like us, no one is perfect.

PERSONAL EXPLANATION

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. HENSARLING. Mr. Speaker, due to a family issue that required my attention, I missed several votes on May 20, 2013. Had I been present, I would have voted "yea" on

rollcall vote 161, "yea" on rollcall vote 162, and "yea" on rollcall vote 163.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,737,294,304,715.52. We've added \$6,110,417,255,802.44 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

ADDRESSING H.R. 3—THE NORTHERN ROUTE APPROVAL ACT

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. GRAYSON. Mr. Speaker, I would like to submit the following:

MAY 21, 2013.

Hon. JOHN BOEHNER, Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: I write today to address H.R. 3, the 'Northern Route Approval Act', and my resolution raising a question of privilege regarding the matter. Please note that this is a privileged motion and therefore outside the scope of the Rules Committee's jurisdiction regarding "the order of business of the House" (Rule X(1)(o)(1)). This is a question of privilege "affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings" pursuant to Rule IX (1). It is not invoked to "effect a change in the rules . . . or their interpretation" ('House Rules and Manuals' at 420).

Consideration of this bill exceeds 'the rights of the House collectively' and brings into question the 'dignity and the integrity of [the] proceedings' of the House of Representatives (House Rule IX) because: 1) it is unconstitutional, and 2) it is an earmark.

I presented this matter to the full House in H. Res. 225 as a question of privilege last night, and I noticed the question immediately following the only vote series of the day.

Mr. Speaker, pursuant to Rule IX of the House you must now 1) make your determination as to whether or not this is an appropriate 'question of privilege', and 2) hold a vote on the resolution offered before the House. Before that happens, I would like to address the two claims I have made against the bill offered by the gentleman from Nebraska, and then I will outline the reasons why I feel you should find in favor of my question of privilege.

H.R. 3 IS UNCONSTITUTIONAL

"The . . . Constitution does not permit Congress to execute the laws."

The above is taken from the Supreme Court's ruling in *Bowsher v. Synar*. The bill before us violates this principle. Congress

creates the law, and the Executive executes it.

Under Section 3 of this bill however, "the final environmental impact statement (FEIS) issued by the Secretary of State on August 26, 2011", and "the Presidential permit required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State . . . as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor" shall "be considered [deemed] to satisfy all requirements of 1) the National Environmental Policy Act of 1969, and 2) the National Historic Preservation Act". This is a clear attempt by this body to execute the law of the land.

Again Mr. Speaker, the Executive must execute the laws. H.R. 3 runs afoul of this requirement. The Supreme Court also held in *Bowsher v. Synar* that "[i]nterpreting a law enacted by Congress to implement the legislative mandate is the very essence of 'execution' of the law", and that is exactly what is being proposed here. The exercise of judgment in the bill before us, concerning facts that affect application of statute, constitutes execution of the law. It is an unconstitutional act that this body should not entertain. It violates separation of powers, and violates the principle underlying the prohibition of bills of attainder.

Statements are deemed by this bill to be in compliance with laws the Executive has been tasked with executing—the National Environmental Policy Act of 1969 (NEPA) and the National Historic Preservation Act (see section 3 of H.R. 3). This is an impermissible execution of the law. Congress, through this bill, is attempting to apply the facts of the Keystone XL Pipeline environmental impact statement to the body of law, and deciding that they comply. This is unconstitutional and brings into question the 'dignity and the integrity of [the] proceedings' of the House.

Apparently, we are no longer satisfied with writing the laws. We have now taken it upon ourselves to execute them as well. This discredits the institution not only within the federal government (complicating our constitutional relationship with both the executive and judicial branches), but also in the eyes of the American people. We must not allow the House to be degraded in such a way.

Even when the facts of the bill are examined, this measure fails. This bill states that the FEIS satisfies NEPA. That FEIS however, was for a different project—the Keystone XL Pipeline as proposed in 2009, a pipeline which would have terminated in the Gulf Coast. The NEPA process for that proposal ended when the State Department denied the Presidential Permit application and issued a Record of Decision pursuant to 40 C.F.R. §1505.2. The current proposal is different. It has a different route, different purpose and need, different NEPA process, and more. This bill, however, deems the (outdated) FEIS for the previous proposal to comply with NEPA for the purposes of approving the current proposal. This leap of logic is untenable, and again, compromises the dignity and integrity of the proceedings of this body.

Finally Mr. Speaker, Section 4 of this bill states: "no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012 by TransCanada . . .". This section encroaches upon the President's independent constitutional au-

thority over matters of foreign affairs. As a Member of the House Committee on Foreign Affairs, I am intimately familiar with Article II of the Constitution. Today, this body intends to ignore it and trample our Founding Document. I refuse to stand idly by and participate any longer. The Department of State does not issue Presidential permits based on any statutory authority from Congress; rather, the President delegated his inherent constitutional authority over matters of foreign affairs to the Department of State in Executive Order 13337. The President and Department of State have independent authority to act in this field, not Congress.

For these reasons Mr. Speaker, I feel that H.R. 3 is unconstitutional, and that any consideration of the bill affects the dignity and integrity of the institution.

H.R. 3 IS AN EARMARK

Rule XXI (9)(a)(1) states:

"(a) It shall not be in order to consider—

"(1) a bill or joint resolution reported by a committee unless the report includes a list of congressional earmarks. . . ."

'Congressional earmark' is defined in Rule XXI (9)(e) in the following way:

"(e) For the purpose of this clause, the term "congressional earmark" means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process."

Restated, using only the words of the Rule, in the order in which they appear, a 'congressional earmark' is:

"a provision . . . included primarily at the request of a Member . . . providing [or] authorizing . . . a . . . grant . . . to an entity . . . other than through a statutory or administrative . . . or competitive award process."

Mr. Speaker, Section 6 of H.R. 3 satisfies every one of these criteria. It grants not only a right-of-way, but also a temporary use permit, outside of established statutory, administrative, and competitive award processes, and it does so to only one entity—explicitly named in this bill 'TransCanada Keystone Pipeline, L.P.'.

The requirement that this provision be included 'primarily at the request of a Member' is surely satisfied by the act of a Member drafting and offering this bill. It was a conscious choice of a Member from the state of Nebraska to offer this legislation, as well as explicitly mention Nebraska or Nebraskans six separate times, while no other state receives a single mention.

Clearly Mr. Speaker, this is an earmark.

As such, beyond the determination as to the question of privilege which I have raised, I would also assert that H.R. 3 violates the Rules of the House. Not one of the reports filed by the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, or the Committee on Natural Resources includes a list containing the congressional earmark that appears in this bill. Rule XXI (9)(a)(1) is violated.

For these reasons (among others) Mr. Speaker, I respectfully request your determination that my question and resolution before the House is privileged. H.R. 3 is unconstitutional, it is an earmark, and it violates the Rules of the House. Therefore, any

consideration of this bill is an action which affects the dignity and the integrity of the proceedings of the House pursuant to Rule IX.

If you have any questions regarding this letter, please do not hesitate to contact me or David Bagby of my staff.

Sincerely,

ALAN GRAYSON,
Member of Congress.

HONORING THE LEADERSHIP OF
YULA HIGH SCHOOL STUDENTS
ON THEIR STAND AGAINST THE
IRANIAN NUCLEAR PROGRAM

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. WAXMAN. Mr. Speaker, it is my honor to call attention to the leadership and drive of Yeshiva University High School of Los Angeles's (YULA) Panthers for Israel. These students have organized a statement of their campus leadership to protest the Iranian nuclear program and support for global terrorism, raising awareness of the Iranian threat to the United States and our allies around the world. I join them in their quest to stop Iran now, and I applaud them for their initiative. For that reason, I submit the following campus leadership statement.

"We, the student leaders of Yeshiva University High Schools of Los Angeles, condemn Iran's development of a nuclear weapons program, as well as its continued support for worldwide terror. A nuclear capable Iran poses a direct threat to the United States and stands against basic American values. Iran not only remains an existential threat to America's friend and ally, the State of Israel, it poses the greatest national security threat to these United States. We stand united against a nuclear capable Iran and urge the U.S. Congress to support future legislation on this critical issue of global security."

Signed,

Elliot Julis, YULA Israel Advocacy Club, President; Shana Salomon, Girls Student Council, President; Joshua Kohan, Boys Student Council, President; Naphtali Nektalov, YULA Israel Advocacy Club, Chairman of the Board; Alexa Hanelin, Model United Nations, Captain; Gillian Gittler, Editor-in-Chief, The PANTHER; Leron Rayn, Boys Student Council, Treasurer; Rachel Schechter, Girls Student Council, Treasurer; Levi Saada, YULA Clubs, Chair.

Elon Swartz, Drama Society, Lead Role; Laura Rubin, Girls Drama Society, Lead Role; Lizzi Peled, Mock Trial, Captain; Jordyn Schoenfeld, Boys Varsity Basketball, Captain; Shira Ben Shushan, Friendship Circle Liaison; Asher Naghi, Likutei Ohr, Senior Editor; Zach Porgress, YULA Community Services, Chairman; Ruth Maouda, Girls Varsity Soccer, Captain; Batya Botach, Girls Varsity Tennis, Captain. Alexa Mund, SCATCH Tutoring Initiative, Director; Ariela Rohatiner, Girls Varsity Basketball, Captain; Rachel Gindi, Genocide Awareness Committee; Yoni Elkaim, Boys Varsity Soccer, Captain; Samuel Romano, YULA-Mu-

seum of Tolerance Liaison; Sophia Levine, Chai Lifeline Liaison; Sahar Basiratmand, Yearbook Editor; Boruch Gralnik, Boys Varsity Baseball, Captain; Noam Posner, Boys Cross Country, Captain.

AMANDA MCINTIRE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Amanda McIntire is a senior at Hightowner High School in Fort Bend County, Texas. Her essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

WHERE WERE YOU ON THAT FATEFUL DAY?

Shock . . . dismay . . . disbelief . . . words that even this six-year-old could feel on that early September morning. Parents swarmed my elementary school. Classrooms became practically empty. Teachers tried to stay calm, but it was obvious that their attention was focused on the day's events. 9/11 changed our world. It was an act intended to create terror and fear. Until then, we had never fought a foreign country on our soil since the bombing of Pearl Harbor.

"How do I respond when I see that in some Islamic countries there is vitriolic hatred for America? . . . I'm amazed that there is such misunderstanding of what our country is about, that people would hate us. I am, I am—like most Americans, I just can't believe it. Because I know how good we are, and we've got to do a better job of making our case."—George W. Bush, press conference

At six, I knew something happened that would change my life forever, but I did not realize its magnitude for years to come. At first, in my mind, we appeared united, but how could a nation that was founded on the belief that all men are created equal and should be free, treat others that looked a certain way differently? Many of my school mates' parents came to get my friends fearing for revenge against them that day because of their religion or heritage. A turban on your head or an unfamiliar religious belief should not mean that you are an enemy. My community is very diverse. In fact, my blond hair and blue eyes make me a minority at my school. I have come to understand that as a nation, we must restore faith in the world's eyes that we are not wealthy bigots, but people who want a free world filled with peace and prosperity for everyone.

As Secretary of State John Kerry once stated, "We believe that what matters most is not narrow appeals masquerading as values, but the shared values that show the true face of America; not narrow values that di-

vide us, but the shared values that unite us: family, faith, hard work, opportunity and responsibility for all, so that every child, every adult, every parent, every worker in America has an equal shot at living up to their God-given potential. That is the American dream and the American value."

The attacks on 9/11 were intended to weaken our country and our souls. Instead, we are more cautious, more observant, and more determined than ever to prove to the world that we are a strong and powerful nation whose intent is not domination, but coexistence in a free world that respects human life, the pursuit of happiness, and freedom.

CONGRATULATING THE NORTH CATAWBA FIRE AND RESCUE DEPARTMENT ON THEIR 55TH ANNIVERSARY

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. MEADOWS. Mr. Speaker, I rise today to congratulate the members of the North Catawba Fire and Rescue Department as they mark their 55th anniversary.

Committed and hardworking firefighters play a vital role in keeping our homes, businesses, and public places safe from the threats of deadly fires.

The residents of North Catawba take comfort in knowing that these men and women are nearby in the event of an emergency.

Mr. Speaker, on behalf of the 11th District of North Carolina, I congratulate the brave men and women of the North Catawba Fire and Rescue Department who are devoted to protecting lives. This sacrifice truly exemplifies the spirit of America.

HONORING REVEREND THEODORE
MARTIN HESBURGH

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mrs. WALORSKI. Mr. Speaker, today I wish to recognize Rev. Theodore M. Hesburgh, president emeritus of the University of Notre Dame, who will be honored on May 22, 2013 in a special reception at the U.S. Capitol in Washington, D.C. to celebrate his upcoming 96th birthday and 70th anniversary as a priest. Rev. Hesburgh was ordained as a priest of the Congregation of Holy Cross on June 24, 1943 at Notre Dame.

Rev. Hesburgh taught theology and served as a chaplain to returning veteran students, next moving on to serve as president of the university for thirty-five years. Retiring in 1987, Rev. Hesburgh was considered one of the most distinguished and transformational leaders in American higher education. A familiar face on campus, Rev. Hesburgh was well-known for remembering the names and faces of the university students, always acknowledging others with heartfelt greetings.

Outside of Notre Dame, Rev. Hesburgh continued his distinguished commitment to public

service, shaping history at home and abroad. He was first tapped by President Dwight Eisenhower to serve on the National Science Board in 1954. Over the years, Rev. Hesburgh was appointed to over one hundred other advisory boards, developing peaceful solutions to nurture the civil rights movement and immigration reform. Due to his consistent efforts to pursue justice and strengthen human dignity, Rev. Hesburgh served as a member of the Civil Rights Commission for over a decade, including three years as the chairman.

Advising multiple United States presidents, Rev. Hesburgh was awarded the Medal of Freedom, the highest civilian honor, by President Lyndon Johnson. He was also honored with the Congressional Gold Medal by President Bill Clinton in the Rotunda of the United States Capitol, recognized for his work in civil rights and world peace. Graciously welcoming many American presidents to the University of

Notre Dame, Rev. Hesburgh has created a powerful connection between our world leaders and the university.

Rev. Hesburgh has touched the lives of countless individuals around the world on his never-ending mission to spread world peace, eradicate poverty, and alleviate hunger. Approaching his upcoming 96th birthday and 70th anniversary as a priest, there are certainly many accomplishments to celebrate from the Notre Dame campus to the global community. Most of all, I applaud Rev. Hesburgh for following God's calling to the priesthood and being a good and faithful servant to the people.

It is an honor to recognize Rev. Hesburgh for his patriotism and devoted commitment to bring peace, justice, and humility. His dignity and passion will be admired for generations for the unparalleled achievements and endless kindness that has forever shaped our society.

PERSONAL EXPLANATION

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 2013

Mr. HOLT. Mr. Speaker, on May 17, 2013 I missed a series of votes related to H.R. 1062, the so-called "SEC Regulatory Accountability Act", due to a prior commitment to escort my mother as she received an honorary doctorate from the West Virginia University. Had I been present, I would have voted "no" on the Hurt amendment, "yes" on the Maloney amendment, "yes" on the motion to recommit and "no" on this bill.

SENATE—Wednesday, May 22, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, Your power keeps us from falling. Today we bring You our praise and thanksgiving because Your mercies endure forever.

Thank You for the gift of freedom and for the opportunities our Senators have today to protect and defend our liberties. Forgive them when they miss the mark. Give them strength when they are weak, as You provide them with vision for the tasks ahead. Engender in them a renewed sense of gratitude for Your call to serve their Nation and Your kingdom.

Lord, we again ask You to strengthen everyone affected by the Oklahoma tornado. Bless the victims, the rescue workers, and their families in the days and weeks to come.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 22, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for 1 hour. Republicans will control the first half, and the majority will control the final half. Following morning business the Senate will resume consideration of S. 954, the farm bill, managed by Senator STABENOW and Senator COCHRAN. We will continue working through amendments to the farm bill today. Progress was made yesterday, and we need to continue working on the amendments. At 4 p.m. today we will proceed to the consideration of S. Res. 65 regarding Iran sanctions, and the vote on that resolution will be at 5 p.m.

MEASURES PLACED ON THE CALENDAR—S. 1003, S. 1004, H.R. 45

Mr. REID. Mr. President, there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1003) to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

A bill (S. 1004) to permit voluntary economic activity.

A bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

Mr. REID. I object to any further proceedings to all three of these bills at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

IMMIGRATION AND THE BUDGET

Mr. REID. Mr. President, last night the Senate Judiciary Committee, after some 24 hearings and several weeks of markup, advanced a commonsense, bipartisan proposal to fix our broken immigration system. No one can dispute that it is broken. No one can dispute that it needs to be fixed. I commend the good work of the committee, and I am grateful to everyone who worked those long hours. I will bring this bill, which is a strong bipartisan bill, to the floor in June, sometime soon after we return from the Memorial Day work period.

Although neither Republicans nor Democrats will support each and every aspect of this legislation, it is gratifying to see the momentum behind

these reforms that will make our country safer and help 11 million undocumented immigrants get right with the law. I applaud significantly the efforts of the Gang of 8—four Democrats and four Republicans—who showed bravery as they set aside partisanship to address the critical issues facing our Nation.

I am confident that for everyone in that Gang of 8, Democrats and Republicans, there are parts of this bill they do not like. But that is how we move legislation forward for the greater good—compromise. I admire their legislative skills and appreciate very much their ability to set aside these partisan differences and move this extremely important bill to the floor.

There was other courage on display on the Senate floor yesterday when two Republican Senators bucked the majority of their party for the good of the country. Senators MCCAIN and COLLINS—two Senators I admire deeply—came to the floor to call on their own party to stop blocking bipartisan budget negotiations.

JOHN MCCAIN and I came to Congress together. In 1982 we were elected. We spent two terms in the House together, and we have been in the Senate together since then. Over these many years, more than three decades, JOHN MCCAIN and I have disagreed on several things, but I have never lost my admiration for this patriotic man. He is courageous in battle—not only in the fights that take place in a war but legislative battles. I am so appreciative that he decided the right thing to do was to move forward and see what we could do to get this bipartisan negotiation started.

SUSAN COLLINS and I have served together for a long time in this body. We have worked together on some extremely important measures. I don't need to run through all these, but there are parts of the law of this country that would not be law but for her willingness to move forward and move across the aisle. SUSAN COLLINS and I disagree on quite a few things, but we agree on quite a few things.

The people of Arizona are very fortunate to have JOHN MCCAIN as a Senator, and the people of Maine are fortunate to have SUSAN COLLINS as a Senator. The reason they stepped forward is because it has now been 60 days—2 months—since the Senate passed its commonsense, progrowth budget. The question everyone raises is, Why are Republicans standing in the way? Not only are Democrats asking that question, Republicans are asking that question now.

We passed a budget. Senators McCAIN and COLLINS do not think our budget is the best. They think they could do a better job. But they also understand the legislative process—that is, you have to work together. Just as the Gang of 8 did to get the bill on immigration to the floor, we need to work together to get a budget. The House has passed one. We have passed one. Let's go to conference and work out our differences.

For 60 days Republican leaders have objected to a conference with the House of Representatives where we could work out our differences between our budget and our priorities. The differences between our budgets are there. We know that, but we need to work together on our priorities. The House Republicans and House Democrats need to come up with what they want, and we will come up with what we want, working with the Republicans here. That is what a conference is all about. In a conference it is not just the Democrats from the Senate on the conference committee, Republicans will be on it also. And just like in the House, it will not be all Republicans, it will be Democrats also.

The only explanation their Republican leaders have given for their endless obstruction is this: They refuse to negotiate unless we agree in advance to let them have their way. Yesterday the senior Senator from Arizona and the Senator from Maine—both Republicans—condemned that. They said it was hypocrisy. That is my word, not theirs; they can define it any way they want. But the point is that they have been calling for regular order for several years, and now they have the chance for regular order and they are walking away from it.

Senator McCAIN called the obstruction by his fellow Republicans a little bizarre. I used that word also to describe the gridlock here. Senator COLLINS agreed that it was ironic at least. That is what she said. The senior Senator from Maine went on to say:

We have called repeatedly for a return to the regular order in this body. Regular order is going to conference.

We agree. We have a progrowth budget that we will proudly defend. House Republicans should be ready to do the same with theirs. I don't know why my Republican colleagues in the Senate are so afraid of an open conference. The conference committee report will need both Democratic and Republican votes to pass. Do my Senate Republican colleagues not trust their House Republican colleagues to hold the line on their priorities?

Congress must set sound, long-term fiscal policy through the regular order of the budget process and through compromise, but Democrats and Republicans will never find common ground if we never get to the negotiating table.

STUDENT LOANS

On another subject, Congress has worked hard and compromised often over the last 4 years in order to reduce the deficit and reverse the trend of rising debt that began under President Bush. That work has paid off. We have reduced the deficit by about \$2.5 trillion.

But as our Nation has succeeded in setting a course for financial responsibility, students across the country have struggled to do the same. The rising price of higher education puts college out of reach for many promising young people, and it saddles those who do get an education with an unsustainable debt, a debt that causes them to delay buying their first home, put off having children, or give up the goal of starting a business.

Today Americans have more than \$1 trillion in student loan debt. There is more student loan debt than credit card debt, and the average graduate owes more than \$25,000 when they get out of school. I think a college education should free young people to achieve their dreams, not saddle them with crushing debt for the rest of their lives.

College is already unaffordable for too many young people, but if Congress fails to act soon, that cost will go up again. On July 1, interest rates on student loans are set to double, from 3.4 percent to 6.8 percent, effectively socking 7 million students with \$1,000 a year in additional loan costs. In Nevada alone this will cost 26,000 students more than \$21 million next year. We should be removing the obstacles keeping young people from getting an education, not raising more barriers. Raising interest rates would put higher education even further out of reach for many promising students.

Last week Senate Democrats introduced a proposal to freeze student loan rates at current levels for 2 years without adding a penny to the deficit. This is paid for by closing wasteful tax loopholes. The legislation being pushed by House Republicans will take a different route, sticking it to students instead of closing loopholes. Rather than investing in the next generation of American workers, the House bill would cost students as much as \$6,500 more in interest than the current rates. In fact, passing the House proposal would be worse than doing nothing at all. We would be better off letting the rates go up to 6.8 percent than passing the House bill. Passing the House bill or letting the rates go up to 6.8 percent is not the right thing to do. We need to do what we suggest; that is, keep the interest rates where they are.

Under the House bill, students would pay up to \$2,000 more if we allow the rates to double in July. But Democrats know an investment in education is an investment in our economy, so we will keep student rates low and hold back the rising price of education.

Last year, after months of obstruction, the Republicans eventually conceded and helped us achieve that goal. After all, it was great election-year politics for them. This is what Mitt Romney said about the effort to keep loan rates low: "I fully support the effort to extend the low interest rate on student loans." Even my friend the minority leader, MITCH MCCONNELL, said there was not a soul in Washington who thought student loan rates should go up. We agree. But unlike Republicans, we don't abandon our commitment to students just because the election is over. Can my Republican colleagues say the same? I hope they still share our goal of keeping the American dream affordable. If they do, there is an easy way to prove it: work with us to quickly pass the proposal to protect American students.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, recently we have seen troubling signs. There are some in the executive branch who would use the power of the Federal Government to intimidate political opponents. For instance, there were reports that the IRS targeted conservative groups for harassment and discriminatory treatment because they sought to exercise their first amendment rights of freedom of association and speech, and during the debate on ObamaCare when the Department of Health and Human Services issued a gag order on insurance plans in an attempt to prevent them from telling their customers about problems with the bill.

Now there are published reports that the same department is trying to shake down some of these same companies for money so it can try to convince Americans to finally like ObamaCare.

Over at the FCC, the President's allies are trying to shut down or make it difficult for people who want to buy advertising to exercise their first amendment rights to criticize the administration. There are similar efforts over at the SEC. It all points to a culture of political intimidation.

Unfortunately, it doesn't seem the culture of intimidation is simply confined to the executive branch. The administration's allies in the Senate are trying to intimidate their political opponents as well. What I am talking about is the persistent threat by the majority to break the rules of the Senate in order to change the rules of the Senate; in other words, to use the nuclear option if they don't get their way.

For example, Senate Democrats were incensed that Republicans had the temerity to exercise their advice and consent responsibility to block a grand total of just one nominee to the D.C. Circuit. What did our Democratic colleagues do in response? They consulted with the White House and pledged to pack the D.C. court with appointees “one way or another”—meaning use the nuclear option.

They are certainly not doing this because the D.C. Circuit is burdened with cases—far from it. The D.C. Circuit is one of the least busy courts in the country. They want to use the nuclear option to pack the D.C. Circuit so it can rubberstamp the President’s big government agenda—the same big government we have seen over at the IRS and elsewhere.

That is not the limit of the culture of intimidation in the Senate. Let’s look at the NLRB situation. Despite the story that the administration and Senate Democrats want to spin, Senate Republicans did not block the President’s nominees to the National Labor Relations Board; rather, it was the President who blocked the nominees to the Republican slots on the NLRB so he could, once again, pack a powerful branch of government, in this case, the NLRB.

The administration sat on one of the two Democratic vacancies at the NLRB for 4 months. Then it waited until the middle of December in 2011 to send up both nominees for the Democratic seats on the NLRB while refusing to send up any of the nominees for the Republican seats. In fact, the administration sat on the Republican nominees to the NLRB for 9 months.

Then, with no Republican nominees to the NLRB before the Senate, the President purported to recess appoint the two Democratic nominees to the Board when their nominations had been before the Senate for less than 3 weeks. It was so fast the majority leader didn’t even have time to schedule a hearing. Our Democratic colleagues did not defend the Senate from the President’s unprecedented and unconstitutional power grab. Senate Republicans had to do that.

Now that the D.C. Circuit has found these purported appointments to be unconstitutional—by the way, that was a unanimous three-judge court—and other circuit courts are agreeing with its reasoning, what is the Democratic majority threatening to do now? It is planning to double down and aid the administration with its power grab at the NLRB.

Specifically, as with their effort to pack the D.C. circuit, the majority is threatening to use the nuclear option so they can push through unlawfully appointed board members over the principled objection of Senate Republicans. It doesn’t seem that our Democratic colleagues want to respect the

rules of the Senate or that they want to respect the rulings of our Federal courts. It appears they want to enable the President and organized labor to exercise power at a powerful Federal agency without anyone getting in the way.

Let’s be clear. These threats to use the nuclear option because of obstruction are just pretext for a power grab.

What are the facts? The Senate has confirmed 19 of the President’s judicial nominees so far this year. At this point in President Bush’s second term when my party controlled the Senate, President Bush had a grand total of four judicial nominees confirmed. There have been 19 confirmed so far in the second term of President Obama with Democratic control of the Senate and four in the second term of President Bush with a Republican control of the Senate.

Moreover, Republicans on the Judiciary Committee just voted unanimously to support the President’s current nomination to the D.C. Circuit. The Senate Republican conference agreed yesterday to hold an up-or-down vote on his nomination—which has only been on the calendar since Monday of this week—to occur after the Memorial Day recess. That way Members who do not serve on the committee, which is a vast majority of the Senate, could have at least 1 week to evaluate this important nomination.

Instead, the majority leader chose to jam the minority. He rejected our offer for an up-or-down vote, just 10 days or so from now, and filed cloture on the nomination just 1 day after it appeared on the executive calendar. This is just another example of the majority manufacturing a crisis to justify heavy-handed behavior.

As for the NLRB, Republicans are willing to support nominees who are not unlawfully appointed and who have not been unlawfully exercising governmental power. Regarding nominees generally, Senate Republicans have been willing to work with the President to get his team in place. The Secretary of Energy was confirmed 97 to 0, the Secretary of Interior was confirmed 87 to 11, the Secretary of the Treasury was confirmed 71 to 26, the Director of the Office of Management and Budget was confirmed 96 to 0, and the Secretary of State was confirmed 94 to 3, just 7 days after the Senate received his nomination.

These continued threats to use the nuclear option point to the majority’s own culture of intimidation in the Senate. Their view is that we had better confirm the people they want when they want them or they will break the rules of the Senate to change the rules so we can’t stop them. So much for respecting the rights of the minority and so much for a meaningful application of advice and consent.

Senate Republicans will work with the administration and the Democratic

majority, but we will not be intimidated. We have principled objections to some of the President’s nominees and constant threats to break the rules are not going to work. Constant threats to break the rules are not going to work. We want to work with the Democrats, but these tactics are not the way to go about getting our cooperation.

The majority leader has twice committed on the Senate floor not to use the nuclear option. The last time was just a few months ago. These were not conditional commitments. They were not commitments not to violate the rules of the Senate unless it became convenient for political purposes to violate the rules of the Senate.

The comments of Senators are supposed to matter. Our words are supposed to mean something around here. The commitments of the Senate majority leader need to matter. We simply cannot start breaking commitments around here, especially on something that goes to the very essence of the Senate. The majority leader needs to keep his commitments.

I indicated to the majority leader I was going to ask unanimous consent—and I assume he has a copy of it—on the D.C. Circuit Court nomination that the majority leader filed a cloture motion on last night. We have already stated that we agreed to a debate and a vote which came out of the committee unanimously.

We confirmed two judicial nominations Monday of this week, and we have an additional two scheduled for later this week. I have already indicated that confirmations of judges this year are stunningly fair to the majority compared to a time when President Bush was in his second term and my party controlled the Senate.

UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. MCCONNELL. Again, I remind my colleagues that we confirmed 19 judges this year. We will have 21 judges confirmed by the end of this week.

Therefore, bearing that in mind, I ask unanimous consent that the cloture motion filed on Calendar No. 95 be vitiated and the Senate proceed to the consideration of this nomination at a time on Tuesday, June 4, to be determined by the majority leader after consultation with the Republican leader; further, I ask that there be 1 hour of debate on the nomination equally divided in the usual form; that at the expiration or yielding back of that time, the Senate proceed to vote on the confirmation of the nomination with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The majority leader.

Mr. REID. Mr. President, this good man, Sri Srinivasan, was first nominated in June of 2012. He is a brilliant man. He is an honors graduate from Stanford Law School.

Justice Roberts left that court in 2005. We have been trying to fill spots on that court for all of these many years—6 or 7 years. The D.C. Circuit is the court that some say is more important than the Supreme Court. No judge has been confirmed in the D.C. Circuit since 2006. It is an 11-member court established by law, so to have a 7-member court is unfair.

We have had one woman, for example, Caitlin Halligan, a highly qualified nominee, who has been filibustered twice by the Republicans. She was nominated to fill the seat of Justice Roberts.

The man we are talking about today has been nominated to a seat that has been vacant for 5 years. The four seats were vacated in 2005, 2008 and have senior status by two other judges in the last year or two. His nomination has pending for 345 days. That is by far the longest wait of any of the judicial nominations currently awaiting confirmation by the full Senate.

My friend the Republican leader talks about Bush's second term and how he didn't get many nominations. He didn't get many nominations at that time because we approved so many in the first term. It is just the opposite with President Obama. Eighteen Bush circuit court nominees were confirmed within 7 days or less after being reported by the committee.

A Republican-controlled Senate filed cloture on three circuit court judges—including some real controversial ones, such as, William Pryor and Janice Rogers Brown. Cloture was filed in less than 1 week.

There has been a stall going on in the Senate for years. It doesn't take a mathematician to figure it out. We are being held up on nominations and legislation.

President Obama has been trying to have the people he wants as part of his team for 4½ years. There are multiple vacancies in this court. It has been reported out unanimously by the committee.

There is all of this stalling and waiting so that maybe they will be able to render another couple of opinions over the next couple weeks and thwart the law which says there should be 11 people on the court. But to pack the court with what has been determined the number of people who should be on that court? Is it right to have a total of six members of the Circuit Court? Is it packing the court because we want to fill the court as it is called for in the Constitution? No. We should vote on the nomination of this young man today so he can go to work and help fill one of the four vacancies that has been long standing in that court for 5 or 6 or 7 years.

Unless there is an agreement, we will have a cloture vote at the end of tomorrow, and if they want to use their 30 hours, which they are entitled to do under the arrangement we made at the beginning of this year, they can use the 30 hours. But we are going to get this young man confirmed. It is the right thing to do and we are going to get him confirmed as soon as possible. Having waited 345 days, I think he deserves it.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, the first time this nominee, who was reported out of committee unanimously, appeared on the Executive Calendar was 2 days ago. President Obama waited years before making any nominations to the D.C. Circuit. Then he made just one—Caitlin Halligan—and this is his second nominee to that court.

More broadly, the issue is, How has the Senate been treating President Obama? We have confirmed a total of 190 Obama judicial nominations. We have defeated two. That is 190 to 2. There are 70 percent of the Federal judicial seats without any nominees—70 percent of the vacancies without any nominees.

Look, this is a manufactured crisis. The core point here, I would say to my friend the majority leader: We have a good relationship. We work together every day. But the majority leader gave his word to the Senate that we would determine what the rules are for this Congress. A number of my Members felt it was settled. We voted for resolutions and some rules changes at the beginning of the year based upon the majority leader's word. It is important for his word to mean something, not just to his Members but to ours.

Statistically, it is not true. The math can't be denied. It is simply not true that we have been mistreating the President in any way with regard to the confirmation process. With regard to the way the Senate itself is working, the majority leader has been actually quite complimentary, and I give him credit for helping us to get back to normal here, to have a regular process on bills. WRDA is a good example of where we were calling up amendments. Many of them we are getting on without even a motion to proceed, based upon the majority leader's representation we are going to have votes and, by golly, we have been having votes and, amazingly enough, Senators like that. They are not marginalized by a process under which they don't get to participate. So I think we have made an enormous amount of progress. I wish to make sure the majority leader intends to keep his word, so we can continue to have the kind of collegial, constructive atmosphere we have had this year in the Senate throughout the balance of this Congress.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. We have to work together here, but it is mutual work, it is not all on one side. It is not my word versus somebody else's word.

In 2005, we had a knockdown, drag-out battle here. My friend the Republican leader, along with others, gave speeches on the Senate floor that the process regarding judges wasn't moving along quickly enough. As a result of that crisis, in an effort to resolve the matter, we agreed to put some people on the bench we have regretted since then, including Janice Rogers Brown, Thomas Griffith, and Brett Kavanaugh, but we agreed to that and they are on the court now. We need a balance.

My friend has focused on judicial nominations. We have been doing better there. But other nominations, not so. We can talk about all the rights of the minority and all that. The President of the United States, whether it is George Bush or President Obama or Jeb Bush or Hillary Clinton, whoever it might be, deserves the right to have the people they want to work there and not be held up for months and months to fill some of these minor posts. I could run through a list of names that were held up and have been held up for a long time.

My friend the Republican leader said during the squabble we had previously how he agreed with the fact we should change the rules. I am not saying we are going to change the rules, but I am saying we have to do a better job than what is going on around here. This is no threat. We need to look at the facts. Look at the facts.

We are going to continue working to try to work through this morass we have here. But let's not focus only on the judiciary. We have a lot of problems with regular nominations. We haven't talked about legislation. We are doing a little better on that, but a perfect example of that is what is going on with the budget. People begged around here, yelled and screamed and fought, for regular order. They get it and then they don't want it.

I am convinced we need to move forward. I think one of the things we should do with something that has been reported out of the committee 18 to nothing, and there have been vacancies for 6 or 7 years, is we should do that immediately, not wait for a couple of weeks to do it. If somebody cares about this good man, his record is available. They can read it in 10 minutes.

I am sorry I had to object to my friend's unanimous consent request, but it was easy to do because the request is simply wrong.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, let me thank my friend the majority leader for confirming that he intends to keep his word.

With regard to judicial nominations, the facts are not irrelevant. Of the 33

nominations in the Senate we have acted on this year—this calendar year—cloture has been required on three: Brennan, Hagel, and Halligan, and cloture was not invoked on only one. We have confirmed 33 boards—actually judges, agencies—33 nominations confirmed this year. Cloture was required on only three, and cloture was not invoked on only one.

My only point to my friend the majority leader is, the math is hard to dispute. We have made a major effort here to move the Senate back in the direction that I know the majority leader and I agree on, the way the Senate ought to operate. We have made major progress. I think that progress needs to be recognized. My friend the majority leader said it on various occasions this year in connection with bills we have processed in a fair and open way with plenty of amendments and an opportunity for everybody to be involved. So let's tone down the rhetoric.

I want to say again I appreciate the majority leader's commitment to keep his word. It is important around here. It has a lot to do with how we go forward. I think the conversation this morning has been constructive, and I thank him. I am sorry he feels we can't wait 10 days to do this nominee, particularly since there are circuit judges, I believe, and maybe district judges as well, already on the calendar. The way we have been trying to do it around here that I thought the majority leader agreed with is we would take them up in the order they came out and appeared on the calendar. I know, for example, there is a judge from Wyoming that Senators from Wyoming in my party are for, and they are asking me why this particular nominee was jumped over, over their nominee, because we have been sequencing these, I believe, have we not, as they come out.

So here we have a nominee we all agree on for a court that is not overloaded with work—a nomination only recently made and recently confirmed—and the only dispute here seems to be over whether we do it this week or a week from now. Thus, my friend, that is why I call this a manufactured crisis. There is no crisis here. We are not arguing over this nominee. We like him. So the majority leader can make us have a cloture vote this week and we can skip over the judges who have been waiting who came out of committee and are on the calendar if he so chooses; there are some advantages to being the majority leader. But goodness gracious, we have enough arguments here over things we disagree on, and it sounds to me as though we are having an argument over something we agree on.

So I hope we can tone down the rhetoric and continue the good way we have been operating this year. We have big, controversial issues coming our way. Let's don't make being a Senator

and functioning in the Senate any more difficult than it is anyway, because we have big differences about the future of the country. But let's have those debates in a collegial way and not manufacture crises that don't exist.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, everyone knows that numbers—we can show anything we want with numbers. The fact is there has been slow-walking done on the President's nominations, and we can look at how they do that. It has been interesting. It is a new way of doing things around here. A nominee comes up and what the committee does is submit hundreds and hundreds of questions. One of our nominees got 1,000 questions in writing the person had to respond to. That has never happened before. We have all of these ways of stalling.

I know the Senators from Wyoming want to vote on and have spoken to me about Gregory Alan Phillips to be a circuit court judge for the 10th Circuit. Let's do it right now. Let's do him today. The Wyoming Senators shouldn't have to wait.

That is why I ask unanimous consent that we do—I am sorry. I like him, but the man on whom we are going to invoke cloture graduated law school with my son. He is a fine man, but I am not the only one who messes up his name. He was a basketball player in Kansas. He said his parents came to all of his games and they cringed every time his name was pronounced because it is a hard name to pronounce.

I ask unanimous consent that at a time to be determined by me, the Senate proceed to executive session to consider Calendar No. 95, Srikanth Srinivasan; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, again, I think what we are witnessing here is a manufactured crisis. We are doing four judges this week—this very week—four judges. There are five others on the calendar before the nominee the majority leader has been trying to get us to process this week. I think it is a better policy to continue to set votes that the facts show are in a timely way.

Why are we doing this? We are not having a problem confirming judges. I

don't understand. Why are we doing this? It doesn't make any sense. We have big issues coming our way on immigration, for example, that are going to be very controversial. Members on both sides have been making every effort to tone down the rhetoric, to get us in the proper place to deal with a very difficult and contentious piece of legislation.

Why are we doing this? What is the point? All of these judges are going to be approved in a relatively short period of time in an orderly process we have been working on all year that has produced four times as many judicial confirmations for President Obama in his second term as President Bush had at this point in his first term when we had a Republican Senate.

This is an unprecedented, rapid pace for confirmations. So I would say to my friend, why are we doing this? I am going to object, but I would like to know what the point is. What is the problem?

Mr. REID. Mr. President, I will be happy to respond to what the problem is.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Senator LEAHY said yesterday:

A recent report by the nonpartisan Congressional Research Service compares the whole of President Obama's first term to the whole of President Bush's first term, and the contrast could not be more clear. The median Senate floor wait time for President Obama's district [court] nominees was 5 times longer than for President Bush's. President Obama's circuit [court] nominees faced even longer delays, and their median wait time was 7.3 times longer than for President Bush's circuit nominees. The comparison is even worse if we look just at nominees who were reported and confirmed unanimously. President Bush's unanimously confirmed circuit nominees had a median wait time of just 14 days. Compare that to the 130.5 days for President Obama's unanimous nominees.

So 14 days compared to 130.5. Things are going along really well? I do not think so.

On with what Senator LEAHY said:

That is more than 9 times longer. Even the nonpartisan CRS calls this a "notable change." There is no good reason for such unprecedented delays, but those are the facts.

So that is why we are doing this. There is no reason to wait 10 days or 2 weeks for this good man to fill a seat on a court that has been waiting for people to get on the court for 7 years. We have a majority in that court that is wreaking havoc with the country. For the first time in 230 years, they rule the President cannot make a recess appointment. So, yes, there is a crisis, and we need to do something about it. One way to resolve part of it is to get this good man on the court now.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I gather, listening to the majority leader, the whole purpose is to stack the court. So the real issue, I guess, is he disagrees with the rulings on the D.C. Circuit.

Look, we have been voting to confirm judges we know we will not prefer the outcome of their decisions. But it sounds to me like the majority leader has finally kind of fessed up to what the real problem is. The reason it needs to be done this week versus next week is because he does not like what the D.C. Circuit is doing. So it does not have anything to do with caseload or anything else. In fact, what is unprecedented is confirming a D.C. Circuit court judge 2 days after he has been on the calendar—2 days. Goodness. What is the difference between now and next week? I find it impossible to understand.

In fact, I do not understand why we are having this whole discussion this morning. We have plenty of things to debate around here and plenty of things we disagree upon. We have had an orderly process. This Congress has done well: 19 judges compared to 4 for President Bush at this point.

If there is still a consent request pending, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MCCONNELL. I think the majority leader and I ought to sit down like we normally do and figure this out and eliminate a manufactured crisis and go forward.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, in school we studied a lot of things. But one of the things I cannot forget is George Orwell's "1984." It was an interesting book because in that book he talked about people coming to a time when whatever they said was factually just the opposite.

Here is where we are now. It has been legislatively determined the D.C. Circuit should have 11 members. My friend says we are stacking the court? There are four vacancies. Stacking the court by having eight there instead of seven? That math is not very good.

My friend also keeps talking about that the D.C. Circuit does not have anything to do. The D.C. Circuit is now more than one-third vacant with four judicial vacancies. Mr. Srinivasan is nominated to the eighth seat on the D.C. Circuit. Three still remain empty.

And, yes, we are. The country is concerned about the decisions coming out of that court. The D.C. Circuit Court of Appeals is considered by some the most important court in the land. But by virtually everybody, it is "the second most important court in the land" because of the complex nature of the cases they handle. The court reviews complicated decisions and rulemaking of many Federal agencies and in recent

years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases are very complex in nature, requiring additional time for consideration.

Congress took action to address these concerns about their caseload by decreasing the number of judgeships in 2008 from 12 to 11. Congress has set the number of judgeships needed by the court at 11. The court should not be understaffed by one-third.

In reality, according to the Administrative Office of U.S. Courts, the caseload per active judge has increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the D.C. Circuit.

So Senate Republicans willingly confirmed President Bush's nominees to the 9th, 10th, and 11th seats on the D.C. Circuit. We did not think they were stacking it. I did not particularly like some of the people they put on there, but it was not stacking it. That is what the legislation called for.

This good man is President Obama's second nominee to the D.C. Circuit to fill the eighth seat, and they filibustered Halligan twice.

So this is a situation that needs to be resolved quickly. We cannot have the second, or first, most important court in the land one-third vacant. We are stacking the court with one person? I think not.

So we can stay here longer, but I have made my point. One thing I have to say to my friend, although we have gotten into a few of these little conversations before on the Senate floor, I will wind up getting the last word.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Yes, I know the majority leader will always have the last word. That is the advantage of being in the majority and not the minority. I think it has been actually a good discussion this morning. I think we have demonstrated there is no real problem. We have confirmed the President's nominees both for the judiciary and for the executive branch in a very timely fashion, and we will continue to process these judges in consultation with the majority leader as they come along.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the only thing I would say is, what about the judge from Wyoming? Why don't we do that today? Could there be a more Republican State in the country than Wyoming? Maybe. I do not know. Maybe Idaho is vying for No. 1. But I am willing to approve this judge today. Why don't we vote on him today?

Well, if you want to go ahead and have us invoke cloture on this other guy, we will do that, but I am willing to vote on the Wyoming guy today.

Mr. MCCONNELL. Since the majority leader always reminds me he has the

last word, I am hesitant to speak again. But we will continue to process these judges in an orderly fashion, as we have all year long, and, hopefully, he and I can discuss this further off the floor and find a way forward.

Mr. REID. I do not want anyone thinking I am not keeping my word. I was not going to say anything, but I thought I said I would get the last word.

So Senator MCCONNELL can say something now, and I will not get the last word.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half.

The Senator from Arkansas.

IRS SCANDAL

Mr. BOOZMAN. Mr. President, I am very much appreciative of the Senator from Kentucky and the Senator from Nevada having this very important discussion.

Washington tends to operate inside a bubble where one can easily forget just how much Main Street America is hurting economically, how many Americans feel their rights are being threatened, and how many fear we are not going to leave behind a better country for our children.

That is why it is so important we stay connected to our constituents. It is why I travel home almost every weekend, hold telephone and online townhalls from my Washington office, and try to read my mail, which is so very important.

In a recent townhall I answered some difficult questions on the issues we are facing as a nation. However, one of the toughest questions that was posed was not about a specific policy issue. Instead, it was when I was asked: How do we fix the mess in Washington?

I answered, in part, that transparency and accountability would go a long way to restoring faith in Washington. That was before the Benghazi controversy escalated. Then news of the IRS scandal broke. Almost immediately after that we learned the Department of Justice had obtained the private phone records of dozens of Associated Press reporters.

This is the opposite of what we need to do to fix the problems in Washington. These scandals move us in the wrong direction.

It is hard to pick which one of these I find the most troubling, but I want to focus on the IRS scandal because targeting political groups, singling them out for additional scrutiny simply because you disagree with their ideological views is wrong on every level.

Dismissing this massive overreach as if it is just the acts of a few rogue agents in Cincinnati, as some have tried to do since the onset, is not taking leadership nor is it seeking to hold the agency accountable.

We now know the Acting IRS Commissioner knew of these abuses for at least a year, and officials at Treasury and as high up as the Chief of Staff at the White House were briefed before the leak despite the repeated claims that the administration learned about it through news reports.

We know it was not just Cincinnati. IRS officials at the agency's Washington headquarters also sent queries to conservative groups asking about their donors, and progressive groups, who operated the same way, were not subjected to this type of harassment.

On top of all this there is real concern that IRS officials may have lied to Congress in an effort to cover up the agency's misdeeds. Yesterday before the Finance Committee the former head of the agency who was in charge at the time of these abuses claimed this was not "politically motivated," while at the same time he said he did not know how the targeting happened.

Along with this impressive double-talk, he refused to apologize for the abuses that went on under his watch.

Somebody has to be accountable. This is not a time for excuses; it is a time for leadership. The President needs to fully cooperate with the congressional investigations into the IRS scandal.

Last week, our entire caucus sent a letter to the White House that demands at least this much from the administration. Washington's credibility—what is left of it—is on the line. The American people deserve to know what actions will be taken to ensure those who made these decisions at the IRS will be held accountable.

The good news is people on both sides of the aisle—Republicans and Democrats—are rightfully outraged. We are going to get to the bottom of this. People will be held accountable. At the very least those engaging in these unethical actions need to be fired. If they broke the law, they need to be prosecuted.

This scandal gives the already maligned IRS a black eye. It reinforces people's worst fears about Washington—that those in power will use any means necessary to maintain that power.

Keep in mind this agency will be responsible for implementing and enforcing key provisions of the President's health care law, a law that a majority

of Arkansans do not support. If these types of abuses are allowed to go unchecked, what kind of bullying will go on when that implementation begins, especially in light of the fact that the official who was in charge of the unit that targeted conservative groups now runs the IRS office responsible for the health care law?

Everyone needs to be treated fairly under the law. Clearly, there are employees at the IRS who do not subscribe to this principle. There must be zero tolerance for the actions of those individuals.

Until we change the culture in Washington, we will not gain the confidence of the American people. The onus is on us. Washington as a whole—the White House, Congress, and every civil servant—has to remember whom we work for and to whom we are accountable. The actions of the IRS, along with the other scandals plaguing DC, only move us further from the goalpost, not closer.

I yield back.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Nebraska.

ONGOING CONTROVERSIES

Mrs. FISCHER. Madam President, I rise today to discuss a number of ongoing controversies of national importance, including the IRS's unfair treatment of conservative groups applying for tax-exempt status, the secret gathering of journalists' phone records by the Department of Justice, and the administration's response to the attack on the U.S. consulate in Benghazi.

Both the House and the Senate have held hearings with the former and acting IRS Commissioners, as well as the Treasury Department's Inspector General for Tax Administration, who conducted an internal audit and authored the report revealing the pattern of government abuse within the IRS tax exempt division.

While I am pleased that Congress is judiciously exercising its oversight powers, very few questions have been answered. The pattern of inconsistent explanations continues. We still do not know who exactly initiated the practice of wrongfully targeting conservative groups.

Ironically, the Acting IRS Commissioner, Steven Miller, testified under oath that there was absolutely no political motivation behind the practice; however, Mr. Miller could not identify the names of the individuals whose motives he was supposedly vouching for. How is that even possible? Nebraskans know better than to buy that bill of goods.

We still do not know why this abusive policy was implemented in the first place. IRS officials have maintained that the extra scrutiny given to conservative groups was an attempt to

deal with an influx of applications. As a number of fact checkers and media outlets have noted, that surge in applications did not happen until well after the targeting began. The reasoning for the practice put forth by the IRS simply does not align with the facts.

We still do not know why the IRS believed it had the right to release confidential data which it had wrongly requested in the first place. They released that to third parties with adversarial interests to those conservative groups in question. The progressive publication ProPublica admitted it obtained from the Internal Revenue Service illegally leaked confidential tax forms from nine organizations.

All of the groups whose records were improperly released were conservative. Why did the IRS leak these records? What was their goal? Why did only conservative organizations have their confidential information leaked? Why did the White House senior staff, including the White House Counsel and the White House Chief of Staff, fail to inform the President of this egregious government overreach by the IRS?

Former Special Counsel to President Clinton, Lanny Davis, recently wrote an opinion piece in the Hill:

With all due respect to someone who has impeccable legal credentials, if she did have such foreknowledge and didn't inform the President immediately, I respectfully suggest Ms. Rummel is in the wrong job and that she should resign.

Politico recently reported—the story keeps changing:

The White House explanation of what it knew about the IRS story ahead of the first press reports on the controversy shifted once again Thursday.

Let me repeat that, "shifted once again."

It seems that some folks from the White House cannot get their facts straight. Why? The White House Press Secretary admitted yesterday that officials in the White House discussed how and when the IRS would tell the public the agency had been targeting conservative groups. The eventual public disclosure was made by IRS Tax Exempt and Government Entities Division Director Lois Lerner, who revealed the pattern of government abuse with an intentionally planted question at an otherwise little-noticed Washington, DC, lawyers conference.

It is outrageous that despite numerous congressional inquiries asking the IRS for answers in both public hearings and formal letters, the IRS would first reveal the truth through a charade of a "planted" question. Then Lerner went on to earn herself a "bushel of Pinocchios" from the Washington Post fact checker for her series of misstatements and "weasley wording."

Whatever happened to the President's worthy goals of promoting the most accountable, the most transparent, the most open administration

in history? I do not appreciate being misled, and Nebraskans do not either.

Regarding the secret collection of the Department of Justice of over 100 Associated Press journalist phone records, two key questions remain. Why didn't the Department of Justice ask the Associated Press to voluntarily cooperate before issuing those subpoenas as the law requires? And why did the Department of Justice fail to abide by the law and inform the Associated Press that the records were subpoenaed, denying them the opportunity to appeal that heavy-handed play?

Washington Post columnist Eugene Robinson put it well:

The Obama administration has no business rummaging through journalists' phone records, perusing their e-mails and tracking their movements in an attempt to keep them from gathering news. This heavy-handed business isn't chilling, it's just plain cold.

But, once again, the overreach does not stop there. Recent news has surfaced that a Fox News journalist was criminally investigated for doing his job, lawfully soliciting information from a government source. The Post describes the investigation in vivid detail. They used security badge access records to track the reporter's comings and goings from the State Department, according to a newly obtained court affidavit. They traced the timing of his calls with a State Department security adviser suspected of sharing the classified report. They obtained a search warrant for the reporter's personal e-mails.

This assault on the First Amendment is unacceptable and the intimidation of reporters through unnecessary criminal investigations and excessive surveillance raises serious questions about the freedom of the press. The President and the Department of Justice have yet to come forward with credible answers. The American people are still waiting.

Finally, I would like to briefly touch on the tragic attack on our consulate in Benghazi. Much attention has been paid to the internal White House e-mails and changes to U.N. Ambassador Susan Rice's talking points explaining the source of the attacks.

I believe a key question still remains to be answered: Why for 2 weeks did the administration propagate the tale that it was a YouTube video-inspired attack when officials knew almost immediately it was carried out by affiliates of al-Qaida? That is a pretty simple question.

Why were the American people told an anti-Islam YouTube video prompted the attacks when it was known it was not? No one has answered this very basic question.

Instead of providing answers to these questions, a top White House adviser has impugned the integrity of those seeking the truth by decrying persistent questioning as a "witch hunt."

It is time for the President to put politics aside, demand accountability from his staff, and step up and do his job.

Congress is doing its part by conducting serious oversight hearings on both the IRS overreach and the Benghazi attack. Yet critical government witnesses—such as the IRS Tax Exempt and Government Entities Division Director Lois Lerner—refuse to cooperate, insisting on pleading the Fifth Amendment during hearings to set the record straight.

It is up to the President. It is up to the President to transform this culture of arrogance and change the above-the-law attitude that seems to have a grip over his departments and agencies. Ignorance, willful or otherwise, is not going to cut it anymore. We simply cannot afford to have a President on the sidelines. This unraveling saga of government gone wild demonstrates exactly one of two things: either the height of government incompetence or gross abuse of power. Rather than sending surrogates out on the Sunday talk shows to claim "the law is irrelevant" with regard to that IRS overreach, I call on the President to work with Congress to build back the people's trust.

This includes taking responsibility for the actions of those working within the executive branch, enforcing the laws, and removing all those responsible for this disturbing pattern of government overreach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

WHITE HOUSE SCANDALS

Mr. CORNYN. Madam President, this last weekend White House adviser Dan Pfeiffer visited all five Sunday morning talk shows. What he tried to do there was to defend the Obama administration's handling of the various scandals we are all too familiar with. Unfortunately for the President, I think he only made things worse.

For example, he said President Obama's whereabouts on the night of the Benghazi terrorist attack were irrelevant. That is a strange use of the word. Where the President is when a terrorist attack kills four American citizens in Libya, to call that irrelevant strikes me as an odd choice of words.

He was also asked whether it is illegal for the IRS to target individuals and organizations for political reasons. Again, he said, "It is irrelevant." Strange choice of words. In other words, if the American people were hoping that this White House would finally provide straight answers to basic questions, they were once again disappointed.

Let's review the facts starting with Benghazi, as the Senator from Nebraska was just talking about.

Eight months, of course, have passed since four brave Americans were killed

by terrorists linked to al-Qaida. Eight months have passed since the Obama administration blamed the attack on a spontaneous demonstration incited by some amateur YouTube video.

Is it irrelevant that we don't know where the President of the United States was on the night of the attack or what he did or did not do to come to the aid of these four brave Americans who were at risk of losing their lives and did, in fact, lose their lives? Is it irrelevant that members of the Obama administration deliberately misled, time and time again, the American people about this act of terrorism? Is it irrelevant that Ambassador Susan Rice was blaming the massacre on a YouTube video the very same day Libya's President was calling it a preplanned terrorist attack? Is it irrelevant that the former deputy to the late Ambassador Chris Stevens has said that everybody at the U.S. Embassy believed from the start that it was a terrorist attack? Finally, is it irrelevant that this former deputy, Gregory Hicks, was punished by the State Department for cooperating with congressional investigators so the truth could get out?

That is a strange choice of words—"irrelevant." I don't think the American people believe that is irrelevant—any of these facts. In fact, I think what we can only conclude is that the culture the White House, unfortunately, has created is one where coverups, misdirection, prevarication and dissembling are OK, not being straight with the American people.

No wonder the American people doubt their leadership in Washington and particularly in the White House if the White House is going to create a culture in which these sorts of coverups are OK or, in the words of Dan Pfeiffer, simply irrelevant. When the American people can't trust the White House to be honest with them—and refuses to accept responsibility for their mistakes—it is not irrelevant.

As for the IRS scandal, some people have tried to dismiss the targeting of various conservative groups as a rogue operation managed by a few renegade staffers in the Cincinnati office. Yet the more we learn about this scandal, the bigger it seems.

Anybody who has been around a big bureaucracy—and certainly the IRS qualifies as a big bureaucracy—knows that when you ask the bureaucrats something, the easiest answer is no because they don't get in trouble for saying no. They may not be very helpful or responsive, but they don't get in trouble.

What strikes me as so bizarre about this idea that there are a number of free agents in Cincinnati who decided to cook this up on their own is it really goes against the grain of everything we know about bureaucracies. Why in the world would they take the initiative to

target political speech unless they thought they either had the explicit or the implicit approval of their higher-ups? It just doesn't make any sense otherwise.

Last week one Cincinnati IRS employee told the Washington Post—and I think this has the ring of truth—that “everything comes from the top. We don't have any authority to make those decisions without someone signing off on them. There has to be a directive.” Now, that sounds like the bureaucracy that I know and am familiar with.

So I would like to ask the White House if it is irrelevant that America's tax collection agency was turned into a political attack machine, deciding that they were the ones who could police political speech and activity protected by the First Amendment to the Constitution? Is it irrelevant that an agency with the power to destroy people's lives adopted the tactics of a dictator? Is it irrelevant that senior IRS officials learned about these abuses at least 2 years ago and lied to Congress and the American people when we asked them about them?

When I got reports from the King Street Patriots and True the Vote in Houston, TX, and the Waco and San Antonio tea parties in 2011 and 2012 about some of the tactics they were being exposed to, I and other Members of the Senate wrote to the Commissioner of the IRS Mr. Shulman, and Mr. Miller, the Acting Commissioner, and they failed to disclose what we now know is the truth. Senator HATCH, the distinguished ranking member of the Finance Committee, yesterday told Mr. Miller that was a lie by omission at the very least. Certainly it was not telling the whole truth to the Members of Congress, whose responsibility is to provide oversight to the American people of the IRS and of the Federal Government. I don't think it is irrelevant when IRS Commissioner Douglas Shulman categorically denied these abuses in sworn testimony before the House Ways and Means Committee in March of 2012.

Furthermore, I don't think it is irrelevant that IRS officials may have committed criminal offenses. I realize that is a serious statement and charge to make, but we know this morning that the director of the Internal Revenue Service division overseeing nonprofit organizations has taken the Fifth Amendment when asked for sworn testimony by a congressional oversight committee.

To refresh everybody's memory, the Fifth Amendment to the U.S. Constitution means that you cannot be compelled to incriminate yourself and possibly expose yourself by virtue of your own testimony to a criminal prosecution. That is what taking the Fifth Amendment is.

While she is within her rights to take the Fifth Amendment, if she has a

credible fear of prosecution for violating the criminal laws, I believe this elevates this scandal to a new level.

Finally, I would suggest to our friends at the White House that it is not irrelevant that a Texas businesswoman named Catherine Engelbrecht was targeted not only by the IRS but by the FBI, the ATF, and OSHA after she founded a pair of organizations in Houston, TX, known as the King Street Patriots and True the Vote.

I think most Americans would agree that all of this information is quite relevant, quite reprehensible, and something that Congress ought to, on a bipartisan basis, investigate.

I congratulate the chairman of the Senate Finance Committee, MAX BAUCUS, a Democrat—not a member of my political party—and Senator ORRIN HATCH, the ranking Republican on the Finance Committee, for the bipartisan way they have begun the investigation into this IRS scandal. What we all recognize, Republicans and Democrats alike, is that this is a threat to the public's trust in government institutions and that this culture of intimidation is not something we can stand for, using the extraordinary power of the Federal Government to target American citizens for exercising their constitutional rights. Indeed, if President Obama wants to know why the American people's trust in the Federal Government has plummeted to an all-time low, all he has to do is look at these two scandals and consider how the administration is handling them.

When government officials consistently mislead, stonewall, and abuse their power, people take notice, they don't forget, and the day of reckoning will surely come.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. It is my understanding that I have 10 minutes to speak. Will you confirm if that is correct?

The PRESIDING OFFICER. The Senator is correct.

SUGAR PROGRAM

Mrs. SHAHEEN. I am here today to speak to the importance of bringing much needed reform to the Federal Sugar Program. I understand that this is not something the Presiding Officer supports and that this is not something the Agriculture Committee addressed in the farm bill. I think it is important to try to address some of the misinformation that is out there.

We have been hearing a lot of talk about the need to protect America's sugar farmers. What we haven't heard is that sugar remains the most tightly controlled commodity market in this country. We currently have what I believe is an outdated program that offers a sweet deal to a small group of sugar growers and processors at the expense of too many other American businesses and at the expense of American consumers.

What the amendment that I have offered with a number of cosponsors will do is reform the Sugar Program to make U.S. manufacturers more competitive and to reduce prices for consumers. It will lower sugar price support levels, and it will reform the excessive restrictions on domestic supply and import quotas for sugars.

These reforms would save taxpayers money. The Congressional Budget Office has estimated that this legislation would save \$82 million over the next 10 years.

I think it is important to keep in mind the amendment we have introduced does not eliminate the safety net for sugar producers. It simply makes some moderate commonsense reforms in the program. Sugar growers would still be supported by the Sugar Loan Program and protected by import restrictions and domestic market allotments. In fact, this amendment simply returns us to the same policies that sugar producers themselves supported as recently as 2007.

Since 2008, sugar prices in the United States have soared to record highs and they have consistently reached levels that are about twice the world pricing of sugar. In fact, the Sugar Program has cost consumers and businesses as much as \$14 billion over the last 4 years. This amendment would provide a smart, practical, and pragmatic fix to the policies that are currently in place, and it is a bipartisan proposal. There are 18 other Senators from both sides of the aisle who have joined on this amendment.

Again, we have been hearing about jobs that would be lost in the sugar industry if we make these moderate reforms, but the reality is we are already losing and have lost too many valuable manufacturing jobs across this country as businesses close or move overseas in search of lower prices. We can see some of this illustrated on this chart. These are sugar-using jobs in the food industry, and there are more than 30 times as many of these jobs as there are in sugar production and processing. So we can see sugar-using food and beverage jobs, which is the blue, compared to sugar farming, production, and processing, which is the red. That is 590,669 compared to 18,078. And where do these numbers come from? Well, in fact, they are from the U.S. Census and the Department of Commerce.

Unfortunately, between 1997 and 2011, nearly 127,000 of these jobs, the manufacturing jobs, were lost in sugar-using industries. In fact, the U.S. Department of Commerce has estimated that for every one sugar-growing job that is saved through high sugar prices, approximately three manufacturing jobs are lost. So again, let me put the numbers into perspective, as this chart does. There are less than 5,000 sugar growers and processors in the country. U.S. data shows there are about 18,000 total jobs in the sugar industry, compared with almost 600,000 jobs in the sugar-using industry.

We have also been hearing this amendment would allow for an increase in foreign sugar into the U.S. market. This amendment maintains the current import quotas for each country. Let me repeat that: It maintains the current import quotas for each country. It allows the Secretary of Agriculture to modify these quotas if he or she determines it is necessary, just as they were able to do before 2008. The fact is this amendment would have no impact on sugar imports from Mexico because under the North American Free Trade Agreement or NAFTA, Mexico currently is the only country without a quota for sugar importation, and that is true whether we pass this amendment or not. That is true under the current system.

So even if we don't pass reforms, the argument that Mexico is coming in and bringing sugar into the country is true, there is sugar coming in from Mexico, but the fact is that is the way it is under the current program. Currently, sugar is the only—let me repeat, the only—commodity program that was not reformed in the committee-passed farm bill that is under consideration now.

Let me be clear: I think the Committee on Agriculture, Nutrition, and Forestry—Senator STABENOW and the committee—did a great job on that bill in most areas because they provided savings and they reformed the program. So it is particularly puzzling to me why they totally left the sugar subsidies out of the bill, that they did nothing to reform the Sugar Program.

I don't think any program the Federal Government operates should be immune from updates and improvements. We need to act, and we need to act now, to reform the Sugar Program and to protect those workers who are in the food industry that use sugar, and protect consumers who are spending more money than they should for the cost of sugar.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the Senator from Maine Ms. COLLINS, and I be permitted to engage in a colloquy for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. UDALL of Colorado. Madam President, Senator COLLINS and I are here today to underscore the timeliness of a bipartisan solution we have been pushing since March. While I firmly believe we should replace the sequester with a balanced and comprehensive plan that delivers the same deficit-reducing punch, it appears to me, and to all of us, the sequester is here to stay for at least the remainder of the fiscal year ending September 30 of this year.

We need deficit reduction, but the way in which we are doing it under the sequester is terrible policy and it is time to fix it. Just after the fiscal year 2013 sequester was triggered, with Senator COLLINS' leadership, she and I introduced a commonsense plan that would empower Federal departments and agencies to replace the indiscriminate cuts of sequestration with more strategic cuts.

One only has to look at the way in which sequestration has endangered critical programs for working families, our senior citizens, and the middle class to know we have to do more than we are doing today. Throwing up our hands and doing nothing is poor governing. Senator COLLINS and I believe we have a responsibility here as leaders to inject some measure of common sense into the process.

With that, Madam President, I wish to turn to my colleague Senator COLLINS for her thoughts on the necessity of the Collins-Udall legislative proposal.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, of course my friend and colleague from Colorado is exactly right, and I want to thank him for his leadership on this issue and for working with me to develop a bipartisan, commonsense plan that would help to mitigate the harmful effects of the automatic spending cuts known as sequestration that took effect on March 1.

I want to emphasize that under our proposal, budget targets would still have to be met. We understand the need to confront our enormous Federal debt, which is approaching \$17 trillion. But our plan does so in a sensible way. It recognizes that rather than imposing meat-ax cuts, we should be setting priorities. Our bill would give the heads of Federal agencies and departments affected by sequestration the flexibility to implement the required cuts in a much more thoughtful way by preserving vital programs and reducing or eliminating lower priority programs.

Our bill also ensures appropriate congressional oversight of these decisions by requiring the agency heads to sub-

mit their spending plans to both the House and Senate appropriations committees 5 days before implementing these decisions. These committees and their subcommittees know the budgets of these agencies inside and out and will be able to effectively monitor their spending decisions, just as the committees now oversee reprogramming requests.

Congress has already demonstrated that providing flexibility to Federal agencies in a commonsense way to address the unprecedented problems caused by sequestration makes a great deal of sense. Recently Congress passed a bill we authored that gave the Department of Transportation the flexibility to end the furloughs of air traffic controllers and to, instead, reduce spending by transferring unused balances from a grant program. That is the kind of decisionmaking flexibility we are talking about. In this case the furloughs were causing terrible flight delays and had the potential to truly harm the economies of Maine, Colorado, and countless other States that count on tourists visiting our amazing scenery, sampling our extraordinary food, and being with our great people. Had we not come together to pass this bill, the impacts could have been devastating to Maine and to Colorado businesses and their employees.

In Maine it would have affected everyone from our wait staff and our innkeepers to our countless tourist attractions. It would have even affected Federal institutions such as the gem of Acadia National Park and our State parks as well. In our States, each season, but particularly during those key peak summer months, we welcome with open arms visitors from around the globe. If those visitors were going to have to sit on a tarmac for 3 hours awaiting a flight, they most likely were going to cancel their trips.

I am proud of the work Senator UDALL and I did to pass this bipartisan bill, but more can and should be done to give other agencies the same kind of flexibility to set wise spending priorities.

I would turn to the Senator from Colorado to ask him if he agrees that isn't a better approach than across-the-board cuts with no flexibility?

Mr. UDALL of Colorado. The Senator from Maine has it exactly right, and I commend her for her leadership.

I want to point out to those who were critical of what we did when it came to the FAA, it is not just elite business travelers or Members of Congress who use our air transportation. It is families, it is seniors, it is businesswomen, and every American possible using our air transportation system. We see the egalitarian nature of our air transportation system when we are in our airports.

Senator COLLINS brokered a sensible compromise that kept our airports running, flights on time, and commerce

flowing smoothly. I remember Senator COLLINS standing here on the floor, somewhat late at night, appealing to both of our leaders. So Senator COLLINS led the way.

We also moved in the furloughs for meat inspectors. If we can deal with these small corners of sequestration, we can go all in. We have proven we can find consensus. It is time to finish that job.

I want to turn back to my colleague for any final thoughts she might have to make about our bill and the importance of this effort we have underway.

Ms. COLLINS. I want to thank my good friend and colleague. It wouldn't have happened without his support. We took a bipartisan approach, and that is the kind of approach we are taking today in urging our colleagues to look at our bill and our leaders to move it.

Many agencies face the same challenges that were encountered by the FAA, and many agencies know of better ways to meet the sequestration targets. I have long believed these across-the-board cuts where we don't prioritize simply do not make sense.

Last week, the Department of Defense announced that because the Navy was able to identify cost-effective ways to meet its budget targets, thousands of hardworking men and women at our Nation's naval shipyards, such as the Portsmouth Naval Shipyard in Kittery, ME, would not have to be furloughed. I had long argued the Department of Defense has the flexibility to minimize the furloughs because we gave them that authority as part of the continuing resolution.

I would be remiss if I did not note, however, my disappointment that some of the workers at the shipyard, and others, such as those in the National Guard and at other facilities, such as the Defense Accounting Services Center in Limestone, ME, still face furloughs.

There are other important programs as well. Biomedical researchers and school superintendents are also in a quandary of having little or no flexibility to implement the sequestration targets.

Instead of enacting piecemeal fixes—whether it is the FAA or it is the meat inspectors—our bill would empower administrators to head off this problem and avoid indiscriminate spending cuts. We can mitigate the harmful effects of sequestration, protect jobs, and avoid mindless spending cuts while tackling the very real problem of excessive and unnecessary spending by simply allowing managers to distinguish between vital programs, to be creative, and to cut those that are of lesser importance.

I know my colleague from Colorado would agree that no business facing the need to cut expenses would ever treat every program and function and service of that business as if they were of equal

worth. Instead, the business managers and executives and employees would evaluate all the programs and set priorities. That is all we are asking.

I thank the Senator from Colorado, my good friend Senator UDALL, for his strong partnership on our effort to protect the jobs of hard-working Americans, prevent arbitrary spending cuts, yet deal with an unsustainable \$16.8 trillion debt. We know our approach would go a long way toward allowing priorities to be set. After all, if we are not going to set priorities, to make the tough decisions and distinguish among absolutely vital programs and those that could be cut or eliminated, then we might as well go home and just have a computer apply a formula to the budget.

That is not why we are here and that is not what the American people expect. They expect us to exercise judgment and make good decisions.

Mr. UDALL of Colorado. Madam President, I believe our time has expired or is beginning to expire, but I wish to underline what Senator COLLINS has said. We are passionate about this. Some say a passionate problem solver is an oxymoron or a passionate moderate is an oxymoron. That is not the case here. We want to solve this. We both have private sector experience. This is not how you would run a concern in the private sector. We can do this. We have shown we can do this. Let's move forward and provide certainty, not just to the Federal agencies but to the people in this country. At a time of tough economic challenges with a fragile recovery underway, we need to create more certainty and need to budget in a wiser, smarter way.

I thank the Senator from Maine for her leadership. I value our partnership, and I know we are going to see this to a successful conclusion.

Ms. COLLINS. Madam President, could the Presiding Officer inform me of whether there is an order to proceed right now or whether there is some additional time for morning business.

The PRESIDING OFFICER. There is 4 minutes remaining for the majority in morning business.

Mr. UDALL of Colorado. I ask unanimous consent the Senator from Maine be recognized for 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN

Ms. COLLINS. Madam President, I understand that Senator BALDWIN is on her way to make her maiden speech, and I promise I will stop talking the moment she enters the Chamber. I thank my colleague from Colorado.

Later today, the Senate will vote on a resolution that has been introduced by Senators MENENDEZ and GRAHAM. I am pleased to join my Senate colleagues in cosponsoring this resolution,

which reaffirms our commitment to a strong U.S.-Israeli relationship and to preventing Iran from becoming a nuclear power.

At this time in our history, it is more important than ever that we demonstrate a firm commitment to our allies—even if the neighborhood they are in looks more like a tinderbox than it has in decades. This resolution reaffirms that the United States will be a reliable friend and a determined ally, even in dangerous times—indeed, especially in dangerous times.

We are at a critical juncture in our efforts to prevent Iran from obtaining a nuclear weapons capability. During my time in the Senate, I have repeatedly supported legislation imposes sanctions on Iran and puts pressure on the regime to change course. I worked with my good friend former-Senator Lieberman to pass legislation which ensures that organizations that inspect commercial ships for the U.S. government are not also providing services to governments like Iran that sponsor terrorism.

This resolution reiterates the significance that we place on keeping the full force of sanctions on Iran.

In the face of an existential threat to our country, the American people would expect the U.S. to take action. This resolution says that we will support Israel's right to do the same.

Let me read the powerful language in the resolution. Congress "declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense."

Congress "urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence."

I look forward to continuing to work with my colleagues in the United States Senate as well as with President Obama to close the loopholes in current sanctions legislation and to ensure that the cooperation that has existed between the United States and the State of Israel for over 60 years remains steadfast and unshakeable.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Ms. BALDWIN. Madam President, I ask unanimous consent to speak in morning business for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOVING FORWARD

Ms. BALDWIN. Madam President, as I make my first remarks on the Senate floor, I have the honor of occupying the same Senate seat, and in fact occupying the very Senate desk, once used by Senator Robert M. LaFollette, Sr. "Fighting Bob LaFollette," as he was known, was a Republican Senator from Wisconsin a century ago who is credited as the founder of the Progressive Party and progressive movement in this Nation. I admire Fighting Bob's legacy in many ways. But I wish to assure my colleagues who are present in the Chamber at this moment that I will not emulate his maiden speech, which went on for 3 successive days.

Bob LaFollette ran for this office because he was concerned that while corporate interests were being well served in Washington, ordinary people weren't even being heard. He traveled all around the State of Wisconsin, literally speaking from makeshift stages of soap boxes and hay wagons at county fairs. His message came to define my State's progressive tradition. The things he talked about in that day still ring true.

As I have traveled the State Wisconsinites have told me that the powerful and well-connected seem still to write their own rules while the concerns and struggles of middle-class families go unnoticed in Washington. They believe our economic system is tilted toward those at the top and that our political system exists to protect those unfair advantages instead of making sure everybody gets a fair shot.

They see Washington happy to let Wall Street write their own rules but unable to help students pull themselves out of debt. They see Washington working to protect big tax breaks for powerful corporations but unwilling to protect small manufacturers from getting ripped off by China's cheating. They see Washington bouncing from one manufactured fiscal crisis to the next but never addressing the real and ongoing crisis of our disappearing middle class.

The truth is, while we hear a lot about the wide distance between Democrats and Republicans, the widest and most important distance in our political system is between the content of the debate in Washington and the concerns of hard-working people in places such as Wisconsin. That distance parallels the large and growing gaps between rich and poor, between rising costs and the stagnant incomes, between our Nation and our competitors when it comes to education and innovation—and it is truly hurting people.

When my grandparents were raising me, I learned that if you worked hard and played by the rules, one can get ahead. The Wisconsinites I talked to grew up learning that very same thing. They are working as hard as ever to get ahead, but many are finding they

are hardly getting by. People are still working for that middle-class dream: a job that pays the bills, health coverage they can rely on, a home they can call their own, a chance to save for their kids' college education, and a secure retirement. But, instead, too many are finding that even two jobs are not enough to make ends meet, and those jobs are hard to find and hard to keep. They are finding the homes they worked so hard to own are not even worth what still remains on their mortgage. They are finding that the cost of college is going up, and they are worried they might never be able to retire comfortably.

That is the biggest gap of all, the gap between the economic security Wisconsinites worked so hard to achieve and the economic uncertainty they are asked to settle for.

If we cannot close that gap, we might someday talk about the middle class as something we used to have, not something each generation can aspire to. We all get it. We all see this happening. While Wisconsinites do not agree about what we should do, they want to see us working together to find a solution, even if it takes some spirited debate.

But when they look across that yawning divide to Washington, they see us advancing talking points and playing politics instead of putting our varying experiences and talents to work solving these problems.

But I am optimistic. I did not run for the Senate just because I agree with those complaints. I ran for the Senate because I think we can do better. I know I have a great example to follow in the people of Wisconsin. These are particularly tough times for my State. Even as the National economy is rebounding, businesses in Wisconsin and middle-class families in my State remain stuck in neutral.

The manufacturing sector that sustained our prosperity for generations has taken a lot of hits—some that could have been prevented and others that are simply a factor of our changing economy and our changing world. But we do not see Wisconsin workers and business owners wallowing in crisis or looking for someone to blame. Our State motto is one word, "Forward." That is the only thing we know.

In the short time I have been here, I have made it my mission to fight to make sure Wisconsinites have the tools and skills they need to succeed in a "Made in Wisconsin" economy that revitalizes our manufacturing sector and rebuilds our prosperity—and this means respecting our labor.

It means investing in regional hubs of collaborative research and development, supporting the technical colleges that are working to provide a skilled workforce, and encouraging public and private partnerships to revitalize our manufacturing sector. But it all relies on the talent of individuals who are

working hard to help our communities move forward.

Years ago John Miller, a disabled Marine Corps veteran who lives near Milwaukee, invented a new kind of motorcycle windshield that uses LED lights embedded in acrylic. For years he has been working hard to find investors to bring his idea to market. He has been testing different acrylics, showing off his work at trade shows, and spending months trying to get approvals from the Department of Transportation. Investors are lining up at John's door. Harley-Davidson even wanted to buy his patent. But he doesn't just want to make a profit, he wants to make a difference. He is holding out until he knows that everything in his product will be made and manufactured in the United States—hopefully by other disabled veterans, who often have a hard time finding work when they come home.

Wisconsin is full of John Millers—ordinary people with ingenuity, determination, and civic spirit to become not just successful but engines of economic opportunity for their whole communities, committed to the common good.

I am so proud of all the remarkable potential I have seen in Wisconsin: the Global Water Center in Milwaukee, which will open this summer as an incubator for water technology businesses; the partnership of Johnson Controls and UW-Milwaukee for the Innovation Campus research park in Wauwatosa; the advances in energy-efficiency technology being realized at Orion Energy Systems in Manitowoc, WI; the work on sustainable biofuels at the Great Lakes Bioenergy Research Center in Madison; and small business incubators at technical colleges across our State helping to build the dreams of entrepreneurs.

These stories of innovation and cooperation and these exciting opportunities to build an economy made to last are happening all over our country.

I am going to let people in on a little secret. We here in the Senate can be innovative too. We can cooperate. We can get excited by these opportunities. It is true of Democrats and Republicans alike because none of us came here just to audition for cable news or to win our next election before the bumper stickers from the last one even come off the cars.

I have already had the great joy of working with colleagues from both parties, and I know neither party has a monopoly on compassion or common sense. There is nothing liberal or conservative about wanting to help our manufacturers compete and win on the world stage. There is not a Senator in this body whose heart has not broken when listening to a constituent who cannot seem to get ahead. We cannot fix all of those gaps in our economy with one bill. Not even "Fighting Bob"

La Follette could close that divide in our political system with one speech.

I am using this speech, my first here on the Senate floor, to say that I am ready to work hard and work with anyone to make progress on these challenges and help move this great country forward.

I yield the floor.

Ms. STABENOW. Mr. President, before the Senator from Wisconsin leaves the floor, I would like to indicate how thrilled I am to have another Great Lakes Senator with us in the Senate. Senator BALDWIN is an invaluable member of the Budget Committee. She is fighting hard for Wisconsin agriculture. Now that we are in the middle of the efforts on the farm bill, I know she is deeply involved and concerned about our men and women who provide the food we put on our tables every day.

We thank the Senator for her leadership. We are so pleased to have Senator BALDWIN in the Senate.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 960

Mr. INHOFE. Madam President, I ask unanimous consent to set aside the pending amendment and call up Senate amendment No. 960 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for himself and Mr. GRAHAM, proposes an amendment numbered 960.

The amendment is as follows:

(Purpose: To repeal the nutrition entitlement programs and establish a nutrition assistance block grant program)

On page 351, between lines 12 and 13, insert the following:

PART I—REAUTHORIZATION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

On page 390, between line 17 and 18, insert the following:

PART II—NUTRITION ASSISTANCE BLOCK GRANT PROGRAM

SEC. 4001A. NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2015 through 2022, the Secretary shall establish a nutrition assistance block grant program under which the Secretary shall make annual grants to each participating State that establishes a nutrition assistance program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State nutrition assistance program includes—

- (1) work requirements;
- (2) mandatory drug testing;
- (3) verification of citizenship or proof of lawful permanent residency of the United States; and
- (4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2013.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

- (1) the amount made available under section 4002A for the applicable fiscal year; and
- (2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by such section)) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the nutrition assistance program of the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the nutrition assistance program of the State; and

(D) general statistics about participation in the nutrition assistance program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

- (i) the results of the audit; and
- (ii) the manner in which the State will carry out the supplemental nutrition assistance program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide nutrition assistance to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 4002A. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this part—

- (1) for fiscal year 2015, \$45,500,000,000;
- (2) for fiscal year 2016, \$46,600,000,000;
- (3) for fiscal year 2017, \$47,800,000,000;
- (4) for fiscal year 2018, \$49,000,000,000;
- (5) for fiscal year 2019, \$50,200,000,000;
- (6) for fiscal year 2020, \$51,500,000,000;
- (7) for fiscal year 2021, \$52,800,000,000; and
- (8) for fiscal year 2022, \$54,100,000,000.

(b) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (5) through (10) and inserting the following:

“(5) with respect to fiscal year 2016, for the discretionary category, \$1,131,500,000,000 in new budget authority;

“(6) with respect to fiscal year 2017, for the discretionary category, \$1,178,800,000,000 in new budget authority;

“(7) with respect to fiscal year 2018, for the discretionary category, \$1,205,000,000,000 in new budget authority;

“(8) with respect to fiscal year 2019, for the discretionary category, \$1,232,200,000,000 in new budget authority;

“(9) with respect to fiscal year 2020, for the discretionary category, \$1,259,500,000,000 in new budget authority; and

“(10) with respect to fiscal year 2021, for the discretionary category, \$1,286,800,000,000 in new budget authority.”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901A) is amended—

(A) by striking the matter preceding paragraph (1) and inserting the following: “Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:”;

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking “paragraph (3)” and inserting “paragraph (1)”;

(E) in paragraph (3), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(F) in paragraph (4), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(G) in paragraph (5), as redesignated—

(i) by striking “paragraph (5)” each place it appears and inserting “paragraph (3)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(H) in paragraph (6), as redesignated—

(i) by striking “paragraph (4)” and inserting “paragraph (2)”;

(ii) by striking “paragraphs (5) and (6)” and inserting “paragraphs (3) and (4)”;

(I) in paragraph (7), as redesignated—

(i) by striking “paragraph (8)” and inserting “paragraph (6)”;

(ii) by striking “paragraph (9)” and inserting “paragraph (7)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)””; and (J) in paragraph (9), as redesignated, by striking “paragraph (4)” and inserting “paragraph (2)”.

SEC. 4003A. REPEALS.

(a) IN GENERAL.—Effective September 30, 2014, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) REPEAL OF MANDATORY FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective September 30, 2014, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) DIRECT SPENDING.—Effective September 30, 2014, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding “and” at the end;

(B) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) ENTITLEMENT AUTHORITY.—Effective September 30, 2014, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking “means—” and all that follows through “the authority to make” and inserting “means the authority to make”;

(B) by striking “; and” and inserting a period; and

(C) by striking subparagraph (B).

(c) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the nutrition assistance block grant program under this part.

SEC. 4004A. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2014, no benefits shall be provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

Ms. STABENOW. Madam President, I say to my distinguished colleague from Oklahoma, if I might ask, before he proceeds on his amendment, if I could enter a unanimous consent about the vote.

Mr. INHOFE. I have no objection.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that at 12 noon today, the Senate proceed to vote in relation to the Inhofe amendment No. 960; that the time until noon be equally divided between Senators INHOFE and STABENOW or their designees; further, that no second-degree amendment be in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I thank the gentlelady. We will be prepared to vote on the amendment at noon today.

I find it kind of interesting that when I go back to Oklahoma—I know this is offensive to some people—I am back where normal people are. I was giving a speech, I say to the gentlelady who is managing this bill. Ironically, it was Duncan, OK, where they had the first hydraulic fracturing in 1949. I was there talking to them, and this was Democrats and Republicans. When they asked about the farm bill, I said: What farm bill, because 80 percent of the farm bill is not a farm bill, it is a welfare bill. We are talking about the food stamp program.

This is a shocker to people. They don't understand this. Why would they call this a farm bill if 80 percent of it is talking about the food stamp program? It is now at \$800 billion over 10 years. In the first 5 years, enrollment in the food stamp program has grown by 70 percent. It has gone from 28 million families to 47 million families, and that is almost doubling in a period of 4 years. I don't say this critically. There are some people who are very liberal and feel government should have a greater involvement in our lives, and certainly that is what this system is all about. We sort of weigh these things and see. I cannot think of anyone who could rationally say that this program of food stamps could justify being increased by 100 percent in a period of 4 years.

It reminds me of a time many years ago when most of us had gone through elementary school. At that time we heard about Alexis De Tocqueville, a guy who came to this country. He looked at the wealth of America, and in the last paragraph of the last chapter of his book, he says: Once the people of this country finally vote themselves money out of the public trust, the system will fail. What he talked about there is that it gets to the point where 50 percent of the people are on the receiving end of government. I know we all remember that, and maybe a lot of people think that times have changed, but we have to stop somewhere.

I think this amendment is the most important amendment on the farm bill because it actually turns this into a farm bill. I would think that people who are as concerned with agriculture as I am—my State of Oklahoma is a big agriculture State, and I am very concerned about agriculture. I cannot find anyone in my State who says this should be part of a program that would be a charity bill and could be voted on on its own merits and not thrown in with the farm bill.

So over the same time period in the last 4 years, this has grown. It has increased by 100 percent. The cost has gone from \$37 billion to \$75 billion. That is a 100-percent increase in one program.

Enrollment in the program has even increased as the employment rate has

declined. In 2010, when the average unemployment rate was 9.6 percent across the country, enrollment was 40.3 million people or families. In 2012, when the unemployment rate was 8 percent, which is 1.5 percent lower than it was in 2010, enrollment had increased to 46 million people. Unfortunately, as the farm bill is written, it only makes a 4-percent cut in the program over 10 years, which is a cut of less than 0.5 percent. I think those who say: Wait a minute, we are cutting that program—when it is cut by 0.5 percent, that is not really a cut.

The amendment is very straightforward and very simple. It converts the program into a block grant so that the States will have all the authority they need to ensure the program prevents the impoverished from going hungry. The funding provided is sufficient to provide benefits to the same number of participants as were enrolled in the mid-2000s. Money would be divided among the States proportionately based on the number of individuals who are living below the Federal poverty line. It would have to be fair. It is not going to go according to population, it is not going to go according to size or wealth, but to those who are living below the poverty line.

The new program would give States the ability to keep the money they received for 5 years so they can build flexibility into their programs which will allow their programs to shrink and grow as the economy changes. After 5 years, any unused money would return to the Treasury for deficit reduction.

While the amendment is careful to give States maximum control over the design and implementation of their own programs—which is what we want to happen—it does require them to include work requirements, mandatory drug testing, and verification of citizenship prior to qualifying anyone to participate in the program.

If we go out in the street in any of the towns of any of the States in this country and ask people if it is unreasonable to require people to have work requirements—certainly the last time when President Clinton was in office, we enacted some major reforms that included work requirements, and most of the Democrats were very supportive of that. Certainly people should not be concerned about mandatory drug testing and verification of citizenship. The citizenship issue is something we hear quite often. Further, States would not be allowed to authorize users to purchase alcohol, tobacco, dog food, and items like that.

In total, I expect this amendment to save some \$300 billion over 10 years relative to the current funding baseline.

I feel very strongly about this. This is one of those issues people are talking about all over the country. I know when my wife comes back and she talks about how people who are perfectly capable of working are buying

items such as beer, among other things, with their food stamps—this is something that offends Democrats, Republicans, liberals, and conservatives alike throughout America.

That amendment is going to come up at noon, 15 minutes from now, and I encourage my colleagues to vote for this amendment and turn the farm bill into a farm bill instead of a charity bill.

If no one else wants to speak, I would like to make one comment about what happened in Oklahoma.

I came back yesterday from my State of Oklahoma. We have all seen on the media the disaster and the heart-wrenching things happening in Moore, OK. I remember so well that 14 years ago, in 1999, another tornado came through. If we look at it, it was on the same path as this tornado which came through 2 days ago, and it was just about the same devastation. I stood there and recalled what I saw in 1999. It breaks my heart when we see these people. They were trying to match missing parents with missing kids. Think about that.

We had two schools. When we looked at the rubbish, we felt that all the kids could have been killed in there. It was hard to imagine that anyone could have survived. Yet some did survive.

The early reports of the deaths were a lot higher, and the deaths are very important, but that is not the only thing. There are people in the hospitals right now who are trying—one of the hospitals had to evacuate every bed in that hospital when they saw it coming, and it is a miracle that not one person—not one of the people who was in that hospital—was killed. No one can understand how that could have happened.

We watched this going on and we saw parents—I have 20 kids and grandkids and I can't imagine what it would be like to go through something like that. I have to say the Federal Government, the State government, the county government, the city of Oklahoma City, the city of Moore, and all the private sector have joined in together. I have never seen any effort, including the 1999 effort, that drew people together the way this has. We have seen companies represented by people who are builders and developers who have heavy equipment and trucks and things such as that and they are donating them to this cause to help these people.

I want everyone to pray for these people, for the families, and for us to pull together and make this thing survivable. I know Oklahoma is in the tornado belt. Everybody reminds me of that all the time, and it is true. I remember being closely involved, either at the time of or right after, in almost every tornado in the last 25 or 30 years. A little town called Picher, OK, had a tiny tornado, but it wiped out everything. That is the thing that is characteristic about tornadoes: No one sur-

vived, with one exception. They are now talking about accelerating the number of safe rooms and tornado shelters.

This is a program that started in 1999, and I can't tell my colleagues—we are trying to evaluate right now how many more people in Oklahoma are alive today because they were taking advantage of that program and I am sure many more will as well.

I know others wish to speak on this bill, but I want to say that we in Oklahoma appreciate the love and the help on all government levels as well as the private sector levels and ask sincerely for the prayers of everyone within earshot.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, before speaking on the amendment, I wish to share—and I know everyone in the Senate wishes to share—their thoughts and prayers with the people of Oklahoma.

As the distinguished Senator from Oklahoma knows, I have a strong connection with Oklahoma. My mom grew up on a farm picking cotton in Oklahoma, and we have talked before about my grandparents, until they passed away, being there. It was a wonderful trip for my family to go to Ponca City, OK, in later years to my grandparents to visit every summer. I will never forget that in the backyard my grandparents had a tornado shelter, basically. It was on a little mound of dirt. We opened the door and it was just like Dorothy and the Wizard of Oz, opening the door and going down into the cellar. A couple of times in the middle of the night we had to get up and go use the cellar, and I know how frightening it was for me as a child to experience that.

I know the storms have gotten more and more intense with more and more devastation. We all hope for the very best in the recovery for all the families involved.

Mr. INHOFE. Madam President, if I could quickly respond, I recall the Senator from Michigan speaking about her family background in Oklahoma. The only thing I disagree with is we have always had these. Statistics show they are not any more intense; they are not showing that they are getting more intense, and worse, they are just bad. The storm shelters the Senator from Michigan is speaking about, you drive through Oklahoma in the rural areas, everybody has them. We have dug them, because we have been using them for many years.

The major difference here is in the major cities; they don't have them as we do. I would say 95 percent of people in the rural areas have them, but in the city, maybe half of 1 percent, so that will be getting some attention from us.

I thank the Senator from Michigan for her thoughts.

Ms. STABENOW. I thank the Senator from Oklahoma.

Madam President, I rise in opposition to the amendment. I appreciate the concerns raised by the Senator, but I rise in strong opposition to block granting and cutting the food assistance program called SNAP, the Supplemental Nutrition Assistance Program, for our country.

I have always viewed, as chair of the Agriculture Committee, two programs very similarly. The first is crop insurance, which is there when there is a disaster for a farmer. The second one is SNAP or the Supplemental Food Assistance Program, which is there when there is a disaster for a family. They both go up when the disasters go up, and they go down when things get better. So when we have droughts, when we have what has been happening to our farmers over the last year and before, we see costs go up for crop insurance. We don't cap that arbitrarily saying, We don't like these droughts, we don't like these breezes, we don't like all this stuff, so even though it is real important to the farmers, we are going to cap how much we will help them. The crop insurance is there.

The same thing is true for a family. It wasn't that long ago—in fact, the beginning of 2009—when we in Michigan had the highest unemployment rate in the country. I believe it hit 15.7 percent unemployment at that time. We had an awful lot of people at that time—and many who have continued although things are getting a lot better—who have paid taxes all of their lives; never thought in their wildest dreams they would ever need help putting food on the table for their families, but they did. It was temporary. The average length of time someone needs help is 10 months. But I consider that to be a point of pride for our country, that we have a value system which says we are going to make sure when families are hit with hard times through no fault of their own, they are not going to starve; they are going to be able to put food on the table for their children. I think that is the best about us.

Now that things are getting better and the unemployment rate is coming down, the cost of these programs is coming down. Our farm bill shows a cut in spending not because we have decided we are only going to help some people and not other people—some children, not other children—but because people are going back to work. They didn't need the help anymore, so we are seeing those lines go down. By the way, as crop insurance goes up because disasters and weather events have gone up, we are seeing family disasters going down, which is where we want it to go.

Unfortunately, this amendment would cap the amount of help we would

give on supplemental nutrition. It would cap it for 2014 at just over half of the current levels, so we would say we don't care how many families have a problem, we don't care what happens; we don't care what happens because of weather that wipes out a business and suddenly folks who have worked hard all of their lives find they need some help they never thought they would need. This would arbitrarily cap at just over half the current levels needed to maintain the current help. It would mean absolutely devastating results for millions of families who are trying to feed their children.

If we consider the fact that about 47 percent of those who get help right now are children—almost half of the food help in this country is for children—and then we add to that another 17 percent for senior citizens and the disabled, and we put that together, we find this amendment would be insufficient to even cover those individuals, let alone the other 37 percent of men and women who get help right now. Unfortunately, block granting this program would not only—and capping it and cutting it—would not only hurt families who are counting on us for temporary help but it would create a situation where we couldn't respond during an economic recession as we can right now.

Again, crop insurance means we respond. When there is a disaster, costs and spending go up. I support that. But in this area, if we are capping and block granting and sending it back to the States, there would be no ability to be able to do that.

The other thing that I think is absolutely true for many of our States—and certainly, unfortunately, I regret to say, in my own State right now; it is a fact—is that by block granting and not requiring that the dollars be used for food assistance for families, there is no guarantee it will go to food assistance. None. When we look at the pressures on budgets and other areas for critical needs or things people feel are important, we have absolutely no guarantee that this would go to food for families.

We have a very efficient program right now. It has one of the best error rates of any Federal program right now—maybe the lowest—and we are able to efficiently support families and do it in a way that guarantees they actually get the nutritious food they need.

I am deeply concerned about the amendment. I do not support it. I think it takes us in exactly the wrong direction as a country. It leaves a whole lot of families high and dry in an economic disaster, or any kind of disaster that could occur for them. At their most vulnerable point, when they are trying to figure out what to do to get back on their feet, we create a situation where they don't even have enough food for their families to be able to feed them during their economic crisis.

I strongly urge colleagues to vote no on the amendment.

Mr. INHOFE. Madam President, would the Senator yield for a question?

Ms. STABENOW. I would be happy to.

Mr. INHOFE. In listening to the comments of the Senator from Michigan in opposition to this amendment, this occurred to me: Does the Senator from Michigan see that there is anything wrong with the fact that this program has increased by 100 percent in the last 4 years? And, secondly, does the Senator from Michigan see nothing objectionable about projecting this for another 4 years to be another 100-percent increase in costs?

Ms. STABENOW. First, to my friend from Oklahoma, I would say the budget office has indicated it will not only not go up another 100 percent, it is going down. So they have projected about an \$11.5 billion reduction which we have put into our farm bill. It is going down because the economy is getting better.

We know that with food assistance, as the unemployment rate goes up, one of the lagging indicators, the things that aren't affected as quickly in coming down, is food assistance for families. So it is now coming down. In my judgment, it is coming down the way it should come down, which is the fact that people are going back to work; that is why it is coming down.

Again, to arbitrarily cap something as basic as food going on the table for a family is something that I, with all due respect, can't support.

Mr. INHOFE. Madam President, if I may ask my colleague one last question. The Senator from Michigan believes it is going to be going down, but it did not go down when the unemployment rate went down between the 2 years of 2010 and 2011. What would be different about this time?

Ms. STABENOW. Here is what we are finding—and it is not my belief, it is the CBO scoring. The Congressional Budget Office, which we rely on, provides objective scoring—not my judgment—and it is telling us it is going down. The Senator is correct that it is slow to go down. As unemployment goes down, it takes a little longer before food help goes down, because we provide some help to people as they are getting back to work even if they are not at full speed back to work. So it does go down more slowly, but they have adjusted it over the next 10 years showing that, in fact, the spending on food assistance is going down because the economy is getting better. That comes from the CBO and is built into the dollars we have in the bill.

Mr. INHOFE. One last question. Even though I disagree with the answer of the Senator from Michigan for the second question, the first question is whether the Senator from Michigan finds it objectionable that it increased by 100 percent over the past 4 years from 2010?

Ms. STABENOW. What I find objectionable is so many people lost their jobs. The reason it went up is because people were out of work. So I find that objectionable because a lot of those folks were in my State.

I have worked very hard to do everything I can to support the private sector, and the good news is that manufacturing is coming back and agriculture is strong and moving forward. So in my judgment, yes, I find it very concerning that more people needed help putting food on their table. The good news is that less of them are going to in the next decade, and that is because people are going to be getting back to work.

I believe our time has expired. I don't know if we have others who wish to speak at this point.

Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 60, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—36

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Rubio
Burr	Heller	Scott
Coats	Inhofe	Sessions
Coburn	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NAYS—60

Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Hagan	Nelson
Bennet	Harkin	Portman
Blumenthal	Heinrich	Pryor
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Hoeben	Roberts
Cardin	Isakson	Sanders
Carper	Johnson (SD)	Schatz
Casey	Kaine	Schumer
Chambliss	King	Shaheen
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NOT VOTING—4

Lautenberg Murray
Menendez Rockefeller

The amendment (No. 960) was rejected.

Mr. REID. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. KLOBUCHAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 992 AND 1056

Ms. STABENOW. I ask unanimous consent that the following amendments be considered and agreed to: Franken amendment No. 992 and Vitter amendment No. 1056.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 992

(Purpose: To provide access to grocery delivery for homebound seniors and individuals with disabilities eligible for supplemental nutrition assistance benefits)

On page 351, between lines 12 and 13, insert the following:

SEC. 4001. ACCESS TO GROCERY DELIVERY FOR HOMEBOUND SENIORS AND INDIVIDUALS WITH DISABILITIES ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS.

(a) IN GENERAL.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (4) the following:

“(5) a public or private nonprofit food purchasing and delivery service that—

“(A) purchases food for, and delivers the food to, individuals who are—

“(i) unable to shop for food; and

“(ii)(I) not less than 60 years of age; or

“(II) individuals with disabilities;

“(B) clearly notifies the participating household at the time the household places a food order—

“(i) of any delivery fee associated with the food purchase and delivery provided to the household by the service; and

“(ii) that a delivery fee cannot be paid with benefits provided under the supplemental nutrition assistance program; and

“(C) sells food purchased for the household at the price paid by the service for the food without any additional cost markup.”

(b) ISSUANCE OF REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations that—

(1) establish criteria to identify a food purchasing and delivery service described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)); and

(2) establish procedures to ensure that the service—

(A) does not charge more for a food item than the price paid by the service for the food item;

(B) offers food delivery service at no or low cost to households under that Act;

(C) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of that Act (7 U.S.C. 2012);

(D) limits the purchase of food, and the delivery of the food, to households eligible to receive services described in section 3(p)(5) of that Act (as added by subsection (a)(3));

(E) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under that Act; and

(F) such other requirements as the Secretary considers appropriate.

(c) LIMITATION.—Before the issuance of regulations under subsection (b), the Secretary may not approve more than 20 food purchasing and delivery services described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)) to participate as retail food stores under the supplemental nutrition assistance program.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the date that is 30 days after the date of the enactment of this Act.

AMENDMENT NO. 1056

(Purpose: To end food stamp eligibility for convicted violent rapists, pedophiles, and murderers)

At the end of subtitle A of title IV, insert the following:

SEC. 4019. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) (as amended by section 4004) is amended by adding at the end the following:

“(s) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

“(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if the individual is convicted of—

“(A) aggravated sexual abuse under section 2241 of title 18, United States Code;

“(B) murder under section 1111 of title 18, United States Code;

“(C) an offense under chapter 110 of title 18, United States Code;

“(D) a Federal or State offense involving sexual assault, as defined in 4002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

“(E) an offense under State law determined by the Attorney General to be substantially similar to an offense described in subparagraph (A), (B), or (C).

“(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.

“(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act, during the application process, to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).”

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. KAINE. Madam President, I rise to speak briefly about the Senate budg-

et. At the close of my comments, I will make yet another motion to put the Senate budget into conference with the House.

As we all know, we were here until 5 a.m. on March 23 to pass the first Senate budget through regular budgetary order in 4 years. It was a full, open process both in committee, with numerous amendments, and then on the Senate floor, with over 100 amendments voted on and over 70 passed.

It is now past time, many days past time, for us to begin a budget conference process. This will enable the Senate to return to normal budgetary order, and it is what our voters, both Democratic and Republican, in all of our States expect us to do to have a meaningful conference about this budget with the House.

Good news. We are seeing some recent examples of normal compromise in this body that I think is worthy of some attention: the appropriations bill we passed through a regular order process for the remainder of 2013 in March; the marketplace fairness bill we passed, the problem that had been searching for a solution for 15 to 20 years; the WRDA bill we passed last week; and the debates we are having about the farm bill today. All have involved significant open processes in a committee, significant open processes on the Senate floor. The Senate action then moves in a regular order action into discussion with the House.

I think it is up to this body to show the public we don't just embrace regular order and normal processes on these important issues, but that we also embrace them on something as critically important as the Federal budget.

For that reason, I would ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order: motion to instruct relative to the debt limit and motion to instruct relative to taxes/revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to those motions; further, that no amendments be in order to either of the motions prior to the votes; and all of the above occurring with no intervening action or debate.

I make that motion.

The PRESIDING OFFICER. Is there objection by the Senator from Florida?

Mr. RUBIO. Madam President, reserving the right to object, I would ask the Senator from Virginia if he would consider adding—I would ask consent that the Senator modify his request that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The reason I make that is as follows: First of all, I do respect regular order tremendously. In fact, I want to take this brief opportunity to congratulate the Judiciary Committee on the lengthy process with regard to the immigration bill, which I think will help us in the process of having a better product.

Obviously, also, although we disagree with the outcome because of the way it was constructed, I also disagree with the way this budget is constructed. This issue of the debt limit is an extraordinary measure. That is why I would ask the Senator from Virginia to modify his request.

The PRESIDING OFFICER. Does the Senator still modify his request?

Mr. KAINE. I do not agree to the modification because I think that would be modifying the budget that was passed by this body on March 23.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. RUBIO. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise again in regret. The normal regular order of this body after both sides of the Capitol have agreed on a budget is to meet and that we have a proper process to instruct conferees to have a budget. A motion to appoint conferees to be bound by a requirement, no matter how worthy it is, is not the way the regular order functions in this body, and that is a fact.

For 4 years I sat here and beat up on the majority leader for his failure to bring a budget to the floor of this Senate. We brought a budget to the floor. We spent many hours on all kinds of amendments, and now we can't go to conference unless we agree not to raise the debt limit.

Does my colleague from Florida believe the House of Representatives, dominated by Republicans, is going to raise the debt limit? Does my colleague from Florida believe any conferees who are appointed, where we have to place certain restrictions on those conferees, that would apply to the other body as well? I don't think so.

I don't think that is the way this body is supposed to function. We are in a gridlock. Here we are, 4 years without a budget. We finally get a budget, we stay up all night, and because somebody doesn't want to raise the debt

limit we are not going to go to conference. That is not how this body should function.

The American people deserve better. They deserve a budget. Every family in America has to live on a budget. Here we are objecting because there is a concern about raising the debt limit.

All I can say to my friend from Florida is that the American people don't like it, and I don't like it. Most of his colleagues and the Republicans in this Senate don't like it that we are blocking budget conferees from going forward and doing what conferees are supposed to do. I would imagine the majority leader will continue to raise this motion to move forward.

By the way, it is the regular order to have motions to instruct the conferees. A motion to instruct the conferees on the debt limit should be in order. A motion to instruct relative to taxes and revenue should be in order. That is the regular order to do it. It is not the regular order to demand certain conditions on the conferees. We instruct the conferees.

The conferees are appointed by both the majority and Republican leader, and we place our confidence in those conferees to reflect the will of the majority.

I have to say I am disappointed in the Senator from Florida, in his objection and his demand that we do something that is not in the regular order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, thank you. To the Senator from Arizona, for whom I have great respect, I would point out two things: The first is in his argument when stating the issue of the debt limit is a nonissue. Hence, I don't understand the objection to having language in this motion that says there will not be a raising of the debt limit. There should be a discussion of the debt limit in the context of the broader issues this country is facing. As a result, I don't understand why we can't just put it in that we are not going to raise the debt limit.

I would also further say that I do respect this institution tremendously, and I do believe in regular order to the extent that we are talking about procedure. The problem is that the regular order of Washington has given us a \$17 trillion debt. In fact, that is one of the reasons I ran for the Senate. I would submit to you, with all due respect to all of my colleagues who serve here, I don't think we can run up a \$17 trillion debt without some bipartisan cooperation.

To some extent what I am concerned about is the regular order of doing things in this city, where the debt limit has been raised consistently without any conversation about the fact that this government borrows 40 cents out of every dollar it spends.

Never in the history of this country and of this Republic has a generation of leadership robbed a future generation like this generation of leadership has done.

That is my concern. My concern is that I do not have trust in Washington, DC. I do not have trust—I don't care who is in charge—that we will not recklessly, once again, raise the debt limit of the greatest country on Earth without any consideration for limiting the way we spend money in the future so that we do not bankrupt this extraordinary Nation, and the implications that could have on our children.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I will yield to the Senator from Tennessee in just 1 second.

The Senator from Florida is saying, if he has an issue he feels strongly about, then that has to be included in any conference that is convened over any bill that is passed by the Senate, the House, and goes to conference. That is not a precedent I believe should be established in the Senate.

I think I share the concern of the Senator from Florida about the debt and the deficit. I will match my record against anybody's as far as trying to eliminate the debt and the deficit, including that of the Senator from Florida.

We are about to establish a precedent that if any conferees are appointed on bills that are passed by the House and the Senate, that we are free then to put certain restrictions on those conferees. If the Senator from Florida believes that is the right way this body should function, then I would suggest to him that most people would disagree with this kind of violation of the regular order.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I am reluctant to break up this conversation among my fellow Republican Senators because they seem to be at odds, but I do want to remind all of the Senators—and I think the Senator from Arizona has alluded to this—we were slapped around unmercifully for not passing a Senate budget resolution.

Mr. MCCAIN. And deservedly so.

Mr. DURBIN. I expected that. I would say to the Senator from Arizona there were answers, and I thought good answers, but not good enough. We passed a budget resolution. The Senator was here. It passed by one vote. We stayed until early in the morning hours to get it done.

Senator PATTY MURRAY did a masterful job in putting this together. Of course, our passing the resolution is only half of the story. The way this is supposed to work is the so-called regular order, if it differs between the Senate and the House, is we come together in a conference to work out the differences. How long have we been trying—how many weeks have we been trying?

Mr. REID. Sixty-one days.

Mr. DURBIN. Sixty-one days we have been begging the Republicans—we have been begging the Republicans, not all of them, to give us an opportunity to go to conference and work out our differences, if we can.

That is the regular order. And each time we have asked, as Senator KAINE of Virginia did this morning, there has been a condition to it: No, you can't sit down to try to work out your differences unless you agree ahead of time to take certain things off the table. That is not reasonable. It is not reasonable if you are serious about the deficit, if you are serious about the debt of the United States.

I could dream up a half dozen things. All right, I won't allow us to go to conference if it in any way is going to touch Social Security benefits. All right? I think I would need a lot of support for that, and we wouldn't go to conference. But at the end of the day, if we are serious about the deficit, we are supposed to sit down and work out our differences, House and Senate, Democrats and Republicans. When Senator KAINE makes this unanimous consent request to go to a conference committee, he is asking for the regular order of business around here.

Mr. CRUZ. Will the Senator yield for a question?

Mr. MCCAIN. May I ask my friend from Illinois, isn't that what the regular order is, that makes it perfectly applicable, if we instruct the conferees, which is what we are asking for in this unanimous consent agreement?

Mr. DURBIN. Yes. The Senate majority leader is on the floor, and he has said if there is to be a motion to instruct conferees on the debt ceiling, for example, then we can have a vote on the floor of the Senate. That is the regular order.

Mr. CRUZ. Will the Senator yield for a question?

Mr. DURBIN. But to condition the granting of the unanimous consent request to go to conference on the concern du jour of whichever Senator comes to the floor is unproductive.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. DURBIN. Madam President, I haven't yielded the floor as yet, and I think the Senator from Texas had a question for me.

Mr. CRUZ. I thank my friend from Illinois, and I would ask him, if the position he is championing is the regular order, then why is it the Democrats are asking unanimous consent to set aside the regular order to go to conference?

The only reason unanimous consent is needed is because you are endeavoring to circumvent the regular order, and by doing so opening the door for a procedural trick to raise the debt ceiling with 50 votes rather than 60.

Mr. DURBIN. I just checked with the majority leader to make sure my mem-

ory is correct. The Senator from Texas will learn that when we go to a conference committee, we are subjected to a possibility of a filibuster. Does that ring a note of familiarity on your side of the aisle? If we are going to face a filibuster and 60 votes, it is not going to happen.

What we are trying to do is to establish ahead of time we are going to a conference. So if we go through the so-called regular order to go to conference, we will reach the same impasse with the Republicans objecting and the Republicans potentially raising the issue of a filibuster. That is why we are trying for this unanimous consent, which I would think, from the Republican side, we would have bipartisan agreement that we move to a conference committee.

Mr. CRUZ. Would the Senator yield for another question?

Mr. DURBIN. I am sorry, I am mistaken, and, thankfully, have been corrected. It is not a filibuster. It would call for using the House resolution of 50 hours of debate and another vote-arama to go through the regular order of things. It is not a filibuster. I stand corrected on that.

But the net result of it is to drag out as long, if not longer, than the earlier debate on the Senate budget resolution. That is why the unanimous consent request has been made.

Mr. CRUZ. Will the Senator yield for an additional question?

Mr. DURBIN. I am happy to yield.

Mr. CRUZ. So if I understand correctly, we are agreed now this is not the regular order. The Senate is not following the regular order that would have been taking up the House budget resolution and voting on that. That is not what is being pursued here, which is why the majority is seeking unanimous consent to set aside the rules.

But let me ask the question, if I might—

Mr. DURBIN. I yielded for a question, and I will respond. Then you may ask another, if you wish.

It is the regular order of things to ask for unanimous consent, and it is the usual and customary way the Senate works so that we don't have to repeat all over again the debate on the budget resolution to take up the House version. So it is not unusual. It is the regular order.

Mr. CRUZ. I would suggest that unanimous consent is used to circumvent the regular order—

Mr. DURBIN. No.

Mr. CRUZ. And in particular the debt ceiling was not contained in the budget, it was not debated in the budget, it is not part of the budget, and the only question here—we could have gone to conference 60 days ago if the Democrats had simply agreed not to use reconciliation as a backdoor trick to raise the debt ceiling, which has happened three times in the past. So this is not

a hypothetical risk. This is, I believe, the intention of the majority, and it is why we are objecting to raising the debt ceiling—to issuing an unlimited credit card—and digging the hole deeper without actually fixing the problem.

Mr. DURBIN. To respond to the Senator from Texas, we have been through this before. In the House of Representatives they threatened not to extend the debt ceiling of the United States and caused severe damage to our economy. Business leaders, labor leaders, families across America asked: How could the Congress do something so irresponsible as to not extend the debt ceiling of the United States? The President said he is not going to get into a political bargain over the debt ceiling of the United States. He is right. This ought to be something both parties take very seriously, as to whether we would jeopardize the full faith and credit of the United States of America, whether we—

Mr. MCCAIN. Will the Senator yield for a further question?

Mr. DURBIN. I will in one moment, as soon as I finish replying to the Senator from Texas.

So the notion this debt ceiling is something we can casually say whether it is approved and extended makes no difference—it makes a big difference. And whether it is included in this, in terms of the budget resolution, remains to be seen. But we could have a motion to instruct the conferees relative to the debt ceiling. I think that has already been discussed.

What I am saying is: Why in the world aren't we sitting at a table this day, Democrats and Republicans, House and Senate, trying to work out our differences? I think most American people would ask: Isn't that why we sent you to Washington? Yet we run into these objections to unanimous consent requests.

I yield to the Senator from Arizona for a question.

Mr. MCCAIN. Isn't it a little bizarre, this whole exercise we are going through, when some of us are asking to go to conference with a body that is dominated by the Members of our own party? We don't have, apparently, enough confidence the majority of the conference appointed by the other side of the Capitol will be a majority of Republicans and not Democrats? Isn't that a little bizarre?

And really, what we are talking about here, I will be very honest with my colleague from Illinois, is a minority within a minority. Because the majority of my colleagues in the Senate on this side of the aisle, with motions to instruct the conferees, want to move forward and appoint these conferees and do what every American family has to do in America and that is to have a budget.

Mr. DURBIN. I will yield the floor, because others wish to speak, but I will

say that at this point in time we have passed a Senate budget resolution. We were challenged by the Republicans to do it, and we did it. It wasn't easy. It was a close vote, but we did it. Now we want to move to the next logical step and sit down with the House, resolve our differences and move on so we can reduce the debt of this United States in a responsible and orderly way.

The objection on the other side of the aisle for 61 days should come to an end. I salute my friend from Arizona.

Mr. McCAIN. I would ask my friend again, basically what we are saying here on this side of the aisle is that we don't trust our colleagues on the other side of the Capitol who are, in the majority, Republicans. I guess that is the lesson that can be learned here.

But far more importantly than that—far more importantly than that—in a recent poll I saw, 16 percent of the American people approve of Congress. When I go home and have town-hall meetings and I say: You know what, my friends, we don't even have a budget. We can't even agree, Republicans and Democrats—Republicans and Republicans in this case—to have a budget, the same as every American family does. Does that contribute to the approval and the respect the people of this country have for us? The answer is obviously no.

So I urge my colleagues again, let's put some confidence in, if not the conferees appointed here, the conferees who will be appointed on the other side of the Capitol who are from our party, who are fiscal conservatives just as we are, instead of this blocking by what I assure my colleagues—all three of them here—is a minority of the minority of Republicans in the Senate who do not want to move forward with a budget that we spent so many hours and so much effort in achieving. Do not block it from going forward.

Mr. DURBIN. Madam President, I salute the Senator from Arizona for his intuitive, wise analysis of this situation. I am sorry we still have an objection from the Republican side of the aisle to go to a conference committee with Republican House Members dominating that conference on their side. Apparently, they do not have confidence those House Members can speak for them, but I think it is important we do move to this conference committee as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Madam President, I rise to associate myself briefly with the comments of both Senators McCain and Durbin. This is not primarily about the budget. This is not primarily about Senate rules. This is about compromise. In Congress, a bicameral body, the Framers established compromise was necessary to take action. Will we allow processes to go forward

so we can listen to each other, dialog, and find compromise, or will we use procedural mechanisms to block processes of dialog and compromise even from starting?

The Senate budget is a very different budget than the House budget. We are all free to have our preferred option. But the way we get to a final budget is to have Senate and House conferees sit down together, in what no doubt will be a difficult discussion, and to compare budgets and debate and dialog and find compromise.

The Senate acted on the 23rd of March by a majority vote in accord with the rules of this body to pass a Senate budget after 4 years. The effort to object to the beginning of a conference, make no mistake about it, is fundamentally an effort to block processes of compromise. In the living organism of government that was established by our Framers, compromise is the blood that keeps the organism alive. Efforts to block compromise are fundamentally efforts that are destructive of this institution.

So I stand by the motion I have made. I ask my colleagues to allow processes of compromise to go forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. Cruz. Madam President, the senior Senator from Arizona urged this body to trust the Republicans. Let me be clear: I don't trust the Republicans and I don't trust the Democrats. I think a whole lot of Americans likewise don't trust Republicans and the Democrats because it is leadership in both parties that has gotten us in this mess.

My wife and I have two little girls at home. They are 5 and 2. When Caroline was born, our national debt was \$10 trillion. Today it is nearly \$17 trillion. In her short 5 years of life, the national debt has grown by over 60 percent. What we are doing to our kids and grandkids is immoral.

I commend the Democrats in this body for their candor. The Democrats and President Obama have been very explicit. It is their intention to raise the debt ceiling, and to do so with no conditions whatsoever—to keep borrowing and borrowing and borrowing money without any structural reforms to fix the problems. That is an intellectually consistent position. I think it is a dangerous position but it is at least candid. That is the reason why every day, for 60 days, the Democrats have opposed taking the debt ceiling off the table in this discussion.

Unfortunately, one of the reasons we got into this mess is because a lot of Republicans were complicit in this spending spree. That is why so many Americans are disgusted with both sides of this body, because we need leaders on both sides to do as my friend from Virginia said, to roll up our

sleeves, to compromise and to work together and fix the problem—fix the enormous fiscal and economic problems and stop bankrupting our country.

What this issue is all about is very simple: Will we allow the debt ceiling to be raised in an unlimited amount with a 50-vote threshold? And if the answer to that is yes, we have, in effect, just voted to raise the debt ceiling because the Democrats hold a majority of this body—55 seats—and the Democrats are explicit that they want to raise the debt ceiling. If we go to conference without the debt ceiling being taken off the plate, it is a 100-percent certainty the debt ceiling will be raised. It has been done three times in recent history. Every Republican who stands against holding the line here is saying: Let's give the Democrats a blank check to borrow any money they want, with no reforms, no leadership to fix the problem. I don't think that is consistent with any of our responsibilities.

A final point. Much has been said about the budget was debated, the budget was considered, and that is surely true. But the budget contains nothing about the debt ceiling. The budget did not consider the debt ceiling. When all of us were here all night debating the budget, we didn't debate the debt ceiling. The question here is whether the majority of the Senate will be able to bootstrap the debt ceiling—a totally different issue—onto the budget. And the reason for doing it is to use a political trick. It would allow the majority to pass a debt ceiling increase on just 50 votes.

I think it would be profoundly irresponsible for this body to raise the debt ceiling without fixing the problem—without getting the economy going, without getting jobs back, and without stopping the path we are on of bankrupting this country. That is what this fight is about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. Lee. Madam President, I want to follow up on some of the comments made by my friend and colleague, the junior Senator from Virginia. I agree wholeheartedly that we need to have this debate. We need a budget. The American people want it, they deserve it, they have been without it for 4 years.

It is because we want this debate and it is because we want this issue debated in public that we have this concern. In other words, as the Senator from Texas pointed out a moment ago, there are a lot of issues that were discussed and debated and voted on when we were addressing the budget resolution a couple of months ago. We were here until 5 in the morning making sure we could get through all the amendments.

At no point during that very lengthy discussion in connection with the budget resolution did we discuss or address

or have a vote on or in any way make a decision regarding the debt ceiling. That is a separate debate, one that did not come up in connection with the budget resolution. It is a debate that needs to happen. Just as the discussion of the budget resolution needs to move forward, we do need to have a public debate and ultimately a vote with regard to the debt ceiling. The American people expect us to have this debate. They expect us to have it in the light of day and not under cover of darkness behind closed doors, resulting in one of those infamous backroom deals that have given Washington its often much-deserved bad name.

The debt ceiling was not in the bill. It was not in the budget resolution. We have not debated it. All we are asking for is that the other side agree that they will not use budget reconciliation as a mechanism for working a backroom deal to raise the debt limit. The American people expect us to debate this, not in secret but in public. That is what we are trying to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, since I raised the objection today, I wanted to close my comments by accurately describing to the people at home or in the gallery or elsewhere what is happening here. Maybe some folks are wondering what this is all about. It is pretty straightforward. In fact, for over 1,000 days the Senate did not pass a budget under the leadership of the current majority, and we did complain about that because that was problematic. Ultimately, this year, they finally passed a budget—one which, quite frankly, doesn't deal with our debt and doesn't help grow our economy, but they passed a budget.

The House has passed its budget. The Senate has passed a budget. The way it works is that now both sides are supposed to sit down and negotiate. What is happening is that a motion is being made to start these negotiations. Nobody here is objecting to these negotiations. That can begin today. This process they want can happen right this very moment. The only thing we are asking is that it be clear that as part of that negotiation—an increase in the debt limit not be part of it. Here is why it is so important that it not be part of it: because we have not discussed it. As the Senator from Texas pointed out, when we debated the budget we did not debate the debt limit.

Let me tell you what the debt limit is. It is the credit line of the United States. It is how much money the government is allowed to borrow. This is not a trivial matter. I heard people stand here today, my fellow Senators, and say: You can raise any objection to any issue you want to stop the whole process. This is not a trivial objection. I am not asking that key lime pie be

made the official pie of the United States or some ridiculous thing. This is the debt limit, something that has been called the single greatest national security problem facing the United States of America by a national security official.

All we are saying is that you cannot come back from that conference with an increase in the debt limit because if that happens, it will be a 51-vote majority here to do it as a matter of routine.

Frankly, the problem is that the debt limit increases have become a matter of routine, and that is how we get from \$10 trillion to \$16.5 trillion in such a short period of time.

Ultimately, you are right. We should not treat the debt limit casually. That means we should not just casually and cavalierly say we will never raise it no matter what, no matter you do, but we also should not just casually raise it as a matter of routine, and that is the fundamental problem. The impact this is having on our economy is serious.

I deeply respect this institution. One of the reasons I ran for the Senate is I thought I could make a difference because in this Senate even a minority within the minority can make a difference.

Let me tell you, one day in the future I will not serve here anymore, and someday in the future my children, who today are very young, will have to deal with the consequences of the decisions we make or fail to make in my time in the Senate. If what they inherit is an economy crippled by the horrifying decisions that have been made here now and in the past, I am going to have to answer for that. I am going to have to explain to them.

What did you do or what did you not do when you were in the Senate? How could you have allowed this debt to go forward? What did you do to do something about this debt issue?

My answer to them cannot be, well, I followed the regular order. I played along to get along. I went ahead and acquiesced to what my colleagues wanted.

That cannot be my answer. That will not be my answer.

The bottom line is that we can move to conference right now, we can begin negotiating with the House this very day. All we are asking—all we are asking is that as part of that negotiation, they cannot come back here with a debt limit as part of it. The debt limit is an important issue. It should be discussed on its own as it relates to the entire economy, not simply the 1-year budget of the United States of America. That is the basis of our objection.

If the majority would reconsider their position and come to the floor and offer the same motion but with language that clearly says it cannot include reconciliation instructions to raise the debt limit, we will be in con-

ference with the House this very day. But if they fail to do that, we cannot move forward because what we cannot do is continue to routinely raise the debt limit of this country without any serious conversation about how we are going to begin to put our fiscal House in order because the impact it is having on our economy is disastrous.

Our economy is not growing. There are people in America right now who are unemployed or underemployed because the debt is scaring people away from investing in our economy and in our future. If we do nothing about that, then, my colleagues, we will be the first generation of Americans to leave the next generation worse off. That has never happened in our history.

I hope we can come together to prevent that from happening because I think that if we do some simple but important things for our country, including bringing our debt under control, I believe that if we do that, this new century, this 21st century, can also be an American century.

My hope is that at some point today or tomorrow or the next few days we come to this floor and make a motion to go to conference with very simple and straightforward language that says the conference report cannot include reconciliation instructions to raise the debt limit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I would like to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAGEDY IN OKLAHOMA

Mr. BLUNT. Madam President, I want to talk about the tragedy this week in Oklahoma. This is the 2-year anniversary of the Joplin tornado we had 90 miles from my home, a district that I represented for a long time before I came to the Senate and still get to represent now as part of our State. But I want to be sure we take time yet again today to let people in Oklahoma know that our thoughts are with them, our prayers are with them.

First responders are continuing to search and rescue. Their recovery efforts are happening. Words clearly cannot describe the loss these communities and the community particularly of Moore, OK, have had in the last few days. I know the Nation is praying for them. I am too—for the people who lost children at the local elementary schools. The thought of sending somebody to school in the morning and them not coming home that day is a tragedy that will affect people's lives forever. The friends who are lost, the family members who are lost will always be part of the ongoing impact that they have on that family and that community.

In Joplin, MO, 2 years ago we had 161 people die. The community has come

back in incredible ways, but you never want to minimize in any way the loss of those 161 lives. Every one of them had a story to tell, just as every one of the people lost in Moore, OK, and in other places in Oklahoma in recent days has a story to tell.

It was a big storm. It affected people. Pretty quickly you figure out that while you regret the property you lost, the property you lost is not really all that important, but the lives that were lost are. In addition to the 161 people killed in Joplin, MO, on May 22, 2011, 7,000 homes were gone. I was there the next day or the day after. They were gone. It was like a nuclear blast. The pictures from Moore, OK, remind me of that. Five hundred businesses were gone.

I will say for the people in Joplin, they immediately began to think about Joplin tomorrow instead of Joplin yesterday. Two years later it is still a community dealing with loss, but it is a community that is building new schools and new businesses, and houses are under construction. I talked to someone just yesterday. Their family member was about to get into a house that Habitat helped them build.

One of the things I found out that I had never really thought about even though I had a lot of experience with storm loss—never anything like 7,000 homes at one time—the people who are the least likely to have insurance are the people who have their house paid for. In that group, they are the least likely, or the people who may have inherited the house from their parents, because there is no banker to tell them they have to have an insurance policy. Maybe it was just kind of a seamless moving back home or staying home and suddenly that house is gone.

By the way, this is something the Federal Government—really probably rightly—does not have a role in. If you do not have insurance, you made that choice not to have insurance. When we talk about Federal aid, we are almost always talking about cleaning up the streets, the water systems, the power facilities, getting the community back in order. There are some programs for public buildings that are available. It is not that we are going to go in and help you rebuild your house if you chose not to have insurance. That is not what happens.

But volunteers immediately show up. The first volunteers are your neighbors. The first responders are your neighbors. It happened this week in Oklahoma. It happened 2 years ago in Joplin. As soon as people had brushed themselves off and found their own family members, they began to look up and down the street to see whom they could help, whom they could help dig out of rubble or whom they could help secure something they were concerned about. Those are the first responders.

Then your neighbors from not too far away—in fact, Oklahoma is right on

the edge of our State. They are our neighbors. There were people from—public officials, fire and water and police from Joplin who were there within 12 hours, and they will be back when they are needed.

There is a lot to be done. The one thing I would advise people who want to know what they can personally do to help—there are places to send money, there are charities to help. They are helping. All those things are important and good. My personal advice if you want to help, if you can at all, find out before you go what it is you are going to be doing. The last thing communities in this kind of situation need is a lot of people wandering around, wondering what they can do to help. There are plenty of people wandering around already. But if you come through your church, your civic club, through some organization you have helped in the past, through Habitat for Humanity, through a group you have worked with before that does this—link up with them and go. That is probably the better thing to do.

There is a lot to be done. First responders, as I said, are your neighbors. By the way, they are also the last responders. The people still there 2 years later helping build a Habitat for Humanity house are probably at that point your neighbors. They are probably not Habitat for Humanity from 1,000 miles away. They are local people who have finally found another family who needs help, and they are helping them.

This disaster, by all recent standards, deserves Federal assistance. FEMA is there, but beyond that, the Federal assistance that we give when a disaster is too big for a community to handle on its own and too big for the community and the State they are in to handle on their own, that is where the Federal Government should step in and does and will.

There are people all over the country who want to help, but they also are going to be helping as taxpayers. It appears that the resources to do that are in the current pipeline. As I said, FEMA is there. We are going to be there, I am sure, working in this body with our colleagues, Senator COBURN and Senator INHOFE, to do our best to reach out to our fellow Americans who have a real tragedy, and that is a tragedy where all the American people can step up and help by doing what we do when these disasters strike.

Mr. FRANKEN. Mr. President, I would like to associate myself with the wise words of my colleague from Missouri, whose State has experienced so much tragedy last year much like the devastation in Oklahoma. On behalf of the State of Minnesota, our hearts and thoughts are with the people of Oklahoma.

I would also like to thank Senator BLUNT for cosponsoring an amendment

in the farm bill which will make it easier for seniors and those with disabilities to receive groceries in their homes that is delivered by volunteers. They pay for it with their SNAP dollars.

I am grateful to the whole Senate for adopting the farm bill package by unanimous consent. I am very grateful for that.

I am very pleased the Senate has taken up the farm bill, and I hope we can pass this in the Senate and the House so our Nation's farmers have the certainty they need to provide food for the rest of us.

There are so many important pieces to this bill which will be great for Minnesota and Wisconsin. For example, it contains provisions to support beginning and young farmers to help them start farming operations. I think the average age of a farmer in Minnesota is about 58. We need young and beginning farmers.

The farm bill also contains important conservation measures so farmers can better protect their land. It also contains a comprehensive energy title—that I helped to write—in order to make our agriculture sector and our Nation more energy independent.

Above all, the farm bill provides a safety net for farmers, and that safety net is the centerpiece of this bill. The reason it is there is because agriculture is inherently risky. Just last year we witnessed a historic drought which devastated the Nation's corn and soybean crops and forced ranchers to cull their livestock. Agriculture is prone to weather disruption such as drought, flood, hail, pests, disease, and global market forces which can drastically disrupt prices, and that is why the farm bill safety net is so essential and important.

The farm bill safety net provides disaster assurance for livestock producers, and it contains crop insurance so farmers have certainty over their planting decisions. It also contains a dairy program to make sure we have a healthy dairy economy in Wisconsin, Minnesota, Vermont, New York, and other States.

That is why we have the Sugar Program, to help protect our sugar growers. The program is important to Minnesota's sugar growers and to growers across the Nation. In addition to protecting farmers, these programs enhance the domestic supply of food that is so important to our Nation. Unfortunately, some of my colleagues don't support a strong farm safety net, and they have decided to go after the Sugar Program in the farm bill this year.

Let's be clear about one thing: By attacking the Sugar Program, or any other farm safety net, they are helping to send jobs overseas. Ironically, this attack comes just a week after 60 Senators supported a provision to make sure some of the funds used in water

infrastructure projects are used to purchase U.S. iron and U.S. steel. Some of the very same Senators who are fighting for a domestic steel industry are now turning their backs on our farmers by pulling the plug on our Sugar Program. I also heard some argue that we should just let the free market work.

Madam President, did you know that the government of Mexico is Mexico's biggest producer and exporter of sugar? That is not much of a free market.

Brazil, the world's largest sugarcane producer, spends billions of dollars to subsidize its Sugar Program. Let's be clear: Removing the protections we have for our domestic sugar producers will do nothing but kill an American industry and outsource jobs to our competitors.

Some have depicted the amendment of Senator SHAHEEN and TOOMEY as nothing more than a rollback of U.S. policy to the pre-2008 policy.

Let's be clear: The reason Congress modified the U.S. sugar policy in the 2008 farm bill was primarily because the provision in NAFTA, which allows subsidized Mexican sugar unfettered access to U.S. markets, kicked in in 2008. The reason the bill changed in 2008 is because the Sugar Program changed. Let's be clear: Eliminating or weakening the Sugar Program is going to kill rural jobs in America.

I urge my colleagues to stand for agriculture and American jobs. I ask that my colleagues oppose the amendment of Senator SHAHEEN and Senator TOOMEY.

I see the Senator from Illinois is here and about to join us on the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. The tragedy that hit Oklahoma earlier this week—killing innocent people and children and destroying homes, businesses, and schools—just reminds us of how vulnerable we are to the forces of nature. It wasn't the first time the wind blew in Oklahoma. In fact, that same community had been victimized by a tornado years ago.

If we go back in history to the 1920s, the State of Oklahoma faced what we have now characterized as the Dust Bowl. I didn't know much about that, but I read about it. I kind of knew it destroyed lives, farms, and many people had to pick up and leave. They moved to California and other places.

I ran across an excellent book written by a man named Tim Egan. Tim is from Seattle, WA. I don't know him personally, but Senator MURRAY and Senator CANTWELL know him. He writes for the New York Times and also writes excellent books. He wrote a book called "The Worst Hard Time," which tells the story about the Dust Bowl.

What happened, as I understand it, was there was speculation on wheat during World War I. There was a scar-

city of wheat because of the war in Europe. People in the United States saw the prices of wheat going high, so they started planting. They planted on fragile ground. As a consequence, they were churning up the ground to plant the wheat and were not mindful of some serious possibilities that the topsoil would blow away.

One thing led to another and it became a natural disaster—the Dust Bowl. As a consequence, many people left Oklahoma and many people saw their lives change forever. Tim Egan's book, "The Worst Hard Time," tells about that in detail.

As a result of that experience in the 1920s, a couple of things happened. First, we started taking conservation seriously; for example, how to conserve the topsoil of our land so it doesn't blow away. Ultimately, this gift from God is what gives us such fertile soil.

Secondly, because we know a farmer is at the mercy of nature, we started to think of ways—under President Franklin Roosevelt—to make sure the farmers could get through hard times, such as a bad year, a bad crop, or low prices.

Starting in the 1930s with the New Deal, we started dreaming up farm programs, and there were many of them. I can recall when I was elected to Congress in 1982, I represented an agricultural district. At the time I knew little or nothing about farming. I was trying to learn as fast as I could as to the options and history of these programs. I learned some things, but I am certainly not an expert.

Over the years we have tried a lot of different ways of protecting farmers from the vagaries of nature and the market. Not that long ago—10 or 15 years—we had a situation where we were seeing these natural disasters—such as floods, droughts, and disease—that claimed crops. Many of the farmers affected by those came to Congress and asked for help. We were giving them disaster payments, we called them, to get them through another year.

Well, the decision was made about 10 years ago that it would be better for us to deal with that unpredictability of nature and move away from disaster payments to a program which is known as the Crop Insurance Program. It speaks for itself. It is a program where a farmer can buy insurance and with that insurance protect that farm from a bad productive season or low prices in the market.

More and more farmers started looking for that protection, but they were not that happy with crop insurance as it was too expensive. So what we did was make a calculation that if we subsidized the crop insurance premiums and if the Federal taxpayers kept them low, more farmers would buy it and we would pay less in natural disaster payments since the insurance program would take care of that exposure.

That is basically what we decided 10 years ago, and since then there has been a decrease in the cost of premiums and an increase in farmer participation and crop insurance, which is a good thing.

I might also say that during the same period of time we had some income protection for farmers in what was known as direct support payments. Unfortunately, those payments were guaranteed even in good times, and they became indefensible. We had some farmers with record profits on their farms and still getting a direct Federal support payment check.

We have the farm bill pending on the floor. Senator STABENOW of Michigan has done a remarkable job—again, for the second time—in writing a farm bill. She wrote a farm bill last year, which we sent to the House of Representatives after we passed it with a strong bipartisan vote, and they basically ignored it. They didn't want to call it so it could be considered on the floor of the House, but they could not come up with their own farm bill.

We are hoping for a better outcome this time. Once again, Senator STABENOW sat down with the agriculture committee in the Senate and produced this farm bill which is before us.

I am here today to describe an amendment which Senator TOM COBURN of Oklahoma and I are offering. Senator COBURN, a very fiscally conservative Republican, and I have come to an agreement on an amendment which we are offering to the Senate—a Republican and a Democrat.

Here is what it comes down to: Our amendment would reduce the level of premium subsidy for crop insurance policies by 15 percentage points for farmers with an adjusted gross income of over \$750,000.

Let me explain what is behind this. Crop insurance is not a real insurance program by private sector standards. In other words, the premiums being paid by the farmers do not create a reserve large enough to cover the amounts that are paid off or paid out for losses each year, so the Federal Government makes up the difference.

Currently, on average, when it comes to crop insurance policies, the Federal taxpayers—not the farmers—pay 62 percent of the premiums and the farmers pay 38 percent, so it is a heavily subsidized program. That is understandable because we want to keep the premium costs low so there is more participation, but it is also the reality. So we are dealing with a program that is important to our farmers and important to our Nation with a heavy Federal subsidy.

Last year farmers put in \$4 billion in the purchase of crop insurance across America. The Federal taxpayers put in \$7.1 billion in subsidies to the same Crop Insurance Program. So this is not a traditional insurance program, it is

one that is heavily subsidized and heavily leveraged by the Federal Treasury.

I might also add the taxpayers are on the line for the cost of administering the program, which recently was \$1.3 billion in a year, so \$7.1 billion in premium subsidies and \$1.3 billion in administrative expenses. We are basically saying the taxpayers, by a margin of 2 to 1, are putting more money in the crop insurance program than the farmers who are protected.

Going back to the Dust Bowl story, remember that one of the things we decided to do was to protect fragile lands from wind and water and the type of erosion that reduces their value. Over the years we had these conservation programs saying to farmers, if you have a wetland or a land that is particularly fragile or vulnerable, set it aside; don't plant on it. This bill Senator STABENOW brings to the floor makes this conservation practice a condition for buying crop insurance. I think that is a good thing, and I totally support that. And, from the viewpoint of the Federal taxpayers, I don't think it is too much to ask that the farmers participating in the crop insurance program also participate in conservation practices to protect farmland across this country. That is included.

Four percent of the most profitable farmers in America account for nearly 33 percent of all the premium support by the Federal Government. In other words, there are a lot of small farmers with crop insurance who don't have much exposure, don't pay much in premiums, but there are a lot of large operations that are quite different.

This is a GAO study that was put out in March of 2012. They analyzed the crop insurance program. Interesting reading. "Savings would result from program changes and greater use of data mining." That was their conclusion, after investigating this program last year.

What they are talking about when they say "data mining" is taking a look at the farmers who are buying crop insurance. Who are these people? Well, they came up with some interesting examples, if I can find them. In the year 2010, according to the GAO, the average value of the premium subsidy received by participating farmers was \$5,339. Thirty-seven participating farmers each received more than \$500,000 in premium subsidies—that is subsidies from taxpayers—37. The participating farmer receiving the most in premium subsidies, a total of \$1.8 million in Federal subsidies for one farmer—was a farming operation organized as a corporation that insured cotton, tomatoes, and wheat across two counties in one State.

There is another one here. Another of the 37 participating farmers was an individual who insured corn, forage, potatoes, soybeans, sugar beets, and

wheat across 23 counties in 6 States for a total of \$1.6 million in taxpayer subsidies for his crop insurance. In addition, the cost of the administrative expense subsidies the government spent on behalf of this farmer—one farmer—administrative expenses: \$443,000. This is a farmer farming in 23 counties across 6 States.

The point I am trying to get to is this: When we think of farmers and the struggles they face, we shouldn't ignore the obvious. For the wealthiest 1 percent of the farmers in America, they are doing quite well. I think—and Senator COBURN agrees—the Federal subsidy in crop insurance to those farmers should be diminished some to save money for the program and to reduce the deficit. That is what our amendment is all about.

What we are suggesting, as I said at the outset, is that instead of 62 percent of the premium being paid by taxpayers for the richest farmers in America, it be 47 percent of the premium. That is still pretty generous, is it not, for someone who is getting \$1.8 million in subsidies already and \$400,000 plus in administrative expenses? We are helping that farmer in 23 counties over 6 States with over \$2 million in Federal subsidies. I think he can afford to pay a little more. That is what this amendment says.

This farm bill is a good bill. It eliminates direct payments. I salute Senator STABENOW for doing that. Eliminating direct payments made regardless of need saves about \$4.5 billion a year, \$40.8 billion over 10 years. Hats off to Senator STABENOW. She is reducing the deficit with this farm bill.

I think crop insurance is a much better safety net than direct support payments and much more defensible. But Senators who are concerned about the growth of government and its costs ignore the fact that this heavily subsidized crop insurance program cost the Federal Government more than \$14 billion last year. While this growth is mostly due to costs associated with drought, we have to find commonsense ways for savings in the program. That is why we have suggested that farmers with an adjusted gross income of over \$750,000 pay 15 percent more when it comes to their premiums for crop insurance.

Let me add something which is not a very well-kept secret: Many of these very large farming operations divide up their farms and their income between husband and wife. So when we are saying \$750,000 adjusted gross income, it is actually from a couple that is making over \$1.5 million in adjusted gross income in many instances. Our amendment says if the adjusted gross income; that is, after deducting business expenses, health care costs, and other deductions, is at \$750,000, premium support is reduced by 15 percentage points. The amendment is roughly estimated

to impact the wealthiest 1 percent of farmers. Who is going to pay this? Who is going to pay the extra premium? Twenty thousand farmers across America will pay the extra premium. I just described a couple of them. Twenty thousand out of two million. Twenty thousand. Well, what is it worth to those 20,000 farmers to pay 15 percent more? It is worth \$1 billion over ten years; \$1 billion coming into our Treasury.

When I think of the ways we are cutting spending to reduce our deficit, which include taking 70,000 children out of Head Start as an example, how can we possibly justify, for the wealthiest multimillionaire farmers in America, not asking them to pay a little more when it comes to their crop insurance premium? How can we excuse them and say, No, no, no, these very rich farmers absolutely deserve the maximum when it comes to the Federal taxpayer subsidy? I don't think that is acceptable.

The amendment may sound familiar to some of my colleagues. It was adopted before by a vote of 66 to 33 in the Senate. Of the 33 who voted against the amendment, 29 voted for a nearly identical amendment that only varied in the scope of the study. This is a study associated with our amendment.

Some may come to the floor and say that following last year's drought, we shouldn't change crop insurance at all. Last year was the worst drought in over a decade. Eighty percent of agricultural production felt it and my State of Illinois certainly did. The USDA declared 2,245 counties in 39 States disaster areas. Crop insurance worked for those covered and has allowed those producers to plant again this year without missing a beat. Our change in the law would not change that circumstance at all.

I recognize the importance of crop insurance. It is far preferable to disaster payments. But for goodness sake, if we can't say to 1 percent of farmers—the wealthiest in this country—that they are going to take a slightly diminished Federal tax subsidy for their crop insurance, then we aren't very good as budget cutters. We say to a lot of people who have a lot less to work with in life, You are going to have to face up to the reality of the deficit. Can't we say it to 1 percent of the farmers, that they are going to have to face up to the same basic reality? That is what this amendment is all about.

I asked my staff to come up with a couple of examples of farmers and the premiums they pay for the RECORD. One example: An Illinois corn and soybean grower received \$740,000 in premium subsidies to cover the crops he planted in 18 counties in Illinois. This is no small mom-and-pop farmer; this is a big operator. And while I love my Illinois farmers, I can't justify this kind of a subsidy of \$740,000 to one

farmer in my State. While his exact additional costs are impossible to calculate without knowing all the circumstances, even if he is caught by this amendment and purchased the same policy, instead of a \$740,000 taxpayer subsidy he would have a \$639,000 Federal taxpayer subsidy.

Another example: A South Dakota corn and soybean farmer received \$1.4 million in premium subsidies to cover crops in eight different counties; \$1.4 million Federal taxpayer subsidy for his crop insurance. This producer would only receive \$1.19 million in premium support under this amendment. Would he stop participating in the program? Of course not. If he is that large a producer he needs this program and the subsidy is still very generous.

This is an issue which I know is a little complex, but when I listen to the speeches on the floor about the deficit—and we have heard plenty of them today and we will hear plenty of them tomorrow—I have to ask myself, Will Senators on both sides of the aisle stand with Senator COBURN and myself and say the wealthiest 1 percent of farmers in America should have their Federal subsidy for crop insurance reduced by 15 percent? Not unreasonable. They will still make a lot of money and the taxpayers will see \$1 billion more coming into the Treasury.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

Mr. CHAMBLISS. Madam President, would the Senator allow me to propound a unanimous consent to be allowed to speak for 10 minutes as in morning business following the Senator from Connecticut?

Mr. BLUMENTHAL. I have absolutely no objection.

Mr. CHAMBLISS. I make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

SEXUAL ASSAULT IN THE MILITARY

Mr. BLUMENTHAL. Madam President, in the past couple of weeks we have seen some major encouraging efforts in the Senate to rid our military of sexual assault, to punish it more aggressively and effectively, to deter it, and to aid victims who may suffer from sexual assault—victims of both sexes who may be survivors of this spreading scourge. Last year alone, an estimated 26,000 cases of unwanted sexual contact; only about 3,300 of them reported. So the key to more effective prosecution and deterrence is more reporting as well as swifter, surer punishment and a better program within the military to deal with it.

I will be proposing over the next few weeks additional measures. I have already cosponsored the Military Justice Improvement Act, a very important measure sponsored by our colleagues Senators GILLIBRAND and COLLINS that would transfer prosecuting and charging authority from military commanders to a separate, trained, experienced cadre of prosecutors in the military.

I have also cosponsored the Combating Sexual Assault in the Military Act proposed by my colleagues Senator MURRAY and Senator AYOTTE; again, very important legislation providing special victims counseling to survivors or victims of sexual assault, and the Ruth Moore Act sponsored by my colleague Senator TESTER, that provides aid for disabled veterans who suffer from this problem.

Today I rise to praise Secretary of Defense Hagel for his decision and his leadership in avoiding furloughs of any of the civilian sexual assault prevention personnel as a result of the sequester. As we know, the sequester has caused furloughs of many civilian employees at the Department of Defense as well as some similar personnel decisions across the Federal Government. I wish to say that all of us who are advocating this cause did express appreciation to our Secretary of Defense for his leadership as well as to the military leadership at all levels for their focus on this issue. These measures are good, their intention is commendable, but it is not yet enough, as many of them would acknowledge very candidly and have done so to all of us in the Senate who are interested in this issue.

We need to hire more civilians trained and qualified to help victims, not just avoid the furloughs of the advocates and sexual assault response coordinators we have in place right now, but to hire more of them.

I raise this issue because—and here is the statistic everyone should keep in mind—the U.S. Army has hired only 80 out of the 446 whom it should have in place right now among the sexual assault prevention personnel—80 out of 446.

Let me give a little bit of the history. At the end of 2011, Congress set in Public Law 112-81 that new requirements should be expanded in the provision of victims advocates and that they either be in uniform or civilian employees who have the proper training and qualifications to perform this important service. The Army announced in June of last year—almost a year ago—that it would have 829 victims advocates. Of those, 446 would be civilians. As a result, each brigade and equivalent-sized unit would be covered by a full-time victims advocate and below that level have the role of victims advocate performed as a collateral duty.

So I was troubled to hear in April of this year, just a couple months ago,

when Secretary McHugh testified before the Senate Armed Services Committee, that the Army's Sexual Harassment/Assault Response and Prevention Program—known as SHARP—had hired only 63 of that number; in other words, 63 out of 446. I understand the most updated number is 80 out of 446.

These civilian sexual assault prevention personnel, very simply, are needed today. The military and our leadership know that this problem is a scourge that is a direct threat to the good order and discipline of our military personnel. It has confronted this problem in many commendable ways. But hiring victims advocates and sexual assault response coordinators is vital to the effort. It is vital to encouraging both men and women victims to come forward and have the courage and strength to report these incidents when they occur.

These incidents are more than just disciplinary infractions. They are vicious, predatory criminal acts. They should be punished as vicious, predatory criminal acts. Victims of them need advocates and counselors to have that strength and courage to come forward and participate in the grueling and often painful process of supporting a successful prosecution. Without successful prosecutions, there can be no punishment, and successful prosecutions require witnesses and cooperation and support from the victim.

My hope is that the Army will swiftly stand up this force, that it will do more than just avoid furloughs, that it will, in fact, recruit actively and successfully. Other branches of our military service should also be asked: How are you doing in this process? And if you are doing better, what are the keys to your success?

All across the military there must be a robust SHARP program, Sexual Harassment/Assault Response and Prevention Program. It is a mouthful. It is a long term, but it stands for a program that must be successfully and carefully built and sustained.

I will be introducing legislation tomorrow focusing on victims' rights and what can be done to bolster not only the substance of those rights but the remedies to make those rights real.

For today, I say thank you to the Secretary of Defense for the step he has taken and hope we can count on additional steps to make these rights real, to guarantee successful prosecution, to make sure our military rules and remedies against sexual assault and abuse are worthy of the greatest, strongest, best military in the world, staffed by men and women second to none in their training and dedication. The system of military justice must be worthy of their service and sacrifice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise to speak on S. 954, the legislation to reauthorize agricultural programs.

As a former chairman and ranking member of the Agriculture Committee, I recognize how difficult it is to combine all the diverse interests into a single piece of legislation that meets the needs of all crops, all regions, and all rural and urban communities the farm bill impacts.

I thank Chairwoman STABENOW and Ranking Member COCHRAN for the work they have done to craft a reform-minded bill that not only saves \$24 billion with sequestration cuts included but also provides an effective safety net for farmers and ranchers all across the country to rely on in times of need.

This bill embodies reforms, streamlining, and consolidation, and with the biggest issue facing our country today being our growing debt and deficit, I commend the members of the Agriculture Committee for stepping up and doing the work necessary to find savings. While we take these essential steps, we must also do it in an equitable and a fair manner.

Agricultural producers face a combination of challenges such as unpredictable weather, variable input costs, and market volatility that all combine to determine profit or loss in any given year. The 2008 farm bill provided a strong safety net for producers, and successor legislation must adhere to and honor the same commitment we made 5 years ago. It is also important to note that this bill must not only work to protect producers in times of need, but it must responsibly serve as the Nation's safety net for the nutritional well-being of low-income Americans.

Last year, when we went through this process, I was unable to support the bill. However, I appreciate the chairwoman and ranking member for making improvements to last year's bill. While the bill before us is not perfect, I believe everyone who is involved in agriculture understands that it addresses the needs of U.S. agriculture, which is what the policy coming out of this body should address.

While I understand there are different ideas about what safety net is best, I urge my colleagues to recognize that one program does not work for all crops. The bill before us attempts to provide producers with options to find what works best for them, and that is a step in the right direction.

A new program known as Adverse Market Protection seeks to serve the needs of those who are not protected by the Agriculture Risk Coverage—ARC—and Crop Insurance Programs. It is imperative that the farm safety net provide protection for multiyear declines, especially for southern crops such as rice and peanuts, since the protection provided by ARC and crop insurance is not sufficient.

Also, I would like to recognize that the upland cotton policies contained in the chairwoman's mark represent fundamental reform in the support provided to cotton farmers—reforms that contribute \$2.8 billion toward savings in the committee's budget target. The legislation eliminates or changes all title I programs providing direct support to those involved in cotton production and puts us down the path to resolving our WTO dispute with Brazil.

Further, I would like to express my support for a provision in this bill that ties conservation compliance to crop insurance. My amendment last year on the floor relinked the two, and since then 32 leading agricultural, conservation, and crop insurance groups have come to support this provision and have come together with ideas to form a compromise on details of this linkage. The compromise will provide a strong safety net for our farmers and natural resources, while allowing them to be wise stewards of the taxpayer resources.

For those of us who enjoy hunting and fishing and the outdoors, this provision will provide for future generations of Americans the same opportunity we have to hunt and fish today.

There is another provision that did not come up in the discussion in the Agriculture Committee that I would like to briefly comment on, and that is the dairy program. The dairy program is always an integral part of every farm bill, and I am not anywhere near an expert on the dairy program. In fact, I kind of leave that to States where it has a more significant impact. But in my State, when I came to Congress almost 20 years ago, we had in excess of 700 dairies in Georgia. Today we have less than 300. In fact, it is closer to 250.

I do not know what the problem is, but I do think, as we move this bill off the floor and into conference—particularly with what has been going on in the House relative to dairy and the discussion over there—we need to be mindful of the fact that we need to address this program long term. If the way it is designed now is the best we can do, so be it. But I do think it is going to merit a significant discussion on dairy once we get to conference and have our ideas shared with the House and the House ideas shared with us.

This will be my fourth and final farm bill as a Member of Congress. As a member of the Agriculture Committee and as a strong supporter of Georgia agriculture for my nearly 20 years in Congress, I have witnessed several disputes, especially regional disputes. However, I am confident we can balance the needs and interests between commodities and regions to reach our common goal of getting a farm bill across the line.

Ultimately, the reason we are here is to represent those who work the land

each and every day to provide the highest quality agricultural products and the safest agricultural products of any country in the world. We have the opportunity to write a bill that is equal to their commitment to provide the food, feed, and fiber that allow America to be the greatest Nation on Earth.

Madam President, I thank you, and I look forward to the forthcoming debate on the remaining amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I came here today first of all to talk about the farm bill. I am a member of the Agriculture Committee. We are very proud of this bill. It is a strong bill. As Senator CHAMBLISS just pointed out, it enjoys broad bipartisan support. Of particular importance to the State of Minnesota is the safety net that is in the bill; the focus on ag research, which the Presiding Officer from the State of Wisconsin, with her great universities, knows is very important; and the work we have done with dairy in trying to improve the dairy program.

The dairy farmers have been the hardest hit in our State of any of the agricultural groups. I have done some new things for new and beginning farmers.

Then, of course, there is the Sugar Program—something that has been a topic today, as some of our colleagues are trying to strip the Sugar Program out of the bill. I would argue that this is 30,000 jobs in the Red River Valley of Minnesota and North Dakota. American sugar is actually much less expensive than you see in the price on the global marketplace. The Sugar Program works. It works for workers, it works for America, and we need to continue it.

THE BUDGET

I would like to turn to the focus of my remarks today, which is, first of all, on the budget. I thank Senator MURRAY for her leadership on the Budget Committee and for all her hard work in advancing a smart, balanced budget to meet our country's fiscal challenges.

This is not the first time I have come to the Senate floor in the last year or in the last several years to stress the critical need for Democrats and Republicans to come together and focus on smart solutions to reducing our debt. I think it is a good sign that both the House and the Senate have passed budgets and that the President introduced his budget last month.

I see this time as a real opportunity to come together to work through this budget process and get a deal done. That is why we must take the next step in the process, which is to move forward under regular order and have the House and Senate conference on a budget deal.

For years we have been hearing from our colleagues across the aisle about

how the Senate did not have a budget. Well, the Senate passed a budget, and all we want to do is to move this into conference committee so that the House and the Senate can work together so that we can get a budget for this country.

There is growing bipartisan support for going to conference and starting the conversation so that we can come to an agreement on a long-term budget. Last night Senators MCCAIN and COLLINS came to the floor and talked about how we need to return to regular order in the Senate, and regular order means going to conference to come to a budget deal.

Doing so will allow us to stop lurching from crisis to crisis and address our fiscal challenges in an open, bipartisan way. I believe this is what folks outside of Washington, especially the people I talk to in Minnesota, want; for us to put politics aside for the good of the country and come together on a budget deal that reduces our deficit in a balanced way but also lays a foundation for sustained economic growth.

In the past 2 years Congress has made some progress in reducing the deficit. We have already achieved \$2.4 trillion in deficit reduction, with a goal of a \$4 trillion reduction in 10 years within our grasp. Last week the Congressional Budget Office reported that deficit will fall to \$642 billion this year, \$200 billion less than what the CBO projected just 3 months ago. The better numbers reflect good news in housing and larger than expected increases in tax revenue.

But I believe that resting on those numbers would be a mistake. If we are to get closer to reaching a new deficit agreement, it is only going to happen if we work in a bipartisan way through regular order to get a deal done. Along with addressing our fiscal challenges, working through the budget process and coming to agreement will create a stronger, more resilient framework for economic renewal.

We certainly see how we got a major bill done through the Judiciary Committee last night when we were able to get the immigration bill done. There is no reason a conference committee should not be at work right now taking the Senate budget that we have heard for years needs to be done and paring it up with the House budget and coming together. In the bigger picture, this presents an opportunity for us to reinforce our role as a world leader in innovation, entrepreneurship, exporting, education; in other words, that which we have always taken pride in. We want to be a nation that produces, that invents, that exports to the world. Part of that is showing the world we have our fiscal house in order.

I believe the Senate proposal is the right blueprint for moving us forward. On the most immediate front, it will allow us to build on the progress we are already seeing in the economy. Last

month, the national unemployment rate dropped to 7.5 percent, the lowest level in 4 years. Our housing market is turning around. Consumer spending has picked up in the first months of the year as has private business investment. The unemployment rate in my State of Minnesota is at 5.4 percent.

But even with this progress, our economy remains vulnerable to headwinds. We should keep this good economic momentum going but only if we are willing to find common ground on a budget plan that also moves our economy forward.

We need to take a balanced approach to deficit reduction. You do not have to take my word for it. Nearly every commission that has offered ideas for reducing our debt has stressed the importance of balance. This includes the original Bowles-Simpson plan, the Rivlin-Domenici plan, and even the revised Bowles-Simpson plan, which calls for another \$2.4 trillion in deficit reduction, one-quarter of which would come from new revenue totaling \$600 billion.

We do not just need a balanced budget; we need a budget that is in balance. I believe the Senate's budget achieves that goal. It includes an equal mix of responsible spending cuts and new revenue from closing loopholes and ending wasteful spending in the Tax Code. Our budget builds on the \$2.4 trillion in deficit reduction we have already achieved in the last 2 years, with an additional \$975 billion in targeted cuts and \$975 billion in new revenue, surpassing the bipartisan goal of \$4 trillion.

Just this morning I was at the Joint Economic Committee—I am the Senate chair of that committee—where Chairman Bernanke testified. He warned us about the negative impact—that cuts solely focused in the short term can negatively impact economic growth. He noted that policies such as sequestration are creating headwinds against short-term economic growth and that Congress needs to take a broader, long-term view toward our debt and deficit.

That is what this conference committee is about. That is what regular order is about. We have a Senate budget. We have a House budget. We have that opportunity to bring those budgets together in a conference committee. Some of the most important points in the Senate budget include the fact that it replaces the sequester with smart targeted cuts while also making critical investment in areas such as education, workforce training, and infrastructure.

It produces savings in Medicare and Medicaid by eliminating waste and fraud, promoting efficiency, and emphasizing cost alignment. Our budget also recognizes there is a massive amount of spending that takes place through the Tax Code, to the tune of over \$1 trillion per year in tax expendi-

tures. The Senate budget eliminates wasteful tax loopholes and subsidies.

All told, the Senate budget cuts the deficit by approximately \$2 trillion. This continues us on a downward path where our debt-to-GDP ratio will be about 70 percent by 2023. Getting the Federal budget on a sustainable path will only promote growth and stability. The American people want us to get this done. They want us to compromise. They want us to work together to get the economy on the right track.

I urge my colleagues to support moving to conference so we can begin the work of finding solutions to a very important matter.

GAS PRICES

I wish to speak briefly on one other topic that is an important economic issue for families and businesses in Minnesota; that is, the recent spike in gas prices. We do have some good things in the farm bill that will help us, including the promotion of energy and biofuels, but I came to discuss the recent spike in gas prices in Minnesota, a problem that is disrupting commerce and hurting consumers, small businesses, and farmers across the State and throughout our region.

In Minnesota, the average gas price is \$4.25, 40 cents higher than 1 week ago and over 80 cents more than only 1 month ago. In fact, a few days ago it was the highest in the country, higher than Honolulu. It happened all of a sudden, in literally a 2-week period. That is a significant increase which puts family budgets under severe pressure.

I am focused on immediate relief. I am taking actions now so we can avoid similar gas price spikes in the future. With Memorial Day around the corner and the start of the summer driving season upon us, this kind of price spike is simply outrageous. To cut back on costs, some families are already putting off family trips and scaling back vacations. I have already heard from families who have canceled or scaled back their plans.

But there are some things people cannot put off, such as driving to work, such as going to the doctor's office. More money to fill the tank means less money for food, housing, and everything else families need. Families in Minnesota cannot afford an 80-cent spike in the price of a gallon of gas, neither can business owners who need to ship their goods to market or farmers who rely on diesel fuel to keep their equipment running.

We know what is causing the price increase—supply shortages resulting from the simultaneous closing of several oil refineries in the Midwest. We also know what is not causing the price increase. The price of crude oil has not moved. We are about \$96 a barrel, similar to where prices were 1 month ago. In fact, the national trend in gas

prices, which tracks the price of crude, has not moved much either. OPEC has not been jacking up their prices. We did not have a hurricane or even a blizzard that would affect supplies or prices. The increase has not been caused by a pipeline rupture or geopolitical threats.

Rather, the price spike has resulted largely from the combination of a number of refineries going offline for scheduled and unscheduled maintenance which serve the upper Midwest to prepare for the summer fuel blend. I understand that refineries need to adjust their blends and occasionally perform upgrades to protect worker safety and repair equipment.

But scheduled routine maintenance should not be an excuse for major gasoline shortages and price spikes. Three refineries in Indiana, Illinois, and Flint Hills, MN, currently are shut down for maintenance or upgrade. A fourth refinery in Wisconsin is currently offline as they turn their productions over to summer fuel blend. A fifth refinery in St. Paul Park, MN, remained down longer than expected, but I understand that refinery is again operational.

The result of all these closures is Minnesota and other parts of the Upper Midwest simply did not have enough refined gasoline to make it to the market right now. In this day when we have a surplus of fuel, when we are drilling record amounts in North Dakota, when we do not see a huge increase in the price of oil, this just should not be happening. That is why last Thursday I called on the Department of Energy to thoroughly review the timing of scheduled maintenance operations and to take action to address future supply problems that are preventable. I have also spoken with the Department of Energy about ways to resolve the issue quickly and prevent disruptions down the road. I am working with DOE and industry partners on legislation that addresses known scheduled closures of refineries for maintenance.

Having improved information could serve as an early warning system to protect consumers from production problems within the refinery industry. With more transparency and more lead time, fuel retailers will have the opportunity to purchase fuel at prices that better reflect the underlying cost of crude oil and better reflect supply and demand across the country.

I also believe refineries should give immediate notification of any unplanned outages. I am working to address this as well. I am also working with the Secretary of Energy to look at the potential for additional refined fuel storage capacity in our region. Minnesota has less storage capacity for refined products than other parts of the country, making us more vulnerable to the kinds of refinery outages we have experienced this year, both planned and unplanned.

If we had additional storage in place, we could better ensure fair and consistent prices for our consumers. This week I talked to all of the major oil companies that own these refineries. It looks as though additional shipments from another pipeline are helping to increase supplies. This should provide some relief.

Petroleum markets in Minnesota have reported the spot prices in the wholesale markets were down by 30 cents, but that drop has not yet reached our consumers. I believe we need an all-of-the-above plan to get serious about building a new energy agenda for America. This, of course, means less dependence on foreign oil, more domestic production of oil as we are seeing in North Dakota, natural gas, and, of course, biofuels. It also means tougher vehicle efficiency standards that help cars to go farther on a tank of gas.

But my focus is on our immediate problem. We need to get refineries up and running and get gas prices down so we can all we begin to enjoy this summer. I look forward to continuing to work with the Department of Energy and my colleagues on both sides of the aisle to address the recent and unnecessary spike in gas prices and prevent this from happening again.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Michigan.

AMENDMENT NO. 925

Ms. STABENOW. Mr. President, on behalf of Senator SHAHEEN, I called up her amendment No. 925.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for Mrs. SHAHEEN, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINE, and Mr. HELLER, proposes an amendment numbered 925.

Ms. STABENOW. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reform the Federal sugar program, and for other purposes)

In title I, strike subtitle C and insert the following:

Subtitle C—Sugar Reform

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(1) in paragraph (4), by striking “and” after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(6) 18 cents per pound for raw cane sugar for each of the 2014 through 2018 crop years.”.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2012” and inserting “2018”.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking “2012” and inserting “2018”.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking “2012” and inserting “2018”; and

(B) in subparagraph (B), by inserting “at reasonable prices” after “stocks”; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “but” after the semicolon at the end and inserting “and”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.”.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “but” after the semicolon at the end and inserting “and”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.”; and

(B) in paragraph (2)(B), by inserting “at reasonable prices” after “market”; and

(2) in subsection (g)(1)—

(A) by striking “ADJUSTMENTS.—” and all that follows through “Subject to subparagraph (B), the” and inserting “ADJUSTMENTS.—The”; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

“(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

“(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

“(2) the relative competitiveness of domestically produced and imported foods containing sugar.”.

(d) ADMINISTRATION OF TARIFF RATE QUOTAS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

“SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

“(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

“(b) ADJUSTMENT.—

“(1) IN GENERAL.—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

“(2) ENDING STOCKS.—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

“(3) MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.—

“(A) IN GENERAL.—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

“(i) unreasonably high prices; or

“(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

“(B) ANNOUNCEMENT.—The Secretary shall publicly announce any establishment of a target under this paragraph.

“(4) CONSIDERATIONS.—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

“(c) TEMPORARY TRANSFER OF QUOTAS.—

“(1) IN GENERAL.—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

“(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

“(3) TRANSFERS TEMPORARY.—

“(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

“(B) FOLLOWING QUOTA YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.”

(e) EFFECTIVE PERIOD.—Section 3591(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 13591(a)) is amended by striking “2012” and inserting “2018”.

Strike section 9008 and insert the following:

SEC. 9008. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) IN GENERAL.—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting “and” after the semicolon at the end;

(B) in clause (ii), by striking “; and” at the end and inserting a period; and

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking “, except for” and all that follows through “ of 2002”.

Ms. STABENOW. Mr. President, for the information of Members, we are working to set up a vote later this afternoon on this particular amendment. I am working with Senator COCHRAN and his Republican colleagues in order to set up that vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. VITTER. Mr. President, I come to the floor to discuss a very important topic and one that itself is coming to the Senate floor soon. That is the problem of illegal immigration and proposals for so-called comprehensive immigration reform. Specifically, of course, the Gang of 8 bill, as it has been dubbed, is being reported out of the Judiciary Committee. We will be debating that bill, and hopefully a lot of important amendments to it soon, in June, on the floor.

Let me say at the outset, I think there are at least a couple of things we can all agree on. No. 1, I think we can all agree that the United States is an immigrant nation with a proud history of immigration—legal immigration. It is absolutely one of the core features of our Nation that makes us unique and that makes us strong. So I wish to say that upfront, very proudly, very strongly. I support that tradition, that history of being an immigrant nation. All of us are the children of immigrants—not a question of if, it is just a question of when, because that is the nature of America. That goes to the core of our strength.

No. 2, the other thing I think we can all agree with is our present immigration system is broken. In fact, it is badly broken, and we need to fix the system.

As I said a minute ago, we have a proud history of immigration, legal immigration. That is the tradition, the history we need to get back to. Unfortunately, right now we have a system of wide open illegal immigration, almost open borders in some cases and some areas, and that desperately needs to be fixed.

Having said that, I have real and fundamental concerns with the so-called Gang of 8 bill, and they fall into five or six big categories. I want to talk about each of those important categories in turn.

First and foremost, my biggest and my most fundamental concern, I think the so-called Gang of 8 bill repeats mistakes of the past because, at its core, it is amnesty now, enforcement later, and maybe never. We have tried that model before. We have tried it several times before, and it has never worked.

The most clear example is the 1986 immigration overhaul. That bill, at its

core, was the same model, amnesty now and enforcement later, and maybe never. In fact, much of that enforcement was never. That is why it didn't work. The amnesty kicked in immediately, the millisecond the bill was signed into law. That was a powerful message to invite more and more illegal crossings across the border, more and more illegal immigrants into the country. That part of the bill, that part of the message, was heard loudly and clearly. The promises of enforcement never fully materialized. Many of them never materialized at all.

What happened when you had that combination of immediate amnesty with promises of enforcement that never materialized? Again, you attracted more illegal crossings, and you had no capability or will to do anything about them.

The promise then was we are going to have to do this once; the system will be fixed; we will never have to look back. We will never have to look in the rear-view mirror. The problem will be solved.

What happened? Well, we all know the problem wasn't solved. In fact, the problem simply wasn't continued, the problem was quadrupled. What were 3 million illegal immigrants then were mostly made legal. But that number 3 million quadrupled, and now today we have 11, 12 million illegal immigrants, some think more.

That, at its core, is the Gang of 8 bill, and immediate amnesty, promises of enforcement. That is not good enough, particularly when we have decades—decades—the Federal Government, Republicans and Democrats, who have promised us before and have never ever delivered. The American people say we will trust but we want to verify. Trust but verify. We need to see this enforcement in action before we move on to anything else.

In fact, in some ways this Gang of 8 bill is worse in terms of that basic model than previous versions such as 1986. If you look at page 70 of the bill, it actually has a period of an enforcement holiday, so 2½ years of a pure enforcement holiday. Not only is this amnesty now and enforcement later, it may never apply to folks who are in the country illegally now. They can keep coming. The message will be sent out, and they can come the day after the bill passes, the week after the bill passes, the year after the bill passes, 2 years after the bill passes, and it is part of the same amnesty. They would get the benefits of that amnesty as well. That enforcement holiday, 2½ years, makes that combination of a big amnesty now, with promises of an enforcement later, even more potentially disastrous.

The second big problem I have with the bill as it is currently put together is it doesn't enforce the law, and it doesn't enforce the border, particularly

the troublesome southern border with Mexico. It doesn't enforce other enforcement provisions. It doesn't actually guarantee that those are put into place and executed in an effective way.

The proponents of the bill talk about so-called triggers in the bill before the amnesty, before the new legal status is granted. When you look hard at what the triggers are, they are triggers on a toy plastic gun, not real triggers in any meaningful sense of the term. The triggers basically narrow down to two things. First of all, the Secretary has to submit two reports, two plans. The Secretary of Homeland Security has to submit plans or reports, a so-called comprehensive "southern border security strategy," so she has to submit a strategy. Great. This was promised for three decades but now she has to submit a strategy, a piece of paper and a southern border fencing strategy, so that is one trigger.

The other triggers are certification that the border strategy is "substantially deployed" and "substantially operational."

What is the problem with that? Two things. Who the heck knows what "substantially deployed" means and, No. 2, even more troublesome, do you know who has to certify that? The Secretary of Homeland Security, who has not been effective at enforcement to date in any way, shape, or form. Those so-called triggers are absolutely meaningless.

The bill doesn't require a fence, as is actually required under present law, so we are weakening that. We are walking away from that. It weakens current law regarding border security. Operational control is the standard now, and that is being weakened, changed to effective control. It doesn't require a biometric data system for entry and exit screening. That has been pushed by Congress since 1996. Congress started mandating this in 1996, and it was one of the prime recommendations of the 9/11 Commission, full deployment of the US-VISIT system. The 9/11 Commission said that needs to be a high priority. That is exactly how the 9/11 terrorists got into our country and overstayed their visas. It doesn't do any of that. Again, there is an enforcement holiday for 2½ years and no border security now before the amnesty kicks in.

No. 3, I am very concerned that we will continue the present status quo, which is significant benefits being available to these immigrants, which act as a magnet to incent other illegal immigrants to come into the country. The so-called Gang of 8 made all sorts of promises about certain promises not kicking in until full citizenship is granted down the road. Many benefits would kick in immediately, certainly participation in the Social Security system, certainly all those Social Security benefits, and their loopholes

about these benefits. I think many illegal immigrants will clearly gain access to public benefits far sooner than any 13 years as advertised. That is another serious weakness of the bill.

Fourth, I am very concerned about the cost of this bill. Authors of this bill have been very clever. They saw that cost issue coming, and they devised the bill so the big costs of the bill are outside the 10-year budget window. Why is that important? Well, not to get into the weeds, but it is very important because CBO scores legislation primarily on its impact on taxes and spending in the first 10 years. The authors of the bill were very careful, very clever in devising a bill that would look OK in the first 10 years with regard to cost. After that first 10-year window, the costs explode and none of that will be reflected by this CBO score.

We have seen this movie before, because this is exactly the same approach to CBO scoring and costs of legislation, exactly the same approach the proponents of ObamaCare put forward. They were very clever to push many of the costs in the outyears beyond the first initial scoring window, and that is why they were able to wave CBO scores around to somehow suggest this would help lessen the deficit. It is perfectly clear now, ObamaCare is not going to make our fiscal situation better, it is going to make it far worse and far more onerous.

I believe exactly the same thing is true with this bill in terms of the costs, and I believe the proponents of the bill, quite frankly, have gamed the system in the same way to hide those costs, given the way CBO scores legislation.

In contrast to that, there is an objective study of the full costs of the bill, and that is a study by Robert Rector of the Heritage Foundation. He went into extreme detail tracking the full costs and fiscal benefits of the bill. His conclusion was that the full costs of the bill are \$6.3 trillion over the full life and the full impact of the bill, \$6.3 trillion, with a T. He concluded that the bill, because of all the folks it would legalize, would kick in \$9.4 trillion in benefits. There are more government benefits we are going to have to pay out, \$9.4 trillion.

These folks being legalized would pay some taxes into the system, which they do not pay now, and that would be \$3.1 trillion. When you subtract 3.1 from 9.4, that obviously doesn't net out to zero. That is a net increase in the deficit, increased cost to the government, to society, to the taxpayer, of \$6.3 trillion net. That is a serious impact on these budget and fiscal issues we are already very concerned about.

The Robert Rector study is very credible, it is very detailed. I have seen no comparable study in terms of the detail of the analysis. I would challenge anyone who cares about this

issue, wherever they are coming from, to put up any other study that can compete with the Rector study in terms of detail and analysis. I think currently that is the last and final word on costs of the bill.

Two final points. A fifth big concern I have about the bill is I believe this bill is very unfair to legal immigrants and folks who are waiting in line in the legal immigration system now. It puts some people—not everybody who would be made legal, but some people—ahead of them in line and dishonors the fact that these would-be legal immigrants are following the rules now and following the law now.

Sixth and finally—and this is no trivial matter—I am very concerned that this would depress wages in the United States for many hard-working Americans, legal immigrants, others who have followed the law who are working hard in a very tough economy now. I think it would depress the general wage situation and make that more difficult for them to deal with.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. VITTER. In closing, I urge all my colleagues to look carefully at these and other concerns and try to address them fully, directly, completely, on the Senate floor.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, as we continue debate on the Agricultural Reform, Food and Jobs Act, I want to remind my colleagues how important this bill is for our economy and for the 16 million people whose jobs rely on agriculture. When we go home at night and sit down at the dinner table, it is because those 16 million people have worked hard to make sure we had safe, affordable food on the table. They are the men and women who farmed the land. They are also the people who manufacture and sell the farm equipment, the people who ship the crops from one place to another, the people who own the farmers markets and the local food hubs, the people who work in processing and crop fertility, not to mention the researchers and the scientists who work hard every day to fight pests and diseases that threaten our food supply.

I want to talk specifically for a few moments about the work we are doing in the conservation title of the farm bill. Our farm bill improves 1.9 million acres for fish and wildlife habitat. This is about jobs as well. Healthy wildlife habitats, clean fishable waters, are not only good for our environment, but they also support hunting, fishing, and all of our other outdoor recreation that benefits our economy and creates jobs. In fact, outdoor recreation supports over 6 million jobs in our United States.

In this farm bill we are including a new historic agreement around conservation—the most powerful conservation work in decades. It is truly amazing what can happen when people actually sit down and listen to one another and work together. If farmers want to participate in title I commodity programs, including the current Direct Payments Program, they must take steps to use best conservation practices on their land when it comes to highly eroded soil and wetlands. This has been the case for many years.

Of course, the Agriculture Reform, Food and Jobs Act we are debating now eliminates those subsidies.

Instead, we are strengthening crop insurance, which farmers need to purchase, and we are making market-oriented reforms to the commodity programs. But here is the issue: If we eliminate direct payment subsidies, we don't want to create unintended consequences by not having that link any longer. It is important for all of us that sensitive lands be managed in the best possible way. That is how we avoided having a dust bowl during the droughts. It is important for us to continue protecting wetlands, which help prevent flooding and are important to wildlife habitats for ducks and other waterfowl.

Commodity groups and conservation groups were on different sides of this issue for a long time. They looked at the issue from vastly different viewpoints, and they didn't agree on the best approach. They could have followed the very typical Washington playbook. They could have gone to their corners, fired off e-mails and press releases, brought the lobbyists in and demonized each other. But that is not what happened.

Like farmers and families across the country, they sat down together around a table and did something we don't do enough. They listened to each other. They listened and tried to see the other's viewpoint and they came to understand one another. It turned out their differences weren't so great after all. With a little compromise and a lot of hard work these groups were able to come together with a plan that conserves soil and water resources for generations to come and protects the safety net on which our farmers rely.

This has been called the greatest advancement in conservation in three decades. I want to underscore for my colleagues that this is an important historic agreement, and others deserve credit. As much as I certainly would like to take credit for this, or I am sure Senator COCHRAN would—and we certainly were very supportive in encouraging this—the agreement came about from a group of people working together.

I know a number of my colleagues are planning to talk about amendments on crop insurance. Some have

already been on the floor talking about amendments. I know a number of colleagues voted for some of those amendments the last time around, but this conservation agreement puts us in a very different situation this year. For one thing, we want to make sure the biggest landowners who control the most acres are using crop insurance.

Crop insurance is voluntary. Prior to crop insurance, there were subsidies and then ad hoc disaster assistance. Now we are encouraging them to purchase crop insurance, and we want them to have it, which means now they would need to use conservation practices to preserve sensitive lands and wetlands on those largest tracts as well as small tracts.

So amendments that weaken crop insurance would reduce the number of farmers participating in crop insurance, raising premiums for family farmers and reducing the environmental impact and the environmental benefits of this historic conservation agreement. With this new agreement, the math is very simple: The more acres that are in crop insurance, the more we have environmental and conservation benefits.

My dear friend from Illinois came to the floor a while ago and said: The majority of crop insurance is with a small number of farmers. Well, that is true. The larger the farm, the more one would use crop insurance. It is just like saying anybody who buys insurance for a bigger home has more insurance than the smaller home. Bigger businesses—manufacturers—probably buy the biggest part of insurance rather than small businesses. I am not sure what the point is of saying that. Of course, we have large farmers buying more crop insurance than small farmers. We want to make sure we have the environmental and conservation benefits on those large farms just as on smaller farms.

Here is another reason my colleagues should reevaluate these amendments, and I would encourage, as they come before us, that we vote no. This chart shows the counties that were declared disaster areas last year. An awful lot of red. And 2012 was one of the worst droughts on record ever in the United States.

In the past, in situations such as this we would have passed ad hoc disaster assistance for the corn growers, the wheat growers, the soybean growers, and the other crop farmers. But we didn't have to do that because crop insurance works.

Crop insurance is not a subsidy. When people have crop insurance they get a bill to pay. We share in that cost to make sure there is a discount so they can afford the bill, but they get a bill. They do not get a check. The only farmers last year who needed disaster assistance were the ones who can't participate in crop insurance, which we fix in this farm bill.

We address permanent livestock disaster assistance. They do not have access to the same crop insurance. We address farmers, such as my cherry growers, who were wiped out when it got warm in the spring and then froze again and completely wiped out the cherries. They do not have crop insurance now. They need some extra help. In this farm bill we are giving them access to crop insurance, which is the primary risk management tool for farmers.

Producers purchase crop insurance so they are protected when there is a disaster, but if we weaken crop insurance, resulting in premium hikes of as much as 40 percent on small farmers, we are going to be going back to the days of ad hoc disaster assistance, something we cannot afford in today's tight budget climate.

Finally, we need to keep this historic agreement in place through the conference committee. We owe that to the folks who sat down and worked out this agreement. So I ask colleagues to stand with the 34 different organizations that came together—and I ask unanimous consent to have printed in the RECORD the names of the groups in the coalition that put this together.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GROUPS IN CONSERVATION COMPLIANCE
COALITION

American Association of Crop Insurers, American Farm Bureau Federation, American Farmland Trust, American Society of Agronomy, American Soybean Association, American Sugar Alliance, Association of Fish and Wildlife Agencies, Audubon, Crop Insurance and Reinsurance Bureau, Crop Science Society of America, Ducks Unlimited, Environmental Defense Fund, Land Improvement Contractors of America, National Association of State Conservation Agencies, National Association of Conservation Districts, National Association of Resource Conservation and Development Councils, National Bobwhite Conservation Initiative.

National Conservation District Employees Association, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Wildlife Federation, Pheasants Forever, Pollinator Partnership, Quail Forever, Soil and Water Conservation Society, Soil Science Society of America, Southern Peanut Farmers Federation, Theodore Roosevelt Conservation Partnership, The Nature Conservancy, USA Rice Federation, Wildlife Mississippi, World Wildlife Fund.

Ms. STABENOW. Mr. President, we need to make sure our colleagues in the House, as well as in the Senate, stand with all of these groups who worked hard to compromise and forge this very historic constructive agreement. If we want to preserve conservation wins we have in this farm bill, we need to support the farmers, the environmentalists, and the conservationists who have made it very clear this agreement is something they stand behind. We should not be weakening crop

insurance or making it harder for large producers, who have the majority of the land we want to conserve, to have less of an incentive to participate in the program.

Let me just say—and I know my colleague from Vermont is here to speak as well—that I want to thank again the 34 organizations—everyone from the American Farm Bureau Federation, the American Soybean Association, the Audubon Society, Ducks Unlimited, the Environmental Defense Fund, National Wildlife Federation, National Cotton Council—and right on down the line—the National Farmers Union, Nature Conservancy, World Wildlife Fund, and USA Rice Federation.

This is an incredible coalition, and it speaks very loudly both to the fact we need to keep in place the No. 1 risk management tool for our growers but that we need to also make sure they are providing the conservation practices to protect our soil and our water which is so critical for the future—for our children and grandchildren.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by congratulating Senators STABENOW and COCHRAN for their hard work on this very important piece of legislation, especially for rural States such as Vermont, but I guess for everybody who eats, which is the majority of the people in our country, I would imagine.

I want to spend a few minutes talking about some important amendments I am offering. I think one of them—the amendment I will talk about first—will be coming up for a vote either later tonight or tomorrow, and that deals with the right of States to label genetically engineered food. That is amendment No. 965.

This year, the Vermont State House of Representatives passed a bill by a vote of 99 to 42 requiring that genetically engineered food be labeled. I can tell you with absolute certainty the people of Vermont want to know what is in their food and are extremely supportive of what the State legislature has done. But this is an issue certainly not just limited to Vermont.

Yesterday, as I understand it, the Connecticut State Senate, by an overwhelming vote of 35 to 1, also passed legislation to require labeling of genetically engineered food. In California, our largest State, where the issue was on the ballot last November, 47 percent of the people there voted for labeling, despite the biotech industry spending over \$47 million in a campaign in opposition to that proposition. That is an enormous sum of money, and yet 47 percent of the people voted for labeling of GMOs.

In the State of Washington, some 350,000 people signed a petition in support of initiative 522 to label geneti-

cally engineered foods in that State. In fact, according to a recent poll done earlier this year, approximately 82 percent of the American people believe labeling should take place with regard to genetically engineered ingredients.

All over this country people are increasingly concerned about the quality of the food they are ingesting and the food they are giving to their kids. People want to know what is in their food, and I believe that is a very reasonable request.

What I am proposing today—the amendment I am offering—is certainly not a radical concept. In fact, the requirement of labeling genetically modified food exists today in dozens and dozens of countries throughout the world, including our closest allies in the European Union, including Russia, Australia, South Korea, Japan, Brazil, China, New Zealand, and other countries. So this is not some kind of new and crazy idea. In fact, it exists all over the world.

At a time when many of my colleagues express their strong conviction about States rights and that States should be allowed to have increased responsibilities, this amendment should be supported by those people who, in fact, believe in States rights. The reason for that is when the State of Vermont and other States go forward in passing legislation to label genetically modified food, they have been threatened by Monsanto and other large biotech companies with costly lawsuits. So States are going forward, doing what they think is proper for their own people, and then Monsanto and other very large biotech companies are coming forward and saying: We are going to sue you.

Now, Monsanto is arguing, as one of the major grounds for their lawsuit—which I believe is absolutely incorrect—that States do not have the right to pass legislation such as this; that it is, in fact, a Federal prerogative and not something a State can legally do.

I believe very strongly that Monsanto is wrong, but that is precisely what this amendment clarifies.

Today we have an opportunity with this amendment to affirm once and for all that States do have the right to label food that contains genetically engineered ingredients.

Let me briefly tell you what is in this amendment. This amendment finds that the 10th Amendment to the Constitution of the United States clearly reserves powers in the system of federalism to the States or to the people. This amendment finds that States have the authority to require the labeling of foods produced through genetically engineering or derived from organisms that have been genetically engineered.

Furthermore, this amendment requires that 1 year after the enactment of this act, the Commissioner of the

FDA and the Secretary of Agriculture shall undertake the necessary regulations to carry out this amendment.

There is strong precedent for labeling GMOs. The FDA already required the labeling of over 3,000 ingredients and additives. If you want to know if your food contained gluten, aspartame, high-fructose corn syrup, trans fats or MSG, you simply read the ingredient label. Millions of people every day look at labels: How many calories are there in the food? What are the ingredients in the food? This simply does what we have been doing as a nation for many years, only right now Americans are not afforded the same right for GE foods.

Monsanto and other companies claim there is nothing to be concerned about with genetically engineered food. Yet FDA scientists and doctors have warned us that GE foods could have new and different risks, such as hidden allergens, increased plant toxin levels, and the potential to hasten the spread of antibiotic-resistant disease.

This is a pretty simple amendment. It basically says the American people have a right to know what they are eating. This is legislation I know the people of Vermont, I gather the people of Connecticut, and I think people all over this country would like to see agreed to. I ask for its support.

There are a couple of other amendments I would like to briefly discuss, having to do with SNAP. One of them deals with the need for seniors to be better able to access SNAP. It is no secret that in our country today, millions of seniors are struggling to get by on limited incomes. The result of that is that after they pay their prescription drug costs or their rent or their utilities, they do not have enough money to spend on food. It is estimated that some 1 million seniors are going hungry in the United States of America. That is something we should be embarrassed about and an issue we should address as soon as possible.

Clearly, the toll that inadequate nutrition has for seniors impacts their overall health. My strong guess is that this amendment will end up saving us money because when seniors get good nutrition, they are less likely to fall, break their hips, end up in the emergency room, end up in the hospital.

I think from a moral perspective, from a cost perspective, we want to make sure all seniors in this country, regardless of their income, have the nutrition they need.

SNAP plays a crucial role in our country in reducing hunger. In 2011, SNAP raised nearly 5 million people out of poverty. But here is the main point I wish to make: Only 35 percent of eligible individuals over age 60 participated in SNAP in 2010. In other words, there are many seniors out there who could benefit from SNAP but for a variety of reasons, one of which I

am addressing right now, they do not participate.

As you may well know, the SNAP application process can be confusing and cumbersome for many households, especially for seniors. Individuals apply for SNAP sometimes by visiting an application center, which is a challenge for people with mobility issues. If you are a senior and not able to get out of your home, if you cannot afford transportation, getting to that center can be very difficult.

It is also challenging when dealing with an application over the telephone if you are hard of hearing—which clearly many seniors are. At the same time, the complicated interview process costs local, State, tribal, and Federal governments additional administrative dollars.

The SNAP amendment I am offering is pretty simple. It will help alleviate hunger by allowing seniors to more easily apply for and access SNAP benefits in order to reduce barriers for seniors applying for SNAP.

This amendment proposes to do the following. It allows States to deputize, which in this case means to certify nonprofit organizations and area agencies on aging that are meeting with seniors directly and helping them with their SNAP application to conduct the interview on behalf of the State. The State agency would still determine eligibility.

Further, States would have the flexibility to deputize only the agencies that have the capacity to fulfill the State's interview requirements on their behalf. This amendment does not waive any documentation requirements or ease any other requirements. Eligibility for the benefits must still be verified. What it does do is reduce duplication of effort and ease the burden on vulnerable families and seniors for whom it is a challenge to travel to a State office or wait for days at a friend's house who has a phone to make a call.

All this is doing is saying: If we want to make sure seniors stay healthy, get the nutrition they need, stay out of the emergency room, stay out of the hospital, let us make it easier for them to take advantage of the programs that are currently available. In this case, the SNAP eligibility process for seniors is pretty complicated and sometimes people who want to be in the program simply are unable to do that. I hope we could have support for that amendment.

The other SNAP amendment deals with an equally important issue of people who are wrongfully dropped from the SNAP, often due to an administrative error. The current system is inefficient. We are spending government money that should be going to help people buy food and instead we are spending it on paperwork and bureaucracy. Improvements I am proposing

will help alleviate hunger as fewer people will go without the benefits they need, and State and Federal resources will be used more effectively.

My amendment requires the USDA to track information from States on the problem of churn. That is the term used when eligible people are dropped from the program and then must reapply. The USDA and advocacy groups have identified children as a key problem in the administration of SNAP benefits. Having people reapply who never should have been dropped from the benefit in the first place adds to the caseload burden.

Tracking the information is only a first step. Then we must find solutions to reduce the problem so people do not lose their benefits, whether that be improved training, clearer forms and notices or simpler recertification processes. These improvements will reduce hunger by making sure people get the benefits for which they are eligible and which they so desperately need.

The last issue I briefly wish to touch on deals with the need for the USDA to help us understand, through a study, the impact that global warming is having on agriculture. We all know we are looking at record-setting droughts in Australia, Brazil, and locations in America. U.S. cities matched or broke at least 29,000 high-temperature records last year. Ice-free Arctic summers will be with us within a couple of years. That is the reality of the moment.

The impact of global warming clearly will be felt far and wide, but farmers across the country are among those who will suffer the most. Warmer temperatures, water shortages and droughts and other extreme weather disturbances will force producers to alter practices, change crops, and spend more money to sustain their operations.

This amendment simply asks the USDA to do a study to provide us with a better understanding of how changing climate will impact agriculture across the country and help farmers plan and adapt to those changes. It will help local communities and States make critical adjustments now, and it will reduce the vulnerability of the entire agriculture sector to the damaging consequences of climate change.

We think this is an important amendment. State farmers need to have the information about what scientists believe will be happening, the work they are doing for years to come. I ask for support for that amendment.

In the past we have successfully offered an amendment on community gardens. In Vermont, now schools, communities are working on gardens all over the State. We had a national program passed last year as well. This would simply expand that program to allow schools and communities to engage with limited help from the Fed-

eral Government in community gardens, teaching kids about the foods they are eating and about agriculture. It is a very inexpensive concept, which has been working very successfully and I think needs to be expanded.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise to offer my support for the sugar reform amendment being offered on the farm bill by Senator SHAHEEN. This important amendment would begin a reform process that deals with a complicated and burdensome program that artificially raises sugar prices in the United States. For nearly three-quarters of a century now, American businesses and consumers have paid a premium price for sugar. This inflated price is due to a tangled web of price manipulation, stringent import quotas and tariffs. The net effect has been that Americans are paying as much as twice the world market base price for sugar.

We all realize the amount of sugar that is used in a number of products across the United States, but let me bring this down specifically to what impact it has on some of the confectioners in my home State. Albanese Confectionary Group, Inc. is a renowned Indiana-based manufacturer of a number of products that use a lot of sugars, including chocolates and Gummi bears—they call it the World's Best Gummies—and a lot of other confections. Their estimate is that they would save \$3 trillion annually if they were able to buy sugar at the world price.

Lewis Bakeries, headquartered in Evansville, IN, is one of the few remaining independent bakeries in our State and in the Midwest and is the largest wholesale bakery we have. Artificially high prices for Lewis Bakeries contributes directly to higher food and beverage costs that weigh down family budgets. Even larger companies such as Kraft Foods, which has a marshmallow and caramel plant in Kendallville, IN, knows that phasing out the Sugar Program would enhance the competitiveness of U.S. sugar manufacturers.

Why is that important? Because these sugar prices for those in this business of using large quantities of sugar is driving them offshore. They are moving to Canada, they are moving to Mexico, they are moving to other places where they then can buy the most important ingredient for their product at world market prices and save a great deal of money.

I encourage my colleagues to support the Shaheen amendment. It promotes jobs, fights consumer price inflation. It reduces the level of government interference in private markets. I think we should be pursuing policies that allow the free market to determine the cost of sugar rather than this complicated web of tariffs and regulations and others that protect that price.

This amendment does not accomplish all of that, but it goes a long way toward beginning the process of unwinding this and making our companies more competitive around the world.

I would like to take a moment to address another issue with the farm bill. Senator DONNELLY and I are cosponsors of a bill called planting flexibility. We are hoping this provision we have offered will be included in the managers' amendment. I appreciate all the work that has been done behind the scenes to address this important issue. Planting flexibility simply allows farmers to respond to market signals when making their planting decisions, rather than following requirements to grow a particular crop to participate in government programs.

For example, Hoosier tomato farmers were restricted on where they could plant their crop. Red Gold, a family-owned and operated tomato business in Elwood, IN, estimates that roughly 50 percent of its tomatoes are now grown on flexible acres. Red Gold produces a whole number of tomato products that are sold all over the United States and, in fact, all over the world.

Allowing this flexibility, again, is a free-market-based choice which producers can follow based on supply and demand. It gives them the flexibility they need to address crops outside the coverage of this particular bill.

I think both of these measures are commonsense, market-driven reforms that I hope will be included in the farm bill, and I ask that my colleagues support them.

Mr. President, unless the ranking member on the Agriculture Committee needs the time, and since no one else is on the floor, I would be remiss in not speaking a little longer.

If I could speak as if in morning business, I wish to do so.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

OKLAHOMA TRAGEDY

Mr. COATS. Mr. President, the first thing I want to do is extend our sincere regrets over the tragedy which occurred in Oklahoma. Sincere thoughts and prayers are coming from many Hoosiers for those people who have suffered greatly.

Last year we had a serious tornado roar through southern Indiana along a 50-mile path. Fortunately, we didn't have the level of destruction they had in Oklahoma City. But having been there and viewed the destruction of that tornado in Indiana and the impact it had on the lives of so many people and then comparing it with what happened in Oklahoma, it certainly brings home the nature of this tragedy. Whenever Mother Nature's vicious wrath strikes, it not only tears apart homes but families.

During these times of tragedy—such as what I witnessed in southern Indi-

ana and what we are witnessing on television as we watch what is happening in Oklahoma—we see the extraordinary heroism, generosity, volunteerism, and resolve of the American people to pitch in and help.

I ask all Hoosiers to keep our friends in Oklahoma in their hearts and prayers and to help wherever we can.

JOBS AND DEBT

Mr. President, in the last few weeks there has been scandal after scandal unfolding in Washington. Obviously this is a difficult period for the current administration, but more importantly, it has resulted in a difficult time for our Nation.

What we saw last week is further justification for the American people's deeply disturbing distrust of government. Under this current administration, there has been a pattern of misleading the American people and there has been a culture of intimidation toward those who disagree with their policies.

We saw it when the administration misled the American people with the events in Benghazi, and we saw it when the administration avoided letting people know about the IRS targeting conservative groups. Whether it is the IRS, Benghazi, or other issues we have become aware of in the last few weeks and months, they call into question the integrity of this administration. The American people deserve straight talk and the truth as to what happened rather than the mischaracterization or lack of revelation of what has happened.

Through calls, emails, and letters, I am hearing from concerned Hoosiers who are outraged with what they see taking place in Washington. Given the headlines they have seen in the last few weeks, they have every right to be concerned.

The only way to eliminate this current trust deficit in Washington is to hold people accountable, get complete answers, and make changes to ensure this abuse of power and misinformation which is coming out of this administration will not continue. We need to continue with these ongoing investigations until we get answers and determine who is responsible.

In the midst of these investigations, let me state there is another scandal we must not overlook, and that is the ongoing chronic debt and unemployment crisis.

Four-and-a-half years after the end of an admittedly deep recession, the fact that 22 million Americans are either unemployed or underemployed is a scandal. More than \$16.8 trillion of debt, with its impact on future generations, is a scandal. Borrowing \$40,000 per second and saddling each child born today in America with over \$50,000 of debt is a scandal. These numbers are not partisan or political, they are the facts. Those are the facts that this

body, as well as this administration, have to deal with because we are careening on an unstable fiscal path which will bankrupt the critical programs our seniors and retirees depend on and rob them of the benefits they have been promised.

We are seeing meager gains in jobs only to find out more and more Americans are being forced from full-time employment to part-time employment. In April alone, nearly 280,000 Americans involuntarily entered into part-time employment. At the same time, the average work week and weekly take-home pay continues to decline.

These two issues—our debt crisis and our jobs crisis—should consume the work of this Congress and this administration. Instead, we careen from drama to drama. We wait for the fiscal cliff and debt limit deadlines, and then we enact far short from what we need to do with legislation that is often flawed, such as the across-the-board sequestration policy. None of this remotely solves the problem we face.

In a recent Gallup poll, when asked what they would like Congress and the President to address, 86 percent of the American people named creating jobs and growing the economy. From Fort Wayne to Evansville and from Gary to Jeffersonville, Hoosiers tell me they want Congress to bring growth and certainty to our economy and create meaningful jobs for the underemployed and unemployed.

As we address the issues before us, let's not forget about this major debt crisis which faces our country and impacts every American. Let's not forget about those Americans who are looking for work and cannot find it, or those who have been forced into part-time jobs which will not begin to be enough to support a family. Let's not become distracted and drop the ball on tackling these issues because the daily headlines are simply pointing to something else.

The best way we can restore the trust deficit in this country is to do our job here, make the tough decisions we know we need to make, and address our greatest challenge.

We must come together on a credible, long-term plan to reduce our debt and put our country back on a path toward growth and job creation. The future of our country depends upon it. Each of us, starting with the President, has a moral obligation to address this most critical issue. I hope we will be willing to stand up and do this.

Yes, we have other issues. We have the farm bill, which we need to address. We will be talking about immigration a week after we come back from the break. We will be holding investigations and looking into some of these scandals that have surfaced over the last few weeks, but we still have not focused on the real problem here.

While we have to do these other tasks, let us not forget what the real

challenge is before us: restoring economic growth and creating jobs. We owe it to the American people.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. RES. 65

Ms. STABENOW. Mr. President, I ask unanimous consent that notwithstanding the previous order, the Senate begin consideration of S. Res. 65 at 3:45 p.m.; that there be 50 minutes for debate, that the Republicans control 30 minutes and the majority control 20 minutes, and that of the majority's time, Senator MENENDEZ control 15 minutes and Senator BLUMENTHAL control 5 minutes; that all other provisions under the previous order remain in effect; and that upon disposition of S. Res. 65 the Senate resume consideration of S. 954; that there be 2 minutes for debate equally divided in the usual form and the Senate immediately proceed to vote in relation to the Shaheen amendment No. 925; and that there be no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Thank you, Mr. President. As a result of this agreement, if all time is used, at approximately 4:35 p.m. there will be two roll-call votes, the first on adoption of S. Res. 65, the Iran sanctions resolution, and then in relation to the Shaheen amendment on the Sugar Program.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 925

Mr. TOOMEY. Mr. President, I rise to address the Shaheen amendment No. 925 the chairman of the committee just referred to. I urge my colleagues to support this amendment. I wish to start by thanking Senator SHAHEEN for her leadership, Senator KIRK for his leadership, and Senator DURBIN for his support and leadership. We have all worked together on this amendment. I wish to briefly explain why I think it is important and why this amendment deserves the support of this body.

First of all, people ought to understand we have an extensive and complicated system by which taxpayers and consumers are forced to prop up, to an artificially high price, the price of sugar in this country. We subsidize a handful of wealthy sugar growers at the expense of everybody in America

because I can't think of any consumer who doesn't consume sugar. Everybody uses some amount of sugar. It is in virtually all processed food. It is obviously in any kind of confectionery or any kind of sweets. It is a staple, a fundamental staple. In fact, the poorest Americans spend the highest percentage of their limited income on sugar because that is the nature of this food staple that is sugar.

Well, what do we do through our agricultural policy? One of the things we do is we put a limit on how much we can bring in from overseas. It just so happens there are some places in the world that can grow sugar cheaper than we can, and rather than take advantage of the opportunity to have a lower cost staple for all Americans—including the poorest of Americans—instead we establish a quota and say there is only so much we are going to bring in without imposing a big, huge, expensive tariff on them, and since we don't grow enough ourselves to meet the demand, when we hit that quota, we do, in fact, impose that huge tariff on the additional sugar we need to buy.

But that is not all we do to subsidize these handful of growers at the expense of American taxpayers and consumers. Another program we have is an extensive loan program where ultimately the taxpayer lends money to sugar producers, and it is a "heads-I-win, tails-you-lose" program for the sugar producer. If the price drops too low on sugar that the producer would actually have to reach into his own pocket to pay back the loan, guess what. He doesn't have to do that. He can say: Nevermind, I am not going to pay back the loan. I will just give you the sugar. This is classic "heads-they-win, tails-we-all-lose."

It goes beyond that because in an effort to prop up the price at artificially high levels so we are all paying more than we need to for sugar, we have a program that is called the Feedstock Flexibility Program. This program is one in which the USDA takes taxpayer money and buys up huge quantities of sugar in order to drive up the price for all of us. I know it is hard to believe this is true. I am not making this up. I am not creative enough to make this up. This is real.

Then what does the USDA do with the massive quantity of sugar it might buy? By the way, there was a front-page story in the Wall Street Journal just a few weeks ago about a huge purchase the USDA is seriously thinking about making, has the discretion to do it, and might very well make. If they don't use all of the sugar, they don't have anything to do with it, so they sell it at a huge loss. They sell it to somebody who is going to make ethanol or something with it. That is what we do with it. It is unbelievable, all the ways in which taxpayers or consumers are forced to subsidize a very wealthy

group of sugar growers. So that is what we do as policy under existing law.

This amendment tries to push that back a little bit. That is all we are trying to do. What Senators SHAHEEN and KIRK and DURBIN and I have done with this amendment is say: Can we at least push back some of the most egregious features? Can we go back to the policy we had prior to the 2008 farm bill because prior to 2008, we did subsidize sugar, but at least not quite as much as we do today. So that is what we are trying to do. Let's just go back to the policies we had before 2008, and specifically let's eliminate this Feed Stock Program, this program whereby the USDA can go out and purchase huge quantities of sugar, driving up the price, and then turn around and sell it at a huge loss. Let's end that, and let's have a little bit more flexibility on this quota so American consumers can have the opportunity to buy more sugar at prices that are at least a little closer to the world prices.

Here are a few facts we ought to keep in mind. The net effect of all of these programs on all of our consumers—and as I say, everybody consumes sugar—is that we pay, on average, about 30 percent more than the world market price for sugar. That is what we are doing to our consumers now. By the way, that is separate and apart from the cost to taxpayers. That is just what consumers are forced to pay.

Now, does that have the effect of maybe protecting a handful of jobs among sugar growers? It probably does. So the Commerce Department decided to take a look at this, and they did a study. They discovered, sure enough, there are a certain number of jobs among sugar producers that are protected by the fact that we don't allow a free market in sugar and we don't allow imports from more efficient producers. But here is what else they discovered. They discovered for every job we save among sugar producers, we lose three jobs among companies that manufacture with sugar—companies that make cakes and desserts and candies and all the other kinds of goods we manufacture that require sugar as an ingredient. The reason we lose those jobs is because those companies can't compete with foreign imports that don't have this crazy Sugar Program.

So, for instance, we have candy companies that have left America and have moved to Canada because Canada doesn't do this. When they relocate in Canada, they can buy sugar at a normal world price, the same as anyone else anywhere in the world outside of America—maybe not anybody, but lots of people outside of America can buy sugar that is much cheaper than what they have to pay for sugar when they are an American citizen, an American company, so they can make candy much cheaper.

So we lose American jobs, which we have lost, they go to Canada or somewhere else, and how can that possibly be a good outcome to lose three jobs for every one we protect. It doesn't make any sense.

This is a badly flawed policy. I would advocate that we completely repeal all of this. That would be my personal view. That is not what this amendment does. All we do in this amendment is say let's just go back to where we were before the farm bill of 2008 expanded this program and created this new liability for taxpayers.

So I urge my colleagues to support the Shaheen amendment No. 925 for some good, commonsense improvements to our existing sugar policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, yesterday I came to the floor of the Senate to talk not only about the farm bill, but specifically about the importance of the Sugar Program to the compromise that is the farm bill. I talked about growers getting protections in terms of crop insurance, I talked about the dairy program, I talked about specialty crops, and I talked about the importance of protecting the domestic sugar industry and using a no-cost approach which has been the approach we have dealt with for years in the Sugar Program.

Today I don't want to repeat all of that discussion. What I would like to do, however, is respond directly to the Shaheen amendment and some of the information we have been hearing about the Shaheen amendment going forward. I think it is important because we have heard the Shaheen amendment would simply roll back the Sugar Program to the policies in place before the 2008 farm bill. In reality, this amendment would do far more than what was included in the program prior to 2008 and would, in fact, threaten 142,000 American sugar-producing jobs in 22 States.

I want to be very specific about the uniqueness of this compared to pre-2008. So, specifically, the amendment institutes two new policies beyond repealing the 2008 farm bill changes to the Sugar Program that are damaging to our farmers and sugar manufacturers in the United States.

First, the amendment would mandate for the first time a 15.5-percent stocks-to-use ratio. Sugar supplies in the United States are already at historically high surplus levels at a stocks-to-use ratio in the 18-to-20 percent range. This proposal would mandate artificially inflated increased inventories in order, really—realistically—to push down prices for food processing companies. At a stocks-to-use ratio of less than 15.5 percent earlier this year, sugar producer prices were collapsing below average levels of the 1980s and the 1990s.

We hear over and over again about how we have had this dramatic increase in sugar prices, and that has led to the loss of American processing jobs. Really, nothing could be further from the truth. In fact, we have seen historically low prices. In fact, sugar prices earlier this year were collapsing below the levels of the 1980s and 1990s.

Second, it would make U.S. sugar import quota rights tradable—tradable—on the open market, and I think that would risk potential fraud and abuse and denial of quota benefits to developing countries that count on the quotas. So if a country could not, in fact, meet their quota, that quota could be traded on the open market. I think that is a formula for interjecting a factor that has never been instituted before in the sugar bill.

I think U.S. policy provides access to developing world countries to our sugar market, one of the largest in the world. Allowing governments of developing nations to trade their quotas does nothing to empower those farmers in developing countries. Instead, the quota rights will be traded to subsidized industries in powerful sugar companies such as Brazil, which could lead to further excess supply in the American market.

Because everybody seems to believe that pre-2008 was a panacea for sugar, and if we just went back there everything would once again be fine, I wish to set the stage for what the world was like before the 2008 farm bill. The 2008 farm bill updated the Sugar Program in response to a change in the relationship between the United States and Mexico regarding sugar. Under NAFTA, agricultural trade was liberalized between our two countries which removed barriers and allowed a more free flow of goods. The NAFTA provisions regarding sugar were fully realized in 2008.

If dropping the trade barriers resulted in a level playing field, this would have been no problem because our American farmers are the most efficient in the world, and we can win in a free market condition. However, a level playing field was not the case. Mexican sugar is highly subsidized. In fact, the government owns approximately 20 percent of their sugar industry.

Candy and major food-producing companies are having some of their most successful years in memory. When we hear the stories of lost jobs and additional burden, I think we need to look at reality, and I think reality is that nothing has—the price of sugar has not prevented them from achieving record profits, strong profits, and continued growth.

Another fact that doesn't get talked about much when we talk about the Sugar Program is that today the price of sugar is roughly the same as what it was in 1985. What product can we say

that is true of? Sugar is the exact price as it was in 1985.

Additionally, the domestic price of sugar is often lower than the international price when factoring in transportation costs. To claim the Sugar Program is breaking the backs of American consumers, again, is not a fair or accurate statement.

The U.S. wholesale sugar price in April was 26 cents per pound. The internationally traded sugar price in April was 22 cents per pound. The transportation cost of bringing sugar to the United States from Brazil, the Dominican Republic, or the Philippines—three of the largest importers of sugar under the program—exceeds the 4 cents-per-pound difference.

So I think it is important that we at least have some response to this idea that, No. 1, things were good in 2008 so we should just roll back the program to 2008. If that were true, obviously, I do not think we would be standing here fighting this amendment. But I do not think it is true. Plus, I think there are provisions in this amendment that have not yet been revealed as provisions that were not included in the pre-2008 Sugar Program, and that concerns me.

It concerns me that this amendment has not had a discussion in committee. This amendment has not been something that the experts on the Agriculture Committee have deliberated.

Then I want to kind of pull back and look at a higher view, which is the American farmer, American agriculture, and what the farm bill attempts to do to guarantee a sure and steady supply of food for our country and, arguably, for the world.

The farm bill is a compromise package. The farm bill represents, in each one of those elements, a different provision for different parts of our country: dairy, important in Wisconsin; dairy, important in Vermont; dairy, not so important in North Dakota. But sugar is critically important to the economy of North Dakota. Sugar is important to the economy of Minnesota, the economy of Florida, the economy of Hawaii.

All of us have come together to fashion a farm bill that responds to the need for certainty in American agricultural policy. The farm bill is critical not only to our farmers but to the 16 million jobs the farm bill supports, and we forget that. We forget that this is much bigger than a sugar program, it is much bigger than any one individual commodity. It is about food security, combined with an effort to do what we need to do to provide certainty and surety to American producers.

My concern is that when you single out one commodity—whether it is soybeans or corn or sugar or tobacco or rice—when you single out one commodity, you threaten the effectiveness of the overall farm bill. So I would urge

my colleagues to work within the structure of the Agriculture Committee, understand that where you may have individual concerns about each piece of this—and I may have individual concerns about varying pieces of this farm bill, this ag bill, but it is critically important that we not single out one commodity on which to reduce our support. Sugar is too important to our economy, it is too important to our food processing to risk simply that we are going to have enough sugar on the international market, that we are not going to have a domestic supply because many of these provisions would drive the domestic producer out of the market, making us beholden to foreign sources of sugar. I do not think that is why we have a farm bill. I think we have a farm bill so we can guarantee that farm commodities and farm products that we are able to grow in this country are available and local.

So I urge a “no” vote on this amendment. I think it is extreme. This amendment, which has basically been reported to be a simple rollback to 2008, is not exactly as it appears. I believe it is critically important that we keep the compromise, which is the farm bill as reported out of the committee, essentially intact by recognizing the needs of all the commodity groups.

I yield the floor.

Ms. STABENOW. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. I want to take several minutes to respond to some of the comments that were made here in regard to the farm bill, and specifically the Sugar Program. We have got a vote coming up.

The PRESIDING OFFICER. We currently have an order to move to the consideration of S. Res. 65 at 3:45 p.m.

Mr. GRAHAM. Mr. President, that is my resolution with Senator MENENDEZ. I do not mind yielding a couple of minutes to the Senator to make his points.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. I thank my colleague. I do want to respond to some comments that were made in regard to the Sugar Program and the cost of sugar for American consumers. It is very important to understand that the price of sugar in the United States is actually less than the international price. So because of the Sugar Program we have, American consumers benefit. Again, I want to reiterate that point.

Also I want to express how important it is to understand that we have low-

cost producers in this country who are precluded from selling their sugar in markets such as the European Union because of tariffs and restrictions. As an individual who strongly supports international commerce and trade, on many of these issues I am down here talking about how we want to continue to expand our ability to export. I believe that. But at the same time, we have to make sure our companies and our farmers, our ranchers and our producers, particularly when we are talking about a farm bill, are treated fairly.

We have a situation where they operate internationally and they are precluded from many markets throughout the world, even though they are low-cost producers. That is what our Sugar Program is designed to do, to try to level that playing field. It does so effectively. The Sugar Program has cost this country nothing over the last decade. In fact, consumers in this country benefit from lower sugar prices than the international price, not higher prices.

I yield the floor.

SUPPORTING SANCTIONS ON IRAN

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 65, which the clerk will report by title.

The legislative clerk read as follows:

A resolution (S. Res. 65) strongly supporting the full implementation of the United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

The Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment.

[Strike the part printed in boldface brackets and insert the part printed in italic.]

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, “The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.”;

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, “This bogus and fake Zionist outgrowth will disappear off the landscape of geography.”;

Whereas, in August 2012, President Ahmadinejad said that “in the new Middle East . . . there will be no trace of the American presence and the Zionists”;

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the “most active state sponsor of terrorism” in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented “serious concerns regarding possible military dimensions to Iran’s nuclear programme,” and affirmed that information available to the IAEA indicates that “Iran has carried out activities relevant to the development of a nuclear explosive device” and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama

stated, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.";

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, "The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.";

Whereas, on March 4, 2012, President Obama stated, "Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.";

Whereas, on October 22, 2012, President Obama said of Iran, "The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.";

Whereas, on May 19, 2011, President Obama stated, "Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.";

Whereas, on September 21, 2011, President Obama stated, "America's commitment to Israel's security is unshakable. Our friendship with Israel is deep and enduring.";

Whereas, on March 4, 2012, President Obama stated, "And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.";

Whereas, on October 22, 2012, President Obama stated, "Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.";

Whereas, in December 2012, 74 United States Senators wrote to President Obama "As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.";

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for

more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

[(8) urges that, if the Government of Israel is compelled to take military action in self-defense, the United States Government should stand with Israel and provide diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.]

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

The PRESIDING OFFICER. Under the previous order, there will be now be 50 minutes for debate, with the Republicans controlling 30 minutes and the majority controlling 20 minutes.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, this is a debate where it does not matter who is speaking, Republican or Democrat, because we are speaking with one voice. That very seldom happens in American politics today, unfortunately. There will be 50 minutes divided, but really there is no division here.

S. Res. 65 has 91 cosponsors. That is very difficult to do. The Presiding Officer, Senator COONS, was an original cosponsor of the legislation.

What is S. Res. 65 all about? It is about the following: On March 4, 2012, President Obama stated:

Whenever an effort is made to delegitimize the State of Israel, my administration has opposed them. So there should not be a shred of doubt by now. When the chips are down, I have Israel's back.

This resolution is in support of the President's statement. When I heard that statement, it was music to my ears, because the Iranian nuclear program, the efforts of the Iranians to develop a nuclear capability, marches on as I speak.

Today, May 22, there are two articles, one in the Associated Press, one in Reuters, talking about AIEA reports and diplomats saying that Iran is pressing forward with the construction of a research reactor that would add to their nuclear capability in terms of enriching uranium to make a bomb, and that they have increased the number of centrifuges dramatically since April.

We have been trying to sanction Iran—very successfully, I might add. Senator MENENDEZ, my cosponsor here, the original cosponsor, will be here around 4. As to BOB MENENDEZ, there is no stronger supporter of the U.S.-Israel relationship than BOB, who is chairman of the Foreign Relations Committee.

We have worked on a resolution. The guts of this resolution basically are as follows: It declares the United States has a vital national interest in and an unbreakable commitment to ensuring the existence, survival, and security of the state of Israel. It reaffirms the support of the United States for Israel's right to legitimate self-defense. In the last paragraph, it is not an authorization to use force, but it says the following: That if Israel is compelled to take military action in self-defense, the United States will stand with Israel and provide diplomatic, military, economic support in its defense of its territory, people, and existence.

The whole resolution is about Israel having to defend herself against a nuclear-capable Iran. So when our President said in 2012 that "we have Israel's back," that his administration has Israel's back, this is a chance for the Senate to say we also have Israel's back.

From my point of view, you cannot separate the threat the nuclear program in Iran creates from the United States and Israel. They are the same. The same threat Israel faces from a nuclear-armed Iran, a nuclear-capable Iran, we face as a Nation. So people wonder, what will happen if that day ever comes? What would America do? Well, this is a statement by every Senator who votes yes—not an authorization to use force, but a statement—that if that day comes and Israel has to justifiably defend itself from a breakout by the Iranian regime to build a nuclear weapon, which could be the end of the Jewish state, we will have Israel's back economically, militarily, and diplomatically.

I cannot stress how important it is for that statement to be made by the Senate. Time is running out. Time is not on our side. As to the threat from Iran, since 1984 they have been characterized as the most active state sponsor of terrorism in the world. As we

have sanctioned them to stop their nuclear ambitions, the amount of enriched uranium has grown. As we talk, they enrich.

We are going to have several Senators come down to voice their support for this resolution.

With that, I would yield to Senator HOEVEN for 2 minutes. The Senator has been an unwavering supporter of the United States-Israel relationship.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I appreciate the opportunity to join my esteemed colleague from the great State of South Carolina in support of S. Res. 65, expressing our strong support for our close friend and ally, Israel.

This resolution right up front says—I want to read from the subheading in the resolution—“Strongly supports the full implementation of the United States and international sanctions on Iran, and urging the President to continue to strengthen enforcement of sanctions legislation.”

This is very important. I want to buttress a comment made by the good Senator from South Carolina, and that is through Kirk-Menendez and other legislation, we have provided authority for the administration to put the strongest possible sanctions in place against Iran to prevent Iran from developing a nuclear weapon. We need to do it. We need to stand with Israel. We need to support our ally. This is not just about Israel, this is about security for the United States. This is about preventing Iran from getting a nuclear weapon.

Essentially what these sanctions do is they provide any country or company that buys oil from Iran cannot do business with our banking system. Think about that. Countries that buy oil from Iran would not be able to transact with the United States and U.S. companies. That would preclude them from buying Iranian oil.

Okay. Think about that. If Iran cannot sell its oil, it has no revenue. If it has no revenue, it is forced to stop its efforts to build a nuclear weapon. So the point is this: We cannot only have sanctions. What we are trying to do in this legislation is not only express support for Israel, again as the Senator from South Carolina pointed out, but encourage and support the administration in completely enforcing the strongest possible sanctions against Iran so we do not have to go to the option of a military strike to take out their nuclear weapon capability. That is what this is all about. This is bipartisan—as the Senator said, 91 cosponsors. This is about saying we can get this done but we have got to impose these sanctions as strongly as we can. We have got to do it now.

Mr. GRAHAM. I thank the Senator from North Dakota.

Now I wish to recognize Senator AYOTTE for 4 minutes. We have got a

lot of speakers here to talk about S. Res. 65. She has been there at every step of the way.

Ms. AYOTTE. Mr. President, let me thank Senator GRAHAM and Senator MENENDEZ for their leadership on this important Senate resolution, S. Res. 65. This is a resolution that is very straightforward. It says to our friend and ally Israel: We have your back. That means right now. If you look at the dangers confronting Israel, they are unprecedented dangers, from the situation in Syria, to threats from Hamas and Hezbollah, to the situation in the Sinai. But the greatest threat of all is Iran acquiring nuclear weapons capability. It is a country that has threatened to wipe Israel off the map.

Rightly so, the Israelis have said never again. As our country, we say never again. Because it is not just that the Iranians could acquire nuclear weapons capability and launch a missile against our country, it is that they are the largest state sponsor of terrorism. They could give that nuclear weapon to a terrorist. Then it is not just a threat to Israel, this is a threat to the safety of the world. That is why I fully support this resolution and why it has so many cosponsors in the Senate. To understand the deep friendship we have with Israel, what we share in terms of democracy in the Middle East, ultimately this threat is not just a threat to Israel, this is a threat to the safety of the United States of America.

This resolution is clear. If Israel is compelled to take military action in self-defense against Iran's nuclear weapons program, it urges the U.S. Government to stand with Israel, diplomatically, militarily, and economically. It also reiterates what my friend from North Dakota talked about, which is the policy of the United States to prevent Iran from acquiring a nuclear weapon and reaffirms that we will continue to press for the toughest of economic sanctions.

To the leaders in Iran, understand there is much we do not agree on in this body. When we pass this resolution today, you need to know we are unified when it comes to stopping you from acquiring nuclear weapons capability, and that we will stand with our friend and ally Israel to make sure you do not present that type of grave danger to the safety of the entire world.

I thank my colleague from South Carolina. I thank my colleagues here who have supported this incredibly important resolution. Think about it. How often do we come together with 91 Senators to support legislation? This is about the security of this country. I look forward to this body passing this important resolution.

Mr. GRAHAM. Mr. President, at this time I wish to recognize a member of the Foreign Relations Committee, one of the strongest voices on national security in the body, a new member but

someone who understands the world and is a tremendous supporter of the United States-Israel relationship, Senator MARCO RUBIO from Florida, for 4 minutes.

Mr. RUBIO. I thank the Senator.

I rise in support of these sanctions as well. Americans are perhaps tempted these days to take a step back from the problems in places in the Middle East and wonder why do we need to be active in resolving these thorny issues that often seem unsolvable. But yesterday in the Foreign Relations Committee, for example, we discussed Syrian legislation and debated how to address the growing repercussions of our policy of inaction as violence and instability spreads beyond Syria's borders. We cannot stand idly by and ignore the fallout from Syria. Americans need to remember that Iran is not just Israel's problem, it is ours as well.

Iran has been sponsoring terrorism and killing Americans for decades, most recently in places such as Iraq and Afghanistan. Iran has pursued an anti-American agenda, and its foreign policy has supported tyrants. It has undermined U.S. allies, and not just in the Middle East, through its terrorist proxies such as Hezbollah and what they are doing now to defend Asad in Syria, but they have even done it in our own hemisphere.

On top of these issues, Iranian leaders have denied that the Holocaust even happened. They threaten Israel's very existence. So we do need to strengthen our sanctions. We need to actually follow through with them. That is what this resolution calls on the administration to do.

But we also have to ensure that our international partners do that as well. I am pleased that this resolution calls on the administration to fully implement the sanctions we have already passed and approved.

These sanctions have not changed Iran's calculus. The sanctions alone are not enough because, as we have seen, Iran has added centrifuges, so they continue to enrich uranium and they get closer to a nuclear capability. Similarly, the approach of this administration to talk to Iran, trying what our European partners have attempted to do in the past, has also been unsuccessful. For more than 10 years now we and the Europeans have tried to negotiate—all with no results. Iran has only gotten closer and closer to a nuclear capability.

We need a new approach. One avenue that has not been adequately explored is using perhaps our greatest weapon, what Ronald Reagan called “the will and moral courage of free men and women.” That means speaking out more forcefully about the human rights situation in Iran.

This regime is brutally oppressive. It represses its own people. Read the 2012 State Department report. It talks

about disappearances; cruel, inhuman, and degrading treatment or punishment, including judicially sanctioned amputations and flogging; politically motivated violence and repression, such as beatings and rape; harsh and life-threatening conditions in detention and prison facilities. This is not even a comprehensive list of the abuses that exist in Iran.

Currently, there is an American pastor in Iran, Saeed Abedini, who is serving 8 years in prison because he is a Christian and practices Christianity.

Yesterday the Iranian Government disqualified two Presidential candidates. This will be a sham election in the coming months. As one State Department official put it to the Foreign Relations Committee, the Green Movement in Iran today is virtually nonexistent.

Instead of denigrating the freedom fighters in Iran who have suffered from inaction and lack of support, we need to be doing everything possible in the weeks to come to speak frankly about the lack of fundamental freedoms in Iran and reject the notion that this regime is legitimate or a credible negotiating partner.

We need to make clear that a crack-down against the Iranian people similar to the one that occurred in June of 2009 after a fraudulent Presidential election will have real consequences this time. We can't be everywhere. America can't be everywhere and do everything, but we can't outsource the solutions to all our problems either.

Israel faces an unprecedented security environment. I saw this firsthand during my recent visit to the Middle East in February. In every direction, Israel sees uncertainty and potential instability, from an all-out civil war on its northern border in Syria, to neighbors going through delicate political transitions in the wake of the Arab spring. But even with all these changes in its neighborhood, the greatest challenge facing Israel today is the threat of a nuclear Iran.

We need to stand with Israel and provide diplomatic, military, and economic support in its defense of its territory, its people, and its existence. We need to remind Tehran that the United States will not allow Iran to obtain nuclear weapons, as this resolution states, and that is why I am supporting it. I urge all of my colleagues to support it as well.

The PRESIDING OFFICER (Mr. BROWN). The Senator from South Carolina.

Mr. GRAHAM. I thank the Senator for a terrific speech.

I would ask whether Senator MENENDEZ minds if Senator MCCAIN speaks.

Mr. MENENDEZ. I am always willing to allow Senator MCCAIN to speak.

Mr. GRAHAM. We will do this by age. Senator MCCAIN is recognized for 5 minutes. That is not quite a minute a decade, but that will get us going.

The PRESIDING OFFICER. The senior Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair, and I hope the Chair will discipline this disrespect that is being displayed because of my advanced age. This would never have happened in the Coolidge administration, in which I first served.

I thank the Senator. I also thank my dear friend LINDSEY GRAHAM for bringing this important resolution to the Senate.

Resolutions happen all the time. This is a very important one. It wouldn't have happened without the leadership and support of the distinguished chairman of the Foreign Relations Committee. I would like to thank him for his continued leadership, including the passage of the resolution that was passed through the Foreign Relations Committee yesterday concerning the situation in Syria.

Mr. President, I ask unanimous consent to have printed in the RECORD three articles that are of importance for our colleagues.

One is from the Washington Post: "Iran paves over suspected nuclear testing site despite U.N. protests."

The second is another Washington Post article, by the Associated Press: "Iran expands nuke technology for program that could be used to make weapons."

Of interest is another one, also from the Washington Post: "Iranian soldiers fighting for Assad in Syria, says State Department official."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 22, 2013]

IRAN PAVES OVER SUSPECTED NUCLEAR TESTING SITE DESPITE U.N. PROTESTS

(By Joby Warrick)

Iran has begun paving over a former military site where its scientists are suspected to have conducted nuclear-weapons-related experiments, according to a new U.N. report, a move that could doom efforts to reconstruct a critical part of Iran's nuclear history.

Satellite photos of the site, known as Parchin, show fresh asphalt covering a broad area where suspicious tests were carried out several years ago, the International Atomic Energy Agency said in an internal report that was prepared for diplomats.

The paving appears to have occurred within the past few weeks, at a time when the United Nations' nuclear watchdog was meeting with Iranian officials to try to negotiate access to the site to investigate allegations of secret weapons research.

Iran has repeatedly denied IAEA inspectors entry to the site, and previous satellite photos have shown a series of efforts to alter it by razing buildings and even scraping away topsoil around what was once a chamber used for military explosives testing. U.N. officials believe that the facility may have been used to test a special kind of detonator used in nuclear explosions.

Since February, Iran "has conducted further spreading, leveling and compacting of material over most of the site, a significant proportion of which it has also asphalted,"

the IAEA said in its report, a copy of which was obtained by The Washington Post.

The alterations to the site "have seriously undermined the Agency's ability to undertake effective verification" of Iran's claims that its nuclear program is entirely peaceful, the report said.

Iran denies that it ever conducted nuclear weapons research and says the IAEA has no mandate for investigating a military base with no ties to its nuclear program.

The IAEA, which conducts routine monitoring of Iran's civilian nuclear facilities, met with Iranian officials earlier this month in the latest in a string of failed efforts to clear up concerns over suspicious experiments by Iranian scientists. U.S. intelligence officials believe Iran was testing components for nuclear weapons as recently as 2003, when the work was abruptly halted.

Since then, Iran has amassed a large stockpile of enriched uranium—a key ingredient in nuclear weapons—but has not yet decided whether to take the risk of building and testing a bomb, U.S. officials say.

The IAEA report also documented Iran's continued progress in increasing its supply of enriched uranium, including the addition of still more advanced centrifuges that produce nuclear fuel more efficiently than the outdated machines formerly used by Iran. At the same time, Iran has continued to convert some of its uranium stockpile into metal fuel plates, a step that would make it more difficult to use the material in a future weapons program.

[From the Washington Post, May 22, 2013]

IRAN EXPANDS NUKE TECHNOLOGY FOR PROGRAM THAT COULD BE USED TO MAKE WEAPONS

(By The Associated Press)

VIENNA.—The U.N. atomic agency on Wednesday detailed rapid Iranian progress in two programs that the West fears are geared toward making nuclear weapons, saying Tehran has upgraded its uranium enrichment facilities and advanced in building a plutonium-producing reactor.

In a confidential report obtained by The Associated Press, the International Atomic Energy Agency said Tehran had installed close to 700 high-tech centrifuges used for uranium enrichment, which can produce the core of nuclear weapons. It also said Tehran had added hundreds of older-generation machines at its main enrichment site to bring the total number to over 13,000.

Iran denies that either its enrichment program or the reactor will be used to make nuclear arms. Most international concern has focused on its enrichment, because it is further advanced than the reactor and already has the capacity to enrich to weapons-grade uranium.

But the IAEA devoted more space to the reactor Wednesday than it has in previous reports. While its language was technical, a senior diplomat who closely follows the IAEA's monitoring of Iran's nuclear facilities said that reflected increased international concerns about the potential proliferation dangers it represents as a completion date approaches.

He demanded anonymity because he was not authorized to discuss confidential IAEA information.

The report also touched upon a more than six-year stalemate in agency efforts to probe suspicions Tehran may have worked on nuclear weapons. It said that—barring Iran's cooperation—it may not be able to resolve questions about "possible military dimensions to Iran's nuclear program."

The U.S., Israel and Iran's other critics say the reactor at Arak, in central Iran, will be able to produce plutonium for several bombs a year once it starts up. They have said Tehran's plan to put it on line late next year is too optimistic.

But the report said the Islamic Republic had told IAEA experts that it was holding to that timeline. The IAEA noted that much work needed to be done at the reactor site, but it said Iranian technicians there already had taken delivery of a huge reactor vessel to contain the facility's fuel. It also detailed progress in Tehran's plans to test the fuel.

Installations of the new IR-2m centrifuges are also of concern for nations fearing that Iran may want to make nuclear arms, because they are believed to be able to enrich two to five times faster than Tehran's old machines.

The IAEA first reported initial installations in February. It said then that agency inspectors counted 180 of the advanced IR-2m centrifuges at Natanz, Tehran's main enrichment site, less than a month after Iran's Jan. 23 announcement that it would start installing them.

Diplomats said none of the machines appeared to be operating and some may only be partially set up. But the rapid pace of installations indicates that Iran possesses the technology and materials to mass-produce the centrifuges and make its enrichment program much more potent.

Iranian nuclear chief Fereidoun Abbasi said earlier this year that more than 3,000 high-tech centrifuges have already been produced and will soon phase out its older-generation enriching machines at Natanz, south of Tehran.

The report also noted Iran's decision to keep its stockpile of uranium enriched to a level just a technical step away from weapons-grade to below the amount needed for a bomb.

More than six years of international negotiations have failed to persuade Tehran to stop enrichment and mothball the Arak reactor.

[From the Washington Post, May 21, 2013]

IRANIAN SOLDIERS FIGHTING FOR ASSAD IN SYRIA, SAYS STATE DEPARTMENT OFFICIAL
(By Anne Gearan)

MUSCAT, OMAN.—Iran has sent soldiers to Syria to fight alongside forces loyal to President Bashar al-Assad and those of the Lebanon-based Hezbollah militia, a senior State Department official said Tuesday.

An unknown number of Iranians are fighting in Syria, the official said, citing accounts from members of the opposition Free Syrian Army, which is backed by the United States. The official spoke on the condition of anonymity to preview a strategy session that Secretary of State John F. Kerry is to hold Wednesday with key supporters of the Syrian opposition.

Rebel forces have alleged for weeks that Iran is sending trained fighters to Syria, and the Iran-backed Hezbollah has said baldly that it will not let Assad fall.

But with the British, French and American governments considering providing arms to the Syrian opposition on a scale not yet seen in the civil war, the U.S. official's allegation was a tacit acknowledgment that the two-year-old Syrian conflict has become a regional war and a de facto U.S. proxy fight with Iran.

"This is an important thing to note: the direct implication of foreigners fighting on Syrian soil now for the regime," the official said.

Kerry is in the Middle East this week to foster political talks between Assad's resurgent regime and the embattled rebels and to inaugurate a new round of peace talks between Israel and the Palestinians.

The State Department official said the Syrian opposition, which is badly split, has not finalized its representative to the talks in Amman, Jordan, on Wednesday. The Amman session is intended to align strategies ahead of a larger conference in Switzerland that would bring together the Russian- and Iranian-backed Assad regime and the Western-backed rebels.

Russia appears to be hedging its bets, as the U.S. official acknowledged Tuesday. Assad's forces are being resupplied from somewhere, the official said, and not all of the armaments can be explained away as part of a continuation of weapons contracts that predate the conflict.

Kerry and Russian Foreign Minister Sergei Lavrov agreed two weeks ago to jointly lobby the opposition and Assad's government to sit down for negotiations. The goal would be a transitional government with members chosen by mutual consent. The United States says that would mean Assad's eventual exit; Russia says not necessarily.

Kerry stopped in Oman on Tuesday to solidify a partnership with a rare Sunni Arab nation that has friendly relations with both Iran and the United States. He was readying plans with Sultan Qaboos bin Said for Oman's purchase of an estimated \$2.1 billion air-defense system. The Raytheon-built system is part of a coordinated, U.S.-led detection and defense network intended to counter Iran's sophisticated missile systems.

The State Department official would not say whether Iran was welcome at the Syria conference in Geneva, tentatively set for June.

In Washington on Tuesday, the Senate Foreign Relations Committee passed legislation authorizing President Obama to send weapons to vetted Syrian opposition groups. Although the administration has not decided whether to provide lethal aid and does not need congressional approval to do so, the measure would strengthen Obama's case against those lawmakers who disapprove of stepped-up U.S. involvement in Syria.

The bill, co-sponsored by Sen. Robert Menendez (D-N.J.), the committee chairman, and Sen. Bob Corker (R-Tenn.), the ranking minority member, also creates a \$250 million annual transition fund—from reprogrammed, not newly appropriated, money—to help the civilian opposition preserve government institutions and strengthen sanctions against anyone providing arms or selling oil to Assad.

Menendez acknowledged concerns that U.S. weapons could fall into the hands of Islamist extremists fighting on the side of the opposition. But, he said, "if we stand aside and do nothing," such worries "will become self-fulfilling prophecy."

The bill, which passed the committee on a bipartisan 15 to 3 vote, still requires approval by the entire Senate and by the House, which has no companion version pending.

Karen DeYoung in Washington contributed to this report.

Mr. McCAIN. I join with 90 Members of the Senate to support this resolution. This resolution has extraordinary bipartisan support. The Senate will send a clear and unequivocal message to the regime in Tehran, and that is this: The United States will not allow

you to get a nuclear weapons capability.

The dangers of a nuclear Iran cannot be denied, diminished, or dismissed. We must continue to ratchet up the pressure through sanctions, as this resolution suggests. At the end of the day, sanctions are a means to an end, not an end unto themselves. Unfortunately, despite the unprecedented international sanctions that have been put in place, Iran is today closer to a nuclear weapons capacity than ever before, and the facts speak for themselves.

In January 2009, according to the IAEA, the Iranians had approximately 1,000 kilograms of uranium enriched to 3.5 percent. Today they have more than 8,000 kilograms. In January 2009 Iran had not enriched to 20 percent. Today the IAEA reported that Iran has produced 324 kilograms of 20 percent-enriched uranium. That is 44 kilograms more than 3 months ago. It means they are moving unabated and unhindered toward the development of a nuclear weapon, and they continue to deny IAEA inspectors entry into nuclear facilities while the centrifuges continue to increase dramatically. Just a few hours ago, the IAEA issued a report that says Iran has installed close to 700 high-tech centrifuges, which will exponentially increase the speed with which Iran will be able to enrich uranium.

Iran's pursuit of nuclear weapons capability cannot be divorced from its other destabilizing actions. The threat from Iran is comprehensive. It includes ongoing threats against Israel and other allied Arab governments across the region, it includes a decades-long campaign of unconventional warfare, and it includes Iran's ongoing role as the No. 1 state sponsor of terrorism in the world.

Let's not forget that Iran has bolstered violent extremist groups such as Hezbollah and Shiite militias in Iraq who are responsible for the murders of hundreds of young American forces and innocent civilians or that senior leaders of the Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on U.S. soil.

The Iranian regime continues to undertake its full-fledged campaign of brutality to keep Bashar al-Assad in power in Syria. Senior Iranian officials are advising and assisting the Syrian military with intelligence support and weapons. They have undertaken, together with Hezbollah, a large-scale training effort of as many as 50,000 militiamen. As today's Washington Post makes clear, Iranian soldiers are fighting on the ground in Syria, supporting the regime as it massacres its civilians.

I ask whether this is in America's national security interest.

The threat in Iran is more deadly and more serious than any I have seen in my lifetime. I don't think this threat

will be fully resolved until a very different set of leaders is in power in Tehran and until we see an Iranian Government that reflects the will of the Iranian people. I am confident that the current regime that rules Iran will not last forever for the simple reason that the Iranian people want the same freedoms and rights as people elsewhere.

I urge my colleagues to vote in favor of this amendment.

Again, I thank the Senator from South Carolina Mr. GRAHAM for his hard work on this resolution for a change.

Mr. GRAHAM. I wish to thank Senator McCAIN for his voice on this topic and any other topic that keeps America safe. I also thank Senator MENENDEZ, without whom there would be no resolution. Senator REID is not here, but I thank him for making the time available to have this vote.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. MENENDEZ. Mr. President, is there a division of time?

The PRESIDING OFFICER. The majority controls 20 minutes.

Mr. MENENDEZ. I recognize myself for such time as I may consume.

Let me start off by thanking and congratulating my colleague Senator GRAHAM for joining with me, for engaging me on this critical question. He knows my concerns about Iran's march toward nuclear weapons, and together we thought it was an important statement to make. I appreciate his leadership on this issue and bringing us to a point where I think we will have a remarkably strong bipartisan vote today to send a very clear message. The message is that we seek full implementation of U.S. and international sanctions on Iran and urge the President to continue to strengthen enforcement of those sanctions.

I cannot emphasize enough my strong concerns about Iran's nuclear program and the extraordinary threat it poses, yes, to Israel but, very importantly, to the United States of America and to the entire international community. Iran's provocative actions threaten to not just undo regional stability, but they pose an existential threat to our ally Israel and clearly a very clear threat to the national security of the United States. Iran continues to export terrorist activity directly and through proxies, such as Hezbollah. It continues to actively support the Asad regime Syria with fighters, arms, and petroleum. It continues its unrelenting drive for nuclear weapons, placing it at the top of our list of national security concerns. In my view it remains the paramount national security challenge we face, certainly in the Middle East, if not the world.

We are at a crossroads in our Iran policy, and the question today is, What

do we do next? The Obama administration, in concert with the Congress, has pursued a dual-track approach of diplomacy and sanctions. Two weeks ago members of the Foreign Relations Committee met with Lady Ashton, who has led the diplomatic track with the P5+1, along with Under Secretary Sherman. The talks have been central in demonstrating to the world that it is Iran and not the United States that is acting in bad faith and it is Iran that, through its obstinacy, has helped galvanize the international community to increase the pressure. But the talks have failed to achieve their central objective, which is getting Iran to make concessions on its nuclear program.

It is clear to me that we cannot allow the Iranians to continue to drag their feet by talking, while all the while they grow their nuclear program. Iran is proceeding at a fast pace. Today, as has been mentioned, the International Atomic Energy Agency, in its quarterly report, said that Iran has installed almost 700 advanced IR2m centrifuges at Natanz, an increase of more than 500 centrifuges since February of this year. These are centrifuges that can more efficiently and more quickly enrich uranium. The IAEA's report also again expressed concern about the possible military dimensions of Iran's nuclear program.

We cannot allow Iran to buy more time by talking even as the centrifuges keep spinning. There is no doubt and there has never been a doubt—certainly not in my mind—that a nuclear-armed Iran is not an option for U.S. national security. That is why I have been fully dedicated to doing everything we can to stop Iran from ever crossing that threshold. That is why I introduced, along with Senator GRAHAM, this resolution that makes clear that a nuclear Iran is not an option and that the United States has Israel's back. It is why I have come to this floor time after time as an author of some of the toughest sanctions that one country has ever levied against another, the sanctions against Iran.

Working closely with my colleague Senator KIRK and with the Obama administration, we have implemented these sanctions in a way that is truly strangling the Iranian economy. Iran's leaders must understand that unless they change their course, their situation will only get worse and economic struggles and international isolation will grow. They must understand that at the end of the day their pursuit of a nuclear weapons capability will make them less, not more, secure.

I also want to say something about Iran's unacceptable and deplorable approach to the State of Israel and its continued threats to the Jewish State. As the President has made clear time and again, America's commitment to Israel's security is unshakeable. I share the President's commitment to Israel's

security, and I know my colleagues do as well. Every time Iran makes outrageous threats, it only succeeds in further uniting the world against it and strengthening America's resolve.

I strongly support the close and unprecedented security cooperation that the administration has pursued with Israel, and I know this cooperation will only continue. I am deeply committed to doing everything I can to ensure that Israel is able to defend itself.

While this resolution makes absolutely clear we are not authorizing the use of force, it does also make clear that we have Israel's back and, specifically, that if Israel is compelled to take military action in self-defense against Iran's nuclear program, we should stand with Israel, using all the tools of our national power to assist Israel in defense of its territory, its people, and its very existence.

The bottom line is that Israel should always understand the United States has its back; that we will not allow Iran to obtain nuclear weapons capability, and if we are forced to, we will take whatever means necessary to prevent this outcome.

As the President has reiterated on numerous occasions, all options—all options—are on the table. That message, along with the solidarity of this Chamber, I intend to take with me on my visit to Israel later this week.

The simple fact is we need to continue to apply pressure and we must bring along the international community in our effort. This has been incredibly important, because while we have led, we have had a multiplier effect with the multilateral support of the European Union and others so our sanctions can bite, and they have been biting. Iran's crude oil exports have been cut in half, from 2½ million barrels per day in 2011 to approximately 1.25 million barrels now per day. Iran still had energy sector exports, however, of \$83 billion in 2012, including \$60 billion in oil and another \$23 billion in natural gas, fuel oil, and condensates. The sanctions are working, but they aren't enough, and they aren't working fast enough.

In my view, we need to double down on four fronts.

First, we need to encourage further reductions in energy sector purchases from Iran, including purchases of petroleum, fuel oil, and condensates and prevent Iran from engaging in trade in precious metals to circumvent sanctions; second, we need to ensure we have prohibited trade with Iran with respect to all dual-use items that can be used in Iran's nuclear program. That means adding additional industry sectors to the trade prohibition list; third, we need to ask the international community to ramp up the pressure and change Teheran's calculus. A nuclear Iran, after all, isn't only an American problem; and fourth, the time may

have also come to look more seriously at all options and that would include increasing military presence and pressure against Iran.

I believe there still may be time for diplomacy to work, but increased military pressure could signal to the supreme leader a nuclear program will undermine the security of his regime, not improve it.

Fundamentally, the challenge remains a difficult one and we are walking a fine line. But this resolution says to the supreme leader of Iran that we will not let up, we will continue to apply pressure, and this continued pursuit of nuclear weapons is threatening the very existence of his regime.

I urge my colleagues to support the Graham-Menendez resolution and full implementation of U.S. international sanctions on Iran. We are considering other options before the Senate Foreign Relations Committee, as well as working with our colleagues on the Senate Banking Committee to make it very clear we will exercise and exhaust all options that are peaceful diplomacy to achieve our ultimate goal.

This resolution makes it very clear to the world we stand behind the President as he stands behind Israel, and it says to Israel: We continue to be your faithful ally. We recognize you as a clear democracy in a challenging part of the world, as a major security partner of the United States, and the one country most likely to be voting with us in international organizations in common cause with common values.

That is what I think this vote will be about tonight.

I reserve the remainder of my time because I do believe I have a colleague who wishes to speak, but I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

There is 8 minutes remaining on the Republican side and 9 minutes remaining on the majority side.

Mr. GRAHAM. At this time, I yield 2 minutes to my friend from Mississippi, Senator WICKER, who is a member of the Armed Services Committee.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise in strong support of this resolution because Iran represents the single largest threat to freedom and peace in the Middle East. Our State Department classifies Iran as the most active state sponsor of terrorism, period.

A troubling news account from Reuters released just yesterday reveals a United Nations nuclear agency report due this week is "expected to show Iran further increasing its capacity to produce material that . . . could eventually be put to developing atomic bombs."

The clock is ticking. This is a moment to be resolute. The forceful words we just heard from the distinguished

chairman of the Foreign Relations Committee, and previously from the distinguished senior Senator from Arizona, demonstrate our firm bipartisan position on this matter. The world can ill afford the prospect of a nuclear-armed Iran. That is why it is incumbent on the Congress and the President to take every action necessary to prevent Iran from acquiring a weapon of mass destruction. All options must be on the table, as the resolution indicates, to prevent a nuclear-armed Iran.

Israel is a nation under siege by terrorist organizations, many of which are being directly funded by the Iranian regime. The United States must not waiver in its support and obligation to our friends in Israel. I am pleased this resolution reaffirms our commitment to Israel, particularly in the event Israel is forced to exercise its sovereign right to defend itself.

I urge my colleagues to take a firm stand against nuclear proliferation by voting for strengthened sanctions and for the adoption of this resolution.

I yield back whatever time I may have remaining.

The PRESIDING OFFICER. The senior Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I rise to express my strong support for this resolution and to thank our colleagues Senator GRAHAM and Senator MENENDEZ for their leadership and to thank them also for giving me the privilege of working with them over the last years on this vitally important national security issue. It is vital not just to the existence of Israel—it is an existential issue for Israel—but to the national security of the United States.

I believe Israel is a crucial ally of the United States and a successful democratic state in the Middle East. Recent turmoil in that region adds urgency and importance to ensuring that Israel remains a secure, stable, independent state.

This resolution is a reaffirmation of the readiness of the United States of America to assist Israel, our steadfast partner in the region, to thwart any measure of aggression made toward Israel by Iran.

It is also a reaffirmation of the policy long supported by this body—by our colleagues here, by all of us in a very personal and direct way—that we have the back of the President of the United States in his insisting on strong sanctions against Iran as long as it continues its development of a nuclear capability.

In the coming days, I will be introducing, along with my colleague the senior Senator from North Dakota, Mr. HOEVEN, a resolution that calls for free and fair elections in Iran. Regardless of the outcome of these elections—and they are likely to be sham elections—we can't avoid the sad fact that Iran has maintained its course and commitment to nuclear development. The cen-

trifuges are spinning, they are going, and more are brought online every day in this breakout for nuclear capacity. So we have to be wary of false signals of hope and remain vigilant in our constant effort to secure against Iran faithfully pursuing nuclear weapons.

Fruitless negotiations can't be our reason to call a halt to these sanctions. That can come only with compliance—verified compliance. We have to remain vigilant and remember that Iran has threatened to attack not only Israel but the United States. It has substantiated those words with attacks on our troops in Iraq and on American civilians visiting or living in Israel.

It is Israel who helps diffuse those threats from Hamas and Hezbollah and all who have targeted America. If Iran chooses to declare war on Israel, if it ignores the path of peace the international community has repeatedly laid down for it, they must know they do it at their peril.

The United States supports our strategic partner Israel, and that is why I support S. Res. 65, because it demonstrates our full, unyielding, unstinting support for Israel if the unthinkable and the avoidable happens.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. At this time, I yield 5 minutes to my good friend from Texas, a strong supporter of the United States-Israel relationship, Senator CORNYN.

The PRESIDING OFFICER. The senior Senator from Texas.

Mr. CORNYN. Mr. President, back in October 2012, two Iran experts at the Foundation for Defense of Democracies wrote a sobering article about the Iranian nuclear program. They concluded that, despite years of international and unilateral sanctions, Iran's economy had been allowed to remain healthy enough to leave a vanishingly short period of time for sanctions to do the work that might possibly head off military action.

Seven months have passed since that article was written, and over that period of time the following things have happened: The Iranians have upgraded their biggest uranium enrichment plant. The head of the International Atomic Energy Agency has found credible evidence that Tehran has secretly been pursuing nuclear weapons technology. The United States renewed sanction waivers for countries that import substantial amounts of Iranian oil. President Obama installed a harsh critic of Iran sanctions as his Secretary of Defense. The Iranians have continued to prop up Syria and its dictator Bashar Assad and transport dangerous weapons to Hezbollah as well.

In short, the Iranians are feeling emboldened, America's credibility is being tested, and time is running out.

For these reasons, I am a proud cosponsor of S. Res. 65, which would send a clear message we are determined not just to contain Iran but to prevent the Iranians from acquiring a nuclear weapon.

It would also send a clear message the United States will stand with Israel if our democratic ally is forced to take military action in legitimate self-defense.

I would also add that I have joined my colleague from Illinois Senator KIRK in introducing a separate bill, the Iran Export Embargo Act, which would further expand U.S. sanctions by prohibiting companies from doing business with any entity that is owned or controlled by the Government of Iran.

More specifically, our bill would prohibit all export-related transactions conducted on behalf of Iranian Government entities, and it would block their assets.

One final point. The Iranians are not just waiting to see how we beef up sanctions, they are also waiting to see how we respond to Syria's apparent use of poison gas. After all, President Obama famously warned the Assad regime that deploying chemical weapons would be tantamount to crossing a red line. Yet the White House is walking back its red line comments and issuing retroactive qualifiers.

We can be sure the mullahs are taking notes, and we can be sure the outcome of the Syrian civil war will help determine the outcome of the Iranian nuclear crisis.

I yield the floor.

Mr. SCHUMER. Mr. President, I rise in support of S. Res. 65, an important and timely resolution that restates U.S. policy to prevent Iran from acquiring a nuclear weapons capability and expresses U.S. support should Israel be compelled to take military action against Iran in its own legitimate self-defense.

I would like to take this time to thank my colleagues Senator MENENDEZ, Senator GRAHAM, Senator HOEVEN, and Senator BLUMENTHAL for joining forces to introduce this important bipartisan resolution that recognizes and reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than six decades.

Make no mistake—the diplomatic, security, and economic relationship between Israel and the United States is stronger than it has ever been, and nothing can break that everlasting bond. But let's be completely frank. Right now, our friend Israel faces one of the gravest threats it has confronted in more than a half a century.

The Islamic Republic of Iran is dangerously obsessed with the goal of acquiring a nuclear weapons capability. And we are getting closer and closer to "crunch time" in terms of Iran developing that nuclear weapons capability.

Time is of the essence, but unfortunately the latest talks between the United States, our international partners, and Iran in Almaty, Kazakhstan, failed to achieve any progress toward curbing Tehran's nuclear ambitions. "Talks" about the "future talks" are ongoing, but the centrifuges continue to spin in Iran, with more advanced centrifuges on the way.

And who can deny the horrific actions of the Iranian regime. From its support of the vicious Assad regime in Syria, which is spearheading a human rights catastrophe that has led to the deaths of more than 70,000 people, to its backing of murderous terrorist organizations like Hamas and Hezbollah, the Iranian regime is getting more and more dangerous by the day. All the while, Iran's President Mahmoud Ahmadinejad continues to guide his people down a very perilous path.

That is why this bipartisan resolution is so timely. It recognizes the tremendous threat posed to the United States, the West, and Israel by Iran's continuing pursuit of a nuclear weapons capability, and it deplores and condemns in the strongest possible terms the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel.

The United States must do everything we can—as quickly as we can—to convince the Iranian Government that it is in its interest to abandon its pursuit of nuclear weapons. This resolution sends a blunt message to the Government of Iran the United States will take whatever steps are necessary to prevent Iran from acquiring a nuclear weapons capability.

This resolution states that nothing in this text shall be construed as an authorization for the use of force or a declaration of war. But rest assured, I believe that when it comes to Iran, we should never take the military option off the table. President Obama has stated that Israel is a true friend. And if Israel is attacked, America will stand with Israel. Most importantly, President Obama has said that Iran's leaders should understand that he does not have a policy of containment; rather President Obama has a policy to prevent Iran from obtaining a nuclear weapon." I take the President at his word, and so should the Government of Iran. But we need to ratchet up the sanctions and the pressure on Iran now.

And rest assured—Congress has given the President a powerful package of economic sanctions that will paralyze the Iranian economy and I am confident we in Congress will do more and this Administration will do more to prevent Iran from developing a nuclear weapons capability.

I strongly urge my colleagues in the Senate to support this important resolution and I look forward to its swift passage.

Mr. ROBERTS. Mr. President, I rise today in advocacy for each of my colleagues to come to the floor this afternoon and vote in support of Senate Resolution 65. This vital resolution makes a clear statement to Iran—both to the current regime and to Iranian citizens who wish for real and true change from the status quo—that the United States will not tolerate its development of a nuclear weapon. Additionally, Senate Resolution 65 expresses the United States' unconditional support for Israel's right to self-defense against the threat of a nuclear Iran.

These vital statements come at a time when change could happen with Iran's elections next month. But unfortunately, there is little reason to believe things will change. According to the State Department, Iran remains the most active state sponsor of terrorism. This is a statistic that must be addressed. Iran's continual material and financial support to Hezbollah and Hamas, expanding involvement in Syria, and serial deception of its nuclear program are unlikely to be different a month from now; a year from now; perhaps, a decade from now. Especially as Iran continues to reject the United Nation's International Atomic Energy Agency's, IAEA, regulatory authority and oversight, the United States must reiterate the plain and simple fact that a nuclear Iran is unacceptable.

When looking at the bigger picture, the recent terrorist attacks and killings in Boston and Benghazi remind all Americans that our war on terrorism continues. Even as troop numbers dwindle in Afghanistan, this fight and its core focus are far from over. We must continue to combat the terrorist threat around the world and strengthen our allied relationships as this fight continues. Iran's funneling of weapons and aid to terrorist cells increases their threat beyond the neighborhood. Iran is not only a threat to Israel but to the United States as well. Senate Resolution 65 reminds us of this fact and of the long and important strategic relationship our nations have shared, one which has been built of mutual trust and strengthened through security cooperation.

I strongly support the United States' determination to prevent Iran from obtaining a nuclear weapon. I strongly support this resolution as it makes our determination unequivocal. All options are on the table.

To avoid our option of last resort, armed conflict, it is important that this Congress continue to push for full implementation of sanctions against the current regime in Iran to cripple their ability to acquire a nuclear weapon. I encourage all of my colleagues to join me in advocating for this—not only this administration, but for the European Union and democracies

around the world to strengthen their sanctions on this rogue regime, as Iran's beliefs, rhetoric, and actions threaten every nation who calls for democracy and freedom.

Of greatest importance, this resolution makes it crystal clear that the United States stands firmly behind Israel and her right to self-defense by pledging full support should Israel take military action against the threat of Iran's nuclear program. This is not an authorization for use of military force or a declaration of war. However, it sends the right message to Iran and the rest of the world. The United States stands strong behind our allies. Even in this time of necessary financial restraint, the United States will never leave an ally to fight alone.

Mr. WARNER. Mr. President, I rise in strong support of S. Res. 65, a resolution which sends Israel, Iran, and the region a clear message: We stand with our friends in Israel as they face the looming threat of a nuclear-capable Iran.

I thank Senators GRAHAM and MENENDEZ for submitting this critical resolution, which comes as we face a dangerous crossroads in the Middle East.

Iran's quest for a nuclear weapons capability is moving closer and closer to fruition. Talks with Iran have yet to achieve the progress necessary to restrain Iran's nuclear ambitions and to compel Iran to comply with the standards and norms expected of members of the world community. And while sanctions are having a significant impact on Iran's economy, they have not yet caused Iran's leaders to alter their course.

Just yesterday, Iran's leaders again showed their uncompromising and hard-line stance by excluding viable opposition candidates from their upcoming Presidential election.

There has been a special bond of friendship and cooperation between the U.S. and the State of Israel for over 60 years, which continues to retain broad bipartisan support. We should continue to support and expand the close military, intelligence, and security cooperation between our two countries.

In this context, S. Res. 65 makes three vital points.

First, it reiterates that it is U.S. policy to prevent Iran from achieving a nuclear weapons capability.

Second, it calls for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation, including closing loopholes that allow the regime to skirt sanctions.

And third, it makes clear the U.S. should stand in support of Israel in case Israel is compelled to take military action in self-defense, in accordance with U.S. law and Congress's con-

stitutional responsibility to authorize the use of force.

Now is not the time for America to project any ambiguity concerning Iran's nuclear program.

While we hope that sanctions will ultimately prove successful in persuading the regime to halt its nuclear ambitions, we must at the same time make clear to Tehran that we will stand with Israel. Any other message will simply encourage the mullahs to believe that Iran can pursue its nuclear ambitions with impunity—and may facilitate precisely the sort of crisis that we all hope to avoid.

I urge my colleagues to stand with Israel by voting in favor of S. Res. 65.

Mr. LEVIN. Mr. President, I support the resolution on Iran that we are voting on today, and I hope it sends a strong message to Iran as it continues to flout the international community in pursuit of a nuclear program that is a significant challenge to our Nation, our allies, and the world.

While a diplomatic arrangement in which Iran rejoins the responsible community of nations remains far and away the preferred outcome, there is a consensus in that a nuclear-armed Iran is not acceptable and that all options—including military options—must remain available to prevent such an outcome.

However, according to a New York Times report today, Iran is pressing ahead with the construction of a research reactor that could offer it another way to produce material for a nuclear weapon should it decide to do so. If true, this is further evidence that Iran is not interested in a diplomatic solution, but rather in walking up to the line of a nuclear weapon capability to fuel an arms race in the region, increase the risk of proliferation, and challenge the global community.

Over the past 2 years, the National Defense Authorization Act has included sanctions provisions that have ratcheted up the pressure on Iran's ability to facilitate and support its illicit network of nuclear suppliers and has made it more difficult for the government of Iran to conduct business as usual until Iran changes its course. I will continue to support additional unilateral and multilateral sanctions regimes that further increase the pressure on Iran's economy.

I look forward to supporting this resolution today, and I urge my colleagues to support it as well.

Mr. GRAHAM. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. GRAHAM. I thank Senator CORNYN and every person who spoke today and all the Senators who cosponsored this resolution. I thank Senator REID for making the time available. Senator MENENDEZ has been a terrific partner, the strongest voice one could hope for

in having a partner on the Democratic side to stand at a time when it matters.

In conclusion, on March 4, 2012, the President, President Obama, said "when the chips are down, I have Israel's back."

Mr. President, you were right then. Today the Senate will speak with one voice echoing what you said.

There is a lot of wonderment about what is going to happen with the Iranian nuclear program. I hope and pray they stop their nuclear ambitions because they don't want a nuclear reactor, they want a nuclear weapon. If they ever get one we will never be safe, Israel will be under the gun for the rest of its existence, and they will share the technology with the terrorists. Every Sunni Arab state will want a nuclear weapon to counter the Shia Persians and all hell will break out beyond what it is today in the Mid-East.

How do we prevent that? Sanctions, diplomacy, but the one thing we cannot have in doubt is what we would do if Israel had to act in her self-defense to stop the nuclear ambitions of an Iranian regime that has promised to wipe the State of Israel off the map.

After today, in about 10 or 15 minutes, I believe every Member of the Senate will be telling the Iranians we are not going to allow them to get a nuclear weapon because if we do, they will throw the world in chaos. It will threaten our very existence, as well as the State of Israel, but most important we are going to tell everybody in the Mid-East, throughout the world, in Tehran, Jerusalem and Tel Aviv that if there is a conflict where Israel is justified in defending herself against a nuclear-capable Iran, we will be there for them. We will have their back. Where I come from, when we tell somebody, "I have your back," that means if they get into a fight for their very life, they can count on us to be there.

In this case, Israel can count on the American people, the Senate, and our Commander in Chief to be there. If that day ever comes, and I pray it does not, but if that day ever comes where Israel has to take military action, to our friends in Israel: We will be there with you every step of the way, diplomatically, economically, and, yes, militarily.

To the Iranian people: We would love to have a better relationship with you. To the Iranian regime: You are one of the biggest evils on the planet. We will stand up to you. We will stand by our friends. And your desire to throw the world in chaos is never going to happen because we will be there when necessary to stop your ambitions.

To every colleague who has taken time out to sponsor this resolution, taken time out to speak on the floor: Thank you. There is not much we agree on 100 percent, but I think today will be a major milestone in our efforts to

secure Israel and the United States. I think today we will have 100 percent support by the Senate and stand by our friends in Israel and stand up to the thugs in Iran.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I thank my colleague from South Carolina for bringing this forward. We have implemented now another set of sanctions. There is still some question as to whether sanctions will succeed and bring about the result we want, but I particularly commend my colleague for his statement just a few moments ago relative to the commitment of the United States toward the security, safety and preservation of Israel in light of this threat that exists in Iran.

For years and years the clock has been ticking as the Iranians pursue nuclear weapons capability. We know that for a fact. We need to exert every possible measure that we can to give them reason not to go forward and do this. That involves everything from diplomacy to pressure through multinational organizations, through sanctions and ever-tightening, ever-ratcheting sanctions against them, but also the commitment to use whatever force may be necessary. I, along with my colleague, pray this does not happen. But Iran absolutely has to know that the United States will be standing shoulder to shoulder with the nation of Israel. If they level their gun sights at Israel, they are going to see us in the scope, standing shoulder to shoulder. We are committed to that. We are committed to doing everything we possibly can to prohibit and prevent Iran from achieving this nuclear capability. We will take whatever steps are necessary if they use it—if they gain that and use it for inappropriate purposes or any purposes other than production of medical devices and products as well as providing nuclear power.

I trust also that we have a 100-percent vote on this so we send a very strong signal to the Iranians that we will not tolerate them going forward with this plan.

I thank the Senator for yielding time.

Mr. REID. Mr. President, notwithstanding the previous order with respect to S. Res. 65, I ask consent that the committee-reported amendment be agreed to.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GRAHAM. I do not see any other speakers. I yield the remainder of the time.

The PRESIDING OFFICER. All time is yielded back. The question is on adoption of S. Res. 65, as amended.

Mr. GRAHAM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—99

Alexander	Flake	Moran
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Graham	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Paul
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Inhofe	Rubio
Cardin	Isakson	Sanders
Carper	Johanns	Schatz
Casey	Johnson (SD)	Schumer
Chambliss	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Cooms	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Cowan	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden

NOT VOTING—1

Lautenberg

The resolution (S. Res. 65), as amended, was agreed to.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to and the motions to reconsider are considered made and laid upon the table.

The resolution (S. Res. 65), as amended, with its preamble, reads as follows:

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored

acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, “The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.”;

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, “This bogus and fake Zionist outgrowth will disappear off the landscape of geography.”;

Whereas, in August 2012, President Ahmadinejad said that “in the new Middle East . . . there will be no trace of the American presence and the Zionists”;

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the “most active state sponsor of terrorism” in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented “serious concerns regarding possible military dimensions to Iran’s nuclear programme,” and affirmed that information available to the IAEA indicates that “Iran has carried out activities relevant to the development of a nuclear explosive device” and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.";

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, "The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.";

Whereas, on March 4, 2012, President Obama stated, "Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.";

Whereas, on October 22, 2012, President Obama said of Iran, "The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.";

Whereas, on May 19, 2011, President Obama stated, "Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.";

Whereas, on September 21, 2011, President Obama stated, "America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring.";

Whereas, on March 4, 2012, President Obama stated, "And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.";

Whereas, on October 22, 2012, President Obama stated, "Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.";

Whereas, in December 2012, 74 United States Senators wrote to President Obama "As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.";

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between

the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplors and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

AGRICULTURE REFORM, FOOD AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954.

AMENDMENT NO. 925

Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote in relation to the Shaheen amendment No. 925. Debate will commence on the Shaheen amendment No. 925.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, my understanding is Senator SHAHEEN is going to take the first 30 seconds of 1 minute on behalf of speaking in favor. I don't see her on the floor. I will take the second half.

I believe I see her now, so at this time, if she is ready, I yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Pennsylvania.

This amendment would address the only program within the farm bill that hasn't been reformed: the Sugar Pro-

gram. What we have now is a sweet deal for sugar growers and a bad deal for consumers.

Right now, according to the Department of Commerce, we are losing three jobs in manufacturing for every one job we save in the sugar grower industry. That is not a good deal for job creation in this country. We need to change it.

I yield to my colleague from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I thank the Senator from New Hampshire. She is absolutely right. It makes no sense to have a program that forces American consumers to pay at least 30 percent more than the going rate for sugar to force taxpayers to subsidize these producers. Also, we can lose jobs because, as the Senator pointed out, our own Commerce Department has found that for every job it saves, three manufacturing jobs are lost. This is a modest amendment that takes us back to the 2008 levels.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, on our side, let me tell my colleagues if they want to preserve jobs, vote against the Shaheen-Toomey amendment. The U.S. policy on sugar defends more than 142,000 jobs in 22 States and nearly \$20 billion in annual economic activity. Their amendment is bad policy. The taxpayers do not pay a penny on the Sugar Program. Domestic production is supported by import restrictions which have been used wisely over time, so this amendment would effectively kill America's no-cost Sugar Program.

Senator COCHRAN will take the last 30 seconds.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this amendment is being portrayed as a reform of sugar policy, but it is far more harmful than that. These proposed changes would undermine the policy of our domestic industry by transferring American sugar-producing jobs to other countries. Those producers are less efficient and heavily subsidized.

U.S. sugar policy has operated at zero cost to taxpayers for the past decade and has provided American consumers dependable supplies of safe high-quality sugar at low prices.

I urge Senators to oppose the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—45

Alexander	Cowan	McConnell
Ayotte	Cruz	Menendez
Baldwin	Durbin	Murphy
Blumenthal	Feinstein	Paul
Blunt	Flake	Portman
Boozman	Grassley	Reed
Brown	Heller	Roberts
Carper	Inhofe	Rockefeller
Casey	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	Kirk	Shaheen
Collins	Lee	Toomey
Coons	Manchin	Warner
Corker	McCain	Warren
Cornyn	McCaskey	Whitehouse

NAYS—54

Barrasso	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reid
Boxer	Hirono	Risch
Burr	Hoeven	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Chambliss	Johnson (SD)	Schumer
Cochran	King	Shelby
Crapo	Klobuchar	Stabenow
Donnelly	Landrieu	Tester
Enzi	Leahy	Thune
Fischer	Levin	Udall (CO)
Franken	Merkley	Udall (NM)
Gillibrand	Mikulski	Vitter
Graham	Moran	Wicker
Hagan	Murkowski	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 925) was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, if it pleases the Chair, I would like to say a few remarks about sugar, but I am not sure about the chairwoman's plans.

I thank the chairwoman of the committee and the ranking member. I know they are deciding what other amendments we are going to take up later this evening and how the votes will proceed. But let me again just thank my colleague from Michigan for her great lead and leadership on the farm bill.

This sugar amendment was very important to the people of Louisiana whom I represent, and I want to just thank my colleagues for their vote to keep a program in place that has worked at no cost to the taxpayer—no direct cash. It is monitored or organized or designed through an import restriction program that allows for the robust production of sugarcane and sugar beets in our Nation.

I thank Senator SHAHEEN for the wonderful way she handled the debate. We have different views about this, but we are colleagues and we work to-

gether very well. There are two sides to this issue. I think the evidence on our side is stronger. She would probably disagree. But I thank our colleagues for supporting the sugar caucus.

In Louisiana, sugarcane is being produced on over 427,000 acres in 22 parishes. Production is about 14 million tons, which is about 20 percent of the total sugar grown in the United States.

Last year, in 2012, Louisiana sugar mills produced 1.6 million tons of raw sugar, the largest amount we have ever produced in our State. This production represents a huge part of our State's economy. The loss of market for this product would be devastating. Let me say that the State of Hawaii, the State of Florida, states such as Minnesota and North Dakota and South Dakota that have strong sugar beet crops, it is very important for them as well.

Are the consumers hurt by this? Absolutely not. The U.S. sugar price is 14 percent below the world average, and 24 percent below the average for developed nations. So our policy is a good balance of encouraging domestic production and keeping prices stable and affordable for the consumer.

Let me say for candy production—and I have a small amount of candy produced in Louisiana. I am very proud of these companies. American food manufacturers say they are shedding jobs, but in my view this has nothing to do with U.S. sugar policy. In fact, U.S. sweetened product manufacturers are prospering and expanding. Candy production is rising, not falling, up by 9 percent since 2004. In addition, sugar represents just a tiny portion of the price these food retailers charge for their products—1 percent of the cost of a cupcake, 2 percent of the cost of a candy bar, 3 percent of the cost of a carton of ice cream, and 5 percent of a bag of hard candy. So I think our arguments won the day. I appreciate our colleagues supporting the sugar caucus. We thank you for keeping this bill intact with the balance it needs to move forward so we can have a robust farm agriculture reauthorization bill for this United States.

I yield the floor.

Mr. RUBIO. Mr. President, as we heard last summer and again throughout this week's debate, government subsidies are at the heart of both our agricultural and nutritional policies here in the United States. Subsidizing food costs in the form of payments for groceries is the core of our supplemental nutrition assistance program. Insurance premiums paid by our corn and soybean growers are directly subsidized in the farm bill on the floor today. And adverse market payments, what we once called direct payments, are available to crops such as peanuts and rice if the price for those commodities fall below a certain threshold. These government subsidies are used all across our country—from Iowa to

North and South Carolina; and from Missouri down through Kansas, Arkansas, and Texas.

Now we have heard from several members from these and other States the many opinions about the validity or usefulness of these subsidies. And I certainly have my own opinion about how the agricultural policy in the United States should be reformed and shaped. However, today, I stand to discuss a unique program—our country's Sugar Program. For those of you who are not familiar with the program, it consists of three components—a domestic allocation component, a tariff quota component, and a loan component. Now, aside from the loan component, uniquely, the Sugar Program in the United States does not require a direct government subsidy. In fact, from 2002 to 2011, the Sugar Program in the United States cost the government zero dollars, a glaringly low amount compared to the various other commodity programs that I previously listed.

There is a reason for this difference. Our Sugar Program is not an agricultural program—it is a trade program. We do not set the price of sugar in the United States artificially high by sending taxpayer money directly to that industry as we do with corn, soybeans, peanuts, or all the other various agricultural commodities here in the United States. We set the price of sugar in the United States by limiting the amount of sugar that we import from foreign countries.

This distinction cannot be ignored. This distinction creates a fundamentally different set of policy decisions for my colleagues here in the Senate as we continue this important debate on our Sugar Program.

Furthermore, this distinction requires acknowledgement in the sense that it changes our discussion about the Sugar Program here in the United States from how it impacts our domestic industries to how it interacts with same industries and policies in the international community. We cannot support any policy that ignores international realities at the detriment of our own domestic industries.

In implementation, and by necessity, this reality means two things: One, in debating the sugar policy here in the United States, because it is inherently a trade policy, we must do so with international realities in mind, and No. 2—when viewed through this lens, does any amendment that would reform this program without consideration of these international realities make the best sense and, more importantly, set a positive precedent?

I would argue it does not and would offer my colleagues, in the context of trade, the following facts: The Brazil Government, through the form of direct payments, forgiven loans and pension payments, and fuel mandates, subsidized the sugar industry in their

country to a tune of \$2.5 billion last year alone. Brazil controls 50 percent of all the world's sugar exports. To put that into context, Saudi Arabia controls only about 19 percent of the world's oil exports. Countries such as China, Thailand, and India, countries that the United States does not have free-trade agreements with, all subsidize their sugar industries in some form. And even in Mexico, the government owns and operates 20 percent of the country's sugar industry.

These countries, regardless of whether we repeal our sugar program here in the United States, will continue to generously subsidize sugar production for their own countries. In this context, I would ask my colleagues to seriously question the appropriateness, the benefits, and more importantly the risks to American jobs, if reforms to our Sugar Program were to pass without any link to the overall international dialogue. The 142,000 jobs and the \$20 billion annually that our domestic industry provides to our economy would be at risk while at no point in our discussion have we accounted for the protectionist policies that exist for the sugar industry in other countries all around the world.

To be clear, I am not arguing that, as a country, we need to be trade protectionists. To the contrary, I think our country will excel in the 21st century only if we eliminate barriers to trade and increase the flow of goods all around the world. But what I am saying is that if we are going to eliminate a trade program, let us do it in the context of a trade debate. Otherwise, we will lose jobs, industries, and overall leverage to other countries without even bringing them to the table to negotiate. I would argue it would be more appropriate to address reform of our Sugar Program in the context of international trade.

Very simply, we should repeal our entire Sugar Program if the largest sugar-producing countries in the world eliminated their own trade protectionist policies as well. We must ensure that we do not negotiate against ourselves in this international context by eliminating a program important to an industry in our country that is unfortunately forced to deal with these international realities. And I encourage my colleagues to consider the precedent they would set for their own industries in their own States when they consider the various amendments offered in this debate introduced to reform our Sugar Program. We must put this debate in the proper context while at the same time acknowledging the benefits of free trade to the United States and to citizens in countries all across the world.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I am here to talk about the importance of a

bipartisan, commonsense, 5-year farm bill to Indiana's agriculture and rural communities as well as our entire country.

This bill, passed with bipartisan support in the Agriculture Committee, protects the estimated 16 million agriculture-related jobs across the country. Last year, Indiana and many other States were plagued by severe drought, leading to a loss of crops and livestock, hurting our food supply and the livelihoods of farmers and their communities. Farmers in Indiana and around the Nation need the certainty of a 5-year farm bill that reflects and addresses the inherent risk of feeding and fueling our world. The Agriculture Reform, Food, and Jobs Act of 2013 strikes the right balance, ending direct payments and improving risk management tools to give farmers what they need to manage natural disasters or severe market downturns that are completely outside of their control.

In this budget environment, where we are looking for ways to cut spending and make government more efficient, it is important to note this bill would reduce the deficit by \$23 billion. We made the tough decisions necessary to cut spending, increase accountability, and eliminate duplicative or unnecessary programs to continue our efforts to get our fiscal house in order.

In my home State of Indiana, this bill is critical. Nearly 190,000 Hoosiers work in agriculture. Eighty-three percent of the State's land is devoted to farms or forests. Agriculture contributed nearly \$38 billion to Indiana's economy in 2011. Clearly, the certainty of a 5-year farm bill is important not only for the producers in our State but to the entire State's economy and overall well-being.

While no bill is perfect, there are a few areas of this bill I worked to improve based on feedback from Hoosiers. During the Agriculture Committee debate, I introduced an amendment with Senator ROBERTS that would give the next generation of bio-energy crops access to base levels of risk management so a reasonable safety net will be in place for energy crops. This bipartisan amendment, passed as part of the overall bill, would amend the Noninsured Crop Disaster Assistance Program to offer coverage for crops producing feedstock for energy purposes.

Further, the amendment would direct USDA to research and develop risk management tools for promising new sorghum crops. I support the many Indiana farmers who have and continue to contribute to our domestic energy security. Also, during the committee discussion, I helped introduce an amendment that would put the USDA, not the OMB, in charge of conservation program technical assistance funding levels. This gives USDA the authority to make sure that technical assistance reflects the needs of producers in the

field and the stakeholder community, while allowing conservation practices to be adopted on a broader scale. We need robust technical assistance to give producers the assurances they need to know they are implementing practices correctly. These decisions should be made more reflective of needs on the ground.

Further, I have continued my efforts from the 2008 farm bill to ensure that there are not restrictions on Hoosier farmers who want to grow fruits and vegetables. After a successful Farm Flex pilot program, I worked to expand full planting flexibility for farmers in Indiana and across the country wanting to grow what they want to grow on their own farms.

Finally, I am proud to cosponsor an amendment with Senator GRASSLEY. We should pass this amendment. It protects livestock and poultry farmers from having their personal information released by the EPA. It is outrageous that earlier this year the EPA released the personal contact information of over 80,000 livestock and poultry owners from across the Nation, including many from Indiana. This blatant violation of privacy must not happen again. I hope my colleagues will support the Grassley-Donnelly amendment when it comes up for a vote.

Put simply, this farm bill makes sense. It is an example of Republicans and Democrats working together to do good things for the American economy and America's people. I look forward to working with our colleagues in the House on a farm bill that we can get signed into law. No one is going to get 100 percent of what they want, but it is 100 percent necessary to get this farm bill done. I urge prompt passage of this bill by the Senate and for our colleagues in the House to do the same.

Farmers in Indiana and across our great Nation deserve more than partisan political gridlock that prevented a 5-year bill last year. This year we need to get it done.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STARTUP ACT

Mr. MORAN. Thank you very much.

I want to tell a story. It goes back to the summer of 2011. Back at that point in time, we had 30 straight months of unemployment above 8 percent. I decided it was important to work on legislation to jumpstart the economy and

to work in every way possible with my colleagues to put Americans back to work.

With a foundation of compelling data showing that nearly all of the new net jobs created since 1980 had been created by companies less than 5 years old, Senator WARNER and I introduced the Startup Act in December of 2011. The Startup Act was a jobs bill written to help entrepreneurs who have been responsible for most of the job creation in our country over the last 30 years.

The legislation made changes to the Federal regulatory process so that the cost of new regulations did not outweigh the benefits and encouraged Federal agencies to consider the impact of proposed regulations on startups, particularly.

Our bill made commonsense changes to the Tax Code to encourage investment in startups and reward patient capital. The Startup Act also sought to improve the process of commercializing federally funded research so that more good ideas out of the laboratories were put into market where these innovations could be turned into jobs by companies and spur economic growth.

Finally, the Startup Act provided new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talent and new job ideas could fuel economic growth and create American jobs.

When I began work on the Startup Act, I did not intend to write an immigration bill. My goal was simple: Find the most cost-effective way to jumpstart the economy and create American jobs. After reviewing the academic and economic data, it became clear that these strategies to create American jobs must include highly skilled and entrepreneurial immigrants. Immigrants to the United States have a long history of creating business in our country. We can all think of examples of individuals who have done so: Sergey Brin cofounded Google; Elon Musk cofounded PayPal, SolarCity, SpaceX, and Tesla; Min Kao founded Garmin in my home State of Kansas. There is a long list of people from other countries who created businesses here in the United States that now employ thousands and thousands and thousands of Kansans and Americans. Of the current Fortune 500 companies, more than 40 percent were founded by first- or second-generation Americans. Immigrants are now more than twice as likely as native-born Americans to start a business. In 2011, immigrants were responsible for more than one in every four U.S. businesses founded.

Today, one in every 10 Americans employed at privately owned U.S. companies works at an immigrant-owned firm. The immigration bill drafted by eight of our colleagues and reported by

the Judiciary Committee recognizes the importance of entrepreneurial immigrants. The legislation creates new visas for immigrant entrepreneurs and awards points for the merit-based visa for successful entrepreneurship. Yet this bill could be improved significantly to reflect more accurately how new businesses grow and hire workers.

Done right, an entrepreneur's visa has the potential to create hundreds of thousands of needed jobs for Americans. Now in its third version, Startup 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States. Those individuals with a good idea, with capital and a willingness to hire Americans, would be able to stay in the United States and grow their businesses. Each immigrant entrepreneur would be required to create jobs for Americans.

In many instances our country already has made a commitment to these entrepreneurs, allowing them to study in our universities and work temporarily at American companies. Providing a way for immigrant entrepreneurs to stay in the United States and create American jobs makes economic sense.

Earlier this year the Kauffman Foundation studied the economic impact of immigrant visas in the entrepreneur's visa in Startup 3.0. Using conservative estimates, the Kauffman Foundation predicts that the entrepreneur's visa could generate 500,000 to 1.6 million jobs over the next 10 years. These are real jobs with real economic impact that could affect real American families and boost our GDP by 1.5 percent or more, a 1.5-percent increase in our gross domestic product by this provision of the legislation alone.

Anticipating floor consideration of the immigration bill, I have been speaking with entrepreneurs, investors, and startup policy experts to develop an amendment that would improve the legislation. In my view, we have an opportunity to create jobs for Americans by making certain highly skilled and entrepreneurial immigrants are able to start a new business and contribute to the growth of American companies. If we miss this opportunity, we risk losing the next generation of great entrepreneurs and the jobs they will create. I will offer an amendment to the immigration bill to accomplish these goals and hope my colleagues will join me in supporting the changes to the legislation that would result in the creation of jobs for Americans.

While it is important to provide a straightforward and workable way for entrepreneurial immigrants to stay in the United States so they can employ Americans, we also need to make sure the immigration bill addresses the needs of growing American businesses.

The current problem is twofold. American schools are not producing enough students with the skills our

economy demands. While American universities do a great job of attracting foreign students to study advanced subjects, few pathways exist for these talented graduates to remain in the United States and contribute to American prosperity.

One reason for this problem is our Nation's high schools have fallen behind in STEM education—science, technology, engineering, and mathematics. Forty percent of high school seniors test at or below basic levels in math. Fifty percent of our high school seniors test at or below basic levels in science. By 12th grade only 16 percent of students are both math proficient and interested in a STEM career, and fewer than 15 percent of high school graduates have enough math and science to pursue scientific or technical degrees in college. It is no wonder that by the time American students go to college few are choosing to major in a STEM area subject. According to the National Science Foundation, college students majoring in non-STEM fields outnumber their math and science-minded counterparts 5 to 1.

Moreover, the growth rate of new STEM majors remains among the slowest in any category. Unfortunately, research shows that this gap continues to widen at a time when the number of job openings requiring STEM degrees is increasing at three times the rate of the rest of the job market. The number of students pursuing math, science, and engineering is declining. The demand for the jobs is increasing. Should this trend continue, American businesses are projected to need an estimated 800,000 workers with advanced STEM degrees by 2018, about 4 years away, but will only find 550,000 American graduates with those degrees they need.

How do we solve this problem and prepare America for the future? First and foremost, we need to do more to prepare Americans for careers in STEM fields. This will take time, but our efforts to improve STEM will yield positive results across the economy, even for those without STEM skills.

Second, as we work to equip Americans with the skills for the 21st century economy, we also need to create a pathway for highly educated foreign students to stay in America where their ideas and talents can fuel economic growth.

Startup 3.0, the legislation Senator WARNER and I have introduced, addresses this immediate need by creating STEM visas. Foreign students who graduate from an American university with a master's or a Ph.D. in science, technology, engineering, or mathematics would be granted conditional status contingent upon them filling a needed gap in the U.S. workforce. By working for 5 consecutive years in a STEM field, the immigrant would be granted a green card with the

option of becoming an American citizen.

The immigration bill we will soon consider attempts to address the immediate needs for more qualified STEM workers and the longer term need for Americans to develop the skills needed to fill those jobs. I am hopeful these aspects of this bill will be strengthened in order to provide growing American businesses with the skilled employees they need now and in the future. If growing American companies are unable to hire qualified workers they need, these businesses will open locations overseas.

I was in Silicon Valley last year, and executives at Facebook told me they were ready to hire close to 80 foreign-born but United States-educated individuals, when their visas were denied. Rather than forgo hiring these skilled workers, the company hired them anyway, but they placed them in a location in Dublin, Ireland, instead of the United States. Facebook was ultimately able to get the visas for these workers after training them in Ireland.

All too often companies end up housing these jobs permanently overseas. When this happens, it is not only those specific jobs we lose but also the many supporting jobs and economic activity associated with them. Even more damaging, more damning to me than the loss of those highly skilled workers who are now working in some other country, the end result is that someone among that group will start another company such as Google, be an entrepreneur, and start another company that creates jobs, but not in the United States—in Canada or in Dublin, Ireland. The United States loses both employment today and an opportunity for American jobs to be created in the future because our immigration policies failed to help our country retain highly educated and skilled individuals.

To me, this story and many others like it illustrate the importance of getting the policy right. Creating workable ways to retain highly skilled, American-educated workers and entrepreneurs is about creating jobs for Americans and growing our Nation's economy.

The United States is in a global battle for talent. If we fail to improve our immigration system, one that currently tells these entrepreneurs and highly skilled individuals we don't want you, they will take their intellect and skills to another country and create jobs and opportunities there.

Some of my colleagues may think I am exaggerating what is at stake, but this week Canada's Immigration Minister was in Silicon Valley recruiting entrepreneurs and promoting Canada's new startup visas. They have billboards in California encouraging those STEM-educated individuals to move to Canada where they have an immigration policy beneficial to them and their

jobs. This Minister's message was simple: The United States immigration system is broken, so bring your startups to Canada, where we will get you permanent residency and the opportunity to build your business. Canada put up billboards along Highway 101 between Silicon Valley and San Francisco enticing entrepreneurs to "pivot to Canada."

In fact, six other countries besides Canada in the short time I have been a Member of the Senate have changed their laws and policies to encourage these individuals to find jobs and create businesses in their countries. We have done nothing. For the sake of our country and the millions of Americans looking for work, we cannot afford to lose talented entrepreneurs.

As the Senate begins debate of the immigration bill in the near future, I encourage my colleagues to keep in mind the other 11 million, those 11.7 million American workers who are looking for work and the many others who have become so discouraged they have given up.

The United States is the birthplace and home of the American dream. For years our country has been seen as the land of opportunity for innovators and entrepreneurs. We must do everything possible to make certain that remains true in the face of growing competition. When the immigration bill comes to the Senate floor, I will offer amendments to improve the bill and encourage my colleagues to join me in supporting commonsense changes that will allow the United States to win the global battle for talent. Doing so will make certain that immigrant entrepreneurs have a home in the United States. In their pursuit of the American dream, they will create jobs for Americans and strengthen the American economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 965

Mr. SANDERS. Mr. President I call up amendment No. 965 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself and Mr. BEGICH, proposes an amendment numbered 965.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

Mr. SANDERS. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient)

On page 1150, after line 15, add the following:

SEC. 12213. CONSUMERS RIGHT TO KNOW ABOUT GENETICALLY ENGINEERED FOOD ACT.

(a) **SHORT TITLE.**—This section may be cited as the "Consumers Right to Know About Genetically Engineered Food Act".

(b) **FINDINGS.**—Congress finds that—

(1) surveys of the American public consistently show that 90 percent or more of the people of the United States want genetically engineered to be labeled as such;

(2) a landmark public health study in Canada found that—

(A) 93 percent of pregnant women had detectable toxins from genetically engineered foods in their blood; and

(B) 80 percent of the babies of those women had detectable toxins in their umbilical cords;

(3) the tenth Amendment to the Constitution of the United States clearly reserves powers in the system of Federalism to the States or to the people; and

(4) States have the authority to require the labeling of foods produced through genetic engineering or derived from organisms that have been genetically engineered.

(c) **DEFINITIONS.**—In this section:

(1) **GENETIC ENGINEERING.**—

(A) **IN GENERAL.**—The term "genetic engineering" means a process that alters an organism at the molecular or cellular level by means that are not possible under natural conditions or processes.

(B) **INCLUSIONS.**—The term "genetic engineering" includes—

- (i) recombinant DNA and RNA techniques;
- (ii) cell fusion;
- (iii) microencapsulation;
- (iv) macroencapsulation;
- (v) gene deletion and doubling;
- (vi) introduction of a foreign gene; and
- (vii) changing the position of genes.

(C) **EXCLUSIONS.**—The term "genetic engineering" does not include any modification to an organism that consists exclusively of—

- (i) breeding;
- (ii) conjugation;
- (iii) fermentation;
- (iv) hybridization;
- (v) in vitro fertilization; or
- (vi) tissue culture.

(2) **GENETICALLY ENGINEERED INGREDIENT.**—The term "genetically engineered ingredient" means any ingredient in any food, beverage, or other edible product that—

(A) is, or is derived from, an organism that is produced through the intentional use of genetic engineering; or

(B) is, or is derived from, the progeny of intended sexual reproduction, asexual reproduction, or both of 1 or more organisms described in subparagraph (A).

(d) **RIGHT TO KNOW.**—Notwithstanding any other Federal law (including regulations), a State may require that any food, beverage, or other edible product offered for sale in that State have a label on the container or package of the food, beverage, or other edible product, indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

(e) **REGULATIONS.**—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs and the Secretary of Agriculture shall promulgate

such regulations as are necessary to carry out this section.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commissioner of Food and Drugs, in consultation with the Secretary of Agriculture, shall submit a report to Congress detailing the percentage of food and beverages sold in the United States that contain genetically engineered ingredients.

Mr. SANDERS. Mr. President, I will be very brief, as I spoke on this issue before. Here is the story, using my own State of Vermont as an example, but it exists all over the country. This year the Vermont House of Representatives passed a bill by a vote of 99 to 42 requiring that genetically engineered food be labeled.

Yesterday, as I understand it, the Connecticut State Senate, by an overwhelming vote of 35 to 1, also passed legislation to require labeling of genetically engineered food. In California this issue was on the ballot. Monsanto and the other biotech companies spent something like \$47 million against the right of people of California to have labeling on GMO products, and they won. The people who support labeling got 47 percent of the vote despite a huge amount of money being spent against them.

In the State of Washington, over 300,000 people have signed petitions in support of an initiative there to label genetically engineered food in that State.

A poll done earlier this year indicated that some 82 percent of the American people believe labeling should take place with regard to genetically engineered ingredients.

This is a pretty simple issue, and the issue is do the American people have a right to know what they are eating, what is in the food they are ingesting and what their kids are eating.

The problem is that a number of States, including Vermont, have gone forward on this issue. They have been met with large biotech companies like Monsanto who say if you go forward, we are going to sue you. And it will be a very costly lawsuit, because we do not believe you have the right as a State to go forward in this direction because you are preempting a Federal prerogative.

I happen not to believe that is correct. What this amendment does is very simple. It basically says States that choose to go forward on this issue do have the right. It is not condemning GMOs or anything else. It is simply saying that States have the right to go forward.

There have been some arguments against this amendment, and let me briefly touch on them. Genetically engineered food labels will not increase costs to shoppers, as we all know. Companies change their labels every day. They market their products differently. Adding a label does not change this. Everybody looks at labels.

They change all the time. This would simply be an addition, new information on that label. In fact, many products already voluntarily label their food as GMO-free.

Further, genetically engineered crops are not better for the environment. Some will say, well, this is good for the environment. The use of Monsanto Roundup-ready soybeans engineered to withstand exposure to the herbicide Roundup has caused the spread of Roundup-resistant weeds which now infest 22 States, 10 million acres in 22 States, with predictions for 40 million acres or more by mid-decade. Resistant weeds increase the use of herbicides and the use of older and more toxic herbicides.

Further, there are no international agreements that permit the mandatory identification of foods produced through genetic engineering.

As I mentioned earlier, throughout Europe and in dozens of other countries around the world, this exists. It is not a very radical concept. It exists throughout the European Union and I believe, very simply, that States in this country should be able to go forward in labeling genetically modified foods if they want, and this amendment simply makes it clear they have the right to do that.

I look forward to the support of my colleagues with that amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Let me say, for purposes of the Members, now that we have completed our official voting for today, I want to thank everyone for all of their hard work and the staff for all of their hard work. It is a continuing pleasure to work with my ranking member Senator COCHRAN. We are in the process of securing a time for a vote, hopefully in the morning, and then we have a number of votes tomorrow.

We are on a path to getting this done. With the cooperation of the Members, we are hopeful we will have a number of votes tomorrow and be able to complete this very important bill.

I would just remind colleagues that 16 million people work in this country because of agriculture. It is probably the biggest jobs bill that will come before this body, and we are very grateful for everyone's patience and willingness to work with us to bring this bill to completion.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I would like to thank the chairwoman of the

Committee on Agriculture, Nutrition, and Forestry for her great work in bringing a bill to the floor today that does a lot of justice for families in Connecticut and across the country who are fighting every single day to put food on the table for their loved ones.

The fact is, although people have an impression that our State is a wealthy one, we have a handful of the poorest cities in the country, and we have tens of thousands of people who have been ravaged by this economy. These nutrition programs funded in the underlying bill are an absolute lifeline for families who have been, largely temporarily, hit straight across the brow by this devastating recession.

In Connecticut, though, for some people who don't know our State, it is hard to imagine that 11 percent of the population is today receiving SNAP benefits. One out of every ten people—one out of every ten families in Connecticut—right now relies on food stamps to either pay for their food in whole or in part. That is over 400,000 people in Connecticut.

These are people such as the 87-year-old retiree from Southbury, CT, who lives in a small, very reasonable condo. She lives on about \$1,100 a month. She has gone through a \$100,000 home equity line of credit, but her condo fees and her electric bill—because she lives in a little condo that is heated by electricity alone—basically eat up the entirety of her budget. She couldn't eat without foods stamps. She couldn't eat without these benefits. They keep her alive, as they do for millions of seniors all across this country.

On the other end of the age spectrum is another Southbury resident. Southbury, frankly—Connecticut, in general—doesn't have a reputation as being a town in need, but they have hundreds of SNAP recipients, just as in every town across Connecticut. Mrs. Smith is an unemployed mother. She made a six-figure salary for decades. When her husband became disabled, she was the sole breadwinner for her family. The recession hit her, just as it has hit hundreds of thousands of others across the country, and she lost her job. It is now the \$300 she gets per month in SNAP benefits that allows her to feed her kids.

She is out there doing everything we ask. She is looking for a job. She is trying to get back to work, but she has lost her unemployment benefits. They have been exhausted, and now she needs this money in order to live.

The fact is 61 percent of all SNAP participants are families with children, and 33 percent of all SNAP recipients are families with elderly or disabled members in their families. These are the most vulnerable in our country, and they need a strong SNAP program in this bill.

I am one of a handful of Senators who cast a vote yesterday to add some

money back, but the fact is the real comparison is not the difference between the underlying bill and that amendment. The real comparison is between the bill we are debating now and the budget pending before the House of Representatives today.

The House Republican budget would absolutely devastate, eviscerate, obliterate the Food Stamp Program—basically rescinding this Nation's longstanding commitment to making sure kids have enough to eat when their families are out of work or have hit hard times.

One of the reasons Republicans in the House in particular have come so hard, so consistently against foods stamps is because they categorize it as an overly generous handout to people who don't need it. Well, this week I am testing that theory. This week, because we are debating this bill on the floor of the Senate, I decided to see what it would be like to live on the average food stamp benefit for people in my State of Connecticut.

That average benefit in Connecticut is about \$4.80 a day. I am finding out—now 3 days into this—even on this budget for just a week, it is pretty hard to eat enough to just not be hungry, never mind eating healthy foods. I went to the grocery store to buy some fruit and vegetables for the week and could barely find anything that fit within that budget. I was able to buy some bananas for 69 cents a pound. I wanted to get some peanut butter, but the only kind of peanut butter I could get was the kind loaded with preservatives because the stuff that is better for you costs a lot more.

Over and over again, people who are right now on food stamps are going hungry, never mind the kind of hunger they would be confronted with if we further cut this program. They have to make choices every day when feeding their kids: Do I give them enough calories so they will go without hunger pains for the day or do I try to get them a smaller amount of food that is maybe a bit better for them? That is what these families have to think about every single day.

I am not suggesting doing this budget for a week allows me to walk more than a few steps in their shoes, but it is an education on how little one gets out of this benefit today, and it is a caution for this body to stand up to the House of Representatives, if the farm bill gets to conference, to make sure these cuts don't get any worse.

The stories of the senior citizen and the unemployed mother in Southbury, CT, are two of millions of stories all across this country. These are people who have paid their dues, who are playing by the rules, but who just need a little help from us in a bad economy. By no means is this program an overly luxurious handout.

Let me tell you, from a very brief anecdotal experience, it is pretty hard to

go without hunger on \$4.80 a day, never mind trying to provide a healthy meal for your kids.

I just wanted to come to the floor this evening and applaud the efforts of our colleagues who are trying to push through a bill that will get to conference so we can be in a strong position to defend the nutrition titles of this bill which are keeping people—kids, the disabled, and the elderly—alive today.

There are those of us who would have liked to have seen even more support in this bill for nutrition programs. We failed in that attempt earlier this week, but we are united in the fact that a farm bill that comes out of the House and the Senate and goes to the President's desk has to keep the promise we have made to generations of kids across this country—we are going to make sure you have enough to eat.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I ask unanimous consent that on Thursday, May 23, following the cloture vote on the Srinivasan nomination, and notwithstanding cloture having been invoked, if invoked, the Senate resume legislative session and consideration of S. 954; further, that the Senate then proceed to vote in relation to the pending Sanders amendment No. 965; that there be no second-degree amendments to the Sanders amendment prior to the vote; that the amendment be subject to a 60-affirmative vote threshold; finally, that the time consumed during consideration of S. 954 count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I want to discuss my amendment regarding the Environmental Protection Agency's release of farmers' information. By now, many of my colleagues have heard about the Environmental Protection Agency's release of individual personal information to environmental activists.

This should not have happened. The EPA released information on over 80,000 farmers nationwide, and over 9,000 Iowans. I can't even characterize some of these Iowans as livestock producers; many of them are simply hobby farmers. There is a person on the list who has 12 horses; another gentleman on the list has one pig.

It is downright absurd that EPA would collect this kind of information and then hand it over to environmental activists. Given what we have seen recently with the egregious actions by

the Internal Revenue Service, we should all be outraged by the continuing pattern of overreach by this administration.

This whole situation just doesn't pass the commonsense test. We have seen acts of eco-terrorism in the past against farmers. Farmers shouldn't have to fear their personal information being released to groups who may want to use the information to harass or terrorize family farmers. This amendment would restrict EPA's ability to release such data.

Since EPA can't put an end to this reckless behavior, then Congress needs to step in and fix the problem for EPA. I urge my colleagues to support this amendment.

Mr. SESSIONS. Mr. President, today I wish to discuss amendment No. 945, which was accepted by the Senate yesterday via unanimous consent. This is an important amendment, and I would like to thank the chairman of the Senate Agriculture Committee, Senator STABENOW, and the ranking member, Senator COCHRAN, for their willingness to work with me to see that this amendment was accepted.

My amendment will help farmers in Alabama and many other States benefit from Federal agricultural irrigation programs. Expanding irrigation can help protect against drought and can dramatically increase agricultural production, which is why I supported the creation of the Agricultural Water Enhancement Program, AWEP, several years ago.

AWEP, which receives approximately \$60 million annually, is a "voluntary conservation initiative that provides financial and technical assistance to agricultural producers to implement agricultural water enhancement activities on agricultural land to conserve surface and ground water and improve water quality," according to the USDA. AWEP assists farmers with the use of upland water storage ponds, irrigation system improvements, water quality improvement, and other similar efforts. It is a good program. According to ALFA—the association representing Alabama's farmers:

Since 2009, the AWEP Initiative has made available over \$3.5 million to benefit the local economy. In Alabama, 102 farmers have improved efficiency in their irrigation operations which resulted in savings of about 875 million gallons of water per year.

However, USDA currently limits access to AWEP to farms that have been irrigated previously a requirement that prevents most Alabama farmers from being eligible for this useful program. Farmers are often required to show past irrigation records, irrigation water management plan documentation, or a map showing farm acres with irrigation history. This prior history requirement prevents some worthwhile agricultural water enhancement

projects from being eligible for AWEPP assistance, particularly in States where irrigation has not been significantly used. According to data in the 2007 USDA Agriculture Census, many farm acres throughout the country do not have a history of agricultural irrigation. This is especially true in my State. According to ALFA, "only about 5% of Alabama's farms have irrigated cropland," and this prior history requirement "has prevented the program from being more widely utilized" in Alabama.

My amendment No. 945, which was accepted, as modified, by unanimous agreement in the Senate yesterday, eliminates this unwarranted restriction and will help ensure that more farmers are eligible for USDA irrigation assistance programs. I thank the chairman and ranking member for their work in modifying my amendment to ensure that this clarification of law only applies "in states where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary." As a State with relatively little agricultural irrigation in present use, Alabama and other similarly-situated States are clearly covered by the relief provided by my amendment.

MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ADAM SCOTT

Mr. REID. Mr. President, I rise to honor Adam Scott, a former member of the University of Nevada, Las Vegas golf team, and the first Australian to win the Masters Tournament.

Through his determination and will to win, Adam was able to come back from a heartbreaking loss at the 2012 Open Championship to win the 2013 Masters in truly stunning fashion. In a tie for the lead heading into the 72nd hole, Adam birdied with a 20-foot putt. At that point, I thought Adam had clinched the title, but another great golfer, Angel Cabrera, was able to force a playoff with his own birdie. It was not until the second hole of that playoff that Adam, through yet another birdie, was able to call himself the Master's champion. This was his ninth PGA Tour win, but first major championship.

Adam hails from Adelaide, Australia, later moving to Queensland at the age of 9. In 1998, Adam came to my home State of Nevada to study and play golf at UNLV. While at UNLV, Adam was an All-American, finishing 11th at the 1999 NCAA Golf Championships. His

victory at the Masters was the first major championship to be won by a former UNLV men's golfer.

UNLV's golf program has produced a lot of great players over the years, but until now, none had ever won a major championship. There have been several second-place and third-place showings, but never a champion. As a Nevadan, it is amazing to see a former UNLV player wearing the famous Augusta National Gold Club's green jacket.

On behalf of the Senate, I congratulate Adam Scott on his victory at the Masters Tournament and look forward to continuing to follow a career that has already made Australia and the University of Nevada, Las Vegas very proud.

MEMORIAL DAY

Mr. COCHRAN. Mr. President, today I pay tribute to the men and women of our Armed Forces who have given their lives in defense of the United States. Memorial Day has, since its inception in the years immediately after the end of the Civil War, been a special time for us to remember and honor all Americans who have died in military service. Nearly 150 years after the first "Decoration Day" was observed, it remains important that we as citizens of this great Nation take time to reflect on the brave servicemen and women who made the ultimate sacrifice on our behalf.

As I have noted, Memorial Day grew out of a practice started in April 1866 in Columbus, MS, with the decoration of the graves of Confederate and Union soldiers alike. The tradition of honoring both those who fell on both sides of that conflict evolved into our modern observance of this sacred day.

Today, tens of thousands of American men and women continue to put their lives on the line to preserve and perpetuate the freedoms and liberties established with the birth of our Nation. The freedoms we enjoy in this country have often been paid for with the lives of these servicemembers. Their selfless example of service, whether made at Bunker Hill, Vicksburg, Iwo Jima, Inchon or the remotest regions of Afghanistan, inspires us to sacrifice and work for the good of our Nation.

This Memorial Day, Mississippians will again honor all brave fallen warriors, including the men and women from our State who have recently died in the service of our nation in Afghanistan and around the world.

For the RECORD, I offer the names of three brave heroes with roots in Mississippi, who have fallen since the nation commemorated Memorial Day last year. They are:

SSG Ricardo Seija, 31, of Tampa, FL, who died July 9, 2012

SFC Coater B. DeBose, 55, of State Line, MS, died Aug. 19, 2012

Specialist Patricia L. Horne, 20, of Greenwood, MS, died Aug. 24, 2012

We mourn their loss and honor them for their courage, dedication and sacrifice, and resolve that their lives were not given in vain.

This Memorial Day, the people of my State and throughout our great Nation will rightly set aside their day-to-day tasks to remember and say a prayer of thanksgiving for those who have laid down their lives for their country. We will also think of their families who share most acutely in their loss. I join them in saying thank you to those who made these great sacrifices.

TRIBUTE TO RICHARD BENDER

Mr. HARKIN. Mr. President, when Richard Bender retires at the end of this month, the Senate will say farewell to one of its most respected, talented, and accomplished staff members. And I personally will be saying farewell to my longest serving legislative counselor.

They say that there are no indispensable people here in Washington. Don't believe it. For the last three and a half decades, Rich Bender has been my indispensable person—a staffer with an encyclopedic knowledge of parliamentary procedure, the legislative process, the Federal budget, as well as the rules and traditions of this body.

I am by no means the only Senator who has found Richard indispensable. In fact, he is a legend among Senators and staffers alike. Many times, the distinguished majority leader, Senator REID, has come to me with some version of this request: TOM, I am having trouble with this bill. Opponents are raising all kinds of legislative and parliamentary hurdles. Have Bender give me a call. And, by the way, Leader REID asking you for advice on parliamentary procedure is about like Wynton Marsalis asking you for advice on how he can play the trumpet better.

In my Senate office, Richard has managed a broad portfolio, including budget and taxes, infrastructure, economic development, and a good share of appropriations. He has completed more than 37 years in public service in Congress, beginning in 1975 as a special assistant to Iowa Senator John Culver. In 1977, when I was still in the House of Representatives, he came to work in my congressional office in Ames, where he met his future wife, Laura Forman. Richard moved to my Washington office in 1980. He has been with me, now, for three and a half decades, making him the longest serving Harkin staffer on record.

Richard often says, with pride, that he is the guy in the office who handles asphalt and cement. What those two items translate into are new roads and bridges, revitalized downtowns, economic development, jobs and opportunity. Cities across Iowa, from Dubuque to downtown Des Moines and

across to western Iowa, all bear abundant evidence of Richard's excellent work over the decades.

I have never encountered a staffer who can match Richard's mastery of the appropriations process—not just the know-how and know-who of appropriations, but even more importantly the tenacity and persistence required to advance specific projects over the course of many years and sometimes for more than a decade.

I don't know how many times folks in Iowa have thanked me for things that Richard played a huge role in getting done. Let me name just a few of them.

He deserves special credit for his many contributions to making downtown Des Moines the attractive, economically vibrant urban landscape it is today, including the downtown loop on the Martin Luther King, Jr. Parkway, as well as projects like Riverpoint and the Science Center, all of which have spurred development on the south side of town. He played a similar role in assisting the revitalization of Dubuque by securing funds for the brilliant development of the city's Mississippi waterfront.

Richard is fond of describing roads, rivers, and canals as the "arteries and veins of commerce," and he has been devoted to securing robust investments in essential infrastructure projects all across Iowa. I would mention, for example, Federal funding for the Des Moines to Burlington four-lane highway, and Highway 61 improvement in eastern Iowa.

Twice during Richard's tenure in my office, he has played a critical role in helping Iowa to recover from catastrophic floods. Following the devastating weather and flooding in 1993, he helped to secure major Federal funding to help Iowa cities, towns, and farms to recover. Likewise, after the once-in-a-century flood of 2008, Richard dedicated himself to securing resources to help Cedar Rapids, Iowa City, and many other communities to rebuild better than ever.

Let me mention several other achievements:

Richard played a key role in defeating a 1994 appropriations amendment that would have severely damaged ethanol's expansion in the U.S. gasoline market. The vote on the motion to table was 50 to 50, with the Vice President casting the deciding "aye" vote.

He secured vital funding for airport expansion and upgrading in Des Moines and at other Iowa airports.

Richard played the key role in securing nearly one-half billion dollars to upgrade USDA's National Animal Disease Center at Ames.

He obtained Federal funds for the High Trestle Bridge over the Des Moines River on the recreational trail between Ankeny and Woodward.

Earlier this year, he successfully persuaded the Army Corps of Engineers to

keep the lower Mississippi River open for navigation during a time of persistently low water.

Thanks to Richard's dogged efforts, we were able to secure funding for the new Federal courthouse in Cedar Rapids.

These accomplishments are Richard Bender's living legacy.

And no recounting of Richard's legacy in Iowa would be complete without mentioning his central role in devising and implementing the modern Iowa caucuses system. In 1971, Richard was working as a staffer for the Iowa Democratic Party, which was seeking a way to increase the active involvement of rank-and-file members in choosing our party's Presidential candidate. The party also needed a timely and effective way of reporting voting results. Richard's creativity, as well as his training in mathematics and statistics, made him the key player in developing the Iowa Democratic Party caucuses. Today, the caucuses are little changed from what he developed four decades ago.

Richard Bender is the quintessential selfless public servant. For him, it is never about personal gain or glory; it is about serving others. Nobody works harder. Nobody puts in longer hours. And nobody produces more consistent results than Richard.

Indeed, I also add a debt of gratitude to Richard's wonderful wife, Laura, and his beloved son, Michael. They, too, have sacrificed as Richard has spent such long hours both in the office and working at home on weekends and in the evening. Lots of people, when they retire, say that they are looking forward to spending much more time with their family. Richard really means it. I know that he has big plans for Laura and Michael, including travel, in the years ahead.

It is difficult to find words that do justice to how profoundly grateful I am to Richard for his wise counsel and loyal service on my staff over the last three and a half decades. In addition, on behalf of my colleagues here in the Senate as well as in the House, so many of whom have also benefited from his counsel, I want to thank him for his exceptional service to the Congress and the American people.

Richard, I am deeply grateful to you for a job extraordinarily well done. I join with the entire Senate family in wishing you, Laura, and Michael much happiness in the years ahead.

CONGRESSIONAL BADGES OF BRAVERY

Mrs. McCASKILL. Mr. President, I rise today to honor six outstanding members of the U.S. Marshals Service—Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, Nicholas Garrett, Jeremy Wyatt, and

John Perry—who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore Abegg, as well as St. Louis Police Officer Jeff Helbling.

I commend the heroic service and incredible sacrifice of all these marshals, four of whom are from my home State of Missouri: Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, and Nicholas Garrett. Deputy U.S. Marshal Jeremy Wyatt and fallen Deputy U.S. Marshal John Perry hail from Illinois. Last week, my colleague Senator DICK DURBIN of Illinois joined me at an awards ceremony in St. Louis to honor these distinguished U.S. marshals.

Before I talk about the bravery these law enforcement officials demonstrated in the line of duty, I need to mention the tremendous service the U.S. Marshals Service provides to the people of this country every day. As the Nation's oldest Federal law enforcement agency, the U.S. Marshals Service plays several crucial roles, including protecting Federal judges, operating the Witness Security Program, seizing illegally obtained assets from criminals, and apprehending Federal fugitives—a function which led to its cooperation with the St. Louis Metropolitan Police Department and the formation of the U.S. Marshals Service Fugitive Task Force in St. Louis. Since the Marshals Service's inception in 1789, over 200 federal marshals, deputy marshals, special deputy marshals, and marshals guards have lost their lives in the line of duty. When the U.S. Marshals Service's steadfast devotion to crime prevention and mitigation is considered alongside its traditional witness protection and judicial security duties, the law enforcement officials of this agency truly exemplify the values of "Justice, Integrity, Service."

From my days as a prosecutor, I know how critically important the U.S. Marshals Service is to the Federal justice system and the impact these officials have in communities across Missouri. These highly trained men and women help form the backbone of our legal system, and I salute the countless acts of bravery performed by Federal law enforcement officers across Missouri and this Nation.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Team Leader

Deputy John Perry provided cover for Deputy Garrett, who used the shield to approach the second floor location of the fugitive. While ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. While other task force members engaged the fugitive, Supervisory Deputy James prompted Officer Anna Kimble to alert supporting officers of the shooting over the radio system.

With two task force members injured, Deputies Abegg and Franke entered the home, and Supervisory Deputy James authorized Deputy Abegg to launch a rescue operation to secure Deputy Perry. Using ballistic shields, Deputies Abegg and Garrett, followed closely by Deputies Franke, Wyatt, and Supervisory Deputy James, entered the residence in order to retrieve the wounded marshal. In the course of the rescue attempt, Deputy Abegg was wounded in the leg. Deputy U.S. Marshal Melissa Duffy administered first aid to Officer Helbling, and Deputy U.S. Marshal Shawn Jackson provided protective cover, allowing wounded Deputy U.S. Marshal Abegg to withdraw. In the end, task force team members subdued the fugitive, although, tragically, Deputy Perry's wounds later proved fatal.

The sincere dedication of these marshals to duty and their strong sense of justice are an inspiration to the American people. Marshals like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, Nicholas Garrett, Jeremy Wyatt, and John Perry for their distinguished service to the people of this country.

Mr. DURBIN. Mr. President, last week was National Police Week, and last Wednesday was National Peace Officers Memorial Day. On Monday, May 13, 2013, I joined my colleague, Senator CLAIRE McCASKILL of Missouri, at a ceremony in St. Louis to honor six brave deputy U.S. marshals who were awarded the Federal Law Enforcement Congressional Badge of Bravery.

Fewer than two dozen of these badges have been awarded since Congress created them 2 years ago. In fact, these six deputy marshals honored in St. Louis are the first law enforcement officers from either Missouri or Illinois to receive the Congressional Badge of Bravery.

Two of the six men are from my State of Illinois. Deputy U.S. Marshal John Brookman Perry lived in Edwardsville; Jeremy Wyatt is from Granite City.

On March 8, 2011, they and four other deputy U.S. marshals, Theodore Abegg, Travis Franke, Nicholas Garrett, Supervisory Deputy Marshal Patrick James, joined members of the St. Louis Metropolitan Police Department to arrest a dangerous fugitive in south St. Louis. The officers knew there could be trouble that day when they went to serve the arrest warrant. The man they were looking for had a long criminal history and a record that included assaults on law enforcement officers. But they went anyway because that is their job: bringing in the bad guys so that others can feel safer walking down the street.

Deputy Perry was team leader for the Federal marshals. Tragically, though, he never made it home. He was killed and Deputy Marshal Abegg was wounded in a shootout with the man they went to arrest. His story deserves to be told, so that everyone can know the sort of man and law enforcement officer he was.

John Perry grew up in Glen Ellyn in northern Illinois. He had public service in his blood. His grandfather was the son of an Alabama coal miner who went on to be a Federal district judge in northern Illinois. His father was an administrative law judge. He earned a bachelor's degree in earth science and a master's degree in environmental science from SIU. But he wanted to work in law enforcement. He spent 16 years as a probation officer in Madison County, IL before joining the U.S. Marshals Service in 2001. The Federal marshals who worked with him said there was no one better when it came to tracking dangerous felons and bringing them in.

John was a great marshal, but apparently he had a little trouble with the "good cop/bad cop" style of interrogation. At his memorial service, one speaker recalled how, after what was supposed to have been a hard-core interrogation, the suspect emerged and told John's partner: "Your partner is the nicest guy in the world." Just imagine what the world would be like if the worst thing people could say about us was, "Sometimes he's too nice."

One of his last gifts to his community was that he was an organ donor. After he died, his heart, lungs, liver, pancreas, and kidneys were donated to people who would have died without them, along with skin and bone tissue to help as many as 100 more people. His spirit—and his commitment to duty—lives on in those people. It lives on in his friends and family, especially his three children. It lives on in the countless law enforcement officers whose back he watched and with whom he

shared his professional knowledge and bad jokes. And it continues to be exemplified every day by his fellow deputy marshals who successfully apprehended their suspect on that fateful March day.

John Perry didn't lose his life. He laid down his life to keep his fellow officers and our communities safe.

I hope my colleagues will join me in honoring Deputy U.S. Marshals John Perry, Jeremy Wyatt, Theodore Abegg, Travis Franke, Nicholas Garrett, and Supervisory Deputy U.S. Marshal Patrick James. They and all the law enforcement officers who risk their lives to protect ours deserve our respect and gratitude this week and every week.

Mrs. McCASKILL. Mr. President, I also wish honor three St. Louis Metropolitan Police Detectives who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore, Ted, Abegg, as well as St. Louis Police Officer Jeff Helbling. Before I talk about the heroic service and incredible sacrifice of these three officers, I have to mention the tremendous service the St. Louis Metropolitan Police Department provides to the people of St. Louis every day. As the principal law enforcement agency serving the City of St. Louis, the St. Louis Metropolitan Police Department, in addition to its routine functions, provides a variety of specialized services, including acting as a liaison with the U.S. Marshals Service Fugitive Task Force. Since its inception in 1836, over 160 St. Louis police officers have lost their lives in the line of duty. When the St. Louis Metropolitan Police Department's steadfast dedication to community involvement is considered alongside its traditional crime prevention and mitigation duties, the officers of this department truly exemplify the mission "To Protect and Serve."

I know how valuable police officers and other first responders are to communities across Missouri. While I was Jackson County prosecutor, I witnessed firsthand the essential skills and hands-on training needed to keep our neighborhoods safe from crime. I know that our first responders form the backbone of our communities, and I salute the countless acts of bravery performed by law enforcement officers across Missouri.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Upon entering

the home and ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy U.S. Marshal John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. Tragically, Deputy Perry's wounds later proved fatal. While other task force members engaged the fugitive, Officer Anna Kimble alerted supporting officers of the shooting over the radio system and Officer Joe Kuster provided perimeter security. A rescue attempt was mounted by the U.S. Marshals, during which another deputy U.S. Marshal was wounded. In the course of the rescue attempt, the fugitive was subdued by task force team members.

I am proud these three officers hail from my home State of Missouri. Their sincere dedication to duty and endless compassion for the residents of the city they serve are an inspiration to the people of St. Louis. First responders like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring St. Louis Metropolitan Police Department Detectives Jeff Helbling, Anna Kimble, and Joe Kuster for their distinguished service to the people of St. Louis. I thank them, and I thank all of you for joining me in recognizing these outstanding Missourians.

Finally, Mr. President, I wish to honor two deputy U.S. marshals who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore "Ted" Abegg, as well as St. Louis Police Officer Jeff Helbling. Before I talk about the heroic service and incredible sacrifice of these two deputies, I have to mention the tremendous service the U.S. Marshals Service provides to the people of this country every day. As the Nation's oldest Federal law enforcement agency, the U.S. Marshals Service provides a variety of crucial services, including protecting Federal judges, operating the Witness Security Program, seizing illegally obtained assets from criminals, and apprehending Federal fugitives—a function which led to its cooperation with the St. Louis Metropolitan Police Department and the formation of the U.S. Marshals Service Fugitive Task Force in St. Louis. Since its inception in 1789, over 200 Federal marshals, deputy marshals, special deputy marshals, and marshals guards have lost their lives in the line of duty. When the U.S. Marshals Service's steadfast devotion to

crime prevention and mitigation is considered alongside its traditional witness protection and judicial security duties, the law enforcement officials of this agency truly exemplify the values of "Justice, Integrity, Service."

I know how critically important the Marshals Service is to the Federal justice system and the impact these officials have in communities across Missouri. These highly trained men and women help form the backbone of our legal system, and I salute the countless acts of bravery performed by Federal law enforcement officers across Missouri and this Nation.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Upon entering the home and ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy U.S. Marshal John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. Tragically, Deputy Perry's wounds later proved fatal. While other task force members engaged the fugitive, Officer Anna Kimble alerted supporting officers of the shooting over the radio system, Deputy U.S. Marshal Melissa Duffy administered first aid to Officer Helbling, and Deputy U.S. Marshal Shawn Jackson provided protective cover allowing wounded Deputy U.S. Marshal Abegg to withdraw. A rescue attempt was mounted by the U.S. marshals, during which another deputy U.S. marshal was wounded. In the course of the rescue attempt, the fugitive was subdued by task force team members.

I am proud these two deputies are based in my home State of Missouri. Their sincere dedication to duty and strong sense of justice are an inspiration to the American people. Marshals like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring Deputy U.S. Marshals Melissa Duffy and Shawn Jackson for their distinguished service to the people of this country. I thank them, and I thank all of you for joining me in recognizing these outstanding individuals.

REMEMBERING JIM McCUSKER, JR.

Mr. BLUMENTHAL. Mr. President, today I wish to remember Jim McCusker of Clinton, CT. The State of Connecticut has lost a great public servant, former first selectman, and loyal Marine. Jim was an inspiring leader and model of public service, and I am grateful for our friendship. My heart goes out to Jim's wife, Judy, and their children and grandchildren, whom he loved tremendously. Countless friends, touched by his generosity and big heart, will also miss him deeply.

Jim will be remembered always for his lifelong dedication to the town and people of Clinton. As first selectman, he expertly managed the town budget and contributed tremendously in energy and spirit. He had a magnetic gift of connecting with his community and neighbors.

In addition to his leadership as first selectman, Jim spent more than a decade on both the Clinton Board of Finance and the Clinton Board of Selectmen. He was also involved with the Clinton Education Federation, Families Helping Families, Meals on Wheels, and St. Mary's Knights of Columbus.

In tribute to Jim's service to his country as a United States Marine, flags were hung at half staff. He was always there to give a smile and engage in earnest conversation. Jim loved to sing Irish songs on St. Patrick's Day. As a patriot and veteran, he will be particularly missed this Memorial Day. I ask my colleagues to join me in recognizing and honoring Jim McCusker's long-time, selfless service. Although missed, he will not be forgotten. Jim's sense of humor, warmth with others, and dedication to country will be felt throughout Clinton for years to come.

REMEMBERING LANCE CORPORAL LAWRENCE R. PHILIPPON

Mr. BLUMENTHAL. Mr. President, today I have the great privilege of presenting a poem in memory of LCpl Lawrence R. Philippon of West Hartford, CT, who gave his life 8 years ago this May while supporting Operation Iraqi Freedom as a courageous member of the United States Marines. In the Marine Corps color guard, Lance Corporal Philippon carried the flag at the funeral for President Reagan, but yearned to be on the front lines. It was there, as a brave member of the 3rd Battalion, 2nd Marine Division, 2nd Marine expeditionary force that he made the ultimate sacrifice for his country.

As Memorial Day nears, we dedicate ourselves in gratitude to our heroes—our servicemen and women, both recent and throughout history—who have sacrificed and served for our freedom, protecting the founding principles we hold dear.

This special poem was written by Albert Carey Caswell, a longtime member of the Capitol Guide Service, and prolific poet whose work has been recited many times on the Senate floor. It is a privilege to present Bert's touching piece, written in memory of Lance Corporal Philippon. I invite my colleagues to remember and honor Lance Corporal Philippon and all current and former members of the military, and their families, today and always.

THIS IS MY BLOOD

This . . .
 This Is My Blood,
 that I so bled!
 ALLELUIA!
 And this is my life,
 that I so led!
 ALLELUIA!
 And these are all of the moments,
 which I no longer so have!
 ALLELUIA!
 As for you,
 I so gave up all that I had!
 ALLELUIA!
 That Last Full Measure,
 My Life . . .
 The Greatest of All Treasures,
 that one so has!
 ALLELUIA!
 And I'm so very sorry Sister and Brother,
 My Dearest Mother and Dad!
 ALLELUIA!
 And I know that you all so miss me,
 and so want to be with me so very bad!
 ALLELUIA!
 And I know that it make's you all so very
 sad!
 ALLELUIA!
 And these,
 are all of your tears that you now so weep,
 that you so have!
 ALLELUIA!
 All because your baby boy . . .
 your son, your most precious joy . . .
 your bother this one,
 has so died hurting you all so very bad!
 ALLELUIA!
 All because,
 in warm arms holding each other again we'll
 never have!
 ALLELUIA!
 But, find comfort . . .
 Because,
 one day up in Heaven we will all be together
 so very glad!
 ALLELUIA!
 For no Parent,
 no Sister, nor Brother of another . . .
 should so have to so watch their loved ones
 being buried in the ground!
 ALLELUIA!
 And these are,
 the Sons and Daughters that I shall never so
 see!
 ALLELUIA!
 And this is the Wife,
 that I'll never so grow old with so happy to
 be!
 ALLELUIA!
 But take heart,
 for all that I've given up . . .
 Heaven so awaits all so for me!
 ALLELUIA!
 So wipe away all of those tears now so very
 deep!
 ALLELUIA!
 Moments are all that we all so have!
 ALLELUIA!
 To Make A Difference!
 To Change The World!

To March Off So Very Boldly,
 With But Our Flags So Unfurled!
 ALLELUIA!
 So very proud,
 wearing those most magnificent shades of
 green,
 to so show the world what the word honor all
 so means!
 ALLELUIA!
 And to be One of The Few,
 Hoo Rahhhh . . . A United States Marine!
 Oh yes,
 remember all of this my little boys and girls
 what all so means!
 ALLELUIA!
 For Heaven so holds a place,
 for all of those of such honor and selfless
 grace!
 ALLELUIA!
 For it's far . . . far . . . better,
 to have died for something!
 Than,
 to have lived for nothing at all!
 ALLELUIA!
 Because,
 that's not really living,
 no . . . no . . . not really living at all!
 ALLELUIA!
 As that's why,
 I so answered that most noble of all calls!
 ALLELUIA!
 Because in life,
 there is no higher height to which one can so
 be called!
 ALLELUIA!
 And no greater thing,
 then while all in the face of death to so stand
 so very tall!
 ALLELUIA!
 Then,
 but to lay down ones life but for The Greater
 Good of It All!
 ALLELUIA!
 As why up in Heaven with our Lord Larry,
 your fine soul has now so been called!
 ALLELUIA!
 As an Angel In The Army of Our Lord,
 to so watch over us and protect us one and
 all!
 ALLELUIA!
 For Larry,
 we will hear you on the wind . . .
 and we will feel you on the breeze . . .
 As we carry you in our hearts,
 all in our memories . . .
 ALLELUIA!
 And tonight in Connecticut,
 as you so lay your heads down to sleep . . .
 there comes a gentle rain . . .
 ALLELUIA!
 As it's our Lord's tears from up in Heaven,
 washing down upon you to so ease your pain!
 ALLELUIA!
 Until,
 up and heaven you and Larry will all so meet
 again . . .
 And you won't have to cry no more!
 ALLELUIA!
 This Is My Blood!
 ALLELUIA!
 AMEN!

It is my honor to share the story of Bill Rich's service in the U.S. Navy, because no story of heroism should ever fall through the cracks.

Bill was born in Jamestown, NY, in 1947. After moving around the country with his family, he graduated from Spring Valley High School in New York and enlisted with the U.S. Navy in Poughkeepsie in 1966.

Bill trained with the Seabees in Davisville, RI, before transferring to Mobile Construction Battalion 121 at Seabee Headquarters in Gulfport, MS. From there he was deployed to Phu Bai with MCB 121, just south of Hue City in Vietnam. While in Vietnam, Bill's unit was responsible for transporting South Vietnamese refugees out of Hue.

In February 1968, his unit saw heavy action during the Tet Counter Offensive. They were responsible for transporting a group of South Vietnamese out of Hue to the refuge center at Phu Bai. It was for their time in Hue that the MCB 121 received the Presidential Unit Citation. Bill also earned his Combat Action Ribbon.

Bill's deployment ended after 9 months, and his unit returned to Gulfport, MS before going back to Vietnam, this time to Camp Eagle in the Gia Lai Province. During his 8 months at Camp Eagle, Bill worked on various construction and electrical projects, both around the camp and in Hue. He also worked with the American-Vietnamese Civic Action Program to help construct engineering projects in the region.

After his two tours in Vietnam, Bill transferred to Naval Reserve Construction Battalion 19 for 4 years before returning to Active Duty.

Back with the Seabees, Bill was assigned to Italy and New Zealand before spending a year in Antarctica as part of Operation Deep Freeze. He was then assigned to Harold E. Holt station in Australia where he married his wife, Debby, a Helena native.

From Australia, Bill went to Winter Harbor, ME, and then to MCB 74 in Gulfport. He deployed from Gulfport to Japan and Puerto Rico. From battalion he went to Manama, Bahrain, in the Persian Gulf as a contract inspector.

From Bahrain, Bill went to the Naval Headquarters in London, England, for 4 years where his daughter Mariah was born.

Bill's last assignment was part of a five-man Active-Duty staff for Reserve Construction Battalion 13 at Camp Smith, Peekskill, NY. Before he retired, Bill received both the New York State Conspicuous Service Cross and the Long and Faithful Service Medal.

Upon his retirement, he received both the Navy and Army Achievement Medals. Bill retired with the rank of E-6, construction electrician first class.

Bill transferred to Fleet Reserve and retired after a 30-year naval career.

Petty Officer Bill Rich moved to Helena to start his new life with his wife

ADDITIONAL STATEMENTS

TRIBUTE TO WILLIAM LEE RICH

● Mr. TESTER. Mr. President, today I wish to honor William Lee Rich, a career Navy man. Bill, on behalf of all Montanans and all Americans, I stand to say thank you for your service to this Nation.

and daughter. He currently works for the State of Montana Department of Military Affairs here at Fort Harrison as an electrician.

After his service, Bill never received all of the medals he earned from the Navy.

Earlier this month, in the presence of his friends and family, it was my honor to finally present to Bill his Vietnam Campaign Medal with 1960 Device, Navy Expert Rifle Medal with Three Bronze Stars, Navy Expert Pistol Medal, Humanitarian Service Medal, and his Navy & Marine Corps Overseas Service Ribbon with One Silver and Four Bronze Stars.

It was also my honor to present the Antarctica Service Medal with Bronze Clasp, the Vietnam Service Medal with One Silver and Two Bronze Stars, the Navy Good Conduct Medal with Four Bronze Stars, the Naval Reserve Meritorious Service Medal, and the National Defense Service Medal with One Bronze Star.

Earlier this month I also presented to Bill the Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation Ribbon with one Bronze Star, and the Meritorious Unit Commendation with One Bronze Star.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful nation.●

MESSAGES FROM THE HOUSE

At 9:46 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 982. An act to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 16. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

At 12:58 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

H.R. 570. An act to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of depend-

ency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

H.R. 1344. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes.

H.R. 1412. An act to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILL SIGNED

At 2:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 982. A bill to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 570. An act to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1344. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1412. An act to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1003. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 1004. A bill to permit voluntary economic activity.

H.R. 45. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 22, 2013, she had presented to the President of the United States the following enrolled bill:

S. 982. An act to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1578. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methyl 5-(dimethylamino)-2-methyl-5-oxopentanoate; Exemption from the Requirement of a Tolerance" (FRL No. 9385-9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1579. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Triforine; Pesticide Tolerances" (FRL No. 9387-1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1580. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1-Naphthaleneacetic acid; Pesticide Tolerances" (FRL No. 9386-1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1581. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Kevin M. McCoy, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1582. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Ralph J. Jodice II, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1583. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Clarification of 'F' Orders in the Procurement Instrument Identification Number Structure" ((RIN)0750-AH80) (DFARS Case 2012-D0400) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Armed Services.

EC-1584. A communication from the Director of Defense Procurement and Acquisition

Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Government Support Contractor Access to Technical Data" ((RIN0750-AG38) (DFARS Case 2009-D031)) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Armed Services.

EC-1585. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC-1586. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC-1587. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-1588. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-054); to the Committee on Foreign Relations.

EC-1589. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-061); to the Committee on Foreign Relations.

EC-1590. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-018); to the Committee on Foreign Relations.

EC-1591. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Bureau for Middle East, U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on May 21, 2013; to the Committee on Foreign Relations.

EC-1592. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2014; to the Committee on Armed Services.

EC-1593. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, two reports relative to sequestration entitled: "OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014" and "OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2014"; to the Committees on the Budget; and Homeland Security and Governmental Affairs.

EC-1594. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Design Limits and Loading Combinations for Metal Primary Reactor Containment System Components" (Regulatory Guide 1.57, Revision 2) received during adjournment of the Senate in the Office of the President of the Senate

on May 17, 2013; to the Committee on Environment and Public Works.

EC-1595. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans: Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan" (FRL No. 9816-6) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1596. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans: Arizona; Motor Vehicle Inspection and Maintenance Programs" (FRL No. 9780-9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1597. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Prevention of Significant Deterioration Greenhouse Gas Tailoring and Biomass Deferral Rule" (FRL No. 9808-9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1598. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9799-2) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1599. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Air Quality Standards Revision" (FRL No. 9805-5) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1600. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule No. 56" (FRL No. 9815-1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1601. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; False Killer Whale Take Reduction Plan" (RIN0648-BA30) received during adjournment of the Senate in the Office of the President of the Senate on May 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1602. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Enabling Elections for Certain Transactions Under Section 336(e)" (RIN1545-BD84) received in the Office of the President of the

Senate on May 20, 2013; to the Committee on Finance.

EC-1603. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon Dioxide Sequestration 2013 Section 45Q Inflation Adjustment Factor" (Rev. Proc. 2013-34) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC-1604. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—June 2013" (Rev. Rul. 2013-12) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC-1605. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax" (Notice 2013-26) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC-1606. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-28) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC-1607. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Rev. Rul. 2013-8) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC-1608. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Pre-Existing Condition Insurance Plan Program" (RIN0938-AQ70) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1609. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Project Community Living and Participation, Health and Function, and Employment of Individuals with Disabilities" (CFDA No. 84.133A-3) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1610. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects—Traumatic Brain Injury

Model Systems Centers Collaborative Research Project” (CFDA No. 84.133A-7) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1611. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers” (CFDA No. 84.133B-3) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1612. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research Training Centers” (CFDA No. 84.133B-7) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1613. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Inclusive Cloud and Web Computing” (CFDA No. 84.133A-1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1614. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers” (CFDA No. 84.133B-9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1615. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-68, “Department of Health Grant-Making Authority Temporary Amendment Act of 2013”; to the Committee on Homeland Security and Governmental Affairs.

EC-1616. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-70, “Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Temporary Amendment Act of 2013”; to the Committee on Homeland Security and Governmental Affairs.

EC-1617. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-69, “Health Benefit Exchange Authority Temporary Amendment Act of 2013”; to the Committee on Homeland Security and Governmental Affairs.

EC-1618. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2012 An-

nual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC-1619. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (49); Amdt. No. 3531” (RIN2120-AA65) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1620. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (59); Amdt. No. 3532” (RIN2120-AA65) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1621. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (170); Amdt. No. 3528” (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1622. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (49); Amdt. No. 3529” (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1623. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Hazardous Materials: Temporary Reduction of Registration Fees” (RIN2137-AE95) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1624. A communication from the Federal Register Liaison, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled “Boards and Committees” (RIN2700-AD82) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1625. A communication from the Acting Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimp operations; to the Committee on Commerce, Science, and Transportation.

EC-1626. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1627. A communication from the Attorney-Advisor, Office of the General Counsel,

Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received in the Office of the President of the Senate on May 15, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 143. A resolution recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Col. James E. McClain, to be Brigadier General.

Air Force nomination of Lt. Gen. David L. Goldfein, to be Lieutenant General.

Air Force nomination of Col. Robert C. Bolton, to be Brigadier General.

Air Force nomination of Col. Andrew P. Armacost, to be Brigadier General.

Army nomination of Brig. Gen. John F. Wharton, to be Major General.

Army nomination of Col. Gabriel Troiano, to be Brigadier General.

Army nomination of Col. Jeffrey B. Clark, to be Brigadier General.

Army nominations beginning with Brig. Gen. James A. Adkins and ending with Col. James D. Campbell, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Colonel Wayne L. Black and ending with Colonel Robert E. Windham, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Brigadier General Mark E. Anderson and ending with Brigadier General William L. Smith, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Colonel Steven R. Beach and ending with Colonel Gary S. Yaple, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013. (minus 2 nominees: Colonel Christopher A. Rofrano; Colonel Timothy J. Sheriff)

Army nominations beginning with Brigadier General Louis H. Guernsey, Jr. and ending with Colonel Juan A. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on April 15, 2013. (minus 1 nominee: Brigadier General Matthew T. Quinn)

Army nomination of Col. Richard J. Torres, to be Brigadier General.

Army nomination of Col. Michael Dillard, to be Brigadier General.

Army nomination of Col. Donald E. Jackson, Jr., to be Brigadier General.

Army nomination of Lt. Gen. William T. Grisoli, to be Lieutenant General.

Army nomination of Col. John M. Cho, to be Brigadier General.

Army nomination of Col. Brian E. Alvin, to be Brigadier General.

Army nominations beginning with Brigadier General William F. Duffy and ending with Colonel Miyako N. Schanely, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2013.

Navy nomination of Rear Adm. Terry J. Benedict, to be Vice Admiral.

Navy nomination of Rear Adm. (lh) Joseph W. Rixey, to be Vice Admiral.

Navy nominations beginning with Captain John W. V. Ailes and ending with Captain Richard L. Williams, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 22, 2013.

Navy nomination of Capt. Timothy J. White, to be Rear Admiral (lower half).

Navy nomination of Capt. Nancy A. Norton, to be Rear Admiral (lower half).

Navy nomination of Capt. Robert D. Sharp, to be Rear Admiral (lower half).

Navy nomination of Capt. Louis V. Cariello, to be Rear Admiral (lower half).

Navy nomination of Mark I. Fox, to be Vice Admiral.

Navy nomination of Vice Adm. Michelle J. Howard, to be Vice Admiral.

Navy nomination of Rear Adm. Ted N. Branch, to be Vice Admiral.

Navy nomination of Rear Adm. Sean A. Pybus, to be Vice Admiral.

Navy nomination of Rear Adm. Paul A. Grosklags, to be Vice Admiral.

Navy nomination of Vice Adm. Scott H. Swift, to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Robert R. Ruark, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Glenn M. Walters, to be Lieutenant General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Matthew J. Gervais, to be Lieutenant Colonel.

Air Force nomination of Bradley A. Carlson, to be Major.

Air Force nominations beginning with Michael Lucas Ahmann and ending with Bernard John Yosten, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013. (minus 1 nominee: Robert Kenneth Henderson)

Army nominations beginning with James Acevedo and ending with D011666, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Garland A. Adkins III and ending with G010188, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Steven J. Ackerson and ending with G010128, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nomination of Michael B. Moore, to be Major.

Army nominations beginning with Thomas G. Behling and ending with Raymond G. Strawbridge, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Army nomination of Shercoada G. Smaw, to be Major.

Army nomination of Carl N. Soffler, to be Major.

Army nomination of Owen B. Mohn, to be Major.

Army nominations beginning with Carmelo N. Oterosantiago and ending with John H. Seok, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Brent E. Harvey and ending with Joohyun A. Kim, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Jerry M. Anderson and ending with Maureen H. Weigl, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Dennis R. Bell and ending with Kent J. Vince, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with David W. Admire and ending with D006281, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Christopher G. Archer and ending with D011779, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with James A. Adamec and ending with Vanessa Worsham, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Edward P. C. Ager and ending with John P. Zoll, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Marine Corps nomination of Darren M. Gallagher, to be Major.

Marine Corps nomination of Dusty C. Edwards, to be Major.

Marine Corps nomination of Sal L. Leblanc, to be Lieutenant Colonel.

Marine Corps nomination of Mauro Morales, to be Lieutenant Colonel.

Marine Corps nominations beginning with Jessica L. Acosta and ending with Matthew S. Youngblood, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Rico Acosta and ending with Andrew J. Zetts, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nomination of Randolph T. Page, to be Colonel.

Navy nomination of Jeremy J. Aujero, to be Commander.

Navy nomination of John P. Newton, Jr., to be Captain.

Navy nomination of Daniel W. Testa, to be Commander.

Navy nomination of Kevin J. Parker, to be Captain.

Navy nomination of Maria V. Navarro, to be Commander.

Navy nomination of Shane G. Harris, to be Captain.

Navy nomination of Latanya A. Oneal, to be Lieutenant Commander.

Navy nominations beginning with Stephen J. Lepp and ending with John C. Rudd, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2013.

Navy nomination of Sarah E. Niles, to be Lieutenant Commander.

Navy nomination of Richard Diaz, to be Lieutenant Commander.

Navy nomination of Tanya Wong, to be Lieutenant Commander.

Navy nomination of Karen R. Dallas, to be Lieutenant Commander.

Navy nominations beginning with Ronald G. Oswald and ending with Nikita Tihonov, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Craig S. Coleman and ending with William R. Volk, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Richard F. Griffin, Jr., of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

*Sharon Block, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

*Harry I. Johnson III, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2015.

*Philip Andrew Miscimarra, of Illinois, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2017.

*Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2018.

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget.

*Michael Kenny O'Keefe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN (for himself, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 1005. A bill to establish more efficient and effective policies and processes for departments and agencies engaged in or providing support to, international conservation; to the Committee on Foreign Relations.

By Mr. BARRASSO (for himself, Mr. SESSIONS, Mr. VITTER, Mr. CRAPO, Mr. INHOFE, Mr. BLUNT, Mr. COATS, Mr. RISCH, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. WICKER, Mr. RUBIO, Mr. ENZI, Mr. HELLER, Mr. ROBERTS, Mr. HATCH, Mr. MCCAIN, Mr. LEE, Mr. JOHNSON of Wisconsin, Mrs. FISCHER, Mr. CHAMBLISS, Mr. BURR, Mr. ISAKSON, Mr. SCOTT, Mr. FLAKE, Mr. CORNYN, and Mr. COBURN):

S. 1006. A bill to preserve existing rights and responsibilities with respect to waters of the United States; to the Committee on Environment and Public Works.

By Mr. KING (for himself and Ms. COLLINS):

S. 1007. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, and Ms. MURKOWSKI):

S. 1008. A bill to prohibit the Secretary of Homeland Security from implementing proposed policy changes that would permit passengers to carry small, non-locking knives on aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. VITTER, Mrs. GILLIBRAND, Mr. CRAPO, Mr. DURBIN, Mr. ALEXANDER, Mr. SCHUMER, Mr. INHOFE, Mr. UDALL of New Mexico, Ms. COLLINS, Ms. LANDRIEU, Mr. RUBIO, Mr. MANCHIN, Mr. BOOZMAN, Mr. MENENDEZ, Mr. HOEVEN, and Mr. BEGICH):

S. 1009. A bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself and Mr. ALEXANDER):

S. 1010. A bill to establish the Commission on Effective Regulation and Assessment Systems for Public Schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHANNIS (for himself and Mrs. FISCHER):

S. 1011. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself and Mr. PRYOR):

S. 1012. A bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes; to the Committee on Finance.

By Mr. CORNYN:

S. 1013. A bill to amend title 35, United States Code, to add procedural requirements for patent infringement suits; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself and Mr. ROCKEFELLER):

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself and Mr. RUBIO):

S. 1015. A bill to amend the Internal Revenue Code of 1986 to allow credits for the purchase of franchises by veterans; to the Committee on Finance.

By Mr. PAUL:

S. 1016. A bill to protect individual privacy against unwarranted governmental intrusion

through the use of the unmanned aerial vehicles commonly called drones, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Ms. COLLINS):

S. 1017. A bill to permit flexibility in the application of the budget sequester by Federal agencies; to the Committee on the Budget.

By Mr. SANDERS (for himself, Mrs. BOXER, and Mr. BEGICH):

S. 1018. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself, Mr. BEGICH, Mr. CASEY, Mr. WHITEHOUSE, Mr. FRANKEN, and Mr. ROCKEFELLER):

S. 1019. A bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 1020. A bill to improve energy performance in Federal buildings, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 1021. A bill to provide for a Next Generation Cooperative Threat Reduction Strategy, and for other purposes; to the Committee on Foreign Relations.

By Mr. BROWN (for himself, Mr. PORTMAN, Ms. LANDRIEU, and Mr. VITTER):

S. 1022. A bill to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; to the Committee on Commerce, Science, and Transportation.

By Mr. CORKER (for himself, Ms. KLOBUCHAR, Mr. BLUNT, and Mrs. HAGAN):

S. 1023. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report on ways to increase the competitiveness of the United States in attracting foreign investment; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself and Mr. KAINE):

S. 1024. A bill to provide for the inclusion of Lease Sale 220 in the outer Continental Shelf leasing program for fiscal years 2012–2017, to revise the map for the Mid-Atlantic planning area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 1025. A bill to provide financial assistance for school construction after a violent or traumatic crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK:

S. 1026. A bill to assist survivors of stroke in returning to work; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself and Mr. JOHNSON of South Dakota):

S. 1027. A bill to improve, coordinate, and enhance rehabilitation research at the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COWAN:

S. Res. 152. A resolution designating November 28, 2013, as “National Holoprosencephaly Awareness Day” to increase awareness and education of the disorder; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 210

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 323

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 382

At the request of Mr. SCHUMER, the names of the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 403

At the request of Mr. CASEY, the name of the Senator from Florida (Mr.

NELSON) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 562

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 596

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 674

At the request of Mr. HELLER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits

under laws administered by the Secretary, and for other purposes.

S. 731

At the request of Mr. MANCHIN, the names of the Senator from Maine (Mr. KING) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 749

At the request of Mr. CASEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from South Dakota (Mr. THUNE), the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. MURPHY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 837

At the request of Mr. HARKIN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 837, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 928

At the request of Mr. SANDERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 928, a bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 951

At the request of Mr. ENZI, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 951, a bill to amend the Mineral Leasing Act to require the Secretary of the Interior to convey to a State all right, title, and interest in and to a percentage of the amount of royalties and other amounts required to be paid to the State under that Act with respect to public land and deposits in the State, and for other purposes.

S. 953

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 960

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 960, a bill to foster stability in Syria, and for other purposes.

S. 961

At the request of Mr. BLUNT, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 961, a bill to improve access to emergency medical services, and for other purposes.

S. 962

At the request of Mr. HELLER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 962, a bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care

and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts.

S. 965

At the request of Mr. INHOFE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 965, a bill to eliminate oil exports from Iran by expanding domestic production.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 992

At the request of Mrs. SHAHEEN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 992, a bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes.

S. 996

At the request of Ms. LANDRIEU, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 996, a bill to improve the National Flood Insurance Program, and for other purposes.

S. 999

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 999, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 1001

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1001, a bill to impose sanctions with respect to the Government of Iran.

AMENDMENT NO. 934

At the request of Mr. BEGICH, the name of the Senator from Washington

(Ms. CANTWELL) was added as a cosponsor of amendment No. 934 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 939

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 939 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 940

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 940 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 961

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 961 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 965

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 965 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 966

At the request of Mr. FRANKEN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 966 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 971

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 971 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 986

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of amendment No. 986 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 992

At the request of Mr. FRANKEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 992 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 998

At the request of Mr. LEAHY, the name of the Senator from Vermont

(Mr. SANDERS) was added as a cosponsor of amendment No. 998 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1011

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1011 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1011 intended to be proposed to S. 954, *supra*.

AMENDMENT NO. 1030

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1030 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KING (for himself and Ms. COLLINS):

S. 1007. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

Mr. KING. Mr. President, I rise today in support of energy innovation, energy independence, national security, and local economies.

The legislation I am introducing, the Biomass Thermal Utilization Act of 2013—known as the BTU Act—would give tax parity to biomass heating systems under sections 25d and 48 of the Internal Revenue Code and would help to encourage a very promising industry.

By adding biomass heating systems to the eligible renewable technologies for residential and commercial tax credits, we can help make clean, home-grown heating more cost effective for hard-working Americans.

By way of example, Maine has the highest home heating oil dependence of any State in the country—and nearly 80 cents of every \$1 spent on heating oil goes out of State. Much of this money also leaves the country and goes to nations that are less than friendly with the U.S. Yet we have plenty of renewable heating sources here at home.

In Maine, wood pellet boilers are the most widely used biomass heating systems. Wood pellet boilers run on trees grown in the State, cut by local loggers, processed into pellets in local mills, then purchased and used to heat local homes. Nearly every single heating dollar stays within the local economy. This supports good-paying jobs, working, productive forests, and it

helps move the country toward energy independence.

We are not talking about traditional woodstoves here. These are highly innovative, clean-burning systems that are simple to run. They can even be integrated with your smart phone so you can turn the heat up on your way home from work.

In addition, thermal biomass systems—particularly wood pellet boilers—have very small carbon footprints. New trees are planted to replace the trees processed into pellets. These new trees capture the carbon released by the pellets. Compared to fossil fuels, such as home heating oil, this yields an extremely small carbon footprint.

I am excited to offer this legislation and to be joined by Senator COLLINS.

This bill could greatly benefit any State with a strong forestry industry but also States with industries that turn agricultural waste and nonfood stock plants into thermal biomass fuels. I look forward to working with colleagues from around the country to level the playing field for the biomass industry.

Let us work together to keep our energy dollars here at home and create jobs in our backyard.

By Mr. CORNYN:

S. 1013. A bill to amend title 35, United States Code, to add procedural requirements for patent infringement suits; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1013

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patent Abuse Reduction Act of 2013”.

SEC. 2. PLEADING REQUIREMENTS.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by inserting after section 281 the following:

“§ 281A. Pleading requirements for patent infringement actions

“In a civil action arising under any Act of Congress relating to patents, a party alleging infringement shall include in the initial complaint, counterclaim, or cross-claim for patent infringement—

“(1) an identification of each patent allegedly infringed;

“(2) an identification of each claim of each patent identified under paragraph (1) that is allegedly infringed;

“(3) for each claim identified under paragraph (2), an identification of each accused apparatus, product, feature, device, method, system, process, function, act, service, or other instrumentality (referred to in this section as an ‘accused instrumentality’) alleged to infringe the claim;

“(4) for each accused instrumentality identified under paragraph (3), an identification with particularity, if known, of—

“(A) the name or model number of each accused instrumentality; and

“(B) the name of each accused method, system, process, function, act, or service, or the name or model number of each apparatus, product, feature, or device that, when used, allegedly results in the practice of the claimed invention;

“(5) for each accused instrumentality identified under paragraph (3), an explanation of—

“(A) where each element of each asserted claim identified under paragraph (2) is found within the accused instrumentality;

“(B) whether each such element is infringed literally or under the doctrine of equivalents; and

“(C) with detailed specificity, how the terms in each asserted claim identified under paragraph (2) correspond to the functionality of the accused instrumentality;

“(6) for each claim that is alleged to have been infringed indirectly, a description of—

“(A) the direct infringement;

“(B) any person alleged to be a direct infringer known to the party alleging infringement; and

“(C) the acts of the alleged indirect infringer that contribute to or are inducing the direct infringement;

“(7) a description of the right of the party alleging infringement to assert each—

“(A) patent identified under paragraph (1); and

“(B) patent claim identified in paragraph (2);

“(8) a description of the principal business of the party alleging infringement;

“(9) a list of each complaint filed, of which the party alleging infringement has knowledge, that asserts or asserted any of the patents identified under paragraph (1);

“(10) for each patent identified under paragraph (1), whether such patent is subject to any licensing term or pricing commitments through any agency, organization, standard-setting body, or other entity or community;

“(11) the identity of any person other than the party alleging infringement, known to the party alleging infringement, who—

“(A) owns or co-owns a patent identified under paragraph (1);

“(B) is the assignee of a patent identified under paragraph (1); or

“(C) is an exclusive licensee to a patent identified under paragraph (1);

“(12) the identity of any person other than the party alleging infringement, known to the party alleging infringement, who has a legal right to enforce a patent identified under paragraph (1) through a civil action under any Act of Congress relating to patents or is licensed under such patent;

“(13) the identity of any person with a direct financial interest in the outcome of the action, including a right to receive proceeds, or any fixed or variable portion thereof; and

“(14) a description of any agreement or other legal basis for a financial interest described in paragraph (13).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 29 of title 35, United States Code, is amended by inserting after the item relating to section 281 the following:

“281A. Pleading requirements for patent infringement actions.”.

(c) REVIEW OF FORM 18.—Not later than 12 months after the date of enactment of this Act, the Supreme Court shall review and amend Form 18 of the Federal Rules of Civil Procedure to ensure that Form 18 is consistent with the requirements under section

281A of title 35, United States Code, as added by subsection (a).

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter existing law or rules relating to joinder.

SEC. 3. JOINDER OF INTERESTED PARTIES.

Section 299 of title 35, United States Code, is amended by adding at the end the following:

“(d) JOINDER OF INTERESTED PARTIES.—

“(1) DEFINITION.—In this subsection, the term ‘interested party’, with respect to a civil action arising under any Act of Congress relating to patents—

“(A) means a person described in paragraph (1) or (13) of section 281A; and

“(B) does not include an attorney or law firm providing legal representation in the action if the sole basis for the financial interest of the attorney or law firm in the outcome of the action arises from an agreement to provide that legal representation.

“(2) JOINDER OF INTERESTED PARTIES.—In a civil action arising under any Act of Congress relating to patents, the court shall grant a motion by a party defending an infringement claim to join an interested party if the defending party shows that the interest of the plaintiff in any patent identified in the complaint, including a claim asserted in the complaint, is limited primarily to asserting any such patent claim in litigation.

“(3) LIMITATION ON JOINDER.—The court may deny a motion to join an interested party under paragraph (2) if—

“(A) the interested party is not subject to service of process; or

“(B) joinder under paragraph (2) would deprive the court of subject matter jurisdiction or make venue improper.”.

SEC. 4. DISCOVERY LIMITS.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by adding at the end the following:

“§ 300. Discovery in patent infringement suits

“(a) DISCOVERY LIMITATION PRIOR TO CLAIM CONSTRUCTION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), in a civil action arising under any Act of Congress relating to patents, if the court determines that a ruling relating to the construction of terms used in a patent claim asserted in the complaint is required, discovery shall be limited, until such ruling, to information necessary for the court to determine the meaning of the terms used in the patent claim, including any interpretation of those terms used to support the claim of infringement.

“(2) DISCRETION TO EXPAND SCOPE OF DISCOVERY.—

“(A) TIMELY RESOLUTION OF ACTIONS.—If, under any provision of Federal law (including the Drug Price Competition and Patent Term Restoration Act (Public Law 98-417)), resolution within a specified period of time of a civil action arising under any Act of Congress relating to patents will have an automatic impact upon the rights of a party with respect to the patent, the court may permit discovery in addition to the discovery authorized under paragraph (1) before the ruling described in paragraph (1) as necessary to ensure timely resolution of the action.

“(B) RESOLUTION OF MOTIONS.—When necessary to resolve a motion properly raised by a party before a ruling relating to the construction of terms (as described in paragraph (1)), the court may allow limited discovery in addition to the discovery authorized under paragraph (1) as necessary to resolve the motion.

“(b) SEQUENCE AND SCOPE; COST-SHIFTING.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘additional discovery’ means discovery of evidence other than core documentary evidence; and

“(B) the term ‘core documentary evidence’, with respect to a civil action arising under any Act of Congress relating to patents—

“(i) subject to clause (ii), includes only documents that—

“(I) relate to the conception, reduction to practice, and application for the asserted patent;

“(II) are sufficient to show the technical operation of the instrumentality identified in the complaint as infringing the asserted patent;

“(III) relate to potentially invalidating prior art;

“(IV) relate to previous licensing or conveyances of the asserted patent;

“(V) are sufficient to show revenue attributable to any claimed invention;

“(VI) are sufficient to show the organizational ownership and structure of each party, including identification of any person that has a financial interest in the asserted patent;

“(VII) relate to awareness of the asserted patent or claim, or the infringement, before the action was filed; and

“(VIII) sufficient to show any marking, lack of marking, or notice of the asserted patent provided to the accused infringer; and

“(ii) does not include computer code or electronic communication, such as e-mail, text messages, instant messaging, and other forms of electronic communication, unless the court finds good cause for including such computer code or electronic communication as core documentary evidence of a particular party under clause (i).

“(2) DISCOVERY SEQUENCE AND SCOPE.—In a civil action arising under any Act of Congress relating to patents, the parties shall discuss and address in the written report filed under rule 26(f)(2) of the Federal Rules of Civil Procedure the views and proposals of the parties on—

“(A) when the discovery of core documentary evidence should be completed;

“(B) whether the parties will seek additional discovery under paragraph (3); and

“(C) any issues relating to infringement, invalidity, or damages that, if resolved before the additional discovery described in paragraph (3) commences, will simplify or streamline the case, including the identification of any key patent claim terms or phrases to be construed by the court and whether the early construction of any of those terms or phrases would be helpful.

“(3) DISCOVERY COST-SHIFTING.—

“(A) IN GENERAL.—In a civil action arising under any Act of Congress relating to patents, each party shall be responsible for the costs of producing core documentary evidence within the possession, custody, or control of that party.

“(B) ADDITIONAL DISCOVERY.—

“(i) IN GENERAL.—A party to a civil action arising under any Act of Congress relating to patents may seek additional discovery if the party bears the costs of the additional discovery, including reasonable attorney’s fees.

“(ii) REQUIREMENTS.—A party shall not be allowed additional discovery unless the party—

“(I) at the time that such party seeks additional discovery, provides to the party from whom the additional discovery is sought payment of the anticipated costs of the discovery; or

“(II) posts a bond in an amount sufficient to cover the anticipated costs of the discovery.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) or (B) shall be construed to—

“(i) entitle a party to information not otherwise discoverable under the Federal Rules of Civil Procedure or any other applicable rule or order;

“(ii) require a party to produce privileged matter or other discovery otherwise limited under the Federal Rules of Civil Procedure; or

“(iii) prohibit a court from—

“(I) determining that a request for discovery is excessive, irrelevant, or otherwise abusive; or

“(II) setting other limits on discovery.”.

SEC. 5. COSTS AND EXPENSES.

(a) IN GENERAL.—Section 285 of title 35, United States Code, is amended to read as follows:

“§285. Costs and expenses

“(a) IN GENERAL.—The court shall award to the prevailing party reasonable costs and expenses, including attorney’s fees, unless—

“(1) the position and conduct of the non-prevailing party were objectively reasonable and substantially justified; or

“(2) exceptional circumstances make such an award unjust.

“(b) PROHIBITION ON CONSIDERATION OF CERTAIN SETTLEMENTS.—In determining whether an exception under paragraph (1) or (2) of subsection (a) applies, the court shall not consider as evidence any license taken in settlement of an asserted claim.

“(c) RECOVERY.—If the non-prevailing party is unable to pay reasonable costs and expenses awarded by the court under subsection (a), the court may make the reasonable costs and expenses recoverable against any interested party, as defined in section 299(d).”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 35, United States Code, is amended by striking the item relating to section 285 and inserting the following:

“285. Costs and expenses.”.

(2) CONFORMING AMENDMENTS.—Chapter 29 of title 35, United States Code, is amended—

(A) in section 271(e)(4), in the flush text following subparagraph (D), by striking “attorney fees” and inserting “reasonable costs and expenses, including attorney’s fees;”;

(B) in section 273(f), by striking “attorney fees” and inserting “reasonable costs and expenses, including attorney’s fees;” and

(C) in section 296(b), by striking “attorney fees” and inserting “reasonable costs and expenses (including attorney’s fees)”.

By Mr. UDALL of New Mexico
(for himself and Mr. ROCKEFELLER):

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, as parents, we can see the scrapes and cuts our children get—the unavoidable byproducts of growing up. A little bit of ointment and some bandages usually do the trick. But what of the injuries we can’t see? The ones we can’t readily tell, no matter how well we know our kids.

Each year, as many as 3.8 million Americans suffer sports- and recreation-related brain injuries. Some are horrific, deadly, and visible to the naked eye. But the vast majority are concussions caused by an awkward hit, a freak fall, or a routine blow to the head on the field. They cannot be seen, but the damage is there in the very place that houses our minds and for our children their future.

Most susceptible are our young athletes, whose bodies and brains are still growing, with each concussion increasing the likelihood of suffering yet another. This past school year alone, more than 300,000 of our high school athletes were diagnosed with concussions. Since 2005, over 1.3 million concussions have been diagnosed among high school athletes in just the top nine most common sports. However, researchers say these figures likely underestimate—vastly—the true extent of the epidemic because so many head injuries go unreported or ignored. And when a concussion occurs, few ever lose consciousness, and the telltale signs can seem minor in the immediate aftermath. It is only later on, perhaps the next day or weeks thereafter, when the consequences become clearer and more alarming.

The urgency to act only grows the more we learn about brain injuries. Concussions aren’t minor bumps and dings. They aren’t something kids should just “play through,” as some coaches advise. They are injuries to the brain that animate our very existence, and they can impair their cognitive abilities just when our children need a good head on their shoulders. And we, as a society, have already seen the potential tragedies that repeated concussions can bring to athletes—their limbs paralyzed or their lives cut short by the inner demons the injuries eventually bear.

The role of sports, and all of its innate benefits, is an important part of growing up in America. They teach us lessons that can’t be taught in the classroom, they make us healthier, and they show us the value of teamwork, grit, and responsibility. But the pervasiveness of concussions and their effects, particularly among children, should no longer be disregarded. And, as policymakers and parents, we must ensure that we are doing everything we can to learn more and safeguard our kids and athletes.

Senator TOM UDALL and I are proud to introduce the Youth Sports Concussion Act, which will help ensure that protective sports equipment take heed of the latest science and are not sold based on false or deceptive premises.

As chairman of the Committee on Commerce, Science, and Transportation, we have already revealed and investigated bad actors who peddle products with false safety claims to parents of young athletes. Under this

legislation, the Federal Trade Commission would be able to go after them with greater force and ensure this practice comes to an end.

This bill would also direct the Consumer Product Safety Commission to review a forthcoming study from the National Academies of Science on youth concussions. Based on the study's recommendations, the CPSC would then be permitted to consider new safety standards for sports equipment if manufacturers fail to come up with their own.

The legislation—I am happy to say—has the strong support of major sports leagues and players associations. Pediatricians, scientists, and consumer groups have endorsed it, too. Our athletes, whether peewee or professional, whether under the lights or on the pitch, inspire and bring Americans together, and their efforts to help pass this sensible bill will surely garner the appreciation of present and future athletes to come.

This fall, some 3 million children under the age of 14 will don their pads and snap on their helmets to play tackle football. For a sport so important—and for lives so precious—to our country, let us make sure we act as soon as we can. The lessons imparted and the fitness gained on the field are moot without the health of our children.

By Mrs. SHAHEEN:

S. 1021. A bill to provide for a Next Generation Cooperative Threat Reduction Strategy, and for other purposes; to the Committee on Foreign Relations.

Mrs. SHAHEEN. Mr. President, I rise today to discuss the threat posed by the proliferation of weapons of mass destruction around the globe and to introduce legislation aimed at modernizing the way the United States addresses this critical national security challenge. My bill, the Next Generation Cooperative Threat Reduction Act of 2013, requires the President to establish a multi-year comprehensive and well-resourced regional assistance strategy to coordinate and advance cooperative threat reduction and related nonproliferation efforts in one of the most critical regions to U.S. national security interests: the Middle East and North Africa.

Fifty years ago, in 1963, President Kennedy famously said that he was "haunted" by the possibility that the United States could soon face a rapidly growing number of nuclear powers in our world. At the time, he predicted that by 1975, there could be as many as twenty countries with nuclear weapons. However, thanks to strong, forward-thinking and innovative American leadership on the nonproliferation agenda, including efforts like the Nonproliferation Treaty and the Nunn-Lugar program, we have so far averted Kennedy's nuclear nightmare.

Recent WMD-related developments, including Syria's chemical weapons stockpile and Iran's nuclear program, have begun to test the limits of our nonproliferation regime. I am afraid we may be quickly reaching an important crossroads—one where we either prove President Kennedy wrong for a little while longer, or find out that his nightmare prediction was simply a half-century too soon.

As WMD-related materials and know-how continue to spread, the challenge of WMD proliferation is getting more diffuse and harder to track. Our focus and our resource commitment need to match the severity of this emerging threat. Now is the time for us to recommit to an aggressive nonproliferation agenda and to demonstrate to the world that the U.S. will continue to lead in curbing the threat posed by nuclear, chemical and biological weapons around the world.

We should start in one of the most dangerous, most unstable regions in the world today: the Middle East and North Africa.

Nowhere is the proliferation challenge more glaring than in the countries of the Middle East and North Africa, where political instability and deeply-rooted violent extremism sit atop a complex web of ethnic differences, a history of violence and extremism, robust military capabilities, a growing collection of unsecured conventional and possible WMD-related weapons and a variety of inexperienced and potentially unstable governments brought into power by the Arab Spring.

Continued upheaval in Syria and the threat posed by the Assad regime's substantial chemical weapons stockpile pose a grave challenge to U.S. interests. Iran's continued illicit development of its nuclear program and its movement towards an advanced nuclear weapons capability threatens the U.S. and our allies and could lead to a nuclear arms race in the region. Terrorist groups like Hezbollah, Hamas, and al Qaeda continue to operate throughout the Middle East and North Africa, and their direct ties to the Iranian and Syrian regimes only exacerbates the threat posed by these groups as they seek to acquire weapons of mass destruction or know-how.

Add to these threats the fact that the Arab Spring and continued revolutions across the region have brought popularly elected, yet untested governments into power that possess minimal capability and very little experience in countering WMD proliferation.

In the face of this growing and complex challenge, it is obvious that the Middle East and North African region represents the next generation of WMD-related tests for the United States. Yet, our resources and our programming are not getting ahead of the threat. In fact, the nonpartisan "Project on U.S. Middle East Non-

proliferation Strategy" estimates that, excluding programs in Iraq, only two percent of last year's nonproliferation-related programming, or approximately \$20,000,000 of an estimated \$1,000,000,000, was spent in Middle East and North Africa countries.

Luckily for us, we have a successful model for engagement on this issue that we can fall back on. Just over two decades ago, Senators Sam Nunn and Dick Lugar initiated what has proven to be one of the country's most effective foreign policy efforts. The Nunn-Lugar Cooperative Threat Reduction, CTR, Program has led to the successful deactivation of well over 13,000 nuclear warheads, as well as the destruction of over 1,400 intercontinental ballistic missiles and almost 40,000 metric tons of chemical weapon agents. Because of Nunn-Lugar, Ukraine, Kazakhstan, and Belarus are nuclear weapons free and Albania is chemical weapons free.

The principles of Nunn-Lugar can and should be more fully translated into the Middle East and North Africa. Congress has long supported expanding CTR into the Middle East, but it was only last fall that the Administration finally completed the bureaucratic changes necessary to more robustly engage in this region.

It is time we expand and ramp up our CTR efforts to prevent the potential proliferation of WMD-related weapons, technologies, materials, and know-how in this difficult and volatile part of the world. That is why I am introducing the Next Generation Cooperative Threat Reduction Act of 2013, which is aimed at modernizing our CTR and nonproliferation programs and expanding them more comprehensively throughout this region.

The bill calls for the President to develop and implement a multi-year comprehensive regional assistance strategy to coordinate and advance CTR and nonproliferation in the Middle East and North Africa. The strategy requires an integrated, whole-of-government commitment to building on the cooperative threat model demonstrated by Nunn-Lugar's successes, the initiation of new CTR programs with newly elected partners in the region, and plans to ensure burden-sharing and leveraging of additional outside resources.

The bill allows for the support of innovative and creative assistance programs aimed at enhancing the capacity of governments in the region to prevent, detect, and interdict illicit WMD-related trade. Activities could include:

Encouraging and assisting with security and destruction of chemical weapons stockpiles; Promoting the adoption and implementation of enhanced and comprehensive strategic trade control laws and strengthening export controls and border security, including maritime security; Promoting government-to-government engagement among

emerging political and public policy leaders, including the possibility of training courses for parliamentarians and national technical advisors; Promoting activities that seek to work with civil society organizations, media representatives, and public diplomacy officials to help develop a culture of nonproliferation responsibility among the general public; The possible establishment of nuclear, chemical, or biological security Centers of Excellence in the Middle East; Supporting, enhancing, or building upon regional nonproliferation programs and institutions already in place, including such multilateral initiatives as the December 2010 Gulf Cooperation Council conference on the implementation of UNSCR 1540 or the Arab Atomic Energy Agency and its Arab Network of Nuclear Regulators; Supporting, enhancing, or building upon previous multilateral initiatives, including the Group of Eight's Global Partnership Against the Spread of Weapons and Materials of Mass Destruction or the White House-led Nuclear Security Summits in 2010 and 2012 to more fully incorporate and include countries of the Middle East and North Africa region; Encouraging countries to adopt and adhere to the IAEA Additional Protocol; Promoting and supporting WMD-related regional confidence-building measures and Track Two regional dialogues on nonproliferation and related issues; Working collaboratively with businesses, foundations, universities, think tanks and other sectors, including the possibility of prizes and challenges to spur innovation in achieving appropriate Middle East and North Africa nonproliferation objectives; Supporting and expanding successful existing Middle East and North Africa partnerships, including the Middle East Consortium for Infectious Disease Surveillance; Promoting the establishment of professional networks that foster voluntary regional interaction on weapons of mass destruction-related issues; or enhancing United States-Europe cooperation on combating proliferation in the Middle East and North Africa region.

The threat posed by WMD-related materials falling into the hands of terrorists remains our greatest and gravest threat. As former Defense Secretary Robert Gates said, "Every senior leader, when you're asked what keeps you awake at night, it's the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear."

To date, we have largely kept WMD materials out of terrorists' hands. Unfortunately, however, being successful "to date" is not good enough. When it comes to terrorism and WMD in our world, the reality is that the international community cannot afford to make a single mistake. We cannot be complacent because one miscalculation . . . one unprotected border . . . one

unsecured facility . . . could all lead to a mushroom cloud somewhere in our world.

We need to remain vigilant, to think ahead, and to anticipate where the next threats will come from and adapt to get ahead of it.

That is why I would urge my colleagues in the Senate to take up and pass the Next Generation Cooperative Threat Reduction Act of 2013. We need to demonstrate that the United States will continue to lead the international community in curbing the threat posed by WMD proliferation. My legislation does just that. I hope the Senate will support this important effort.

Before yielding the floor, I want to thank my colleagues in the U.S. Senate, the U.S. House of Representatives, at the White House and at the Departments of State and Defense who contributed to this legislation. I also want to give special thanks to the Co-Chairs of the Project on U.S. Middle East Nonproliferation Strategy, including David Albright, Mark Dubowitz, Orde Kittrie, Leonard Spector and Michael Yaffe, whose report, "U.S. Nonproliferation Strategy for the Changing Middle East," served as the inspiration for this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 152—DESIGNATING NOVEMBER 28, 2013, AS "NATIONAL HOLOPROSENCEPHALY AWARENESS DAY" TO INCREASE AWARENESS AND EDUCATION OF THE DISORDER

Mr. COWAN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 152

Whereas Holoprosencephaly (commonly known as "HPE") is a birth defect of the brain in which the prosencephalon (also known as the "embryonic forebrain") does not sufficiently develop into 2 hemispheres resulting in a single-lobed brain structure and severe skull and facial defects;

Whereas in most cases of HPE, the malformations are so severe that babies die before birth;

Whereas in less severe cases of HPE, babies are born with normal or near-normal brain development and facial deformities that may affect the eyes, nose, and upper lip;

Whereas the 3 classifications of HPE that vary in severity and impairment to cognitive abilities are Alobar (in which the brain has not divided at all), Semilobar (in which the hemispheres of the brain have somewhat divided), and Lobar (in which there is considerable evidence of separate brain hemispheres);

Whereas HPE affects approximately 1 out of every 250 pregnancies during early embryo development, with many of those pregnancies ending in miscarriage;

Whereas HPE affects 1 in 10,000-20,000 live births;

Whereas the prognosis for a child diagnosed with HPE depends on the severity of the brain and facial malformations and asso-

ciated clinical complications, with the most severely affected children living several months or years and the least affected children living a normal life span;

Whereas there is no standard course of treatment for HPE because treatment must be individualized to the unique degree of malformations of each child;

Whereas the Federal Government, acting through the National Institutes of Health and the National Institute of Neurological Disorders and Strokes, supports and conducts a wide range of research on normal brain development and recent research has identified specific genes that cause HPE; and

Whereas November 28, 2013, would be an appropriate day to designate as 'National Holoprosencephaly Awareness Day': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of November 28, 2013, as "National Holoprosencephaly Awareness Day";

(2) urges Federal agencies—

(A) to continue supporting research to better understand the causes of HPE;

(B) to provide better counseling to families with the genetic forms of HPE; and

(C) to develop new ways to treat, and potentially prevent, HPE; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of HPE;

(B) to take an active role in the fight to end the devastating effects of HPE; and

(C) to observe "National Holoprosencephaly Awareness Day" with appropriate ceremonies and activities.

Mr. COWAN. Mr. President, I would like to take the opportunity to discuss a rare birth defect of the brain, known as holoprosencephaly or HPE.

I became aware of this rare disorder through the outreach of my constituent, Angel Marie Kelley from Bellingham, MA. Angel has a child living with HPE and has become a resource to others in her community who are touched by this disorder.

HPE occurs during the first few weeks of a pregnancy when the fetal brain does not sufficiently divide into two hemispheres, resulting in severe skull and facial defects. In most cases of HPE, the malformations are so severe that babies die before birth. In less severe cases, babies are born with normal or near-normal brain development and facial deformities that may affect the eyes, nose, and upper lip.

HPE affects about 1 out of every 250 pregnancies during early embryo development, with many of these pregnancies ending in miscarriage. The disorder affects between 1 in 10,000 to 1 in 20,000 live births.

There is no cure or standard course of treatment for HPE. The prognosis for a child diagnosed with the disorder depends on the severity of the brain and facial malformations and associated clinical complications. The most severely affected children could live several months or years and the least affected children are capable of achieving a normal life span. Treatment is symptomatic and supportive and must be individualized to each child's unique degree of malformations.

I would like to recognize the ongoing work of the Federal Government through the National Institutes of Health, NIH, and the National Institute of Neurological Disorders and Strokes, NINDS, on HPE. These agencies support and conduct a wide range of innovative and promising research on HPE—recently identifying the specific genes that cause HPE.

I am submitting this resolution today to designate November 28, 2013 as National Holoprosencephaly Awareness Day. This resolution urges Federal agencies to support HPE research, to provide better counseling to families with the genetic forms of HPE, and to develop new ways to treat, and potentially prevent this disorder. It also calls on the people of the United States to promote awareness of this birth defect and to observe National Holoprosencephaly Awareness Day with appropriate ceremonies and activities.

I look forward to working with my colleagues in the Senate to pass this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1059. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1060. Mr. BARRASSO (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1061. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1062. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1063. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1064. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1065. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1066. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1067. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1068. Mr. JOHANNNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1069. Mr. JOHANNNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1070. Mr. JOHANNNS (for himself, Mr. THUNE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1071. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1072. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1073. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1074. Mr. VITTER (for himself, Mr. INHOFE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1075. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1076. Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1077. Mr. HEINRICH (for himself, Mr. HELLER, Mr. BENNET, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1078. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1079. Mr. COONS (for himself and Mr. JOHANNNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1080. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1081. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1082. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL of Colorado, Mr. CRAPO, Mr. RISCH, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1083. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1084. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1085. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1086. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1087. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1088. Mr. BROWN (for himself, Mr. TESTER, Mr. SCHATZ, Mr. REED, Mr. WYDEN, Mr. HEINRICH, Mrs. GILLIBRAND, and Mr. COWAN) submitted an amendment intended

to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1089. Mr. BROWN (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1090. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1091. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1092. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1093. Mr. LEAHY (for himself, Mr. COWAN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1094. Mr. BROWN (for himself and Mr. JOHANNNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1095. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. MIKULSKI, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1096. Mr. INHOFE (for himself, Mr. PRYOR, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1097. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mr. JOHANNNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1098. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1099. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1100. Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CARPER, Ms. LANDRIEU, Mr. PRYOR, Mr. DONNELLY, Mr. VITTER, Ms. HEITKAMP, Mr. COONS, Mr. RISCH, Mrs. MCCASKILL, Mrs. FISCHER, and Mr. JOHANNNS) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1101. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 998 submitted by Mr. LEAHY to the bill S. 954, supra; which was ordered to lie on the table.

SA 1102. Mr. JOHANNNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1103. Mr. JOHANNNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1104. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1105. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1106. Mr. CHAMBLISS (for himself, Mr. UDALL of Colorado, Mr. BENNET, Mr. CRAPO, and Mr. HEINRICH) submitted an amendment

intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1107. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1108. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1109. Mr. WICKER (for himself, Mr. VITTER, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1110. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1111. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1112. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1113. Ms. LANDRIEU (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. LAUTENBERG, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1114. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1115. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1059. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 19 and 20, insert the following:

SEC. 40 . . . BAN ON RECRUITMENT ACTIVITIES EFFORTS BASED ON ADDING INDIVIDUALS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

“(g) **BAN ON RECRUITMENT BASED ON ADDING INDIVIDUALS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.**—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue regulations that forbid entities (including contractors of the entities) that receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program if the amount of the compensation would be based on the number of individuals who apply to receive the benefits.

“(h) **REPAYMENT OF BENEFITS GIVEN TO INELIGIBLE INDIVIDUALS.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue regulations that require, except as provided in paragraph (2), that any entity receiving funds under this Act that has been determined in accord-

ance with criteria established by the regulations to have purposefully recruited individuals ineligible for benefits under the supplemental nutrition assistance program or to have failed to verify the eligibility of individuals recruited to apply to receive benefits under the supplemental nutrition assistance program, to deposit in the general fund of the Treasury an amount equal to 200 percent of the amount of benefits provided by the State agency or benefit issuer to the individual later found to be ineligible to receive benefits under the program.

“(2) **EXCEPTION FOR FRAUD.**—The amount of benefits provided to ineligible individuals described in paragraph (1) shall not include any benefits received as a result of fraud by the individual.”.

SA 1060. Mr. BARRASSO (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12 . . . REPEAL OF RENEWABLE FUEL STANDARD.

(a) **IN GENERAL.**—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

(b) **ADDITIONAL REPEAL.**—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) **REGULATIONS.**—Beginning on the date of enactment of this Act, the regulations under subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 1061. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 11 . . . LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

“(9) **LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.**—

“(A) **DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.**—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) **LIMITATION.**—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy pro-

vided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.”.

SA 1062. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 . . . AMOUNTS OWED TO ELIGIBLE COUNTIES.

Not later than 7 days after the date of enactment of this Act, the Secretary of the Treasury shall pay to each eligible county (as defined in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102)) an amount equal to the amount elected by the eligible county under section 102(b) of that Act (16 U.S.C. 7112(b)) for fiscal year 2013.

SA 1063. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 15 and 16, insert the following:

SEC. 40 . . . PILOT PROGRAM TO TEST INNOVATIVE APPROACHES TO SUPPORTING WORK AND ENHANCING SKILLS.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 4001(b)) is amended by adding at the end the following:

“(m) **PILOT PROGRAM TO TEST INNOVATIVE APPROACHES TO SUPPORTING WORK AND ENHANCING SKILLS.**—

“(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Labor, shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to identify best practices for employment and training programs under this Act to increase the number of work registrants who—

“(A) obtain unsubsidized employment;

“(B) increase earned income;

“(C) obtain or make progress toward a credential, certificate, or degree; and

“(D) reduce reliance on public assistance, including the supplemental nutrition assistance program.

“(2) **SELECTION CRITERIA.**—The Secretary shall select a pilot project to carry out under this subsection based on such criteria as the Secretary may establish, including—

“(A) enhancing existing employment and training programs in a State;

“(B) agreeing to participate in the evaluation described in paragraph (3), including making available data on participant employment activities and postparticipation employment, earnings, and receipt of public benefits;

“(C) collaborating with State and local workforce boards and other job training programs in a State or local area;

“(D) the extent to which the components of the project can be easily replicated by other States or political subdivisions; and

“(E) such additional criteria as are necessary to ensure that all selected pilot projects—

“(i) target a variety of populations of work registrants, including childless adults, parents, and individuals with low skills or limited work experience;

“(ii) are selected from a range of existing employment and training programs, including programs that provide—

“(I) skills development and support services for work registrants with limited employment history;

“(II) postemployment support services necessary for maintaining employment; and

“(III) education leading to a recognized postsecondary credential, registered apprenticeship, or secondary school diploma or equivalent that has value in the labor market of the region;

“(iii) are located in a range of geographical areas, including rural and urban areas and Indian reservations; and

“(iv) have a plan for sustaining the program after the pilot phase has concluded.

“(3) **EVALUATION.**—The Secretary shall provide for an independent evaluation of pilot projects selected under this subsection to measure the impact of the projects on the ability of each pilot project target population to find and retain employment that leads to increased household income, compared to what would have occurred in the absence of the pilot project.

“(4) **REPORT TO CONGRESS.**—Not later than September 30, 2017, the Secretary shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes a description of—

“(A) the results of each pilot project carried out under this subsection, including an evaluation of the impact of the project on the employment, income, and public benefit receipt of the targeted population of work registrants;

“(B) the Federal, State, and other costs of each pilot project;

“(C) the planned dissemination among State agencies of the findings of the report; and

“(D) the measures and funding necessary to incorporate components of pilot projects that demonstrate increased employment and earnings into State employment and training programs.

“(5) **FUNDING.**—Of the amounts made available under section 18(a)(1), the Secretary shall use to carry out this subsection \$16,000,000 for each of fiscal years 2014 through 2016, to remain available until expended.

“(6) **USE OF FUNDS.**—

“(A) **IN GENERAL.**—Funds made available under this subsection shall be used only for—

“(i) pilot projects that comply with the requirements of this Act;

“(ii) the cost and administration of the pilot projects;

“(iii) the costs incurred in providing information for the evaluation under paragraph (3); and

“(iv) the costs of the evaluation under paragraph (3).

“(B) **LIMITATION.**—Funds made available under this subsection may not be used to supplant non-Federal funds used for existing employment and training activities.”.

SA 1064. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF ESTATE AND GIFT TAXES.

(a) **IN GENERAL.**—Subtitle B of the Internal Revenue Code of 1986 is hereby repealed.

(b) **EFFECTIVE DATE.**—The repeal made by paragraph (1) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after December 31, 2013.

SA 1065. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

Subtitle D—Defense of Environment and Property

SEC. 12301. NAVIGABLE WATERS.

(a) **IN GENERAL.**—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by striking paragraph (7) and inserting the following:

“(7) **NAVIGABLE WATERS.**—

“(A) **IN GENERAL.**—The term ‘navigable waters’ means the waters of the United States, including the territorial seas, that are—

“(i) navigable-in-fact; or

“(ii) permanent, standing, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact.

“(B) **EXCLUSIONS.**—The term ‘navigable waters’ does not include (including by regulation)—

“(i) waters that—

“(I) do not physically abut waters described in subparagraph (A); and

“(II) lack a continuous surface water connection to navigable waters;

“(ii) man-made or natural structures or channels—

“(I) through which water flows intermittently or ephemerally; or

“(II) that periodically provide drainage for rainfall; or

“(iii) wetlands without a continuous surface connection to bodies of water that are waters of the United States.

“(C) **EPA AND CORPS ACTIVITIES.**—An activity carried out by the Administrator or the Corps of Engineers shall not, without explicit State authorization, impinge upon the traditional and primary power of States over land and water use.

“(D) **AGGREGATION; WETLANDS.**—

“(i) **AGGREGATION.**—Aggregation of wetlands or waters not described in clauses (i) through (iii) of subparagraph (B) shall not be used to determine or assert Federal jurisdiction.

“(ii) **WETLANDS.**—Wetlands described in subparagraph (B)(iii) shall not be considered to be under Federal jurisdiction.

“(E) **JUDICIAL REVIEW.**—If a jurisdictional determination by the Administrator or the Secretary of the Army would affect the ability of a State or individual property owner to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, the State or individual property owner may obtain expedited judicial review not later than 30 days after the date on which the determination is made in a district court of the United States, of appropriate jurisdiction and venue, that is located within the State seeking the review.

“(F) **TREATMENT OF GROUND WATER.**—Ground water shall—

“(i) be considered to be State water; and

“(ii) not be considered in determining or asserting Federal jurisdiction over isolated

or other waters, including intermittent or ephemeral water bodies.

“(G) **PROHIBITION ON USE OF NEXUS TEST.**—Notwithstanding any other provision of law, the Administrator may not use a significant nexus test (as used by EPA in the proposed document listed in section 3(a)(1)) to determine Federal jurisdiction over navigable waters and waters of the United States.”.

(b) **APPLICABILITY.**—Nothing in this section or the amendments made by this section affects or alters any exemption under—

(1) section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)); or

(2) section 404(f) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)).

SEC. 12302. APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.

(a) **IN GENERAL.**—The following regulations and guidance shall have no force or effect:

(1) The final rule of the Corps of Engineers entitled “Final Rule for Regulatory Programs of the Corps of Engineers” (51 Fed. Reg. 41206 (November 13, 1986)).

(2) The proposed rule of the Environmental Protection Agency entitled “Advance Notice of Proposed Rulemaking on the Clean Water Act Regulatory Definition of ‘Waters of the United States’” (68 Fed. Reg. 1991 (January 15, 2003)).

(3) The guidance document entitled “Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in ‘Rapanos v. United States’ & ‘Carabell v. United States’” (December 2, 2008) (relating to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)).

(4) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term “navigable waters”.

(b) **PROHIBITION.**—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

SEC. 12303. STATE REGULATION OF WATER.

Nothing in this subtitle affects, amends, or supersedes—

(1) the right of a State to regulate waters in the State; or

(2) the duty of a landowner to adhere to any State nuisance laws (including regulations) relating to waters in the State.

SEC. 12304. CONSENT FOR ENTRY BY FEDERAL REPRESENTATIVES.

Section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1318) is amended by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—

“(1) **ENTRY BY FEDERAL AGENCY.**—A representative of a Federal agency shall only enter private property to collect information about navigable waters if the owner of that property—

“(A) has consented to the entry in writing;

“(B) is notified regarding the date of the entry; and

“(C) is given access to any data collected from the entry.

“(2) **ACCESS.**—If a landowner consents to entry under paragraph (1), the landowner shall have the right to be present at the time any data collection on the property of the landowner is carried out.”.

SEC. 12305. COMPENSATION FOR REGULATORY TAKING.

(a) **IN GENERAL.**—If a Federal regulation relating to the definition of navigable waters or waters of the United States diminishes

the fair market value or economic viability of a property, as determined by an independent appraiser, the Federal agency issuing the regulation shall pay the affected property owner an amount equal to twice the value of the loss.

(b) ADMINISTRATION.—Any payment provided under subsection (a) shall be made from the amounts made available to the relevant agency head for general operations of the agency.

(c) APPLICABILITY.—A Federal regulation described in subsection (a) shall have no force or effect until the date on which each landowner with a claim under this section relating to that regulation has been compensated in accordance with this section.

SA 1066. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1602 and insert the following:

SEC. 1602. PERMANENT SUSPENSION OF PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled “A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended”, approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to crops of wheat.

SA 1067. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. PROTECTION OF PRODUCER INFORMATION.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(2) PRODUCER.—The term “producer” means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(b) PROHIBITION OF PUBLIC DISCLOSURE OF PROTECTED INFORMATION.—Except as provided in subsection (c), no officer or employee of the Department of Agriculture, contractor or cooperater of the Department, or officer or employee of another Federal agency shall disclose—

(1) to the Federal Government any information submitted by a producer or owner of agricultural land under this Act; or

(2) any other information provided by a producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land to participate in any program administered by the Department or any other Federal agency.

(c) EXCEPTIONS.—The information described in subsection (a) may be disclosed if—

(1) the information is required to be made publicly available under any other provision of Federal law;

(2) the producer or owner of agricultural land who provided the information has lawfully publicly disclosed the information;

(3) the producer or owner of agricultural land who provided the information consents to the disclosure; or

(4)(A) the information is disclosed to the Attorney General; and

(B) the disclosure is necessary to ensure compliance with and enforcement of Federal law.

(d) NOTICE OF DISCLOSURE.—Not later than 24 hours after information is disclosed pursuant to an exception provided in subsection (b), the officer or employee of the Department of Agriculture, contractor or cooperater of the Department, or officer or employee of another Federal agency shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee of Agriculture in the House of Representatives a report on the disclosed information.

SA 1068. Mr. JOHANNNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

SEC. ____ . REPORT ON FARM RISK MANAGEMENT PROGRAMS.

(a) IN GENERAL.—Not later than December 1, 2014, and each December 1 thereafter until December 1, 2017, the Secretary, acting through the Chief Economist, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes—

(1) the impact of the agriculture risk coverage program under section 1108;

(2) the interaction of that program with—

(A) the adverse market payment program under section 1107;

(B) the marketing loan program under subtitle B of title I;

(C) the supplemental coverage option under section 508(c)(3)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)(B)) (as added by section 11001); and

(D) other Federal crop insurance programs;

(3) any distortion caused by the programs described in paragraphs (1) and (2), and any other farm programs as determined by the Chief Economist, on planting and production decisions; and

(4) any overlap or substitution caused by the programs described in paragraphs (1) and (2)(A) with Federal crop insurance.

(b) SUMMARY.—Not later than June 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a summary report that analyzes the issues described in subsection (a) over the period of crop years 2014 through 2017.

SA 1069. Mr. JOHANNNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 1615. PROHIBITION ON USE OF FUNDS TO DELAY COMPLIANCE WITH WTO DECISIONS.

The Secretary shall not use any funds (including funds of the Commodity Credit Corporation) to make payments or influence a foreign government or organization (including the Brazilian Cotton Institute) for the purpose of delaying compliance with a decision of the World Trade Organization.

SA 1070. Mr. JOHANNNS (for himself, Mr. THUNE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 355, between lines 7 and 8, insert the following:

SEC. 40 ____ . CATEGORICAL ELIGIBILITY LIMITATIONS.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) by striking the section designation and heading and all that follows through “(a) PARTICIPATION.—” and inserting the following:

“SEC. 5. ELIGIBLE HOUSEHOLDS.

“(a) REQUIREMENTS.—

“(1) IN GENERAL.—Participation”;

(2) in subsection (a)—

(A) by striking the second sentence and inserting the following:

“(2) RECIPIENTS OF OTHER FEDERAL BENEFITS.—Except as provided in section 3(n)(4) and subsections (b), (d)(2), (g), and (r) of section 6, a household shall be eligible to participate in the supplemental nutrition assistance program if each member of the household receives—

“(A) cash assistance in the form of ongoing basic needs benefit payments for financially needy families under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

“(B) cash assistance under the supplemental security income program established under title XVI of that Act (42 U.S.C. 1381 et seq.); or

“(C) aid to the aged, blind, or disabled under title I, X, XIV, or XVI of that Act (42 U.S.C. 301 et seq.).”;

(B) in the third sentence, by striking “Except for sections 6, 16(e)(1), and section

3(n)(4), households” and inserting the following:

“(3) GENERAL ASSISTANCE.—Except as provided in sections 3(n)(4), 6, and 16(d), a household”; and

(C) in the fourth sentence, by striking “Assistance” and inserting the following:

“(4) APPLICATIONS.—Assistance”; and

(3) in subsection (j)—

(A) by inserting “cash assistance in the form of” before “supplemental security income benefits”; and

(B) by striking “or who receives benefits” and inserting “or who receives cash assistance”.

On page 358, line 11, strike “(a) IN GENERAL.—”.

On page 359, strike lines 11 through 15.

SA 1071. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1051, strike line 5 and all that follows through page 1055, line 13.

SA 1072. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 16. STUDY ON OFFSETS FOR PAYMENTS TO BRAZILIAN COTTON INSTITUTE.

Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies and recommends \$147,300,000 in annual savings for each of 2013 through 2018 from payments, loans, assistance, and plans provided to producers of upland cotton and extra long staple cotton under this title and section 508B of the Federal Crop Insurance Act to offset annual payments of \$147,300,000 for each of 2013 through 2018 to be made to the Brazilian Cotton Institute.

SA 1073. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1066, strike line 23 and all that follows through page 1071, line 16.

SA 1074. Mr. VITTER (for himself, Mr. INHOFE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SECTION 122. PROHIBITION OF GASOLINE BLENDS WITH GREATER THAN 10-VOLUME-PERCENT ETHANOL.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not, including by granting a waiver under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), authorize or otherwise allow the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol.

(b) PROHIBITION OF WAIVERS.—

(1) IN GENERAL.—Any waiver granted under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) before the date of enactment of this Act that allows the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol for use in motor vehicles shall have no force or effect.

(2) CERTAIN WAIVERS.—The waivers described in subsection (a) include the following:

(A) The waiver entitled, “Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator”, 75 Fed. Reg. 68094 (November 4, 2010).

(B) The waiver entitled, “Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator”, 76 Fed. Reg. 4662 (January 26, 2011).

(c) MISFUELING RULE.—The portions of the rule entitled, “Regulation to Mitigate the Misfueling of Vehicles and Engines with Gasoline Containing Greater Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs”, 76 Fed. Reg. 44406 (July 25, 2011) (including amendments to those portions of the rule) to mitigate misfueling shall have no force and effect 60 days after the date of enactment of this Act.

(d) CONFORMING VOLUMETRIC REQUIREMENTS.—Section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) is amended—

(1) in paragraph (3)(C)—

(A) in clause (i), by striking “and”;

(B) in clause (ii), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(iii) to limit the applicable percentage of renewable fuel required under this subsection to an amount that would ensure that no refiner, blender, or importer be required directly or indirectly to produce, blend, import, or otherwise enter into commerce any gasoline that contains, on an average annual basis, greater than 10-volume percent ethanol.”;

(2) by adding at the end the following:

“(13) LIMITATIONS.—No entity required to comply with a provision of this section shall be required either by the applicable volumes under paragraph (2)(B) or by the operation of any other authority in this section (including regulations promulgated under this section) to introduce into commerce gasoline that contains, on an average annual basis, greater than 10 volume percent ethanol.”.

(e) CERTIFICATION FUELS.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by adding at the end the following:

“(w) CERTIFICATION FUELS.—The Administrator shall ensure that the fuel used for certification of vehicles and engines for compliance with emissions standards promulgated under this title corresponds in all respects to the fuel used by 75 percent or more of the vehicles and engines in use at the time the specifications for the certification fuel are promulgated for vehicles and engines that use the certification fuel.”.

SA 1075. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42. FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking “FRESH”;

(2) in subsection (a), by striking “fresh”;

(3) by striking subsection (b) and inserting the following:

“(b) PROGRAM.—A school participating in the program—

“(1) shall make free fruits and vegetables available to students throughout the school day (or at such other times as are considered appropriate by the Secretary) in 1 or more areas designated by the school;

“(2) may make the free fruits and vegetables available in any form (such as fresh, frozen, dried, or canned) that meets any nutrition requirement prescribed by the Secretary and consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341); and

“(3) shall purchase, to the maximum extent practicable, domestic commodities or products in compliance with section 12(n) (including any implementing regulations).”;

and

(4) in subsection (e), by striking “fresh”.

SA 1076. Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12213. PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

(a) DEFINITIONS.—In this section—

(1) the terms “agency” and “career appointee” have the meanings given such terms in section 5381 of title 5, United States Code; and

(2) the term “sequestration period” means a period—

(A) beginning on the later of—

(i) the date on which a sequestration order is issued under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a); and

(ii) the first day of the fiscal year to which the sequestration order applies; and

(B) ending on the last day of the fiscal year to which the sequestration order applies.

(b) PROHIBITION.—Notwithstanding any other provision of law, an agency may not pay a performance award under section 5384 of title 5, United States Code, to a career appointee—

(1) during a sequestration period; or

(2) that relates to any period of service performed during a fiscal year during which a sequestration order under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a) is in effect.

SA 1077. Mr. HEINRICH (for himself, Mr. HELLER, Mr. BENNET, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12. FEDERAL LAND TRANSACTION FACILITATION ACT.

The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking “on the date of enactment of this Act was” and inserting “is”;

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking “(as in effect on the date of enactment of this Act)”;

and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking “96-568” and inserting “96-586”; and

(ii) by striking “; or” and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting “Public Law 105-263;” before “112 Stat.”; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432; 120 Stat. 3028);

“(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2403);

“(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111-11);

“(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111-11);

“(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1108); or

“(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1121).”

SA 1078. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. . WILDFIRE MITIGATION ASSISTANCE.

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) POST DISASTER MITIGATION ASSISTANCE.—The President may provide hazard mitigation assistance in accordance with section 404 in any area in which assistance was provided under this section, whether or not a major disaster had been declared.”

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a))—

(A) by inserting before the first period “, or any area in which assistance was provided under section 420”; and

(B) in the third sentence, by inserting “or event under section 420” after “major disaster” each place that term appears; and

(2) in section 322 (e)(1) (42 U.S.C. 5165(e)(1)), by inserting “or event under section 420” after “major disaster” each place that term appears.

SA 1079. Mr. COONS (for himself and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 339, line 13, strike “\$40,000,000” and insert “\$60,000,000”.

SA 1080. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 902, strike lines 12 and 13 and insert the following:

(5) by redesignating subsections (h) and (j) as subsections (k) and (l), respectively;

On page 918, strike lines 7 through 11 and insert the following:

2014 through 2018.

“(j) CONVENTIONAL BREEDING INITIATIVE.—

“(1) DEFINITIONS.—

“(A) CONVENTIONAL BREEDING.—The term ‘conventional breeding’ means the development of new varieties of an organism through controlled mating and selection without the use of transgenic methods.

“(B) PUBLIC BREED.—The term ‘public breed’ means a breed that is the commercially available uniform end product of a publicly funded breeding program that—

“(i) has been sufficiently tested to demonstrate improved characteristics and stable performance; and

“(ii) remains in the public domain for research purposes.

“(C) PUBLIC CULTIVAR.—The term ‘public cultivar’ means a cultivar that is the commercially available uniform end product of a publicly funded breeding program that—

“(i) has been sufficiently tested to demonstrate improved characteristics and stable performance; and

“(ii) remains in the public domain for research purposes.

“(2) ESTABLISHMENT.—Beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall carry out an initiative to address research needs in conventional breeding for public cultivar and public breed development, as described in paragraph (3).

“(3) PURPOSES.—The purposes of the initiative established by paragraph (2) are—

“(A) to fund public cultivar and public breed development through conventional breeding, with no requirement or preference for the use of marker-assisted or genomic selection methods; and

“(B) to conduct research on—

“(i) selection theory;

“(ii) applied quantitative genetics;

“(iii) conventional breeding for improved food quality;

“(iv) conventional breeding for improved local adaptation to biotic stress and abiotic stress; and

“(v) participatory conventional breeding.

“(4) ELIGIBLE ENTITIES.—The Secretary may carry out the initiative established by paragraph (2) through grants to—

“(A) institutions of higher education;

“(B) research institutions or organizations;

“(C) private organizations or corporations;

“(D) State agricultural experiment stations;

“(E) individuals; or

“(F) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (E).

“(5) RESEARCH PROJECT GRANTS.—In carrying out this subsection, the Secretary shall—

“(A) seek and accept proposals for grants;

“(B) award grants on a competitive basis;

“(C) determine the relevance and merit of proposals through a system of peer review, in consultation with experts in conventional breeding;

“(D) award grants on the basis of merit, quality, and relevance; and

“(E) award grants for a term that is practicable for conventional cultivar development.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2014 through 2018.”;

(7) in subsection (k) (as redesignated by paragraph (5)), by striking “2012” each place it appears and inserting “2018”; and

(8) in subsection (l) (as redesignated by para-

SA 1081. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 998, strike lines 11 through 20 and insert the following:

(A) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (C), by striking “and” at the end;

(II) by redesignating subparagraph (D) as subparagraph (E); and

(III) by inserting after subparagraph (C) the following:

“(D) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and”;

(ii) by striking paragraph (4) and inserting the following:

“(4) USE OF GRANT FUNDS.—

“(A) IN GENERAL.—A recipient of a grant under paragraph (1) shall use the grant funds to assist agricultural producers and rural small businesses by—

“(i) conducting and promoting energy audits; and

“(ii) providing recommendations and information on how—

“(I) to improve the energy efficiency of the operations of the agricultural producers and rural small businesses; and

“(II) to use renewable energy technologies and resources in the operations.

“(B) CERTIFICATION.—Before a recipient of a grant under paragraph (1) uses the grant funds to build a wind turbine, the Secretary shall certify that the wind turbine will not injure—

“(i) any species listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(ii) any migratory bird covered by the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); or

“(iii) any bald or golden eagle covered by the Act entitled ‘An Act for the protection of the bald eagle’, approved June 8, 1940 (16 U.S.C. 668 et seq.).”;

and

SA 1082. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL of Colorado, Mr. CRAPO, Mr. RISCH, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs

through 2018; which was ordered to lie on the table; as follows:

On page 975, between lines 12 and 13, insert the following:

“(7) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this section, the Chief and the Director shall issue for use in all contracts and agreements under subsection (b) fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

“(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400-13, part H, section H.4; and

“(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).

SA 1083. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ . PROHIBITION ON MANDATORY OR COMPULSORY CHECK OFF PROGRAMS.

Notwithstanding any other provision of law, no program to promote and provide research and information for a particular agricultural commodity without reference to 1 or more specific producers or brands (commonly known as a “check-off program”) shall be mandatory or compulsory.

SA 1084. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12 _____ . REPEAL OF RENEWABLE FUEL STANDARD.

(a) IN GENERAL.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

(b) ADDITIONAL REPEAL.—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) REGULATIONS.—Beginning on the date of enactment of this Act, the regulations under subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 1085. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12 _____ . ADMINISTRATION.

Notwithstanding any other provision of law, the carrying out of this Act and the amendments made by this Act shall not be done in a manner that targets any individuals or groups on the basis of ideology or political affiliation.

SA 1086. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018;

which was ordered to lie on the table; as follows:

On page 378, between lines 15 and 16, insert the following:

SEC. 4 _____ . INTERVIEW AUTHORITY.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

“(v) INTERVIEW AUTHORITY.—

“(1) IN GENERAL.—The Secretary shall give each participating State the option to carry out the supplemental nutrition assistance program by allowing nonprofit organizations and area agencies on aging to conduct the eligibility interview for applicant households, in accordance with the interview process of the State.

“(2) CRITERIA.—Any nonprofit organization or area agency on aging allowed to conduct an interview under paragraph (1) shall be selected at the discretion of the head of the State agency responsible for administering the supplemental nutrition assistance program in the State.”.

SA 1087. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 846, line 22, insert “unless the Secretary determines at least 25 percent of the households in a proposed service area that is capable of receiving broadband service are not purchasing the minimum acceptable level of broadband service” after “under subsection (e)”.

SA 1088. Mr. BROWN (for himself, Mr. TESTER, Mr. SCHATZ, Mr. REED, Mr. WYDEN, Mr. HEINRICH, Mrs. GILLIBRAND, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 380, strike line 24 and all that follows through page 381, line 13, and insert the following:

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) by striking subclause (I) and inserting the following:

“(I) to create or implement a coordinated community plan to meet the food security needs of low-income individuals;”;

(II) in subclause (II), by inserting “and effectiveness” after “self-reliance”;

(III) in subclause (III), by inserting “food access,” after “food,”; and

(i) in clause (ii), by striking subclause (I) and inserting the following:

“(I) infrastructure improvement and development;”;

On page 381, between lines 20 and 21, insert the following:

(2) in subsection (b)(2)(B), by striking “\$5,000,000” and inserting “\$10,000,000”;

On page 381, line 21, strike “(2)” and insert “(3)”.

On page 381, strike lines 22 through 24 and insert the following:

(A) in the matter preceding paragraph (1), by inserting “or a nonprofit entity working in partnership with a State, local, or tribal government agency or community health organization” after “nonprofit entity”;

On page 382, strike lines 7 through 10 and insert the following:

“(C) efforts to reduce food insecurity in the community, including increasing access to food services or improving coordination of services and programs;”;

Beginning on page 382, strike line 19 and all that follows through page 383, line 12, and insert the following:

(4) in subsection (d), by striking paragraphs (3) and (4) and inserting the following:

“(3) develop innovative linkages between the for-profit, nonprofit, and public sectors;

“(4) encourage long-term planning activities and multisystem interagency approaches with multistakeholder collaborations (such as food policy councils, food planning associations, and hunger-free community coalitions) that build the long-term capacity of communities to address the food, food security, and agricultural problems of the communities;

“(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future; or

“(6) achieve goal 2 or 3 of the hunger-free communities goals.”;

On page 383, strike lines 13 through 16 and insert the following:

(5) in subsection (f)(2), by striking “3 years” and inserting “5 years”;

(6) by striking subsection (h) and inserting the following:

On page 384, line 2, strike the period at the end and insert “; and”.

On page 384, between lines 2 and 3, insert the following:

(7) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “and recommend to the targeted entities” and inserting “create a nationally accessible web-based clearinghouse of regulations, zoning provisions, and best practices by government and the private and nonprofit sectors that have been shown to improve community food security, and provide to targeted entities training, technical assistance, and”;

(ii) by striking subparagraphs (C) and (D) and inserting the following:

“(C) health disparities;

“(D) food insecurity;”;

(B) in paragraph (4), by striking “\$200,000” and inserting “\$500,000”.

On page 396, strike lines 8 through 12 and insert the following:

SEC. 4202. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended by striking subsection (a) and inserting the following:

“(a) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers’ market nutrition program—

“(1) \$2,500,000 for fiscal year 2014; and

“(2) \$5,000,000 for each of fiscal years 2015 through 2018.”.

On page 420, strike lines 13 through 16 and insert the following:

“(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

“(A) \$1,000,000 for fiscal year 2014;

“(B) \$2,000,000 for fiscal year 2015;

“(C) \$3,000,000 for fiscal year 2016;

“(D) \$4,000,000 for fiscal year 2017; and

“(E) \$5,000,000 for fiscal year 2018.

Beginning on page 636, strike line 21 and all that follows through page 639, line 2, and insert the following:

“(A) FAMILY FARM.—The term ‘family’ farm has the meaning given the term in section 761.2 of title 7, Code of Federal Regulations (as in effect on December 30, 2007).

“(B) MID-TIER VALUE CHAIN.—The term ‘mid-tier value chain’ means a local and regional supply network (including a network that operates through food distribution centers that coordinate agricultural production and the aggregation, storage, processing, distribution, and marketing of locally or regionally produced agricultural products) that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

“(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

“(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

“(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term ‘value-added agricultural product’ means any agricultural commodity or product—

“(i) that—

“(I) has undergone a change in physical state;

“(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

“(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

“(IV) is a source of farm-based renewable energy, including E-85 fuel; or

“(V) is aggregated and marketed as a locally produced agricultural food product or as part of a mid-tier value chain; and

“(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

“(I) the customer base for the agricultural commodity or product is expanded; and

“(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

On page 639, line 5, insert “on a competitive basis” after grants.

On page 640, strike lines 12 through 21 and insert the following:

“(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall—

“(I) in the case of a grant under subparagraph (A)(i), give priority to—

“(aa) operators of small- and medium-sized farms and ranches that are structured as family farms; or

“(bb) beginning farmers and ranchers or socially disadvantaged farmers or ranchers; and

“(II) in the case of a grant under subparagraph (A)(ii), give priority to projects (including farmer cooperative projects) that best contribute to—

“(aa) increasing opportunities for operators of small- and medium-sized farms and ranches that are structured as family farms; or

“(bb) creating opportunities for beginning farmers and ranchers or socially disadvantaged farmers and ranchers.

On page 642, line 21, strike “June 30 of” and insert “the date on which the Secretary completes the review process for applications submitted under this section for”.

On page 643, line 4, strike “\$12,500,000” and insert “\$20,000,000”.

On page 663, strike lines 8 through 23 and insert the following:

“(ii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that would—

“(I) result in increased access to locally or regionally grown food in underserved communities;

“(II) create new market opportunities for agricultural producers; or

“(III) support strategic economic and community development regional economic development plans on a multijurisdictional basis.

“(iii) GUARANTEE LOAN FEE AND PERCENTAGE.—In making or guaranteeing a loan under clause (i) the Secretary may waive, incorporate into the loan, or reduce the guarantee loan fee that would otherwise be imposed under this paragraph.

On page 1025, line 8, strike “\$20,000,000” and insert “\$30,000,000”.

SA 1089. Mr. BROWN (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 167, line 18, strike “\$750,000” and insert “\$500,000”.

On page 384, line 22, strike “\$22,000,000” and insert “\$28,000,000”.

On page 384, line 24, strike “\$18,000,000” and insert “\$44,000,000”.

On page 385, line 2, strike “\$10,000,000; and” and insert “\$24,000,000;”.

On page 385, line 4, strike “\$4,000,000;” and insert “\$18,000,000; and”.

On page 385, between lines 4 and 5, insert the following:

“(v) for fiscal year 2018 and each fiscal year thereafter, \$10,000,000;” and

SA 1090. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 921, line 3, strike “shall” and insert “may”.

On page 921, line 24, strike “\$10,000,000” and insert “\$20,000,000”.

SA 1091. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1602 and insert the following:

SEC. 1602. REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 are repealed:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) Section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 are repealed:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) CERTAIN QUOTA PROVISIONS.—The joint resolution entitled “A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended”, approved May 26, 1941 (7 U.S.C. 1330 and 1340), is repealed.

(d) PROHIBITION.—Notwithstanding any other provision of law, including the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), beginning on October 1, 2018, the Secretary shall have no authority to support the price of commodities through payments or purchases.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act.

SA 1092. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike sections 1104 through 1110 and insert the following:

SEC. 1104. DEFINITIONS.

In this subtitle, subtitle B, and subtitle F:

(1) ACTUAL CROP REVENUE.—The term “actual crop revenue”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(3).

(2) AGRICULTURE RISK COVERAGE GUARANTEE.—The term “agriculture risk coverage guarantee”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(4).

(3) AGRICULTURE RISK COVERAGE PAYMENT.—The term “agriculture risk coverage payment” means a payment under section 1105(c).

(4) AVERAGE INDIVIDUAL YIELD.—The term “average individual yield” means the yield reported by a producer for purposes of subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), to the maximum extent practicable.

(5) COUNTY COVERAGE.—For the purposes of agriculture risk coverage under section 1105, the term “county coverage” means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average county yield described in subsection (c) of that section.

(6) COVERED COMMODITY.—

(A) IN GENERAL.—The term “covered commodity” means wheat, corn, grain sorghum, barley, oats, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(B) POPCORN.—The Secretary—

(i) shall study the feasibility of including popcorn as a covered commodity by 2014; and

(ii) if the Secretary determines it to be feasible, shall designate popcorn as a covered commodity.

(7) ELIGIBLE ACRES.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term “eligible acres” means all acres planted or prevented from being planted to all covered commodities on a farm in any crop year.

(B) MAXIMUM.—Except as provided in subparagraph (C), the total quantity of eligible acres on a farm determined under subparagraph (A) shall not exceed the average total acres planted or prevented from being planted to covered commodities and upland cotton on the farm for the 2009 through 2012 crop years, as determined by the Secretary.

(C) ADJUSTMENT.—The Secretary shall provide for an adjustment, as appropriate, in the eligible acres for covered commodities for a farm if any of the following circumstances occurs:

(i) If a conservation reserve contract for a farm in a county entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) expires or is voluntarily terminated or cropland is released from coverage under a conservation reserve contract, the Secretary shall provide for an adjustment, as appropriate, in the eligible acres for the farm to a total quantity that is the higher of—

(I) the total base acreage for the farm, less any upland cotton base acreage, that was suspended during the conservation reserve contract; or

(II) the product obtained by multiplying—

(aa) the average proportion that—

(AA) the total number of acres planted to covered commodities and upland cotton in the county for crop years 2009 through 2012; bears to

(BB) the total number of all acres of covered commodities, grassland, and upland cotton acres in the county for the same crop years; by

(bb) the total acres for which coverage has expired, voluntarily terminated, or been released under the conservation reserve contract.

(ii) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(iii) The producer has any acreage not cropped during the 2009 through 2012 crop years, but placed into an established rotation practice for the purposes of enriching land or conserving moisture for subsequent crop years, including summer fallow, as determined by the Secretary.

(D) EXCLUSION.—The term “eligible acres” does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was planted in an area approved for double cropping, as determined by the Secretary.

(8) EXTRA LONG STAPLE COTTON.—The term “extra long staple cotton” means cotton that—

(A) is produced from pure strain varieties of the *Barbadense* species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(9) INDIVIDUAL COVERAGE.—For purposes of agriculture risk coverage under section 1105, the term “individual coverage” means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average individual yield of the producer described in subsection (c) of that section.

(10) MEDIUM GRAIN RICE.—The term “medium grain rice” includes short grain rice.

(11) OTHER OILSEED.—The term “other oilseed” means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(12) PAYMENT YIELD.—The term “payment yield” means the yield established for adverse market payments under section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952) as in effect on the date of enactment of this Act for a farm for a covered commodity.

(13) PRODUCER.—

(A) IN GENERAL.—The term “producer” means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(14) PULSE CROP.—The term “pulse crop” means dry peas, lentils, small chickpeas, and large chickpeas.

(15) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(16) REFERENCE PRICE.—The term “reference price” means the price per bushel, pound, or hundredweight (or other appropriate unit) of a covered commodity used to determine the actual crop revenue under section 1105(c)(3).

(17) TRANSITIONAL YIELD.—The term “transitional yield” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(18) UNITED STATES.—The term “United States”, when used in a geographical sense, means all of the States.

SEC. 1105. AGRICULTURE RISK COVERAGE.

(a) PAYMENTS REQUIRED.—If the Secretary determines that payments are required under subsection (c), the Secretary shall make payments for each covered commodity available to producers in accordance with this section.

(b) COVERAGE ELECTION.—

(1) IN GENERAL.—For the period of crop years 2014 through 2018, the producers shall make a 1-time, irrevocable election to receive—

(A) individual coverage under this section, as determined by the Secretary; or

(B) in the case of a county with sufficient data (as determined by the Secretary), county coverage under this section.

(2) EFFECT OF ELECTION.—The election made under paragraph (1) shall be binding on

the producers making the election, regardless of covered commodities planted, and applicable to all acres under the operational control of the producers, in a manner that—

(A) acres brought under the operational control of the producers after the election are included; and

(B) acres no longer under the operational control of the producers after the election are no longer subject to the election of the producers but become subject to the election of the subsequent producers.

(3) DUTIES OF THE SECRETARY.—The Secretary shall ensure that producers are precluded from taking any action, including reconstitution, transfer, or other similar action, that would have the effect of altering or reversing the election made under paragraph (1).

(c) AGRICULTURE RISK COVERAGE.—

(1) PAYMENTS.—The Secretary shall make agriculture risk coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual crop revenue for the crop year for the covered commodity; is less than

(B) the agriculture risk coverage guarantee for the crop year for the covered commodity.

(2) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that agriculture risk coverage payments are required to be made for the covered commodity, beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity, the Secretary shall make the agriculture risk coverage payments.

(3) ACTUAL CROP REVENUE.—The amount of the actual crop revenue for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A)(i) in the case of individual coverage, the actual average individual yield for the covered commodity, as determined by the Secretary; or

(ii) in the case of county coverage, the actual average yield for the county for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(ii) if applicable, the reference price for the covered commodity under paragraph (4).

(4) REFERENCE PRICE.—The reference price for a covered commodity shall be determined as follows:

(A) IN GENERAL.—Subject to subparagraph (B), the reference price for a covered commodity shall be the product obtained by multiplying—

(i) 55 percent; by

(ii) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(B) ALTERNATIVE PRICE FOR RICE AND PEANUTS.—In the case of long and medium grain rice and peanuts, the reference price shall be—

(i) in the case of long and medium grain rice, \$13.00 per hundredweight; and

(ii) in the case of peanuts, \$530.00 per ton.

(5) AGRICULTURE RISK COVERAGE GUARANTEE.—

(A) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 88 percent of the benchmark revenue.

(B) BENCHMARK REVENUE.—

(i) IN GENERAL.—The benchmark revenue shall be the product obtained by multiplying—

(I)(aa) in the case of individual coverage, subject to clause (ii), the average individual yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; or

(bb) in the case of county coverage, the average county yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) USE OF TRANSITIONAL YIELDS.—If the yield determined under clause (i)(I)(aa)—

(I) for the 2013 crop year or any prior crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 60 percent of the applicable transitional yield for that crop year; and

(II) for the 2014 crop year and any subsequent crop year, is less than 65 percent of the applicable transitional yield, the Secretary shall use 65 percent of the applicable transitional yield for that crop year.

(6) PAYMENT RATE.—The payment rate for each covered commodity shall be equal to the lesser of—

(A) the amount that—

(i) the agriculture risk coverage guarantee for the covered commodity; exceeds

(ii) the actual crop revenue for the crop year of the covered commodity; or

(B) 10 percent of the benchmark revenue for the crop year of the covered commodity.

(7) PAYMENT AMOUNT.—If agriculture risk coverage payments under this subsection are required to be paid for any of the 2014 through 2018 crop years of a covered commodity, the amount of the agriculture risk coverage payment for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (5); and

(B)(i) in the case of individual coverage the sum of—

(I) 65 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity; or

(ii) in the case of county coverage—

(I) 80 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity.

(8) DUTIES OF THE SECRETARY.—In carrying out the program under this subsection, the Secretary shall—

(A) to the maximum extent practicable, use all available information and analysis to check for anomalies in the determination of payments under the program;

(B) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;

(C) differentiate by type or class the national average price of—

(i) sunflower seeds;

(ii) barley, using malting barley values; and

(iii) wheat; and

(D) assign a yield for each acre planted or prevented from being planted for the crop year for the covered commodity on the basis of the yield history of representative farms

in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary cannot establish the yield as determined under paragraph (3)(A)(ii) or (5)(B)(i) or if the yield determined under paragraph (3)(A)(ii) or (5) is an unrepresentative average yield for the covered commodity as determined by the Secretary.

SEC. 1106. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive agriculture risk coverage payments, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which agriculture risk coverage payments are made shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to an agriculture risk coverage payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) REPORTS.—

(1) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PRODUCTION REPORTS.—As a condition on the receipt of any benefits under section 1105, the Secretary shall require producers on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on the farm.

(3) PENALTIES.—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against the producers on a

farm for an inaccurate acreage or production report unless the producers on the farm knowingly and willfully falsified the acreage or production report.

(4) DATA REPORTING.—To the maximum extent practicable, the Secretary shall use data reported by the producer pursuant to requirements under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to meet the obligations described in paragraphs (1) and (2), without additional submissions to the Department.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of agriculture risk coverage payments among the producers on a farm on a fair and equitable basis.

SEC. 1107. PERIOD OF EFFECTIVENESS.

Sections 1104 through 1106 shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

SA 1093. Mr. LEAHY (for himself, Mr. COWAN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 216, line 15, strike “and” at the end.

On page 217, strike line 21 and insert the following:

habitat.”; and

(6) in subsection (i)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SA 1094. Mr. BROWN (for himself and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In section 1001D(b)(1)(A) of the Food Security Act of 1985 (7 U.S.C. 1308-3a) (as amended by section 1605(a)), strike “\$750,000” and insert “\$500,000”.

SA 1095. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. MIKULSKI, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 131 strike “Secretary” on line 22 and all that follows through page 132, line 9, and insert the following: “Secretary—

(i) assumes the production and market risks associated with the agricultural production of crops or livestock; or

(ii) experiences revenue losses under a production contract due to a disaster.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States;

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law; or

(v) a contract grower.

On page 133, line 21, insert “that are prohibited from replacing livestock due to Federal or State quarantine orders or” after “on farms”.

SA 1096. Mr. INHOFE (for himself, Mr. PRYOR, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) DEFINITIONS.—In this section:
(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term “farm” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(3) GALLON.—The term “gallon” means a United States liquid gallon.

(4) OIL.—The term “oil” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(5) OIL DISCHARGE.—The term “oil discharge” has the meaning given the term “discharge” in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(6) REPORTABLE OIL DISCHARGE HISTORY.—The term “reportable oil discharge history” has the meaning used to describe the legal requirement to report a discharge of oil under applicable law.

(7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “Spill Prevention, Control, and Countermeasure rule” means the regulation, including amendments, promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification of compliance with the rule by—

(A) a professional engineer for a farm with—

- (i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;
- (ii) an aggregate aboveground storage capacity greater than 20,000 gallons; or
- (iii) a reportable oil discharge history; or

(B) the owner or operator of the farm (via self-certification) for a farm with—

- (i) an aggregate aboveground storage capacity not more than 20,000 gallons and not less than the lesser of—
 - (I) 6,001 gallons; or
 - (II) the adjustment described in subsection (d)(2); and
- (ii) no reportable oil discharge history of oil; and

(2) not require a certification of a statement of compliance with the rule—

(A) subject to subsection (d), with an aggregate aboveground storage capacity of not less than 2,500 gallons and not more than 6,000 gallons; and

(B) no reportable oil discharge history; and

(3) not require a certification of a statement of compliance with the rule for an aggregate aboveground storage capacity of not more than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of

subsection (b), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and

(2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

(d) STUDY.—

(1) IN GENERAL.—Not later than 12 months of the date of enactment of this Act, the Administrator, in consultation with the Secretary of Agriculture, shall conduct a study to determine the appropriate exemption under subsection (b)(2)(A) and (b)(1)(B) to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant rise of discharge to water.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in subsection (b)(2)(A) and (b)(1)(B) in accordance with the study.

SA 1097. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1125, after line 23, insert the following:

SEC. 12108. LIVESTOCK INFORMATION DISCLOSURE.

(a) FINDINGS.—Congress finds that—

(1) United States livestock producers supply a vital link in the food supply of the United States, which is listed as a critical infrastructure by the Secretary of Homeland Security;

(2) domestic terrorist attacks have occurred at livestock operations across the United States, endangering the lives and property of people of the United States;

(3) livestock operations in the United States are largely family owned and operated with most families living at the same location as the livestock operation;

(4) State governments and agencies are the primary authority in almost all States for the protection of water quality under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(5) State agencies maintain records on livestock operations and have the authority to address water quality issues where needed; and

(6) there is no discernible environmental or scientifically research-related need to create a database or other system of records of livestock operations in the United States by the Administrator.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term “Agency” means the Environmental Protection Agency.

(3) LIVESTOCK OPERATION.—The term “livestock operation” includes any operation involved in the raising or finishing of livestock and poultry.

(c) PROCUREMENT AND DISCLOSURE OF INFORMATION.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor or cooperater of the Agency, shall

not disclose the information described in subparagraph (B) of any owner, operator, or employee of a livestock operation provided to the Agency by a livestock producer or a State agency in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is—

- (i) names;
- (ii) telephone numbers;
- (iii) email addresses;
- (iv) physical addresses;
- (v) Global Positioning System coordinates;

or

(vi) other identifying information regarding the location of the owner, operator, or employee.

(2) EFFECT.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—

(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the livestock producer consents to the disclosure;

(B) the authority of any State agency to collect information on livestock operations; or

(C) the authority of the Agency to disclose the information on livestock operations to State or other Federal governmental agencies.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the livestock producer under paragraph (2)(A)(ii).

SA 1098. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

Subtitle D—Congressional Review of Agency Rulemaking in Cases of Negative Effect on Access to Affordable Food

SEC. 12301. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING IN CASES OF NEGATIVE EFFECT ON ACCESS TO AFFORDABLE FOOD.

Effective beginning on the date of enactment of this Act, if the Secretary determines that a rule promulgated by any Federal agency could have a negative effect on access by any individual to affordable food the procedures described in this subtitle shall take effect and supercede the provisions of chapter 8 of title 5, United States Code.

SEC. 12302. CONGRESSIONAL REVIEW.

(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

- (i) a copy of the rule;
- (ii) a concise general statement relating to the rule;

(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 12305(2);

(iv) a list of any other related regulatory actions intended to implement the same

statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

(v) the proposed effective date of the rule.

(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 12303(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B).

(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 12303 or as provided for in the rule following enactment of a joint resolution of approval described in section 12303, whichever is later.

(4) A nonmajor rule shall take effect as provided by section 12304 after submission to Congress under paragraph (1).

(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this subtitle in the same Congress by either the House of Representatives or the Senate.

(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 12303.

(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

(2) Paragraph (1) applies to a determination made by the President by Executive

order that the major rule should take effect because such rule is—

(A) necessary because of an imminent threat to health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security; or

(D) issued pursuant to any statute implementing an international trade agreement.

(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 12303.

(d)(1) In addition to the opportunity for review otherwise provided under this subtitle, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(A) in the case of the Senate, 60 session days, or

(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 12303 and 12304 shall apply to such rule in the succeeding session of Congress.

(2)(A) In applying sections 12303 and 12304 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

(i) such rule were published in the Federal Register on—

(I) in the case of the Senate, the 15th session day, or

(II) in the case of the House of Representatives, the 15th legislative day, after the succeeding session of Congress first convenes; and

(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

SEC. 12303. CONGRESSIONAL APPROVAL PROCEDURE FOR MAJOR RULES.

(a)(1) For purposes of this section, the term "joint resolution" means only a joint resolution addressing a report classifying a rule as major pursuant to section 12302(a)(1)(A)(iii) that—

(A) bears no preamble;

(B) bears the following title (with blanks filled as appropriate): "Approving the rule submitted by _____ relating to _____";

(C) includes after its resolving clause only the following (with blanks filled as appropriate): "That Congress approves the rule submitted by _____ relating to _____"; and

(D) is introduced pursuant to paragraph (2).

(2) After a House of Congress receives a report classifying a rule as major pursuant to section 12302(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

(A) in the case of the House of Representatives, within three legislative days; and

(B) in the case of the Senate, within three session days.

(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent,

and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 12302(b)(2), then such vote shall be taken on that day.

(h) This section and section 12304 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 12304. CONGRESSIONAL DISAPPROVAL PROCEDURE FOR NONMAJOR RULES.

(a) For purposes of this section, the term “joint resolution” means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 12302(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: “That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.” (The blank spaces being appropriately filled in).

(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

(2) For purposes of this section, the term submission or publication date means the later of the date on which—

(A) the Congress receives the report submitted under section 12302(a)(1); or

(B) the nonmajor rule is published in the Federal Register, if so published.

(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members

of the Senate, and such joint resolution shall be placed on the calendar.

(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

(2) if the report under section 12302(a)(1)(A) was submitted during the period referred to in section 12302(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

(1) The joint resolution of the other House shall not be referred to a committee.

(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

SEC. 12305. DEFINITIONS.

In this subtitle:

(1) The term “Federal agency” means any agency as that term is defined in section 551(1) of title 5, United States Code.

(2) The term “major rule” means any rule, including an interim final rule, that the Ad-

ministrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

(A) an annual effect on the economy of \$100,000,000 or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(3) The term “nonmajor rule” means any rule that is not a major rule.

(4) The term “rule” has the meaning given such term in section 551 of title 5, United States Code, except that such term does not include—

(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

(B) any rule relating to agency management or personnel; or

(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

SEC. 12306. JUDICIAL REVIEW.

(a) No determination, finding, action, or omission under this subtitle shall be subject to judicial review.

(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this subtitle for a rule to take effect.

(c) The enactment of a joint resolution of approval under section 12303 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

SEC. 12307. EXEMPTION FOR MONETARY POLICY.

Nothing in this subtitle shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

SEC. 12308. APPLICABILITY.

This subtitle shall only apply to a rule that the Secretary determines to have a negative effect on access by any individual to affordable food.

SEC. 12309. EFFECTIVE DATE OF CERTAIN RULES.

Notwithstanding section 12302—

(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Federal agency promulgating the rule determines.

SA 1099. Mr. BEGICH submitted an amendment intended to be proposed by

him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42 . SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) DEFINITIONS.—In this section:

(1) FOOD SERVICE PROGRAM.—The term “food service program” includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f (b)));

(C) food service at a hospital, clinic, or long-term care facility; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE.—The terms “Indian” and “Indian tribe” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term “traditional food” means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term “traditional food” includes—

(i) wild game meat;

(ii) fish;

(iii) seafood; and

(iv) plants.

(4) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) PROGRAM.—Notwithstanding any other provision of law, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public or nonprofit facility, including a facility operated by an Indian tribe or tribal organization, that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.

SA 1100. Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CAGER, Ms. LANDRIEU, Mr. PRYOR, Mr. DONNELLY, Mr. VITTER, Ms. HEITKAMP, Mr. COONS, Mr. RISCH, Mrs. MCCASKILL, Mrs. FISCHER, and Mr. JOHANNIS) submitted an amendment intended to be proposed by her to the bill

S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122 . USE OF AUTHORIZED PESTICIDES; DISCHARGES OF PESTICIDES; REPORT.

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

“(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in subsection (s) of section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), the Administrator or a State shall not require a permit under that Act for a discharge from a point source into navigable waters of—

“(A) a pesticide authorized for sale, distribution, or use under this Act; or

“(B) the residue of such a pesticide, resulting from the application of the pesticide.”.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) DISCHARGES OF PESTICIDES.—

“(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of—

“(A) a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); or

“(B) the residue of such a pesticide, resulting from the application of the pesticide.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

“(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) relating to protecting water quality if—

“(i) the discharge would not have occurred without the violation; or

“(ii) the quantity of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

“(B) Stormwater discharges subject to regulation under subsection (p).

“(C) The following discharges subject to regulation under this section:

“(i) Manufacturing or industrial effluent.

“(ii) Treatment works effluent.

“(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.”.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Agriculture, shall submit to the Committee on Environment and Public Works and the Committee on Agriculture of the Senate and the Committee on Transportation and Infrastructure and the Committee on Agriculture of the House of Representatives a report that includes—

(1) the status of intra-agency coordination between the Office of Water and the Office of Pesticide Programs of the Environmental Protection Agency regarding streamlining information collection, standards of review, and data use relating to water quality impacts from the registration and use of pesticides;

(2) an analysis of the effectiveness of current regulatory actions relating to pesticide

registration and use aimed at protecting water quality; and

(3) any recommendations on how the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) can be modified to better protect water quality and human health.

SA 1101. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 998 submitted by Mr. LEAHY to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 12, strike lines 6 and 7, and insert the following:

“shall be used for any 1 project;

“(IV) no portion of the proposed service territory is already served by ultra-high speed service;

“(V) the entity receiving the grant, loan, or loan guarantee—

“(aa) does not already provide ultra-high speed service in any State in which the entity operates; and

“(bb) has not received any funding under the broadband technologies opportunity program established under section 6001 of division B of the American Recovery and Reinvestment Act of 2009 (47 U.S.C. 1305) or the programs funded under the heading ‘DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM’ under the heading ‘DEPARTMENT OF AGRICULTURE’ under title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 119); and

“(VI) paragraph (2)(A)(i) shall

SA 1102. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 13 and all that follows through page 40, line 4, and insert the following:

(c) REFERENCE PRICE.—The reference price for a covered commodity shall be the product obtained by multiplying—

(1) 55 percent; by

(2) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

SA 1103. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 . REDUCING REGULATORY BURDENS.

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

“(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.”.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) DISCHARGES OF PESTICIDES.—

“(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

“(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

“(i) the discharge would not have occurred but for the violation; or

“(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

“(B) Stormwater discharges subject to regulation under subsection (p).

“(C) The following discharges subject to regulation under this section:

“(i) Manufacturing or industrial effluent.

“(ii) Treatment works effluent.

“(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.”

SA 1104. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 62, line 14, insert “and section 1207” after “this section”.

On page 73, between lines 17 and 18, insert the following:

SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) SPECIAL IMPORT QUOTA.—

(1) DEFINITION OF SPECIAL IMPORT QUOTA.—In this subsection, the term “special import quota” means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program during the period beginning on August 1, 2013, and ending on July 31, 2019, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) QUANTITY.—The quota shall be equal to the consumption during a 1-week period of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture or other data are available.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90

days after the date of the Secretary’s announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 week’s consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) DEMAND.—The term “demand” means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which official data of the Department of Agriculture (as determined by the Secretary) are available; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or

(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(B) LIMITED GLOBAL IMPORT QUOTA.—The term “limited global import quota” means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(C) SUPPLY.—The term “supply” means, using the latest official data of the Department of Agriculture—

(i) the carryover of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

SA 1105. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 351, between lines 9 and 10, insert the following:

SEC. 3210. IMPORT PROHIBITION ON OLIVE OIL.

Section 8(e) of the Agricultural Adjustment Act (7 U.S.C. 608e-1(a)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the matter preceding the first proviso in the first sentence by inserting “olive oil,” after “clementines.”

SA 1106. Mr. CHAMBLISS (for himself, Mr. UDALL of Colorado, Mr. BENNET, Mr. CRAPO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

SEC. 83 FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET FIREFIGHTING RECAPITALIZATION PILOT PROGRAM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Chief of the Forest Service (referred to in this section as the “Secretary”), may establish a large airtanker and aerial asset lease program in accordance with this section.

(b) AIRCRAFT REQUIREMENTS.—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to 5 aircraft that meet the criteria—

(1) described in the Forest Service document entitled “Large Airtanker Modernization Strategy” and dated February 10, 2012, for large air tankers; and

(2) determined by the Secretary, for other aerial assets.

(c) LEASE TERMS.—The term of any individual lease agreement into which the Secretary enters under this section shall be—

(1) up to 5 years, inclusive of any options to renew or extend the initial lease term; and

(2) in accordance with section 3903 of title 41, United States Code.

(d) PROHIBITION.—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.

SA 1107. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WORK REQUIREMENTS.

(a) DECLARATION OF POLICY.—Section 2 of the Food and Nutrition Act of 2008 (7 U.S.C. 2011) is amended by adding at the end the following: “Congress further finds that it should also be the purpose of the food stamp program to increase employment, to encourage healthy marriage, and to promote prosperous self-sufficiency, which means the ability of households to maintain an income above the poverty level without services and benefits from the Federal Government.”.

(b) DEFINITIONS.—Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended by adding at the end the following:

“(w) ABLE-BODIED, WORK-ELIGIBLE ADULT.—

“(1) IN GENERAL.—The term ‘able-bodied, work-eligible adult’ means an individual who—

“(A) is more than 18, and less than 63, years of age;

“(B) is not physically or mentally incapable of work; and

“(C) is not the full-time caretaker of a disabled adult dependent.

“(2) PHYSICALLY OR MENTALLY INCAPABLE OF WORK.—For purposes of paragraph (1)(B), the term ‘physically or mentally incapable of work’ means an individual who—

“(A) currently receives benefits under the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or another program that provides recurring benefits to individuals because the individual is disabled and unable to work; or

“(B) has been medically certified as physically or mentally incapable of work and who has a credible pending application for enrollment in the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or another program that provides recurring benefits to individuals because the individual is disabled and unable to work.

“(x) FAMILY HEAD.—The term ‘family head’ means—

“(1) a biological parent who is lawfully present in the United States and resides within a household with 1 or more dependent children who are the biological offspring of the parent; or

“(2) in the absence of a biological parent, a step parent, adoptive parent, guardian, or adult relative who resides with and provides care to the 1 or more children and is lawfully present in the United States.

“(y) FAMILY UNIT.—The term ‘family unit’ means—

“(1) an adult residing without dependent children;

“(2) a single-headed family with dependent children; or

“(3) a married couple family with dependent children.

“(z) FAMILY WITH DEPENDENT CHILDREN.—

“(1) IN GENERAL.—The term ‘family with dependent children’ means a unit consisting of a family head, 1 or more dependent children, and, if applicable, the married spouse of the family head, all of whom share meals and reside within a single household.

“(2) MULTIPLE FAMILIES IN A HOUSEHOLD.—There may be more than 1 family with dependent children in a single household.

“(aa) MARRIED COUPLE FAMILY WITH DEPENDENT CHILDREN.—The term ‘married couple family with dependent children’ means a family with dependent children that has both a family head and the married spouse of the family head residing with the family.

“(bb) MARRIED SPOUSE OF THE FAMILY HEAD.—The term ‘married spouse of the family head’ means the lawfully married spouse of the family head who—

“(1) resides with the family head and dependent children; and

“(2) is lawfully present in the United States.

“(cc) MEMBER OF A FAMILY.—The term ‘member of a family’ means the family head, married spouse if present, and all dependent children within a family with dependent children

“(dd) MONTHLY POTENTIAL WORK ACTIVATION POPULATION.—The term ‘monthly potential work activation population’ means the sum of—

“(1) all able-bodied, work-eligible adults without dependents who have received food stamp benefits and have maintained less than 60 hours of paid employment during a month;

“(2) all work-eligible single-headed families with dependent children that have received food stamp benefits during the month and have maintained less than 120 hours of paid employment by the family head during the month; and

“(3) all work-eligible married couples with dependent children that have received food stamp benefits during the month and have maintained less than 120 combined hours of paid employment between the family head and the married spouse, summed together and counted jointly, during the month.

“(ee) MONTHLY WORK ACTIVATION PARTICIPANTS.—The term ‘monthly work activation participants’ means the sum of—

“(1) all able-bodied, work-eligible adults without dependents who have received food stamp benefits and have maintained—

“(A) less than 60 hours of paid employment during a month; and

“(B) more than 60 hours of combined paid employment and work activation activity during the month;

“(2) all work-eligible single-headed families with dependent children that have received food stamp benefits during the month and include a family head who has maintained—

“(A) less than 120 hours of paid employment during the month; and

“(B) more than 120 hours of combined paid employment and work activation activity during the month; and

“(3) all work-eligible married couples with dependent children who have received food stamp benefits during the month, and have maintained—

“(A) less than 120 combined hours of paid employment between the family head and the spouse, combined, during the month; and

“(B) more than 120 hours of combined paid employment and work activation activity between the family head and the married spouse, combined, during the month.

“(ff) SINGLE-HEADED FAMILY WITH DEPENDENT CHILDREN.—The term ‘single-headed family with dependent children’ means a family with dependent children that—

“(1) contains a family head residing with the family; but

“(2) does not have a married spouse of the family head residing with the family.

“(gg) WORK ACTIVATION.—

“(1) IN GENERAL.—The term ‘work activation’ means—

“(A) supervised job search;

“(B) community service activities;

“(C) education and job training for individuals who are family heads or married spouses of family heads;

“(D) workfare under section 20; or

“(E) drug or alcohol treatment.

“(2) SUPERVISED JOB SEARCH.—For purposes of paragraph (1)(A), the term ‘supervised job search’ means a job search program that has the following characteristics:

“(A) The job search occurs at an official location where the presence and activity of the recipient can be directly observed, supervised, and monitored.

“(B) The recipient’s entry, time on site, and exit from the official job search location are recorded in a manner that prevents fraud.

“(C) The recipient is expected to remain and undertake job search activities at the job search center, except for brief, authorized departures for specified off-site interviews.

“(D) The quantity of time the recipient is observed and monitored engaging in job search at the official location is recorded for purposes of compliance with section 29.

“(hh) WORK ACTIVATION RATIO.—The term ‘work activation ratio’ means the quotient obtained by dividing—

“(1) the number of work activation participants in a month; by

“(2) the monthly potential work activation population for the month.

“(ii) WORK ACTIVITIES.—The term ‘work activities’ means—

“(1) paid employment;

“(2) work activation; or

“(3) a combination of both paid employment and work activation.

“(jj) WORK-ELIGIBLE ADULT WITHOUT DEPENDENT CHILDREN.—The term ‘work-eligible adult without dependent children’ means an individual who—

“(1) is an able-bodied, work-eligible adult; and

“(2) is not a family head or the married spouse of a family head.

“(kk) WORK-ELIGIBLE FAMILY UNIT.—The term ‘work-eligible family unit’ means—

“(1) an able-bodied, work-eligible adult without dependent children;

“(2) a work-eligible single-headed family with dependent children; or

“(3) a work-eligible married couple family with dependent children.

“(ll) WORK-ELIGIBLE MARRIED COUPLE FAMILY WITH DEPENDENT CHILDREN.—The term ‘work-eligible married couple family with dependent children’ means a married couple with dependent children that contains at least 1 work-eligible, able-bodied adult who is—

“(1) the family head; or

“(2) the married spouse of the family head.

“(mm) WORK-ELIGIBLE SINGLE-HEADED FAMILY WITH DEPENDENT CHILDREN.—The term ‘work-eligible single-headed family with dependent children’ means a single-headed family with dependent children that has a family head who is an able-bodied, work-eligible adult.”.

(c) **CONDITIONS OF PARTICIPATION.**—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)) is amended by striking subsection (d) and inserting the following:

“(d) **CONDITIONS OF PARTICIPATION.**—

“(1) **WORK REQUIREMENTS.**—

“(A) **IN GENERAL.**—No able-bodied, work-eligible adult shall be eligible to participate in the food stamp program if the individual—

“(i) refuses, at the time of application and every 12 months thereafter, to register for employment in a manner prescribed by the Secretary;

“(ii) refuses without good cause to accept an offer of employment, at a site or plant not subject to a strike or lockout at the time of the refusal, at a wage not less than the higher of—

“(I) the applicable Federal or State minimum wage; or

“(II) 80 percent of the wage that would have applied had the minimum hourly rate under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) been applicable to the offer of employment;

“(iii) refuses without good cause to provide a State agency with sufficient information to allow the State agency to determine the employment status or the job availability of the individual; or

“(iv) voluntarily—

“(I) quits a job; or

“(II) reduces work effort and, after the reduction, is working less than 30 hours per week, unless another adult in the same family unit increases employment at the same time by an amount that is at least equal to the reduction in work effort by the first adult.

“(B) **FAMILY UNIT INELIGIBILITY.**—If an able-bodied, work-eligible adult is ineligible to participate in the food stamp program because of subparagraph (A), no other member of the family unit to which that adult belongs shall be eligible to participate.

“(C) **DURATION OF INELIGIBILITY.**—An able-bodied, work-eligible adult who becomes ineligible under subparagraph (A), and members of the family unit who become ineligible under subparagraph (B), shall remain ineligible for 3 months after the date on which ineligibility began.

“(D) **RESTORATION OF ELIGIBILITY.**—At the end of the 3-month period of ineligibility under subparagraph (c), members of a work-eligible family unit may have their eligibility to participate in the food stamp program restored, if—

“(i) the family unit is no longer a work-eligible family unit; or

“(ii) the adult members of the family unit begin and maintain any combination of paid employment and work activation sufficient to meet the appropriate standards for resumption of benefits in section 29(c)(2).

“(2) **STRIKE AGAINST A GOVERNMENT.**—For the purpose of subparagraph (A)(iv), an employee of the Federal Government, a State, or a political subdivision of a State, who is dismissed for participating in a strike against the Federal Government, the State, or the political subdivision of the State shall be considered to have voluntarily quit without good cause.

“(3) **STRIKING WORKERS INELIGIBLE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraphs (B) and (C) and notwithstanding any other provision of law, no member of a family shall be eligible to participate in the food stamp program at any time that any able-bodied, work-eligible adult member of the household is on strike as defined in section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142),

because of a labor dispute (other than a lockout) as defined in section 2 of the National Labor Relations Act (29 U.S.C. 152).

“(B) **PRIOR ELIGIBILITY.**—

“(i) **IN GENERAL.**—Subject to clauses (ii), a family unit shall not lose eligibility to participate in the food stamp program as a result of 1 of the members of the family unit going on strike if the household was eligible immediately prior to the strike.

“(ii) **NO INCREASED ALLOTMENT.**—A family unit described in clause (i) shall not receive an increased allotment as the result of a decrease in the income of the 1 or more striking members of the household.

“(C) **REFUSAL TO ACCEPT EMPLOYMENT.**—Ineligibility described in subparagraph (A) shall not apply to any family unit that does not contain a member on strike, if any of the members of the family unit refuses to accept employment at a plant or site because of a strike or lockout.”.

(d) **ELIGIBILITY OF STUDENTS WITH DEPENDENT CHILDREN.**—Section 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)) is amended by striking paragraph (8) and inserting the following:

“(8) is enrolled full-time in an institution of higher education, as determined by the institution, and—

“(A) is a single parent with responsibility for the care of a dependent child under 12 years of age; or

“(B) is a family head or married spouse of a family head in a married couple family with dependent children and has a dependent child under age 12 residing in the home.”.

(e) **WORK REQUIREMENT.**—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by striking subsection (o) and inserting the following:

“(o) **FULFILLMENT OF EMPLOYMENT AND WORK ACTIVATION REQUIREMENTS.**—

“(1) **IN GENERAL.**—If 1 or more adults within a work-eligible family unit are required by the State agency to participate in work activation under section 29, no member of the family unit shall be eligible for food stamp benefits unless the family unit complies with the employment and work activation standards.

“(2) **SANCTIONS AND RESUMPTION OF BENEFITS.**—If 1 or more adults within a work-eligible family unit who are required by the State agency to participate in work activation under section 29 during a given month fail to comply with the work activation standards, benefits for all members of the family unit—

“(A) shall be terminated in accordance with section 29(c)(1); and

“(B) may be resumed upon compliance with section 29(c)(2).”.

(f) **EXCLUSION.**—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

“(r) **MINOR CHILDREN.**—No child less than age 18 years of age may participate in the food stamp program unless the child is a member of a family with dependent children and resides with an adult who is—

“(1) the family head of the same family of which the child is also a member;

“(2) eligible to participate, and participating, in the food stamp program as a member of the same household as the child; and

“(3) lawfully residing, and eligible to work, in the United States.”.

(g) **HEARING AND DETERMINATION.**—Section 11(e)(10) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(10)) is amended by striking “: Provided” and all that follows through “hearing;” at the end and inserting a semicolon.

(h) **WORK REQUIREMENTS AND ACTIVATION PROGRAM.**—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

“**SEC. 29. WORK REQUIREMENTS AND ACTIVATION PROGRAM.**

“(a) **EMPLOYMENT AND WORK ACTIVATION STANDARDS.**—

“(1) **IN GENERAL.**—A family unit with adult members that is required to participate in work activation under subsection (b) during a full month of participation in the food stamp program shall fulfill the following levels of work activity during that month:

“(A) Each able-bodied, work-eligible adult without dependent children shall be required to perform work activities for at least 60 hours per month.

“(B) Each family head of a work-eligible single-headed family with dependent children shall be required to perform work activities for at least 120 hours per month.

“(C) Subject to paragraph (2), in each work-eligible married couple family with dependent children, the family head and married spouse shall be required to perform work activities that when added together for the 2 adults equal at least 120 hours per month.

“(2) **REQUIREMENTS.**—

“(A) **SINGLE JOINT OBLIGATION.**—The 120-hour requirement under paragraph (1)(C) shall be a single joint obligation for the married couple as a whole in which the activities of both married partners shall be combined together and counted jointly.

“(B) **RELATIONSHIP TO PAID EMPLOYMENT AND WORK ACTIVATION.**—For purposes of meeting the 120-hour requirement, the paid employment and work activation of the family head shall be added to the paid employment and work activation of the married spouse, and the requirement shall be fulfilled if the sum of the work activities of the 2 individuals equals or exceeds 120 hours per month.

“(C) **OPTIONS.**—The work requirement for a work-eligible married couple family with dependent children may be fulfilled—

“(i) by 120 or more hours of work activity by the family head;

“(ii) by 120 or more hours of work activities by the married spouse; or

“(iii) if the combined work activities of the family head and married spouse which when added together equal or exceed 120 hours.

“(D) **NO SEPARATE WORK ACTIVATION REQUIREMENT.**—Neither the family head nor the married spouse in a married couple with dependent children shall be subject to a separate work activation requirement as individuals.

“(b) **PRO RATA REDUCTION IN EMPLOYMENT AND WORK ACTIVATION STANDARD DURING A PARTIAL MONTH.**—

“(1) **IN GENERAL.**—A work-eligible family unit shall be subject to a pro-rated work activity standard, if the family unit—

“(A) receives a pro-rated monthly allotment during the initial month of enrollment under section 8(c); and

“(B) is required by the State to participate in the work activation program during that month.

“(2) **PRO-RATED WORK ACTIVITY STANDARD.**—For purposes of paragraph (1), the term ‘pro-rated work activity standard’ means a standard that equals a number of hours of work activity of a family unit that bears the same proportion to the employment and work activation requirement for the family unit for a full month under subsection (a) as the proportion that—

“(A) the pro-rated monthly allotment received by the household for the partial month under section 8(c); bears to

“(B) the full allotment the same household would receive for a complete month.

“(3) REQUIREMENT.—For purposes of fulfilling the pro-rated work activity requirement during an initial month of enrollment in the food stamp program, only those hours of adult work activity that occurred during the portion of the month in which the family unit was participating in the food stamp program shall be counted.

“(c) SANCTION FOR NONCOMPLIANCE.—

“(1) STANDARD.—

“(A) IN GENERAL.—If 1 or more members of a work-eligible family unit are required to participate in the work activation program under subsection (e) in a calendar month and the 1 or more individuals fail to fulfill the work activity standard under subsection (a) or (b) for that month—

“(i) no member of the family unit shall be eligible to receive food stamp benefits during the subsequent calendar month; and

“(ii) except as provided in subparagraph (B), the State agency shall not provide the food stamp benefit payment for all members of the family unit that otherwise would have been issued at the beginning of the next month.

“(B) ADMINISTRATIVE DELAY OF SANCTION.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), if it is administratively infeasible for the State to not provide the food stamp benefit that would be issued at the beginning of the first month after the month of noncompliance, the State shall not provide the payment to all members of the family unit that otherwise would have been made at the beginning of the second month after the month of noncompliance.

“(ii) DEADLINE.—The sanction of benefits shall occur not later than 32 days after the end of the month of noncompliance.

“(iii) RELATIONSHIP OF PAYMENTS TO MEMBERS OF THE FAMILY UNIT.—At least 1 monthly payment to all members of the family unit shall be not provided for each month of noncompliance under subparagraph (A).

“(2) RESUMPTION OF BENEFITS AFTER SANCTION.—

“(A) IN GENERAL.—If a family unit has had the monthly benefit of the family unit not provided due to noncompliance with a work activity requirement under subsection (b), the family unit shall not be eligible to receive future benefits under the food stamp program, until—

“(i) the 1 or more work-eligible members of the family unit have participated in the work activation program under subsection (e) for at least 4 consecutive subsequent weeks and fulfilled the work activity standard for the family unit for that same 4-week period; or

“(ii) the family unit no longer contains any able-bodied, work-eligible adults.

“(B) LIMITATION.—The resumed benefits cannot restore or compensate for the benefits that were not provided due to the sanction imposed under paragraph (1).

“(d) WORK ACTIVATION IS NOT EMPLOYMENT.—Participation in work activation activities under this section shall—

“(1) not be considered to be employment; and

“(2) not be subject to any law pertaining to wages, compensation, hours, or conditions of employment under any law administered by the Secretary of Labor.

“(e) WORK ACTIVATION PROGRAM.—

“(1) PROGRAM.—Each State participating in the food stamp program shall carry out a work activation program.

“(2) PURPOSE.—

“(A) IN GENERAL.—The goal of each work activation program shall be to increase the

employment of able-bodied, work-eligible adult food stamp recipients.

“(B) REQUIREMENT.—To accomplish the goal, each State shall require able-bodied adult food stamp recipients who are unemployed or under-employed to engage in work activation.

“(3) TARGET WORK ACTIVATION RATIOS.—

“(A) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this section, a State shall engage able-bodied food stamp recipients in work activation each month in sufficient numbers to meet the following monthly target work activation ratios:

“(i) In 2014, the monthly target work activation ratio shall be 4 percent.

“(ii) In 2015 and each subsequent year, the monthly target work activation ratio shall be 7 percent.

“(B) LIMITATION ON EDUCATION AND TRAINING AS A COMPONENT OF WORK ACTIVATION.—For purposes of compliance by the State with the work activation ratios, not more than 20 percent of the monthly work activation participants counted by the State may be engaged in employment and training as a means of fulfilling the employment and work activation standards of the participants.

“(4) WORK ACTIVATION PRIORITY POPULATIONS.—

“(A) IN GENERAL.—In carrying out the work activation programs, a State shall give priority to participation by the following recipient groups:

“(i) Work-eligible adults without dependent children.

“(ii) Work-eligible adults who are also recipients of housing assistance.

“(iii) Other work-eligible recipients at the time of initial application for food stamp benefits.

“(B) PARTICIPATION SHARE.—Except as provided in subparagraph (C), at least 80 percent of the participants in a work activation program shall belong to at least 1 of the 3 priority groups listed in subparagraph (A).

“(C) EXCEPTION.—

“(i) IN GENERAL.—The percentage requirement in subparagraph (B) shall not apply if the number of recipients in the 3 priority groups in the State is insufficient to meet that requirement.

“(ii) PRIORITY.—In circumstances described in clause (i), the State shall continue to give priority to any recipients who belong to 1 of the 3 priority groups.

“(5) REIMBURSABLE EXPENSES OF PARTICIPANTS.—

“(A) IN GENERAL.—A State agency shall provide payments or reimbursements to participants in work activation carried out under this section for—

“(i) the actual costs of transportation and other actual costs (other than dependent care costs) that are reasonably necessary and directly related to participation in the work activation components of the program; and

“(ii) the actual costs of such dependent care expenses as are determined by the State agency to be necessary for the participation of an individual in the work activation components of the program (other than an individual who is the caretaker relative of a dependent in a family receiving benefits under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)) in a local area in which an employment, training, or education program under title IV of that Act (42 U.S.C. 601 et seq.) is in operation, on the condition that no such payment or reimbursement shall exceed the applicable local market rate.

“(B) VOUCHERS.—

“(i) IN GENERAL.—In lieu of providing reimbursements for dependent care expenses under subparagraph (A)(ii), a State agency may, at the option of the State agency, arrange for dependent care through providers by providing vouchers to the household to allow the recipient to choose between all lawful providers.

“(ii) VALUE OF VOUCHERS.—The value of a voucher shall not exceed the average local market rate.

“(C) VALUE OF SERVICES.—The value of any dependent care services provided for or arranged under subparagraph (A) or (B), or any amount received as a payment or reimbursement under subparagraph (A), shall—

“(i) not be treated as income for the purposes of any other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

“(ii) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986.

“(6) PENALTIES FOR INADEQUATE STATE PERFORMANCE.—

“(A) DEFINITIONS.—In this paragraph:

“(i) NON-PERFORMANCE MONTH.—The term ‘non-performance month’ means a month in which a State fails to engage food stamp recipients in work activation in sufficient numbers to meet or exceed the appropriate target work activation ratio under paragraph (3).

“(ii) PENALTY MONTH.—The term ‘penalty month’ means a month in which a State is penalized for the failure.

“(B) PENALTY.—If, in a month, a State fails to engage food stamp recipients in work activation in sufficient numbers to meet or exceed the appropriate work activation ratio under paragraph (3), the Federal food stamp funding provided to the State in a subsequent penalty month shall be reduced in accordance with this paragraph.

“(C) TIMING.—The penalty month shall be not later than 4 months after the non-performance month.

“(D) REDUCTION.—The amount of Federal food stamp funding a State shall receive for the penalty month shall equal the product obtained by multiplying—

“(i) the amount of Federal food stamp funds the State would otherwise have received; and

“(ii) the quotient obtained by dividing—

“(I) the actual monthly work activation ratio achieved by the State in the penalty month; by

“(II) the target monthly work activation ratio for the penalty month.

“(7) REWARDS TO STATES FOR REDUCING GOVERNMENT DEPENDENCE.—

“(A) IN GENERAL.—If, in any future year, a State reduces the food stamp caseload of the State below the levels that existed in calendar year 2006, the State shall receive a financial reward for reducing dependence.

“(B) AMOUNT.—The reward shall equal $\frac{1}{4}$ of the savings to the Federal Government for that year that resulted from the caseload reduction.

“(C) USE OF REWARD.—A State may use reward funding under this paragraph for any purpose chosen by the State that—

“(i) provides benefits or services to individuals with incomes below 200 percent of the Federal poverty level;

“(ii) improves social outcomes in low-income populations;

“(iii) encourages healthy marriage; or

“(iv) increases self-sufficiency and reduces dependence.

“(8) AUTHORIZATION OF FUNDING.—
“(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to provide funds to State governments for the purpose of carrying out work activation programs in accordance with this section \$2,500,000,000 for fiscal year 2014 and each subsequent fiscal year.”

“(B) ALLOCATION AMONG STATES.—The total amount appropriated under subparagraph (A) for a fiscal year shall be allocated among the States in accordance with the proportion of each State’s share of total funding for the food stamp program under this Act in fiscal year 2007.”

(1) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (a), in the second sentence, by striking “, 6(d)(2),”;

(B) in subsection (d)(14), by striking “section 6(d)(4)(I)” and inserting “section 29”;

(C) in subsection (e)(3)(B)(ii), by striking “subsection (d)(3)” and inserting “section 29”;

(D) in the first sentence of subsection (g)(3), by striking “section 6(d)” and inserting “section 29”.

(2) Section 7(i)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by striking “section 6(o)(2)” and inserting “section 6(o)”.

(3) Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(A) by striking paragraph (19); and

(B) by redesignating paragraphs (20) through (23) as paragraphs (19) through (22), respectively.

(4) Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (b)(4), by striking “section 6(d)” and inserting “section 29”;

(B) by striking subsection (h).

(5) Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(A) in subsection (b)—

(I) in paragraph (1)(B)(iv)(III)—

(i) by striking item (bb); and

(ii) by redesignating items (cc) through (jj) as items (bb) through (ii), respectively;

(i) in paragraph (2), by striking the second sentence; and

(iii) in paragraph (3)(B), in the first sentence, by striking “section 6(d)” and inserting “section 29,”; and

(B) by striking subsection (g).

(6) Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended—

(A) in subsection (b)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively;

(B) by striking subsection (f); and

(C) by redesignating subsection (g) as subsection (f).

(7) Section 22(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)) is amended by striking paragraph (4).

(8) Section 26(f)(3)(E) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(f)(3)(E)) is amended by striking “(22), and (23)” and inserting “(21), and (22)”.

(9) Section 501(b)(2)(E) of the Workforce Investment Act of 1998 (20 U.S.C. 9271(b)(2)(E)) is amended by striking “section 6(d)” and all that follows through the end and inserting “section 29 of the Food and Nutrition Act of 2008.”

(10) Section 112(b)(8)(A)(iii) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(8)(A)(iii)) is amended by striking “section 6(d)(4)” and all that follows through “(7 U.S.C. 2015(d)(4))” and inserting “section 29 of the Food and Nutrition Act of 2008”.

(11) Section 121(b)(2)(B)(ii) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(2)(B)(ii)) is amended by striking “section 6(d)(4)” and all that follows through the end and inserting “section 29 of the Food and Nutrition Act of 2008.”

SEC. _____ . CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the second sentence of subsection (a), by striking “households in which each member receives benefits” and inserting “households in which each member receives cash assistance”;

(2) in subsection (j), by striking “who receives benefits” and inserting “who receives cash assistance”.

SEC. _____ . STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C), by striking clause (iv), and

(2) in subsection (k), by striking paragraph (4) and inserting the following:

“(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.”

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking “and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))”, and

(2) in subparagraph (A), by inserting before the semicolon the following: “, except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))”.

SA 1108. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 929, between lines 2 and 3, insert the following:

SEC. 73 . AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

Subtitle A of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 is amended by adding after section 604 (7 U.S.C. 7642) the following:

“SEC. 605. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

“(a) IN GENERAL.—Funds made available under this section shall be used to provide regional collaborations, technology transfer and commercialization, and innovative venture development training under the Agricultural Technology Innovation Partnership program of the Office of Technology Transfer in the Agricultural Research Service.

“(b) FUNDING.—Of the funds made available to the Agricultural Research Service, the

Secretary shall use to carry out this section \$500,000 for each of fiscal years 2014 through 2018.”

SA 1109. Mr. WICKER (for himself, Mr. VITTER, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122 . GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE.

(a) FINDINGS.—Congress finds that—

(1) the Safe Drinking Water Act Amendments of 1996 (Public Law 104-182) authorized technical assistance for small and rural communities to assist those communities in complying with regulations promulgated pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(2) technical assistance and compliance training—

(A) ensures that Federal regulations do not overwhelm the resources of small and rural communities; and

(B) provides small and rural communities lacking technical resources with the necessary skills to improve and protect water resources;

(3) across the United States, more than 90 percent of the community water systems serve a population of less than 10,000 individuals;

(4) small and rural communities have the greatest difficulty providing safe, affordable public drinking water and wastewater services due to limited economies of scale and lack of technical expertise; and

(5) in addition to being the main source of compliance assistance, small and rural water technical assistance has been the main source of emergency response assistance in small and rural communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to most effectively assist small and rural communities, the Environmental Protection Agency should prioritize the types of technical assistance that are most beneficial to those communities, based on input from those communities; and

(2) local support is the key to making Federal assistance initiatives work in small and rural communities to the maximum benefit.

(c) FUNDING PRIORITIES.—Section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j-1(e)) is amended—

(1) by designating the first through seventh sentences as paragraphs (1) through (7), respectively;

(2) in paragraph (5) (as so designated), by striking “1997 through 2003” and inserting “2014 through 2019”; and

(3) by adding at the end the following:

“(8) NONPROFIT ORGANIZATIONS.—

“(A) IN GENERAL.—The Administrator may use amounts made available to carry out this section to provide technical assistance to nonprofit organizations that provide to small public water systems onsite technical assistance, circuit-rider technical assistance programs, onsite and regional training, assistance with implementing source water protection plans, and assistance with implementation monitoring plans, rules, regulations, and water security enhancements.

“(B) PREFERENCE.—To ensure that technical assistance funding is used in a manner that is most beneficial to the small and rural

communities of a State, the Administrator shall give preference under this paragraph to nonprofit organizations that, as determined by the Administrator, are the most qualified and experienced and that the small community water systems in that State find to be the most beneficial and effective.”

SA 1110. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 83, strike line 16 and all that follows through page 84, line 18, and insert the following:

Subtitle C—Sugar Program Repeal

SEC. 1301. REPEAL OF SUGAR PROGRAM.

Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is repealed.

SEC. 1302. ELIMINATION OF SUGAR PRICE SUPPORT AND PRODUCTION ADJUSTMENT PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) a processor of any of the 2014 or subsequent crops of sugarcane or sugar beets shall not be eligible for a loan under any provision of law with respect to the crop; and

(2) the Secretary of Agriculture may not make price support available, whether in the form of a loan, payment, purchase, or other operation, for any of the 2014 and subsequent

crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.

(b) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) IN GENERAL.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by striking “sugar cane for sugar, sugar beets for sugar,”.

(c) GENERAL POWERS.—

(1) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph—

(A) in paragraph (1), by inserting “(other than sugar beets and sugarcane)” after “commodities”; and

(B) in paragraph (3), by inserting “(other than sugar beets and sugarcane)” after “commodity”.

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting “, sugar beets, and sugarcane” after “tobacco”.

(3) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking “milk, sugar beets, and sugarcane” and inserting “, and milk”.

(4) COMMODITY CREDIT CORPORATION STORAGE PAYMENTS.—Section 167 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7287) is repealed.

(5) SUSPENSION AND REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.—Section 171(a)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)) is amended—

(A) by striking subparagraph (E); and
(B) by redesignating subparagraphs (F) through (I) as subparagraphs (E) through (H), respectively.

(6) STORAGE FACILITY LOANS.—Section 1402(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7971) is repealed.

(d) TRANSITION PROVISIONS.—This section and the amendments made by this section shall not affect the liability of any person under any provision of law as in effect before the application of this section and the amendments made by this section.

SEC. 1303. ELIMINATION OF SUGAR TARIFF AND OVER-QUOTA TARIFF RATE.

(a) ELIMINATION OF TARIFF ON RAW CANE SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.13 through 1701.14.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.13, as in effect on the day before the date of the enactment of this section:

“	1701.13.00	Cane sugar specified in subheading note 2 to this chapter	Free	39.85¢/kg	”
	1701.14.00	Other cane sugar	Free	39.85¢/kg	”

(b) ELIMINATION OF TARIFF ON BEET SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.12 through

1701.12.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the

article description for subheading 1701.12, as in effect on the day before the date of the enactment of this section:

“	1701.12.00	Beet sugar	Free	42.05¢/kg	”
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(c) ELIMINATION OF TARIFF ON CERTAIN REFINED SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking the superior text immediately preceding subheading 1701.91.05 and by striking subheadings 1701.91.05 through 1701.91.30 and inserting in numerical sequence the following new subheading, with

the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12.05, as in effect on the day before the date of the enactment of this section:

“	1701.91.02	Containing added coloring but not containing added flavoring matter	Free	42.05¢/kg	”
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(2) by striking subheadings 1701.99 through 1701.99.50 and inserting in numerical sequence the following new subheading, with

the article description for such subheading having the same degree of indentation as the article description for subheading 1701.99, as

in effect on the day before the date of the enactment of this section:

“	1701.99.00	Other	Free	42.05¢/kg	”
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(3) by striking the superior text immediately preceding subheading 1702.90.05 and by striking subheadings 1702.90.05 through

1702.90.20 and inserting in numerical sequence the following new subheading, with the article description for such subheading

having the same degree of indentation as the article description for subheading 1702.60.22:

“	1702.90.02	Containing soluble non-sugar solids (excluding any foreign substances, including but not limited to molasses, that may have been added to or developed in the product) equal to 6 percent or less by weight of the total soluble solids	Free	42.05¢/kg	”
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and
(4) by striking the superior text immediately preceding subheading 2106.90.42 and

by striking subheadings 2106.90.42 through 2106.90.46 and inserting in numerical sequence the following new subheading, with

the article description for such subheading having the same degree of indentation as the article description for subheading 2106.90.39:

“	2106.90.40	Syrups derived from cane or beet sugar, containing added coloring but not added flavoring matter	Free	42.50¢/kg	”
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(d) CONFORMING AMENDMENT.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking additional U.S. note 5.

Round Agreements Act (19 U.S.C. 3601(d)(1)) is amended—

(1) by inserting “or” at the end of subparagraph (B);

(2) by striking “; or” at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

(f) EFFECTIVE DATE.—The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(e) ADMINISTRATION OF TARIFF-RATE QUOTAS.—Section 404(d)(1) of the Uruguay

SEC. 1304. APPLICATION.

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle shall apply beginning with the 2014 crop of sugar beets and sugarcane.

SA 1111. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 858, strike line 7 and all that follows through page 860, line 9, and insert the following:

“(k) BROADBAND BUILDOUT DATA.—

“(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee not later than 30 days after the earlier of—

“(A) the date of completion of any project milestone established by the Secretary; or

“(B) the date of completion of the project.

“(2) ADDRESS-LEVEL DATA.—The Secretary shall make accessible to each State and provide to the Administrator of the National Broadband Map the address-level broadband buildout data described in paragraph (1) for inclusion, to the extent practicable, in the National Broadband Map.”;

SA 1112. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 123, between lines 13 and 14, insert the following:

Subpart D—Dairy Block Grant Program

SEC. 14. ESTABLISHMENT OF PILOT DAIRY BLOCK GRANT PROGRAM.

(a) PURPOSE.—The purpose of this section is to require the Secretary to make grants to States to be used by State departments of agriculture solely to enhance the competitiveness of dairy farms, specifically by providing technical assistance to promote farm productivity, profitability, and environmental stewardship.

(b) ESTABLISHMENT.—The Secretary shall establish and administer a pilot program to achieve the purpose of this section under which the Secretary shall make block grants in amounts to be determined by the Secretary to eligible States, as determined by the Secretary.

(c) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State department of agriculture shall prepare and submit, for approval by the Secretary, an application at such time, in such a manner, and containing such information as the Secretary shall require, including—

(A) a State plan that meets the requirements described in paragraph (2);

(B) an assurance that the State will comply with the requirements of the plan; and

(C) an assurance that grant funds received under this section shall supplement, and not supplant, the expenditure of State funds in support of dairy farms in the State.

(2) PLAN REQUIREMENTS.—A State plan shall—

(A) identify the lead agency charged with the responsibility of carrying out the plan; and

(B) indicate the manner in which grant funds will be used to enhance the competitiveness of dairy farms.

(d) ADMINISTRATION.—Grants made to an eligible State under subsection (b) shall be administered by the department of agriculture of the State.

(e) STATE PROGRAM AUTHORITY.—In carrying out the block grant program in a State, an eligible State may determine participant eligibility.

(f) REPORT.—At the conclusion of the block grant program, the Secretary shall submit to Congress a report describing the results of the program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000, to remain available until expended.

SA 1113. Ms. LANDRIEU (for herself, Mr. MENENDEZ, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—National Flood Insurance Program

SEC. 12301. DELAY IN IMPLEMENTATION OF SECTION 100207 OF THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012.

Notwithstanding any other provision of law, section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)), as added by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 919), shall have no force or effect until the date that is 3 years after the date of enactment of this Act.

SEC. 12302. AFFORDABILITY STUDY.

Section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957) is amended—

(1) in subsection (c), by striking “Not” and inserting the following: “Subject to subsection (e), not”;

(2) in subsection (d)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) NATIONAL FLOOD INSURANCE FUND.—Notwithstanding”; and

(B) by adding at the end the following:

“(2) OTHER FUNDING SOURCES.—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.”; and

(3) by adding at the end the following:

“(e) ALTERNATIVE.—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

“(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

“(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

“(3) upon the submission of information required under paragraph (2), the requirement

under subsection (c) shall be deemed satisfied.”.

SA 1114. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1096, between lines 15 and 16, insert the following:

SEC. 110. MARKET LOSS PILOT ENDORSEMENT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

“(i) MARKET LOSS PILOT ENDORSEMENT PROGRAM.—

“(1) IN GENERAL.—To the extent practicable starting with the 2014 reinsurance year, notwithstanding subsection (a)(1) and the limitation on premium increases in section 508(i)(1), the Corporation shall establish and carry out a market loss pilot endorsement program for producers of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)).

“(2) LOSSES COVERED.—The endorsement authorized under this subsection shall cover losses of a defined commodity due to a quarantine imposed under Federal law, pursuant to the terms of which the commodity is destroyed, may not be marketed, or otherwise may not be used for its intended purpose (as determined by the Secretary).

“(3) BUY-UP REQUIREMENT.—An endorsement authorized under this subsection shall be purchased as part of a policy or plan of insurance at the additional coverage level.

“(4) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under paragraph (1) if, as determined by the Board, the policy or plan of insurance—

“(A) protects the interest of producers;

“(B) is actuarially sound; and

“(C) requires the payment of premiums and administrative fees by a producer obtaining the insurance.”.

SA 1115. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 877, after line 18, insert the following:

SEC. 6208. GAO REPORT ON UNIVERSAL SERVICE REFORMS.

(a) PURPOSE.—The purpose of the report required under subsection (b) is to aid Congress in monitoring and measuring the effects of a series of reforms by the Federal Communications Commission (in this section referred to as the “FCC”) intended to promote the availability and affordability of broadband service throughout the United States.

(b) REPORT.—The Comptroller General of the United States shall prepare a report providing detailed measurements, statistics, and metrics with respect to—

(1) the progress of implementation of the reforms adopted in the FCC’s Report and Order and Further Notice of Proposed Rulemaking adopted on October 27, 2011 (FCC 11-161) (in this section referred to as the “Order”);

(2) the effects, if any, of such reforms on retail end user rates during the applicable calendar year for—

(A) local voice telephony services (including any subscriber line charges and access recovery charges assessed by carriers upon purchasers of such services);

(B) interconnected VoIP services;

(C) long distance voice services;

(D) mobile wireless voice services;

(E) bundles of voice telephony or VoIP services (such as local and long distance voice packages);

(F) fixed broadband Internet access services; and

(G) mobile broadband Internet access services;

(3) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) to consumers (including both residential and business users) located in rural areas and urban areas;

(4) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) as between incumbent local exchange carriers subject to rate-of-return regulation;

(5) the effects, if any, of those reforms adopted in the Order on average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, during the applicable calendar year;

(6) any disparities or trends detectable during the applicable calendar year with respect to the relative average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, in rural areas and urban areas;

(7) the effects, if any, of those reforms adopted in the Order on the magnitude and pace of investments in broadband-capable networks in rural areas, including such investments financed by the Department of Agriculture's Rural Utilities Service under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.);

(8) any disparities or trends detectable during the applicable calendar year with respect to the relative magnitude and pace of investments in broadband-capable networks in rural areas and urban areas;

(9) any disparities or trends detectable during the applicable calendar year with respect to the magnitude and pace of investments in broadband-capable networks in areas served by carriers subject to rate-of-return regulation;

(10) the effects, if any, of those reforms adopted in the Order on adoption of broadband Internet access services by end users;

(11) the effects, if any, of such reforms on State universal service funds or other State universal service initiatives, including carrier-of-last-resort requirements that may be enforced by any State; and

(12) the effects, if any, of such reforms in minimizing consumer payment burdens, curbing the growth of the universal service fund, and improving the economic efficiency of the universal service program.

(c) **TIMING.**—On or before December 31, 2013, and annually thereafter for the following 5 calendar years, the Comptroller General shall submit the report required under subsection (b) to the following:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(3) The Committee on Energy and Commerce of the House of Representatives.

(4) The Committee on Agriculture of the House of Representatives.

(d) **DATA INCLUSION.**—The report required under subsection (b) shall include all data that the Comptroller General deems relevant to and supportive of any conclusions drawn with respect to the effects of the FCC's reforms and any disparities or trends detected in the items subject to the report.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to grant the Comptroller General of the United States with any new or additional authority, or to aggrandize, add, or expand any authority currently vested in the Comptroller General.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 6, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to danielle_deraney@energy.senate.gov.

For further information, please contact Cisco Minthorn at (202) 224-4756 or Danielle Deraney at (202) 224-1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, June 6, 2013, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the programs and activities of the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to john_assini@energy.senate.gov.

For further information, please contact David Brooks (202) 224-9863 or John Assini (202) 224-9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 22, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Senate Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "S. 662, the Trade Facilitation and Trade Enforcement Act of 2013."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 22, 2013, at 10:30 a.m., to hold a International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps subcommittee hearing entitled, "Different Perspectives on International Development."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m. in SC-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m. to conduct a hearing entitled "Performance Management and Congressional Oversight: 380 Recommendations to Reduce Overlap and Duplication to Make Washington More Efficient."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 22, 2013, at 5 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m. in room 428A Russell Senate Office Building to conduct a roundtable entitled "Bridging the Skills Gap: How the STEM Education Pipeline Can Develop a High-Skilled American Workforce for Small Business."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 22, 2013, to conduct a hearing entitled "10 Years Later: A Look at the Medicare Prescription Drug Program."

The Committee will meet in room 366 of the Dirksen Senate Office Building beginning at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL AND
CONTRACTING OVERSIGHT

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on May 22, 2013, at 2 p.m. to conduct a hearing entitled, "Oversight and Business Practices of Durable Medical Equipment Companies."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet

during the session of the Senate on May 22, 2013, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Nutrient Trading and Water Quality."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that Ian Mulcahy, Emily Smail, and Donald Rausch, legislative fellows on my staff, be granted the privilege of the floor during the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

STOLEN VALOR ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 258, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 258) to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 258) was ordered to a third reading, was read the third time, and passed.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints

the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: The Honorable JOHN BOOZMAN of Arkansas.

ORDERS FOR THURSDAY, MAY 23,
2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, May 23, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m. with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be two votes at 10:30 a.m. tomorrow. The first vote will be a cloture vote on the D.C. Circuit Court of Appeals nomination, and the second vote will be on the Sanders amendment to the farm bill. We will continue to work through more amendments on the farm bill tomorrow. Senators will be notified when any votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Thursday, May 23, 2013, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, May 22, 2013*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. McCLINTOCK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 22, 2013.

I hereby appoint the Honorable TOM McCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

SERGEANT DWAYNE POLK, HARRIS COUNTY, TEXAS, LAWMAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, peace officers are the ones who diligently protect and serve the people. They are the first to respond to the call for help in time of trouble.

They go after the bad guys and provide us safe communities to live in. Some take extra jobs to make ends meet. They wear the badge of commitment over their heart. Sheriffs departments in Texas wear a star over their heart.

Today, peace officers in Houston, Texas, have placed a black band across their badges in honor of one of the fallen among their number. Sergeant Dwayne Polk, 47, of the Harris County Sheriff's Department, was killed about 3 a.m. Sunday morning. He was headed home in his uniform after working a contract assignment.

Sergeant Polk grew up in Houston, Texas, with his three sisters and his two brothers. His mother always encouraged him and the other kids to read the Bible.

He had worked for the sheriff for 16 years. Sheriff Adrian Garcia said:

It was tough talking to his son, but he will have many big brothers in the sheriff's department.

As Sergeant Polk was driving home that Sunday morning, his pickup truck was struck by Andres Munos-Munos, who ran a red light, never slowed down, and crashed into Polk. Polk was killed. Munos-Munos was drunk and had minor injuries.

Munos-Munos was charged with intoxication, manslaughter, and is in jail. He had been convicted last year for drunk driving and unlawfully carrying a pistol. He went to jail for 30 days for that offense. News reports also say Munos-Munos was in the country illegally.

Last weekend, while Polk was being killed in Texas, America's families of peace officers killed in the line of duty last year were here in D.C. Their fallen were honored by thousands of other officers from America on the west side of this Capitol.

Next year, about this time, Sergeant Dwayne Polk, of Harris County, Texas, and the sheriff's department will be remembered here as his name is read from the rollcall of the dead.

Citizens should appreciate the service of officers like Sergeant Polk. They do the work most of us would never do. They go into the worst places of our cities to root out evil that lives among us. They sacrifice for us. The least we can do is appreciate them for wearing the star or the badge over their heart, protecting the rest of us.

They are the only thing that stands between us and the lawless. They are among the best we have. So we mourn the loss of Sergeant Polk, while thanking the good Lord such men as him ever lived.

And that's just the way it is.

THE EFFECTS OF SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, as the sequester's effects continue to place our economy and national security at risk, the news that 650,000 civilian defense workers will be forced to take unpaid leave ought to alarm all Americans who are concerned about our military readiness and national security. These furloughs will affect thousands who live in my district and thousands who live in the districts of every Member here.

After Congress voted earlier this month to end furloughs for air traffic controllers that had caused flight delays, one would have expected there to be a unanimous outcry for the rest of the sequester to be replaced.

The best way to do that, of course, Mr. Speaker, is with a big and balanced agreement, but, instead, Republicans in this House don't seem interested.

It's not just Democrats who are taken aback by their silence. Republican Senator and former Presidential nominee of the Republican Party, JOHN McCAIN, said on May 14, just a few days ago, about these furloughs for civilian defense employees:

Nobody seems to care. It's amazing. It's one of the most amazing things I've seen in the years I've been in the Senate.

So said JOHN McCAIN.

Democrats continue to call for the sequester to be replaced with a balanced approach to deficits that restores fiscal discipline, preserves our ability to pay for our military readiness, and invests in a strong economy.

The sequester, on its own, is not a solution. It has been, however, Republican policy all along and is now in effect because they refuse to compromise in a bipartisan way to find a real solution.

If you go back to July of 2011 and look at the Republican offer of the Cut, Cap and Balance bill, you will see that sequestration is in there. It is the alternative that Republicans put forth as policy; 229 Republicans voted for that policy.

Well, they got what they wanted. On April 27, a report in The Hill said:

GOP leaders in the House said they have no plans to bring up broad legislation to replace sequestration, according to a leadership aide.

The men and women who are hard at work supporting our troops and protecting our Nation are set to be furloughed for 11 days this year—an unfair, unplanned, undeserved pay cut, while, frankly, the leadership of this House sits idly by and takes no action to replace the sequester.

The same goes for the other terrible effects sequestration could have: 70,000 eligible children kicked off Head Start; 10,000 teachers' jobs at risk; retirement disability claims delayed; 4 million fewer Meals on Wheels for seniors; 125,000 fewer rental assistance vouchers; 2,100 fewer food safety inspectors.

Surely, if those were on the floor for a vote, most of us would not vote for them; but that's what's happening as a result of the sequester.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

We know, Mr. Speaker, what the Republican plan is for these defense cuts, to pass appropriation bills in the House that shift those cuts so that domestic programs, those education, Head Start, food safety that I've just mentioned, basic biomedical research, are cut more deeply than the parties agreed to in the Budget Control Act in 2011.

We also understand, Mr. Speaker, and everyone recognizes, that the domestic cuts Republicans want to impose, instead, couldn't even pass the House, let alone make it through the Senate or survive a certain veto.

So, again, Mr. Speaker, we have only one reasonable option before us, and that is to work together, to set our differences aside for the good of our country, and to achieve real compromise.

A big, balanced, bipartisan approach that replaces the entire sequester is the only way to protect our defense workers against these furloughs and end the uncertainty that they and their families are facing.

Let's have a vote, Mr. Speaker, on a balanced alternative, not another vote to repeal health care reform that's not going anyplace, not another vote to roll back the rights of workers, not another vote to strip away safety standards or environmental protections.

Let's stop wasting time and get to work on the most pressing challenge we face, and make the tough choices necessary to restore fiscal stability and invest in our economy and in our national security.

□ 1010

FEDERAL GOVERNMENT IS TOO LARGE AND HAS TOO MUCH CONTROL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Ohio. Mr. Speaker, I find it would be irresponsible if I didn't mention this. It sounds like the lightbulb has come on for my colleague from Maryland. He now says that we should replace the sequester. I only wish that that lightbulb had come on when the House passed under Republican leadership—twice—legislation in the 112th Congress to replace the sequester with responsible spending cuts. So it looks like here we are again.

The recent admission by the IRS that it used its considerable authority and resources to target certain Americans because of their political affiliation should serve as an urgent warning to all Americans: the Federal Government is getting too large and has too much control. The simple truth is that when the government expands, personal liberty contracts.

I found it both stunning and revealing when the former adviser to President Obama, David Axelrod, said this:

Part of being President is there's so much beneath you that you can't know because the government is so vast.

For a member of this President's inner circle to admit that the Federal Government is so massive that it is essentially not practical for the chief executive to hold it accountable or for the President to effectively manage it is simply stunning. It also begs the question, if it is no longer possible for the President of the United States to oversee all the Federal agencies assigned to him and to hold them accountable, then who is? Is anyone?

As if the IRS scandal wasn't bad enough, there are other troubling stories that have arisen in the last few weeks. The Associated Press has said that the administration monitored hundreds of private phone calls between reporters. Is this really freedom of the press? Then we find that talking points given to the administration to tell the American people what happened on that fateful night in Benghazi were twisted, cut, turned, and edited to the point that the truth wound up on the cutting room floor in the White House, or at the State Department, or at the CIA, or at the Department of Defense. Actually, we don't even really know. But we're going to find out.

But we do know one very troubling thing: the Federal Government, with the IRS leading the way, is about to become exponentially larger and more powerful because it's about to get into the health care business. ObamaCare will be fully implemented by next January. And, according to the Treasury Department's inspector general, the new health care law is the largest set of new tax law changes in 20 years.

The IRS will be hiring more bureaucrats to make sure Americans comply with these new laws and to oversee the flood of new personal information the Federal Government will be collecting on the American people. For example, under ObamaCare, the Federal Government will require insurance companies to report to the IRS the name, the address, the identification number, and type of policy purchased by every customer. And, if that weren't enough, the IRS will also require insurance companies to detail whether or not individuals purchased "government-approved health care" to ensure compliance with ObamaCare's individual mandate.

And, just yesterday, Lois Lerner, head of the IRS' Exempt Organizations Division, announced that she would be invoking the Fifth Amendment to protect herself from self-incrimination.

The truth is that our Federal Government is too big, too intrusive, and it's seeping into every aspect of our lives. It's taking away personal freedoms and collecting personal data. It has shown it can be manipulated to punish fellow Americans for their political beliefs, all at the expense of the American taxpayer.

And let me be clear: I'm not a no-regulation guy. We need commonsense regulations to ensure that our food is

safe, our air and water are clean, our transportation system and infrastructure are sound, and that our financial transactions are secure, among other things. However, this administration has issued more than 10,000 regulations to date, including 106 major new regulations imposing \$46 billion in additional costs that are being paid for by the American people. This means more rules, more bureaucrats, bigger government, and less freedom.

Most troubling to me is that we were founded as a constitutional Republic, governed by the rule of law. But there are those in Washington who think we should be a Nation governed by the law of rules, where the President and his bureaucratic agencies make up the rules. This represents a fundamental break from our history and traditions dating back to our Founding Fathers. Our Founders placed their trust in the American people to elect their representatives to make the laws necessary to allow Americans to prosper.

Mr. Speaker, I ask the American people to consider America's government is getting too big and too out of control.

As members of the House, we serve at the pleasure of those we represent. The tens of thousands of bureaucrats implementing the more than 10,000 new regulations are accountable to no one, let alone the American people.

Those that will be making health care decisions for the American people on the Independent Payment Advisory Board, IPAB, will never appear on a ballot. The American people will never be able to hire or fire those making medical decisions on their behalf. Is that fair? Is that democratic? Is that what America is all about?

Mr. Speaker, this need not be a partisan issue. The American people deserve an effective, efficient Federal Government—a government that works for them and not the other way around.

I fear that as the government continues to grow and Obamacare is fully implemented, the consequences of transferring so much power, national treasure, and control to the Federal Government will be felt widely, personally, and painfully.

In the meantime, it is the duty of this Congress to vigorously oversee the Federal agencies, and root out those political appointees and bureaucrats who've abused their positions and violated the trust of the American people.

SAFETY NEEDS OF CHILDREN AS A NATIONAL PRIORITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, in the wake of the horrific tragedy in Newtown, Connecticut, where 20 children were murdered, the issue of keeping children safe has been on the minds of all Americans. Since this tragedy occurred in a school, districts and States have, understandably,

focused conversations on preventing and responding to violent crime that occurs in the school building itself. However, protecting children will require much more than preventing an outside intruder from committing acts of violence against students or a good emergency response plan to deal with an event. We need to recognize that violence—or the fear of violence—against children does not begin or end at the schoolhouse door. That's why I've devoted this month to introduce legislation that focuses on the safety needs of children as a national priority.

First, I introduced legislation to establish the minimum safety standards to prevent abusive seclusion and restraint practices in schools across the country. The Keeping All Students Safe Act would protect schoolchildren from inappropriate uses of seclusion and restraints and provide school personnel with the necessary tools, training, and support to ensure the safety of all students and school personnel. These practices are, at best, cruel and, at worst, deadly. They continue to be used on children across the country.

In Indiana, an 8-year-old girl with Down syndrome had her shoes duct-taped painfully to her ankles because she refused to put her shoes on. In North Carolina, a 14-year-old boy with a traumatic brain injury was confined inside a cardboard box as a form of timeout. In some cases, children have even died from improper restraints and seclusion. My bill also would stop these abusive practices, but safety shouldn't stop at the schoolhouse door.

Investigations conducted by the Government Accountability Office, at my request, in 2007 and 2008 found that private and public residential programs, including therapeutic boarding schools, wilderness camps, boot camps, and behavior modification facilities are not always run in a safe manner. Recently, the Tampa Bay Times confirmed that problems of abuse and neglect continue, with stories of children being bruised, bloodied, and choked into unconsciousness at these programs, all in the name of discipline. More horrific stories of child abuse, including deaths in some cases, have been documented in seven States' residential programs in just the past 2 years.

Last week, I introduced the Stop Child Abuse in Residential Programs for Teens Act, a bill that would set basic health and safety standards the State would need to adopt to enforce and protect teens from physical, mental, and sexual abuse in these programs. It would also create easily accessible information for parents about the safety records of the programs so that parents can make sound decisions about if they want to send their child there or not.

No one disputes that our schools and residential programs must be a safe place for children where they can focus

on learning and improving their lives, not fearing for their lives. Though some States have made progress developing policies to protect children from acts of violence, abuse, and neglect, a patchwork of protections, riddled with holes, is not acceptable when it comes to our Nation's children. We cannot sit idly by as incidents of children being abused or killed continues to occur.

Today, I'm introducing legislation that will prevent registered sex offenders and criminals convicted of crimes against children from working at schools. The Protecting Students from Sexual and Violent Predators Act would require public schools to conduct comprehensive background checks on any employee, using State criminal and child abuse registries and the FBI's fingerprint database. It would also prohibit school districts from hiring or retaining anyone who has been convicted of certain violent crimes, including crimes against children, crimes involving rape or sexual assault, and child pornography.

□ 1020

Mr. Speaker, keeping our children safe isn't a partisan issue; it's a moral obligation. This Congress must do more to protect our children. One way Congress can immediately help to ensure that students and schools have the support needed to address all aspects of violence is through the reauthorization of the Elementary and Secondary Education Act. Through a bipartisan rewrite of the Nation's education law, we can ensure that schools and students have the necessary support to provide key nonacademic services essential for students to succeed in a safe and healthy learning environment.

In the Elementary and Secondary Education Act, Democrats will be fighting for these critical services, including other measures to promote safety, such as school services for violence prevention activities, bullying and harassment prevention, drug and alcohol abuse prevention, and programs to prepare for and respond to natural disasters and emergencies in our schools.

Mr. Speaker, on my last point, my thoughts continue to be with the victims and families of all those who have suffered and continue to suffer from the terrible tragedy that took place in Oklahoma earlier this week. We are just amazed and honor all of the efforts of school staff, teachers, and parents trying to get children out of harm's way, and our heart goes out to those who were unsuccessful. I hope that Congress can support these communities in healing in every possible way. As always, keeping kids safe requires the coordinated efforts of children, principals, superintendents, community partners, and parents.

And protecting children from violence and freeing students to learn and better their lives

means ensuring that states, districts, schools and communities have the resources and supports needed to implement evidence-based approaches that are tailored to the unique needs of children in that area.

My bills are only part of the solution, but an important step forward.

We owe it to parents and to the children and to the school officials who follow the rules to consider these bills.

We also owe it to them to send a strong message that people who abuse children or do not do their jobs to keep children safe will face serious consequences.

I hope that this Congress will be able to take an even more comprehensive approach to protect children in our schools and residential programs, and I urge all of my colleagues to support these bills.

NORTHERN ROUTE APPROVAL ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Dakota (Mr. CRAMER) for 5 minutes.

Mr. CRAMER. Mr. Speaker, this week, the House of Representatives is going to vote on a very important piece of legislation that should be unnecessary.

Due to the President's objection—at the insistence of Hollywood and the EPA—a critical piece of North America's energy security puzzle languishes on a desk in the Oval Office while thousands of unemployed workers collect government benefits instead of a paycheck. That is why I cosponsored and am doing all I can to pass H.R. 3, the Keystone pipeline Northern Route Approval Act, a bill that renders the northern route of the pipeline approved for construction, eliminating the need for a Presidential permit.

As vast reserves of oil are discovered and new technologies unlocked, energy security in this decade is well within our reach. The amount of oil that could be flowing to U.S. refineries in the Keystone XL represents nearly 50 percent of the oil that we currently import from the Middle East.

Mr. Speaker, in addition to sitting on two of the subcommittees that held hearings on this legislation, I have a long history of involvement with TransCanada and the Keystone pipeline as a former environmental regulator in North Dakota. From 2003 until my election to Congress last year, I carried the pipeline portfolio as one of three members of the North Dakota Public Service Commission.

As you might imagine, the oil and gas pipeline construction business is robust in my State, as the Bakken shale development has elevated North Dakota to the position of the number two producing State in the country.

One of the pipelines we sited while I was on the PSC was the original TransCanada Keystone pipeline. It carries over 500,000 barrels of crude from the Western Canadian Sedimentary Basin

in Alberta to U.S. refineries in Illinois and Oklahoma.

The first 217 miles of this pipeline actually run through our State. It crosses the border in Cavalier County, North Dakota, and runs through seven more counties, crossing 600 landowners' land, two scenic rivers, and includes five pumping stations.

While not universally loved, I can tell you that not a single inch of this line in North Dakota required condemnation proceedings—not because I was such a great regulator, but because I represent such great citizens. Our citizens understand the value of energy security and the jobs that energy development creates, and that same sentiment exists in our Nation today.

The environmental safeguards we demanded on the Keystone are rigorous and appropriate. They've been tested and they work.

I toured the Keystone during construction and met many of the men and women, who were grateful for the good-paying jobs that built the line, and many other local restaurant and hotel proprietors, retailers, subcontractors who were happy to have the work and the business. The local officials and school administrators are grateful for the tax revenue that would not be there but for the Keystone pipeline, and, of course, the tax relief it provides local farmers, in addition to the easement payments, are a blessing.

Mr. Speaker, I've sited hundreds, maybe thousands of miles of oil pipelines that operate safely and efficiently throughout North Dakota, but none as thoroughly vetted and safe as the Keystone XL.

I've heard the arguments from my friends across the aisle who claim the Keystone only helps Canada and does nothing to the benefit of the United States. They also claim that the carbon footprint is too great. The fact of the matter is the Keystone has already signed up over 60,000 barrels of North Dakota crude and has the capacity for at least 100,000 barrels.

Today, 71 percent of North Dakota crude is shipped by rail. Now, I have nothing against trains, but railing oil costs more and is not as safe as pipelines. It also requires trucks to get the oil to the train.

According to the director of the North Dakota Department of Mineral Resources, Lynn Helms, approval of the Keystone XL will cause two things to happen: 300 to 500 truckloads per day will be taken off North Dakota highways, and there will be one to two fewer trains leaving the State. He calculates that greenhouse gas emissions from rail are 1.8 times and trucks 2.9 times greater than the emissions from pipeline transportation, and spills from truck transportation occur at three to four times the rate of spills from pipelines.

Approval of the Keystone will result in 450,000 to 950,000 kilograms per day

less in greenhouse gas emissions in North Dakota alone, as well as significant decreases in dust, and 60 to 80 fewer spills per year.

North Dakota officials also expect highway fatalities will be reduced by three to six per year, and injury crashes by 85 to 150 annually if the Keystone XL is built.

Mr. Speaker, America's national security and America's economic security are tied directly to America's energy security, and the Keystone XL pipeline is a critical weapon in that security.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I rise today for the 12th time this year to talk about the need to end hunger now.

I am honored to serve on the House Agriculture Committee, and last week the committee held a markup on H.R. 1947, the farm bill. I believe we need a farm bill that contains a smart, forward-thinking policy, a farm bill that ensures that farmers are able to make a living, a farm bill that benefits the American economy, a farm bill that ensures that the food grown in America makes it to the plates of every American, and a farm bill that isn't rife with fraud, waste, and abuse.

The good news, Mr. Speaker, is that a component of that smart, forward-thinking policy already exists. It's called SNAP. This program ensures that 47 million people out of the 50 million hungry in this country are able to put at least some food on their tables when they otherwise couldn't do so. This program ensures that the food grown on our farms makes it to every American's table, not just the wealthy few.

SNAP provides an economic catalyst because the SNAP benefit is spent in our local grocery stores and farmers' markets, generating jobs and revenue. Indeed, every SNAP dollar results in \$1.72 in economic activity—an amazing return on our investment. And SNAP has one of the lowest error rates of any Federal program.

But H.R. 1947 would undermine all of this. It cuts \$20.5 billion from the program. That cut means that 2 million people would be kicked off of SNAP entirely. It means that 210,000 kids would be kicked off the free school meal program. It means that 850,000 people will see their SNAP benefits cut by \$90 a month, and this is on top of a \$25 a month cut for a family of four that will already take effect in November no matter what happens to the farm bill.

You know, there was a time not so long ago when solving the problem of hunger in America was a bipartisan priority. Former Senators George

McGovern and Bob Dole worked tirelessly in the 1970s to make America hunger-free. Their partnership brought us to the point where we nearly eradicated hunger altogether. And I will insert at the end of my remarks an op-ed from yesterday's New York Times highlighting this bipartisan work.

Mr. Speaker, the problem today is that it has become far too fashionable in this House of Representatives to beat up on the poor. In fact, there is now a bipartisan effort to cut hunger programs. I'm sad to say that even some Democrats are willing to support this farm bill, even with these terrible SNAP cuts. Instead of moving forward together, we are moving backward.

Mr. Speaker, the farm bill, with these SNAP cuts, is a bad piece of legislation. It's bad policy. It deserves to be defeated. Whatever good may be in this bill—from increased access to organic foods, to more humane treatment for animals, to increased job creation in agriculture—it is not an understatement to say that this bill will make hunger worse in America.

For the life of me, I do not understand why we should be forced to choose between cutting access to food and providing jobs for our ailing economy. We can and we should achieve the joint mission of ending hunger now and creating jobs together. They are very much connected and should not be pitted against each other. But that's exactly what the farm bill would do—to the tune of \$20.5 billion.

□ 1030

We should end hunger now, not make hunger worse. We need a comprehensive effort to end hunger now. We need Presidential leadership. We need a White House Conference on Food and Nutrition. And we need a Congress determined to address hunger in America and bring it to an end, not make it worse.

Hunger in America is a political condition. Nothing demonstrates that more than this farm bill. We have enough food to end hunger now; we just don't have the political will to do so. This effort to cut SNAP—to make hunger worse—must not stand.

I hope my colleagues will join me in restoring these senseless cuts. Should that effort fail, I hope my colleagues will join me in defeating the farm bill when it is considered on the House floor. We can and we must do better.

[From The New York Times, May 20, 2013]
THERE WAS A TIME WHEN ENDING HUNGER WAS A NATIONAL GOAL FOR REPUBLICANS AND DEMOCRATS

(By Dorothy Samuels)

“That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable.” So declared Richard Nixon in May 1969 in his now widely forgotten “Special Message to the Congress Recommending a Program to End Hunger in America.” In that document, he summoned the country to a new level of generosity and concern and laid out a series of strong legislative steps and executive actions, including a

significant expansion of the food-stamps program.

While campaigning for the White House in 1968, Mr. Nixon did not focus on the existence of a serious hunger problem. His conversion came as public calls to do something about hunger rose—driven, in part, by Senator Robert Kennedy's highly publicized trip to Mississippi in 1967 where he encountered nearly starving children and the Rev. Dr. Martin Luther King Jr.'s focus on hunger as part of the Poor People's Campaign.

During the '70s, another Republican leader, Senator Bob Dole of Kansas, forged a partnership with George McGovern, the South Dakota Democrat defeated by Mr. Nixon in 1972. They helped pass legislation to improve the accessibility and antifraud provisions of the food-stamps program. For example, it eliminated a requirement that recipients buy food-stamp coupons, a prohibitive burden for the lowest-income Americans.

That kind of dedicated bipartisan commitment to ending hunger was light-years ago in American politics—before President Ronald Reagan and, later, Speaker Newt Gingrich made attacking food stamps a prime Republican obsession, and certainly before moderate Republicans, a disappearing breed, lived in fear of making any move that might provoke a primary challenge from a Tea Party-supported candidate. The modern food-stamps program, built with Republican and Democratic support, succeeded in eliminating the most extreme pockets of hunger in parts of the country.

Today, the program remains an immensely important source of support for low-income families and children living below or near the poverty line. Still, some 50 million Americans live in households that cannot consistently afford enough food, even with the food-stamps program, now formally called the Supplemental Nutrition Assistance Program, or SNAP.

Come November, temporary increases for food-stamp aid approved in the 2009 economic recovery act are scheduled to expire, which would result in a loss of about \$25 in monthly food stamps for a family of four. If anything, Washington should be allocating more money to address tremendous unmet needs.

Yet, every Republican on the House Agriculture Committee voted to approve an omnibus farm bill containing a \$20 billion cut in food stamps over the next decade in the program's \$800 billion or so 10-year budget. While less devastating than turning the program into a capped block grant to the states, which the House Republicans have previously endorsed, the cut is nearly five times the reduction approved by the Democratic-controlled Senate Agriculture Committee, which already is too much.

The House bill's cuts would end food-stamp assistance for nearly two million people, with the pain falling mainly on low-income working families with kids and older Americans, according to the Center on Budget and Policy Priorities. And as many as 210,000 children would lose access to free school lunches and breakfasts because eligibility for those meals is tied to their family's receipt of food-stamp benefits.

"It is just not right," said Representative Jim McGovern, a Massachusetts Democrat (no relation to George McGovern) before his amendment to strike the cut was defeated. Not a single Republican voted to approve it.

A MORE SECURE ENERGY FUTURE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, again and again we have heard from this President and this administration that we need to embrace an "all-of-the-above" approach when it comes to meeting and supplying our country's energy needs. At the end of the day, this has simply turned into a "none-of-the-above" strategy of failure by this administration.

Mr. Speaker, this is not complicated. Approving construction of the Keystone XL pipeline is the first and easiest step that we can take in order to embrace our energy future immediately, build jobs, and gain economic security.

The application to build the Keystone XL pipeline has been gaining dust at the U.S. State Department for more than 4 years awaiting approval. Each subsequent day that decision isn't made further denies this country greater energy security and the creation of over half a million jobs by 2035.

By the State Department's own calculations, the number of potential jobs through construction alone stands at over 42,000. With the unemployment rate being above 7.5 percent for 4 of the years that the Presidential permit has been pending, this just economically is irresponsible.

With over 15,500 pages already produced in its National Environmental Policy Act review over the past 4½ years, under the President's schedule, we must still wait for yet another report and even more pages to determine whether construction of the pipeline would be in the "national interest."

At any moment, the President could step in and immediately order approval of the pipeline, yet he continues to sit idly by while more and more people, including a majority of the general public and even members of his own party, come out in support of the XL pipeline.

Mr. Speaker, it is beyond a reasonable doubt that creating thousands of jobs and providing the American people more sources of oil by approving this infrastructure project that costs the American taxpayers no money is definitely in the national interest. So what are we waiting for?

Today, the House of Representatives will take up H.R. 3, the Northern Route Approval Act, which will approve the Keystone XL construction application without a Presidential permit and let the American people know that we will not wait around any longer. At the end of the day, this crude will find its way to foreign markets one way or another, and construction of this pipeline will guarantee our access to it and help secure energy independence in North America.

Today, the average price for a gallon of gas in America is around \$3.60, which is nearly \$2 more than when President Obama first took office. As the summer driving season approaches, that historically threatens to bring even higher gas prices for American families and businesses. Ensuring that every environmentally safe source of oil is available in order to maintain an adequate domestic supply is absolutely vital.

Because the President, yet again, refuses to act on an issue of such great importance for the Nation, this Congress will lead by sending a clear message to the families of this great Nation that we stand with you, we stand with jobs, and we stand for a more secure energy future here in America.

MEMORIAL DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, this weekend throughout America, in cemeteries across the land, we will celebrate and memorialize those men and women who have served, who are serving, and those who have made the ultimate sacrifice in giving their lives to protect our Nation's freedoms embodied in our Constitution and our Bill of Rights that we hold most dear. While Memorial Day is a time when family and friends gather to be together, we know it is much more than that.

This Memorial Day, we should all give thanks to the sacrifices that our men and women have made who have served in our Nation's military. We should say thanks to our family members, to our neighbors, to all those who have served, and we must always, always remember those who are no longer with us. We in our country, I believe, can never say thank you enough, for this great country we live in is made dear for all of those who have made those sacrifices over 238 years.

So this weekend, as we gather across the land to be with our families and friends, let us pay thanks, let us take evidence of what it means to be an American, knowing that at the end of the day the bonds that we share in common as American citizens are much stronger than whatever differences we may have.

God bless those who are serving and those that have served and those who are no longer with us. God bless our country.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, last month, two scientists from Oregon State University, Shawn Marcott and Alan Mix, published a peer-reviewed study in collaboration with scientists

at Harvard reviewing 11,300 years of global temperatures. They found that the range of temperature change in the last 100 years is equivalent to the temperature change over the previous 100 centuries.

Climate change is real, it is devastating, and it is accelerating. Most focus is on the terrestrial effects. Other research points to rapid and devastating changes in our oceans—again, a study done by Oregon State University.

Burke Hales, an OSU chemical oceanographer, coauthor with Alan Barton, who works at the Whiskey Creek Shellfish Hatchery, looked into the fact that oysters were failing at an incredible rate to spawn and reproduce. Their study linked the production failures to the CO₂ levels in the water. That has incredible implications for the future of not only the shellfish industry, an important industry in the Northwest and other parts of the country, but also for the whole ocean food chain.

The ocean chemistry is also threatening something called pteropods, who are tiny sea snails, and they're very much at risk. They happen to be a food source for zooplankton, whales, and of course our salmon, who already have a host of problems in terms of their future.

Then from the Arctic Monitoring and Assessment Programme, the Arctic seas are becoming rapidly more acidified. It turns out that cold water is especially susceptible, and as the sea ice in the summer recedes, more and more of the Arctic Ocean is exposed to the increased levels of carbon dioxide, and it is rapidly acidifying, in addition to which the melting of the ice in Greenland and elsewhere is adding fresh water, which further degrades the capabilities of the oceans to deal with the carbon dioxide.

Finally, research in the Northeast shows that the surface temperatures in the northeast Continental Shelf in 2012 were the highest recorded in 150 years of record-keeping. They found that over the last four decades many species of fish stocks have been moving north to escape the warming waters, but there are many species that cannot move or evolve that rapidly, which portends for more disasters.

□ 1040

Back in 1973, there was a science fiction movie called "Soylent Green," sort of a mystery movie, but it was about an overpopulated and polluted world, and the final devastating blow was that the oceans were dying. Now we have evidence that our oceans are very, very much at risk from CO₂ and climate change.

The House Republicans are using their leadership here to stymie efforts to even research and document climate change, let alone just totally denying that it's a problem. Time and time

again, they voted to know nothing and do nothing about climate change. They voted to block action on climate change no fewer than 50 times in the last Congress.

Mr. Speaker, it's time to listen to the scientists and get serious about climate change. The evidence is in. The only question now is whether Congress will listen and act.

JOB AND SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for 5 minutes.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to talk about jobs.

I've served almost 5 months in the Republican-controlled House of Representatives, and I've heard a lot of my colleagues talk about jobs, but we've had little opportunity to actually vote on legislation that would create American jobs.

Just this week, the Albuquerque Journal reported on the unbelievable difficulty that many New Mexicans are having in finding a job. The headline says it all. According to the article, when the Downs Racetrack and Casino in Albuquerque held a job fair last week to fill 400 openings, 6,400 job seekers showed up.

One young man interviewed said, "I've put in 60 applications in the year I've been unemployed and haven't had a single callback."

Another job seeker noted, "This is the first time in my life, in 49 years, I've been without a job. You read about it, you think about it, and then when it happens it's a real awakening."

But instead of creating an environment that would foster economic growth, Congress has done the exact opposite by allowing the indiscriminate, across-the-board budget cuts, known as "sequestration," to take effect. According to the Director of the nonpartisan Congressional Budget Office, sequestration could result in a loss of 750,000 American jobs this year alone.

If there is one State that cannot afford to lose any more jobs, it's New Mexico. Our State's economy has been barely crawling along since the Great Recession of 2008. Last week, however, we finally got some good news. New Mexico's Department of Workforce Solutions reported that our State's employment growth in April was the best it has been in 5 years. A Department of Workforce Solutions official said, in fact, "The economic recovery in New Mexico may be gathering momentum as we start a sustained recovery."

Now, just as New Mexico finally appears to be on the way to the economic recovery our families and businesses so desperately need, the sequester threatens all of this progress; and this week,

New Mexico got some really bad news. The Department of Defense announced plans Tuesday to furlough about 680,000 of its civilian employees, including 7,000 New Mexicans, for 11 days through the end of this fiscal year. Some might think that 11 days doesn't sound like much, but let's take a closer look at what 11 days without pay means to individual families.

When furlough notices begin going out at the end of this month, 7,000 hardworking New Mexicans will find out that they will be losing about 20 percent of their salaries for the rest of the fiscal year. Now, these families are trying to pay their mortgages, make their car payments, and put their kids through college. Families are already living paycheck to paycheck and are struggling just to get by. Can you imagine what losing 20 percent of a paycheck means to them? It's devastating. Although New Mexicans may feel the worst of the consequences of the sequester this year, sequester is not just a 1-year problem. It will negatively impact our Nation's economy for the next 9 fiscal years.

We all agree we need to reduce our long-term deficit, but we need a balanced approach that will create jobs. On May 14, the CBO released new projections that the deficit will fall by an extra \$200 billion this year than previously expected. The CBO now forecasts that the deficit will shrink to 2.1 percent of the GDP by 2015 from a high of 10 percent of GDP in 2009. The International Monetary Fund has called the pace of deficit reduction "overly strong," arguing that Washington should focus on job creation in the short term and develop a long-term strategy for future deficit reduction. The IMF added that this year's \$85 billion in sequester-mandated cuts will negatively impact growth this year and beyond.

It's true that you can't tax your way to prosperity, but you can't cut your way to prosperity either, and draconian, across-the-board budget cuts aren't going to create jobs. I agree with those who say we need to get our fiscal house in order, but to do that we first need to solve the unemployment problem that is plaguing small towns and big cities throughout the Nation. More than half of the deficit stems from a sluggish economy and an unemployment rate that is above 7 percent.

Mr. Speaker, we need more Americans to get back to work. We need more Americans to get back to work so that fewer Americans will need to rely on social safety net programs in order to survive. We need more Americans to get back to work so that they will have more money to spend on goods and services, which will create even more jobs.

It has become clear that the House Republicans' so-called "plan" to create jobs was just empty rhetoric, a hollow

promise to the American people. If House Republicans were serious about creating jobs, they would vote on the updated Van Hollen substitute—a real plan to replace the sequester with a sensible, balanced approach to deficit reduction that puts job creation first.

IN MEMORY OF ALMERINDO “AL”
CARVALHEIRA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize the passing of Almerindo “Al” Carvalho, a Vietnam veteran who lived an extraordinary life of service to his country and to his fellow veterans. Al succumbed to cancer on January 21, 2013, at the Veterans Affairs Medical Center in Northport, New York.

Al was born on October 21, 1947, in Portugal. His family immigrated to the United States when he was 10 years old and settled in Nesconset, New York. Al proudly served his country in the United States Army during the Vietnam War and received numerous awards and decorations, including two Purple Hearts, the Bronze Star Medal, and the Air Medal.

Honorably discharged with the rank of sergeant in December of 1969, Al returned to his home on Long Island where he pursued a career in nursing and was hired by the Northport VA Medical Center in 1977. There he dedicated himself to the care and treatment of his fellow veterans as a VA registered nurse and nurse leader for nearly four decades.

Al was known as a highly effective and empathetic caregiver who was never too busy to spend time with his patients, especially the most challenging among them. His own experience gave him a unique understanding of what his patients had endured in combat. In discussions with them, he often cited his favorite book, “The Things They Carried,” written by fellow Vietnam veteran Tim O’Brien.

Soon after the start of his career at the VA medical center, Al was promoted to nurse manager, which gave him the supervision of all inpatient psychiatric units and the outpatient treatment program. In addition to these significant responsibilities, Al trained and developed staff in crisis intervention and implemented a crisis response team for the safety of VA patients and staff. In order to provide veterans the best care possible, Al found the time to earn a master’s degree in nursing from Stony Brook University.

Dear to Al’s heart was the Suffolk County, New York, chapter of the Vietnam Veterans of America, to which he devoted 38 years of service, working day in and day out taking care of “his boys,” advocating for the needs of all

veterans and raising awareness of the contributions and sacrifices made by our Nation’s veterans and their families.

In May of 2009, I had the great pleasure of working with Al and his friends and fellow Vietnam veterans Richie Kitson and Clarence Simpson to rename the Riverhead, New York, Post Office in honor of Suffolk County’s only Vietnam War Congressional Medal of Honor recipient, PFC Garfield M. Langhorn.

That same year, Al took the lead in the construction and dedication of the Vietnam Veterans Memorial Garden on the grounds of the Northport VA Medical Center, which recognizes and honors the sacrifices of our Nation’s servicemen and -women. The memorial garden’s dedication ceremony was held in October 2010 and was attended by more than 300 people.

In 2011, Al and members of the VVA were inspired by Dignity Memorial’s replica of the Vietnam Veterans Memorial Wall to expand the Northport VA Medical Center’s Vietnam Veterans Memorial Garden for the inclusion of a permanent war memorial known as The Wall of Wars.

□ 1050

It was during this time that Al was diagnosed with cancer. Although Al will not be present at the VA’s Veterans Day dedication of the The Wall of Wars, his legacy as a war hero, a VA nurse, and a veterans advocate is and will be forever present on the grounds of the Northport VA Medical Center and throughout Suffolk County’s veteran community.

On January 25, 2013, Vietnam veteran and U.S. Army Sergeant Al Carvalho was laid to rest with military honors at Long Island’s Calverton National Cemetery. Al is survived by his beloved wife of 40 years, Geraldine, and their two sons, Almerindo and John, as well as six grandchildren.

Mr. Speaker, on behalf of New York’s First Congressional District and a grateful Nation, it is my honor and privilege to recognize Almerindo “Al” Carvalho for his distinguished service and many contributions to our Nation and his fellow veterans. He will always be remembered with our love and appreciation.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, recently research has shown that fish populations are not waiting for climate change to make their habitat impossible for them to live. They’re moving. That’s right: fish all over the globe are migrating to cooler climates.

In a process that’s been taking place for decades now, fish are sorting them-

selves out and leaving areas that no longer sustain their quality of life, their ability to reproduce and to thrive. They’ve steadily been moving to areas where the effects of climate change are not so pronounced.

Isn’t it interesting that fish, without fancy scientific instrumentation or computer analysis, have reacted to the facts in the sea and moved where they can function, where they can live and where they can, at least for the time being, escape the impacts of climate change?

They’re also escaping from people who depend on them in their previous habitat to fish, but that’s another story on the consequences of climate change and global warming.

Isn’t it time that the political process starts responding in ways that even fish can? One would hope. But, instead, today on the floor of the House, we’re going to return to debate the Keystone pipeline that would carry oil extracted from Canada’s tar sands to the U.S. gulf and short circuit Presidential review.

Given the potential negative environmental impacts, the repeated efforts by some to rush the environmental and public safety review process, the overwhelming number of comments and concerns received from the public and the recent news about the atmospheric levels of carbon dioxide that have reached 400 parts per million, an amount not seen in at least 3 million years, I’m concerned that this sideshow over the Keystone pipeline will make our climate problem worse, rather than better, and poison the ability to make progress in the future.

The simple fact is that this pipeline would facilitate the exploitation of one of the dirtiest sources of energy—tar sands oil—that poses public, safety, and health risks.

In addition to possible worsening of the effects of global climate change, there are serious questions that remain about pipeline safety, spill prevention, and protecting the public from potential health impacts in the wake of the spills that are inevitable.

Tar sand developers are amazingly exempt from paying into the oil spill liability trust fund, making American taxpayers liable for the cost of any spills from the Canadian tar sands oil. This places, I think, an unacceptable and unnecessary risk on American taxpayers, one that we can ill afford to assume today.

This will be the seventh time that we voted and that I will vote against proposals to streamline the building of the Keystone pipeline as some Members of the House continually and repeatedly attempt to circumvent the legislative process and rush its proposal.

The only positive of this project is creating several thousand temporary construction jobs and a few dozen permanent jobs. That’s no reason to short circuit the review required by law.

The potential environmental harm done by the pipeline—both from the threat of oil spills to the precious aquifer that it will be passing over and because tar sands emit three times more global warming pollution than conventional oil—has led me to the conclusion that I hope President Obama does not approve the pipeline.

There are many things we should be doing to rebuild and renew America and create millions of jobs, not a few thousand temporary construction jobs. We ought to be looking at different approaches to revenue and dealing with carbon pollution. For instance, we are discussing a draft that would potentially tax carbon emissions dealing directly with the problem, help provide revenues to lower taxes, pay for what America needs and deal with emerging technologies and level the playing field for technologies of the future.

Now, as we watch climate change begin to have serious impacts on our environment, our fish, our wildlife population, and our seasons and the weather, the least we can do is stop actions that may well make climate change worse.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 56 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Dr. Ken Whitten, Idlewild Baptist Church, Lutz, Florida, offered the following prayer:

Dear Father in Heaven,

Our heads are bowed because that is the position of humility, a spiritual characteristic that Your Word says brings grace. We fold our hands to express godly fear because You said, "The fear of the Lord is the beginning of wisdom." And we all recognize that is the need of this hour and this day.

Our hearts, Lord, break with the families in Moore, Oklahoma. The loss and devastation leave us speechless, but it is in these heart-wrenching days we find ourselves saying that we are not Republicans, Democrats, or Independents; we are one Nation in need of grace, healing, and salvation.

We pray that the decisions made in this Chamber today will reflect Your heart, a heart for the broken, the bruised, the abused, and the abandoned.

May You help us today to think more about the spiritual than the economical, more about the eternal than the temporal; and Lord, may we echo that Puritan prayer of old:

What we know not, teach us.
What we have not, give us.
What we are not, make us.

In Jesus' wonderful name we pray.
Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. OLSON) come forward and lead the House in the Pledge of Allegiance.

Mr. OLSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING DR. KEN WHITTEN

The SPEAKER. Without objection, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 1 minute.

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I rise today to welcome Pastor Ken Whitten before the House of Representatives.

Pastor Whitten serves as the senior pastor at Lutz, Florida's, Idlewild Baptist Church, which has served the Tampa Bay community for almost 80 years.

While originally based out of an old garage building, today it serves a congregation of more than 12,000 members on a 143-acre campus.

Under Pastor Whitten's leadership, the Idlewild family has placed a focus on both local and global missions, a biblical guidance ministry, instructional classes for those who seek to grow spiritually, and activities and ministries for all ages.

Pastor Whitten is a pillar of our community and has guided tens of thousands of people as they develop and grow their personal relationship with the Lord.

Mr. Speaker, I welcome Pastor Whitten to our Nation's capital.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FOXX). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

EXPLOSIVE ORDNANCE DISPOSAL MEMORIAL

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAWFORD. Madam Speaker, earlier this month, I visited the Explosive Ordnance Disposal Memorial on Eglin Air Force Base in Florida. The memorial wall is located across from the EOD school where men and women from every branch are trained in the elite and specialized skills necessary to locate, identify, render safe, recover, evaluate, and dispose of explosives.

As former Army EOD, I understand the critical role our EOD forces play as the key enablers in the ongoing war on IEDs both at home and abroad. I also understand the omnipresent danger that our EOD warriors face in the battlefield and on civil support missions here in the United States.

The memorial wall contains the names of the brave men and women of the EOD who have given their lives in defense of our freedom. The memorial wall does an excellent job of recognizing the incredible sacrifice that our EOD forces and all of our men and women in uniform make every day on behalf of our freedom.

I would like to take a moment to honor the EOD warriors who lost their lives in the line of duty between World War II and Vietnam but are not recognized on the EOD memorial wall. These men and women served valiantly and lost their lives in the line of duty, but are not included on the memorial wall because they were not physically assigned to an EOD unit at the time of their death. These brave warriors lost their lives performing EOD duties in support of their fellow soldiers, sailors, airmen, and marines and deserve to be recognized for their service.

With Memorial Day approaching, now is an appropriate time to recognize their sacrifice. I would like to submit their names for inclusion in the CONGRESSIONAL RECORD.

God bless our troops and God bless the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair asks all Members to remove communicative badges prior to being recognized.

THE HARMFUL EFFECTS OF SEQUESTRATION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, instead of working together to find a compromise to fully reverse the sequester, House

Republicans have turned their backs on the American people and are jeopardizing our fragile economy. In fact, sequestration will cost 750,000 jobs this year alone, according to the Congressional Budget Office.

We saw last month how quickly and easily these cuts can be addressed when the Congress passed legislation to address traffic controller furloughs. But we have not been given the opportunity to address the 70,000 children who could lose access to Head Start or any of the other programs that have been crippled.

Funding for the National Institutes of Health has shrunk by \$1.5 billion, cutting into lifesaving medical research for areas that include breast cancer, heart disease, and Alzheimer's. The cuts from NIH alone will result in a loss of more than 20,000 jobs and \$3 billion in economic activity.

We can address these cuts, but the GOP's obstructionism has stalled all reasonable efforts.

We need to work on an approach that will fix sequestration while reducing our deficit sensibly.

Mr. Speaker, I urge my Republican colleagues to come to the table to compromise, and help find a solution that will keep our economy on track and growing.

IS THIS AMERICA?

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Madam Speaker, under the threat of perjury, a Tea Party in Texas' 22nd Congressional District was asked these questions by the IRS:

Have you attempted or will you attempt to influence the outcome of specific legislation?

That activity is protected by the Constitution. Is this America?

Do you directly or indirectly communicate with members of legislative bodies?

That activity is protected by the Constitution. Is this America?

This is not America. House Republicans are going to restore America by giving the people the truth they deserve.

GREAT LAKES RESTORATION INITIATIVE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, the Great Lakes Restoration Initiative represents our Nation's commitment to protecting the health of our Great Lakes, the largest source of fresh water in the world, representing \$7 billion in economic activity annually.

In western New York, the revitalization of Buffalo's Inner and Outer Harbor areas depends on efforts to restore the health of Lake Erie and the Buffalo River.

The Environmental Protection Agency will soon host a series of public meetings to gain community input to guide the next phase of Great Lakes restoration, and one of the meetings will be held in Buffalo.

Madam Speaker, the Great Lakes are a unique natural treasure with global significance. The Brookings Institution report shows that for every \$1 invested in Great Lakes restoration, a \$2 return in the form of increased fishing, tourism, and home values is achieved. It is our responsibility to ensure that the restoration initiative is fully funded in this year's appropriations, and also to be an active partner in protecting and restoring our Great Lakes.

□ 1210

KEYSTONE XL PIPELINE

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Madam Speaker, it's a rare occasion when Democrats, Republicans, the President, his supporters, and the public all agree on something. What doesn't make sense is that, while we all agree it's time to build the Keystone pipeline, President Obama has blocked its construction for over 4 years.

The Keystone pipeline would create over 42,000 jobs. It will invest \$7 billion into the U.S. economy, and it will increase U.S. energy security and independence by safely transporting 830,000 barrels of oil per day, which is nearly half of what the U.S. currently imports from unstable, hostile nations.

At a time when gas prices are on the rise and unemployment remains around 8 percent, we cannot afford to delay this project any longer. The President's own Web site says we need an all-out, all-of-the-above energy strategy that develops every available source of American energy.

I would say, Mr. President, you have a lot to worry about currently, so forget about this one, and let the oil flow.

The Keystone project is ready. Congress is ready. The public is ready. Madam Speaker, is the President ready?

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair.

HONORING OUR WORLD WAR II MERCHANT MARINERS ACT OF 2013

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Madam Speaker, for over 200 years, the U.S. Merchant Marine has been a pillar in the foundation of our country's national security and economic growth, and so it is fitting that every year on May 22 we celebrate National Maritime Day in recognition

of their service and sacrifice across the centuries.

On this day, we reflect on the service of the men and women of the Merchant Marine who served during World War II, many thousands of whom died in delivering the arsenal of democracy over the seas to the battlefields of Europe and the Pacific. Merchant mariners died at a higher rate in World War II than any uniformed service. Unfortunately, the veterans of the Merchant Marine who risked their lives in the service of this Nation and of all freedom-loving nations were never eligible for the provisions of the GI Bill, which helped millions of veterans go to college, secure a home, and transition seamlessly into civilian life.

That's why I have introduced the Honoring Our World War II Merchant Mariners Act of 2013. This bill would provide a \$1,000 monthly benefit to the nearly 10,000 surviving World War II mariners. By providing this modest benefit, we will finally be giving our brave merchant mariners the recognition and benefits they deserve.

MEMORIAL DAY

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Madam Speaker, I come to the House floor today to honor all of those who died in fighting for our country. This coming Monday, this Nation will observe Memorial Day, a day set aside to pay tribute to the brave men and women who made the ultimate sacrifice for their country in defense of our freedom.

As Members of Congress, so much of what we do on behalf of our constituents touches the military in some way. Recently, my office secured a new Silver Star Medal for the late John Chase, a World War II veteran from Batavia, New York.

Drafted into the Army, Mr. Chase fought bravely in the Battle of the Rhineland in 1945, a critical victory for the Allied Forces. Last month, as he grew increasingly ill, Mr. Chase's family reached out to my office for help in securing a new medal. In the process, we discovered Mr. Chase also qualified for the Bronze Star, which he had never received. We were able to present the medals to Mr. Chase's family on the day he passed, allowing them to be properly displayed at his funeral.

I want to thank Mr. Chase posthumously for his distinguished service and pay my respects to all Americans killed in wars both present and past.

SEQUESTRATION AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to bring awareness to the devastating effects sequestration is having on HUD and those who benefit from the agency's work.

Because of Congress' failure to pass legislation to reduce the deficit, the Federal Government is making across-the-board spending cuts to domestic and defense programs, including HUD and all its related agencies. These cuts are having a profound impact on people, especially in the rental and homeless assistance programs, and families in my district are feeling this firsthand. The housing authorities in my district will soon be forced to consider terminating approximately 1,800 families from housing assistance. Cuts to housing authorities will affect their capacity and their efficiency to serve low-income individuals and families, the elderly, the disabled—all of whom need these programs to survive.

Our focus in our communities should be to do everything possible to prevent homelessness.

KEEP THE IRS OFF YOUR HEALTH CARE ACT

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Madam Speaker, like most Montanans, I was appalled to learn that the IRS had deliberately targeted groups for investigation based on their beliefs. Given these events, it would be senseless to empower the IRS to oversee major aspects of the American health care system. Yet that's what ObamaCare calls for.

That's why I've signed on to the Keep the IRS Off Your Health Care Act, which states that the IRS may not be involved in any aspect of President Obama's health care law. In fact, just last night, I held a tele-town hall meeting with thousands of my fellow Montanans, and more than 90 percent of those who participated agreed that the IRS should be stripped of its power to implement ObamaCare.

The American people have every right to demand that their government be accountable and that their government's actions be driven by a desire to serve the American people, not by political motivation. With the IRS' recent abuse of power, it's sadly clear that stopping the IRS from using its power to oversee Americans' health care is a necessary step.

UNIVERSITY OF CALIFORNIA AT IRVINE VOLLEYBALL

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Madam Speaker, I'd like to congratulate the

2013 NCAA men's volleyball championship team from my alma mater, the University of California, Irvine. The UC system is one of the best public college systems in the world, and UC Irvine, through its academics, its research and athletics, continues to make me proud.

The volleyball team recently won its fourth championship in 7 years. It's amazing. Congratulations especially goes to Connor Hughes, the tournament's Most Outstanding Player. He joined Chris Austin, Michael Brinkley, Collin Mehring, and Kevin Tillie on the all-tournament team. Hats off to Coach David Kniffin, who is just the second coach in the 44 years of men's volleyball history to coach a team to the championship in his first season.

You've made us all proud. Go Ant-eaters.

ENERGY II

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. My constituents are asking me this question: What does this administration have against expanding energy production?

More American energy means more American jobs. We all know that that is true. It also would mean lower energy costs, stronger national security, and a boost to our economy, a boost that we badly need with 12 million Americans out of work. Yet the President has seemed to stymie the energy sector at every single turn. We're going to give him the opportunity to change that record as we bring another bill forward that would approve moving forward with the northern route of the Keystone pipeline.

Now, we all know that burdensome overregulation by this administration has caused energy output domestically on our Federal lands to decrease significantly—about 30 percent. It hampers our ability to be productive.

□ 1220

DISASTER RELIEF

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. This week, we saw heart-breaking images of devastation following a tornado in Moore, Oklahoma, that is estimated to have been more than a mile wide.

The scope of the disaster reminds us that we're all at the mercy of nature's whims, but it also reinforces a sense of community that we share as Americans. When the final cloud dissipated, Oklahomans were met by friends, neighbors, and Red Cross aid workers ready to help, the same as the victims of Sandy along the Jersey shore and

the same as those who weathered the waters of Katrina in the Ninth Ward.

One thing every American can rely on in the face of disaster is that every other American wants to help. Whether we face tornadoes on the Great Plains or earthquakes in Los Angeles, we face them together. Let's make sure these victims get the Federal disaster aid they need on a timely basis. Whether we endure in a red State or a blue State, we are all equally deserving of each other's assistance.

KEYSTONE XL PIPELINE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, parents know all too well the sinking feeling that settles in around the kitchen table when it's time to pay bills.

Utilities costs takes up more and more each month and the once-simple task of putting gas in the car has become an act of financial acrobatics.

Heading into a long, hot summer, House Republicans are committed to an all-of-the-above American energy strategy. If there's more American energy, prices will be more affordable, and there will be more American jobs. Period.

Who would stand in the way of that? Apparently, President Obama.

The President continues to play favorites in the energy sector and block domestic energy with onerous regulations. Red tape only makes it harder to capitalize on economic-growth opportunities and harder to achieve energy independence.

If the President were just to sign off on the Keystone XL pipeline today, he'd open up thousands of American jobs, but for 5 years he has refused.

House Republicans are serious about expanding energy production. It's time the President got serious, too.

JOHN LAIRD, THE HARVEY MILK CHAMPIONS OF CHANGE AWARD RECIPIENT

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, I rise today to acknowledge and congratulate John Laird, a constituent of mine in Santa Cruz, California.

Today, John is being hosted at the White House as one of the 10 persons to be presented the Harvey Milk Champions of Change award.

John Laird is a committed public servant, counting 23 years in elective office and 40 years in public life overall.

He also happens to be gay. John's years of leadership prove that people are people and they have myriad skills to share. Sexual orientation doesn't somehow change that desire to serve others.

Currently, John serves as the California Secretary of Natural Resources where he does an outstanding job of overseeing the State's vast outdoor resources.

Again, I say congratulations to Secretary John Laird for being true to himself and true to his public calling and all of us in the State of California being the ones who benefit from it.

KEYSTONE XL PIPELINE

(Mr. MARINO asked and was given permission to address the House for 1 minute.)

Mr. MARINO. Madam Speaker, today I rise in support of the Keystone XL pipeline and urge passage of H.R. 3, the Northern Route Approval Act.

In the 1,700 days that TransCanada has been waiting for approval for Keystone XL, the State Department has issued over 15,000 pages of documents analyzing the project's environmental impact. This administration continues to delay and impede efforts to foster oil and natural gas production under an all-of-the-above energy solution.

Recent advances in technology have put America in the center of a booming natural gas industry, particularly in my area, the PA 10th District. A NATO Parliamentary Assembly report estimates that our shale will provide gas to supply the United States for the next 90 years at least.

If Americans have access to vast and affordable resources, why are we not utilizing them? The same NATO PA report emphasized that the U.S. could lead the world in oil and natural gas production.

It's time to build. Remove the roadblocks preventing construction of the job-creating, economy-boosting Keystone XL pipeline.

THE TUCKERS ON SEQUESTER CUTS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, as the reckless across-the-board cuts in Federal spending known as "sequester" continue, I want to share a letter I received from my constituents, Leslie and Brian Tucker:

After being robbed by our home lender during the mortgage modification fiasco, my wife took a job with Jefferson County Public Schools and turned it into a career. She earned a certificate in childhood development and went to work at Duvalle Learning Center in Early Childhood Education as an assistant. After hard work, she rose to a lead teacher position.

I am a union steel worker with bad insurance. We have three children together—the youngest is 13 months, the oldest is 16 years old. My wife recently was diagnosed with hyperthyroidism and will require an expensive procedure to fix it.

The news of her sequester-caused layoff hit us especially hard, as it seems every time we get ahead a step, something knocks us back down.

Middle class life now requires two incomes. Without my wife's job, we will undoubtedly end up drawing some sort of assistance. If Congress can fix travel delays with the stroke of a pen, then helping my wife and the other teachers in Louisville being laid off should be a walk in the park.

Madam Speaker, I urge my colleagues to listen to the Tuckers and end sequestration.

SISTER MONSON

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Madam Speaker, like all Americans, my thoughts and prayers are extended to the people of Oklahoma this day.

I also rise to pay tribute to a modern-day heroine, Mrs. Frances J. Monson, who passed away last week. Frances, the wife of Thomas S. Monson, president of the Church Jesus Christ of Latter-day Saints, led a life full of service, love, and dedication to her family, friends, and her faith.

Her daughter Ann has remarked of Mrs. Monson:

Instead of looking for the recognition of the world, she has always received her recognition of worth from such things as the happy smile of a son or the outstretched hand of a grandchild.

In 1998, she was the recipient of the Continuum of Caring Humanitarian award by the Friends of St. Joseph Villa, but she never asked for a lot of attention. Instead, she turned to serve others with a compassionate and caring attitude. Her life was a shining example of one filled with faith, hope, and charity.

On a very personal note, President and Mrs. Monson have always been a source of inspiration to me and my family. I want to thank them for their great example of Godly love, which has served as a model for more than 14 million Mormons around the world. She will be greatly missed; but her devotion to her faith has touched so many, it will undoubtedly leave a lasting impression upon the world.

PAY AS YOU RATE ACT

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Madam Speaker, I rise today to encourage my colleagues to join me as original cosponsors of the Pay As You Rate Act.

The Veterans Administration currently has more than 1 million backlog cases, and 70 percent of these have been under review for more than 125 days. For some veterans like those in southern Nevada, the average time to process a claim is close to 500 days. This is just unacceptable.

The Pay As You Rate Act will ensure that veterans receive at least some of their benefits in a more timely fashion.

Currently, the VA withholds benefit payments to veterans until their entire claim has been reviewed and processed. This is a serious problem, especially for Iraq and Afghanistan veterans whose average claim contains 8.5 separate components.

The Pay As You Rate Act will require the VA to pay veterans benefits as each element of the claim is reviewed rather than waiting until the entire package has been processed. This is a commonsense change which will put money in veterans' pockets sooner and also address the backlog.

□ 1230

NATIONAL FOSTER CARE MONTH

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Madam Speaker, I rise today in recognition of National Foster Care Month. All children deserve a safe, loving, and permanent home. Yet more than 400,000 of this Nation's children in foster care are still looking for such a place, a place where safe, supportive, and stable families can help nurture their dreams to reality.

Madam Speaker, our Nation can never forget these amazing young people, and we should all thank the thousands of caregivers already answering the call and working tirelessly to help these children in need. But together, we must pledge to do more. Despite the best efforts of thousands, many foster youth struggle to find a permanent home. We are a Nation good enough and great enough to answer this call.

WHY ISN'T ANYONE TALKING ABOUT THE DEFICIT?

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, the mantra for at least 4 years has been the Federal budget deficit, but for some reason, it is now rather quiet. The question we should be asking is: Why?

Could it be because last week the CBO readjusted its projections and has determined that the government's annual deficit is shrinking faster than expected—actually shrinking? The deficit which topped 10 percent of the gross domestic product in 2009 and exceeded \$1 trillion a year is now expected to

shrink to \$642 billion this fiscal year. That's \$200 billion lower than expected. The deficit is expected to be 2.1 percent of the GDP by 2015, a rate that is deemed manageable by the CBO. So why aren't we talking about this?

Just so we're clear, the \$200 billion is not due to the sequestration. Shouldn't we be saying something is going right? Could it just be the implementation of the Obama policies may be working? Imagine if we implemented it all.

Mr. Speaker, let's talk about it so the people can clearly hear.

RECOGNIZING MEMORIAL DAY

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize the courage and the bravery of those servicemen and -women who have paid the ultimate sacrifice in defense of our most cherished principles.

This Memorial Day, we honor their lives in the name of freedom, and we owe them our deepest respect and gratitude. But even more, we owe them our allegiance to the principles for which they have given so much. We reflect upon these ideals, as we have on this day for the past 145 years.

Service to one's country is a value that has been deeply ingrained in American heritage and—especially in my home State of Georgia—you would be hard-pressed to find someone who did not either personally serve or has a family member or friend who has served.

My home district has recently lost 37 of these unforgettable heroes, and it is in their memory that I would like to give my deepest regards to the servicemembers who have laid down their lives and the families whose loved ones have been laid to rest for our great Nation.

HONORING WOMEN IN MILITARY SERVICE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, again let me offer my deepest concern and sympathy for our fellow Americans in Oklahoma—what an enormous tragedy and devastation—and also our friends in north Texas. America is embracing them, as we should.

But I rise today to acknowledge, as we look toward this coming weekend, and honor those who have fallen in battle, and to be able to celebrate the experience that Members of Congress, women Members of Congress had this morning in commemorating the war memorial for women, and to salute Brigadier General Wilma Vaught, who was the founder and originator, along

with Members of Congress, of this historic memorial.

Today, we ascended to Arlington National Cemetery where we placed a wreath in honor of those women. 154 women have fallen in Afghanistan and Iraq. We had the privilege of honoring five women from the five military branches and to, again, pay tribute to those who are willing to sacrifice.

Men and women sacrifice. They are parents. Mothers leave behind their children and families. Families depend upon women in many different ways, and it is greatly an honor to be able to honor those women and to say as well that we will never, ever forget those men and women who have fallen in battle. And we will be there on Memorial Day, as I will be in my Heights location doing a flag ceremony and at the Veterans Cemetery, because this is what America does. We never forget those who fell in battle for us.

KEYSTONE XL PIPELINE

(Mr. SOUTHERLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOUTHERLAND. Mr. Speaker, 1,700 days and counting: that's how long it's been since the application to build the Keystone XL pipeline was submitted to the State Department. And with each passing day, every new delay, job creation has been stalled and American energy independence has been pushed to the back burner.

That is why I am pleased to join my colleagues in saying no more roadblocks to American-made energy. No more roadblocks to the 40,000 jobs that will be created during the construction of the Keystone XL pipeline, not to mention the jobs to run and operate it in the future.

The time for the Keystone XL pipeline is now. The time for our energy independence is now. Let's pass this bipartisan legislation and get to work for the American people.

KEYSTONE XL PIPELINE

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, I would like today to be able to begin with a quote:

We are tired of waiting, and we believe the time has come to make the final decision on one of the most important projects to unlock the energy future for this country, the Keystone XL pipeline.

Mr. Speaker, this quote is not from an energy titan. It comes from Sean McGarvey of the AFL-CIO.

The time has come for America and North America to be able to seek and achieve energy self-sufficiency. This is part of the solution. Americans are

tired of not planning for the future. We need to unleash that potential to be able to put our people back to work. The time has come. The time is now. Let's get America back to work. Let's create energy security right here on this continent.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2013.

Hon. JOHN BOEHNER,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to Section 3 of the Protect Our Kids Act of 2012 (Pub. L. 112-275), I am pleased to appoint Mr. Robert E. "Bud" Cramer of Huntsville, Alabama, to the Commission to Eliminate Child Abuse and Neglect Fatalities.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 22, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2013 at 11:08 a.m.:

Appointments:

Military Compensation and Retirement Modernization Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

PROVIDING FOR CONSIDERATION OF H.R. 3, NORTHERN ROUTE APPROVAL ACT

Mr. WEBSTER of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 228 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 228

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes. The first reading of the bill

shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-11. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1240

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. WEBSTER of Florida. For the purpose of debate only, I yield the customary 30 minutes to my colleague on the Rules Committee, the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WEBSTER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WEBSTER of Florida. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 228 provides a structured rule for consideration of

H.R. 3, the Northern Route Approval Act. The rule makes 10 of the 25 amendments submitted to the Rules Committee in order, nine of which were sponsored by my colleagues on the other side of the aisle, and it provides for a robust debate in the House of Representatives.

The underlying bill was marked up by three committees of jurisdiction, and each committee reported the bill favorably with a bipartisan vote.

Additionally, the U.S. Senate, on March 22, 2013, voted to approve the pipeline by a vote of 62-37.

Mr. Speaker, there are four simple reasons this bill has garnered bipartisan support: it creates American jobs; it increases our energy independence; it strengthens our national security; and it will contribute to lower gas prices.

This bill leads where the President has wavered, and finally approves the northern route of the Keystone XL pipeline, which has been studied for over 1,700 days by 10 Federal agencies and several State environmental agencies.

The U.S. Department of State has issued four environmental impact statements, at a total length of 15,500 pages. These studies prove that the vast majority of the project will not result in a significant environmental impact, and mitigation efforts will be undertaken to reduce any environmental impact.

Additionally, the project includes 57 project-specific special conditions to ensure the maximum level of safety. Due to these conditions, the U.S. State Department's Environmental Impact Statement found that the pipeline will have "a degree of safety over any other typically constructed domestic oil pipeline system."

For 4 long years, multiple studies and well over 15,000 pages of environmental analysis, the administration claims that the XL pipeline still cannot be approved. We all hear the echo of the President chiding Congress with his slogan, "We can't wait."

I would like to ask, Mr. Speaker, if not now, when?

This bill answers that question, and the answer is today. It is clear that this pipeline will create jobs, increase national security, and contribute to lower gas prices. For this reason, H.R. 3 breaks the Presidential logjam and approves this worthwhile project.

On December 23, 2011, both the U.S. House and the Senate unanimously approved, and the President signed into law, a bill that required the President to approve the pipeline unless the President determined that the project did not serve national interests.

On January 18, 2012, the President said "no" to the pipeline, claiming that it did not serve national interests.

By preventing this project from moving forward, he said "no" to 42,100 con-

struction and manufacturing jobs at a time when Americans need work. He said "no" to cheaper gas prices for goods and services which could result in reduced energy cost.

As you know, Mr. Speaker, lower energy costs lead to lower manufacturing and shipping costs which, in turn, contribute to less grocery, gas and utility bills for the average American family.

He said "no" to increased diversification of America's oil supply. He said "no" to reduced dependence on foreign oil. All these benefits this generation could pass on to future generations.

By this inaction, the President said "yes" to more oil from barges from the Middle East. When the pipeline is finalized, it will transfer 830,000 barrels of oil each day, which totals nearly half of our current daily imports from the Middle East.

The President said "yes" to our ally, Canada, taking its business elsewhere, to China, rather than the United States. The oil from the tar sands of Canada will go on the market somewhere, whether we approve the XL pipeline or not. This is our chance to ensure Americans will have the opportunity to benefit from the energy supply, not China.

The State Department acknowledged that the United States would be more secure if we relied more heavily on a non-OPEC source, such as Canada, for our energy needs.

According to the State Department, and I quote:

Non-OPEC Canadian crude oil supplies advance the energy security of the United States, given Canada's close proximity, our free trade agreements, and our close bilateral relationship with a stable democracy.

Canada is a more reliable and cost-efficient source of energy than the foreign oil that we depend on from the Middle East, Africa, and other regions of the world.

For these reasons, Mr. Speaker, I rise in support of this rule and the underlying legislation. The relevant committees of jurisdiction have provided us with a bipartisan bill that will create American jobs, ensure energy independence, increase our national security, and contribute to the lower gas prices.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to the rule and the underlying bill, the Northern Route Approval Act.

In the words of Yogi Berra, it's déjà vu all over again here in the House of Representatives.

Last week, the House of Representatives repealed the Affordable Care Act for the 37th time. This week, for the

eight time in 2½ years, we're voting yet again on another Keystone pipeline measure that will never become law.

The very decision to sign this law would lie with the same President upon whose desk this decision is currently awaiting approval; and, therefore, this is yet another waste of taxpayer time, taxpayer money, when we have pressing national issues we should be discussing—how to address our budget deficit, how to get our economy moving, how to renew affordable college and low-interest rates for students.

There are so many issues that my constituents are crying out for. Yet another symbolic issue that has nothing to do with whether the Keystone pipeline is approved or not is the last thing we should be spending our time here on the floor of the people's House debating.

Rather than creating a bill that's more viable, instead this bill, by far, is the worst iteration of the bill that we've seen, worst of the eight.

Even my colleagues who support construction of the 875-mile pipeline are having trouble supporting this bill because of its thinly veiled messaging that guts important laws and waives judicial review.

In short, this Northern Route Approval Act is a regulatory earmark, a specific earmark which this House of Representatives has purported to eliminate. Not only is it an earmark; it's an earmark that has a far greater dollar value than any of the earmarks that have been much maligned by Members of both parties and are no longer part of this deliberative body.

At a time where we should be advancing on renewable energy policy, on an all-of-the-above energy policy, this bill would bypass the very system that this Congress has set up under the law for consideration of a project.

□ 1250

This project has nothing to do with gas prices. In the analysis from the Department of State, there is absolutely no indication this would have anything to do with gas prices. This is for the global market. Let's debate it for what it is. Is it a favor to Canada if we do it? Absolutely. Does it have an environmental and health impact on Americans? Absolutely. Weigh the two. Let's look at a cost benefit.

This has nothing to do with lower gas prices. If we want to talk about lower gas prices, let's do it. Let's increase fuel efficiency standards to lower gas prices. Let's look at what we're doing nationally. Let's look at our processing capacity. Let's look at alternative and public transportation. There's a lot of things we could be doing that actually would reduce gas prices. There is no analysis in the Department of State's thorough vetting of this that this would have any impact on price at the pump. This is 5 to 10 years from now,

exporting a majority for the global market.

Instead of voting on this act, there's a number of other great bipartisan bills we could be talking about which would reduce gas prices. Let me give an example.

The Public Lands Renewable Energy Act that I helped coauthor with Representatives GOSAR, THOMPSON, and HECK of Nevada would expand renewable energy development and create jobs while protecting our Nation's public health and environmental resources. And yes, because we expand our renewable energy development portfolio, it would apply downward pressure on gas prices.

This bill is talking about a review process that's already well underway for the Keystone XL pipeline. Congress, itself, set up the process whereby each administration—and the country has the opportunity every 4 years to elect a President. Congress set up the process where each administration has the criteria for approving projects like Keystone. If we don't like the criteria, let's talk about changing those criteria in statute. That's the proper way to do it, not just shortcut the very process that Congress set up.

Until then, we need to keep this process in place. No matter what the administration does, some Members of Congress aren't going to like the outcome; but we establish the ground rules, and the executive branch is administering the law that we created. Rather than interrupting the State Department's review process with this bill, we should allow the Department to take the necessary time to address the impacts, the concerns, the costs, and the benefits of this controversial pipeline.

Although there's many issues that need to be better understood as part of the Keystone XL process, it's critical that we address pipeline safety issues to make sure that tar sands don't spill into our communities. It's not a Republican or Democratic issue. Everybody wants to make sure that America is safe, even if we do a major favor for Canada. There are indications that this pipeline could be more susceptible to oil spills because of the higher pressure that this type of pipeline uses compared to conventional crude. In fact, in the public comment period, many Americans expressed their concern that a spill could impact their property value, their health, their safety, access to clean drinking water, and quality of life. These are the types of things the administration is rightfully weighing in determining the outcome.

While others argue the pipelines are the safest way to transport tar sands crude oil, the 150,000-gallon oil spill in Mayflower, Arkansas, 2 months ago shows an example about the inadequacy of some of our current pipeline safety regulations. I've heard argu-

ments that the pipeline could create economic benefit. Well, communities like Mayflower certainly won't see the benefits of Keystone when their yards, homes, and businesses are buried in the thick black layer of tar sands crude oil, threatening agriculture and local economic development.

I think that we should make sure that tar sands developers adhere to pipeline safety standards that protect the health of Americans and protect our economy and protect jobs to ensure that any project that goes forward doesn't destroy jobs rather than create them.

To address pipeline safety issues, Mr. TONKO of New York has offered a commonsense amendment. He'll be here to speak about that. It would require the Secretary of Transportation to determine whether current pipeline regulations are sufficient to address the special safety concerns that are particular to transporting tar sands crude oil. Unfortunately, however, this rule, which I strongly oppose, as well as the underlying bill, does not allow for the discussion or even the debate about Mr. TONKO's amendment, which I think is a commonsense requirement.

Since this bill doesn't require the pipeline regulations which were requested by Mr. TONKO, I'm pleased that at least an amendment that I offer with Ms. CHU of California and Mr. CONNOLLY of Virginia was made in order. This amendment would require the Government Accountability Office to evaluate the true cost of a potential spill from the Keystone XL pipeline in our communities. The GAO study would look at the impact of tar sands spills on public health, the environment, and the quantity and quality of water available for agriculture to farmers and to municipalities for drinking.

It's inevitable that the Keystone pipeline will have spills and leaks. That much we know. These spills and leaks are not only costly to clean up—and we need to know and understand those costs—but they also take a toll on our communities. Accidents happen. Understanding the cost of spills is also important because the Keystone pipeline is slated to cross over the Ogallala Aquifer. The Ogallala Aquifer lies beneath 8 States, including my home State of Colorado, and supplies drinking water to about 2 million Americans and supplies 30 percent of the irrigation water for our Nation's farmers.

TransCanada stated that it will provide alternative water supplies to affected communities if an oil spill impacts surface or groundwater. But TransCanada's promise to provide alternative water supplies in case of an oil spill is not enough insurance for millions of Americans who rely on the Ogallala Aquifer for drinking water and for farming. We simply need more information about the potential impact

and the range of impact that an oil spill would have on the Ogallala Aquifer.

Mr. Speaker, even if my colleagues support the President if he chooses to move forward with the Keystone XL pipeline, there are many reasons not to vote for H.R. 3. Rather than ensuring that we have the proper protections in place for our environment and our citizens, the Northern Route Approval Act mandates approval of the pipeline while waiving nearly all other Federal permitting requirements.

It doesn't even allow a discussion of amendments like Mr. TONKO's that were brought forward in good faith that at least deserve 10 minutes on the floor of the House when, by the way, we're debating a bill that's never going to become law, won't be brought up in the Senate, and goes to the very same President for signature who's considering this project. So the least we can do is spend 10 minutes debating Mr. TONKO's meaningful amendment if we're spending time debating everything else that isn't going to become law.

I encourage my colleagues to oppose this rule, support a more open and transparent process here on the floor of the House, and then move forward with legislation that deals with critical national priorities that all of our constituents are calling upon this Congress to act upon.

I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. I thank my friend from Florida.

Mr. Speaker, I rise in support of the rule and the underlying bill. It's very interesting that our colleagues on the other side of the aisle claim that more oil production doesn't affect the price of oil or gasoline. Well, that's the same thing as saying that gravity doesn't exist and the Earth is still flat. Neither one of those are true.

We all know that it's a marketplace, it's a commodity, and the more you produce, the lower the price. How well do I know that? In my own district in Louisiana, we produce more natural gas than we can use, and the price now is so low that we can hardly produce it because of the low reimbursement for the cost. But that will come up over time.

Two cents a gallon in 1 day is how much gasoline prices have recently increased. It has increased 7 cents a gallon just in the last week. It may not sound like much, but the price of gas is going up once again. One headline says, "Gas Prices Spike Ahead of Memorial Day." That's hitting just about every American in the wallet, and yet the President continues to play games with a project that will carry an estimated 830 barrels of oil per day from Canada to the gulf coast for processing.

So what are we waiting for? More studies? This project has been studied to death. Every State that it would go through has already sent its approval. It's been 1,700 days since TransCanada first applied to the State Department for permission to build the Keystone XL pipeline. TransCanada says pipeline construction will create about 20,000 jobs. And our colleagues on the other side of the aisle say, Why aren't we talking about jobs? Twenty-thousand good-paying jobs, plus lower prices to the consumer.

□ 1300

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. I yield the gentleman 30 seconds.

Mr. FLEMING. I thank the gentleman.

But the Obama administration's State Department has politicized this project and stalled it in order to kowtow to the far-left environmental fringe.

We need the jobs and we need the energy benefits. We need the lower costs for consumers and for manufacturing.

Mr. POLIS. Mr. Speaker, of course quantity affects price—Economics 101. The disconnect here and the failure in the argument from the other side is this quantity is a rounding error in the global supply and the global demand. This has no impact on price. We're not talking about anything that actually moves the bar of reducing gas prices for consumers.

With that, it's my honor to yield 1 minute to my colleague from Michigan (Mr. PETERS).

Mr. PETERS of Michigan. I rise to urge my colleagues to reject this rule and reject H.R. 3.

We've already seen the impact of tar sands oil in my district. Piles of petroleum coke three stories tall and a city block wide are sitting on the banks of the Detroit River. Pet coke, a byproduct of refining tar sands oil, is much dirtier than coal and is often sold to China. In Detroit, it sits uncovered and uncontained, waiting to blow into the air and water. These piles of petroleum coke are a blight on our communities and could pose a threat to the environment and public health.

I offered an amendment to require a study on the environmental impacts of petroleum coke and other byproducts. This amendment was rejected by the Rules Committee despite the study's potential benefits to communities who may become host to their own piles of Pet coke.

The bill—and the rule—is taking us in the wrong direction. Instead of selling dirty energy to China, we should be developing clean energy technology here at home.

For these reasons, I cannot support the rule. And urge my colleagues to reject H.R. 3.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I rise in support of the rule because I think that this illusion of energy independence has, in any case, been postponed by the very actions that work against this rule would represent because we're talking here about 5 years of postponement. And I think to have real energy solutions here in the United States means, first off, using the energy solutions that are represented in this continent.

I think it is by no means a fix, it's by no means a cure—in deference to my colleagues on the other side of the aisle—but it is an important step in the right direction. I think as well it represents a step toward energy independence, which is also about national security.

I think it's a step toward jobs, which are vital in this country and needed at this time—more than 20,000. And I think ultimately it's a pocketbook issue. Where, as you think about driving time coming this summer and the number of people who will be filling up their tanks, this is a step in the right direction toward energy independence, energy security, and ultimately jobs. For that reason, I rise in support of the rule.

Mr. POLIS. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. TONKO), whose amendment under this rule was also shut out from even a debate here on the floor of the House.

Mr. TONKO. I thank the gentleman from Colorado.

I oppose the rule and the underlying legislation.

I submitted two amendments to the committee; I regret that neither was made in order. One—rejected by the Republican majority—would have protected private property owners along the pipeline route from being bullied by TransCanada into giving up their land. The other amendment would have required the Secretary of Transportation to provide assurance that current pipeline safety regulations are sufficient to prevent spills of diluted bitumen. I have represented communities that have been impacted by pipeline explosions. I know the price they pay.

Much of this pipeline is going to cross private lands, not public lands. Protection of private property rights is something we hear a lot about whenever government makes a decision to protect unique and valuable public resources. But apparently, if a foreign company wants to build a pipeline to transport oil for export, private property rights can be sacrificed.

What is the rush? There is existing pipeline capacity to deliver this oil. The tar sands are not going to disappear. Our citizens should receive a fair chance to defend their property in State courts. This legislation deprives them of that opportunity.

Ms. Julia Trigg Crawford testified last month before the Committee on the Judiciary's Subcommittee on the Constitution and Civil Justice in favor of limiting the power of eminent domain and in strong opposition to granting an exemption to TransCanada. I will include her testimony with my statement. She is only one of a number of landowners who were bullied by TransCanada, and she is now seeking a remedy in State court.

Ms. Crawford and all other property owners who have gone to the courts should have the opportunity to make their cases. If TransCanada wants access to our land, they should follow our laws—laws put in place to safeguard our resources and our rights.

I urge my colleagues to reject this rule and this ill-conceived and unnecessary legislation.

TESTIMONY SUBMITTED TO THE HOUSE JUDICIARY COMMITTEE SUBCOMMITTEE ON THE CONSTITUTION AND CIVIL JUSTICE HEARING ON THE PRIVATE PROPERTY RIGHTS PROTECTION ACT

APRIL 18, 2013.

My name is Julia Trigg Crawford. I am the third-generation manager of the farm my grandfather bought in 1948. As a landowner along TransCanada's conveniently uncoupled Keystone Gulf Coast Project, I absolutely support measures to limit eminent domain. But I strongly oppose an exemption for TransCanada, its Keystone XL, and any other foreign or domestic for-profit entity that cannot provide proof that their projects are for public benefit.

I believe, as do countless others following my family's legal case, that TransCanada has abused the power of eminent domain in taking our land. When another pipeline asked to come across our place, we said we did not want them here and asked they would find a different route through a willing neighbor. That pipeline company did just that—and eminent domain was never mentioned.

When they came knocking in 2008 we told TransCanada the same thing: we don't want a pipeline here, and asked them to find another route. They said no, then exploited a flawed permitting process in Texas, and used eminent domain to take the easement they wanted across our land.

There are a host of reasons why we don't want a pipeline across our property. First, we don't believe a foreign corporation should have more of a right to our land than we do. Secondly, we need to protect its Caddo Indian heritage, specifically the 145 artifacts TransCanada's archeologists recently found within the proposed pipeline easement. How curious that TransCanada and the Texas Historical Commission concur that my entire 30-acre pasture qualifies for National Registry of Historic Places recognition, EXCEPT for the one sliver of land TransCanada must have on our place to connect the two sections of pipeline they've already build adjacent to our land.

We don't want them horizontally drilling under the Bois d'Arc Creek where we have State-given water rights. We irrigate 400 acres of cropland from this creek, and the pipeline would be just a couple hundred yards upstream from our pumps. Any leak from that pipeline would contaminate our equipment, and then our crops in minutes.

Furthermore, the neighbor directly to the west of us owns thousands of acres, and had

granted TransCanada an easement anyway. When we politely asked them to seek a way around us, TransCanada could have slightly altered their route and traversed that neighboring land differently, avoiding our property altogether. But instead they just pulled out the club of eminent domain, telling a reporter later it was just too late to make any changes.

As some of you may know, in 2011 the Texas Supreme Court ruled in Denbury Green that private property rights are far too precious to be taken by simply checking a box on a form. Furthermore, the Supreme Court said that when challenged by a landowner, the burden falls on the pipeline to present reasonable proof it meets the requirements of a common carrier. So we did just that, we asked for the proof.

In challenging TransCanada, we asked them to provide proof they met the qualifications as a common carrier and had the right of eminent domain. And once again they hid behind the skirts of the Texas Railroad Commission, saying in essence, The Railroad Commission believes us, you should too. The embattled Railroad Commission has proven to be nothing more than a rubber stamp, they have never denied anyone common carrier status. So, when we asked for another element of proof, their tariff schedule, TransCanada said in court they would not have that tariff schedule until about the time product started flowing. In other words, they could not produce this particular proof they were entitled to take my land until after my land was condemned, handed over to them, construction was completed and tarsands, the product for which Keystone is being built, was flowing. This is wrong, and is precisely why the Keystone XL should not be granted an exemption from this bill's much needed eminent domain restrictions.

If I read it correctly, this bill's exemptions for pipelines already under construction allow current eminent domain abuses to go unpunished. The bill addresses the problems, and outlines important solutions, yet allows those who exploited the process up until a certain date on a calendar to get off "scot-free". And as someone who has lost part of her family farm to this abuse, that's leaves me, and lots of people like me out in the cold. And add insult to injury: our land was taken through abusive means, and the abusers could get off without even a hand-slap.

Two years ago when our family first began our stand against eminent domain abuse, TransCanada was flying below the radar screen. No one seemed to know much about the Keystone XL Pipeline. But now the light is blindingly bright on TransCanada, the tarsands, and the threat to everyone's land and water. People around the world see that TransCanada represents eminent domain gone unchecked and horribly wrong. Why else would there be so much pushback, by so many people, from so many backgrounds, in so many ways, to the Keystone XL project?

If we allow an exception for TransCanada and the Keystone XL, we will be setting a dangerous precedent, leaving the door open for even further misuse of our legal system and more abuse of landowners unwilling to risk their property for foreign profits. The same system that enabled the judge in our case to issue a 15-word ruling from his iPhone would enable TransCanada and other pipeline companies to use the incredible legal and psychological leverage of eminent domain to continue stealing property from American citizens.

We have appealed that iPhone ruling, and look forward to our day in court with an ex-

perienced panel of judges in the 6th Circuit Court of Appeals in Texarkana, Texas. And if our legal defense fund holds out, we may take it to the Texas Supreme Court.

Eminent domain abuse at the hands of one greedy corporation is unforgivable, but it is part of something even bigger. While all land is invaluable to its owners, farmland holds a particularly unique position. Rural property rights, like mine, are the "fundamental building blocks for our Nation's agricultural industry." "The use of eminent domain to take farmland and other rural property for economic development threatens liberty, rural economies, and the economy of the United States." And TransCanada is at the heart of these issues right now. Their advertisements in my local newspaper say "We want to be more than just a pipeline company: we want to be a trusted neighbor". They've given me no reason to trust them.

I do not believe there has been even one shred of documentation that proves that one single drop of the products transported through TransCanada's pipeline will be refined for use in the U.S. Yet we are supposed to relinquish our family's tradition and the cultural heritage of the families who lived on our land before us, just because TransCanada says, without proof, that their pipeline is for the public good. How can this pipeline be for the public good when so much information about it is not even in the public record? Diluted bitumen, tarsands, whatever you want to call it, is a product we should fully understand before we start pumping it through major waterways, sometimes through 70-year-old pipelines built before tarsands extraction was economically viable. TransCanada has called this product proprietary, refusing to provide specifics. How can we ensure the safety of a substance when we don't even know its ingredients?

Pipeline companies do not deserve a free ride, especially when they can't clean up their own messes, and especially when we taxpayers are subsidizing the cleanup attempts. Look at Enbridge in Michigan. Look at Exxon in Arkansas. This is a spill I went to see for myself. Standing at a culvert, I saw the 5 foot high imprint of the oil rush to the local wetlands. The thought of seeing the equivalent on my creek bank is disheartening. America already subsidizes the oil industry at a monumental disproportion to other industries. Are we to further subsidize pipelines with our safety, our security, and our human dignity?

Corporations may be considered to be people, but dollars do not yet count as votes. TransCanada's money never sleeps, but neither do landowners like me, faced with the threat of losing our property, or seeing our land and identities torn apart.

This bill brings much needed reform to a sometimes flawed system, and a platform where wrong can be made right. But with this exception that includes TransCanada, it is turning a blind eye to the most flagrant abuser of eminent domain today. I urge you to remove that exclusion, and let those who have abused be exposed, and suffer the consequences. TransCanada stole land that has been in my family for 6 decades, and all for a project that will line their pockets. To allow them to walk away from past abuses without penalty is egregious. I will continue to fight these injustices because life, as we know it, depends on it. And I am not alone.

Respectfully submitted,

JULIA TRIGG CRAWFORD.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise in support of this rule and the underlying legislation.

Let's be honest: this permit is 5 years old. The average time for authorizing permits in these types of projects is 18 to 24 months. Enough paralysis by analysis.

Now, some may say during this discussion that we're being impatient and we're rushing this through—1,700 days? This delay has taken longer than it took the Greatest Generation to win World War II on both fronts. It's longer than it took Lewis and Clark to do their exploration of the Louisiana Purchase to Oregon and back.

The Keystone XL is a private infrastructure project with no government funds that will create nongovernment jobs—by the way, a \$7 billion infrastructure project, 20,000 direct jobs along this route over a 2-year period.

I want to make a very important point. Those who oppose this legislation argue that it's unprecedented. This is not the first time Congress has had to intervene to build a pipeline. Like-minded legislation to this one was necessary 40 years ago to achieve construction of the game-changing trans-Alaska pipeline. That legislation that was passed and signed into law deemed that the environmental studies—NEPA—were sufficient, as this one does; that rights of way across Federal lands—not State, but Federal lands—were processed; and judicial review was also included.

Then again, in 2004, Congress had to act to pass legislation to build the Alaska natural gas pipeline. That legislation was passed and signed into law with a 60-day judicial review. The pipeline was deemed to be in the national interest and, unlike today, it expedited the NEPA. Here, the NEPA process has been finished—complete. The only way you can get more studies is to have amendments requiring more studies because all of the legal requirements have been filled.

Today, we just heard about mistreatment. And there was some misinformation from the last speaker regarding what this bill does. It gives a streamlined judicial process in regard to the Federal permits issued. It has nothing to do with States' eminent domain. But let's hear some facts.

Today, TransCanada has agreements with 60,000 landowners over 32,000 miles of pipeline. Under the original Keystone pipeline that goes through Nebraska, there were over 300 landowners involved in negotiations, four of whom objected. Three of those settled, one went to court; 300 versus four that were upset. And they got their day in court in the State of Nebraska, just like this bill preserves. If there are verifiable crop deficiencies, it's TransCanada's policy to make them whole.

Now, what will compel the State Department to complete this process?

They've had it for 5 years. The studies have been completed—the original NEPA, a supplemental, a Nebraska supplemental.

Mr. Speaker, this is the most studied pipeline in the history of mankind.

□ 1310

History is our greatest educator.

In 1973, Congress passed and President Nixon signed the Trans-Alaska Pipeline Act to “ensure that because of the extensive governmental studies already made of this project and the national interest in early delivery of North Slope oil to domestic markets, the trans-Alaska pipeline be constructed promptly without further administrative or judicial delay or impediment.”

That was 40 years ago we had the same problems; 2004 we have the same problems. And it took Congress to act to resolve them.

This will be the newest, most highly engineered pipeline in our history to resolve some of the questions from the gentleman from Colorado. Again, three separate environmental studies.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. I yield the gentleman an additional minute.

Mr. TERRY. The point of those is to study the impacts, if there is a spill, to not only the soil, the ecosystem, but the Ogallala Aquifer as well. Three different studies have dealt with that. All have scientifically concluded that there is negligible impact on the ecosystem, or in the artistic term “not significant.”

The most celebrated geologist in the State of Nebraska has said that it is impossible for the oil to get to the Ogallala Aquifer; but if it did, the water is still and won't move out of that and can be easily remedied.

Now, I'm not being impatient; the Republicans aren't being impatient. Our Nation of builders needs this pipeline, and I urge approval of both the rule and the bill.

Mr. POLIS. Mr. Speaker, the gentleman cited studies that apparently addressed his concerns about environmental impact. I would draw his attention to the fact that there were three draft studies—one that was actually finalized. All of them were on the old routing. The project itself has been revised. There have been zero studies, environmental studies for health and water, with regard to the new routing of the pipeline.

With that, I would like to yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the rule. Whether or not you support the pipeline, you should oppose this legislation. H.R. 3 is a reckless attempt to sideline environmental review and limit public input.

The majority claims that Keystone XL is the most studied pipeline in the

history of pipelines. Shouldn't a pipeline that is going to run the length of our country be exhaustively studied? We need to know the environmental impacts and truly weigh all the consequences, intended or not, of H.R. 3; and H.R. 3 would deny the American people and this Congress that opportunity.

Over 1 million Americans commented on the Supplemental Environmental Impact Statement. The President and his administration need time to analyze these comments and evaluate the impacts of this massive project. H.R. 3 shuts that process down and says it's ready to go.

This can't be about making the President look bad or the bottom line of a Canadian corporation. This is about doing what's right for this country.

This is no ordinary pipeline. It will transport dirty tar sands oil from Canada to Port Arthur, Texas. Tar sands oil produces 40 percent more carbon pollution than conventional oils.

Pretending that this pipeline has to be done and has to be done immediately is to hide from the reality of the consequences of this pipeline. We really don't need the oil. It is oil that will be primarily exported out of this country.

A recent study by Cornell University found that Keystone XL will divert more green jobs and contribute to more climate change than any other project. The claims of employment are hugely exaggerated.

We are having the wrong conversation. We should be talking about the future of real energy independence and alternative and renewable energy.

While I don't support H.R. 3 or Keystone XL, I think the decision lies with the President. That's why I am circulating a letter to the President to reject this lack of a Presidential permit.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, as chairman of the Foreign Affairs Committee, let me make it abundantly clear here: the pipeline is going to be built. The question is whether it's going to be built west to Vancouver, and then we're going to see the product shipped to our economic competitors; or will the pipeline be built south to our refineries in the United States.

There's a second point. We've got the cleanest burning refineries in the world. That is not true in terms of our economic competitors.

So from an environmental standpoint and from the standpoint of energy needs in the U.S., it makes no sense to advance the interests of our economic competitors.

Now, the U.S. energy costs have been declining. China's energy costs have been rising. Our country is becoming a more attractive place to manufacture

goods. We are also becoming more competitive, both with Europe and with Asia.

U.S. gasoline prices right now are 30 percent lower than China's, and U.S. electricity prices are 50 percent lower than Europe's. For those of us that have been involved in manufacturing in the past, we understand how important that is. We want energy prices lower here in the United States than they are overseas, not the other way around.

A reliable and efficient energy supply is, frankly, vital to our economic competitiveness; and unless we reverse course, we could squander the advantage we have right now. The Keystone pipeline will have a major positive impact on the economy at a time when millions of hard-pressed Americans are searching for work. Keystone will create an estimated 20,000 new direct jobs and we know hundreds of thousands of indirect jobs, not only in the States where the pipelines will be built and operated, but throughout the entire country.

Keystone is going to enhance our national security. Think about this for a minute. And, frankly, our Foreign Affairs Committee members, 24 of our Republican Members, wrote to the President in February saying that by providing secure access to petroleum from Canada, we would reduce our reliance on energy imports from countries in the OPEC cartel. The U.S. would be less vulnerable to political and security-related disruptions of our energy supply.

Well, that's the point. That's the objective here. And in the same vein, energy from Canada will enable us to reduce our dependence on unstable and unfriendly oil exporters. For example, while the Venezuelan regime remains openly hostile to the U.S., the country is our fourth largest source of oil. By contrast, Canada has long been one of our closest allies.

Our economies are joined together with Canada and our energy sectors are already integrated. We want to spend the money in Canada and have it circulated back over that border. Ninety percent of what Canada buys is made in the United States. We could have no better partner in our effort to ensure our energy security.

By obstructing the approval process, the administration not only prevents the benefits of the pipeline from materializing; it also chills the development for new projects. Think about this. At the present time, Canada and Mexico are major sources of American energy and offer enormous potential for the development of new oil and gas fields and greatly expanded cross-border energy trade.

Yet if our existing Federal bureaucracy is willing to impose excessive costs and continued delays on a project as sound as Keystone, what reasonable business will want to assume similar

risks going forward? I tell you what will happen: that pipeline will be built instead to Vancouver, British Columbia, and instead of the imports coming into the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. I yield the gentleman an additional 30 seconds.

Mr. ROYCE. The role of the State Department in the approval process is to determine whether the project serves the national interest. No one familiar with the facts would deny that it does, but the delays continue based on unfounded claims.

The State Department's own draft Supplemental Environmental Impact Statement on Keystone concluded that, in effect, there was no environmental reason not to approve the pipeline; yet still no action has been taken.

But it appears that not everyone in the administration got the message to slow this project down. This month, the U.S. Fish and Wildlife Service concluded that the proposed Keystone XL pipeline would have no negative impact on a wide range of threatened species—from the gray wolf, to the whooping crane, to the prairie fringed orchid. While it found that the project was likely to affect the American burying beetle, ABB, it concluded that Keystone XL's conservation measures "would likely result in a net increase in protected ABB habitat." So the one animal affected will actually be better off after the Keystone pipeline.

It is time to stop this charade. All reasonable objections to the pipeline have been fully addressed. Please pass the legislation.

□ 1320

Mr. POLIS. Mr. Speaker, it is my honor to yield 2 minutes to one of our leaders on energy policy, the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the gentleman from Colorado for his leadership, and I hope that we will continue this debate with my good friends on the other side of the aisle on this issue.

It is just very challenging to have a structure of legislation that deems approval and does not do what I think all of us want it to do, which is to get moving to provide these jobs and to do what America is uniquely noted for—that we cross the T's and dot the I's, that we make sure that the environmental concerns are answered. I rise on this rule to make several points.

Mr. RUSH and I offered an amendment to strike section 4. In this bill, it does not allow for judicial review. It allows for people in Kentucky or in Arizona or in Texas to come to the District of Columbia to file their cases in the Court of Appeals. As a member of the Judiciary Committee, I raised concerns about that. My bill struck the provision that eliminated judicial re-

view so that some burdened individual citizen couldn't just go into his Federal district court.

I had another amendment that is very near and dear to me that wants to give new life to the jobs and businesses in the energy industry, which is to create a report to ensure that women, small businesses, minority-owned businesses get their fair shake and that we have an overall commitment to hiring the new young graduates who are coming out, many of them from the diverse community, which we see the energy industry is still seeking to outreach because there is a great need for increased diversity in many of these fields. Amendment No. 2 would have added a nonseverability clause so that, if anything were found to be unconstitutional, we would go back to the drawing board for this entire bill.

Again, to have a major initiative be deemed approved, the Secretary of State authority deemed approved, the Presidential authority deemed approved, this is something that, my colleagues, we should work together on.

I would finally suggest that I hope my colleagues will support my amendment on extending to 1 year the period for filing. Let's work together and make sure we've got something that will create jobs.

Mr. Speaker, I thank Chairman SESSIONS and the Members of the Rules Committee for making in order my amendment that extends the time period for filing a claim arising under the Act from 60 days to 1 year.

Mr. Speaker, the Keystone XL Pipeline project raises several issues important to every Member of this House:

- Energy production and independence.
- Environmental protection and preservation.
- Job creation.
- Separation of powers and checks and balances.

Given the importance of these issues, I believe the House would have benefitted from a rule that provided for even more extensive and wide-ranging debate and that made more amendments in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment #4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment #3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business enterprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee Amendment #2 Amendment, would have added a non-severability clause to the bill, which states that: "if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void."

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in *pari materia*, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the Congressional intent that this bill is so delicately crafted, that it is “all or nothing.”

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter v. Carter Coal Co.*, 298 U.S. 238, 312 (1936):

“[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.”

This presumption becomes conclusive when Congress makes its intention clear, see *Carter v. Carter Coal Co.*, 298 U.S. at 312, by including a non-severability clause in the statute.

My amendment would have done just that.

For these reasons, I am opposed to the rule and cannot support it.

We can do better to create jobs, build the pipeline, and protect the environment. I will consider how to move forward.

Mr. Speaker, I have an amendment at the desk. It is Jackson Lee Amendment No. 1.

I thank the Members of the Rules Committee for making the amendment in order.

My amendment is simple and straightforward. It extends the time period for filing a claim arising under the Act from 60 days to 1 year after the date of the decision or action giving rise to the claim.

This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the Act in a single court—the U.S. Circuit Court of Appeals for the District of Columbia.

Think about that. The Keystone Pipeline is proposed to run from Alberta, Canada through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas all the way to the Gulf of Mexico.

And the only court in the country authorized to hear the claims of any resident of any of these States who seeks justice for a legally cognizable injury is located more than 1,000 miles away from their homes.

This will impose undue hardship and financial burdens on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer that they don't know and may have never met to represent their interests in a court in a far away land.

Another reason for extending the time period in which to file a claim from 60 days to 1 year is because by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing the legal action.

This is because the burden that must be shouldered by a plaintiff is very steep. To

challenge factual and evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that they are “not supported by substantial evidence in the record considered as a whole.”

To meet that standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

That takes time. And that is why my amendment is necessary.

Mr. WEBSTER of Florida. I just want to say that I know there is a desire to have more T's crossed and I's dotted. There are over 450,000 T's and I's in those 15,000 pages. We've done enough. It's time to build this pipeline. Keystone XL will help lower gas prices and will help protect against supply disruptions by putting downward pressure on oil prices by increasing supply to domestic markets.

In a memo from the Department of Energy regarding Keystone XL, it asserted that gasoline prices in all markets served by refiners on the east coast and gulf would decrease, including in the Midwest. Yes, it does do that. There are four things we said. One of them is the major one, which is that it creates jobs immediately; 42,100 were estimated by the Department of State in one of their four studies on this particular bill. I mean, we could go study after study after study with 10 different agencies looking over and over and over. There are no more studies to be done. It's time to make the decision. When should it be made? Now.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker and Members of the House, I rise in opposition to the rule and the underlying bill. I lament that fact because I'm one of those who supports the Keystone pipeline for the many reasons that have been stated here.

I know people have concerns about oil sands, tar sands or oil production processes, but that's a Canadian decision. The fact is that these oils are going to be moved by tens of thousands of railroad cars or trucks through the States or through a pipeline to the west. Pipelines are a proven environmentally safe and sound way to move oil around North America and the country.

I am in opposition to the bill because, in committee, it became apparent that the bill relieves a foreign corporation from all of the same obligations that domestic corporations are expected to honor. They are exempted from having to comply with the EPA, with the Army Corps permits for construction and maintenance. They are relieved of the responsibility to pay taxes on the oil flowing through those pipelines. They are relieved of responsibility for cleanup in the event of accidents. That is a prescription for nothing but trouble and disaster.

Mr. Speaker, those are the reasons that I speak in opposition to this rule and to this bill.

Mr. WEBSTER of Florida. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes remaining, and the gentleman from Colorado has 11 minutes remaining.

Mr. WEBSTER of Florida. I reserve the balance of my time in order to close.

Mr. POLIS. I would like to inquire of the gentleman if he has any remaining speakers.

Mr. WEBSTER of Florida. No.

Mr. POLIS. I would like to inform the gentleman that I have possibly one who, if he comes, I would like to yield to. Other than that, I am prepared to close, and I yield myself such time as I may consume.

Look, it has been talked about as to the impact on gas prices in the Midwest. There is no TAPS on this pipeline in the Midwest. It goes from Canada to the Gulf of Mexico to China and everywhere else. There can't even be TAPS on it in the Midwest because we're talking about unprocessed tar sands crude, which needs to be processed. It's a drop in the bucket in the global supply and has no impact on gas prices.

There are dozens of meaningful policies that we can talk about to reduce gas prices. Let's get to it rather than taking this important decision out of the context of the administration and out of the context of the process that Congress, itself, set up to co-op that very process for purely political purposes.

The Northern Route Approval Act exempts TransCanada from multiple loss, including treaty acts that we've passed, the Clean Water Act, and many others that my colleague Mr. NOLAN pointed out that American companies are subjected to. Yes, it's giving foreign companies preferential treatment over American companies.

Even though we don't know the cost of potential Keystone tar sands spills, we do know that American taxpayers will likely be stuck paying the bill for cleaning up and for the economic costs of these spills. Tar sands developers are exempt from paying into the Oil Spill Liability Trust Fund. Let me repeat that. Tar sands developers are exempt from paying into the Oil Spill Liability Trust Fund. That's a fund that normally collects an 8-cent per barrel excise tax on domestically produced crude oil to pay for spill prevention and mitigation efforts.

So they are exempt. They're not paying in. Like any oil that's pulled out of the ground in Texas or across our country, they're paying in because we know that oil spills happen; we know they have real economic and health costs; we know they affect agriculture and water—but oh, no, this project is exempt. Since tar sands are not considered conventional oil, TransCanada is

not required to pay into the trust fund for the oil it transports, while the data indicates that the tar sands crude can actually have a worse economic and environmental impact when spilled than conventional oil. We can't subject more communities like Mayflower to oil spills and then burden the U.S. taxpayers at a time of record deficits with paying for the cleanup.

Approving the Keystone XL pipeline through this bill would simply benefit foreign oil companies at the expense of the health and safety of the American people. There is a process in place to protect the health and safety of the American people, the economic welfare of the American people, jobs. This bill circumvents that process that Congress set up. If we want to change the process, let's have a debate about the process for approval and the statutory framework and work with the administration to come up with a better way to do it. Let's not go around our own process just because we may or may not like what we may or may not think is the outcome.

I urge the majority to stop wasting the American people's time with bills that are going nowhere and to turn towards addressing so many challenges we can agree on—reducing the deficit, improving the economy, improving the efficiency of the delivery of health care. Let's talk about reducing gas prices, the bipartisan bill that I've introduced with Mr. GOSAR and Mr. HECK and others.

□ 1330

Mr. Speaker, if we defeat the previous question, I'll offer an amendment to the rule to bring up H.R. 2070, Representative TIM BISHOP's bill to protect consumers from price gouging at the pump.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD along with the extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question, and I urge a "no" vote on the rule and the underlying bill.

This rule doesn't even allow for 10 minutes of debate or 5 minutes of debate or 1 minute of debate on the very commonsense amendments that have been brought forward by my colleagues like Mr. PETERS of Michigan and Mr. TONKO of New York.

Don't we have 1 minute to debate these important amendments? What are we doing that's so important? We didn't even go into session until noon today. Why didn't we go into session at 11:59 a.m. and have 1 minute for debate on these amendments? What are we

doing here, Mr. Speaker? We have the time to get it right. Let's do it.

I urge a "no" vote on the rule and the underlying bill, and I yield back the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I yield myself such time as I may consume.

First of all, the amendments that were talked about are amendments that would add to a process that we have said is very sacred. We don't want to change the process. We don't want to circumvent it.

We're not circumventing any process. Because this crosses a national boundary, there's only one thing left to do: we need the President to okay it. Every study that could be done—this started in 2008 and continued in 2009, 2010, 2011 and 2012, and now here we are in 2013. It's out of opportunities to be studied. It's time.

This rule provides for ample and open debate and makes in order proposals from both sides of the aisle.

As I stated before, this bill represents so much more than the approval of an 875-mile long pipeline. It represents 42,100 jobs, greater energy independence, and will benefit our Nation for generations to come.

The Keystone XL pipeline will allow 830,000 barrels of oil to flow each day to domestic refineries that employ hard-working Americans. This number represents half of our current daily crude oil imports from the Middle East. This will not only diversify our energy sources, but it will reduce our dependence on foreign oil from countries that in many ways do not share or respect our freedom and democracy.

As we speak, the southern gulf coast segment of the Keystone XL pipeline is being constructed. It didn't require Presidential approval for one reason: it didn't cross a national border. It was studied by the requisite State and Federal environmental agencies, it was approved, and now it's approximately 50 percent complete.

Four years and 15,000 pages represent more than enough time and paper to study this pipeline. Any more paper and we'll need an environmental impact statement to study the effects of the environmental impact statement.

Our Nation is crying out for job creation, energy independence, and lower gas prices. Today, we have the opportunity to answer that call and to remove the few remaining barriers that stand between Americans and the relief they desperately need.

I ask my colleagues to join me in voting in favor of this rule and passage of the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 228 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

Sec. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to

clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2070) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2070.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend

the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WEBSTER of Florida. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 194, not voting 16, as follows:

[Roll No. 167]

YEAS—223

Aderholt	Camp	Duncan (SC)
Alexander	Campbell	Duncan (TN)
Amash	Cantor	Ellmers
Amodei	Capito	Farenthold
Bachmann	Carter	Fincher
Bachus	Cassidy	Fitzpatrick
Barletta	Chabot	Fleischmann
Barr	Chaffetz	Fleming
Barton	Coble	Flores
Benishek	Coffman	Forbes
Bentivolio	Collins (GA)	Fortenberry
Bilirakis	Collins (NY)	Fox
Bishop (UT)	Conaway	Franks (AZ)
Black	Cook	Frelinghuysen
Blackburn	Cotton	Gardner
Bonner	Cramer	Garrett
Boustany	Crawford	Gralach
Brady (TX)	Crenshaw	Gibbs
Bridenstine	Culberson	Gibson
Brooks (AL)	Daines	Gingrey (GA)
Brooks (IN)	Davis, Rodney	Gohmert
Broun (GA)	Denham	Goodlatte
Buchanan	Dent	Gosar
Bucshon	DeSantis	Gowdy
Burgess	DesJarlais	Granger
Calvert	Duffy	Graves (GA)

Graves (MO)	McCarthy (CA)	Rothfus
Griffin (AR)	McCauley	Royce
Griffith (VA)	McClintock	Runyan
Grimm	McHenry	Ryan (WI)
Guthrie	McKeon	Salmon
Hall	McKinley	Sanford
Hanna	McMorris	Scalise
Harper	Rodgers	Schock
Harris	Meadows	Schweikert
Hartzler	Meehan	Scott, Austin
Hastings (WA)	Messer	Sensenbrenner
Heck (NV)	Mica	Sessions
Hensarling	Miller (FL)	Shimkus
Holding	Miller (MI)	Shuster
Hudson	Mullin	Simpson
Huelskamp	Mulvaney	Smith (NE)
Huizenga (MI)	Murphy (PA)	Smith (NJ)
Hultgren	Neugebauer	Smith (TX)
Hunter	Noem	Southerland
Hurt	Nunes	Stewart
Issa	Olson	Stivers
Jenkins	Palazzo	Stockman
Johnson (OH)	Paulsen	Stutzman
Johnson, Sam	Pearce	Terry
Jones	Perry	Thompson (PA)
Jordan	Petri	Thornberry
Joyce	Pittenger	Tiberi
Kelly (PA)	Pitts	Tipton
King (IA)	Poe (TX)	Turner
King (NY)	Pompeo	Upton
Kingston	Posey	Valadao
Kinzinger (IL)	Price (GA)	Wagner
Kline	Radel	Walberg
Labrador	Reed	Walden
LaMalfa	Reichert	Walorski
Lamborn	Renacci	Weber (TX)
Lance	Ribble	Webster (FL)
Lankford	Rice (SC)	Wenstrup
Latham	Rigell	Westmoreland
Latta	Roby	Whitfield
LoBiondo	Roe (TN)	Williams
Long	Rogers (AL)	Wilson (SC)
Lucas	Rogers (KY)	Wittman
Luetkemeyer	Rogers (MI)	Wolf
Lummis	Rohrabacher	Womack
Marchant	Rokita	Yoder
Marino	Rooney	Yoho
Massie	Roskam	Young (IN)
Matheson	Ross	

NAYS—194

Andrews	DeLauro	Kelly (IL)
Barber	DelBene	Kennedy
Barrow (GA)	Deutch	Kildee
Bass	Dingell	Kilmer
Beatty	Doggett	Kind
Becerra	Doyle	Kirkpatrick
Bera (CA)	Duckworth	Kuster
Bishop (GA)	Edwards	Langevin
Bishop (NY)	Ellison	Larsen (WA)
Blumenauer	Engel	Larson (CT)
Bonamici	Enyart	Lee (CA)
Brady (PA)	Eshoo	Levin
Braley (IA)	Esty	Lewis
Brown (FL)	Farr	Lipinski
Brownley (CA)	Fattah	Loeb
Bustos	Foster	Lofgren
Butterfield	Frankel (FL)	Lowenthal
Capps	Fudge	Lowey
Capuano	Gabbard	Lujan Grisham
Cárdenas	Galleo	(NM)
Carney	Garamendi	Luján, Ben Ray
Carson (IN)	Grayson	(NM)
Cartwright	Green, Al	Lynch
Castor (FL)	Green, Gene	Maffei
Castro (TX)	Grijalva	Maloney,
Chu	Gutierrez	Carolyn
Cicilline	Hahn	Maloney, Sean
Clarke	Hanabusa	Matsui
Clay	Heck (WA)	McCarthy (NY)
Cleaver	Higgins	McCollum
Cohen	Himes	McDermott
Connolly	Hinojosa	McGovern
Conyers	Holt	McIntyre
Cooper	Honda	McNerney
Costa	Horsford	Meeks
Courtney	Hoyer	Meng
Crowley	Huffman	Michaud
Cuellar	Israel	Miller, George
Cummings	Jackson Lee	Moore
Davis (CA)	Jeffries	Moran
Davis, Danny	Johnson (GA)	Murphy (FL)
DeFazio	Johnson, E. B.	Nadler
DeGette	Kaptur	Napolitano
Delaney	Keating	Neal

Negrete McLeod	Ruppersberger	Takano
Nolan	Rush	Thompson (CA)
O'Rourke	Ryan (OH)	Thompson (MS)
Owens	Sánchez, Linda	Tierney
Pallone	T.	Tonko
Pascarell	Sanchez, Loretta	Tsongas
Pastor (AZ)	Schakowsky	Van Hollen
Payne	Schiff	Vargas
Pelosi	Schneider	Veasey
Perlmutter	Schrader	Vela
Peters (CA)	Schwartz	Velázquez
Peters (MI)	Scott (VA)	Visclosky
Peterson	Scott, David	Walz
Pingree (ME)	Serrano	Wasserman
Pocan	Sewell (AL)	Schultz
Polis	Shea-Porter	Waters
Price (NC)	Sherman	Watt
Quigley	Sinema	Waxman
Rahall	Sires	Welch
Rangel	Slaughter	Wilson (FL)
Richmond	Smith (WA)	Yarmuth
Roybal-Allard	Speier	
Ruiz	Swalwell (CA)	

NOT VOTING—16

Clyburn	Markey	Titus
Cole	Miller, Gary	Woodall
Diaz-Balart	Nugent	Young (AK)
Garcia	Nunnelee	Young (FL)
Hastings (FL)	Ros-Lehtinen	
Herrera Beutler	Sarbanes	

□ 1400

Mr. McNERNEY and Ms. JACKSON LEE changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

(By unanimous consent, Mr. LUCAS was allowed to speak out of order.)

MOMENT OF SILENCE IN REMEMBRANCE OF VICTIMS OF RECENT TORNADOS

Mr. LUCAS. Mr. Speaker, as you're all well aware, it's been a tough week in the Southwest. In particular, it's been a tough few days in the Fourth District of Oklahoma.

Today, I rise to first thank you for your prayers and your thoughts and your good will, but I note also the tornado that rolled through Congressman TOM COLE's district in Oklahoma, from Newcastle through Moore and across the southern part of Oklahoma City. Congressman COLE is not with us today because he is still in Oklahoma, addressing the needs of and working with his fellow citizens and community members as they try to put themselves back together after this strike by an F-5 tornado.

Moore is particularly important to our colleague, Congressman COLE, because not only does he represent the community, but he was raised there, two generations of his family buried in the cemetery there. So it's a community that's important to him in many, many ways.

That said, the good folks in Moore and the other communities will, over the coming days, pull themselves back together. They'll finish sifting through every pile of rubble; they'll have made a determination that there's no one left to be saved, as they work frantically to try to do that; and they'll begin the process of laying to rest those who were lost and put their entire community back together.

While many folks are well aware of the importance of FEMA and the Federal response, Moore is a classic example—and this could be any community in the United States—of where, in the greatest tragedy, the most tragic loss of life, city government, county government, and State government come together to work seamlessly to help those in need and to recover those beyond help.

We in the Oklahoma delegation and our friends in the Texas delegation appreciate everything that you have and you will help do in this effort.

Mr. Speaker, with that, I yield to the gentleman who represents part of that area and just to the north, Oklahoma City, the great Fifth District of Oklahoma, Congressman LANKFORD.

Mr. LANKFORD. In the past week, Texas and Oklahoma have experienced a storm. We lost 6 in Lake Granbury, Texas; 2 in Shawnee, Oklahoma, on Sunday; and 24 in Moore, Oklahoma, including 10 children and 14 adults. We have been overwhelmed with the number of people that have come to us to say, "We're praying for you."

I would like to make a request that this body take a moment to pause and pray and experience a moment of silence in honor of those that have been lost and the recovery efforts ahead.

The SPEAKER pro tempore (Mr. WOMACK). Members will rise and the House will observe a moment of silence.

(By unanimous consent, Ms. EDDIE BERNICE JOHNSON of Texas was allowed to speak out of order.)

EXPRESSING SYMPATHY FOR THE VICTIMS OF THE RECENT TORNADOS

Ms. EDDIE BERNICE JOHNSON of Texas. As the Democratic side of the Texas delegation, I want to join the other Republicans that came up with the Oklahoma delegation and simply say that this is not a partisan issue. We stand ready to be of assistance to those people in Oklahoma.

I represent Dallas. That is closer to Oklahoma City than it is to Houston. No matter where tragedies may occur, we stand ready as American people to stand by those people who have been affected, notwithstanding party.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 185, not voting 20, as follows:

[Roll No. 168]

AYES—228

Aderholt	Gowdy	Pearce
Alexander	Granger	Perry
Amash	Graves (GA)	Peters (CA)
Amodei	Graves (MO)	Peterson
Bachmann	Green, Gene	Petri
Bachus	Griffin (AR)	Pittenger
Barber	Griffith (VA)	Pitts
Barletta	Grimm	Pompeo
Barr	Guthrie	Posey
Barton	Hall	Price (GA)
Benishek	Hanna	Radel
Bentivolio	Harper	Reed
Bilirakis	Harris	Reichert
Bishop (UT)	Hartzler	Renaacci
Black	Hastings (WA)	Ribble
Blackburn	Heck (NV)	Rice (SC)
Bonner	Hensarling	Rigell
Boustany	Holding	Roby
Brady (TX)	Hudson	Roe (TN)
Bridenstine	Huelskamp	Rogers (AL)
Brooks (AL)	Huizenga (MI)	Rogers (KY)
Brooks (IN)	Hultgren	Rogers (MI)
Broun (GA)	Hunter	Rohrabacher
Buchanan	Hurt	Rooney
Bucshon	Jenkins	Roskam
Burgess	Johnson (OH)	Ross
Calvert	Johnson, Sam	Rothfus
Camp	Jordan	Royce
Campbell	Joyce	Runyan
Cantor	Kelly (PA)	Ryan (WI)
Capito	King (IA)	Salmon
Carter	King (NY)	Sanford
Cassidy	Kingston	Scalise
Chabot	Kinzinger (IL)	Schock
Chaffetz	Kline	Schweikert
Coble	Labrador	Scott, Austin
Coffman	LaMalfa	Sensenbrenner
Collins (GA)	Lamborn	Sessions
Collins (NY)	Lance	Shimkus
Conaway	Lankford	Shuster
Cook	Latham	Simpson
Cotton	Latta	Smith (NE)
Cramer	LoBiondo	Smith (NJ)
Crawford	Long	Smith (TX)
Crenshaw	Lucas	Southerland
Culberson	Luetkemeyer	Stewart
Daines	Marchant	Stivers
Davis, Rodney	Marino	Stockman
Denham	Massie	Stutzman
Dent	Matheson	Terry
DeSantis	McCarthy (CA)	Thompson (PA)
DesJarlais	McCaul	Thornberry
Duckworth	McClintock	Tiberi
Duffy	McHenry	Tipton
Duncan (SC)	McIntyre	Turner
Duncan (TN)	McKeon	Upton
Ellmers	McKinley	Valadao
Farenthold	McMorris	Wagner
Fincher	Rodgers	Walberg
Fitzpatrick	Meadows	Walden
Fleischmann	Meehan	Walorski
Fleming	Messer	Weber (TX)
Flores	Mica	Webster (FL)
Forbes	Miller (FL)	Wenstrup
Fortenberry	Miller (MI)	Westmoreland
Foxx	Mullin	Whitfield
Franks (AZ)	Mulvaney	Williams
Frelinghuysen	Murphy (FL)	Wilson (SC)
Gardner	Murphy (PA)	Wittman
Garrett	Neugebauer	Wolf
Gerlach	Noem	Womack
Gibbs	Nunes	Woodall
Gibson	Nunnelee	Yoder
Gingrey (GA)	Olson	Yoho
Gohmert	Owens	Young (IN)
Goodlatte	Palazzo	
Gosar	Paulsen	

NOES—185

Andrews	Brownley (CA)	Clarke
Barrow (GA)	Bustos	Clay
Bass	Butterfield	Cleaver
Beatty	Capps	Cohen
Becerra	Capuano	Connolly
Bera (CA)	Cardenas	Conyers
Bishop (GA)	Carney	Cooper
Bishop (NY)	Carson (IN)	Costa
Blumenauer	Cartwright	Courtney
Bonamici	Castor (FL)	Crowley
Brady (PA)	Castro (TX)	Cuellar
Bralley (IA)	Chu	Cummings
Brown (FL)	Cicilline	Davis (CA)

Davis, Danny	Langevin	Rangel
DeFazio	Larsen (WA)	Richmond
DeGette	Larson (CT)	Roybal-Allard
Delaney	Lee (CA)	Ruiz
DeLauro	Levin	Ruppersberger
DelBene	Lewis	Rush
Deutch	Lipinski	Ryan (OH)
Dingell	Loeb sack	Sanchez, Linda
Doggett	Lofgren	T.
Doyle	Lowenthal	Sanchez, Loretta
Edwards	Lowe y	Schakowsky
Ellison	Lujan Grisham	Schiff
Engel	(NM)	Schneider
Enyart	Lujan, Ben Ray	Schrader
Eshoo	(NM)	Schwartz
Esty	Lynch	Scott (VA)
Fattah	Maffei	Scott, David
Foster	Maloney,	Serrano
Frankel (FL)	Carolyn	Sewell (AL)
Fudge	Maloney, Sean	Shea-Porter
Gabbard	Matsui	Sherman
Gallego	McCarthy (NY)	Sinema
Garamendi	McColum	Sires
Grayson	McDermott	Slaughter
Green, Al	McGovern	Smith (WA)
Grijalva	McNerney	Speier
Gutierrez	Meeks	Swalwell (CA)
Hahn	Meng	Takano
Hanabusa	Michaud	Thompson (CA)
Heck (WA)	Miller, George	Thompson (MS)
Higgins	Moore	Tierney
Himes	Moran	Titus
Hinojosa	Nadler	Tonko
Holt	Napolitano	Tsongas
Honda	Neal	Van Hollen
Horsford	Negrete McLeod	Vargas
Hoyer	Nolan	Veasey
Huffman	O'Rourke	Vela
Israel	Pallone	Velázquez
Jackson Lee	Pascrell	Visclosky
Jeffries	Pastor (AZ)	Walz
Johnson (GA)	Payne	Wasserman
Johnson, E. B.	Pelosi	Schultz
Kaptur	Perlmutter	Waters
Keating	Peters (MI)	Watt
Kelly (IL)	Pingree (ME)	Waxman
Kennedy	Pocan	Welch
Kildee	Polis	Wilson (FL)
Kilmer	Price (NC)	Yarmuth
Kind	Quigley	
Kuster	Rahall	

NOT VOTING—20

Clyburn	Issa	Poe (TX)
Cole	Jones	Rokita
Diaz-Balart	Kirkpatrick	Ros-Lehtinen
Farr	Lummis	Sarbanes
Garcia	Markey	Young (AK)
Hastings (FL)	Miller, Gary	Young (FL)
Herrera Beutler	Nugent	

□ 1413

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NORTHERN ROUTE APPROVAL ACT

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3.

The SPEAKER pro tempore (Mr. JOYCE). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 228 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3.

The Chair appoints the gentleman from Arkansas (Mr. WOMACK) to preside over the Committee of the Whole.

□ 1416

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

The gentleman from California (Mr. DENHAM), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. WAXMAN), the gentleman from Washington (Mr. HASTINGS), and the gentleman from New Jersey (Mr. HOLT) each will control 15 minutes.

The Chair recognizes the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, I yield myself such time as I may consume.

I thank the chairman for the time to express my views on H.R. 3, which will generate numerous benefits to the Nation and its economic growth. This pipeline will create American jobs, enhance our energy independence, and strengthen our national security.

I am proud to say that I'm a cosponsor of this legislation because it represents a significant opportunity to create jobs and spur economic growth in our country. Furthermore, this bill will help the Nation become more energy independent.

According to the Department of Energy, the pipeline will transport 830,000 barrels per day of oil from Canada to the gulf coast, totaling nearly half of our current daily imports from the Middle East. This bill makes these numerous project benefits a reality. What this boils down to is breaking through bureaucratic hurdles and making this project a priority.

The southern leg of the Keystone XL pipeline has already been approved, and this bill finishes the job, allowing construction of the northern route of the pipeline to move forward.

This bill also ensures that the environment and its historic resources are protected, through the 5 years of studies that have already been completed on this project. Indeed, this has been the most studied project in our country's history.

It also ensures that the project's routing through Nebraska, the primary

objection with the permit when it was denied in 2012, is the route chosen by the people of that State. Simply put, as President Obama said regarding the southern route, this bill "cuts through the red tape."

The project is the most extensively studied and vetted pipeline project in the history of this country. Given the nearly 5 years of study and review of the Keystone XL project—with four State Department environmental impact statements and over 15,000 pages of publicly released documents—we know the ins and outs and all about this pipeline.

I believe in an all-of-the-above energy strategy, and this legislation is one piece of that puzzle to break America's dependency on overseas foreign oil.

□ 1420

Finally, it is important to remember that this project will be built with private dollars and create thousands of private sector jobs. This project has passed through all three committees with bipartisan support, and I urge my colleagues to support this critical legislation.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 17, 2013.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN SHUSTER, I am writing concerning H.R. 3, the "Northern Route Approval Act."

As you know, H.R. 3 contains a section on judicial review, which is within the Committee on the Judiciary's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 3, the Committee on the Judiciary will not assert its jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the CONGRESSIONAL RECORD during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,
BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 20, 2013.
Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3, the Northern Route Approval Act. I appreciate your willingness to support expediting floor consideration of this legislation.

I acknowledge that by forgoing a sequential referral on this legislation, the Committee on the Judiciary is not diminishing or altering its jurisdiction with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3 in the CONGRESSIONAL RECORD during floor consideration of this bill.

Sincerely,
BILL SHUSTER,
Chairman.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, I voted for every piece of pro-Keystone pipeline legislation that was brought before this body—every piece of pro-Keystone pipeline legislation. But something has happened along the way between then and now. That something is called a hijacking of this bill by the right wing.

I support the Keystone pipeline project. I believe it will be an important element in our domestic energy infrastructure.

Last Congress, I was pleased to support and vote for Keystone legislation that was considered and passed by the House, including H.R. 1938. However, I am opposed to the pending measure primarily due to section 3 of the bill.

The bill we are considering today is vastly different from H.R. 1938. That was reasonable, responsible legislation. H.R. 3 is absolutely not.

Instead of taking the straightforward approach that H.R. 1938 did, which set a specific deadline for the President to grant or deny a permit for the Keystone pipeline, the pending measure completely eliminates the requirement for a permit. It waives a permit, and it deems a permit application by a foreign company for a major undertaking in the United States to be approved.

As I said, I want to see this pipeline built, but it will not be built under this proposal. Waiving permits? Deeming permit applications approved? For a foreign company? We don't even do that for our domestic companies.

Everybody in this country understands that you need a permit for certain activities. You need a permit to drive. You need a permit to mine coal. You need a permit to build a highway. You need a permit to construct a shopping mall. You even need a permit, a license, to get married.

So what right do the promoters of this bill have to jeopardize this pipeline with such a frivolous proposal? That is exactly what we're doing with this legislation.

Make no mistake about it, this is a bumper sticker bill, ideology driven, born of fancy, not fact. Jobs hang in the balance here, an important supply of energy held hostage. This bill is a mockery.

It boils down to this: right-wing politics trumping what is right, what is correct, and what is just for this pipeline to proceed through the permitting

process—to be built, to put people to work.

So let's get serious. Let's dispense with the kindergarten tactics. Too much is on the line here. While the promoters of this bill play politics, I can assure them that this is no laughing matter in the heartland of America.

It is my hope that this bill can be approved during House consideration today and that I will be able to support it by the time we reach final passage. Otherwise, I will vote "no" in recognition of what this bill is as currently drafted.

I reserve the balance of my time.

Mr. DENHAM. This is a very serious matter. Thousands of jobs, American jobs, are on the line. Energy independence is on the line. When is enough enough? Five years? six years? ten years? When will we utilize North American oil in North America?

Mr. Chairman, I wish to yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act, which allows construction of the Keystone XL pipeline. I'm happy to say it passed out of full committee in Transportation and Infrastructure on May 16 with a bipartisan vote of 33 to 24.

My good friend from California is right: When is enough time enough?

My good friend from West Virginia asked: What gives us the right? What gives us the right is the Constitution.

The House of Representatives, the Senate, the legislative body, to pass laws, to move things forward, 5 years is way too long. We need to develop the energy in America. We need to bring energy from our good friends from Canada. This all adds to the regulatory burden that this administration has put on us.

This pipeline is the lifeline that powers nearly all of our daily activities.

The hallmark of America's 2.5 million-mile pipeline network continues to be that it delivers extraordinary volumes of product reliably, safely, efficiently, and economically. Pipelines are the safest and most cost-effective means to transport the products that fuel our economy. In fact, pipelines provide more than two-thirds of the energy used in the United States. The Keystone XL project will be a critical addition to this extensive network, increasing our Nation's supply of oil, and thus helping to reduce the cost of fuel used in the transportation sector.

H.R. 3 is a commonsense bill that allows construction, maintenance, and operation of the Keystone XL pipeline to move forward. The pipeline has been subject to extensive environmental reviews already conducted. In fact, it is the most studied pipeline in the history of America.

The bill would require no Presidential permit process for the approval

of the pipeline, and therefore avoids further political delays of this project.

Of particular interest to taxpayers, this pipeline doesn't require one Federal dollar.

Further, the very nature of infrastructure creates jobs, and the Keystone is no exception. In fact, the U.S. State Department estimates that Keystone XL will produce 42,000 jobs—jobs that will not be created unless this project goes forward.

The CHAIR. The time of the gentleman has expired.

Mr. DENHAM. I yield the gentleman an additional minute.

Mr. SHUSTER. This project will have a significant positive economic impact, including an estimated \$3.3 billion in direct expenditures for construction and materials and \$2.1 billion in earnings.

Finally, as noted throughout the process, the Keystone XL will be the safest pipeline ever constructed. Let me repeat that: the safest pipeline ever constructed. It should be approved without further delay.

I urge all of my colleagues to vote for this pipeline to help secure America's energy independence.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the ranking member on our Transportation Freight panel, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to the Northern Route Approval Act, which would deem the Keystone XL pipeline approved.

The National Oceanic and Atmospheric Administration just measured almost 400 parts per million of atmospheric carbon dioxide, well beyond the 350 parts per million many scientists warn is the level we must not cross to avoid severe climate impacts. Any rational person who doesn't want more Hurricane Sandys or more Oklahoma hurricanes would recognize that we must focus on developing renewable energy sources and reducing our dependence on fossil fuels, and yet this bill mandates the approval of a pipeline that will allow Canada to deliver 830,000 barrels per day of tar sands oil to gulf coast refineries.

Tar sands oil is difficult to extract, and the process is destructive and toxic. Producing tar sands oil results in at least 14 percent more greenhouse gas emissions than conventional oil. For those concerned about climate change, the Keystone pipeline is a non-starter. We cannot allow such a gigantic and irreversible step backward in the fight against global warming.

H.R. 3 goes well beyond the merits of the pipeline itself. This bill sets a dangerous precedent, undercutting our environmental laws and short-circuiting the review process. It deems the pipeline approved by Congressional mandate. It locks in the administrative record as of a date certain, eliminates

the requirement for a Presidential permit normally required for cross-border pipelines, and it mandates the issuance of permits, not just for construction of the pipeline, but for operation and maintenance as well, or, in other words, in perpetuity. It deems all the environmental and safety laws satisfied regardless of the facts.

It also manages to undermine a citizen's fair access to judicial review. The bill appears to grant the right of judicial review by giving the D.C. Circuit jurisdiction to hear any challenge to the adequacy of the environmental impact statement. But the bill also states that the EIS "shall be considered to satisfy all requirements" of the National Environmental Policy Act. So, the court is told, you have jurisdiction, but here is what you are going to find; never mind your own judgment.

The bill also states as a matter of law that section 404 of the Clean Water Act, section 10 of the Rivers and Harbors Act, the Mineral Leasing Act, the Federal Land Policy and Management Act of 1976, the Migratory Bird Treaty Act, and the Endangered Species Act are all satisfied. So the fix is in before you ever get to court. I'm not sure what would be left for a court to review.

□ 1430

Mr. DENHAM. Mr. Chairman, I wish to yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you to the gentleman from California for yielding.

Many of my colleagues are correct. We do need a permitting process, but this bill is what needs to happen when the permit process breaks down. Keystone is going to create the tens of thousands of jobs that many of us in this Chamber go back to our home districts and talk about being created; but a piece of paper, with the lack of signature, is holding this up. Just this past week, our President stood and said he wanted to make sure that we shortened the time that permits like this take, that we shorten the process so that America can begin to put our trades and labor folks back to work again.

This, Mr. President, is your time in history in which you can sign this permit, create tens of thousands of jobs, and really prove to us that you're serious about reining in this regulatory process.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to a valued member of our committee, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. I thank the ranking member for the time. I also thank him for his longtime commitment to American energy independence.

I, too, share that. I have been the supporter of a bipartisan energy bill that brought environmental groups and The Heritage Foundation together and

said maybe we can find some solutions to this. I have been a supporter of this project from the beginning. The problem is, today, this bill has nothing to do with that. It has to do with politics. Today is an example of why this body is less popular than hepatitis amongst the American public. It's not only not going to do anything; it's going to set us back.

Many of us want this project done, but I have to tell you that the worst thing we can do is build this and have a problem with it. We hear about the number of pages of regulations that are there. Maybe we needed a couple more with BP, and we wouldn't have been cleaning up after that mess. You don't have to choose between building it and compromising safety. You do it right if we're going to do it. Unfortunately, that's not what we're doing. You deem it, and you give away those rights.

It's personal for me. I grew up in the Nebraska Sandhills. It was the good people of Nebraska and the Republican Governor who told us to step back, to slow down, and to pick a different route—and finished it in January of this year. So when you hear about all of the process, process gets it right. I have to tell you—and I do agree with my colleague on this—that there are jobs to be created here. We send \$1 billion a day for oil to countries that hate us. They'll hate us for free. Keep it here. We don't have to do this. There have also been delays in this project. This bill is a bridge way too far.

Be honest with the people—this is not by building it is going to lower gas prices. It's not the long-term solution to our energy needs. There is no guarantee we'll even get the oil in this country. But we can come together, build a piece of it, and expand our portfolio.

We shouldn't be muddying it up with wedge issues. The last time we had this vote, I voted with it all these times; but one time the political arm of my friends sent a notice out to my hometown newspapers asking why TIM WALZ wants to raise your gas prices and isn't with America. They forgot and got it wrong. I voted with them. That press release today is already written, and they're sending it back. It's not going to do anything except to hurt the American people's faith in our democracy. You're not going to get cheaper gas prices. You're not going to have this thing built overnight; you risk danger.

The American people aren't stupid. Don't treat them that way.

The CHAIR. The time of the gentleman has expired.

Members are reminded to heed the gavel.

Mr. DENHAM. Mr. Chairman, I wish to yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank Chairman DENHAM for yielding

me this time, and I want to commend Chairman SHUSTER and the gentleman from Nebraska (Mr. TERRY) for bringing this bill to the floor at this time.

This is a very important bill. As Speaker BOEHNER said on the floor yesterday, it would create 20,000 direct jobs and about 100,000 indirect jobs. The State Department estimated 42,100 direct jobs, and these are American jobs. We have millions of people—too many millions—who are unemployed, Mr. Chairman, and many millions more who are underemployed, who are having to work at jobs far below their skills, talents, and abilities. This will create good American jobs. There would be 830,000 barrels of oil a day being piped down. By itself, maybe it wouldn't bring down gas prices, but it certainly would keep OPEC and some of these other foreign energy producers from raising their prices as fast as they surely would like to and have done in the past.

I can tell you that, if we don't pass this bill and similar bills to increase energy production in this country, all we're going to be doing is helping OPEC and other foreign energy producers. It's time we start putting our own people, our own workers first, start putting our own country first again; and we need to pass this bill to help in that process.

Mr. RAHALL. Mr. Chairman, may I have a time check.

The CHAIR. The gentleman from West Virginia has 8 minutes remaining. The gentleman from California has 7¼ minutes remaining.

Mr. RAHALL. I yield 1½ minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership on this and in so many other areas.

I rise in opposition to H.R. 3. It is a very bad deal. It's bad for our environment, our energy policy, American workers, and a bad deal for America in general.

In the way this bill is written, a foreign company pumping a very dirty form of oil all the way across this country would not have to pay a dime into our oil spill liability trust fund to do. Under this bill, the highly polluting tar sands that the pipeline carries would produce over 40 percent more carbon pollution than conventional oil and would increase America's dependence on one of the single dirtiest petroleum products there is just as the predictions of climate change catastrophes grow more dire each and every day, and that is just not right for America's future.

H.R. 3 leaves Americans with all of the risk of spills, environmental damage, and air and water pollution, but none of the lasting rewards. It's a bad idea and it's bad policy, and I urge my colleagues to vote against it.

Mr. DENHAM. There is a lot of confusion out there, obviously, on this very important issue.

Some would say, Canada oil? We currently bring 590,000 barrels per day from Canada through the current Keystone pipeline. Keystone XL just gives us an opportunity to have another 830,000 barrels.

Some would say, Why are you going to do this as this has never been done before? But my colleague has already voted for a piece of legislation like this dealing with the Alaskan pipeline in which they expedited the NEPA process, and it was affirmed by a voice vote of the entire House. When the project is right to get it done, it's right. These are American jobs that we need.

Mr. Chairman, I wish to yield 1½ minutes to the gentleman from Florida (Mr. RADEL).

Mr. RADEL. Gas and groceries. Ask yourself: Is there anything else that eats more into your budget day in and day out?

When we talk about your family budget, wouldn't it be great if your dollar could go further? Better yet, at least the prices could stay normal instead of changing every week.

Think about it: gas and grocery prices are all over the place. One week, you go pay for your gas and buy your groceries and maybe have some extra money in your pocket for date night on the weekend; but the next week, the prices shoot up, and you barely have enough money to pay for your rent.

But I've got great news—cheaper prices at the pump and a less expensive grocery bill start right here and right now with the approval of the Keystone pipeline.

This issue is really as bipartisan as you can get. Why? Because it means jobs, jobs, jobs. We're not talking Republican or Democrat, red or blue. We are talking about green, meaning more money in your pocket. In that bipartisan spirit, even union members support this pipeline because they know how many jobs will be created. With Republican leadership, we are going to get this done.

Union members, this is about you. This is about your opportunity, your job.

Not only is this about jobs; it's about our national security here in the United States.

Ask yourself: Do you really want to continue sending money to countries that really don't have the best intentions for us in mind, or do you want energy independence, meaning a safe and secure United States for you and your family for generations to come?

Of course, it's more money in your pocket the next time you go to get some gas in your car or buy your groceries. This is about you, your family, your dreams.

Mr. RAHALL. I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I wish to yield 1½ minutes to the gentleman from South Carolina (Mr. RICE).

□ 1440

Mr. RICE of South Carolina. Mr. Chairman, I rise today to express my support for this legislation. American competitiveness is my primary focus. The nameplate on my desk says: jobs, jobs, jobs.

We've created a regulatory morass in this country that stifles progress on all fronts. We've got to get the government off the backs of our job creators.

When I hear that this project has been studied for more than 1,700 days—5 years, that it would create more than 40,000 jobs at a time when jobs are so desperately needed, and that it would drive down the cost of energy and cut our oil imports from OPEC in half, and that the State Department has reviewed it and found that it exhibits no significant environmental hazards, and yet the administration still refuses to issue the permits, I'm appalled.

We can study this project forever, and we will never resolve every possible question. This used to be a can-do country. If the administration will not make a decision, Congress should. Let's stop wringing our hands, approve this project and move forward.

Mr. RAHALL. Mr. Chairman, I'm pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), who, like me, is a supporter of the Keystone pipeline.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank our ranking member from the Transportation and Infrastructure Committee for allowing me to speak.

I've been a longtime supporter of the Keystone XL pipeline. I'm frustrated that the pipeline has still not been approved after four favorable environmental impact statements. It's time for the administration to approve the project.

I actually represent the refineries where most of the oil sands product will go. The fact is that these refineries will continue to seek supplies of heavy crude oil whether the Keystone XL pipeline is approved or not. The problem is that if the President does not approve the Keystone pipeline, he will force these facilities to continue to purchase oil from unstable, foreign countries with very few environmental regulations.

I want my Democratic colleagues to understand that even if we made all the investments we want to in alternative energy—and I support that—we still need to rely on oil for the next 25 or 30 years. This number comes from our administration. So if we have to purchase oil from somewhere, doesn't it make sense to purchase it from a province that regulates carbon?

I plan to support the bill this afternoon. But let me be clear about a cou-

ple of things: I support the bill because it's a message bill, and it's time for the administration to stop stalling and make a decision.

There are provisions of the bill I don't like. I do not support the precedent and policies laid out in section 4 through section 8. I also don't know why we continue to send bills that don't have a chance in the Senate except to tell them the House again will support the pipeline.

I hope this vote will put this issue behind us because I have 5 refineries in east Harris County that are ready to use that heavier crude because they're importing it from other countries like Venezuela. I would rather import it from Canada, our closest neighbor.

Mr. DENHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as I think of this as a great opportunity for Oklahoma and the rest of the States.

In Oklahoma, we know the value of hard work, dedication to one another and making commonsense decisions when we're given the opportunity.

Common sense tells us that the Keystone pipeline should be approved. However, during my short time in Washington, I've found that common sense is one thing this town lacks.

My congressional district is one of the hardest-working in the Nation. The southern leg of the Keystone pipeline is a significant job creator and economic developer directly to our local communities.

Listen to these figures. The southern leg of the project is bringing in \$5 million a month in construction and other expenses, plus 1,000 jobs, into my State alone. Approving the northern leg will bring similar economic benefits to areas along the northern route. Every cup of coffee those workers buy in a small town adds up.

Completion of the pipeline would result in 830,000 barrels of oil a day from Canada and the Bakken oil fields in North Dakota and Montana. These are friendly and reliable North American sources. With the approval and completion of the Keystone pipeline, we will significantly reduce our dependency on crude oil from regions such as the Middle East and Africa.

Pipelines are a proven safe way to transport crude oil.

Our country is at a crossroads. Will we take the path that leads to energy independence, job growth, and prosperity, or will we continue to delay?

The Keystone pipeline is an opportunity for America to lead. The time has come to put the interests of the country first, not the party, and approve the Keystone pipeline.

Mr. RAHALL. Mr. Chairman, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman from California has 2¾ minutes remaining,

and the gentleman from West Virginia has 5 minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chairman, 5 years and still no decision.

What does 5 years mean? Well, World War II, where we mobilized America, we went to war, we fought for our liberty and our national security on two fronts, thousands and thousands of Americans worked in our factories, went off to win a war in less than 5 years, but yet we can't get a decision out of the White House for 5 years on this project? Are you kidding me?

If we had to wait for the environmentalists to make up their mind, we never would have built the Panama Canal.

This pipeline needs to go down to Texas near my district, 20 percent of the Nation's refineries. It's a national security interest.

Some of my friends on the other side have been bad-mouthing Canada. Let me tell you something. If the United States and Canada and Mexico can work together on an energy policy and make a North American energy policy, we can make Middle Eastern politics irrelevant. This pipeline will bring in as much crude oil as we get from Saudi Arabia.

Mr. President, pick a horse and ride it. Sign the deal.

The CHAIR. The Chair reminds Members to address their remarks to the Chair.

Mr. RAHALL. Mr. Chairman, I'm prepared to close, although I do have a couple of Members lurking in the hallway here somewhere threatening to come to speak. So maybe I'll slowly close unless the gentleman from California wants to use his time.

Mr. DENHAM. Mr. Chairman, I'm ready to close as well, and I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

We've had a short debate here, and I'm sure it will continue during the amendment process. My concerns are as I stated in my opening comments. The fact that we are deeming a foreign company the outright right, giving them a permit, without any further requirements or actions needed, is of deep concern to me.

As I said, I have many coal companies that mine in a responsible way in West Virginia. They've gone through the responsible processes of obtaining a permit. Granted, they're having trouble in some areas. At least they know that they have to obtain a permit to mine.

They're not asking to outright be deemed to have a permit without having to show how responsible they are in their operations. But in this legislation, to give a foreign company an outright application, is truly concerning

to this particular Member who supports the pipeline project.

We had some discussion in committee last week about what I and others view as preferential treatment for a foreign company, and some on the majority side of the aisle refused to concede that TransCanada is a foreign company or even that Canada is a foreign country. You know what? The last time I checked, you do need a passport to enter Canada.

That's really beside the point, but I did want to raise it since I'm sure it will come up before this debate is concluded.

The point is that this bill waives a permit for such a major undertaking. And these companies that are producing these tar sands in Canada like Exxon, Shell, Valero, CNRL, Conoco for TransCanada, I daresay that they have to obtain a permit from the Canadians to undertake such operations to build this pipeline, and now we're saying they don't have to in our country. For a foreign country, it is troubling that we would grant such a permit outright, to deem that they have met all safety and environmental requirements when we don't even do that for our own domestic companies.

With that, I would urge a "no" vote on H.R. 3 today, unless of course during the amendment process my amendment, which is to strike section 3, were to miraculously be adopted by this body. Then, perhaps, I could support the legislation. But other than that, I urge a "no" vote on the legislation.

So I yield back the balance of my time.

□ 1450

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

A lot has been talked about here, but let me get back to the facts. This legislation, if passed, would be passed in the same way as in 2004 when the Alaskan natural gas pipeline was passed by the entire body on a voice vote. Members who are complaining about this bill voted for that very same type of legislation. The thing that gets talked about is the pipeline was deemed. That legislation was deemed. The pipeline was deemed to be in the national interest. This is in our national interest—energy independence, American jobs. There is a reason to expedite this, let alone waiting 5 years. We can't afford to wait another 5 years to have an expedited NEPA process like it was that the gentleman had supported in the past.

It has been talked about that this is a Republican bill; it's a Republican end-around. Yet the AFL-CIO is supporting the bill; the National Brotherhood of Teamsters; the International Union of Operating Engineers; the National Electronic Contractors Association; as well as the U.S. Chamber and National Taxpayers Union.

This is about American jobs. Whether you are union or nonunion, whether you're a member of the Chamber of Commerce or not, this is about getting people back to work and being energy independent.

This is a bipartisan bill that simply cuts through the very red tape that the President continues to complain about and helps this Nation realize the benefits of this project, the energy independence of our Nation. Mr. Chairman, I encourage all Members to support this bill.

I yield back the balance of my time. Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of the Keystone pipeline and in strong support of the Northern Route Approval Act, which will finally make this project a reality for the American people.

There may be a few of my colleagues who are tired of Keystone bills, but the American people are also tired. And they're tired of \$3.70 a gallon of gasoline. They're tired of unemployment above 7 percent. They're tired of 4 years of delays that continue to block this critical jobs and energy project. Remember that the President said only last year that he would do "whatever it takes" to create U.S. jobs.

Every stated reason for previous delays has now been addressed—most recently, a reroute of a portion of the pipeline through Nebraska. In fact, you can count Nebraska's Governor among the many Americans who want to see the Keystone pipeline built. And while some may try to make this a partisan issue here in the Congress, it is not a partisan issue across the country, with a majority of Americans—Democrats, Republicans, Independents—supporting the pipeline, including a vote last March on the Senate budget.

I give credit to President Obama for saying some of the right things as of late. Just last week during a visit to Baltimore manufacturer Ellicott Dredges, at that factory the President declared:

One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are these permits and red tape and planning and this and that, and some it's important to do, but we could do it faster.

Those are his words.

Well, guess what, the very day before, the president of that same company was here on Capitol Hill testifying in support of the Keystone pipeline and how it would help his business. The President has it exactly right, and Exhibit A is the Keystone pipeline.

Some are trying to claim this bill is an unprecedented attempt to rush the process. Give me a break. In truth, the only thing that is unprecedented is the lengthy delays we have already encountered for a project that has been the subject of over 15,000 pages of Fed-

eral environmental review and, yes, found to be safe.

Congress faced much of the same dilemma 40 years ago when the Federal red tape was holding up a project called the Alaska pipeline. At the time, Congress realized that the bureaucratic process had gotten out of hand and that a pipeline that was clearly in the national interest was being subjected to never-ending delays. But thanks to the bipartisan 1973 Trans-Alaska Pipeline Authorization Act, the red tape was cut, the ground was broken, and the project was built. It became an incredible success story, a game-changer for American energy policy, providing thousands of jobs, billions of barrels of oil while safeguarding Alaska's environment. Guess what, H.R. 3, this bill, takes much of the same approach for the Keystone pipeline.

Unfortunately, while the delays over the Keystone grow longer, so do the excuses. Some argue that Keystone won't create very many jobs and most of them would be temporary. Tell that to the labor unions and the American workers who are begging for this pipeline to be built. Even the administration's own State Department found that Keystone would support over 40,000 jobs during the pipeline's construction. That's a lot of jobs to me. And the paychecks created by the Keystone pipeline would be paid for by the private sector, not taxpayer dollars.

Some also claim that Keystone won't impact gas prices. Well, the law of supply and demand still stands. Keystone is going to deliver up to a million barrels a day of Canadian oil to American refineries. And remember, already today, we're getting 1.5 million barrels from Canada from the oil sands.

So if the pipeline isn't built, guess what, the oil is going to come by truck or by rail, certainly a riskier form of transport, not nearly as cost efficient as the Keystone pipeline would be. This will be the most technically advanced and safest pipeline ever constructed. It will cost probably \$4 million to \$5 million a mile, adhering to the new pipeline safety standards that we worked together on on a bipartisan basis, signed by the President last year, adding 57 additional safety standards specific to the project. So for that reason, Mr. Chairman, we need to support the bill.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself 3 minutes.

Today, the House Republicans are making their fourth attempt in 2 years to grant special treatment to TransCanada's Keystone XL tar sands pipeline. That's what happens when you let the oil companies set the agenda.

Rather than tackling the real problems facing American families, we're passing legislation to exempt a foreign company from the rules that every

other company in America has to follow. And, of course, last week we voted for the 37th time to repeal the Affordable Care Act. We're trampling our rule of law to speed Canada's dirty tar sands oil to the gulf, where it can be refined and sent to other countries tax free.

That's great for the tar sands developers and refiners, like the Koch brothers and Valero, but this bill will hurt American families. It won't lower gas prices by a single penny, and it may even raise them. It will lock us into more global warming and risk our farmlands and our water supplies. No wonder Americans are cynical about Congress.

I oppose the Keystone XL tar sands pipeline because it will worsen climate change.

Keystone XL will lock the United States into decades of dependence on dirtier tar sands crude, reversing the carbon pollution reductions we have been working so hard to accomplish. Experts tell us that this Keystone XL will triple production of the tar sands, and that's simply not consistent with any future scenario for avoiding catastrophic climate change. We don't need it. We have our own sources of oil here in the United States, and we're using less oil because of our efficiency in new cars that are getting better mileage.

So I oppose this bill for these reasons; but even if you support the pipeline, you should oppose this bill.

□ 1500

H.R. 3 is an extreme bill. It grants a regulatory earmark to TransCanada, exempting it from all environmental requirements. It's also unnecessary. The State Department is carrying out their review of this highly controversial project.

H.R. 3 would approve the pipeline by fiat, lock out the public, eliminate the President's authority to balance competing interests, and stop Federal agencies from ensuring that, if the project does go forward, we do it as safely as possible.

The Keystone XL tar sands pipeline is a bad deal for America. We get all the risks, while the oil companies reap the rewards.

But even if you support it, this bill is harmful and unnecessary, and I'd urge my colleagues to vote "no" on H.R. 3. I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, at this point I yield 2½ minutes to the gentleman from Nebraska (Mr. TERRY), the sponsor of the bill.

Mr. TERRY. Mr. Chairman, I rise in support.

Let me quote the President from his speech last week: "Today, I'm directing agencies across the government to do what it takes to cut timelines for breaking ground on major infrastructure projects in half. And what that will mean is construction workers will

get back on the jobs faster. It means more money going back into local economies. And it means more demand for outstanding dredging," the particular business that he was visiting that day.

The President's right. But look at the Keystone project that he has purposely denied at one time, and now is delaying ad infinitum.

So the nearly 1,705 days is more than double the time that the traditional transborder pipelines have taken. What this is is a \$7 billion privately funded infrastructure project that puts, immediately, 20,000 workers, 2,000 of which come from my State of Nebraska, downstream. With the new expansion of refineries, that could go up to 118,000.

You have to ask, when there's been two other times in history, two of them both supported by the Democrats, sponsored by the Democrats, that were doing the same thing that this bill is, this isn't breaking new ground. These were the Alaska natural gas pipeline and the transatlantic pipeline. Both are doing the same things that are here.

So you have to ask the question, why, Mr. Chairman, has it taken 5 years to get to the point where all of the studies are done and completed, but yet they're still finding ways to delay?

We know what it is. The agenda has been taken over by the left-wing extremists. The NRDC and the extreme environmental groups are dictating the delay here in the hopes of killing it. They have stated that their hope is to kill. That's their number one issue, to kill this pipeline, and then they're going to go after other things after this is done.

So that's what the real agenda is here. So let's stop saying that this is just an extraordinary piece of legislation. This is modeled on past pieces of legislation where delays and bureaucratic morass has delayed them, and it's time, after almost 5 years, to get the Keystone pipeline working and the people working.

Mr. WAXMAN. Mr. Chairman, I'm pleased now to yield 3 minutes to the gentleman from Illinois (Mr. RUSH), our ranking member on the Subcommittee on Energy.

Mr. RUSH. I want to thank the ranking member for yielding.

Mr. Chairman, I strongly disagree with the majority side's process of trying to usurp President Obama's authority by immediately approving the Keystone XL pipeline, even before the State Department of the United States of America completes its due diligence, as our laws require.

Mr. Chairman, this is not an issue about jobs for Americans, but, rather, it is a question of whether this Congress should exempt one foreign company from the laws of America.

This bill is about seizing power from the President of the United States. This bill is about curtailing all Federal and environmental permitting requirements. This bill is about limiting the ability of average U.S. citizens to seek justice through the court system of our Nation.

Mr. Chairman, H.R. 3 will remove the Keystone pipeline out of the jurisdiction of State and local courts and will give only one court, the D.C. Circuit Court of Appeals, exclusive jurisdiction over this project, causing undue hardship on ordinary American families, small businesses, and landowners who may or may not have the resources to retain a D.C. lawyer, to travel to Washington, D.C., in order to have their American legal rights heard by this American justice system.

Mr. Chairman, I sought to amend this atrocious bill. My amendment would have struck section 4, the judicial review clause, so that ordinary American citizens could keep their legal rights intact, but my Republican colleagues wouldn't allow us to vote on that amendment here today in full view of the American people.

Mr. Chairman, as the White House notes in its Statement of Administration Policy, and I quote: "H.R. 3 conflicts with longstanding executive branch procedures regarding the authority of the President, the Secretaries of State,"—

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman 30 more seconds.

Mr. RUSH.—"the Interior, and the Army, and the EPA Administrator. In addition, this bill is unnecessary because the Department of State is working right now diligently to complete the permit-decision process for the Keystone XL pipeline. The bill prevents the thorough consideration of complex issues that could have serious security, safety, environmental, and other ramifications."

Mr. Chairman, I share these concerns of the President and, for that reason, I urge all of my colleagues to vote against this egregious bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the chairman of the Energy and Power Subcommittee.

Mr. WHITFIELD. Thank you very much for yielding. And I would reiterate, once again, that the application to build the Keystone pipeline was filed on September 19, 2008. Since that time, over 15,500-and-some-odd pages of environmental studies have been conducted.

As a matter of fact, the Secretary of State, who is involved because this pipeline crosses international boundaries between Canada and America—and by the way, if this pipeline was to be built only in America, it would have

been approved a long time ago. The only reason it has not been approved is because President Obama has made a decision not to approve it.

Labor unions support it. Every time we've had a hearing, the four international labor union presidents have come and said, We want this pipeline. Not one dime of Federal or taxpayer dollars will be in this pipeline, a \$8 billion project, 20,000 jobs.

We have the opportunity to be independent for our energy needs in America. The International Energy Agency said just recently that more oil will be produced in America by 2020 than even in Russia today. And with this pipeline coming in, the additional pipeline oil that will be coming from Canada, we have an opportunity to be independent even more quickly perhaps.

□ 1510

Our friends on the other side of the aisle say, Well, one reason we are opposed to this is because this oil, when it gets to Port Arthur, Texas, will be exported. The head of the Department of Energy's Office of Policy and International Affairs wrote a letter just recently saying that there's no economic incentive for any of this oil to be going anywhere other than in America.

They've also said that it will not reduce gasoline prices. In this same letter, the gentleman says, We expect Midwest gas prices to go down if we build this pipeline.

So the American people support this pipeline. It'll produce jobs, it'll help control gasoline prices, and it won't be exported. I would urge everyone to support this important legislation today and pass the Keystone pipeline legislation.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentlelady from the State of Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, we are privileged to be Members of the single legislative body in the entire world that has the greatest opportunity to actually address the biggest challenge humankind has ever faced: the warming of our tiny planet and the devastating consequences that will follow.

I'm not asking anyone to agree that humans are the cause. I'm only asking that, regardless of the cause, adding more carbon to the atmosphere does put our lifestyles and, ultimately, the lives of generations at peril. No one will view this notion as radical in the near future, and we will all be judged.

We can choose now to shift toward cleaner fuel sources that will make our country forever energy independent, or we can continue to leave American consumers subject to unpredictable oil prices and severe public health and climate change. Our atmosphere can only absorb about 565 gigatons more of carbon dioxide before global temperatures

rise 2 degrees Celsius. If that happens, the planet faces catastrophic consequences. Keystone XL would push us toward that cliff.

TransCanada's application is to run a pipeline filled with the dirtiest oil through the middle of our country, refine it, and then export it on the world OPEC market. Even those who support the pipeline should agree to examine the consequences of its construction. This bill would prevent that from even happening.

I ask my colleagues to take your heads out of the tar sands and let's all work together to collaboratively address the crises that we face. We can meet our energy and environmental challenges together.

Mr. UPTON. Mr. Chair, may I ask how much time we have remaining?

The CHAIR. The gentleman from Michigan has 6 minutes remaining. The gentleman from California has 6½ minutes remaining.

Mr. UPTON. I yield 1 minute to the chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON. Let me say before I rise in support of this particular piece of legislation that if we want to have a debate on global warming, let the record show that the greenhouse gas emissions in the United States are at the lowest level since 1995. That's without cap-and-trade. That's without command and control. It's based on the ingenuity of the American people and the market at work here in the United States.

The Keystone pipeline would simply make it possible to take oil from Canada and transport it down to the gulf coast of the United States to be refined into products that would either be sold in the United States or, in some cases, perhaps exported overseas. It would create tens of thousands of jobs in the construction phase and maintain, and probably increase, the number of jobs in our refinery and petrochemical complex on the gulf coast of the United States.

It's a good piece of legislation. Only in America would this be controversial. It's a win for the Canadians, it's a win for the consumers in America, and it's a win for the workers in America that would be able to do the construction and also work in the refineries in those particular industries.

So I would rise in strong support, and I hope that we support Mr. TERRY's bill and send it to the other body.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 1½ minutes to my colleague from the State of California (Mrs. CAPPs).

Mrs. CAPPs. I rise in strong opposition to H.R. 3. The Keystone proposal itself is a bad idea. This bill simply makes it worse.

It's no secret that we are dependent on oil and other fossil fuels for our en-

ergy needs. But it's also no secret that this dependence is polluting our planet, harming public health, and threatening our national security. But rather than reduce this dependence, H.R. 3 and the Keystone pipeline just make this problem worse.

We have the greatest innovators and entrepreneurs in the world and they're eager to build a sustainable energy future, but they can't do it on their own. Instead of doubling down on fossil fuels, we should be encouraging development of clean, renewable energy resources and technologies. These investments protect our planet for future generations and they improve the health of our friends and our family. And they create permanent, local jobs that can't be shipped overseas.

Finally, there's no denying that construction of this pipeline would create jobs, but they're mostly temporary jobs. And while we're facing estimated job losses of 750,000 due simply to sequestration, creating a few thousand temporary jobs, though helpful, does not constitute the comprehensive jobs legislation our Nation really needs. This Congress needs to take steps to move to a clean energy economy and create millions of permanent jobs right here in the USA that cannot be shipped overseas.

Mr. Chairman, H.R. 3 is a giant step in the wrong direction on both counts. I urge my colleagues to vote "no."

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Chairman, it has been 1,706 days since the Keystone XL application has been submitted to our State Department. Instead of moving towards energy independence and job creation by approving this pipeline, we've learned that this administration has been spending its time wiretapping journalists and targeting conservative groups for their political beliefs.

Within the past 10 days, the Obama administration has spent much more time defending its violations of the First Amendment than seeking to add 830,000 barrels of product per day. The White House seems to care more about their own jobs than the 20,000 direct jobs and 100,000 indirect jobs created by the Keystone XL pipeline. This behavior is simply unacceptable.

Mr. Chairman, it is time that this body take action to bolster our economy, move our Nation towards energy independence—areas where this President has failed miserably.

I urge my colleagues to support H.R. 3.

Mr. WAXMAN. Mr. Chairman, I yield 1 minute to another Member of the House from Georgia, the very distinguished gentleman, a member of our committee, Congressman JOHN BARROW.

Mr. BARROW of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I'm a proud cosponsor of this bill with my colleague from Nebraska (Mr. TERRY). These are the main reasons why:

First, this pipeline will move an estimated 840,000 barrels of oil per day. That's about how much we import every day from Venezuela. Any policy that allows us to bid good riddance to countries like Venezuela is a good policy in my book.

Critics say that it will increase our dependence on oil as our primary source of transportation energy, but we're already totally dependent on oil for our transportation energy. This pipeline will only make us less dependent on hostile rivals and more reliant upon friendly allies for the transportation energy that we need.

Critics say it will increase CO₂ emissions, but this oil is going to be produced and refined and consumed by somebody. The only question is whether we get first dibs on it or whether or not we move to the back of the line behind countries like India and China for our own North American oil.

For all these reasons, I urge my colleagues to support this legislation today and once and for all make the Keystone XL pipeline a reality.

Mr. UPTON. Mr. Chair, I yield 1 minute to the vice chair of the Energy and Power Subcommittee, the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from Michigan for yielding. I thank Congressman TERRY from Nebraska for bringing this bill forward.

I rise in strong support of the bill to green-light the Keystone XL pipeline. Look at the facts about what this means to America: 20,000 jobs immediately and energy security. We're going to be getting 830,000 barrels of oil a day from a friend in Canada that we don't have to get from Middle Eastern countries who don't like us.

Of course, what's the answer by President Obama? For 5 years now, he said "no." He said "no" to American jobs and he said "no" to American energy security just because some radical environmental extremists have told him that they don't want this. But even the labor unions say they want this.

□ 1520

Of course, who's to benefit by the United States not doing the Keystone XL pipeline? China. China wants those jobs. And if President Obama gets his way, China will get those jobs. We don't want China to get those jobs. We want America to get the 20,000 jobs and the \$7 billion of private investment.

How can this happen? With the stroke of a pen. Today, President Obama can approve the Keystone pipeline, but he won't. So if he won't, then here Congress is taking action to get those 20,000 jobs. Instead, we ought to approve this bill and get the Keystone XL pipeline built.

Mr. WAXMAN. Mr. Chairman, I now yield 2 minutes to our colleague from New York (Mr. TONKO), the ranking member of one of our Energy Subcommittees.

Mr. TONKO. I thank the gentleman from California.

Mr. Chairman, we are once again debating a bill that, thankfully, will go no further than this House.

Even if you support the pipeline, this bill is the wrong approach to build it. This bill elevates the financial needs of tar sands developers and the pipeline's builder above the needs and concerns of the citizens who live along the pipeline's path.

I regret that my amendment on pipeline safety was not made in order. We now have ample evidence from the disastrous spills in Kalamazoo, Michigan, and Mayflower, Arkansas, that concern about pipeline safety is well justified.

Cleaning up a spill is an expensive and difficult task. Three years after the spill in Kalamazoo, the oil is still not cleaned up. Families evacuated from their homes in Mayflower are still living in temporary housing. The spill is not just messy; it is dangerous. The fumes, liquids, and the solids are a toxic brew. The resources damaged by these spills will take years—probably decades—to restore.

Congress recognized the unique nature of diluted bitumen and asked the National Academy of Sciences to examine questions related to its safe transport and to assess the adequacy of current pipeline safety regulations. This information would be valuable, especially in light of these recent spills; but we are not waiting for it. And if the proponents have their way, we will have no opportunity to act on any recommendations that NAS may provide.

This bill promotes reckless development of a pipeline that provides little public benefits to our citizens while increasing the risk to their communities, their property, and to our natural resources. We should not bypass our laws and the administration's process for evaluating this project.

With that, I urge my colleagues to reject H.R. 3.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON), a member of the Energy and Power Subcommittee.

Mr. OLSON. I thank the chair of the Energy and Commerce Committee, and I rise today in strong support of H.R. 3, which would approve the Keystone XL pipeline.

The Keystone XL pipeline has been studied ad nauseam. It's now been 1,706 days since the application to build the Keystone XL pipeline was submitted to the Obama administration.

The Keystone XL pipeline is nearly 1,200 miles long. At the average speed a human being could walk—three miles an hour—it would take 393 hours to walk the pipeline's route. That means

you could walk through the entire pipeline route round trip about 53 times in the days since the application was submitted for approval. At least walking would be some sort of action.

America needs action. America needs 20,000 jobs. America needs 800,000 barrels a day coming from Canada. America needs national security that comes from energy security. America needs the Keystone XL pipeline. Let's pass this bill now.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. GARDNER), a member of the Energy and Power Subcommittee.

Mr. GARDNER. I thank the chairman for yielding time and leading this great debate.

You know, we've heard a lot of talk today about job creation, about the number of jobs that would be created by the Keystone pipeline.

As somebody who actually lives above the Ogallala Aquifer, I hate to break it to people in this Chamber who apparently don't believe it, but we actually have pipelines already above the Ogallala Aquifer.

We have jobs being created right now because of energy opportunity in the United States and Canada. The fact that we can create 20,000 jobs is a good thing, the fact that the National Federation of Independent Businesses support this pipeline; The U.S. Chamber of Commerce, manufacturers, the labor unions support the construction of this pipeline.

It saddens me to think that this debate has come down to a debate over job snobs, people who believe that these aren't the kinds of jobs that we want, the kind of people that we want working on these jobs. It's not about whether this is a pipeline that is good or bad for the environment. It's people who believe that these aren't the kinds of jobs that we want in this country. I think it's a shame that we're having that debate on the House floor right now.

These jobs are good enough for America. These are the kinds of jobs that we want—high-paying jobs to put people to work, to feed families, to present opportunities for the American people in a country that has seen unemployment far too high for far too long.

It's time the hijacking of this agenda ends. Let's develop our own energy in North America.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how many speakers there are on the other side.

Mr. UPTON. Mr. Chairman, may I inquire as to how much time we have left on our side.

The CHAIR. The gentleman from Michigan has 1 minute remaining. The gentleman from California has 2 minutes remaining.

Mr. UPTON. We have two speakers—unless you'd like to yield some of your time to us. We still have two speakers. Do you just have one speaker left? Why don't you do one speaker, then we'll do one—one-one-one, and finish up.

Mr. WAXMAN. I reserve the balance of my time.

Mr. UPTON. I yield 30 seconds to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I rise in strong support of H.R. 3.

Construction of the Keystone XL pipeline is a significant element of America's all-of-the-above energy policy that will help lower energy costs, create jobs, and reduce our dependence on dangerous sources of foreign oil. It's supported by business and labor alike.

Mr. WAXMAN. Mr. Chairman, I yield myself the balance of my time.

Killer tornadoes in Oklahoma, Hurricane Sandy in New York and the Northeast, droughts in the southwest part of this country, record heat waves are now the new normal. We've seen floods; we've seen wildfires. Haven't you noticed that we've been experiencing a change in the climate? And it hasn't been good.

We don't know if all of this is because of greenhouse gases. We do know enough, however, that we don't want tar sands oil to take a chance with the only planet we live in.

We want jobs. Of course we want jobs. And we don't say jobs are not good enough if they're working in the pipeline construction. But we also want to protect this country and this planet; it's the only one we have.

The tar sands are the dirtiest oil we can possibly get. We don't need it. We shouldn't go after it and put ourselves at a greater dependence on a source that will pollute this planet with more greenhouse gases, more carbon emissions, and more climate change. That will not be something we can look at with pride.

I urge my colleagues to vote against this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. JOHNSON).

The CHAIR. The gentleman from Ohio is recognized for 45 seconds.

Mr. JOHNSON of Ohio. I thank the chairman for yielding.

It's coincidental that here we are talking about the environmental concerns that have been overexaggerated about the Keystone XL pipeline.

I stand in strong support of H.R. 3. The President himself has acknowledged that the environmental concerns have been overexaggerated. This is the right thing to do for America. This is a job-creating opportunity. This is an opportunity to take energy resources from a friendly ally in Canada, use it here in America, or make sure that it goes to our friends and our allies rath-

er than our competitors, like the Chinese.

Mr. Chairman, H.R. 3 is an important step forward in bringing energy independence and security to America, and I urge my colleagues to support it.

□ 1530

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act. This important legislation would remove roadblocks to allow for the approval and construction of the Keystone XL pipeline—a project that is vital to America's energy future.

The Keystone XL pipeline has been tied up in red tape by the Obama administration for nearly 5 years. Just over 1,700 days ago, the application to build this important energy project was submitted to the State Department, and for 1,700 days the American people have been waiting for the Obama administration to stop leading from behind.

This bill will create tens of thousands of American jobs, it will lower energy prices, the building of it will invest billions of dollars into our economy, and it will make America more energy secure. The Keystone XL pipeline will transport over 800,000 barrels of oil per day from Alberta, Canada, down to American refineries in the Gulf of Mexico. That's half the amount that the U.S. imports from the Middle East.

This bill was approved by the Natural Resources Committee with bipartisan support. The provisions under our jurisdiction will help ensure that the construction of this pipeline takes place in a timely manner without threat of lawsuit or unnecessary delay by the Secretary of the Interior.

This important project has gone through extensive environmental reviews, including two separate EIS's and over 15,000 pages of NEPA reviews. President Obama's own State Department has stated that this project will have no significant impacts on the environment. There is no credible reason for the President to continue holding up this project.

That is why this project enjoys bipartisan support in both the House and the Senate. This is not a Democrat issue; this is not a Republican issue. Energy security and job creation is an American issue. This administration is the only roadblock that's standing in the way of American jobs, lower energy prices, and increased American energy security.

The Northern Route Approval Act makes the Keystone XL pipeline a reality. It declares that no Presidential permit shall be required to approve this pipeline and prevents the Obama administration from imposing further delays.

I urge my colleagues, Mr. Chairman, to support this important legislation, and I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

Let me begin where the gentleman from California (Mr. WAXMAN) completed his remarks.

We are experiencing climate change. It is very expensive in lives and dollars. It is the result of the way we produce and use energy. We must make these points clear. What we are talking about with this legislation is going further down this dangerous, deadly road.

Now, beyond that, this legislation we are considering today represents a complete disregard of the effect of tar sands oil on our environment and our economy. This bill would ask the United States to bear all of the environmental risk without any appreciable rewards.

Less than 2 months ago, in Mayflower, Arkansas—a typical American small town—the 2,234 residents of that Arkansas River town learned what we mean by "risk" from an oil pipeline. As much as 7,000 barrels of oil spilled into neighboring communities and the environment.

This oil was tar sands oil. This pipeline was part of this Canadian pipeline system that we are talking about today. But rather than ensuring that, if we're going to build the Keystone pipeline to transport this dirty, particularly dirty, oil across the United States, that we first ensure that we have proper protections for our environment, this bill would take us in completely the opposite direction, while doing nothing to ensure that Keystone oil would enhance our energy security. There's nothing whatsoever in this bill to require that the Keystone oil actually stay in the United States.

The jobs that will be created by this, according to the Environmental Impact Statement prepared by the U.S. State Department, the jobs that would be created over the long term number in the few dozen—like 35—not in the thousands. Yes, there will be some construction jobs—and I want to assure our working Americans that we want jobs for them—but we want sustainable jobs that come from clean energy. They are available—they are available today—if we would stop going down this mistaken road.

The proposed pipeline would transport tar sands oil from Canada through the United States to free trade zones in Texas for export. All risk, no reward. We are just a bypass. This is not oil that's coming to improve the lives of Americans, to give us energy to power our cars or our industries. No. This is just passing through us, with the risk of a spill, with the problems to the environment that might result. It ignores the lessons of the recent Exxon pipeline spill in Arkansas and the tar sands spill in Michigan. It does nothing to close a loophole that currently allows tar sands oil to avoid paying taxes into

the oil spill cleanup fund—that's right—because this bitumen, this product that comes out of the tar sands, is defined as “not oil” for the purposes of paying into the oil spill liability trust fund. So, it gets a free ride through the United States on its way to foreign countries.

If we're going to consider this bill, at least let's use it as an opportunity to close the tar sands loophole and ensure that when the oil spills occur—I'll grant to the other side that this may be a safe pipeline, but there is no such thing as a perfectly safe pipeline—and when the oil spills occur, let's have the money there to clean it up.

This bill goes on to declare that a Presidential permit is not required for a trans-border project and that all requirements of the National Environmental Policy Act, the National Historic Preservation Act, the Endangered Species Act, and the Migratory Bird Treaty would be deemed to have been satisfied, even if they haven't been satisfied.

This is a bad deal for our country. This legislation does nothing to guarantee our energy security. All risk, no reward.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the chairman of the subcommittee dealing with this legislation, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the chairman for yielding.

Mr. Chairman, I rise in strong support of this legislation. From day one, the Obama administration has inexplicably put up roadblock after roadblock to prevent the construction of the Keystone pipeline, a pipeline that would create tens of thousands of American jobs and securely bring 800,000 barrels of oil a day to American consumers. These numbers are according to the administration's own Departments of Energy and State. This project also would lead to billions of dollars of investment into the U.S. economy.

Besides obstructing the construction of the northern portion of the pipeline, President Obama had no shame in taking credit for construction of the southern section of the pipeline, which did not require his approval. Sadly, Canadian Prime Minister Stephen Harper has announced that due to delays by the Obama administration, Canada has no choice but to consider alternative options for bringing its oil to market, including constructing a pipeline from Alberta to the Pacific coast for export to China. If we don't take advantage of this opportunity, somebody else will—probably China.

After four Environmental Impact Statements, all of which have concluded that there will be minimal environmental impacts, the administration

continues to stall construction of the pipeline.

□ 1540

It would lessen our dependence on foreign oil from dangerous parts of the world by integrating our friendly northern neighbor into our energy economy. With each day that passes, we slowly lose one of the best opportunities this country has had in a generation to secure our energy independence. Since the President refuses to act, Congress will. The Northern Route Approval Act removes the President's veto and will ensure that, after years of extensive studies, construction of the pipeline can move forward so America can begin to benefit from this tremendous opportunity.

I urge the adoption of the act.

Mr. HOLT. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), a senior member of the committee and one who understands that this pipeline does not help our energy security and puts our environment at risk.

Mr. DEFAZIO. I thank the gentleman for yielding.

Repetition has become sort of the cause celebre here in the House of Representatives. Last week, we totally repealed ObamaCare for the fourth time, and 33 other times we partially repealed it. Of course, none of those things have come true or have happened.

This will be the seventh attempt by the House of Representatives to expedite—in this case, they've gone one step further—or to mandate the building of the XL pipeline. That's right, mandate. We're going to deem that an Environmental Impact Statement done on a very different route is good for this pipeline. Now, if you follow that logic, we could just have one generic Environmental Impact Statement for any project anywhere in the United States of America, and Congress could just deem it to have met the law and the environmental requirements. That's incredible to go that much further in this political dealing here.

Now, what's going to happen?

The Canadians, sadly, apparently, are going to destroy their boreal forests, which are irreplaceable, to extract one of the dirtiest fossil fuels. They're then going to ship this tar sands oil through a pipeline crossing the United States of America, which, as the gentleman said, will be exempt from the excise tax that all other oil companies and pipeline companies pay—American companies and some foreign companies, but everybody else pays it. They will be exempt. They will not contribute to the oil spill liability trust fund. It's going to go to a refinery located in a foreign trade zone that is not paying export taxes, and that refinery is half owned by the Saudis.

And this is going to give us energy independence and lower prices. I mean,

is it April Fool's Day? Really? Come on.

This is not going to give any American a single penny off per gallon at the pump. Right now, we are in the annual traditional Memorial Day price gouging by the oil industry. It just happens magically every May that they're up to do a little periodic maintenance or unexpected maintenance on their plants. Gasoline has gone up 50 cents a gallon on the west coast in the last 3 weeks. This is not a free market. It is a manipulated market. We pay the so-called “world price.” So even if this refinery does produce—and it will export—this product, it's not going to lower the world price because the Saudis over the last couple of years have tracked our increased oil production with decreases in their oil production to keep the prices high.

There are things we could do to bring real relief to American consumers—get the speculators out of the market and a number of other things—that would provide more immediate relief. This will not provide relief. It will not be a boost for our economy. Yes, there are temporary construction jobs, but guess what? We could create a heck of a lot more construction jobs in this country if we met our obligations to better fund the Surface Transportation Trust Fund and began to deal with the crumbling infrastructure in America. Those would be real jobs that would really benefit this country.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to a member of the Natural Resources Committee and a subcommittee chairman, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, ever since the Arab oil embargoes of the 1970s that ravaged our economy and produced mile-long lines around gas stations, an avowed goal of our Nation has been to reduce our reliance on Middle Eastern oil.

In addition to the thousands of jobs and billions of dollars of economic activity, the Keystone pipeline will bring up to 830,000 barrels of Canadian crude oil a day into the American market—about half of what we currently import from the Middle East. Now, that bears repeating. The Keystone pipeline could cut our reliance on Middle Eastern oil by half all by itself. The left makes much of the fact that our markets are international and that some of that oil might enter that market. Well, that's possible, but I think it is far more likely that it will push Middle Eastern oil out of the American market.

The fine point is this: In the next international crisis, would you rather rely on Canada or Iraq to meet our petroleum needs?

Mr. HOLT. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUFFMAN), who understands that oil passing through this country

on the way to other countries does not improve our energy independence.

Mr. HUFFMAN. I thank the gentleman.

What a wonderful bill if you happen to be the Canadian oil company that reaps all the benefits, but it comes at the expense of the American economy and the global environment. We should reject this bill out of hand.

This sweetheart deal approves the northern route of the Keystone XL pipeline and exempts it from the rigorous public analysis and scientific standards that American companies are held to, including the National Environmental Policy Act, the Clean Water Act, and the Migratory Bird Treaty Act, among others. Bear in mind that tar sands oil is already exempt from paying into the trust fund that covers oil spill cleanup.

So with this bill, my colleagues are saying we should have no front-end environmental protection for this project and no backstop funding for when things go wrong—and things will go wrong. You just have to look at what happened at the Mayflower, Arkansas, spill a month ago. When that happens, American taxpayers are going to be on the hook for cleanup, and where is the offset for that? Meanwhile, Trans-Canada, the Canadian corporation proposing to build this pipeline, is on record before the Canadian energy board as saying that this project will increase the price of oil in the United States.

So let's be very clear about what we are doing. This House is considering a bill to cut corners for a foreign corporation to transport dirty fuel and raise gas prices for Americans. Why would we spend our time on this? Well, we're told it's about jobs, but the fact is we don't even know how many jobs this pipeline project will create. The estimates are all over the map. You could believe Fox News, which says it will create a million jobs, or Trans-Canada, which says around 13,000 construction jobs, or the State Department, which says it will directly create fewer than 4,000 jobs, and fewer than three dozen of those will be permanent jobs.

We don't even know the massive security risks and security costs that this project will foist upon the American taxpayers. At a minimum, we should approve the Connolly amendment to, at the very least, generate a threat assessment if this bill is to move forward.

This bill, colleagues, is a betrayal of our priorities as Members of the United States Congress.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to another member of the Natural Resources Committee, somebody who understands the oil industry well, the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as a proud Oklahoman, calling for this body to act on a commonsense bill that will put this country on the path to energy independence.

The Keystone XL pipeline's southern route, which runs directly through my congressional district, is already creating good-paying jobs back in Oklahoma. I have seen with my own eyes how it is putting millions of dollars directly into the economies of small towns in my district.

Mr. Chairman, this is a time for Congress to act. This project has been delayed long enough. We have studied the environmental impact of Keystone over and over again. We know that we can safely transport crude oil from our friends in Canada and sources in the U.S. to our refineries along the gulf coast. EPA's latest opposition to the State Department's recent environmental impact review of this project is more of the same from this administration, which continues to claim it supports an all-of-the-above approach but fails to follow through when it's time to act.

Let's put our country on the path to energy independence and off foreign oil from those countries that do not have our best interests in mind. I urge my fellow Members to do what is right, not for the party, but for this country and to vote for H.R. 3.

□ 1550

Mr. HOLT. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Florida (Mr. GRAYSON).

Mr. GRAYSON. Mr. Chairman, I urge the Republicans on the other side of the aisle to stop faking it. We have a bill here that deems this, deems that, and deems the other thing.

This is a bill that deems that the Environmental Impact Statement required by the National Environmental Policy Act is deemed approved. It's not.

This is a bill that says that the requirements of the Endangered Species Act are deemed satisfied and opinion deemed issued. They're not.

This is a bill that says that the required right-of-way and temporary use permit under the Mineral Leasing Act is deemed issued. Not.

This is a bill that says that the requirements of the Water Pollution Control Act and the Migratory Bird Treaty Act are deemed approved and issued. Not.

Why are we doing this? While we're at it, why don't we deem a balanced budget? Why don't we deem full employment? Why don't we deem world peace?

It's farcical. It's a violation of the separation of powers under the Constitution. It's not our job to deem things. It's our job to pass laws of general application, not favors to foreign oil companies.

The CHAIR. The time of the gentleman has expired.

Mr. HOLT. I yield the gentleman an additional 30 seconds.

Mr. GRAYSON. And having been lectured endlessly by the other side about the profundity of earmarks, we come across a bill here where, in fact, it's an earmark for a foreign oil corporation. We are issuing to a foreign oil corporation a right-of-way that's valued at millions and millions of dollars when the other side tells us they're not in favor of earmarks.

Stop the hypocrisy.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Montana, another member of the Natural Resources Committee, Mr. DAINES.

Mr. DAINES. Mr. Chairman, it took Canada just 7 months to approve the Keystone XL pipeline; meanwhile, Americans have been waiting 4½ years for President Obama to act.

Montanans understand how important this project is for our economy and for our energy future.

In eastern Montana, we've seen the tremendous potential for jobs and economic growth that comes with oil production in the Bakken field. In fact, this pipeline will transport up to 100,000 barrels per day of Bakken oil—that is Montana and North Dakota oil—through a connecting on-ramp in Baker, Montana. And in Glasgow, Montana, the NorVal Electric Co-op is slated to supply electricity to one of the Keystone XL pump stations.

Let me tell you what this means to middle class, hardworking Americans. If this pipeline is built, this rural electric co-op will be able to spread their cost burdens with the pipeline and, consequently, hold rates steady for their 3,000 customers. But if the pipeline is not approved, NorVal customers will see upwards of a 40 percent increase in their utility rates over the next 10 years.

Mr. Chairman, if the President isn't willing to listen to the voice of the people, the House will. It's time to build the Keystone XL pipeline.

Mr. HOLT. Mr. Chairman, may I ask the time remaining?

The CHAIR. The gentleman from New Jersey has ¾ minutes remaining, and the gentleman from Washington has 7½ minutes remaining.

Mr. HOLT. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Mr. Chairman, I rise today in support of the Northern Route Approval Act, another House initiative to pave the way for construction of the Keystone pipeline. I support this measure because approval of the pipeline will lead to lower fuel prices and it will create jobs.

As I've traveled my rural Virginia Fifth District, I have spoken to our small business owners, our small farmers, our volunteers, our students, and our parents, and there can be no question that the energy policies coming out of Washington under this President are hurting our local communities. That is why the immediate approval of the Keystone pipeline is so important, because it will reduce our dependence on foreign dictators, it will give us affordable energy, and it will create the jobs that we desperately need.

After 4 long years, this bipartisan plan to create jobs and lower fuel prices should wait no longer. It is high time for the President to heed the wishes of the American people. Stop the excuses and approve the Keystone pipeline.

Mr. HOLT. Mr. Chairman, I continue to reserve the balance of my time until the other side is ready to close.

Mr. HASTINGS of Washington. Mr. Chairman, if I may inquire, did I hear that my friend from New Jersey has only one speaker left?

Mr. HOLT. Yes, I believe that is correct, Mr. Chairman.

Mr. HASTINGS of Washington. I hope that belief is true, then. You're waiting, I guess.

So if the gentleman is prepared to close, I reserve the balance of my time, as I have one more speaker left.

Mr. HOLT. Mr. Chairman, I yield myself the remaining time.

As we've heard, this is a bill that gives a Canadian company a sweetheart deal. It deems that all the conditions have been met, even if they haven't been. It takes a very dirty product, ships it through the United States, where we bear the risk of an oil spill. It's shipped to other countries. The U.S. consumer, the U.S. businessperson, the U.S. economy derives little to no benefit from this. All risk, no reward.

The TransCanada Keystone pipeline, the existing part of it, which would be connected to this proposed pipeline, experienced 12 separate oil spills in 2010. In the United States, there are typically more than 3 million gallons spilled from pipelines, so don't tell me that this is without risk.

As for helping the economy, we would like to have good, long-lasting jobs for Americans. This is not the way to do it. It does not do it. The long-lasting jobs number in the dozens, not the thousands.

So this very dirty oil will not increase U.S. energy security. It certainly will not lower energy prices, which are determined on the world market and through various manipulations here.

This clearly is not in the interest of the American consumer or American business. There's nothing in this bill to require that oil from this pipeline stay in the United States. There's nothing

to close the tax loophole that allows tar sands oil to avoid paying for oil cleanup. In fact, I note with some irony here that some members of the majority who have spoken today in favor of this legislation to expedite the pipeline construction have asked the chairman of the Ways and Means Committee to fix this oil spill liability trust fund loophole, in other words, to see that this is not exempt from paying into the oil spill trust fund. But the irony is they don't want to fix it now; they want to fix it sometime in the future in an as-of-yet imaginative or conjectural tax reform.

If they really wanted to fix it, this would be the time to do it, rather than to take a bill and ask for streamlined, no-questions-asked approval: take the executive branch out of the decision, give the sweetheart deal to the Canadian company, and close the books. We would regret it if that happened.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. HOLDING). The gentleman from Washington has 6½ minutes remaining.

Mr. HASTINGS of Washington. I'm very pleased to yield the balance of my time to the majority whip, the gentleman from California (Mr. MCCARTHY).

□ 1600

Mr. MCCARTHY of California. Mr. Chairman, I rise today in support of this bill. Now, if you're like me and you go across the country, you want to listen to the American people. The two things they talk about when you tell them you're a Member of Congress, the first thing is: Where are the jobs? The second thing they say: Why can't you work together? Why can't you solve this problem together?

It's not often that we get to mesh those two together on the exact same day. But, you know, today is that opportunity.

Last week, I watched our President of the United States go to a small business. I love it when he goes to a small business. I was a small business owner. He went to a small business to talk about job creation. He wants to move America forward. And I'll be frank, lots of time my philosophy isn't the same as the President, but I want to work together, especially when we agree. So I listened to his words and I listened to him closely because he talked about what was holding back job creation in America. The President said:

One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are all these permits and red tape and planning, and this and that, and some of it's important to do, but we could do it faster.

You know what? I agreed with those words of President Obama. And I

looked for what could make that change. And you know when he spoke at that small business, it just so happened that the CEO of that small business was there with him. But you know where he was 24 hours before? He was right here in Congress. He was here testifying, as that small business, about what could get America moving. You know what he talked about? Build the Keystone pipeline. Build it.

So when the President said that sometimes projects take too long to get off the ground, I think he was referring to if it was more than 1,700 days, that was too long. So when the President said that there's too much red tape, some is important, but we could do faster, I think the President probably meant that 15,000 pages of review that we've done for Keystone is probably too much.

So there's a unique ability that, yes, we can move something that can create 20,000 jobs in America today. You know what? We could be less reliant on the Middle East for our energy as well.

But you know what is more important when we listen to the American people and they ask, Why can't we do this in a bipartisan manner? You know what? It will come off this floor in a bipartisan vote. But you question, can it come off the Senate? Well, you know what? A majority of the Senators have voted for it, 17 Democrats on the other side as well.

So I stand today as the majority whip saying I agreed with President Obama's words. The only thing that is missing is the action. Today we will do our job. We'll send it to the Senate, and it will be the start of a new beginning, to put people before politics and jobs and bipartisanship forward, and I look forward to the opportunity to do it.

Mr. HASTINGS of Washington. Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chair, I rise today to oppose H.R. 3, which is quite simply a waste of this chamber's time. Like the 37th vote to repeal the Affordable Care Act last week, we are again wasting Americans' time and money doing the bidding of corrupt, private industry—selling jobs that will never materialize, while exposing American land, air, and water to dangerous pollution.

I understand my friends across the aisle have water—or oil—to carry for the energy industry, but this bill is not going to bring the environmentally damaging pipeline they support to fruition. Regardless of the outcome of this vote, the decision to approve or reject the Keystone XL pipeline will rest with the president.

Unfortunately for my friends across the aisle, President Barack Obama knows the dangers of not going far enough or fast enough to stop the climate crisis. History will celebrate his decision to lead us toward a clean energy economy that solves climate change and creates long-term, sustainable jobs for Americans. We understand then, that

achieving this awesome goal requires that the United States reject the TransCanada Corp.'s proposal to build the Keystone XL pipeline, which would cut through the heartland of America.

Returning our economy to stable growth requires Americans to move forward toward the future, not back toward the past. We must put Americans to work building, implementing and maintaining a clean energy infrastructure that will power the economy of tomorrow. The Keystone pipeline is dirty energy infrastructure, reflecting a generations-old approach to energy and environmental questions.

TransCanada Corp. is a Canadian company that wants the Obama administration to provide it with a permit to build the pipeline, which would run oil from Canadian tar sands all the way through our country to the Texas Gulf Coast. According to the Natural Resources Defense Council, tar sands oil is an environmental catastrophe—creating three to five times the global warming pollution of traditional oil.

After refining the oil here in the United States, TransCanada plans to export this oil for sale to other countries, enriching Canadians and oil companies but doing little or nothing to decrease America's dependence on foreign oil. In the meantime we get to store dirty energy waste products like petroleum coke in our neighborhoods while we wait for billionaires like the Koch brothers to ship the global-warming byproduct overseas to China.

Common sense demands that the president reject this pipeline. Most Americans want our country to be investing in energy solutions for the future—not outdated, polluting infrastructure that will do nothing to solve our energy problems.

According to the State Department, the total number of jobs projected to result from Keystone is 3,900 direct temporary construction jobs over a one- to two-year period, but only 35 permanent and 15 temporary jobs will remain after those two years of construction.

Those who are making the case for the pipeline—TransCanada, oil lobbyists and special interest advocacy groups funded by the oil lobby—are spreading misinformation about the numbers of jobs that would be created. TransCanada claims that the project will create 9,000 construction jobs and 7,000 manufacturing jobs; meanwhile, their spokesmen and advocates have been quoted in the media suggesting that “tens of thousands” or “over a hundred thousand” direct and indirect jobs would be created.

This willful misrepresentation about jobs numbers speaks to how little these oil industry leaders, and those who they are funding, actually care about Americans who need jobs. They are selling a jobs pipe dream, so they can build a polluting pipeline.

Consider the struggles of those who have lost their jobs in the recession. Consider the families who cannot pay their bills, who cannot access health care, who cannot send their children to college and who have lost their homes. Then consider how irresponsible it is for oil company lobbyists and their friends to sell this pipeline using inflated job estimates.

According to a national study from the Political Economy Research Institute at the University of Massachusetts Amherst, every dollar

put into clean energy creates three times as many jobs as putting that same dollar into fossil fuels. Further, median wages are 13 percent higher in the green energy sector than those in other parts of the economy. Over the past two years, jobs in the solar industry have grown nearly 10 times faster than jobs in the rest of the economy, with only modest investment from federal and state governments. If we were to commit fully to supporting clean energy and putting an end to global warming, then we could create even more jobs. Research from the Brookings Institution has found that job quality is better in the clean energy sector, which is creating medium- and high-credential jobs at twice the rate as the fossil fuel industry.

I urge my colleagues on both sides to vote against this bill, and turn their efforts instead to developing energy solutions for 2050—not 1950. Sludge from tar sands is not going to get America moving again; it will simply mire us in the past. Let's move forward—and put a plug in Keystone XL once and for all.

Mr. DINGELL. Mr. Chairman, as the House prepares to once again vote on legislating approval of a presidential permit to construct the Keystone XL pipeline, I find it disappointing that the Majority refuses to work with Democratic supporters, like myself, of the pipeline. By attempting to legislate a process set in place by President George W. Bush, the Majority has succeeded in making the pipeline a political issue instead of one of unifying national energy independence. As a supporter of the Keystone XL pipeline, I oppose H.R. 3, the Northern Route Approval Act, and ask the Majority to instead work with the Administration to approve this project and legislate issues that can further enhance our energy independence rather than playing partisan politics.

The intent of the National Environmental Policy Act (NEPA) is to provide transparency so communities can know the impact of projects on their neighborhoods. However, H.R. 3 circumvents that transparency by simply deeming approved the NEPA review. H.R. 3 also deems approved permits under the Clean Water Act and Endangered Species Act. When these laws were passed, they were not revolutionary, they were commonsense, and were passed on an overwhelmingly bipartisan basis. One could even say these environmental laws were so important that they were, in fact, nonpartisan. Allowing those processes to run their courses is also commonsense and should be nonpartisan.

This pipeline will eventually be built either south from Canada to the Gulf Coast or west to the Pacific where the Canadian oil will be sent to China. As a supporter of the pipeline and American energy security, I, for one, would prefer to see those manufacturing, construction, and other jobs created here in the U.S.

Allowing the process provided under these laws to unfold does not mean you have to be opposed to the construction of the Keystone XL pipeline. The majority claims that this bill is necessary to “address continued regulatory uncertainty.” However, this bill does exactly the opposite; it circumvents the established process and potentially opens the project to lawsuits that will ensure the pipeline is kept in the court system for years to come.

I oppose this bill, which gives special treatment to a foreign company not afforded to domestic companies. The House should be doing more to secure our country's energy independence instead of playing political games with our nation's energy future. As a supporter of the Keystone XL pipeline, I urge you to oppose H.R. 3.

Ms. BROWN of Florida. Mr. Chair, this is America, and I fully believe it's possible to build the Keystone pipeline in a way that improves our access to crude oil and puts thousands of people to work, while still protecting citizens from hazardous spills. But we have to hold the industry's feet to the fire and make sure they are taking every possible precaution in building this pipeline.

There are members on both sides who support construction of the pipeline and we could work together to move this project forward, but the Keystone XL has become totally political, with people using it to score points rather than address some of the problems that could arise from its construction. Today's bill is dead on arrival, but here we are once again wasting the House's time on partisan bills the Senate will never take up.

When I chaired the Railroad, Pipelines, and Hazardous Materials Subcommittee we held five separate hearings concerning pipeline safety and found significant problems with reporting and inspections, as well as an unhealthy relationship between the pipeline industry and the agencies regulating them. We really need more scrutiny over the construction and operation of the Keystone Pipeline, not less. Deeming permits completed and suspending the Clean Water Act is a very dangerous precedent and will certainly make communities more vulnerable to the death and destruction that pipeline ruptures cause.

With the high unemployment rate this country is currently facing, we should be hiring and training inspectors and putting contractors to work replacing this aging pipeline infrastructure in this country. Gas and oil companies have profited by over \$1 trillion dollars over the last decade, while the infrastructure that brings their products to market becomes more unstable and more dangerous.

Every day in America we see our infrastructure crumbling around us. The Association of Civil Engineers gave the nation's transportation infrastructure a grade of D.

That is unacceptable, and the American people deserve better. Let's put people back to work on improving our entire nation's infrastructure. That's a win for the economy and a win for America's workers.

Ms. JACKSON LEE. Mr. Chair, I rise to speak about the Keystone XL Pipeline Project and the legislation before us, H.R. 3.

Mr. Chair, the Keystone XL project proposed by TransCanada, a Canadian company, would build new pipeline to transport Alberta oil sands crude and crude oil produced in North Dakota and Montana to a market hub in Nebraska, and from there to Gulf Coast refineries. The proposed pipeline would deliver an estimated 830,000 barrels of oil per day. One of the most appealing aspects of the project is the positive economic impact it is expected to have on the economy.

Let me just take one State's economy and realize what would happen with this particular

effort. There would be a \$2.3 billion investment in the Texas economy, creating more than 50,000 jobs in the Houston area, providing \$48 million in State and local taxes, increase the gross State product by \$1.9 billion.

Although I favor the job creation potential of the Keystone XL Pipeline project however, the legislation contains several provisions that are of great concern to me.

First, because the pipeline would cross an international border, construction requires a presidential permit and would be subject to applicable State laws and permitting requirements.

To issue a presidential permit, the State Department, after consulting with other federal agencies and providing opportunities for public comment, must determine that the project would serve the national interest.

Because the Keystone XL project would constitute a major federal action with a potentially significant environmental impact, it is also subject to environmental impact statement requirements of the National Environmental Policy Act, NEPA.

The bill declares that a presidential permit is not required for approval of the Keystone XL pipeline's northern route from the Canadian border through Nebraska even though the project crosses an international border. This is unprecedented.

Second, H.R. 3 deems that environmental impact statements issued to date would be considered sufficient to satisfy all requirements of the National Environmental Policy Act and the National Historic Preservation Act, and the Interior Department and the U.S. Army Corps of Engineers are deemed to have granted all the necessary permits for the pipeline to proceed, including permits under the Migratory Bird Treaty Act.

As a senior member of the Committee on the Judiciary, I have a problem with "deeming" something done that has not been done in fact. I believe we should determine whether, under the Constitution, this alters the power of the office of the President.

Third, the bill vests exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of this bill in the U.S. Court of Appeals for the District of Columbia and requires claims regarding the pipeline to be brought within 60 days of the action that gives rise to the claim. My amendment would have extended the time to one year.

It is unduly burdensome to require aggrieved parties to bear the considerable expense and hardship of traveling from their homes in North or South Dakota, Nebraska, Kansas, Oklahoma, or Texas to Washington, D.C. to vindicate their legal rights.

Mr. Chair, I also believe the bill before could have been improved had more amendments been made in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment No. 4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment No. 3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business en-

terprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee amendment No. 2, would have added a non-severability clause to the bill, which states that: "if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void."

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in *pari materia*, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the congressional intent that this bill is so delicately crafted, that it is "all or nothing."

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter v. Carter Coal Co.*, 298 U.S. 238, 312 (1936):

[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.

This presumption becomes conclusive when Congress makes its intention clear, see *Carter v. Carter Coal Co.*, 298 U.S. at 312, by including a non-severability clause in the statute.

My amendment would have done just that.

Had these amendments been made in order and approved, the bill before would be improved markedly. It is my hope that there will be additional opportunities to improve this legislation as it moves forward. The Keystone Pipeline should be built following all the necessary rules and laws that protect the American people.

Mr. LATHAM. Mr. Chair, I rise today in astonishment that the House even had to consider H.R. 3, the Northern Route Approval Act. Now, I'm a cosponsor of this bill and I strongly supported its passage yesterday in the House. But we wouldn't need to pass it if the Administration would've green-lighted the Keystone XL pipeline like it should have long ago. For more than seventeen-hundred days, Americans have waited for the Administration to approve this pipeline. We have waited long enough for 20,000 new jobs—600 of which would be created in my home state of Iowa. We have waited for \$20 billion to be added to the economy, much of it in the Midwest and Iowa. And we have waited for more than 800,000 barrels of North American oil per day to be carried to U.S. refineries—to help fuel our economy. The State Department has found twice that this pipeline would have a limited impact on the environment. Labor groups support its construction. And seventeen Senate Democrats endorsed it earlier this year by helping to pass a budget amendment approving the pipeline. Approval of the Keystone XL pipeline means jobs, a boost to the economy and greater American independence when it comes to energy.

So today, Mr. Chair, I urge our colleagues in the U.S. Senate, in the strongest possible terms, to consider and pass this bill as soon as possible—but I also urge the Administration to stop hitting the snooze button on real chances to create American jobs and energy independence.

Mr. VAN HOLLEN. Mr. Chair, I rise in strong opposition to this legislation, which is a transparent attempt to skirt federal law so that the majority can impose its own preferred outcome on the State Department's ongoing regulatory review of the Keystone XL pipeline.

Although my colleagues on the other side of the aisle make much of their professed commitment to regular order and distaste for earmarks, recent developments—including today's legislation—make clear that commitment is only as deep as it is convenient.

Regular order? We are now 37 days past due on delivering an FY 2014 Budget, and the majority still refuses to go to conference.

Earmarks? This legislation—which carves out numerous special exceptions for a single pipeline project benefitting one company—is clearly an earmark.

Mr. Chair, the decision as to whether to build the northern route of the Keystone XL pipeline should be made based on a complete and thorough evaluation of its impacts on our climate, energy security, water supply, job creation, air quality, balance of trade, human health and other relevant factors—not some hastily thrown together, ill-considered and politically driven exercise.

I urge a no vote.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-11. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Route Approval Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) *To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.*

(2) *The delivery of oil from Canada, a close ally not only in proximity but in shared values*

and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Department of State and other Federal agencies have over a long period of time conducted extensive studies and analysis of the technical aspects and of the environmental, social, and economic impacts of the proposed Keystone XL pipeline.

(6) The transportation of oil via pipeline is the safest and most economically and environmentally effective means of doing so.

(7) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

SEC. 3. KEYSTONE XL PERMIT APPROVAL.

Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on August 26, 2011, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 4. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this Act, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this Act may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consider-

ation, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

SEC. 5. AMERICAN BURYING BEETLE.

(a) FINDINGS.—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) BIOLOGICAL OPINION.—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

SEC. 6. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

SEC. 7. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.

(a) ISSUANCE OF PERMITS.—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 3, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) WAIVER OF PROCEDURAL REQUIREMENTS.—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) LIMITATION.—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

SEC. 8. MIGRATORY BIRD TREATY ACT PERMIT.

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except

those printed in House Report 113–88. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–88.

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 18, strike “pipeline.” and insert “pipeline, and—

(A) the Department of State assessments found that the Keystone XL pipeline “is not likely to impact the amount of crude oil produced from the oil sands” and that “approval or denial of the proposed project is unlikely to have a substantial impact on the rate of development in the oil sands”;

(B) the Department of State found that incremental life-cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing twelve one-thousandths of one percent of the 6,702 million metric tons of carbon dioxide emitted in the United States in 2011; and

(C) after extensive evaluation of potential impacts to land and water resources along the Keystone XL pipeline’s 875 mile proposed route, the Department of State found that “The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).”.

Page 2, line 21, strike “of doing so.” and insert “of doing so, and—

(A) transportation of oil via pipeline has a record of unmatched safety and environmental protection, and the Department of State found that “Spills associated with the proposed Project that enter the environment expected to be rare and relatively small”, and that “there is no evidence of increased corrosion or other pipeline threat due to viscosity” of diluted bitumen oil that will be transported by the Keystone XL pipeline; and

(B) plans to incorporate 57 project-specific special conditions related to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have “a degree of safety over any other typically constructed domestic oil pipeline”.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Texas (Mr. WEBER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Chairman, thank you for recognizing me to speak

in favor of my amendment on this very important legislation.

I want to thank Mr. TERRY for leading on an issue that is crucial to our economic recovery and our energy future. Rather than wait around for further delays—1,700 days and counting—and excuses from the President, Mr. TERRY has taken action to deliver the jobs and energy security that this administration so frequently promises to the American people.

Last week marked 1,700 days, that's 4.65 years, since the first permit application was filed for Keystone. Let me put that in perspective. I have a granddaughter who will be 2 years old in July. Had she been born when this permit was filed, she would be entering kindergarten this coming fall. Her name is Kate Liberty, by the way. She's the cutest thing this side of the Atlantic.

During that time, the State Department has produced, as the whip said, over 15,000 pages of environmental impact assessment, which have been endlessly discussed, debated, and deconstructed. Hundreds of thousands of public comments were made on these documents, and public meetings were held across the country in multiple States.

However, in 2012, President Obama rejected the first permit application for the Keystone XL pipeline, claiming that the deadline which required him to make a decision prevented a "full assessment" of the pipeline's impact. I would conclude, and I'm sure most of you would agree, that the State Department study of Keystone XL has gone far above and beyond the threshold required of a "full assessment." In fact, this unprecedented degree of scrutiny has led many to conclude that the Keystone XL is the most studied pipeline in our Nation's history.

Despite this exhaustive environmental review, the administration has yet to make a decision on a project that will create American jobs, stimulate the economy, and enhance our energy security. In the meantime, opponents of the project continue to rely on false assumptions and misconceptions to urge its rejection.

My amendment simply sets the record straight on these accounts by adding findings from our own State Department that attest to the safety and environmental soundness of this project.

There are those who oppose the project who say it hasn't been studied enough—that's laughable. That we are proceeding hastily—4½ years and 15,000 pages prove otherwise. Others allege that the pipeline is a safety risk. The State Department findings prove these allegations unfounded. In fact, the State Department concluded that it has 57 extra safety features, and with that, the Keystone XL would have a degree of safety over any other domestic pipeline.

There are those who try to argue that the pipeline would threaten water resources, wildlife, and the communities along the route. However, the State Department disagrees, concluding there would be "no significant impacts" to resources along the proposed route.

Some insist that the pipeline will lead to increased greenhouse gas emissions and that halting the project will somehow combat global warming or reduce carbon emissions. However, the State Department's estimates of incremental emissions associated with the project are marginal, and they would have negligible impact on climate change, if any. Moreover, the State Department concluded that Canadian oil sands production will continue regardless of whether or not we build the Keystone. A global oil market and the statements of Canadian officials reinforce this reality.

The science supports approval of Keystone XL, and I agree. Given the facts, I see no reason the administration should make the American people wait any longer for a project whose construction will support up to 40,000 jobs and generate \$2 billion in earnings.

Mr. Chairman, I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise to claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. This amendment selects some statements from the State Department's draft supplemental Environmental Impact Statement to try to suggest that the Keystone XL tar sands pipeline poses no threat to the environment. I only wish that were the case.

This is a matter of basic chemistry. Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution.

The State Department estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. And it estimated that shifting to tar sands crude could add as much U.S. carbon pollution as 4.5 million more vehicles. Not surprisingly, these findings are not in this amendment.

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But the real problem with this amendment isn't what it leaves out. The real problem is that it tries to argue that the Keystone XL tar sands pipeline does not pose real and serious environmental harm, and that's dangerously wrong.

The fact is we may be able to avoid the worst consequences of climate change or we may be able to fully develop the tar sands without capturing

the carbon, but we can't have both. And building Keystone XL is critical to oil companies' plans to triple production of the tar sands.

The State Department's review rests on a key assumption. They assumed that if Keystone XL isn't built, the additional tar sands production would be moved by rail. They also assumed that the extra costs of rail wouldn't be high enough to affect investments in new tar sands projects.

With all due respect to the State Department, this is one case where many experts think they have just got it wrong. A recent Reuters report found big flaws in the State Department's analysis. Among other things, State assumed that rail shipment would cost about \$10 per barrel, but current costs are closer to \$30 per barrel.

The former Alberta Energy Minister said, "If there's something that kept me up at night, it would be the fear that before too long we're going to be landlocked in bitumen."

A Deloitte report said, "Unless key transportation challenges are overcome, that new oil will have nowhere to go."

And here's TD Economics: "Production growth cannot occur unless some of the planned pipeline projects out of Western Canada go ahead."

And here's what AJM Petroleum Consultants have said: "Unless we get increased market access, like with Keystone XL, we're going to be stuck. Our production is going to be the one backed out of the system."

And here's what the former editor of Oilweek said: "Essential to diminishing hopes for an oil sands bonanza are three proposed pipelines."

The Canadian Energy Research Institute said, "with Keystone XL in place and operating at capacity, bitumen production could increase substantially."

Keystone XL Pipeline is the key to enabling a massive increase in tar sands production and locking in our dependence on this very dirty oil. This would be catastrophic for the climate.

This amendment tries to downplay the climate impacts of Keystone XL, but even under the State Department's flawed analysis, there isn't another project in America with bigger climate impacts.

I urge a "no" vote on this Weber amendment and on H.R. 3.

I reserve the balance of my time.

Mr. WEBER of Texas. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. WEBER of Texas. Well, I appreciate the gentleman from California's comments. It's interesting that we are going to belie the State Department's assessment when it's not advantageous to the argument, but we're going to try to rely on it when it's advantageous.

It's admirable that he's concerned about the cost per barrel of bitumen. I

own a small business and, by golly, the oil companies that produce jobs and wealth for this company will decide on whether it's too costly.

The previous gentleman from New Jersey said there was no proof that even the oil would stay here in this country. Well, I submit this to you, Mr. Chairman, and esteemed Members. To what company do we say, We don't want you exporting your products? Do you tell Nike that? Do you tell Ford that? Who do you tell that?

And then to his statement that it's going to increase greenhouse gases, the experts have done the math, and they've come up with, if at all, it raises 1/100,000th of a degree Fahrenheit in global warming.

And finally, we heard testimony from the experts in our hearing, saves 400 to 500 trucks a day off the highway.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Chairman, and my colleagues, the issue is, if we don't build this pipeline, can that tar sands oil be trucked? Can it be taken to market? And I submit that if it's not, if we don't build this tar sands pipeline, they're not going to be able to afford to truck it anywhere else.

They're trying to get us to help bail them out with this dirty tar sands oil so they can use the United States to help Canadian oil production, and we ought to say "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WEBER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WEBER of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-88.

Mr. WAXMAN. Mr. Chairman, I seek recognition in support of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 2, insert the following new paragraph:

(8) The Draft Supplemental Environmental Impact Statement for the Keystone XL Project issued by the Department of State on March 1, 2013, finds that "the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions" in comparison to the greenhouse gas emissions from the crude oils used in the United States, as measured over the full life-cycle of the fuels. The Draft Supplemental Environmental Impact Statement finds that based on the quantity of tar sands crude to be

transported by the Keystone XL pipeline, there could be up to 20.8 million metric tons of carbon dioxide-equivalent emissions additional per year, which is equivalent to the annual emissions from 4,312,500 passenger vehicles.

At the end of the bill, add the following new section:

SEC. 9. OFFSETTING CLIMATE CHANGE IMPACTS.

This Act shall not become effective unless the President finds that the additional greenhouse gas emissions from the increased use of tar sands crude referenced in section 2(8) will be fully offset by TransCanada or tar sands producers through an equal quantity of additional greenhouse gas emissions reductions each year.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this month we passed a grim milestone. Scientists recorded atmospheric concentration of carbon dioxide of more than 400 parts per million. The last time carbon dioxide concentrations were at that level was 3 million years ago. Seas were 60 feet higher, and human beings did not even exist. This milestone is yet another urgent reminder that we need to take immediate action to build a clean energy, low-carbon future.

The Keystone XL pipeline takes us precisely in the wrong direction. This pipeline will expedite production of the dirtiest and most carbon-intensive crude oil on the planet and lock in our dependence on this dirty fuel for decades to come. I'm strongly opposed to the Keystone XL pipeline for that reason.

But if the House is going to pass a bill that approves the Keystone XL pipeline, the least we can do is try to minimize the harm. That's the point of this amendment.

Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution. This isn't in dispute, although we hear arguments that it is, but it is not in dispute.

The State Department has estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. Other studies suggest that numbers could be even higher.

To protect our Nation from droughts, wildfires, and extreme weather, we need to be reducing carbon pollution. But, according to the State Department, using tar sands crude from Keystone XL could increase U.S. carbon pollution by up to 20 million metric tons per year. That's why the Keystone pipeline is a huge step in the wrong direction.

My amendment simply holds Trans-

Canada and the tar sands producers accountable for their carbon pollution. It says that they have to reduce other carbon pollution to offset the extra pollution from Keystone XL. This won't get us closer to meeting our climate goals and building a clean energy future, but at least we won't be increasing the U.S. carbon pollution.

This amendment is not a cure-all. Approving Keystone XL will allow the oil industry to triple tar sands production. During the Energy and Commerce Committee hearing on this bill, we heard testimony that there's no plausible scenario in which tar sands production triples and we don't avoid a catastrophic level of climate change.

So make no mistake; even with this amendment, the Keystone XL pipeline would be a disaster for the climate, but this amendment would help. It would minimize extra carbon pollution. It would send a message to the tar sands producers and Alberta that they need to do a lot more to address climate change, and it would signal that the United States Government takes the threat of climate change seriously.

□ 1620

We need to start holding oil executives accountable for the pollution that is threatening our health and welfare. We need to make the polluters accountable for the damage they are inflicting on our children and our grandchildren. Our generation has an obligation to protect the Earth for future generations. This amendment is at least a small step in that direction.

I urge my colleagues to support this amendment and to vote "no" on the final bill.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman from California has 1 minute remaining.

Mr. WAXMAN. Mr. Chairman, who has the right to close on this amendment?

The Acting CHAIR. The gentleman from Nebraska has the right to close on this amendment.

Mr. WAXMAN. My colleagues, I think this amendment says if you're going to go ahead with this pipeline, at least look for other ways to reduce carbon emissions. Put the burden on the Keystone XL pipeline producers and Alberta, Canada. Don't just accept all the pollution if it can be minimized by our carbon reductions. That will help reduce the harm that this whole project will cause for the climate change that's threatening us and that we're seeing today throughout this country everyday in the news. It will help minimize aggravating that problem.

It's not a solution, but it's a way that we can say that if we're going to have the XL pipeline, at least get some offsets on carbon so that we're not just increasing it to the maximum levels possible of all the greenhouse gases that are going into the air.

I urge support for this amendment, and I yield back the balance of my time.

Mr. TERRY. There are two realities here. Number one is that on the process of obtaining the bitumen, the crude that comes and will be put into the pipeline, that process is becoming more efficient all the time and decreasing its carbon footprint. But what's produced is equal to a heavy crude. That's what the State Department, under the appropriate rules, stated or concluded, based on the environmental impact studies. It is, in essence, equal to what we're importing from Venezuela today. In essence, it's neutral. That's the State Department's own conclusions and analysis—that it would have no real impact on climate change. So the study has been completed and this amendment is not necessary. It's just another way to keep delaying.

I would request a "no" vote.

Mr. WAXMAN. Will the gentleman yield for a question?

Mr. TERRY. I yield to the gentleman from California.

Mr. WAXMAN. How will this delay the project? It simply says, as they develop this pipeline, they have to look for other ways. They can then start figuring that out without delaying the project, as I understand it.

Mr. TERRY. We interpreted that requesting that information could be used as a tool to further delay it. That's how we've reached that conclusion. They've used so many things to delay this already that we're just suspicious that this would be another opportunity.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–88.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert "(a) IN GENERAL.—" before "Notwithstanding Executive".

Page 3, after line 21, insert the following new subsection:

(f) REQUIRED STUDY.—Notwithstanding subsection (a), final approval of construction and operation of the Keystone XL pipeline shall not occur until the President has determined that the appropriate Federal agency has completed a study of the health impacts of increased air pollution in communities near refineries that will process up to 830,000 barrels per day of tar sands crude transported through the Keystone XL pipeline, including an assessment of the cumulative air pollution impacts on these communities, many of which already experience unhealthy levels of air pollution.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. This bill is about profits over people. This bill puts the Koch brothers' profits above people's health.

No one knows how much air pollution this pipeline will cause or how the pollution will impact public health. My amendment, which has been endorsed by the National Resources Defense Council and by the Sierra Club, is common sense. I'm simply requesting a thorough analysis of the potential health risks. I am essentially asking that that analysis be completed before any decision is made on the pipeline.

Even though the State Department has submitted two Environmental Impact Statements on the Keystone XL pipeline, the Environmental Protection Agency has found that neither statement included a satisfactory evaluation of the increased air pollution that would come as a result of the pipeline's operation. Communities surrounding the oil refineries that would be transporting raw tar sands crude through this proposed pipeline are already exposed to dirty air. Approval of the Keystone XL pipeline will only make it worse.

The raw tar sands crude is more toxic and acidic than other types of crude, Mr. Chairman. Raw tar sands crude produces significantly more harmful pollutants and greenhouse gas emissions than conventional crude oil due to the complex refining process it must go through before it reaches the gas pumps.

As this type of crude has only been exported to the United States from Canada for a relatively short period of time, there has not been a thorough study on how its transport would affect air quality in our Nation. It is troubling that the construction of the Keystone XL pipeline, which would transport 900,000 barrels of this crude oil daily, should take place before such a study that would evaluate its effects on health has ever been done. We have a responsibility to the American people to properly assess what risks the construction of this pipeline may pose to

our health. It would be irresponsible of us to sweep these concerns under the rug just to rush this project to the finish line.

Valid questions have been raised about the health risks associated with the increased air pollution this pipeline will produce. These questions deserve legitimate answers. For this reason, I'm requesting a study on the health impacts of raw tar sands crude pollution in our communities surrounding the refineries where the Keystone XL pipeline will operate. I urge my colleagues to share my commitment to safeguarding Americans' health, and I ask that you approve my amendment and allow for such a study to be done before we make any decision on the pipeline's construction.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. And I reserve the balance of my time.

Mr. JOHNSON of Georgia. I yield back the balance of my time.

Mr. TERRY. I rise in opposition to the study. It requires another additional study around the refineries. Keep in mind that the refineries have already been through extensive research and studies to obtain their permits. Yes, many of the refineries are expanding right now, also under the tutelage and permitting processes of the EPA.

□ 1630

They're already being studied. It's not necessary to then include it as a condition precedent to the construction of the Keystone pipeline, which is the essence of what this bill does.

The gentleman from Georgia mentioned that the two entities that are encouraging this amendment are the two entities that have been at the forefront of causing most of these delays, so it's no surprise to me that the Sierra Club and the NRDC are throwing another tool out there to continue these delays. That's the whole purpose.

After 1,700 days, almost 5 years, three major environmental studies on this pipeline, it's time to just get this done. Enough is enough.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-88.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert "(a) IN GENERAL.—" before "Notwithstanding Executive Order".

Page 3, after line 21, insert the following new subsection:

(b) THREAT ASSESSMENT.—Subsection (a) shall not apply until the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, conducts a study of the vulnerabilities of the pipeline to terrorist attack and certifies that the necessary protections have been put in place so that the pipeline would withstand such an attack and a spill resulting from such an attack.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise in support of this commonsense amendment that seeks to protect the pipeline from a possible terrorist attack and to ensure our national security.

This simple amendment requests that the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, consistent with its existing MOU, conduct a study of the vulnerabilities of the Keystone XL pipeline to a terrorist attack and certify that necessary protections have been put in place.

Across the United States, more than a half million miles of pipelines transport natural gas, oil, and other hazardous liquids. Within this network, nearly 180,000 miles of pipeline carry hazardous liquids, including more than 75 percent of our country's crude oil and 60 percent of all of its petroleum products. This important network connects our power plants, ports, refineries, airports, and military bases.

While these pipelines are no doubt critical to the U.S. energy supply, we must also recognize the potential threat. Sadly, as the recent bombing in Boston—my hometown—demonstrated, America must always be on the alert to a terrorist attack on our own soil, sometimes even a native-born one. All it takes is a few bad actors to inflict terrible damage. Unfortunately, our Nation's pipelines remain an easy target.

Both domestically and globally, pipelines have been a favorite of terrorists. There have been attempted attacks on pipelines throughout the world, including in Colombia, Canada, London, Nigeria, and Mexico, to name a few. The Cano Limon oilfield in Colombia has

been bombed more than 950 times since 1993, for example.

Here in the United States, fortunately, we don't face that kind of threat every day, but the threat is still real. Since September 11, Federal authorities have continued to acknowledge that our pipelines are a possible target.

In June of 2007, the Department of Justice actually arrested members of another terrorist group planning to attack jet fuel pipelines in storage containers at JFK Airport in New York; in 2011, a U.S. citizen was arrested for planting an improvised explosive device under a pipeline in Oklahoma; and in June of 2012, a man was arrested for trying to blow up a pipeline in Texas.

Even a single individual with a grudge can wreak havoc with a pipeline and cause substantial harm. In 2001, a vandal armed with a high-powered rifle shot at a section of the trans-Alaska pipeline, causing extensive economic and environmental damage.

Recognizing that this threat is real, my simple amendment asks that the Pipeline and Hazardous Materials Safety Administration work with Homeland Security to study the vulnerabilities of the Keystone pipeline and certify that protections are put in place to withstand such attacks.

If constructed, the Keystone will represent a 1,700-mile target. The very least we can do, if we're going to do that, is to ensure we have protections in place to protect both the source of our energy and our national security.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I do rise in opposition to the amendment.

My good friend from Virginia, I understand his need to make sure that our pipelines are safe, but this amendment is redundant of existing Transportation Security Administration guidelines. It's unnecessary and simply attempts to further delay the project.

TSA guidelines bring a risk-based approach to the application of the security measures throughout the pipeline industry. As stated in the National Infrastructure Protection Plan, DHS assesses risk as a function of threats, vulnerabilities, and consequences. With this in mind, the most effective security programs employ a risk management process that facilitates protective planning and decisionmaking to mitigate the risk for pipeline assets.

The operator's risk assessment methodology is subject to review by the TSA. Therefore, risk and vulnerability to pipelines are already covered under current guidelines. There is no need to specifically single out this pipeline for further study.

Clearly, this is intended to delay the Keystone pipeline from being built, so I

urge a "no" vote and yield back the balance of my time.

Mr. CONNOLLY. I would simply say in response to my friend from Pennsylvania, for whom I have great respect, that this is not redundant because the review process looks at a lot of things—stress, corrosion, improper operation, weather-related disaster, even vandalism. It does not, however, address acts of terrorism. That is why I do not believe that my amendment is redundant.

Frankly, in light of recent events in this country, we must double-check and be double sure that that which we build as sensitive as a pipeline is secure. I think Americans are entitled to that extra security. I don't consider it a redundancy, and I urge passage of the amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113-88.

Mr. RAHALL. Mr. Chairman, I have an amendment at the desk designated as amendment No. 5 in the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 of the committee print (and redesignate subsequent sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I'm offering this amendment on behalf of myself and PETER DEFAZIO of Oregon.

This amendment simply strikes section 3 of the bill. This is the section which states that the Keystone XL pipeline does not require a permit to cross the international border between Canada and the United States. Under this amendment, all other provisions of the bill remain intact, including those relating to judicial review, rights-of-way, and the Clean Water Act.

I believe that getting into the business of waiving permits for a foreign company to do business here in the United States is not the way to facilitate the construction of this pipeline.

American interests are at stake here, and to allow this extremely massive pipeline project to proceed without a permit is ludicrous. As I said in comments earlier today, we do not even do that for domestic companies here in this country.

Section 3 also creates a very convoluted and confusing regime. It references a final Environmental Impact Statement issued on August 26, 2011, as satisfying NEPA for the project. Yet that EIS was done for a different permit application than the one currently pending.

□ 1640

I repeat: that EIS was done for a different permit application than the one that's currently pending.

In February 2012 TransCanada split the project into two pieces—the northern route and the southern route. The company then on May 4, 2012, reapplied for a permit for the revised route, limiting it to the northern route that is the subject of H.R. 3.

Yet the pending legislation references an EIS from August 2011—again, for an entirely different permit application.

As a supporter of the Keystone pipeline, I find it difficult to see how this convoluted process set forth in section 3 would facilitate its construction.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I want to clarify that that was done for a different permit. The study that was done—that's referenced in there—is the environmental study and the requested supplemental for the route, except for the State of Nebraska.

There's another sentence in there that he didn't mention and that is in the now second supplemental for the State of Nebraska new review. There was an earlier statement that there was never one done under Nebraska. That's just absolutely false.

The reality is we've done all of the environmental statements on this route for this permit that were required. So I want to make that clear.

And the other point that I would like to make is the language that's taken in this bill about deeming it in the national interest and deeming the environmental studies—as they've been done for this route in total—have been done before, including the language taken out of a bill that the gentleman that's speaking right now supported in 2004.

Mr. RAHALL. Mr. Chairman, I appreciate the gentleman from Nebraska's

comments. I understand the EIS to which he refers was done for the State of Nebraska, but not for the current pending application.

I yield the balance of my time to the cosponsor of the amendment, the gentleman from Oregon (Mr. DEFAZIO).

The Acting CHAIR. The gentleman from Oregon is recognized for 3 minutes.

Mr. DEFAZIO. I thank the gentleman for yielding on this.

I spoke earlier today. This is the seventh attempt by this House to expedite, or now in this case, we are not expediting permitting, we are mandating permitting.

The gentleman just said that there's some disagreement here. The bill clearly states that it's the 2011 DEIS which is deemed to be sufficient which does not contain the current routing for the line.

We could create somewhat of an extraordinary precedent here. We could just have one generic national pipeline EIS that was done somewhere for something and went through the process and was approved and then deemed that any other pipeline that wants to be built can use that generic pipeline permit. That would certainly expedite things.

Mr. TERRY. Will the gentleman yield on that point?

Mr. DEFAZIO. No, I'm sorry, I don't have enough time.

We would just deem that pipelines anywhere and everywhere met national interest, public safety, and that.

I also raised the point earlier that this will transport tar sands oil through a pipeline which the IRS has deemed not to be oil, so it won't pay the normal excise tax to go to the trust fund which takes care of leaks, like the one we just recently had in Kansas. It will go to a tax-free export zone to a refinery half owned by Saudi Arabia and this will bring us energy independence. Independence from whom?

Every time we pump another barrel, the Saudis and OPEC drop a barrel. They're keeping the price up. There is no free market in oil. You guys all know that. This is not going to save Americans one penny at the pump.

If you want to save Americans money at the pump, let's go after the speculators on Wall Street who are adding 75 cents or \$1 to the price of a gallon of gas. Let's go after the collusion by the oil companies that shut down all the refineries all at once every year at the beginning of the refining season for periodic maintenance, which they couldn't predict was going to happen, or sometimes there's a little accident. Except it turned out last year with an investigation they weren't really shut down—they just jacked up the price 50 cents a gallon like they always do.

So to pretend that somehow by deeming this to be sufficient, mandating that it happen, allowing a foreign com-

pany to build this pipeline across the United States of America, transport tar sands oil to a refinery half owned by the Saudis to be exported out of the United States, perhaps to China—over there you are saying, oh, we don't want to go to China. Well, it may well go to China and go through the Panama Canal. You're not going to stop that, and it's going to save the American taxpayers money at the pump and put people to work. Yes, there will be temporary construction jobs.

But we can do better, particularly as this committee. If we made the investments we need to make in our water infrastructure, our port infrastructure, our roads, bridges, highways, and transit systems, we can put millions of people to work permanently in this country and rebuild our infrastructure and once again claim world leadership there. We've got better things for this committee to be doing.

Mr. RAHALL. I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman from California is recognized for 4 minutes.

Mr. DENHAM. This amendment guts the bill by eliminating the section that, one, declares that no Presidential permit is needed for TransCanada's Keystone XL pipeline; and, two, deems the lengthy environmental reviews already completed as satisfying the requirements of the National Environmental Policy Act and the National Historic Preservation Act.

Given that this project has already had 5 years of studying, section 3 is necessary to ensure the Keystone XL project is done in a timely manner, and we need these American jobs.

I yield the balance of the time to the chairman of the full Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Mr. Chairman, my good friend from Oregon is right about this committee building infrastructure, but there is nothing more important right now than making sure our pipelines are in place to bring the energy safely to millions of Americans, and efficiently to millions of Americans. This is a core of what this committee does. That's why we have primary jurisdiction. That's why we're here debating this issue today.

This bill simply takes back congressional authority—constitutional congressional authority—for us to be able to pass legislation to move things forward, and in this case to move this pipeline forward. This permit as processed will set up an executive order taking away congressional authority. So I am very, very proud and pleased to stand here today and to urge my colleagues to take a vote today to take

back part of our constitutional congressional authority, move this pipeline forward, creating jobs, giving us more energy security in the world.

Mr. DENHAM. Mr. Chairman, I urge a “no” vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113-88.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike “or maintenance”.

Page 5, line 23, strike “or operation and maintenance”.

Page 6, beginning on line 18, strike “, operation, and maintenance”.

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, I yield myself 2 minutes.

My amendment would strike the words “operation and maintenance” from section 7 of the bill.

This section requires the Army Corps of Engineers to approve all permits under section 404 of the Clean Water Act and section 10 of the River and Harbors Act, within 90 days of receipt of a permit application.

The mandate to approve all permits would apply regardless of whether the project meets the needs of the law or not and would cover not only the initial construction of the project, but takes the unprecedented step of applying to all future operation and maintenance, in perpetuity.

Not only is this unprecedented; it is unwarranted and reckless.

Each time the House has debated the Keystone XL pipeline, the focus has always been on expediting the construction. This amendment does not affect or delay construction. I repeat: this amendment does not affect or delay construction of the pipeline.

Whether you support the pipeline or not, section 7 goes far beyond that. It would require the Corps to grant any permit request for operation and maintenance of the pipeline for all eternity.

We do not provide this special treatment to any other pipeline operator in the U.S. Domestic companies are required to go through the proper process for obtaining permits for construction, operation, and maintenance activities.

□ 1650

Why would we treat a foreign company differently and give it a free pass through a multidecade lifespan of the pipeline?

My amendment would eliminate this reckless loophole and a few others to ensure that all operations and maintenance activities on this pipeline, should it be built, are subject to the same review and mitigation requirements that the other 2.6 million miles of pipeline in the United States must meet.

I urge Members to support this amendment, and I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. This amendment would further delay the Keystone XL pipeline and create additional uncertainty for the project. This amendment would basically gut the bill by allowing the construction but not the operation of the pipeline. It makes absolutely no sense for the Federal Government to permit a project to be constructed but not operated. This would be like getting a building permit to construct a house but not being able to certify the occupancy to actually live in the house. This pipeline will be subject to continued oversight by the Pipeline and Hazardous Materials Safety Administration, the Corps, and other regulators to ensure that the operators are complying with the project's permit requirements.

I reserve the balance of my time.

Ms. ESTY. I now yield 1 minute to my colleague, the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank Ms. ESTY for yielding and for offering this amendment.

I have always been a supporter of the Keystone XL pipeline. I have voted for it every time it has come to this floor in any form in which it has come here.

This bill, however, goes beyond simply completing the environmental review and Presidential approval of the pipeline. This bill mandates that the Army Corps and other agencies approve permits not just for construction but for all future maintenance activities on the pipeline. The Army Corps review of permits is important to limiting environmental damage and other impacts like flooding. The southern portion of this pipeline, which I'm very happy is underway, is currently being constructed without having to waive laws and automatically approve permits like this.

I urge Members to support this amendment so we can really come together in a strong bipartisan fashion to approve the Keystone XL pipeline and get this done and get these jobs created in America.

Mr. DENHAM. Mr. Chairman, I continue to reserve the balance of my time.

Ms. ESTY. I yield myself such time as I may consume.

When a version of this amendment was offered in committee, the majority opposed it, claiming that the Corps permits are intended to cover both the construction and the ongoing operations and maintenance of a project. This is simply not accurate.

Following the markup, I consulted with the Army Corps, which stated very clearly that ongoing operations and maintenance activities beyond the initial 5 years are not authorized under the initial permit for the construction of the project. In fact, according to the Corps, operations and maintenance activities that occur in the future beyond the initial 5 years need to be authorized under a separate permit at the time the activity takes place. In addition, any permit that is issued today by the Corps for construction or maintenance would expire in 5 years and would need to be renewed.

I would like to submit for the RECORD a copy of the Army Corps' explanatory decision document nationwide permit 12, which describes the permitting procedures.

So the language in the underlying bill would give construction and all future operations and maintenance under the Clean Water Act and the Rivers and Harbors Act a free pass from review by requiring the Corps to approve them regardless of whether they minimize or mitigate the impacts.

In addition, this amendment would eliminate another loophole to ensure that operations and maintenance activities comply with the Endangered Species Act, just like all other pipelines.

Further, the amendment will strike “maintenance” from section 4, on judicial review, to prevent a small family farmer or a property owner from being forced to travel to a D.C. court to seek redress from future harm to their land or to their children's rights for the duration of the lifespan of this pipeline.

Regardless of your views on the construction of the Keystone XL pipeline, I urge my colleagues to vote “yes” on my commonsense amendment to prevent new loopholes and, quite possibly, to prevent the creation of a regulatory earmark for one foreign corporation.

I urge a “yes” vote on my amendment, and I yield back the balance of my time.

Following is the link to the full document referred to earlier: http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP_12_2012.pdf

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Once again, this amendment does nothing more than to delay or gut the bill. It is correct what the gentlelady from Connecticut says in that this amendment does not impact the construction at all—and it does not. Yet, as the gentleman from California pointed out, the analogy here is, if you build a house, this amendment would say you can't live in the house, that you can't operate in the house. Again, this amendment does nothing more than gut the bill. It's a delay tactic.

As I said earlier, this bill allows Congress the ability to regain its constitutional authority. Congress has the express authority under article I, section 8 of the U.S. Constitution "to regulate commerce with foreign nations and among the several States."

So this bill does that. I urge all of my colleagues to vote "no" on this amendment and "yes" on the underlying bill.

Mr. DENHAM. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–88.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, strike "60 days" and insert "1 year".

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the respective authors of this legislation because I know that their intent is a purposeful intent.

I have made public statements that I believe that moving forward with the right approach, ensuring that the necessary protections are in place, the necessary environmental protections are in place and the permitting is in

place, will create an enormous number of jobs. In fact, I opposed the rule because I've offered amendments that would provide opportunities for minority contractors, women-owned contractors, opportunities for the recruitment of a new generation of workers in the energy industry, which I thought would be a contributing factor to this legislation.

I offer a very simple amendment that has nothing to do with stopping any aspect of the construction. I would hope, however, that the regular order would proceed with the State Department's permitting process and the President's approval, but my amendment does not speak to that. My amendment is an amendment that seeks to simply be fair, Mr. Chairman. My amendment is simple and straightforward.

It extends the time period for filing a claim arising under the act from 60 days to 1 year after the date of the decision or action giving rise to the claim. This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the act in a single court, the U.S. Court of Appeals for the District of Columbia, which is thousands of miles from many of those who may be impacted.

Think about that. The Keystone pipeline is proposed to run from Alberta, Canada, through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas, all the way to the gulf. Maybe there is some collateral impact as well, but the only court in the country authorized to hear the claims of the residents of any of these States who seek justice for a legally cognizable claim or injury is located more than 1,000 miles away from their homes.

Mr. Chairman, they cannot go to a district court. They cannot go to the southern district. This will impose an undue hardship and a financial burden on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer whom they don't know and may have never met to represent their interests in a court far, far away.

Another reason for extending the time period in which to file a claim—remember, this is after the passage and construction of this particular entity—from 60 days to 1 year is that, by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing legal rights. Grandma and Grandpa and all of those individuals will have to travel 1,000 miles.

□ 1700

This is because the burden that must be shouldered by a plaintiff is very

steep. To challenge factual evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that they're not supported by substantial evidence in the record considered as a whole. To meet the standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

I hope in a bipartisan way we can get to where all of us would like to be, ensuring that we have a constructive project for all Americans.

With that, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. MARCHANT). The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I reserve the balance of my time for my personal close.

Ms. JACKSON LEE. Mr. Chair, again, I would have hoped, having worked with the gentleman from Nebraska, the proponent of this legislation, that we would continue to work on a bipartisan pathway.

This amendment is to relieve the burden on some of the very people many of us represent, and that is, of course, those individual claimants who happen to be in faraway places who now have to go to the D.C. Court of Appeals and to actually bear the burden of responsibility dealing with the fact that when you challenge the factual evidentiary determinations made in an EIS statement, an Environmental Impact Statement, for example, the plaintiff must demonstrate that they're not supported by substantial evidence in the record considered as a whole.

That's an extreme burden that will have to be carried by plaintiffs. They'll have to secure lawyers here in the D.C. area. They'll have to travel here, bear extra expenses. It will be necessary to get experts, locate and prepare witnesses, relocate themselves, and gather and review documentary materials. I would suggest that it is obviously a stress and a burden.

In section 4, this bill has no right to judicial review. So in essence, it means that you have one track to go in for a number of issues that might come forward. I am concerned that that would be the case. And for that reason I think that our amendment has the strength of purpose that is necessary.

Let me also add again, as I want to be very clear, why should we burden the individual plaintiffs, Mr. Chairman, with financial burdens that are excessive? My amendment gives them a fair amount of time to get a response and to participate in this process.

I ask my colleagues to support the amendment, and I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this amendment seeks to undermine an important streamlining provision in the

bill that sets firm deadlines for filing claims.

In order to cause maximum delays, opponents of projects often wait until the final possible day to file claims. Setting firm reasonable deadlines has no impact on legal rights.

This bill is limited in the types of claims that receive the expedited review to just three: validity of final orders, constitutionality of the act, and adequacy of the Environmental Impact Statement.

These claims must be filed within 60 days of the final order or action giving rise to that claim. No other claim is affected by the 60-day filing deadline.

Because of the limitations on types of claims covered by the deadline, 2 months is more than ample time to file with the D.C. circuit. Extending to a new year is simply one more delay tactic.

With that, I urge a “no” vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113-88.

Ms. CHU. I rise to offer amendment No. 8, the Chu-Polis-Connolly amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

SEC. 9. POTENTIAL IMPACTS OF PIPELINE SPILL.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the Keystone XL pipeline project to determine—

(1) the total projected costs of cleanup activities that would be required in the event of a discharge of oil and hazardous substances from the project; and

(2) the potential impacts of such a discharge on—

(A) public health;

(B) the environment; and

(C) the quantity and quality of water available for agricultural and municipal purposes.

(b) REPORT.—The Comptroller General shall submit to Congress a report containing the findings of the study required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from California (Ms. CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. CHU. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an important amendment, along with Congressman POLIS and Congressman CONNOLLY, to H.R. 3, the Northern Route Approval Act, which would authorize construction of the highly controversial Keystone XL pipeline.

Our amendment calls for the Government Accountability Office to conduct a study on the cost of cleaning up oil spills from this pipeline. We need to know how much it's going to cost taxpayers to decontaminate our cities, towns, and farmlands when the pipeline leaks. We need to know how a spill will harm residents and the environment. Will it make Americans sick, pollute our water, and contaminate our farms? Americans have the right to know the full cost and harmful impacts that a spill would have.

There are many serious questions and inadequacies in some of the analyses of the project, if not glaring holes. Take greenhouse gas emissions, take pipeline safety and spill response, take alternative pipeline routes—there is too much we don't know. What we do know, though, is that the pipeline will transport oil that is heavily corrosive, making spills more likely and also more difficult and costly to clean up.

Tar sands pipelines in the U.S. have some of the worst spill records. Pipelines in North Dakota, Minnesota, Wisconsin, and Michigan spilled nearly four times as much crude per mile than the national average in the last 2 years. Yet, the Keystone XL pipeline, as planned, will cut across America's heartland. It will run above the Ogallala Aquifer, which is a main source of drinking and farm water for nine States, endangering hundreds of thousands of people.

That is why I oppose the bill. We cannot rush a decision that could have so many harmful impacts on the health of thousands of Americans. And that is why I urge the House to support our amendment.

Join me in asking the GAO to study the cost of spill cleanup and its impact on our health, environment, and water. The American people deserve to know. I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. These issues have already been the subject of the study by the State Department. The environmental review process, which included four different Environmental Impact Statements, analyzed oil spills of varying size, the types of releases, and the impacts of oil spills. Additional studies would just waste taxpayer dollars.

I reserve the balance of my time.

Ms. CHU. Mr. Chairman, I yield 1½ minutes to Representative POLIS.

Mr. POLIS. Mr. Chair, I would like to thank my colleagues, Ms. CHU from California and Mr. CONNOLLY from Virginia.

This amendment would require that the Government Accountability Office, which is independent, evaluate the true cost of potential spills from the Keystone XL pipeline. Americans want to know. We want to know what the impact of tar sands spills are on public health, on the environment, on the quantity and quality of water that's available for agriculture and farmers and for municipalities and for drinking.

We all know that tar sands crude oil can be dangerous. We saw the recent spill in Mayflower, Arkansas. It's critical that we address the true cost of oil pipeline spills and their true impact. It's inevitable that the Keystone XL pipeline will have costly spills and leaks.

Spills are especially concerning because the pipeline is slated to cross over the Ogallala Aquifer, one of the world's largest aquifers that supplies drinking and irrigation water to millions of Americans.

□ 1710

Instead of trying to rubber-stamp the Keystone XL this week and short circuit the very process that Congress established, instead we should be working to ensure that spills won't impact the health of our communities and the quality of our water. I thank the gentlelady for yielding me time.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Ms. CHU. I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I thank my friend from California, Ms. CHU, for her leadership and my colleague, Mr. POLIS, from Colorado. I couldn't be in more congenial company on an amendment that I think is very simple and straightforward.

The American people are entitled to transparency. As Mr. POLIS indicated, leaks are inevitable, and any pipeline corrodes. Especially with this kind of crude oil, which is highly corrosive, you're going to have leaks. The American people are entitled to know the cost of cleanup and the dangers to the environment. I think that's fairly straightforward. I know my colleagues share in the value of transparency in government, and I think that we should be doing that here with the pipeline. I support the amendment and urge its adoption.

Ms. CHU. Mr. Chairman, I urge the House to support our amendment. The American people deserve to know.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, the American people have had 5 years of studies, the longest studies that have happened on any pipeline in our Nation's history. What the American public are waiting for are the jobs that go with this.

U.S. pipeline operators have safely transported oil sands crude for over 40 years. This is not a new concept. The 2011 Pipeline Safety Act further strengthens safety by increasing penalties for violations, authorizing additional safety inspectors, and granting new authorities to enforce the oil spill response plan. That was a bipartisan bill that we passed out of here just last session.

TransCanada has agreed to 57 PHMSA conditions on the pipeline's construction and operation, which is expected to make it one of the safest ever constructed. I urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. CHU).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CHU. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 113-88.

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

SEC. 9. OIL SPILL RESPONSE PLAN DISCLOSURE.

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. This amendment would require that TransCanada and any future owner-operator of the Keystone XL pipeline, if there be one, submit its oil spill response plan to the Governor of each State in which the pipeline operates.

I'm well aware that current law requires the Department of Transportation to maintain on file current copies of oil spill response plans and provide any person a copy of that plan. However, those copies are allowed by law to exclude certain information like

specific response resources, tactical resource deployment plans, and information on worst-case scenario discharges.

I understand there are concerns about broad distribution of these plans and this proprietary information, but those concerns should not apply to Governors of the States—people like Mary Fallin and Nathan Deal, who many of us have served with—States that this very pipeline would run through. These States have the right to evaluate oil spill response plans in detail, integrate it into their respective emergency management systems, and then provide the necessary resources for appropriate emergency response plans. Reliance upon some redacted plan they would receive from the Federal Government is not adequate. People's lives and livelihoods are at stake, and locals work together on these situations.

Nor should those Governors be expected to wait until a spill has occurred when they are already in the process of sending first responders into harm's way to receive a copy of the full plan from TransCanada, which is, by law, the only time the company is required to share that unredacted version with the State government.

South Dakota was wise enough to realize the problems with these regulations. The State enacted legislation to mandate receipt of the plan prior to operation of the pipeline. The other States should not have to jump through any hoops just to obtain the information they need in order to provide appropriate emergency response to dangerous situations to protect their citizenry.

When I offered this amendment in the Transportation and Infrastructure Committee, my esteemed colleague, the Honorable Chairman SHUSTER, recognized the need to balance access to these response plans with the need to protect sensitive information from becoming public, and I think this amendment strikes that proper balance by limiting access to the Governors. He offered to work with me on the issue on a future appropriation bill, and I appreciate that kind offer. While I look forward to that partnership, and I commend the chairman for his work to address the issue on the Pipeline Safety Act of 2011, this amendment would improve this Keystone pipeline situation today. We can't wait for some possible future legislation when the likelihood of a spill and the risk to public safety is so great now.

Potential effects of a Keystone XL spill could be devastating. The truth of the matter is that this pipeline is unprecedented, it's dangerous, and there will be spills. Refraining from arming our States with readily available information in order to respond adequately and safely would not be responsible.

Mr. Chairman, I appreciate this time. This issue is important, and it dem-

onstrates Congress's respect for Governors and State governments and the men and women who risk their lives to protect us every day, the first responders. With that, I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. COHEN. I ask that we unanimously support this amendment.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this is a broad issue that could affect a number of pipelines and States. We are prepared to accept this amendment, although we have general reservations about it, and implementation must be done very carefully.

At our committee markup of H.R. 3, Chairman SHUSTER said he would work on this issue more broadly in the context of reauthorization. Despite these reservations, I'm prepared to accept the amendment.

I yield such time as he may consume to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I appreciate the gentleman from Tennessee bringing this amendment, and I appreciate all of the time and effort that the Transportation and Infrastructure Committee has put into this. I would agree that it's reasonable; the Governors should have this. In fact, TransCanada has agreed to a variety of additional measures that would be part of this, and the Governors should have that. I agree with the gentleman's conclusion.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 113-88.

Mr. HOLT. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:
SEC. 9. ENERGY SECURITY.

This Act shall not take effect until the President determines that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States, except in the following situations:

(1) Where the President determines that providing an exception is in the national interest.

(2) Where providing an exception is necessary under the Constitution, a law, or an international agreement.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, this amendment that I am offering on behalf of the gentleman from Virginia (Mr. CONNOLLY) and the gentleman from Massachusetts (Mr. MARKEY) simply requires that the oil transported through the Keystone XL pipeline, the refined products made from the oil as well, stay in the United States except under certain circumstances.

Now, the proponents of the Keystone pipeline, as we've heard today, say it is important for U.S. energy security. That can't be true if the oil just passes through the United States on its way to other countries, and there is nothing in the underlying legislation that would require that the oil transported through the Keystone pipeline, or the refined fuels produced from that oil, stay in the United States to benefit American consumers.

□ 1720

In fact, when the president of TransCanada, who got a sweetheart deal through this legislation, was asked whether he would commit to keeping the Keystone tar sands oil and the refined fuels in the United States, he said, no. That's why we need to adopt this amendment.

U.S. oil consumption peaked in 2005. It's declined by more than 10 percent since then. During the same period, U.S. petroleum production increased 38 percent.

So how is this balanced?

We're exporting it.

Now, that's not necessarily bad. For years, the import of oil hurt our balance of trade. But in 2011, the United States became a net exporter of petroleum products for the first time in half a century. We've exported 3 million barrels per day of petroleum products, and in 2012, exports increased to 3.2 million barrels per day.

The Keystone pipeline would transport the dirtiest oil in the world from Canada, through the United States, to refineries on the gulf coast, where it would be exported, tax-free, to foreign countries.

This is just a pipeline, about three-dozen permanent workers assigned to this pipeline. Otherwise, all we get from this is the risk of a spill.

According to the Energy Information Administration, more than 76 percent of the current U.S. petroleum exports come from the gulf coast. In fact, 60 percent of the gas, and 42 percent of the diesel produced at Texas gulf coast refineries was exported.

That fact, that the refined product will be exported, is not speculation. Look at the business plans of Valero, one of the Nation's largest refineries, which operates several facilities on the gulf coast.

Valero's 2012 annual report claims that the U.S. markets are oversupplied to the point where the company's chief executive, Bill Kless, recently said, "There's so much oil, it's got to be moving. Our view is that it's flooding the gulf coast."

And the solution?

Well, Valero is shipping domestically produced crude to Canada for refining under a license that allows the company to send up to 90,000 barrels a day for the next year. It's more than double what we exported to Canada last year.

That's right. One of the largest U.S. refiners in the gulf wants to massively increase exports of American crude to Canada at the same time that we are passing this legislation to send Canadian tar sands oil to the gulf coast. I would like to ask the proponents of this to explain how this makes sense.

The president of the American Petroleum Institute and the CEO of ConocoPhillips have said that we should change U.S. law to allow for the expanded exports of domestically produced oil.

Well, the re-export of crude oil is already allowed under current law. Without my amendment, crude oil that comes out of Keystone could circumvent U.S. refineries and be exported as crude. I ask my colleagues to think hard about how that helps America.

The Keystone XL pipeline would ask the United States to bear all of the environmental risk of transporting the dirtiest oil in the world without ensuring that U.S. consumers or our energy security see any benefits from this.

If the proponents of this legislation are serious about ensuring that the Keystone XL pipeline really does enhance U.S. energy security, they will vote "yes" on this amendment.

I yield back the balance of my time.

Mr. TERRY. Mr. Chairman, I rise in opposition and claim the time.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. I yield myself as much time as I may consume.

A couple of points just so we get the total picture here.

We consume, in America, about 18 million barrels of oil per day. That's what we consume domestically. We've reduced that from 20 a couple of years ago.

Now, currently, when we add or just focus on OPEC oil countries, we're importing, daily, about 4.3 million of that 18 million that we need from OPEC countries—Saudi Arabia, Venezuela—and so building this pipeline, about 800,000 barrels, is about enough to offset the heavy crude from Venezuela.

Even with this pipeline running at its maximum, we will still need to import from OPEC-level countries. So the reality is that the numbers will dictate that we have a long way to go before we're flush in oil where we could be energy independent, not dependent on OPEC. That's one of our goals here in this legislation, is to be free of OPEC oil; keep it in North America.

Now, he also mentioned, the gentleman from New Jersey, a good friend and classmate of mine, that a representative, high-level representative from TransCanada said no, we're not going to guarantee that it all won't be exported.

Well, let's put it in context. There are people who are extracting the oil out of the ground. They contract with TransCanada to transport that to the customer that will have control over it and refine it. So the common carrier in the middle has no control over the contract between the producer and the refiner. That's why he said no. They have no say-so over what the refiner does.

Now, the refiner, just basic common sense, is going to tell you that it economically is cheaper to refine the gasoline in Louisiana, Texas, Oklahoma and Kansas, and then send out the gasoline product. And that gasoline's going to stay here domestically, maybe a small percentage. I don't know. But the reality is, economics is going to tell you that.

But here's why this amendment has to be defeated, and this is why this is just kind of an absurd amendment because it says none of that oil that's put in a barrel could be exported. None of it. None of its byproducts either.

So if you took the oil and made it into a plastic container of whatever you're exporting, you can't do that, because it's plastic made from something that came through TransCanada.

The gentleman also mentioned diesel. Even at the highest level of our dependence on OPEC oil, because of our use of gasoline as our dominant source of transportation, as opposed to diesel, which is our symbiotic relationship with Europe, where they use diesel, not gasoline, we have exported that, so we can't even continue that level of relationship, that symbiotic relationship where they send us the gasoline they don't use and we send them the diesel. We can't do that.

And as in every barrel, there will be lubricants, there will be gels, there will be other industrial uses that are exported all the time that we couldn't do here.

But what the American consumer wants is the gasoline from that. And economics, marketplace pressures, are going to tell you it's just a lot cheaper to refine it here and then send it to their gas stations, and that's what the consumer wants. That's what's going to happen.

Even the State Department said that was a fallacy that the gasoline was going to be exported.

So this is one of those amendments that sounds populist and good. But when you think it through, it's just a measure to kill the pipeline.

I urge all of my colleagues to vote "no," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113-88 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WEBER of Texas.

Amendment No. 2 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. JOHNSON of Georgia.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Mr. RAHALL of West Virginia.

Amendment No. 6 by Ms. ESTY of Connecticut.

Amendment No. 7 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Ms. CHU of California.

Amendment No. 10 by Mr. HOLT of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

□ 1730

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. WEBER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 168, not voting 19, as follows:

[Roll No. 169]

AYES—246

Aderholt	Gowdy	Olson
Alexander	Granger	Owens
Amash	Graves (GA)	Palazzo
Amodei	Graves (MO)	Paulsen
Bachmann	Green, Al	Pearce
Bachus	Green, Gene	Perry
Barletta	Griffin (AR)	Peterson
Barr	Griffith (VA)	Petri
Barrow (GA)	Grimm	Pittenger
Barton	Guthrie	Pitts
Benishek	Hall	Poe (TX)
Bentivolio	Hanna	Pompeo
Bilirakis	Harper	Posey
Bishop (GA)	Harris	Price (GA)
Bishop (UT)	Hartzler	Radel
Black	Hastings (WA)	Reed
Blackburn	Heck (NV)	Reichert
Bonner	Hensarling	Renacci
Boustany	Hinojosa	Ribble
Brady (TX)	Holding	Rice (SC)
Bridenstine	Horsford	Rigell
Brooks (AL)	Hudson	Roby
Brooks (IN)	Huelskamp	Roe (TN)
Broun (GA)	Huizenga (MI)	Rogers (AL)
Buchanan	Hultgren	Rogers (KY)
Bucshon	Hunter	Rogers (MI)
Burgess	Hurt	Rohrabacher
Bustos	Issa	Rokita
Calvert	Jenkins	Roose
Camp	Johnson (OH)	Rooney
Campbell	Johnson, Sam	Ross
Cantor	Jones	Rothfus
Capito	Jordan	Royce
Carter	Joyce	Runyan
Cassidy	Kelly (PA)	Ryan (WI)
Chabot	King (IA)	Salmon
Chaffetz	King (NY)	Sanford
Coble	Kingston	Scalise
Coffman	Kinzinger (IL)	Schock
Collins (GA)	Kline	Schweikert
Collins (NY)	Labrador	Scott, Austin
Conaway	LaMalfa	Scott, David
Cook	Lamborn	Sensenbrenner
Cooper	Lance	Sessions
Costa	Lankford	Shimkus
Cotton	Latham	Shuster
Cramer	Latta	Simpson
Crawford	Lipinski	Smith (NE)
Crenshaw	LoBiondo	Smith (NJ)
Cuellar	Long	Smith (TX)
Culberson	Lucas	Southerland
Daines	Luetkemeyer	Stewart
Davis, Rodney	Lummis	Stivers
Denham	Maloney, Sean	Stockman
Dent	Marchant	Stutzman
DeSantis	Marino	Terry
DesJarlais	Massie	Thompson (PA)
Duffy	Matheson	Thornberry
Duncan (SC)	McCarthy (CA)	Tiberi
Duncan (TN)	McCaul	Tipton
Ellmers	McClintock	Turner
Enyart	McHenry	Upton
Farenthold	McIntyre	Valadao
Fincher	McKeon	Veasey
Fitzpatrick	McKinley	Vela
Fleischmann	McMorris	Wagner
Fleming	Rodgers	Walberg
Forbes	Meadows	Walden
Fortenberry	Meehan	Walorski
Fox	Messer	Walz
Franks (AZ)	Mica	Weber (TX)
Frelinghuysen	Miller (FL)	Webster (FL)
Gallego	Miller (MI)	Wenstrup
Garcia	Mullin	Whitfield
Gardner	Mulvaney	Williams
Garrett	Murphy (FL)	Wilson (SC)
Gerlach	Murphy (PA)	Wittman
Gibbs	Neugebauer	Wolf
Gibson	Noem	Womack
Gingrey (GA)	Nolan	Woodall
Gohmert	Nugent	Yoder
Goodlatte	Nunes	Yoho
Gosar	Nunnelee	

NOES—168

Andrews	Blumenauer	Capps
Barber	Bonamici	Capuano
Bass	Brady (PA)	Cárdenas
Beatty	Braley (IA)	Carney
Becerra	Brown (FL)	Carson (IN)
Bera (CA)	Brownley (CA)	Cartwright
Bishop (NY)	Butterfield	Castor (FL)

Castro (TX)	Johnson (GA)	Peters (MI)
Chu	Johnson, E. B.	Pingree (ME)
Ciçilline	Kaptur	Pocan
Clarke	Keating	Polis
Clay	Kelly (IL)	Price (NC)
Cleaver	Kennedy	Quigley
Cohen	Kildee	Rahall
Connolly	Kilmer	Rangel
Conyers	Kind	Richmond
Courtney	Kirkpatrick	Roybal-Allard
Crowley	Kuster	Ruiz
Cummings	Langevin	Ruppersberger
Davis (CA)	Larsen (WA)	Rush
Davis, Danny	Larson (CT)	Ryan (OH)
DeFazio	Lee (CA)	Sánchez, Linda T.
Delaney	Levin	Sanchez, Loretta
DeLauro	Lewis	Schakowsky
DelBene	Loebsock	Schiff
Deutch	Lofgren	Schneider
Dingell	Lowenthal	Schrader
Doggett	Lowe	Schwartz
Doyle	Lujan Grisham (NM)	Scott (VA)
Duckworth	Luján, Ben Ray (NM)	Serrano
Edwards	Lynch	Sewell (AL)
Ellison	Maffei	Shea-Porter
Engel	Maloney	Sherman
Eshoo	Farr	Sinema
Esty	Carolyn	Slaughter
Farr	Matsui	Smith (WA)
Fattah	Foster	Swalwell (CA)
Frankel (FL)	McCarthy (NY)	Takano
Fudge	McCollum	Thompson (CA)
Gabbard	McDermott	Thompson (MS)
Garamendi	McGovern	Tierney
Grayson	McNerney	Titus
Grijalva	Meeks	Tonko
Gutierrez	Meng	Tsongas
Hahn	Michaud	Van Hollen
Hanabusa	Miller, George	Vargas
Hastings (FL)	Moran	Velázquez
Heck (WA)	Nadler	Neal
Higgins	Napolitano	Negrete McLeod
Himes	Neal	O'Rourke
Holt	Negrete McLeod	Pallone
Honda	O'Rourke	Pascarell
Hoyer	Pallone	Pastor (AZ)
Huffman	Pascarell	Pelosi
Israel	Pastor (AZ)	Perlmutter
Jackson Lee	Pelosi	Peters (CA)
Jeffries	Perlmutter	
	Peters (CA)	

NOT VOTING—19

Clyburn	Miller, Gary	Speier
Cole	Moore	Westmoreland
DeGette	Payne	Young (AK)
Diaz-Balart	Ros-Lehtinen	Young (FL)
Flores	Roskam	Young (IN)
Herrera Beutler	Sarbanes	
Markey	Sires	

□ 1757

Ms. FRANKEL of Florida, Ms. MCCOLLUM, Mr. SERRANO, Mrs. MCCARTHY of New York, Messrs. ENGEL, LEWIS, and HOYER, and Ms. SINEMA changed their vote from "aye" to "no."

Messrs. OWENS and PEARCE, Mrs. ELLMERS, Messrs. ROE of Tennessee, ROGERS of Alabama, MULVANEY, COBLE, BROOKS of Alabama, WEBSTER of Florida, COFFMAN, ENYART, and MULLIN changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 269, not voting 18, as follows:

[Roll No. 170]

AYES—146

Andrews	Hahn	Pelosi
Bass	Hanabusa	Peters (CA)
Beatty	Hastings (FL)	Peters (MI)
Becerra	Higgins	Pingree (ME)
Bera (CA)	Himes	Pocan
Bishop (NY)	Holt	Polis
Blumenauer	Honda	Price (NC)
Bonamici	Hoyer	Quigley
Braley (IA)	Huffman	Rangel
Brown (FL)	Israel	Roybal-Allard
Brownley (CA)	Jeffries	Ruiz
Butterfield	Johnson (GA)	Ruppersberger
Capps	Johnson, E. B.	Rush
Capuano	Keating	Sánchez, Linda T.
Cárdenas	Kelly (IL)	Sanchez, Loretta
Carney	Kennedy	Schakowsky
Cartwright	Kildee	Schiff
Castor (FL)	Kind	Schneider
Chu	Kuster	Schrader
Ciциlline	Langevin	Schwartz
Clarke	Lee (CA)	Scott (VA)
Clay	Levin	Scott, David
Cleaver	Lewis	Serrano
Cohen	Loeb sack	Sewell (AL)
Connolly	Lofgren	Shea-Porter
Conyers	Lowenthal	Sinema
Cooper	Lowe y	Slaughter
Crowley	Lujan Grisham	Smith (WA)
Cummings	(NM)	Swalwell (CA)
Davis (CA)	Luján, Ben Ray	Takano
Davis, Danny	(NM)	Thompson (CA)
DeFazio	Lynch	Thompson (MS)
Delaney	Maffei	Tierney
DeLauro	Maloney,	Titus
DelBene	Carolyn	Tsongas
Deutch	Matsui	Van Hollen
Doggett	McCollum	Vargas
Edwards	McDermott	Veasey
Ellison	McGovern	Velázquez
Engel	McNerney	Wasserman
Eshoo	Meeks	Wasserman
Esty	Meng	Welch
Farr	Miller, George	Wilson (FL)
Frankel (FL)	Moran	Yarmuth
Fudge	Nadler	
Gabbard	Napolitano	
Garamendi	Neal	
Garcia	Negrete McLeod	
Grayson	O'Rourke	
Grijalva	Pallone	
Gutierrez	Pastor (AZ)	

NOES—269

Aderholt	Buchanan	Crawford
Alexander	Bucshon	Crenshaw
Amash	Burgess	Cuellar
Amodei	Bustos	Culberson
Bachmann	Calvert	Daines
Bachus	Camp	Davis, Rodney
Barber	Campbell	Denham
Barletta	Cantor	Dent
Barr	Capito	DeSantis
Barrow (GA)	Carson (IN)	DesJarlais
Barton	Carter	Dingell
Benishkek	Cassidy	Doyle
Bentivolio	Castro (TX)	Duckworth
Bilirakis	Chabot	Duffy
Bishop (GA)	Chaffetz	Duncan (SC)
Bishop (UT)	Coble	Duncan (TN)
Black	Coffman	Ellmers
Blackburn	Collins (GA)	Enyart
Boustany	Collins (NY)	Farenthold
Brady (PA)	Conaway	Fattah
Brady (TX)	Cook	Fincher
Bridenstine	Costa	Fitzpatrick
Brooks (AL)	Cotton	Fleischmann
Brooks (IN)	Courtney	Fleming
Broun (GA)	Cramer	Flores

Forbes	Lankford	Rice (SC)
Fortenberry	Larsen (WA)	Richmond
Foster	Larson (CT)	Rigell
Fox	Latham	Roby
Franks (AZ)	Latta	Roe (TN)
Frelinghuysen	Lipinski	Rogers (AL)
Gallego	LoBiondo	Rogers (KY)
Gardner	Long	Rogers (MI)
Garrett	Lucas	Rohrabacher
Gerlach	Luetkemeyer	Rokita
Gibbs	Lummis	Rooney
Gibson	Maloney, Sean	Roskam
Gingrey (GA)	Marchant	Ross
Gohmert	Marino	Rothfus
Goodlatte	Massie	Royce
Gosar	Matheson	Runyan
Gowdy	McCarthy (CA)	Ryan (OH)
Granger	McCarthy (NY)	Ryan (WI)
Graves (GA)	McCaul	Salmon
Graves (MO)	McClintock	Sanford
Green, Al	McHenry	Scalise
Green, Gene	McIntyre	Schock
Griffin (AR)	McKeon	Schweikert
Griffith (VA)	McKinley	Scott, Austin
Grimm	McMorris	Sensenbrenner
Guthrie	Rodgers	Sessions
Hall	Meadows	Sherman
Hanna	Meehan	Shimkus
Harper	Messer	Shuster
Harris	Mica	Simpson
Hartzler	Michaud	Smith (NE)
Hastings (WA)	Miller (FL)	Smith (NJ)
Heck (NV)	Miller (MI)	Smith (TX)
Heck (WA)	Mullin	Southerland
Hensarling	Mulvaney	Stewart
Hinojosa	Murphy (FL)	Stivers
Holding	Murphy (PA)	Stockman
Horsford	Neugebauer	Stutzman
Hudson	Noem	Terry
Huelskamp	Nolan	Thompson (PA)
Huizenga (MI)	Nugent	Thornberry
Hultgren	Nunes	Tiberi
Hunter	Nunnelee	Tipton
Hurt	Olson	Turner
Issa	Owens	Upton
Jackson Lee	Palazzo	Valadao
Jenkins	Pascarell	Vela
Johnson (OH)	Paulsen	Wagner
Johnson, Sam	Pearce	Walberg
Jones	Perlmutter	Walden
Jordan	Perry	Walorski
Joyce	Peterson	Walz
Kaptur	Petri	Watt
Kelly (PA)	Pittenger	Weber (TX)
Kilmer	Pitts	Webster (FL)
King (IA)	Poe (TX)	Wenstrup
King (NY)	Pompeo	Whitfield
Kingston	Posey	Williams
Kinzinger (IL)	Price (GA)	Wilson (SC)
Kirkpatrick	Radel	Wittman
Kline	Rahall	Wolf
Labrador	Reed	Womack
LaMalfa	Reichert	Woodall
Lamborn	Renacci	Yoder
Lance	Ribble	Yoho

NOT VOTING—18

Bonner	Markey	Sires
Clyburn	Miller, Gary	Speier
Cole	Moore	Westmoreland
DeGette	Payne	Young (AK)
Diaz-Balart	Ros-Lehtinen	Young (FL)
Herrera Beutler	Sarbanes	Young (IN)

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. YOUNG of Indiana. Mr. Chair, on rollcall No. 170 I was unavoidably detained. Had I been present, I would have voted "nay."

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR (Mr. LATHAM). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 239, not voting 17, as follows:

[Roll No. 171]

AYES—177

Andrews	Grayson	Napolitano
Barber	Green, Al	Neal
Bass	Grijalva	Negrete McLeod
Beatty	Gutierrez	O'Rourke
Becerra	Hahn	Pallone
Bera (CA)	Hanabusa	Pascarell
Bishop (GA)	Hastings (FL)	Pastor (AZ)
Bishop (NY)	Heck (WA)	Pelosi
Blumenauer	Higgins	Peters (CA)
Bonamici	Himes	Peters (MI)
Brady (PA)	Holt	Pingree (ME)
Braley (IA)	Honda	Pocan
Brown (FL)	Horsford	Polis
Brownley (CA)	Hoyer	Price (NC)
Bustos	Huffman	Quigley
Butterfield	Israel	Rangel
Capps	Jackson Lee	Richmond
Capuano	Jeffries	Roybal-Allard
Cárdenas	Johnson (GA)	Ruiz
Carney	Johnson, E. B.	Ruppersberger
Carson (IN)	Jones	Rush
Cartwright	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda T.
Castro (TX)	Kelly (IL)	Sanchez, Loretta
Chu	Kennedy	Schakowsky
Ciциlline	Kildee	Schiff
Clarke	Kilmer	Schneider
Clay	Kind	Schwartz
Cleaver	Kirkpatrick	Scott (VA)
Cohen	Kuster	Scott, David
Connolly	Langevin	Serrano
Conyers	Larson (CT)	Sewell (AL)
Courtney	Lee (CA)	Levin
Cuellar	Levin	Lewis
Cummings	Davis (CA)	Lipinski
Davis (CA)	Loeb sack	Sinema
DeFazio	Lofgren	Sires
Delaney	Lowenthal	Slaughter
DeLauro	Lowe y	Smith (WA)
DelBene	Lujan Grisham	Swalwell (CA)
Deutch	(NM)	Takano
Doggett	Luján, Ben Ray	Thompson (CA)
Doyle	(NM)	Thompson (MS)
Duckworth	Lynch	Tierney
Edwards	Maffei	Titus
Ellison	Maloney,	Tonko
Engel	Carolyn	Tsongas
Enyart	Maloney, Sean	Van Hollen
Eshoo	Matsui	Vargas
Esty	McCollum	Veasey
Farr	McDermott	Velázquez
Fattah	McGovern	Visclosky
Fitzpatrick	McIntyre	Wasserman
Foster	McNerney	Schultz
Frankel (FL)	Meeks	Waters
Fudge	Meng	Watt
Gabbard	Michaud	Waxman
Garamendi	Miller, George	Welch
Garcia	Moran	Wilson (FL)
Gibson	Nadler	Yarmuth

NOES—239

Aderholt	Bilirakis	Burgess
Alexander	Bishop (UT)	Calvert
Amash	Black	Camp
Amodei	Blackburn	Campbell
Bachmann	Boustany	Cantor
Bachus	Brady (TX)	Capito
Barletta	Bridenstine	Carter
Barr	Brooks (AL)	Cassidy
Barrow (GA)	Brooks (IN)	Chabot
Barton	Broun (GA)	Chaffetz
Benishkek	Buchanan	Coble
Bentivolio	Bucshon	Coffman

Collins (GA) Jenkins
 Collins (NY) Johnson (OH)
 Conaway Johnson, Sam
 Cook Jordan
 Cooper Joyce
 Costa Kelly (PA)
 Cotton King (IA)
 Cramer King (NY)
 Crawford Kingston
 Crenshaw Kinzinger (IL)
 Crowley Kline
 Culberson Labrador
 Daines LaMalfa
 Davis, Rodney Lamborn
 Denham Lance
 Dent Lankford
 DeSantis Larsen (WA)
 DesJarlais Latham
 Dingell Latta
 Duffy LoBiondo
 Duncan (SC) Long
 Duncan (TN) Lucas
 Ellmers Luetkemeyer
 Farenthold Lummis
 Fincher Marchant
 Fleischmann Marino
 Fleming Massie
 Flores Matheson
 Forbes McCarthy (CA)
 Fortenberry McCarthy (NY)
 Foxx McCaul
 Franks (AZ) McClintock
 Frelinghuysen McHenry
 Gallego McKeon
 Gardner McKinley
 Garrett McMorris
 Gerlach Rodgers
 Gibbs Meadows
 Gingrey (GA) Meehan
 Gohmert Messer
 Goodlatte Mica
 Gosar Miller (FL)
 Gowdy Miller (MI)
 Granger Mullin
 Graves (GA) Mulvaney
 Graves (MO) Murphy (FL)
 Green, Gene Murphy (PA)
 Griffin (AR) Neugebauer
 Griffith (VA) Noem
 Grimm Nolan
 Guthrie Nugent
 Hall Nunes
 Hanna Nunnelee
 Harper Olson
 Harris Owens
 Hartzler Palazzo
 Hastings (WA) Paulsen
 Heck (NV) Pearce
 Hensarling Perlmutter
 Hinojosa Perry
 Holding Peterson
 Hudson Petri
 Huelskamp Pittenger
 Huizenga (MI) Pitts
 Hultgren Poe (TX)
 Hunter Pompeo
 Hurt Posey
 Issa Price (GA)

NOT VOTING—17

Bonner Markey
 Clyburn Miller, Gary
 Cole Moore
 DeGette Payne
 Diaz-Balart Ros-Lehtinen
 Herrera Beutler Sarbanes

□ 1807

Ms. KAPTUR changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 239, not voting 18, as follows:

[Roll No. 172]

AYES—176

Andrews Green, Al
 Barber Gutierrez
 Bass Hahn
 Beatty Hanabusa
 Becerra Hastings (FL)
 Bera (CA) Heck (WA)
 Bishop (NY) Higgins
 Blumenauer Himes
 Bonamici Holt
 Brady (PA) Honda
 Braley (IA) Horsford
 Brown (FL) Hoyer
 Brownley (CA) Israel
 Bustos Jackson Lee
 Butterfield Jeffries
 Capps Johnson (GA)
 Capuano Johnson, E. B.
 Cárdenas Kaptur
 Carney Keating
 Carson (IN) Kelly (IL)
 Cartwright Kennedy
 Castor (FL) Kildee
 Castro (TX) Kilmer
 Chu Kind
 Cicilline Kirkpatrick
 Clarke Kuster
 Clay Schiff
 Cleaver Larsen (WA)
 Cohen Larson (CT)
 Connolly Lee (CA)
 Conyers Levin
 Courtney Lewis
 Crowley Lipinski
 Cuellar Loebsock
 Cummings Lofgren
 Lowenthal Lowey
 Davis, Danny Lujan Grisham (NM)
 DeFazio Lujan, Ben Ray (NM)
 Delaney Whitfield
 DeLauro Williams
 DelBene Wilson (SC)
 Deutch Wittman
 Dingell Wolf
 Doggett Womack
 Doyle Woodall
 Duckworth Maloney, Sean
 Edwards Matsui
 Ellison McCarthy (NY)
 Engel McColium
 Enyart McDermott
 Eshoo McGovern
 Esty McIntyre
 Farr McNerney
 Fattah Meeks
 Frankel (FL) Meng
 Fudge Michaud
 Gabbard Miller, George
 Gallego Moran
 Garamendi Nadler
 Garcia Napolitano
 Grayson Neal

NOES—239

Aderholt Bilirakis
 Alexander Bishop (GA)
 Amash Bishop (UT)
 Amodei Black
 Bachmann Blackburn
 Bachus Boustany
 Barletta Brady (TX)
 Barr Bridenstine
 Barrow (GA) Brooks (AL)
 Barton Brooks (IN)
 Benishek Broun (GA)
 Bentivolio Buchanan

Collins (GA) Issa
 Collins (NY) Jenkins
 Conaway Johnson (OH)
 Cook Johnson, Sam
 Cooper Jones
 Costa Jordan
 Cotton Joyce
 Cramer Kelly (PA)
 Crawford King (IA)
 Crenshaw King (NY)
 Culberson Kingston
 Daines Kinzinger (IL)
 Davis, Rodney Kline
 Denham Labrador
 Dent LaMalfa
 DeSantis Lamborn
 DesJarlais Lance
 Duffy Lankford
 Duncan (SC) Latham
 Duncan (TN) Latta
 Ellmers LoBiondo
 Farenthold Long
 Fincher Lucas
 Fitzpatrick Luetkemeyer
 Fleischmann Lummis
 Fleming Marchant
 Flores Marino
 Forbes Fortenberry
 Foster McCarthy (CA)
 Pocan McCaul
 Polis McClintock
 Price (NC) McHenry
 Quigley McKeon
 Rahall McKinley
 Rangel Gerlach
 Richmond Johnson, E. B.
 Roybal-Allard Kaptur
 Ruiz Keating
 Ruppertsberger Kelly (IL)
 Rush Kennedy
 Ryan (OH) Kildee
 Sánchez, Linda Kilmer
 Kind Kind
 Sanchez, Loretta Kirkpatrick
 Schakowsky Kuster
 Schiff Schiff
 Schneider Larsen (WA)
 Schwartz Larson (CT)
 Scott (VA) Lee (CA)
 Scott, David Levin
 Serrano Lewis
 Sewell (AL) Lipinski
 Shea-Porter Loebsock
 Sherman Cummings
 Sinema Lowenthal
 Sires Sires
 Slaughter Lujan Grisham (NM)
 Smith (WA) Whitfield
 Swalwell (CA) Lujan, Ben Ray (NM)
 Takano Lynch
 Thompson (CA) Thompson (CA)
 Thompson (MS) Thompson (MS)
 Tierney Tierney
 Titus Titus
 Tonko Tonko
 Tsongas Tsongas
 Van Hollen Van Hollen
 Vargas Vargas
 Veasey Veasey
 Velazquez Velazquez
 Visclosky Visclosky
 Wasserman Wasserman
 Schultz Schultz
 Waters Waters
 Watt Watt
 Waxman Waxman
 Welch Welch
 Wilson (FL) Wilson (FL)
 Yarmuth Yarmuth

NOT VOTING—18

Herrera Beutler Ros-Lehtinen
 Huffman Sarbanes
 Markey Sarbanes
 Miller, Gary Westmoreland
 Moore Young (AK)
 Payne Young (FL)

□ 1811

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 238, not voting 18, as follows:

[Roll No. 173]

AYES—177

Andrews	Grijalva	Pallone
Barber	Gutierrez	Pascarell
Bass	Hahn	Pastor (AZ)
Beatty	Hanabusa	Pelosi
Becerra	Hastings (FL)	Perlmutter
Bera (CA)	Heck (WA)	Peters (CA)
Bishop (NY)	Higgins	Peters (MI)
Blumenauer	Himes	Pingree (ME)
Bonamici	Holt	Pocan
Brady (PA)	Honda	Polis
Braley (IA)	Horsford	Price (NC)
Brown (FL)	Hoyer	Quigley
Brownley (CA)	Huffman	Rahall
Bustos	Israel	Rangel
Butterfield	Jackson Lee	Richmond
Capps	Jeffries	Roybal-Allard
Capuano	Johnson (GA)	Ruiz
Cárdenas	Johnson, E. B.	Ruppersberger
Carney	Kaptur	Rush
Carson (IN)	Keating	Ryan (OH)
Cartwright	Kelly (IL)	Sánchez, Linda T.
Castor (FL)	Kennedy	Sánchez, Loretta T.
Castro (TX)	Kildee	Schakowsky
Chu	Kilmer	Schiff
Cicilline	Kind	Schneider
Clarke	Kirkpatrick	Schrader
Clay	Kuster	Schwartz
Cleaver	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell (AL)
Courtney	Levin	Shea-Porter
Crowley	Lewis	Sherman
Cummings	Loeb sack	Sinema
Davis (CA)	Lofgren	Sires
Davis, Danny	Lowenthal	Slaughter
DeFazio	Lowe y	Smith (WA)
Delaney	Lujan Grisham (NM)	Smith (CA)
DeLauro	Luján, Ben Ray (NM)	Swalwell (CA)
DelBene	Maloney, Carolyn	Takano
Deutch	Maloney, Carolyn	Thompson (CA)
Dingell	Maloney, Carolyn	Thompson (MS)
Doggett	Maloney, Carolyn	Thompson (CA)
Doyle	Matsui	Tierney
Duckworth	McCarthy (NY)	Titus
Edwards	McCollum	Tonko
Ellison	McDermott	Tsongas
Engel	McGovern	Van Hollen
Enyart	McNeerney	Vargas
Eshoo	Meeks	Veasey
Esty	Meng	Velázquez
Farr	Michaud	Visclosky
Fattah	Miller, George	Walz
Foster	Moran	Wasserman
Frankel (FL)	Nadler	Schultz
Fudge	Napolitano	Waters
Gabbard	Neal	Watt
Galleo	Negrete McLeod	Waxman
Garamendi	Nolan	Welch
Garcia	O'Rourke	Wilson (FL)
Grayson		Yarmuth

NOES—238

Aderholt	Black	Carter
Alexander	Blackburn	Cassidy
Amash	Boustany	Chabot
Amodei	Brady (TX)	Chaffetz
Bachmann	Bridenstine	Coble
Bachus	Brooks (AL)	Coffman
Barletta	Brooks (IN)	Collins (GA)
Barr	Broun (GA)	Collins (NY)
Barrow (GA)	Buchanan	Conaway
Barton	Bucshon	Cook
Benishek	Calvert	Cooper
Bentivolio	Camp	Costa
Bilirakis	Campbell	Cotton
Bishop (GA)	Cantor	Cramer
Bishop (UT)	Capito	Crawford

Crenshaw	Kelly (PA)	Reichert
Cuellar	King (IA)	Renacci
Culberson	King (NY)	Ribbie
Daines	Kingston	Rice (SC)
Davis, Rodney	Kinzinger (IL)	Rigell
Denham	Kline	Roby
Dent	Labrador	Roe (TN)
DeSantis	LaMalfa	Rogers (AL)
DesJarlais	Lamborn	Rogers (KY)
Duffy	Lance	Rogers (MI)
Duncan (SC)	Lankford	Rohrabacher
Duncan (TN)	Latham	Rokita
Ellmers	Latta	Rooney
Farenthold	Lipinski	Roskam
Fincher	LoBiondo	Ross
Fitzpatrick	Long	Rothfus
Fleischmann	Lucas	Royce
Fleming	Luetkemeyer	Ryunan
Flores	Lummis	Ryan (WI)
Forbes	Maffei	Salmon
Fortenberry	Maloney, Sean	Sanford
Fox	Marchant	Scalise
Franks (AZ)	Marino	Schock
Frelinghuysen	Massie	Schweikert
Gardner	Matheson	Scott, Austin
Garrett	McCarthy (CA)	Sensenbrenner
Gerlach	McCaul	Sessions
Gibbs	McClintock	Shimkus
Gibson	McHenry	Shuster
Gingrey (GA)	McIntyre	Simpson
Goodlatte	McKeon	Smith (NE)
Gosar	McKinley	Smith (NJ)
Gowdy	McMorris	Smith (TX)
Granger	Rodgers	Southerland
Graves (GA)	Meadows	Stewart
Graves (MO)	Meehan	Stivers
Green, Al	Messer	Stockman
Green, Gene	Mica	Stutzman
Griffin (AR)	Miller (FL)	Terry
Griffith (VA)	Miller (MI)	Thompson (PA)
Grimm	Mullin	Thornberry
Guthrie	Mulvaney	Tiberi
Hall	Murphy (FL)	Tipton
Hanna	Murphy (PA)	Turner
Harper	Neugebauer	Upton
Harris	Noem	Valadao
Hartzler	Nugent	Vela
Hastings (WA)	Nunes	Wagner
Heck (NV)	Nunnelee	Walberg
Hensarling	Olson	Walden
Hinojosa	Owens	Walorski
Holding	Palazzo	Weber (TX)
Hudson	Paulsen	Webster (FL)
Huelskamp	Pearce	Wenstrup
Huizenga (MI)	Perry	Whitfield
Hultgren	Peterson	Williams
Hunter	Petri	Wilson (SC)
Hurt	Pittenger	Wittman
Issa	Pitts	Wolf
Jenkins	Poe (TX)	Womack
Johnson (OH)	Pompeo	Woodall
Johnson, Sam	Posey	Yoder
Jones	Price (GA)	Yoho
Jordan	Radel	Young (IN)
Joyce	Reed	

NOT VOTING—18

Bonner	Gohmert	Ros-Lehtinen
Burgess	Herrera Beutler	Sarbanes
Clyburn	Markey	Speier
Cole	Miller, Gary	Westmoreland
DeGette	Moore	Young (AK)
Diaz-Balart	Payne	Young (FL)

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 174]

AYES—182

Barber	Hahn	Pallone
Bass	Hanabusa	Pascarell
Beatty	Hastings (FL)	Pastor (AZ)
Becerra	Heck (WA)	Pelosi
Bera (CA)	Higgins	Perlmutter
Bishop (NY)	Himes	Peters (CA)
Blumenauer	Hinojosa	Peters (MI)
Bonamici	Holt	Pingree (ME)
Brady (PA)	Honda	Pocan
Braley (IA)	Horsford	Polis
Brown (FL)	Brown (FL)	Price (NC)
Brownley (CA)	Hoyer	Quigley
Bustos	Huffman	Rahall
Butterfield	Israel	Rahall
Capps	Israel	Jackson Lee
Capuano	Jeffries	Jeffries
Cárdenas	Johnson (GA)	Johnson (GA)
Carney	Johnson, E. B.	Johnson, E. B.
Carson (IN)	Kaptur	Kaptur
Cartwright	Keating	Keating
Castor (FL)	Kelly (IL)	Kelly (IL)
Castro (TX)	Kennedy	Kennedy
Chu	Kildeer	Kildeer
Cicilline	Kind	Kind
Clarke	Kirkpatrick	Kirkpatrick
Cleaver	Kuster	Kuster
Cohen	Langevin	Langevin
Connolly	Larsen (WA)	Larsen (WA)
Conyers	Larson (CT)	Larson (CT)
Courtney	Levin	Levin
Crowley	Lewis	Lewis
Cummings	Lipinski	Lipinski
Davis (CA)	Loeb sack	Loeb sack
Davis, Danny	Lofgren	Lofgren
DeFazio	Lowenthal	Lowenthal
Delaney	Lowe y	Lowe y
DeLauro	Lujan Grisham (NM)	Lujan Grisham (NM)
DelBene	Luján, Ben Ray (NM)	Luján, Ben Ray (NM)
Deutch	Maloney, Carolyn	Maloney, Carolyn
Dingell	Maloney, Carolyn	Maloney, Carolyn
Doggett	Maloney, Carolyn	Maloney, Carolyn
Doyle	Maloney, Carolyn	Maloney, Carolyn
Duckworth	Matsui	Matsui
Edwards	McCarthy (NY)	McCarthy (NY)
Ellison	McCollum	McCollum
Engel	McDermott	McDermott
Enyart	McGovern	McGovern
Eshoo	McNeerney	McNeerney
Esty	Meeks	Meeks
Farr	Meng	Meng
Fattah	Michaud	Michaud
Foster	Miller, George	Miller, George
Frankel (FL)	Moran	Moran
Fudge	Nadler	Nadler
Gabbard	Napolitano	Napolitano
Galleo	Neal	Neal
Garamendi	Negrete McLeod	Negrete McLeod
Garcia	Nolan	Nolan
Grayson	O'Rourke	O'Rourke

NOES—234

Aderholt	Black	Cassidy
Alexander	Blackburn	Chabot
Amash	Boustany	Chaffetz
Amodei	Brady (TX)	Clay
Andrews	Bridenstine	Coble
Bachmann	Brooks (AL)	Coffman
Bachus	Brooks (IN)	Collins (GA)
Barletta	Broun (GA)	Collins (NY)
Barr	Buchanan	Conaway
Barrow (GA)	Bucshon	Cook
Barton	Calvert	Cooper
Benishek	Camp	Costa
Bentivolio	Campbell	Cotton
Bilirakis	Cantor	Cramer
Bishop (GA)	Capito	Crawford
Bishop (UT)	Carter	Crenshaw

Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart

□ 1819

Ms. LEE of California changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Connolly
Wagner
Walberg
Walden
Walorski
Cuellar
Weber (TX)
Webster (FL)
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al

Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 175]

AYES—182

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cardenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al

NOES—234

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn

Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Hanna
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Buchson
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot

Kingston
Kinzinger (IL)
Klaine
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart

□ 1823

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. CHU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 17, as follows:

[Roll No. 176]

AYES—185

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gibson
Grayson
Green, Al

Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Loweley
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod

Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany

Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman

Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)

Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador

LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby

Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Posey
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart

Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen

Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1827

So the amendment was rejected.
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. MOORE. Mr. Chair, on designated roll-call No. 169, "no," 170, "aye," 171, "aye," 172, "aye;" 173, "aye," 174, "aye;" 175, "aye;" 176, "aye."

AMENDMENT NO. 10 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 255, not voting 16, as follows:

[Roll No. 177]

AYES—162

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Gabbard
Garamendi
Garcia
Gibson

Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Holt
Honda
Hoyer
Huffman
Israel
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Loweley
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano

Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—255

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)

Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer

Crawford
Crenshaw
Cuellar
Culberson
Daines
Denham
Dent
DeSantis
DesJarlais
Dingell
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Esty
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry

Foxx	Latham	Rogers (MI)
Franks (AZ)	Latta	Rohrabacher
Frelinghuysen	LoBiondo	Rokita
Fudge	Long	Rooney
Gallego	Lucas	Roskam
Gardner	Luetkemeyer	Ross
Garrett	Lummis	Rothfus
Gerlach	Marchant	Royce
Gibbs	Marino	Runyan
Gingrey (GA)	Massie	Ryan (OH)
Gohmert	Matheson	Ryan (WI)
Goodlatte	McCarthy (CA)	Salmon
Gosar	McCarthy (NY)	Sanford
Gowdy	McCaul	Scalise
Granger	McClintock	Schock
Graves (GA)	McHenry	Schrader
Graves (MO)	McKeon	Schweikert
Green, Al	McKinley	Scott, Austin
Green, Gene	McMorris	Sensenbrenner
Griffin (AR)	Rodgers	Sessions
Griffith (VA)	Meadows	Sewell (AL)
Grimm	Meehan	Shimkus
Guthrie	Meeks	Shuster
Hall	Messer	Simpson
Hanna	Mica	Sires
Harper	Miller (FL)	Smith (NE)
Harris	Miller (MI)	Smith (NJ)
Hartzler	Mullin	Smith (TX)
Hastings (WA)	Mulvaney	Southerland
Heck (NV)	Murphy (PA)	Stewart
Hensarling	Neugebauer	Stivers
Himes	Noem	Stockman
Hinojosa	Nugent	Stutzman
Holding	Nunes	Terry
Horsford	Nunnelee	Thompson (PA)
Hudson	Olson	Thornberry
Huelskamp	Owens	Tiberi
Huizenga (MI)	Palazzo	Tipton
Hultgren	Paulsen	Turner
Hunter	Pearce	Turner
Hurt	Perry	Upton
Issa	Peterson	Valadao
Jackson Lee	Petri	Vela
Jeffries	Pittenger	Velasco
Jenkins	Pitts	Wagner
Johnson (GA)	Poe (TX)	Walberg
Johnson (OH)	Polis	Walden
Johnson, Sam	Pompeo	Walorski
Jones	Posey	Walz
Jordan	Price (GA)	Weber (TX)
Joyce	Radel	Webster (FL)
Kelly (PA)	Rahall	Wenstrup
King (IA)	Reed	Whitfield
King (NY)	Reichert	Williams
Kingston	Renacci	Wilson (SC)
Kinzinger (IL)	Ribble	Wittman
Kline	Rice (SC)	Wolf
Labrador	Richmond	Womack
LaMalfa	Rigell	Woodall
Lamborn	Roby	Yoder
Lance	Roe (TN)	Yoho
Lankford	Rogers (AL)	Young (IN)
Larsen (WA)	Rogers (KY)	

NOT VOTING—16

Bonner	Herrera Beutler	Speier
Burgess	Markey	Westmoreland
Clyburn	Miller, Gary	Young (AK)
Cole	Payne	Young (FL)
DeGette	Ros-Lehtinen	
Diaz-Balart	Sarbanes	

□ 1832

Mr. POLIS changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. I inadvertently voted “aye” when I intended to oppose the amendment.

The Acting CHAIR (Mr. MEADOWS). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair,

Mr. MEADOWS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, and, pursuant to House Resolution 228, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BISHOP of New York moves to recommit the bill H.R. 3 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. 9. REQUIREMENT THAT TRANSCANADA KEYSTONE PIPELINE, L.P. PAY FOR ANY OIL SPILL CLEANUP ON AMERICAN SOIL.

In the approval process authorized under this Act, TransCanada Keystone Pipeline, L.P. shall certify to the President that diluted bitumen and other materials derived from tar sands or oil sands that are transported through the Keystone XL pipeline will be treated as crude oil for the purposes of determining contributions that fund the Oil Spill Liability Trust Fund.

Mr. UPTON (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Speaker, the Bishop-Capps amendment is the final amendment to the bill. It will not kill the bill or send it back to com-

mittee. If adopted, the bill will immediately proceed to final passage as amended.

Our amendment, which is similar to amendments offered during our committee markups of H.R. 3, corrects a massive loophole in current law that exempts Keystone XL pipeline tar sands from paying millions of dollars into the Oil Spill Liability Trust Fund.

Unlike U.S. crude oil companies, tar sands importers will not pay into the Oil Spill Trust Fund, even though the Trust Fund will be used to pay for any cleanup costs from an oil spill on the Keystone XL pipeline.

That’s right. The Keystone XL pipeline, and all other tar sands importers, get all of the protections of the fund if they have an oil spill, but they do not have to pay a dime into it up front.

As we have seen during the Keystone debate on this floor, we can argue over the merits of tar sands oil and we can argue over the merits of granting special permit waivers to TransCanada to build the Keystone pipeline.

However, I would hope that we could all agree that this Congress should not allow the importers of Keystone pipeline tar sands to avoid the per barrel charge that all other oil companies pay to finance the Oil Spill Liability Trust Fund.

In 2011, the Internal Revenue Service concluded that the definitions of “crude oil” and “petroleum product” in the Tax Code do not clearly include tar sands. This interpretation, if allowed to stand, exempts the Keystone XL pipeline tar sands from the excise tax that finances the Oil Spill Liability Trust Fund. In short, this is a \$66,000 per day tax break.

I am sure that some of my Republican colleagues will argue that H.R. 3 is not the appropriate vehicle for making this change to the law, that we should not single out Keystone XL pipeline, and that Congress should consider this change as a part of comprehensive tax reform.

To my colleagues across the aisle, I would argue that this entire bill is about singling out the Keystone XL pipeline, providing special rules and deeming permits approved for everything anyone can think of.

Our amendment will ensure that TransCanada certifies to the President that Keystone XL pipeline tar sands will be subject to the per barrel excise tax that funds the Oil Spill Liability Trust Fund, ensuring that they pay their fair share.

I yield the remaining time to this amendment’s cosponsor, the gentleman from California (Mrs. CAPPs).

□ 1840

Mrs. CAPPs. I thank my colleague for yielding.

Mr. Speaker, whether it’s drilled on land, offshore, or transported via pipeline, oil spills are inevitable. Spills

happen, and they will continue to happen, regardless of what we've been told by the oil companies building and maintaining the pipelines.

TransCanada says it will implement lots of safety measures, but accidents happen. In fact, accidents have already happened 14 times on the existing TransCanada Keystone pipeline. And they will almost certainly happen on the proposed Keystone XL pipeline, too. Our amendment simply ensures that those responsible for the spill pay to clean it up.

In 1969, my home district was victim to one of the worst oil spills in U.S. history. I know firsthand the devastating damage to human health, property, and natural resources that are caused by oil spills. I know there have been numerous assurances that Keystone XL will be safer and spill risks will be minimal, but safer simply does not equal safe, especially when transporting tar sands crude. Tar sands crude is not only more corrosive and dangerous than conventional crude, but it's far more difficult to clean up in the event of a spill.

We need look no further than the tar sands spill in Kalamazoo, Michigan, in 2010. Nearly 3 years after that spill, the cleanup is still ongoing and the costs are approaching \$1 billion. A spill from Keystone could have similarly devastating impacts in America's heartland. If we're going to bear 100 percent of the spill risk as Americans, the least we can do is ensure those responsible pay to clean it up. That's all this amendment does. And I think there's broad agreement on this point.

This is our opportunity to fix the problem right now. If the Keystone XL pipeline is approved as is, the tar sands crude oil will literally get a free ride through the United States. Our amendment ends this.

I urge my colleagues to end the free ride and vote for this amendment.

Mr. BISHOP of New York. I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Speaker, a review over how to treat crude oil derived from oil sands for the purposes of the oil spill liability trust fund is one in fact that we look forward to having, but it needs to be at the appropriate place and time.

I've got to say that we are fully supportive of the goals, purpose, and funding mechanisms of the trust fund, and we believe that the allocation of fees should be done equitably among crude oil received at a U.S. refinery and petroleum products entering the U.S. for use. However, a bill or an amendment to approve a single pipeline project is not the appropriate vehicle for this debate. Frankly, it needs to be part of

the tax reform bill that I'm sure that Mr. CAMP and others are going to move later on this year. I wish we could have debated this as an amendment to this bill, but we don't have that opportunity. It's simply a motion to recommit. So let's push it to the right date, and that is part of tax reform later this year.

Mr. Speaker, we have waited over 1,700 days for this project. Many of us have folks that commute 80, 90, even 100 miles a day. They need a source of gasoline. Canada provides 1.5 million barrels literally every day to the United States. They want to send as much as 6 million barrels by 2030. This is the best way to do it. Why send it by truck? Why send it by rail? Let's send it by pipeline. It's safer, more economical, and in fact it's going to help the consumer.

I remind my colleagues that 62 Members of the U.S. Senate earlier this year voted for this project. We need to do it here. Reject the motion to recommit and vote for final passage.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 223, not voting 16, as follows:

[Roll No. 178]

YEAS—194

Andrews	Connolly	Gallego
Barber	Conyers	Garamendi
Barrow (GA)	Cooper	Garcia
Bass	Costa	Grayson
Beatty	Courtney	Green, Al
Becerra	Crowley	Green, Gene
Bera (CA)	Cuellar	Grijalva
Bishop (GA)	Cummings	Gutierrez
Bishop (NY)	Davis (CA)	Hahn
Blumenauer	Davis, Danny	Hanabusa
Bonamici	DeFazio	Hastings (FL)
Brady (PA)	Delaney	Heck (WA)
Braley (IA)	DeLauro	Higgins
Brown (FL)	DeBene	Himes
Brownley (CA)	Deutch	Hinojosa
Bustos	Dingell	Holt
Butterfield	Doggett	Honda
Capps	Doyle	Horsford
Capuano	Duckworth	Huffman
Cárdenas	Edwards	Israel
Carney	Ellison	Jackson Lee
Carson (IN)	Engel	Jeffries
Cartwright	Enyart	Johnson (GA)
Castor (FL)	Eshoo	Johnson, E. B.
Castro (TX)	Esty	Kaptur
Chu	Farr	Keating
Ciilline	Fattah	Kelly (IL)
Clarke	Foster	Kennedy
Clay	Frankel (FL)	Kildee
Cleaver	Fudge	Kilmer
Cohen	Gabbard	Kind

Kirkpatrick	Murphy (FL)	Schwartz
Kuster	Nadler	Scott (VA)
Langevin	Napolitano	Scott, David
Larsen (WA)	Neal	Serrano
Larson (CT)	Negrete McLeod	Sewell (AL)
Lee (CA)	Nolan	Shea-Porter
Levin	O'Rourke	Sherman
Lewis	Owens	Sinema
Lipinski	Pallone	Sires
Loeb sack	Pascarell	Slaughter
Lofgren	Pastor (AZ)	Smith (WA)
Lowenthal	Pelosi	Swalwell (CA)
Lowey	Perlmutter	Takano
Lujan Grisham	Peters (CA)	Thompson (CA)
(NM)	Peters (MI)	Thompson (MS)
Lujan, Ben Ray	Peterson	Tierney
(NM)	Pingree (ME)	Titus
Lynch	Pocan	Tonko
Maffei	Polis	Tsongas
Maloney,	Price (NC)	Van Hollen
Carolyn	Quigley	Vargas
Maloney, Sean	Rahall	Veasey
Matheson	Rangel	Vela
Matsui	Richmond	Velázquez
McCarthy (NY)	Roybal-Allard	Visclosky
McCollum	Ruiz	Walz
McDermott	Ruppersberger	Wasserman
McGovern	Rush	Schultz
McIntyre	Ryan (OH)	Waters
McNerney	Sánchez, Linda	Watt
Meeks	T.	Waxman
Meng	Sanchez, Loretta	Welch
Michaud	Schakowsky	Wilson (FL)
Miller, George	Schiff	Yarmuth
Moore	Schneider	
Moran	Schrader	

NAYS—223

Aderholt	Fleischmann	Lankford
Alexander	Fleming	Latham
Amash	Flores	Latta
Amodei	Forbes	LoBiondo
Bachmann	Fortenberry	Long
Bachus	Fox	Lucas
Barletta	Franks (AZ)	Luetkemeyer
Barr	Frelinghuysen	Lummis
Barton	Gardner	Marchant
Benishek	Garrett	Marino
Bentivolio	Gerlach	Masse
Bilirakis	Gibbs	McCarthy (CA)
Bishop (UT)	Gibson	McCaul
Black	Gingrey (GA)	McClintock
Blackburn	Gohmert	McHenry
Boustany	Goodlatte	McKeon
Brady (TX)	Gosar	McKinley
Bridenstine	Gowdy	McMorris
Brooks (AL)	Granger	Rodgers
Brooks (IN)	Graves (GA)	Meadows
Broun (GA)	Graves (MO)	Meehan
Buchanan	Griffin (AR)	Messer
Bucshon	Griffith (VA)	Mica
Burgess	Grimm	Miller (FL)
Calvert	Guthrie	Miller (MI)
Camp	Hall	Mullin
Campbell	Hanna	Mulvaney
Cantor	Harper	Murphy (PA)
Capito	Harris	Neugebauer
Carter	Hartzler	Noem
Cassidy	Hastings (WA)	Nugent
Chabot	Heck (NV)	Nunes
Chaffetz	Hensarling	Nunnelee
Coble	Holding	Olson
Coffman	Hudson	Palazzo
Collins (GA)	Huelskamp	Paulsen
Collins (NY)	Huizenga (MI)	Pearce
Conaway	Hultgren	Perry
Cook	Hunter	Petri
Cotton	Hurt	Pittenger
Cramer	Issa	Pitts
Crawford	Jenkins	Poe (TX)
Crenshaw	Johnson (OH)	Pompeo
Culberson	Johnson, Sam	Posey
Daines	Jones	Price (GA)
Davis, Rodney	Jordan	Radel
Denham	Joyce	Reed
Dent	Kelly (PA)	Reichert
DeSantis	King (IA)	Renacci
DesJarlais	King (NY)	Ribble
Duffy	Kingston	Rice (SC)
Duncan (SC)	Rigell	Rigell
Duncan (TN)	Kline	Roby
Ellmers	Labrador	Roe (TN)
Farenthold	LaMalfa	Rogers (AL)
Fincher	Lamborn	Rogers (KY)
Fitzpatrick	Lance	Rogers (MI)

Rohrabacher Shuster Wagner
 Rokita Simpson Walberg
 Rooney Smith (NE) Walden
 Roskam Smith (NJ) Walorski
 Ross Smith (TX) Weber (TX)
 Rothfus Southerland Webster (FL)
 Royce Stewart Wenstrup
 Runyan Stivers Whitfield
 Ryan (WI) Stockman Williams
 Salmon Stutzman Wilson (SC)
 Sanford Terry Wittman
 Scalise Thompson (PA) Wolf
 Schock Thornberry Womack
 Schweikert Tiberi Woodall
 Scott, Austin Tipton Yoder
 Sensenbrenner Turner Yoho
 Sessions Upton Yoho
 Shimkus Valadao Young (IN)

NOT VOTING—16

Bonner Hoyer Speier
 Clyburn Markey Westmoreland
 Cole Miller, Gary Young (AK)
 DeGette Payne Young (FL)
 Diaz-Balart Ros-Lehtinen
 Herrera Beutler Sarbanes

□ 1850

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. LATTA was allowed to speak out of order.)

CONGRESSIONAL SPORTSMEN'S CAUCUS

Mr. LATTA. Mr. Speaker, last week, the largest caucus here in the House of Representatives, the Congressional Sportsmen's Caucus, which is made up of Republicans and Democrats, had its normal yearly shoot, which consists of trap, skeet, and sporting clays, and I'm glad to say that this year the Republicans retained the trophy.

If I could, I would yield to my co-chair of the Congressional Sportsmen's Caucus, the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Well, all I can say to my colleague is this time you were lucky, and I look forward to next year.

But the other thing you said is so important. The Congressional Sportsmen's Caucus is the largest caucus, bipartisan caucus, here in Congress. Those of you who are not members, we ask you to come join us. We do a lot. But for the good that we do, the good that we serve, it's a good deal.

Thank you very much.

Mr. LATTA. I thank the gentleman.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 175, answered "present" 1, not voting 16, as follows:

[Roll No. 179]

AYES—241

Granger Palazzo
 Graves (GA) Paulsen
 Graves (MO) Pearce
 Green, Al Perry
 Green, Gene Peterson
 Griffin (AR) Petri
 Griffith (VA) Pittenger
 Grimm Pitts
 Guthrie Poe (TX)
 Hall Pompeo
 Hanna Posey
 Harper Price (GA)
 Harris Radel
 Hartzler Reed
 Hastings (WA) Reichert
 Heck (NV) Renacci
 Hensarling Ribble
 Hinojosa Rice (SC)
 Holding Rigell
 Hudson Roby
 Huelskamp Roe (TN)
 Huiyenga (MI) Rogers (AL)
 Hultgren Rogers (KY)
 Hunter Rogers (MI)
 Hurt Rogers (KY)
 Issa Rohrabacher
 Jenkins Rokita
 Johnson (OH) Rooney
 Johnson, Sam Roskam
 Jones Ross
 Jordan Rothfus
 Joyce Royce
 Kelly (PA) Runyan
 King (IA) Ryan (WI)
 King (NY) Salmon
 Kingston Sanford
 Kinzinger (IL) Scalise
 Kline Schock
 Labrador Schweikert
 LaMalfa Scott, Austin
 Lamborn Sensenbrenner
 Lance Sessions
 Lankford Sewell (AL)
 Latham Shimkus
 Latta Shuster
 LoBiondo Simpson
 Long Smith (NE)
 Lucas Smith (NJ)
 Luetkemeyer Smith (TX)
 Lummis Southerland
 Maloney, Sean Stewart
 Marchant Stivers
 Marino Stockman
 Massie Stutzman
 Matheson Terry
 McCarthy (CA) Thompson (PA)
 McCaul Thornberry
 McClintock Tiberi
 McHenry Tipton
 McIntyre Turner
 McKeon Upton
 McKinley Valadao
 McMorris Vela
 Rodgers Wagner
 Meadows Walberg
 Meehan Walden
 Messer Walorski
 Mica Weber (TX)
 Miller (FL) Webster (FL)
 Miller (MI) Wenstrup
 Mullin Whitfield
 Mulvaney Williams
 Murphy (FL) Wilson (SC)
 Murphy (PA) Wittman
 Neugebauer Wolf
 Noem Womack
 Nugent Woodall
 Nunes Yarmuth
 Nunnelee Yoder
 Olson Yoho
 Owens Young (IN)

NOES—175

Andrews Brady (PA) Carson (IN)
 Barber Braley (IA) Cartwright
 Bass Brown (FL) Castor (FL)
 Beatty Brownlee (CA) Castro (TX)
 Becerra Butterfield Chu
 Bera (CA) Capps Cicilline
 Bishop (NY) Capuano Clarke
 Blumenauer Cardenas Clay
 Bonamici Carney Cleaver

Cohen Keating Peters (MI)
 Connolly Kelly (IL) Pingree (ME)
 Conyers Kennedy Pocan
 Courtney Kildee Polis
 Crowley Kilmer Price (NC)
 Cummings Kind Quigley
 Davis (CA) Kirkpatrick Rahall
 Davis, Danny Kuster Rangel
 DeFazio Langevin Richmond
 Delaney Larsen (WA) Roybal-Allard
 DeLauro Larson (CT) Ruiz
 DelBene Lee (CA) Ruppersberger
 Deutch Levin Rush
 Dingell Lewis Ryan (OH)
 Doggett Lipinski Sanchez, Linda
 Doyle Loeb sack T.
 Duckworth Lofgren Sanchez, Loretta
 Edwards Lowenthal Schakowsky
 Ellison Lowey Schiff
 Engel Lujan Grisham Schneider
 Eshoo (NM) Schradler
 Esty Lujan, Ben Ray Schwartz
 Farr (NM) Scott (VA)
 Fattah Lynch Scott, David
 Foster Maffei Serrano
 Frankel (FL) Maloney, Shea-Porter
 Fudge Carolyn Sherman
 Gabbard Matsui Sinema
 Gallego McCarthy (NY) Sires
 Garamendi McCollum Slaughter
 Garcia McDermott Smith (WA)
 Grayson McGovern Swalwell (CA)
 Grijalva McNeerney Takano
 Gutierrez Meeks Thompson (CA)
 Hahn Meng Thompson (MS)
 Hanabusa Tierney
 Hastings (FL) Miller, George
 Heck (WA) Moore Titus
 Higgins Moran Tsongas
 Himes Nadler Van Hollen
 Holt Napolitano Vargas
 Honda Neal Veasey
 Horsford Negrete McLeod Velazquez
 Hoyer Nolan Visclosky
 Huffman O'Rourke Walz
 Israel Pallone Wasserman
 Jackson Lee Pascrell Schultz
 Jeffries Pastor (AZ) Waters
 Johnson (GA) Pelosi Watt
 Johnson, E. B. Perlmutter Welch
 Kaptur Peters (CA) Wilson (FL)

ANSWERED "PRESENT"—1

Amash

NOT VOTING—16

Bonner Markey Waxman
 Clyburn Miller, Gary Westmoreland
 Cole Payne Young (AK)
 DeGette Ros-Lehtinen Young (FL)
 Diaz-Balart Sarbanes
 Herrera Beutler Speier

□ 1859

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. WAXMAN. Mr. Speaker, during rollcall vote No. 179 on H.R. 3, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. COLE. Mr. Speaker, on rollcall No. 167, (Ordering The Previous Question on H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted "yea".

On rollcall No. 168, (Adoption of H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted "aye".

On rollcall No. 169, (Weber (R-TX) Amendment No. 1—Adds to Section 2 of

the bill the State Department's findings that the Keystone XL pipeline is a safe and environmentally sound project) had I been present, I would have voted "yea".

On rollcall No. 170, (Waxman (D-CA) Amendment No. 2—Adds a finding that "the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions" and provides that the bill will not go into effect unless the President finds that TransCanada or tar sands producers will fully offset the additional greenhouse gas emissions) had I been present, I would have voted "no".

On rollcall No. 171, (Johnson (D-GA) Amendment No. 3—Requires a study on the health impacts of increased air pollution in communities surrounding the refineries that will transport diluted bitumen through the proposed Keystone XL pipeline) had I been present, I would have voted "no".

On rollcall No. 172, (Connolly (D-VA) Amendment No. 4—Delays approval of the Keystone XL project contingent on the completion of a threat assessment of pipeline vulnerabilities to terrorist attack and corrective actions necessary to protect the pipeline from such an attack and to mitigate any resulting spill) had I been present, I would have voted "no".

On rollcall No. 173, (Rahall (D-WV) Amendment No. 5—Strikes section 3 of the bill eliminating the Keystone XL permit approval, allowing the President to continue to delay issuing a permit for the pipeline) had I been present, I would have voted "no".

On rollcall No. 174, (Esty (D-CT) Amendment No. 6—Strikes language in the bill that allows TransCanada to obtain certain permits for operation and/or maintenance of the pipeline, but continues to allow construction permits to be expedited) had I been present, I would have voted "no".

On rollcall No. 175, (Jackson Lee (D-TX) Amendment No. 7—Extends the time period for filing a claim under the Act from 60 days to 1 year) had I been present, I would have voted "no".

On rollcall No. 176, (Chu (D-CA) Amendment No. 8—Requires a GAO study of the Keystone XL project regarding the costs of cleanup activities from a pipeline spill and the potential impacts on health, environment, and water) had I been present, I would have voted "no".

On rollcall No. 177, (Holt (D-NJ) Amendment No. 10—Prohibits the export of any oil, or all refined petroleum products derived from the oil, transported by the Keystone XL pipeline unless the President finds that there is an exception required by law or it is in the national interest) had I been present, I would have voted "no".

On rollcall No. 178, (Democrat Motion to recommit H.R. 3 with instructions) had I been present, I would have voted "no".

On rollcall No. 179, (On Passage H.R. 3—Northern Route Approval Act is expected; please check at the leadership desk for details) had I been present, I would have voted "yea".

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1911, SMARTER SOLUTIONS FOR STUDENTS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113-89) on the resolution (H. Res. 232) providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Ms. FOXX. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

IMPROVING POSTSECONDARY EDUCATION DATA FOR STUDENTS ACT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1949) to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Postsecondary Education Data for Students Act".

SEC. 2. STUDY ON IMPROVEMENTS TO POSTSECONDARY EDUCATION TRANSPARENCY AT THE FEDERAL LEVEL.

(a) FORMATION OF ADVISORY COMMITTEE ON IMPROVING POSTSECONDARY EDUCATION DATA.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Education shall convene the Advisory Committee on Improving Postsecondary Education Data (in this Act referred to as the "Advisory Committee"), which shall be comprised of 15 members who represent economically, racially, and geographically diverse populations appointed by the Secretary in consultation with the Commissioner for Education Statistics, including—

(A) individuals representing different sectors of institutions of higher education, including individuals representing undergraduate and graduate education;

(B) experts in the field of higher education policy;

(C) State officials;

(D) students and other stakeholders from the higher education community;

(E) representatives from the business community;

(F) experts in choice in consumer markets;

(G) privacy experts;

(H) college and career counselors at secondary schools;

(I) experts in data policy, collection, and use; and

(J) experts in labor markets.

(2) CHAIRPERSON.—The Secretary shall appoint the Chairperson of the Advisory Committee.

(b) STUDY REQUIRED.—The Advisory Committee shall conduct a study examining—

(1) the types of information, including information related to costs of postsecondary education, sources of financial assistance (including Federal student loans), student outcomes, and postgraduation earnings, the Federal Government should collect and report on institutions of higher education to assist students and families in their search for an institution of higher education;

(2) how such information should be collected and reported, including how to disaggregate information on student outcomes by subgroups of students, such as full-time students, part-time students, nontraditional students, first generation college students, students who are veterans, and Federal Pell Grant recipients under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a); and

(3) the ways in which the Federal Government may make such information more readily available to—

(A) students and their families in a format that is easily accessible and understandable, and will aid students and their families in making decisions; and

(B) States, local governments, secondary schools, individual or groups of institutions of higher education, and private-sector entities.

(c) SCOPE OF STUDY.—In conducting the study under this Act, the Advisory Committee shall, at a minimum, examine—

(1) whether the current Federal transparency initiatives on postsecondary education—

(A) are reporting consistent information about individual institutions of higher education across Federal agencies; and

(B) are similar to transparency initiatives on postsecondary education carried out by States, individual or groups of institutions of higher education, or private-sector entities;

(2) whether—

(A) the collection and reporting of postgraduation earnings by the Federal Government is feasible, and if feasible, the options for collecting and reporting such information;

(B) collecting and reporting such information would improve the use of Federal transparency initiatives and ease decisionmaking for students and their families; and

(C) collecting and reporting such information would have an impact on student privacy, and if so, how such impact may be minimized;

(3) whether any other information, including information relating to student outcomes or identified under the review required under subsection (d), should be collected and reported by the Federal Government to improve the utility of such initiatives for students and their families, and if so, how such information may be collected and reported, including whether the information should be disaggregated by subgroups of students;

(4) whether any information currently collected and reported by the Federal Government on institutions of higher education is not useful for students and their families and should not be so collected and reported;

(5) the manner in which the information from Federal transparency initiatives is made available to students and their families, and whether format changes may help the information become more easily understood and widely utilized by students and their families;

(6) any activities being carried out by the Federal Government, States, individual or groups of institutions of higher education, or private-sector entities to help inform students and their families of the availability of Federal transparency initiatives;

(7) the cost to institutions of higher education of reporting to the Federal Government the information that is being collected and reported through Federal transparency initiatives, and how such cost may be minimized; and

(8) the relevant research described in subsection (d).

(d) REVIEW OF RELEVANT RESEARCH.—In conducting the study under this Act, the Advisory Committee shall review and consider—

(1) research and studies, if any, that have been conducted to determine questions most frequently asked by students and families to help inform their search for an institution of higher education;

(2) the types of information students seek before enrolling in an institution of higher education;

(3) whether the availability to students and their families of additional information on institutions of higher education will be beneficial or confusing;

(4) results, if any, that are available from consumer testing of Federal, State, institution of higher education, and private-sector transparency initiatives on postsecondary education that have been made publicly available on or after the date that is 10 years before the date of enactment of this Act; and

(5) any gaps in the research, studies, and results described in paragraphs (1) and (4) relating to the types of information students seek before enrolling in an institution of higher education.

(e) CONSULTATION.—

(1) IN GENERAL.—In conducting the study under this Act, the Advisory Committee shall—

(A) hold public hearings to consult with parents and students; and

(B) consult with a broad range of interested parties in higher education, including appropriate researchers, representatives of secondary schools (including college and career counselors) and institutions of higher

education from different sectors of such institutions (including undergraduate and graduate education), State administrators, and Federal officials.

(2) CONSULTATION WITH THE AUTHORIZING COMMITTEES.—The Advisory Committee shall consult on a regular basis with the authorizing committees in conducting the study under this Act.

(f) REPORTS TO AUTHORIZING COMMITTEES.—

(1) INTERIM REPORT.—Not later than 180 days after the date of enactment of this Act, the Advisory Committee shall prepare and submit to the authorizing committees and the Secretary an interim report describing the progress made in conducting the study under this Act and any preliminary findings on the topics identified under subsection (c).

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Advisory Committee shall prepare and submit to the authorizing committees and the Secretary a final report on the study, including—

(i) recommendations for legislative, regulatory, and administrative actions based on findings related to the topics identified under subsection (c); and

(ii) a summary of the research described in subsection (d).

(B) CONSULTATION WITH NCES.—The Advisory Committee shall consult with the Commissioner of Education Statistics prior to making recommendations under subparagraph (A)(i) with respect to improving the information being collected and reported by the Federal Government on institutions of higher education.

(g) AVAILABILITY OF FUNDS.—The amount necessary to conduct the study under this Act shall be made available from amounts available to the Secretary for administrative expenses of the Department of Education.

(h) DEFINITIONS.—For purposes of this Act:

(1) AUTHORIZING COMMITTEES.—The term “authorizing committees” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(2) FIRST GENERATION COLLEGE STUDENT.—The term “first generation college student” has the meaning given the term in section 402A(h) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(h)).

(3) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that such term does not include institutions described in subsection (a)(1)(C) of such section 102.

(4) SECONDARY SCHOOL.—The term “secondary school” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) SECRETARY.—The term “Secretary” means the Secretary of Education.

(6) STATE.—The term “State” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(7) STUDENT.—The term “student” includes—

(A) a prospective student;

(B) a student enrolled in an institution of higher education;

(C) a nontraditional student (as defined in section 803(j)(2) of the Higher Education Act of 1965 (20 U.S.C. 1161c(j)(2))); and

(D) a veteran (as defined in section 480(c)(1) of such Act (20 U.S.C. 1087vv(e)(1))) who is a student or prospective student.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from In-

diana (Mr. MESSER) and the gentleman from New Jersey (Mr. ANDREWS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1949.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1949, the Improving Postsecondary Education Data for Students Act. I want to thank Chairman KLINE and Higher Education Subcommittee Chairwoman FOXX for their work on and support of this measure. I also want to commend Ranking Member MILLER, Subcommittee Ranking Member HINOJOSA, and our Democratic committee colleagues for their contributions to this bill.

Few decisions in life are bigger than whether to attend college and which college to attend, yet many families struggle to wade through the complicated maze of statistics available to find the information they need to make fully informed, cost-conscious decisions. Consequently, they may choose schools or programs that don't meet their needs and leave them with high debt and limited career potential.

Despite Federal efforts to improve data collection and transparency in the higher education system, families and students still struggle, and institutions of higher learning are spending more time and money than ever. During the 2012–2013 academic year, institutions spent an estimated 850,000 man-hours and almost \$31 million to fill out required Federal surveys. Higher education leaders have highlighted several of these requirements as duplicative to State and local transparency efforts and may partially contribute to the increase in college costs.

Through the Improving Postsecondary Education Data for Students Act, we hope to simplify this process and help ensure students can access the information they need to make good decisions while lessening the burden on colleges and universities that have far too many reporting requirements today. The bill would require the Department of Education to evaluate the information colleges and universities are required to provide to determine what helps make students better consumers and what simply buries them in paper—and the schools they attend in paper, as well.

The information yielded by this report will play a critical role in assisting the Education and Workforce Committee's efforts to reauthorize the Higher Education Act. We need to ensure students have the information

they actually need in a user-friendly manner to help them make the best decisions they can.

We also must streamline the current regulatory burden of unnecessary and unhelpful reporting requirements imposed on institutions of higher education. This bill will help guide that process.

I urge all of our colleagues to support the Improving Postsecondary Education Data for Students Act, and I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield myself such time as I may consume.

I'm pleased to rise in support of the gentleman's legislation. I think it's an example of how we can work together and achieve a benefit for the American people. I commend him for introducing the bill and would outline our reasons for our support.

Probably the second largest expenditure most Americans make in their lifetime is a college education for themselves or for their children, second only to their real estate, to the home that they buy. It's surprising how little consumer information is available to families before they make that choice.

If you buy a phone, you can find out what apps it can run, how much bandwidth it has, how much it can store, what it can do, what it can't do. You can find all this information about what the phone cost, what it does, and how it works. But if you're about to enroll in a school that purports to teach Web site design, or if you're about to send your son or daughter off to a college to major in philosophy or engineering, it's surprising how little you know about that school.

The gentleman's proposal is that there be an effort by the Department of Education to make those data more accessible and more transparent for students and their families, questions that are natural to ask: What does it cost to go to the school? What happens to students when they graduate from the school? What kind of jobs do they get? How much money do they make? How much debt do they graduate with? Who transfers in and out of the school and what numbers? How many people finish their education at the schools?

I'm not suggesting that there is any one-size-fits-all list of questions, that it's the right list of questions. What I'm suggesting is that the maximum amount of information should be available to families and students to make reasonable decisions about this sort of thing.

The only comment that I would make further is that we would encourage, Mr. Speaker, the committee leadership to consider bipartisan legislation—that's been sponsored by Mr. DUNCAN HUNTER, JR., on the majority side; I'm involved in it on the minority side; and the other body, it's sponsored by Senators WYDEN and WARNER, along with Senator RUBIO—that would create

this kind of information in a user-friendly, Web-based environment as soon as possibly could be done.

□ 1910

I view this bill as complementary to this effort, and I look forward to working with the gentleman and the other leaders of the committee on this issue.

I would finally say that, on our side, we do strongly believe that the time has come for a full reauthorization of the Higher Education Act. There are a myriad of issues. Tomorrow, we will have student loan financing issues on the floor. There are questions about Pell Grants, the cost of college and numerous other issues that we think are best dealt with in an omnibus and comprehensive fashion.

Having said that, we commend the gentleman for his introduction of the bill, urge its support, and I reserve the balance of my time.

Mr. MESSER. I thank the gentleman from New Jersey for his comments and his leadership on this important topic. It's certainly a pleasure to work with you on this bill and on the other bills that you mentioned.

I would now like to yield 1 minute to my good friend, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman for his leadership and for bringing this bill forward. I appreciate the ranking member's support on this as well.

Mr. Speaker, I rise today to support the Improving Postsecondary Education Data for Students Act.

American moms and dads are working tirelessly to help their children achieve their dreams. For many, that dream includes college. However, the cost of a postsecondary education has become increasingly difficult for a lot of families to bear. Young graduates today are not only confronting a tough job market when they leave school, they are continually facing a growing mountain of debt that is financially burdensome and extremely difficult to pay back. Many students choose schools and their majors without ever knowing the earning potential of their fields of study. This leaves many young Americans with a lower than expected income and struggling to pay down their loans once they graduate. For some, it can take decades. This has got to change.

In my home State of Virginia, we've become a leader in attempting to address this problem. In 2012, Virginia enacted a requirement that schools in our State publish information regarding the proportion of graduates with employment, their average salaries and higher education debt at 18 months and 5 years after graduation.

I expect that this data will become extremely useful to parents and students alike. Unfortunately, the data available to Virginia is limited to graduates who remain in the Common-

wealth. This means that information available in the State database fails to fully capture students that graduate from a school, like the University of Richmond, which attracts students from 46 different States. Very often, they go on to take jobs throughout the country where they become leaders in their fields.

We can help resolve this situation. The Federal Government currently has a significant amount of data that could help parents and students make better decisions regarding the financial benefits of prospective schools and majors, but this information is often hard to understand or is difficult to access.

This bill requires the Secretary of Education to convene a 15-member advisory panel to provide recommendations on how to improve the information available to parents and students when deciding on their schools and majors. This panel will provide an interim report within 6 months and a final one within 1 year for Congress' consideration during the reauthorization of the Higher Ed Act.

This legislation will serve to kick-start the process of improving transparency in higher education and will provide students and parents with the information that they need to make informed decisions so that a college education can continue to be a source of empowerment for millions of Americans. This bill is a great step in the right direction.

I want to thank the gentleman from Indiana (Mr. MESSER) for his leadership, Chairman JOHN KLINE, Chairwoman VIRGINIA FOXX, and the rest of the Education and the Workforce Committee for their work on this issue, and I urge my colleagues to support this bill.

Mr. ANDREWS. I would just ask my friend, Mr. Speaker, if he has any other speakers.

Mr. MESSER. I have two others.

Mr. ANDREWS. I reserve the balance of my time.

Mr. MESSER. I yield such time as she may consume to my friend and colleague from the great State of Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in strong support of the Improving Postsecondary Education Data for Students Act.

I am the mother of a current college student and a recent college graduate as well as a former general counsel and senior vice president at Ivy Tech Community College in Indiana. I personally and professionally understand the difficult and often life-defining decisions our young people make when they decide where to attend college. Students want to make the most educated decisions they can, but currently, they struggle to access and process all of the data they need to make the best decisions for themselves and their futures, and it's not because there is a lack of data being reported.

Currently, the Federal Government requires colleges and universities to report overwhelming amounts of information. As Congressman MESSER has already said, rather than having institutions across the country spend over 850,000 hours and almost \$31 million to fill out all of these required Federal surveys, why not allow our higher ed institutions to spend those hours and those dollars doing a better job serving our students in classrooms, advising students and figuring out ways to lower tuition costs? The problem is that the Federal Government is not requiring the right information and putting it in a readable and understandable format for students.

This bill directs the Department of Education to conduct a survey on which factors students and families want and need when researching their postsecondary options. It's common sense. I appreciate that it's a bipartisan piece of legislation that will benefit students and our higher ed institutions. This bill is simple, and it helps Congress improve transparency as we approach the reauthorization of the Higher Education Act.

I applaud the work of my fellow Hoosier and colleague Mr. MESSER, and I urge the adoption of this important bill.

Mr. ANDREWS. I continue to reserve the balance of my time.

Mr. MESSER. I would now like to yield 2 minutes to my good friend from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I rise in strong support of this legislation.

I have a personal take on this. I have a 17-year-old son, Copeland, and my wife and I are in the process of guiding him through the difficult and often complex process of choosing a higher education institution to attend.

As families across America know, there are a lot of factors to consider when assessing what institution will provide my son with the best opportunity to graduate college and be set on a path to professionally succeed. In this economy, our children deserve the best possible chance we can give them to find jobs that will allow them to provide for themselves and their future families.

The key to good decisionmaking is having accurate information, and this legislation will provide my son Copeland and all of the other students of northeast Georgia with the best possible data that they and their parents can use to select the right postsecondary education paths for them.

I urge my colleagues to join me in supporting this bill, and I would like to thank the gentleman from Indiana for his leadership. The nature in which we bring this forward is a positive solution for our country and is a positive solution for the families looking at this decision of higher education.

Mr. ANDREWS. Mr. Speaker, in closing, this is an example of how we can work together and accomplish something constructive for the American people. I am pleased to support this bill, and I would urge a "yes" vote.

I yield back the balance of my time.
Mr. MESSER. I am a former State legislator from Indiana. They used to say on the House floor back there, "Good bill. Should pass," and it's great when you have the opportunity to work together across the aisle on a bill that just makes sense.

My colleague from North Carolina (Ms. FOXX) made the comment that there is a lot of data out there for families but that there is a difference between data and information. Our goal with this bill is to help bring this data together, to get past the data dump and to try to get families the information they need while at the same time lessening the regulatory burden on our colleges and universities. They're doing the best they can with limited resources as well.

So, with that, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 1949, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1920

RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS ACT OF 2013

Mr. OLSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Resolving Environmental and Grid Reliability Conflicts Act of 2013".

SEC. 2. AMENDMENTS TO THE FEDERAL POWER ACT.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

- (1) by inserting "(1)" after "(c)"; and
- (2) by adding at the end the following:

"(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

"(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

"(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

"(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the maximum extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination."

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting "or municipality" before "engaged in the transmission or sale of electric energy".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. OLSON) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. OLSON).

GENERAL LEAVE

Mr. OLSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 271.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OLSON. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 271, Resolving Environmental and Grid Reliability Conflicts Act of 2013.

My colleagues and I carefully drafted this bill last year to resolve a conflict between the Federal Power Act and environmental rules that, if left unresolved, could create serious problems for the reliability of our Nation's electric grid. With the hot summer coming and power demands set to surge, the potential for dangerous power outages is rising, alongside the mercury.

Just last week, States like California and my own State of Texas were warned by regulators that electricity reserve margins could dip dangerously low. Texas faces critical electricity shortages in the next few years. We simply won't have enough reliable power to guarantee our grid. Rolling blackouts in Texas alone would impact over 25 million people. As coal plants continue to be shut down, pockets of areas across the country could quickly experience blackouts. When the power fails and the AC shuts down on a hot 100-degree day, it's the elderly, the young, and the poor who suffer first.

Prior experience shows that in rare and limited circumstances, emergency actions have been needed to ensure the reliable delivery of electricity. When an emergency exists due to a sudden increase in a demand for electricity or a shortage of supply, the Department of Energy has a tool of last resort to address the emergency. That tool is an emergency order under section 202(c) of the Federal Power Act.

DOE can order a grid connection to be made or power plant to generate electricity when outages occur due to weather events, equipment failures, or the electricity supply is too low to avoid a blackout. As they should, DOE can mandate a company to comply with a 202(c) order, even if it means a brief violation of environmental laws.

Unfortunately, under current law, a company or individual can be penalized for violating environmental laws even when they're following a Federal order to avoid a blackout. In recent years, these conflicting Federal laws have resulted in lawsuits and heavy fines for electricity providers complying with legal orders. Unless Congress passes this legislation to resolve the potential conflict in laws, the section 202(c) tool is in jeopardy.

H.R. 271 eliminates the uncertainty facing power generators and their customers by providing a needed safety valve which clarifies that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation. To be clear, these emergency orders are not issued lightly and only under extreme power reliability scenarios. In the last 30 years,

this authority has only been invoked about half a dozen times.

If the need arises, my legislation will ensure that DOE works to minimize any adverse environmental impacts by balancing environmental interests with liability considerations.

While some people are concerned that H.R. 271 doesn't go far enough to protect plant operators who might face lawsuits from environmental groups, my bill is a vast improvement over current law.

Major utilities, both public and investor-owned power trade associations believe that a Federal court would be hard pressed to overrule an emergency order issued by the DOE. In a crisis, if this bill becomes law, DOE will be given deference, which will apply to utilities following these orders. DOE will consult with clean air regulators, but the final decision in emergencies will always firmly remain in the hands of those charged with keeping the power flowing.

The protection H.R. 271 offers is critical; and given the number of plant retirements that have been announced, as operators grapple with new EPA air and water rules, I worry that DOE may need to use its emergency authority more often in the future.

I still expect DOE emergency orders to be the exception and not the rule. In those rare instances when the authority is invoked, we should not punish generators who are simply following orders from the Federal Government to keep the power on in an emergency.

Resolving this conflict is critical, which is why I reintroduced this bipartisan legislation in the 113th Congress. It will allow America's power companies to comply with Federal orders to maintain grid reliability during a power emergency without the threats of lawsuits or penalties.

I'm pleased with the widespread bipartisan support this bill has received. This bill is proof that we can find common ground in Washington, D.C., when working to address a glitch in Federal law and provide a reliable energy supply to all Americans.

I want to thank Chairman FRED UPTON, Ranking Member HENRY WAXMAN, Subcommittee Chairman ED WHITFIELD, and Subcommittee Chairman BOBBY RUSH for their support and assistance in moving this bill forward. I also want to thank my original cosponsors on the committee, GENE GREEN of Texas, MIKE DOYLE of Pennsylvania, LEE TERRY of Nebraska, ADAM KINZINGER of Illinois, and their staffs for working with me to fix this problem, to keep the power running for all Americans in an emergency.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation that protects energy consumers, the environment, and those who provide the power.

With that, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 271, the Resolving Environmental and Grid Reliability Conflicts Act.

I'm proud to be an original cosponsor to this bill that we worked on with my good friends, Congressman PETE OLSON and Congressman MIKE DOYLE, last Congress. This bipartisan legislation addresses a conflict in Federal law where a company or individual can be held liable for violating environmental laws when the Federal Government orders them to generate power to avoid blackouts.

□ 1930

Section 202(c) of the Federal Power Act gives the Department of Energy the authority to order an electric generating facility to generate power in order to avoid an electric reliability emergency.

At the same time, the possibility of violating environmental laws and regulations may restrict the operation of power plants or transmission lines. For example, a company may have mothballed a power plant because it had reached its Clean Air Act emissions limit for the year. So if a company, or publicly owned utility, is ordered by DOE to operate under section 202(c), and at the same time is prohibited from operating in accordance with the DOE order due to environmental limitations, the operator must choose which legal mandate to follow. These conflicting legal mandates should not complicate an electric reliability crisis, but they do. It is not fair for the government to put a power generator in this position.

As a longtime member of the Energy and Commerce Committee and someone who has worked on both reliability and environmental legislation during that time, I can honestly say that it was never our intention to put electric generating facilities in the position of having to choose between compliance with one law over another. And while there have only been a couple of instances to date where a generator has been in this situation, this potential for conflict will only grow as several coal-fired plants are scheduled to be taken offline in the coming years.

That is why Congress needs to address this issue. Otherwise, we risk threatening our electric reliability and for certain regions of the country, this issue is coming fast. H.R. 271 simply clarifies that if an emergency order issued pursuant to section 202(c) of the Federal Power Act may result in a conflict with an environmental law or regulation, the order shall expire no later than 90 days after issuance.

This deadline does two things. First, this ensures that the Department of Energy continues to have the necessary authority to "keep the lights

on” in true emergencies. However, it then gives DOE the opportunity to renew or reissue the order for an additional 90-day period only after consulting with the appropriate Federal agencies and including conditions submitted by these agencies to mitigate any potential adverse environmental impacts.

This is not a messaging bill. It’s not an anti-EPA bill or an anti-air toxic standards bill. Instead, it’s a common-sense bill that addresses a very worrisome deficiency in current law that is only going to become more prominent in the coming years.

I want to thank our ranking member, Mr. WAXMAN, for his continued support of this bill. This is one of a handful of bills that actually were supported by both Democrats and Republicans in the Energy and Commerce Committee, and it has support across the utility industry. My hope is that the committee will continue to refer to the floor truly bipartisan bills like this one. It’s time we get back to legislating and not messaging. With that, I encourage my colleagues on both sides of the aisle to support this bill.

I reserve the balance of my time.

Mr. OLSON. Mr. Speaker, I have no other Members wanting to speak, and I’m willing to close if my colleague is as well.

Mr. GENE GREEN of Texas. Mr. Speaker, I encourage my colleagues to support this great legislation.

I yield back the balance of my time.

Mr. OLSON. Mr. Speaker, in closing, I want to thank Chairman UPTON, Ranking Member WAXMAN, subcommittee Chairman WHITFIELD, and subcommittee Ranking Member RUSH for their assistance in getting this bill passed in the 113th Congress.

If my colleagues want to go home next week with an example of bipartisanship for their constituents, vote for H.R. 271.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEWART). The question is on the motion offered by the gentleman from Texas (Mr. OLSON) that the House suspend the rules and pass the bill, H.R. 271.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2013, of the following Members on the part of the House to

the Migratory Bird Conservation Commission:

- Mr. WITTMAN, Virginia
- Mr. DINGELL, Michigan

APPOINTMENT AS MEMBERS TO MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239), and the order of the House of January 3, 2013, of the following individuals on the part of the House to the Military Compensation and Retirement Modernization Commission:

- Mr. Dov S. Zakheim, Silver Spring, Maryland
- Mr. Michael R. Higgins, Washington, D.C.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 17, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 4(c) of House Resolution 5, 113th Congress, I am pleased to re-appoint The Honorable James P. McGovern of Massachusetts as Co-Chair of the Tom Lantos Human Rights Commission.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

HONORING MR. AND MRS. BENTON MARKS

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, I rise today to recognize an exceptional Hoosier couple, Mr. Benton and Mrs. Sandi Marks, who are being honored with the 2013 HAI-Life Distinguished Service Award by the Hasten Hebrew Academy of Indianapolis.

Mr. Marks has served as president of both the Hasten Hebrew Academy and the Bureau of Jewish Education, as Jewish Federation campaign chair and president, and as chairman of the State of Israel Bonds. He has also served as a member of the Indiana Judicial Nominating Commission, and has volunteered with numerous civic and professional organizations.

Mrs. Marks has devoted her life to education, serving on the Hasten He-

brew Academy Education Committee and as a board member of the school. She recently retired from Washington Township Schools but continues to serve the district and Indiana as a school psychologist. She is also a trusted friend and confidante of mine on education issues in my capacity as chairman of the subcommittee on K-12 education.

Mr. and Mrs. Marks are wonderful entrepreneurs, excellent philanthropists, and most of all, friends. I am honored to know them, even since my days as Indiana Secretary of State, and I know they will continue to serve as leaders in our Indiana community for many years to come.

CONGRATULATING MATTHEW MADDOX

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, it is an honor to follow the gentleman from Indiana, the subcommittee chairman of K-12, because I’m going to recognize a leader in our K-12 community in Illinois.

Mr. Speaker, I rise today to recognize Matthew Maddox for being named the VFW National Citizenship Education Elementary Teacher of the Year.

Matthew is a fifth-grade teacher at Columbus Elementary School in Edwardsville, Illinois, and he was selected as the Teacher of the Year from among 60,000 other teachers for his dedication to education, innovative teaching style, and resource development.

In the classroom, Matthew has made it a commitment to recognize the sacrifices made by our Nation’s veterans by regularly inviting veterans to visit and share their stories to help make history much more relevant to his students.

In addition to being an educator, Matthew has proudly served our country in the Illinois National Guard’s 445th Chemical Company since July 2011, and has enrolled in officer training school at Camp Lincoln in Springfield, Illinois.

Far too often, our Nation’s educators do not deserve the credit and recognition they deserve. So I am proud to stand here today to congratulate Matthew Maddox for the work he does in the classroom, and also to thank him for his service to our country.

□ 1940

HONORING THE SERVICE AND SACRIFICE OF OUR NATION'S VETERANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, I recently visited the Eastern Nebraska Veterans Home in Bellevue. It's a lovely place that is well-designed to care for those who have served in the protection of our country. I had a nice visit, talking with many of the veterans there, each with their own unique stories of service to our Nation.

A conversation, though, with one man in particular, Mr. Speaker, has stuck with me ever since. Now in his nineties, Don McBride sat quietly as I was speaking to the entire group. But as I was leaving, I went over to him to thank him for his commendable service to our Nation; but as soon as I got those words out, Don stopped me.

You see, Don has a very interesting story. As I understand it, he did not directly enlist in the United States military. It was a unique situation. Don was a pilot with Pan Am Airlines, and during World War II, he helped the war effort by flying planes into China. During World War II, China was our ally.

In all, Don flew 524 missions. He had to put a few planes down a couple of times because they were shot so badly, but he didn't stop. He and his fellow pilots did whatever was needed for the war effort, whether it was engaging Japanese aircraft or delivering aid to remote places in that rough terrain.

For his service, Don was awarded the Presidential Citation, four Bronze Stars, the Air Medal, the Distinguished Flying Cross, and the China Service Medal. He didn't want to tell me all this. He was quite reserved about it, but his nurse encouraged him to share his story.

But, again, as I went to thank him, Don stopped me and he said this, Mr. Speaker. He said: We don't need any thanks. Every man here did it because he wanted to, because it was necessary. I don't know of anybody who has ever been sorry for serving.

Mr. Speaker, it is this spirit of selflessness that lives on in so many of our veterans and the military men and women who are serving our Nation today. They gave, and continue to give, for one simple reason: it is necessary and it is their duty.

On Memorial Day, this coming Monday, we will gather for an occasion that is both solemn and joyful. We honor those who gave everything in service to their countrymen. The formal remembrance of fallen heroes mixes feelings of both sorrow and pride. That a person would lay down

his life for his friends, for another, is the noblest of human ideals. That we would unite in gratitude to reflect on the sacrifices of those who have gone before us is one of the greatest human expressions.

And for those who are veterans, Mr. Speaker, who have stood next to persons who have given their all, perhaps holding them as they died, watching helplessly as war consumed another innocent life, their living presence, Mr. Speaker, the living presence of our veterans today is an honor to those who did not come home.

Communal remembrance is a long-standing human tradition. When we focus our remembrance on the war veterans who have sacrificed for us, the act is particularly meaningful and appropriate.

Ever since there has been fighting and dying in war, there's been a calling in the human heart to memorialize the fallen heroes of battle, especially in this Nation, born in war, where the legacies of those who died defending our country are written on our hearts and are seen clearly in the blessings of liberty that we still hold today.

In spite of our political divisions, in spite of the rancor and divisiveness that sometimes exists in this body and in our Nation, we are still called to yield to proper reflection about that which is noble and that which is good.

Mr. Speaker, yet, for nearly 100 years, our fledgling country did not have a day set aside to remember and celebrate the sacrifices of fallen soldiers. In America, the practice of Memorial Day began in the years immediately following the Civil War.

In 1868, the head of an organization of Union veterans established what was called Decoration Day at the time for the Nation to decorate the graves of the Civil War dead with flowers. The day picked was May 30, a day in late spring to ensure that the flowers would be in full bloom across our Nation.

Throughout the countryside, people began to visit cemeteries to decorate the graves of fallen soldiers, both Union and Confederate. On one noted occasion, women living near Columbus, Mississippi, deep within the defeated Confederacy, were so disturbed by the neglected graves of Union soldiers that they took care to see that these graves were properly decorated as well.

Decoration Day grew in popularity and in practice, and by the early 1900s, ceremonies were held on May 30 throughout the Nation. After World War I, the day was expanded to honor those who have died in all American wars. Decoration Day soon became known as Memorial Day. But it was only in 1971 that Memorial Day was declared a national holiday by an act of Congress, to be celebrated annually on the last Monday in May.

Mr. Speaker, this coming Monday, we will continue this solemn tradition and

reflect upon its profound meaning. We honor those fallen heroes of yesterday for their sacrifices on our behalf. Their bravery has afforded us the liberty and security we enjoy today.

But the price of the blessings of peace has not come without great cost. Since the Revolutionary War, more than 42 million Americans have risked their lives for our country. Of those, more than 656,000 servicemembers have died in battle. Their loss runs deep in the lives of those whom they left behind. Wives lost husbands, husbands lost wives, parents lost children, and children lost parents. The soldier's ultimate sacrifice is not merely his own, Mr. Speaker.

In 1944, along the northern coastline of France in a place called Normandy, the future of civilization hung in the balance. At 6:30 a.m. on June 6, the first wave of American troops landed at a place called Omaha Beach. As their Higgins boat troop carriers opened, 18- and 19-year-old young men from cities and farms, from New York to Nebraska, were asked to do the impossible—dash across hundreds of yards of open beach with no cover, in the face of a hail of German machine gun fire and mortars, and take the high ground.

Somehow, somehow, they did this. They withstood the violence and made their way to the steep hillside.

Mr. Speaker, last winter I stood where those soldiers landed, at water's edge, and looked across that beach. It is hard to get the mind around the chaos of that day, to feel what they felt as the horror unfolded before them.

I made my way to that steep hillside, now so peaceful and lovely, and stood in a German machine gun bunker. A young German soldier named Severloh manned the machine gun that day. And in a book that he wrote shortly before he died a few years ago, Severloh said that he wept as he fired his gun at the slaughter that unfolded before him.

I walked around the nearby American cemetery, with its orderly rows of white crosses testifying to the dear price our soldiers paid. I stopped at the grave of a young man named Billy D. Harris, from Oklahoma. Billy D. Harris had married young and died young. His wife didn't know that her husband had been killed and buried there until about 10 years ago. Such is the chaos of war. She never remarried. She had all her hopes that her husband would one day return to her.

I proceeded on to the little town of Sainte-Mere-Eglise, where our airborne troops landed the night before the D-day invasion.

□ 1950

Some fell into the town square occupied by Germans. One soldier's parachute got caught on the church roof and he hung there as the battle raged below. A replica of the parachute and soldier still hangs from the church today.

In August of 1944, a young medical doctor left his wife and two children and entered the Army. He was first headquartered at a hospital in England, where the last official records show that he was located. As Patton's Army moved against the Germans, Captain Luther Sexton Fortenberry went into action in France, probably to begin field operations there. In November of 1944, he was killed by ordnance explosion. He was my grandfather. He was initially buried at the cemetery at Sainte-Mere-Eglise. Now he is reinterred here in Washington at Arlington National Cemetery.

As part of our civic life, Mr. Speaker, we honor the memory of all those who have served us. We all know of the great battles and heroic sacrifices at places like Bunker Hill, Omaha Beach, Khe Sanh, and Fallujah. What we do not know are the untold stories, witnessed by no one, of Americans who fought it out to the death to preserve our country. We also do not know the untold stories of the many who left their families and quietly performed their duty with no questions or demands made; the veterans who maintained tanks and aircraft, cooked, computed, cleaned, and drove.

Today, we honor our loved ones and ancestors lost long ago as well as those who have left us more recently. The sting of loss is not so distant for some whose loved ones have given their lives of late in Iraq and Afghanistan. Of the American soldiers who have been killed there, 72 were Nebraskans.

Like so many of our colleagues, Mr. Speaker, I have attended many funerals and memorial services for those who have been killed from my district. I have seen many of the families bravely bear the weight of this devastation. I have seen communities come together to honor their local heroes and to help bring healing to these hurting families. I could not be more proud of these patriots and their family members for their remarkable bravery, their remarkable honor, their character, their selflessness—young men and women of the highest caliber who, like so many before them, gave themselves for their country, fighting courageously for America and our ideals of liberty, equality, and justice for which they died.

Mr. Speaker, I was recently contacted by the family of John Douangdara. John and his family are new Americans. His parents came here from Laos. He was killed several years ago when his helicopter was shot down in Afghanistan. You may remember the incident. We lost 30 servicemembers that day. On Memorial Day, John's family is gathering in South Sioux City, Nebraska, to erect a statue in his honor. I'm grateful—no, perhaps privileged—to be asked to join them on that day.

Like his fellow soldiers, John Douangdara was an American. He was

loyal. He was brave. And now he is free. His sacrifice, and the sacrifice of all American veterans, brings to mind the seriousness of our time.

Memorial Day is an especially important time of reflection for lawmakers. We carry a tremendous responsibility to recognize the real-life consequences behind our policy deliberations, analyses, and votes.

On that first Decoration Day in 1868, Major General John Logan offered his posts these words as he ordered them to decorate the graves of the war dead. He said this, Mr. Speaker:

We should guard their graves with sacred vigilance. Let pleasant paths invite the coming and going of reverent visitors and fond mourners. Let no neglect, no ravages of time, testify to the present or to the coming generations that we have forgotten as a people the cost of a free and undivided Republic.

Mr. Speaker, during a visit to a nearby hospital to see our wounded here in Washington, there was a soldier there whose wounds were pretty devastating. As I was leaving, I noticed there was a sign hanging on the outside of his door. It said: America—home of the free because of the brave.

Mr. Speaker, I yield back the balance of my time.

CONGRESSIONAL PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. I rise today on behalf of the Congressional Progressive Caucus.

The Congressional Progressive Caucus has been fighting for economic fairness for the middle class and those striving to be in the middle class for this entire country. Today, we would like to talk specifically about the growing, skyrocketing student debt that we have in this country.

Just this past weekend, 6,200 students graduated from the flagship university in my State, my alma mater, UW-Madison. These young people leave Madison with new friends, new skills, new knowledge, and, most importantly, access to increased economic opportunity through their college diploma.

Students with a bachelor's degree have half the unemployment rate of those with a high school degree. In 2012, students with a bachelor's degree earned almost 80 percent more than someone with a high school diploma in a similar position. Unfortunately, these students are also leaving college with something else: unprecedented levels of student loan debt.

The drastically increasing student loan debt held by Americans across the country can be considered nothing less than a crisis. Not a looming crisis, but an urgent, already-here crisis. Total

student debt in this country now tops \$1 trillion. That exceeds all the credit card debt in this country. And that's up from just \$200 billion in 2000, just 12½ years ago. Every second in America, total student debt increases by \$2,854. According to the New York Federal Reserve, total student debt has tripled over the last 8 years, representing a 70 percent increase in both the number of people with debt and the average debt held per person.

About two-thirds of the class of 2011 graduated with student debt. Their average debt was more than \$26,000. In my home State of Wisconsin, the weight of student loan debt is severely affecting college graduates' ability to support themselves and their families.

There's an organization in Wisconsin that I want to give a little thanks and credit to. One Wisconsin Now is a progressive think tank run by Scot Ross. This organization has made it one of their leading efforts to talk about rising students debt and the trillion-dollar debt that we have and what it's doing to our economy. Thanks to them, I have some stories and figures to share specific to Wisconsin, and nationwide.

According to one study from One Wisconsin, the average monthly payment made by Wisconsinites with a bachelor's or advanced degree is nearly \$400 a month. It's \$388, to be exact. Let's put it in this perspective. Before someone can pay their rent or their mortgage, their utilities, their groceries, child care, they already owe \$400 in student loans. If they're lucky, they'll have some funds left over to save for retirement.

□ 2000

Because of these exorbitant rates, it will take the average citizen in my State almost 19 years to pay off their student loan debt from a 4-year university.

There are some long-term economic effects to this. The effects of the skyrocketing costs are twofold:

Number one, at a time when a college degree is more important than ever to obtain reliable employment, we are in grave danger of pricing too many of our young students out of a college education. These drastic increases in tuition have occurred at the same time that we have seen the worst economic downturn since the Great Depression.

We know that to compete for the jobs of the 21st century and to thrive in a global economy, we need a growing, skilled, and educated workforce, particularly in the areas of science, technology, engineering, and math.

It is estimated that the U.S. will need 22 million more college-educated workers by the year 2018. Currently, driven partly by rising college costs, we are expected to fall short by 3 million workers. Our colleges and universities such as UW-Madison and Beloit College and others in my district have

the talented faculty to produce our 21st-century workforce, but they need the students to teach and train. And an unaffordable college education is an unaffordable future for our country.

In the short term, we also see these effects on our economy. As students become more and more bogged down with high student loan debt, they're understandably reducing their expenditures in our current economy. According to one study by One Wisconsin, due to the high burdens put on students from their loans, new car purchases in our State are reduced by more than \$200 million annually, and that's just in the State of Wisconsin. Meanwhile, households with student loan debt are overwhelmingly more likely to rent a home than to own a home, affecting home sales throughout America.

Owning a home, buying a car—these aren't just typical byproducts of the American Dream. These are important components of our country's overall economic health. If our economy is to recover—not just in Wisconsin, but across the country—we need to see strength in these two markets.

So we find ourselves at a crossroads. Instead of providing an enriched and educational background and advanced economic opportunity for our young people, a college education is increasingly trapping students in endless debt, preventing them from advancing economically and contributing to our economy.

If we continue to believe that an accessible, affordable, and quality education should be a national priority, that it is critical to our future economic prosperity, then we need to come up with a long-term plan to manage the skyrocketing costs of education.

Now, Democrats have already done a number of efforts in these areas. We've tried to increase the maximum Pell Grant from \$4,050 in 2014 to \$5,645 in 2016. We have increased income-based repayment programs to ensure that graduates can manage loan repayments during stressed economic times. We have tried to create the American Opportunity Tax Credit, providing a maximum of \$2,500 tuition tax credits to eligible families and students. We have provided loan forgiveness for graduates in public interest careers after 10 years of payments, and for everybody else after 25 years of payments. And we have required schools to give an online calculator so that students and families can estimate their costs based on their family's financial condition.

But we need to and we must do more over the long run. We can restore consumer protections for our students. We can increase our funding for higher education. And we can reauthorize the Higher Education Act and protect programs like Pell Grants that support low-income students attending college.

But as we all know, we have a pressing issue facing our body right now

that will affect students who live in every single one of our districts. Unless we take action, on July 1 interest rates on subsidized Stafford loans will double, from 3.4 percent to 6.8 percent. If we do nothing at a time when our country is still facing a steep economic recovery, 7 million low- and middle-income students nationwide will see their student loan rates increase. That's 7 million people in this country will have their rates increase on student loans. That will wind up costing student borrowers \$1,000 more a year. If we do nothing, that will add \$4.3 billion to students' debt burden in just 1 year alone. Quite simply, we cannot afford to do nothing. Allowing these interest rates to double would represent a dereliction of our duties.

Right now, banks can receive loans from the Federal Reserve at historically low levels, less than 1 percent. If banks can receive such loans, shouldn't we protect lower loans for our students who are struggling in today's economy more than anyone else?

Last year, before I arrived in Washington, Congress extended the 3.4 percent rate for 1 full year. There are a number of bills right now—including those introduced by my Democratic colleagues—that would extend the 3.4 percent rate by at least 1 year, if not more. But we must take action now before we risk drowning our future workforce in even more student loan debt.

Now, this body, this House tomorrow will be taking up a measure, H.R. 1911, the "Make College More Expensive Act." Unfortunately, the legislation this body will consider, instead of providing needed relief for our students, will instead only make college more expensive for millions of young people and their families across the country.

As I mentioned, if we don't act by July 1, interest rates on subsidized student loans will double, from 3.4 percent to 6.8 percent. The Republican legislation that we have before us tomorrow would be even worse for students than if we did nothing at all.

By tying Federal student loan rates to the 10-year Treasury note, the interest rate for a student entering college next year will be reset every year he or she is in college. Why is that a problem? Well, because by the time next year's freshmen graduate and start repaying their loans in the year 2017, the interest rate that freshman had on his or her first loan that first year of college is projected to more than double today's current rate for subsidized Stafford loans.

In practical terms, what that means over the long run is a student who is about to enroll in their first year of college will pay higher interest rates under the Republican plan than if Congress lets the current rates double. Again, this bill is even more damaging than if we do nothing—which we should do as a body.

According to the nonpartisan Congressional Research Service, students who borrow the maximum amount of Stafford loans over 5 years will pay \$1,300 more in interest rates under the Republican plan before this body tomorrow than if we allow those rates to double and nearly \$6,000 more than if we kept the rates at 3.4 percent. The overall cost to students and families would be \$4 billion in additional interest payments over the next decade compared to our current law.

Let me repeat that: if we pass H.R. 1911, it will cost our students and families \$4 billion more over the next 10 years than if we keep the law the way it is.

These facts don't lie. The bill does not make college more affordable; it does just the opposite. It worsens the student debt crisis that we should be working to solve. And this is just another case of mistaken priorities and misguided plans.

While the Democrats are working hard to even the playing field, Republicans would make it even harder for the average American to be able to afford college.

H.R. 1911 imposes a long-term financial burden on young people looking to pursue higher education. It will put \$4 billion additional in student debt over the next decade that would have been used otherwise to help pay down our deficit. This is not a sustainable, balanced way to deal with our deficit; and it's certainly no way to ensure a thriving future for the next generation of America.

We've seen time and time again how student debt stifles our economy. We cannot afford to make college more expensive for the very Americans trying to get that education.

I am very pleased to be joined by another freshman Member of this body, a Representative from the State of New York who is the author of one of these bills that will make sure that we keep that interest rate at 3.4 percent and not allow it to double on July 1. I would like, Mr. Speaker, to yield to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Well, let me first thank the distinguished gentleman from the Badger State, my good friend, Representative MARK POCAN, who has been such a tremendous leader on this issue and a tremendous leader on issues of significance to progressive America—to America, in fact—during his short time in the Congress.

We've seen week after week, month after month, Representative POCAN has come to the floor of the House of Representatives, the people's House, and boldly articulated a progressive vision for how we can deal with some of the problems that we confront today in America.

□ 2010

And certainly when we talk about wrapping our arms collectively around

the issues of great significance to this country of ours, dealing with the crisis in higher education is of utmost importance.

As Representative POCAN has eloquently laid out, if the Congress does not act by July 1, more than 7 million Americans will face a doubling of their student loan interest rate from 3.4 percent to 6.8 percent, increasing an already heavy burden as it relates to their college education.

Why is it important that we address this issue? Well, one, the cost of a college education in America keeps going up, but the amount of financial aid available to these students keeps coming down. And so college and higher education, which is a pathway toward the American Dream, is increasingly out of reach for low-income Americans, for working families, for the sons and the daughters of the middle class.

Why is this troubling? Well, it's troubling because it's clear that going to college makes sense as it relates to creating a better future for Americans.

This chart that we have illustrates the point in a very compelling way—Education Pays. This lays out the median weekly earnings of individuals at different levels of educational attainment.

Now, with less than a high school diploma, you earn approximately \$451 a week and your unemployment rate is in excess of 14 percent.

If you've got a high school diploma or a GED, you'll make around \$638 per week. You still have a very high unemployment rate on average of 9.4 percent.

If you get a bachelor's degree, your weekly earnings increase exponentially to \$1,053 per week, and your average unemployment drops to 4.9 percent.

And if you were to take that a step further and obtain a professional degree, your weekly average earnings increase to in excess of \$1,600 per week, and your collective unemployment rate drops to 2.4 percent.

Education pays.

And that's why for the good of America, we support the position that we should invest in young people—help facilitate their pursuit of a college education. It will benefit them, it will benefit their families, it will benefit the communities from whence they come, and it will also, of course, benefit America.

But today, as was indicated by Representative POCAN, we have a student loan debt crisis that we confront in America. Student loan debt is now second only to home mortgages in collective debt as it relates to the American people. It was staggeringly high just a few years ago—\$650 million or so. It now exceeds \$1 trillion. It's a crisis of incredible proportion.

Now, similar to Representative POCAN and the distinguished gentleman from Pennsylvania, Representative

CARTWRIGHT, we've only been here for a couple of months; but it's been clear in that relatively short period of time that there are many in the people's House who consistently talk about the notion that the debt that we have in America is a moral imperative for us to get under control. It exceeds \$16 trillion.

They blame President Obama for that debt, and that's why we have an irresponsible fight every time there's occasion to raise the debt ceiling. I don't want to dwell on that fact, but parenthetically I will note that we're in the situation that we're in today, not because of assistance that the government has provided to those seeking higher education or other positive domestic spending programs, we're in this situation—that \$16 trillion debt situation—because of some irresponsible decisions that were made during the 8 years of the previous administration. That's just the facts.

But they'll talk—some of our good friends on the other side of the aisle—about this moral imperative to deal with the debt that we have in America. How dare we shoulder future generations with such a burden.

But then when it comes to the more than \$1 trillion debt burden that is actually being shouldered by younger Americans, what we've gotten is an irresponsible bill, H.R. 1911, that will actually make a bad situation even worse.

As Representative POCAN indicated, I've introduced legislation that would freeze the current interest rate at 3.4 percent. There are other ideas on this side of the aisle, all designed to deal with making sure that as many Americans as possible can go to college, that it is affordable, and they can leave college with a minimum amount of debt so they can accelerate their entry into society as productive Americans.

That's really what we want. Because the higher the debt burden that the average American faces—young American—the more likely it is that they'll put off consumer spending decisions that are important to our economy, such as the purchase of a home; they'll put off because of their student loan debt burden, starting a family; many who might otherwise be future entrepreneurs create start-up companies that may become the next Google or the next Yahoo or the next Facebook, they put off those decisions because they need the certainty of a job that will help pay down this debt. And so there are a lot of complications that are created as a result of the \$1 trillion debt burden that we have in America.

And so how are we going to deal with this problem? Well, the GOP proposal, as I mentioned, really will make a bad situation worse. Under the current interest rate, 3.4 percent, over the next 5 years, someone with a subsidized Stafford loan would have about \$4,174 in

debt. If we did nothing and allowed the increase to take place on July 1, that same individual would have \$8,808 in debt over a 5-year period.

But with the GOP proposal, H.R. 1911, the student would be in the worst possible position: in excess of \$10,000 in debt. This is not an appropriate approach for our future college students, for younger Americans, for this great country of ours. That's why we are urging the rejection of H.R. 1911. Let's come to the table and have a discussion that allows younger Americans and our college students to benefit from the historically low interest rates that exist and allow them to pursue the dream of a college education so they can grow and prosper and benefit the good of the country.

□ 2020

Mr. POCAN. Thank you, Representative JEFFRIES, for your leadership on this issue and for your bill, which I am very proud to be a cosponsor of. I think that it's fair to say that college students and aspiring college students, not just in New York but across the country, owe you a good kind of debt for the work that you're doing. Thank you so much for continuing to expose what we need to expose, which is that the bill before this body tomorrow will cost \$10,000 in interest more than it has to. It is worse than if we simply did nothing and let the loans double on July 1. We need to act. We have bills, like Representative JEFFRIES' bill, with which to do that.

I would like to share one story from One Wisconsin Now, and then I'd like to introduce another colleague of mine. Onewisconsinnow.org has collected these stories, and this is a story from a woman named Alexandra who is in my district. Let me read what she says:

I am 27, and my student loans forbid me from living in a safe neighborhood. I have to live where there is cheap housing, and must live with a roommate. I can't afford a car payment, and don't have one. I live paycheck to paycheck, and virtually save no money. I have a great job, one that I worked very hard to get, and three-quarters of my entire paycheck go towards my student loan payments. I live every day worrying that, someday, my student loans are going to get the best of me financially. I am very close to defaulting on my loans. I fear never having the opportunity to buy a house or a car, invest or have a savings account, have a family or pay for my children's education. I fear the thought of merely surviving. I have to live with the fact that this will likely be my life for the next 20 years.

Alexandra, thank you so much for sharing your story with One Wisconsin Now so we can share it here today. You're not alone. I have a lot of stories from people in Wisconsin who have shared the exact same story. With the current pace we're on, if we don't fix student loans and the cost of education, we are going to put so much extra burden on your generation and the next generation that, again, you

will not have the opportunities that many of us have had towards buying a car, buying a home, getting your family jump-started. So this is a crisis. It's a real crisis right now, and we need to address that.

I have another colleague to whom I would like to yield. Representative MATT CARTWRIGHT is another one of our freshmen from Pennsylvania. He is also the freshman class president for the Democrats, taking on a leadership role among our body, and he has been an outspoken advocate for the middle class in this country and especially for those voices in Pennsylvania.

Mr. CARTWRIGHT.

Mr. CARTWRIGHT. I thank you, Mr. POCAN.

Mr. Speaker, talking about the middle class is something that isn't done enough of here in this Chamber. The middle class is something that makes America what it is.

The middle class is something that speaks to Americans and says: Come join us. We represent opportunity in this country. We represent the ability to achieve more, to realize the American Dream.

It's the middle class that makes America different from so many other nations in this world, and it's the middle class for which we must work overtime to make sure we preserve it, because if we lose the middle class in this country, we lose the sense of opportunity, the sense of hope, the sense of upward mobility. We lose an essential element of what it is to be Americans. We have to do everything we can to preserve the middle class, and one of the biggest, stoutest pillars of the middle class is our education system in this country, including the higher education system.

I rise, Mr. Speaker, in opposition to H.R. 1911, on the floor tomorrow. Nominally, it is called the Smarter Solutions for Students Act. I call it—and many of my colleagues call it—the “Make College More Expensive Act,” which is a much more accurate title for this bill.

According to the Congressional Research Service, under H.R. 1911, students who borrow the maximum amount of \$27,000 of unsubsidized and subsidized Stafford loans over 5 years would pay \$12,374 in interest; or \$10,867 in interest under current law if rates are allowed to double to 6.8 percent; or \$7,033 if rates stay at 3.4 percent. Keeping the interest rates where they are will save our students nearly \$5,000.

For that reason, I cosponsored Representative JOSEPH COURTNEY's bill, H.R. 1433, which will extend these low rates for at least 2 more years, and that's the fair thing to do. That's the decent thing to do. It's the American thing to do to protect the middle class. This is the approach that we need now with costs of college rising and student debt expanding at historically high rates. Let's examine the facts:

The total outstanding student loan debt in the United States has surpassed the \$1 trillion mark. This is a figure that has outpaced credit card debt, auto debt, and it's second only to mortgage debt in this entire Nation. A recent study shows that student loan debt is the only type of consumer debt in the United States of America that has actually increased during this Great Recession, and the problem only continues to grow worse.

As a result of these debts, millions of Americans cannot buy cars, purchase new homes, start businesses or do the other things that mean realizing the American Dream. It's a terrible time for young people. It's a horrific time for young people.

Let's talk about the unemployment rate for young people. The unemployment rate in April for people between the ages of 16 and 24 was 16.2 percent, more than double the national average that we read about in the newspapers. According to a recent study commissioned by Demos, nearly 45 percent of unemployed Americans are between those ages of 16 and 34. The study also stated that 4.7 million young Americans are underemployed, working part-time, when what they really want to do is get full-time, family-sustaining, good-paying jobs. They don't have them.

As a result, young Americans are either unemployed or are underemployed and will likely lose a combined \$20 billion in earnings over the next decade. That's from the Center for American Progress. Raising their college interest rates is going to further impact their ability to purchase homes, cars, to pay for their children to go to school, further dragging down our dragging economy.

This is all on top of the cost of college. The average published tuition and fees for in-State students at public 4-year colleges in this country increased by 66 percent beyond the rate of inflation between the 2002–2003 and the 2012–2013 academic years. For private colleges, the tuition and fees increased by 27 percent beyond the rate of inflation in that comparable time period. Since 1982, the cost of college tuition and fees has gone up 582 percent—twice the rate of medical care, which is also exploding as we all know.

To help provide students and parents greater transparency as to the true cost of what a college education in total will cost, I introduced last week H.R. 2020, the Truth in Tuition Act, which will require schools to either present each incoming class of students with a multiyear tuition and fee schedule or to give each student a non-binding estimate of what their education will cost them individually.

□ 2030

H.R. 2020, the Truth in Tuition Act, would require schools either to present

each incoming class of students with a multiyear tuition and fee schedule or give each student a nonbinding estimate of what their education is going to cost them individually, taking into account tuition fees and that particular student's financial aid package.

In this bill, there are no price caps, and it does not freeze the price of tuition. Schools are free to set tuition rates as they see fit. This legislation will help students and families plan by laying it out in front of them, what they can expect the entire cost of the college education to be, and make sure colleges and universities give every student a clear picture of what their degree will cost.

Responsible colleges and universities are already doing this, and this is already the law in the State of Illinois. This is already happening. But it's the noncompliant, it's the colleges that maybe aren't going the extra mile to inform the students of what kind of fees and costs and tuition that they're facing during the whole course of their university or college career, it's the colleges and universities who are not revealing this that this bill is addressing.

This legislation will help students and families plan for higher education by making sure that they get a clear picture of what the degree is going to cost. It's also going to cut down on excessive tuition and fee fluctuations. It's going to help rein in skyrocketing college costs, and it will encourage colleges to maintain some kind of level, nonfluctuating tuition schedule so that surprises don't happen to the students.

It will also slow college dropout rates in this Nation. Colleges all across the country are experiencing dropouts for the very reason that the students didn't expect the tuition and fees to be raised the way they have been.

The cost of a higher education and the debt carried by our recent graduates have skyrocketed across the last decade. It's the cost of the tuition and it's the interest attached to the debt that are the crippling features of this. Without having a full picture of college costs, students and their families are forced to take on more student loan debt than they originally anticipated. This bill, H.R. 2020, the Truth in Tuition Act, helps stop the uncertainty.

A further advantage of it is in the pricing, colleges will think ahead about costs and have incentives to develop more restrained budget growth plans. Ultimately, advertised long-term pricing may encourage some colleges to limit their tuition growth voluntarily. In the event of severe economic hardship on the part of the college or the university, a dramatic reduction in State aid for higher education or other exceptional circumstances, this bill provides a waiver for the Secretary of Education to be able to issue to make sure that the

schools are not detrimentally impacted.

Mr. Speaker, I oppose H.R. 1911 because it allows the costs of college and university education to get out of hand because of interest rates, and I'm introducing H.R. 2020, the Truth in Tuition Act, in order to restrain costs to begin with. Doing both of these things is something we need to be doing in this Chamber because it is buttressing one of the foundations of the American middle class, allowing young people to complete the educations that they hope to complete, to become the people they want to be, to train themselves, to equip them to compete on a global scale and to achieve the American Dream ultimately, a dream that everyone needs to be able to achieve in this country. Once we start letting go of that, we start letting go of what this country is, the United States of America.

Mr. POCAN. Thank you, Representative CARTWRIGHT. And thank you for your leadership on the Truth in Tuition bill. How apropos to be H.R. 2020, to give a good direct vision on the reality of costs in higher education.

I can say one thing from being a State legislator for 14 years before I came here. I served during the period when the Federal economy collapsed and States had less and less money to invest in public universities. So often you hear about the rising costs in private universities, but even in a system like UW, Wisconsin, which is one of the premium, world-class university systems, the costs have gone up enough that it's harder and harder for that average person to be able to afford the education. So if they rely on the loans and the interest rates double or, worse yet, we pass H.R. 1911 and make them increase even more, you're taking that affordability out of even more people's hands.

I just want to share a very short story, another story from someone who posted it on my Facebook page, and then I'd like to introduce another person on this issue.

I asked for comments on a Facebook page, and I got a comment from a woman named Amber. It is short, but it is poignant.

I haven't yet started paying back my loans. I graduate in July. And as a single parent, I am terrified I will have to choose between feeding my children and paying my loans. My children will come first, but it still worries me that I'll be strapped beyond what I can make at work.

This is unfortunately what we are doing to the people who are currently graduating from higher institutes of education across the country.

Next I would like to yield some time to a very experienced colleague of mine, a well-respected colleague, a leader among progressives in this body, currently the cochair of the Congressional Progressive Caucus and an out-

standing legislator from the neighboring State of Minnesota. I would like to yield some time to Mr. KEITH ELLISON from Minnesota.

Mr. ELLISON. Thank you, Congressman POCAN.

Mr. Speaker, this is an extremely important topic.

Mr. Speaker, I want to say that you should look at legislation like a sailboat on a still pond. It takes the American people, the wind, to move that boat sailing along. And on this student loan issue and on the access to education in this country, we need the American people, Mr. Speaker, to rise up and lift their voices and say, "We demand affordable secondary college education."

There are great ideas. Congressman CARTWRIGHT has a brilliant idea, the Truth in Tuition Act. It is certainly superior to H.R. 1911, which is just deepening and worsening the problem of college affordability. But at the end of the day, the best ideas will sail when the students and the parents across the United States, Mr. Speaker, come together and say, "We insist on quality, affordable education."

Do you know that there are at least 20 million borrowers across the United States for higher ed every year? About 20 million people borrow money every year to go to some form of higher education: for-profit, nonprofit, private, whatever. It's a lot of people.

The fact is, Mr. Speaker, if those people, just them, said, "These interest rates are not fair. This tuition is not fair. We deserve access to higher education," it would change everything.

Thirty-seven million people owe some sort of tuition payment, and about 5 million of those, according to the statistics I have, are late by at least 1 month. If those people came together and said, "We're going to form ourselves into an organization and we're going to demand better terms," they could move mountains.

But this is a civil rights issue. I'm not talking about color or gender or sexual orientation or anything like that. I'm talking about Americans, middle class people wanting to be a part of the American Dream.

Let me wrap up by saying this, Mr. Speaker. Mr. POCAN, you've been doing an awesome job with the progressive message. But I think that what we're doing with the progressive message is trying to help the American people imagine America as a generous, inclusive society that accepts people from all walks of life and that it preserves the ladder of opportunity.

We believe we should have early childhood education so that the young ones can get a head start on a good life.

We believe in solid, quality K-12, and that the kids should have nutrition and be safe while they're at the schoolhouse.

We believe that when they get to college, they should be able to seek their

dream and be who they want to be, as Mr. CARTWRIGHT so eloquently said.

And we believe people ought to be able to be paid fairly when they're in their adult life and take care of their family and be able to go to the doctor.

And we believe that when people reach their golden years, they ought to be able to retire with dignity, so we protect Social Security.

□ 2040

Cradle to the grave, Americans dream of prosperity. It's not too much to ask for in the richest country in the history of the world, but a key link in that quality life of prosperity in this country is college affordability. And it is something that if you want it, you've got to fight for it. Nobody is going to hand it to you. And when Americans wanted to see civil rights before the law, when they wanted to see African Americans have civil rights, women have civil rights, when they wanted to see people on the job, workers have some voice on the job, they stood up and they said, "We've got to rearrange this deal." When we said that our environment was getting poisoned and dirty and they needed to demand that industry do something to make sure we had a cleaner environment, people stood up, Mr. Speaker, and they did something about it. And this is what we have to do right now.

So I just want to say to you, Mr. POCAN, and you, Mr. Speaker, this is an excellent opportunity to raise key issues about a central issue of American prosperity for working and middle class people.

I do thank the gentleman from Wisconsin.

Mr. POCAN. Thank you very much, Representative ELLISON. Your leadership for many years in this body has been well appreciated. I want to thank you for bringing back really the central theme of the Congressional Progressive Caucus. When we had a budget, it was the back-to-work budget. It's about fighting on behalf of the middle class. We saw the Republican budget in this House balance the budget on the backs of the middle class. But our budget had the back of the middle class and those aspiring to be in the middle class. And one of those fundamental equalizers is that opportunity to get a higher education, to advance in society, to change your economic outlook.

I grew up in a lower middle class family. I not only had student loans, I also had Pell Grants. I was fortunate. But back when I went to college, you were still able to pay back your loans often in about a 5-year period. But more and more, it's a 10-year, 20-year payment back in order to be able to afford those rising student costs, and that is taking a bite not only out of the current economy, but out of the opportunities for those people getting those degrees so they can improve their lives

and their family's lives and rise either into the middle class or to better their lives overall.

So the Congressional Progressive Caucus has had this as a central focus: How can we help lift those in poverty to the middle class and help those in the middle class to have every chance at opportunity that they should have? Those student loans are a crucial part of that. If we let this bill pass, H.R. 1911, tomorrow, in this body, we will put a financial burden on the backs of those who need it the most, those who are taking out loans to afford college. And if we do nothing as a body, the interest rate will double from 3.4 percent to 6.8 percent come July 1. Congress has to act.

Now this body has been able to vote 37 times to try to repeal the Affordable Care Act and the benefits to America's families from the Affordable Care Act—37 times—yet we have not found a way yet to fix the student loan crisis, and we simply need to do that. And that's why the Progressive Caucus is fighting so hard to do that.

I would like to close with one final story. Again, One Wisconsin Now had collected some stories, and this is from a woman from Wisconsin named Diana. Let me read her story:

I graduated from a 4-year college in 2006. Today, 7 years later, my loan payments are over \$600 per month. To put that in perspective, our combined household income is roughly \$48,000 per year. That's 15 percent of our income before taxes. That's money that's not going into our retirement funds, not going towards a new home, not going towards a child's college fund, and certainly not going back into the economy in a productive way. My husband and I have been forced to make major life decisions based on my student loan debt alone. Unfortunately, there's no end in sight with regard to my student loans. My interest rates vary from 4.5 percent to 11.25 percent. Some of the payments I make cover interest alone. My principal balance hasn't changed in months on some of my private loans. This is not what I envisioned when I was applying for colleges my senior year of high school.

These are the real stories from people in Wisconsin, but they're no different from stories of people across the country.

We have heard tonight, and I want to thank Representative JEFFRIES from New York, Representative CARTWRIGHT from Pennsylvania, and Representative ELLISON from Minnesota for coming and sharing those strong words about why we need to address this issue and why it is such a crucial issue—not a Democratic issue, not a Republican issue, not an Independent issue, but an American issue, especially for those in the middle class and those aspiring to be in the middle class.

We need, Mr. Speaker, to act on this. Mr. Speaker, we need to act on this soon, before July 1. But, Mr. Speaker, I'm sorry, but H.R. 1911, the bill before this body tomorrow, will only make the situation worse. I urge my colleagues to vote against it.

Mr. Speaker, I yield back the balance of my time.

WEEK IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

It may surprise some of my colleagues, I agree with so much of what was being said with regard to the cost of education and how we need to be very sensitive to that.

I was concerned about the vote we were going to cast tomorrow that would prevent the interest rates from going up to 6.8 percent as they're going to do if this body does nothing. I was very concerned about it going up to 6.8 percent, and then I understood the proposed Republican bill that we are going to take up tomorrow will not let it go up to 6.8, but I was wondering why we didn't just leave it where it is. Let's just extend it.

The Democrats set in motion, when they were in the majority, this situation where it was going to raise. And, actually, it was going to raise last year, and we voted a year ago to just extend the current rate for a year. As I've had members of my own leadership and whip team pushing me on the issue of wanting me to vote for the bill tomorrow, I've been trying to find out more and more about why is this provision in there. Why are we doing this? And it's very clear. Interest rates for student loans are going to go up to 6.8 percent if we do nothing because that's the law that was put in place.

Well, I said, why can't we leave it where it is? And the explanation was given because the Democrats, in what they put together to pay for ObamaCare, actually were counting on, and they got CBO to count on, using the difference between the current rate and it going up to 6.8 percent as the Democrats were counting on it having done.

So, on the one hand, my friends express the same concern that I have about the interest rates jumping up that high, going dramatically to 6.8 percent, and then, on the other hand, they were not explaining that the reason that it was going to jump up so high if we do nothing is because Democrats were counting on that as a way to help pay the massive billions of dollars that are going to be required for ObamaCare even though people are going to get less insurance, less care, and have less say about their care, it's still going to cost billions and billions more.

□ 2050

And, in fact, CBO has indicated, you know, gee, they originally scored it,

let's see, over \$1 trillion; and then the President called Doug Elmendorf over from CBO and explained, apparently, said something to him in the Oval Office because then when he went back, magically they were able to lower it under a trillion, as the President said it was going to cost.

And then after it passed, CBO comes back, oh, you know what? We were right the first time. It's going to be more than a trillion, and then it was going to be 1.6 trillion. Others are saying it may be 2 trillion. Who knows how much.

But it's going to cost massive amounts more. There are going to be massive taxes, according to what the Supreme Court calls it. We didn't call it taxes, but that's what the Supreme Court said that the Democrats did when they passed ObamaCare without a single Republican vote. And they were counting on the increase, tremendous increase, the billions of dollars coming from increased interest on student loans rising.

Now, if you go back just a little bit, well, why in the world is the government even involved in the student loan business anyway?

We didn't used to be, as the Federal Government, a bank that just loaned people money on a regular basis. Well, when the Democrats were in the majority, they pushed through a bill that forced all lending institutions out of the student loan business, and the government took over the student loan business.

Well, if this is going to totally cease to be a government that is of the people, by the people and for the people, and not moving toward tyrannical despotism, then we have to allow people to have private property, we have to allow the free market to reign, we have to allow individuals and banking institutions to make the loans.

But oh, no, our friends across the aisle decided we're going to shove the free market out of the student loan business, and we're going to take over student loans. And we're going to set it at a low rate, but we're going to—it's going to go up, and we'll use the billions that come from that magical increase down the road to pay for ObamaCare. And that's how part of it, supposedly, was paid for.

Well, one of the things I learned the hard way while our friends, the Democrats, were in the majority for 4 years, was that actually the first Congress they were in the majority, they passed a pay-as-you-go bill, or PAYGO they called it. I voted for it, and I got criticized by Republican leadership. Don't you know that they don't mean what they say? This doesn't mean—they're not really going to pay for anything. It's just a game.

And I said, how would I not be for paying as we go? That's what their bill said.

And then I learned the hard way on that because then I saw they really weren't serious about it because bill after bill came to the floor, and we said, but you put a rule in place it has to be paid for.

Oh, but we're waiving the pay-as-you-go requirement on this bill.

What about this other one? Well, we're waiving the pay-as-you-go.

And so I was shocked to find out, apparently, our leadership, the folks that had been here for a longer period of time had already learned, and I learned a lesson the hard way.

So the next Congress, when they came up with a pay-as-you-go bill, I said, are you kidding? You fooled me last time. I thought you were serious about it. I'm not going to vote for a bill that you have no interest in actually following through and doing what the bill says. I'm not going to vote for a bill like that. I'm not going to help participate in the charade.

But when it comes to ObamaCare, they say, oh, it's paid for. And this is one of the magical ways that billions of dollars were projected by CBO to be produced. Well, they're going to do it on the backs of students.

Well, we had control, the Republicans did, of the Congress in the previous 2 years; and a year ago we said, well, let's just keep it at the current rate and move it forward a year, and we'll do something a year from now.

So, my Republican friends, when trying to persuade me to vote for this bill tomorrow said, look, the student loan rates will stay where they are for now, but, yeah, eventually they will go up some. But the good news is they won't go all the way up to 6.8.

And I said, why do they go up at all?

They said because we promised we're going to pay as we go and we meant it. But we're not going to go all the way to 6.8. So we'll actually have a shortfall we're going to have to come up with because the Democrats were counting on these billions of dollars coming off the backs of students to pay for ObamaCare.

So, as all of this has become clearer and clearer to me tonight, well, earlier this, late this afternoon, this evening, I've been communicating back and forth with my staff. So we have a bill that my Democratic friends ought to be thrilled to death about, and we're going to file it first thing in the morning; and it ought to excite my friends across the aisle.

And I know my own leadership has been wanting me to vote for this bill. But they say the reason the rates have to go up at all is because, under the budget previously done for ObamaCare, to pay for ObamaCare, the Democrats counted on this revenue. And so since we don't want to increase the deficit spending, we're going to have to let the rates go up a little bit, but we're not going to let them go up to 6.8 as was

originally put in place by our Democratic friends.

So, anyway, what my bill will do that we'll file first thing in the morning is say, you know what, we're going to keep the current rates right where they are. And I hope folks will join me in encouraging my leadership to bring this bill to the floor, my bill to the floor, instead of the one we're going to vote on tomorrow. If we have to wait 72 hours, fine. Let's do it 2 weeks from now. We've got the time.

And my bill will leave the rates right where they are for a 2-year period. And since we don't want—number 1, we don't want the rates to go up for college students. We're sorry that the Democrats ever figured that in as part of the process of paying for ObamaCare.

And since we don't want it to have to go up on the students, those who are having to borrow money to pay for college, then the way we keep from increasing the deficit spending in the bill I'll file first thing in the morning, we eliminate the ObamaCare slush fund, and the billions that are eliminated for the slush fund for ObamaCare will no longer have to come from the backs of young people who cannot afford to go to college without loans.

That's the solution, and I hope my Democratic friends will hear and get word about this great bill, because I believe what they were saying. They're serious. Even though their party passed a bill that we refer to as ObamaCare, it's certainly not affordable care, but they passed that bill, by themselves, without any Republican votes because we knew how bad it was.

We knew how much it was going to cost. We knew you wouldn't get to keep your insurance if you wanted it. We knew you weren't going to get to keep your doctor if you wanted. We saw all those terrible things that are now coming to pass.

And it will prevent the ObamaCare slush fund, the money that's set aside in the ObamaCare bill. It'll just eliminate the slush fund, and say to the Democrats, you never should have had that slush fund, and you're not going to pay for it on the backs of those who can't afford to go to college without getting loans.

Now, I did have to double-check with regard to this bill. I had to make sure that I wasn't going to be voting on something that affected loans that my wife and I are paying, our children's student loans, because before I ever ran for office as a judge, my wife and I had set aside enough money that was going to take care of our kids' college.

But by virtue of running for office and taking a huge cut in pay, we ended up having to utilize that money for our family and for our girls and for expenses. And so my wife and I are paying our kids' student loans because I didn't want them to have to suffer with

a bunch of student debt because their father felt a calling to go into public service.

But it would not be appropriate for me to vote on a bill that affected the rates of loans that we're paying, and it is now quite clear that that's not the case. The student loan bill that we're going to vote on, whether it's the one tomorrow or whether it's the one that I will file tomorrow that I would prefer that we do, either way, it will not affect one iota, not at all loans that are already in place, student loans. So I'll be able to vote.

And, anyway, I've been whipping with my own team, undecided, and then later today was leaning no. And the more I found out, the more it's convinced me, we really should not allow the Democrats pushing through ObamaCare and the massive trillions of dollars that's ultimately going to cost to have any part of it forcibly borne by students, by young people that just want to better themselves by getting a higher education and having to get a loan to do it.

□ 2100

So I have taken the things my friends said to heart and I am counting on them to admit what they said, Mr. Speaker. I'm hoping they'll agree in the morning to cosponsor my bill so that they can be consistent with the things they promised. Now it does defund the ObamaCare slush fund; but since that was originally going to be borne on the backs of college students, I'm sure they don't mind that going away.

With regard to taxes, let's face it, if the money costs the Federal Government an amount down here and they have an interest rate that's higher than the cost of the money that the Federal Government gets to loan to students, then the Federal Government is making money on that. And that's what the Democrats knew and that's why they counted on the higher interest rates to pay for ObamaCare.

Anyway, hopefully, we can work together and get that accomplished. Let's face it, that kind of expense should not have to be borne because, really, it becomes a tax. It's new revenue for the Federal Government. And then I'm hoping before the end of the 2 years, if we would do my bill, we can do what should have been done in the first place, and that is get it back to the private sector where we become referees, again, as a Federal Government to make sure that neither lender nor borrower is cheating. That's what we're supposed to be. We're supposed to be a referee. Over the years, through both Republican and Democratic majorities, the government has continued to move from the realm of being a referee to being also a player and also the coach as well as the referee. And it's hard for anybody to ever compete against a

player who's coached and refereed by the opponent. The government shouldn't be in that business of being adversaries, opponents, or competitors with the private sector. It shouldn't be.

So I hope that we will get to a bill that puts all the lending back in the private sector where the Federal Government is no longer the lender. I hope we can do that with different kinds of insurance. Get it out of the Federal Government. Because, invariably, when the government controls everything, it's just what we've seen with the IRS scandals. You're going to have some abuses with people that would control all of your health care records, people that will make the decisions on what health care you get, people that can actually come in and take your home—the only people that can come in and take your home—the only people that can come in and seize assets without proper due process of the law: the IRS.

It needs to be dismantled, and I hope we can do that. I hope we can get to a place where we're no longer the bureaucracy that becomes so autocratic that it could care less about people's personal feelings. Yes, people come here on the floor of the Congress and talk about people's personal feelings. But when you see the big, monolithic government that's just gotten so big, it doesn't care about people's feelings. It's hurting people right and left.

Sure, the President has private sector leaders stand up and talk about how great ObamaCare was going to be. And now they have been finding out it's not going to be so great. You're not keeping your insurance; you're not keeping your doctor. You're going to get less health care, you're going to get less insurance, it's going to cost a lot more.

And with regard to the IRS scandal, we had Ms. Lerner come before our committee. I was in Judiciary. We were doing our own hearings on other matters. And I heard some of her statement about how she didn't do anything wrong and she's not guilty of anything. Well, as a judge and a chief justice who is very familiar with the Fifth Amendment, I've had to advise defendants. Now you understand if you say anything at all on your own behalf, you have waived your Fifth Amendment right and you will have to answer questions, and you will not be able to claim the Fifth Amendment.

So what did Ms. Lerner do today? She came in and said she didn't do anything wrong. She followed the law in all ways. Oh, she was just a paragon of virtue. Well, then she's waived her right to claim the Fifth Amendment before Congress, and she needs to be brought back up here and have that explained properly. You waived your right when you started telling us how virtuous you were. So now you're going to answer questions, because you can't have it both ways. You can't come in

here and say to this Congress, I did absolutely nothing wrong. I violated no laws. I'm in no danger of having violated any laws. And then turn right around and honestly say, I'm not going to speak because what I say is going to tend to incriminate me. Well, it can't incriminate you if you didn't do anything wrong, so go ahead and testify. You started out, so go ahead and finish up.

Sure, you can go out on the street and say, I didn't do anything wrong; but when you come before a court or Congress and say to that Congress, I didn't do anything wrong, or to a court, I didn't do anything wrong, you just waived your right. Now you're going to tell us what it was that you didn't do wrong so we can decide that for ourselves. So I hope she'll be brought back.

We also had Mr. Douglas Shulman come in and testify. And what I was hearing as far as part of his testimony was, yeah, he knew about the illegality of what was going on, and he was trying to put a stop to it. And he knew that conservatives were being targeted. Well, let's face it, that means that this administration was using the IRS to help them win another election. Well, it worked. How far up into the administration is what we need to know. But I don't believe we're going to find out from people like Mr. Shulman, who went to the White House, he said, over a hundred times. And even though he's working for the President and even though he started out under the Bush administration—that's fine, we had people under the Bush administration that screwed up plenty of times, too—but he's working for President Obama, comes to the White House over a hundred times, knows there's wrongful conduct that's gone on at the IRS and never says a word.

What did you go over a hundred times for? Well, I remember going for an egg roll. Well, guess what? If you went for an egg roll, the President was out there. He normally is for the Easter Egg Roll. You wouldn't even say something? That man should have been fired. We shouldn't have clowns that will work at the IRS know illegal activity is going on, go talk to their boss, go to the White House over a hundred times, and not even breathe a word of it so their bosses know. I wouldn't want somebody like that working for me. If there's illegal activity going on and you come see me over a hundred times, I would hope that during one of those times you would tell me this was going on. Because if you didn't, and I found out, you would be fired as soon as I found out. Ms. Lerner would have been fired as soon as we found out. But instead, what happens? Well, they plant a question so it comes out that way. So maybe the President will learn after we plant a question.

Something is awry. Something is very, very wrong.

□ 2110

Having had thousands of criminal cases come before my court, come through my court, you smell when things don't pass the smell test, and this stinks to high heaven.

So in the morning, I hope I'll have a whole list of Democratic colleagues that are ready to sign on to my bill so that we will keep the interest rates for the student loans where they are so that we don't push paying for the ObamaCare slush fund onto the backs of students. And we then get time to put the student loan business back in the private sector so the Federal Government can be the referee and monitor the lending institutions and the borrowers, and be the referee. That's what we're supposed to be.

As far as the IRS scandal, Mr. Speaker, I hope and pray some consciences are being bothered and hounded in the IRS and over Benghazi and over the AP scandal—the abuse of process there, the abuse of process in going after conservative reporters—that consciences will begin to be bothered and they won't be cleared until they come forward and say: I'm a whistleblower; I have got to get the truth off my chest. Let the chips fall where they may. That's what I hope and pray for.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARY G. MILLER of California (at the request of Mr. CANTOR) for today and for the balance of the week on account of medical reasons.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of illness in the family.

Mr. CLYBURN (at the request of Ms. PELOSI) for today.

Mr. HINOJOSA (at the request of Ms. PELOSI) for May 14 on account of attending a funeral of a young soldier from his district who was killed in Afghanistan.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 982—To prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 23, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1578. A letter from the Secretary, Department of Transportation, transmitting notification of several violations of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b) and 1351; to the Committee on Appropriations.

1579. A letter from the Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2012 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2012, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

1580. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Keith M. Huber, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1581. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program—Strengthening Accountability and Regulatory Revisions Update Final Rule Amendment — Revision of Date of Applicability [Docket No.: FR-5465-F-03] (RIN: 2502-AJ05) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1582. A letter from the Secretary, Department of Education, transmitting the Department's final rule — William D. Ford Federal Direct Loan Program [Docket ID: ED-2012-OPE-0006] (RIN: 1840-AD13) received May 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1583. A letter from the Acting Chief Policy Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received May 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1584. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients [Docket No.: FDA-2012-F-0178] received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1585. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Safety Evaluation by the Office of Nuclear Reactor Regulation BWR Vessel and Internals Project BWRVIP-241, Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-To-Vessel Shell Welds and Nozzle Blend Radii received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1586. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of

the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Foreign Affairs.

1587. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Foreign Affairs.

1588. A letter from the Chairman, Administrative Conference of the United States, transmitting the Conference's Performance and Accountability Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

1589. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Residential, Business, and Wind and Solar Resource Leases on Indian Land (RIN: 1076-AE73) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1590. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC633) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1591. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic [Docket No.: 120403251-3290-01] (RIN: 0648-BB70) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1592. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Third Annual Space Coast Super Boat Grand Prix, Atlantic Ocean; Cocoa Beach, FL [Docket No.: USCG-2013-0071] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1593. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Organization and Delegation of Duties [Docket No.: NHTSA-2013-0048] (RIN: 2127-AL44) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1594. A letter from the Acting Secretary, Department of Energy, transmitting Naval Petroleum Reserves Annual Report of Operations for Fiscal Year 2012; jointly to the Committees on Armed Services and Energy and Commerce.

1595. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Opera-

tions, pursuant to Public Law 101-162, section 609(b); jointly to the Committees on Natural Resources and Appropriations.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules, House Resolution 232. Resolution providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes (Rept. 113-89). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Ms. WILSON of Florida, Mr. RANGEL, Ms. SLAUGHTER, and Mrs. MCCARTHY of New York):

H.R. 2083. A bill to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees; to the Committee on Education and the Workforce.

By Mr. DELANEY (for himself, Mr. BARR, Mr. BERA of California, Mr. CARNEY, Mr. COLE, Mr. CONNOLLY, Mr. RODNEY DAVIS of Illinois, Mr. FITZPATRICK, Ms. GABBARD, Mr. GARCIA, Mr. GIBSON, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. KENNEDY, Mr. KIND, Mr. KINZINGER of Illinois, Mr. MESSER, Mr. MORAN, Mr. MURPHY of Florida, Mr. PETERS of California, Mr. PITTENGER, Mr. POLIS, Mr. RUPPERSBERGER, Ms. SINEMA, Mr. STIVERS, Mr. TURNER, and Mr. YOHIO):

H.R. 2084. A bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and non-profit infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. NEAL, Mr. LANCE, Mr. KIND, Mr. GUTHRIE, Mr. PAULSEN, and Mr. TIBERI):

H.R. 2085. A bill to create incentive for innovative diagnostics by improving the process for determining Medicare payment rates for new tests; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. MCINTYRE, Mr. O'ROURKE, Mr. BARBER, Mr. BISHOP of New York, Ms. KUSTER, Mr. LOESACK, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Ms. LEE of California, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, Mr.

RAHALL, Mr. SWALWELL of California, Mr. MICHAUD, Ms. BROWN of Florida, Mr. BEN RAY LUJÁN of New Mexico, Mr. KILMER, Mr. DELANEY, Mr. WAXMAN, Mr. COSTA, and Ms. SHEA-POR-TER):

H.R. 2086. A bill to direct the Secretary to make interim payments of disability compensation benefits for certain claims for such compensation prior to the adjudication of such claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BLACK:

H.R. 2087. A bill to prohibit Federal funds for the establishment or operation of patient navigator programs under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself, Mr. MCINTYRE, Ms. KUSTER, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Ms. LEE of California, Mr. HECK of Nevada, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. BISHOP of New York, and Mr. KILMER):

H.R. 2088. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to establish claims adjudication centers of excellence; to the Committee on Veterans' Affairs.

By Mrs. ROBY (for herself and Mr. ROKITA):

H.R. 2089. A bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal mandates, direction, or control, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIFFITH of Virginia (for himself, Mr. MCCAUL, and Mr. PETERS of California):

H.R. 2090. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to permit provisional approval of fast track products; to the Committee on Energy and Commerce.

By Mrs. BACHMANN:

H.R. 2091. A bill to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property; to the Committee on the Judiciary.

By Mrs. BROOKS of Indiana (for herself, Mrs. WALORSKI, Mr. MESSER, and Ms. JENKINS):

H.R. 2092. A bill to amend title 5, United States Code, to provide that retirement credit for service as a Member of Congress be denied in the case of a former Member convicted of a felony, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Pennsylvania (for himself, Mr. LATTA, Mr. MEADOWS, Mr. FLEISCHMANN, Mr. LOEBACK, Mr. SHUSTER, Mr. WESTMORELAND, Mr. KING of Iowa, Mr. GRIFFIN of Arkansas, Mr. CRAMER, Mr. LONG, Mr. MULLIN, Mr. HALL, Mr. COLE, Mr. SMITH of Nebraska, Mr. CASSIDY, Mr. OLSON, Mr. LANKFORD, Mr. LUCAS, Mr. GUTHRIE, Mr. ROKITA, and Mr. NUGENT):

H.R. 2093. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Energy and Commerce.

By Mr. ROE of Tennessee (for himself and Mr. HOYER):

H.R. 2094. A bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah:

H.R. 2095. A bill to prohibit an increase in the lands administered by the Bureau of Land Management until a centralized database of all lands identified as suitable for disposal by Resource Management Plans for lands under the administrative jurisdiction of the Bureau is easily accessible to the public on a website of the Bureau; to the Committee on Natural Resources.

By Mr. GRAYSON:

H.R. 2096. A bill to amend the Fair Labor Standards Act to require that employers provide a minimum of 1 week of paid annual leave to employees; to the Committee on Education and the Workforce.

By Mr. CALVERT:

H.R. 2097. A bill to amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities, and for other purposes; to the Committee on Natural Resources.

By Mr. HUIZENGA of Michigan (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. FRANKS of Arizona, Mr. ROYCE, Mr. SENSENBRENNER, Mr. JONES, Mrs. BLACKBURN, Mr. DUNCAN of South Carolina, Mr. WALBERG, Mr. LOBIONDO, Mr. MULVANEY, Mr. UPTON, Mrs. MILLER of Michigan, and Mr. BENISHEK):

H.R. 2098. A bill to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations and other public service programs, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOKS of Alabama:

H.R. 2099. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. DEFAZIO:

H.R. 2100. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Financial Services.

By Mr. DEUTCH (for himself, Mr. CONNOLLY, Mr. CONYERS, Mr. ELLISON, Ms. FRANKEL of Florida, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mrs. MCCARTHY of New York, Mr. MORAN, Mr. NOLAN, Ms. PINGREE of Maine, Mr. POLIS, Ms. SCHWARTZ, Ms. WASSERMAN SCHULTZ, Mrs. CAROLYN B. MALONEY of New York, and Mr. MURPHY of Florida):

H.R. 2101. A bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes; to the

Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Ms. DELAURO, Mr. LARSON of Connecticut, Mr. COURTNEY, and Mr. HIMES):

H.R. 2102. A bill to provide financial assistance for school construction after a violent or traumatic crisis; to the Committee on Education and the Workforce.

By Mr. FRELINGHUYSEN:

H.R. 2103. A bill to direct the Administrator of the Federal Emergency Management Agency to designate New Jersey Task Force 1 as part of the National Urban Search and Rescue System; to the Committee on Transportation and Infrastructure.

By Mr. FRELINGHUYSEN:

H.R. 2104. A bill to amend title 18, United States Code, and the Social Security Act to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself and Mr.

BRIDENSTINE):

H.R. 2105. A bill to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the pilot program for the temporary exchange of information technology personnel; to the Committee on Armed Services.

By Mr. KIND (for himself and Mr. SENSENBRENNER):

H.R. 2106. A bill to authorize and request the President to award the Medal of Honor posthumously to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Ms. LEE of California (for herself, Mr. GRIJALVA, Mr. CICILLINE, Mr. NOLAN, Ms. SLAUGHTER, and Ms. MCCOLLUM):

H.R. 2107. A bill to prohibit monetary payments by the Federal Government to employees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS:

H.R. 2108. A bill to amend the Higher Education Act of 1965 to provide information to foster youth on their potential eligibility for Federal student aid; to the Committee on Education and the Workforce.

By Mr. LEWIS:

H.R. 2109. A bill to amend title XX of the Social Security Act to provide grants to support job creation initiatives, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 2110. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing

programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 2111. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. HIGGINS, Mr. KING of New York, Mr. MAFFEI, Mr. OWENS, Mr. RANGEL, Mr. GRIMM, Mr. HANNA, Ms. CLARKE, Mr. CROWLEY, Mr. COLLINS of New York, Ms. MENG, Mr. ENGEL, Mrs. MCCARTHY of New York, Mr. TONKO, Mrs. CAROLYN B. MALONEY of New York, Mr. GIBSON, Ms. SLAUGHTER, and Mr. ISRAEL):

H.R. 2112. A bill to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the "National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MARINO (for himself and Mr. POSEY):

H.R. 2113. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on the Judiciary.

By Mr. MARINO (for himself and Mr. PIERLUISI):

H.R. 2114. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself and Mr. ROKITA):

H.R. 2115. A bill to amend the National Voter Registration Act of 1993 to require an individual who applies for a motor vehicle driver's license in a new State to indicate whether the new State is to serve as the individual's residence for purposes of registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. NEAL (for himself, Ms. DELAURO, Mr. LEVIN, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS, Mr. BECERRA, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SANCHEZ of California, Mr. KIND, and Mr. THOMPSON of California):

H.R. 2116. A bill to amend the Internal Revenue Code of 1986 to make improvements in the earned income tax credit; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 2117. A bill to simplify and enhance qualified retirement plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Armed Services, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself and Mr. ROONEY):

H.R. 2118. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUIZ:

H.R. 2119. A bill to amend title 38, United States Code, to improve the opportunity for veterans to use video conferencing for hearings before the Board of Veterans' Appeals; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself and Mr. SHERMAN):

H.R. 2120. A bill to allow mandatory nighttime curfews at certain airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SPEIER (for herself and Mr. KIND):

H.R. 2121. A bill to amend the Federal Crop Insurance Act to require annual disclosure of crop insurance premium subsidies in the public interest; to the Committee on Agriculture.

By Mr. BACHUS (for himself and Mr. LIPINSKI):

H.J. Res. 47. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. MARINO:

H.J. Res. 48. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H. Con. Res. 38. Concurrent resolution recognizing and celebrating the 100th anniversary of the Virgin Islands becoming a part of the United States; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN (for herself, Mr. AMODEI, Mr. BROUN of Georgia, Mr. CONYERS, Mr. DESANTIS, Mr. ENYART, Mr. HALL, Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. PETERSON, Mr. KINZINGER of Illinois, Mr. KING of New York, Mr. NUGENT, Mr. KLINE, Mr. ROE of Tennessee, and Mr. PETERS of Michigan):

H. Res. 231. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

By Mr. CROWLEY (for himself, Mr. NEAL, and Mr. KING of New York):

H. Res. 233. A resolution honoring the Good Friday Agreement (the Belfast Agreement), on the 15th anniversary of its ratification, as the framework for lasting peace in Northern Ireland; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

31. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 149 requesting that the Congress support legislation requiring the Department of Agriculture and the Food and Drug Administra-

tion to come up with a nation-wide system for monitoring, labeling, and enforcing the labeling of all whole and processed genetically engineered foods; to the Committee on Agriculture.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GEORGE MILLER of California:

H.R. 2083.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. DELANEY:

H.R. 2084.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. ROSKAM:

H.R. 2085.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states The Congress shall have Power To provide . . . for the . . . general Welfare of the United States.

By Ms. TITUS:

H.R. 2086.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mrs. BLACK:

H.R. 2087.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5

Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

By Mr. MICHAUD:

H.R. 2088.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. ROBY:

H.R. 2089.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests in the power of Congress is in the U.S. Constitution under Article 1, Section 8.

By Mr. GRIFFITH of Virginia:

H.R. 2090.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mrs. BACHMANN:

H.R. 2091.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17 of the U.S. Constitution

By Mrs. BROOKS of Indiana:

H.R. 2092.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6, which states that, "Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

By Mr. MURPHY of Pennsylvania:

H.R. 2093.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ROE of Tennessee:

H.R. 2094.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. BISHOP of Utah:

H.R. 2095.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRAYSON:

H.R. 2096.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 3 of the Constitution of the United States "The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. CALVERT:

H.R. 2097.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HUIZENGA of Michigan:

H.R. 2098.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Amendment X—Nothing in the Constitution authorizes the Federal government to do anything other than those things enumerated (coin money, enter into treaties, conduct a Census—which are inherently governmental). Thus, under Amendment X, the right to carry out commercial activities is reserved to the States, respectively, or to the people.

By Mr. BROOKS of Alabama:

H.R. 2099.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. To make all laws which shall be necessary and proper . . .

By Mr. DeFAZIO:

H.R. 2100.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Article 5

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.

By Mr. DEUTCH:

H.R. 2101.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Ms. ESTY:

H.R. 2102.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. FRELINGHUYSEN:

H.R. 2103.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. FRELINGHUYSEN:

H.R. 2104.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. KILMER:

H.R. 2105.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KIND:

H.R. 2106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 16

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress

By Mr. LEE of California:

H.R. 2107.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2108.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2109.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2110.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2111.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2112.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. MARINO:

H.R. 2113.

Congress has the power to enact this legislation pursuant to the following:

(a) Section 8, Clause 1 of Article I of the Constitution; and
(b) Section 8, Clause 3 of Article I of the Constitution.

By Mr. MARINO:

H.R. 2114.

Congress has the power to enact this legislation pursuant to the following:

(1) Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

(2) Article I, Section 9, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. MILLER of Michigan:

H.R. 2115.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4 of the U.S. Constitution

By Mr. NEAL:

H.R. 2116.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section. 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. NEAL:

H.R. 2117.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. PASCRELL:

H.R. 2118.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RUIZ:

H.R. 2119.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mr. SCHIFF:

H.R. 2120.

Congress has the power to enact this legislation pursuant to the following:

The Valley-Wide Noise Relief Act is constitutional under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The bill is constitutionally authorized under the Necessary and Proper Clause, which supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text.

By Ms. SPEIER:

H.R. 2121.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. BACHUS:

H.J. Res. 47.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

By Mr. MARINO:

H.J. Res. 48.

Congress has the power to enact this legislation pursuant to the following:

Article V: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. MCINTYRE.
 H.R. 139: Mr. SCHNEIDER.
 H.R. 148: Mr. HORSFORD.
 H.R. 207: Mr. KINZINGER of Illinois.
 H.R. 300: Mr. LEWIS.
 H.R. 301: Mr. FORBES.
 H.R. 322: Mrs. MILLER of Michigan.
 H.R. 366: Ms. ESHOO.
 H.R. 410: Mr. JONES.
 H.R. 416: Mr. FRANKS of Arizona.
 H.R. 495: Mr. COLE, Mr. MCCAUL, Mr. GRIMM, Mr. COSTA, Mr. BURGESS, Mr. HOLDING, and Mr. NEUGEBAUER.
 H.R. 498: Mr. MICHAUD and Mr. PETERSON.
 H.R. 503: Mr. GRIMM and Mr. WOMACK.
 H.R. 525: Mr. GARDNER.
 H.R. 543: Mr. SMITH of New Jersey, Mr. RYAN of Ohio, Mr. GERLACH, and Ms. LOFGREN.
 H.R. 595: Mr. PETERS of California.
 H.R. 630: Mr. PASTOR of Arizona, Mr. LEVIN, Mr. JOHNSON of Ohio, and Mr. PETERSON.
 H.R. 641: Ms. SHEA-PORTER.
 H.R. 654: Mr. BISHOP of Utah.
 H.R. 685: Mr. CARTER, Mr. SCHIFF, Mr. MULLIN, Mr. PEARCE, Mr. ROE of Tennessee,

Mr. GOHMERT, Mr. KING of Iowa, and Mr. JOYCE.

H.R. 705: Mr. CHABOT.
 H.R. 737: Ms. WASSERMAN SCHULTZ.
 H.R. 739: Mr. SCOTT of Virginia.
 H.R. 755: Mr. SHIMKUS, Mr. SCHOCK, Mr. CHABOT, Mr. GRIFFIN of Arkansas, Mr. GUTHRIE, and Mrs. BLACK.
 H.R. 760: Mr. CARTWRIGHT.
 H.R. 761: Mr. WESTMORELAND.
 H.R. 763: Mrs. WAGNER, Mr. BROUN of Georgia, Mr. BARTON, Mr. MURPHY of Pennsylvania, Mr. SOUTHERLAND, Mr. CAMPBELL, and Mr. YOHO.
 H.R. 769: Mr. SHERMAN.
 H.R. 778: Mr. HASTINGS of Florida and Mr. PIERLUISI.
 H.R. 781: Mr. ROSKAM.
 H.R. 792: Mr. PRICE of Georgia and Mr. HORSFORD.
 H.R. 794: Mr. YARMUTH.
 H.R. 811: Mr. MARKEY.
 H.R. 830: Mr. MCINTYRE.
 H.R. 831: Mr. RYAN of Ohio and Ms. FUDGE.
 H.R. 847: Mr. GUTIERREZ, Ms. EDWARDS, and Mr. KEATING.
 H.R. 850: Mr. COURTNEY, Mr. THOMPSON of Mississippi, Ms. DEGETTE, Mr. COOPER, Ms. LOFGREN, and Ms. SHEA-PORTER.
 H.R. 901: Mr. SESSIONS, Ms. CASTOR of Florida, Mr. PASCRELL, Mr. GARCIA, Mr. NEAL, and Mr. BACHUS.
 H.R. 920: Mr. POCAN.
 H.R. 940: Mr. RIBBLE, Mr. GRAVES of Missouri, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, and Mr. FARENTHOLD.
 H.R. 946: Mr. LANKFORD.
 H.R. 961: Mr. GRAYSON, Mr. PASTOR of Arizona, Mr. GERLACH, Mr. MCKINLEY, Mr. SCHRADER, and Mr. BISHOP of Georgia.
 H.R. 963: Mr. POLIS and Ms. SHEA-PORTER.
 H.R. 997: Mr. BRIDENSTINE and Mr. MARCHANT.
 H.R. 1014: Mr. GERLACH.
 H.R. 1020: Mr. COLLINS of Georgia, Mr. RIBBLE, Mr. THORNBERRY, and Mr. CAMPBELL.
 H.R. 1024: Mr. BLUMENAUER and Mrs. KIRKPATRICK.
 H.R. 1038: Mr. SCHIFF.
 H.R. 1039: Mr. FRANKS of Arizona.
 H.R. 1093: Mr. MATHESON.
 H.R. 1129: Mr. WALBERG and Mr. KILMER.
 H.R. 1141: Mr. GOODLATTE.
 H.R. 1143: Mr. LANKFORD and Mr. HOLDING.
 H.R. 1146: Mr. TURNER.
 H.R. 1148: Mr. BUTTERFIELD.
 H.R. 1149: Mr. LATHAM.
 H.R. 1155: Mr. WELCH.
 H.R. 1179: Ms. ESHOO.
 H.R. 1186: Mr. BARR, Mr. STOCKMAN, Mr. DELANEY, and Mrs. BLACKBURN.
 H.R. 1188: Mr. COBLE and Mr. MICHAUD.
 H.R. 1229: Ms. MOORE, Ms. MCCOLLUM, and Ms. SCHAKOWSKY.
 H.R. 1247: Mr. COURTNEY.
 H.R. 1250: Mr. SESSIONS and Mr. SHUSTER.
 H.R. 1304: Mr. DUNCAN of South Carolina.
 H.R. 1319: Mr. HINOJOSA.
 H.R. 1346: Mr. LEWIS.
 H.R. 1386: Mr. GOODLATTE.
 H.R. 1395: Ms. ROYBAL-ALLARD.
 H.R. 1404: Mr. DUNCAN of South Carolina.
 H.R. 1413: Ms. KUSTER.
 H.R. 1414: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H.R. 1416: Ms. GRANGER.
 H.R. 1420: Mr. GARAMENDI.
 H.R. 1422: Mr. DAINES, Mr. BISHOP of Utah, Mr. GOHMERT, Mr. BARTON, Mr. PRICE of Georgia, Mr. STOCKMAN, and Mr. WESTMORELAND.
 H.R. 1494: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 1507: Ms. MATSUI, Mr. COURTNEY, Mr. OWENS, Mr. ANDREWS, Mr. PERLMUTTER, Mr.

FARR, Mr. DELANEY, Mr. VAN HOLLEN, Mr. MAFFEI, Mr. LOBIONDO, and Mr. NUNES.

H.R. 1521: Mr. BISHOP of New York, Ms. SHEA-PORTER, Mr. WAXMAN, and Ms. SLAUGHTER.

H.R. 1528: Ms. SCHWARTZ.
 H.R. 1560: Ms. WASSERMAN SCHULTZ.
 H.R. 1565: Mr. SEAN PATRICK MALONEY of New York and Mrs. NEGRETE MCLEOD.
 H.R. 1582: Mr. WHITFIELD.
 H.R. 1587: Mr. LATTA and Mr. DUNCAN of South Carolina.

H.R. 1590: Mr. MARKEY.
 H.R. 1593: Mr. SIRES, Mr. SABLAN, Mr. MURPHY of Florida, and Mr. PRICE of North Carolina.

H.R. 1595: Mr. SCHNEIDER and Ms. VELÁZQUEZ.

H.R. 1601: Mr. NADLER.
 H.R. 1623: Ms. MOORE, Ms. SHEA-PORTER, and Mr. WAXMAN.

H.R. 1633: Mr. TIPTON.
 H.R. 1634: Mr. WITTMAN.
 H.R. 1638: Mr. AUSTIN SCOTT of Georgia.
 H.R. 1642: Mr. OWENS.
 H.R. 1643: Mr. OWENS.

H.R. 1692: Ms. PINGREE of Maine, Mr. LEWIS, Ms. NORTON, and Mr. ISRAEL.

H.R. 1699: Ms. EDWARDS.
 H.R. 1701: Mr. HALL and Mr. ROE of Tennessee.

H.R. 1717: Mr. GRIFFIN of Arkansas, Mr. MICHAUD, Mr. JORDAN, Ms. ROS-LEHTINEN, Mr. PALAZZO, Mr. KEATING, Mr. OLSON, Mr. ROGERS of Michigan, and Mr. WHITFIELD.

H.R. 1729: Mr. WAXMAN, Mr. COSTA, Ms. SHEA-PORTER, and Ms. HANABUSA.

H.R. 1731: Ms. WILSON of Florida and Mr. THOMPSON of California.

H.R. 1739: Ms. CLARKE, Mr. BISHOP of Georgia, Mr. KILDEE, Mr. HECK of Washington, Mr. VARGAS, Ms. JACKSON LEE, Ms. FUDGE, Mr. NOLAN, Mr. RUPPERSBERGER, Mr. ANDREWS, Ms. WATERS, Mr. COSTA, Mr. MAFFEI, Mr. LOEBESACK, and Mr. GALLEGU.

H.R. 1748: Mr. PIERLUISI.
 H.R. 1749: Mr. LEWIS.

H.R. 1759: Ms. MOORE.
 H.R. 1763: Mr. KILMER, Mr. SCOTT of Virginia, Mr. PERLMUTTER, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. LOFGREN, and Mr. MCNERNEY.

H.R. 1773: Mr. BACHUS.
 H.R. 1775: Ms. BORDALLO.

H.R. 1780: Mr. JOYCE.
 H.R. 1787: Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. GRIJALVA, Mr. GRIF-FITH of Virginia, and Mr. ELLISON.

H.R. 1797: Mr. SAM JOHNSON of Texas, Mrs. BACHMANN, Mr. LATHAM, and Mr. THOMPSON of Pennsylvania.

H.R. 1809: Ms. SHEA-PORTER.
 H.R. 1814: Mr. RYAN of Wisconsin, Mr. ROE of Tennessee, and Ms. LEE of California.

H.R. 1823: Mr. GOSAR.
 H.R. 1825: Mr. SMITH of Nebraska and Mr. UPTON.

H.R. 1826: Mr. MULVANEY.
 H.R. 1842: Ms. SINEMA and Mr. JONES.

H.R. 1844: Ms. WASSERMAN SCHULTZ, Mr. PIERLUISI, Mr. TONKO, Mr. SERRANO, Mr. GRAYSON, Mr. HUFFMAN, and Mr. SWALWELL of California.

H.R. 1847: Mr. DUNCAN of Tennessee.
 H.R. 1852: Mr. CLEAVER, Mr. CRENSHAW, Mr. VALADAO, Mr. SIMPSON, Mr. CALVERT, Ms. GRANGER, Mr. CAMPBELL, Mr. FINCHER, Mr. MASSIE, Mr. BROOKS of Alabama, Mr. STUTZMAN, Mrs. ELLMERS, Mr. BUCSHON, Mr. GIBBS, Mr. GRIMM, Mr. WESTMORELAND, Mr. RUSH, Mrs. WAGNER, Mr. HUNTER, Mr. ROE of Tennessee, Mr. GRIJALVA, Mr. GRIFFIN of Arkansas, Mr. SHUSTER, Mr. STIVERS, Mr. TIPTON, Mr. BILIRAKIS, Mr. TERRY, Mr. WHITFIELD, Mr. ADERHOLT, Mr. TIBERI, Mr.

McHENRY, Mr. GRAVES of Missouri, Mr. MARINO, Mr. KELLY of Pennsylvania, Mr. GERLACH, Mr. BARLETTA, Mr. SHIMKUS, Mr. CONAWAY, Mr. JONES, Mr. WILSON of South Carolina, Mr. BRALEY of Iowa, and Ms. SCHWARTZ.

H.R. 1864: Ms. BROWNLEY of California, Ms. FRANKEL of Florida, Ms. SCHWARTZ, Mr. KILMER, Mr. MESSER, Mr. YOUNG of Indiana, and Ms. HERRERA BEUTLER.

H.R. 1867: Mr. MEEHAN.

H.R. 1868: Mr. KINZINGER of Illinois.

H.R. 1869: Mr. SENSENBRENNER, Mr. SOUTHERLAND, Mr. STUTZMAN, and Mr. MESSER.

H.R. 1876: Mr. MURPHY of Florida and Ms. FRANKEL of Florida.

H.R. 1882: Mr. HUELSKAMP, Mrs. BLACKBURN, Mr. FINCHER, Mrs. CAPITO, and Mr. DUNCAN of Tennessee.

H.R. 1897: Mr. POE of Texas.

H.R. 1904: Mr. MAFFEL.

H.R. 1913: Mr. BARTON.

H.R. 1920: Mr. JOHNSON of Georgia, Mr. HINOJOSA, Ms. BROWN of Florida, Mr. KILMER, Mr. BISHOP of Georgia, Mr. RANGEL, and Mrs. NEGRETE MCLEOD.

H.R. 1946: Mr. GARAMENDI.

H.R. 1950: Mr. WITTMAN, Mr. WALBERG, Mr. DUNCAN of Tennessee, and Mr. ROGERS of Alabama.

H.R. 1951: Mr. KENNEDY.

H.R. 1962: Ms. DELBENE and Mr. LANGEVIN.

H.R. 1971: Mr. COLE, Mr. FINCHER, Mr. BUCHANAN, and Mr. BARBER.

H.R. 1979: Mr. DEFazio.

H.R. 1985: Mr. SHUSTER.

H.R. 1987: Ms. MENG and Ms. GABBARD.

H.R. 1992: Mr. POE of Texas and Mr. GARDNER.

H.R. 1998: Mr. FARR, Mr. MORAN, Ms. SHEA-PORTER, Mr. KEATING, Mr. CAMPBELL, Mr.

HONDA, Ms. ESHOO, Ms. PINGREE of Maine, and Mr. TIERNEY.

H.R. 2000: Ms. DEGETTE, Mr. COSTA, Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, Mr. WELCH, and Ms. TSONGAS.

H.R. 2009: Mr. LATTA, Mr. TIBERI, Mr. ROKITA, Mr. MULVANEY, Mr. DESANTIS, Mr. POSEY, Mr. LABRADOR, Mr. DUNCAN of South Carolina, Mr. STEWART, Mr. GOHMERT, Mr. BARTON, Mr. LAMALFA, and Mr. SOUTHERLAND.

H.R. 2010: Mr. MULVANEY.

H.R. 2014: Mr. RIBBLE, Mr. LAMALFA, Mr. HUIZENGA of Michigan, Mr. GOHMERT, Mr. HALL, Mr. POSEY, and Mr. SOUTHERLAND.

H.R. 2019: Mrs. CAPITO, Mr. GRIFFIN of Arkansas, Mr. ROKITA, Mrs. LUMMIS, Mr. LUETKEMEYER, Mr. DUNCAN of Tennessee, Mr. ROGERS of Kentucky, Mr. LANCE, Mr. FORTENBERRY, Mr. MATHESON, Mr. FITZPATRICK, and Mr. SESSIONS.

H.R. 2020: Mr. VELA, Mr. SIRES, Mr. COHEN, Mr. NOLAN, Ms. SHEA-PORTER, Mr. PIERLUISI, and Mr. ISRAEL.

H.R. 2022: Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. GRIFFIN of Arkansas, Mr. TIBERI, Mr. REICHERT, Mr. FINCHER, Mr. WESTMORELAND, Mr. MULVANEY, Mr. LAMALFA, and Mr. PERRY.

H.R. 2026: Mr. OWENS.

H.R. 2028: Mr. BISHOP of New York, Mr. FATTAH, Mr. CLAY, and Mr. PRICE of North Carolina.

H.R. 2036: Mr. RANGEL.

H.R. 2043: Mr. POCAN.

H.R. 2052: Mr. LONG, Mr. KINZINGER of Illinois, and Mr. LANCE.

H.R. 2053: Mr. GRIFFIN of Arkansas, Mr. ROE of Tennessee, and Mr. POSEY.

H.R. 2055: Mr. KINZINGER of Illinois.

H.R. 2059: Mr. KILMER, Mrs. LOWEY, and Mr. POCAN.

H.R. 2060: Ms. WILSON of Florida.

H.R. 2067: Mr. CONNOLLY.

H. Con. Res. 34: Ms. ESHOO.

H. Res. 30: Mr. BEN RAY LUJAN of New Mexico, and Mr. GRIFFITH of Virginia.

H. Res. 36: Mr. CALVERT.

H. Res. 86: Mr. JOHNSON of Ohio.

H. Res. 89: Mr. CULBERSON, Mr. SAM JOHNSON of Texas, and Mr. DELANEY.

H. Res. 104: Mr. McNERNEY, Mr. MICHAUD, and Mr. ISSA.

H. Res. 110: Mr. BENTIVOLIO.

H. Res. 123: Mr. HIMES.

H. Res. 182: Mr. NOLAN.

H. Res. 183: Mr. MCCAUL.

H. Res. 188: Mr. VAN HOLLEN.

H. Res. 212: Mr. YOUNG of Florida.

H. Res. 213: Mr. ELLISON, Mr. HUFFMAN, Ms. BROWNLEY of California, and Ms. SHEA-PORTER.

H. Res. 227: Mr. PETERS of Michigan, Mr. CICILLINE, Ms. LEE of California, Mr. NUNES, Ms. SPEIER, Mr. COSTA, Ms. CHU, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. SARBANES, Ms. SCHWARTZ, Mr. HOLT, Mr. MCGOVERN, Mr. GARRETT, and Ms. ESHOO.

PETITIONS, ETC.

Under clause 3 of rule XII,

18. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 220 urging the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; to the Committee on Transportation and Infrastructure.

EXTENSIONS OF REMARKS

IN HONOR OF THE 95TH ANNIVERSARY OF THE AZERBAIJAN DEMOCRATIC REPUBLIC

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise today to congratulate the people of the Republic of Azerbaijan in general, and the Azerbaijani community of San Diego in particular, on the 95th anniversary of the Azerbaijan Democratic Republic.

On May 28, 1918, Azerbaijan declared its independence and established the Azerbaijan Democratic Republic. The first-ever parliamentary democracy in the Muslim world, Azerbaijan proclaimed the right to vote for all regardless of race, gender, ethnicity, and religion, preceding even the United States in granting women equal political rights with men.

This Republic was recognized by many advanced nations of the time, including the United States. In fact, following a meeting with a delegation of the Azerbaijan Democratic Republic during the Paris Peace Conference in 1919, President Woodrow Wilson remarked that he and these men spoke the same language with respect to conceptions of liberty, right, and justice.

Tragically, Azerbaijan's independence was interrupted when the Russian Red Army invaded the nation in 1920. Only in 1991, as the Soviet Union disintegrated, were the people of Azerbaijan given a second chance to restore their democracy and rejoin the world's community of free nations.

Over the last twenty-two years, the Republic of Azerbaijan has consolidated its sovereignty and independence, and has become one of the fastest growing economies in the region and beyond. Azerbaijan is also a staunch ally and strategic partner of the United States in the critically important Caspian region.

I congratulate the people of Azerbaijan on this important anniversary, and commend them on their continued efforts and commitment to building a strong and vibrant Azerbaijan.

WHEATLAND UNION HIGH SCHOOL
SELECTED AS A 2013 CALIFORNIA
DISTINGUISHED SCHOOL

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. GARAMENDI. Mr. Speaker, I rise today to congratulate Wheatland Union High School on its selection as a 2013 California Distinguished School.

The California Distinguished School award is given by the California State Board of Education to public schools that best demonstrate educational excellence for all students and progress in narrowing the achievement gap. It is awarded to approximately five percent of California schools each year, and none is more deserving than Wheatland Union High School.

Since it was established in 1907, Wheatland Union High School has been a cornerstone of the south Yuba County community, which has a rich history of supporting the state's vital agricultural sector. Serving the communities of Wheatland, Plumas Lake and Smartsville, as well as Beale Air Force Base, the high school covers an astounding 150 square miles, and has always been dedicated to providing the best possible education for all students. This is the first formal acknowledgement of their efforts.

Mr. Speaker, I am honored to recognize the impressive achievement of this fine school. I ask my colleagues to join me in congratulating Wheatland Union High School and thanking them for their continued efforts in serving Yuba County students.

A TRIBUTE IN HONOR OF THE LIFE OF THE HONORABLE ROBERT HOWARD BURY, SR.

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of a great and good man, a man who lived a life of service to his country and his community. Robert Howard Bury died peacefully, surrounded by his loving family, at the age of 94 on May 2, 2013.

Bob Bury was born in San Francisco to Helen and Howard Bury. He and his sister Gloria lived a happy but uneventful life with them. At an early age Bob delivered newspapers and groceries to help make ends meet for the family. This early training served him well in his later career as a successful tire dealer in Redwood City and Palo Alto.

Bob Bury was a fine provider for his family and his life was synonymous with service. He served his country in the United States Navy, with four years in combat in the Pacific. He was a Machinists Mate 1st Class and served on the USS *Karnes*, an attack transport ship. Bob was proud of being aboard the *Karnes* during the Battle of Okinawa when the ship was delivering reinforcements of troops and equipment, despite being under Kamikaze attack.

Bob also served his community through his many years of extraordinary service to his beloved home town, Redwood City. He served 24 years on the Redwood City Council, seeing

the City through many difficult years, and was Mayor from 1968 to 1972. He served in leadership posts in countless organizations, including the Redwood City Chamber of Commerce, the Redwood City Port Commission, Redwood City Kiwanis, and the San Mateo County Visitors Bureau. Bob retired from service only two years ago when he left the San Mateo County Mosquito and Vector Control District Board. Bob Bury earned and deserved the sobriquet "Mr. Redwood City"!

Bob adored his family, and they him. He leaves his beloved wife of 70 years, June. He also leaves four children; Susan (Harry Battin), Bob Bury Jr. (Sue Subbot), Judy Bury Alessandri (Tom Alessandri), and Patricia Bury, as well as several grandchildren who affectionately called him "Bobbie".

Mr. Speaker, I ask my colleagues to join me in honoring the extraordinary life and accomplishments of Bob Bury, and in extolling his life of service to others. I also ask my colleagues to join me in extending our most sincere condolences to Bob Bury's family, for their loss is a great one. I'm very proud to have had the opportunity to know and work with Bob Bury and even prouder to call him my friend. Through his leadership, integrity and decency, he made our country and our community stronger and better.

UNLISTED U.S. ARMY EOD/BOMB DISPOSAL CAUSALITY

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. CRAWFORD. Mr. Speaker, I would like to submit the following:

[Researched by SGM Mike R. Vining, USA Retired]

This is a list of Army Bomb Disposal/Explosive Ordnance Disposal deaths involving either training, performing bomb disposal duties, or involvement in combat or post combat operations regardless of duty assignment at the time of death or illness resulting in death.

American Battle Monuments Commission—WWII: All the below profiles marked with (*) are listed on this website. Type in their last name [leave a space] first name and hit the search button.

American Battle Monuments Commission—Korea: All the below profiles marked with (+) are listed on this website. Type in their last name [leave a space] first name and hit the search button.

1. PVT C.E. Mullenix was killed on 15 May 1943. A report from the 10th Bomb Disposal Squad states that on 15 May 1943, PVT C. E. Mullenix was killed by an explosion during training at Aberdeen, Maryland. 2LT Jesse F. Donovan and PVT D. J. Kueter were also injured in the same accident. 2LT Donovan and PVT Kueter were briefly hospitalized

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and released. It is believed by a roommate of PVT Mullenix that they were on a work detail to move unstable WWI artillery rounds. No other details given. This information was provided by LTC Robert Leienhecker, USA (Retired) with additional information provided by Dr. Jeffrey M. Leatherwood, Ph.D.

2. PFC Laurence C. Paystrup was killed and SGT Ira Wiggins was mortally wounded on 26 May 1943. SGT Wiggins died from his wounds on 27 May 1943. PFC Paystrup and SGT Wiggins were assigned to the 2nd Ordnance Bomb Disposal Squad. Their deaths were the result of five M9A1 anti-tank rifle grenades falling from a truck and detonating at Speitla, Tunisia.

Additional Facts: Born: 6 July 1919; Age: 23; Home State: Utah; Buried: Levan Cemetery, Levan, Utah.

Find-A-Grave—PFC Paystrup

3. SGT Ira Wiggins was mortally wounded and PFC Laurence C. Paystrup were killed on 26 May 1943. SGT Wiggins died from his wounds on 27 May 1943. SGT Wiggins and PFC Paystrup were assigned to the 2nd Ordnance Bomb Disposal Squad. Their deaths were the result of five M9A1 anti-tank rifle grenades falling from a truck and detonating at Speitla, Tunisia.

4. CPT Frederick Harrison "Harrison" Dillon and 1LT Steven "Steve" Todorovich, Jr. were presumed killed on 10 October 1943. CPT Dillon and 1LT Todorovich were assigned to the 235th Ordnance Bomb Disposal Company (Provisional). CPT Dillon was commander of the 235th Ordnance Bomb Disposal Company (Provisional). CPT Dillon and 1LT Todorovich were listed as passenger onboard a North American B-25C Mitchell bomber (Serial Number 42-6451) that departed at 1420 hours, 10 October 1943. The aircraft was armed with only seven .50 caliber machine-guns. The aircraft was flying a "ferry" route between Algiers, Algeria and Tunis, Tunisia when the aircraft disappeared and presumed crashed somewhere in the Mediterranean Sea. Algiers was the Headquarters for Allied Forces in North Africa and it is assumed that CPT Dillon and 1LT Todorovich were traveling on official bomb disposal business. CPT Dillon and 1LT Todorovich were likely scheduled to make a connecting flight from Tunis to Naples, Italy. At the time of their disappearance their duty location was Palermo, Sicily. Despite investigations by the Army Air Force, neither wreckage, nor remains have been recovered. CPT Dillon is listed as missing-in-action, non-battle casualty. Also listed as missing in action on the flight is the pilot 1LT Herbert L. Hastings, copilot 2LT Ray Brown Lobdell, and crew chief S/Sgt William B. Brezee of 379th Bomber Squadron, 310th Bomber Group, Medium, 12th Air Force, and a third passenger CPT Lewis T. Stoneburner III, Medical Corps, 45th General Hospital.

Note: The 235th Ordnance Bomb Disposal Company (Provisional) had five killed-in-actions, four officers and one enlisted, but no names, dates, or circumstances.

Source Documents: Missing Air Crew Report No. 1102, 27 October 1943 and Routine Casualty Report No. 26121, 21 November 1943. Dr. Jeffrey M. Leatherwood, Ph.D. was instrumental in obtaining these documents and conducting this research. Additional information was provided by Ed Dillon, Major USAF (Retired), a cousin of CPT F.H. Dillon.

Additional Facts: Service Number: O1548195; Born: February 1918, Utica, New York, Age: 25; Home State: New York; Memorial: Tablets of the Missing at Sicily-Rome American Cemetery and Memorial, Nettuno, Italy (*).

Find-A-Grave—CPT Dillon

Defense POW and MIA Office—WWII Army "D"

5. 1LT Steven "Steve" Todorovich, Jr. and CPT Frederick Harrison "Harrison" Dillon were presumed killed on 10 October 1943. CPT Dillon and 1LT Todorovich were assigned to the 235th Ordnance Bomb Disposal Company (Provisional). 1LT Todorovich was commander of the 1st Platoon of the 235th Ordnance Bomb Disposal Company (Provisional). 1LT Todorovich and CPT Dillon were listed as passenger onboard a North American B-25C Mitchell bomber (Serial Number 42-6451) that departed at 1420 hours, 10 October 1943. The aircraft was armed with only seven .50 caliber machine-guns. The aircraft was flying a "ferry" route between Algiers, Algeria and Tunis, Tunisia when the aircraft disappeared and presumed crashed somewhere in the Mediterranean Sea. Algiers was the Headquarters for Allied Forces in North Africa and it is assumed that 1LT Todorovich and CPT Dillon were traveling on official bomb disposal business. 1LT Todorovich and CPT Dillon were likely scheduled to make a connecting flight from Tunis to Naples, Italy. At the time of their disappearance their duty location was Palermo, Sicily. Despite investigations by the Army Air Force, neither wreckage, nor remains have been recovered. At the time of their disappearance their duty location was Palermo, Sicily. 1LT Todorovich is listed as missing-in-action, non-battle casualty. Also listed as missing in action on the flight is the pilot 1LT Herbert L. Hastings, copilot 2LT Ray Brown Lobdell, and crew chief S/Sgt William B. Brezee of 379th Bomber Squadron, 310th Bomber Group, Medium, 12th Air Force, and a third passenger CPT Lewis T. Stoneburner III, Medical Corps, 45th General Hospital.

Note: The 235th Ordnance Bomb Disposal Company (Provisional) had five killed-in-actions, four officers and one enlisted, but no names, dates, or circumstances.

Source Documents: Missing Air Crew Report No. 1102, 27 October 1943 and Routine Casualty Report No. 26121, 21 November 1943. Dr. Jeffrey M. Leatherwood, Ph.D. was instrumental in obtaining these documents and conducting this research. Additional information was provided by Ed Dillon, Major USAF (Retired), a cousin of CPT F.H. Dillon.

Additional Facts: Service Number: O1550517; Home State: Maryland; Memorial: Tablets of the Missing at Sicily-Rome American Cemetery and Memorial, Nettuno, Italy (*).

Find-A-Grave—1LT Todorovich

Defense POW and MIA Office—WWII Army "T"

6. T/5 CPL Herbert M. Paszotta was killed on 11 November 1943. T/5 CPL Paszotta was assigned to the 1st Ordnance Bomb Disposal Squad. T/5 CPL Paszotta died from injuries he received in an accident involving two trucks in the vicinity of Paestum, Italy.

Note: From LTC Bob Leienhecker, USA (Retired): I have a document that lists a T/5 Paszotta as one of the original members of the 1st Ordnance Bomb Disposal Squad when it was activated on 17 February 1943. Then another document says, quote, "CPL Herbert Paszotta was killed in an accident today. His loss is keenly felt by members of both squads," end quote. That entry was on 11 November 1943.

Additional Facts: Service Number: 35369347; Home State: Indiana; Buried: Sicily-Rome American Cemetery and Memorial, Nettuno, Italy, Plot: C, Row: 6, Grave: 46 (*).

Find-A-Grave T/5 CPL Paszotta

7. T/5 CPL Philip J. Zore was killed on 20 May 1944. T/5 CPL Zore was assigned to the 142nd Ordnance Bomb Disposal Squad.

Note: From LTC Robert Leienhecker, USA (Retired): I have a copy of the History of the 142nd Bomb Disposal Squad for May 1944 and I will quote the entry in it. Members of the squad were at a farewell dance for members of the 235th Ordnance Bomb Disposal Company (Provisional) that had been deactivated. T/5 CPL Zore had been chosen from the 235th Ordnance Bomb Disposal Company (Provisional) along with others to be a charter member of the new 142nd Ordnance Bomb Disposal Squad. The dance was in honor of those that had not been placed in squads and would be soon departing. The date for the dance was 19 May 1944 and arrangements were made to have (chaperoned) Woman Army Corps (WACs) personnel on hand along with several Italian women (Signorinas).

142nd Ordnance Bomb Disposal Squad history: Quote, "At the conclusion of the dance the drivers prepared their 6x6's for the taxi service afforded the Signorinas. The girls were taken home and the drivers returned. T/5 CPL Zore, one of the designated drivers, asked for special permission to escort his (new girl) friend home and it was granted. Although much of the mystery has not been cleared, whether it was foul play or just accidental, Zore's body was found afloat (in a pond) not far from the home of his (girl) friend the following morning. Since the victim was one of the author's closest friends he has chosen not to dwell on the subject any more than possible, but he feels his death should be recorded in our history as a memorial to his friendship" unquote. Zore's vehicle was not found. One of Zore's buddies identified his corpse, and remembered this puzzling incident long afterward.

Note: The 235th Ordnance Bomb Disposal Company (Provisional) had five killed-in-actions, four officers and one enlisted, but no names, dates, or circumstances.

Additional Facts: Service Number: 36252406; Home State: Wisconsin; Buried: Sicily-Rome American Cemetery and Memorial, Nettuno, Italy, Plot: F, Row: 3, Grave: 36 (*). Find-A-Grave—T/5 CPL Zore

8. T/5 CPL Norman Reynolds and PVT Joseph T. Seredinski were presumed killed on 17 August 1944. T/5 CPL Reynolds and PVT Seredinski were assigned to the 4th Platoon, 234th Ordnance Bomb Disposal Company. They were involved in an explosion at an ammunition storage dump. T/5 CPL Reynolds and PVT Seredinski are listed as missing-in-action.

Additional Facts: Service Number: 31135327; Home State: Massachusetts; Memorial: Tablets of the Missing at Normandy American Cemetery and Memorial, Colleville-sur-Mer, France (*).

Find-A-Grave—T/5 CPL Reynolds
Defense POW and MIA Office—WWII Army "R"

9. PVT Joseph T. Seredinski and T/5 CPL Norman Reynolds were presumed killed on 17 August 1944. PVT Seredinski and T/5 CPL Reynolds were assigned to the 4th Platoon, 234th Ordnance Bomb Disposal Company. They were involved in an explosion at an ammunition storage dump. PVT Seredinski and T/5 CPL Reynolds are listed as missing-in-action.

Additional Facts: Service Number: 33333852; Home State: Pennsylvania; Memorial: Tablets of the Missing at Normandy American Cemetery and Memorial, Colleville-sur-Mer, France (*).

Find-A-Grave—PVT Seredinski
Defense POW and MIA Office—WWII Army "S"

10. T/SGT James H. Eberle was killed on 23 August 1944. T/SGT Eberle was assigned to the 151st Ordnance Bomb Disposal Squad. T/SGT Eberle was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 36071153; Home State: Illinois; Buried: Florence American Cemetery and Memorial, Florence, Italy, Plot: F, Row: 8, Grave: 28 (*).

Find-A-Grave—T/SGT Eberle

11. T/5 CPL Elmer L. Allison and T/5 CPL Joseph Kozic were killed on 16 October 1944. T/5 CPL Allison and T/5 CPL Kozic were assigned to the 134th Ordnance Bomb Disposal Squad. They were involved in a minefield accident.

12. T/5 CPL Joseph Kozic and T/5 CPL Elmer L. Allison were killed on 16 October 1944. T/5 CPL Kozic and T/5 CPL Allison were assigned to the 134th Ordnance Bomb Disposal Squad. They were involved in a minefield accident.

13. T/SGT Joseph Michel, Jr. and T/5 CPL Paul F. Tyler were killed on 7 January 1945. T/SGT Michel and T/5 CPL Tyler were assigned to the 45th Ordnance Bomb Disposal Squad. They were killed during enemy action.

Additional Facts: Service Number: 12061912; Home State: New York; Buried: Lorraine American Cemetery and Memorial, St. Avold, France, Plot: B, Row: 14, Grave: 47. Find-A-Grave—T/SGT Michel

14. T/5 CPL Paul F. Tyler and T/SGT Joseph Michel, Jr. were killed on 7 January 1945. T/5 CPL Tyler and T/SGT Michel were assigned to the 45th Ordnance Bomb Disposal Squad. They were killed during enemy action.

Additional Facts: Service Number: 32305466; Home State: New Jersey; Buried: Lorraine American Cemetery and Memorial, St. Avold, France, Plot: C, Row: 18, Grave: 96. Find-A-Grave—T/5 CPL Tyler

15. SGT John H. Baxley was killed on 1 February 1945 according to Army historical bomb disposal records. SGT Baxley was assigned to the 30th Ordnance Bomb Disposal Squad (Separate) in Belgium. SGT Baxley was killed while attempting to inert a dangerous German anti-tank projectile near Verviers, Belgium.

Additional Facts: Born: 14 November 1921; Age: 23; Home State: New York; Buried: Long Island National Cemetery, Farmingdale, New York; Plot: J, O, 13806.

Find-A-Grave—SGT John H. Baxley

16. CPT Bernard E. Anderson was mortally injured on 13 January 1945 and died from wounds on 26 February 1945. CPT Anderson was assigned to the 48th Ordnance Bomb Disposal Squad (Separate). His death was listed as a non-battle casualty.

Additional Facts: Service Number: 01556832; Home State: Maryland; Burial: Cambridge American Cemetery and Memorial, Coton, England, Plot: F, Row: 6, Grave 125. Find-A-Grave—CPT Anderson

Note: According to LTC Robert E. "Bob" Leiendecker, USA (Retired) records, in March 1945, two members of the 234th Ordnance Service Platoon (Bomb Disposal) were killed near Heming, France when the unit's truck loaded with hazardous and unserviceable German ammunition exploded.

17. SGT Ernest P. Smith, Jr. and T/5 CPL Joseph V. Tabone were killed on 12 March 1945. SGT Smith and T/5 Tabone were assigned to the 177th Ordnance Bomb Disposal Squad. SGT Smith was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 34787310; Home State: Florida; Buried: Manila American Cemetery and Memorial, Ma-

nila, Philippines, Plot: D, Row: 4, Grave: 112 (*).

Find-A-Grave—SGT Smith

18. T/5 CPL Joseph V. Tabone and SGT Ernest P. Smith, Jr. were killed on 12 March 1945. T/5 Tabone and SGT Smith were assigned to the 177th Ordnance Bomb Disposal Squad. T/5 CPL Tabone was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 32789265; Home State: New York; Buried: Manila American Cemetery and Memorial, Manila, Philippines, Plot: A, Row: 10, Grave: 63 (*).

Find-A-Grave—T/5 CPL Tabone

19. T/5 CPL Dallas Harold Factor and an unknown member of the squad were killed on 14 March 1945. T/5 CPL Factor and the other squad member were assigned to the 26th Ordnance Bomb Disposal Squad. T/5 CPL Factor and the other squad member were killed in action by mines while working near Samres, in the Ardennes (Belgium and Luxembourg region). This information was provided by SGM James Ferris, USA (Retired). His grave marker states that he was killed on 14 November 1945.

Additional Facts: Born: 19 August 1909, Mount Sterling, Illinois; Age: 35; Hometown: Des Moines, Iowa; Buried: Quincy National Cemetery, Quincy, Illinois, Plot: Section: B, 112C. Find-A-Grave—T/5 CPL Factor

Note: A report from the 26th Ordnance Bomb Disposal Squad states that on 14 March 1945 two members of the squad were killed in action by mines while working in the Ardennes (Belgium and Luxembourg region). Now one of the names is known. This information was provided by LTC Robert Leiendecker, USA (Retired).

20. T/5 CPL Harold L. Pinkham, PFC Leo E. Gonshor, PFC Robert E. Inman, and PVT Edward R. Morris were killed on 17 March 1945. T/5 CPL Pinkham, PFC Gonshor, PFC Inman, and PVT Morris were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). T/5 CPL Pinkham was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 31133783; Home State: Massachusetts; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: F, Row: 6, Grave: 59(*).

Find-A-Grave—T/5 CPL Pinkham

21. PFC Leo E. Gonshor, T/5 CPL Harold L. Pinkham, PFC Robert E. Inman, and PVT Edward R. Morris were killed on 17 March 1945. PFC Gonshor, T/5 CPL Pinkham, PFC Inman, and PVT Morris were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). PFC Gonshor was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number 33354443; Home State: Pennsylvania; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: E, Row: 6, Grave: 28 (*).

Find-A-Grave—PFC Gonshor

22. PFC Robert E. Inman, T/5 CPL Harold L. Pinkham, PFC Leo E. Gonshor, and PVT Edward R. Morris were killed on 17 March 1945. PFC Inman, T/5 CPL Pinkham, PFC Gonshor, and PVT Morris were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). PFC Inman was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 35332453; Home State: Ohio; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: E, Row: 1, Grave: 53 (*). Find-A-Grave—PFC Inman

23. PVT Edward R. Morris, T/5 CPL Harold L. Pinkham, PFC Leo E. Gonshor and PFC Robert E. Inman were killed on 17 March

1945. PVT Morris, T/5 CPL Pinkham, PFC Gonshor and PFC Inman were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). PVT Morris was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 35292391; Home State: West Virginia; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: H, Row: 5, Grave: 65 (*).

Find-A-Grave—PVT Morris

Note: According to LTC Robert E. "Bob" Leiendecker, USA (Retired) records, a member of the 234th Ordnance Service Platoon (Bomb Disposal) was injured on 13 April 1945. He was admitted to the 51st Evacuation Hospital where he died the following day (14 April 1945) of acute cardiac failure.

24. T/5 CPL Roscoe I. Moore and T/5 CPL Dean A. Shoulders were killed on 18 March 1945. T/5 CPL Moore and T/5 CPL Shoulders were assigned to the 53rd Ordnance Bomb Disposal Squad (Separate). Their deaths were recorded to had taken place in Germany (no exact location and circumstances are given). This information was provided by LTC Robert Leiendecker, USA (Retired).

Additional Facts: Born: 29 May 1921; Age: 23; Service Number: 39618122; MOS 924; Home State: Petroleum County, Montana; Buried: Custer National Cemetery, Crow Agency, Big Horn County, Montana; Section: D; Site: 69; Remains transferred from Netherlands American Cemetery and Memorial, Margraten, Netherlands and reinterred on 9 December 1948. Find-A-Grave—T/5 Moore

Genealogy Trails—WWII—T/5 Moore

25. T/5 CPL Dean A. Shoulders and T/5 CPL Roscoe I. Moore were killed on 18 March 1945. T/5 CPL Shoulders and T/5 CPL Moore were assigned to the 53rd Ordnance Bomb Disposal Squad (Separate). Their deaths were recorded to had taken place in Germany (no exact location and circumstances are given). This information was provided by LTC Robert Leiendecker, USA (Retired).

Additional Facts: Service Number: 32757002; MOS 924; Hometown: National Park, New Jersey.

NATIONAL PARK WWII MEMORIAL—NATIONAL PARK NJ—T/5 SHOULDERS

Note: On 13 April 1945 a bomb disposal technician died in a hospital of cardiac failure, while on an incident. The technician was a member of the 234th Ordnance Service Platoon (Bomb Disposal). This information was provided by LTC Robert Leiendecker, USA (Retired).

26. T/SGT Landon H. Chambers was killed on 16 April 1945. T/SGT Chambers was assigned to the 160th Ordnance Bomb Disposal Squad. T/SGT Chambers was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 18187385; Born: 13 October 1922, Galveston, Texas; Age: 22; Home State: Texas; Buried: Netherlands American Cemetery and Memorial, Margraten, Netherlands, Plot: I, Row: 7, Grave: 2 (*).

Find-A-Grave—T/SGT Chambers

27. T/5 CPL Merle W. Fry was presumed killed on 18 April 1945. T/5 CPL Fry was assigned to the 92nd Ordnance (Bomb Disposal) Squad. T/5 CPL Fry was assigned to the same unit and presumed killed on the same date as CPT George C. Sarauw, 2LT Arthur J. Zellmer, T/SGT Francis H. Zurn, and T/5 CPL Elmer J. Craddock were killed, and T/5 CPL Raymond J. Rondeau was presumed killed. They are listed on the EOD Memorial. The unit was participating in the assault landing on le Jima (also called le Shima), Okinawa when their vehicle detonated a landmine. T/5 CPL Fry is listed as missing-

in-action. T/5 CPL Fry was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 13060083; Home State: New York; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*).

Find-A-Grave—T/5 CPL Fry
Defense POW and MIA Office—WWII Army “F”

28. T/SGT Sam A. McCleneghan was killed on 1 May 1945. T/SGT McCleneghan was assigned to the 125th Ordnance (Bomb Disposal) Squad. T/SGT McCleneghan was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 37703570; Home State: Colorado; Buried: Netherlands American Cemetery and Memorial, Margraten, Netherlands, Plot: J, Row: 2, Grave: 13 (*).

Find-A-Grave—T/SGT McCleneghan

29. T/5 CPL George C. Miller was presumed killed on 6 May 1945. T/5 CPL Miller was assigned to the 234th Ordnance Service Platoon (Bomb Disposal). T/5 Miller is listed as missing-in-action.

Additional Facts: Service Number: 35381016; Home State: Ohio; Memorial: Tablets of the Missing at Cambridge American Cemetery and Memorial, Cambridge, England (*).

Find-A-Grave—T/5 CPL Miller

Defense POW and MIA Office—WWII Army “M”

30. T/SGT Earl R. Colebaugh, T/5 CPL Clement E. Berger, and T/5 CPL Robert H. Falkenheim were killed on 9 May 1945. T/SGT Colebaugh, T/5 CPL Berger, and T/5 CPL Falkenheim were assigned to the 123rd Ordnance (Bomb Disposal) Squad, Third Army. T/SGT Colebaugh, T/5 CPL Berger, and T/5 CPL Falkenheim were killed in Czechoslovakia, while disposing of ammunition. T/SGT Colebaugh was posthumously awarded the Purple Heart Medal. Medals: Army of Occupation—Europe Medal.

Additional Facts: Service Number: 36775329; Home State: Illinois; Buried: Lorraine American Cemetery and Memorial, Saint Avold, Lorraine Region, France, Plot: J, Row: 36, Grave: 13 (*).

Find-A-Grave—T/SGT Colebaugh

31. T/5 CPL Robert H. Falkenheim, T/SGT Earl R. Colebaugh, and T/5 CPL Clement E. Berger were killed on 9 May 1945. T/5 CPL Falkenheim, T/SGT Colebaugh, and T/5 CPL Berger were assigned to the 123rd Ordnance (Bomb Disposal) Squad, Third Army. T/5 CPL Falkenheim, T/SGT Colebaugh, and T/5 CPL Berger were killed in Czechoslovakia, while disposing of ammunition. T/5 CPL Falkenheim was posthumously awarded the Purple Heart Medal. Medals: Army of Occupation—Europe Medal.

Additional Facts: Service Number: 6831089; Home State: Illinois; Buried: Lorraine American Cemetery and Memorial, Saint Avold, Lorraine Region, France, Plot: E, Row: 20, Grave: 35 (*).

Find-A-Grave—T/5 CPL Falkenheim

32. T/5 CPL Clement E. Berger, T/SGT Earl R. Colebaugh, and T/5 CPL Falkenheim were killed on 9 May 1945. T/5 CPL Berger, T/SGT Colebaugh, and T/5 CPL Falkenheim were assigned to the 123rd Ordnance (Bomb Disposal) Squad, Third Army. T/5 CPL Berger, T/SGT Colebaugh, and T/5 CPL Falkenheim were killed in Czechoslovakia, while disposing of ammunition. T/5 CPL Berger was posthumously awarded the Purple Heart Medal. Medals: Army of Occupation—Europe Medal.

Additional Facts: Service Number: 42028085; Home State: New York; Buried: Lorraine American Cemetery and Memorial,

Saint Avold, Lorraine Region, France, Plot: J, Row: 4, Grave: 8 (*).

Find-A-Grave—T/5 CPL Berger

33. 1LT Hugh C. W. Huntley was presumed killed on 24 May 1945. 1LT Huntley was a Flight Engineer assigned to U.S. Army Air Force's XXI Command, 874th Bomber Squadron, 498th Bomber Group, Very Heavy. 1LT Huntley's B-29-65-BW bomber (#44-69852) “Filthy Fay III” (call sign T SQ 26, tail code 26) departed Saipan on 24 May 1945, on an incendiary bombing mission over South Tokyo, Japan, as part of Mission 181 during night of 23-24 May. Five hundred and twenty of 562 B-29's sent against Tokyo bomb an urban-industrial area south of the Imperial Palace along the west side of the harbor; five other B-29's hit targets of opportunity. Seventeen B-29's are lost. This is the largest number of B-29's participating in a single mission during World War II. The bomber went missing on 24 May 1945, between Tokyo and the Marianas. There were 11 crewmembers and one passenger aboard the bomber; pilot MAJ Virgil Olds, copilot 2LT Allan W. Rutter, navigator 1LT John Pobicky, Jr., bombardier, CPT Leonard S. Ringo, radio operator S/Sgt Russell D. Faull, radio operator T/Sgt Richard J. Strand, central fire control gunner S/Sgt Glenn M. Flanigan, left gunner S/Sgt Wibur C. Connatser, right gunner Sgt Joseph S. Baniewicz, tail gunner S/Sgt Arthur E. Horn, and passenger CPT Frederick J. Miller. They are listed as missing in action on 25 May 1945. 1LT Huntley was awarded the Purple Heart Medal and Air Medal with three Oak Leaf Clusters. 1LT Huntley was a graduate of Army's Bomb Disposal School. This information was provided by LTC Robert Leiendecker, USA (Retired). Missing Air Crew Report (MACR) Number 14491.

Additional Facts: Service Number (enlisted): 20949939; Service Number (officer): O1550626 Born: 1918; Hometown: Laramie, Wyoming; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii. Missing Air Crew Report Number—1LT Huntley

POW and MIA—1LT Huntley
Defense POW and MIA Office—WWII Army Air Forces “H”

34. LT Alter was killed on 11 June 1945. LT Alter was assigned to the 213th Ordnance (Bomb Disposal) Squad. LT Alter was killed, while attempting to render safe a U.S. depth bomb.

35. T/5 CPL Robert S. Dearing, Jr. was presumed killed on 10 July 1945. T/5 CPL Dearing was assigned to the 104th Ordnance (Bomb Disposal) Squad. T/5 CPL Dearing is listed as missing-in-action. T/5 CPL Dearing was posthumously awarded the Soldier's Medal.

Additional Facts: Service Number: 34705111; Born: 23 February 1924; Age: 20; Home State: Alabama; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*); Buried: Wislonoce Cemetery, Franklin County, Alabama.

Find-A-Grave—T/5 CPL Dearing (1)

Find-A-Grave—T/5 CPL Dearing (2)

Defense POW and MIA Office—WWII Army “D”

36. T/5 CPL Lester W. Hambly was presumed killed on 10 July 1945. T/5 CPL Hambly was assigned to the 97th Ordnance (Bomb Disposal) Squad. T/5 CPL Hambly was last known working in the squad's ammunition holding area. T/5 CPL Hambly is listed as missing-inaction.

Additional Facts: Service Number: 39696955; Home State: California; Memorial:

Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*).

Find-A-Grave—T/5 CPL Hambly

Defense POW and MIA Office—WWII Army “H”

37. PFC David W. Ekvall, PFC Andrew Fahrenbach, Jr., PFC James A. Linton, and PFC Frank T. Sowers were presumed killed on 30 December 1945. PFC Ekvall, PFC Fahrenbach, PFC Linton, and PFC Sowers were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tunderman. 2LT Tunderman is on the EOD Memorial. 2LT Tunderman was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Ekvall is listed as missing-in-action. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 36904368; Home State: Illinois; Memorial: Tablets of the Missing at Manila American Cemetery and Memorial, Manila, Philippines (*).

Find-A-Grave—PFC Ekvall

Defense POW and MIA Office—WWII Army “E”

38. PFC Andrew Fahrenbach, Jr., PFC David W. Ekvall, PFC James A. Linton, and PFC Frank T. Sowers were presumed killed on 30 December 1945. PFC Fahrenbach, PFC Ekvall, PFC Linton, and PFC Sowers were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tunderman. 2LT Tunderman is on the EOD Memorial. 2LT Tunderman was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Fahrenbach is listed as missing-in-action. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 42162339; Home State: New York; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*).

Find-A-Grave—PFC Fahrenbach

Defense POW and MIA Office—WWII Army “F”

39. PFC James Albert Linton, PFC David W. Ekvall, PFC Andrew Fahrenbach, Jr., and PFC Frank T. Sowers were presumed killed on 30 December 1945. PFC Linton, PFC Ekvall, PFC Fahrenbach, and PFC Sowers were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tunderman. 2LT Tunderman is on the EOD Memorial. 2LT Tunderman was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Linton is listed as missing-in-action. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 44024965; Born: 15 September 1926; Age: 19; Home State: Georgia; Memorial: Tablets of the Missing at Manila American Cemetery and Memorial, Manila, Philippines (*); Buried: Oakland Cemetery, Waycross, Georgia.

Find-A-Grave—PFC Linton (1)

Find-A-Grave—PFC Linton (2)

Defense POW and MIA—Army WWII “L”

40. PFC Frank T. Sowers, PFC David W. Ekvall, PFC Andrew Fahrenbach, Jr., and PFC James A. Linton were presumed killed on 30 December 1945. PFC Sowers, PFC Ekvall, PFC Fahrenbach, and PFC Linton were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on

the same date as 2LT Leonard K. Tunderman. 2LT Tunderman is on the EOD Memorial. 2LT Tunderman was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Sowers in listed as missing-in-action. PFC Sowers was posthumously awarded the Bronze Star Medal. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 35241397; Home State: Ohio; Memorial: Tablets of the Missing at Manila American Cemetery and Memorial, Manila, Philippines (*).

Find-A-Grave—PFC Sowers
Defense POW and MIA Office—WWII Army "S"

Note: According to the "European Theater of Operations (ETO) Bomb Disposal History," pp. 34-35: Forty-three bomb disposal personnel were killed and 68 were injured in the line of duty, excluding losses during combat. The Explosive Ordnance Disposal Memorial lists only 32 Army bomb disposal personnel lost their lives in the European Theater of Operations during World War Two. This list adds 28 killed in the ETO and ten killed in the Pacific Theater of Operations.

Note: In October of 1946, four men from the 87th Ordnance (Bomb Disposal) Squad, IX Air Force Command were killed during an explosion in an ammunition storage area near Bremerhaven, Germany. Additionally, two men from the 87th Ordnance Service Squad (Bomb Disposal) were injured and four German prisoners of war that were assisting the squad were killed in the explosion.

41. SGT Doroteo Reyes was killed on 30 May 1947. SGT Reyes was a squad leader assigned to the 77th Ordnance Bomb Disposal Squad (Philippine Scouts). SGT Reyes was in a motor vehicle accident and died from his injuries, which occurred at 1400 hours, Caba, La Union, Philippines.

42. SFC Thomas L. McDonough and PFC Paul Royal Seymour were killed on 6 September 1950. SFC McDonough and PFC Seymour were assigned to the 1st Ordnance Bomb Disposal Detachment, 1st Ordnance Medium Maintenance Company, 8th Army. SFC McDonough and PFC Seymour were killed-in-action while fighting the enemy in South Korea. SFC McDonough was posthumously awarded the Purple Heart Medal. He also received the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation, and the Republic of Korea War Service Medal.

Additional Facts: Service Number: RA33153496; MOS: 1942; Born: 1917; Hometown: Washington, Pennsylvania (+).

Korean War Project Remembrance—SFC McDonough

43. PFC Paul Royal Seymour and SFC Thomas L. McDonough were killed on 6 September 1950. PFC Seymour and SFC McDonough were assigned to the 1st Ordnance Bomb Disposal Detachment, 1st Ordnance Medium Maintenance Company, 8th Army. PFC Seymour and SFC McDonough were killed-in-action while fighting the enemy in South Korea. PFC Seymour was posthumously awarded the Purple Heart Medal. He also received the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation, and the Republic of Korea War Service Medal.

Additional Facts: Service Number: RA12351691; MOS: 3924; Born: 1932; Hometown: Keeseville, New York, Buried: Saint Peters Cemetery, Plattsburgh, Pennsylvania (+).

Find-A-Grave—PFC Seymour

Korean War Project Remembrance—PFC Seymour

44. CPL Earle M. Lockwood, Jr. was killed on 15 September 1950. CPL Lockwood was assigned to the 1st Ordnance Bomb Disposal Detachment, 1st Ordnance Medium Maintenance Company, 8th Army. He was killed-in-action while fighting the enemy in South Korea. CPL Lockwood was posthumously awarded the Purple Heart Medal. He also received the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation, and the Republic of Korea War Service Medal. CPL Lockwood may have been posthumously promoted to SGT.

Additional Facts: Service Number: RA11164944; MOS: 3924; Born: 1930; Hometown: Newtown, Connecticut (+).

Korean War Project Remembrance—CPL Lockwood

45. SFC Charles W. Shrider and PFC Raymond D. Stefaniak were killed on 1 October 1951. SFC Shrider and PFC Stefaniak were assigned to the 938th Ordnance Company (Explosive Ordnance Disposal) at Fort Bragg, North Carolina. SFC Shrider and PFC Stefaniak were transporting a trailer full of TNT and Composition "C" explosives that was being pulled behind their jeep, when at 1400 hours an explosion occurred in the trailer. Their jeep was hurled forward more than 100 feet, setting it on fire. The explosion ignited five gallons of gasoline that they were carrying. SFC Shrider and PFC Stefaniak were on Longstreet Road and had just pulled into the fenced-off dud disposal area on the Fort Bragg range prior to the accident. SFC Shrider was trapped inside the jeep following the explosion and died instantly. PFC Stefaniak was thrown clear on the right side of the jeep. SFC Cecil Coley and CPL Ben Smith of the range personnel office rushed to the aid of PFC Stefaniak and pulled the injured man clear of the burning jeep. SFC Coley and CPL Smith were unable to reach SFC Shrider, who was slumped inside the jeep, due to the intense flames from the vehicle. PFC Stefaniak was rushed to Womack Army Hospital where he died about an hour later from third-degree burns. LTG John W. Leonard has ordered a board of officers to investigate the accident.

Additional Facts: Born: 21 February 1919; Age: 32; Buried: Desenberg Cemetery, Lafayette, Ohio.

SFC Shrider's next-of-kin was listed as his wife, Mrs. Martha M. Shrider of 226 Green Street, Fayetteville, North Carolina.

Find-A-G-Grave—SFC Shrider

46. PFC Raymond D. Stefaniak and SFC Charles W. Shrider were killed on 1 October 1951. PFC Stefaniak and SFC Shrider were assigned to the 938th Ordnance Company (Explosive Ordnance Disposal) at Fort Bragg, North Carolina. PFC Stefaniak SFC Shrider were transporting a trailer full of TNT and Composition "C" explosives that was being pulled behind their jeep, when at 1400 hours an explosion occurred in the trailer. Their jeep was hurled forward more than 100 feet, setting it on fire. The explosion ignited five gallons of gasoline that they were carrying. PFC Stefaniak and SFC Shrider were on Longstreet Road and had just pulled into the fenced-off dud disposal area on the Fort Bragg range prior to the accident. PFC Stefaniak was thrown clear on the right side of the jeep. SFC Shrider was trapped inside the jeep following the explosion and died instantly. SFC Cecil Coley and CPL Ben Smith of the range personnel office rushed to the aid of PFC Stefaniak and pulled the injured man clear of the burning jeep. SFC Coley and

CPL Smith were unable to reach SFC Shrider, who was slumped inside the jeep, due to the intense flames from the vehicle. PFC Stefaniak was rushed to Womack Army Hospital where he died about an hour later from third-degree burns. LTG John W. Leonard has ordered a board of officers to investigate the accident.

Additional Facts: Age: 23.

PFC Stefaniak's next-of-kin was listed as his sister, Gertrude Waclawski of Grand Rapids, Michigan. His father is Jose and his mother is Mary Stefaniak.

Find-A-Grave—PFC Stefaniak

47. SFC Biddle Carrol "B.C., Jack, Izzy or Buzz" Izard, Jr. was killed on 19 June 1968. SFC Izard was assigned to the 45th Military Intelligence Company, 528th Ordnance Detachment, 519th Military Intelligence Battalion (Field Army), 525th Military Intelligence Group, Combined Material Exploitation Center (CMEC), Military Assistance Command Vietnam (MACV), Saigon, Republic of Vietnam. CMEC was tasked with the responsibility to examine, evaluate, and classify captured enemy material. SFC Izard was killed in the afternoon when a dud RPG-2 (B-40) rocket exploded. The team was in the process of loading a 2 1/2-ton truck with captured enemy ammunition at Tan Son Nhut Air Base, Saigon, Long An Province, Republic of Vietnam. Three other men were helping to load the truck at the time of the accident. SFC Izard was awarded the Bronze Star Medal and the Purple Heart Medal. SFC Izard was an Explosive Ordnance Disposal school graduate.

Additional Facts: Navy Service Number: 616 03 15; Army Service Number: 19357542; Service Number: 448035054; Born: 2 August 1920; Coleman, Oklahoma; Age: 47; Hometown: El Paso, Texas; MOS: 55C4A: Ammunition Maintenance Specialist; Length of Service: 22 years; Tour Started: 9 April 1967; Buried: Fort Rosecrans National Cemetery, San Diego, California, Section 0, Grave Number 4110; Vietnam Memorial Panel: 56W Line 34.

Virtual Vietnam Wall—SFC Izard

The Wall—SFC Izard

Army Together We Served—SFC Izard

Navy Together We Served—BM 2/c Izzy

Find-A-Grave—SFC Izard

48. MSG Cornelius Vincent Spillane, Jr. passed away on 16 August 1968. MSG Spillane was assigned to Headquarters Headquarters Company, 80th General Support Group, Army Support Command Da Nang, 1st Logistics Command, Republic of Vietnam. MSG Spillane contracted Hepatitis on 11 July 1968, at Quang Nam Province, Republic of Vietnam. MSG Spillane was evacuated to Tripler Army Medical Center, Hawaii where he died a week later with kidney failure. He was awarded the Bronze Star Medal with "V" Device with two Oak Leaf Clusters and the Purple Heart Medal. MSG Spillane was an Explosive Ordnance Disposal school graduate.

Additional Facts: Service Number: 31376234; Born: 7 February 1924; Age: 44; Hometown: South Berwick, Maine; Vietnam Memorial Panel: 52W Line 014.

Virtual Vietnam Wall—MSG Spillane

Army Together We Served—MSG Spillane

49. CPT Paul Barkley Bowman was killed on 31 January 1970. CPT Bowman was assigned to Headquarters and Headquarters Company, 25th Infantry Division. Captain Bowman was aboard a helicopter that was shot down north of Tay Ninh in an area called "Mo Con Woods." The area was called Mo Con Woods because it was heavily forested with sparse civilian population and the North Vietnamese Army (NVA) used this

area for infiltration across the Cambodia border, which was close by. The day before a helicopter was on a recon mission in that same area when it took ground fire from a 12.7mm anti-aircraft gun. The helicopter was able to get away without taking any hit. It was believed an estimated battalion sized force was in the area getting ready for a broader dry season offensive in the Tay Ninh area. On 31 January 1970, A, B, and C Company from the 25th Infantry Division were airlifted by Hueys into the area. The force expected heavy casualties with A and B Companies took several killed-in-actions (KIAs) and C Company had eight to ten wounded-in-actions (WIAs). Many of the NVA soldiers melted back across the border, but those fighting a rear guard action were emplaced in heavily fortified bunkers. With U.S. forces on the ground taking heavy fire Huey helicopter UH-1H (tail number 68-15462) carrying CPT Bowman made a heroic approach at treetop level to drop CS gas and to put down suppressive machinegun fire on the enemy to root them out of the bunkers. The helicopter was shot down with a total loss of lives onboard. The efforts of all onboard the helicopter saved the lives of many soldiers on the ground that day. Seven soldiers died in that crash, four aircrew members and three passengers. Those that were killed were from B Company, 25th Aviation Battalion, 25th Infantry Division, CW2 Ronald Joe Fulton, pilot; 2LT Michael Lorrell Arrants, copilot; SGT John Thomas Rodgers, gunner; SGT Jerald Dale West, crew chief; and passenger from Headquarter Headquarters Company, 25th Infantry Division CPT John Lawrence Beek; CPT Paul Barkley Bowman, and CPT Jerry David. CPT Bowman was awarded the Distinguished Flying Cross, Bronze Star Medal, and the Purple Heart Medal. CPT Bowman was an Explosive Ordnance Disposal school graduate. CPT Bowman was inducted in the U.S. Army Chemical Corps Hall of Fame in June 2010.

Additional Facts: Service Number: 369427269; Born: 3 September 1943; Age: 26; Hometown: Newaygo, Michigan; Buried: Newaygo Cemetery, Newaygo, Michigan, Plot: Section F, Lot 095, Grave 2; Vietnam Memorial Panel: 14W Line 083.

Virtual Vietnam Wall—CPT Bowman

The Wall—CPT Bowman

Army Together We Served—CPT Bowman

Find-A-Grave—CPT Bowman

50. CPT Frederick Phillip "Fred" Smith was killed on 13 February 1971. CPT Smith was the Assistant Division Chemical Officer assigned to Headquarters, Headquarters Company 1st Cavalry Division (Airmobile), United States Army, Pacific—Republic of Vietnam. CPT Smith was stationed at Phuoc Vinh, Camp Casey, Republic of South Vietnam. On 13 February 1971, CPT Smith was conducting a "People Sniffer" mission over Binh Tuy Province, III Corps (present-day Binh Thuan Province) in a valley suspected to be occupied by enemy troops at Military grid coordinates YS848912. Headquarters, Headquarters Battery, 2d Battalion, 20th Artillery (aerial rocket), 1st Cavalry Division (Airmobile) was tasked to support the mission. The mission team consisted of one Army UH-1H Huey helicopter (68-16360) and two AH-1G Cobra attack helicopters. LTC Adalbert E. "Bert" Toepel, Jr., 2d Battalion's commanding officer, sat in the Huey's front left seat as the aircraft commander. In the front right seat sat the pilot, CPT L.R. Burnette. The crew engineer (or crew chief) in the far left well was SP4 T.M. Morgan. PFC W. Wallace was the gunner in the far right well. Besides CPT Smith, others on the

flight included 2d Battalion's Sergeant Major, SGM Dobson, and an enlisted soldier from the 184th Chemical Platoon (Direct Support) that was there to assist CPT Smith with the drop. The mission's objective was to make one or two runs at 1,500 feet (optimum altitude for maximum effect) down the valley dropping approximately 20 modified Air Force BLU E158 tactical CS-2 (2-chlorobenzalmalononitrile) cluster bombs from the Huey helicopter. CS is a chemical agent in the family of riot control agents, commonly called "tear gas." Each E158 cluster bomb consisted of 264 D-cell battery-sized canisters of CS held in place by a plastic unit that measures 3-foot-long and 1-foot-wide. A timing fuse detonates a bursting/igniting charge that reads the smaller munitions over a 50-meter area, spraying CS as they scatter. The hope was that the tear gas submunitions would drive the enemy from their hiding places and expose them in a more open area making them vulnerable to rocket and gunfire from two supporting Cobra attack helicopters. The drop time was in early morning to assure that the CS gas would settle into the jungle canopy instead of being blown away by the wind, which was expected to happen later in the day. Take off was scheduled for 0600 hours. No problems were encountered in the preparations and loading of the canisters, which were placed on end just inside the open doors of the helicopter's cargo compartment. As a safety precaution, the pilot of the aircraft (right seat) wore a protective mask in the event any of the CS gas entered the crew compartment and adversely affected either of the pilots. It is not recalled if anybody else was wearing a protective mask during the mission. All passengers were seat-belted in. Upon the start of their run, there was a sudden explosion in the passenger/cargo compartment and the entire interior was immediately filled with burning CS gas. Somehow the arming wires of the third cluster must have come loose, and an E 158 cluster began detonating inside the Huey helicopter by the door. It's surmised that the cause of the malfunction was that someone somehow accidentally snagged the arming wire, which activated the timer. The copper retaining wires on the fuzes had been precut. This explosion started a chain reaction setting off the other clusters. Prior to the mission, a gallon can of transmission fluid was placed in the cargo compartment. After the clusters went off the crew chief announced over the intercom, "Sir, the transmission fluid is on fire!" The pilot immediately went into autorotation in order to get the aircraft closer to the ground and the crew prepared for a possible emergency landing in the 100-foot plus high jungle canopy. The aircraft commander instructed the crew in the cargo compartment to jettison all canisters, which the aircraft commander now believes had already happened. In avoiding the conflagration in the cargo compartment someone somersaulted onto the radio console, located between the two pilots. The aircraft commander wrestled with that person briefly to remove him from the proximity of the aircraft controls. The aircraft commander instructed the pilot to check his instruments and the pilot reported that they still had power. Now realizing that there wasn't a fire on board, but there was a lot of CS gas and smoke, the aircraft commander jettisoned his aircraft entry door. With his sight now returning, the aircraft commander took control of the aircraft from the pilot and flew in a slip (sideways), which caused air to blow across the interior of the helicopter and helped evacuate the gas fumes.

While this was going on, CPT Smith, although badly burned and with his clothing on fire from the black powder bursting charges, realized that everyone's lives was endangered and he was able to undo his seat-belt and push all of the clusters out of the helicopter. In the confusion, blinded and choking by the CS smoke, he may have been thrown out during the autorotation or by the explosion of the charges. CPT Smith went out with the clusters munitions and fell 1,500 feet to his death. When their vision returned, someone reported that CPT Smith was missing. What was originally thought to be a burning can of transmission fluid turned out to be the burning of a small container of CS gas on the floor of the aircraft. The small containers of burning gas caused extensive damage to the nylon seats and interior insulation in the aircraft. CPT Smith's quick thinking and actions saved the lives of six people onboard the Huey helicopter. The helicopter crewmembers were wearing their standard issue Nomex flight clothing and gloves, and were protected from more serious burns on their skin. Despite protective clothing and a helmet, one of the CS containers became lodged just behind the aircraft commander's neck, which resulted in third-degree burns. One of those containers also landed next to his right arm resulting in second-degree burns. Portions of his face not covered by the visor of his flight helmet were hit by gas and caused first- and second-degree burns. Other crewmembers were similarly burned. The helicopter crew chief was transferred to Camp Zama Hospital in Japan with severe burns. The passengers on the helicopter wore standard nylon jungle fatigues and were also extensively burned. The enlisted soldier assisting Captain Smith received severe burns and was transferred to Camp Zama Hospital where he underwent an extensive period of hospitalization. Not knowing what damage may have occurred to the aircraft, the helicopter was flown to a nearby artillery firebase FSB Mace where it landed. The accompanying escort aircraft followed. SP4 Lee Gurley and another medic from C Company, 15th Medical Battalion, 1st Cavalry Division (Airmobile) treated the injured. The incident was then reported to the division tactical operations center. Three days later an infantry unit was able to go in and recover Captain Smith's body. CPT Smith was awarded the Silver Star Medal, Bronze Star Medal with Oak Leaf Cluster, and the Purple Heart Medal. CPT Smith was an Explosive Ordnance Disposal school graduate. CPT Smith was inducted in the U.S. Army Chemical Corps Hall of Fame in June 2008.

Additional Facts: Service Number (Enlisted): RA 18733814; Service Number: 448463006; Born: 6 March 1946, Oklahoma City, Oklahoma; Age: 24; Hometown: Oklahoma City, Oklahoma; Buried: Rose Hill Burial Park, 6001 NW Grand Blvd, Oklahoma City, Oklahoma; Vietnam Memorial: Panel 05W-Line 102.

Virtual Vietnam Wall—CPT Smith

The Wall—CPT Smith

Army Together We Served—CPT Smith

First Cavalry Division Memorial

Find-A-Grave—CPT Smith

Acknowledgements:

1. SGM James G. "Jim" Ferris, USA (Retired).
2. LTC Robert E. "Bob" Leindecker, USA (Retired).
3. Dr. Jeffrey M. Leatherwood, Ph.D.

Note: All mortuary records for World War II, for all branches, are kept at the Total Army Personnel Command (TAPC). You may

write and request a copy of his Individual Deceased Personal File (IDPF) at the below listed address:

U.S. Total Army Personnel Command
 ATTN: TAPC-PAO (FOIA)
 200 Stoval Street
 Alexandria, VA 22332-0404
 Phone: (703) 325-5300 (for questions and to check your request)

A TRIBUTE IN HONOR OF THE LIFE OF THE HONORABLE FERNANDO VEGA

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of a great and good man, Fernando Vega, who lived a life of service to his country and his community, and who died peacefully at his home at the age of 88, surrounded by his loving family.

Fernando Vega was born in Houston, Texas, on November 20, 1924, and died on May 9, 2013 in Redwood City, California. Between the bookmarks of birth and death, he accomplished much and served many. He was a devoted husband and father, and his marriage in 1948 to his beloved Tina was an inspiration to everyone. He proudly served his country in the United States Army Air Corps where he received the training that led to his lifelong career as an airline mechanic. A transfer led Tina and Fernando to Redwood City with their six children in 1960, a move that proved fortuitous for them and our entire community.

Fernando made Redwood City his home and gave it his all. To supplement his income for his large family, he opened Vegas Market and Grill on Middlefield Road. The market was sold in 1984, but it still bears the family's name. He served on the Redwood City Council with distinction, and was a member of the Redwood City Elementary School District Board of Trustees. He was a Commissioner of the San Mateo County Grand Jury and the San Mateo County Civil Service Commission.

Fernando was rightfully proud of his service with Kiwanis in the formation and continued operation of the Redwood City Farmer's Market which contributed so much to the needy in the community. He began his service with the market in the late '80s and only ended it about five years ago when a stroke deprived him of the mobility he needed to help out.

Fernando is survived by his beloved wife Tina, and was predeceased by his son David (Pat). His children Oscar (Nada), George (Karen), Eloy (Sef), Fernando (Carol), and Belinda will miss him deeply, as will his many grandchildren and great-grandchildren.

Mr. Speaker, I ask my colleagues to join me in honoring the extraordinary life and accomplishments of Fernando Vega and in extolling his life of service to others. I ask my colleagues to also join me in extending our most sincere condolences to Fernando Vega's family, for their loss is a great one. I'm very proud to have had the opportunity to know and work with Fernando and even prouder to have called him my friend. There wasn't a finer

human being or greater patriot. Through his integrity, leadership and decency, he strengthened our country and our community in countless ways.

HONORING COLONEL MARK C. GARDNER

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Colonel Mark C. Gardner and to recognize his lifetime of service to our country.

On June 28, Col. Gardner will retire from the Georgia National Guard after thirty years of sacrifice and service to this great nation.

While he currently serves as the Georgia National Guard's State Inspector General, he has worked in many different capacities. In 1983, Col. Gardner's first assignment was with U.S. Army Missile Command, and he has since been assigned to infantry, maintenance, and forward support duties across the world. His career has taken him to Korea, Panama, Afghanistan, Iraq, and several military installations here in the United States.

For his distinguished leadership throughout his career, Col. Gardner has been awarded with decorations like the Legion of Merit with Oak Leaf Cluster, the Joint Service Commendation Medal, the Meritorious Service Medal with six Oak Leaf Clusters, the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korea Defense Service Medal, the Army Reserve Service Medal, the Parachutist Badge, and the Air Assault Badge.

Col. Gardner has played an invaluable role in the U.S. Armed Forces for decades and he will surely be missed.

Mr. Speaker, on behalf of the 11th District of Georgia, my deepest thanks to Col. Gardner for devoting his life to the upholding the Constitution of the United States and to the protection of its citizens. I wish him a happy—and well-deserved—retirement.

IN RECOGNITION OF POYANT SIGNS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize Poyant Signs of New Bedford, Massachusetts, as the company celebrates seventy-five years of business this month.

Founder Maurice J. Poyant first began his sign making company in 1938, originally operating under the name Artcraft Sign Company. His small business would see great expansion and many changes over the course of the following decades, such as moving into its well-known Acushnet Avenue storefront, the purchase of its first 45-foot crane, and incorpora-

tion of the business under the new name Poyant Signs in the 1950s. Several members of the Poyant family would go on to lead the company over the years following Maurice's retirement, including Maurice's son Leonard Poyant and grandson Richard Poyant. As sales continued to increase, Poyant Signs maintained its growth and success, and over the years the company was even able to acquire several competing signage companies. Although it has since outgrown its Acushnet Avenue location, Poyant Signs still calls New Bedford home, and is headquartered today in a modern 45,000 square foot facility located in New Bedford Business Park.

The success of Poyant Signs has continued into the twenty-first century, and today the company stands as the largest sign manufacturer in New England. It serves both well-known local businesses and clients that operate on a national level, and the company has been the recipient of numerous awards within the industry. In 2009, Poyant Signs was honored as a finalist in the Massachusetts Family Business of the Year Awards, as well as by the New Hampshire Sign Association Awards for the company's excellence in sign making.

Since its founding in 1938, Poyant Signs has played a central role in the development of New Bedford's local economy. The company is emblematic of the type of business that makes New Bedford the great city that it is today, and it is certainly fitting to celebrate this company's many years of success.

Mr. Speaker, I am proud to recognize Poyant Signs upon the company's seventy-fifth anniversary. I ask that my colleagues join me in this recognition and in congratulating Poyant Signs for its many decades of prosperity.

THEY GOT TO TEXAS AS FAST AS THEY COULD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. POE of Texas. Mr. Speaker, from the establishment of our great State, people have traveled from all over the world to come to Texas either to live, to work or to visit. Before Texas was a state, some even came to fight for us. Many of the soldiers that fought in the battle at the Alamo were from different states and even a few countries. The diversity of people that have traveled to the state since the 1800's has contributed to its vast culture. That has made Texas what it is today.

Today, Texas' diversity is expansive and includes the contributions of many different cultures that help make Texas' own culture that much more unique. From the numerous Vietnamese Pho restaurants in downtown Houston to the German Karbach Brewery in North Houston, the global influence on Houston's culture is immense.

The Houston Chronicle recently reported about a Houston historian who focused on determining how streets in Houston-area communities received their names. Many settlers provided the names for not only cities and counties but for streets in local communities

as well. Spring Branch, a community in the Second Congressional District of Texas, had several streets named after early immigrant settlers from Germany. Most of the early settlers were German farmers who came to the United States in pursuit of prosperity and to have land to farm. The City of Houston was named after the great Sam Houston, who was of Scots-Irish descent and originally from Virginia. The county that encompasses Houston, Harris County, was named after John Richardson Harris, a settler who came to Texas from New York by way of Missouri.

As the saying goes, if you weren't born in Texas, you got there as fast as you could.

People from around the world continue to hang a "Gone to Texas" sign on their front door. Our Texas pride comes from our rich history, a history that was built by the contributions of many local heroes and leaders who simply got to Texas as fast as they could. And that's just the way it is.

OLIVIA FOUSEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Olivia Fousel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Olivia Fousel is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Olivia Fousel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Olivia Fousel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 23, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 4

- 9:30 a.m.
Committee on Armed Services
To hold hearings to examine pending legislation regarding sexual assaults in the military. TBA
- 10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine wildland fire management. SD-366
- 2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of wireless communications. SR-253

JUNE 5

- 10 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine the Missile Defense Agency. SD-192
- Committee on Veterans' Affairs
To hold hearings to examine pending benefits legislation. SR-418

JUNE 6

- 9:30 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine programs and activities of the Department of the Interior. SD-366
- 2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold an oversight hearing to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act. SD-366

JUNE 11

- 9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

- 11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommit-

tee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

- 2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SD-G50

- 3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A

- 6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-232A

JUNE 12

- 9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014. SR-222

- 2:30 p.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 13

- 9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 14

- 9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014. SR-222

JUNE 20

- 10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine water resource issues in the Klamath River Basin. SD-366